

Climate Change Litigation in Indonesia: Assessing the Role of Courts in Protecting the Human Rights of Climate-Vulnerable Communities

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Abstract

Climate change increasingly affects Indonesian communities through flooding, coastal erosion, extreme weather, ecosystem degradation, and livelihood disruption. As government policies and corporate activities contribute to climate-related risks, litigation may become an important mechanism for affected communities seeking accountability and protection. This article examines the emerging role of climate litigation in Indonesia from a human rights perspective. Using normative juridical research and comparative legal analysis, the study evaluates constitutional rights, environmental law, state obligations, corporate responsibility, and judicial remedies. The article argues that climate litigation can strengthen accountability when courts interpret environmental protection in conjunction with rights to health, livelihood, housing, and a safe environment. However, effective climate litigation requires accessible standing rules, appropriate evidentiary standards, judicial expertise, and meaningful remedies. The study proposes a rights-based climate litigation framework emphasizing prevention, accountability, restoration, and protection of vulnerable communities. The article concludes that Indonesian courts have the potential to contribute significantly to climate governance by ensuring that public authorities and private actors comply with legal and human rights obligations associated with climate-related harm.

[Perubahan iklim semakin memengaruhi masyarakat Indonesia melalui banjir, erosi pantai, cuaca ekstrem, degradasi ekosistem, dan gangguan mata pencaharian. Karena kebijakan pemerintah dan aktivitas perusahaan berkontribusi terhadap risiko terkait iklim, litigasi dapat menjadi mekanisme penting bagi masyarakat yang terdampak untuk mencari pertanggungjawaban dan perlindungan. Artikel ini mengkaji peran litigasi iklim yang sedang berkembang di Indonesia dari perspektif hak asasi manusia. Dengan menggunakan penelitian yuridis normatif dan analisis hukum komparatif, studi ini mengevaluasi hak konstitusional, hukum lingkungan, kewajiban

negara, tanggung jawab perusahaan, dan upaya hukum. Artikel ini berpendapat bahwa litigasi iklim dapat memperkuat akuntabilitas ketika pengadilan menafsirkan perlindungan lingkungan bersamaan dengan hak atas kesehatan, mata pencaharian, perumahan, dan lingkungan yang aman. Namun, litigasi iklim yang efektif membutuhkan aturan kedudukan hukum yang mudah diakses, standar pembuktian yang tepat, keahlian yudisial, dan upaya hukum yang bermakna. Studi ini mengusulkan kerangka kerja litigasi iklim berbasis hak yang menekankan pencegahan, akuntabilitas, pemulihan, dan perlindungan masyarakat rentan. Artikel ini menyimpulkan bahwa pengadilan Indonesia memiliki potensi untuk berkontribusi secara signifikan terhadap tata kelola iklim dengan memastikan bahwa otoritas publik dan aktor swasta mematuhi kewajiban hukum dan hak asasi manusia yang terkait dengan kerusakan akibat iklim.]

Keywords: Climate litigation, human rights, climate justice, Indonesian courts, vulnerable communities

Introduction

Climate change has transformed environmental degradation from an ecological policy concern into a complex question of law, justice, and human rights. Indonesia is particularly exposed because of its extensive coastline, dependence on climate-sensitive agriculture, biodiversity, forest ecosystems, and large populations living in areas vulnerable to flooding, landslides, drought, sea-level rise, and extreme weather. These risks do not affect all communities equally. Low-income households, Indigenous peoples, small-scale farmers, fishers, and residents of environmentally vulnerable areas frequently possess fewer economic and institutional resources to respond to climate-related harm. Climate vulnerability therefore has an important distributional dimension: those who contribute relatively little to global emissions may experience some of the most serious consequences. Climate litigation has emerged internationally as one response to this problem because courts can transform broad environmental and human rights principles into concrete obligations for governments and private actors (Setzer and Vanhala 2019; Savaresi and Auz 2021).

In Indonesia, climate litigation presents a distinctive legal challenge because the country does not possess a single comprehensive climate change statute establishing a unified judicial framework for climate claims. Instead, climate-related disputes are generally pursued through existing constitutional, environmental, administrative, civil, forestry, land, and human rights laws. Sulistiawati (2024) identifies a substantial body of climate-related litigation in Indonesian courts between 2010 and 2020, finding 112 cases in which climate change appeared in claims, arguments, evidence, expert testimony, or judgments.

Most cases were criminal proceedings related to forestry and forest fires, while a smaller number involved civil claims seeking improvements in environmental governance. This pattern illustrates that Indonesian climate litigation frequently operates indirectly. Climate change may not be the formal legal object of litigation, yet judicial decisions concerning forests, fires, pollution, land use, and environmental governance can materially influence mitigation and adaptation outcomes.

The constitutional basis for climate-related human rights litigation is relatively strong. Article 28H paragraph (1) of the 1945 Constitution recognizes the right of every person to live in physical and spiritual prosperity, to have a home, and to obtain a good and healthy environment. Article 28D establishes equality and legal certainty, while Article 33 paragraph (3) provides that land, water, and natural resources are controlled by the state and must be used for the greatest prosperity of the people. These provisions can be read together as creating a constitutional foundation for environmental protection and intergenerational responsibility. Indonesian scholarship has emphasized that the right to a good and healthy environment is not merely a policy aspiration but forms part of the country's human rights architecture (Yuliyanto, Alatiqoh, and Alfaruq 2022). The constitutional recognition of environmental rights consequently creates a possible foundation for courts to scrutinize governmental inaction or environmentally harmful decisions that expose communities to climate-related risks.

The human rights dimension becomes especially important because climate harm frequently manifests through violations of rights that are already recognized in domestic and international law. Climate-induced flooding may affect housing and property; prolonged heat and pollution may affect health; drought may threaten food security; coastal erosion may undermine livelihoods; and ecological degradation may disrupt cultural practices and community identity. International human rights bodies have increasingly recognized this relationship. The United Nations Human Rights Committee's decision in *Daniel Billy et al. v. Australia* demonstrated that inadequate responses to climate change can, under appropriate circumstances, interfere with protected human rights. The case is particularly significant for vulnerable communities because it concerned Torres Strait Islanders whose cultural, residential, and economic life was threatened by climate impacts (Serraglio et al. 2023). The development of such jurisprudence provides comparative support for interpreting Indonesian constitutional rights dynamically in the context of climate vulnerability.

This article argues that Indonesian courts should treat climate litigation not simply as conventional environmental litigation with climate terminology added to the pleadings, but as a developing field in which environmental law, constitutional law, administrative law, and human rights intersect. The central argument is not that courts should replace legislatures or executive agencies in designing climate policy. Rather, courts should ensure that public authorities and private actors comply with existing legal duties and that climate-related decision-making respects

constitutional rights, principles of legality, precaution, participation, equality, and accountability. The analysis therefore examines the development of climate litigation in Indonesia, the constitutional and statutory basis for climate-related claims, procedural and evidentiary challenges confronting vulnerable communities, and the role of courts in developing effective remedies and climate justice.

Climate Litigation and the Development of Human Rights-Based Environmental Adjudication

Climate litigation is not a single category of lawsuit. It encompasses disputes directed toward mitigation, adaptation, compensation, environmental restoration, enforcement of existing regulations, review of governmental decisions, and protection of rights affected by climate-related harm. This diversity is particularly important in Indonesia because many cases do not expressly identify climate change as the principal legal issue. Sugiarto et al. (2023) demonstrate that Indonesian climate litigation may involve cases where climate change constitutes the central motivation as well as cases where the principal dispute concerns forests, fires, pollution, or environmental degradation but the outcome has implications for mitigation or adaptation. This broader understanding prevents Indonesian climate litigation from being underestimated simply because courts do not always use the term “climate change” in their judgments. The legal significance of a case should therefore be assessed partly by its effect on climate governance, environmental protection, and community resilience.

The evolution of climate litigation internationally demonstrates that courts can influence climate policy even when they are not directly empowered to formulate comprehensive climate programs. Markell and Ruhl's empirical examination of United States climate cases demonstrated that courts can become important institutional arenas in which competing interpretations of climate responsibility are developed (Markell and Ruhl 2010). Subsequent scholarship has shown that litigation can perform several functions, including enforcing existing environmental obligations, requiring governments to justify climate policies, increasing public accountability, and establishing legal principles for future disputes (Peel and Osofsky 2018; Setzer and Vanhala 2019). The judicial role is therefore not necessarily equivalent to policymaking. Courts can instead function as accountability institutions by determining whether decisions made by governments and corporations fall within the boundaries established by law.

The relevance of this approach to Indonesia is strengthened by the country's constitutional recognition of environmental rights. Article 28H paragraph (1) gives environmental protection a constitutional dimension, while Law No. 32 of 2009 concerning Environmental Protection and Management provides statutory rights relating to information, participation, environmental justice, and a good and healthy environment. Yuliyanto, Alatiqoh, and Alfaruq (2022) emphasize that

access to information, participation, and justice is essential to making environmental rights meaningful. This means that climate litigation should not be limited to claims seeking compensation after environmental damage has occurred. It may also challenge failures to disclose information, inadequate public participation, unlawful permits, insufficient environmental assessment, or administrative inaction that increases climate vulnerability.

The Indonesian constitutional framework also permits climate arguments to be connected to the broader principle of sustainable development. Article 33 of the Constitution requires natural-resource governance to promote public welfare, while Law No. 32 of 2009 integrates sustainable development into environmental governance. Mahardika (2021) has argued that regulatory reforms that weaken environmental safeguards may create tensions with the constitutional protection of the right to a good and healthy environment. This issue is relevant to climate litigation because climate vulnerability is frequently intensified by cumulative decisions concerning land conversion, deforestation, industrial development, pollution, and infrastructure. Courts therefore need to consider not only whether an individual administrative act complies formally with procedural requirements but also whether environmental governance remains consistent with constitutional standards.

A rights-based approach also changes the way climate vulnerability is conceptualized. Climate litigation should not assume that climate harm is distributed uniformly among the population. Communities may experience the same physical hazard differently because of differences in income, geography, gender, disability, age, occupation, land tenure, and access to public services. International scholarship increasingly emphasizes the importance of identifying vulnerable groups rather than treating “the public” as a homogeneous category (Savaresi and Auz 2021; Suedi and Fall 2024). For Indonesian courts, this means that judicial review should be sensitive to the social context in which environmental harm occurs. A decision affecting a wealthy urban community with alternative resources may have different human rights implications from the same decision affecting an isolated fishing village or subsistence farming community.

The development of human rights-based climate litigation also creates a bridge between environmental law and constitutional adjudication. Adristi, Annette, and Andrian (2023) argue that human rights have substantial potential as a legal basis for climate claims in Indonesia, although their use remains relatively limited. This potential is significant because human rights arguments can transform climate change from a general policy concern into a question of state responsibility. If climate-related government failures foreseeably expose individuals to serious interference with constitutionally protected rights, courts can assess whether public authorities have satisfied their legal obligations. The judicial task is therefore not to establish a new climate right without legislative foundation, but to interpret existing rights in light of contemporary environmental realities.

State Responsibility, Corporate Accountability, and Climate-Related Harm

The question of responsibility is central to climate litigation because climate harm usually results from multiple interacting causes. Greenhouse gas emissions arise from numerous sectors and actors, while environmental vulnerability may be intensified by governmental planning decisions, inadequate enforcement, land-use policies, and private activities. This causal complexity can make litigation difficult because conventional legal models often expect a relatively identifiable act, actor, and injury. Nevertheless, climate litigation has developed methods for addressing complex causation by combining scientific evidence, regulatory obligations, historical conduct, and legal duties. Indonesian scholarship similarly identifies unlawful acts, negligence, strict liability, and factual government action as possible legal foundations for climate-related claims (Sugiarto et al. 2023).

Government responsibility should be assessed not only in terms of direct emissions but also in terms of regulatory and administrative failure. A state may contribute to climate harm by authorizing environmentally damaging activities, failing to enforce environmental standards, neglecting adaptation obligations, or adopting policies inconsistent with statutory environmental duties. Wijoyo, Prihatiningtyas, and Noventri (2025), for example, argue that the Indonesian government has legal responsibility in relation to the achievement of the FOLU Net Sink 2030 target and that failure to achieve climate-related obligations may potentially generate litigation. This reasoning is important because it shifts the focus from whether the government itself physically emitted greenhouse gases toward whether it has adequately performed regulatory responsibilities established by law and policy.

Government responsibility is particularly relevant where climate vulnerability results from cumulative environmental decisions. Consider a coastal community repeatedly exposed to flooding because wetlands have been converted, drainage systems inadequately maintained, mangroves degraded, and spatial planning decisions have permitted intensive development. A court need not determine that one government official caused the entire climate problem. Instead, it may assess whether public authorities fulfilled their legal obligations to protect residents from foreseeable environmental risks. Climate litigation can therefore operate through administrative accountability, particularly where authorities possess information concerning environmental risks but fail to take reasonable preventive measures.

Corporate responsibility presents a related but distinct problem. Private companies may contribute to climate change through fossil-fuel extraction, industrial emissions, deforestation, land conversion, forest fires, or other activities. Indonesian environmental law provides several mechanisms for holding corporations accountable, including civil liability and, under specified circumstances, strict liability. Haryadi (2016) explains that Indonesian environmental law has developed significant civil enforcement mechanisms,

including rights to sue, strict liability, and recovery of environmental restoration costs. These mechanisms can become increasingly important in climate-related litigation because they allow plaintiffs to pursue accountability without requiring every dispute to depend entirely upon proof of conventional negligence.

At the same time, corporate climate liability should not be constructed without regard to causation and proportionality. The fact that a corporation operates in an emissions-intensive sector does not automatically establish legal responsibility for every climate-related harm. Courts must distinguish between generalized global climate effects and harms sufficiently connected to the defendant's legally relevant conduct. Scientific attribution may assist this process. Climate science increasingly provides methods for connecting emissions to particular changes in temperature, extreme events, or risk probabilities. Courts therefore require access to scientifically reliable evidence and expert testimony capable of translating complex climate science into legally relevant findings.

The relationship between climate litigation and corporate accountability has developed significantly in comparative jurisdictions. The *Milieudefensie v. Royal Dutch Shell* proceedings illustrate how private corporate climate obligations can be argued through existing duties of care rather than through a specific climate statute. Similarly, litigation against governments in cases such as *Urgenda Foundation v. State of the Netherlands* demonstrates how existing legal duties can be interpreted in light of climate risks and human rights. Savaresi and Auz (2021) observe that human rights arguments increasingly function as a means of filling gaps where conventional environmental or climate law does not provide sufficient remedies. These comparative experiences are relevant to Indonesia, although domestic courts must adapt them to Indonesian constitutional and statutory structures rather than mechanically importing foreign doctrines.

State and corporate responsibility should also be connected to the principle of prevention. Climate litigation should not be limited to compensation after irreversible harm has occurred. Courts can potentially require authorities to reconsider unlawful decisions, enforce environmental standards, restore degraded ecosystems, or adopt measures required by existing legal obligations. Preventive remedies are particularly important because many climate harms cannot be fully compensated through money. The loss of an inhabited island, traditional fishing grounds, agricultural ecosystems, or culturally significant landscapes may be practically irreversible. A rights-based judicial approach should therefore prioritize prevention and restoration where legally appropriate.

Access to Justice, Standing, Evidence, and the Protection of Vulnerable Communities

The effectiveness of climate litigation ultimately depends on whether affected communities can reach courts and present legally persuasive claims. Standing is

therefore one of the most important procedural issues. Climate change produces diffuse and cumulative harm, making it difficult to identify a single victim in the traditional sense. This difficulty has been recognized in international litigation, where courts have struggled to distinguish generalized environmental concerns from individualized rights violations. The problem is particularly acute where climate impacts occur gradually or where multiple actors contribute to the same harm. Nevertheless, Indonesia's environmental legal framework contains several mechanisms that can facilitate public-interest litigation, including citizen lawsuits, environmental organizations' standing, and class actions under relevant procedural rules.

The Jakarta air-pollution litigation demonstrates the potential of citizen litigation to transform environmental rights into judicially enforceable obligations. In Decision No. 374/Pdt.G/LH/2019/PN.Jkt.Pst., the Central Jakarta District Court found governmental authorities responsible for unlawful conduct concerning air pollution and recognized the relevance of the constitutional right to a good and healthy environment. Subsequent analysis has highlighted both the importance of the case and difficulties concerning implementation and supervision of the judgment (Astarina 2025; Gohardi and Kusumawati 2025). Although the case was not exclusively a climate-change lawsuit, it demonstrates how environmental litigation can address atmospheric harm and state responsibility in a manner relevant to climate governance.

The citizen lawsuit mechanism nevertheless presents procedural uncertainty because Indonesia does not yet possess a comprehensive statute specifically regulating citizen lawsuits. Zaman (2023) identifies this absence of detailed procedural regulation as a significant issue affecting the development of citizen litigation in environmental cases. Courts have consequently played an important role in developing procedural practice. This situation creates both an opportunity and a risk. Judicial flexibility can improve access to justice, but inconsistent standards may create uncertainty for litigants. A clearer procedural framework would enable communities to challenge climate-related governmental failures without requiring them to overcome unnecessary procedural barriers.

Class actions represent another potentially important mechanism because climate-related environmental harms frequently affect groups rather than isolated individuals. Kurniawan et al. (2025) explain that class actions are an important instrument for protecting communities affected by environmental harm, although their implementation continues to face formal and technical challenges. In climate litigation, class procedures may be particularly useful for communities experiencing common exposure to flooding, pollution, forest fires, or environmental degradation. However, courts must ensure that class definitions are sufficiently precise and that differences among group members do not undermine the adequacy of collective representation.

Evidence presents an equally significant challenge. Climate claims may require evidence concerning emissions, environmental trends, historical land use,

meteorological patterns, health impacts, causal relationships, and the effectiveness of mitigation or adaptation measures. Individual communities frequently lack the financial capacity to obtain sophisticated scientific expertise. This creates an asymmetry between vulnerable plaintiffs and governments or corporations possessing technical resources. Courts should therefore ensure that evidentiary standards do not become so demanding that scientifically complex environmental rights become practically unenforceable. Comparative scholarship shows that courts increasingly confront the challenge of translating scientific uncertainty into legal responsibility (Setzer and Vanhala 2019; Peel and Lin 2019).

The issue is not that courts should lower evidentiary standards indiscriminately. Rather, judicial reasoning should recognize the nature of climate science and distinguish scientific uncertainty from complete absence of evidence. The precautionary principle, already reflected in Indonesian environmental law, may be particularly relevant where there is credible evidence of serious or irreversible environmental risk. Courts should also be prepared to consider expert evidence concerning probabilistic causation, cumulative environmental effects, and foreseeable risks. Such an approach is compatible with the judicial function because courts routinely evaluate complex scientific evidence in environmental, health, and technological disputes.

Protection against retaliation is another prerequisite for effective climate litigation. Communities challenging environmentally harmful projects may face civil claims, criminal complaints, administrative sanctions, or intimidation. Article 66 of Law No. 32 of 2009 provides protection for persons fighting for the right to a good and healthy environment, commonly associated with Indonesia's Anti-SLAPP framework. Recent scholarship has identified continuing uncertainty concerning the interpretation and application of this protection (Firdaus and Aziz 2025). Effective climate justice therefore requires not only access to courts but also protection from abusive litigation designed to discourage public participation. Without such protection, vulnerable communities may remain legally entitled to litigate while being practically unable to exercise that right.

Judicial Remedies, Climate Justice, and the Future of Indonesian Climate Litigation

The effectiveness of climate litigation depends ultimately on the quality of remedies available to courts. Monetary compensation is sometimes necessary, but it cannot address every form of climate-related harm. Where climate change threatens homes, ecosystems, cultural practices, or traditional livelihoods, restoration or preventive measures may be more appropriate than financial damages. Courts should therefore consider a range of remedies, including orders requiring government authorities to perform statutory duties, review unlawful administrative decisions, restore damaged ecosystems, strengthen environmental monitoring, disclose information, or implement measures required by existing law. Such

remedies can transform climate litigation from retrospective dispute resolution into a mechanism for improving environmental governance.

Judicial remedies must nevertheless respect institutional boundaries. Courts are not necessarily equipped to determine national emissions budgets, design energy systems, or select among complex policy alternatives. The legitimacy of judicial intervention therefore depends upon identifying a legally enforceable duty and determining whether the government or corporation has breached that duty. Climate litigation becomes institutionally defensible when courts enforce constitutional or statutory obligations rather than simply substituting judicial preferences for legitimate policy choices. This distinction is central to maintaining the separation of powers while allowing courts to protect fundamental rights.

The comparative development of rights-based climate litigation demonstrates that courts can require governments to take climate risks seriously without becoming climate policymakers. *Urgenda* is frequently discussed because the court connected the state's climate duties with human rights and the duty of care. The European Court of Human Rights' *Verein KlimaSeniorinnen Schweiz and Others v. Switzerland* similarly demonstrated that climate change can be adjudicated through existing human rights frameworks. International scholarship suggests that such cases represent an emerging judicial understanding that climate governance is relevant to the effective enjoyment of established human rights (Savaresi and Auz 2021; Rosa 2024). For Indonesia, the lesson is not to replicate foreign judgments mechanically but to recognize the possibility of developing domestic jurisprudence from existing constitutional principles.

Climate justice also requires courts to consider intergenerational and distributive dimensions. Current environmental decisions may impose consequences on people who have limited political influence and on future generations who cannot participate in present decision-making. The constitutional principle of environmental protection can therefore be interpreted in conjunction with sustainable development and intergenerational equity. Climate litigation may provide a procedural mechanism through which these otherwise diffuse interests become visible. Courts can require public authorities to explain how present development decisions account for long-term environmental risks and whether those decisions disproportionately burden vulnerable populations.

The Indonesian judiciary could strengthen climate adjudication through greater judicial specialization and access to scientific expertise. Climate disputes require judges to understand greenhouse gas emissions, attribution science, ecosystem vulnerability, adaptation, environmental risk, and the relationship between scientific uncertainty and legal standards. Specialized environmental courts or enhanced environmental judicial training could contribute to more consistent decision-making. Romsan et al. (2023) have highlighted the broader need to strengthen institutional mechanisms for enforcing environmental rights, while Fitriah and Amarini (2024) emphasize the importance of developing judicial approaches capable of incorporating climate justice into environmental

adjudication. Judicial capacity should therefore be treated as an essential component of climate governance rather than a peripheral institutional issue.

Courts should also pay greater attention to the implementation of judgments. A favorable environmental judgment does not automatically produce environmental improvement. The experience of the Jakarta air-pollution citizen lawsuit illustrates the difficulty of ensuring that government authorities actually implement judicial orders effectively (Gohardi and Kusumawati 2025). Climate litigation requires monitoring mechanisms, clear remedial orders, institutional reporting, and, where necessary, judicial supervision. Without implementation, litigation risks becoming symbolic rather than transformative. Courts should therefore formulate remedies with measurable obligations and identifiable responsible institutions whenever the legal framework permits such orders.

Finally, climate litigation should be understood as one element of a broader climate-governance system. Litigation cannot substitute for effective legislation, executive action, scientific planning, or democratic participation. Its greatest contribution may lie in correcting failures that other institutions have been unable or unwilling to address. Setzer and Benjamin (2020) observe that climate litigation in the Global South often emerges where existing regulatory frameworks are poorly implemented or where specific climate legislation is incomplete. Indonesia reflects this pattern. Courts can therefore serve as accountability institutions that reinforce environmental laws, protect constitutional rights, and require government agencies to comply with their existing responsibilities. Climate litigation becomes most legitimate and effective when it complements rather than replaces democratic climate governance.

Conclusion

Climate change litigation in Indonesia has the potential to become an important mechanism for protecting the human rights of climate-vulnerable communities. Although Indonesia does not yet have a single comprehensive climate litigation framework, its Constitution, environmental legislation, human rights law, administrative law, civil law, and judicial mechanisms provide multiple legal pathways through which climate-related claims can be developed. The constitutional recognition of the right to a good and healthy environment, combined with statutory rights to participation, information, environmental justice, and legal remedies, provides a substantial normative foundation. Existing Indonesian litigation concerning air pollution, forest fires, environmental degradation, and government responsibility demonstrates that courts can already influence environmental governance even when climate change is not the formal subject of a dispute. The emerging scholarship therefore supports understanding Indonesian climate litigation as an evolving field rather than a legally isolated category.

The central challenge is to ensure that climate litigation becomes accessible and effective for communities that experience disproportionate climate vulnerability. Standing rules, evidentiary burdens, scientific complexity, litigation costs, procedural uncertainty, and risks of retaliation can prevent vulnerable communities from fully exercising their rights. Courts should consequently interpret procedural mechanisms in a manner consistent with access to environmental justice while maintaining appropriate legal standards. Citizen lawsuits, class actions, environmental organization standing, and Anti-SLAPP protection can become important components of a stronger climate justice framework. Judicial reasoning should also be attentive to the differentiated effects of climate change on Indigenous peoples, coastal communities, farmers, fishers, women, children, low-income households, and other vulnerable populations.

Indonesian courts should ultimately develop a rights-based approach that emphasizes prevention, accountability, restoration, participation, and effective implementation of judgments. Judicial intervention should not transform courts into substitute climate policymakers, but neither should institutional restraint prevent courts from enforcing constitutional and statutory obligations. Climate litigation is most valuable when it ensures that government decisions and corporate activities remain within the boundaries established by environmental and human rights law. By strengthening judicial expertise, improving procedural access, recognizing scientifically credible climate evidence, and developing meaningful remedies, Indonesian courts can contribute to a legal order in which climate protection is understood not merely as an environmental policy objective but as an essential component of constitutional justice and human dignity.

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Generative AI Statement

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