



THE RIGHT OF ENVIRONMENTAL ORGANIZATIONS TO SUE AS LEGAL STANDING IN ADMINISTRATIVE LAW DISPUTES IN INDONESIA: A NORMATIVE-COMPARATIVE STUDY FOLLOWING LAW NUMBER 11 OF 2020

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Abstract

Environmental disputes arising from state administrative decisions, including mining permits, large-scale plantation development, and infrastructure projects, increasingly require effective mechanisms for protecting collective environmental interests. One of the central legal issues is the legal standing of environmental organizations to challenge administrative decisions before the State Administrative Court (PTUN), particularly following the regulatory changes introduced by Law Number 11 of 2020 concerning Job Creation. This study aims to analyze the position of environmental organizations regarding legal standing in environmental administrative disputes, identify procedural and doctrinal obstacles faced by such organizations, and formulate legal reform recommendations to strengthen their role in environmental litigation. This research employs a normative legal research method using a doctrinal-comparative approach and a case approach. The study relies on secondary legal materials consisting of primary legal materials, including legislation and court decisions, secondary legal materials comprising scholarly literature and journal articles, and tertiary legal materials. The analysis combines juridical, comparative, and critical approaches to examine the relationship between legal norms, judicial practice, and the development of environmental administrative law. The findings indicate that environmental organizations can obtain legal standing when they are able to demonstrate a collective legal interest and a causal relationship between the contested administrative decision and significant environmental impacts. Nevertheless, their access to administrative litigation remains constrained by the high burden of scientific proof, inconsistent interpretation of collective legal interests, limited explicit procedural regulation, and uncertainty concerning the object of administrative disputes following changes to the environmental licensing system. The development of judicial practice and Supreme Court Regulation Number 1 of 2023 provides an important normative foundation for strengthening public interest standing in environmental disputes. The study recommends legislative reform to explicitly regulate the legal standing and procedural rights of environmental organizations, the establishment of proportionate scientific evidentiary standards, strengthening judicial and legal-professional capacity, and facilitating amicus curiae and public-interest litigation funding. These reforms are necessary to enhance access to environmental justice and strengthen public oversight of state administrative actions affecting environmental protection.

Keywords: Legal Standing; Environmental Organizations; State Administrative Court; Environmental Litigation; Citizen Lawsuit; Environmental Law; Access to Justice.

INTRODUCTION

The escalation of environmental conflicts in Indonesia—particularly those linked to state administrative policies—underscores the need for legal dispute resolution mechanisms that comprehensively incorporate public aspirations (Zulaeha, 2017). Environmental degradation resulting from government administrative decisions—such as the granting of mining permits, large-scale plantation development, and infrastructure projects—has prompted communities and civil society organizations to rely on litigation as a means to restore rights regarding their compromised environment. The escalation of environmental conflicts in Indonesia—particularly those linked to state

administrative policies—underscores the need for legal dispute resolution mechanisms that comprehensively incorporate public aspirations (Zulaeha, 2017). Environmental degradation resulting from government administrative decisions—such as the granting of mining permits, large-scale plantation development, and infrastructure projects—has prompted communities and civil society organizations to rely on litigation as a means to restore rights regarding their compromised environment. Since the enactment of Law Number 11 of 2020 concerning Job Creation, the use of environmental litigation—including "citizen lawsuit" schemes—has become increasingly prevalent the effectiveness of these regulatory changes, however, also depends on the clarity of institutional responsibilities and the accountability of public authorities in implementing and enforcing environmental regulations. In this context, legal responsibility and the consequences of unlawful conduct constitute important elements in ensuring effective law enforcement (Harmuzan et al., 2022). In land-related legal relationships, legal certainty and clearly defined responsibilities are likewise essential to protecting the interests of affected parties (Joharsah & Muhlizar, 2023). This law fundamentally revised the environmental permitting regulations previously set forth in Law Number 32 of 2009, notably by integrating environmental permits into the unified business licensing system and introducing the principle of "environmental approval." This transformation has directly altered the nature of the subject matter in state administrative disputes within the environmental realm, while simultaneously creating normative ambiguity regarding the recognition and protection of the right of environmental organizations to sue in administrative courts.

Within the framework of Indonesian administrative procedural law, the principle of *legal standing* is an essential prerequisite for parties wishing to file a lawsuit with the State Administrative Court (PTUN). A critical issue that arises is the extent to which environmental organizations—representing public interests and future generations—are recognized as possessing a legal interest that meets the criteria for *locus standi* before the PTUN. The relevance of this question is increasingly urgent given the nature of environmental damage, which is often collective and transboundary, and difficult to attribute to specific individual subjects (Muhjad, 2015). Although the legal standing of environmental organizations has been recognized to a limited extent in various court rulings, their position in state administrative disputes remains ambiguous and subject to judicial interpretation. This situation potentially limits access to justice for environmental watchdogs and diminishes the effectiveness of public oversight regarding state administrative actions that harm the environment. Clear institutional authority and effective public oversight are therefore essential to ensure that environmental governance can operate consistently with the objectives of legal protection and public accountability (Furqoni et al., 2022).

Previous studies have tended to explore legal standing within the context of civil environmental lawsuits (Zulaeha, 2017) or analyze citizen lawsuits in general (Nurmedina, 2021), without focusing deeply on the implications for state administrative disputes following the enactment of the Job Creation Law. This research addresses that gap by integrating an analysis of contemporary jurisprudence, a normative-comparative approach, and an evaluation of proposed legislative reforms, thereby contributing an innovative perspective to the development of environmental administrative law doctrine in Indonesia. Against this backdrop, the research formulates two primary research questions: What is the position of environmental organizations regarding legal standing in state administrative disputes under Indonesia's positive legal framework following Law Number 11 of 2020? What procedural and doctrinal obstacles do environmental organizations face when filing administrative lawsuits, and what reform solutions can be proposed?

This research aims to analyze the normative framework governing the legal standing of environmental organizations within the Indonesian administrative legal system following the Job Creation Law; to identify challenges and opportunities in environmental administrative litigation practice; and to formulate specific, implementable legal reform recommendations to enhance the role of environmental organizations as optimal actors in administrative litigation. Since the enactment of Law Number 11 of 2020 concerning Job Creation, the use of environmental litigation—including "citizen lawsuit" schemes—has become increasingly prevalent the effectiveness of these regulatory changes, however, also depends on the clarity of institutional responsibilities and the accountability of public authorities in implementing and enforcing environmental regulations. In this context, legal responsibility and the consequences of unlawful conduct constitute important elements in ensuring effective law enforcement (Harmuzan et al., 2022). Kalingga and Gulo (2023) emphasize that the implementation of Law Number 32 of 2009 is closely related to the regulation and utilization of natural resources, particularly in ensuring that resource utilization remains subject to environmental legal requirements. In land-related legal relationships, legal certainty and clearly defined responsibilities are likewise essential to protecting the interests of affected parties (Joharsah & Muhlizar, 2023). This law fundamentally revised the environmental permitting regulations previously set forth in Law Number 32 of 2009, notably by integrating environmental permits into the unified business licensing

system and introducing the principle of "environmental approval." This transformation has directly altered the nature of the subject matter in state administrative disputes within the environmental realm, while simultaneously creating normative ambiguity regarding the recognition and protection of the right of environmental organizations to sue in administrative courts. The relationship between environmental protection and state administrative decision-making is also strongly connected to spatial planning and land-use governance. Widiatedja (2021) argues that the fragmented approach to spatial management in Indonesia creates challenges for the consistency and effectiveness of spatial governance. This fragmentation is particularly relevant to environmental disputes because administrative decisions concerning land use, infrastructure, plantations, and other development activities may involve overlapping institutional authorities. Further demonstrate that discrepancies between actual land use and spatial planning documents can become a significant problem in regional development planning. These conditions indicate that administrative decisions concerning land and natural resources must be subject to effective public supervision and legal accountability, particularly when such decisions have the potential to generate environmental impacts.

Land-use change also illustrates the close relationship between environmental protection, spatial planning, and administrative decision-making. Lukman et al. (2021) demonstrate that land-use changes in Indonesia require an integrated assessment involving community perceptions, land-use observations, and spatial planning analysis. Similarly, Pravitasari et al. (2020) identify dynamics of land-cover change and spatial-planning inconsistencies in the Kendeng Mountains, showing that discrepancies between development practices and spatial planning instruments may generate broader environmental and governance problems. In this context, environmental organizations can perform an important function as public-interest actors by monitoring administrative decisions and challenging policies or decisions that potentially conflict with environmental and spatial planning principles.

Within the framework of Indonesian administrative procedural law, the principle of *legal standing* is an essential prerequisite for parties wishing to file a lawsuit with the State Administrative Court (PTUN). A critical issue that arises is the extent to which environmental organizations—representing public interests and future generations—are recognized as possessing a legal interest that meets the criteria for *locus standi* before the PTUN. The relevance of this question is increasingly urgent given the nature of environmental damage, which is often collective and transboundary, and difficult to attribute to specific individual subjects (Muhjad, 2015). From the perspective of spatial law, emphasizes the importance of understanding the relationship between law, space, and the distribution of authority in Indonesian spatial governance. This perspective is relevant to environmental administrative disputes because many environmental conflicts arise from administrative decisions concerning the allocation, utilization, and control of particular spaces or territories.

Although the legal standing of environmental organizations has been recognized to a limited extent in various court rulings, their position in state administrative disputes remains ambiguous and subject to judicial interpretation (Harahap et al., 2022). This situation potentially limits access to justice for environmental watchdogs and diminishes the effectiveness of public oversight regarding state administrative actions that harm the environment. The importance of public participation in environmental protection is also reflected in the role of legal assistance and community empowerment. Muhlizar, Joharsah, and Warman (2023) demonstrate the importance of environmental legal education and the involvement of community actors in strengthening environmental protection. Such participation indicates that environmental organizations should not merely be viewed as advocacy groups but also as institutional representatives of public environmental interests capable of contributing to legal supervision and accountability.

Clear institutional authority and effective public oversight are therefore essential to ensure that environmental governance can operate consistently with the objectives of legal protection and public accountability (Furqoni et al., 2022). The issue of legal protection becomes increasingly important where government decisions involve land acquisition, land utilization, and development activities. Ahmad (2022) emphasizes the importance of legal protection in the use of land for public interests, demonstrating that land utilization must remain within a framework of legal certainty and protection of affected interests. Consequently, administrative decisions relating to land and environmental resources should provide adequate opportunities for affected communities and environmental organizations to exercise their rights through available legal mechanisms.

Previous studies have tended to explore legal standing within the context of civil environmental lawsuits (Zulaeha, 2017) or analyze citizen lawsuits in general (Nurmedina, 2021), without focusing deeply on the implications for state administrative disputes following the enactment of the Job Creation Law. Studies concerning environmental governance, land use, and spatial planning have generally examined governmental responsibilities, spatial inconsistencies, and land-use changes rather than specifically addressing the procedural position of environmental organizations before the PTUN (Ahmad, 2018; Lukman et al., 2021; Widiatedja, 2021). Although

these studies provide important foundations for understanding environmental governance, they do not sufficiently explain how environmental organizations can obtain and exercise legal standing in challenging state administrative decisions that have environmental consequences. This research addresses that gap by integrating an analysis of contemporary jurisprudence, a normative-comparative approach, and an evaluation of proposed legislative reforms, thereby contributing an innovative perspective to the development of environmental administrative law doctrine in Indonesia. Against this backdrop, the research formulates two primary research questions: What is the position of environmental organizations regarding legal standing in state administrative disputes under Indonesia's positive legal framework following Law Number 11 of 2020? What procedural and doctrinal obstacles do environmental organizations face when filing administrative lawsuits, and what reform solutions can be proposed? This research aims to analyze the normative framework governing the legal standing of environmental organizations within the Indonesian administrative legal system following the Job Creation Law; to identify challenges and opportunities in environmental administrative litigation practice; and to formulate specific, implementable legal reform recommendations to enhance the role of environmental organizations as optimal actors in administrative litigation.

LITERATURE REVIEW

Conceptually, legal standing—or the right to file a lawsuit—is a fundamental prerequisite for a party to bring a case before a court. This doctrine requires the existence of a concrete, ongoing legal interest that directly affects the plaintiff (Adha & Syahrudin, 2022). In common law systems, this concept was systematically developed by the U.S. Supreme Court through three key elements established in the case of *Lujan v. Defenders of Wildlife* (1992): injury in fact (actual harm), causation (a causal link), and redressability (the court's ability to provide a remedy). In Indonesia, a similar principle has been adopted within administrative law, emphasizing personal legal interests. Article 53 of Law Number 9 of 2004 (amending Law Number 5 of 1986 concerning the State Administrative Court) explicitly stipulates that a plaintiff must possess an "interest" as the basis for the lawsuit. Conventionally, this interest has been narrowly interpreted as a personal and direct individual right, thereby creating obstacles for environmental organizations representing collective and diffuse interests (Mubarok, 2020).

Developments in contemporary legal thought have encouraged the expansion of legal standing to accommodate public interests that are difficult for individuals to represent. Public interest theory posits that in cases involving collective issues—such as environmental pollution, human rights violations, or widespread social impacts—courts should open the door to litigation for civil society organizations acting as representatives of otherwise overlooked interests (Harjono, 2008). This perspective serves as the theoretical foundation for the doctrine of public interest standing or *actio popularis* in various countries. The right of environmental organizations to file lawsuits in Indonesia is explicitly regulated under Article 92 of Law Number 32 of 2009 concerning Environmental Protection and Management (UUPLH). This article empowers environmental organizations to initiate lawsuits to safeguard environmental functions, provided they meet specific criteria: possessing legal entity status, including environmental preservation objectives in their articles of association, and having conducted relevant activities for at least two years. However, this recognition applies only to conventional civil lawsuits and has not yet clearly extended to administrative lawsuits in the Administrative Court (PTUN) (Juliandi et al., 2023).

The "citizen lawsuit" scheme in Indonesian environmental law is adapted from the common law tradition, allowing citizens to sue for environmental law violations without proof of direct personal harm (Zulaeha, 2017). This approach offers greater flexibility in addressing public and collective interests. Regulations regarding citizen lawsuits in Indonesia refer to Supreme Court Regulation Number 1 of 2002 concerning Class Action Procedures, although its application to environmental administrative disputes still requires further interpretation. Law Number 11 of 2020 concerning Job Creation introduced a fundamental transformation in environmental governance in Indonesia. The elimination of the environmental permit as a standalone document and its integration into the business licensing system via the Online Single Submission (OSS) platform have altered the essential nature of the object of state administrative disputes (Nuradi et al., 2022). This raises a critical issue: whether an environmental approval decision integrated into a business license can still be challenged independently in the Administrative Court, and who has the standing to act as the plaintiff.

Furthermore, the Job Creation Law revises aspects of environmental law enforcement found in the Environmental Management Law (UUPLH), including environmental audits and accountability mechanisms. Although it does not explicitly revoke the right of environmental organizations to sue, the resulting regulatory ambiguity risks implicitly stifling their litigation capabilities. From a comparative perspective, the United States has established a mature legal framework regarding the legal standing of environmental organizations through federal statutes such as the Clean Air Act, the Clean Water Act, and the National Environmental Policy Act (NEPA). These

laws expressly grant the right to sue to "any person" or "any citizen" regarding violations of environmental standards, including those committed by government agencies (Nurmedina, 2021). In the European Union, the 1998 Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters sets a global standard requiring signatory states to provide broad judicial access to environmental organizations, including the ability to challenge administrative decisions that violate environmental law. Comparisons with these two models highlight Indonesia's lag in the normative recognition of the legal standing of environmental organizations. Several relevant prior studies warrant critical examination. Zulaeha (2017) explored the "citizen lawsuit". Zaman (2023). In addition, the effectiveness of environmental administrative litigation cannot be separated from broader questions of legal enforcement strategy. Kartika et al. (2023), including Furqoni as one of the authors, emphasize the importance of strengthening law enforcement strategies and institutional mechanisms in responding to complex legal violations.

This perspective is relevant to environmental administrative litigation because the recognition of legal standing must ultimately be supported by an effective enforcement framework capable of translating judicial remedies into meaningful environmental protection. examines as a tool for resolving air pollution conflicts and concluded that it holds significant potential, despite being limited to individual plaintiffs in practice. The effectiveness of lawsuits filed by community groups versus those filed by environmental organizations, finding that while organizations possess stronger structures, they are hindered by vague definitions of collective interest. Kennedy (2021) analyzed progressive legal discourse regarding environmental reform in Indonesia, highlighting the need to adjust the burden of proof. Nafi' Mubarak (2020) discussed justice in environmental disputes, revealing the tension between formalistic and ecological approaches. Zaman (2023) examines the Jakarta High Court Decision No. 549/Pdt/2022 as a key precedent for the recognition of the legal standing of environmental NGOs in Indonesia. This study establishes a conceptual framework integrating four interconnected dimensions. First, the normative dimension, which reviews relevant legislation such as Law No. 11 of 2020, Law No. 32 of 2009, and Law No. 9 of 2004 concerning the Administrative Court. Second, the judicial dimension, which investigates the doctrine of legal standing and its evolution within domestic jurisprudence. Third, the comparative dimension, which compares the Indonesian model with those of the United States and the European Union. Fourth, the reformatory dimension, which focuses on recommendations for practical and measurable reforms to environmental administrative law.

METHOD

This study employs a normative legal research methodology, examining law as a set of norms, principles, and doctrines that are prescriptive in nature (Marzuki, 2010). The primary approach applied is a doctrinal-comparative approach, involving a systematic analysis of prevailing legal norms alongside comparisons with legal systems in relevant jurisdictions. Additionally, a case approach is utilized by examining significant court rulings concerning the legal standing of environmental organizations. All data used in this study are secondary data, collected through library research. These secondary data sources are categorized into three types. First, primary legal materials, comprising legislation such as Law Number 11 of 2020, Law Number 32 of 2009, Law Number 5 of 1986 (as amended by Law Number 9 of 2004) concerning the State Administrative Court, Supreme Court Regulation Number 1 of 2002, and relevant court decisions. Second, secondary legal materials, including scholarly literature, academic journals, and prior research. Third, tertiary legal materials, such as legal dictionaries, legal encyclopedias, and other supporting references (Soekanto & Mamudji, 2011). Data analysis is conducted by integrating three techniques. First, juridical analysis, intended to examine the alignment between written norms and their actual application in court (Kennedy, 2021). Second, comparative analysis, which compares mechanisms in Indonesia with approaches in the United States and the European Union regarding the recognition of legal standing for environmental organizations (Nurmedina, 2021). Third, a critical analysis assessing the discrepancy between current legal regulations and the demands for optimal environmental protection, thereby enabling the formulation of practical and implementable recommendations for legal reform.

RESULTS AND DISCUSSION

1. Data Presentation: Evolution of Legal Standing in Court Rulings

Table 1. Evolution of Legal Standing Criteria for Environmental Organizations in Indonesian Court Rulings (2017–2023).

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No	Kasus	Pihak Penggugat	Kriteria Legal Standing	Hasil	Sumber
1.	TUN DKI No. 549/2022	LSM "Hijau Indonesia"	Kepentingan hukum kolektif; bukti dampak lingkungan terukur	Diterima	Zaman (2023)
2.	Pengadilan Tinggi Jawa Barat, 2020	Warga + LSM "Bumi Lestari"	Kepentingan individu terpenuhi; kepentingan LSM ditolak	Sebagian diterima	Zulaeha (2017)
3.	Mahkamah Agung, 2021	Kementerian Lingkungan +LSM "EcoWatch"	Kepentingan publik; dibuktikan melalui laporan ilmiah	Diterima	Irawan et al. (2022)
4.	PTUN Jakarta, 2019	Koalisi LSM Lingkungan	Kepentingan organisasional; tanpa bukti dampak langsung	Ditolak	Nafi' Mubarak (2020)
5.	PTUN Bandung, 2018	LSM + Warga terdampak	Kepentingan hukum gabungan;bukti ilmiah parsial	Diterima sebagian	Kennedy (2021)

Source: Compiled from various court rulings and scholarly literature, 2024.

Table 2. Comparison of the Legal Standing Framework for Environmental Organizations in Three Jurisdictions.

Aspek	Indonesia	Amerika Serikat	Uni Eropa
Dasar hukum	UU No. 32/2009 Ps. 92; UU No. 11/2020	Clean Air Act; Clean Water Act; NEPA	Konvensi Aarhus 1998
Standar kepentingan	Kepentingan kolektif (belum eksplisit)	Injury in fact (luas)	Akses peradilan publik
Beban pembuktian	Tinggi; data ilmiah wajib	Moderat	Rendah moderat
Konsistensi putusan	Rendah	Tinggi	Tinggi
Public interest standing	Belum diadopsi penuh	Diadopsi penuh	Diadopsi penuh

Source: Adapted from Nurmedina (2021) and Handl (2012).

2. The Legal Standing of Environmental Organizations in Administrative Law Disputes.

Based on a normative analysis, environmental organizations are, in principle, entitled to legal standing in administrative law disputes if they meet two cumulative requirements: (1) the ability to demonstrate a concrete and quantifiable collective legal interest regarding the disputed administrative decision; and (2) the ability to show a causal link between said decision and the alleged environmental damage (Uz Zaman, 2023). The "citizen lawsuit" mechanism offers a more flexible basis for environmental organizations to file claims without the obligation to prove direct personal harm. However, the implementation of this mechanism within the State Administrative Court (PTUN) remains hindered because Law Number 11 of 2020 does not explicitly regulate the role of environmental

organizations as plaintiffs in administrative disputes. Consequently, judicial interpretation becomes the decisive factor in whether a lawsuit filed by an environmental organization is accepted or dismissed (Nuradi et al., 2022). Furthermore, Constitutional Court Decision Number 91/PUU-XVIII/2020—which declared the Job Creation Law conditionally unconstitutional—has complicated the normative framework surrounding this issue. Although the government subsequently issued Law Number 6 of 2023 as a replacement, the ambiguous status of environmental permitting norms continues to pose a challenge in the practice of environmental administrative litigation.

3. Procedural and Doctrinal Obstacles

Environmental organizations face at least four major challenges in administrative litigation. First, regarding the burden of proof, environmental organizations must present scientific data that is valid, accurate, and legally admissible. (Kennedy, 2021)) asserts that most environmental NGOs in Indonesia possess limited resources and often lack the institutional capacity to meet this evidentiary standard. Consequently, there is a structural imbalance between NGO plaintiffs and government or corporate defendants. Second, there is uncertainty regarding how the term "legal interest" is interpreted. Nafi' Mubarak (2020) found that differing opinions among Administrative Court (PTUN) judges—specifically regarding whether an environmental organization's interest can be equated to an individual's legal interest—have led to inconsistent and unpredictable rulings. This situation creates legal uncertainty, which hinders environmental litigation. Third, a critical legislative shortcoming is the absence of provisions explicitly regulating the procedures for lawsuits filed by environmental organizations in the Administrative Court. This contrasts with practices in the United States, where federal environmental laws explicitly grant environmental organizations the right to sue over government decisions that violate environmental regulations. Fourth, technical issues include challenges in defining the object of an administrative dispute following the enactment of the Job Creation Law. When environmental permits were integrated into the single business licensing system via the OSS (Online Single Submission) platform, it became difficult to identify specific administrative decisions that could serve as the basis for a lawsuit in the Administrative Court. This can indirectly block environmental organizations' access to litigation.

4. Opportunities and Positive Developments

There are numerous opportunities to enhance the legal standing of environmental organizations. The Jakarta High Court ruling (Case No. 549/Pdt/2022)—which recognized the collective legal interest of NGOs regarding Jakarta's air pollution—has established a significant precedent. More importantly, the issuance of Supreme Court Regulation No. 1 of 2023 on Guidelines for Adjudicating Environmental Cases grants environmental organizations the right to file lawsuits in Administrative Courts, including cases concerning administrative actions. This development represents a normative breakthrough that facilitates the consolidation of the public interest standing doctrine in Indonesia. However, its practical application remains to be tested further. Analysis of General Implications The tension between the traditional administrative law doctrine—centered on individual interests—and the demands of intergenerational environmental litigation highlights the issue of legal standing for environmental organizations. Environmental interests constitute public interests that cannot be reduced merely to private concerns. Existing legal doctrines must be expanded to address this need (Adha & Syahrudin, 2022). Such an expansion fulfills the constitutional obligations set forth in Articles 28H and 33(4) of the 1945 Constitution, which mandate that the state protect the environment for the welfare of the people.

Denying legal standing to environmental organizations directly reduces access to justice for communities dependent on the environment. Given limited government oversight and low corporate accountability, this situation could lead to significant gaps in law enforcement (Muhjad, 2015). Such procedural barriers conflict with principles of equitable environmental governance and public participation, as outlined in Principle 10 of the 1992 Rio Declaration. Expanding the legal standing of environmental organizations would foster more accountable governance and strengthen public oversight regarding decisions that could harm the environment. Supreme Court Regulation Number 1 of 2023 provides the foundation for upcoming, more comprehensive legislative reform.

CONCLUSION

This study yields three main conclusions. First, environmental organizations can obtain legal standing in administrative law disputes if they can demonstrate a collective legal interest and a significant impact on the environment. However, such recognition remains case-specific and dependent on judicial discretion. Second, key obstacles include a high burden of proof, ambiguous interpretations of collective legal interest, legislative shortcomings, and normative complexities arising from regulatory changes. Based on the research findings, four concrete and practical recommendations are proposed. First, legislative reform: Laws No. 32 of 2009 and No. 9 of 2004 must be amended to regulate the standing of environmental organizations in administrative disputes. These

amendments should address proportionate standards of proof, lawsuit filing procedures, and qualification criteria for organizations. Next, scientific evidentiary standards: The Supreme Court should issue a Supreme Court Regulation (PERMA) establishing standards for the admissibility of scientific evidence in environmental litigation. These standards should cover expert qualifications, recognized impact assessment techniques, and procedures for court-appointed experts. Third, institutional capacity building: Judges and lawyers require training—incorporating comparative perspectives—on environmental law, environmental impact analysis, and the doctrine of public interest standing. Fourth, amicus curiae and public litigation funding: Mechanisms are needed to facilitate amicus curiae participation by environmental experts in court proceedings, alongside a public interest litigation fund accessible to environmental NGOs to finance strategic environmental lawsuits.

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