


Civil Dispute Resolution in Environmental Pollution Cases: A Study on the Implementation of Sustainable Development Goals 13

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Abstract

Introduction: The resolution of civil disputes in environmental pollution cases is a crucial issue in achieving environmental justice and sustainable development. Environmental pollution that causes harm to communities demands an effective, fair, and sustainable dispute resolution mechanism.

Purposes of the Research: This study aims to analyze how the implementation of civil dispute resolution in environmental pollution cases aligns with the Sustainable Development Goals (SDGs) Goal 13, which focuses on climate action.

Methods of the Research: The research employs a normative juridical approach with case studies and qualitative analysis, collecting data through literature review and documentation of court decisions.

Findings of the Research: The findings reveal that mechanisms such as mediation, civil lawsuits, and class actions have been utilized in certain cases; however, they have not fully reflected ecological justice principles or ensured sustainable environmental recovery. The implementation of SDG 13 in dispute resolution remains partial and has yet to become a central legal guideline. Strengthening regulations and legal awareness that support preventive and restorative approaches is necessary to improve the handling of environmental pollution disputes. This study concludes that synergy between environmental civil law and the principles of SDG 13 must be enhanced to develop a dispute resolution system that not only resolves conflicts but also contributes to long-term environmental protection and restoration.

Keywords: Civil Dispute; Environmental Pollution; SDG 13.

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INTRODUCTION

The environment is an important element in the survival of living things on earth. In the context of global development, environmental protection and preservation is no longer only a local or national issue, but has developed into the attention of the international world. Uncontrolled industrial growth, urbanization, and other human activities have led to significant environmental degradation, such as increasingly extreme air, water, and soil pollution. This condition triggers concerns about its impact on human health, ecosystem sustainability, and social inequality due to environmental damage.¹

As a form of global response to the environmental crisis and climate change, the United Nations (UN) formulated the *Sustainable Development Goals* (SDGs), which came into effect in 2015. Consisting of 17 goals and 169 targets, the SDGs are a global guide in designing sustainable development policies around the world. One of the main goals closely related

¹ Amajihono, K. D., Ndruru, A., & Halawa, D. (2025). Penerapan Sanksi Perdata Dalam Penyelesaian Sengketa Lingkungan Hidup Ditinjau Dari Undang-Undang RI Nomor 32 Tahun 2009 Tentang Lingkungan Hidup. *Jurnal Ilmiah Galuh Justisi*, 13(1), 129-140.

to environmental issues is SDG 13, namely *Climate Action*, which emphasizes the importance of immediate action to address the impacts of climate change and environmental pollution.

In Indonesia, attention to environmental issues has actually been reflected in various regulations, such as Law Number 32 of 2009 concerning Environmental Protection and Management. This law is the legal basis in regulating the responsibilities of business actors, the government, and the community in preserving the environment. In the context of environmental law enforcement, there are three approaches that can be used, namely administrative, criminal, and civil approaches.² Of the three, civil dispute resolution has an important position because it provides space for people directly harmed by pollution to demand compensation, restore environmental conditions, and obtain justice.³

The implementation of civil dispute resolution in environmental pollution cases still faces various challenges. One of the main obstacles is the difficulty of proving due to the nature of pollution which is often hidden, cumulative, and has a long-term impact. In addition, many people do not understand their rights to sue polluters civilly, so access to justice is limited. Even when lawsuits are filed, the trial process is often lengthy, expensive, and does not guarantee the success of environmental restoration. Not to mention the role of judges who may not fully understand the ecological aspects of the dispute.

The phenomenon of environmental pollution caused by industrial activities continues to increase along with the pace of economic development, especially in densely industrial areas. One of the most tangible impacts can be seen in river pollution which is the main source of people's lives, both for household, agricultural, and fishery purposes. Unfortunately, efforts to resolve through civil channels are still often at an impasse due to limited scientific evidence, high litigation costs, and insufficient understanding of the substance of environmental law by law enforcement officials.⁴ Many pollution victims have suffered economic, health, and social losses, but have not received the justice they deserve through the civil justice process. This reflects the weakness of law enforcement that is supposed to protect the right to a clean and healthy environment as guaranteed in the constitution and legislation.

The urgency of resolving civil disputes in cases of environmental pollution becomes increasingly important when it is associated with the implementation of the Sustainable Development Goals (SDGs), especially SDGs 13 on climate change management. Effective civil law enforcement can be one of the strategic mechanisms in encouraging business actors to take responsibility for the environmental impacts they cause, as well as providing a deterrent and environmental restoration effect. Without a legal system that is responsive and responsive to pollution cases, mitigation and adaptation efforts to climate change will be difficult to achieve. Therefore, comprehensive reform is needed in environmental civil law enforcement, both in terms of regulation, institutional, and human resource capacity, in line with the principles of sustainability that are the main foundation in SDGs 13.

In various cases of environmental pollution in Indonesia, such as river and air pollution, to industrial waste pollution, a civil settlement mechanism is rarely the main choice,

² Ningrum, V. P., & Rahayu, M. I. F. (2024). Pelaksanaan Penegakan Hukum Lingkungan Secara Perdata Dalam Kasus Pencemaran Sungai Yang Disebabkan Oleh Aktivitas Industri. *Jurnal Pendidikan Indonesia*, 5(12), 1606–1620.

³ Nugraha, A. A., Gusti, I., Ketut, A., Handayani, R., & Najicha, F. U. (2021). *Jurnal Hukum Tora: Hukum Untuk Mengatur Dan Melindungi Masyarakat*. 7(2), 283–298.

⁴ Rafiqi, I. D. (2024). *Pengembangan Hukum Profetik Dalam Putusan Hakim Perkara Lingkungan Hidup Iktiar Membumikan Wacana Hukum Langitan*. UMM Press.

although the impact is directly felt by the community. This shows that there is a gap between the regulations that have been available and the implementation in the field. In some cases, such as pollution of the Citarum River, air pollution by industry, or ecosystem damage due to illegal mining, people often rely more on government action or criminal courts, rather than civil lawsuits against polluters.⁵

Meanwhile, from the perspective of the SDGs, especially SDG 13, the role of the legal system in handling environmental pollution does not only stop at the imposition of sanctions, but also includes the restoration of environmental conditions and the prevention of future pollution. This means that the legal approach should not only be reactive but also proactive and participatory. In this context, remediation and prevention-oriented civil dispute resolution becomes particularly relevant.⁶ Dispute resolution is not only expected to resolve conflicts between parties, but must also be able to be an instrument to uphold environmental justice and strengthen legal awareness in society.⁷

It should be highlighted that the integration between the principles of the SDGs, especially SDG 13, with the national legal system, especially in civil settlement mechanisms, has not been fully optimal. This can be seen from the absence of legal instruments that explicitly adopt the SDGs goals in resolving civil disputes. The SDGs are often only a macro reference in national development planning, but are not concretely described in environmental law enforcement practices. As a result, civil courts still tend to use conventional approaches in handling pollution cases, without considering sustainability and ecological restoration aspects as a whole.⁸ Through this research, it is hoped that regulatory and institutional gaps can be found that can be corrected to encourage a legal system that is more responsive to environmental pollution and climate change. In addition, this research also aims to provide concrete recommendations for policy makers, law enforcement officials, and civil society in strengthening the synergy between the civil legal system and sustainable development goals. Thus, dispute resolution is not only an instrument for resolving conflicts, but also an integral part of efforts to maintain the sustainability of the earth and guarantee the rights of future generations to a healthy environment.⁹ In the long run, the synergy between civil dispute resolution and the implementation of SDGs 13 will not only strengthen the legal position of pollution victims, but will also shape a new legal culture that makes environmental protection a top value in every policy and action.¹⁰ Law enforcement must no longer be solely oriented towards economic compensation, but must prioritize the values of sustainability, ecological justice, and collective responsibility for the environment. Therefore, the urgency to integrate the principles of the SDGs into the civil dispute resolution system is an important agenda that cannot be delayed.

The problem of environmental pollution is one of the most crucial and complex issues in sustainable development. Uncontrolled industrial activities, mining, intensive agriculture,

⁵ Nisa, A. N., & Suharno, S. (2020). Penegakan Hukum Terhadap Permasalahan Lingkungan Hidup Untuk Mewujudkan Pembangunan Berkelanjutan. *Jurnal Bina Mulia Hukum*, 4(2), 294.

⁶ Triwanto, T., Rahayu, A. M. K., Riyadi, A., & Prabowo, R. S. (2025). Implementasi Hukum Lingkungan Dalam Mencegah Dan Mengatasi Pencemaran Sebagai Upaya Perlindungan Ekosistem. *Jurnal Ilmiah Galuh Justisi*, 13(1), 129-142.

⁷ Sihombing, A. K. (2020). Penegakan Hukum Terhadap Pencemaran Lingkungan Di Sungai Cikijing, Jawa Barat Akibat Aktivitas Industri Tekstil PT. Kahatex. *Jurnal Hukum Lingkungan Indonesia*, 7(1), 98-117.

⁸ Triwanto, T., Rahayu, A. M. K., Riyadi, A., & Prabowo, R. S. (2025). *Op. Cit.*

⁹ Purwendah, E. K., Djatmiko, A., & Pudyastiwi, E. (2023). Problematika Penegakan Hukum Lingkungan Di Indonesia. *Jurnal Pacta Sunt Servanda*, 4(1), 238-249.

¹⁰ *Ibid*

and urbanization often have a negative impact on the environment. Water, air, and soil pollution not only damages ecosystems, but also threatens people's health and lives. In the legal context, environmental pollution can cause disputes between business actors or individuals and affected communities, either directly or indirectly. Therefore, the legal system must be able to accommodate the resolution of conflicts arising from pollution, one of which is through civil channels that provide space for victims to demand compensation and environmental restoration.¹¹

Indonesia as part of the global community has adopted the Sustainable Development Goals (SDGs), where point 13 (*Climate Action*) emphasizes the importance of concrete action in addressing climate change and its impacts. The application of the principles of *climate justice* and environmental justice is an integral part of this commitment. In this case, the settlement of civil disputes in cases of environmental pollution plays an important role as an instrument of legal protection for victims and as a control mechanism for the behavior of business actors who ignore environmental sustainability. In other words, dispute resolution is not only aimed at compensation for losses, but is also a form of implementation of sustainability and ecological justice values that are in line with the SDGs 13 agenda.

Unfortunately, the practice of civil dispute resolution in Indonesia still faces various challenges. The power imbalance between society and large corporations, the lack of environmental law literacy among the community, and weak law enforcement often hinder the creation of substantive justice. In addition, proof in environmental cases often requires scientific evidence and expert witnesses, which are not always easily accessible to the plaintiff. This creates inequality in access to justice, which is contrary to the spirit of inclusivity in the SDGs. Therefore, the study of civil dispute resolution in the context of environmental pollution needs to be directly linked to the implementation strategy of SDGs 13, in order to create an approach that is not only legal formal, but also transformative and participatory.¹² Against this background, it is important to examine how the civil dispute resolution system can support the optimal implementation of SDGs 13. This study will not only describe the ideal conditions of civil environmental law, but also explore good practices, challenges, and relevant solutions at the national and regional levels. Furthermore, this approach aims to formulate strategies to strengthen civil law mechanisms based on climate justice, protection of people's rights, and sustainable ecosystem recovery. Thus, this study is an important step in bridging the juridical aspects and the global goals of sustainable development.

METHODS OF THE RESEARCH

The research method used in this study is a normative juridical method with a qualitative approach, which aims to analyze the applicable positive legal norms related to the settlement of civil disputes in cases of environmental pollution, as well as how these norms are implemented in the framework of achieving the Sustainable Development Goals (SDGs) 13 goals on action against climate change. The normative juridical approach is carried out by examining various laws and regulations, legal doctrines, legal principles, and relevant court decisions, especially those related to the settlement of environmental disputes in civil terms. Secondary data were obtained through literature studies, including studies of scientific journals, law books, reports of related institutions, and court decision documents

¹¹ Risqi, D. M. (2022). Penegakan Hukum Lingkungan. JHP17 (*Jurnal Hasil Penelitian*), 6(2), 39–44

¹² *Ibid*

containing environmental disputes. The data analysis technique is carried out in a descriptive-qualitative manner, namely by describing and interpreting the legal data found, and relating it to the principles of environmental sustainability as stipulated in SDGs 13, in order to understand the practice of law application, this study also examines concrete case studies of civil judgments related to environmental pollution in Indonesia to identify the extent of the role of civil law in providing ecological justice and its contribution to climate change adaptation and mitigation efforts. Through this method, the research is expected to provide a complete picture of the effectiveness and challenges of implementing civil dispute resolution within the framework of sustainable development.

RESULTS AND DISCUSSION

The resolution of civil disputes in cases of environmental pollution is an increasingly important issue amid increasing global awareness of environmental sustainability. In Indonesia, this mechanism is regulated in Law Number 32 of 2009 concerning Environmental Protection and Management, which gives individuals or groups the right to file a lawsuit in the event of losses due to pollution. However, in practice, the civil process still faces many obstacles, ranging from proving causality, limited access to justice, to the unpreparedness of law enforcement officials in adopting sustainability principles. In fact, dispute resolution through civil channels should be an important means to uphold ecological justice and environmental restoration.¹³ Achieving Sustainable Development Goals (SDGs) 13 on climate change management, civil dispute resolution should play an important role as a legal instrument that encourages responsibility for actions that damage the environment. Unfortunately, many civil judgments focus only on compensating material losses to victims, without considering the improvement or restoration of environmental conditions. This shows that the principles of the SDGs, such as climate change mitigation and adaptation, have not been integrated into the civil dispute resolution process. As a result, the legal process loses its strategic potential as part of long-term climate solutions.

One of the main obstacles in resolving civil disputes is scientific proof of pollution. People as victims often have difficulty accessing environmental data or experts to prove that the damage they suffer comes from the actions of certain business actors. In addition, the civil law system in Indonesia has not fully accommodated public interest litigation or class actions effectively. In fact, this approach is particularly relevant for environmental cases that have a broad impact and are collective. Therefore, it is necessary to reform the civil legal system to be more pro-environment and responsive to climate change.

Case studies such as the pollution of the Citarum River are a clear example of the weakness of civil settlements in the face of large-scale pollution. Although there have been lawsuits filed by legal aid agencies and civil society organizations, the results still do not reflect the ideal environmental justice. Judges in environmental cases tend to interpret losses narrowly and do not consider ecosystem aspects as a whole. To support SDG 13, a legal approach is needed that is not only oriented to individual victims, but also to the sustainability of the functioning of the environment as a legacy of future generations.¹⁴

¹³ Triwanto, T., Rahayu, A. M. K., Riyadi, A., & Prabowo, R. S. (2025). Implementasi Hukum Lingkungan Dalam Mencegah Dan Mengatasi Pencemaran Sebagai Upaya Perlindungan Ekosistem. *Jurnal Ilmiah Galuh Justisi*, 13(1), 129-142.

¹⁴ Rafiqi, I. D. (2024). *Pengembangan Hukum Profetik Dalam Putusan Hakim Perkara Lingkungan Hidup Iktiar Membumikan Wacana Hukum Langitan*. UMM Press.

A. Civil Dispute Resolution Mechanism in Environmental Pollution Cases

The settlement of civil disputes in cases of environmental pollution is one of the important instruments in upholding ecological justice. These disputes usually arise when environmental pollution occurs that causes losses to individuals, community groups, or even local governments. In the context of Indonesian law, the civil dispute resolution mechanism can be carried out through several channels, namely litigation (court) and non-litigation (alternative dispute resolution such as mediation, arbitration, and negotiation).

A civil lawsuit in the litigation channel can be filed by the aggrieved party against the perpetrator of pollution based on Article 1365 of the Civil Code which states that every unlawful act that causes harm to another person requires the perpetrator to compensate for the loss. This mechanism prioritizes the principle of strict liability as stipulated in Law Number 32 of 2009 concerning Environmental Protection and Management. So that the plaintiff does not need to prove the element of error, it is enough to prove that there has been pollution and losses have occurred.¹⁵ The litigation process often encounters obstacles such as high costs, lengthy processes, and difficulties in scientific proof related to environmental damage and the relationship between the defendant's actions and the consequences caused. Therefore, the non-litigation route is starting to become an alternative that is considered because it is faster, cheaper, and more resolvable. In mediation, for example, the disputing party is facilitated by a neutral third party to reach a mutual agreement. This mediation can be facilitated by official institutions such as the District Court or by non-governmental organizations that have a focus on environmental issues.¹⁶ On the other hand, the settlement of environmental disputes can also be done through citizen lawsuits or citizen lawsuits. This mechanism provides space for the public to sue polluters in the name of the public interest. One example is the Citarum River pollution case, where a number of NGOs sued several industries that dumped hazardous waste into the river. Although the final result is not optimal, this lawsuit has opened up space for public participation in environmental law enforcement.

In addition, participatory principles and ecological justice have also begun to be applied in dispute resolution. This is in line with the development of global environmental law that prioritizes the rights of people to be involved in decision-making related to the environment. Therefore, it is important for governments, judicial institutions, and communities to continue to develop dispute resolution mechanisms that are adaptive and responsive to current ecological challenges.¹⁷

B. Implementation of SDGs 13 in Environmental Pollution Dispute Resolution

Sustainable Development Goals (SDGs) merupakan agenda pembangunan global yang disepakati oleh negara-negara anggota Perserikatan Bangsa-Bangsa (PBB) untuk mencapai

¹⁵ Sihombing, A. K. (2020). Penegakan Hukum Terhadap Pencemaran Lingkungan Di Sungai Cikijing, Jawa Barat Akibat Aktivitas Industri Tekstil PT. Kahatex. *Jurnal Hukum Lingkungan Indonesia*, 7(1), 98–117.

¹⁶ Sonjaya, T., Heryanto, B., Mulyana, A., & Aridhayandi, M. R. (2020). Kebijakan Hukum Pidana dalam Upaya Penegakan Hukum Lingkungan berdasarkan Prinsip Pembangunan. *Lambung Mangkurat Law Journal*, 5(2), 203–214.

¹⁷ Triwanto, T., Rahayu, A. M. K., Riyadi, A., & Prabowo, R. S. (2025). Implementasi Hukum Lingkungan Dalam Mencegah Dan Mengatasi Pencemaran Sebagai Upaya Perlindungan Ekosistem. *Jurnal Ilmiah Galuh Justisi*, 13(1), 129–142.

keberlanjutan di berbagai sektor, termasuk lingkungan hidup. SDGs 13 secara khusus menekankan pada aksi terhadap perubahan iklim dan dampaknya. Dalam konteks Indonesia, implementasi SDGs 13 dapat diwujudkan melalui berbagai kebijakan dan instrumen hukum, salah satunya adalah melalui penyelesaian sengketa perdata dalam kasus pencemaran lingkungan.¹⁸

The application of SDGs principles in civil dispute resolution mechanisms reflects the state's commitment to not only uphold justice, but also protect future generations from environmental damage. Dispute resolution oriented towards environmental recovery, ecosystem rehabilitation, and the responsibility of polluters is part of real action to face the climate crisis. Unfortunately, in practice, civil dispute resolution still tends to be compensatory – focusing on compensation to victims – and has not been fully geared towards overall environmental restoration. In order for dispute resolution to be in line with SDGs 13, it is necessary to carry out paradigm reform in environmental law enforcement. One of them is to integrate the assessment of the impact of climate change in the judicial process, including in determining the amount of compensation and the form of recovery. For example, when pollution occurs due to industrial waste, the judge considers not only the economic losses of the victims, but also the long-term impact on the ecosystem and the contribution of the case to climate change.

In addition, it is also important to strengthen the capacity of judicial institutions and law enforcement officials in understanding the linkage between local pollution and the global impact of climate change. Regular education and training on the SDGs and environmental issues should be part of the justice system. On the other hand, the public also needs to be given greater space and access to participate in the dispute resolution process, both through formal and informal channels.

The implementation of SDGs 13 in dispute resolution must also be supported by a strong national legal framework. Law Number 32 of 2009 has actually provided a fairly good legal basis, but it needs to be strengthened with more technical and operational implementing regulations. The government must also strengthen synergy between environmental institutions, legal institutions, and local governments in handling pollution cases comprehensively. The use of technology to monitor pollution and speed up the process of proving in court can also be a breakthrough in supporting the achievement of SDGs 13. Thus, the settlement of civil disputes in cases of environmental pollution can be an important instrument in realizing sustainable development goals, especially in efforts to overcome climate change. A comprehensive, collaborative, and ecological justice-based approach is needed so that the dispute resolution process not only provides justice for victims, but also maintains environmental sustainability for the future.

The settlement of civil disputes in environmental pollution cases needs to be directed towards a more progressive system, based on ecological justice, and in line with the goals of SDGs 13. Reforms in the form of increasing the capacity of judges, reforming the civil procedure law, and strengthening the role of the community in environmental advocacy are strategic steps that need to be taken. Legal settlement must not only stop at compensation, but must also encourage environmental restoration and prevention of future pollution. In this regard, civil lines have great potential as an integral part of the fight against climate change and sustainable development.

¹⁸ Ariyo Wicaksono, (2020), *Pakar UI: Hukum Perdata Harus Digunakan Pada Perusakan Lingku*

1) General Conditions of Civil Law Enforcement in the Environmental Sector

The settlement of environmental disputes in the Indonesian legal system, through civil channels, has been formally accommodated in Law Number 32 of 2009 concerning Environmental Protection and Management (UUPPLH). Article 87 of the Law expressly states that every person who commits an unlawful act in the form of pollution or destruction of the environment that causes harm to others or the environment, is obliged to pay compensation and take certain actions. This indicates that civil law can be used as a tool to demand legal responsibility for polluters, both by individuals, community groups, and government institutions.¹⁹

However, the reality is that the application of civil channels in resolving environmental disputes is still not optimal. Most people do not understand civil legal procedures, and there is a perception that this route takes a lot of time and money. On the other hand, there is a tendency that civil judges still apply a conventional approach in assessing lawsuits, which focuses on individual material losses, and have not fully considered ecological aspects or environmental restoration as a whole. One of the main obstacles in environmental civil cases is proof. Proving in the case of pollution is not easy, because pollution is often indirect and occurs cumulatively over a long period of time. In addition, the causal relationship between pollutants and losses suffered by victims is difficult to prove without scientific support, such as laboratory data, environmental studies, or expert witnesses, which are often not owned by the victim's community.

2) Case Study: Civil Dispute over Citarum River Pollution

One of the important case studies that can be used as a reference is the case of Citarum River pollution. In this case, a number of textile and chemical industries that dump waste into rivers have caused severe pollution to water, ecosystems, and the health of the surrounding community. Although there have been several lawsuit attempts from NGOs and citizens, most settlements have been carried out through administrative sanctions and criminal approaches, while civil channels have not shown significant results.

The civil lawsuit in the case was filed by the community through the Legal Aid Institute (LBH) and environmental organizations, but the lawsuit was constrained by aspects of legal standing, scientific evidence, and the difficulty of identifying the most responsible party among the dozens of operating companies. In addition, the judicial process is slow and does not accommodate the principles of ecological justice, such as environmental restoration and protection of the rights of future generations.²⁰ This condition shows that the civil dispute resolution system does not yet have an adequate framework to deal with large-scale and complex pollution. The absence of a proven system that is responsive to environmental issues, coupled with the limited capacity of judicial institutions, is a major obstacle to the implementation of environmental justice through civil channels.

3) Linkage to SDGs 13: Action on Climate Change

SDG 13 emphasizes the importance of immediate action to combat climate change and its impacts. In this context, environmental pollution dispute resolution is not only aimed at resolving conflicts between business actors and pollution victims, but must also be part of

¹⁹ Amajihono, K. D., Ndruru, A., & Halawa, D. (2025). Penerapan Sanksi Perdata Dalam Penyelesaian Sengketa Lingkungan Hidup Ditinjau Dari Undang-Undang RI Nomor 32 Tahun 2009 Tentang Lingkungan Hidup. *Jurnal Ilmiah Galuh Justisi*, 13(1), 129–140.

²⁰ Ningrum, V. P., & Rahayu, M. I. F. (2024). Pelaksanaan Penegakan Hukum Lingkungan Secara Perdata Dalam Kasus Pencemaran Sungai Yang Disebabkan Oleh Aktivitas Industri. *Jurnal Pendidikan Indonesia*, 5(12), 1606

mitigation and adaptation efforts to climate change. Unfortunately, in practice, there has been no direct integration of the principles of the SDGs, especially SDG 13, into the consideration of judges in deciding environmental civil cases. In many rulings, legal considerations are still positivistic and ignore the ecological dimension and long-term impacts on the climate.

One of the important points that has not been optimally implemented is the environmental restoration mechanism in civil judgments. SDG 13 demands concrete actions to reduce emissions, improve environmental quality, and increase community resilience to environmental disasters. However, most civil judgments only stop at material damages without containing an order to rehabilitate damaged ecosystems or prevent future pollution.²¹ In fact, if the principles of SDG 13 are used as a reference in dispute resolution, then every civil law decision must be able to encourage environmental restoration, create a deterrent effect, and encourage behavior change from business actors. Thus, civil remedies can serve not only as an instrument for conflict resolution, but also as a tool for social transformation and sustainable environmental protection.

4.)International Comparison: Lessons from the Overseas Case

Some countries have gone further in integrating sustainability and climate change principles into their civil justice systems. In the Netherlands, for example, in the *Urgenda case*, the court ruled that the government must reduce greenhouse gas emissions by 25% by 2020, taking into account citizens' human rights to live in a healthy environment. Although this case is a lawsuit against the government, the principles used can be adopted in the context of lawsuits against business actors or environmental polluters.

Countries such as India and the Philippines have also adopted the principle of *public interest litigation* that allows citizens or NGOs to file environmental lawsuits without having to prove personal losses directly. This principle strengthens the position of the community in demanding legal responsibility and environmental restoration, as well as supporting the implementation of SDG 13 principles. Lessons learned from this international practice demonstrate the importance of the courage of judges and legislators in adopting progressive legal approaches that support sustainable development. In Indonesia, this approach is still hampered by formal rigidity and the lack of a clear legal framework for integrating SDGs principles into civil law enforcement.²²

C. Case Studies

PT Energi Hijau Nusantara (PT EHN) is a biofuel-based energy company operating in the West Kalimantan region. Despite carrying the spirit of renewable energy, in 2022 the company stumbled into legal problems due to alleged environmental pollution caused by liquid waste from the production process. The waste is reported to pollute the river flow which is the main source of water for the surrounding village community. As a result, there is damage to river ecosystems, deterioration of water quality, and health problems in the community, such as skin irritation and indigestion. The villagers then filed a civil lawsuit against the company demanding compensation and environmental restoration.

²¹ Nisa, A. N., & Suharno, S. (2020). Penegakan hukum terhadap permasalahan lingkungan hidup untuk mewujudkan pembangunan berkelanjutan. *Jurnal Bina Mulia Hukum*, 4(2), 294.

²² Nugraha, A. A., Gusti, I., Ketut, A., Handayani, R., & Najicha, F. U. (2021). *Jurnal Hukum Tora: Hukum Untuk Mengatur Dan Melindungi Masyarakat*. 7(2), 283– 298.

The lawsuit has become a public concern because PT EHN was previously known as a business person who supports *the principles of the green economy* and has expressed its commitment to the achievement of the SDGs, especially SDGs 13. In their annual sustainability document, PT EHN mentions that they have implemented the ISO 14001 environmental management system and reduced carbon emissions through bioenergy processing technology. However, the reality on the ground shows that there is a gap between the commitments on paper and the operational practices carried out. The company's internal supervision is considered weak, and the waste treatment plant does not function optimally, causing waste leakage into the surrounding environment. The district court that handled the case then ruled that PT EHN was guilty of negligence in managing hazardous waste, and required the company to pay compensation of Rp5 billion to the affected communities and carry out environmental restoration within 12 months. The decision refers to the principle of strict liability as stipulated in the Environmental Protection and Management Law. In addition, the court also considered the company's commitment to SDGs 13 as a basis for providing moral pressure, so that PT EHN improves its entire environmental management system comprehensively and consistently.

After the court ruling, PT EHN took a series of recovery steps, including replacing the sewage treatment plant with more advanced technology, improving the water quality monitoring system, and establishing an independent environmental audit team. The company also collaborates with environmental NGOs to develop *an environmental action plan* that focuses on mitigating future pollution risks. In its report to the Ministry of Environment and Forestry, PT EHN stated that these steps are a tangible form of implementation of SDGs 13, especially in the aspects of climate change mitigation and adaptation to environmental risks. However, this case is an important reflection that commitment alone is not enough without consistent and accountable implementation. SDGs 13 demand real responsibility from business actors to not only reduce carbon emissions, but also prevent activities that damage local ecosystems and endanger communities. The dispute experienced by PT EHN is an important lesson that companies engaged in sectors with high risks to the environment must have a strong, transparent, and participatory impact monitoring and management system. Failure in this case not only leads to financial losses, but also lowers the company's reputation and public trust. As a form of evaluation, PT EHN then formed a sustainability division and required all operational units to prepare periodic reports on carbon footprint and environmental performance. The company has also begun to adopt a circular economy approach and strengthen the involvement of local communities in decision-making related to the environment. This case study illustrates that the settlement of civil disputes in environmental pollution cases can be a transformational momentum for companies to truly reflect the principles of the SDGs, especially SDGs 13, into every aspect of their operations. Thus, sustainability is not just a slogan, but a value system that is applied in a concrete and sustainable manner.

The resolution of civil disputes in cases of environmental pollution is a crucial issue in the framework of sustainable development, especially in the context of the implementation of the Sustainable Development Goals (SDGs) point 13 on *Climate Action*. Civil disputes usually arise when parties affected by pollution—whether individuals, communities, or environmental organizations—file a lawsuit against the polluters, which are generally corporations or industrial parties. The civil mechanism allows victims to claim compensation for environmental, social, and economic losses experienced. In this context,

the principle of legal responsibility, especially strict liability in environmental law, is very important because it allows the plaintiff not to have to prove guilt, simply by showing the existence of a loss and a causal relationship with the defendant's activities.

The implementation of SDGs 13, which emphasizes action on climate change, requires countries to strengthen environmental legal systems, including dispute resolution instruments. One of the tangible forms of implementation is strengthening the capacity of the courts in handling environmental cases, both through the general court and the special environmental court that has been implemented in several jurisdictions. In Indonesia, the Supreme Court has issued Supreme Court Regulation Number 1 of 2011 concerning Guidelines for Accessing Justice for Environmental Communities, which provides technical guidance in resolving environmental disputes. However, challenges remain, especially related to scientific evidence, lawsuit costs, and power imbalances between the public and industry players.²³ Therefore, the integration of sustainability values in the judicial system is a must so that environmental disputes are not only resolved legally formally, but also have a real impact on environmental sustainability.

In practice, the resolution of civil disputes often does not only lead to compensation, but also includes an environmental remediation order and further pollution prevention efforts. This is in line with the spirit of SDGs 13 which not only focuses on adaptation to climate change, but also on mitigation and protection of ecosystems. Examples can be seen in several cases such as WALHI's lawsuit against palm oil companies that were proven to have committed land burning, where the court granted a claim for damages and ordered the company to reforest. Such a decision sets an important precedent in establishing civil environmental responsibility and provides moral and legal pressure to industry players to carry out their operations in a sustainable manner.

Furthermore, alternative dispute resolution mechanisms such as mediation and arbitration have also begun to be used in cases of environmental pollution. The advantage of this mechanism is that the process is faster, more flexible, and can result in more restorative solutions. Within the framework of SDGs 13, this kind of approach plays a role in creating synergies between economic development and environmental protection through multi-stakeholder dialogue. The government, as the holder of primary responsibility for the implementation of the SDGs, also needs to strengthen regulations and encourage the involvement of civil society in the dispute resolution process. Environmental law education and public awareness raising are important parts of ensuring that every citizen has the capacity to fight for the right to a healthy environment.

Resolving civil disputes in environmental pollution cases is not just a legal issue, but an integral part of national and global efforts to address the challenges of climate change. Through the integration of sustainability principles in law enforcement, as well as collaboration between the state, the private sector, and society, the implementation of SDGs 13 can be realized. Strong political commitment, progressive policy reform, and increased access to justice for affected communities are needed. Thus, the civil law system can be an effective instrument in upholding ecological justice and ensuring environmental sustainability for future generations. The integration between civil law mechanisms and sustainability principles is the key to creating a fair and environmentally friendly

²³ Sonjaya, T., Heryanto, B., Mulyana, A., & Aridhayandi, M. R. (2020). Kebijakan Hukum Pidana dalam Upaya Penegakan Hukum Lingkungan berdasarkan Prinsip Pembangunan. *Lambung Mangkurat Law Journal*, 5(2), 203–214.

development system. Companies must realize that sustainability is not just about image or certification, but a long-term commitment that must be reflected in every aspect of its operations. The government, the community, and law enforcement agencies are also required to strengthen capacity and synergy in handling cases of environmental pollution so that the goals of the SDGs, especially point 13, can be achieved in a real and comprehensive manner.

CONCLUSION

Civil mechanisms have an important but not optimal role in realizing ecological justice and sustainable environmental protection. Although legal instruments are available that regulate the right of communities to sue polluters, the settlement process is still faced with challenges such as the difficulty of scientific evidence, weak support for legal infrastructure, and the lack of integration of sustainability principles in court decisions. Civil dispute resolution that is carried out in a transparent and fair manner can also be a momentum for change for the company. Through court decisions in favor of environmental protection, companies are encouraged to conduct internal evaluations, improve environmental management systems, and build better relationships with the surrounding community. This is in line with the spirit of SDGs 13 which not only emphasizes mitigation against climate change, but also adaptation to its impacts, including on social and economic aspects of society. Comprehensive legal reform is needed, starting from increasing the capacity of judges and law enforcement officials in understanding environmental aspects, applying the principle of strict liability for polluters, to strengthening public access to justice, including legal aid facilities and group lawsuit mechanisms. In addition, it is important for governments and stakeholders to encourage synergy between legal, scientific, and public policy aspects to create a dispute resolution system that is able to not only compensate, but also promote the recovery and prevention of environmental damage as a whole. Thus, civil dispute resolution can be a strategic instrument in supporting the achievement of SDGs 13, namely real action on climate change through fair, sustainable, and future-oriented law enforcement.

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