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Ecological Crime as An International Crime: A Study on The Prospects of Implementing the Principle of Ecocide Within Indonesian Criminal Law

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Abstract

Introduction: *Environmental damage in Indonesia has reached alarming levels, with ecological, social, economic, and transboundary impacts. The existing environmental criminal law system, particularly through the Environmental Management Act and other sectoral regulations, still faces fundamental weaknesses in the form of disharmonious regulations, weak law enforcement, and limited implementation of corporate criminal liability. This situation indicates a normative and practical gap that prevents ecological crimes from being treated as extraordinary crimes. Meanwhile, international developments through the concept of ecocide emphasize the urgency of placing massive environmental destruction on a par with genocide, crimes against humanity, war crimes, and aggression.*

Purposes of the Research: *The purpose of this study is to analyze the normative and practical gaps in Indonesian environmental criminal law on the concept of ecocide, as well as provide specific recommendations for regulatory harmonization and strengthening the capacity of law enforcement to respond to these challenges.*

Methods of the Research: *This study uses a normative juridical method with conceptual, legislative, and comparative legal approaches.*

Findings of the Research: *The results show that the application of ecocide principles in Indonesia faces challenges, such as the lack of an official definition, overlapping regulations, weak coordination between institutions, and the low technical capacity of law enforcement officials. Nevertheless, the opportunity for ecocide recognition is wide open, supported by international precedent, academic pressure, and the urgency of large-scale environmental cases in Indonesia. Therefore, environmental criminal law reform is crucial to integrate ecocide into national law, in order to strengthen ecological protection and affirm Indonesia's commitment to sustainable development and global environmental diplomacy.*

Keywords: Ecocide; Environmental Criminal Law; International Crimes.

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INTRODUCTION

Indonesia is widely recognized as one of the most biodiverse countries in the world. With more than 94 million hectares of tropical forests and approximately 99,000 kilometers of coastline, Indonesia occupies a strategic position in maintaining global ecological balance (Ministry of Environment and Forestry 2023). However, this natural wealth is currently under serious threat due to uncontrolled exploitation of natural resources. Data from Ministry of Environment and Forestry indicate that in 2022 alone, approximately 267,000 hectares of land were affected by forest fires, while the Indonesian Environment Forum (2022) reported more than 600 cases of water pollution caused by industrial waste. Furthermore, a report by the United Nations Environment Programme (2022) highlights

that ecosystem degradation in Southeast Asia, including Indonesia, significantly contributes to the global climate crisis, particularly through increased carbon emissions resulting from deforestation.

The phenomenon of environmental degradation not only results in biodiversity loss but also generates severe socio-economic consequences. Recurring forest fires in Sumatra and Kalimantan, for instance, not only damage ecosystems but also trigger public health crises due to transboundary haze affecting neighboring countries such as Malaysia and Singapore. In 2015, the National Agency for Disaster Countermeasure recorded economic losses from forest fires amounting to IDR 221 trillion. The Lapindo mudflow disaster in Sidoarjo, ongoing since 2006, further exemplifies how environmental destruction can produce long-term impacts on communities, including the loss of housing, livelihoods, and public health.

Despite the magnitude of these impacts, the enforcement of environmental criminal law in Indonesia remains weak. Law Number 32 of 2009 concerning Environmental Protection and Management provides for criminal, civil, and administrative sanctions; however, its implementation has been inconsistent. In many cases, sanctions are imposed only on lower-level actors, while principal actors such as multinational corporations or political elites often evade accountability.[1] Other regulatory frameworks, including Law Number 41 of 1999 on Forestry and Law Number 18 of 2013 on the Prevention and Eradication of Forest Destruction, face similar challenges, particularly weak inter-agency coordination and regulatory overlap.

The weaknesses of Indonesia's environmental criminal law reveal a significant legal gap. Existing regulations tend to focus on local and short-term impacts, thereby failing to adequately address environmental harm with transboundary, long-term, or even global implications.[2] This condition underscores the urgent need for a more robust legal instrument capable of addressing large-scale environmental crimes. Consequently, a normative gap exists, as Indonesia's environmental criminal law has not yet encompassed environmental destruction of an international scale, as conceptualized under the notion of ecocide.

In the international context, the concept of ecocide has gained increasing attention. The term was first introduced by Arthur W Galston in 1970 during the Washington Conference on War and National Responsibility. Subsequently, Polly Higgins popularized ecocide as an environmental crime equivalent to genocide or crimes against humanity. Higgins argued that massive ecosystem destruction should not merely be regarded as an administrative or ordinary criminal violation but must be categorized as an extraordinary crime.[3] The movement to recognize ecocide as an international crime gained further momentum with the proposal of the Stop Ecocide Foundation Independent Expert Panel in 2021, which formulated the following definition: "Unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts." This definition emphasizes three core elements: (1) severe environmental damage, (2) widespread or long-term impact, and (3) wanton or wasteful conduct resulting in ecosystem destruction element of "wanton" reflects

[1] Muhammad Ali Ausath. "Upaya Penerapan Ekosida Sebagai Kejahatan Luar Biasa Di Indonesia." *LITRA: Jurnal Hukum Lingkungan, Tata Ruang, Dan Agraria* 2, no. 1 (2022): 115-128. Doi: https://doi.org/10.23920/litra.v2i1.1091

[2] Mohammad Jumhari, and Tolib Effendi. "Arti Penting Pengaturan Kejahatan Ekosida Sebagai Tindak Pidana di Indonesia." *Jurnal Pamator: Jurnal Ilmiah Universitas Trunojoyo* 15, no. 1 (2022): 37-52. Doi: https://doi.org/10.21107/pamator.v15i1.14133

[3] Polly Higgins. *Eradicating Ecocide: Exposing The Corporate and Political Practices Destroying the Planet and Proposing the Laws Needed to Eradicate Ecocide*. (London: Shepheard-Walwyn, 2015)

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excessive, unjustified, or inefficient human actions that cause avoidable environmental harm.[4]

Developments in international law indicate that ecocide is being proposed as the fifth international crime under the Rome Statute of the International Criminal Court, alongside genocide, crimes against humanity, war crimes, and the crime of aggression. Several countries, including Vanuatu, Maldives, Belgium, and France, have expressed support for such recognition. France has even incorporated ecocide into its domestic legal framework, providing penalties of up to 10 years' imprisonment and fines of €4.5 million.[5] This demonstrates that ecocide is no longer merely a normative concept but has begun to be implemented within certain national legal systems. For Indonesia, the adoption of ecocide principles is highly relevant, given that numerous environmental damage cases have produced international impacts. Forest fires in Sumatra and Kalimantan, for example, generate transboundary haze that has prompted protests from neighboring states. Other cases, such as marine pollution from oil spills, illegal mining activities, and massive deforestation for palm oil plantations, have consequences that extend beyond national borders into regional and global domains. Nevertheless, such cases are still treated as ordinary environmental violations rather than extraordinary crimes.[6] At the academic level, several studies have highlighted the urgency of recognizing ecocide. Asserts that ecocide should be treated as an extraordinary crime in Indonesia, while emphasize the necessity of legal reform to incorporate ecocide as a distinct criminal offense. Aida, Tahar, and Davey (2023) further underline the integration between environmental rights and international crimes as a foundation for future legal policy in Indonesia. Recent studies also indicate that without recognition of ecocide, environmental law enforcement in Indonesia will remain ineffective in addressing the complexity of modern environmental crimes. However, these studies have not comprehensively examined how ecocide principles may be systematically integrated into Indonesia's criminal law in light of contemporary developments in international law.

Constitutionally, the right to a good and healthy environment is guaranteed under Article 28H (1) and Article 33(4) of the 1945 Constitution of the Republic of Indonesia (1945 Constitution of the Republic of Indonesia). Nevertheless, this constitutional guarantee has not been fully implemented in practice. Existing sectoral regulations remain fragmented and lack sufficient enforcement power to address large-scale environmental crimes. This condition highlights a clear discrepancy between legal norms and practical realities. Based on the foregoing, the urgency of this research lies in examining the potential application of ecocide principles within Indonesia's criminal law framework. This study is significant because: (1) environmental degradation in Indonesia has reached a level that threatens fundamental human rights, (2) Indonesian positive law has not yet recognized ecocide as an extraordinary crime, and (3) there is growing international momentum to incorporate ecocide into the Rome Statute. Accordingly, this research aims to analyze the opportunities and challenges of implementing ecocide principles within Indonesia's criminal law system. It is expected to provide both academic and practical contributions toward the development

[4] Melly Aida, Abdul Muthalib Tahar, and Orima Davey. "Ecocide in the international law: Integration between environmental rights and international crime and its implementation in Indonesia." *3rd Universitas Lampung International Conference on Social Sciences (ULICoSS 2022)*. Atlantis Press, 2023. 572–584. https://www.atlantis-press.com/proceedings/ulicoss-22/125986377

[5] M Ismoilov. "Xalqaro Jinoyat Sudi Yurisdiksiyasi Doirasida Ekotsidning Xalqaro Jinoyat Sifatida Tartibga Solinishi". *Modern Science and Research* 4, no. 6 (2025): 62–68.

[6] *Ibid*

of a more responsive, progressive, and internationally aligned environmental criminal law framework.

METHODS OF THE RESEARCH

This research employs a normative legal research method (juridical-normative), which emphasizes a literature-based analysis of statutory regulations, legal doctrines, and relevant jurisprudential practices.[7]This method is selected on the basis that the subject of ecocide primarily concerns normative and conceptual dimensions within criminal law, and is therefore more appropriately examined through applicable legal instruments, academic doctrines, and comparative legal systems. Furthermore, the juridical-normative approach enables the researcher to identify existing gaps between positive legal norms and the need for new regulatory frameworks concerning the recognition of ecocide as an extraordinary crime. The approaches adopted in this research include: 1) Conceptual Approach, aimed at examining and defining the concepts of ecocide, international crimes, and corporate criminal liability based on prevailing legal doctrines; 2) Statutory Approach, conducted by analyzing the national legal framework, including the 1945 Constitution of the Republic of Indonesia, Law Number 32 of 2009 on Environmental Protection and Management, the Indonesian Criminal Code, as well as other sectoral legislation. This approach seeks to identify legal gaps that may allow for the adoption of ecocide principles; 3) Comparative Approach, involving a comparison of environmental crime regulations in Indonesia with legal practices in other jurisdictions, particularly France (which has criminalized ecocide since 2021) and Belgium(which is in the process of incorporating ecocide into its new Criminal Code), as well as with international instruments such as the Rome Statute of the International Criminal Court. Sources of data in this research consist of primary, secondary, and tertiary legal materials. Primary legal materials include national regulations (the 1945 Constitution, Law Number 32 of 2009, the Criminal Code, the Forestry Law, and the Plantation Law), as well as international instruments (the Rome Statute and judicial decisions relating to environmental cases). Secondary legal materials comprise scholarly journals, books, reports issued by national and international institutions, and relevant academic research. Tertiary legal materials consist of legal dictionaries and encyclopedias used to clarify legal terms and concepts. The selection of legal materials is based on their relevance, currency, and authoritative value. The data are analyzed using a descriptive-analytical method to illustrate the condition of environmental criminal law in Indonesia, and a critical-comparative method to assess and compare legal practices in other jurisdictions and international instruments. The limitation of this research lies in the absence of empirical field data, such as interviews with law enforcement officials or direct case investigations. Accordingly, the findings are primarily normative-conceptual in nature and should be complemented by future empirical studies in order to strengthen the validity of the application of ecocide principles within the Indonesian legal system.

RESULTS AND DISCUSSION

A. The Concept of Ecocide in International Law and Its Development

[7] Soerjono Soekanto, and Sri Mamudji. *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. (Jakarta: Raja Grafindo Persada, 2007)

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1. Definition and Characteristics of Ecocide

Ecocide is generally understood as the large-scale destruction of ecosystems resulting in severe, widespread, and long-term environmental damage. The concept was first introduced by Arthur W Galston in the 1970s and was subsequently popularized by Polly Higgins, who argued that ecocide should be treated as an extraordinary crime equivalent to genocide and crimes against humanity.[8] The most recent definition of ecocide was formulated by the Stop Ecocide Foundation Independent Expert Panel (2021) as follows: "Unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts."

This definition emphasizes three essential elements: (1) severe damage, (2) widespread or long-term impact, and (3) wanton or wasteful conduct, namely acts undertaken without legitimate justification and with the potential to cause ecosystem destruction.[9] Nevertheless, in international legal scholarship, there remains debate concerning the precise elements of ecocide. Some scholars argue that the mens rea of ecocide should be limited to intentional acts, thereby ensuring that only perpetrators with clear malicious intent toward the environment are subject to criminal liability. Others contend that gross negligence or recklessness resulting in large-scale ecological harm should also be included, as many environmental disasters arise from systemic negligence, such as the toleration of corporate forest-burning practices. This divergence reflects a fundamental conceptual challenge: whether ecocide should be confined to intentional harm or extend to failures to prevent foreseeable environmental risks.

From the perspective of actus reus, further debate arises regarding the scope of conduct constituting ecocide. Certain scholars limit ecocide to physical environmental damage, such as deforestation, marine pollution, or oil spills. Others adopt a broader approach, arguing that the socio-economic and public health consequences of environmental destruction should also be included, as ecological harm is intrinsically linked to human suffering.[4] This latter view represents a more progressive stance, recognizing that ecological crimes not only damage nature but also threaten the fundamental human rights of present and future generations. Although ecocide has not yet been recognized as an independent international crime under the Rome Statute of the International Criminal Court, several states including Vanuatu, Maldives, Belgium, and France—have advocated for its recognition as the fifth international crime. France has even incorporated ecocide into its domestic legal system since 2021.[10] In current international legal practice, ecocide remains within a legal "grey area." The 1998 Rome Statute only addresses environmental damage within the context of war crimes (Article 8(2)(b)(iv)), namely when such damage is intentionally inflicted during armed conflict. Consequently, international law lacks a dedicated legal instrument governing environmental crimes committed in peacetime. This gap has allowed both corporate and state actors to engage in large-scale environmental exploitation without being subject to prosecution before the International Criminal Court.

Debates also persist regarding the scope of ecocide. While some scholars advocate limiting ecocide to intentional conduct, others argue that gross negligence resulting in

[8] Polly Higgins, *Op. Cit.*
[9] Aida, *Op. Cit.*
[10] Rudraksh Lakra. "Divergent Digital Futures: A Comparative Analysis of The Au and Eu Approaches to International Law in Cyberspace". *Völkerrechtsblog* 2025. Doi: http://dx.doi.org/10.2139/ssrn.5528242

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massive ecosystem destruction should also fall within its ambit, particularly given that corporations often rely on claims of accident or technical error to evade liability. Ecocide is further characterized by its intergenerational impact. Environmental destruction caused by deforestation, marine pollution, or oil spills affects not only present populations but also undermines the rights of future generations to a healthy environment. In this respect, ecocide parallels genocide; however, whereas genocide eradicates human groups, ecocide destroys the ecological systems upon which human life depends.

At the national level, several countries have begun experimenting with the recognition of ecocide through varying definitions. France, for instance, enacted legislation in 2021 criminalizing ecocide, focusing on serious and lasting environmental damage, punishable by up to ten years' imprisonment and fines of up to €4.5 million. Belgium is currently revising its Criminal Code to incorporate ecocide by reference to the 2021 Expert Panel definition. These developments demonstrate an emerging trend toward international harmonization, albeit with variations reflecting domestic legal and political contexts.[11]

2. Environmental Criminal Law in Indonesia

Indonesia's environmental criminal law framework is primarily governed by Law Numbr 32 of 2009 on Environmental Protection and Management, which serves as the principal legal basis for regulating environmental offenses. This law establishes three enforcement mechanisms: administrative sanctions (written warnings, license suspension, revocation), civil liability (compensation and environmental restoration), and criminal sanctions (imprisonment and fines) as an ultimum remedium. Normatively, this framework appears comprehensive, combining preventive and repressive approaches. However, environmental crimes are also regulated under various sectoral laws, including provisions in the Indonesian Criminal Code (Article 187), Law Number 41 of 1999 on Forestry, Law Number 39 of 2014 on Plantations, and Law Number 18 of 2013 on Forest Destruction Prevention. While this multiplicity reflects the State's concern for environmental protection, it also creates legal disharmony. For instance, Article 187 of the Criminal Code emphasizes intent, whereas plantation laws prohibit land burning outright, and the Environmental Protection and Management Act still permits limited burning under certain conditions. Such inconsistencies are frequently exploited by perpetrators to evade criminal liability.

Although corporate criminal liability is recognized under the Environmental Protection and Management Act, its implementation remains ineffective. Major environmental cases such as the Citarum River pollution, recurring forest fires, and the Lapindo mudflow disaster often involve large corporations; yet enforcement actions tend to target field-level actors rather than corporate decision-makers. This indicates that the doctrine of piercing the corporate veil has not been consistently applied in Indonesia.

Further challenges arise in enforcement capacity. Environmental cases often require complex scientific evidence, including laboratory analysis, spatial mapping, and long-term ecological assessments. However, law enforcement institutions in Indonesia frequently lack the technical expertise and infrastructure necessary to handle such cases effectively. As reported by Wahana Lingkungan Hidup Indonesia (2022), more than 60% of environmental cases result only in administrative sanctions rather than criminal prosecution.

[11] Niels Philipsen. "Exempting Green Cartels From Competition Law? : Competition Versus Regulation In Times Of Sustainability". *The Art of Moving Borders. Liber Amicorum Hildegard Schneider* (2022): 309–321.

Although the Environmental Protection and Management Act incorporates the principle of strict liability, its application in judicial practice remains limited, as courts often prefer conventional fault-based approaches, which are more difficult to prove. Consequently, many large-scale environmental cases that could potentially qualify as ecocide remain inadequately sanctioned. These conditions demonstrate that Indonesia's environmental criminal law faces significant challenges, both normatively (regulatory disharmony) and practically (weak enforcement). This underscores the urgent need for regulatory harmonization, enhanced institutional capacity, and consistent application of strict liability principles. Without such reforms, it will be difficult for Indonesia to evolve toward recognizing ecocide as an extraordinary crime requiring a more robust legal response.

B. Challenges and Opportunities for the Implementation of the Ecocide Principle in Indonesia

1. Challenges in the Implementation of the Ecocide Principle in Indonesia

The implementation of the ecocide principle within Indonesia's criminal law system faces a number of fundamental challenges, both structural and cultural in nature. One of the primary obstacles is the absence of an official definition of ecocide in national law. This lack of definition creates legal uncertainty, as law enforcement authorities encounter difficulties in distinguishing between ordinary environmental offenses and extraordinary crimes that cause widespread and long-term ecosystem destruction. As a result, offenses with massive environmental impacts are often prosecuted only under general provisions of environmental law or sectoral regulations, which in practice impose relatively lenient sanctions that are disproportionate to the ecological harm caused.

In addition, Indonesia faces the issue of overlapping regulations among sectoral laws, including environmental, forestry, and plantation legislation. Each regulatory framework contains differing definitions, scopes, and enforcement mechanisms, thereby creating potential normative conflicts. For example, environmental legislation still permits limited burning under certain conditions, while plantation laws strictly prohibit land burning. Such inconsistencies are frequently exploited by perpetrators or corporations as legal loopholes, thereby weakening law enforcement efforts. Weak coordination among law enforcement agencies also constitutes a serious impediment. Environmental cases often involve multiple authorities, including the police, prosecution service, judiciary, and technical ministries, resulting in slow and ineffective enforcement processes. In some instances, cases fail to progress beyond the investigation stage due to institutional conflicts of interest. This situation is further exacerbated by the complexity of evidentiary requirements in large-scale environmental cases, which necessitate scientific data such as satellite imagery, laboratory analysis, and long-term ecological assessments—resources that are not yet fully available at the regional level.

Another significant challenge lies in the limited capacity of law enforcement officials in handling environmental crimes. Many investigators and judges lack technical expertise in ecological matters and therefore tend to assess environmental cases using conventional legal standards. Consequently, the application of the principle of strict liability, which is formally recognized within Indonesian environmental law, is often disregarded. This principle is, in fact, essential for holding large corporations accountable, particularly where such entities frequently rely on arguments of absence of intent to avoid liability. Low public awareness regarding the importance of environmental protection further complicates these challenges.

Society often perceives environmental degradation as a secondary issue compared to short-term economic interests, such as land clearing for palm oil plantations or coal mining. In reality, ecological damage directly affects public health, safety, and long-term sustainability. Without strong public support, the discourse on criminalizing ecocide is unlikely to achieve sufficient political legitimacy.

2. Opportunities for the Implementation of the Ecocide Principle in Indonesia

Indonesia has significant opportunities to adopt the ecocide principle within its criminal law system. One of the strongest justifications lies in the existence of real cases with massive impacts that may be categorized as ecocide. For example, the Lapindo mudflow disaster, which has persisted since 2006, has submerged more than 16 villages, displaced approximately 60,000 individuals, and caused economic losses exceeding IDR 70 trillion. Another example is the 2015 forest fires, which burned approximately 2.6 million hectares of land, resulted in losses of up to IDR 221 trillion, and generated transboundary haze affecting neighboring countries such as Singapore and Malaysia. Furthermore, illegal logging continues to pose a serious threat. Data from Ministry of Environment and Forestry indicate that Indonesia lost an average of 1.47 million hectares of forest annually in the early 2000s, although current deforestation rates have declined to approximately 100,000 hectares per year. These facts demonstrate a clear and urgent need for Indonesia to strengthen its criminal law instruments in order to effectively prosecute environmental crimes under the classification of ecocide.

Additional opportunities arise from the support of academic communities and civil society. Numerous environmental law studies have emphasized the urgency of criminalizing ecocide in Indonesia as a means of protecting the right to a healthy environment. Organizations such as Indonesian Environment Forum and Greenpeace, together with international civil society networks, actively advocate for the recognition of large-scale environmental destruction as an extraordinary crime. Such support may serve as a significant social force capable of encouraging the government and legislators to undertake progressive legal reforms.

In addition to domestic factors, international precedents provide substantial opportunities. France has recognized ecocide as a criminal offense within its national legal system, imposing penalties of up to ten years' imprisonment and fines of €4.5 million. Meanwhile, Belgium is in the process of revising its Criminal Code to incorporate ecocide by reference to internationally developed definitions. These developments may serve as important benchmarks for Indonesia in formulating similar regulations, while simultaneously affirming the State's commitment to global environmental protection.

The adoption of ecocide principles in Indonesia is also consistent with commitments to sustainable development, particularly the Sustainable Development Goals (SDGs), including climate action, marine ecosystem protection, and terrestrial ecosystem conservation. Accordingly, the recognition of ecocide is not only relevant within the framework of national law but also strengthens Indonesia's position in international diplomacy, particularly in addressing climate change and biodiversity issues. From a geopolitical perspective, such measures would enhance Indonesia's reputation as a State committed to environmental protection and strengthen its position in global climate negotiations.

Table 1. International Comparison: Comparison between Indonesia and Other Countries

Country	Status of Ecocide Recognition	Definition	Sanctions	Remarks
Indonesia	Not yet recognized	No official definition; limited to environmental crimes under environmental law	Imprisonment & fines (varied)	Primarily local focus; no recognition of transboundary impacts
France	Recognized (Law of 2021)	Serious and lasting environmental damage	Up to 10 years' imprisonment + €4.5 million fine	Applicable to individuals and corporations
Belgium	In process of adoption	Refers to 2021 Expert Panel definition	Not yet determined	Part of Criminal Code reform
Vanuatu& Maldives	Advocating at ICC level	Consistent with proposed international definition	Subject to future international sanctions	Initiators in UN forums

The recognition of ecocide at the international level remains in the stage of formulation and advocacy. Several States have undertaken progressive measures by incorporating ecocide into their domestic legal systems, albeit with variations in definitions and sanctions. France is among the first to formally criminalize ecocide, adopting a relatively narrower definition emphasizing "serious and lasting environmental damage," reflecting a balance between ecological objectives and domestic economic considerations. By contrast, Belgium is pursuing a more harmonized approach by aligning its national law with emerging international standards, thereby facilitating future recognition within international criminal law frameworks. Small island States such as Vanuatu and Maldives have also played a strategic role in advocating for ecocide recognition in international forums, driven by their vulnerability to climate change and ecosystem degradation. This underscores that the recognition of ecocide is shaped not only by legal considerations but also by geopolitical and existential concerns.

For Indonesia, the experiences of France and Belgium provide valuable lessons. The French approach demonstrates how a State with a significant economic position can undertake ecocide criminalization, even though a compromise-based definition. This is particularly relevant for Indonesia, which also holds a strategic position both economically and ecologically and could assume a leading role in Southeast Asia. Conversely, the Belgian approach highlights the importance of aligning national law with international norms in order to strengthen legitimacy and effectiveness in global forums. Accordingly, the international comparison demonstrates that multiple pathways exist toward the recognition of ecocide, ranging from domestic compromise (France), international legal harmonization (Belgium), to survival-driven advocacy (Vanuatu and Maldives). Indonesia may adopt the approach most appropriate to its national legal and political context, while recognizing that

large-scale environmental destruction occurring within its territory already satisfies the elements of ecocide as understood in contemporary international discourse.

CONCLUSION

Environmental degradation in Indonesia has reached a serious level and produces extensive impacts, both ecologically, socio-economically, and across national borders. The existing environmental criminal law system remains weak, as evidenced by regulatory disharmony, ineffective law enforcement, and the limited effectiveness of corporate criminal liability. This condition reflects both normative and practical gaps, resulting in ecological crimes not yet being treated as extraordinary crimes. Meanwhile, developments in international law through the concept of ecocide demonstrate a growing global movement to classify large-scale environmental destruction on par with genocide and other international crimes, as reflected in the legal developments of countries such as France and Belgium. In order to address these challenges, Indonesia must undertake immediate reform of its environmental criminal law by recognizing ecocide as an extraordinary offense. Such reform may be pursued through the harmonization of sectoral regulations, the formulation of a clear legal definition of ecocide within the national legal framework, and the application of the principle of strict liability to effectively hold large corporations accountable. Furthermore, strengthening the capacity of law enforcement authorities, enhancing inter-agency coordination, and increasing public awareness constitute essential measures to ensure the effective implementation of ecocide principles. Through these efforts, Indonesia will not only reinforce the protection of the public's right to a good and healthy environment, but also affirm its commitment to sustainable development and its strategic position in global environmental diplomacy.

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