

Microplastic Pollution and Corporate Legal Responsibility: Environmental and Business Regulation Perspectives

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Abstract: *Microplastic pollution has emerged as a persistent environmental threat due to its microscopic nature, ecological persistence, and ability to enter marine and human food chains. In Indonesia, this problem is intensified by industrial activities that generate microplastic waste without a clear legal framework defining corporate obligations and liability. This study applies a normative juridical approach to examine the adequacy of environmental and business regulations in ensuring legal certainty over corporate responsibility for microplastic pollution. The analysis reveals three structural problems: a legal vacuum regarding the definition and pollution standards of microplastics, ambiguity in determining corporate obligations and liability regimes, and normative conflicts between environmental protection and economic interests. These conditions weaken law enforcement and allow corporations to avoid accountability despite proven ecological risks. The study concludes that effective control of microplastic pollution requires regulatory reform that explicitly recognizes microplastics as a distinct pollution category, harmonizes environmental and business law, and imposes binding preventive and ecological restoration obligations on corporations. Such reform is essential to balance environmental protection with sustainable economic development and to strengthen legal certainty in corporate environmental responsibility.*

Keywords: *Business, Corporate, Environmental Arbitration, Legal Certainty, Microplastic*

INTRODUCTION

Microplastic pollution has become one of the most difficult global environmental threats to control because it is microscopic in size, spread throughout almost all marine ecosystems, and enters the human and animal food chains without being completely preventable through conventional regulatory mechanisms. This problem is further complicated by the fact that corporations are one of the main contributors to microplastic emissions through the production, distribution, and disposal of plastic-based products that are released into the environment, either directly or indirectly. Despite growing public demands for corporate

accountability, law enforcement against microplastic pollution still faces various structural and normative obstacles, particularly in ensuring strict, effective, and consistently enforceable legal responsibility. This situation shows that uncertainty in microplastic regulation not only impacts environmental sustainability, but also the legal certainty of business actors and the protection of the wider community from the dangers posed by such pollution.¹

¹ Usman, Sunusi, Ahmad Faizal Abdull Razis, Khozirah Shaari, Mohammad Noor Amal Azmai, Mohd Zamri Saad, Nurulfiza Mat Isa, and Muhammad Farhan Nazarudin. "The burden of microplastics pollution and contending policies and

Internationally, the microplastic regulation movement has seen significant developments, mainly because scientific literature has found serious ecological and health impacts from microplastic exposure in the human body and marine organisms.

Countries have begun to adopt regulatory instruments to reduce the production, use, and disposal of single-use plastics and primary microplastics in textiles, cosmetics, and packaging. However, most policies are recommendatory and sectoral in nature, thus failing to create universal standards for law enforcement against corporations. The lack of binding global instruments means that the implementation of corporate legal responsibility depends on each country's interpretation of the principles of environmental protection and sustainable development. Thus, microplastic pollution is at the crossroads between environmental norms, industrial policy, and corporate economic interests, which are intertwined but not yet legally harmonized.²

In the national context, Indonesia is a country that is highly vulnerable to plastic and microplastic pollution due to its high level of coastal activity, limited waste management systems, and a plastic consumption structure that is ingrained in industry and society. Although the government has formulated various environmental protection policies, the normative instruments to tackle microplastic pollution are still fragmented

and do not yet have a specific legal umbrella that regulates in detail the mechanisms of corporate responsibility.

This ambiguity has resulted in weak law enforcement because regulatory authorities do not have comprehensive standards for determining the limits of violations, indicators of pollution, evidence in court, and the imposition of administrative, civil, or criminal sanctions against corporations.³

From a legal perspective, the first issue that arises is the legal vacuum regarding the parameters of microplastic pollution in the national legal system. There are no rules defining the legal definition of microplastics, standard thresholds, environmental recovery methods, or mechanisms for calculating ecological losses that can be charged to corporations. This legal vacuum means that microplastic pollution cannot be accurately prosecuted within the framework of environmental law, especially when proving pollution requires scientific indicators that are not available in normative legislation. As a result, law enforcement relies more on free interpretation than on definite legal standards, making it difficult to hold companies concretely accountable.⁴

The second legal issue is the ambiguity of the norm regarding the locus of corporate responsibility for microplastic pollution. The current Indonesian legal framework uses a general approach to environmental pollution without

regulations." *International Journal of Environmental Research and Public Health* 19, no. 11 (2022): 6773.

² Kentin, Esther, and Gaia Battaglia. "Policies and perspectives on regulating microplastic fibre pollution." In *Polluting textiles*, pp. 265-289. Routledge, 2022.

³ Erawati, Lusy. "The Government's Responsibility in Enforcing The Law on Plastic Pollution in The Sea." *Eduvest-Journal of Universal Studies* 4, no. 3 (2024): 947-958.

⁴ Jing, Zhen. "Legal issues on Indonesian marine plastic debris pollution." *Indon. L. Rev.* 10 (2020): 87.

distinguishing between the characteristics of macroplastic and microplastic waste, even though the two have very different properties in terms of source, pollution traces, degradation phase, and bioaccumulation effects. This ambiguity creates uncertainty as to whether microplastic pollution should be processed through the environmental administrative law regime, civil law related to environmental damage, or environmental criminal law as an ecological crime. As a result, there is too much room for interpretation, allowing companies to avoid responsibility by stating that microplastics are not explicitly mentioned in the provisions of the legislation.⁵

In addition to the void and ambiguity of norms, there is also a conflict between environmental protection and economic interests in the perspective of corporate law. Environmental regulations require companies to be responsible for the impact of their industrial activities, but the business legal regime encourages economic productivity and investment climate stability. When environmental regulations are stricter without a balance of industrial incentive instruments, corporate resistance to green economy-based production transformation becomes high.

Conversely, when corporate interests are more dominant, environmental protection becomes weak and pollution, including microplastics, has the potential to increase significantly. This conflict of norms results in regulatory uncertainty, as environmental protection is not always in line with market expansion and economic

efficiency, which are the basis of corporate activities.⁶

Previous studies have also shown fundamental weaknesses in microplastic regulation governance and the implementation of corporate responsibility.

Usman et al. (2022) assert that the burden of microplastic pollution is not commensurate with the quality of available policies because most countries do not yet have microplastic regulation systems that promote industrial accountability.

Conversely, Kentin & Battaglia (2022) focus on microplastic regulation in textile fibers, but do not offer a legal approach that systematically addresses the corporate responsibility gap. At the domestic level, Fitri, Nurisman & Mutiara (2024) analyze microplastic pollution by mineral water producers, but the study does not develop a framework for corporate legal accountability within an integrated environmental and business regulatory landscape. This research gap highlights the need for academic discussion that combines aspects of environmental regulation, business law, and corporate responsibility principles to assess how states should ensure that companies not only reduce microplastic pollution but are also legally responsible for the ecological and social impacts it causes.⁷

Based on this urgency, this article evaluates microplastic pollution and

⁵ Chomariyah and Ilham Dwi Rafiqi. "The Indonesian Legal Framework to Mitigate Marine Plastic Debris." *Indonesia Law Reform Journal* 4, no. 1 (2024): 1-14.

⁶ Hermawan, Spto. "Law and Economic approach to reduce marine plastic litter in Indonesia." In 3rd International Conference on Globalization of Law and Local Wisdom (ICGLOW 2019), pp. 218-224. Atlantis Press, 2019.

⁷ Fitri, Winda, Eko Nurisman, and Ayu Yulia Mutiara. "Efektivitas Hukum Terhadap Pencemaran Lingkungan Mikroplastik Oleh Produsen Air Mineral di Batam." *Jurnal Hukum Media Justitia Nusantara* 14, no. 1 (2024): 9-24.

corporate legal responsibility through a normative juridical approach that examines environmental and business regulations in an interdisciplinary manner to address the problems of regulatory gaps, normative ambiguity, and normative conflicts. The analysis is directed at formulating the affirmation of corporate legal obligations, harmonizing environmental and business law instruments, and identifying regulatory designs that are capable of balancing economic interests and environmental protection in a sustainable manner.

METHOD

This study uses a normative juridical method, which is a legal research approach that examines the principles, norms, and systems of legislation to address issues regarding the certainty of corporate legal responsibility for microplastic pollution.⁸ The focus of the analysis is on relevant environmental and business law provisions, including international instruments and national policies on plastic pollution control, to determine the extent to which the current normative framework is capable of affirming corporate legal liability. This approach is appropriate because the main issues of microplastic pollution relate to the formulation of legal norms, regulatory gaps, and the ambiguity of corporate obligations in the applicable regulations.

In addition to examining legislation, this study also analyzes secondary legal materials such as scientific literature, legal journals, and academic reports that explain the issue of microplastics from the perspective of regulation and corporate legal responsibility. The analysis is conducted qualitatively through systematic, historical, and conceptual interpretation of

legal norms to examine the consistency of regulatory logic and its adequacy in ensuring environmental protection. This normative legal analysis approach supports a critical evaluation of the relationship between the economy and the environment in the context of corporate responsibility, given that resolving microplastic pollution requires a legal framework that is not only repressive but also preventive and sustainability-based.⁹

This study does not use field data because its main objective is to conduct a normative assessment of the adequacy of laws governing microplastic pollution. The results of the study are used to formulate ideas for legal reform through the harmonization of environmental and business regulations and the affirmation of corporate obligations. Thus, this normative legal study not only serves to describe the applicable legal norms but also produces scientific arguments regarding the direction of future law formation so that corporate legal responsibility in cases of microplastic pollution can be enforced effectively, bindingly, and sustainably.

RESULT AND DISCUSSION

Legal Vacuum in Affirming Corporate Responsibility for Microplastic Pollution

The legal vacuum in the regulation of microplastics in Indonesia is the main cause of weak enforcement of corporate responsibility. No current law provides a legal definition of microplastics, regulates pollution levels, establishes environmental recovery methods, or determines the parameters for proving microplastic pollution in environmental cases. Law No. 32 of 2009 on Environmental Protection and Management outlines the concept of

⁸ Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2016).

⁹ Johnny Ibrahim, *Teori dan Metodologi Penelitian Hukum Normatif* (Malang: Bayumedia Publishing, 2005).

environmental pollution in general, but these normative provisions do not include technical indicators for microplastics as a category of pollution. As a result, even though microplastics have been proven to cause ecological damage and health threats, corporate actors cannot be held directly accountable unless pollution can be proven using an interpretive approach that is often debated in legal proceedings.¹⁰ This void weakens the function of law as an instrument of environmental control and makes the risks of microplastic pollution inconsistent with corporate legal obligations.

The absence of specific norms regarding microplastics also contributes to the ambiguity of sanctions categories. Law 32/2009 uses a layered approach through administrative, civil, and criminal sanctions, but this mechanism is only effective if the elements of pollution meet normative proof. When microplastics are not explicitly regulated, law enforcement officials face obstacles in determining the form of violations to be charged to corporations. In practice, law enforcement relies more on scientific justification than on legal provisions, making the evidence highly vulnerable to being overturned on the grounds of normative uncertainty.¹¹ This means that companies can avoid legal responsibility even if their production

activities are proven to generate microplastics, because there are no specific legal norms that directly link microplastic pollutants to corporate legal responsibility.

The absence of standard indicators for microplastic pollution not only causes uncertainty in law enforcement, but also hinders the formulation of industrial operational standards. Without permitted microplastic limits and mandatory prevention standards for businesses, companies have no clear legal obligation to modify production technology or adopt green industry-based waste management systems. This contradicts the *polluter pays* principle and the *precautionary principle*, which should be the basis of modern environmental regulation. This regulatory loophole makes microplastic reduction policies voluntary and dependent on corporate awareness, rather than binding legal obligations.¹² As a result, corporate investment in environmentally friendly innovation is low because there are no legal consequences if they do not implement low-pollutant practices.

The impact of this legal vacuum is also evident in the aspect of environmental restoration. Law 32/2009 stipulates that polluters are obliged to restore the environment, but this concept is difficult to apply in the context of microplastics because restoration requires highly complex technology and measurements based on bioaccumulation tracing. Without technical and legal standards that specify the degree of restoration that must be achieved, corporate environmental restoration efforts become merely

¹⁰ Usman, Sunusi, Ahmad Faizal Abdull Razis, Khozirah Shaari, Mohammad Noor Amal Azmai, Mohd Zamri Saad, Nurulfiza Mat Isa, and Muhammad Farhan Nazarudin. "The burden of microplastics pollution and contending policies and regulations." *International Journal of Environmental Research and Public Health* 19, no. 11 (2022): 6773.

¹¹ Erawati, Lusy. "The Government's Responsibility in Enforcing The Law on Plastic Pollution in The Sea." *Eduvest-Journal of Universal Studies* 4, no. 3 (2024): 947-958.

¹² Kentin, Esther, and Gaia Battaglia. "Policies and perspectives on regulating microplastic fibre pollution." In *Polluting textiles*, pp. 265-289. Routledge, 2022

symbolic or administrative, rather than based on ecological rehabilitation.¹³ This weakens the public's right to a good and healthy environment and eliminates the deterrent effect on corporate actors, so that the function of environmental restoration in the legal regime is not substantially achieved.

The absence of norms also has an impact on the suboptimal application of environmental criminal liability mechanisms against corporations in microplastic cases. Theoretically, environmental criminal law can be used against severe pollution that threatens public safety and ecosystems. However, without legal parameters for proof, proving the elements of “harming the environment” and “causing danger to human health” is very difficult to apply to microplastics, because the elements of damage are not regulated normatively and depend on scientific evidence that can be refuted by corporate defense.¹⁴ As a result, the environmental criminal law regime cannot function as a repressive measure against microplastic pollution, allowing companies to continue operating without facing the risk of criminal sanctions even when traces of pollutants are found in marine samples and food organisms directly linked to industrial activities.

This legal vacuum further affects the institutional architecture of environmental oversight. Government agencies tasked with oversight do not have representative guidelines for conducting microplastic

audits on the textile, packaging, cosmetics, and food and beverage industries. The absence of such guidelines makes it impossible for environmental inspectors and local governments to ensure corporate compliance with microplastic waste management standards. This situation highlights the misalignment between national plastic waste control policies and the operational mechanisms for controlling microplastics. In other words, even though Indonesia has strategic documents such as the 2018–2025 National Marine Debris Action Plan, without the support of microplastic legal norms that explicitly regulate corporate obligations, these strategies cannot be translated into concrete oversight and law enforcement actions in the field.¹⁵

Previous research also reinforces that this legal vacuum has led to unsuccessful efforts to mitigate microplastic pollution. One example is Fitri, Nurisman & Mutiara (2024), who show that microplastic pollution by mineral water producers in Batam cannot be effectively addressed because there is no legal basis that specifically regulates microplastic pollution standards, making it difficult for law enforcement officials to hold corporations legally accountable. The gap between regulatory needs and the absence of norms shows that without legal reform, Indonesia will not only lag behind in global environmental governance, but also open the door for corporations to avoid accountability.¹⁶

¹³ Jing, Zhen. "Legal issues on Indonesian marine plastic debris pollution." *Indon. L. Rev.* 10 (2020): 87.

¹⁴ Chomariyah and Ilham Dwi Rafiqi. "The Indonesian Legal Framework to Mitigate Marine Plastic Debris." *Indonesia Law Reform Journal* 4, no. 1 (2024): 1-14.

¹⁵ Hermawan, Sapto. "Law and Economic approach to reduce marine plastic litter in Indonesia." In 3rd International Conference on Globalization of Law and Local Wisdom (ICGLOW 2019), pp. 218-224. Atlantis Press, 2019.

¹⁶ Fitri, Winda, Eko Nurisman, and Ayu Yulia Mutiara. "Efektivitas Hukum Terhadap

Thus, Discussion 1 shows that the root cause of microplastic pollution in terms of corporate responsibility lies in the absence of explicit norms in national legislation governing definitions, pollution standards, prevention obligations, indications for remediation, and models of proof. As long as this legal vacuum remains unaddressed, law enforcement against microplastic pollution will be ineffective, and companies will remain in an advantageous position because they have no specific obligations that can be explicitly imposed through legal channels.

Ambiguity of Norms in Determining Corporate Obligations for Microplastic Pollution

The ambiguity of norms in environmental regulations in Indonesia has resulted in unclear legal obligations for corporations in dealing with microplastic pollution. Law No. 32 of 2009 does contain the principle of strict liability for cases of environmental pollution, but this norm does not explain the technical standards and indicators of ecological damage in the context of microplastics. Thus, corporations that produce microplastics can argue that the regulation does not specifically cover microplastic pollution, creating room for interpretation that could weaken legal claims against business actors. This ambiguity in norms reveals a lack of synchronization between the concept of environmental responsibility and the new dynamics of

pollution caused by microplastics as an emergent pollutant.¹⁷

In addition, the ambiguity of the norm is also evident in the overlap between environmental and business regulatory frameworks. Law No. 40 of 2007 on Limited Liability Companies requires companies to implement Corporate Social Responsibility (CSR) in Article 74, but does not regulate specific parameters for microplastic pollutants. This means that companies have the leeway to define the form, scale, and mechanism of CSR themselves without any substantive obligation to prevent, reduce, or restore microplastic pollution. This situation shows that business law has not yet rigidly operationalized environmental obligations, thereby reducing the legal certainty for enforcing sanctions against companies. In this context, corporations can carry out CSR that is merely administrative in nature without implementing technological transformations in waste management, which should be a legal obligation.¹⁸

The ambiguity of the norms is also reflected in the overlap between administrative, civil, and criminal liability regimes. When corporations cause microplastic pollution, there are no guidelines for determining which liability regime is more appropriate to apply. If the administrative regime is applied, companies only need to fulfill

¹⁷ Kentin, Esther, and Gaia Battaglia. "Policies and perspectives on regulating microplastic fibre pollution." In *Polluting textiles*, pp. 265-289. Routledge, 2022.

¹⁸ Pratama, Afif Setiawan, and Ersi Sisdianto. "TANGGUNG JAWAB LINGKUNGAN DALAM BISNIS: STRATEGI BERETIKA UNTUK MASA DEPAN HIJAU." *JURNAL ILMIAH EKONOMI, MANAJEMEN, BISNIS DAN AKUNTANSI* 1, no. 4 (2024): 345-358.

Pencemaran Lingkungan Mikroplastik Oleh Produsen Air Mineral di Batam." *Jurnal Hukum Media Justitia Nusantara* 14, no. 1 (2024): 9-24.

administrative obligations such as reporting and paying fines. However, when the civil regime is used, ecological damage must be proven even though legal standards for microplastics are not yet available. Meanwhile, the application of environmental criminal law faces obstacles because the element of “environmental damage” is difficult to measure in microplastic cases without standard benchmarks. As a result, the ambiguity of the liability regime leads to inconsistencies in law enforcement between regions and between law enforcement agencies, creating a legal uncertainty that weakens environmental protection.¹⁹

This ambiguity in norms occurs not only in national law, but also in global instruments which should serve as guidelines for the formation of national norms. UNEA resolutions related to marine plastics and microplastics are only declarative in nature and therefore do not create binding obligations for member states to apply microplastic standards to companies.²⁰ This puts developing countries, including Indonesia, in a reactive rather than preventive policy position, as there is no international obligation to establish technical standards for microplastics in the legal system. Thus, industries based on plastic raw materials or distribution gain implicit legitimacy to continue operating without specific legal

obligations to reduce microplastics, as long as they do not conflict with general environmental regulations.

This situation of regulatory ambiguity can be understood more systematically by comparing the environmental and business regulatory frameworks in Indonesia in relation to corporate obligations regarding microplastic pollution. To that end, the following table compares the relevant regulatory elements:

Table 1. Comparative Analysis of Regulatory Frameworks on Microplastic Pollution and Corporate Legal Responsibility

Regulatory Framework	Scope of Regulation	Corporate Liability Model	Enforcement Instruments	Limitations Related to Microplastic
Environmental Law (UU 32/2009 & PP 22/2021)	Pollution control and ecosystem protection	Strict liability & administrative sanctions	Administrative, civil, and criminal law	No explicit definition or pollution threshold for microplastics
Business Law (UU 40/2007)	Corporate governance and social responsibility	CSR obligation under Article 74	Administrative sanctions	No binding obligation for preventing microplastic pollution
Waste Management Law (UU 18/2008)	Waste reduction and waste management	Shared responsibility between government, industry, and public	Administrative enforcement	Does not regulate microplastic as a distinct legal category
International Framework (UNEA & Basel Convention)	Global plastic pollution control	Soft-law obligations	National policy adoption	No binding enforcement for microplastic-specific corporate duties

The table above shows that there is no legal framework that specifically regulates corporate responsibility for microplastics, and all available regulations are still general, sectoral, or non-binding. This uncertainty has direct implications for the effectiveness of law enforcement because supervisory and law enforcement agencies do not have a single guideline for determining the elements of a violation, the level of danger, or the form of environmental restoration that can be required of corporations. In other words, the ambiguity of the norms causes corporate legal obligations to be

¹⁹ Chomariyah, C., & Rafiqi, I. D., “The Indonesian Legal Framework to Mitigate Marine Plastic Debris,” *Indonesia Law Reform Journal* 4, no. 1 (2024): 1–14.

²⁰ Carlini, Giulia, and Konstantin Kleine. "Advancing the international regulation of plastic pollution beyond the United Nations Environment Assembly resolution on marine litter and microplastics." *Review of European, Comparative & International Environmental Law* 27, no. 3 (2018): 234-244.

interpretative-based rather than *norm-based*, so that the success of law enforcement depends heavily on the discretion of law enforcement agencies rather than on objective legal certainty.

Previous academic research also confirms that the ambiguity of norms results in the resolution of microplastic pollution falling outside the realm of substantive law. For example, Chomariyah & Rafiqi (2024) show that Indonesia's legal framework for controlling marine plastic does not specifically regulate microplastics, so that the implementation of law enforcement relies only on an abstract administrative regime, rather than substantive legal orders. Meanwhile, Yuliantiningsih et al. (2023) assert that national policies related to marine plastic pollution management are not yet integrated with corporate responsibility-based industrial standards, so that microplastic management relies more on corporate initiatives rather than binding legal obligations. Both findings show that without clear norms, corporations are in an advantageous position because they can operate while ignoring the risks of microplastic pollutants without direct legal consequences.²¹

Thus, Discussion 2 confirms that the intensity of microplastic pollution in Indonesia is not only due to weak law enforcement but mainly due to the uncertainty of the norms governing corporate obligations. Without clarity on pollution standards, liability parameters, and specific models of law enforcement,

²¹ Yuliantiningsih, Aryuni, Ade Maman Suherman, and Baginda Khalid Hidayat Jati. "Marine Plastic Pollution Handling Based on International and Indonesian Law to Support Sustainable Development Goals." UNIFIKASI: Jurnal Ilmu Hukum 10, no. 01 (2023): 58-73.

environmental and business regulations cannot be optimized to prevent and punish microplastic pollution. This means that microplastic control strategies in Indonesia require a reformulation of legal norms so that corporate obligations are explicit, binding, and legally enforceable, not just administratively.

Normative Conflict between Environmental Regulations and Business Interests in Enforcing Corporate Responsibility for Microplastic Pollution

The normative conflict between environmental protection and business interests is at the root of the structural conflict in enforcing corporate responsibility for microplastic pollution. On the one hand, the environmental legal regime uses the principles of protection, preservation, and ecological sustainability as its main framework of consideration, thereby placing the environment as an object that must be protected by the state and corporations. However, the business legal regime emphasizes investment certainty, corporate profits, and production efficiency to create national economic stability. When these two regimes are not harmonized normatively, environmental law enforcement tends to compromise with industrial and market pressures, so that microplastic pollution remains unprioritized as a structural ecological threat. As a result, corporate economic interests tend to take precedence over environmental protection even though microplastics have been proven to pose health risks and damage ecosystems.²²

²² Pratama, Afif Setiawan, and Ersi Sisdianto. "Tanggung Jawab Lingkungan Dalam Bisnis: Strategi Beretika Untuk Masa Depan Hijau." Jurnal

This conflict of norms is also evident in the practice of implementing environmental policies in the industrial sector. When regulations emphasize administrative compliance, companies can comply with administrative procedures without changing their industrial processes, including those that produce microplastic pollutants. This means that companies are formally declared compliant with the law, even though they do not substantively take measures to prevent pollution. This phenomenon is an example of *regulatory compliance without environmental compliance* that arises due to a business legal structure that prioritizes operational flexibility.²³ The misalignment between administrative compliance indicators and environmental impact means that law enforcement does not reflect ecological success but only formal legal compliance. In the context of microplastic pollution, this phenomenon positions corporations as the main beneficiaries of regulatory conflicts because they are not required to adopt low-pollutant technologies that impact production costs.²⁴

The conflict of interest becomes even more apparent when the application of *green economy*-based industry standards is considered. Green industry instruments ideally encourage companies to use environmentally friendly raw materials and technologies, but under the national business legal regime, these obligations are not binding. Corporations are only

encouraged to implement them through incentive mechanisms or CSR campaigns, not as legal obligations.²⁵ This situation shows that the law is more oriented towards investment sustainability than environmental sustainability, so that provisions that are expected to minimize microplastic risks remain merely ethical standards without legal force. In other words, business law in the context of microplastics has shifted the meaning of environmental responsibility to an ethical choice rather than a legal obligation.

In the practice of environmental dispute resolution, this conflict of norms also affects the form of remediation demanded of corporations. When there is a conflict between environmental restoration parameters and their impact on corporate stability, law enforcement tends to choose compromise solutions in the form of financial compensation or social programs, rather than substantive ecological restoration. This pattern not only ignores environmental damage but also opens up moral hazard for businesses to take pollution risks because the consequences imposed are not proportional to the impact. Microplastics, as pollutants that are difficult to recover, require long-term ecological remediation, but the legal regime prioritizes quick, negotiation-based dispute resolution to maintain business dynamics. This means that the current law enforcement structure is not designed to

Ilmiah Ekonomi, Manajemen, Bisnis Dan Akuntansi 1, no. 4 (2024): 345-358.

²³ Hasoloan, Aswand. "Peranan etika bisnis dalam perusahaan bisnis." *Warta Dharmawangsa* 57 (2018): 290707.

²⁴ Durin, Ramzi. "Arti Penting Menjalankan Etika Dalam Bisnis." *VALUTA* 6, no. 1 (2020): 32-40.

²⁵ Suhanda, Rico. "Pertanggungjawaban Pelaku Korporasi Tindak Pidana Pencemaran Lingkungan Ditinjau Dari Sudut Pandang Hukum Pidana Di Indonesia." *Jurnal Penelitian & Pengkajian Ilmiah Mahasiswa (JPPIM)* 5, no. 1 (2024): 38-43.

internalize the ecological costs of microplastics into industrial activities.²⁶

Norm conflicts also influence the discourse of environmental compliance in corporate CSR structures. In classical CSR theory, the environment is one of the main responsibilities of companies, but in practice, environmental CSR is often used as a reputation and marketing tool, rather than as an obligation to prevent pollution. When reputation is more dominant than legal obligations, efforts to mitigate microplastic pollution are not driven by law, but by corporate image strategies. This CSR model creates a paradox: companies are praised for their environmental projects even though they continue to produce microplastic pollution through their industrial activities. This occurs because business law does not regulate CSR as an instrument of legal responsibility, but as a voluntary program that has no minimum standards, achievement indicators, or accountability.

The conflict between environmental protection and business interests is also evident in the mechanism for imposing sanctions. When the government faces the dilemma of cracking down on companies that contribute significantly to the economy and ensuring environmental protection, regulations tend to favor economic sustainability. In such circumstances, administrative sanctions are preferred because they are considered less disruptive to market stability, while environmental criminal sanctions or the suspension of industrial operations are seen as a threat to the macroeconomy. This imbalance shows that microplastic

pollution has been reduced to an economic issue, rather than an ecological issue and a human right to a healthy environment. Thus, policy priorities actually result in the risk of ecological injustice experienced by coastal communities and fishermen who are most affected by microplastic pollution.²⁷

Previous research also confirms the simultaneous relationship between corporate economic interests and weak sanctions against microplastic pollution. For example, Fuad (2019) shows how industrial and plastic commodity interests create resistance to tightening environmental regulations through policy mechanisms and the plastic raw material trade. Meanwhile, Islam (2019) shows that the cosmetics industry has influenced the slow formation of primary microplastic standards in beauty products due to considerations of high economic burdens on companies. Both findings show that the conflict of norms between environmental law and business law is not a conceptual phenomenon, but has direct consequences for the formulation of environmental policy and the successful enforcement of corporate responsibility for microplastic pollution.²⁸

Thus, Discussion 3 emphasizes that microplastic pollution is not only a matter of regulatory incompleteness, but also a matter of legal structures that are not aligned between environmental protection

²⁶ Saputra, Eko. Pengantar Hukum Bisnis: Regulasi, Etika, dan Tanggung Jawab Korporasi. Nasmedia, 2025.

²⁷ Erawati, Lusy. "The Government's Responsibility in Enforcing The Law on Plastic Pollution in The Sea." *Eduvest-Journal of Universal Studies* 4, no. 3 (2024): 947-958.

²⁸ Fuad, Muhammad Busyrol. "Tanggung Jawab Negara dan Korporasi Terhadap Kasus Impor Limbah Plastik di Indonesia (Perspektif Konvensi Basel dan Prinsip-Prinsip Panduan Bisnis dan HAM)." *Jurnal Hukum Lingkungan Indonesia* 6, no. 1 (2019): 97-125.

goals and economic interests. Without a mechanism for harmonizing norms, environmental law will not be able to enforce corporate responsibility because business law remains the main driver of the national policy agenda. This means that improving the legal system for microplastic pollution cannot only focus on the formation of new regulations, but also requires a transformation of the legal architecture of business so that corporate responsibility for the environment is imperative, binding, and legally enforceable, rather than merely ethical or voluntary.

CONCLUSION

This study demonstrates that the weak enforcement of corporate legal responsibility for microplastic pollution in Indonesia is primarily caused by structural legal deficiencies rather than merely technical or supervisory shortcomings. The absence of explicit legal definitions and pollution standards for microplastics, ambiguity in determining corporate obligations, and normative conflicts between environmental protection and business interests collectively create legal uncertainty that undermines effective accountability. As a result, corporations remain insufficiently bound by enforceable obligations despite the proven ecological and health risks posed by microplastic pollution.

To address this condition, regulatory reconstruction is required by explicitly recognizing microplastics as a distinct category of environmental pollution, harmonizing environmental and business law regimes, and transforming preventive and restorative corporate responsibilities

into binding legal obligations. Such reforms are essential to ensure legal certainty, strengthen environmental protection, and balance ecological sustainability with economic development.

This study is limited by its normative juridical approach, which focuses on legal texts and doctrinal analysis without incorporating empirical data or case-based enforcement practices. Therefore, future research is recommended to complement this analysis with empirical studies on regulatory implementation, judicial decisions, and corporate compliance behavior in addressing microplastic pollution.

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