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Climate Justice and Environmental Law Reform in Developing Countries

Abbas

Buana Perjuangan Karawang University, Karawang, Indonesia

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Corresponding Author:
Author Name*: Abbas
E-mail*:
abaskar23@gmail.com



Abstract: *Climate change has become a multidimensional crisis that has imposed the heaviest impacts on developing countries, despite their relatively small historical contribution to global greenhouse gas emissions compared to developed industrial countries. This inequality has given rise to the concept of climate justice as a normative framework that demands a fair distribution of environmental responsibilities, benefits, and burdens between developed and developing countries. This article aims to analyze how the concept of climate justice can be integrated into environmental law reform in developing countries, highlighting the structural failures of the existing legal framework and formulating a direction for reform that is more responsive to the principles of intergenerational and interregional justice. This research uses normative juridical methods with legislative, conceptual, and comparative legal approaches to several jurisdictions in Asia, Africa, Latin America, and Indonesia. The results of the study indicate that weak law enforcement, limited access to human rights-based litigation, and the absence of an adequate corporate accountability framework are the main obstacles to achieving climate justice in developing countries. This article recommends strengthening the rule of law, harmonizing environmental law with international human rights instruments, and establishing a just energy transition mechanism as a foundation for environmental law reform oriented towards climate justice.*

Keywords: *Climate Justice; Environmental Law Reform; Developing Countries; Just Energy Transition; Climate Litigation.*

INTRODUCTION

Climate change is one of the most complex legal and humanitarian challenges of the 21st century, as its impacts are not only ecological but also simultaneously touch upon economic, social, and human rights dimensions. Rising global temperatures, changing rainfall patterns, rising sea levels, and the increasing frequency of hydrometeorological disasters have disproportionately affected developing countries, despite their relatively small historical contribution to greenhouse gas emissions compared to advanced industrialized nations. This phenomenon gives rise to a

fundamental moral paradox: those who contributed least to the crisis bear the brunt of its consequences. This imbalance of responsibility and burden is the basis for the emergence of the concept of climate justice, a normative framework that seeks to fairly distribute mitigation responsibilities, adaptation obligations, and compensation for losses among the world's nations. Several recent studies emphasize that climate justice cannot be separated from the broader environmental justice movement, as both stem from the recognition that environmental damage consistently burdens the most socially and economically vulnerable groups.¹ Thus,

¹C. Saraswat dan Pankaj Kumar, "Climate Justice in Lieu of Climate Change: A Sustainable Approach to Respond to the Climate Change

Injustice and an Awakening of the Environmental Movement," *Energy, Ecology and Environment* 1

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climate justice is not merely an ethical discourse, but rather an urgent legal need to be translated into concrete norms and institutions.

Developing countries face multiple vulnerabilities in addressing the climate crisis, ranging from limited fiscal capacity and weak disaster mitigation infrastructure to economic dependence on natural resource sectors vulnerable to climate disruption. This structural vulnerability is exacerbated by weaknesses in environmental legal governance, which often relies on a rigid command-and-control approach, minimal public participation, and weak enforcement. Recent research in Pakistan, for example, shows that the national legal framework still leaves a significant normative gap between the country's international commitments under the Paris Agreement and the implementation of climate policy at the domestic level.² Similar gaps are found in Latin America, where institutional barriers are a major barrier to the effectiveness of human rights-based climate litigation, particularly in Chile and Ecuador.³ This situation demonstrates a common pattern that recurs across developing countries: a gap between the rhetoric of international law on climate justice and the actual capacity of states to enforce it effectively at the national level.

On the other hand, the international legal framework on climate change, from the United Nations Framework Convention on Climate Change (UNFCCC), the Kyoto Protocol, to the 2015 Paris Agreement, explicitly recognizes the

principle of common but differentiated responsibilities and respective capabilities (CBDR-RC) as the basis for the division of responsibilities between developed and developing countries. This principle is essentially a legal manifestation of the concept of climate justice, as it recognizes that countries with greater historical responsibility and higher economic capacity bear greater mitigation and funding obligations. However, the implementation of this principle in practice remains far from adequate, as demonstrated by various studies regarding the slow realization of climate finance and the minimal transfer of environmentally friendly technologies to developing countries. Sustainable Development Goal (SDG) 13 on addressing climate change also emphasizes the urgency of strengthening the rule of law as a prerequisite for effective climate action, as demonstrated by a recent study linking strengthening the rule of law to achieving SDG 13 targets in the Global South.⁴ Thus, domestic environmental law reform becomes the link connecting international normative commitments to the realization of substantive climate justice.

The issue of climate justice cannot be separated from the general dimensions of environmental justice, which include distributive justice, procedural justice, and recognitive justice. Distributive justice highlights the fair distribution of environmental benefits and burdens, procedural justice demands the meaningful participation of affected communities in decision-making,

(2016): 67–74, <https://doi.org/10.1007/s40974-015-0001-8>.

²Arun Barkat, Rehana Anjum, dan Erum Shaikh, "Evaluating Pakistan's Legal Framework for Climate Justice: Normative Gaps and Reform Opportunities," *The Critical Review of Social Sciences Studies* (2025), <https://doi.org/10.59075/hvhknc61>.

³Lorena Zenteno Villa, "Exploring Institutional Barriers to Effective Human Rights-

Based Climate Litigation in Latin American Courts—Lessons from Chile and Ecuador," *Journal of Human Rights Practice* (2024), <https://doi.org/10.1093/jhuman/huad073>.

⁴Muh Ibnu Sholeh dan Siti Fatinnah Binti Ab Rahman, "Bridging Legal Reform and Climate Action: Strengthening Rule of Law to Advance SDG 13 in the Global South," *Journal of Law, Policy and Global Development* (2025), <https://doi.org/10.71305/jlpgd.v1i1.332>.

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while recognitive justice emphasizes the importance of recognizing the identities, local knowledge, and rights of vulnerable groups, including indigenous peoples and women. Studies of institutional pathways to environmental justice in the Global South indicate that the transformation from normative policies to effective practices requires institutional strengthening, bureaucratic accountability, and participatory oversight mechanisms.⁵ Without simultaneously strengthening these three dimensions of justice, environmental law reform risks producing only cosmetic changes that fail to address the roots of structural inequality. Therefore, environmental law reform in developing countries needs to be designed holistically by integrating climate justice principles into the entire policy cycle, from norm formulation and enforcement to victim redress.

The Indonesian context presents a unique urgency given its highly vulnerable geographic location to the impacts of climate change, from coastal erosion and sea-level rise threatening coastal areas and small islands to food insecurity due to changes in planting season patterns. As an archipelagic nation with the second-longest coastline in the world, Indonesia faces significant existential risks, while the national environmental legal framework still faces serious enforcement challenges across various sectors, including

forestry, mining, and coastal spatial planning. A recent study on environmental law enforcement reform in Indonesia underscores the importance of strengthening ecocracy and ecological justice as a foundation for achieving the vision of Indonesia Emas 2045.⁶ In addition, the idea of a climate change legal architecture that learns from the experiences of Kenya, Finland, and South Africa also serves as an important reference for updating Indonesia's climate legal framework going forward.⁷ The issue of climate justice in Indonesia cannot be separated from the issue of equality in the implementation of green policies for marginalized community groups, as emphasized in the study on the legal framework for climate justice in Indonesia which highlights the importance of including vulnerable groups in national green policies.⁸

The climate crisis also has serious bioethical implications, particularly regarding the obligation of states to protect the health and well-being of their citizens from the worsening environmental impacts of global warming. Studies on the link between environmental justice and climate change policy emphasize that climate policy formulation cannot be separated from ethical considerations about who bears the greatest health risks from pollution, heat waves, and disasters triggered by

⁵Aisha Azzahra, "From Policy to Practice: Institutional Pathways Toward Environmental Justice in the Global South," *Sinergi International Journal of Law* (2024), <https://doi.org/10.61194/law.v2i4.720>.

⁶Ananda Panjaitan, Astrid Athina Indradewi, Vanessa Ileana Angjaya, Fajar Sugianto, dan Atsuko Yamamoto, "Environmental Law Enforcement Reform for Sustainable Development: Advancing Ecological Justice of Golden Indonesia 2045," *Indonesian Journal of Environmental Law and Sustainable Development* (2026), <https://doi.org/10.15294/ijel.v5i1.30916>.

⁷Muhamad Pelengkahu dan R. Pratama, "Climate Change Law Architecture Towards Golden Indonesia 2045: Lessons Learned from Kenya, Finland, and South Africa," *The Indonesian Journal of Planning and Development* (2024), <https://doi.org/10.14710/ijpd.9.2.85-96>.

⁸Elida Rahajeng Puspitasari dan Mohammad Hazyar Arumbinang, "Climate Justice and Legal Frameworks in Indonesia: Ensuring Equity for Marginalized Communities in Green Policy Implementation," *IOP Conference Series: Earth and Environmental Science* 1566 (2025), <https://doi.org/10.1088/1755-1315/1566/1/012029>.

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climate change.⁹ Low-income communities, the elderly, children, and people with disabilities generally bear far greater health risks than communities with resources to adapt, such as access to adequate health services or the ability to relocate from disaster-prone areas. This bioethical dimension emphasizes that climate justice-based environmental law reform cannot stop at the administrative regulatory level alone but must also consider its implications for public health as a whole, including through the integration of climate policy with public health and social security systems.

The challenges of climate law in developing countries cannot be separated from the historical roots of the unequal global economic relationship between developed and developing countries, as traced in the classic but still relevant study of climate law and developing countries in the context of legal and policy challenges for the world economy.¹⁰ The study emphasizes that developing countries often face a structural dilemma between the pressing need to develop their national economies through the exploitation of natural resources and their international obligations to contribute to global climate change mitigation. This dilemma is exacerbated by the historical legacy of international trade and investment that has not always favored the interests of developing countries' sustainable development, including through investment agreements that limit the scope of domestic environmental regulations to protect the interests of foreign investors. Understanding the historical roots of this imbalance is crucial so that environmental law reforms focus not only on superficial symptoms but also address the global political-

economic structures that are the underlying causes of climate injustice.

Developments in global climate diplomacy in recent years have reinforced the urgency of studying climate justice and reforming environmental law in developing countries. The establishment of the Loss and Damage Fund, agreed upon at the UNFCCC Conference of the Parties (COP), represents a formal recognition by the international community that vulnerable countries have the right to compensation for losses that cannot be prevented through mitigation or adaptation efforts. However, the operationalization of this fund still faces various technical and political obstacles, including debates over recipient country criteria, disbursement mechanisms, and guarantees that funds actually reach the most impacted communities. This uncertainty underscores that normative commitments at the international level do not automatically translate into substantive justice without a robust domestic legal framework to ensure accountability and effective aid distribution. Therefore, domestic environmental law reforms in developing countries must be designed to effectively absorb and manage the various international climate finance instruments available, while ensuring that their benefits reach those most in need.

The urgency of this study is further reinforced by the increasing number and variety of climate litigation cases worldwide over the past decade, reflecting a significant shift in how civil society, individuals, and even local governments are pursuing climate responsibility through the courts. This phenomenon is no longer limited to developed countries with established judicial systems but

⁹D. Resnik, "Environmental Justice and Climate Change Policies," *Bioethics* 36 (2022): 735–741, <https://doi.org/10.1111/bioe.13042>.

¹⁰B. Richardson, Yves Le Bouthillier, Heather McLeod-Kilmurray, dan S. Wood, "Climate

Law and Developing Countries: Legal and Policy Challenges for the World Economy" (2011), <https://doi.org/10.1108/ijccsm.2010.41402bae.003>.

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has begun to spread to various jurisdictions in Asia, Africa, and Latin America, albeit with significantly varying degrees of success and impact across jurisdictions. This development of global climate litigation confirms that the judicial system is increasingly viewed as a crucial instrument for addressing gaps or slowness in legislative processes and executive policies in responding to the urgency of the climate crisis. However, the effectiveness of this litigation pathway depends heavily on the quality of the substantive and procedural legal frameworks available in each jurisdiction, including recognition of the right to a healthy environment, the availability of inclusive legal standing mechanisms, and the independence and technical capacity of the judiciary to assess complex scientific evidence related to the causes and effects of climate change. An in-depth study of the patterns and challenges of climate litigation in developing countries, as this article focuses, therefore has significant academic and practical relevance for developing future environmental legal advocacy strategies.

Based on this description, this article is formulated to address two main questions. First, how structural injustice in the environmental legal framework in developing countries affects the effectiveness of climate change mitigation and adaptation efforts. Second, how the direction and strategy of environmental law reform oriented towards climate justice can be formulated for developing countries, including Indonesia, by considering the comparative experiences of various jurisdictions. This article aims to provide an academic contribution in the form of an analytical framework that links the concept of climate justice with a concrete environmental law reform agenda, while also offering applicable policy recommendations for policymakers in developing countries. The significance of this study lies in its effort to bridge the gap between the philosophical-ethical discourse of climate justice and the technical-juridical needs of implementable

environmental law reform. With this approach, it is hoped that this article will enrich the discourse on comparative environmental law and encourage policy reform that is more responsive to the principles of intergenerational and interregional justice.

METHODOLOGY

This study employs a normative legal research method that focuses on the analysis of positive legal norms, international legal principles, and academic doctrines relevant to the concept of climate justice and environmental law reform. The normative legal approach was chosen because the primary object of this article's study is the normative and institutional gaps within the environmental legal framework, rather than empirical social behavior in the field. The data used in this study are sourced from primary legal materials in the form of international legal instruments such as the UNFCCC, the Kyoto Protocol, and the Paris Agreement, as well as national laws and regulations in several developing countries for comparison. Secondary legal materials are obtained from indexed scientific journals, reports from international institutions, and the results of the latest research on climate justice and environmental law reform published in the last five years. The use of these up-to-date sources is intended to ensure that the analysis reflects the most recent developments in climate law doctrine and practice at the global level.

This research employs three complementary approaches: a statutory approach, a conceptual approach, and a comparative legal approach. The statutory approach is used to examine the environmental legal framework and climate policy in various developing countries, including Indonesia, Pakistan, Nigeria, and several countries in Latin America. The conceptual approach is used to examine the concept of climate justice from a philosophical and ethical perspective, including the dimensions of distributive, procedural, and recognitive justice as developed in contemporary environmental law literature. The comparative legal approach is used to analyze the experiences of climate law reform

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in Global North countries such as Canada and Finland as a comparison for reform efforts in developing countries, including through a study of the tripartite approach to climate justice law comparing Nigeria with Canada.¹¹ These three approaches are used in an integrated manner to produce a comprehensive analysis, both from a normative-textual perspective and from a theoretical-comparative perspective.

The data analysis technique in this study is descriptive-analytical with a deductive reasoning model, starting from general principles of climate justice in international law and then analyzing their application in the specific context of developing countries. Data collected from various primary and secondary legal sources were classified based on key themes, namely structural injustice in the environmental legal framework, obstacles to human rights-based climate litigation, corporate responsibility, a just energy transition, and the direction of institutional reform. After classification, the data were analyzed qualitatively to identify patterns, gaps, and legal precedents relevant to the formulation of policy recommendations. The validity of the analysis was strengthened through source triangulation, namely comparing findings from various jurisdictions and disciplines, including law, ethics, and public policy, to ensure that the conclusions drawn are well-grounded and academically sound.

The limitations of this study need to be stated frankly so that readers can place the findings in the proper context. As a normative study based on literature and legal document analysis, this article does not conduct empirical field testing of the effectiveness of climate policy implementation on directly affected community groups. Furthermore, the scope of jurisdictional comparisons in this study is limited to countries for which adequate data is available in accessible academic literature in English and Indonesian, so not all developing countries can be discussed in depth in a single article. Nevertheless, the selection of a sample

of jurisdictions covering South Asia, Africa, Latin America, and Southeast Asia is expected to be sufficiently representative to illustrate general patterns of structural injustice and directions for reform relevant to developing countries more broadly. This limitation also opens up space for further empirical research to enrich and test the validity of the normative findings produced by this article.

The timeframe for searching secondary legal materials in this study focused on publications from the last five years to ensure the analysis' relevance to the most recent developments in climate law doctrine and practice, without neglecting a number of classic references that remain relevant as a basic conceptual foundation for climate justice and environmental law in developing countries. The search was conducted systematically through a database of indexed scientific journals, with keywords including the terms climate justice, environmental law reform, developing countries, just energy transition, and climate litigation, both in Indonesian and English. The selection process for secondary legal materials took into account thematic relevance, credibility of publication sources, and diversity of geographical perspectives, to avoid analytical bias that is too oriented towards one particular region or legal tradition. With this systematic methodological framework, this study is expected to produce an analysis that is not only conceptually in-depth, but also actual and relevant to the dynamics of contemporary climate law at the global and domestic levels.

RESULTS AND DISCUSSION

Structural Injustice and Failure of Environmental Legal Frameworks in Developing Countries

Structural injustice in the environmental legal framework in developing countries can be traced to several interrelated dimensions: weak institutional capacity, limited access to justice, and economic dependence on sectors vulnerable to climate change. This weak

¹¹Alex Oche dan O. Olujobi, "The Role of Law and the Tripartite Approach to Climate Justice: Lessons for Nigeria from Canada," Journal of

Sustainable Development Law and Policy 17, no. 1 (2025), <https://doi.org/10.4314/jsdlp.v17i1.22>.

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institutional capacity is evident in the limited human resources and budgets of environmental law enforcement agencies, which leads to suboptimal oversight of high-risk businesses. This situation is exacerbated by the fragmentation of authority among government agencies, resulting in overlapping responsibilities for addressing the impacts of climate change, or even the absence of a clearly defined agency. A study of Pakistan's legal framework indicates that the normative gap between climate change laws and implementing regulations at the provincial level is a key factor in the weak implementation of national climate policy.¹² Similar patterns can also be observed in many other developing countries, where formally progressive legal frameworks are not matched by adequate institutional capacity to enforce them consistently.

The second dimension of structural injustice is the limited access of affected communities to justice mechanisms, both through litigation and non-litigation channels. A study of climate litigation in Pakistan, comparing the experience with Singapore, shows that the success of environmental lawsuits is largely determined by judicial independence, the availability of legal aid, and judicial recognition of the locus standi of civil society groups in environmental cases.¹³ In many developing countries, stringent procedural requirements and high litigation costs are major barriers for vulnerable communities to accessing environmental justice. A study of institutional barriers to human rights-based climate litigation in Latin America also confirms that although the

constitutions of Chile and Ecuador explicitly recognize the right to a healthy environment, its implementation in judicial practice still faces structural resistance, including limited capacity of judges to interpret scientific evidence on climate change.¹⁴ This situation shows that normative recognition of environmental rights is not necessarily directly proportional to the accessibility of justice for victims of the impacts of climate change.

A relatively more advanced development can be observed in the constitutional jurisprudence of several Global South countries, particularly India, which has developed the doctrine of the right to a clean environment as part of the constitutional right to life. A comparative study of environmental constitutionalism shows that courts in India have progressively interpreted constitutional rights to include protection against the impacts of climate change, an approach that contrasts with the attitude of courts in many other Global South countries, which tend to be more conservative in interpreting state obligations related to climate change.¹⁵ This approach to judicial activism offers an important precedent for other developing countries to encourage courts to play a more active role in filling the gaps in climate regulation through progressive constitutional interpretation. However, excessive reliance on judicial activism also risks creating legal uncertainty if not balanced by the establishment of a clear and consistent legislative framework.

The third dimension of structural injustice is the weak framework for corporate accountability for their contributions to the

¹²Arun Barkat, Rehana Anjum, dan Erum Shaikh, "Evaluating Pakistan's Legal Framework for Climate Justice: Normative Gaps and Reform Opportunities," *The Critical Review of Social Sciences Studies* (2025), <https://doi.org/10.59075/hvhknc61>.

¹³Deeba Haider, Muhammad Hannan, dan Umar Usman, "Climate Change Litigation and Environmental Justice in Pakistan: Lesson from Singapore," *Indus Journal of Social Sciences* (2026), <https://doi.org/10.59075/ijss.v4i1.2123>.

¹⁴Lorena Zenteno Villa, "Exploring Institutional Barriers to Effective Human Rights-Based Climate Litigation in Latin American Courts—Lessons from Chile and Ecuador," *Journal of Human Rights Practice* (2024), <https://doi.org/10.1093/jhuman/huad073>.

¹⁵Manas Bhonde, "Climate Litigation and Environmental Constitutionalism: A Comparative Analysis of India, the Global South, and North," *Indian Journal of Legal Review* (2026), <https://doi.org/10.65393/ijlr.v6i9101>.

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climate crisis and its impacts on vulnerable groups, including climate refugees. Studies on climate justice and environmental equity emphasize the need to re-evaluate the responsibilities of multinational corporations, particularly extractive companies, towards communities displaced by environmental degradation and climate disasters.¹⁶ In many developing countries, the legal framework for corporate responsibility still relies on a voluntary compliance approach with weak enforcement, allowing multinational corporations to often avoid legal accountability for transboundary environmental damage. The lack of effective extraterritorial accountability mechanisms exacerbates this imbalance, given that much environmental damage in developing countries is caused by the activities of corporations headquartered in developed countries. Climate-just environmental law reform must therefore include strengthening the framework for transboundary corporate accountability, including through mandatory due diligence mechanisms and mandatory climate impact reporting.

Structural inequalities are also evident in the energy transition sector, which is a key instrument for climate change mitigation but has the potential to create new forms of injustice if not designed inclusively. Studies on transforming energy law for climate justice show that many developing countries are adopting renewable energy transition policies without a legal framework that ensures the equitable distribution of benefits to local

communities, including indigenous communities whose territories are used for renewable energy infrastructure development.¹⁷ This phenomenon is known as energy transition injustice, where decarbonization efforts actually lead to forced displacement, loss of land access, and economic marginalization for vulnerable groups. Studies on justice in solar energy development also confirm that large-scale renewable energy projects are often planned without meaningful consultation with affected communities, leading to social resistance and protracted land disputes.¹⁸ Thus, an energy transition that is not designed with climate justice principles in mind risks replicating the very patterns of resource exploitation that climate policy aims to address.

An ethical perspective also enriches the understanding of this structural injustice, particularly in the context of developing economies facing the dilemma between economic growth and environmental responsibility. Studies on the ethics of climate justice in developing countries confirm that the intersection between development agendas and environmental responsibility is often resolved disproportionately, with short-term investment interests prioritized over long-term environmental sustainability.¹⁹ This dilemma is exacerbated by external debt pressures and dependence on foreign direct investment, which makes many developing countries reluctant to implement stringent environmental regulations due to concerns about reducing investment competitiveness. However, from an

¹⁶Shubha Keerti Chaturvedi, "Climate Justice and Environmental Equity: Reevaluating Corporate Responsibility Toward Climate Refugees," *Journal of Advance and Future Research* 4, no. 4 (2026), <https://doi.org/10.56975/jaaf.v4i4.505827>.

¹⁷Amirah Dwi Subarkah dan N. Husna, "Transforming Energy Law for Climate Justice: Towards a Legal Framework of Just Energy Transition in Developing Countries," *Jurnal Pengabdian Masyarakat dan Riset Pendidikan* (2025), <https://doi.org/10.31004/jerkin.v4i3.4701>.

¹⁸R. Heffron, Stephanie Halbrügge, M. Körner, N. Obeng-Darko, Theresia Sumarno,

Jonathan Wagner, dan Martin Weibelzahl, "Justice in Solar Energy Development," *Solar Energy* 218 (2021): 68–75, <https://doi.org/10.1016/j.solener.2021.01.072>.

¹⁹Ernest Mensah Abraham, Francis Komla Ganyaglo, J. Andoh, E. Asamoah, dan Samuel Koomson, "The Ethics of Climate Justice in Emerging Economies: Exploring the Intersection of Development and Environmental Responsibility," *International Journal of Ethics and Systems* (2025), <https://doi.org/10.1108/ijoes-07-2025-0385>.

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intergenerational equity perspective, short-term environmental sacrifices for economic growth will burden future generations with much greater environmental recovery costs. Therefore, environmental law reform needs to explicitly incorporate the principles of precautionary and intergenerational equity into the regulatory framework for investment and economic development.

Religious and socio-cultural dimensions also play a significant role in shaping the environmental legal framework in a number of developing countries, particularly the member states of the Organization of Islamic Cooperation (OIC). Studies on climate justice in Islamic legal thought show that sharia principles, such as the concept of khalifah (human guardianship over the earth) and maslahah (public benefit), can serve as a philosophical foundation that strengthens the social legitimacy of climate policies in Muslim-majority countries.²⁰ Harmonizing positive environmental law with local religious values has the potential to increase public compliance with environmental regulations, while strengthening the moral basis for climate justice advocacy. This approach, based on religious values and local wisdom, is important to consider when designing environmental law reforms in developing countries, given that purely positivistic legal approaches are often ineffective without strong socio-cultural legitimacy at the grassroots level.

The Indonesian context exhibits similar patterns of structural injustice, but with specific characteristics due to geographic complexity and regional diversity. The forestry and mining sectors, which serve as the backbone of the economy in several regions, frequently become an arena of conflict between interests in exploiting natural resources and the rights of

indigenous communities to their traditional management areas. This imbalance is even more pronounced in eastern Indonesia, including Papua, where the expansion of extractive industries frequently clashes with indigenous communities' rights to customary lands and forest resources that support their livelihoods. Weak environmental law enforcement at the regional level, coupled with regional autonomy that has not been matched by adequate oversight capacity, has resulted in many environmental violations going unresolved. Studies on environmental law enforcement reform in Indonesia emphasize the importance of strengthening inter-agency coordination and digitizing environmental monitoring systems to address these structural weaknesses toward the ecocracy vision of Golden Indonesia 2045.²¹

Overall, the analysis of the various dimensions of structural injustice described above demonstrates that the failure of environmental legal frameworks in developing countries is not merely a matter of regulatory technicalities, but rather reflects a deeper imbalance of power between developed and developing countries, between corporations and civil society, and between present and future generations. Institutional failure, limited access to justice, weak corporate accountability, injustice in the energy transition, and the tension between economic development and environmental sustainability are interconnected issues that require comprehensive resolution. Without comprehensive structural reform, normative commitments on climate justice, both at the international and national levels, risk becoming mere policy rhetoric without any substantive impact on the most vulnerable groups in society. The following section of this article will discuss the direction and strategies

²⁰D. Siswanto dan Toheed Ahmad, "Climate Justice in Islamic Legal Thought: Harmonizing Environmental Law, Human Rights, and Sustainable Development in OIC Countries," *International Journal of Law and Social Sciences* (2026), <https://doi.org/10.65960/ijlss.2.1.2026.14>.

²¹Ananda Panjaitan, Astrid Athina Indradewi, Vanessa Ileana Angjaya, Fajar Sugianto,

dan Atsuko Yamamoto, "Environmental Law Enforcement Reform for Sustainable Development: Advancing Ecological Justice of Golden Indonesia 2045," *Indonesian Journal of Environmental Law and Sustainable Development* (2026), <https://doi.org/10.15294/ijel.v5i1.30916>.

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for environmental law reform that can be formulated to address these structural failures, taking into account comparative experiences from various jurisdictions worldwide.

The public health dimension also reveals another facet of this structural injustice, as the impacts of climate change on health are not distributed evenly across socioeconomic groups. Bioethical studies on environmental justice and climate change policy confirm that public health legal frameworks in many developing countries have not adequately integrated climate risk considerations into national health planning systems.²² As a result, when extreme heat waves, disease outbreaks triggered by climate change, or food crises caused by crop failures occur, poor and vulnerable groups are the most affected, yet receive the least adequate legal protection and social security. This gap underscores the need for closer integration between environmental law, public health law, and social security systems, so that the climate legal framework is oriented not only toward emissions mitigation but also toward direct protection for the most vulnerable groups to the health impacts of the climate crisis.

The roots of this structural inequality are also inextricably linked to the legacy of global political-economic relations that have historically been less favorable to the interests of developing countries. Studies of climate law and developing countries in the context of legal and policy challenges for the global economy show that the legal framework for international investment and trade that has developed since the late 20th century often limits the scope for domestic environmental regulation in developing countries to protect the interests of foreign investors, through mechanisms such as investment protection clauses in bilateral investment treaties.²³ The tension between the obligation to protect foreign investment and the obligation to enforce strict environmental

regulations creates what is known as regulatory chill, namely the reluctance of developing country governments to implement progressive environmental policies due to fears of being sued by foreign investors through investor-state dispute resolution mechanisms. This regulatory chill phenomenon is one of the most visible manifestations of structural injustice in international economic law, directly impacting the capacity of developing countries to uphold climate justice domestically.

The gender dimension is a crucial layer of structural injustice that has received insufficient attention in conventional environmental legal frameworks. Women in developing countries, particularly those in rural areas who depend on natural resources for their daily livelihoods, often bear additional burdens due to climate change, ranging from increased domestic workloads due to water and food scarcity to heightened risks of gender-based violence during crises and disaster-related displacement. While environmental legal frameworks in many developing countries are formally gender-neutral, in practice they fail to accommodate women's specific needs and experiences in the formulation and implementation of climate policy. The absence of gender-disaggregated data in climate policy planning further exacerbates the issue's invisibility in formal policy agendas, often leaving women's specific needs overlooked in the design of adaptation and mitigation programs. Mainstreaming gender into environmental legal frameworks, including through adequate representation of women in climate decision-making bodies, is a crucial element that should not be overlooked in any climate justice-based environmental law reform agenda.

Structural injustice is also evident in the systematic disregard for the rights of indigenous peoples and local communities to traditional knowledge of environmental

²²D. Resnik, "Environmental Justice and Climate Change Policies," *Bioethics* 36 (2022): 735–741, <https://doi.org/10.1111/bioe.13042>.

²³B. Richardson, Yves Le Bouthillier, Heather McLeod-Kilmurray, dan S. Wood, "Climate

Law and Developing Countries: Legal and Policy Challenges for the World Economy" (2011), <https://doi.org/10.1108/ijccsm.2010.41402bae.003>.

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management, which has proven its resilience to climate variability for centuries. Many environmental legal frameworks in developing countries still place modern scientific knowledge as the sole source of policy legitimacy, while traditional indigenous knowledge regarding seasonal patterns, water resource conservation, and adaptive agricultural systems is often ignored in the formulation of formal climate adaptation policies. Yet, numerous environmental anthropological studies have shown that these traditional knowledge systems often offer more contextual and sustainable adaptation strategies than technocratic solutions imported from abroad without considering local conditions. This neglect is not only a technical failure in policy formulation but also reflects a deeper form of recognitive injustice: the denial of the legitimacy of indigenous knowledge systems as a basis for public policy legitimacy on a par with modern scientific knowledge.

The patterns of structural injustice outlined above can also be observed more specifically at the level of policy implementation in various strategic sectors, such as forestry, maritime affairs, and agriculture, which are the livelihoods of the majority of the population in developing countries. In the forestry sector, for example, the Reducing Emissions from Deforestation and Forest Degradation (REDD+) policy scheme, designed as a carbon market-based mitigation instrument, has often faced criticism for its potential to disregard the rights of indigenous communities to their customary forest areas in favor of the international carbon credit trade. In the maritime sector, coastal conservation policies that fail to adequately involve traditional fishers in the planning process risk depriving them of access to the marine resources that are their primary source of livelihood. In the agricultural sector, climate adaptation policies oriented toward the modernization of large-scale agricultural technology often neglect the needs of small-scale farmers, who are most vulnerable to the impacts of changing planting season patterns. These three sectoral examples emphasize that structural injustice in climate policy is not

merely conceptual but has concrete manifestations directly felt by communities in their daily lives.

The issue of funding for mitigation and adaptation at the domestic level also reflects serious structural inequities, as public budget allocations for climate change management in many developing countries remain far inadequate compared to the scale of actual needs on the ground. These fiscal limitations often prevent climate adaptation programs, such as coastal embankment infrastructure development, disaster early warning systems, and livelihood diversification for vulnerable communities, from being implemented equitably across all areas in need. Remote areas and small islands, often the most vulnerable to the impacts of climate change, tend to be the last to receive adaptation resource allocations due to considerations of budget efficiency and geographic accessibility. This unequal budget distribution pattern creates a new form of climate injustice at the subnational level, where the gap between the center and the periphery replicates the global pattern of injustice between developed and developing countries on a smaller scale but with no less significant impact on directly affected communities.

Directions and Strategies for Climate Justice-Based Environmental Law Reform in Developing Countries

Environmental law reform oriented toward climate justice requires a multidimensional strategy that includes institutional strengthening, legal harmonization with international human rights instruments, enhanced access to justice, and the establishment of an inclusive energy transition framework. A crucial first step is strengthening the rule of law as the foundation for the effectiveness of all climate policies, as emphasized in a study on the link between legal reform and climate action in supporting the

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achievement of SDG 13 in the Global South.²⁴ Strengthening the rule of law in this context encompasses judicial independence, transparency in the legislative process, and bureaucratic accountability in the implementation of environmental policies. Without a solid foundation of the rule of law, various textually progressive environmental legal instruments will remain difficult to implement effectively in practice. Therefore, the environmental law reform agenda in developing countries must be placed within a broader governance reform framework, not simply isolated sectoral regulatory changes.

The second strategy is institutional transformation from a normative policy approach to effective and participatory implementation practices. Studies on institutional pathways to environmental justice in the Global South offer a three-pillar model: strengthening bureaucratic capacity, establishing horizontal inter-institutional accountability mechanisms, and institutionalizing public participation in environmental decision-making.²⁵ This model is relevant for developing countries because it emphasizes the importance of the implementation process, not just the quality of the regulatory text. Institutionalization of public participation can be realized through mechanisms such as truly participatory environmental impact analyses, legally binding public consultation forums, and responsive public complaint mechanisms accessible to vulnerable groups. Strengthening bureaucratic capacity also needs to be supported by increased budgets and technical training for

environmental law enforcement officials to enable them to handle the complexity of increasingly sophisticated environmental cases, both scientifically and technically.

The third strategy is strengthening access to justice through the development of human rights-based climate litigation as a complementary instrument to administrative regulations. Studies of rights-based litigation in the post-Paris era show a global trend of increasing climate lawsuits that base their legal arguments on the state's obligation to protect the rights to life, health, and a healthy environment.²⁶ This trend provides an important precedent for developing countries to develop domestic jurisprudence that recognizes the locus standi of civil society groups and environmental organizations in filing strategic lawsuits against states for failing to fulfill their climate obligations. Studies on the role of legal advocacy in addressing climate change also emphasize the importance of strengthening the capacity of legal aid organizations and non-governmental organizations as key actors in facilitating access to justice for victims of climate impacts who lack the resources to litigate independently.²⁷ The development of more inclusive legal standing mechanisms, including the recognition of class action lawsuits in environmental cases, is a key element of this reform agenda.

Comparative lessons from countries in the Global North also make an important contribution to the formulation of reform strategies in developing countries, as long as they are contextualized and not applied in a haphazard manner without adjustments. A

²⁴Muh Ibnu Sholeh dan Siti Fatinnah Binti Ab Rahman, "Bridging Legal Reform and Climate Action: Strengthening Rule of Law to Advance SDG 13 in the Global South," *Journal of Law, Policy and Global Development* (2025), <https://doi.org/10.71305/jlpgd.v1i1.332>.

²⁵Aisha Azzahra, "From Policy to Practice: Institutional Pathways Toward Environmental Justice in the Global South," *Sinergi International Journal of Law* (2024), <https://doi.org/10.61194/law.v2i4.720>.

²⁶Charles Beauregard, D. Carlson, Stacy-ann Robinson, Charles Cobb, dan Mykela Patton, "Climate Justice and Rights-Based Litigation in a Post-Paris World," *Climate Policy* 21 (2021): 652–665, <https://doi.org/10.1080/14693062.2020.1867047>.

²⁷Md Wasim Ahmed dan Md Joshim Uddin, "Environmental Justice and the Role of Legal Advocacy in Addressing Climate Change," *Journal of Humanities and Social Sciences Studies* 7, no. 4 (2025), <https://doi.org/10.32996/jhsss.2025.7.4.6>.

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study of the tripartite approach to climate justice law, comparing Nigeria with Canada, identified three key elements for successful climate law reform: cross-sectoral climate policy integration, the establishment of an independent climate oversight body, and a transparent and accountable climate finance mechanism.²⁸ These elements can be adapted by developing countries, taking into account the context of differing fiscal and institutional capacities. Similarly, a study of the legal architecture of climate change, comparing the experiences of Kenya, Finland, and South Africa, offers a model of framework legislation that integrates mitigation targets, adaptation mechanisms, and monitoring-reporting-verification systems into a single, coherent legal framework. This model is relevant for efforts to consolidate climate regulations in Indonesia, which are currently scattered across various sectoral regulations.²⁹ This umbrella legislative approach has the potential to reduce regulatory fragmentation, which has been a major source of weak environmental law enforcement in developing countries.

The fourth, equally important strategy is the establishment of a legal framework for a just energy transition, considering that the energy sector is a major contributor to emissions and the most significant investment arena for climate mitigation in developing countries. A study on transforming energy law for climate justice recommends the development of a legal framework for the energy transition that explicitly regulates fair compensation and

relocation mechanisms for workers and communities affected by the transition from fossil fuels to renewable energy.³⁰ This just transition principle is crucial to ensure that decarbonization efforts do not create structural unemployment or new economic marginalization for workers in the conventional energy sector. The legal framework also needs to ensure that the economic benefits of renewable energy investments, including royalties and job creation, are distributed fairly to local communities surrounding project sites, as emphasized in a study on fairness in solar energy development that highlighted the importance of transparent benefit sharing between project developers and host communities.³¹ Without an explicit legal framework governing the sharing of these benefits, renewable energy projects risk being replicated as new forms of local resource exploitation by large investors.

The fifth strategy relates to strengthening the cross-border corporate accountability framework in response to the weak accountability of multinational corporations for their environmental impacts in developing countries. A study on corporate responsibility for climate refugees recommends the application of strict liability principles for corporations whose activities are proven to cause large-scale environmental damage, along with obligations to restore and compensate communities displaced by environmental degradation.³² In addition, developing countries

²⁸Alex Oche dan O. Olujobi, "The Role of Law and the Tripartite Approach to Climate Justice: Lessons for Nigeria from Canada," *Journal of Sustainable Development Law and Policy* 17, no. 1 (2025), <https://doi.org/10.4314/jsdlp.v17i1.22>.

²⁹Muhamad Pelengkahu dan R. Pratama, "Climate Change Law Architecture Towards Golden Indonesia 2045: Lessons Learned from Kenya, Finland, and South Africa," *The Indonesian Journal of Planning and Development* (2024), <https://doi.org/10.14710/ijpd.9.2.85-96>.

³⁰Amirah Dwi Subarkah dan N. Husna, "Transforming Energy Law for Climate Justice:

Towards a Legal Framework of Just Energy Transition in Developing Countries," *Jurnal Pengabdian Masyarakat dan Riset Pendidikan* (2025), <https://doi.org/10.31004/jerkin.v4i3.4701>.

³¹R. Heffron, Stephanie Halbrügge, M. Körner, N. Obeng-Darko, Theresia Sumarno, Jonathan Wagner, dan Martin Weibelzahl, "Justice in Solar Energy Development," *Solar Energy* 218 (2021): 68–75, <https://doi.org/10.1016/j.solener.2021.01.072>.

³²Shubha Keerti Chaturvedi, "Climate Justice and Environmental Equity: Reevaluating Corporate Responsibility Toward Climate Refugees," *Journal*

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need to encourage the adoption of legal frameworks for human rights and environmental due diligence that require multinational corporations to map and mitigate environmental risks throughout their supply chains, in line with the development of similar regulations being implemented in various jurisdictions in the Global North. Strengthening international legal cooperation, including through mutual legal assistance agreements, is also needed to ensure that victims of environmental damage in developing countries have more effective access to hold multinational corporations accountable in the courts of their home countries if domestic mechanisms prove inadequate.

Ethical and intergenerational justice perspectives need to be explicitly mainstreamed into environmental legal frameworks through the regulation of the precautionary principle and the state's fiduciary responsibility to future generations. Studies on the ethics of climate justice in developing economies emphasize the importance of a legal framework that binds governments to consider the long-term impacts of development policies on environmental sustainability, rather than solely focusing on short-term economic growth.³³ This approach can be realized through the establishment of a constitutional environmental rights mechanism that expressly recognizes the rights of future generations to a decent environment, as has developed in progressive jurisprudence in a number of Global South countries, including through the public trust doctrine that positions the state as the trustee of natural resources for the public interest across generations.³⁴

Integrating such ethical dimensions is essential to ensure that environmental law reform is not only oriented towards procedural compliance, but also reflects a substantive commitment to long-term justice.

Religious dimensions and local wisdom also need to be strategically integrated into the design of environmental law reform, particularly in countries with large religious populations. Harmonizing modern environmental law principles with religious values, as developed in studies on climate justice in Islamic legal thought in OIC countries, can strengthen the social legitimacy of climate policies and encourage voluntary public compliance with environmental regulations.³⁵ A similar approach can be developed in Indonesia by integrating local wisdom, such as customary-based natural resource management principles, into the formal environmental legal framework, thus creating synergy between the state legal system and customary law in sustainable natural resource management. Formal recognition of indigenous peoples' rights to traditional management areas, coupled with strengthening their capacity for local wisdom-based environmental management, is a crucial element in Indonesia's climate-just environmental law reform agenda.

Specifically for Indonesia, the climate justice-based environmental law reform agenda needs to be directed at consolidating climate regulations, which are currently scattered across various sectoral regulations, into a coherent and long-term umbrella legal framework that is oriented towards the vision of

of Advance and Future Research 4, no. 4 (2026), <https://doi.org/10.56975/jaaf.v4i4.505827>.

³³Ernest Mensah Abraham, Francis Komla Ganyaglo, J. Andoh, E. Asamoah, dan Samuel Koomson, "The Ethics of Climate Justice in Emerging Economies: Exploring the Intersection of Development and Environmental Responsibility," *International Journal of Ethics and Systems* (2025), <https://doi.org/10.1108/ijoes-07-2025-0385>.

³⁴Manas Bhonde, "Climate Litigation and Environmental Constitutionalism: A Comparative

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³⁵D. Siswanto dan Toheed Ahmad, "Climate Justice in Islamic Legal Thought: Harmonizing Environmental Law, Human Rights, and Sustainable Development in OIC Countries," *International Journal of Law and Social Sciences* (2026), <https://doi.org/10.65960/ijlss.2.1.2026.14>.

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Golden Indonesia 2045. Strengthening ecocracy, as recommended in the study on environmental law enforcement reform in Indonesia, needs to be realized through digitalization of the environmental monitoring system, strengthening coordination between central and regional institutions, and consistent law enforcement against environmental violations regardless of the scale of the perpetrator's business.³⁶ In addition, Indonesia needs to strengthen its legal framework for climate justice that explicitly accommodates the interests of marginalized groups in the implementation of green policies, including coastal communities, indigenous communities, and low-income groups who are most vulnerable to the impacts of climate change but have the least access to the benefits of green policies.³⁷ Learning from the comparative experiences of other countries, combined with strengthening local wisdom and civil society participation, can serve as a foundation for Indonesia in formulating an environmental legal framework that is truly responsive to the principles of climate justice.

Implementing all of the reform strategies mentioned above requires strong political commitment and adequate financial support, given that institutional reform and strengthening law enforcement capacity require long-term investments that do not always yield immediate political results. Therefore, international support through climate finance, technology transfer, and strengthening technical capacity remains a crucial element that cannot be ignored in the environmental law reform agenda in developing countries. South-South cooperation among developing countries

also has the potential to be an important vehicle for sharing experiences and good practices in climate law reform, given the common structural challenges faced by these countries. With a combination of a comprehensive domestic strategy and adequate international cooperation, climate justice-based environmental law reform in developing countries has a greater chance of being realized substantively, rather than merely policy rhetoric with minimal implementation.

Climate finance is the sixth strategic element that requires special attention, given that fiscal constraints are one of the biggest structural obstacles for developing countries in consistently implementing environmental law reform. National legal frameworks need to clearly regulate the management mechanisms for climate funds, whether sourced from domestic budgets, international grants, or innovative instruments such as green bonds and carbon trading, to ensure their use is transparent and accountable. Studies on climate law and developing countries confirm that the absence of a clear legal framework for climate finance governance often results in international aid funds not being optimally utilized or even being vulnerable to corruption and abuse of authority.³⁸ Therefore, environmental law reform needs to be accompanied by a strengthening of the public finance legal framework that specifically regulates accountability for climate fund management, including through independent audit mechanisms and regular public reporting.

The seventh strategy that needs to be considered is strengthening environmental law education and climate literacy among law

³⁶Ananda Panjaitan, Astrid Athina Indradewi, Vanessa Ileana Angjaya, Fajar Sugianto, dan Atsuko Yamamoto, "Environmental Law Enforcement Reform for Sustainable Development: Advancing Ecological Justice of Golden Indonesia 2045," *Indonesian Journal of Environmental Law and Sustainable Development* (2026), <https://doi.org/10.15294/ijel.v5i1.30916>.

³⁷Elida Rahajeng Puspitasari dan Mohammad Hazyar Arumbinang, "Climate Justice and Legal Frameworks in Indonesia: Ensuring Equity for

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³⁸B. Richardson, Yves Le Bouthillier, Heather McLeod-Kilmurray, dan S. Wood, "Climate Law and Developing Countries: Legal and Policy Challenges for the World Economy" (2011), <https://doi.org/10.1108/ijccsm.2010.41402bae.003>.

enforcement officials, business actors, and the wider public, as a prerequisite for the successful long-term implementation of all the reform strategies outlined above. Without an adequate understanding of the scientific and legal complexities of climate change, law enforcement officials will struggle to interpret and consistently apply climate regulations, while the public will struggle to utilize available legal instruments to advocate for their rights. This capacity building can be achieved through the integration of environmental law and climate change curricula into higher legal education, ongoing training for judges and prosecutors on scientific evidence of climate change, and environmental law literacy campaigns for civil society. This long-term investment in human resource development is no less crucial than regulatory reform itself, as the effectiveness of the law ultimately depends on the capacity and commitment of the actors implementing it.

An eighth strategy worth considering is strengthening the role of national human rights institutions and regional judicial mechanisms as complementary channels for domestic climate litigation, which often faces limitations in jurisdiction or judicial independence. National human rights institutions can be empowered to receive and act on public complaints regarding environmental impacts on human rights, including through independent investigations and morally binding policy recommendations for governments. At the regional level, human rights judicial mechanisms, such as those developed in Latin America through the Inter-American Court of Human Rights, offer an alternative pathway for victims of climate impacts to hold states accountable when domestic mechanisms prove inadequate. Developing similar mechanisms in other regions, including Southeast Asia, which currently lacks a permanent regional human rights court, could be an important long-term agenda for strengthening access to climate justice in the region. Strengthening such regional channels is crucial as an additional check and balance mechanism where domestic judicial capacity and independence continue to face structural limitations.

The ninth strategy relates to strengthening transparent and publicly accessible monitoring, reporting, and verification (MRV) systems as an accountability instrument for implementing countries' climate commitments. Many developing countries still face limited technical and technological capacity to build reliable MRV systems, making it difficult to independently verify whether emission reduction targets and adaptation commitments are actually being achieved as planned. A legal framework that mandates regular disclosure of environmental and climate data, coupled with independent third-party audit mechanisms, can strengthen public trust and provide a robust database for policy advocacy and strategic litigation by civil society. The digitization of environmental monitoring systems, including through the use of remote sensing and artificial intelligence technologies to detect deforestation or pollution in real time, offers significant opportunities for developing countries to overcome the limitations of conventional institutional capacity, provided that an adequate legal framework is in place to regulate the use of such technology in an accountable and transparent manner.

The tenth strategy, which complements the entire reform agenda above, is strengthening alternative environmental dispute resolution mechanisms as a complement to formal litigation, which is often time-consuming and expensive. Community-based mediation and negotiation mechanisms, which collaboratively involve traditional leaders, local governments, and business actors, can provide a faster, more affordable, and more sustainable path to resolving environmental disputes than the often protracted formal judicial process. The development of such mechanisms needs to be supported by a clear legal framework regarding the binding force of mediated agreements, so that they cannot be easily ignored by parties who feel disadvantaged by the agreements in the future. The experience of several developing countries shows that combining strategic litigation for large-scale cases with alternative dispute resolution mechanisms for smaller-scale cases can create

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an ecosystem of access to environmental justice that is more comprehensive and responsive to the real needs of communities on the ground. Therefore, the ten strategies outlined in this section, if implemented in an integrated manner, have the potential to produce truly transformative environmental law reform oriented toward substantive climate justice for developing countries.

In closing this discussion of reform strategies, it is important to emphasize that the successful implementation of all these strategies depends heavily on the synchronization of legal reform at the national level with governance reform at the subnational level, given that most environmental policy implementation is carried out by local governments, which have direct authority over licensing and oversight of environmentally risky activities. Decentralization of environmental authority without adequate capacity building and oversight at the regional level risks creating significant implementation gaps between regions, with regions with stronger institutional capacity able to enforce environmental regulations more effectively than those with limited resources. Therefore, climate justice-based environmental law reform needs to be accompanied by technical support mechanisms and affirmative funding from the central government to regions with weaker institutional capacity, to ensure that environmental law enforcement standards do not significantly diverge across regions within a country. Such vertical synchronization is a crucial prerequisite for the reform agenda formulated at the national level to be consistently implemented down to the grassroots level, the primary beneficiaries of climate justice-based environmental law reform.

CONCLUSION

Based on the analysis outlined, it can be concluded that structural injustice in the environmental legal framework in developing countries stems from a combination of weak institutional capacity, limited access to justice, weak cross-border corporate accountability, inequities in the energy transition, and

unresolved tensions between economic development agendas and environmental sustainability responsibilities. This structural injustice causes developing countries, despite their relatively small historical contribution to the global climate crisis, to bear the brunt of its impacts and to have the least legal and institutional capacity to respond effectively. These structural failures are multidimensional and interconnected, and therefore cannot be addressed through partial sectoral regulatory changes but require comprehensive and long-term legal reform. Environmental law reform oriented toward climate justice in developing countries needs to be built on five main pillars: strengthening the rule of law and institutional capacity, transforming governance toward a more participatory and accountable approach, strengthening access to justice through the development of human rights-based climate litigation, establishing an inclusive and equitable legal framework for the energy transition, and strengthening the framework for cross-border corporate accountability. These five pillars need to be integrated with the mainstreaming of intergenerational justice principles and harmonization with religious values and local wisdom relevant to each national context, to ensure strong social legitimacy for the implementation of climate policies at the grassroots level. For Indonesia specifically, consolidating climate regulations into a coherent umbrella legal framework, strengthening ecocracy through the digitalization of environmental monitoring, and stronger recognition of the rights of indigenous peoples and vulnerable groups are priority agendas toward the ecologically just Golden Indonesia 2045 vision.

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