

# The Role of the Community in Environmental Monitoring : A Legal Perspective

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**Abstract:** Community participation in environmental monitoring is an essential component of the environmental legal system in Indonesia. This article aims to examine the strategic role of the community in the national legal framework, particularly under Law No. 32/2009 on Environmental Protection and Management. Using normative juridical methods and descriptive analysis, this article discusses the rights and obligations of the community, forms of participation, and challenges faced in the implementation of environmental supervision. The results of the study show that although the space for participation has been opened legally, in practice, it still faces obstacles such as limited access to information, lack of legal protection, and lack of community capacity. Therefore, strengthening legal literacy, information transparency, and protection of whistleblowers are important steps to encourage the active role of the community. This article recommends a collaborative approach between the state and the community to realise fair, participatory and sustainable environmental governance.

**Keywords:** Community Participation; Environmental Law; Environmental Protection; PPLH Law; Supervision

## 1. Introduction

Environmental issues are global issues that continue to receive wide attention from various parties, both at the national and international levels. Climate change, water and air pollution, forest destruction, and loss of biodiversity are real challenges that not only threaten the sustainability of ecosystems but also the survival of human life. In Indonesia, environmental damage is often caused by uncontrolled human activities, such as massive land clearing, excessive exploitation of natural resources, and indiscriminate disposal of industrial waste. This condition shows that environmental management cannot only be left to the government or the private sector, but must involve active participation from all levels of society (Ridwan & Achmad Sodik, 2023).

Public participation in environmental monitoring is one form of strategic role of citizens in maintaining and preserving nature as a source of life. Community involvement is important to create a participatory, transparent and accountable monitoring system. With direct involvement, the community can act as eyes and ears that are able to detect violations of environmental law early on (Rasiwan, 2024). This is important considering that supervision by the government is often limited, both in terms of human resources and institutional capacity. Therefore, community participation is not only a right, but also an obligation in supporting the sustainability of environmental management.

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In the context of Indonesian law, community participation in environmental monitoring has been clearly regulated in Law Number 32 of 2009 concerning Environmental Protection and Management (Ruhayat et al., 2022). Public participation can be in the form of supervision, submission of suggestions, opinions, objections, complaints, and/or information. This provision provides a strong legal basis for the community to participate in monitoring activities that have the potential to cause negative impacts on the environment.

However, the implementation of community participation in practice still faces various obstacles. One of them is the low legal awareness of the community regarding their rights and obligations in the environmental field. Many citizens do not know that they have a legal basis to report acts of environmental pollution or destruction. In addition, limited access to environmental information is also a serious obstacle. Communities often do not get adequate information about industrial activities around them, including Environmental Impact Assessment (AMDAL) documents that should be openly accessible. This makes it difficult for communities to monitor and criticise activities that could damage the environment (Winarni, 2022).

On the other hand, there is still a perception that environmental affairs are the government's responsibility alone, causing some people to be passive. In fact, environmental damage has a direct impact on the quality of life of the community itself, ranging from health and economy to the sustainability of local culture. Therefore, a paradigm shift is very important, namely that the community is not the object of environmental development but an active and empowered subject.

In addition to internal obstacles from the community, external obstacles also need to be considered, such as resistance from parties who feel their interests are disturbed when the community starts to speak out, such as companies that commit environmental violations or even unscrupulous officials who do not carry out their duties professionally. Sometimes, people who try to conduct surveillance or reporting have even experienced intimidation or criminalisation. This phenomenon shows that there is still weak legal protection for environmental whistleblowers, and this is a serious challenge in realising participatory environmental monitoring (Subagiyo, 2014).

In response to these conditions, there needs to be a systematic effort to increase community capacity in the field of environmental law. Law-based environmental education must be intensified, both through formal and non-formal channels. The government, NGOs, and academics need to synergise in providing assistance and training to the community so that they are able to understand their rights and legal reporting and monitoring procedures. In addition, transparency and information disclosure from the government and business actors are key so that the community can play a maximum role. Strengthening legal protection regulations for people who report or monitor environmental activities is also an important agenda that should not be ignored.

Through this article, the author would like to examine in more depth the role of the community in environmental monitoring from a legal perspective. The main focus of the discussion will be directed at the legal basis of community participation, forms of community roles in environmental supervision, challenges faced in its implementation, and efforts that can be made to improve the effectiveness of participatory supervision. It is hoped that this article can contribute to encouraging legal awareness and strengthening the position of the community as an important actor in sustainable environmental preservation.

## **2. Research Method**

The research in this article uses a normative juridical approach, which is a method that focuses on the study of applicable legal norms, especially laws and regulations relating to environmental protection and management in Indonesia (Thahira, 2020). This approach is used to understand how the law regulates community participation in environmental supervision, and to examine the extent to which these provisions can be applied effectively in practice.

The data used in this research comes from secondary data, namely primary, secondary, and tertiary legal materials. Primary legal materials include laws and regulations such as Law No. 32/2009 on Environmental Protection and Management and other implementing regulations. Secondary legal materials include scientific literature such as law books, journal articles, results of previous research, and opinions of experts relevant to the topic. Tertiary legal materials include legal dictionaries, encyclopedias, and other supporting sources.

Data analysis is carried out descriptively analytically, namely by explaining the content and meaning of the legal norms studied, and analyzing how these norms are applied in the context of environmental monitoring by the community (Adriaman, 2024). This approach allows the author to systematically describe the relationship between the applicable legal provisions and the reality on the ground, including the constraints and challenges in the implementation of community participation in the environmental field.

Through this method, this article is expected to contribute to the development of environmental law discourse, particularly in encouraging active community involvement as part of an equitable and sustainable monitoring system.

## **3. Result And Discussion**

### **3.1. Community Rights and Obligations in Environmental Law**

Community participation in environmental monitoring does not come out of nowhere, but is explicitly guaranteed by the national legal framework. Law No. 32/2009 on Environmental Protection and Management (UU PPLH) is the primary basis that regulates this. Article 70 paragraph (1) states that:

“The community has the same rights and opportunities to play an active role in environmental protection and management.”

This provision provides strong legitimacy for the community to not only be a spectator in environmental conservation efforts, but also as an active supervisor of activities that have the potential to damage the environment (Hanisa & Firdaus, 2023).

The public's right is reinforced in paragraph (2) of the same article, which states that public participation can be carried out in the form of supervision, submission of suggestions, opinions, objections, complaints, and/or submission of information (Delyarahmi & Murniwati, 2023). This means that the community is given space to be involved in all stages of environmental management, from planning to evaluation. In practice, this form of participation can be realized through reporting pollution cases, involvement in AMDAL hearings, assistance to affected communities, and advocacy actions through non-governmental organizations.

However, this right must be balanced with responsibility. The community is also obliged to protect the environment, not commit destructive actions, and support conservation efforts carried out by the government and environmental organizations. The ideal role of the community is as a critical and collaborative partner, not just a critic or reporter (Wahyudi et al., 2023).

### **3.2. The Strategic Role of Communities in Environmental Monitoring**

The role of the community in environmental supervision is important, especially as a complement to the limited supervision carried out by the state (Devara et al., 2021). In Indonesia, which is geographically vast and socially complex, it is impossible for the government to effectively control all activities that have the potential to damage the environment. Therefore, the community's involvement as local actors who know the conditions of the surrounding environment is an important asset.

Concrete examples of community participation can be seen in various cases, such as in West Kalimantan, where indigenous Dayak people reported illegal logging activities to local authorities. In coastal areas such as in Southeast Sulawesi, fishing communities participate in monitoring fishing practices using explosives or poisons that damage marine ecosystems. In urban areas, citizen communities in several big cities actively monitor air pollution or industrial waste disposal into rivers.

The monitoring mechanism can be formal or informal. Formally, the community can be involved in public consultation forums in the preparation of AMDAL documents or Regional Spatial Plans. Informally, monitoring can be done through communities or NGOs that organize public reporting of alleged environmental violations. With advances in information technology, this participation is also increasingly facilitated through online reporting, digital petitions, and campaigns on social media (Indrawan, 2019).

The strategic role of the community does not stop at monitoring, but also at environmental education, public awareness, and initiation of community-based solutions. For example, many local communities independently carry out forest rehabilitation, river cleaning, or waste recycling education. This shows that the role of the community is not only reactive, but also proactive

### **3.3. Challenges in Community Involvement**

Although normatively the community is given broad rights and space, the implementation in the field does not always run smoothly. One of the biggest obstacles is the lack of public awareness and understanding of their rights in environmental law (Mangku & Yuliartini, 2020). Many citizens are unaware that they can access environmental documents such as AMDAL, or report polluting activities to authorized agencies.

On the other hand, many people are afraid or reluctant to get involved due to pressure or intimidation from interested parties. In a number of cases, environmental pollution reporters have actually experienced criminalization, even threatened with counter lawsuits by companies or parties with economic and political power. This reflects the lack of legal protection for people who are active in carrying out their oversight function (Khairunnisa et al., 2024).

Access to environmental information also remains a challenge. Although the Law on Public Information Disclosure and the PPLH Law guarantee the public's right to obtain environmental information, in reality many agencies or companies cover up important documents, such as AMDAL or water and air quality test results. Without information transparency, public participation is weak and difficult to implement optimally.

Another challenge is limited capacity and resources. Many communities want to participate but do not have sufficient legal knowledge, advocacy skills or support networks (Pathony, 2019). This often marginalizes community voices in decision-making, especially in cases involving large investments or national strategic projects.

### **3.4. Efforts to Increase the Role of the Community**

Overcoming these challenges requires sustainable strategies and efforts. First, environmental legal education must be strengthened through both formal (schools, universities) and non-formal (training, workshops, public campaigns) channels. With increased legal literacy, people will be more confident in exercising their rights and obligations in environmental monitoring (Putri & Agustina, 2024).

Second, it is necessary to strengthen the capacity of civil society organizations and local communities. The government and NGOs need to work together in providing technical, legal and advocacy assistance to communities that are at the forefront of environmental monitoring. An environmental paralegal training program can be an effective solution to create monitoring agents at the local level.

Third, access to environmental information must be guaranteed openly and easily accessible to the public. The government is obliged to provide environmental information online and free of charge, including AMDAL documents, environmental permits, and environmental quality monitoring results. Companies should also be required to disclose information on the environmental impact of their activities, as a form of public accountability.

Fourth, strengthening the legal protection mechanism for environmental whistleblowers is crucial. Regulations related to whistleblowers in the environmental sector need to be revised so that people who dare to report violations do not feel threatened. In addition, the role of institutions such as Komnas HAM and LPSK (Witness and Victim Protection Agency) can be expanded to advocate for people who experience pressure due to environmental reporting.

Finally, a participatory approach should be the main principle in every decision-making process related to the environment. Communities must be involved substantially, not just formally. This involvement reflects the spirit of ecological democracy, where people are not just objects of development, but subjects who have a voice and rights in determining the direction of sustainable development (Hasan, 2004).

#### **4. Conclusion**

Community participation in environmental monitoring is an important aspect in realizing ecological justice and sustainable development. Through the normative guarantees provided by Law No. 32/2009, the community not only has the right but also the obligation to maintain and supervise environmental sustainability. This role is becoming increasingly vital in the midst of limited supervision by the government and increasing threats to the environment due to over-exploitation. The discussion in this article shows that the role of the community does not only function as a complement, but is a strategic component in the environmental monitoring system. Community participation can be realised in various ways, both formally in the environmental licensing process and informally through community-based supervision and public advocacy. However, there are still various challenges, ranging from low legal literacy to the lack of access to information to the risk of criminalisation of whistleblowers. To optimise the role of the community, joint efforts from various parties are needed. The government must strengthen legal protection mechanisms and access to information, while communities need to be equipped with environmental law education and training. Collaboration between the state, civil society and the private sector is key in creating environmental governance that is inclusive and responsive to the needs of citizens. By strengthening the role of the community in environmental monitoring, it is hoped that the environmental law system in Indonesia will not only be normative but also operational and have real impact. Community involvement is the foundation for the formation of effective and democratic social control in protecting the earth as a legacy for future generations.

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