

The Implementation of Basel Convention in Indonesia and the Impacts to Human Rights

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Abstract: In this study, the researcher will look into how the implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their disposal in Indonesia has affected human rights protection. Although Law No. 6 of 1994 was ratified by Indonesia, it has not been easy to eliminate illegal waste imports, ensure safe management of hazardous waste, and protection of the impacted people. The present paper is a normative legal approach analysis of the role of the Convention principles in the national laws of Indonesia and the level to which the enforcement follows the protection of the environment and human rights. According to the findings, it has been noted that although Indonesia has recorded certain achievements in terms of regulatory frameworks on Hazardous Waste Management, some loopholes in implementation, monitoring, and involvement of people have been identified as barriers to the successful implementation. More synergy between environmental protection and human rights realization is recommended to be gained through strengthening institutional capacity, transparency, and community rights to information.

Keywords: Basel Convention, Hazardous Waste, Indonesia, Human Rights, Environmental Law.

1. Introduction

1.1 Background and Context

The rising rate of hazardous wastes production globally has attracted serious environmental and human rights issues especially in the developing nations where in most cases the illegal export of waste products into developing nations are often dumped.¹ In 1989, the world reacted to the growing alarm with the rising trade in hazardous waste by the developed countries to the

¹ Marlene Alicia Payva Almonte, "The Interrelationship Between Human Rights and Climate Change: An Appraisal" (The University of Liverpool (United Kingdom) ProQuest, 2020), accessed October 4, 2025, <https://www.proquest.com/docview/2572319729?sourcetype=Dissertations%20&%20Theses>.

developing countries by adopting the Basel Convention.² It aims at controlling and reducing cross-border transfers of hazardous wastes in a bid to safeguard the environment and human health.³ The Convention is meant to safeguard human health and to protect the environment against the negative impact of hazardous waste, focusing on the principles of prior informed consent (PIC) and environmentally sound management (ESM).⁴

Indonesia, being a developing nation that receives industrial wastes as imports does encounter severe environmental and human rights issues in regard to poor waste management and unlawful dumping. In Indonesia, environmental degradation and violations of human rights have become more noticeable.⁵ The improper management of hazardous wastes pollutes the air, water, and soil, and this affects the right to health, a clean environment, and livelihoods of marginalized communities in disproportionate measures.⁶ Although the Basel Convention was ratified by the country in 1994, re-occurring incidents of illegal importation of waste materials and ineffective enforcement strategies are casting serious doubts on the success of the Indonesian implementation.⁷

Some of the studies have shown that non-compliance with the Basel Convention in Indonesia is caused by weak institutional capacity, lack of monitoring systems, and corruption.⁸ The dumping of plastic and electronic waste in the Indonesian ports by developing nations has been detected as illegal and dangerous to the ecological as well as human welfare of the country.⁹ Hence, the Basel Convention implementation in Indonesia needs to be critically examined both through the prism of the environmental governance approach and the human rights perspective. This relationship should be reinforced to ensure environmental justice and meet international and constitutional requirements in Indonesia.

² Katharina Kummer Peiry, *BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL B* (UNEP, 2011), accessed October 5, 2025, <http://www.basel.int/portals/4/basel%20convention/docs/text/baselconventiontext-e.pdf>.

³ MATTHEW ADAH ONU, "Development of Carbon Nanotubes by Catalytic Pyrolysis of Recycled Polyethylene Plastics for Waste Treatment - ProQuest" (University of Johannesburg (South Africa), 2024), accessed October 6, 2025, <https://www.proquest.com/docview/3132876812?sourcetype=Dissertations%20&%20Theses>.

⁴ Joyce Msuya, *Global Chemicals Outlook II: FROM LEGACIES TO INNOVATIVE SOLUTIONS*, UNEP - UN Environment Programme (Geneva, 2019), 664, 978-92-807-3745-5, October 7, 2025, <https://www.unep.org/resources/report/global-chemicals-outlook-ii-legacies-innovative-solutions>.

⁵ "Stockholm+50: a healthy planet for the prosperity of all – our responsibility, our opportunity," United Nation, June 2022, accessed October 6, 2025, <https://documents.un.org/doc/undoc/gen/k22/010/40/pdf/k2201040.pdf?OpenElement=>.

⁶ "Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development," United States of America, 1987, October 2, 2025, https://doi.org/10.1163/2210-7975_HRD-9970-2016149.

⁷ "Basel Convention," EBSCO, 2000, accessed October 7, 2025, <https://www.ebsco.com>.

⁸ "Indonesian Forum for the Environment (WALHI) East Java," 2011, accessed October 7, 2025, <https://www.devex.com/organizations/indonesian-forum-for-the-environment-walhi-east-java-117757>.

⁹ Yuyun Ismawati et al., "Plastic Waste Trade in Indonesia and Country's Response to Waste Trade Challenges," in *Plastic Waste Trade*, ed. Sedat Gündoğdu (Springer Nature Switzerland, 2024), accessed October 8, 2025, https://doi.org/10.1007/978-3-031-51358-9_9.

In this paper, the Basel Convention implementation in Indonesia is analysed in terms of human rights. It aims at discovering the manner in which international obligations are transferred into national legal methods and the impediments that inhibit their complete achievement.

2. Problem Formulation

2.1 How has Indonesia implemented the Basel Convention within its national environmental legal framework?

2.2 What are the impacts of the Basel Convention's implementation on human rights protection in Indonesia?

3. Research Method

This study is based on a normative methodology, which is concerned with the study of laws, conventions, and legal tools applicable in managing hazardous waste in Indonesia. The second data are based on legislation, academic journals, and UN documents and reports by NGOs and the ministries of Indonesia. The analysis focuses on legal interpretation, comparative studies, and human rights evaluation.

3.1 Theoretical Framework

The article uses the Right to a Healthy Environment Theory and Environmental Justice Theory. The theory of right to a healthy environment establishes a connection between environmental safeguarding and basic human rights.¹⁰ Environmental degradation, according to this theory, erodes the achievement of the rights to life, health, and livelihood.¹¹ The theory is also founded on the principle of Interdependence of Rights, which is a part of the international human rights law,¹² which notes that the obligations tailored to the environment and human rights are mutually supportive.¹³ The transboundary movement of hazardous wastes in Indonesia has resulted in environmental degradation, air and water pollution, and endangering the health of the community, especially in the industries and coastal areas, due to ineffectiveness in the control of the movement. Using such a theory, the environmental duties of the state under the international human rights law are made explicit: Indonesia should not only avoid causing environmental damage, but it should also make sure that victims of the pollution can be remedied.¹⁴

¹⁰ ZAMFIR Ionel, "A Universal Right to a Healthy Environment," *European Parliamentary Research Service*, December 2021, 12, accessed October 8, 2025, <https://doi.org/PE%2520698.846>.

¹¹ Donald A. Brown et al., eds., *The Routledge Handbook of Applied Climate Change Ethics*, 1st edition (Routledge, 2023), accessed 1, 2025, <https://doi.org/10.4324/9781003039860>.

¹² Scott Sheeran and Sir Nigel Rodley, eds., *Routledge Handbook of International Human Rights Law*, 1st edition (Routledge, 2014), accessed September 30, 2025, <https://doi.org/10.4324/9780203481417>.

¹³ Azadeh Chalabi, "A New Theoretical Model of the Right to Environment and Its Practical Advantages," *Human Rights Law Review* 23, no. 4 (2023): ngad023, accessed October 9, 2025, <https://doi.org/10.1093/hrlr/ngad023>.

¹⁴ [14]

The Environmental Justice Theory offers a critical approach to the discussion of Indonesia in relation to the application of the Basel Convention, based on the correlation between environmental governance and the protection of human rights. According to this theory, everyone is entitled to live in a safe and healthy environment, and they should not unfairly experience the adverse consequences of environmental degradation.¹⁵ In Indonesia, the import and poor management of hazardous waste cause issues related to environmental inequity, as weaker societies are prone to pollution, exposed to health risks, and lose their means of livelihood due to inadequate waste management procedures. The implementation of this theory would emphasize the fact that the poor implementation of the Basel Convention does not only impact the environment, but also denies some of the basic human rights, such as the right to health, life, and a clean environment.¹⁶

4. Result and Discussion

4.1 Indonesia's Legal Framework for Basel Convention Implementation

This legislation was a recognition by Indonesia of the increasing global concern regarding the environmental and human health issues of the hazardous waste waves especially in the developing states. Indonesia gave assent to the Basel Convention by passing Law No. 6 of 1994, which undertook to regulate the intercountry traffic of hazardous wastes. This was succeeded by the Government Regulation No. 101 of 2014 on Hazardous Waste Management (Limbah B3).¹⁷ This regulation is a full-fledged regulation on the production, storage, transportation, use, treatment, and disposal of hazardous waste.¹⁸ It involves the companies working with hazardous materials to get special licenses and safety measures to avoid contamination of the environment. It also requires a document system that tracks hazardous waste movements, which is in accordance with the requirement of Basel to have transparency and accountability.¹⁹

The ministry of Environment and Forestry (KLHK) is the competent implementation authority.²⁰ It has a Directorate General of Waste, Hazardous Waste and Hazardous Substance Management dealing with technical issues, including waste classification, import and export

¹⁵ Peter F. Cannavó, "Defining Environmental Justice: Theories, Movements, and Nature, David Schlosberg (New York: Oxford University Press, 2007), 256 Pp., \$99 Cloth.," *Ethics & International Affairs* 22, no. 3 (2008): 336–38, accessed October 17, 2025, <https://doi.org/10.1111/j.1747-7093.2008.00164.x>.

¹⁶ [2]

¹⁷ "101 TAHUN 2014 (101/2014) - General Environment - Health, Safety & Environment (HSE)," Legal Centric, 2014, accessed October 10, 2025, <https://legalcentric.com/content/view/50231>.

¹⁸ Siti Nurbaya et al., *The State of Indonesia's Forests* (Ministry of Environment and Forestry Republic of Indonesia, 2018), 107, 978-602-8358-82-8, accessed October 11, 2025, https://www.academia.edu/39894390/Ministry_of_Environment_and_Forestry_Republic_of_Indonesia.

¹⁹ [17, p. 75]

²⁰ [17, p. 87]

permits, and environmental impact assessments (AMDAL).²¹ Moreover, the Customs and Excise officials also contribute to the prevention of the illegal importation of waste at the border.²² The application of these laws, however, is variable. Surveys conducted by Greenpeace and Indonesian Forum of the Environment (WALI) have reported that there is continued illegal importation of wastes, especially plastic and electronic wastes, originating in developed countries.²³ The laxity of customs control and the inability to coordinate the actions of institutions to adhere to the Basel principles of prior informed consent (PIC) and environmentally sound management (ESM).²⁴

Indonesia has gone to the extent of reforming its policies to enhance compliance by reforms like the National Waste Management Strategy, and by enhancing collaboration with the Basel Convention Regional Centre Southeast Asia (BCRC-SEA).²⁵ The government also fosters extended producer responsibility (EPR) programmes in order to minimise the level of waste products and enhance the recycling systems. Although such measures are some steps toward improvement, a more powerful institutional mechanism and transparency of monitoring should be implemented to align the practices of Indonesia with the goals of the Basel Convention and protect the rights of people in terms of health and environmental quality.

4.2 Human Rights Implications of Hazardous Waste Mismanagement

The bad handling of hazardous waste in Indonesia has far reaching consequences to human rights especially in regard to health, livelihood, life, and a safe environment.²⁶ The consequences of hazardous waste pollution on the environment not only increase ecological stability but also weaken the achievement of the primary human rights. Major challenges are low institutional capacity, inaccessibility to information, and absence of citizen involvement. In the 1945 Constitution of the Republic of Indonesia,²⁷ and the Law on Human Rights (1999)²⁸ 39 in Art. 28H (1) of the Constitution, and the right to health and environmental protection is

²¹ “Basel Convention Regional Centre for South-East Asia (BCRC, Indonesia),” 2019, accessed October 11, 2025, <https://chm.pops.int/default.aspx?tabid=2316>.

²² “BCRC: China-Basel Convention Regional Centre for Asia and the Pacific,” 2025, accessed October 12, 2025, <https://www.bcrc.cn/en/>.

²³ Julia Kalmirah et al., “The Future of the Environmental Movement in Indonesia: Case Study of Wahana Lingkungan Hidup Indonesia/WALI (1980-2020),” *INTERNATIONAL JOURNAL OF MULTIDISCIPLINARY RESEARCH AND ANALYSIS* 06, no. 11 (2023), accessed october 13, 2025, <https://doi.org/10.47191/ijmra/v6-i11-55>.

²⁴ Peter Dauvergne and Saima Islam, “The Politics of Anti-Plastics Activism in Indonesia and Malaysia,” *Cambridge Prisms: Plastics* 1 (January 2023): e1, accessed October 13, 2025, <https://doi.org/10.1017/plc.2023.3>.

²⁵ “Basel Convention Regional Centre for South-East Asia in Indonesia (BCRC Indonesia),” 2011, accessed October 14, 2025, <https://www.basel.int/?tabid=4845>.

²⁶ Stefania Negri, ed., *Environmental Health in International and EU Law: Current Challenges and Legal Responses*, 1st edition (Routledge, 2019), accessed September 28, 2025, <https://doi.org/10.4324/9780429354694>.

²⁷ Iskandar Muda, “The 1945 Constitution of the Republic of Indonesia,” *Universitas Yarsi*, Unpublished, 2020, 33, accessed 15, 2025, <https://doi.org/10.13140/RG.2.2.12202.75205>.

²⁸ [5]

additionally acknowledged in the national legislation and in the international human rights undertakings of Indonesia.²⁹

Pollution has been reported to cause pollution diseases and loss of livelihood through pollution of the soil and sources of water by industries like East Java and Batam.³⁰ This is not only against the principles of the Basel Convention but also it compromises the core human rights, including the right to health, clean environment, and standard of living.³¹ The UN Human Rights Council is aware of the right to a healthy environment as part of human dignity internationally,³² and thus the partial implementation of Basel provisions by Indonesia does weaken its human rights obligations under the Basel Convention and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) to which it is also a signatory.³³

Furthermore, the vulnerable groups, such as women, children, and low-income earners who live around industrial premises,³⁴ are disproportionately impacted by the pollution of hazardous wastes.³⁵ Such communities tend to be deprived of proper information related to the dangers of the environment, and they do not participate in the decision-making process related to waste management. Such a lack of public participation and transparency violates the principle of access to information, participation,³⁶ and justice as the Aarhus Convention, and reiterated in Principle 10 of the Rio Declaration on Environment and Development (1992).³⁷

²⁹ Sodikin, "The Right to Health of Community Post-Covid-19 Pandemic in Indonesian Environmental Health Law Perspective," *International Journal of Research and Innovation in Social Science*, no. 2454 (2023): 13, accessed September 25, 2025, <https://doi.org/10.47772/IJRISS.2023.7406>.

³⁰ "Doing Nothing for Air Pollution Violates Human Rights, Komnas HAM Says - City," *The Jakarta Post*, 2014, accessed October 16, 2025, <https://www.thejakartapost.com/news/2019/10/04/doing-nothing-for-air-pollution-violates-human-rights-komnas-ham-says.html>.

³¹ Linda Piirto and Sami Teräväinen, *Memorandum on the Due Diligence Obligation. Review of the National Corporate Social Responsibility Act* (Publications of the Ministry of Economic Affairs and Employment Enterprises •, 2022), 169, accessed September 23, 2025, https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/164286/TEM_2022_52.pdf?isAllowed=y&sequence=1.

³² John H. Knox et al., eds., *Report of the Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy and Sustainable Environment: note* (UN, 2017), accessed October 17, 2025, <https://digitallibrary.un.org/record/861173>.

³³ "International Covenant on Economic, Social and Cultural Rights," OHCHR, 1976, accessed October 18, 2025, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>.

³⁴ Xin Li, "The Human Rights Dimension of Climate Change" (CHARLES UNIVERSITY, 2025), accessed September 22, 2025, <https://dspace.cuni.cz/bitstream/handle/20.500.11956/198242/140131870.pdf?isAllowed=y&sequence=1>.

³⁵ John H. Knox, "Constructing the Human Right to a Healthy Environment," *Annual Review of Law and Social Science, Forthcoming Wake Forest Univ. Legal Studies Paper*, February 21, 2020, 27, accessed October 18, 2025, <https://papers.ssrn.com/abstract=3542591>.

³⁶ Anu Lähteenmäki-Uutela et al., "Planetary Boundaries Nurturing the Grand Narrative of the Right to a Healthy Environment?," *Environmental Policy and Law* 54, no. 1 (2024): 15–26, accessed September 21, 2025, <https://doi.org/10.3233/EPL-230055>.

³⁷ David A Wirth, "The Rio Declaration on Environment and Development: Two Steps Forward and One Back, or Vice Versa," *Boston College Law School* 29 (1995): 599–653, accessed October 19, 2025 <https://core.ac.uk/download/pdf/71459268.pdf>.

In Indonesia, the lack of community participation in the environmental review has undermined accountability and hindered justice to the victims of pollution-induced damage.

Environmental justice thus requires the involvement of the affected communities, open waste management policies, and responsibility of the transboundary pollution. This would meet the requirements of the UN Human Rights Council Resolution 48/13 (2021) recognizing the right to a clean, healthy, and sustainable environment as a human right, and reaffirming the responsibility of the Indonesian government in protecting its citizens against severe environmental hazards, such as hazardous waste mismanagement.³⁸ This right is provided in the UN Human Rights Council Resolution 48/13 (2021),³⁹ as well as in Principle 1 of the 1972 Stockholm Declaration with the statement that environmental protection cannot be isolated of human well-being.⁴⁰ This, therefore, means that poor performance of the Basel convention can be understood as a violation of the right to a healthy environment and thus, national policies, transparency, as well as public involvement should be strengthened to ensure that environmental management honours the national commitments of human rights in Indonesia.

Incidences of polluted rivers and farmlands have caused loss of livelihoods of farmers and fishermen, which negates the right to work and right to food. Furthermore, the people living in areas with illegal dumping of refuse have complained of rising cases of respiratory illnesses, skin complications including reproductive problems which can be avoided by proper disposal of the waste materials and stringent control.⁴¹ The inability to implement these commitments has continued a spiral of injustice on the environment. This problem is caused by weak institutional capacity, insufficiency of coordination between the Ministry of Environment and Forestry (KLHK) and the local governments and corruption in the customs inspection. The need to enhance inter-agency collaboration, to incorporate the human rights factor in the legislation of the environment should be seen as important steps towards environmental and human rights compliance with the law.

4.3 Challenges and Strategies for Strengthening Implementation of Basel Convention in Indonesia

In Indonesia, the implementation process of the Basel Convention continues to be persistently challenged by legal, institutional, and socio-political issues that hinder the successful achievement of both environmental and human rights agendas. Based on the theory

³⁸ “The Human Right to a Clean, Healthy and Sustainable Environment,” UN Human Rights, 2021, accessed October 17, 2025, <https://docs.un.org/en/A/HRC/RES/48/13>.

³⁹ [34]

⁴⁰ [5]

⁴¹ Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, ed., *The Basel Convention: A Global Solution for Controlling Hazardous Wastes* (UN, 1997), accessed October 20, 2025, <https://digitallibrary.un.org/record/762828>.

of the rights to a healthy environment, each person has a right to a healthy, dignified, and well-environment.⁴² The integration of environmental law enforcement and human rights institutions (Komnas HAM, National Commission on Human rights) is also minimal.⁴³ The increase of collaboration among environmental agencies, the customs authorities, and the civil society organizations can be used to increase monitoring and accountability. Consequently, there has been a substantial influx of illegal waste imports especially under the guise of recyclable materials into Indonesian ports, posing a risk to the ecological environment and the well-being of the population. This problem is further aggravated by the lack of such an integrated monitoring system, whereby tracking of the flow and treatment of hazardous waste in various regions is challenging.

In addition, the government can ensure transparency by ensuring that communities have the right to information regarding the dangerous waste movements and deposits. The implementation of the Basel Convention Technical Guidelines into the domestic regulation and the introduction of the community-based monitoring systems would enhance compliance and promote environmental justice.⁴⁴ Also, the absence of transparency to environmental information and limited community involvement are severe obstacles. Most of the communities that have been affected lack awareness of the environmental and health risks of industrial waste facilities in their neighbourhood. The Right to a Healthy Environment Theory focuses on the procedural right of access to information,⁴⁵ the procedural right of participation, and the procedural right of justice on top of the right to a clean and safe environment.⁴⁶ The communities will also be unable to attach the violators to accountability or engage in sustainable waste management activities when there is no public interaction.

4.4 The Impact of the Basel Convention Implementation in Indonesia to the Sustainable Development Goals (SDGs) 2030

The implementation of the Basel Convention in Indonesia is closely connected to the realization of the United Nations Sustainable Development Goals (SDGs),⁴⁷ especially those

⁴² John H. Knox, "Linking Human Rights and Climate Change at the United Nations," *Harvard Environmental Law Review* 33, no. 1457793 (2009): 22, accessed October 21, 2025, <https://papers.ssrn.com/abstract=1457793>.

⁴³ Jessica Ramesden Smith, "Komnas HAM and the Politics of Human Rights in Indonesia" (Australian National University, 2019), accessed October 21, 2025, <https://library.net/document/lq5lnxgz-komnas-ham-politics-human-rights-indonesia.html>.

⁴⁴ Nur Masripatin et al., *INDONESIA SECOND BIENNIAL UPDATE REPORT*, nos. 978-602-51356-8-2 (Minister of Environment and Forestry, 2018), 167, accessed October 22, 2025, https://unfccc.int/sites/default/files/resource/Indonesia-2nd_BUR.pdf.

⁴⁵ Sumudu Atapattu and Andrea Schapper, *Human Rights and the Environment: Key Issues*, 1st edition (Routledge, 2019), accessed September 21, 2025, <https://doi.org/10.4324/9781315193397>.

⁴⁶ Lance N. Antrim, "The United Nations Conference on Environment and Development," in *The Diplomatic Record 1992-1993*, 1st ed., by Allan Goodman, ed. Allan E. Goodman (Routledge, 2019), accessed October 23, 2025, <https://doi.org/10.4324/9780429310089-10>.

⁴⁷ Anayo Ezeamama, "Evaluating Policy Impacts of Minimum Energy Performance Standards (MEPS) on Nigeria's Nationally Determined Contribution (NDC) to the Paris Agreement" (BTU Cottbus - Senftenberg,

connected to environmental protection, human health, and institutional governance. The SDGs were adopted in 2015 as part of the 2030 Agenda for Sustainable Development as a global model to tackle social, economic, and environmental issues.⁴⁸ The Basel Convention on the effective management of hazardous waste leads directly to several goals of SDGs,⁴⁹ such as Goal 3 (Good Health and Well-being), Goal 6 (Clean Water and Sanitation), Goal 12 (Responsible Consumption and Production), Goal 13 (Climate Action), and Goal 16 (Peace, Justice, and Strong Institutions).⁵⁰

To clarify, SDG 3 focuses on the need to achieve healthy lives and well-being for all, irrespective of their age.⁵¹ The poor management of hazardous and toxic wastes in Indonesia, including dumping and poor treatment, subjects' communities to carcinogens, heavy metals, and other toxic wastes that are dangerous to human health.⁵² Target 3.9, which seeks to significantly decrease deaths and morbidity caused by dangerous chemicals and air, water, and soil pollution by the year 2030, can be reinforced by the strengthening of the Basel Convention implementation, including its better monitoring and waste management without environmental damage.⁵³

Secondly, SDG 6, which deals with clean water and sanitation, is directly linked with hazardous waste regulation. The problem of contamination of rivers and groundwater by industrial wastes in places such as East Java and Riau endangers thousands of households due to their inability to access safe and clean water.⁵⁴ The proper implementation of the Basel Convention principles in terms of safe handling and disposal of hazardous materials is related to Target 6.3, which requires less pollution and better water quality by lowering wastes and controlling their disposal.⁵⁵

2021), 3154 KB, application/pdf, 3154 KB, accessed September 20, 2025, <https://doi.org/10.26127/BTUOPEN-5459>.

⁴⁸ "Transforming Our World: The 2030 Agenda for Sustainable Development," Refworld, 2015, accessed October 24, 2025, <https://www.refworld.org/legal/resolution/unga/2015/en/111816>.

⁴⁹ [43]

⁵⁰ "2022 Annual Report: A Snapshot Of Key Progress and Achievements in Indonesia," UNDP, 2022, accessed October 26, 2025, <https://www.undp.org/indonesia/publications/2022-annual-report-snapshot-key-progress-and-achievements-indonesia>.

⁵¹ Gwen Robbins Schug, ed., *The Routledge Handbook of the Bioarchaeology of Climate and Environmental Change*, 1st edition (Routledge, 2020), accessed September 19, 2025, <https://doi.org/10.4324/9781351030465>.

⁵² "Preventing Disease through Healthy Environments: A Global Assessment of the Burden of Disease from Environmental Risks - World," World Health Organization, March 15, 2016, accessed October 26, 2025, <https://reliefweb.int/report/world/preventing-disease-through-healthy-environments-global-assessment-burden-disease>.

⁵³ Antônio D. Benetti, "Preventing Disease through Healthy Environments: Towards an Estimate of the Environmental Burden of Disease," *Engenharia Sanitaria e Ambiental* 12, no. 2 (2007): 115–16, accessed October 25, 2025, <https://doi.org/10.1590/S1413-41522007000200001>.

⁵⁴ Ana Sabhana Azmy and Dinar Amanda, "GreenPeace's Strategy in Handling Plastic Waste in DKI Jakarta 2017-2020," *JPPUMA Jurnal Ilmu Pemerintahan Dan Sosial Politik Universitas Medan Area* 10, no. 2 (2022): 184–99, accessed October 24, 2025, <https://doi.org/10.31289/jppuma.v10i2.7470>.

⁵⁵ Kelly Ann Naylor, *Blueprint for Acceleration: Sustainable Development Goal 6 Synthesis Report on Water and Sanitation, 2023* (United Nations, 2023), accessed October 23, 2025, https://www.unwater.org/sites/default/files/2023-08/UN-Water_SDG6_SynthesisReport_2023.pdf.

Moreover, SDG 12 the responsible consumption and production, is the most central goal of the Basel Convention.⁵⁶ The Convention aims at reducing the production of hazardous waste materials and enhancing environmentally sound handling, which is explicitly related to Targets 12.4 and 12.5,⁵⁷ which require management of chemicals and waste to be environmentally sound during their life cycle and reduction of waste generation by prevention, reduction, and recycling.⁵⁸ In the case of Indonesia, this involves enhancing extended producer responsibility (EPR) initiatives and coming up with models of the circular economy that can be used to utilize resources sustainably.

Additionally, hazardous waste management has an indirect impact on SDG 13 (Climate Action). Poor disposal and incineration of dangerous waste emit greenhouse gases and persistent organic pollutants, which worsen climate change.⁵⁹ Incorporating waste management in climate policies, therefore, helps in achieving the goals of the Basel Convention as well as the global climate agenda. Finally, SDG 16 facilitates peace, justice, and powerful institutions with a focus on having transparent and accountable governance. The increased institutional coordination between the Ministry of Environment and Forestry (KLHK),⁶⁰ the local governments, and the customs authorities increases law enforcement and the fight against corruption in the waste management system.⁶¹ The incorporation of the Right to a Healthy Environment into the governance systems will make the protection of environmental and human rights complementary components of sustainable development.

5. Conclusion

In conclusion, Indonesia has gone a long way in legal developments in enforcing the Basel Convention though implementation is a big hurdle. The failure of the illegal waste trade and unsafe disposal shows loopholes between the international commitments and the domestic realities. These inadequacies directly translate to human rights, especially in society where there are pollution and toxicity.⁶² The improper disposal of dangerous waste in Indonesia shows how these processes, environmental governance, and human rights protection, are interdependent. The fact that environmental pollution not only infringes the ecological integrity but also on human dignity, equality, and social justice is noteworthy. Indonesia needs to

⁵⁶ Ranjula Bali Swain and Peter Dobers, eds., *Routledge Handbook of the UN Sustainable Development Goals Research and Policy*, 1st edition (Routledge, 2025), accessed September 18, 2025, <https://doi.org/10.4324/9781003285472>.

⁵⁷ [23]

⁵⁸ [2]

⁵⁹ [4]

⁶⁰ Ana Sabhana Azmy and Dinar Amanda, "GreenPeace's Strategy in Handling Plastic Waste in DKI Jakarta 2017-2020," *JPPUMA: Jurnal Ilmu Pemerintahan Dan Sosial Politik UMA (Journal of Governance and Political UMA)* 10, no. 2 (2022): 184–99, accessed September 17, 2025, <https://doi.org/10.31289/jppuma.v10i2.7470>.

⁶¹ [28]

⁶² [36]

implement a human-rights-based waste management strategy that places emphasis on the notion of human health, environmental sustainability, and provision of access to justice to the communities in which it operates, as a response to its international and constitutional responsibilities.⁶³

To sum up, Indonesia ought to incorporate the Right to Environmental Healthiness into its national policies. Incorporating the human rights concept in environmental governance will not only strengthen the fulfilment of the Basel Convention, but also bolster the constitutional and international obligations in Indonesia. Indonesia can foster ecological sustainability as well as social justice by making sure that the environmental protection measures are only directed towards human well-being. Indonesia must fulfil its obligation to the fullest under the Basel Convention in order to achieve the 2030 SDG targets. Through the incorporation of human rights in hazardous waste management, Indonesia can ensure the protection of human health, the maintenance of natural ecosystems, and the reinforcement of institutions. The fact that the Basel Convention and the SDGs share the vision of sustainable development is underlined by the fact that any one person should not be left behind in the search for a clean, healthy, and fair environment.⁶⁴

6. Recommendation

To enhance better implementation and protection of human rights, the paper proposes:

- 1- Enhancing cooperation between concerned ministries and agencies.
- 2- Improving the environment information transparency and publicity.
- 3- Incorporating human rights approaches in environmental implementation.
- 4- Capacity-building and best waste management practices of Basel.
- 5- Empower Hazardous Waste Governance (SDG 16 Peace, Justice and Strong Institutions)
- 6- Recycle Environmentally Sound Waste management (SDG 12 -Responsible Consumption and Production)
- 7- Incorporate Climate and Waste Policies (SDG 13 -Climate Action)
- 8- Strengthen Good Community Involvement and Access to Knowledge (SDG 6 Clean Water and Sanitation)
- 9- Protect the Right to Health and the Environment (SDG 3 -Good Health and Well-being)

⁶³ Tahnee Prior, *Addressing Climate Vulnerability: Promoting the Participatory Rights of Indigenous Peoples and Women through Finnish Foreign Policy* (Finland, 2013), 276, accessed September 15, 2025, https://um.fi/documents/35732/48132/pohjoisen_ymp.

⁶⁴ Amalinda Savirani and Ken M. P. Setiawan, eds., *Routledge Handbook of Human Rights in Southeast Asia*, 1st edition (Routledge, 2025), accessed September 14, 2025, <https://doi.org/10.4324/9781003413813>.

When environmental protection is also done in such a manner that it enhances human rights, Indonesia will not only be meeting its international duties, but also its constitutional duty of a safe and sustainable environment.

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