

Indonesia Paradox on Plastic Waste Import in International Policy and Social Movement Perspective

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Abstract

Indonesia, recognized as the second largest marine polluter globally, faces a significant environmental crisis despite stringent international policies and vigorous social movements advocating for sustainability. According to data from INAPLAS and BPS, Indonesia generates 64

million tons of plastic waste annually, with 3.2 million tons ending up in the sea. The waste management system in Indonesia is rudimentary, involving basic stages of collection, transportation, and disposal, with processing occurring only at the final destination. Amidst this waste crisis, Indonesia continues to import plastic waste from countries such as the United States, Germany, Australia, and Hong Kong, exacerbating the environmental and health hazards. This paper explores the paradox of plastic waste import in Indonesia, focusing on how international policies, including the Basel Convention and its recent amendments, intersect with local regulations and their enforcement. It also examines the role of social movements in combating plastic waste imports and advocating for environmental sustainability. The central problem addressed is the regulatory and social polemic surrounding waste importation in Indonesia, considering the social, political, and legal dimensions. Employing a conceptual and statute approach, the paper provides a comprehensive analysis of the waste import regulation issues linked to social problems within Indonesian society. It argues that the complexity of international trade, economic incentives, and insufficient regulation enforcement contribute to the paradoxical situation where policies and advocacy efforts seem misaligned with outcomes. The findings offer social and juridical recommendations for the Indonesian government and society to address the waste import dilemma effectively. By aligning policies with environmental goals and leveraging social movements, Indonesia can drive significant change towards sustainable waste management practices.

Keywords

Plastic Waste Import, Basel Convention, Social Movement, Policy-Making

A. Introduction

Polemic on waste import from European Countries and America lead to ASEAN Countries as the receiver of plastic waste, especially in Indonesia. Every year, around 415 million tons of plastic are produced globally.¹ The issue of plastic waste imports in Indonesia gained

¹ Imane Bencheikh, et al. "Ecological risks related to the influence of different environmental parameters on the Microplastics behavior." *Advanced Technology for*

widespread attention in mid-June 2019. This problem is not unique to Indonesia but reflects a global paradox, given that plastic waste is non-biodegradable and its accumulation continues to grow unabated.² From Our World in Data, global plastic wastes production tends to increase every year, start from 1950 with 2 million tons up to 2015 with 381 million ton per year.³ Amuzu⁴ shows that waste can be directly linked to the production and consumption of global capitalism. Countries with lower-middle-income levels often lack adequate plastic waste management systems, resulting in 90% of plastic waste being disposed of in unscientific and inappropriate ways.⁵ Between 1950 and 2015, it was reported that 79% of plastic waste was poorly managed, leads to 5 billion tons of plastic waste in landfills or the natural environment. The

Smart Environment and Energy. (Cham: Springer International Publishing, 2023), pp. 117-128; Pui Yi Wong, "Exporting Pollution, Colonizing Health: The True Costs of Plastic Waste Exports to Malaysia." *Plastic Waste Trade: A New Colonialist Means of Pollution Transfer*. (Cham: Springer Nature Switzerland, 2024), pp. 259-289; Suthipong Sthiannopkao, and Ming Hung Wong. "Handling e-waste in developed and developing countries: Initiatives, practices, and consequences." *Science of the Total Environment* 463 (2013): 1147-1153.

² Meyfitha Dea Khairunnisa, "Ekspor Sampah Uni Eropa Ke Indonesia Sebagai Bentuk Eco-Imperialism." *Transformasi Global* 8, no. 2 (2021): 108-119; Muhammad Busyrol Fuad, "Tanggung Jawab Negara dan Korporasi Terhadap Kasus Impor Limbah Plastik di Indonesia (Perspektif Konvensi Basel dan Prinsip-Prinsip Panduan Bisnis dan HAM)." *Jurnal Hukum Lingkungan Indonesia* 6, no. 1 (2019): 97-125.

³ Yusril Ihza Ali, "Lingkungan dan globalisasi: Solusi akan relasi yang problematik studi kasus peningkatan sampah impor Indonesia Pasca National Sword Policy China Tahun 2018." *Global and Policy Journal of International Relations* 8, no. 1 (2020): 95-106; Monika Novena, Shierine Wangsa Wibawa, "China Hentikan Impor Limbah Plastik, Ini Dampaknya bagi Dunia", *KOMPAS*, June 26, 2018. Retrieved from <<https://sains.kompas.com/read/2018/06/26/200700323/china-hentikan-impor-limbah-plastik-ini-dampaknya-bagi-dunia>>.

⁴ David Amuzu, "Environmental injustice of informal e-waste recycling in Agbogbloshie-Accra: urban political ecology perspective." *Local Environment* 23, no. 6 (2018): 603-618.

⁵ Hannah Ritchie, Pablo Rosado, and Max Roser. "Environmental impacts of food production." *Our World in Data* (2022). See also Serenella Sala, et al. "In quest of reducing the environmental impacts of food production and consumption." *Journal of Cleaner Production* 140 (2017): 387-398.

cumulative amount of plastic produced is estimated to reach 34 billion tons by 2050.⁶

Plastics are polymer compounds characterized by their rigid structure, formed through the polymerization of hydrocarbon monomers into long chains. They exhibit varying boiling and melting points depending on their constituent monomers. The advancement of polymer plastic technology has brought numerous benefits to society. However, the plastics we commonly use, such as polyethylene (PE), polypropylene (PP), polystyrene (PS), polyvinyl chloride (PVC), and others, are synthetic hydrocarbon polymers derived from finite and non-renewable crude oil.⁷

Plastic serves as a ubiquitous material in daily life, employed extensively across food and non-food industries. Items like plastic bottles, straws, cups, cutlery sets, and bags are indispensable but largely disposable, contributing significantly to the global plastic consumption of approximately 100 million tons annually. Consequently, discarded plastic becomes categorized as plastic waste under Law Number 32/2009, Article 1, Number 20, denoting residues from commercial and operational activities.⁸ Due to its non-biodegradable nature, plastic waste can persist for up to 1000 years, polluting soil and groundwater. Improper disposal methods, such as burning plastic waste, further exacerbate environmental concerns by releasing harmful pollutants into the air. Moreover, mismanaged plastic waste can obstruct waterways, leading to sedimentation and contributing to flooding. Plastic debris covering the ground not only disrupts fertile lands like mangrove forests

⁶ Ghulamullah Maitlo, et al. "Plastic waste recycling, applications, and future prospects for a sustainable environment." *Sustainability* 14, no. 18 (2022): 11637.

⁷ Luca Desidery, and Michele Lanotte. "Polymers and plastics: Types, properties, and manufacturing." *Plastic Waste for Sustainable Asphalt Roads*. (Sawston: Woodhead Publishing, 2022), pp. 3-28; Tarik Hassan, et al. "Characterization of plastics and polymers: A comprehensive study." *IOP Conference Series: Materials Science and Engineering*. Vol. 1225. No. 1. IOP Publishing, 2022.

⁸ Setyo Widagdo, and Syahriza Alkohir Anggoro. "Combating Ocean Debris: Marine Plastic Pollution and Waste Regulation in Indonesia." *The International Journal of Marine and Coastal Law* 37, no. 3 (2022): 458-492; Maruf Maruf. "Indonesia Response and Recent Development of Law and Policy in Addressing Marine Plastic Litter." *Journal of Indonesian Legal Studies* 4, no. 2 (2019): 167-188.

but also pollutes air quality, while accumulating waste overwhelms landfill capacities.⁹

In its meaning, plastics are made up of repeating units called monomers that bind together to form long chains, or polymers. These chains are generally thought to be chemically inert, yet unreacted monomers and other harmful ingredients can be found in plastics.¹⁰ Plastic wastes could last up to 1000 years and pollute the environment. Set fire to the wastes is not a subtle option, since it will pollute the air and harm people, but if the wastes buried in the ground, it would pollute the soil and groundwater. Geyer¹¹ found out that plastic was mostly used in the single use package. Processing plastic waste is quite burdensome as plastic particles are difficult to decompose which will lead to several consequences for the environment.¹²

From the problem raised by plastic wastes, Indonesian Government faced dilemma from plastic waste import. Indonesia titled by the second world's sea polluter, after China. As China reject plastic wastes import by "Sword National Policy" in 2018, plastic wastes trading shaken up, since China was the biggest plastic wastes receiver, impacting Indonesia to and ASEAN Countries to be the plastic wastes receiver.¹³ In fact, Indonesia is still the destination of plastic wastes import from about 43 countries, entered to some ports, mostly to East Java. From the first intention of plastic wastes import for industrial raw material, to be pile of unused wastes.

Indonesia faces a dilemma rooted in economic and social factors. Many people rely on the import of plastic waste as a source of livelihood, while the widespread use of plastic contributes to a significant volume

⁹ Nurhenu Karuniastuti, "Bahaya plastik terhadap kesehatan dan lingkungan." *Swara Patra: Majalah Ilmiah PPSDM Migas* 3, no. 1 (2013).

¹⁰ Delilah Lithner, Åke Larsson, and Göran Dave. "Environmental and health hazard ranking and assessment of plastic polymers based on chemical composition." *Science of the Total Environment* 409, no. 18 (2011): 3309-3324.

¹¹ Roland Geyer, Jenna R. Jambeck, and Kara Lavender Law. "Production, use, and fate of all plastics ever made." *Science Advances* 3, no. 7 (2017): e1700782.

¹² Shanty Oktavilia, et al. "Plastic industry and world environmental problems." *E3S Web of Conferences*. Vol. 202. EDP Sciences, 2020.

¹³ Fathiyah Wardah, "Aktivis Lingkungan Desak Jokowi Hentikan Impor Sampah", *VOA Indonesia*, June 26, 2019. Retrieved from <<https://www.voaindonesia.com/a/aktivis-lingkungan-desak-jokowi-hentikan-impor-sampah/4973505.html>>

of domestic waste. Plastic remains popular due to its affordability and accessibility, yet there is a widespread lack of education on proper waste management practices. As a result, only about 10% of plastic waste ends up in recycling centers, exacerbating environmental challenges and posing long-term sustainability concerns.¹⁴

To encounter plastic wastes problem, Indonesia regulates plastic wastes import on several regulations, such as Ministry of Trade Regulation Number 31/M-DAG/PER/5/2016 about Provisions on the Import of Non-Hazardous and Toxic Waste (to be called Permendag 31/2016), Law Number 18 year 2008 about Waste Management (to be called Law number 18/2008).¹⁵ The prohibition of plastic wastes import is also stated in Law Number 32 year 2002 about Environment Protection and Management (to be called Law Number 32/2009).¹⁶ Indonesia also ratified Basel Convention through Presidential Decree Number 61 year 1993 (to be called Keppres 61/1993). Basel Convention from UN in Geneva, Switzerland stated that plastic wastes exporter should get permission from receiver country before exporting the hazardous and toxic waste to other countries. In May 10 2019, 187 countries took a big step to control the plastic waste trade crisis by including plastic to Basel Convention.

The amendment to the Basel Convention, adopted in May 2019, represents a crucial step in regulating the international movement of hazardous and toxic wastes, including plastic waste, particularly from developed to developing countries. Under this amendment, exporters are required to obtain prior consent from the receiving country before shipping contaminated or non-recyclable wastes. Importantly, if the receiving country does not grant permission, they have the right to refuse the import and send the wastes back to the sender country.

¹⁴ L. Suhardjono, et al. "Overcoming plastic waste problem in Indonesia: Case study in the art history class." *IOP Conference Series: Earth and Environmental Science*. Vol. 729. No. 1. IOP Publishing, 2021.

¹⁵ Takdir Rahmadi, *Hukum Pengelolaan Bahan Berbahaya Beracun*. (Surabaya: Airlangga University Press, 2013). See also Gayle Woodside, *Hazardous Materials and Hazardous Waste Management*. (New Jersey: John Wiley & Sons, 1999).

¹⁶ Margaretha Quina, and Angela Vania Fajri Fadhillah. "Kerangka Hukum Perdagangan Limbah Plastik: Pengaturan Global dan Nasional." *ICEL, Kertas Kebijakan, Seri Pengelolaan Sampah* 1 (2019).

Plastic waste is specifically addressed within the Basel Convention's amended framework, detailed across three annexes. Annex II specifically covers plastic waste that may contain mixed materials such as wood or fabric. Indonesia has enacted legislation to align with these international standards, notably through Law Number 18/2018, which reinforces the country's stance against accepting certain types of plastic waste imports. This regulatory framework underscores Indonesia's commitment to managing plastic waste responsibly and in accordance with international environmental protocols.¹⁷ In Annex VIII for plastic wastes contaminated hazardous and toxic wastes also rejected based on Government Regulation Number 101/2014 about Hazardous and Toxic Waste Processing (to be called PP 101/2014). Lastly, in Annex IX stated about recyclable plastic wastes can be processed to be new product. This annex also regulates categorized plastic wastes export import process. The amendment will be applicable in 2021.

By ratifying the Basel Convention, Indonesia can issue re-export permits for plastic waste back to its originating countries, facilitated through coordination among the General Directorate of Hazardous and Toxic Waste Management, General Directorate of Environmental Law Enforcement, Ministry of Trade, and Ministry of Foreign Affairs. However, these regulations still contain loopholes that impact social life. According to Permendag 31/2016, Article 2 (1) and (2), non-hazardous waste imports in the form of residuals, waste, and scraps are permissible. Import processes, as outlined in Article 3 (1), are restricted to companies holding an API-P (Importer Identification Number) and possessing facilities capable of managing residual waste in an environmentally sustainable manner, including smelting facilities for non-hazardous waste.

In May 2019, a landmark amendment to the Basel Convention was adopted by 187 countries, marking a pivotal moment in international efforts to tackle the pressing issue of plastic waste trading. This amendment specifically included plastic waste within the scope of the Convention's regulations, aimed at better regulating its

¹⁷ Juli Etha Ramaida Manalu, "Amandemen Konvensi Basel Dinilai Perkuat Kebijakan Nasional Soal Sampah dan Limbah", *Bisnis Ekonomi*, May 16, 2019. <<https://ekonomi.bisnis.com/read/20190516/99/923309/amandemen-konvensi-basel-dinilai-perkuat-kebijakan-nasional-soal-sampah-dan-limbah>>.

transboundary movement. The amendment grants developing countries the authority to refuse imports of plastic waste and provides them with the right to send back such waste to the countries of origin. This shift in policy was motivated by concerns over the disproportionate burden placed on developing nations to manage and dispose of plastic waste, often originating from more affluent countries. By giving developing countries the ability to reject unwanted plastic waste imports, the amendment aims to curb environmental and health hazards associated with improper waste disposal and to promote more sustainable waste management practices globally.

The paper focuses on investigating two central questions: Firstly, it explores the regulatory landscape governing the import of plastic waste both within Indonesia and on the international stage. Secondly, it examines the various societal movements that have emerged in response to the environmental and social impacts associated with plastic waste imports.

The aim of this study is to provide a comprehensive understanding of how regulations on plastic waste importation are structured and enforced, both domestically and globally. Additionally, it seeks to analyze the dynamics of societal movements that advocate for change in waste management practices, aiming to influence policy-making processes. By addressing these questions, the research aims to contribute insights that can inform the Indonesian government's efforts to refine policies on waste import limitations. Ultimately, the paper aims to propose strategies for achieving mutually beneficial outcomes among the government, society, and business stakeholders in managing plastic waste imports more sustainably.

B. Method

This research uses Statute Approach and Conceptual Approach. Statute Approach is an approach carried out by examining all regulations linked with problems or legal issues that faced. In this paper, the legal issues reviewed based on Plastic Waste Import Regulation, such as Law Number 32/2009, Permendag 31/2016 Law Number 18/2008, and Perpres 61/1993.

Meanwhile, the Conceptual Approach is an approach from the views and doctrines that develop in the science of law. This approach is

important to understanding the views / doctrines that develop in law can be a platform for building legal arguments when resolving the legal issues at hand. The views / doctrines will clarify ideas by providing legal understandings, legal concepts, and legal principles that are relevant to the problem. In this paper, legal issues reviewed based on the concept of plastic waste, waste import, and social movement.

Data collection technique used in this paper is literature study technique, which law materials collected through inventory process and regulation identification, with classification and systematization of law materials in line with the legal problem discussed. Literature study done with reading, examining, taking notes and reviewing literature materials about plastic waste and social movement. Law materials analysis used in this paper are analytical descriptive methods, which law materials related to the legal problem discussed, examined and interpreted to find a conclusion in accordance to the legal problem discussed. Moreover, law materials analyzed with interpretation methods, which are grammatical interpretation and systematical interpretation.

C. Result and Discussion

1. Plastic Waste Import in International Convention and Regulation in Indonesia

In June 2019, Indonesians were startled by reports of imported plastic waste from multiple countries. Approximately 300 containers of waste arrived daily at Tanjung Perak port in East Java. According to data from Jena Jambeck of the University of Georgia, USA, Indonesia ranks as the world's second-largest contributor to marine plastic pollution, generating 1.29 million metric tons annually, trailing only China, which produces 3.5 million metric tons.¹⁸ Despite these statistics, Indonesia continued to import waste from 43 countries, primarily as a source of industrial raw materials, especially for the paper industry. Waste paper is used to produce new paper, yet it often contains 30-40% plastic waste. Ecological Observation and Wet Conservation (Ecoton) data indicates that the surge in waste imports

¹⁸ M. Ambari, "Benarkah Produksi Sampah Plastik Indonesia Terbanyak Kedua di Dunia?", *MONGABAY*, February 22, 2019. Retrieved from <<https://www.mongabay.co.id/2019/02/22/benarkah-produksi-sampah-plastik-indonesia-terbanyak-kedua-di-dunia/>>

was triggered by China's National Sword Policy, which banned the import of plastic waste from European and American countries, diverting it towards ASEAN nations.¹⁹

China implemented the National Sword Policy in November 2017 to refuse plastic waste imports. This policy was rooted in China's earlier initiative in the 1990s to capitalize on recycling plastic waste as a valuable commodity, initially accepting imports from other nations as a mutually beneficial arrangement. However, the policy shift was driven by China's desire to curb the environmental repercussions caused by contaminated waste that was not generated domestically.²⁰

Since China ceased accepting plastic waste imports, originating countries have been actively seeking alternative destinations in the Asia-Pacific region. Indonesia has emerged as one of these destinations, receiving approximately 283,000 tons of plastic waste in 2018 alone—a significant 141% increase from the previous year. This influx warrants scrutiny due to the fact that much of the imported plastic waste arrives unsorted and in non-recyclable conditions. Even when recyclable, inadequate processing facilities in Indonesia and other importing nations often result in disposal via landfills or incineration, posing significant environmental hazards that affect both marine and air quality.

According to Ecoton data, twelve paper mills imported waste paper and scrap categorized under HS code 47079000, containing 30-40% plastic contamination. Data from the Badan Pusat Statistik (BPS) in 2018 further reveals a 35% increase in waste imports to East Java, amounting to 738,665 tons compared to 2017 levels.²¹

¹⁹ Cheryl Katz. "Piling Up: How China's Ban on Importing Waste Has Stalled Global Recycling." 2019. *Yale Environment*, March 7, 2019. Retrieved from <<https://e360.yale.edu/features/piling-up-how-chinas-ban-on-importing-waste-has-stalled-global-recycling>>.

²⁰ Na, et al. "The waste ban in China: what happened next? Assessing the impact of new policies on the waste management sector in China." *Environmental Geochemistry and Health* 45, no. 4 (2023): 1117-1131; Wanli Wang, et al. "Current influence of China's ban on plastic waste imports." *Waste Disposal & Sustainable Energy* 1 (2019): 67-78.

²¹ Efrem Limsam Siregar, "Kenapa Indonesia Impor Sampah?" *CNBC Indonesia*, July 6, 2019. <<https://www.cnbcindonesia.com/news/20190706182210-4-83157/kenapa-indonesia-impor-sampah>> See also Rifki Dermawan, "Rekomendasi Kebijakan Luar Negeri Menghadapi Sampah Impor." *Centre for*

Hierarchically within Indonesia's legal framework, the foremost regulation governing waste imports is Law Number 18/2008, specifically articulated in Article 29(1), which unequivocally prohibits the importation of any form of waste and strictly prohibits the importation of contaminated waste that includes hazardous and toxic materials. However, contrasting this provision, Permendag 31/2016, as detailed in Article 2(1), allows for the importation of non-hazardous (non-B3) residual waste, waste, and scrap materials.²²

From an international perspective, Article 4 of the Basel Convention mandates that parties to the convention must either prohibit or not permit the export of hazardous wastes and other wastes to countries that have prohibited their import. Indonesia, as a signatory, ratified the Basel Convention through Presidential Regulation 61/1993. Consequently, Permendag 31/2016, which permits the importation of non-B3 wastes, appears to contradict both Law Number 18/2008 and Presidential Regulation 61/1993, underpinning the principle of *Lex Superiori Derogat Legi Inferiori*—where higher-ranking laws take precedence over lower-ranking ones.

The issue of waste management gained global attention during the Earth Summit in Rio de Janeiro in 1992, where international representatives formulated principles encapsulated in the Rio Declaration. Principle 1 asserts that states possess the sovereign right, in accordance with the UN Charter and international law, to utilize their own resources based on their environmental and developmental policies. Moreover, states bear the responsibility to ensure that activities

Strategic and International Studies (2020): 36-44; Surya Tri Putri Dalapang, et al. "Asean and Indonesia's Policy against waste import in Indonesia." *Sociae Polites* 22, no. 2 (2021): 187-203.

²² See Afifatun Rafiqoh, "Pengawasan Terhadap Impor Limbah oleh Perusahaan Industri Kertas Perspektif Permendag No. 31 Tahun 2016 tentang Ketentuan Import Limbah Non B3 dan Hukum Islam: Studi Kasus Dinas Perindustrian dan Perdagangan Kabupaten Mojokerto". *Thesis* (Malang: Universitas Islam Negeri Maulana Malik Ibrahim, 2021); Liza Evita, and Ridarson Galingging. "Regulasi dan Mekanisme Impor Limbah Non-Bahan Berbahaya dan Beracun dalam Rangka Perlindungan dan Pengelolaan Lingkungan Hidup." *ADIL: Jurnal Hukum* 11, no. 2 (2020); Yuyun Ismawati, et al. "Plastic Waste Trade in Indonesia and Country's Response to Waste Trade Challenges." *Plastic Waste Trade: A New Colonialist Means of Pollution Transfer*. (Cham: Springer Nature Switzerland, 2024), pp. 155-189.

within their jurisdiction or control do not harm the environment beyond their borders.²³

Principle 8 emphasizes the imperative of sustainable development and enhancing quality of life by curbing unsustainable patterns of production and consumption, along with promoting appropriate demographic policies.²⁴ Principle 11 underscores the necessity for countries to enact robust environmental legislation. These laws, standards, and management strategies must be tailored to local environmental and developmental contexts.²⁵ It acknowledges that standards imposed by some nations may not suit the economic and social realities of others, particularly in developing countries. This international framework inspired Indonesia to enact its Environmental Protection and Management Law, aligning with these principles to address environmental challenges while supporting sustainable development goals.²⁶

Prior to the Earth Summit in 1992, the United Nations Environment Program (UNEP) formulated the Cairo Guidelines in 1987, which provided non-binding recommendations for the management of B-3 waste. Subsequently, UNEP initiated international negotiations aimed at establishing a binding international agreement on

²³ Luc Hens, "The Rio Declaration on Environment and Development." *Regional Sustainable Development Review*. (Oxford, UK: Eolss Publishers, 2005); Jorge E. Viñuales, ed. *The Rio declaration on Environment and Development: A Commentary*. (Oxford: Oxford University Press, 2015).

²⁴ David A. Wirth, "The Rio Declaration on Environment and Development: Two Steps Forward and One Back, or Vice Versa." *Georgia Law Review* (1995): 599-653; Simon Nicholson, and Paul Wapner. "Rio Declaration on Environment and Development." *Global Environmental Politics*. (London: Routledge, 2016), pp. 117-120.

²⁵ F. Francioni, "From Rio to Paris: What is left of the 1992 Declaration on Environment and Development?". *Intercultural Human Rights Law Review* 11, no. 2 (2016): 15-32.

²⁶ Agus Salim, and Liberthin Palullungan. "The Challenges of Environmental Law Enforcement to Implement SDGs in Indonesia." *International Journal of Criminology and Sociology* 10 (2021): 517-524; Muhammad Hakim Rianta, and Pradnya Kayla Ali Imron. "Developing the Framework for a Green Constitution: Strengthening Environmental Protection Initiatives in Indonesia." *The Indonesian Journal of International Clinical Legal Education* 5, no. 4 (2023): 445-472; Nicole Niessen, *Environmental Law in Development: Lessons from the Indonesian Experience*. (Cheltenham: Edward Elgar Publishing, 2006).

the issue. After a two-year negotiation process, representatives from 103 countries reached consensus on May 30, 1989, culminating in the adoption of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal 1989 (referred to as the Basel Convention).²⁷

The Basel Convention serves as a crucial international legal instrument designed to address environmental challenges arising from the transboundary movement of B-3 waste between countries. Indonesia ratified the Basel Convention through Presidential Decree 61/1993, affirming its commitment to the principles and obligations outlined within the convention framework.²⁸ Notably, the Basel Convention operates on a global scale, reflecting its comprehensive approach to managing hazardous wastes and promoting environmentally sound disposal practices worldwide.

The Basel Convention, established in 1989, arose from heightened global concern over the risks posed by hazardous substances to human health and the environment. It also addressed international apprehension regarding the practice of developed industrial nations legally or illegally exporting industrial waste to developing countries under the guise of cost savings.²⁹ Crucially, the convention underscored the international community's resolve that countries bear international responsibility for safeguarding human health and preserving the environment, enshrined within the spirit, principles, goals, and functions of the World Charter for Nature ratified by the UN General

²⁷ Monirul Islam, "The Basel Convention on the control of transboundary movements of hazardous wastes and their disposal: Critical Analysis." *International Journal of Multidisciplinary Research and Growth Evaluation* 1, no. 2 (2020): 11-16.

²⁸ Farida Nur Hidayah, "Perkembangan Pengaturan Hukum Limbah Bahan Berbahaya dan Beraacun (Limbah B3) di Indonesia." *Jurnal Indonesia Sosial Teknologi* 4, no. 2 (2023): 211-225; Vincentia Sonia, and Dina Sunyowati. "The state liability of plastic waste dumping in Indonesia." *Utopia y Praxis Latinoamericana* 25, no. 1 (2020): 493-505.

²⁹ See Shiming Yang, "Trade for the environment: transboundary hazardous waste movements after the Basel Convention." *Review of Policy Research* 37, no. 5 (2020): 713-738; Fajar Ajie Setiawan, "Re-interpreting the Environmentally Sound Management under Basel Convention." *Padjadjaran Journal of International Law* 6, no. 2 (2022): 160-179.

Assembly in 1982. This ethical framework reinforced the imperative for environmental protection in the utilization of natural resources.³⁰

The Basel Convention, consisting of 29 articles, serves as the foundational framework for the regulation of B-3 waste internationally. Despite its brevity, the convention is highly practical for managing international B-3 waste due to its detailed and transparent delineation of the rights and obligations of member states. These rights and obligations are intertwined with references to specific articles within the convention, reflecting the collaborative efforts of member states in managing transboundary movements of hazardous wastes.³¹

In 2019, the Basel Convention underwent an amendment to include provisions allowing countries to prohibit the import of plastic waste. Article 4 of the Basel Convention stipulates that parties must either prohibit or not permit the export of hazardous wastes and other wastes to parties that have explicitly banned their import, as notified under the convention's provisions. This amendment further strengthens international efforts to manage and regulate the global trade in hazardous wastes, emphasizing the importance of mutual respect for environmental laws and standards among participating nations.

In the laws and regulations in Indonesia, in addition to ratifying the Basel Convention in Presidential Regulation number 61 of 1993, Indonesia also has several regulations regarding waste, in this case plastic waste, regulations on waste imports, and regulations on environmental law.

The regulation governing waste management in Indonesia is stipulated in Law Number 18 of 2008 concerning Waste Management, commonly referred to as the Waste Management Law. This law notably does not differentiate between waste intended for recycling and waste intended for final disposal within its definition of "*waste*." This stands in contrast to definitions under international agreements such as the Basel Convention, where distinctions between "*hazardous waste*" and "*other waste*" necessitate specialized handling.

³⁰ Alexandra Korcheva, "Basel convention on the control of hazardous wastes." *Encyclopedia of Sustainable Management*. (Cham: Springer International Publishing, 2023), pp. 235-239.

³¹ Widia Edorita, "Aspek Hukum Pengangkutan Limbah B-3 Lintas Batas Negara dalam Hukum Lingkungan Internasional dan Nasional." *Jurnal Ilmu Hukum* 4, no. 2 (2013): 256-271.

Regarding sanctions for violations related to the prohibition on disposing of waste within Indonesian territory or importing waste, penalties are categorized into two main groups: (a) for offenses involving household waste, perpetrators face imprisonment ranging from 3 to 9 years and fines between Rp. 100 million to Rp. 3 billion; and (b) for offenses involving specific types of waste, penalties escalate with imprisonment ranging from 4 to 12 years and fines ranging from Rp. 200 million to Rp. 5 billion. These stringent measures underscore Indonesia's commitment to enforcing environmental laws and ensuring compliance with waste management regulations to safeguard public health and the environment.

In Indonesia's commitment to environmental protection and management, the Environmental Protection and Management Law explicitly prohibits the entry of waste originating from within the territory of the Republic of Indonesia into the country's environmental media. This prohibition is underscored by the law's provision that this regulation is not subject to further delegation or additional regulation. Therefore, any regulations pertaining to this prohibition are strictly adhered to within the statutory framework.

Violating the prohibition on importing waste carries severe consequences, classified as a criminal offense punishable by imprisonment ranging from 4 to 12 years and fines ranging from Rp. 4 billion to Rp. 12 billion. Additionally, under the Environmental Law on Environmental Protection and Management (PPLH Law), there is a stringent prohibition against introducing hazardous and other wastes (B3 waste) into Indonesian territory, explicitly including imports within its scope. These provisions reflect Indonesia's rigorous stance on waste management and environmental preservation, aiming to mitigate environmental risks and safeguard public health from the adverse impacts of improper waste disposal and management practices.³²

Furthermore, Presidential Regulation No. 21 of 2010 concerning Maritime Environmental Protection underscores Indonesia's commitment to safeguarding its seas from hazardous waste. Article 5(1) of the regulation explicitly prohibits ships from disposing of waste and

³² Martin Eko Priyanto, "Polemik Kebijakan Impor Limbah Non Bahan Berbahaya dan Beracun di Indonesia." *Jurnal Penegakan Hukum Indonesia* 2, no. 2 (2021): 199-225.

other materials into the waters during their operations. This prohibition encompasses various types of waste, as detailed in Article 5(2), including residual dirty oil, garbage, and human waste. Notably, plastic waste falls under the definition of garbage, thereby reinforcing the strict prohibition against ships disposing of plastic waste into Indonesian waters.³³

This regulation reflects Indonesia's proactive measures to protect its marine environment from pollution, emphasizing the importance of responsible waste management practices among maritime operators. By enforcing these regulations, Indonesia aims to preserve the ecological balance of its seas and ensure sustainable marine ecosystems for future generations.

The next regulation governing waste import is contained in Minister of Trade Regulation No. 31 of 2016 concerning Provisions on the Import of Non-Hazardous Toxic Waste. In Article 2 paragraph (2) of the regulation, non-B3 waste that can be imported is only in the form of Time, Waste, and Scrap. However, the biggest legal loophole in the practice of importing waste comes precisely through ministerial regulations. Urged by the industry's need for raw materials, a ministerial regulation of trade was issued several times to legalize this practice.³⁴ The Regulation regulates the import of waste, scrap or paper material, plastic, rubber, textile, and scrap metal materials with certain specifications contained in the Appendix to the Ministerial Regulation.³⁵

In fact, the existing regulations, both laws and ministerial regulations governing the import of waste, are sufficient to control the import of waste. For example, the Regulation states that not all parties can import waste (non-B3 waste). Only companies that have Producer Importer Identification Numbers (API-P) are allowed with Import

³³ Achmad Sahri, et al. "A critical review of marine mammal governance and protection in Indonesia." *Marine Policy* 117 (2020): 103893; Arifin Maruf, "Legal aspects of environment in Indonesia: An efforts to prevent environmental damage and pollution." *Journal of Human Rights, Culture and Legal System* 1, no. 1 (2021).

³⁴ Surya Tri Putri Dalapang, et al. "Asean and Indonesia's Policy against waste import in Indonesia." *Sociae Polites* 22, no. 2 (2021): 187-203.

³⁵ Levi Anatolia SM Exposto, and I. Nengah Sujaya. "The impacts of hazardous and toxic waste management: a systematic review." *Interdisciplinary Social Studies* 1, no. 2 (2021): 103-123.

Approval (PI) by the Ministry of Trade and recommendations from the Ministry of Environment and Forestry, through the authorized directorate general.³⁶ In addition, companies that own API-P are also required to have processing facilities from the rest of the production process and further processing facilities so as to avoid environmental pollution. Imported waste is not allowed from landfill or household waste, does not contain B3, and does not mix with other waste. However, the Regulation is still considered loose because the attachment to the regulation mentions the tariff heading (HS code) for imported products not specifically. The inclusion of the HS code with the 'other' item description in almost all HS codes in the appendix enables the smuggling of other unidentified meters, even though it is actually not permitted to enter Indonesian territory.³⁷

In Basel Convention Amendment in 2019, regulation about plastic waste was added to be hazardous waste pursuant to paragraph 1 (a) of Article 1, During the Basel Conference of the Parties from 29 April to 10 May 2019, Governments amended the Basel Convention to include plastic waste in a legally-binding framework which will make global trade in plastic waste more transparent and better regulated, whilst also ensuring that its management is safer for human health and the environment. At the same time, a new Partnership on Plastic Waste was established to mobilize business, government, academic and civil society resources, interests and expertise to assist in implementing the new measures, to provide a set of practical supports—including tools, best practices, technical and financial assistance.

³⁶ Sarai Casandra Yustika Martha Marpaung, "Implementasi Kebijakan Menteri Perdagangan Republik Indonesia Nomor 31 Tahun 2016 dalam Perspektif Keamanan Lingkungan." *Journal of International Relations Diponegoro* 9, no. 1 (2023): 282-293.

³⁷ Amanda Raissa Shafira, Satriya Wibawa, and Savitri Aditiany. "Ancaman Impor Sampah Ilegal terhadap Keamanan Lingkungan di Indonesia, 2016-2019." *Padjadjaran Journal of International Relations* 4, no. 1 (2022): 1-19.

2. Social Movement in Indonesia on Plastic Waste Import

Social movements are purposeful, organized groups striving to work toward a common goal.³⁸ Social movements such as Occupy Wall Street and the Arab Spring may seek to catalyze societal transformation, while movements like the anti-globalization movement may strive to impede such changes. Additionally, movements like civil rights initiatives aim to empower marginalized groups by amplifying their political representation. Overall, social movements play an important role in effecting social change.³⁹

Horton and Hunt⁴⁰ stated that there are six forms of social movement, which are:

- a. Migratory Movement: the flow of population movement to a new place. For example, a large influx of refugees from South Vietnam to Galang Island during the Vietnam War. That is one example of migratory movement.⁴¹
- b. Expressive movement: movements that change the expression, attitude, or reaction to reality rather than change reality (the community) itself. For example, expressive movements, through music, poetry, drama, jokes, jokes, and so forth. Political jokes may be one example we can see.⁴²

³⁸ Herbert Blumer, "Social movements." *Social movements: Critiques, concepts, case-studies*. (London: Palgrave Macmillan UK, 1995), pp. 60-83; Anthony Oberschall, *Social movements: ideologies, interest, and identities*. (London: Routledge, 2017).

³⁹ Giuseppe Caruso, "Global movement dilemmas: transnational representation and impact in the World Social." *Challenging Authoritarian Capitalism: The Transformative Power of the World Social Forum*. (Oxfordshire, UK: Taylor & Francis, 2022); Chiharu Takenaka, "State and Civil Society in East Asia in the Age of Globalization." *Globalization and Civil Society in East Asian Space*. (London: Routledge, 2022), pp. 13-38.

⁴⁰ Paul B. Horton, and Chester L. Hunt. *Sociology*. (New York: Tata Mc-Graw Hill, 2007).

⁴¹ See also Anh Dang, Sidney Goldstein, and James McNally. "Internal migration and development in Vietnam." *International Migration Review* 31, no. 2 (1997): 312-337.

⁴² See also Michael M. Reece, and Robert N. Whitman. "Expressive movements, warmth, and verbal reinforcement." *The Journal of Abnormal and Social Psychology* 64, no. 3 (1962): 234.

- c. Utopian movement: movements to create a prosperous society on a limited scale, for example movements with large-scale construction namely the Kibbutz Israel movement⁴³, the Darul Arqam Malaysia movement⁴⁴, and other movements.
- d. Reform movement: movement that seeks to improve some of the lameness in society. Such movements usually occur frequently in democratic countries, for example the reform movement that occurred in Indonesia in 1998, the crisis that occurred made this movement emerge.⁴⁵
- e. Revolutionary movement: movement built to replace the existing system with a new system. Adherents of this movement, according to Horton and Hunt, tend to be at odds with followers of the reform movement, they argue that radical and fundamental changes can only be carried out if the existing social system is replaced with a new one and the existing elite groups are removed and broken the chain of circulation, furthermore inter-group competition in the struggle for power ensued.⁴⁶
- f. Resistance movement: movements that aim to halt or hinder a certain social change. Social changes that occur so far are not only happy, but also make some people become frightened and worried.⁴⁷

Through the Horton and Hunt definition and type of social movements, the reaction of society on facing the problems of plastic waste import can be considered as expressive movement and resistance movement.⁴⁸

⁴³ Uri Zilbersheid, "The Israeli Kibbutz: From Utopia to Dystopia." *Critique* 35, no. 3 (2007): 413-434.

⁴⁴ Ahmad Fauzi Abdul Hamid, "Southeast Asian response to the clampdown on the Darul Arqam movement in Malaysia, 1994-2000." *Islamic Studies* 45, no. 1 (2006): 83-119.

⁴⁵ H. Agus Rustamana, Putry Maharani Adillah, and Zamin Zatu. "1998 Reform Movement." *Indonesian Journal of Applied and Industrial Sciences (ESA)* 2, no. 6 (2023): 543-562.

⁴⁶ James DeFronzo, *Revolutions and Revolutionary Movements*. (London: Routledge, 2021).

⁴⁷ Erika Summers-Effler, "The micro potential for social change: Emotion, consciousness, and social movement formation." *Sociological Theory* 20, no. 1 (2002): 41-60.

⁴⁸ Horton and Hunt. *Sociology*.

It considered as expressive movement because plastic waste import made changes in society through the reaction and attitude of the society itself towards the use of plastic. It increases the awareness of people on how dangerous of using plastic continuously and its impact to the environment and health of individual. Through the campaign of plastic free in lots of different area in Indonesia, for example is plastic ban in Bali initiated by two girls, Melati and Isabel Wijsen⁴⁹ and plastic ban parade in Jakarta.⁵⁰

Plastic waste import also triggered resistance movement in a way that interested parties who gain benefits from plastic waste import refuses government action on prohibiting plastic waste import since Indonesia still cannot manage its own plastic waste. The major reason on this resistance is because that the interested parties depends their livelihood on collecting the scraps of plastic waste import and use the money from selling the scraps to live. As the effect of National Sword Policy, Indonesia sent back illegal waste, as recorded:

Table 1. Illegal Waste being sent back by Indonesia

Date	Port	Quantity (Container)	Country
June 17, 2019	Tanjung Perak, Surabaya	5	US
July 5, 2019	Batam, Kepulauan Riau	49	US, German, Australia, France
July 5, 2019	Tanjung Priok, Jakarta	16	Still in the port

The problem of importing plastic waste has caused a lot of awareness related to the adverse effects caused. In Indonesia, several social movements that are concerned about the problem of plastic waste have emerged, one of which is the emergence of Zero Waste Movement in Indonesia and Break Free from Plastic Movement.⁵¹

⁴⁹ Jacopo Prisco, "The teenagers getting plastic bags banned in Bali", *CNN Asia*, August 17, 2017. Retrieved from <<https://edition.cnn.com/2017/08/16/asia/melati-isabel-wijsen-bali/index.html>>

⁵⁰ Rahmad Nasution, "1,048 people to join anti-plastic parade", *ANTARA*, July 20, 2019. Retrieved from <<https://en.antaranews.com/news/129364/1048-people-to-join-anti-plastic-parade>>

⁵¹ Maria Ardianti Kurnia Sari, "The Influence of American Zero Waste Youtube Videos on Global and Massive Indonesian Zero Waste Lifestyle and

Zero-waste movement is a lifestyle where people aim to eliminate their trash output completely. This means no plastic, no wrappers, and no garbage. While this may seem like an unrealistic task in today's very disposable society, everyday people all over the country are showing that it can be done. By reevaluating the way they approach the concept of trash, these leaders of the zero-waste movement are teaching the world that we all have the ability to make a difference in protecting our environment.

One of the zero waste movement organizations in Indonesia is the Zero Waste Indonesia Alliance (AZWI) which often voices related to the policy of importing plastic waste in Indonesia. A social movement is a group of people or organizations who have the same interests who work together to achieve their goals. Horton and Hunt themselves provide a classification of social movements into six types, one of which is a resistance movement that is a movement that aims to inhibit or hinder a certain social change. Social changes that occur so far are not only happy, but also make some people become frightened and worried.⁵²

This policy on importing plastic waste also has an impact on society, which is reflected in the community's responses to the import of such waste. AZWI believes that Indonesia is still unable to process its own plastic waste so that the act of accepting imported waste is not the right step for Indonesia. Imports of waste received by Indonesia in 2018 have increased to 410 thousand tons of waste, this is the impact because China has closed the door to importing plastic waste. The aspect seen by this group is on the health and environmental aspects arising from the large amount of imported waste that cannot be treated properly in Indonesia.

But there are also groups of people who support the continued inclusion of plastic waste, which is the residents who live in the vicinity of landfills. These residents rely on meeting their daily needs by working

Movement." *Rubikon: Journal of Transnational American Studies* 6, no. 2 (2019): 128-138.

⁵² Cindy Panghegarsari, "Upaya Aliansi Zero Waste Indonesia dalam Mengurangi Sampah Plastik di Indonesia." *Report Project* (Jakarta: Universitas Pertamina, 2022). See also Achmat Zainuri, and Ahmad Alwi Rafi'u Agastya. "Strategi Ecoton dalam Penerapan Program Zero Waste Cities di Kecamatan Tempurejo Kota Kediri." *Environmental Pollution Journal* 2, no. 2 (2022).

in scavenging waste and processing the imported waste. This group of people sees the economic benefits provided by the arrival of imported waste so large that they are worried that if the amount of imported waste will decrease it will also decrease the income it receives. But this community does not see the long-term effects caused by the import of plastic waste on the environment and its health.

3. Government Measurements on Plastic Waste Import

One way that can be done by the Indonesian government, as has previously been done by other countries such as South Korea (60%), the Netherlands (57%) and Taiwan (51%) which have succeeded in recycling their plastic waste⁵³ is a circular economy.⁵⁴ CE is basically an idea that encourages changing linear processes into circular processes, involving reduction, reuse, recycling, management, collection and circulation.⁵⁵ The circular economy is to bring about perfect circles of slow material flows, to prompt a shift from consumer to user, and to enable a decoupling of resource use and environmental impact from economic growth.⁵⁶ The CE scheme is seen as an appropriate means to achieve sustainable development, namely by promoting more efficient use of plastic throughout the world.⁵⁷

The government in this case is faced with its function in fostering and nurturing the community so as to increase participation from the community. In this case the government as an executive body administers or runs the government through a political decision.

⁵³ Z. Murti, et al. "Review of the circular economy of plastic waste in various countries and potential applications in Indonesia." *IOP Conference Series: Earth and Environmental Science*. Vol. 1098. No. 1. IOP Publishing, 2022.

⁵⁴ Hervé Corvellec, Alison F. Stowell, and Nils Johansson. "Critiques of the circular economy." *Journal of Industrial Ecology* 26, no. 2 (2022): 421-432.

⁵⁵ Yong-Chul Jang, et al. "Recycling and management practices of plastic packaging waste towards a circular economy in South Korea." *Resources, Conservation and Recycling* 158 (2020): 104798.

⁵⁶ David Lazarevic, and Helena Valve. "Narrating expectations for the circular economy: Towards a common and contested European transition." *Energy Research & Social Science* 31 (2017): 60-69.

⁵⁷ Enru Wang, Changhong Miao, and Xiaofei Chen. "Circular Economy and the Changing Geography of International Trade in Plastic Waste." *International Journal of Environmental Research and Public Health* 19, no. 22 (2022): 15020.

According to Phillipus M. Hadjon, the fundamental responsibilities of a nation include three main tasks. Firstly, it is entrusted with the duty of defending its territory and citizens from external threats, thereby ensuring national security. Secondly, the state is responsible for maintaining internal order and stability by managing legal frameworks and addressing regional disturbances. Lastly, the government is tasked with the collection and administration of taxes and fees, which are essential for funding public services and fulfilling governmental obligations.⁵⁸

In addition to the classic tasks mentioned above, the state has other duties relating to relations between countries. The selection of other tasks will only be taken if deemed important or the country has an international obligation to carry out certain tasks.

The environment, as a shared resource, must be protected from pollution, as emphasized by Meijer Drees. Government regulation is essential to ensure that human activities align with the environment's capacity to sustain life, known as its carrying capacity.⁵⁹ In pursuit of the public interest, government actions are framed by the concept that "*public policy is the deliberate choice of actions or inactions by the government.*" This approach involves setting clear objectives to guide policy formulation and implementation.⁶⁰

In this case the government through the environment ministry and the interior ministry must formulate a policy governing the import of plastic waste. The policy must be based on the social conditions in the community. Various considerations that must be studied by the government in formulating the policy on importing plastic waste must

⁵⁸ Philipus M. Hadjon, *Perlindungan Hukum Bagi Rakyat di Indonesia: Sebuah Studi Tentang Prinsip-Prinsipnya, Penanganannya oleh Pengadilan dalam Lingkungan Peradilan Umum dan Pembentukan Peradilan Administrasi Negara*. (Bandung: Bina Ilmu, 1987). See also and compare with Andrew Heywood, *Political ideologies: An introduction*. (London: Bloomsbury Publishing, 2021); Ruth W. Grant, "Political theory, political science, and politics." *Political Theory* 30, no. 4 (2002): 577-595.

⁵⁹ Raingard Esser, and Marijke Meijer Drees. "Coping with crisis: an introduction." *Dutch Crossing* 40, no. 2 (2016): 93-96.

⁶⁰ See also Andrew J. Friedland, "Environmental Science: Earth as a Living Planet." *Ecology* 77, no. 1 (1996): 332-334; Michael E. Kraft, and Scott R. Furlong. *Public Policy: Politics, Analysis, and Alternatives*. (Washington DC: CQ Press, 2020).

be based on health and environmental aspects and not forgetting the economic aspects of the people who depend on the import of plastic waste.

The government has actually implemented rules regarding the prohibition of the use of disposable plastics such as those in Bali (Governor Regulation Bali No. 97/2018 concerning Limitation of Disposable Plastic Waste Disposal) as well as those in Surabaya (circular Number 660.1 / 7953 / 436.7 .12 / 2019 concerning an appeal for a ban on the use of disposable plastic bags to all business operators in Surabaya).⁶¹

⁶¹ In recent years, Indonesia has faced mounting environmental challenges, particularly concerning plastic pollution. To address these issues, local governments in regions such as Bali and Surabaya have enacted stringent regulations aimed at curbing the use and disposal of disposable plastics. These initiatives reflect a broader national effort to mitigate the environmental impact of single-use plastics, which pose significant threats to marine life, ecosystems, and public health. One notable example is Governor Regulation Bali No. 97/2018, which outlines measures to limit the disposal of disposable plastic waste across the province. Under this regulation, single-use plastic bags, straws, and certain other disposable plastic items are banned in popular tourist areas like Ubud and Kuta. Businesses are required to adopt alternative packaging solutions such as reusable bags or biodegradable materials. This initiative not only aims to reduce plastic waste but also promotes sustainable tourism practices, aligning with Bali's reputation as a global tourism destination committed to environmental conservation. Similarly, in Surabaya, Circular Number 660.1 / 7953 / 436.7.12 / 2019 was issued to tackle the pervasive use of disposable plastic bags throughout the city. This circular calls upon all businesses, including supermarkets and street vendors, to cease distributing plastic bags and instead encourage customers to bring their own reusable bags or purchase biodegradable alternatives at a nominal fee. By implementing such measures, Surabaya aims to drastically reduce the consumption of single-use plastics and foster a culture of environmental responsibility among its residents and visitors. These local regulations not only underscore the Indonesian government's proactive stance on environmental stewardship but also demonstrate a commitment to sustainable development and resource management. While these initiatives have shown promising results in reducing plastic waste and raising awareness about environmental issues, challenges remain in ensuring widespread compliance, particularly among smaller businesses and informal sectors. Continued efforts in education, enforcement, and infrastructure development are essential to sustain and expand these initiatives across Indonesia, paving the way for more resilient and environmentally-conscious communities nationwide. See I. Komang Agus Widiyantara, "Strategi Public Relations Pemprov Bali Menuju Bali Bebas Sampah Plastik." *Ganaya: Jurnal Ilmu Sosial dan Humaniora* 2, no. 2-3

The appeal was based on the Surabaya City Regulation No. 1 of 2019 concerning Amendments to the Surabaya City Regulation No. 5 of 2014 concerning Waste Management and Cleanliness in the City of Surabaya and waste control efforts). However, this regulation is only a temporary solution because the government still needs to improve its capacity in waste management.⁶²

AZWI also already give Recommendations for the Government of the Republic of Indonesia:

- 1) Reviewing policies and regulations regarding the importation of waste and scrap, especially plastics and paper;
- 2) Limiting mixed materials / contaminants in imported plastic and paper waste and scrap to less than 0.5%;
- 3) Developing a system that enables and incentives to increase the percentage of recycling from domestic waste;
- 4) Prohibit the use of B3 ingredients as plastic additives and when recycling plastics;
- 5) Re-evaluate companies that have plastic and paper scrap import permits to comply with the permits given and their practices do not pollute the environment.

The government must act decisively, reject the import of plastic waste, and crack down on industry companies that illegally import plastic waste into Indonesia. This is because Indonesia is still not optimal in processing its own waste. The lack of optimal processing of Indonesian waste requires the participation of the surrounding community to process Indonesia's own waste. Through the empowerment of the surrounding community, the community does not lose their old work so that they can still fulfill their daily needs.

(2020): 84-91; Made Yaya Sawitri, Dewa Ketut Suryawan, and Anak Agung Sagung Putri Risa Andriani. "Implementation of Waste Processing from the Source by the Traditional Village of Cagaan, Tampaksiring District, Gianyar Bali." *AJARCDE (Asian Journal of Applied Research for Community Development and Empowerment)* 4, no. 3 (2020): 1-5.

⁶² Mohamad Lutfi Agung Kurniawan, "Implementasi Peraturan Daerah Kota Surabaya Nomor 5 Tahun 2014 Tentang Pengelolaan Sampah dan Kebersihan di Kota Surabaya." *Publika* 4, no. 9 (2016); Mas Rara Tri Retno Herryani, and Zaenal Arifin. "Penerapan Prinsip Good Environmental Governance dalam Pengelolaan Sampah di Kota Surabaya." *Dinamika Hukum & Masyarakat* 6, no. 1 (2023): 109-119.

D. Conclusion

Based on the findings of previous research, it is evident that there is a compelling case for revising Ministry of Trade Number 3 Year 2016 to align with broader national and international environmental frameworks. Specifically, this revision should ensure consistency with Law Number 18 Year 2008 and Presidential Decree Number 61 Year 2009, especially in light of amendments to the Basel Convention in 2019. These amendments have heightened global scrutiny on the management and trade of plastic waste, emphasizing the need for stringent regulations to protect environmental and public health interests.

The importation of plastic waste in Indonesia serves as both an expressive and resistance movement. On one hand, it has sparked increased awareness about the detrimental effects of single-use plastics on the environment and human health. This awareness has catalyzed societal movements advocating for stricter regulations and sustainable alternatives to plastic consumption. On the other hand, the resistance movement within Indonesia, as exemplified by local regulations in Bali and Surabaya, reflects efforts to combat the environmental impacts of plastic waste importation.

These regulatory measures not only underscore Indonesia's commitment to environmental sustainability but also highlight the evolving dynamics between national policy, international agreements, and global social movements. By aligning domestic regulations with international standards and fostering public engagement in sustainable practices, Indonesia can effectively navigate the complexities of plastic waste management while advancing its environmental stewardship goals on both local and global scales.

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Man's attitude toward nature is today critically important simply because we have now acquired a fateful power to alter and destroy nature. But man is a part of nature, and his war against nature is inevitably a war against himself.

Rachel Carson on *Silent Spring*

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