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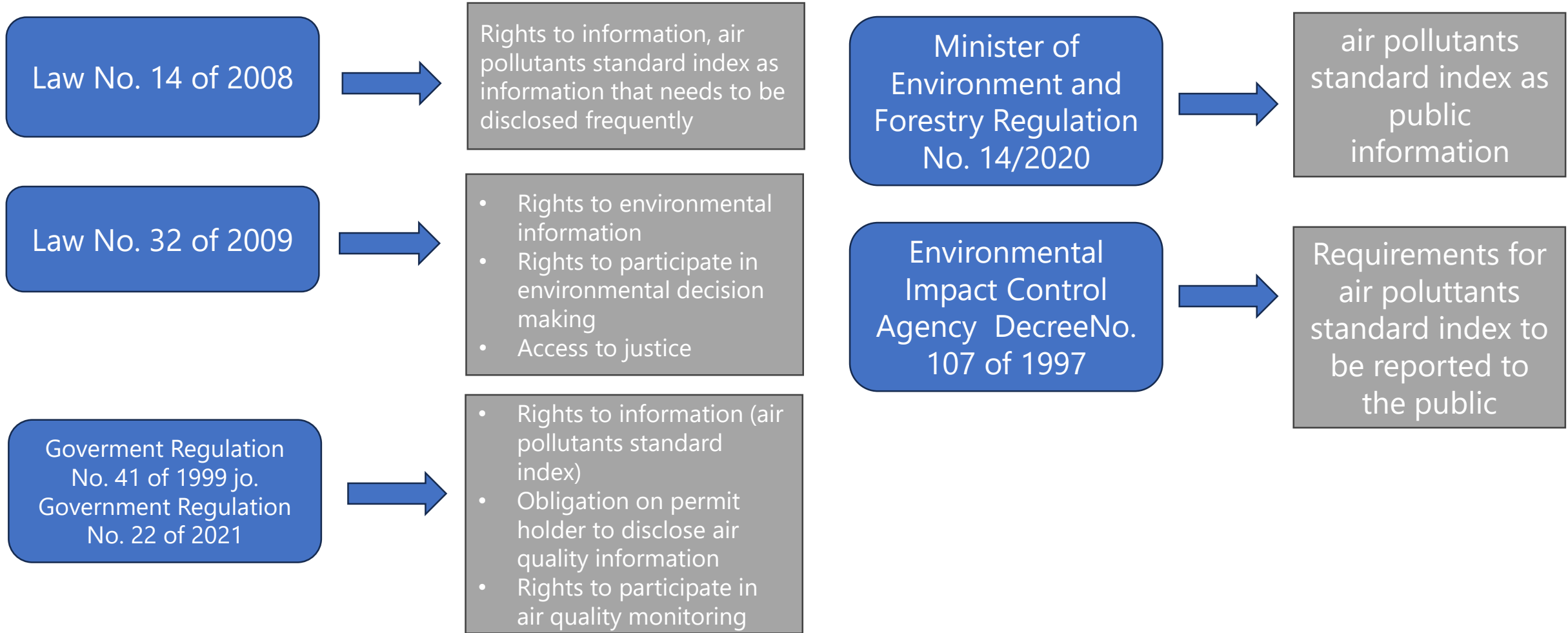
# PROMOTING PROCEDURAL RIGHTS RELATED TO CLEAN AIR: LESSONS FROM JAKARTA'S AIR POLLUTION CASE

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# Regulations Guaranteeing Procedural Rights To Clean Air



## Important Considerations Related to Procedural Rights to Clean Air in Jakarta's Air Pollution Case

1. Jakarta's air pollution has been acknowledged for a long time, but the defendants **provide deficient and real time information to the public** of this condition and its health risks or provide an avenue for the public to participate in efforts to improve Jakarta's air quality.
2. There is **no adequate information available** to the public **on the health impacts** of air pollution and lack of mitigation action on health impacts of the air pollution suffered by the public.
3. There is **no information available** regarding the results of the **vehicle emission threshold test**.
4. There is **no sufficient number of Air Quality Monitoring Stations (SPKU)** to monitor air quality in Jakarta and it hinders the fulfillment of Jakarta's resident's rights to a healthy environment.

## Court Orders for Air Quality Improvement

1. **Publicly report** on motor vehicle emission threshold test
2. **Disseminate information** on supervision and sanctions related to air pollution control to the public
3. Conduct an emissions inventory that **involves public participation**
4. Determining the status of the annual local ambient air quality and **announce it to the public**
5. Develop and implement air pollution control strategies and action plans that **involve public participation**



## Improvements After The Decision

Points of Action	Improvements
Conduct and published the result of vehicle emission threshold test	The Jakarta government passed Governor Regulation No. 66/2020 for motor vehicle emission tests and the data of emission test results can be seen on the Jakarta Environmental Agency website. So far there have been more than 116,805 emission tests over time.
Disseminate information on supervision and sanctions related to air pollution to the public.	<ul style="list-style-type: none"><li>• Jakarta has incorporated the PM2.5 parameter into the available Air Quality Monitoring Stations.</li><li>• The PM2.5 parameter has also been included in the Air Pollutant Standard Index through the revision of the Minister of Environment Regulation No. 14/2020. PM2.5 data and Air Pollutant Standard Index have been published on Jakarta Environmental Agency website.</li><li>• Several inspections and mandatory installation of CEMS have been carried out, where several inspections have been published on the official portal of the Jakarta Government.</li></ul>
Determining the status of regional ambient air quality annually and announcing it to the public.	The determination of Ambient Air Quality Status has been carried out annually which is published through Jakarta Environmental Agency Site: <a href="https://lingkunganhidup.jakarta.go.id/">https://lingkunganhidup.jakarta.go.id/</a>

## Improvements After The Decision (2)

Points of Action	Improvements
<p>Develop and implement air quality control strategies and action plans by considering the distribution of emissions from polluting sources in a focused, targeted manner, and involving public participation.</p>	<p>Jakarta Environment Agency has reported the completion of the preparation of the SPPU which consists of 3 Strategies, 16 Programs and 70 Action Plans and is currently in the stage of ratification of the Strategy in the form of Governor Decree.</p> <p>However, there is no clear regulation on how the public can participate, and the strategy development process has not been opened to the public.</p>
<p>Emissions Inventory</p>	<p>Emission inventory has been conducted in 2020 with the results: NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub> predominantly come from the transportation sector around 57.99%-96.36% and SO<sub>2</sub> 61.96% comes from the industrial sector. However, this data is not openly published.</p>



## Key Takeaways and Ways Forward

PUBLIC INFORMATION OPENNESS

### PLN Sued to Open Suralaya and Ombilin PLTU Emission Data

This lawsuit should be used by PLN to prove that the operation of PLTU does not pollute the environment to the public. If the data continues to be covered, the public will continue to assume.

Civil Society Group sued PLN (State Owned Enterprise) to disclose Suralaya and Ombilin CFPP Emission Data. Enterprises are mandated by the regulation to conduct emission monitoring and disclose accurate information to the public

- Access to Justice is one important avenue to realize the guarantee of the right to information and the right to participation in air pollution control.
- There is still a need to expand the space for public participation in air pollution control.
- Monitoring and law enforcement are important to ensure air quality. The public can play a role in monitoring and providing data to help law enforcement and policy reform through citizen science. However, to play this role, the public needs to have guaranteed access to information related to air quality and air pollution control.
- Therefore, improving access to information and participation in achieving air quality recovery targets cannot be ruled out. Improving access to air quality-related information can encourage public participation in air pollution control.

# THANK YOU

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