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HUMAN RIGHTS PERSPECTIVE IN THE RIGHT TO FULFILL AN APPROPRIATE ENVIRONMENT FOR MINGGIRSARI VILLAGE COMMUNITY

Abstract
This research is legal research. The approach method used in this research to use a statutory approach. Implementation method used in this research is to use method of observation and interviews. Human rights and the environment have direct links in improving the condition of nation and state. In this case, because the legal protection of human rights is also a way to protect the environment, so that human rights and the environment are dependent on each other. A country must be able to provide environmental protection arrangements in order to simultaneously protect human rights, especially those relating to the issue of the right to life. Purpose of right to life is none other than the right to a decent life and livelihood, namely a good and healthy environment. The criteria for good and healthy environmental rights are the right to a healthy environment, the right to a healthy life, the right to protect property, and the right to protect community. Where in Law Number 39 of 1999 concerning Human Rights places the “Right to Life” in part one or the beginning, because the right to life and life are most fundamental human right whose existence animates almost all human rights values. This includes all right to obtain a good and healthy community living environment for continuation of life and continued livelihoods, including future generations. If environment in which they live is damaged and polluted, life and life of local community is violated.

Key words: human rights; Minggirsari, village.

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ПЕРСПЕКТИВА ЗАБЕЗПЕЧЕННЯ ПРАВ ЛЮДИНИ У СФЕРІ ПРАВА НА НАЛЕЖНЕ ДОВКІЛЛЯ ДЛЯ ГРОМАДИ СЕЛА МІНГГІРСАРІ

Анотація
Це дослідження є юридичним. Воно виконано із використанням методів наблюдення, спостереження та інтерв’ю. Права людини та навколишнє середовище мають безпосередній зв’я-
Зок з і покращенням умов існування нації та держави. У цьому сенсі, оскільки правовий захист прав людини є також способом захисту навколишнього середовища, права людини та довкілля залежать одне від одного. Країна повинна бути спроможна забезпечити заходи із захисту навколишнього середовища з тим, щоб одночасно захищати права людини, особливо ті, що стосуються питань права на життя. Метою права на життя є не що інше, як право на гідне життя та засоби існування, а саме на гарне та здорове довкілля. Критеріями належних і здо- рових екологічних прав є право на здорове довкілля, право на здорове життя, право на захист власності та право на захист громади. Це не тому в Законі про права людини 1999 року № 39 «Право на життя» знаходиться в першій частині або на самому початку, оскільки право на життя і саме життя є найважливішими правами людини, існування якого має велике значення для всіх ліквідності прав людини.

Це включає цілковите право на отримання належного і здорового довкілля для проживання громади, для продовження життя та засобів до існування, включаючи майбутні покоління. Саме життя і життя місцевої громади порушується, якщо довкілля, в якому вона проживає, пошкоджено і забруднено. Ключові слова: права людини; Мінгірсарі, село.

Introduction

Referring to 1945 Constitution of the Republic of Indonesia, Article 28H paragraph (1) emphasizes that everyone has the right to live in prosperity, physically and mentally, to live, and to have a good and healthy living environment.(Thahirah, 2020) Residence has a strategic role in shaping character and personality of nation as well as one of efforts to build Indonesian people as a whole, self-identified, independent, and productive.

Where increasing need for housing and settlements is closely related to population, such as population size, growth rate, and changes in average number of family members. This is a problem that must be faced by people of Indonesia.(Ismaini et al., 2018) Access to drinking water and proper sanitation facilities is an additional basic need that is directly related to housing. Adequate housing, universally human rights law, is seen as one of the most basic needs for humans.(Utama, 2018)

Respect for human rights and protection of environment can run smoothly if government (both central and regional governments, provinces, districts/cities) will has to protect environment and respect human rights. However, this will certainly needs to involve all components of nation and stakeholders to encourage and realize that these two things must be fought for together, so that environment is not damaged and human rights are not violated. Environmental problems arise as a result of human desire to develop and build a better life. Within framework of human rights, this desire is based on right to development. Many humans forget environmental factors, in carrying out development, especially those related to ecosystem problems. Thus, environmental issues and human rights are two things that are interconnected and can be mutually reinforcing.

For example, in Minggirsari Village there are many buildings that are in poor condition and their cleanliness is still poorly maintained. If you take advantage of Human Resources of Minggirsari Village, these places should be an attraction for visiting tourists. Number of buildings that are left unattended and not kept clean makes the building empty and unused.

The various violations of human rights in the environmental field have occurred in almost all aspects of people’s lives. This violation should be interpreted as a threat to Indonesian human civilization. Turn it will accumulate and lead to violations of economic rights, violations of social and cultural rights, civil and political rights. The phenomenon of right to a good, healthy, and balanced environment as a human right, associated with reality of environmental management in Indonesia has not been realized.(Aji et al, 2020) In relation for issue of environmental damage, right of environment in perspective of human rights is interesting to observe and study, in order to describe conception of human rights and the right to environment, the regulation of right of environment in provisions of positive Indonesian law, the right of environment good and healthy is a human right, and its implementation in environmental management policies.(Atas et al, 2011)

Method

This research is legal research. The approach method used in this research to use
a statutory approach.(Erkan Bil et al., 2021) Implementation method used in this research is to use method of observation and interviews.

**Results and Discussion**

Human rights, hereinafter referred to as human rights, are rights protected by national law and international law. Likewise, Indonesia as a country that recognizes the existence of human rights as a gift from God Almighty which needs to be protected and enforced in accordance with provisions of applicable laws and regulations. Basis for legal protection of human rights in Indonesia is contained in Preamble to 1945 Constitution, paragraph IV, Chapter XA of 1945 Constitution (Article 28A to Article 28I), Law Number 39 of 1999 concerning Human Rights, and Law on Human Rights Number 26 of 2000 concerning Human Rights Court.

The 1945 Constitution Republic of Indonesia as basic written law and is highest norm provides regulations regarding human rights to a good and healthy environment, as stated in Article 28H paragraph (1). (Agung Kusuma Arcaropeboka, 2019) The provisions on right to a good and healthy environment were then also emphasized in Law Number 39 of 1999 concerning Human Rights and Law Number 32 of 2009 concerning Protection and Management of the Environment. This provision is a reform mandate to improve condition of nation and state in a better direction. (Sihombing, 2020)

Human rights and environment have a direct link in condition improving of nation and state. (Dudayev, 2020) In this case, because the legal protection of human rights is also a way to protect environment, so that human rights and environment are dependent on each other. A country must be able to provide environmental protection arrangements in order to simultaneously protect human rights, especially those relating to issue of right in life. The purpose of right to life is none other than right to a decent life and livelihood, namely a good and healthy environment. Criteria for good and healthy environmental rights are right to a healthy environment, right to a healthy life, right to property protection, and the right to protection for rural communities. (“TINJAUAN YURIDIS ATAS PERUMAHAN YANG LAYAK PEMENUHAN KESEHATAN LINGKUNGAN,” 2019) With regard to human rights over environment, by placing state as a bastion of human rights, in management of natural resources and environment, people must be placed as the main interest. (Dimastyo Mindatama Adiguna, 2019) The state fully acts as an instrument for managing and implementing policies aimed at protecting and promoting human rights over environment.

In addition to human rights and environmental issues, implementation of government at regional level was reformed, so that regional governments were given the widest possible authority in managing autonomous regional governments and today is known as regional autonomy. Whereas implementation of regional autonomy is expected to provide great benefits in life of society, nation and state, especially to foster democratic life, encourage efforts for community empowerment in development, strengthen capacity and position of regional governments, improve public services and community welfare through regional development. Through this regional autonomy, development activities are basically an effort to standard improve of living of humans by utilizing natural resources found around their environment.

Local governments (Provincial and Regency/City Governments) are given authority to manage their own households. Where local governments are considered to know more about potential of their respective regions to be developed in order to improve the welfare of their people. The authority of local government includes management of natural resources available in area. Through regional autonomy, it is hoped that regional governments can manage their natural resources as well as possible, so that they can make a real contribution to prosperity and welfare of people. The local government strives for development to involve other parties, namely private sector, to manage natural resources.

Reforms in Indonesia that resulted in a paradigm shift in government at regional level where regional governments were given broadest authority, namely in form of granting autonomy to regions in developing their regions. Changes to amendments of 1945 Constitution, which is the state constitution, certainly have an impact on changes in overall state administration system. Where laws and other regulations concerning local government are to
fill the implementation of granting autonomy to widest possible area, to make changes and improvements or adjustments for times.

Regional governments are given authority to manage their own regions, so that with this authority, government can issue permits to manage natural resources in regions. Because the local government is considered to be more aware of potential of natural wealth in area to be developed in order to improve the welfare of community. Likewise, local governments must be responsible for matters that fall within their range of power, including in management of natural resources.

Through this regional autonomy with authority it has, local governments are expected to be able to manage their natural resources by taking into account principles of regional autonomy within the framework of Unitary State of Republic Indonesia, so that they can make a real contribution to prosperity and welfare of people at large. Through regional autonomy, it is also expected to be able to realize ideals of constitution as stated in Article 33 paragraph (3) 1945 Constitution which states that, «Earth, water and natural resources contained therein are controlled by the state and used for greatest prosperity of people.» Then, development patterns must rely on economic democracy as mandated in Article 33 paragraph (4) of 1945 Constitution.

The regional government as a state organ must be responsible for dealing with this condition, because in accordance with human rights principles, the state in this case regional government in holder of obligation to protect, fulfill, promote, and respect human rights. The context of fulfilling environmental rights, the state has an obligation to act or act. The obligation to act is an obligation carry out the fulfillment of a certain right.(Fahrudin, 2019) The obligation to achieve results requires states to achieve goals according to substantive standards.

Article 28I paragraph (4) of the 1945 Constitution explicitly states that the protection, promotion, enforcement and fulfillment of human rights are the responsibility of the state, especially the government. Likewise, it is explained in Law Number 39 of 1999 concerning Human Rights in Article 71 which states that, “The government is obliged and responsible to respect, protect, enforce and promote human rights as regulated in this law, other laws and regulations, and international law on human rights accepted by the Republic of Indonesia”.

Based on instructions in law, it is clear that the government has responsibility to respect, protect, uphold and promote human rights. Then, the basis for the government to stipulate regulations regarding housing as a proper place to live as determined by the state constitution, namely in the 1945 Constitution of the Republic of Indonesia, Article 28H paragraph (1) states that, “Everyone has the right to live in physical and spiritual prosperity, to live in, and get a good and healthy living environment. Housing has a very strategic role in shaping the character and personality the nation as one of efforts to build Indonesian people as a whole, self-identified, independent, and productive so that the fulfillment of housing needs is a basic need for every human being, which will continue to exist and develop according to the stages of development or the cycle of human life”.(Yuliani & APHA, 2018)

Human rights charter which is an inseparable part of MPR Decree No.XVII/MPR/1998 stipulated by the Special Session of the MPR 1998. Among other things, it states that humans are creatures of God Almighty, who act as managers and custodians of nature in a balanced and harmonious manner in obedience to Him. Humans are endowed with human rights and have responsibility and obligation to guarantee the existence, dignity and dignity of humanity and maintain the harmony of life. The nation's views and attitudes towards human rights are sourced from religious teachings, universal moral values, and noble values of nation's culture, and are based on Pancasila and 1945 Constitution.

Article 1 of the Human Rights Charter contains provisions regarding the right to life which reads, “Everyone has the right to live, defend his life and life,” but Article 36 also contains restrictions on human rights including the right to life as follows, “In exercising their rights and freedoms, everyone is obliged to comply with the limitations stipulated by law for purpose of ensuring recognition and respect for the rights and freedoms of others, and to fulfill fair demands in accordance with considerations of morality, security and order common in a democratic society”.

Then, in consideration letter a of Law No.32 in 2009 concerning Environmental
Protection and Manageme states that: "A good and healthy environment is a human right for every Indonesian citizen as mandated in Article 28H in 1945 Constitution Republic of Indonesia." Then, in Article 3 Law No. 32 in 2009 concerning Environmental Protection and Manageme it is stated that environmental protection and management aims to:

- protect territory the Unitary State of the Republic Indonesia from pollution and/or environmental damage;
- ensure safety, health and human life;
- ensure the continuity life of living things and the preservation of the ecosystem;
- maintain the preservation of environmental functions;
- achieve harmony, harmony, and environmental balance;
- guarantee the fulfillment and protection of the right to the environment as part of human rights;
- controlling the wise use of natural resources;
- realizing sustainable development; and
- anticipating global environmental issues.

If we look closely at the provisions of (Environmental Protection and Management) Law No. 32 in 2009 concerning Environmental Protection and Manageme, it can be seen that legal policy is to protect and manage the environment so that humans can develop in accordance with their dignity and worth. In addition, this law emphasizes that right to a good and healthy environment is a basic human right, so that humans can develop. Where this law actually summarizes right to life, economic rights, social rights, and culture as human rights that have received attention since the 1970s.

As for preamble of Law no. 39 of 1999 concerning Human Rights, it is stated that humans as creatures created by God Almighty(Michael, 2014) who carry out of task managing and maintaining universe with full devotion and full responsibility for welfare of mankind, by His creator were awarded human rights to ensure the existence of dignity and worth, dignity and glory of himself and the harmony of his environment. With regard the right to environment, Article 9 paragraph (3) states that, "Everyone has the right to a good and healthy environment". Thus, it is clear that right to environment is a human right, not only to be recognized and respected, but also to be enforced.(Arum et al., 2021)

If there is pollution and environmental damage which is an environmental problem and arises as a result of human desire to build their own life without thinking about impacts that occur. Environmental problems are also human rights issues, because this desire is based on the right to development. According to Otto Soemarwoto, development can and has led to environmental problems that reduce, even negate benefits of development. Right of healthy life and the right to life protection have been violated and sidelined.

The problem of environmental damage is also a violation of human rights in environmental field. Thus, legal protection of human rights is one of most effective ways to protect the environment. Human rights and environment are interdependent, and this is the relationship between human rights and the environment. Law Number 39 of 1999 concerning Human Rights is a dependency relationship between human rights and environment, it also provides arrangements for the protection environment which also protects human rights, especially those relating to issues of right to life, the right to health, and disturbances to their property. This means that understanding and acknowledging human rights means protecting the environment as well as being used to achieve sustainable development, because recognizing and protecting human rights is a potential way to protect environment. (ZULAEHA et al., 2021)

Thus, the right to life is disturbed due to environmental damage which also results in disruption of human health. This is actually also regulated in International Covenant on Civil and Practical Rights (ICCPR), especially Article 6 paragraph (1) where this article stipulates that everyone has the right to live and no one, not even the state, can stop life arbitrarily somebody. This means that the state must take various actions to protect human life, so that environmental damage doesn’t result in expulsion of population from their place of life.

In addition, the International Covenant on Economic, Social and Cultural Rights, hereinafter referred to as (ICESCR) through UN General Assembly Resolution No.2000 A (XXI) on December 16, 1966. In essence, the
covenant states that every nation has rights of self-determination which are basis for every individual to obtain the status of his socio-economic life in the place where he lives. In relation to the protection of individual rights to social, economic, and cultural life, the government is obliged to provide a decent life for everyone by providing employment (to implement the right to work) or providing education as implementation of protection of the right to education in Indonesia his place. Then, the right to a good and healthy environment, in its fulfillment includes the “physical environment” and “social environment”.(Kusumawardana, 2019) At ICESCR (International Covenant on Economic, Social and Cultural Rights) explicitly, theme of “environment” is stated in Article 12 which is one part of “the right of everyone to enjoy the highest attainable standard of physical and mental health.” In this article, a number of efforts should be made by the government to fulfill the right to health [4], including “improvement of all aspects of industrial and environmental hygiene”, which includes efforts to prevent epidemics and work accidents; prevention and mitigation. CESC (Covenant on Economic, Social and Cultural Rights) interprets the right for health in an inclusive manner; not only in relation to health care, but also the factors that underpin human health, including environmental conditions and healthy work, and further in international human rights law standards, “the right to the environment healthy”, stated in a number of General Comments adopted by the Committee established on the basis of international treaties (international Covenants and Conventions on Human Rights). The relationship between these two rights is very clear, namely regarding a healthy living environment which one of socio-economic factors that creates conditions in which people can enjoy a healthy life.

The right to a good and healthy environment is closely related to a number of other human rights, namely:

The right to housing, especially with regard to fulfillment of principle of habitability (comfort in living). In General Comment of Committee on Economic, Social and Cultural Affairs (CESCR) it is stated that “inadequate and deficient housing and living conditions are invariably associated with higher mortality and morbidity rates”. To ensure fulfillment of people’s rights, the Government is obliged to coordinate with each other between ministers and local authorities in formulating policies, relating to economic, agricultural, environmental, energy and so on policies). Where state is responsible for protecting entire Indonesian nation through for implementation of housing and settlement areas so that people are able to live and live in decent and affordable houses in a healthy, safe, harmonious, and sustainable environment throughout Indonesia. The construction of a decent house as a place to live in a residential area that relies on community provides widest possible rights and opportunities for community to take part. In line with community’s role in development of housing and settlement areas, the Government and local governments have a responsibility to become facilitators, provide assistance and facilities to community, as well as conduct research and development covering various related aspects, including spatial planning, land, environmental infrastructure, material and component industry, construction and design services, financing, institutions, human resources, local wisdom, and supporting laws and regulations. One of the rights to fulfill a proper environment, namely regarding a proper place to live as stipulated in Consideration of Law Number 1 of 2011 concerning Housing and Settlement Areas is as follows:

that everyone has right to live in physical and spiritual prosperity, to have a place to live, and to have a good and healthy living environment, which is a basic human need, and which has a very strategic role in shaping the character and personality of nation as one efforts to build a complete Indonesian human being, be self-reliant, independent, and productive;

that government needs to play a more role in providing and providing facilities and assistance for housing and settlement areas for the community through the implementation of area-based housing and settlement areas as well as community self-reliance so that they form a functional unit in the form of physical spatial planning, economic life, and socio-culture that are able to guarantee environmental sustainability is in line with spirit of democracy, regional autonomy, and openness in life of society, nation and state;
that regional growth and development doesn't pay attention to balance for interests of low-income communities results in difficulties for community to obtain decent and affordable houses;

that Law Number 4 of 1992 concerning Housing and Settlements is no longer in accordance with development and needs of decent and affordable housing and settlements in a healthy, safe, harmonious and orderly environment so that it needs to be replaced;

According the Elucidation of Law no.1 of 2011 stipulates that general policies for housing development are directed, among others, to:

- fulfill need for decent and affordable housing in a healthy and safe environment supported by infrastructure, facilities, and public utilities in a sustainable manner and which is able to reflect the lives of people with Indonesian personalities;
- the availability of long-term sustainable low-cost funds to meet the needs of houses, housing, settlements, as well as urban and rural residential environments;
- realize harmonious and balanced housing in accordance with spatial planning and land use that is efficient and effective;
- granting usufructuary rights without compromising state sovereignty; and
- encourage foreign investment climate.

Right to food, especially in relation of government's obligation to formulate environmental policies that can support the fulfillment of right to food. Poor environmental hygiene directly or indirectly can be a major hazard to food safety

Right to education. CESCIR states “Education has a vital role in empowering women, safeguarding children from exploitative and hazardous labor and sexual exploitation, promoting human rights and democracy, protecting the environment, and controlling population growth”.

Right to a healthy work environment.

Right of every human being to receive guarantees for prevention, treatment and supervision of disease outbreaks.

Right for water.

The fulfillment of this right aims to realize a number of other rights, including right to environment. The right a good, healthy and balanced environment when referring to provisions of UUPLH, specifically becomes authority and responsibility of Government in implementation, namely among others:

- regulate and develop policies in the context of environmental management;
- regulate the provision, designation, use, protection, management of the environment, and re-utilization of natural resources, including genetic resources;
- regulates the instrument for preventing pollution and/or environmental damage consisting of:
  - SEA;
  - Spatial;
  - Environmental quality standards;
  - Standard criteria for environmental damage;
  - Amdal;
  - UKL-UPL;
  - Licensing;
  - Environmental economic instruments;
  - Environmental-based laws and regulations;
  - Environmental-based budgeting;
  - Environmental risk analysis;
  - Environmental audits; and
- Other instruments in accordance with the needs and development of science.

- regulate legal actions and legal relations between people and/or other legal subjects as well as legal actions against natural resources and artificial resources, including genetic resources;
- controlling activities that have a social impact;
- develop funding for efforts to preserve environmental functions in accordance with applicable laws and regulations;
- stipulate a national policy on environmental management and spatial planning with due observance of religious values, customs, and live that values in community;
- managing the environment in an integrated manner;
- realizing, growing, developing and increasing awareness and responsibility of decision makers in environmental management;
- realizing, growing, developing and increasing awareness of community rights and responsibilities in environmental management;
- realize, grow, develop and enhance partnerships between the community, the business world and the Government in an effort to preserve the carrying capacity and capacity of the environment;
develop and implement a national policy on environmental management that ensures the maintenance of the carrying capacity and capacity of the environment;

develop and implement preventive and proactive tools in an effort to prevent the decline in the carrying capacity and capacity of the environment;

utilize and develop environmentally friendly technology;

conducting research and development in the environmental field;

provide environmental information and disseminate it to the public;

give awards to people or institutions that have contributed in the environmental field;

supervising the arrangement of the person in charge of business or activities in the environmental sector;

carry out environmental impact control activities as a monitoring tool;

carry out government coercion on the person in charge of the business or activity to prevent and end the occurrence of a violation, as well as to cope with the consequences caused by a violation, to take action to save, overcome, and recover at the expense of the person in charge of the business and/or activity;

encourage the person in charge of the business and activity to conduct an environmental audit;

establish a service provider institution for settlement of environmental disputes that is free and impartial to act in the interests of community, if it is known that the community is suffering due to pollution or environmental pollution and destruction; and

conduct investigations into criminal acts in the environmental field.

Then, in Universal Declaration of Human Rights 1948, hereinafter referred to as 1948 Declaration, especially Article 25 regulates the right healthy life, so that to get an adequate life for health shows that everyone has right for healthy life. To get healthy life, of course, must protect the environment from damage and pollution. The same thing is also regulated in Stockholm Declaration of United Nations Conference on Human Environment (Stockholm Declaration 1972), especially Principle 1 which regulates the right of everyone to get healthy living conditions, so that importance of fulfilling this right is protection of environment, which in turn. In the end, humans will enjoy a clean environment, free from damage and pollution. Thus, environmental issues and human rights are two things that are interconnected and can be mutually reinforcing. (Fahlevi, 2015)

As for protection of human rights over the environment, it refers to the provisions concerning protection the right to a good and healthy environment, described in Law Number 32 of 2009 concerning Protection and Management of the Environment, in Article 65 explaining:

Everyone has the right to a good and healthy environment as part of human rights.

Everyone has the right to environmental education, access to information, access to participation, and access to justice in fulfilling the right to a good and healthy environment.

Everyone has the right to submit proposals and/or objections to business plans and/or activities that are estimated to have an impact on the environment.

Everyone has the right to play a role in the protection and management of the environment in accordance with the laws and regulations.

Everyone has the right to make complaints due to allegations of environmental pollution and/or destruction.

Further provisions regarding the procedure for the complaint as referred to in paragraph shall be regulated by a Ministerial Regulation. (Subekti & Sukaryo, 2018)

Then Article 66 states: “Everyone who fights the right to a good and healthy environment cannot be prosecuted criminally or be sued in a civil manner.”

The explanation in paragraph 2 states: “The right to environmental information is a logical consequence of right to play a role in environmental management based on principle of openness. Right to environmental information will increase value and effectiveness of participation in environmental management, in addition to opening opportunities for community to actualize their right to a good and healthy environment. The environmental information as referred in this paragraph may be in form of data, information, or other information relating to environmental protection and management which according to their nature and purpose are indeed open to public, such as analysis documents on environmental impacts, reports, and evaluation of monitoring results environment, both monitoring compliance and monitoring changes.
in environmental quality and spatial planning.” Likewise with explanation of Article 66, namely: “This provision is intended to protect victims and/or complainants who take legal action due to environmental pollution or destruction. This protection is intended to prevent retaliation from reported party through criminal prosecution or civil lawsuits while still taking into independence account of judiciary.”

Provisions of right to environment as described in Law Number 32 of 2009, especially Articles 65 and 66 have guaranteed legal certainty and provided protection the right of everyone to obtain a good and healthy environment as protection part of entire ecosystem. Guarantee protection for everyone to get a good and healthy environment also provides certainty for environmentally sound development known as sustainable development. Environmentally sound sustainable development based on integrated and comprehensive national policies by taking into needs account of present and future generations. This is because sustainable development is in direct contact with utilizing natural resources, as mandated in 1945 Constitution of the Republic of Indonesia.

Where sustainable development is no longer only aimed at improving the quality of life of the current generation, but development is aimed at nothing but improving the quality of life of future generations [8]. With concept of sustainable development, the state’s acknowledgment the community for guarantees to obtain a decent living has received strong recognition, this recognition is not even only for current society but also for the people who will exist (future generations).

Then, Law Number 39 of 1999 concerning Human Rights emphasizes the right to the environment, especially in Article 9, namely:

Everyone has right to live, maintain life and improve their standard of living.

Everyone has right to live in peace, security, peace, happiness, physical and spiritual prosperity.

Everyone has right to a good and healthy environment.

Where in Law Number 39 of 1999 concerning Human Rights places “Right to Life” in part one or the beginning, because the right to life and life is most fundamental human right whose existence animates almost all human rights values. (Sihombing, 2020) This includes the right to obtain a good and healthy community living environment for continuation of life and continued livelihoods, including future generations. If environment in which they live is damaged and polluted, life and life of local community is violated. (No Title, n.d.)

**Conclusion**

Human rights and the environment have direct links in improving the condition of nation and state. In this case, because the legal protection of human rights is also a way to protect the environment, so that human rights and the environment are dependent on each other. A country must be able to provide environmental protection arrangements in order to simultaneously protect human rights, especially those relating to the issue of the right to life. Purpose of right to life is none other than the right to a decent life and livelihood, namely a good and healthy environment. The criteria for good and healthy environmental rights are the right to a healthy environment, the right to a healthy life, the right to protect property, and the right to protect community. Where in Law Number 39 of 1999 concerning Human Rights places the “Right to Life” in part one or the beginning, because the right to life and life are most fundamental human right whose existence animates almost all human rights values. This includes all right to obtain a good and healthy community living environment for continuation of life and continued livelihoods, including future generations. If environment in which they live is damaged and polluted, life and life of local community is violated.

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