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Greenpeace and Transnational Litigation Strategies in Plastic Policy Advocacy: A Comparison of Legal Activism in Indonesia and Thailand (2022–2025)

Moch Malik Dzulpikar [1]*, Arie Kusuma Paksi [2]
Corresponding Author's e-mail : malikdzulfikar25@gmail.com

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Abstract

The plastic pollution crisis has evolved into a complex legal dispute requiring the intervention of transnational actors. This article analyzes Greenpeace's litigation strategies in plastic policy advocacy in Indonesia and Thailand during the 2022–2025 period. Using the concepts of legal mobilization and Transnational Advocacy Networks (TAN), this qualitative study with a comparative approach explores how domestic law is utilized to drive environmental policy reform. The findings indicate that Greenpeace adapts its strategies based on the legal opportunity structures in each country. In Thailand, activism focused on waste management transparency through administrative legal mechanisms and advocacy for the PRTR Bill. Conversely, in Indonesia, strategies tended to be more confrontational, utilizing judicial review and citizen lawsuits to demand accountability from the state and corporations. This study concludes that the success of transnational advocacy heavily depends on the flexibility of actors in integrating international norms into specific national legal procedures.

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Introduction

The plastic pollution crisis has become one of the most pressing environmental challenges of the 21st century, threatening not only marine ecosystems but also human health and global economic

[1] Department of International Relations, Universitas Muhammadiyah Yogyakarta, Yogyakarta, Indonesia
[2] Department of International Relations, Universitas Muhammadiyah Yogyakarta, Yogyakarta, Indonesia

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sustainability. In Southeast Asia, Indonesia and Thailand rank as significant contributors to marine plastic pollution. Indonesia, with its high reliance on plastic in daily life, faces serious environmental and health impacts due to the accumulation of poorly managed plastic waste (Sari et al., 2022). Meanwhile, Thailand generates approximately 4.4 million tons of plastic waste annually, with 27% of it leaking into the environment due to inadequate waste management systems (Makarichi et al., 2025). In the context of this deepening crisis, various stakeholders, including international non-governmental organizations such as Greenpeace, have begun shifting their advocacy strategies from mere public awareness campaigns toward a more structured and legally-oriented approach. Greenpeace is leveraging the momentum of this crisis to push for government and corporate accountability through various instruments, including transnational litigation designed to force policy changes at the domestic level.

Greenpeace has long been known as a vocal transnational actor on environmental issues, including plastic pollution. In Indonesia, Greenpeace actively campaigns against plastic pollution through various platforms, including social media, with campaigns such as #Pantangplastik and #Breakfreefromplastic, which aim to raise public awareness and encourage behavioral change among the public (Sari et al., 2022). In addition to digital campaigns, Greenpeace Indonesia also employs narrative-based methods in its #NoPlastic campaign, such as interactive installations designed to engage the public emotionally and intellectually in understanding the plastic crisis and potential solutions (Zulkarnain & Florencia, 2024) . At the regional level, Greenpeace's anti-plastic activism in Indonesia and Malaysia reflects complex local political dynamics, where the organization must contend with powerful plastic industry interests as well as resistance from national governments (Dauvergne & Islam, 2023). However, as voluntary approaches and public campaigns increasingly fail to drive significant change, Greenpeace has begun integrating litigation strategies as a more binding and confrontational instrument of pressure.

The 2022–2025 period marks a significant milestone in global plastic governance, marked by the start of negotiations to formulate a legally binding global plastic treaty. These negotiations, initiated by the United Nations Environment Assembly (UNEA), reflect international recognition that plastic pollution has reached crisis levels requiring a collective and coordinated response (Barrowclough & Birkbeck, 2022). In this negotiation process, the principles of justice and human rights are central elements championed by various actors, including civil society organizations, to ensure that the resulting agreement is not only technically effective but also fair and inclusive (O'Meara, 2023). Furthermore, studies on existing plastic governance indicate that strengthening existing legal and institutional frameworks is a crucial step to support the implementation of a future global plastic agreement (Maes et al., 2023). In this context, Greenpeace is leveraging the momentum of international negotiations to pressure national governments, including those of Indonesia and Thailand, to align their domestic regulations with emerging global standards. Transnational litigation serves as a key instrument in this strategy, as it enables Greenpeace to bring domestic environmental issues to international forums and vice versa, thereby creating cross-border judicial pressure.

In Indonesia, the litigation strategy employed by Greenpeace reflects the characteristics of a legal system that is relatively open to public participation. Greenpeace Indonesia utilizes judicial review to challenge government policies or regulations deemed inconsistent with environmental protection principles, and supports citizen lawsuits as a mechanism to hold the government and corporations accountable for systemic failures in plastic waste management. These instruments are made possible by Law No. 32 of 2009 on Environmental Protection and Management (PPLH), which grants broad standing to the public and environmental organizations. Greenpeace's creative campaigns, such as the interactive installations in the #NoPlastic campaign, serve as tools for public mobilization that strengthen

the legitimacy of the legal claims filed by the " . Meanwhile, social media campaigns such as #Pantangplastik and #Breakfreefromplastic help build public awareness and moral support for ongoing litigation (Sari et al., 2022). This confrontational approach was chosen because Greenpeace Indonesia assesses that existing administrative channels and voluntary policies have not been effective enough in controlling the growth of national plastic waste, which continues to increase every year.

In Thailand, Greenpeace has adopted a different litigation strategy, one that focuses more on environmental data transparency and the right to public information. Thailand generates 4.4 million tons of plastic waste annually, and the inability of the existing waste management system to handle this volume has led to significant leakage into the environment (Makarichi et al., 2025). Faced with this reality, Greenpeace Thailand has intensified its advocacy for the passage of the Pollutant Release and Transfer Register (PRTR) Bill, which requires industries to report emissions and the transfer of hazardous waste to the public. This strategy leverages the administrative lawsuit mechanism through the Thai Administrative Court, established in 1999, which provides a relatively efficient litigation pathway for procedural cases such as denials of access to information. This procedural approach was chosen because Thailand's hierarchical legal system, which tends to avoid direct confrontation with the executive branch, makes substantive lawsuits that directly challenge policies unlikely to succeed. Greenpeace's experience in neighboring Malaysia, where anti-plastic activism faced strong political resistance from the government and the plastic industry (Dauvergne & Islam, 2023), served as a valuable lesson for Greenpeace Thailand in designing a more cautious yet effective strategy. By focusing on transparency and public participation, Greenpeace Thailand seeks to build a strong legal foundation for long-term environmental advocacy.

Based on a review of the existing literature, this study positions itself at the intersection of environmental activism and transnational legal mobilization. Previous studies have shown that Greenpeace employs various advocacy strategies, ranging from social media campaigns and interactive installations to political pressure on governments and corporations (Dauvergne, 2023b). However, analysis of how Greenpeace integrates litigation strategies specifically judicial review, citizen lawsuits, and administrative lawsuits as instruments of transnational pressure in Indonesia and Thailand remains very limited. Yet, amid intensifying negotiations on a global plastics treaty emphasizing the importance of justice, accountability, and strengthening legal frameworks (Maes et al., 2023), understanding the effectiveness of transnational litigation has become increasingly relevant and urgent. The main issue addressed in this study is how Greenpeace, as a transnational actor, adapts its litigation strategies based on the characteristics of the legal systems and the structure of political opportunities in Indonesia and Thailand during the 2022–2025 period. Thus, the focus of this article is: How does Greenpeace integrate international legal norms into its domestic litigation strategies in Indonesia and Thailand for the period 2022–2025?

Theoretical Framework

This study employs the concept of legal mobilization to explain how law is utilized as an instrument of policy change within the context of legal politics and international relations. Legal mobilization refers to the efforts of social actors to use legal mechanisms, whether through litigation or law-based advocacy to address injustices and drive policy reform (Handmaker & Taekema, 2023). Within this framework, the courts function not only as dispute resolution institutions but also as political arenas that facilitate the negotiation of interests and the formation of public policy. This concept also encompasses strategic litigation, which involves the selective use of legal cases to achieve broader impacts, such as regulatory changes and increased accountability of the state and corporations (Cebulak

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et al., 2024). However, its effectiveness is heavily influenced by legal opportunity structures, including access to the courts, institutional capacity, and the surrounding socio-political context (Fuchs, 2013). These factors determine the extent to which the law can be effectively mobilized as an advocacy tool. From an international relations perspective, legal mobilization refers to the role of transnational actors such as Greenpeace, which utilize domestic law as part of a global advocacy strategy (Hincapié, 2018). Through instruments such as judicial review, citizen lawsuits, and administrative mechanisms, Greenpeace seeks to pressure governments and corporations to strengthen plastic reduction policies. Thus, the law functions not only as a regulatory instrument but also as a means of transnational advocacy to drive more sustainable policy changes (Rucevska, 2024).

Methods

This study employs a qualitative method with a comparative approach to analyze Greenpeace's litigation strategies in Indonesia and Thailand regarding plastic policy advocacy during the 2022–2025 period. The choice of a comparative qualitative method is based on this approach's ability to deeply explore how transnational actors adapt their legal strategies to the characteristics of different domestic legal systems. The comparative approach in political science and international relations has long been recognized as an effective tool for understanding how institutional contexts and political cultures shape actor behavior and policy outcomes (Mahoney, 2007). In the context of this study, a comparative approach allows researchers to identify similarities and differences in Greenpeace's litigation strategies in Indonesia and Thailand, as well as the factors influencing the effectiveness of advocacy in each country. Furthermore, this approach is relevant for capturing the complexity of the relationship between legal opportunity structures and the tactical choices of transnational actors, which cannot be adequately explained through quantitative methods alone. Thus, the comparative approach serves as an appropriate methodological foundation for addressing the research question of how Greenpeace integrates international legal norms into domestic litigation strategies in both countries.

This study adopts Qualitative Comparative Analysis (QCA) as the primary analytical framework for comparing Greenpeace's litigation strategies in Indonesia and Thailand. QCA is a method specifically designed to analyze small to medium-sized samples by combining qualitative and quantitative elements to identify causal relationships among complex variables (Harris & Smith, 2024). This method emphasizes the complexity of causality and is particularly useful for understanding how specific conditions interact within different legal and policy contexts (Kane & Kahwati, 2022). In this study, QCA allows researchers to explore how variations in legal systems, access to courts, and political cultures in Indonesia and Thailand influence Greenpeace's litigation strategy choices. As noted by (Castillo-Ortiz, 2021). QCA has proven effective as an empirical method in international law research, including in studies of cross-border human rights litigation and environmental advocacy . The use of QCA in this study is also based on its ability to accommodate the complexity of causal patterns involving interactions between various explanatory conditions, which is highly relevant for understanding the adaptation of litigation strategies to diverse legal systems (Thomann, 2019).

The data used in this study consists of secondary data obtained from three primary sources. First, an advocacy report by Greenpeace Southeast Asia (2024) that includes campaign documentation, brand audit results, public petitions, and annual activity reports on Greenpeace's operations in Indonesia and Thailand. Second, policy documents and regulations on plastic reduction in both countries, including the Minister of Environment and Forestry Regulation (Permen LHK) No. 75 of 2019 in Indonesia and the Pollutant Release and Transfer Register (PRTR) Bill in Thailand. Third, relevant academic

literature, including journal articles on plastic governance in Southeast Asia, environmental activism, and transnational legal mobilization. The use of these diverse data sources aims to enhance the research's validity through source triangulation that is, by comparing information from various types of documents to ensure the consistency and accuracy of findings. This triangulation approach is crucial in comparative qualitative research to mitigate biases that may arise from reliance on a single type of data source. Additionally, the QCA method promotes the integration of qualitative insights with quantitative rigor, thereby enabling a holistic analysis of the advocacy reports, regulations, and academic literature collected (Damayanti et al., 2020).

Data analysis techniques were conducted using cross-case analysis and within-case analysis, which are hallmarks of comparative methodology. Cross-case analysis was used to identify common patterns and differences in Greenpeace's litigation strategies between Indonesia and Thailand, including the factors that determined the success or failure of advocacy in each country (Mahoney, 2007). Meanwhile, within-case analysis is applied to delve more deeply into the causal mechanisms behind strategic choices in each country, including how domestic legal frameworks shape the chosen litigation tactics (Thomann, 2019). To support a systematic analysis, this study also employs content analysis techniques on Greenpeace advocacy documents and plastic policy regulations. As recommended by (Ide & Mello, 2022) in studies on QCA in international relations , combining QCA with other qualitative methods such as content analysis can enhance the depth and reliability of research findings. This mixed-methods approach allows researchers not only to identify causal relationships between variables but also to understand the underlying mechanisms and processes. Thus, this research method provides a comprehensive understanding of the relationship between Greenpeace's transnational advocacy and domestic plastic reduction policies in Indonesia and Thailand during the 2022–2025 period.

Results and Discussions

This section presents research findings on how Greenpeace, as an international non-governmental organization (INGO), utilizes legal instruments to influence plastic policy in Southeast Asia. This analysis is grounded in the premise that the effectiveness of environmental advocacy depends not only on public campaign narratives but also on the ability of transnational actors to navigate domestic legal frameworks. The findings indicate a pattern of integration between global agendas such as initiatives toward a Global Plastics Treaty and specific legal strategies at the national level. The relationship between Greenpeace's position as a transnational actor and its litigation strategies in Thailand and Indonesia reflects the dynamics of a flexible "scale of advocacy." On the one hand, Greenpeace introduces international environmental standards and cross-border data into local legal forums. On the other hand, the implementation of these strategies has diversified.

1. Greenpeace as a Transnational Actor in Environmental Advocacy in Southeast Asia

Greenpeace acts as a transnational actor that links local environmental issues with global pressure through a multi-level advocacy strategy (Markham, 2013). The organization utilizes scientific research, public campaigns, direct action, and political pressure on governments and corporations to drive policy changes aimed at reducing plastic waste (Simmons, 2009). In Southeast Asia, Greenpeace has mobilized regional civil society on issues such as halting plastic waste imports and opposing greenwashing practices by multinational corporations (Malaysia, 2024). Greenpeace operates through regional networks in Bangkok and Jakarta that collaborate with local organizations, community groups, and other international actors (Hauger et al., 2014). This operational model reflects the characteristics of Transnational Advocacy Networks (TAN), in which non-state actors build cross-border networks to mutually reinforce pressure on states and corporations (Keck & Sikkink, 1998). 's ability to adapt to

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local political contexts and its use of digital platforms are key factors in the success of Greenpeace's transnational advocacy (Alam & Iqbal, 2025). One of Greenpeace's key strategies is the brand audit, a participatory method for identifying the companies that contribute the most to plastic pollution in a given location (Greenpeace Thailand, 2019). In Thailand, approximately 60 volunteers conducted a brand audit in Songkhla Province as part of the #BreakFreeFromPlastic movement (Thailand, 2019). The resulting data serves as an evidence-based advocacy tool to hold corporations accountable (Dauvergne, 2023).

Greenpeace also integrates market-based approaches with legal strategies. In the Philippines, the Kuha sa Tingi initiative replaces single-use plastic sachets with refill stations partnered with local stores, successfully reaching more than 2,000 stores and keeping over 3.9 million sachets out of circulation (Philippines, 2023). Greenpeace is also advocating for the strengthening of the ASEAN regional legal framework to address cross-border plastic pollution (Malaysia, 2024). This multi-front approach positions Greenpeace as a catalyst in the formation of global environmental norms that are internalized into the domestic policies of Southeast Asian nations (Dauvergne & Islam, 2023).

2. Comparison of Greenpeace's Litigation Strategies in Thailand and Indonesia

A comparative analysis shows that Greenpeace's litigation strategies in Thailand and Indonesia are influenced by differences in legal opportunity structures (LOS), which are the conditions that shape the opportunities and constraints for actors in using the law as a tool for advocacy (Fuchs, 2013). Recent studies on environmental legal mobilization in Southeast Asia confirm that variations in domestic legal structures are the primary predictors of differences in the litigation strategies of transnational NGOs (Wang, 2023). As summarized in Table 1, there are fundamental differences between Indonesia and Thailand regarding the legal instruments used, strategic orientation, key achievements, and obstacles faced. Indonesia tends to use substantive instruments such as judicial review and citizen lawsuits, which are confrontational in nature, while Thailand focuses more on administrative litigation and legislative advocacy, which are procedural and collaborative in nature. These differences are not coincidental but rather represent Greenpeace's adaptive response to the characteristics of the legal systems and political cultures in each country (Bedner & Berenschot, 2023).

Table 1. Comparison of Greenpeace's Litigation Strategies in Indonesia and Thailand

Comparison Aspects	Indonesia	Thailand	Similarities	Key Differences
Key Legal Instruments	Judicial Review, Citizen Lawsuit (Environmental Protection Act No. 32/2009)	Administrative Litigation (Administrative Court Act 1999), PRTR advocacy	Both utilize domestic legal mechanisms	Indonesia: substantive; Thailand: procedural/transparency
Strategic Orientation	Substantive policy changes, producer accountability	Transparency of pollutant data, environmental information disclosure	Both focus on accountability	Indonesia is more confrontational; Thailand is more collaborative

Comparison Aspects	Indonesia	Thailand	Similarities	Key Differences
Key Achievements (2022–2025)	Danone-Bali EPR citizen lawsuit (2023); 100+ local plastic regulations	PRTR court ruling (2023); 12,165 petition signatures; PRTR draft passed by parliament (Sept 2025)	Both result in changes to policy norms	Thailand enacts new legislation; Indonesia expands local regulations
Key Challenges	Limited judicial capacity, inconsistent rulings, scientific evidence	Corporate SLAPPs: Procedural vs. Substantive Approaches	The resource gap between NGOs and corporations	Indonesia: implementation barriers; Thailand: mandatory limitations
Legal Opportunity Structure	Broad formal space, weak implementation (World Bank, 2021)	Structured administrative system, hierarchical legal culture	Both have different opportunity structures but can be leveraged	Thailand is more procedural; Indonesia is more substantive but inconsistent

Source: Compiled from various sources (Greenpeace SEA, 2024; EJF, 2025; World Bank, 2021)

The data in Table 1 show that although Greenpeace employs the same global campaign, the legal strategies it implements are adapted to the political landscape in each country. In Thailand, limitations on the use of substantive litigation led Greenpeace to focus more on administrative transparency and legislative advocacy. Conversely, in Indonesia, a more open legal landscape allowed for the use of more aggressive and diverse litigation strategies. These differences will be explored in greater depth in the following subsections.

a. Greenpeace's Legal Activism in Thailand

In Thailand, Greenpeace has adopted a relatively limited yet strategic litigation approach, with a primary focus on enhancing transparency and accountability in environmental management. This strategy makes extensive use of administrative legal mechanisms, which allow civil society organizations to file lawsuits against government actions or omissions regarding plastic waste management. This approach was chosen because Thailand's legal system, through the Administrative Court established in 1999, provides a relatively efficient and low-cost avenue for challenging government decisions deemed to violate the public's right to environmental information (Bedner & Berenschot, 2023). Thailand currently lacks a PRTR system, so information on the types and quantities of pollutants released into the environment from industrial facilities and other sources is not publicly available (Earth Thailand, 2024). This context serves as a key backdrop for why Greenpeace Thailand chose PRTR bill advocacy as the primary entry point for their litigation strategy, as reflected in Table 1 under the columns for legal instruments and strategic orientation in Thailand.

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One of the key successes of Greenpeace Thailand's administrative litigation strategy occurred in June 2023, when the organization, together with Ecological Alert and Recovery Thailand (EARTH), successfully secured a court ruling requiring the Department of Primary Industries and Mining to release data on plastic waste imports from 2018 to 2022 (Marks, 2022). In August 2023, a Thai court ruled that the Ministry of Industry must implement a Pollutant Release and Transfer Register (PRTR), directing industrial plants and polluting companies to follow protocols to regulate their PM2.5 emissions in accordance with the WHO's global standards. This ruling set an important precedent as it marked the first time the public's right to access environmental data was judicially recognized, overruling the "trade secret" claims long invoked by the government and corporations. This success paved the way for broader legislative advocacy, which subsequently culminated in the passage of the PRTR bill in the Thai parliament (Asia, 2024), as noted in Table 1 as a major achievement for Thailand.

In addition to administrative litigation, Greenpeace Thailand has been actively advocating for the passage of the PRTR Bill, which would require industries to report emissions and the movement of hazardous waste. This strategy combines legal pressure with mass public mobilization. On February 14, 2024, Greenpeace Thailand, together with EARTH and EnLaw, submitted a public petition that successfully gathered 12,165 signatures from all provinces in Thailand (Post, 2024). As shown in Table 2, the distribution of signatures indicates that the greatest support came from urban and industrial areas, with Bangkok contributing 4,521 signatures (37.2%), followed by Chiang Mai (15.4%), Nonthaburi (10.2%), Samut Prakan (8.1%), and Pathum Thani (7.2%). This success surpassed the minimum threshold of 10,000 signatures required to submit a petition to the Thai House of Representatives (Asia, 2024). On September 5, 2024, the Thai parliament approved the PRTR Bill in its first reading with 434 votes in favor, 4 abstentions, and 4 not voting (Post, 2024). Subsequently, a 39-member special committee was formed to review and refine the legislation before the second and third readings (Asia, 2024).

Table 2. Distribution of Petitions Regarding the Thai PRTR Bill (2024)

Province	Number of Signatures	Percentage
Bangkok	4,521	37.2%
Chiang Mai	1,876	15.4%
Nonthaburi	1,234	10.2%
Samut Prakan	987	8.1%
Pathum Thani	876	7.2
Others (72 provinces)	2,671	22.0
Total	12,165	100

Source: Greenpeace Southeast Asia (2024)

The data in Table 2 show that public participation is not only concentrated in the capital but is also significant in industrial provinces such as Samut Prakan and Pathum Thani, which serve as industrial hubs for Bangkok. This reflects that communities living near industrial zones have a direct awareness of and stake in the issue of data transparency regarding pollutants (Asia, 2024). The PRTR Bill is designed to close gaps in the existing system, as currently, pollutant information is only required for the Map Ta Phut industrial zone based on a 2009 court ruling, and the reported data is not available to the public (Earth Thailand, 2024). In fact, PRTR has been implemented in more than 50 countries, including Australia, Japan, the U.S., and the U.K., and is a key requirement for countries seeking to align with the OECD (Post, 2024). The success in bringing this issue to the legislative level demonstrates

the effectiveness of Greenpeace Thailand's approach, which combines administrative litigation with legislative advocacy based on mass public mobilization, while also confirming the procedural nature of Thailand's LOS as described in Table 1.

Despite various procedural victories, Greenpeace Thailand's legal activism has not been without obstacles. Procedural challenges remain, including the dissolution of parliament in December 2025, which temporarily halted the legislative process for the Pollutant Release and Transfer Register (PRTR) Bill (Isranews, 2026). Following the formation of a new government, a civil society network led by Greenpeace Thailand, EARTH, and EnLaw continued to pressure the government to prioritize the PRTR Bill, emphasizing its importance for Thailand's accession to the OECD and effective pollution management (Isranews, 2026). These obstacles align with the observations in Table 1 that Thailand faces mandatory limitations and procedural approaches that do not always directly alter industrial behavior. Despite these challenges, the success achieved so far underscores that PRTR is not merely an environmental issue but a fundamental instrument for human rights, transparency, and democratic governance a valuable lesson for all of Southeast Asia.

b. Greenpeace's Legal Activism in Indonesia

Unlike in Thailand, Greenpeace in Indonesia employs a more diverse and confrontational litigation strategy. One of the main approaches is judicial review, which is used to challenge government policies or regulations deemed inconsistent with the principle of environmental protection (Clausager, 2025). This strategy reflects the greater scope within Indonesia's legal system for civil society to challenge public policies through constitutional mechanisms. Law No. 32 of 2009 on Environmental Protection and Management (PPLH) explicitly grants the right to sue to environmental organizations and the public under Articles 65 and 91. As noted in Table 1, Indonesia possesses substantive legal instruments such as judicial review and citizen lawsuits, reflecting a strategic orientation toward substantive policy change and producer accountability. Greenpeace also supports the use of citizen lawsuits as a instrument to hold the government accountable for environmental management, enabling citizens to file lawsuits based on the public interest (Syarifuddin et al., 2020). This relatively open legal context explains why Greenpeace Indonesia chose a more confrontational litigation approach compared to the procedural strategies used in Thailand.

One of the key successes of Greenpeace Indonesia's litigation strategy was the citizen lawsuit filed with the Denpasar District Court in 2023. In December 2023, the Denpasar District Court issued a ruling that, although it technically dismissed the citizen lawsuit on grounds of lack of legal standing, the judge included an obiter dictum (a non-binding legal statement carrying moral weight) requiring manufacturers, particularly Danone-Aqua, to establish a packaging collection and recycling system in the Bali region. Although it lacks direct enforceability, this ruling created a significant impact at the local policy level. As summarized in Table 3, there was a surge in the issuance of local regulations on plastic reduction following the ruling. In 2020, prior to the Denpasar ruling, there were only 12 local regulations on plastic reduction across Indonesia. This number increased to 31 local regulations in 2023 and 28 in 2024, bringing the cumulative total to 113 by the end of 2024. This data indicates that the indirect impacts of litigation—such as media pressure, public attention, and local policy incentives—have proven to be significant (Clausager, 2025; Hartiwiningsih et al., 2023).

Table 3. Development of Local Regulations on Plastic in Indonesia (2020–2024)

Year	Number of New Local Regulations	Total Accumulation	Provinces with the Most Regulations
2020	12	12	Jakarta, Bali

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2021	18	30	West Java, East Java
2022	24	54	Bali, Central Java
2023	31	85	South Sulawesi, West Sumatra
2024	28	113	East Kalimantan, Yogyakarta Special Region

Source: Ministry of Environment and Forestry (2024); Indonesian Center for Environmental Law (2024)

In addition to litigation, Greenpeace Indonesia also uses market-based campaigns to pressure corporations. A study by the " shows that Greenpeace's campaign against Nestlé successfully prompted the company to change its policy and stop purchasing palm oil products from companies linked to deforestation. This demonstrates Greenpeace's positive impact in reducing deforestation in Indonesia while strengthening corporate accountability. Greenpeace Youth Indonesia (GYI) also plays a role in engaging the younger generation through direct campaigns, protests, and the mobilization of young activists to raise awareness about climate change and its impacts on society (Alam, 2020, 2021). This multi-front approach combines litigation, public campaigns, youth mobilization, and market pressure within a single integrated advocacy framework.

However, legal activism in Indonesia faces significant challenges, including the threat of Strategic Lawsuits Against Public Participation (SLAPP). Research by the Center for Environmental Law (2023), indicates that legal protections for environmental activists in Indonesia remain inadequate, necessitating legal system reforms to prevent SLAPP and support more effective environmental advocacy. These obstacles are reflected in Table 1 under the column for Indonesia's main obstacles: limited judicial capacity, inconsistent rulings, and costly scientific evidence. As noted in Clausager (2025), although the Supreme Court ruled against an incinerator project in 2016, the government proceeded with the project anyway, sparking further protests. This phenomenon confirms that in Indonesia, despite a broad formal space for litigation, the implementation of law enforcement remains weak and inconsistent. Thus, the success of environmental litigation in Indonesia is not always measured by favorable court rulings, but by the extent to which the lawsuit is able to shift public discourse, create political pressure, and ultimately drive sustainable policy reform (Hartiwiningsih et al., 2023; Syarifuddin et al., 2020).

c. Comparative Analysis

The differences in the litigation strategies employed by Greenpeace in Thailand and Indonesia reflect how legal opportunity structures (LOS) in each country shape the tactical choices of transnational actors. As noted in (Clausager. (2025), civil society organizations in Southeast Asia tend to use litigation to resolve specific conflicts rather than to drive major policy changes; however, Greenpeace demonstrates the opposite by using litigation as a systematic policy advocacy tool. In Thailand, a hierarchical legal system that tends to avoid direct confrontation with the executive branch has led Greenpeace to focus its advocacy on procedural avenues, namely administrative litigation and legislative advocacy for the PRTR Bill. Conversely, in Indonesia, a more open legal space thanks to Law No. 32 of 2009 on Environmental Protection and Management (PPLH) provides an opportunity for Greenpeace to employ more confrontational strategies, such as judicial review and citizen lawsuits (Trang et al., 2025). This difference demonstrates that the success of legal mobilization is not determined solely by the strength of advocacy actors, but also by the extent to which the domestic legal system provides access, instruments, and protections for public litigation. As summarized in Table 4,

there are fundamental differences between Greenpeace's approaches in Indonesia and Thailand, reflecting adaptations to the characteristics of each country's legal system.

Table 4. Comparative Analysis of Greenpeace's Litigation Strategies in Indonesia and Thailand

Dimensions of Comparison	Indonesia	Thailand
Characteristics of the Legal System	Extensive formal space, weak implementation, open but inconsistent legal culture (World Bank, 2021)	Structured administrative system, hierarchical legal culture, limited but effective procedural access (Bedner & Berenschot, 2023)
Key Litigation Strategies	Judicial review and citizen lawsuits (confrontational)	Administrative litigation and legislative advocacy (procedural/collaborative)
Strategic Focus	Substantive policy changes and producer accountability	Transparency of pollutant data and environmental information disclosure
Direct Impact	Danone-Bali obiter dictum ruling (2023)	The PRTR court ruling (2023) requiring the Ministry of Industry to implement the PRTR
Indirect Impacts	113 plastic-related local regulations (2020–2024); an increase in citizen lawsuits from 4 (2019) to 14 (2024)	12,165 petition signatures; the draft PRTR bill was passed by parliament (Sept. 2024)
Key Challenges	Limited judicial capacity, inconsistent rulings, costly scientific evidence	Corporate SLAPPs, procedural approaches that do not directly change industry behavior
Formal Success Rate	Low (~30% of lawsuits won)	High for procedural cases
Framing Effectiveness	High (shifts public discourse and local policy)	High (opening access to information and new legislation)

Sources: (Bedner & Berenschot, 2023) (Vanhala, 2022) (World Bank, 2021)

In terms of strategic orientation, the findings indicate that Greenpeace Thailand focuses more on transparency regarding pollutant data and environmental information, while Greenpeace Indonesia adopts a more substantive approach by directly targeting policy change. (Vanhala, 2022), in his study on environmental legal mobilization explains that this difference in orientation is heavily influenced by the structure of legal opportunities in each country. In Thailand, limited yet effective procedural access encourages Greenpeace to use administrative litigation as an entry point for legislative advocacy, as reflected in the success of the PRTR Bill. Conversely, in Indonesia, a broad substantive scope but inconsistent enforcement led Greenpeace to use citizen lawsuits and judicial review as instruments to generate public pressure and drive policy reform at the local level, as seen in the issuance of 113 local regulations on plastic reduction following the Denpasar ruling. This difference confirms that the effectiveness of litigation is not only measured by victories in court, but also by indirect impacts in the form of changes in discourse and policy (Trang et al., 2025).

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From the perspective of Transnational Advocacy Networks (TAN) and the "boomerang" pattern described in (Keck & Sikkink, (1998), both of Greenpeace's strategies demonstrate how international pressure can be leveraged to strengthen domestic advocacy. In Thailand, Greenpeace leveraged the momentum of negotiations for the Global Plastic Treaty under the auspices of UNEP to pressure the Thai government into adopting higher transparency standards through the PRTR Bill. Reports on Thailand's non-compliance with international plastic waste management practices were presented at global forums, which then "bounced back" to the domestic level and strengthened the position of local activists in their negotiations with parliament. In Indonesia, the boomerang effect also occurs, but with the addition of market-based advocacy, where global campaigns targeting investors and the supply chains of plastic companies (such as the pressure on Danone-Aqua following the Denpasar ruling) create economic pressure that complements legal pressure. (Bedner & Berenschot, (2023), note that the effectiveness of litigation strategies in Southeast Asia depends heavily on the ability of civil society organizations to build cross-sectoral alliances, which in the case of Greenpeace Indonesia includes alliances with ICEL, local communities, and international networks. This distinction demonstrates that Greenpeace's flexibility in combining legal, political, and economic avenues is key to the success of transnational advocacy in the Southeast Asian region.

Overall, this comparative analysis confirms that the strategic litigation conducted by Greenpeace in Indonesia and Thailand cannot be separated from the institutional context, legal culture, and political landscape of each country. In Thailand, a procedural approach succeeded in opening access to public information and driving discussion of the PRTR bill in parliament, despite facing challenges in the form of a SLAPP countersuit from the petrochemical corporation (Bedner & Berenschot,(2023). In Indonesia, a confrontational approach succeeded in leading to the issuance of 113 local regulations on plastic reduction by the end of 2024, as well as an increase in the number of environmental citizen lawsuits from 4 cases in 2019 to 14 cases in 2024. This phenomenon reinforces the argument (Vanhala,(2022), that legal mobilization is often more effective as a tool for framing and agenda-setting than as a mechanism for direct correction of corporate behavior, particularly in Global South countries. This study also confirms the findings of " , that the effectiveness of environmental law in Southeast Asia is heavily influenced by domestic law enforcement capacity and political commitment. Thus, the success of transnational advocacy is not measured solely by victories in court, but by the extent to which such litigation can shift public discourse, create political pressure, and ultimately drive sustainable policy reform an important lesson for environmental movements across the Southeast Asian region (Alam, 2020, 2021).

Conclusion

This study concludes that during the 2022–2025 period, Greenpeace has successfully positioned itself as a crucial transnational actor in shaping plastic policy in Indonesia and Thailand through adaptive legal mobilization strategies. The findings indicate that Greenpeace did not employ a uniform litigation strategy in both countries but instead engaged in tactical adaptation based on the characteristics of legal opportunity structures within each jurisdiction. In Thailand, the hierarchical legal system which tends to avoid direct confrontation with the executive branch prompted Greenpeace to focus its advocacy on procedural avenues, namely administrative litigation and legislative advocacy for the PRTR Bill. The success of this strategy is reflected in a court ruling that compelled the government to release data on plastic waste imports, as well as the Thai parliament's approval of the PRTR bill draft in September 2024, backed by 12,165 petition signatures. In contrast, in Indonesia, a more open legal landscape thanks to Law No. 32 of 2009 on Environmental Protection and Management (PPLH) has

provided Greenpeace with the opportunity to employ more confrontational strategies, such as judicial review and citizen lawsuits. This approach resulted in an obiter dictum ruling from the Denpasar District Court requiring manufacturers to establish recycling systems, which subsequently triggered a domino effect leading to the issuance of 113 local regulations on plastic reduction by the end of 2024, as well as an increase in the number of environmental citizen lawsuits from 4 cases (2019) to 14 cases (2024).

From a theoretical perspective, this study underscores the relevance of combining the Legal Mobilization framework with Transnational Advocacy Networks (TAN) to understand the dynamics of the judicialization of environmental politics in Southeast Asia. Both of Greenpeace's strategies exhibit a "boomerang" pattern, in which international pressure from the Global Plastic Treaty negotiations is leveraged to strengthen domestic advocacy. In Thailand, international pressure "bounced back" to the domestic level and strengthened the position of local activists in negotiating with parliament, while in Indonesia, the boomerang pattern occurred with the addition of market-based advocacy, which created economic pressure to complement legal pressure. Although the formal success rate of lawsuits in Indonesia remains low (around 30%), indirect impacts such as media pressure, public attention, and local policy momentum have proven significant. This phenomenon confirms that in the Global South, legal mobilization is often more effective as a tool for framing and setting the agenda than as a direct mechanism for correcting corporate behavior. This study suggests the need for further research in other ASEAN countries to map the future implementation of the Global Plastic Treaty through domestic legal channels, given that the success of transnational advocacy is not solely measured by victories in court, but by the extent to which such litigation can shift public discourse, create political pressure, and drive sustainable policy reform.

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