

DAFTAR PUSTAKA

BUKU

- Aaron Schwabach. 2006. *International Environmental Dispute*. ABC CLIO. Santa Barbara/Denver/Oxford.
- Andri G. Wibisana, 2017, *Penegakan Hukum Lingkungan Melalui Pertanggungjawaban Perdata*, Badan Penerbit FHUI
- Combacau & D. Alland, 1985, "Primary" and "Secondary" Rules in the Law of State Responsibility: Categorizing International Obligations", 26 NETH.YEARB. OF INT. LAW 81
- Cut Era Fitriyeni. 2010. *Penyelesaian Sengketa Lingkungan Hidup Melalui Pengadilan*. KANUN No. 52. Jakarta.
- Daniel Bodansky, 2016, *The Paris Agreement: A New Hope?*, American Journal of International Law
- Daniel Klein and others. 2017. *The Paris Agreement on Climate Change: Analysis and Commentary*. Oxford University Press. United Kingdom.
- Edith Brown Weiss, 1995, *Environmental Equity: The Imperative for the Twenty-first Century*, in *Sustainable Development and International Law*, London, Martinus Nijhoff Publisher
- George Pring dan Catering Pring, 2016, *Environmental Courts & Tribunals: A Guide for Policy Makers* (Nairobi: United Nations Environment Programme)
- Halldor Thorgeirsson, "Objective (Article 2.1)' in Daniel Klein and others (eds), *The Paris Agreement on Climate Change: Analysis and Commentary*
- Halldor Thorgeirsson. "Objective (Article 2.1)' in Daniel Klein and others (eds), *The Paris Agreement on Climate Change: Analysis and Commentary*. 2017. Oxford University Press. United Kingdom.
- Kulesza J, 2016, *Due Diligence in International Law*, Brill Nijhoff, Boston.

- Maurice Sunkin, David M. Ong & Robert Wight. 2002. Sourcebook on Environmental Law, Second Edition. Cavendish Publishing Limited. London, Sydney.
- Menno T. Kamminga. 2003. Principles of International Law. Butterworth Heinemann. Oxford.
- Muhammad Akib. 2014. Hukum Lingkungan Perspektif Global dan Nasional. Rajawali Pers. Jakarta.
- N.H.T. Siahaan. 2009. Hukum Lingkungan. Pancuran Alam. Jakarta
- Peel dan Osofsky. 2015. Climate Change Litigation. Cambridge University Press.
- Pieter Glasbergen & Andrew Blower (Editors). 1996. Environmental Policy in an International Context Perspective. United Kingdom. The Netherlands.
- Pisillo-Mazzeschi R, 1992, The Due Diligence Rule and the Nature of International Responsibility of States, German Yearb International Law 35:9-51
- Rebecca M.M. Wallace. 2002. International Law, Fourth Edition. Thomson Sweet & Maxwell. London.
- Robert Jennings dan Arthur Watts, ed., 1996, Oppenheim's International Law (New York: Longman)
- Seorjono Seokanto & Sri Mamudji. 2003. Penelitian Hukum Normatif: Suatu Tinjauan Singkat, PT. Raja Grafindo Persada. Jakarta.
- Serleyeti Pulu, Fitriani Sunarto, Fahd Riyadi, Buku Saku Prinsip-Prinsip Panduan untuk Bisnis dan Hak Asasi Manusia: Kerangka Perserikatan Bangsa-Bangsa "Perlindungan, Penghormatan dan Pemulihan"
- Supart Wijoyo, A'an Efendi. 2007. Hukum Lingkungan Internasional. Sinar Grafika. Jakarta.
- Syamsul Arifin. 2012. Hukum Perlindungan dan Pengelolaan Lingkungan Hidup di Indonesia. PT. Sofmedia. Jakarta.

Yordan Gunawan. 2021. Introduction to Indonesian Legal System. UMY Press. Yogyakarta.

Yoshiro Matsui, 1993, The Transformation of the Law of State Responsibility, 20 THES.ACROASIUM 5,6

JURNAL

Andronico O. Adede. The Treaty System from Stockholm (1972) to Rio de Janeiro (1992), Pace Environmental Law Review. Volume 13, Fall 1995, Number 1.

Barnidge RP Jr, Non-State Actor and Terrorism: Applying the Law of State Responsibility and Due Diligence Principle, TMC Asser Press

Barnidge RP Jr, The Due Diligence Principle Under International Law, International Community Law Review

Charlotte Streck, Paul Keenlyside, Moritz Von Unger, 2016, The *Paris Agreement: A New Beginning*, Journal for European Environmental & Planning Law 13

Daniel A. Farber, 2011, Standing on Hot Air American Electric Power and the Bankruptcy of Standing Doctrine, the Yale Law Journal Online, vol. 121

Daniel Klein and others, 2017, *The Paris Agreement on Climate Change: Analysis and Commentary*, Oxford University Press

Dina Labiba dan Wisnu Pradoto, 2018, Sebara Emisi CO₂ dan Implikasinya Terhadap Penataan Ruang Area Industri di Kenal, Jurnal Pengembangan Kota, Vol. 6 No. 2

Edy Siregar, Pencemaran Udara, Respon Tanaman dan Pengaruhnya Pada Manusia, Jurnal Fakultas Pertanian Universitas Sumatera Utara

Eike Albrecht, International Environmental Law, Centre for Law and Administrative Science BTU Cottbus, Lecture No, 410441=ERM BA 0404

- Farhana Yamin, Joanna Depledge, 2004, *The International Climate Change Regime: A Guide To Rules, Institutions and Procedures*, Cambridge University Press
- Gasser, T., Guivarch, C., Tachiiri, K., Jones, C.D., Ciais P., *Negative Emissions Physically Needed To Keep Global Warming Below 2°C*, 6 *Nature Communications* (2015)
- Geetanjali Ganguly, et. al, 2018, "If at First You Don't Succeed: Suing Corporations for Climate Change", *Oxford Journal of Legal Studies*, Vol. 38, No. 4
- Ghozali, A., Pamungkas, A & Santoso B., 2015, *Faktor Keseimbangan Lingkungan Terhadap Emisi Gas CO₂ di Wilayah Perkotaan Gresik*.
- H.J. Mukono, *Pencemaran Udara dan Pengaruhnya Terhadap Gangguan Saluran Pernapasan*, Airlangga University Press
- Hisashi Owada. *International Environmental Law and the International Court of Justice*, *Iustum Aequum Salutare*. Volume 2. 2006.
- Ian R. Curry, 2019, *Establishing Climate Change Standing: A New Approach*, *Pace Environmental Law Review*, vol. 36 no. 2
- Indah Sari. *Sengketa Lingkungan Hidup Dalam Perspektif Hukum Perdata Lingkungan*, *Jurnal Ilmiah Hukum Dirgantara*. Vol. 7 No.1, 2016
- Jainal Abidin, Ferawati Artauli Hasibuan. 2019, *Pengaruh Dampak Pencemaran Udara Terhadap Kesehatan Untuk Menambah Pemahaman Masyarakat Awam tentang Bahaya Polusi Udara*, *Prosiding Seminar Nasional*, Pekanbaru
- James Crawford, 2013, Ch. 1 *Historical Development*, Part 1, *STATE RESPONSIBILITY: THE GENERAL PART 3*, Cambridge Univ. Press, hlm. 114; *ARSIWA Commentary*, Ch. II
- Lakshman Guruswamy, *State Responsibility in Promoting Environmental Corporate Accountability*, *Fordham Environmental Law Review*, 2010

- Lavanya Rajamani. *Ambition and Differentiation in the 2015 Paris Agreement: Interpretative Possibilities and Underlying Politics*. Volume 65 No. 493. 2016.
- Longobardo M, 2019, *The Relevance of the Concept of Due Diligence for International Humanitarian Law*. *Wis International Law*
- Melda Kamil A. Ariadno. *Prinsip-Prinsip Hukum Lingkungan Internasional*. Volume 2 No. 2. 1999.
- Muzakkir Abubakar. *Hak Mengajukan Gugatan Dalam Sengketa Lingkungan Hidup*, *Kanun Jurnal Hukum*. Vol. 21 no. 1, April 2019.
- N. Jagers, 2002, *Corporate Human Rights Obligations: In search of Accountability* (Antwerpen: Intersentia)
- Nunuj Nurdjanah, *Emisi CO₂ Akibat Kendaraan Bermotor di Kota Denpasar*, *Puslitbang Perhubungan Darat dan Perkeretapihan*
- Patrick Toussaint, 2020, *Loss and Damage and Climate Litigation: the Case for Greater Interlinkage*, *Review of European Community, Comparative & International Environmental Law*, vol. 001
- Peters A, Krieger H, Kreuzer L, *Due Diligence in the International Legal Order: Dissecting the leit-motif of Current Accountability Debate*, Oxford University Press, Oxford
- Philippe Sands *et.al*, 2018 *Principles of International Environmental Law*, Cambridge University Press
- Princiotta Frank, 2009, *Global Climate Change and the Mitigation Challenge 59*, *Journal of the Air & Waste Management Association*
- Robert McCorquodale, Penelope Simons, 2007, *Responsibility Beyond Borders: State Responsibility for Extraterritorial Violations by Corporations of International Human Rights Law*, Blackwell Publishing
- Rypdal, K., Paciornik, N., Eggleston, S., Goodwin, J., Irving, W., Penman, J., & Woofield, 2006, Chapter 1 Introduction to the 2006 Guidelines. 2006 IPCC Guidelines for Greenhouse Gas Inventories.

Schmitt MN, 2015, In Defense of Due Diligence in Cyberspace, Yale Law Journal Forum 125:68-81

Vanessa S.W. Tsang, 2021, Establishing State Responsibility in Mitigating Climate Change under Customary International Law, L.L.M Essays & Theses. Columbia Law School

Zefanya Albrena Sembiring, Audi Gusti Baihaqie, 2020, Litigasi Perubahan Iklim Privat di Indonesia: Prospek dan Permasalahannya, Jurnal Hukum Lingkungan Indonesia, Vol. 7 No. 1

BERITA DAN ARTIKEL

Badan Perencanaan Pembangunan Nasional (Bappenas) Deputi Bidang Sumber Daya Alam dan Lingkungan Hidup, Pedoman Teknis Perhitungan Baseline Emisi Gas Rumah Kaca Sektor Berbasis Energi

Carbon Brief: Clear on Climate, 'Carbon Countdown, Analysis: Just Four Years Left of the 1.5°C Carbon Budget' (5 April 2017)
<https://www.carbonbrief.org/analysis-four-years-left-one-point-five-carbon-budget>

Eike Albrecht, International Environmental Law, Centre for Law and Administrative Science BTU Cottbus, Lecture No, 410441=ERM BA 0404

Intergovernmental Panel on Climate Change, *Contribution of Working Group I, In Climate Change 2007; Synthesis Report*. Contribution of Working Group I, II, and III to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change 665 (Pachuari, R.K and Reisinger, A. eds 2007)
<https://www.ipcc.ch/report/ar4/syr/>

International Law Association Study Group on Due Diligence in International Law, Second Report, 12 July 2016, <https://www.ila-hq.org/index.php/study-groups?study-groupsID=63>

Joana Setzer dan Rebecca Byrnes, "Global Trends in Climate Change Litigation: 2020 Snapshot" <https://www.lse.ac.uk/granthaminstitute/wp-content/uploads/2020/07/Global-trends-in-climate-change-litigation-2020-snapshot.pdf>

Kementerian Lingkungan Hidup. 2011, Indonesia Fuel Quality Monitoring, Jakarta.

Nationally Determined Contributions Registry, <https://unfccc.int/NDCREG>
Oil and Gas IQ, <https://www.oilandgasiq.com/strategy-management-and-information/articles/oil-and-gas-companies>

Sabin Centre for Climate Change, "Parents for Future Brazil v. State Government of Sao Paulo", http://climatecasechart.com/climate-change-litigation/wp-content/uploads/sites/16/non-us-case-documents/2020/20200925_13383_complaint-1.pdf

The Inventory of Conflict and the Environment, <http://gurukul.ucc.american.edu/ted/ice/ice.htm>

U.S.E.P.A, Global Emissions by Gas, Global Greenhouse Gas Emission Data, GREENHOUSE GAS EMISSION <https://www.epa.gov/ghgemissions/global-greenhouse-gas-emissions-data>

UNFCCC, Climate Action, <https://www.un.org/en/climatechange/paris-agreement-diakses-15-Juni-2022>.

UNFCCC, The Katowice Climate Package: Making the *Paris Agreement* Work for All, <https://unfccc.int/process-and-meetings/the-paris-agreement/katowice-climate-package>

United Nations Environment Programme, Register of International Treaties and other Agreements in the Field of Environment (Nairobi: United Nations Environment Programme, 2005)

United Nations Environmental Programme, Global Climate Litigation Report: 2020 Status Review.
<https://wedocs.unep.org/handle/20.500.11822/34818;jsessionid=76438D16E58A1363BB4C4D1C93FD5972>

United Nations Framework Convention on Climate Change (UNFCCC), Historic *Paris Agreement* on Climate Change: 195 Nations Set Path to Keep Temperatur Rise Well Below 2 Degrees Celsius, <https://unfccc.int/news/finale-cop21>

United Nations Human Rights, Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework

Update of the NDC of the European Union and its Member States, https://unfccc.int/sites/default/files/NDC/2022-06/EU_NDC_Submission_December%202020_0.pdf

Urgenda Foundations, “Summons in the Case: Urgenda Foundation v. Kingdom of the Netherlands”, <https://www.urgenda.nl/wp-content/uploads/Translation-Summons-in-case-Urgenda-v-Dutch-State-v.25.06.10.pdf>

INSTRUMEN HUKUM NASIONAL

Peraturan Mahkamah Agung (PERMA) RI No. 1 Tahun 2002 Tentang Acara Gugatan Perwakilan Kelompok, Pasal 1 huruf a.

Peraturan Menteri Lingkungan Hidup No. 7 Tahun 2014 tentang Kerugian Lingkungan Hidup Akibat Pencemaran dan/atau Kerusakan Lingkungan Hidup

Undang-Undang No. 17 Tahun 2004 tentang Pengesahan *Kyoto Protocol to the United Nations Framework Convention on Climate Change* (Protokol Kyoto Atas Konvensi Kerangka Kerja Perserikatan Bangsa-Bangsa Tentang Perubahan Iklim)

Undang-Undang No. 6 Tahun 1994 tentang Pengesahan United Nations Framework Convention on Climate Change

Undang-undang Republik Indonesia Nomor 32 Tahun 2009 Tentang Perlindungan dan Pengelolaan Lingkungan Hidup

INSTRUMEN HUKUM INTERNASIONAL

Deklarasi Stockholm

International Law Commission (ILC), “Draft Articles on Responsibility of States for Internationally Wrongful Acts”, in ILC, *Report of the International Law*

Commission on the Work of its Fifty-Third Session UN GAOR, 56th Sess, Supp No 10, p43, UN Doc A/56/10 (2001).

International Law Commission, Draft Articles on Responsibility of States for Internationally Wrongful Acts, 2001, UN Doc A/56/83

Kyoto Protocol

Paris Agreement

Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU

UNFCCC, Decision 1/CP.21, "Adoption of the *Paris Agreement*" (29 January 2016) FCCC/CP/2015/10/Add 1, 2, Annex: *Paris Agreement*

United Nations Code of Conduct on Transnational Corporations

United Nations Framework Convention on Climate Change

PUTUSAN PENGADILAN NASIONAL

Putusan Mahkamah Agung Nomor 1554 K/Pid.Sus/2015.

Pengadilan Negeri Kota Samarinda, Putusan No. 55/Pdt.G/2013/PN.Smda.

Putusan Pengadilan Negeri Meulaboh Nomor 131/Pid.B/2013/PN.MBO.

Putusan Pengadilan Tinggi Banda Aceh Nomor 201/PID/2014/PT BNA.

PUTUSAN PENGADILAN LUAR NEGERI

Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, ICJ Report, 1996

Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia & Herzegovina v. Serbia & Montenegro), Judgement, I.C.J. Reports 2007

“Basement Hatch Ruling”, Dutch Supreme Court (5 November 1965) [ECLI:NL:HR:1965:AB7079]

Bundesverfassungsgericht, Neubauer, et.al v. Germany, 1 BvR 2656/2018—COMPLAINT

Bundesverfassungsgericht, Neubauer, et.al v. Germany, 1 BvR 2656/2018—JUDGEMENT

Corfu Channel case, Judgement, December 15, 1949; I.C.J Reports 1949.

Court of Justice of the State of Sao Paulo, Clara Leonel Ramos, et.al v. Public Treasury of the State of Sao Paulo, Procedure No. 1047315-47.2020.8.26.0053—ORDER

Difference Relating to Immunity from Legal Process of a Special Rapporteur of the Commission on Human Rights, Advisory Opinion, I.C.J Reports 1999

Federal Court of Australia, Sharma, et.al v. Minister for the Environment, Case No. VID 607 of 2020—COMPLAINT

Federal Court of Australia, Sharma, et.al v. Minister for the Environmentm Case No. VID 607 of 2020—JUDGEMENTS

Gabčíkovo-Nagymaros Project (Hungary/Slovakia), ICJ Report, Judgement, 1997

Hode Raad, Urgenda Foundation v. The State of the Netherlands, (*Ministry of Economic Affairs and Climate Policy*), Case No. 19/00135—JUDGEMENT

Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America), Judgement, ICJ Report 14, 1986.

Prosecutor v. Dusko Tadic, International Tribunal for the Former Yugoslavia, Case IT-94-1-4 (1999)

Pulp Mills on the River Uruguay (Argentina v. Uruguay), Judgement, ICJ Report 14, 2010,

Rechtbank Den Haag, *Urgenda Foundation v. The State of The Netherlands*, Case No. C/09/456689/HA ZA 131396—DECISION

Trail Smelter Arbitration (United States v. Canada), Award, III U.N.R.I.A.A., 1905 (1938).

United States Court of Appeals for the Ninth Circuit, *Juliana et. al v. United States of America*, No. 6:15-CV-01517-AA – OPINION

United States District Court of Oregon, *Juliana et. al v. United States*, No. 6:15-CV-01517 – COMPLAINT

United States District Court of Oregon, *Juliana et. al v. United States*, No. 6:15-CV-01517 – OPINION AND ORDER

United States District Court of Oregon, *Juliana et. al v. United States*, Case No. 6:15-CV-01517-TC – MOTION TO DISMISS