

REVISTA DE DIREITO INTERNACIONAL
BRAZILIAN JOURNAL OF INTERNATIONAL LAW

Balancing environmental preservation and economic interests: building corporate social responsibility in the era of sustainable development

Conciliando a preservação ambiental e os interesses econômicos: a construção da responsabilidade social corporativa na era do desenvolvimento sustentável

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VOLUME 21 • N. 3 • 2024
INTERNATIONAL FOOD LAW

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Balancing environmental preservation and economic interests: building corporate social responsibility in the era of sustainable development*

Conciliando a preservação ambiental e os interesses econômicos: a construção da responsabilidade social corporativa na era do desenvolvimento sustentável

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Abstract

This study examines the implementation of Corporate Social Responsibility (CSR) in Indonesia within sustainable development, specifically focusing on the delicate balance between environmental preservation and economic interests. While CSR represents a company's commitment to ethical behaviour and its positive contributions to society and the economy, its execution in Indonesia encounters challenges and shortcomings, particularly in achieving a harmonious integration of economic, social, and environmental aspects. Employing a Socio-Legal approach, this study explores CSR's legal and social dimensions. The findings indicate that formalising CSR as a legal obligation may undermine the intrinsic values of morality and environmental ethics that underpin CSR. Companies often view CSR solely as a financial burden that can impede their profitability. Consequently, it is imperative to re-conceptualise CSR frameworks prioritising sustainability and balancing environmental and economic interests. After evaluating numerous perspectives and evidence, corporate social responsibility in sustainable development requires balancing environmental preservation and commercial objectives. Companies must make money and reduce their environmental and social effect. Businesses can demonstrate corporate social responsibility by decreasing waste and emissions, employing renewable energy, and investing in local communities. This can boost consumer loyalty, reputation, and long-term profits. Companies must prioritize sustainability and work towards an egalitarian and sustainable future.

Keywords: corporate social responsibility; sustainable development; environment; economic interests; socio-legal approach; active participation.

* Recebido em: 28/11/2023
Aprovado em: 03/01/2025

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Resumo

Este estudo examina a implementação da Responsabilidade Social Corporativa (RSC) na Indonésia dentro do desenvolvimento sustentável, focando especificamente no delicado equilíbrio entre a preservação ambiental e os interesses econômicos. Enquanto a RSC representa o compromisso de uma empresa com o comportamento ético e suas contribuições positivas para a sociedade e a economia, sua execução na Indonésia encontra desafios e deficiências, especialmente na busca por uma integração harmoniosa dos aspectos econômicos, sociais e ambientais. Utilizando uma abordagem sociojurídica, este estudo explora as dimensões legais e sociais da RSC. Os resultados indicam que a formalização da RSC como uma obrigação legal pode minar os valores intrínsecos de moralidade e ética ambiental que sustentam a RSC. As empresas frequentemente veem a RSC apenas como um ônus financeiro que pode prejudicar sua lucratividade. Consequentemente, é imperativo reconceitualizar as estruturas da RSC, priorizando a sustentabilidade e equilibrando os interesses ambientais e econômicos. Após avaliar diversas perspectivas e evidências, a responsabilidade social corporativa no desenvolvimento sustentável requer equilibrar a preservação ambiental e os objetivos comerciais. As empresas devem ganhar dinheiro e reduzir seu impacto ambiental e social. As empresas podem demonstrar responsabilidade social corporativa por meio da redução de resíduos e emissões, do uso de energia renovável e do investimento em comunidades locais. Isso pode aumentar a lealdade do consumidor, a reputação e os lucros a longo prazo. As empresas devem priorizar a sustentabilidade e trabalhar em direção a um futuro igualitário e sustentável para todos.

Palavras-chave: responsabilidade social corporativa; desenvolvimento sustentável; meio ambiente; interesses econômicos; abordagem sócio-legal; participação ativa.

1 Introduction

Business entities exert a significant influence—both directly and indirectly—on almost all human rights acknowledged under international human rights law. These encompass essential rights, including the right to employment, sufficient food and clothing, and freedom of expression, association, and conscience. While the

scope is extensive, there is a notable focus on significant human rights violations or crimes against humanity, likely attributable to the seriousness and prominence of these cases in transnational litigation. Among the most frequently referenced or purportedly infringed non-labor rights are the right to health, often compromised through exposure to pollutants and toxins; the right to life and personal integrity; and the right to an adequate standard of living. Moreover, violations of rights associated with community displacement resulting from extractive projects are common and frequently characterized by shortcomings in obtaining informed consent or delivering sufficient compensation. The individuals impacted in these situations generally include workers and local communities, with consumers of the businesses' products also experiencing effects¹.

The concrete embodiment of law as a formal or legal expression of moral ideals is shown in enacting corporate duties to implement CSR through legislation². If this interpretation is maintained, «law» should be an extension of «morality» and environmental ethics, detailing the behaviours that should be undertaken to defend environmental interests³. However, as business entities, companies also have economic interests geared towards producing profits⁴. Many businesses see the implementation of CSR as a financial burden that might cut into their earnings or gains. With this point of view, companies will likely overlook their CSR requirements. This is especially true when the state continues to mandate other obligations, such as tax payments and other responsibilities⁵.

¹ LOPEZ, Andres Felipe. Contemporary responses to businesses' negative human rights impact. *Revista de Direito Internacional*, Brasília, v. 17, n. 1, p. 341–361, 2020. DOI 10.5102/rdi.v17i1.6162. Available at: <https://www.publicacoes.uniceub.br/rdi/article/view/6162>. Accessed on: 18 Dec. 2024.

² SAFA'AT, Muchamad Ali. Corporate social responsibility: a constitutional perspective. *Jurnal Konstitusi*, [s. l.], v. 11, n. 1, p. 1–17, 2016. Available at: <https://jurnalkonstitusi.mkri.id/index.php/jk/article/view/1111>. Accessed on: 4 June 2023.

³ PURDY, Jedediah. Our place in the world: a new relationship for environmental ethics and Law. *Duke Law Journal*, [s. l.], v. 62, n. 4, p. 857–932, 2013. Available at: <http://www.jstor.org/stable/23364860>. Accessed on: 4 June 2023.

⁴ STRINE, Leo E. One fundamental corporate governance question we face: can corporations be managed for the long term unless their powerful electorates also act and think long term? *The Business Lawyer*, [s. l.], v. 66, n. 1, p. 1–26, 2010. Available at: <http://www.jstor.org/stable/25758524>. Accessed on: 4 June 2023.

⁵ KHARABSHAH, Buthien; AL-SHAMMARI, Hussam; BATAINEH, Khaled. Research on corporate social responsibility: insights and future directions. *Administrative Sciences*, [s. l.],

By focusing on profit, people, and the earth (sometimes referred to as the «triple bottom lines» of CSR), CSR programmes strive to balance and integrate economic, environmental, and social factors⁶. Another way to look at CSR is as an ongoing commitment made by a firm to behave ethically and actively contribute to the economic growth of local communities (social)⁷. Any conflicts of interest between the economic, environmental, and social components will be reduced if an appropriate balance and integration of these aspects can be achieved⁸. However, the interests of shareholders and stakeholders can only partially be met by implementing CSR. This indicates that conflicts of interest are likely to continue to exist, particularly in how CSR is currently being implemented in Indonesia⁹.

On the other hand, according to the state's Constitution, it is the responsibility of the state to look out for the social welfare of its residents¹⁰. On the other hand, a portion of this responsibility appears to be «passed on» in the form of the obligation placed on businesses to engage in CSR¹¹. Companies in this circumstance are saddled with the responsibility to fulfil social responsibilities to improve the well-being of the society that surrounds them, in addition to the myriad of other responsibilities that they already have, such as paying taxes, obtaining permissions, and paying fees, among other things¹². Given the circumstances described above, it

should not come as a surprise that businesses ultimately decide to neglect these societal duties. Instead of being perceived exclusively as a financial burden on corporations, CSR should ideally be a collaborative process where extra value is offered to society and the environment through contributions rather than as a financial burden on firms financially¹³. On the other hand, the development of CSR in Indonesia now tends to concentrate more on the country's social and economic contributions than on environmental issues. According to Article 4 of Regulation Number 6 of 2016 issued by the Ministry of Social Affairs, the aims of CSR, which stands for the Social and Environmental Responsibility of Business Entities, are meant for individuals, groups, or communities living in inhumane conditions¹⁴.

The formalisation of CSR into law has caused various disturbances, as evidenced by the submission of a judicial review to the Constitutional Court to re-examine Article 74 of Law Number 40 of 2007 concerning Limited Liability Companies on November 28, 2007¹⁵. This was done by the Central Management Board of the Indonesian Young Entrepreneurs Association, the Management Board of the Chamber of Commerce and Industry, and the Management Board of the Indonesian Women Entrepreneurs Association. This was done on behalf of the three respective organisations. The applicants, who represent businesses in Indonesia, say that the provision violates their constitutional rights, particularly given that CSR is an issue of ethics and morals. Formalising CSR through the abovementioned article will lead to various drawbacks and ineffectiveness, notably because CSR is perceived as an expense in firms.

v. 13, n. 2, p. 64, 2023. Available at: <https://www.mdpi.com/2076-3387/13/2/64>. Accessed on: 4 June 2023.

⁶ LESTARI, Fina Tri; SURYATIMUR, Kartika Pradana. Implementation of CSR (Corporate Social Responsibility) in increasing the image of Pt Pertamina. *Journal of Humanities*, [s. l.], v. 2, n. 2, p. 543–553, 2023.

⁷ MCWILLIAMS, Abigail; SIEGEL, Donald. Corporate social responsibility: a theory of the firm perspective. *The Academy of Management Review*, [s. l.], v. 26, n. 1, p. 117–127, 2001. Available at: <http://www.jstor.org/stable/259398>. Accessed on: 4 June 2023.

⁸ PURVIS, Ben; MAO, Yong; ROBINSON, Darren. Three pillars of sustainability: in search of conceptual origins. *Sustainability Science*, [s. l.], v. 14, n. 3, p. 681–695, 2019. DOI 10.1007/s11625-018-0627-5. Available at: <https://link.springer.com/article/10.1007/s11625-018-0627-5>. Accessed on: 4 June 2023.

⁹ RIAN TANI, Suskim; NURZAMZAM, Hafidz. Analysis of company size, financial leverage, and profitability and its effect to CSR disclosure. *Jurnal Dinamika Manajemen*, [s. l.], v. 6, n. 2, p. 203–213, 2015. Available at: <http://journal.unnes.ac.id/nju/index.php/jdm/article/view/4308>. Accessed on: 4 June 2023.

¹⁰ FEITH, Herbert. *The decline of constitutional democracy in Indonesia*. Sheffield: Equinox Publishing, 2006.

¹¹ HAKIM, M. Lukman. Menghitung dampak tanggung jawab sosial perusahaan. *Jurnal Legislasi Indonesia*, [s. l.], v. 6, n. 2, p. 107–170, 2018.

¹² DEVINNEY, Timothy M. Is the socially responsible corpora-

tion a myth? the good, the bad, and the ugly of corporate social responsibility. *Academy of Management Perspectives*, [s. l.], v. 23, n. 2, p. 44–56, 2009. Available at: <http://www.jstor.org/stable/27747510>. Accessed on: 4 June 2023.

¹³ DILLARD, Jesse. Accountability, social responsibility and sustainability: accounting for society and the environment. *Sustainability Accounting, Management and Policy Journal*, [s. l.], v. 6, n. 3, p. 439–441, 2015. DOI 10.1108/SAMPJ-04-2015-0021. Available at: <https://www.emerald.com/insight/content/doi/10.1108/sampj-04-2015-0021/full/html>. Accessed on: 4 June 2023.

¹⁴ GUNAWAN, Juniati; PERMATASARI, Paulina; TILT, Carol. Sustainable development goal disclosures: do they support responsible consumption and production? *Journal of Cleaner Production*, [s. l.], v. 246, p. 118989, 2020. Available at: <https://www.sciencedirect.com/science/article/pii/S0959652619338594>. Accessed on: 4 June 2023.

¹⁵ GENTA, I Nyoman Yatna Dwipayana. Regulation of the corporate social responsibility concept in the company limited in Indonesia legal products. *NOTARIAL Jurnal Kenotariatan*, [s. l.], v. 4, n. 2, p. 96–102, 2019.

According to the logic of doing business, this is in direct opposition to economic concerns. In addition, according to Article 74, CSR is only required to comply with the official requirements of the legislation, but this ignores the fundamental aspects of moral and environmental ethics¹⁶.

When CSR, which can be seen as a «moral duty,» is formalised through legal laws and becomes a normative rule, its essence is lost. In the context of sustainability, CSR requirements present a barrier to implementing actions aimed at conserving resources and distributing financial resources towards activities whose primary purpose is to improve sustainability¹⁷. Instead of being an investment to establish long-term healthy relationships between corporations and stakeholders, normative CSR narrows the concept of corporate social responsibility to reimbursement or compensation for damages¹⁸. It is impossible to deny that the conflict between competing economic and environmental interests has affected the shifting definition of CSR. As a result, CSR programmes need to be rethought so that they centre on striking a balance between competing economic and environmental objectives.

This article aims to investigate the idea of CSR in the context of sustainable development, with a particular emphasis on striking a healthy balance between the protection of the environment and the pursuit of economic interests. This article sheds light on how companies may successfully implement CSR into their business plans to create a more sustainable future.

¹⁶ MANTOVANI, Reda; WIWOHO, Jamal. The urgency of sanctions for violators of Corporate Social Responsibility (CSR) for improving of the welfare of society. *In: INTERNATIONAL CONFERENCE ON GLOBALIZATION OF LAW AND LOCAL WISDOM (ICGLOW 2019)*, 3., 2019, Surakarta. *Proceedings* [...]. Surakarta: Atlantis Press, 2019. Available at: <https://www.atlantispress.com/article/125920806>. Accessed on: 4 June 2023.

¹⁷ JAMALI, Dima; NGWU, Franklin N.; OSUJI, Onyeka. Institutions, CSR conceptualizations and sustainable development. *In: JAMALI, Dima; NGWU, Franklin N.; OSUJI, Onyeka (org.). Corporate social responsibility in developing and emerging markets: institutions, actors and sustainable development*. Cambridge: Cambridge University Press, 2019. p. 15–130. Available at: <https://www.cambridge.org/core/books/corporate-social-responsibility-in-developing-and-emerging-markets/institutions-csr-conceptualizations-and-sustainable-development/5CAFA37107747B7AB49028718BC64F6B>. Accessed on: 4 June 2023.

¹⁸ HOPKINS, Michael. *Corporate social responsibility and international development*. Abingdon: Routledge, 2012. Available at: <https://www.taylorfrancis.com/books/9781136568831>. Accessed on: 4 June 2023.

In recent years, as the globe has been confronted with an increasing number of environmental concerns, including climate change, the loss of biodiversity, and the depletion of resources, the need for businesses to embrace sustainable practices has become an increasingly critical requirement. Concurrently, there is a lot of pressure on firms to keep their profits and keep up with the competition in this globalized economy. This results in a conflict between protecting the environment and pursuing economic interests, which needs to be carefully balanced.

CSR has arisen as a means for companies to overcome this contradiction and demonstrate their dedication to sustainable development. However, there is still some controversy regarding the efficiency of CSR programs in accomplishing environmental and social objectives, and there is a pressing need for additional study into the methods by which businesses can develop CSR strategies that are beneficial and sustainable.

In the sustainable development framework, this article contributes to both the theoretical and practical understandings of CSR. In a theoretical sense, the paper investigates the relationship between the protection of the environment and economic interests, as well as the means through which CSR can strike a balance between these conflicting agendas. In addition, it sheds light on the elements such as stakeholder participation, transparency, and accountability that influence the efficacy of CSR programs.

The article serves as a practical guide for businesses that are trying to develop CSR programs that are both effective and sustainable. It stresses the necessity of integrating CSR into core company goals. It includes examples of successful CSR projects that have achieved both environmental and economic benefits due to their implementation. In general, this article aims to contribute to a better understanding of how businesses might design CSR strategies that balance preserving the environment and pursuing economic interests in an era marked by sustainable development.

This research aims to evaluate the conflicts between economic and environmental interests in the implementation of CSR, analyze the legal framework governing CSR in Indonesia, and propose strategies to balance these interests within the context of sustainable development. This is based on the aforementioned. The socio-

-legal research approach is suitable for achieving these research objectives.

2 Research methods

This research will adopt a Socio-Legal approach to provide a thorough knowledge of implementing CSR in the era of sustainable development. This research's primary focus will be comparing efforts to protect the environment and economic interests. In CSR, the socio-legal approach will enable an all-encompassing analysis of interconnected legal and social issues.

Document analysis, case study research, and field research will be the components of this research approach. Document analysis will be used to evaluate the laws, regulations, policies, and literature in Indonesia associated with CSR and the fundamental principles of sustainable development. This will provide a theoretical foundation and an early awareness of the legal framework and regulations associated with research.

In addition, case studies will be utilised to analyse the implementation of CSR in several enterprises located in Indonesia. Case studies will be selected considering the variety of business sectors and the companies' sizes. Interviews will be conducted with appropriate parties to collect data. These interviews will be conducted with firm managers, stakeholders, and local community members. During the interview, we will talk about their understanding and experience regarding the implementation of CSR, the problems they confront, and their thoughts about the relationship between protecting the environment and pursuing economic interests.

3 Results

Corporations operate primarily as self-interested entities, driven by the pursuit of profits, often serving as their primary and sometimes ultimate objective. They may operate as detached entities, incorporating social and human elements of their business into a pragmatic cost-benefit analysis and strategy, rendering moral considerations insignificant. Optimizing profit margins while reducing expenses is fundamentally a prevalent principle in business. Imposing duties or responsibilities on corporations represents a potential cost factor.

Consequently, corporations possessing significant bargaining power occasionally engage in lobbying efforts directed at congress members to obstruct initiatives intended to regulate their operations. Requesting corporate social behavior presents a paradox; it seems contradictory within the established norms of the business realm unless such a demand arises directly from the market itself¹⁹.

The regulations currently in effect in each country are the source of the widespread belief that there has been a paradigm shift in how CSR is put into practice, moving it towards formality or seeing it as a simple legal duty²⁰. As one of the nations that have formalised CSR via legislation, Indonesia is also facing similar issues that have resulted in the inefficient implementation of CSR. These challenges include the level of corporate compliance in carrying out such programmes, and Indonesia is one of the countries that has formalised CSR through legislation. The different laws govern the CSR duties that firms in Indonesia must fulfil because of the country's diverse business landscape and company structures²¹.

Law No. 40 of 2007 about Limited Liability Companies and Government Regulation No. 47 of 2012 concerning the Social and Environmental Responsibility of Limited Liability Companies are the two pieces of legislation that govern the CSR obligations carried by corporations that take the form of limited liability companies. Article 74 of the Law on Limited Liability Companies and its explanatory notes govern the CSR duties that must be met by legal entities that have limited liability. As stated in Article 1, paragraph 3 of the Law on Limited Liability Companies, CSR (also known as Social and Environmental Responsibility) refers to

¹⁹ MONEBHURRUN, Nitish. Consumer social responsibility as a requirement for corporate social responsibility. *Revista de Direito Internacional*, Brasília, v. 15, n. 2, p. 13–16, 2018. Available at: <https://www.publicacoes.uniceub.br/rdi/article/view/5690>. Accessed on: 18 Dec. 2024.

²⁰ DAVIDSON, D. Kirk *et al.* Corporate social responsibility across Asia: a review of four countries. In: WEBER, James; WASIELESKI, David M. (ed.). *Corporate social responsibility*. Bingley: Emerald Publishing, 2018. p. 73–132.

²¹ FAMIOLA, Melia; ADIWOSO, Siti Adiprigandari. Corporate social responsibility diffusion by multinational subsidiaries in Indonesia: organisational dynamic and institutional effect. *Social Responsibility Journal*, [s. l.], v. 12, n. 1, p. 117–129, 2016. DOI 10.1108/SRJ-10-2013-0128 Available at: <https://www.emerald.com/insight/content/doi/10.1108/srj-10-2013-0128/full/html>. Accessed on: 4 June 2023.

the commitment of businesses to participate in sustainable economic development to improve the quality of life and the environment in a way that is beneficial to the company, the local community, and society in general. CSR is also known as Social and Environmental Responsibility²².

Companies engaged in activities that affect the operation or capacity of natural resources and those related to the management or utilisation of natural resources are required to carry out CSR, as mandated by Article 74 of the Law on Limited Liability Companies. This law also applies to companies that manage or utilise natural resources. The implementation of CSR must be carried out fairly and reasonably, as it is seen as a corporate obligation and is accounted for as a cost by the company. The relevant laws and regulations will impose sanctions on businesses that do not meet their CSR obligations and social and environmental responsibilities. Government Regulation No. 47 of 2012 confirms the commitment to implement CSR. The statute refers to Article 4, which states that corporate CSR is carried out by the Board of Directors, based on the company's annual work plan approved by the Board of Commissioners or General Meeting of Shareholders, and aligned with the company's Articles of Association. In addition, the regulation states that corporate CSR is aligned with the company's Articles of Association. The requirement for compliance with the annual work plan and Articles of Association demonstrates both the planning process of CSR by companies and the accountability component of CSR, as stated in Article 6 of the Articles of Association, which states that the implementation of CSR must be included in the annual report of the company and must be accountable to the General Meeting of Shareholders²³.

²² YUNARI, S. B. *et al.* Reconceptation of mandatory-based corporate social and environmental responsibility in Indonesia. *IOP Conference Series: Earth and Environmental Science*, [s. l.], v. 106, n. 1, p. 012098, 2018. DOI: <https://dx.doi.org/10.1088/1755-1315/106/1/012098>. Available at: <https://iopscience.iop.org/article/10.1088/1755-1315/106/1/012098>. Accessed on: 3 Apr. 2021.

²³ MURJIYANTO, R. *et al.* Corporate social and environmental responsibility of companies in the natural resources business industry: an Indonesian juridical perspective. *IOP Conference Series: Earth and Environmental Science*, [s. l.], v. 1165, n. 1, p. 012032, 2023. DOI: <https://dx.doi.org/10.1088/1755-1315/1165/1/012032>. Available at: <https://iopscience.iop.org/article/10.1088/1755-1315/1165/1/012032>. Accessed on: 4 June 2023.

NALLE, Victor Immanuel. The corporate constitutionalism approach in the formulation of CDR. *Indonesia Law Review*, [s. l.],

According to Law No. 25 of 2007 concerning Investment, the need to implement CSR fundamentally targets every business associated with managing and utilising natural resources, including the investment process. According to the provisions of Article 15 Letter b of Law No. 25 of 2007, every investor is obligated to engage in CSR. CSR refers to the responsibility inherent in every investment company to create an environment that is harmonious, balanced and by the values, norms, and local culture of the area where the company operates. According to the definition provided in paragraph 4 of Article 1 of Law No. 25 of 2007, investors can either be individuals or business entities that make domestic or international investments. Sanctions may be imposed on investors who violate the provision of Article 16 that requires them to protect the natural environment in which they operate. A written warning, restrictions on business activities, suspension of business activities and investment facilities, or revocation of business permits and investment facilities are some sanctions that can be imposed on an investor who does not fulfil the CSR obligations outlined in the law. In addition, the law also regulates the sanctions that can be imposed on an investor who does not meet their CSR obligations²⁴.

The Law No. 32 of 2009 Concerning Environmental Protection and Management is another critical factor to consider. Article 68 of this law states that every person engaged in business and activities must provide accurate, timely, and transparent information about environmental protection and management, preserve the sustainability of the environment, and comply with the provisions on environmental quality standards and criteria for environmental damage. All these responsibilities fall on the shoulders of the person engaged in business and activities. Although this legislation does not explicitly mention CSR, the environmental protection requirement indirectly influences CSR implementation. The performance of CSR can prioritise environmental protection by including the notion of ecological sustainability.

v. 5, n. 1, p. 1–3, 2015.

²⁴ ASMARA, Teguh Tresna Puja; MURWADJI, Tarsisius. The role of academics in corporate social responsibility to increase business capacity of micro small and medium enterprises. *Jurnal Hukum Positum*, [s. l.], v. 4, n. 1, p. 1–13, 2019. Available at: <https://journal.unsika.ac.id/index.php/positum/article/view/3004>. Accessed on: 4 June 2023.

Regulation No. PER-05/MBU/2007 Concerning State-Owned Enterprises Partnership Programmes with Small Businesses and Community Development Programmes, as Amended by Regulation No. PER-08/MBU/2013 Concerning the Fourth Amendment to Minister of State-Owned Enterprises Regulation No. PER-05/MBU/2007 Concerning State-Owned Enterprises Regulation No. PER-05/MBU/2007 Concerning State-Owned Enterprise According to these regulations, State-Owned Enterprises (especially those in the form of Limited Liability Companies, State-Owned Enterprises, and Public Companies) are required to implement the State-Owned Enterprises Partnership Programme with Small Businesses and Community Development Programmes. The details of these programmes are determined through the General Meeting of Shareholders and refer to Minister of State-Owned Enterprises Regulation 5/2007. The competitiveness of small enterprises is improved through implementing these programmes, which aim to empower the community by emphasising environmental concerns²⁵.

Firms that are involved in the administration and utilisation of natural resources, such as oil and gas, are an example of an industry that poses substantial dangers to the long-term viability of the environment. These firms are also subject to the equivalent duties established in Law No. 22 of 2001 concerning Oil and Gas. Companies involved in upstream activities are expected to comply with fundamental provisions of this law, such as the development of communities and the protection of the rights of indigenous people, by the terms of Article 11(3)(p) of this law. In addition, Clause 5 of Article 40 specifies that Business Entities or Permanent Establishments involved in the oil and gas business are also responsible for contributing to improving the local environment and community.

According to the regulations described above associated with CSR, there is neither a uniform convergence nor a set of guidelines; instead, there is an adaptation to the social and environmental situations where firms conduct their operations. Because of this lack of homo-

geneity, CSR programmes may not be relevant to local communities concerns. This lack of standardisation can lead to misalignment in the implementation of CSR, which ultimately impacts the effectiveness of the legislation and regulations listed above, even though no clear instructions for adaption are included in any of these laws and regulations. Another intriguing aspect that has been constantly emphasised is how CSR is seen as a financial burden for firms, which can create conflicts with the economic goals of corporations that want to maximise their profits. This is an important consideration since it relates to the previous argument. However, from a different point of view, effective CSR implementation can increase a company's overall worth, and there are instances in which businesses employ CSR as a type of «greenwashing.» This indicates that firms view CSR as a means of generating benefits for themselves, even though doing so contradicts the core principle of CSR. It should primarily focus on community development, even if companies ultimately benefit from CSR projects.

The fact that Article 74 of the Limited Liability Company Law is included means that it can be used as the primary reference for the implementation of CSR in Indonesia. Even if the ISO 26000 standard on social responsibility offers guidance for CSR implementation, this does not imply that global standardisation may be imposed or enforced using formal law. By the requirements of the Limited Liability Company Law, all issues about the implementation of CSR are to be governed by Government Regulations. However, these Government Regulations cannot alter or augment the Limited Liability Company Law's provisions. Another intriguing aspect indicated in Subsection (2) of Article 74 of the Limited Liability Company Law is that the implementation of CSR must consider appropriateness and reasonableness, both of which are difficult to quantify. This lack of universally applicable values about CSR implementation makes it difficult to create standardised practices, which results in firms' continuous implementation of non-standardised CSR efforts, affecting CSR accuracy and effectiveness. In addition, the lack of universally applicable values surrounding CSR implementation makes it difficult to develop standardised practices²⁶.

²⁵ HERMAWAN, Bambang Eryanto. The problem of the implementation of criminal certification on corporate social responsibility (CSR) on business conduct in mining in Indonesia. In: INTERNATIONAL CONFERENCE ON ENERGY AND MINING LAW (ICEML 2018), 2018, Jakarta. *Proceedings* [...]. Jakarta: Atlantis Press, 2018. Available at: <http://www.atlantis-press.com/php/paper-details.php?id=25902893>. Accessed on: 4 June 2023.

²⁶ PUTRA, Anak Agung Bagus Ngurah Agung Surya; WHITE, Renee Sarah; SARNA, Kadek. Corporate social responsibility and its implementation in tourism industry: a comparative study between Indonesia and Australia. *Udayana Journal of Law and Culture*, [s. l.],

Even though there are formal legal duties associated with CSR, there are no consistent criteria for its execution, which raises questions about its effectiveness and implementation. Companies may interpret and apply CSR in various ways if there are no transparent and standardised principles to guide them, leading to inconsistency and a lack of responsibility. Because of this lack of uniformity, monitoring and evaluating CSR activity's impact on various firms and industries can be challenging.

In addition, because there are no universal criteria, businesses can focus on CSR activities that are selective or superficial and that align with their immediate interests rather than tackling broader social and environmental challenges. This behaviour, referred to as «greenwashing,» can potentially undermine the genuine objective of CSR to contribute to sustainable development and address societal concerns.

The absence of standardised rules is another obstacle that must be overcome when evaluating CSR projects' efficiency. It is only possible to consistently assess CSR programmes' outcomes and benefits with specific benchmarks and indicators. Because of this, efforts to enhance and perfect CSR practices based on evidence and established standards may need to be improved²⁷.

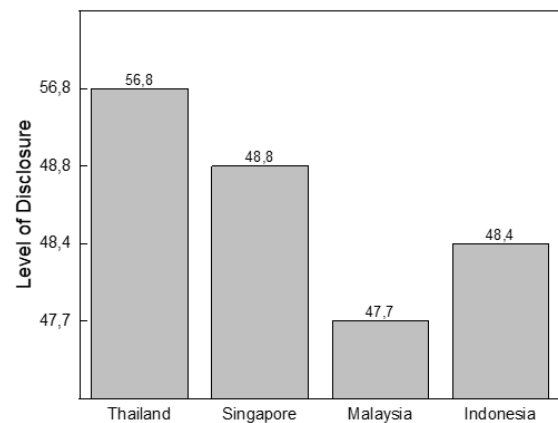
In addition, the absence of universal norms can contribute to scepticism and distrust among many stakeholders, such as communities, non-governmental organisations (NGOs), and the general public. It is more difficult for stakeholders to evaluate the sincerity and authenticity of a company's efforts when it allows the freedom to define and implement CSR initiatives according to its interpretations. This can result in scepticism and criticism, undermining CSR's credibility as a genuine commitment to social and environmental responsibility.

It would be advantageous for the government and relevant parties to work together to produce thorough guidelines for the implementation of CSR. This would help address the difficulties that have been raised. These

guidelines should clarify the concepts, aims, and expectations of CSR and standardised indicators for assessing and reporting on CSR efforts' outcomes. Companies can match their CSR programmes with national priorities and societal requirements when they establish clear criteria. This results in more uniformity, openness, and accountability²⁸.

In addition to establishing rules, it is essential to encourage communication and collaboration amongst many stakeholders, including businesses, communities, non-governmental organisations, and others. This can help identify major social and environmental concerns that must be addressed and promote a shared CSR concept. Companies can increase the relevance and effect of their CSR programmes by including a variety of perspectives and participating in meaningful collaborations.

Graph 1- CSR Level of Disclosure (Thailand, Singapore, Malaysia and Indonesia)



Source: Prepared by the authors (2023)

According to the data that was presented, it is known that the level of CSR implementation in Indonesia is 48.4/100, which is lower when compared to the stories of performance in Thailand and Singapore. The degree of disclosure mentioned above refers to the level of CSR implementation in each nation. In addition, when further examined concerning aspects of CSR implementation, particularly the triple bottom lines of CSR (profit, people, and planet), it was found that the element of CSR implementation in the environmental

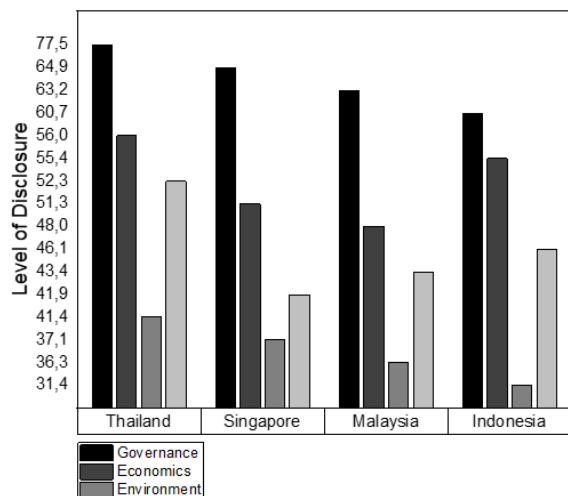
v. 2, n. 2, p. 165–190, 2018. Available at: <https://ojs.unud.ac.id/index.php/UJLC/article/view/39909>. Accessed on: 4 June 2023.

²⁷ CHRISTENSEN, Hans B.; HAIL, Luzi; LEUZ, Christian. Mandatory CSR and sustainability reporting: economic analysis and literature review. *Review of Accounting Studies*, [s. l.], v. 26, n. 3, p. 1176–1248, 2021. DOI 10.1007/s11142-021-09609-5. Available at: <https://link.springer.com/article/10.1007/s11142-021-09609-5>. Accessed on: 4 June 2023.

²⁸ PFAJFAR, Gregor *et al.* Value of corporate social responsibility for multiple stakeholders and social impact: relationship marketing perspective. *Journal of Business Research*, [s. l.], v. 143, p. 46–61, 2022. Available at: <https://www.sciencedirect.com/science/article/pii/S0148296322000613>. Accessed on: 4 June 2023.

sector in Indonesia is still deficient in comparison to the other three countries mentioned (Graph 2). The disclosure of CSR about environmental concerns is at a level of 31.4 in Indonesia, 36.3 in Malaysia, 37.1 in Singapore, and 41.4 in Thailand. The only element to have an implementation level higher than Thailand, Malaysia, and Singapore is the economic aspect, which has a group of 55.4, with Malaysia having the lowest degree of implementation at 48.0.

Graph 2



Source: Prepared by the authors (2023)

The low rate of CSR application in the environmental element, notably in Indonesia, demonstrates that environmental concerns are still not a priority in CSR practices. This is clear from the countless demonstrations and complaints that members of the public have lodged against industrial waste that is harmful to the environment. On the other hand, CSR in the economic aspect refers to programmes that offer communities or stakeholders economic resources. There is a phenomenon in society in which community organisations, whether through non-governmental organisations (NGOs) or community leaders, utilise CSR to collect financial resources through donations or concrete support from businesses functioning in the region. Therefore, because there are no general criteria for the implementation of CSR, such practices are not subject to regulation. This enables corporations to view temporary aid as adequate, undermining their CSR duties.

As a direct implication of Article 74 of the Limited Liability Company Law, the implementation of CSR in Indonesia, which gives the impression of merely meeting legal responsibilities, generates the impression of

simply doing the right thing. According to this article, CSR expenses should be recognised as company expenditures, like taxes, permits, and other expenses. This creates economic conflicts of interest for businesses trying to maximise their profits. Although CSR practices, have evolved from prioritising shareholder interests to prioritising stakeholder interests, economic considerations continue to be a company's priority, and all policies or decisions are made to generate economic value for the company. Businesses can select the economically attractive option of abandoning their CSR commitments to avoid incurring the higher costs connected with the sustainable implementation of CSR.

The effectiveness of CSR in empowering and developing communities and the environment, particularly in sustainability, needs to be clarified in such a situation. As a direct result, there need to be more in-depth studies on the percentage of times that CSR accomplishes these objectives. Consequently, despite the normative requirements addressing CSR, there needs to be more extensive research that indicates the full range of CSR's advantages for society, even though certain businesses have adopted CSR practices. Such activities' real impact and efficiency still need to be adequately measured.

Two primary ways are often employed concerning distributing funds within a company's budget for CSR. These approaches approach CSR by assigning a portion of the company's earnings and considering it an investment expense. According to the second paragraph of Article 74 of the Limited Liability Company Law, CSR shall be regarded as a reasonable and justifiable expense. It should be accounted for in the company's budget. When we consider this clause again, allocating CSR expenses might be interpreted as the investment cost. In addition, according to Article 5, paragraph (2) of the Government Regulation on Corporate Social and Environmental Responsibility, the firm's budget for social and environmental duties that it has undertaken shall be accounted for as corporate expenses. This is one of the requirements that must be met. The idea that a company's level of CSR is determined by how much money it makes violates both the Limited Liability Company Law and the Government Regulation on Corporate Social and Environmental Responsibility.

Both of these approaches to evaluating the business case for CSR can result in consistency in the implementation of the strategy. Unlike oil businesses that

generate significant profits, for instance, oil companies that run wells or refineries that are no longer profitable may not have the responsibility to engage in CSR activities. This is the case even though the actual resource extraction and environmental harm result from their operations. As a result, community development and empowerment cannot be accomplished concurrently through CSR. This highlights the government's responsibility to achieve social welfare, which includes community development and empowerment, as stipulated in the Preamble of the Constitution that was ratified in 1945. Successful implementation of CSR can make it easier for the government to fulfil its commitments in pursuing these objectives. As a result, the government has used rules to turn CSR from a moral commitment into a legal one. However, with the legislation in place, as they are, the financial interests of businesses continue to be a barrier to the efficient implementation of CSR. Therefore, it is vital to build a framework for implementing CSR that removes or minimises conflicts between a company's economic interests and CSR practices. This mechanism for CSR implementation should be established as soon as possible. CSR is not portrayed in the existing budgeting scheme as an economic advantage to enterprises; instead, it is portrayed as an economic burden accompanied by the inadequate implementation of environmental CSR. In Indonesia, There Are Competing Priorities That Have Implications.

It is clear from the inadequate degree of CSR implementation in the environmental element, especially in Indonesia, that environmental concerns should be given priority in CSR practices. This is clear from the countless demonstrations and complaints that community members have lodged against industrial waste that is harmful to the environment. On the other hand, the implementation of CSR in the economic aspect refers to programmes that give the community or stakeholders access to economic resources. There is a phenomenon in which community organisations use CSR through non-governmental organisations (NGOs) or community leaders to gain financial resources through donations or total aid from businesses active in the region. This phenomenon draws attention to the need for uniform criteria to control such practices, which leads to temporary aid being regarded as sufficient and, as a result, undermines the CSR commitments of firms²⁹.

²⁹ SUPRIYADI, S. *et al.* Law enforcement of Corporate Social Responsibility (CSR) in Indonesia. *Journal of Legal, Ethical and Regula-*

Article 74 of the Law on Limited Liability Companies is directly responsible for implementing CSR in Indonesia, which gives the appearance of merely complying with legal obligations. According to the information presented in this article, CSR expenses should be regarded as legitimate business expenditures, on par with other expenses like taxes and permits. Consequently, economic interests collide among businesses that aim to achieve maximum profit. Even though CSR practises have changed away from prioritising shareholder interests and towards prioritising stakeholder interests, economic considerations continue to be the priority for firms. Creating economic value for the corporation is the driving force behind every policy and decision. Companies frequently select the financially attractive option of neglecting their CSR duties because the expenses connected with the sustainable implementation of CSR are higher than the costs associated with providing direct support³⁰.

This situation needs to improve CSR's efficacy in empowering and developing people and the environment, particularly regarding sustainability. As a direct result, there need to be more in-depth studies on the percentage of times that CSR accomplishes these objectives. Even while some businesses have introduced CSR programmes, there needs to be more research done to determine whether or not these programmes have a positive effect on society³¹.

When allocating funds for CSR within a corporation, the two primary techniques typically utilised are distributing a share of the firm's profits or treating it as an investment expense. CSR should be considered and budgeted as a reasonable and justifiable expense, as paragraph two of Article 74 of the law governing limited liability companies (LLC Law) requires. However, the existing legislation needs to create clear criteria for CSR budgeting, which results in consistency in its execution. In addition, the prevalent viewpoint that CSR should

tory Issues, [s. l.], v. 24, n. 6S, p. 1–11, 2021. Available at: <https://www.abacademies.org/articles/law-enforcement-of-corporate-social-responsibility-csr-in-indonesia-13059.html>. Accessed on: 4 June 2023.

³⁰ PUTRI, Monica Puspa Dewi Suganda; NAILI, Yuris Tri. Reconceptualisation of Corporate Social Responsibility model in the era of sustainable development. *Review of Economics and Finance*, [s. l.], v. 21, 2023.

³¹ HADI, Nor; UDIN, Udin. Testing the effectiveness of CSR dimensions for small business entrepreneurs. *Journal of Open Innovation: Technology, Market, and Complexity*, [s. l.], v. 7, n. 1, p. 6, 2021. Available at: <https://www.mdpi.com/2199-8531/7/1/6>. Accessed on: 4 June 2023.

be calculated based on profits is refuted by the Government Regulation on Corporate Social and Environmental Responsibility, which mandates that the budget for CSR should be accounted for as company expenses. This regulation was created to address the issue of CSR and environmental responsibility³².

The implementation of CSR needs to be more consistent as a direct result of these competing viewpoints regarding the economic side of the concept. For instance, an oil firm that is operating wells that are not profitable or refineries that are not up to date may argue that it is not compelled to engage in CSR activities, in contrast to corporations that are producing significant profits, even though their operations contribute to the exploitation of resources and the destruction of the environment. As a direct result, it is impossible to achieve community development and empowerment through CSR simultaneously. This underscores the government's commitment to implement social welfare objectives, such as community development and empowerment, as stipulated in the Preamble of the Constitution that was ratified in 1945. Implementing effective CSR strategies can make achieving these goals easier for the government. The government has changed CSR from a moral requirement into a legal one by implementing rules to solve the challenges provided by the economic interests of businesses. However, the current regulatory structure must be revised to apply CSR effectively. As a result, it is of the utmost importance to create a framework for implementing CSR that minimises the conflict between a firm's economic interests and CSR practices. The current budgeting method portrays CSR as an economic burden to firms rather than an economic advantage to those organisations.

4 Discussion

The knowledge of the three bottom lines of CSR (profit, people, and planet) is the general origin of the notion of CSR³³. These three facets appropriately des-

cribe the expectations that should be met throughout the implementation of CSR, which should concurrently enhance social welfare, safeguard the environment, and uphold the economic interests of corporations. On the other hand, the wide variety of CSR implementation strategies, combined with the absence of standardised rules, has led to the inability of the CSR initiative to accomplish its aims in these three areas. In addition, the financing model of CSR, which places a burden on company spending, restricts the options that are accessible for the implementation of CSR. Compared to restricted and unsustainable direct assistance, community development and empowerment are considered to have a greater need for financial investment and demand higher prices³⁴.

Even though CSR is legally required, companies' economic interests offer substantial barriers that prevent its implementation. This issue is even worse by the need for reward systems for effective CSR practises, such as tax reductions and other incentives. Insufficient reward programmes for good CSR practices further aggravate this situation. Consequently, businesses view CSR as a "pure expense" that yields no financial advantages. The CSR standard in Indonesia, regulated in Article 74 of the Company Law, aligns with the social justice outlined by John Rawls³⁵. Rawls relates the concept of social justice with two fundamental values of social order: freedom and equality. It emphasises that every individual possesses an equal right to guarantees of fundamental freedoms and that in a society with free market competition, policies should prioritise those who are least advantaged in situations with a conflict of interests. From this point of view, the CSR guidelines are designed to benefit the group with the fewest advantages: the community surrounding the business. On the other hand, adopting such standards does not necessarily result in the wished-for implementation of

corporations' website and social media images. *Corporate Social Responsibility and Environmental Management*, [s. l.], v. 27, n. 6, p. 2631–2641, 2020. Available at: <https://doi.org/10.1002/csr.1988>. Accessed on: 4 June 2023.

³² CANTIKA, Ayu Edelyn Putri. Analysis of accounting treatment of corporate social responsibility (CSR) reporting. *Keynesia : International Journal of Economy and Business*, [s. l.], v. 1, n. 1, p. 41–52, 2022. Available at: <https://jurnal.arkainstitute.co.id/index.php/keynesia/article/view/106>. Accessed on: 4 June 2023.

³³ LOCK, Irina; ARAUJO, Theo. Visualizing the Triple Bottom Line: a large-scale automated visual content analysis of european

³⁴ SANCLEMENTE-TÉLLEZ, J. C. Marketing and Corporate Social Responsibility (CSR): moving between broadening the concept of marketing and social factors as a marketing strategy. *Spanish Journal of Marketing - ESIC*, [s. l.], v. 21, p. 4–25, 2017. Available at: <https://www.elsevier.es/en-revista-spanish-journal-marketing-esic-377-articulo-marketing-corporate-social-responsibility-csr-S2444969517300483>. Accessed on: 4 June 2023.

³⁵ RAWLS, John. *A theory of justice*. Cambridge: Harvard University Press, 1971.

CSR that can improve the community's social welfare in the immediate vicinity.

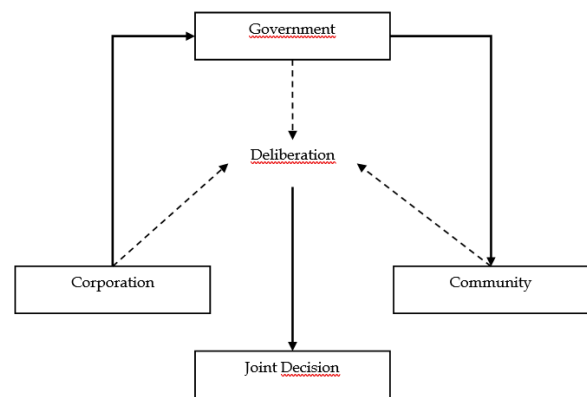
Because businesses that profit have a responsibility to share the advantages resulting from their actions, the CSR standard, mandated by Article 74 of the Company Law, can be interpreted as embodying the state's interest in promoting social welfare. This aligns with the constitutional mandate of Indonesia, as explained by Isa Wahyudi and Busyra Azheri³⁶, in the philosophical foundation of CSR, which can be seen in the fourth paragraph of the Preamble to the 1945 Constitution, which states: «... The Indonesian government shall protect all Indonesian people and the entirety of Indonesian bloodline. It shall promote the general welfare, educate the life of the nation, and participate in implementing the provisions of this Constitution».

The formulation of Indonesia's state purpose, which is to be a welfare state, can be found in the fourth paragraph of the Preamble to the Constitution, which was ratified in 1945. Article 28, Article 28C paragraph (1), Article 28H paragraphs (1) and (3), and Article 33 paragraph (4) all refer to this goal³⁷. Due to this constitutional duty, the government has taken steps to regulate CSR. For example, this regulation can be found in Article 15 letter b of Law No. 25 of 2007 addressing Investment and Article 74 of Law No. 40 of 2007 about Limited Liability Companies. Due to the normative nature of CSR principles, the voluntary nature of corporate responsibility has evolved into a necessary form due to this development. If, on the other hand, there are standards that indicate the compulsory nature of CSR and if there are no standardised methods for the implementation of CSR that engage community participation and prioritise sustainability, then the purpose of improving social welfare through CSR will not be practical³⁸.

Several factors must be considered when creating CSR implementation methods that may resolve con-

flicts between a company's economic interests and environmental preservation. One of these factors is the involvement of all stakeholders, including their participation and contributions. Another factor is the resolution of conflicts. According to this interpretation, «waiving» CSR duties might provide additional benefits, particularly to the neighbourhood immediately adjacent to the business. In this context, waiving obligations can be understood as a step companies take to implement CSR. However, the main difference between the two is that waiving obligations will have a definite and universally applicable mechanism that introduces the concept of sustainability and the realisation of social welfare for the community. The fundamental notion of planning mechanisms in CSR implementation is depicted in Figure 3. These mechanisms are intended to break the impasse that results from conflicts between commercial interests and environmental protection.

Graph 3 - CSR Planning Mechanism Scheme



Source: Prepared by the authors (2023)

The Roles Played by Various Stakeholders The idea of social capital, highlighted in Figure 3, is a values-based strategy emphasising collaboration and the engagement of all stakeholders. This method is shown to be illustrated in Figure 3. The development of CSR processes based on this approach begins with the notion that organisations' moral concerns are complicated discourses, whether as a moral duty or moral obligation. As a result, CSR procedures must incorporate feelings of empathy and connections to the community. According to Hanifan (1916), social capital refers to goodwill, sympathy, social bonds, and cooperation between individuals and groups to create a more extensive social network. When viewed from this angle, social capital emerges as the solution to dilemmas with morality and paradigm shifts in the use of CSR. In this

³⁶ WAHYUDI, Isa; AZHERI, Busyra. *Corporate social responsibility: Prinsip, Pengaturan, Dan Implementasi*. Malang: Kerjasama In-Trans Institute dan Inspire, 2008.

³⁷ TIBAKA, Leli; ROSDIAN, Rosdian. The protection of human rights in Indonesian Constitutional Law after the Amendment of the 1945 Constitution of the Republic of Indonesia. *FIAT JUSTISIA: Jurnal Ilmu Hukum*, [s. l.], v. 11, n. 3, p. 266–288, 2018. Available at: <https://jurnal.fh.unila.ac.id/index.php/fiat/article/view/1141>. Accessed on: 3 Apr. 2021.

³⁸ NALLE, Victor Immanuel. The corporate constitutionalism approach in the formulation of CDR. *Indonesia Law Review*, [s. l.], v. 5, n. 1, p. 1–3, 2015.

discussion, morality refers to the concepts of good and wrong, inherently present in social capital. Social capital comprises three essential components: trust, values and norms, and networks. According to Horton and Hunt³⁹, the process of forming the culture of a community is inextricably entwined with the values that members of that group hold. The decisions made through the framework depicted in Figure 3 will undoubtedly prioritise environmental interests or, at the very least, incorporate environmental protection values where businesses utilise and manage environmental resources within communities that prioritise environmental conservation. This is the case in all of the scenarios presented in this figure. Numerous indigenous groups have long since implemented sustainability principles into their practises regarding using and administering the natural resources that may be found in their immediate environments.

As was mentioned earlier, concerning the economic interests that are held by companies as well as by the government (in terms of tax revenue), which are perceived as significant obstacles to the effective implementation of CSR in Indonesia, it is necessary to introduce mechanisms that provide incentives for companies engaging in CSR and to re-conceptualise the funding mechanism. CSR can give businesses that adopt it an advantage over their rivals. This concept debunks that CSR is a necessary burden that businesses must carry. Within the triple bottom line context, CSR can take on a variety of guises, depending on where its attention is directed: consumers, employees, communities and the environment, or health and safety. Companies that engage in CSR in one or more of the ways mentioned above are regarded as having greater competitiveness than those that do not. This advantageous facet can play a catalytic role in the company's business operations, drawing in customers and investors alike to the company's wares⁴⁰.

Different businesses may have different ideas about what CSR can do for them, and this is especially true if the need is seen as being «mandatory» because of a piece of legislation. In these circumstances, businesses in Indonesia may merely participate in CSR initiatives to

satisfy the legal requirements they are required to meet rather than doing so with any thought given to the principles of good corporate governance. Consequently, the metrics utilised are restricted to activities only to satisfy legal requirements, which negatively influences CSR's value to the firm. In other instances, CSR activities are carried out with the goal of «greenwashing» which suggests that businesses are aware of the beneficial connotation that CSR may bring to the organisation. The mechanism for implementing CSR should include strengthening penalties and rewards to impact the perspectives of enterprises in an economic environment. For example, tax incentives should be included in this mechanism to ensure that the expenditure burden of CSR is not seen only as a liability for the firm⁴¹.

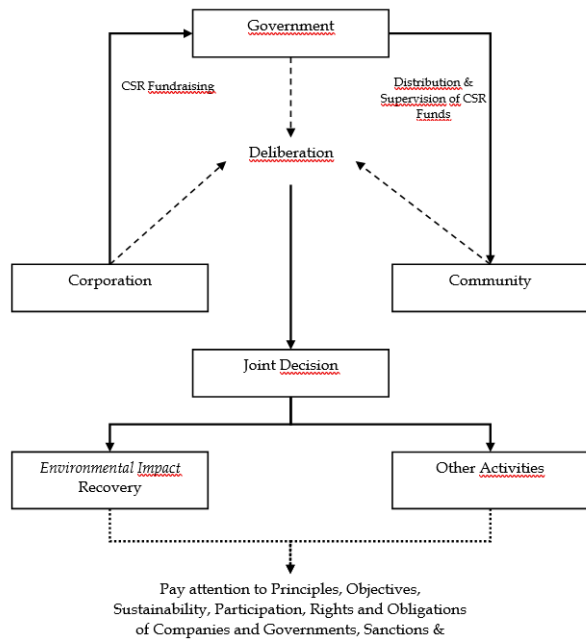
Figure 4 depicts a participatory system that advocates for deliberation to identify the forms of CSR implementation that enterprises will carry out. This mechanism includes all stakeholders and explains how they can participate. The government collects, distributes, and monitors CSR money within this mechanism. This strategy ensures openness in handling CSR funds, intending to determine rewards for businesses implementing CSR in compliance with legal regulations and addressing societal challenges. Guidelines are produced for identifying the forms of CSR implementation based on specific concepts, such as the protection of the environment and the achievement of social welfare, while considering the rights and obligations of both enterprises and the government. The re-conceptualisation of sanctions and incentives for firms is another factor that contributes to further bolstering the efficacy of this method.

³⁹ HORTON, Paul B.; HUNT, Chester L. *Sociology*. New York: McGraw-Hill, 1984.

⁴⁰ MAHRANI, Mayang; SOEWARN, Noorlailie. The effect of good corporate governance mechanism and corporate social responsibility on financial performance with earnings management as mediating variable. *Asian Journal of Accounting Research*, [s. l.], v. 3, n. 1, p. 41–60, 2018.

⁴¹ BALQIAH, Tengku Ezni *et al.* Corporate social responsibility and customer's responses: CSR authenticity and government intervention during the Covid-19 pandemic. *Helijon*, [s. l.], v. 9, n. 5, p. e15962, 2023. Available at: <https://www.sciencedirect.com/science/article/pii/S2405844023031699>. Accessed on: 5 June 2023.

Figure 1 - Reconceptualisation of CSR Implementation Mechanism



Source: Prepared by the authors (2023)

The government plays an essential part in this mechanism by acting as a collector, distributor, and supervisor of CSR monies. The goal is to promote openness in managing CSR funds and to offer incentives to businesses that demonstrate compliance with applicable regulations and responsiveness to the community's needs.

The government is responsible for collecting contributions from companies designated as part of its role as the CSR money collector. Furthermore, the government is responsible for dispersing these monies to projects that significantly positively affect society and the environment. The government also plays an essential role as a supervisor, ensuring that money designated for CSR is utilised in a manner that is both suitable and efficient, thereby producing measurable and beneficial effects for society.

Several guiding principles are taken into consideration in the process of selecting the various modes of CSR implementation. The aim of preserving the natural environment is one of the guiding principles. Businesses are expected to participate in CSR activities whose primary goal is preserving the environment, reducing carbon emissions, managing waste, and other endeavours that contribute to environmental sustainability.

Additionally, improving social welfare is an essential consideration that must be considered while selecting

the modes of CSR implementation. The development of social infrastructure, education, and healthcare, as well as increased access to food and clean water, are some activities that businesses are urged to engage in to improve the quality of life in the surrounding communities.

The rights and responsibilities of both firms and the government are considered when deciding how to implement CSR. Businesses have a moral obligation to positively contribute to the social and environmental well-being of the communities in which they operate. In the meantime, it is the responsibility of the government to develop policies that both encourage the implementation of CSR and maintain a balance between the interests of corporations and society.

This participatory mechanism also requires a rethinking of how sanctions and incentives are conceived to be successful. Companies that violate the criteria for CSR and do not effectively fulfil their commitments face the possibility of facing sanctions. These punishments can be in the form of fines or any administrative penalty by the regulations in place. On the other hand, there are incentives available to businesses that actively participate in CSR and have a substantial-good influence on society and the environment. These organisations are eligible to receive these rewards. These benefits may be public recognition, awards, or other inducements motivating involvement and CSR growth.

5 Conclusion

Corporate Social Responsibility (CSR) is significant in tackling the environmental crisis. The environmental challenges we encounter today encompass both scientific and ethical dimensions. Environmental ethics and moral standards serve as fundamental principles guiding environmentally responsible behavior. This ethical obligation propels sustainable initiatives and conservation activities, whereas CSR represents a tangible expression of ecological ethics implemented within an organizational structure. This application necessitates the development of organizational values that are expressed through distinct norms and guidelines.

Nonetheless, the dynamics shift when ethical accountability in corporate social responsibility transforms into a legal requirement due to external influences.

While regulations and laws compel companies to adopt CSR practices, this rigid framework frequently leads to superficial and negligent execution. The formalization of CSR could compromise its fundamental essence, which ought to be grounded in ethical principles and voluntary commitment. When CSR is perceived merely as a legal obligation, companies often concentrate on meeting the minimum requirements, neglecting the wider implications of their actions. Consequently, CSR frequently needs to achieve its three primary objectives: profit, human well-being, and environmental sustainability.

To effectively implement CSR, adopting a participatory approach that integrates both incentives and sanctions is essential. Organizations not complying with CSR standards should encounter penalties designed to create a deterrent effect and promote positive change. Conversely, organizations that effectively implement CSR and demonstrate tangible contributions to society and the environment merit recognition and rewards. Incentives, such as public awards, operational facilities, or other forms of recognition, can effectively drive companies to enhance their CSR practices consistently. Successful companies can exemplify effective practices for other organizations to emulate.

Establishing a participatory discussion forum that includes government, companies, and communities is crucial in implementing this approach. This forum serves as a venue for recognizing issues, developing solutions, and collaboratively executing action plans. The participation of Indigenous leaders is essential to guarantee inclusivity when the impacted communities are Indigenous. The government's involvement at national, regional, and local levels is essential, as it plays a crucial role in coordinating and ensuring that CSR programs are implemented effectively and in alignment with established plans.

This type of discussion forum should occur repeatedly, as it is essential for identifying problems, implementing solutions, and conducting joint monitoring and evaluation. The government has the potential to offer further incentives to companies that effectively execute CSR initiatives, such as streamlining business operations, provided these actions align with sustainability principles and existing regulations. This collaboration can potentially enhance the acknowledgment and in-

centives for organizations dedicated to corporate social responsibility.

Corporate Social Responsibility can be executed primarily in two significant domains: safeguarding the environment and enhancing community social welfare. These areas must embody the principle of sustainability by effectively utilizing existing resources and addressing any environmental damage that has taken place. The emphasis on community welfare should shift from isolated activities to initiatives that foster self-reliance within the community, emphasizing skills development and economic resilience. Consequently, communities gain immediate advantages, enhance their competitiveness, and establish long-term economic resilience.

Designing a sustainable, adaptable, universally relevant CSR framework is crucial in Indonesia. As the primary stakeholders impacted by corporate activities, local communities should be afforded extensive opportunities to participate in empowerment and development initiatives facilitated by CSR. The government bears a significant responsibility to guarantee that this occurs. In its role as the primary regulator and supervisor, the government must establish a reward mechanism grounded in the assessment of CSR implementation. This approach will ensure that companies are consistently motivated to enhance their contributions to society and the environment.

Further research is necessary to enhance the development of CSR by examining its implementation across different industry sectors and contrasting it with practices in other ASEAN countries. This analysis can reveal the factors that obstruct and promote the implementation of CSR in Indonesia while also offering a comprehensive understanding of the variations in CSR management across different countries. Theoretical studies on social responsibility theory, government regulation theory, corporate governance, and reflective law can offer valuable insights for governments and companies in formulating effective CSR policies and practices.

Strategic methods can be employed to enhance awareness and ensure consistency in the implementation of CSR in Indonesia. Implementing practical guidelines for companies, fostering active community participation, and providing education and training for stakeholders are essential components for enhancing and sustaining CSR practices.

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