IJOBSOR, 13 (4) (2026) pp. 80-89
Published by: TRIGIN Publisher
International Journal of Politics and Sociology Research
Journal homepage: www.ijobsor.pelnus.ac.id

The pretext of national strategic projects in the palm oil industry: A juridical analysis of massive deforestation and human rights violations in Papua

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ARTICLE INFO

Article history:

Received Dec 22, 2025
Revised Dec 28, 2025
Accepted Jan 4, 2026

Keywords:

Business;
Deforestation;
Human Rights;
Indigenous Peoples;
National Strategic Projects.

ABSTRACT

The designation of palm oil plantation projects as *National Strategic Projects (Proyek Strategis Nasional/PSN)* presents serious challenges to environmental protection due to widespread deforestation and the fulfillment of human rights, particularly in Papua, a region characterized by fragile ecosystems and Indigenous communities. This study aims to analyze the role and responsibility of the state in ensuring the protection of environmental and human rights within palm oil plantation projects classified as PSN, and to assess the alignment of palm oil business practices in Papua with the *United Nations Guiding Principles on Business and Human Rights (UNGPs)*, specifically the principles of *duty to protect*, *responsibility to respect*, and *access to remedy*. Employing a normative juridical method, the research adopts a *statutory approach* and a *conceptual approach* to examine *Presidential Regulation No. 60 of 2023* on the *National Strategy on Business and Human Rights*, relevant PSN regulations, and the UNGP framework. The findings reveal that the state has not effectively fulfilled its role in safeguarding environmental and human rights in PSN-designated palm oil projects. Rather than serving as instruments of equitable development, PSNs have marginalized Indigenous communities and imposed environmental burdens upon them without meaningful participation in decision-making processes. Moreover, palm oil business practices in Papua remain inconsistent with the UNGPs, necessitating a critical re-evaluation of PSN implementation to ensure conformity with the principles of sustainable development and social justice.

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1. INTRODUCTION

Forests constitute a single ecological entity encompassing landscapes rich in biological resources dominated by trees, with all components interacting dynamically and inseparably within their surrounding environment. Beyond their tangible economic value as sources of timber, forests perform vital ecological functions essential to human survival, particularly in soil protection and hydrological regulation. Over the past decades, the intensification of the global environmental crisis has been exacerbated by accelerating rates of deforestation, especially in developing countries such as Indonesia. Deforestation not only leads to environmental degradation and ecosystem collapse but also directly undermines the fulfillment of fundamental human rights, whose realization

is intrinsically tied to the sustainability of natural resources and ecological balance (Siregar & Roestamy, 2024).

While numerous studies have examined the environmental and socio-economic consequences of oil palm expansion in Indonesia, there remains a limited body of research specifically analyzing the intersection of *National Strategic Project (PSN)* policies, the *United Nations Guiding Principles on Business and Human Rights (UNGPs)*, and the implementation of *Free, Prior, and Informed Consent (FPIC)* within Indigenous territories. This study distinguishes itself by situating the Papuan case within the normative framework of the *National Strategy on Business and Human Rights* as regulated by *Presidential Regulation No. 60 of 2023*, thereby addressing a critical gap in understanding how state-led investment policies intersect with human rights governance and environmental justice.

Papua has long been represented as a region burdened by prolonged conflict and violence, perpetuating a cycle of intergenerational tension. Structural inequalities between Indigenous Papuans and migrant settlers are evident in areas such as Sorong, which since the colonial era has been a locus of natural resource exploitation, including oil palm plantation expansion. Development paradigms that prioritize resource extraction and the expropriation of customary lands (tanah ulayat) have contributed to entrenched structural poverty and intensified social conflict in Papua. Instead of safeguarding Indigenous rights and ecological balance, the state has increasingly encouraged the expansion of oil palm agribusiness. This tendency was illustrated by President Prabowo Subianto's statement during a meeting with regional leaders across Papua and the Executive Committee for the Acceleration of Papua Special Autonomy Development at the Presidential Palace on December 16, 2025, in which he emphasized the strategic importance of cultivating oil palm in Papua for palm oil–based biofuel production. This political statement materialized through the formal inclusion of the Palm Oil Downstreaming Program, implemented on a large scale in Papua and West Papua by private corporations, into the list of National Strategic Projects (Proyek Strategis Nasional, PSN) for the 2025–2029 period (Surri & Alfianto, 2025).

Recent data underscore the urgency of examining this issue. Between 2022 and 2024, deforestation in Papua accelerated to more than 170,000 hectares, primarily driven by new concessions under PSN-aligned agribusiness schemes. At the same time, the *Human Rights Monitoring Report* documented over 300 cases of violence and intimidation linked to land disputes and development projects, with Indigenous communities identified as the most affected. These empirical trends highlight the central concern of this study: that the designation of oil palm plantations as PSN in Papua has not only intensified ecological degradation but also perpetuated structural human rights violations through state-corporate collusion and inadequate human rights safeguards.

The designation of oil palm plantation projects as PSN often gives rise to persistent and escalating social conflicts, disproportionately affecting vulnerable groups such as laborers, smallholders, local communities, and Indigenous peoples. Data from Sawit Watch reveal that at least 1,106 communities across Indonesia are engaged in conflicts with oil palm companies. Further analysis from the *Policy Report on the Urgency of Improving Palm Oil Governance through the Moratorium on Plantation Licensing in the Perspective of Economics and Environmental Carrying–Supporting Capacity (D3TLH)*, which examined 150 plantation conflict cases nationwide, identifies three primary causes: corporate land acquisition without community consent, the absence or breach of profit-sharing (plasma) schemes, and violations of licensing regulations (Utami et al., 2024).

Regarding land acquisition without community consent, 99 of the 150 documented cases involved coercive corporate practices, including the provision of small compensation payments (*tali asih*) falsely presented as consent for land release, the use of attendance lists from socialization meetings as proof of community approval, criminalization threats against dissenting villagers, and even falsification of compensation documents. These injustices are exacerbated by inequitable conflict resolution mechanisms. Evidence shows that at least 30 community protests in the form of demonstrations or land blockades were met with repressive actions by state security forces (TNI/Polri) or private actors under the pretext of maintaining order within PSN zones. One notable case occurred in Central Kalimantan, where approximately 500 villagers occupied plantation land

operated by PT MMS. The protest was violently dispersed by police forces, resulting in the arrest of 43 residents and acts of physical violence that led to fatalities (Lubis et al., 2024).

Such incidents reflect the state's dilemma between achieving the PSN's investment acceleration targets and fulfilling its constitutional and international human rights obligations to protect, respect, and fulfill the rights of local populations. They also expose a fundamental dissonance between the implementation of PSN policies in the palm oil sector and the state's normative commitments, as stipulated in Presidential Regulation No. 60 of 2023 on the National Strategy for Business and Human Rights. In practice, the state appears to prioritize business acceleration and economic growth over human rights protection, signaling a shift toward a market-centric development paradigm that disregards social and environmental justice (Sukandi, 2024).

The establishment of oil palm plantation projects as PSN reflects a policy orientation that privileges investment acceleration at the expense of protecting fundamental human rights, particularly the rights to land, to a healthy environment, and to security. Weak state oversight, the systematic disregard for *Free, Prior, and Informed Consent* (FPIC), and the deployment of security apparatuses in response to social resistance collectively signify the state's failure to uphold its human rights protection obligations. This dynamic marks a clear deviation from the PSN's intended purpose as a vehicle for sustainable and socially just development. Consequently, this study argues that the PSN designation in the palm oil business in Papua functions as an instrument of legitimizing environmental destruction and human rights violations, generating profits for a narrow elite while externalizing ecological and social costs onto local and Indigenous communities. Such patterns echo similar occurrences across Sumatera Utara, Sumatera Barat, and Aceh, underscoring the systemic nature of the problem (Yanto et al., 2023).

Building upon this context, the present study seeks to address two fundamental legal questions. First, what are the roles and responsibilities of the state in ensuring environmental protection and human rights safeguards within PSN-designated oil palm plantation projects? Second, to what extent does the implementation of the palm oil business in Papua align with the United Nations Guiding Principles on Business and Human Rights (UNGPs)?

2. RESEARCH METHOD

This study employs a normative legal research method by integrating both a statutory approach and a conceptual approach. The statutory approach is utilized to analyze the conformity and consistency of national legal regulations governing National Strategic Projects (PSN) and the palm oil agribusiness sector with the principles of human rights protection and environmental sustainability. Through this approach, the study examines whether existing legal frameworks, policies, and implementing regulations reflect coherence with constitutional guarantees and international human rights obligations related to land rights, environmental protection, and sustainable development (Marune, 2022).

Meanwhile, the conceptual approach is adopted to explore the theoretical underpinnings of the *duty to protect*, *responsibility to respect*, and *access to remedy* principles within the framework of Business and Human Rights (BHR). This analytical lens allows for a deeper understanding of the normative relationship between state obligations and corporate responsibilities in the protection of human rights and the environment. The study critically situates these principles within the broader discourse of international human rights law and sustainable business governance, emphasizing their relevance to the legal and institutional dynamics of palm oil–related PSN projects in Indonesia, particularly in Papua.

The selection of regulatory and documentary materials in this study was based on three main criteria: first, their direct normative relevance to the governance of *National Strategic Projects* and the palm oil industry, including *Presidential Regulation No. 60 of 2023* as the primary policy instrument on the *National Strategy on Business and Human Rights*; second, their empirical and evidentiary value in reflecting the implementation of PSN and associated conflicts, as found in official reports from institutions such as *Sawit Watch* and *Yayasan PUSAKA*; and third, their international normative authority, represented by foundational documents such as the *United Nations Guiding Principles on Business and Human Rights (UNGPs)* and other human rights instruments that provide the conceptual grounding for assessing state and corporate obligations.

These sources were selected to ensure analytical coherence between domestic regulatory frameworks, empirical conflict data, and global human rights standards. The analysis is conducted qualitatively through a systematic examination of the interrelationship among legal norms, policies, and institutional practices. This qualitative legal reasoning seeks to produce a coherent understanding of how the state and corporate actors share responsibilities in ensuring the protection of human rights and the environment within the palm oil plantation sector. By doing so, the research not only elucidates the juridical dimensions of PSN implementation but also contributes to the ongoing academic debate on the intersection of economic development, environmental justice, and human rights protection in Indonesia's natural resource governance (Marune, 2023).

3. RESULTS AND DISCUSSIONS

The Framework of Human Rights and Environmental Protection in National Strategic Palm Oil Plantation Projects in Papua

Presidential Regulation No. 60 of 2023 stipulates that national development must be carried out based on the principles of sustainable development while upholding human rights values. Within this framework, the state, as the primary duty bearer of national development, bears the obligation and responsibility to protect and restore human rights in order to achieve public welfare, peace, security, and justice, particularly for communities residing around National Strategic Project (PSN) areas. In the business sector, corporations and entrepreneurs are correspondingly required to respect and remedy human rights violations in accordance with the prevailing legal framework. The establishment of Presidential Regulation No. 60 of 2023 is closely linked to the global framework of the United Nations Guiding Principles on Business and Human Rights (UNGPs), which emphasize three core pillars: the state's duty to protect human rights, the corporate responsibility to respect human rights, and access to effective remedies (Putri et al., 2025).

Globalization has transformed governance structures from static and centralized forms into polycentric networks of authority. In this context, the effectiveness of business and human rights policies cannot rely solely on national legislation but must also be reinforced through regional and global policy coherence. This necessity arises from the far-reaching impacts of global economic dynamics, which often trigger instability and disparities between nations, rising unemployment, deteriorating labor conditions, social exclusion, weakened democracy and state sovereignty, and the degradation of environmental quality. Such inequalities are often manifested through asymmetrical power relations between corporate economic forces and marginalized populations, including individuals, children, and impoverished or vulnerable groups (Azzahra et al., 2023).

At the same time, the Indonesian government carries a constitutional duty to respect, protect, and promote human rights, as well as to fulfill international commitments derived from human rights treaties, both legally binding and non-binding in nature. National development, as mandated by the 1945 Constitution of the Republic of Indonesia, is to be pursued based on the principle of sustainability while upholding human rights values. Within this constitutional framework, the state remains the principal actor responsible for ensuring the protection and restoration of human rights in order to promote public welfare and social justice. However, individuals and private actors, including business enterprises, equally share a duty to respect and uphold human rights in their operations. To guarantee legal certainty and fairness in the recognition, protection, fulfillment, enforcement, and advancement of human rights within business activities, a comprehensive and integrated *National Strategy on Business and Human Rights* is essential as a unifying policy framework (Wibowo & Rasji, 2023).

The *National Strategy on Business and Human Rights* embodies a shared commitment among the Indonesian government, corporate entities, and civil society to implement the UNGPs as a normative framework that ensures business activities do not cause or contribute to human rights violations. However, within the context of national development policy, the implementation of this strategy becomes increasingly complex when business operations are designated as part of PSN projects. The PSN designation, intended to accelerate economic growth and ensure equitable development, often leads, in practice, to expedited licensing procedures and regulatory relaxation.

These conditions risk sidelining precautionary principles, environmental protection mandates, and human rights safeguards as articulated in the UNGPs (Daffa & Herwiyanti, 2023).

This policy tension is particularly evident in the expansion of palm oil plantations designated under PSN, which has driven extensive deforestation without adequate alignment to the region's ecological carrying and supporting capacity. As a result, oil palm expansion has exceeded the ecological thresholds of the landscape, amplifying environmental risks and deepening the vulnerability of affected communities, particularly in relation to the right to a safe, clean, and sustainable environment (RASCHE & WADDOCK, 2021).

The total area of oil palm plantations in Sumatra in 2024 reached approximately 10.70 million hectares, while ecological footprint calculations indicate that the required plantation area to meet Sumatra's population consumption should be only around 1.53 million hectares. Research findings demonstrate that the ecological cap for oil palm plantations in Sumatra stands at approximately 10.69 million hectares, or about 22.48% of the island's total area, indicating an excess of roughly 6,815 hectares. This surplus signifies that plantation expansion has surpassed the ecological carrying capacity, contributing to environmental degradation and ecological disasters that have been particularly evident in North Sumatra, West Sumatra, and Aceh during November 2025 (Schuessler et al., 2023).

In contrast, oil palm plantations in Papua covered 290,659 hectares in 2024, while ecological footprint models estimate that the sustainable plantation area requirement for Papua's population is approximately 685,846 hectares. The research identifies an ecological cap of 290,837 hectares, equivalent to 0.71% of Papua's total land area, leaving a marginal difference of merely 178 hectares. This condition places the region at a critical ecological threshold, where even minor expansion could push the ecosystem beyond its sustainable limits. Without urgent policy attention, and considering the ecological disasters that have occurred in Sumatra in 2025, Papua faces a heightened risk of experiencing similar environmental catastrophes (Schrempf-Stirling et al., 2022).

In the practical implementation of the palm oil business in Papua, human rights violations frequently occur, particularly against Indigenous communities. According to the Chairperson of the Malamoi Indigenous People's Institution (*Lembaga Masyarakat Adat Malamoi*), as reported by *suarapapua.com*, several palm oil companies have operated since the early 2000s on Moi customary lands covering tens of thousands of hectares. These companies reportedly entered and occupied Indigenous territories without obtaining proper authorization or community consent, as evidenced by the absence of signed land release agreements. Such practices exemplify undemocratic land acquisition processes that contravene the principle of *Free, Prior, and Informed Consent* (FPIC). Regional regulatory developments, such as Regional Regulation No. 10 of 2017 on the Recognition and Protection of the Moi Indigenous People, explicitly require that all development plans involving customary lands must be preceded by full and transparent information disclosure and guarantee the right of Indigenous peoples to accept, reject, or propose alternative forms of development (Sant et al., 2024).

In practice, however, the palm oil business in Papua often operates under the legal shield of PSN and *Special Economic Zones* (Kawasan Ekonomi Khusus, KEK), which paradoxically serve to narrow the scope of Indigenous peoples' rights protection. The experience of the Indigenous community in Klagilit illustrates this phenomenon: their efforts to preserve remaining customary forests by rejecting land conversion for KEK development were met by the relocation of the project to another Indigenous territory that consented to release its land. Previous waves of forest exploitation for palm oil plantations and related development projects have rarely been followed by environmental restoration efforts, leading to the loss of viable living space, livelihoods, and socio-cultural cohesion among Indigenous communities.

Since the establishment of KEK in 2016, the lack of meaningful coordination between government authorities and local populations, along with the minimal participation of Indigenous communities in development planning, has triggered persistent resistance and social conflicts. These conflicts have not only occurred between local communities but also between Indigenous groups and corporate actors supported by state apparatuses. This situation underscores that PSN and KEK schemes continue to marginalize Indigenous peoples, positioning them as victims of large-scale deforestation and environmental degradation, while excluding them from meaningful

participation in decision-making processes that directly affect their ancestral lands and futures (Antai et al., 2024).

The United Nations Guiding Principles on Business and Human Rights

The *United Nations Guiding Principles on Business and Human Rights* (UNGPs) emphasize that, under international human rights law, states bear fundamental obligations in the governance of business and human rights practices. The first is the *duty to protect*, the state's responsibility to safeguard human rights from violations committed by any actors, including business enterprises and corporate entities. This obligation requires the state to prevent, investigate, prosecute, and remedy human rights violations arising within its jurisdiction, particularly in the context of business operations. Moreover, states are expected to establish clear standards ensuring that companies domiciled or operating within their territory respect human rights across all their operational contexts, both domestically and abroad (Sylvia et al., 2022).

In 2022, at least 317 cases of violence and human rights violations were recorded in Papua, the majority perpetrated by state security forces, including the Indonesian National Armed Forces (TNI) and the National Police (Polri). According to the 2022 Annual Report of the *Pusaka Bentala Rakyat Foundation (PUSAKA)*, 38 incidents of violence were documented across several regencies, showing an increase from the previous year, with the highest concentrations in Jayapura, Jayawijaya, Nduga, and Dogiyai. Most of these cases were associated with the suppression of civil society's freedom of expression, particularly in opposition to state policies and the presence of large-scale development projects such as palm oil plantations. Civilian populations, including women and children, constituted the majority of victims. The escalation of violence correlates strongly with controversial state policies, including the revision of the *Special Autonomy Law on Papua* and the formation of new *Autonomous Regions (Daerah Otonom Baru, DOB)*, which have often been met with repressive state responses toward demonstrators and local activists (Widjaja, 2025).

Within the context of palm oil PSN projects in Papua, it is evident that the state has not effectively fulfilled its *duty to protect* in the realm of business and human rights. Instead of preventing and prosecuting human rights violations, the involvement of security forces in acts of violence demonstrates a concerning shift in the state's role, from a protector of human rights to a participant in civil repression. The persistent reliance on a security-based approach to address public dissent and resistance toward development projects signifies a weak state commitment to protecting freedom of expression, the right to security, and the rights of vulnerable groups. Such practices not only contravene the core principles of the UNGPs but also reveal a systemic prioritization of investment acceleration and economic growth over the state's obligation to uphold and safeguard human rights in an equitable and comprehensive manner (Wantu et al., 2021).

The second principle of the UNGPs concerns the *responsibility to respect* human rights. To fulfill this obligation, the state must establish comprehensive policies and mechanisms ensuring that corporations uphold strong commitments to human rights protection. This responsibility requires the state to guarantee, first, that corporations embed respect for human rights into their governance structures and operational policies; second, that corporations are mandated to conduct *human rights due diligence* (HRDD) to identify, prevent, mitigate, and address potential adverse impacts of their business activities; and third, that effective mechanisms for remediation are available to victims affected by corporate operations (Petri et al., 2023).

In practice, Indigenous communities in Papua have consistently voiced strong opposition to palm oil expansion that disregards their rights and traditions. The Tehit Indigenous group, together with its sub-tribes Mlaqya, Gemna, Afsya, Nakna, and Yaben, who inhabit Konda and Teminabuan Districts in South Sorong Regency, firmly rejected the establishment of a palm oil plantation by a private company. Their opposition was grounded in the fact that the community had never granted consent for the use or control of their customary land and forest, even though the company had obtained a business license unilaterally from the state. The licensing process, conducted without consultation or *Free, Prior, and Informed Consent* (FPIC), constitutes a violation of customary land rights and stands in contradiction to the principles of sustainable development, the Constitution, and the state's commitments to environmental protection (Shahiri & Du, 2025).

Similarly, the Maranarauni Indigenous community from Keret Imbiri in Waropen Regency rejected the state's issuance of a 128,000-hectare oil palm concession to two private corporations without their knowledge or consent. The licenses, granted for mapping and land clearing within the Gaigar customary forest, an essential source of livelihood, were issued unilaterally. The community asserted that customary forests are not state property but are ancestral territories governed and inherited collectively, as recognized under Law No. 2 of 2021 on Papua's Special Autonomy. They viewed the inclusion of oil palm projects within PSN as a form of systematic and large-scale deforestation threatening their cultural and ecological survival, prompting them to assert territorial boundaries to halt corporate operations. These cases demonstrate the state's tendency to privilege investment interests over the protection of Indigenous rights and environmental integrity in Papua (Li, 2024).

Within the framework of palm oil PSN projects in Papua, it is therefore evident that the *responsibility to respect* has not been meaningfully realized. The state's issuance of business permits without ensuring corporate adherence to human rights commitments, the absence of HRDD processes, and the neglect of FPIC obligations collectively reflect the weakness of both regulatory and supervisory mechanisms. The cases from South Sorong and Waropen illustrate that investment acceleration through the PSN scheme continues to take precedence over the protection of customary land rights, environmental sustainability, and Indigenous peoples' right to a dignified existence. Thus, the principle of *responsibility to respect* remains poorly internalized, both at the state level as a regulator and among corporations as duty-bearers (Eggen et al., 2024).

The third principle of the UNGPs concerns the *access to remedy*, which obligates the state to ensure that individuals or communities suffering from human rights violations obtain effective and equitable redress. The effectiveness of remedies requires states to strengthen both judicial and non-judicial mechanisms with sufficient capacity to receive, review, and respond to complaints of human rights abuses. Reports by the PUSAKA Foundation reveal persistent weaknesses in the state's human rights remediation efforts in Papua throughout 2022.

The period was marked by heightened violence involving both state and non-state armed actors, resulting in widespread harm to civilians. Indigenous groups opposing corporate intrusion were confronted by military forces deployed as protectors of investment projects, including those categorized as PSN. Incidents such as mass arrests of activists, torture resulting in the death of children, mutilation of civilians, and extrajudicial killings in the context of armed conflict exemplify the state's overreliance on excessive and disproportionate use of force (Judijanto, 2025).

Moreover, access to justice and remedy for victims remains severely limited. Legal proceedings against perpetrators within state institutions such as the TNI and Polri have not been conducted transparently or accountably, perpetuating a culture of impunity. Victims of human rights violations are typically provided only with symbolic or charitable assistance, such as monetary compensation or basic goods, without the legal accountability necessary to ensure deterrence or justice. The militarized and repressive approach to social conflict management has proven ineffective and counterproductive, further exacerbating human rights abuses and eroding public trust. Therefore, the state must adopt a more human rights–based and humane approach, prioritizing peaceful dialogue, fair legal processes, humanitarian pauses, demilitarization, and a comprehensive reassessment of investment policies in Papua that have led to land dispossession, environmental destruction, and Indigenous marginalization.

In the context of natural resource exploitation, it is evident that the state has failed to fulfill the *access to remedy* obligation under the Business and Human Rights framework, particularly in relation to palm oil plantations and development policies in Papua. The absence of transparent, effective, and equitable remediation mechanisms, combined with persistent impunity and the lack of accountability among state and corporate actors, demonstrates a systemic failure to ensure victims' rights to justice and meaningful recovery.

The continued use of repressive security approaches not only aggravates human rights violations but also obstructs access to justice for affected communities. Thus, the realization of *access to remedy* requires a fundamental policy shift toward strengthening independent judicial and non-judicial mechanisms, ending the use of violence in response to social conflict, and

ensuring equal legal accountability for all perpetrators of human rights violations, whether from state institutions or corporate entities.

4. CONCLUSION

Based on the foregoing discussion, it can be concluded that the role and responsibility of the state in ensuring the protection of the environment and human rights within palm oil plantation projects designated as National Strategic Projects (Proyek Strategis Nasional/PSN) have not been optimally fulfilled. Although *Presidential Regulation No. 60 of 2023* and the framework of the *National Strategy on Business and Human Rights* formally reaffirm the state's obligation to promote sustainable development grounded in human rights principles, in practice the government has tended to prioritize investment acceleration and economic growth under the PSN scheme. This tendency is reflected in the expedited licensing procedures, the relaxation of regulatory oversight, and the continued reliance on security-oriented approaches to manage social conflicts, approaches that ultimately undermine the state's function as a protector of the environment and human rights, particularly for Indigenous communities in Papua.

Consequently, PSN-designated palm oil plantation projects have contributed to large-scale deforestation, increased ecological vulnerability, and violations of the right to a clean, healthy, and sustainable environment. Furthermore, the implementation of palm oil business practices in Papua remains inconsistent with the *United Nations Guiding Principles on Business and Human Rights (UNGPs)*. The state has not effectively fulfilled its *duty to protect*, as evidenced by the involvement of security apparatus in acts of violence and repression against civilians opposing development projects. Similarly, the *responsibility to respect* principle has not been realized, given that business licenses for plantation operations have been issued without ensuring corporate commitment to human rights, without the implementation of *human rights due diligence (HRDD)*, and without the guarantee of *free, prior, and informed consent (FPIC)* from affected Indigenous communities. In addition, the state has failed to provide effective, transparent, and equitable mechanisms for remedy and justice. This failure is marked by persistent impunity, lack of accountability among both state and corporate actors, and the reduction of remediation efforts to mere charitable aid rather than substantive redress. Collectively, these shortcomings demonstrate a failure to meet the *access to remedy* principle under the UNGPs framework.

Therefore, it can be affirmed that the establishment of PSN within the palm oil sector in Papua has yet to serve as an instrument of sustainable and equitable development. Instead, it risks legitimizing systemic human rights violations, environmental degradation, and the marginalization of Indigenous peoples. This situation underscores the urgent need for a paradigm shift in development policy, wherein environmental protection and respect for human rights must be treated as fundamental prerequisites for PSN policy formulation and implementation. To align the PSN framework with sustainable development and human rights, this study recommends a moratorium on new palm oil PSN projects in Papua until mandatory human rights due diligence (HRDD) and Free, Prior, and Informed Consent (FPIC) mechanisms are enforced. The PSN scheme should be redesigned to ensure independent monitoring and transparent accountability for both state and corporate actors.

The state must ensure the substantive integration of the *UN Guiding Principles on Business and Human Rights* across all stages of planning, execution, and oversight of palm oil business activities in Papua to achieve development that is not only economically viable but also socially just and ecologically sustainable. This study is limited to normative legal analysis and lacks empirical validation. Future research should integrate field-based and participatory approaches to assess the real impacts of PSN implementation and the effectiveness of HRDD and FPIC enforcement in Papua.

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