

Volume: 4
Number: 1
Page: 142 - 152

Article History:

Received: 2022-11-22

Revised: 2022-12-20

Accepted: 2023-01-17

**THE EFFECTS OF CONFLICT AND PALM OIL INVESTMENT
BETWEEN INVESTORS AND COMMUNITIES IN INDONESIA**

¹Rahmad HENDRA, ²Rosa AGUSTINA, ³Ratih LESTARINI

^{1,2,3}Universitas Indonesia, Indonesia

Corresponding author: Rahmad Hendra

Email: b4nk.h3n@gmail.com

Abstract:

The resolution of customary land conflicts often needs to bring results. The protracted conflict inflicted losses on both sides. The community cannot benefit from the land that is their customary right because it is under the control of the Oil Palm Plantation Company (PPKS). At the same time, PPKS cannot operate comfortably because it must always face community demands. There are still conflicts in oil palm plantations between indigenous peoples in Kampar Regency, Riau Province and PPKS. Based on these conditions, the legal issue that is also the main problem in this study is why there is a land conflict between oil palm plantation business investors and indigenous peoples and how the parties resolve it. The author found that the conflict occurred due to differences in views on customary land, the non-implementation of deliberations with indigenous peoples before the investment was made, and government policies. Conflict resolution is carried out using different means according to the cause of the conflict.

Keywords: Investment, Palm Oil, Conflict, Indigenous Peoples.

Cite this as: HENDRA, R., AGUSTINA, R., & LESTARINI, R. (2023). "The Effects of Conflict and Palm Oil Investment Between Investors and Communities in Indonesia." *International Journal of Environmental, Sustainability and Social Science*, 4 (1), 142 - 152.



INTRODUCTION

For Indonesia, foreign direct investment activities, as well as domestic investment, contribute directly to development. The investment will stimulate economic growth, transfer technology and science, create new jobs and boost people's purchasing power. Investment in the agricultural sector, especially the plantation business, is a strategic commodity business for the Indonesian economy. In almost every government, the plantation sector is always in an important position for the country's foreign exchange. Plantation commodities become a mainstay for state income. Where the total number of plantation exports in 2018 reached 393.4 trillion rupiahs which are equivalent to 28.1 billion dollars.

The most significant plantation production currently in Indonesia is oil palm. The palm oil industry is the most significant investment driving economic growth in Indonesia. Airlangga Hartarto said that in the position of the largest palm oil producer in the world, the palm oil industry is a strategic sector that has contributed to alleviating poverty by creating jobs for around 16,000,000 workers, directly or indirectly. In the long history of Indonesian oil palm plantations, it was in the late eighties that the Government of Indonesia issued an explicit policy converting forests into oil palm plantations. This is driven by the prospect of which is better on the world market for cooking oil, fats and biodiesel, which is constantly increasing. The high need for palm oil makes investing in oil palm plantations one of the government's priorities to strengthen economic growth. Government policy is a stimulant on investment in oil palm plantation businesses, indicating that the increasing area of oil palm plantations consistently occurs yearly. The increase in oil palm plantation area gives Indonesia the world the highest annual primary forest fungi conversion rate. Forest conversion is carried out in state forests and customary forests,

which causes ecosystem changes not only in the company's operational areas but also in the areas of life of the surrounding indigenous peoples. In 2017, palm oil production required about 12 million hectares of land to produce 38 million tons of palm oil.

The need for oil palm investment and indigenous peoples' need for land often intersect and cause conflict. This policy triggers the birth of conflicts between indigenous peoples, as well as between investors and the government, central and regional, and many conflicts that ultimately lead to human rights abuses. One of the causes of conflict is the neglect of the rights of local indigenous peoples related to land use. Annexing of customary land of indigenous peoples, human rights violations in surrounding indigenous peoples, destruction of standard order, destruction and destruction of the motherland, destruction of the environment, destruction of economic joints of communities, and eliminating the existence of indigenous peoples are perceived facts.

The protection and fulfillment of the rights of indigenous peoples can be carried out by involving indigenous peoples in investment. Alan M Rugman states that "the environmental and internalization dimensions influence direct investment. There are 3 (three) environmental dimensions of concern: the Economic dimension, the non-Economic dimension, and the government dimension". The Economic Dimension is generally labor and capital, technology and availability of natural resources, and management skills. The non-Economic dimension includes the political, social and cultural dimensions of society. With the involvement of indigenous peoples in direct investment, the potential for many customary land conflicts will be reduced.

During this time, the mechanism of resolving customary land conflicts was often needed to bring results. Even after the case was resolved through the courts, it did not result in peace between the two parties. The protracted conflict inflicted losses on both sides. The community cannot benefit from the land that is their customary right because it is under the control of PPKS. At the same time, PPKS cannot operate comfortably because it must always face the community's demands. Referring to the description above, the research question is formulated as follows: why is there a land conflict between oil palm plantation business investors and indigenous peoples and how do the parties resolve it?

METHODS

This legal research uses a socio-legal approach, examining the causes of conflicts and how to resolve them by looking at empirical realities in the field. Data collection is carried out by searching literature with the technique of using available data, namely using the results of previous research as well as government documents and other public documents, followed by field observations in Kabupaten Kampar, as well as in-depth interviews and discussions with parties related to the question. Why land conflicts exist between oil palm plantation business investors and indigenous peoples and how the parties resolve them, the data will be elaborated to get a clear picture of the conditions in Kampar Regency.

RESULT AND DISCUSSION

Oil Palm Plantation Business Investment Conflicts in Indonesia. The existence of oil palm plantations in Indonesia is on two sides of the coin. On the one hand, the existence of oil palm plantations benefits the region and the State for the income allocated for the community's prosperity. However, on the other hand, oil palm plantations present a few agricultural problems, especially with local communities.

Hall et al. stated that agrarian conflicts, especially oil palm plantations, are conflicts referred to as land exclusions. In this concept, they see how the change in the access they have to land or land. Access is defined as the ability to derive benefits from things. This definition is broader than

the classical notion of property, defined as the right to obtain things. Access, in this sense, means "a bundle of powers" in contrast to a property that views access as a "bundle of rights." In this kind of access sense, power is defined as something consisting of material, cultural and economic-political elements that are gathered in such a way as to form a "bundle of powers" and a "web of powers" which then determines access to resources. How to see access to land from the perspective of the right to power can explain the process of acquiring land for the benefit of the market.

Conflicts in the plantation subsector mainly occurred in the 1980s and 1990s. Before the 1980s, the conflict was not so evident because the role of the private sector in the plantation subsector was not so significant; even then, many private plantations or HGU were displaced and eventually controlled by local communities. At this time, the role of the private sector in the plantation sector began to rise. State-owned plantations, namely the nationalized colonial heritage PTP-PTP, dominate the plantation sector.

During the years, conflicts in the plantation sector consistently increased and were highest compared to other sectors. The high escalation of agrarian conflicts in this sector is due to the ease provided by the government to provide plantation business licenses through the issuance of location permits and HGU without looking further at the situation on the ground that causes overlapping plantations with people's living areas. Exacerbated by the closure of information about HGU, especially HGU-HGU, which has problems with residents. On the other hand, the government (central and regional) often views the agrarian conflict as a form of disruption of plantation business (Plantation Law).

Plantation Business Cases. The Consortium for Agrarian Renewal recorded 74 incidents of agrarian conflicts in the plantation sector, with an area of 276,162,052 hectares. The number of victims affected reached 23,531 households. Secretary General of the KPA, Dewi Kartika, said that more than 50 percent of the conflicts occurred in the oil palm plantation sector. Of the 74 conflict incidents, 59 or 80 percent of cases occurred in the oil palm plantation sector, with an area of 255,006.06 hectares. The plantation sector has always occupied the top position in contributing to agrarian conflicts in Indonesia. If pulled back in the last decade (2012 -2021), the plantation sector is also the cause of the highest agrarian conflicts every year. Except in 2014, the plantation was second after the infrastructure sector.

Plantation business conflicts include the conflict between the Laman Kinipan indigenous community in Central Kalimantan, with PPKS PT. Sawit Mandiri Lestari (SML). At August 4, 2019, meeting at the Office of the Ministry of ATR / BPN, an overlay of the Kinipan normal area map with SML's licensing map was carried out. As a result, there is an overlap of 2,235 hectares of core HGU plus 390.1 hectares and 343.8 hectares plus 720.2 hectares of plasma with the Laman Kinipan customary area. Conflicts between indigenous peoples in Papua, which occurred between tribes including the Mpur Kebar Tribe (Tambraw), the Moi Tribe (Klasouw and Malalilis, in the Regency. Sorong), Iwaro Tribe (South Sorong), Mandobo Tribe (Boven Digoel) and Malind Tribe (Merauke Regency) with PT. Bintuni Agro Prima Perkasa. The conflict between the Modang Long Wai Dayak Indigenous Community in East Kalimantan and the palm oil company PT Subur Abadi Wana Agung (Sawa). Four thousand hectares of land in indigenous peoples was lost with the issuance of a Regent's Decree in 2015.

Comparison with the Granting of Business Use Rights on Customary Land to PT. Semen Padang. The customary land of the Lubuk Kilangan indigenous people of West Sumatra, which is geographically located in the mountainous area of Bukit Barisan, is one of the areas rich in minerals, especially mining materials such as limestone, silica, coal and clay, which are the primary raw materials and fuels for the cement industry. The beginning of the cement industry investment was carried out during the colonial period. The first handover of customary land was carried out



in 1907 between traditional leaders and the colonial government to establish PT. Semen Padang with a lease mechanism, which in Minangkabau customary law is called timpeh grant. The handover was carried out by signing a notarial deed number 8/1907 titled 'Keboelatan Density Nagari Lubuk Kilangan.'

Furthermore, indigenous peoples have several times given up their customary land to expand PT. Semen Padang i., e. in 1973, covering an area of 126 ha (one hundred and twenty-six hectares) with its signature, the 'Charter of Statement' dated February 20, 1971, then in 1999, the handover of customary land covering an area of 412.03 ha (four hundred twelve point zero three hectares). Agreements such as those carried out by the indigenous people of Lubuk Kilangan and PT. Semen Padang has been regulated in the Permenag / Head of BPN Number 5 of 1999, in Article 4 paragraph (2) relating to "land handover for a certain time." This Permenag was revoked by Permenag Number 9 of 2015.

Sources of Plantation Land Conflict, Spatial Planning Ignores Local Wisdom and Community Reality. In the context of development, the Riau Province area, originally a forest area, was converted entirely into a non-forest area. In order to meet the needs of population development. On December 30, 2011, the Minister of Forestry issued Decree 7651/Menhut-VII/KUH/2011 concerning the Riau Provincial Forest Area, declaring the Riau Forest area of 7,121,344. The area of Riau Forest is drastically reduced because this decree states that the area is not a forest area in Riau, covering an area of 1,863,479.67 hectares.

The area of non-forest areas was changed several times until 2016 by Decree Number 903 / MENLHK / SETJEN / PLA.2 / 12/2016 concerning the Riau Province Forest Area. This decree stipulates a forest area in Riau Province covering an area of \pm 5,406,992 hectares. The details are 630,753 ha for KPA/KSA, Protected Forest 233,910 ha, HPT covering an area of 1,017,318 ha, HP covering an area of 2,339,578 ha and HPK covering an area of 1,185,433 ha. For non-forest areas, the area has increased to 3,577,831.67 ha.

Until 2018, Riau was one of the provinces that did not have a Regional Regulation on Spatial Planning and Provincial Areas. In 1994 during the era of Riau Governor Soeripto, Riau once proposed the Ranperda RTRWP; when the adulteration process had not been agreed upon, the Riau DPRD approved it to become Perda Number 10 of 1994 on August 19, 1994. However, during the adulteration process, there was no agreement between the central government and local governments, so this bylaw was not recognized. All forest areas were released during the period 1986 - 2012 for large plantations; there was no release of forest areas for infrastructure development such as roads, government centers, and urban areas, nor was there any release of forest areas for settlements and community arable land. On the other hand, the number of inhabitants is constantly increasing, and government and urban centers are constantly expanding. Most land needs for large plantations in the period 2001 - 2004 were met through the use of forest areas with the permission of the regent, without going through the release of forest areas through the minister.

The change of forest areas into non-forest areas and subsequently into plantations causes friction with indigenous peoples because, in these changes, there are customary lands of indigenous peoples. The impact felt by indigenous peoples is enormous because the community is a subsistence community that takes the products from the forest for their lives in their daily lives. Spatial policies that do not pay attention to the areas where indigenous peoples live are one of the causes of conflict.

Transmigration Pays Less Attention to Local Communities. Since its independence in 1945, Indonesia's development has been fraught with conflict and consensus between regional (non-Javanese) and central (largely Javanese) interests. The transmigration policy has thus been primarily conditioned by the dynamic relationship between the central and local governments and

between Java and the Outer Islands. Although central control has succeeded mainly in maintaining Indonesia's national identity, it is also associated with high levels of regional inequality. In general, Indonesia's programs did not achieve the government's population reduction goal.

Furthermore, increased population pressures and cultural displacement associated with transmigration programs have led to environmental degradation and ethnic conflicts throughout the transmigrant region. Hamidy and Ahmad noted that just two years after resettling, some migrants had to sell their goods to local people to earn money to buy food. Some are even described as poor. For the locals, the difficulties of the life of the transmigrants in Simandolak gave a terrible image of the Javanese transmigrants in Riau. In implementation at the operational level, there are many problems, such as unsuitable land for agricultural settlements, various forms of mismanagement in implementing institutions, and conflict with residents.

Differences in Perceptions of Land Ownership. The emergence of land disputes is inseparable from the community's understanding of the ownership of land rights that are perceived differently from the land rights granted by the State formally. According to Hutagalung, the land problem map can be grouped into five things, including First, the problem of people's cultivation of forestry land areas, plantations, abandoned housing projects etc. Second, issues relating to violations of the provisions on land reform. Thirdly, excesses in the provision of land for development purposes. Fourth, civil disputes concerning land. Fifth, issues relating to the customary hak of indigenous peoples. The community sees ownership and control of land based on the history of land ownership and control that has been carried out for generations. So anyone with land rights and controlled land for generations is the rightful owner of land rights, often referred to as ipso facto. Regarding the relationship of indigenous peoples with their customary lands, Hermanto said:

"We have already given up our land for the company to invest. Our land should be returned to us Indigenous Peoples when it is over because the land is already on us from our ancestors back then. As long as there is us, it remains as long as it is also our customary land. Our relationship with our land is an enduring one."

This is inversely proportional to the formal legal view, which is the legal view of ownership of land rights based on the certificate of ownership (certificate) and the ruler of the land deed, so whoever has a land ownership deed in the name of the landowner then he is the legal owner of the land rights legally. This view of legal (juridical) land ownership is called ipso jure. Regarding the ownership of the company's plantation land, Andiansyah said:

"Palm oil investors always follow the procedures set by the State for the certainty of land ownership. After we get the location permit, we apply for Business Use Rights. The HGU was the result of a long process. During the process, we are the ones who have the right to the land, especially if the land has been planted."

This difference of views triggers a conflict over ownership of rights to plantation land, where claims of ownership of plantation land rights by local communities are based on the fact that ownership is hereditary; on the other hand, the law is always guided by formal land ownership based on a certificate of Business Use Rights obtained illegally by the company.

Low Regional Income from Oil Palm Plantations. The input for areas from the oil palm plantation sector is relatively minimal. So far, regional revenues from the oil palm plantation sector have been obtained from the land and building tax (PBB) payment sector, groundwater tax, and other income not from palm oil products or derivatives. Regional income is also obtained when PPKS manages HGU, where regions get Land Rights Acquisition Duty (BPHTB). All of that is bumped with the rules: Law Number 33 of 2004 concerning Central and Regional Financial Balance and Law Number 18 of 2004 concerning Plantations. If you look at it, the balance of palm oil

acceptance rests significantly on the center. If we look at the palm oil sector, there is no fund allocated to palm oil-producing areas. In this regard, representatives of 18 palm oil-producing provinces have held several coordination meetings on the proposal of palm oil revenue sharing funds to formulate proposals for amendments to Law number 33 of 2004 to the president.

In the meeting, the Governor of Riau said that, in general, several aspects form the basis for the emergence of a proposal to distribute funds for palm oil revenue sharing to the central government. Among other things, palm oil-producing areas receive impacts from oil palm plantation management, such as damage to road infrastructure due to the transportation of CPO. The high potential for erosion and the risk of air, soil and water pollution due to the threat of forest and land fires, B3 solid waste and liquid waste. Responsibility as a result of oil palm plantations. Meanwhile, on the other hand, plantations generate income for the State in the form of Exit Duties, and The Export levy is enormous, but there has yet to be a share for palm oil-producing areas.

Fiscal decentralization funding is carried out using Transfers to Regions and Village Funds (TKDD), regional taxes and levies, and regional loans. One of the TKDD ports is the regional Profit Sharing Fund (DBH) which is included in the state budget expenditure through the APBD as regional revenue. Although the allocation of TKDD in 2021 looks quite large (Rp. 795.5 trillion), the funds obtained from the palm oil industry are minimal. DBH sourced from oil palm plantations is obtained from the Land and Building Tax which is paid only once a year. This data shows that the income of palm oil-producing regions from the palm oil industry is meager. Meanwhile, local governments need significant funds to deal with the impact of this industry on the environment and society.

The community very much feels the impact of the palm oil industry. Both were felt by the community around the factory and plantation and other communities. Around the factory, people are vulnerable to exposure to waste produced by the factory. In some places, river pollution is suspected to be due to PPKS liquid waste. The river ecosystem also damaged Riau's first customary forest. For other people in Kampar Regency, the road was damaged due to the truckload of palm oil transporters that exceeded the limit. The budget for road repairs in Riau is around 12 trillion rupiahs, but the available budget is only 200 billion rupiahs.

Land and housing regulations for large-scale housing development in Indonesia are opposed to low-income people. In South Tangerang City, where most of the area is the settlements built by developers, most of which are controlled by three large companies that control 50% of the location of the existing settlements. These companies build large-scale housing and dominate the area of the city. The control of the large land area by these major developers in South Tangerang is highly supported by land occupation regulations that do not limit the land area to be controlled by public companies. However, more than this, housing is needed to solve the housing backlog problem for low-income people. High land prices cause the inability to implement government subsidies to provide low-cost and affordable housing for low-income people. The balanced housing program has yet to be fully implemented, especially for the benefit of low-income communities.

The developers of large-scale housing did not comply with balanced housing regulations, and with the high housing prices, developers have promoted their housing only for the upper class. Local communities and low-income people still struggle to meet their housing needs in a high-price situation. The South Tangerang City Government can only carry out the house renovation program for low-income people, which is carried out in local settlements where low-income people live. Those previously displaced by large-scale housing developments have to live with their parents in family houses or move to remote locations to find affordable housing. Flats, as an

alternative to implementing balanced housing development by large-scale housing, still need challenges in their implementation because the policy has just been enacted.

Different Perceptions between Companies and Local Governments about Plantation Licensing. According to Joko Supriyono, obtaining Business Use Rights in the oil palm plantation industry is reasonably lengthy. The fact that palm oil is a foreign exchange-boosting commodity does not make licensing the oil palm plantation business accessible. The same thing was also conveyed by Andiansyah, who said that applying for Business Use Rights is a long process to obtain land rights. Quite a lot of time and effort was made from the location permit to the issuance of the HGU certificate.

However, BKPM Kampar signaled that there are many unlicensed PPKS in the Kampar district. Even if you already have a permit, there is a difference in perception between the government as the party who gave the permit and the oil palm investor regarding licensing in the oil palm plantation business. This also often causes plantation conflicts. According to Perka BPN regarding location permits, the company can acquire land for investment activities after obtaining a location permit. It is only allowed to make the land acquisition after a location permit.

The Case of Senamanenek with PTPN V. One of the long-running conflicts in Riau Province is between the Senamanenek Kenegerian Community, Tapung Hulu District, Kampar Regency, and PT. National Plantation V (Persero). Conflicts began to occur during the New Order period around 1983, starting with the land clearing carried out by PTPN V (Persero) based on the Decree of the Minister of Agriculture Number 178/KPTS/UM/III/1979 concerning the P.N/P.T Development Area, and the Decree of the Governor of Riau Number Ktps.131/V/1983 of 1983 concerning Land Reserves for Oil Palm and Rubber Plantations covering an area of more than 30,000 Ha in Tandun and Siak Hulu Districts of Kampar Regency managed by PT. Plantation II of Cape Morawa. The conflict continued with the issuance of the Decree of the Minister of Forestry No.403/KPTS-II/1996 concerning the Release of 32,235 Ha of forest in the Sei Lindai Forest group, Kampar Regency, as well as the issuance of Business Use Rights covering an area of 27,348,888 hectares which were issued in stages starting from 1997 to 2001. After the Reformation Order, the conflict developed into an open and collective dispute. However, until 2018 the dispute had yet to be resolved.

Agrarian conflicts between indigenous peoples and PPKS can hinder development and improve welfare for communities, primarily indigenous peoples. There needs to be a resolution to resolve conflicts so that palm oil-based development can benefit companies and indigenous peoples. In 2020 73 plantation conflicts were recorded in the Riau Provincial Plantation Office. The Riau Provincial Government sought to facilitate most of these conflicts. One of the plantation conflicts is the community's demand for the construction of plasma plantations of at least 20% of the area cultivated by the company. This demand is based on the mandate of Law No. 39 of 2014 concerning Plantations Article 58 paragraph (1), which requires Plantation Companies that have a Plantation Business license to facilitate the construction of community gardens of at least 20% (twenty hundredths) of the total area of the plantation cultivated by the Plantation Company.

The entry of the company PT. Ganda Buanindo in Subarak Village to start a business accompanied by the Regional Government. It started with a meeting with the people of Subarak Village to talk about the oil palm plantation business that will start where the location of the plantation will be in the customary land of Subarak Village. The meeting at the beginning of the effort was conducted to inform the community and ask for approval to construct a plantation business in their area. PT took the steps. Ganda Buanindo and the Kampar Regency Government informed and asked for public approval to implement the Principle of Free, Prior and Informed Consent (FPIC). One of the things that are seen as a process force based on the recognition of

indigenous peoples' right to give or not to give consent without coercion based on initial information on the activities, laws and policies applied to their lands is that it also has implications for the acceptance of the decision-making process by indigenous peoples themselves.

The KKPA pattern will be after the completion of the company's plantation around 1997. However, the company's commitment was somewhat delayed, so there was an insistence on the community, represented by ninik mamak and community leaders, to realize the construction of the garden. The occurrence of conflict did not last long. The company carried out the construction of 300 hectares with a partnership pattern. Profit sharing in this pattern is carried out monthly, with companies getting 30 percent and society 70 percent. This pattern lasts as long as society is owed to the company. After the debt is paid off, the community still hands over the management of the plantation to the company with an administration of 4 percent. Until now, the pattern has favored both sides and never again conflicts.

Ideal Patterns Used In Preventing Investor Conflicts With Indigenous Peoples. The provision of HGU on state-controlled land has caused many land conflicts with indigenous peoples. The State must prevent conflicts that result in losses for all parties. Moreover, conflicts occur due to efforts to meet basic needs. Ardiansyah said the involvement of indigenous peoples could be done based on an agreement between the company and the MHA. One of the patterns of cooperation with MHA investment is carried out with a limit of only one period. After that, there is compensation that must be paid to MHA every month. Alternatively, it could be divided 60-40, Company 60 percent, MHA 40 percent of the built garden. The status of the land also depends on the agreement, which is confident that the company, in conducting its business, must meet the legal aspects.

Cooperation between indigenous peoples and investors by involving the community in investment, as stated by Rugman, is carried out by PT. Semen Padang and Indigenous Peoples can be used to make national policies. To achieve the noble goals of the State, prosperity and prosperity, the government is obliged to make efforts to bridge the interests of the parties, both investors and indigenous peoples. A policy that bridges the interests of the parties to the conflict is necessary.

CONCLUSION

Based on the research conducted, conclusions were reached on the following research questions: Conflicts between oil palm plantation business land and indigenous peoples occur due to several things, including spatial planning that does not pay attention to indigenous peoples, differences in how to understand laws and regulations between investors and local governments, and differences in the perspectives of investors and indigenous peoples related to ownership and control of the land. The condition of indigenous peoples that are quite feudal, which causes frequent waivers of rights by ninik Mamak, is one of the causes of conflicts with investors. Conflict resolution is carried out by returning land to indigenous peoples and constructing gardens by companies for indigenous peoples. Settlement is carried out by direct meetings between indigenous peoples themselves and companies, as well as by involving mediators.

REFERENCES

Aditya, N.R. (2021). Kisah Pilu Habisnya Hutan Adat di Papua demi Perluasan Lahan Kelapa Sawit. dalam <https://nasional.kompas.com/read/2020/11/13/05170081/kisah-pilu-habisnya-hutan-adat-di-papua-demi-perluasan-lahan-kelapa-sawit?page=all>., diakses pada 20 April 2021

- Arma, Z. (2016). Ketika Masyarakat Adat Memperjuangkan Hak Atas Tanahnya. tersedia di alamat <https://www.downtoearth-indonesia.org/id/story/ketika-masyarakat-adat-memperjuangkan-hak-atas-tanahnya>, diakses pada 20 Desember 2016
- Arumingtyas, L & Saturi, S. (2020). Bencana Datang, Di Tengah Orang Kinipan Terhalang Jaga Hutan Adat, dalam <https://www.mongabay.co.id/2020/09/15/bencana-datang-di-tengah-orang-kinipan-terhalang-jaga-hutan-adat/>, dikunjungi pada 16 September 2020.
- Arumingtyas, L. (2020). Datang ke Jakarta, Orang Papua Protes Hutan Adat Terancam Sawit, <https://www.mongabay.co.id/2018/11/14/datang-ke-jakarta-orang-papua-protas-hutan-adat-terancam-sawit/>, dikunjungi pada 16 September 2020.
- Barani, A. M. (2007). Pembangunan Perkebunan Masa Depan. *Orasi Ilmiah yang disampaikan Pada Rapat Senat Luar Biasa dalam Rangka Dies Natalis VII dan Wisuda Sarjana Universitas Islam.*
- Baskoro, B. (2020). Perlindungan Hak Adat Kinipan Makin Sulit Kala Investasi Lebih Utama, dalam <https://www.mongabay.co.id/2020/02/13/perlindungan-hak-adat-kinipan-makin-sulit-kala-investasi-lebih-utama/>, dikunjungi pada 16 September 2020.
- Booth, A. (1986). Indonesia's Economy: Performance and Policy Options in a Post-OPEC World. *Southeast Asian Affairs*, 122-136. <https://doi.org/10.1355/SEAA86H>
- Brainard, S. (2011). The impact of Indonesian agricultural policies on indigenous populations, natural resources and the economy: The limits of democratic self-determination under capitalist regimes. *The University of Miami Inter-American Law Review*, 43(1), 165-193.
- Cahyadi, E. R., & Waibel, H. (2013). Is contract farming in the Indonesian oil palm industry pro-poor? *Journal of Southeast Asian Economies*, 62-76. <https://doi.org/10.1355/ae30-1d>
- CNN Indonesia. (2022). KPA: 80 Persen Konflik Agraria Terjadi di Sektor Perkebunan Sawit. Retrieved from <https://www.cnnindonesia.com/nasional/20220106150234-20-743435/kpa-80-persen-konflik-agraria-terjadi-di-sektor-perkebunan-sawit>, diakses pada tanggal 20 Februari 2022.
- Colchester, M., Jiwan, N., Andiko, S. M., Firdaus, A. Y., Surambo, A., & Pane, H. (2006). Tanah Yang Dijanjikan; Minyak Sawit dan Pembebasan Tanah di Indonesia; Implikasi terhadap Masyarakat Lokal dan Masyarakat Adat. *Perkumpulan Sawit Watch, HuMA dan the World Agroforestry Centre.*
- Fearnside, P. M. (1997). Transmigration in Indonesia: Lessons from its environmental and social impacts. *Environmental management*, 21(4), 553-570. <https://doi.org/10.1007/s002679900049>
- Hall, D., Hirsch, P., & Li, T. M. (2011). Asia, Honolulu: University of Hawai'i Press.
- Hamidy, U & Ahmad, M. (1984). *Orang Patut*. Pekanbaru: Bumi Pustaka.
- Hartarto, A. (2021) dalam <https://www.bdp.or.id/industri-kelapa-sawit-mampu-bangkitkan-ekonomi-nasional-dan-media>, diakses pada 5 Juni 2021.
- Hutagalung, A. S. (2000). Perspektif Hukum Penyelesaian Sengketa Pertanahan. *Makalah disampaikan pada Komisi Konstitusi.*
- Indonesia, R. (2014). Undang-Undang Nomor 39 Tahun 2014 Tentang Perkebunan. *Peraturan Presiden Nomor, 44.*
- Ismi, H. (2012). Pengakuan dan perlindungan hukum hak masyarakat adat atas tanah ulayat dalam upaya pembaharuan hukum nasional. *Jurnal Ilmu Hukum*, 3(1).
- Ismi, H. (2015). Penggunaan Tanah Hak Ulayat Dalam Pengelolaan Sumber Daya Alam Mineral Dikaitkan Dengan Hak Masyarakat Adat Setempat Dalam Rangka Pengembangan Hukum Pertanahan Indonesia. *Disertasi Doktor, Universitas Padjadjaran.*
- Jikalauhari dan Asia Foundation, Public Review Terhadap Rancangan Peraturan Daerah Rencana Tata Ruang Dan Wilayah Provinsi Riau 2017 - 2037, (Pekanbaru: Witra Percetakan, 2018).

- Junaedi. (2016). Konflik Tanah, Warga Adat Bakar Pondokan Preman Perusahaan Sawit", <https://regional.kompas.com/read/2016/10/04/13000061/konflik.tanah.warga.adat.bakar.pondokan.preman.perusahaan.sawit.>, 20 Desember 2016
- Komoditas berdasarkan Negara. (2017). menurut organisasi pangan dan pertanian PBB, by Country", 2017, tersedia di http://www.fao.org/faostat/en/#rankings/commodities_by_country_exports
- Laia, K. (2021). Perusahaan Sawit Rusak Ekosistem Sungai, Hutan Adat Pertama Riau, tersedia di <https://betahita.id/news/detail/6728/perusahaan-sawit-rusak-ekosistem-sungai-hutan-adat-pertama-riau.html.html>, diakses pada 20 November 2021
- Lestari, R. (2016). *Mencari Bentuk Mekanisme Penyelesaian Sengketa Tanah Antara Masyarakat Hukum Adat Vs Investor Yang Adil Dan Berkepastian Hukum*. Makalah disampaikan pada Inle 2nd Conference Proceedings :Diversity Of Clinical Legal Education And The Road To Social Justice, Universitas Udayana, Bali, Indonesia 11 -13 May 2016
- Limanseto, H. (2021). Siaran Pers Kemenko Perekonomian Republik Indonesia: Industri Kelapa Sawit Indonesia: Menjaga Keseimbangan Aspek Sosial, Ekonomi, dan Lingkungan", dalam <https://www.ekon.go.id/publikasi/detail/2921/industri-kelapa-sawit-indonesia-menjaga-keseimbangan-aspek-sosial-ekonomi-dan-lingkungan>, diakses pada 5 Juni 2021.
- Litha, Y. (2021). Alih Fungsi Hutan Papua untuk Sawit Ancam Sumber Pangan Masyarakat Adat", tersedia di <https://www.voaindonesia.com/a/alih-fungsi-hutan-papua-untuk-sawit-ancam-sumber-pangan-masyarakat-adat-/6218497.html>, diakses pada 20 November 2021.
- Luthfi, A. N. (2013). Eksklusi Dan Inklusi Sebagai Dua Sisi Mata Uang. *BHUMI: Jurnal Agraria Dan Pertanahan*, (37), 195-199.
- Margono, B. A., Potapov, P. V., Turubanova, S., Stolle, F., & Hansen, M. C. (2014). Primary forest cover loss in Indonesia over 2000–2012. *Nature climate change*, 4(8), 730-735. <https://doi.org/10.1038/nclimate2277>
- Nurlinda, I. (2014). Monograf Hukum Agraria Membangun Pluralisme Hukum dalam Kerangka Unifikasi Hukum Agraria. *Cet. I, Bandung: Pusat Studi Hukum Lingkungan dan Penataan Ruang Fakultas Hukum Universitas Padjadjaran & Logoz Publishing*.
- Nurlinda, I. (2014). Monograf Hukum Agraria Membangun Pluralisme Hukum dalam Kerangka Unifikasi Hukum Agraria. *Cet. I, Bandung: Pusat Studi Hukum Lingkungan dan Penataan Ruang Fakultas Hukum Universitas Padjadjaran & Logoz Publishing*.
- O'Connor, C. M. (2004). Effects of central decisions on local livelihoods in Indonesia: Potential synergies between the programs of transmigration and industrial forest conversion. *Population and Environment*, 25(4), 319-333. <https://doi.org/10.1023/B:POEN.0000036483.48822.2f>
- Oey, M. (1981). *The impact of migration on fertility: a case study of transmigrants in Lampung, Indonesia*. The Australian National University (Australia).
- Pramono, N. (2006). Perkembangan arus investasi ditinjau dan perspektif hukum bisnis. *Jurnal Legislasi Indonesia*, 3(1).
- Ribot, J. C., & Peluso, N. L. (2003). A theory of access. *Rural Sociology*, 68(2), 153-181.. <https://doi.org/10.1111/j.1549-0831.2003.tb00133.x>
- Sekretariat Ditjenbun Kementerian Pertanian, Jakarta: Kementerian Pertanian, Statistik Perkebunan Indonesia 2015-2017
- Shankar, R. & Shah, A. Bridging the economic divide within nations: A scorecard on the performance of regional development policies in reducing regional income disparities. *World Development* 31 (8), 1421-1441. [https://doi.org/10.1016/S0305-750X\(03\)00098-6](https://doi.org/10.1016/S0305-750X(03)00098-6)

- Soeroso. (1987). Sejarah Perkebunan. Jakarta: tidak diterbitkan, Januari)
- Suhendar, E., & Winarni, B. (1998). *Petani dan konflik agraria*. Akatiga.
- Sulistyaningsih. (2005). *Status Tanah Badan Usaha Milik Negara (BUMN) PT. Semen Padang Yang Berdiri Di Atas Tanah Ulayat Masyarakat Adat Sumatera Barat*. Universitas Airlangga.
- Supancana, I. B. R. (2006). *Kerangka Hukum dan Kebijakan Investasi Langsung di Indonesia*. Ghalia Indonesia.
- Tirtosudarmo, R. (1990). Transmigration and its centre-regional context: the case of Riau and South Kalimantan provinces, Indonesia.
- Tyson, A., Varkkey, H., & Choiruzzad, S. A. B. (2018). Deconstructing the palm oil industry narrative in Indonesia: evidence from Riau Province. *Contemporary Southeast Asia*, 40(3), 422-448. <https://doi.org/10.1355/cs40-3d>
- World Bank & International Finance Corporation. (2011). The World Bank Group Framework and IFC Strategy for Engagement, in the Palm Oil Sector. Washington, IFC.
- World Growth. (2011). The economic benefit of palm oil to Indonesia. *Report Palm Oil Green Development Campaign*.
- World Growth. (2011). The economic benefit of palm oil to Indonesia. *Report Palm Oil Green Development Campaign*.
- Yovanda (2021). Nasib Komunitas Dayak Modang Kala Tuntut Pengembalian Lahan Adat dari Perusahaan Sawit, dalam <https://www.mongabay.co.id/2021/02/28/nasib-komunitas-dayak-modang-kala-tuntut-pengembalian-lahan-ada>
- Zen, Z., Barlow, C., & Gondowarsito, R. (2006). Oil palm in Indonesian socio-economic improvement: a review of options.