

National Strategic Projects and Human Rights Challenges in Merauke Regency, Indonesia

Muhamad Agung Prakoso¹, Mumuh Nurmatin¹

¹ Universitas Gadjah Mada, Jakarta, Indonesia

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ABSTRACT

The National Strategic Project (PSN) implemented in Merauke Regency, South Papua Province, aims to boost economic growth and equitable development through food and energy estate programs. However, at the implementation level, the massive wave of regulations facilitating land acquisition often triggers agrarian conflicts and alleged Human Rights (HAM) violations against local indigenous communities. This normative juridical legal research aims to analyze the root causes of the PSN implementation issues in Merauke and formulate a harmonious policy framework between national development and human rights protection. The study concludes that amidst the powerful legal instruments facilitating the project, limiting instruments do exist, such as the Human Rights Act, the Papua Special Autonomy Act, and the mechanism for filing lawsuits through the Administrative Court (PTUN) for disputes regarding Administrative Decisions. Harmonization between PSN development and the rights of Indigenous Peoples can be achieved if the development process implements the principle of Free, Prior, and Informed Consent (FPIC) as part of Human Rights Due Diligence, ensuring that the fulfillment of indigenous rights progresses in harmony with modern advancements.

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Corresponding Author:

Muhamad Agung Prakoso

Universitas Gadjah Mada, Jakarta, Indonesia; prakoso.ma@gmail.com

1. INTRODUCTION

National Strategic Projects (hereinafter referred to as PSN) are part of the national development plan outlined in the National Medium-Term Development Plan (RPJMN) for 2015–2019, 2020–2024, and 2025–2029. These projects are ongoing and will continue to be developed as part of the government's efforts to improve the quality of human resources, reduce poverty, promote high-quality and sustainable economic growth, enhance public welfare, and foster equitable development. The definition of a National Strategic Project (PSN) is set forth in Article 1, Point 1 of Presidential Regulation No. 109 of 2020 on the Third Amendment to Presidential Regulation No. 3 of 2016 on the Acceleration of the Implementation of National Strategic Projects, which states that a National Strategic Project is a project and/or program implemented by the Government, local governments, and/or business entities that are strategic in nature

for enhancing growth and equitable development in order to improve public welfare and regional development.

The origins of the PSN can be traced back to an initiative launched by the administration of President Susilo Bambang Yudhoyono (hereinafter referred to as President SBY) shortly after his inauguration in early 2005. Under the guidance of the World Bank, he organized a forum titled the Infrastructure Summit 2005. At this meeting, leaders of financial institutions, global corporate leaders, and major investors refined plans to develop infrastructure in Indonesia as a means of investment, development, and economic growth in the country. At the 2005 Infrastructure Summit, investors and business leaders called for consistent regulations and legal certainty, particularly regarding the acquisition, use, and transfer of land rights. Consequently, Presidential Regulation No. 36 of 2005 on Land Acquisition for Public Interest Development Projects was established. President SBY's administration also implemented a Public-Private Partnership (PPP) ownership scheme to finance new infrastructure projects. All these programs align with the Master Plan for the Acceleration and Expansion of Indonesia's Economic Development (MP3EI) (YLBHI et al, 2024).

In 2014, following the election of President Joko Widodo, this program was continued under the name National Strategic Project (hereinafter referred to as PSN). It was implemented during the administration of Joko Widodo and HM Jusuf Kalla from 2014 to 2019, continued under the administration of Joko Widodo and KH. Ma'ruf Amin from 2019 to 2024, and is now being carried out under the administration of Prabowo Subianto and Gibran Rakabuming Raka from 2024 to 2029. The PSN is spread across Indonesia from Sabang to Merauke, with the number of projects/programs continuing to increase each year. In 2024, through Regulation of the Coordinating Minister for Economic Affairs of the Republic of Indonesia No. 12 of 2024 concerning the Sixth Amendment to Regulation of the Coordinating Minister for Economic Affairs No. 7 of 2021 concerning Amendments to the List of National Strategic Projects, it was noted that the number of PSN projects/programs had increased by 228 projects and 16 programs.

The National Strategic Project (PSN), established with the aim of boosting growth and equitable development to improve public welfare and regional development, has in fact led to various on-the-ground issues during implementation that have triggered agrarian conflicts and alleged human rights violations. During the 2020–2023 period, the National Commission on Human Rights (Komnas HAM) received 114 complaints related to the PSN: 34 cases in 2020, 24 in 2021, 29 in 2022, and 27 in 2023. Of these, 95 cases were indicated as violations of the right to welfare, and 5 cases were violations of the right to justice. The number of PSN complaints is part of the 1,675 complaints regarding alleged human rights violations resulting from agrarian conflicts and natural resource conflicts (hereinafter referred to as SDA) received by Komnas HAM from 2021 to 2023. Of the 98 public complaints submitted to Komnas HAM, 72 originated from vulnerable community groups, indicating that alleged human rights violations resulting from the PSN have collective impacts or are felt by specific community groups, including indigenous peoples. A total of 46 complaints were filed against the central government (ministries/agencies), 24 against corporations, 16 against state-owned enterprises (SOEs), 12 against local governments, 8 against the National Police, and 2 against the Indonesian National Armed Forces (TNI). This indicates that alleged human rights violations in the PSN involve various state actors at the central and local levels, including private and state-owned corporations (BUMN/D) (National Commission on Human Rights of the Republic of Indonesia, 2024, p.3).

The PSN in South Papua, specifically in Merauke, was first legally established under the name MIFEE (Merauke Integrated Food and Energy Estate) in Presidential Regulation No. 32 of 2011 on the Master Plan for the Acceleration and Expansion of Indonesia's Economic Development 2011–2025 during the administration of President SBY. Later, during the administration of President Joko Widodo, MIFEE (Merauke Integrated Food and Energy Estate) received further legal reinforcement through Regulation of the Coordinating Minister for Economic Affairs of the Republic of Indonesia No. 8 of 2023 on the Fourth Amendment to Regulation of the Coordinating Minister for Economic Affairs No. 7 of 2021 on Amendments to the List of National Strategic Projects. Under this regulation, MIFEE (Merauke Integrated

Food and Energy Estate) is classified as a National Strategic Project (PSN) in Merauke within the Regional Sector, referred to as the Merauke Food and Energy Development Zone, located in South Papua. This PSN in Merauke is also not free from allegations of human rights violations; the development of the PSN in Merauke has had an impact on the realization of human rights. Regarding the rights of vulnerable groups, in the MIFEE (Merauke Integrated Food and Energy Estate) mega-project in the village of Sirapuh, Semangga District, Merauke Regency, indigenous communities holding customary land rights feel traumatized by the presence of investors who have not brought positive impacts to the local community. MIFEE has caused indigenous communities to lose their self-sufficiency in local food. Kompas's report indicates the presence of "Gastro-Colonialism" in the PSN project within the Food Estate sector. Gastro-Colonialism refers to the practice where a more dominant power or nation imposes its food culture, food products, or food production methods on another country or society—often those from formerly colonized nations. The Briefing Paper by the Yayasan Pusaka Bentala Rakyat also states that the PSN Merauke Food and Energy Development Zone in South Papua Province (PSN Merauke) is seizing indigenous lands and displacing the livelihoods of indigenous communities. PSN Merauke is also destroying natural forests and violating human rights. In Boepe Village, Kaptel District, Merauke Regency, indigenous communities have begun to face difficulties in obtaining firewood, game, clean water, and their staple food, sago (Indonesian National Human Rights Commission, 2024, pp. 31–32).

The MIFEE (Merauke Integrated Food and Energy Estate) program is a food and energy estate covering 1.2 million hectares, which has been expanded to 2.5 million hectares through concessions granted by the Regent of Merauke. One of the government's strategies to normalize land acquisition practices in Merauke is to classify the 2.5 million hectares as idle, unproductive land and view it as a potential reserve for a food and energy estate. Yet, this 2.5 million hectares serves as the "breadbasket" for the indigenous communities of several tribes living around or within the Merauke forest. This land serves not only as an economic foundation but also holds deep-rooted historical, social, and cultural significance within the community (Maryam, 2023)

Normatively, the state's commitment to protecting customary law communities and their traditional rights is guaranteed in the Constitution of the Republic of Indonesia. Article 18B(2) of the 1945 Constitution states that the state recognizes and respects customary law communities and their traditional rights as long as they remain in existence and are consistent with societal developments and the principles of the Unitary State of the Republic of Indonesia, as regulated by law. Furthermore, Article 28I(1) of the 1945 Constitution states that the right to life, the right not to be tortured, the right to freedom of thought and conscience, the right to freedom of religion, the right not to be enslaved, the right to be recognized as a person before the law, and the right not to be prosecuted under retroactive laws are human rights that cannot be diminished under any circumstances. Based on this, this paper aims to examine in greater depth the actual issues arising from the implementation of the PSN in Merauke so that a policy framework can be formulated that harmonizes national development interests with the protection of human rights.

2. METHODS

This study employs a normative legal research approach. The research was conducted by studying and analyzing legislation (statute approach). The data used is secondary data, which is data obtained not directly but through library materials. The data collection technique employed a qualitative method through a literature review, involving the collection of information by searching for and reading laws and regulations, books, documents, reports, archives, and other research findings related to the topic under study.

3. FINDINGS AND DISCUSSION

National Strategic Projects as barrier-free projects

Recognition of customary lands is enshrined in the Constitution of the Republic of Indonesia under Article 18B(2) of the 1945 Constitution, which states that the state recognizes and respects customary law communities and their traditional rights as long as they remain in existence and are consistent with societal developments and the principles of the Unitary State of the Republic of Indonesia, as regulated by law. The values in the Constitution were subsequently implemented in Article 2, paragraph (4), and Article 3 of Law No. 5 of 1960 on the Basic Provisions of Agrarian Law (hereinafter referred to as the UUPA); Article 2(4) states that the State's sovereign rights may be delegated to autonomous regions and customary law communities, to the extent necessary and provided it does not conflict with national interests, in accordance with Government Regulations, whereas Article 3 states that, in light of the provisions of Articles 1 and 2 (UUPA), the exercise of customary land rights and similar rights by customary law communities, to the extent that they still exist in practice, must be such that they are in accordance with national and state interests, based on national unity, and must not conflict with laws and other higher-ranking regulations. With reference to the recognition of customary land rights in the Constitution of the Republic of Indonesia and the UUPA, customary land rights will indeed continue to be recognized, and their continued existence depends on two factors: (1) the condition of the customary law community and its rights themselves, and (2) the requirement that they be such as to be consistent with national interests. From an analysis of the elements in this article, it can be seen that there are two interrelated factors: the continued existence of the customary law community and the requirement that this community must be structured in a manner consistent with national interests. In the case of the PSN project in Merauke, it can be observed that, according to the government, the national interest for the State in this project outweighs the continued existence of the customary law community. Based on this, the State should strive to ensure that the continuity of these indigenous communities is in harmony with national interests, as they, too, have a desire to live on the land that their families have inhabited for generations, dating back hundreds of years. Thus, no human rights are violated in the transfer of customary land rights to become land for the PSN in Merauke.

However, in practice, the transfer of customary land rights for the purposes of the National Strategic Project (PSN) in Merauke Regency—which is home to five indigenous tribes, namely the Malind, Yei, Kanum, Muyu, and Mandobo (Gultom & Sukirno, 2026), requires an in-depth assessment to determine whether it has indeed adhered to general human rights principles, as in practice, the implementation of the PSN in Merauke has been highly controversial. According to Andreas Mahuse, a member of the Malind indigenous community, the central government, the provincial government, and the Merauke Regency Government have committed several errors in the implementation of investment projects within the Malind community's customary territory: (1) seizing customary land since 2024 without the consent of or notification to the indigenous community; there was no dialogue or negotiation process between the government or the company and the indigenous community regarding the status of land ownership and the plan to transfer the land to the company. In response to this case, the Malind community is challenging Merauke Regent's Decree No. 100.3.3.2/1105/2025 regarding the environmental feasibility permit for the construction of a 135-kilometer road for the PSN project in Merauke; (2) the indigenous community has never seen crucial documents such as the Environmental Impact Analysis (EIA); (3) The project is also considered to have the potential to damage the culture of the indigenous community, as it alters the way of life of the indigenous people, who have long depended on sago as their staple food, which is now being replaced by rice (Ulim, 2026).

The Yei Indigenous Community, which has received strong formal recognition through various regional regulations of Papua Province and has been further affirmed by Merauke Regent's Decree No. 103.3.3.2/1413/2024—issued pursuant to the constitutional mandate—the government is obligated to respect and protect the Yei Tribe's rights to land and natural resources, have faced alleged human rights violations, intimidation, forced evictions, and environmental damage. The Yei indigenous community

in Jagebob District, Merauke, opposes the construction of the PSN Sugar Cane Plantation on their customary lands; nevertheless, the concession-holding company continues to arrive to carry out construction. The PDI-P faction, through the House of Representatives' Commission XIII, urged the government to temporarily halt activities at the Merauke Sugar Cane Plantation National Strategic Project until there is certainty regarding the protection of the Yei Tribe's indigenous communities (RDN, 2025).

Based on this, it is evident that from the government's perspective, the National Strategic Project must continue; this project is mandated to proceed regardless of any obstacles or challenges faced by the community. In fact, Presidential Instruction No. 1 of 2016 on the Acceleration of the Implementation of National Strategic Projects, in its second provision, grants significant authority to the parties designated in the instruction to resolve issues and obstacles in the implementation of PSN or to provide support for the acceleration of PSN implementation by: exercise discretion to address specific and urgent issues; amend, repeal, and/or replace provisions of laws and regulations that do not support or hinder the acceleration of the implementation of the PSN; draft laws and regulations and/or policies necessary for the acceleration of the implementation of the PSN; issuing technical guidelines and/or explanations/interpretations to officials and/or local governments regarding the implementation of laws and regulations and/or policies for accelerating the implementation of the PSN; taking steps to mitigate the social impacts arising from the acceleration of PSN implementation; accelerating land acquisition for PSN implementation by utilizing the minimum time allowed within the time limits set forth in laws and regulations regarding land acquisition for public interest development; accelerating the procurement of goods and services in support of the accelerated implementation of PSN; improving governance and enhancing the functions of the Government Internal Oversight Agency in the context of overseeing the implementation of PSN; prioritizing administrative processes in conducting investigations and resolving reports of abuse of authority in the implementation of PSN.

Such extensive authority actually places significant pressure on the parties involved to ensure that the PSN is implemented; consequently, this could potentially lead to corruption or social friction, which in turn could result in human rights violations.

In addition to Presidential Instruction No. 1 of 2016 on Accelerating the Implementation of National Strategic Projects, Law No. 2 of 2012 on Land Acquisition for Development in the Public Interest was also amended to facilitate the release of land for National Strategic Projects, specifically through the enactment of Law No. 6 of 2023 on the Conversion of Government Regulation in Lieu of Law No. 2 of 2022 on Job Creation into Law (hereinafter referred to as the Job Creation Law). Article 123(2) of the Job Creation Law stipulates amendments to Article 10 of Law No. 2 of 2012 on Land Acquisition for Development in the Public Interest. Under this provision, the PSN in Merauke gains greater legal standing to secure land acquisition, as food security zones are included among areas eligible for land acquisition facilities for public interest purposes.

Based on the foregoing and in accordance with Article 33, Paragraph (3) of the 1945 Constitution, which states that the earth, water, and natural resources contained therein are controlled by the state and utilized for the greatest prosperity of the people, it follows that as long as the process of land acquisition for public interest conducted by the government has fulfilled the rights and obligations of each party, then, in principle, pursuant to the provisions of Article 5 of Law No. 2 of 2012 on Land Acquisition for Development in the Public Interest, the relinquishment of customary land rights must be carried out after the payment of compensation or based on a court decision that has obtained final and binding legal force, while still taking into account the provisions of Article 9 of said Law, which stipulates that land acquisition must strike a balance between development interests and community interests and must be accompanied by the provision of fair and just compensation.

Amid the massive wave of regulations that have paved the way for the PSN in Merauke, there is in fact a law that can rein in the PSN and bring it back on track so that it truly serves as a means to improve community welfare and regional development: Law No. 39 of 1999 on Human Rights (hereinafter referred to as the Human Rights Law). Article 6 of the Human Rights Law stipulates that

in the context of upholding human rights, the diversity and needs of customary law communities must be recognized and protected by the law, society, and the government. The cultural identity of customary law communities, including their rights to customary lands, is protected in accordance with the times. In accordance with the Human Rights Law, the PSN in Merauke cannot simply impose its presence in Merauke but must engage in various discourses to determine how the human rights of indigenous communities can be protected and harmonized with the times.

Law No. 21 of 2001 on Special Autonomy for the Province of Papua, as last amended by Law No. 2 of 2021 on the Second Amendment to Law No. 21 of 2001 on Special Autonomy for the Province of Papua (hereinafter referred to as the Papua Special Autonomy Law) provides more specific provisions regarding the protection of the rights of the indigenous peoples of Papua. Article 43 of the Papua Special Autonomy Law states that (1) The Papua Provincial Government is obligated to recognize, respect, protect, empower, and promote the rights of indigenous communities in accordance with applicable legal provisions. (2) The rights of indigenous communities referred to in paragraph (1) include the customary land rights of the indigenous customary law community and the individual rights of the members of the relevant indigenous customary law community. (3) The exercise of customary land rights, to the extent that they still exist in practice, is carried out by the customary authorities of the relevant indigenous community in accordance with local customary law, while respecting the lawful possession of former customary land acquired by other parties in accordance with established procedures and based on laws and regulations. (4) The provision of customary lands and individual lands of members of the customary law community for any purpose shall be carried out through consultation with the customary law community and the members concerned to reach an agreement regarding the transfer of the required land and the compensation therefor. (5) Provincial, regency, and municipal governments shall actively mediate in efforts to resolve disputes over customary lands and former individual land rights in a fair and prudent manner, so that an agreement satisfactory to all parties concerned may be reached. Based on the provisions of this article, the Papua Regional Government should be able to provide an ideal middle ground for the Papuan people and the implementation of the PSN program, as these provisions can serve as a bridge between the modern developments brought about by the PSN and the needs of the indigenous communities themselves, thereby fostering harmony.

Further safeguards that can be implemented to limit the overwhelming regulatory framework that creates a free-for-all environment for the PSN in Merauke involve applying the human rights principle of FPIC (Free, Prior, Informed Consent) or Padiatapa (Consent at the Start Without Coercion), a term frequently used in discussions regarding the rights of indigenous communities in relation to development. The FPIC (Free, Prior, Informed Consent) principle entails that “Free” refers to a consultation process free from violence, intimidation, or manipulation; “Prior” means consent must be obtained before the project or activity begins, provided that the consultation process is conducted with sufficient time; “Informed Consent” means that indigenous communities must receive sufficient information regarding the project or activity, including potential impacts they may face from the project. This principle is reflected in Government Regulation No. 22 of 2001 on the Implementation of Environmental Protection and Management, where Article 27(1) and Article 28 (2) of this Government Regulation require the involvement of communities directly affected in the preparation of the Environmental Impact Assessment (EIA), which is carried out through the announcement of the proposed business and/or activity and public consultation.

FPIC (Free, Prior, Informed Consent) was cited in a lawsuit filed by representatives of the Awyu indigenous community in South Papua against the Papua Provincial Investment and One-Stop Integrated Service Agency at the Jayapura Administrative Court. The subject of the lawsuit is the Environmental Feasibility Decision for the Development Plan of a Palm Oil Plantation and a Palm Oil Processing Plant with a capacity of 90 tons of fresh fruit bunches (FFB) per hour, covering an area of 36,094 hectares, by PT. Indo Asiana Lestari in Boven Digoel Regency. In this case, one of the grounds for the lawsuit is the exclusion of the plaintiffs and other communities — as customary landowners who

will face negative impacts from the oil palm plantation in their area—from the decision-making process. The plaintiffs base this claim on a consultation process that did not adhere to the FPIC principle (Nababan, 2025).

These issues indicate that although recent regulations (2010–2026) have provided legal legitimacy for the implementation of the National Strategic Project (PSN) in Merauke, there are still efforts to protect the rights of Papua's indigenous communities that can be pursued legally through the roles of the government and the courts.

PSN and the Right to Life of Indigenous Communities

The Constitution of the Republic of Indonesia, in Article 28A of the 1945 Constitution, states that every person has the right to life and the right to preserve their life and livelihood; furthermore, Article 28I(1) of the 1945 Constitution recognizes that every person has the right to life, the right not to be tortured, the right to freedom of thought and conscience, the right to freedom of religion, the right not to be enslaved, the right to be recognized as a person before the law, and the right not to be prosecuted under retroactive laws—these are human rights that cannot be diminished under any circumstances. Chapter III, Section One of Law No. 39 of 1999 on Human Rights elaborates further on the Right to Life. Article 9 states that (1) every person has the right to life, to sustain life, and to improve their standard of living. (2) every person has the right to live in peace, safety, and happiness, and to enjoy physical and mental well-being. (3) every person has the right to a good and healthy environment. The elaboration of the right to life as set forth in the laws and regulations of the Republic of Indonesia applies to every person, including members of customary law communities. Any progress that emerges should, if it is truly intended for the welfare of the people and the development of the region, be grounded in this right; it is impossible to achieve the welfare of the people and regional development if the right to life is sacrificed. If this right is indeed sacrificed, it raises the question: whose welfare and development are policymakers actually seeking?

Manfred Nowak identifies four principles of human rights: universality, indivisibility, interdependence, and interrelatedness (Nowak, 2003). The explanations of each of these principles, which also embody the nature of human rights, include: Universal (Universality): Human rights are universal, meaning that everyone around the world—regardless of their religion, nationality, language, ethnicity, political or anthropological identity, and regardless of their disability status—has the same rights as a human being; Indivisibility: The indivisibility of human rights means that all human rights are equally—equally important, and therefore it is not permissible to exclude certain rights or categories of rights from the whole; Interdependent, the interdependence of human rights means that the fulfillment of one specific category of rights will always depend on the fulfillment of other rights; Interrelated, the interrelatedness of human rights implies that the entirety of human rights constitutes an inseparable part of one another. In other words, all categories of human rights form a single package and a unified whole (Ramli et al, 2025).

A violation of even a single human right can affect the exercise of other rights by an individual. If the rights to life, security, peace, physical and mental well-being, and a good and healthy environment for indigenous communities are not fulfilled, it will be difficult for them to exercise their right to self-development. If they cannot develop themselves, indigenous communities will lose the right to justice; if they cannot exercise their right to justice, it will be difficult for them to secure the right to personal freedom; over time, the survival of indigenous communities will be eroded, and they will lose their identity.

The Indonesian National Human Rights Commission has classified the PSN development in Merauke as a violation of economic, social, and cultural rights, including the right to health, the right to education, the right to housing, the right to a healthy environment, and the right to decent work. According to the Indonesian National Human Rights Commission, the PSN development in Merauke has impacted the living spaces of indigenous communities, causing them to lose their forest habitats. The right to adequate housing is guaranteed under Article 28H(1) of the 1945 Constitution, which states

that every person has the right to live in physical and spiritual well-being, to have a place to live, and to enjoy a good and healthy environment, as well as the right to access health services (National Commission on Human Rights of the Republic of Indonesia, 2025, p. 49). The loss of their living space—the forest—which has been converted into agricultural land, has altered the forest's ecosystem. The use of pesticides on these agricultural lands is unavoidable. This makes it difficult for them to find food and access clean drinking water. The loss of adequate living space for indigenous communities without providing alternative solutions will, over time, lead to a decline in their well-being; as well-being becomes increasingly difficult to maintain, they will gradually lose their health; and it is impossible to pursue education optimally without adequate well-being and health. These human rights are interdependent, so the loss of one right will impact the fulfillment of the others.

4. CONCLUSION

The PSN in Merauke, which has been consistently supported by regulations aimed at facilitating and accelerating its implementation—from the administration of President SBY and Vice President Jusuf Kalla (2004–2009) through to that of President Prabowo Subianto and Vice President Gibran Rakabuming Raka (2025–2029)—is certain to continue regardless of any obstacles or challenges.

From the executive branch, the PSN continues to receive support through the issuance of presidential instructions, presidential regulations, government regulations, and ministerial regulations related to the program and the acceleration of the PSN's implementation. From the legislative branch, it is supported by amendments to laws, such as Law No. 2 of 2012 on Land Acquisition for Public Interest Development, which was amended by the Job Creation Law. In cases where certain matters are deemed to infringe upon the constitutional rights of the public, judicial measures—such as filing for judicial review—can be pursued to balance regulations related to the PSN, ensuring that the implementation of the PSN aligns with its intended purpose: to enhance public welfare and regional development. In addition, the Customary Law Community may file a lawsuit with the State Administrative Court (PTUN) if there are government policies deemed to be in conflict with the law.

The PSN in Merauke, as a Food and Energy Development Zone, could economically benefit the Indonesian state and investors by ensuring food security and more affordable energy; however, this potential benefit has not been accompanied by efforts to improve the welfare of the surrounding indigenous communities. When the right to adequate housing for indigenous communities in Merauke is not fulfilled due to the loss of their natural environment, and there is no provision of compensation commensurate with the loss of their natural environment as fulfillment of the right to adequate housing, the very existence of these indigenous communities will eventually be threatened; this situation underscores the need for serious attention to the implementation of human rights in Merauke.

Harmonization between the development of the PSN in Merauke and the fulfillment of the rights of affected indigenous communities can be achieved if the development process begins with the implementation of the FPIC (Free, Prior, Informed Consent) principle as part of Human Rights Due Diligence, ensuring that the human rights of indigenous communities remain fulfilled.

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