

The Recurrence of Development Without Feelings



Final Report of
the Human Rights Impact Assessment of
the National Strategic Project (PSN) of
Merauke Food and Energy Development Area
(Clusters II, III, and IV).

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Strategic Project (PSN) of Merauke Food and Energy Development Area
(Clusters II, III, and IV)

Yayasan Pusaka Bentala Rakyat and Satya Bumi

2026

Acknowledgments

This report would not have been possible without the courage, trust, and willingness of Indigenous Peoples in South Papua to share their stories and testimonies about their experiences in defending their lands, forests, livelihoods, and living spaces.

We extend our deepest gratitude and respect to the Indigenous communities of South Papua who generously gave their time to share their experiences, knowledge, and testimonies throughout the preparation of this report. These testimonies are not merely sources of information for this report; they reflect the lived experiences and voices of communities directly affected by the changes and impacts of development in their territories.

We would also like to express our gratitude to community advocates, civil society organizations, local communities, researchers, and all those who supported the process of gathering, verifying, and documenting information, and who provided valuable input throughout the preparation of this report.

We recognize that every testimony shared carries its own story, experience, and risks for those who speak out. We therefore remain committed to using these testimonies and information responsibly, while respecting the safety, dignity, and interests of the communities who have entrusted us with their stories.

To the Indigenous Peoples of South Papua, thank you for sharing your stories with us and for entrusting us with your voices. This report is only a small part of a broader effort to ensure that these voices are heard, that the rights of Indigenous Peoples are respected, and that the lands and living spaces they have inherited and cared for across generations remain protected.

Title : The Recurrence of Development Without Feelings:
Final Report of the Human Rights Impact Assessment
of the National Strategic Project (PSN) of Merauke
Food and Energy Development Area (Clusters II, III,
and IV)

Size : 17,5 x 25,5 cm

Extent : Cover + xv + 80 pages

Yayasan Pusaka Bentala Rakyat (PUSAKA) aims to create and fight for a just life for indigenous peoples and the poor. We also want the management and utilization of natural resources that (i) respect and protect human rights, (ii) the sustainability of biodiversity and the environment; (iii) are just; without exploiting and eliminating the rights of the people, workers, farmers, and other social elements.

Satya Bumi is an environmental campaigning organization established in August 2022. Its mission is to protect forests, biodiversity, and critical ecosystems while prioritizing human rights and strengthening the role of local and Indigenous communities. Satya Bumi seeks to drive positive change by reducing threats to nature and encouraging governments and companies to strengthen environmental and human rights accountability in their policies and business practices.

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Glosarium

- Brigade pangan : adalah organisasi pengembang budidaya padi, yang melibatkan petani, TNI, alumni perguruan tinggi dan lainnya, bekerjasama dengan petani pemilik lahan/ hak ulayat, yang mengembangkan usaha tani padi dalam skala luas tertentu lebih dari 200 ha dalam setiap kluster yang luasnya sekitar 10.000 ha.
- Deforestasi : adalah penggundulan, pemusnahan hutan yang kemudian dialihfungsikan non hutan. Deforestasi perubahan tutupan lahan dari yang semula berhutan menjadi tidak berhutan. Wilayah yang sebelumnya dipenuhi vegetasi pohon dengan kerapatan tertentu berubah menjadi area tanpa tutupan pohon, atau bahkan tanpa vegetasi sama sekali.
- Dema : adalah makhluk leluhur pencipta (*ancestral beings*) yang diyakini pernah hidup di dunia. dema berwujud manusia, hewan, tumbuhan, benda tertentu atau bentuk campuran. Menurut mitologi Marind, *dema* melakukan perjalanan, membuka hutan, menciptakan sungai, menetapkan aturan sosial, dan kemudian berubah menjadi unsur alam (misalnya batu, pohon, hewan, atau tempat keramat).
- Diskriminasi : adalah perlakuan tidak adil atau berprasangka buruk terhadap orang dan kelompok berdasarkan karakteristik seperti ras, jenis kelamin, usia, dan orientasi seksual.
- EUDR (EU : adalah undang-undang penting yang mewajibkan perusahaan
Deforestation untuk membuktikan bahwa produk mereka bebas dari
Regulation deforestasi.
atau Peraturan
Deforestasi Uni
Eropa)

- Etnobotani : adalah; *etno* (masyarakat/budaya) + *botani* (ilmu tumbuhan) etnobotani mengkaji bagaimana suatu kelompok masyarakat memanfaatkan, mengelola, dan memandang tumbuhan dalam kehidupan sehari-hari, baik untuk, Pangan, obat-obatan tradisional, bahan bangunan/ kerajinan, ritual adat, istiadat.
- Etnozoologi : adalah suatu masyarakat memanfaatkan, mengelola, memandang, dan berinteraksi dengan hewan dalam kehidupan sehari-hari, baik untuk, pangan, obat-obatan tradisional, kerajinan tradisional, ritual adat, simbol budaya, totem, dema, mitos yang hidup dikalangan masyarakat adat.
- Food estate : adalah istilah populer dari kegiatan budidaya tanaman skala luas (> 25 ha) yang dilakukan dengan konsep pertanian sebagai sistem industrial yang berbasis ilmu pengetahuan dan teknologi, modal serta organisasi dan manajemen modern. Konsep food estate diletakkan atas dasar keterpaduan sektor dan subsector dalam suatu sistem agribisnis dengan memanfaatkan sumber daya secara optimal dan lestari, dikelola secara profesional, didukung sumber daya manusia yang berkualitas, teknologi tepat guna yang berwawasan lingkungan dan kelembagaan yang kokoh.
- Free Prior and Informed Consent disingkat FPIC : dikenal di Indonesia juga dengan persetujuan atas dasar informasi di awal tanpa paksaan. Prinsip yang tertuang pada United Nation Declaration on the Rights of Indigenous People (UNDRIP) ini, mengharuskan siapapun yang akan melakukan sebuah proyek memberikan informasi secara detail. Informasi ini harus diberikan jauh sebelum proyek sehingga masyarakat memahami juga dampak buruk dari itu sebelum memberikan persetujuan. Persetujuan yang diberikan masyarakat harus diberikan dalam kondisi yang bebas atau secara volunteer.
- Hak Ulayat : adalah hak komunal (bersama) yang dimiliki oleh masyarakat hukum adat atas tanah, air, hutan, dan sumber daya alam di wilayah adat, bersifat kolektif, diwariskan secara turun-temurun, dan diatur berdasarkan hukum adat setempat. Masyarakat adat berhak mengelola, memanfaatkan, serta menjaga wilayah tersebut sesuai dengan norma dan kearifan lokal mereka.

Klaster : merupakan bagian dari kawasan pertanian dimana proyek pangan dibangun dengan sistem dan usaha agribisnis tertentu, yang institusi dan pengelolanya saling berhubungan pada sektor usaha tertentu.

K a w a s a n : merupakan bagian dari Proyek Strategis Nasional untuk Pengembangan ketahanan pangan dan energi. Istilah KPPE berubah menjadi Pangan dan KSPEAN, yakni Kawasan Swasembada Pangan, Energi dan Energi atau KPPE Air Nasional. Perubahan istilah ini berdasarkan Peraturan Menteri Koordinator Bidang Perekonomian RI Nomor 16 Tahun 2025, yang merubah dan memperluas wilayah PSN untuk KSPEAN menjadi di Merauke, Mappi, Asmat dan Boven Digoel, Provinsi Papua Selatan.

Kawasan Sentra : adalah pengembangan sentra produksi pangan terpadu yang Produksi Pangan meliputi pertanian subsektor tanaman pangan, hortikultura, atau KSPP perkebunan dan peternakan pada kawasan tertentu. KSPP dijalankan dengan (1) mengembangkan usaha produksi dan pemasaran pangan skala besar berbasis kawasan dan kluster ; (2) melaksanakan budidaya multi komoditas pangan yang terintegrasi ; (3) membangun pertanian modern melalui pertanian dan sistem digitalisasi ; (4) membangun proses hilirisasi produksi pangan dan nilai tambah hasil sampingnya ; dan (5) menumbuhkan dan mengembangkan korporasi industri pangan.

Kekerasan Dalam : berdasarkan Pasal 1 angka 1 Undang-Undang Nomor 23 Rumah Tangga Tahun 2004 tentang Penghapusan Kekerasan Dalam Rumah Tangga, KDRT adalah setiap perbuatan terhadap seseorang terutama perempuan yang berakibat timbulnya kesengsaraan atau penderitaan secara fisik, seksual, psikologis, dan/ atau penelantaran rumah tangga termasuk ancaman untuk melakukan perbuatan, pemaksaan, atau perampasan kemerdekaan secara melawan hukum dalam lingkup rumah tangga.

- Kerja paksa** : adalah segala bentuk pekerjaan atau jasa yang diminta dari seseorang di bawah ancaman sanksi, di mana orang tersebut tidak secara sukarela menawarkan dirinya untuk melaksanakan tugas tersebut.
- Masyarakat Adat** : berdasarkan Undang-Undang Nomor 21 Tahun 2001 tentang Otonomi Khusus bagi Provinsi Papua, yang sudah dirubah menjadi Undang-Undang Nomor 2 Tahun 2021, bahwa masyarakat adat adalah warga masyarakat asli Papua yang hidup dalam wilayah dan terikat serta tunduk kepada adat tertentu dengan rasa solidaritas yang tinggi diantara para anggotanya. Dalam UU Otsus Papua juga terdapat istilah Orang Asli Papua, adalah orang yang berasal dari rumpun ras Melanesia yang terdiri dari suku-suku asli di Provinsi Papua dan/atau orang yang diterima dan diakui sebagai orang asli Papua oleh masyarakat adat Papua.
- Penghilangan ruang hidup** : adalah perampasan, penggusuran, atau pengrusakan wilayah tempat tinggal dan sumber penghidupan rakyat terutama masyarakat adat, petani, dan nelayan atas nama investasi atau proyek pembangunan.
- Pekerjaan Tradisional** : adalah jenis mata pencaharian atau kegiatan pekerjaan yang didasarkan pada pengetahuan lokal, budaya turun-temurun, dan keterampilan manual tanpa ketergantungan pada teknologi industri modern.
- Pelanggaran HAM** : adalah pelanggaran terhadap kewajiban negara, organ dan aparat negara, berupa tindakan dan karena pembiaran, yang disengaja maupun tidak disengaja, dan/atau kelalaian melawan hukum dan kebijakan HAM, yang mengurangi, menghalangi, membatasi dan/atau mencabut hak asasi manusia seseorang atau kelompok orang yang dijamin oleh peraturan perundang-undangan dan kebijakan hukum HAM internasional.

- Proyek Strategis Nasional atau PSN : berdasarkan Pasal 1 Peraturan Pemerintah Nomor 42 Tahun 2021 tentang Kemudahan Proyek Strategis Nasional, PSN adalah proyek dan/atau program yang dilaksanakan oleh Pemerintah Pusat, Pemerintah Daerah, dan/atau Badan Usaha yang memiliki sifat strategis untuk peningkatan pertumbuhan dan pemerataan pembangunan dalam rangka upaya penciptaan kerja dan meningkatkan kesejahteraan masyarakat.
- Swasembada : adalah usaha atau kemampuan suatu negara, daerah, atau kelompok untuk mencukupi kebutuhan sendiri secara mandiri tanpa bergantung pada bantuan atau pasokan dari pihak luar atau impor. Swasembada pangan artinya kemampuan suatu negara atau kelompok masyarakat dalam menentukan dan mengelola sistem pangan, yang mandiri dan sesuai dengan potensi, serta pengetahuan lokal.
- Suku Malind, Maklew, dan Yei : adalah nama-nama suku bangsa atau kelompok etnis asli yang berasal dari wilayah Kabupaten Merauke Papua.
- Tanah adat di Papua : adalah tanah yang dikuasai, dimiliki, dan dikelola secara turun-temurun oleh masyarakat hukum adat Papua berdasarkan hukum adat setempat. dan dikuasai bersifat komunal (milik bersama suku, marga, atau komunitas adat), bukan milik individu, dan mencakup daratan, hutan, sungai, danau, serta sumber daya alam di dalamnya.
- Totem, totemisme : merupakan sebuah sistem kepercayaan yang dianut oleh masyarakat Marind, Makleuw, dan Yei, di mana mereka mengakui bahwa satwa liar, tumbuh-tumbuhan, atau benda-benda tertentu yang dianggap sakral memiliki hubungan spesifik yang dipercaya sebagai nenek moyang suatu marga. Hal ini dijunjung melalui upacara-upacara khusus yang bertujuan untuk menjaga keharmonisan serta keseimbangan antara manusia dengan alam semesta. Setiap klan atau marga diidentifikasi diri dengan totem sebagai simbol dari identitas individual dan hubungan leluhur, yang diekspresikan dalam wujud flora, fauna, maupun tumbuhan.

Uji Tuntas Hak : adalah kebijakan negara dalam melakukan pengawasan, Asasi Manusia penilaian dan pemenuhan kewajiban hak asasi manusia ketika membuat kebijakan peraturan dan pemberian layanan perizinan bagi badan usaha yang memungkinkan berdampak terhadap penikmatan hak asasi manusia, Uji tuntas HAM dilakukan dengan mengidentifikasi, mencegah dan mengurangi resiko terkait HAM dalam kegiatan bisnis. Negara harus memperingatkan badan usaha tentang peningkatan resiko keterlibatan dengan pelanggaran berat HAM di wilayah terdampak konflik. Demikian pula, badan usaha mempunyai tanggung jawab dalam menghormati HAM, dengan memiliki kebijakan dan komitmen memenuhi tanggung jawab dan menghormati HAM, bertanggung jawab melakukan proses uji tuntas HAM, mengidentifikasi, mencegah dan mengurangi, dan mempertanggungjawabkan mengatasi dampak bisnis mereka terhadap HAM, memungkinkan remediasi atas segala dampak terhadap HAM yang merugikan.



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Introduction

This document presents the final report of the audit of human rights impact in Clusters II, III, and IV of the National Strategic Project (PSN) of the Food and Energy Development Area (KPPE) for the rice field and sugarcane plantation project in Merauke Regency, South Papua. Since 2010, local, national, and international human rights organizations have paid close attention to the neglect of indigenous peoples' rights resulting from the implementation of the food and energy megaproject in Merauke, both when it was called the Merauke Integrated Food and Energy Estate (MIFEE) and the PSN KPPE Merauke.

1. Food, Energy Project, and Complaints on Violations of the Rights of Indigenous Peoples of Merauke

Since the global food and energy crisis was declared by the World Agriculture Organization in the early 2000s, several food and energy companies have begun eyeing Merauke as an expansion area and attempting to make their businesses part of the country's megaprojects. Through local political networks and connections, global food and energy company owners have sought concession permits for palm oil, industrial timber plantations (HTI), sugarcane, soybeans, and rice from the local government, promising to increase local revenue and create jobs for local residents.

After securing concession permits, these companies leveraged political networks in Jakarta to push for national food and energy megaprojects. These projects provided them with a secure umbrella, from land acquisition to business operations. The MIFEE project during the Susilo Bambang Yudhoyono (SBY) administration and the PSN KPPEM (National Agricultural Business Unit) under Joko Widodo (Jokowi) were the result of political lobbying by food plantation and industrial timber plantation concession owners in Merauke.

Through these national projects, food and energy company owners also receive investment security guarantees from the state, such as ease of involvement of the military and police in land acquisition processes in concession areas and ensuring that production is immune from community protests and environmental lawsuits. This is the primary cause of complaints from the indigenous people of Merauke regarding serious disruptions to their human rights and fundamental freedoms.

At least 16 indigenous communities claim to have been victims of land, territory, and territorial seizures. The perpetrators include military personnel implementing new rice field development projects and companies holding renewable energy

plantation concessions (sugarcane, oil palm, and industrial timber plantations). They exploit loopholes in traditional land ownership systems to facilitate land provision and acquisition.

Several indigenous communities have also complained to human rights organizations and environmental advocates on their concerns about the erosion of traditional Malind livelihoods. These projects are forcing them to abandon their traditional way of life and become commodity farmers and/or freelance workers for the National Strategic Projects (PSN).

Currently, the KPPE National Strategic Project (PSN) has also placed tremendous pressure on indigenous communities in Merauke due to the clearing of forests, swamps, and savannahs. This has not only led to deforestation and the destruction of South Papua's unique biodiversity, but has also left villages and main access roads constantly submerged during rainy seasons. The filling of swamps has rendered rivers unable to accommodate rainwater, while the cleared forests have caused rivers to become shallower. In addition to drastically declining fish and shrimp catches, the destruction of swamps and rivers has also further reduced clean water sources for indigenous communities, leaving them completely dependent on rainwater reservoirs for their daily needs.

Indigenous women in and around the project also stated that since PSN was established, women's access rights to land, territory, and natural resources have been continuously eroded. The stripping of customary territories has made it increasingly difficult for them to access family and community food sources, as forests, swamps, and savannahs have been razed to the ground. The presence of the PSN has also increased the pressure on indigenous women, as they must work longer hours collecting and processing food in remote locations. These extended work hours often delay the preparation of family meals. This, in turn, triggers arguments with their husbands, often ending in abuse and beatings.

Unfortunately, the government has not heeded the complaints of these indigenous communities. Meanwhile, protests of rejection and/or dissatisfaction are consistently met with intimidation and criminalization. The intimidation of military personnel and the criminalization of a sugarcane plantation company over the objections of the Kwipalo Clan Head in Jagebob X District, as well as the arrival of soldiers at the home of the Moiwend Tayoga clan leader, who had just returned from Jakarta to file a complaint against the Merauke KPPE PSN with a national human rights institution, are evidence of the government's failure to heed the complaints and protests of indigenous peoples.

Private companies appointed by the central and regional governments as concession holders for large-scale rice field and sugarcane plantation projects have ignored the complaints of indigenous communities within and around their concession areas. According to preliminary information, at least 10 private companies

are suspected of being involved in land, territory, and natural resource grabbing—environmental destruction that has resulted in the loss of the right to a healthy and safe environment. These companies include the Jhonlin Group, First Resources Group, and KPN Corp Group.

Indonesia has ratified most international human rights laws. Furthermore, over the past 25 years, it has produced numerous national and regional human rights laws. Ratification of international human rights laws binds Indonesia to its obligations. The creation of national human rights laws requires governments and non-governmental actors to respect human rights, including the rights of indigenous peoples.

Neglecting these obligations under any pretext constitutes a violation of international and national human rights law. Therefore, in the context of emerging information on violations of indigenous peoples' rights in PSN Merauke, the state is required to investigate, bring the alleged perpetrators to justice for punishment, and provide satisfactory reparations to the victims.

International human rights law explicitly states that business entities have an obligation to respect human rights and fundamental freedoms. This requires that every company's entire supply chain not be directly involved in and/or contribute to human rights violations and ecological destruction.¹ And therefore, international human rights law imposes an obligation on every company to conduct human rights due diligence, consult with relevant stakeholders, determine priority activities, integrate due diligence results into operational policies and procedures, use their influence to ensure all parties are concerned about human rights, track all responses taken, and publish all activities they have taken to the public.²

Human rights law also requires business entities to ensure that their activities do not damage the ecology, as this is part of the embodiment of the obligation to respect the right to a clean, healthy and sustainable environment.³

In the context of conflict zones, human rights law specifically imposes additional obligations and precautionary principles on companies operating in conflict areas. These companies must ensure that their activities and supply chains do not exacerbate the conflict and are in line with human rights and humanitarian law.⁴

1 see A/HRC/17/31, Guiding principles on Business and Human Rights: Implementing to United Nations "protect, respect, and remedies" framework.

2 See A/73/163, paras 10-15, see also A/HRC/56/55, paras 53-73

3 See A/RES/76/300; A/HRC/37/59, paras 35, 41 (d); see also Boyd, David R (2024), The Right to a Healthy Environment, A User Guide, pg.47-48

4 See A/75/212, Report the Working Group on the issue of human rights and transnational corporations and other business enterprise: Business, human rights and conflict affected regions, towards heightened action

International human rights law also requires businesses operating in conflict zones to conduct human rights due diligence to ensure their activities do not exacerbate conflict, human rights violations, or ecological damage. Businesses also have an obligation to be accountable for activities proven to violate human rights, by providing reparations or compensation through a fair process to the victims.⁵

The primary objective of Pusaka & Satya Bumi's human rights impact audit of the Merauke National Strategic Projects (PSN) is to demonstrate that the Food and Energy megaproject in Merauke has violated the fundamental rights and fundamental freedoms of indigenous peoples. The report also includes recommendations for immediate steps the state should take, as well as the subsequent phased efforts. The objective is to restore the human rights and fundamental freedoms of the victims and prevent similar violations from recurring.

2. Scope and Limitations of the Report

This report focuses on serious disruptions to the enjoyment of fundamental rights and basic freedoms of indigenous peoples caused by the PSN KPPEM, including: rights to land, territory, traditional areas; rights to traditional occupations; rights to a safe, healthy and sustainable environment; women's rights, and the right to consultation, participation and free, prior and informed consent, commonly known as the right to FPIC.

Disruptions to the enjoyment of rights to land, territory, and natural resources include the deprivation of communal and family ownership and access rights. For indigenous peoples, land is not simply a commodity, but an integral part of their identity, traditions, and spiritual practices.

Meanwhile, the disruption to the traditional occupations of indigenous peoples discussed in this report includes the elimination and/or restriction of subsistence activities, commercial activities, and activities related to ritual and traditional practices.

Many evidence indicate deforestation and biodiversity damage in the customary areas where the Merauke Food and Energy National Project (PSN) is taking place. Therefore, this issue is a major concern. Specifically, this report examines the extent of the damage to the relationships between indigenous peoples in and around the project and the forests, swamps, rivers, and savannahs, based on testimonies of increased difficulty in obtaining food and clean water following

5 see A/HRC/17/31, para 22

deforestation. The report also examines the ecological disasters experienced by the residents after swamps and savannahs were filled in for the project, including the destruction of endemic wildlife habitats and migratory routes within the PSN area.

The report will also examine the disruption of indigenous women's enjoyment of their rights, such as: the right to be free from discrimination; the right to equality with indigenous men; freedom from violence; the right to participate fully in development and/or public affairs; the right to self-determination in relation to land, territory, and natural resources.

From July to December 2024, almost all reports of complaints of violations of indigenous peoples' rights came from traditional villages in the districts of Ilwayab, Animha, Kurik, Malind, Tanah Miring, and Jagebob. These six districts fall within Clusters II, III, and IV of the National Strategic Project (PSN) of KPPEM. Therefore, this report only describes allegations of human rights violations that occurred in these areas.

3. Sources of Information, the Processing, and Limitations of the Report

The primary sources for this report include documentation of human rights violations by the MIRE, MIFEE, and PSN KPPE Merauke Projects owned by Yayasan Pusaka and Satya Bumi; minutes of Yayasan Pusaka's meeting with women victims of PSN KPPE Merauke; notes from discussions with indigenous peoples' and environmental rights advocates at the local and national levels; human rights reports from national and international non-governmental organizations, journals, and other relevant literature.

The documents were then compiled chronologically and verified through direct communication with human rights defenders and victim advocates to ensure accuracy. The verified events were then analyzed using quantitative methods to map patterns of violations, those suspected of responsibility, and the most impacted victim groups. The severity of each event was primarily analyzed qualitatively through assessments of physical and non-physical damage.

This report believes the data presented do not cover all incidents of indigenous peoples' rights violations that occurred during 2024 and 2025 in Clusters II, III, and IV of the PSN KPPE Merauke. The limited capacity of human rights organizations and indigenous peoples' and environmental rights advocates to support the victims, coupled with the reluctance of many victims to speak out due to strong military control at PSN project sites, is the primary reason for this report's limitations.

4. Report Systematics

This report consists of five sections. The first section, an introduction, outlines the background, scope, sources of information, and analytical methods used. The second section outlines the normative framework used in analyzing the alleged violations. The third section chronicles several past food and energy megaprojects in South Papua that have had serious impacts on the rights of indigenous communities.

The fourth section then outlines the policies and operational implementation of the Merauke KPPE National Strategic Project (PSN) during the Jokowi administration, as well as the latest developments on the project during the first year of the Prabowo Subianto administration. This section also outlines the most significant and severe human rights violations. The final section contains conclusions and recommendations for immediate and gradual steps the state should take to rehabilitate victims and prevent further damage to the fulfillment of indigenous peoples' rights in the future.



Indigenous Peoples' Rights: Instruments and Substance

The international treaty that specifically recognizes this right is the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)⁶ and the International Labour Organization (ILO) Convention No. 169 (1989) on Indigenous Peoples.⁷

Some international agreements that do not specifically but strengthen the two instruments above are: Articles 1 and 27 of the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights, specifically the rights to food, health, education, housing, water and intellectual property; the Convention on the Elimination of All Forms of Racial Discrimination (CERD) contained in General Observation No. 23 (Indigenous peoples); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in General Recommendation No. 24 (Women and Health); Article 30 on the Rights of Indigenous Children; Article 8(j) of the Convention on Biological Diversity (CBD); and the UN Framework Convention on Climate Change and the Paris Agreement.

At the national level, there is no legal instrument specifically providing respect, protection, and fulfillment of the rights of indigenous peoples. However, several articles in the 1945 Constitution and its subsidiary legislation provide a legal framework for their recognition and protection. Other national legal frameworks that are also important instruments for respecting the rights of indigenous peoples include: Constitutional Court Decision No. 3/2010; Constitutional Court Decision No. 35/2012; and Constitutional Court Decision No. 181/2024.

1. Recognized Rights and Their Substance

The international, regional, and national legal instruments outlined above clearly recognize and require respect for the rights of indigenous peoples, including: the right to land, territories, and natural resources; the right to traditional livelihoods;

6 See Statement by Delegation of the Republic of Indonesia to the United Nation at 24th Session of the Permanent Forum on Indigenous Issues, di https://estatements.unmeetings.org/estatemnts/30.0290/20250422150000000/gGAlfEAhSkANW/gKwMcTHgMJAL_nyc_en.pdf, Accessed 15 September 2025

7 Until now, Indonesia has not ratified ILO Convention 169 without any clear reason, while the UN and regional Human Rights Bodies have actually begun to include this convention as one of the legal products of human rights and basic freedoms of indigenous peoples and have declared it as one of the customary international laws.

the right to a safe, healthy, and sustainable environment; the rights of indigenous women and children; the right to be free from military activity; the right to free, prior, and informed consent (FPIC); and the right to reparation and restoration.

This group of special rights essentially refers to the right to self-determination as stipulated in Article 3 of the UNDRIP, Article 1 of the International Covenant on Civil and Political Rights (ICCPR), and Article 1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).⁸ Furthermore, Article 25 of the UNDRIP emphasizes that this relationship is based on the ties between indigenous peoples and their land, territories, and natural resources in various dimensions, namely economic, social, cultural, spiritual, and political; is collective in nature; and is related to the continuity of life across generations.

Rights to Land, Territory and Natural Resources

The international instruments that regulate the rights to land, territory and natural resources of indigenous peoples are Articles 10, 25 and 26 of UNDRIP, Articles 15-17 of ILO Convention No. 169, General Comment No. 23 of the CERD Committee, and General Comment No.21 of the Committee on Economic, Social and Cultural Rights.

At the national level, the normative framework of this right is regulated in Article 18B paragraph (2) and Article 28I paragraph (3) of the 1945 Constitution of the Republic of Indonesia; Article 6 of Law Number 39 of 1999 regarding Human Rights; Article 5 paragraph (1) and paragraph (4) of Law Number 41 of 1999 regarding Forestry; Article 37 paragraph (3) of Law Number 32 of 2024 regarding Amendments to Law Number 5 of 1990 regarding Conservation of Biological Natural Resources and their Ecosystems; and Constitutional Court Decisions Number 3/PUU-VIII/2010 and Number 35/PUU-X/2012.

The first substance of Article 25 of the UNDRIP affirms that rights to land, territories and natural resources include the right of indigenous peoples to maintain and strengthen their relationships with lands, territories and natural resources that they no longer control but that they once owned or occupied in the past, including exclusive control, collectively managed grazing lands and seasonal or temporary settlements. Article 26 paragraph (1) of UNDRIP further affirms that indigenous peoples also have the rights to land they acquire after relocation by authorities and/or through sale and purchase transactions. In line with this, Article 14 of ILO Convention 169 states that these rights can arise from control and use based on traditional occupations or livelihoods, without having to rely on official recognition or registration of rights.

8 See A/HRC/21/53, para. 23

The second substance is the right of indigenous peoples to own, develop, control and use communal lands, territories and natural resources as regulated in Article 26 paragraph (1) and paragraph (2) of UNDRIP, and Article 17 of ILO 169. Its essence affirms the recognition of the right of indigenous peoples to own and use their lands and territories, including utilizing and developing the minerals and natural resources contained therein. Ignoring or denying the customary legal ownership system is a form of racial discrimination.⁹

The third substance is the right to a remedy. Article 28 of UNDRIP states that indigenous peoples have the right to a remedy for violations of their land rights resulting from the confiscation of their land, territories, and natural resources due to the occupation, use, or destruction of their land, territories, and natural resources without their free, prior, and informed consent. This principle is also reflected in international human rights monitoring practices, including CCPR/C/88/D/1424/2005. Remedy procedures must be accessible, effective, and timely, and capable of minimizing the risk of further violations and resulting in a final, binding decision.

The UN Human Rights Committee has outlined the concept and minimum standards for the right to reparation through the document Guidance on Reparation Measures under the Additional Protocol to the International Covenant on Civil and Political Rights.¹⁰ In the context of indigenous peoples, reparation measures can refer to the Expert Mechanism on the Rights of Indigenous Peoples Report document on the implementation of UNDRIP: recognition, reparation, and reconciliation.¹¹

At the national level, Constitutional Court Decisions No. 3/PUU-VIII/2010, No. 35/PUU-X/2012, and No. 181/PUU-XXII/2024 serve as the legal framework for respecting and protecting indigenous peoples' rights to land, territory, and natural resources. These three decisions affirm the protection of indigenous peoples' rights, both individual and collective rights of indigenous peoples (*ulayat* rights).¹² Including the right to manage, utilize, develop and harvest natural resources.¹³

Rights to Traditional Occupations, Rights to Work and in Work

The normative framework for these rights includes Articles 20 and 26 paragraph (2) of UNDRIP; Article 27 of the International Covenant on Civil and Political

9 See A/HRC/45/38, para 21

10 See CCPR/C/158

11 See A/HRC/EMRIP/2019/3/Rev.1, para 39-45

12 See Constitutional Court Decision No. 3/PUU-VII/2010, pg. 157-158

13 See Decision Number 35/PUU-X/2012, pg. 185-187 and Decision Number 181/PUU-XXII/2024 pg.224

Rights (see General Comment No. 23 on Article 27); Articles 11 and 15 of the International Covenant on Economic, Social and Cultural Rights (see General Comment No. 26 of 2022); and Article 20 of ILO Convention 169.

The UN Human Rights Council outlines in detail the forms of traditional work, including: all subsistence activities such as fishing, raising livestock or herding, gathering natural resources, farming, weaving, and making crafts.¹⁴ Meanwhile, the ILO expands it, such as: rotational farming, hunting and trapping animals; fishing¹⁵; raising animals; collecting wild plants for food and medicine; weaving; making medicine; playing music; being a midwife/traditional midwife; making alcoholic beverages; and all other activities aimed at maintaining identity and culture, running a traditional economy and developing indigenous communities.¹⁶

The first substance of the right to traditional occupations is the right to maintain and develop them. Article 26 paragraph (2) of the UNDRIP emphasizes that indigenous peoples have the right to maintain and develop traditional occupations related to the land, territories and natural resources that they own, control and/or that they have owned or controlled in the past. According to the Committee on Civil and Political Rights, the right to traditional occupations is part of the enjoyment of cultural rights as recognized in Article 27 of the Covenant, as well as a way to maintain livelihoods and the sustainability of cultural identity.¹⁷ Furthermore, the Committee on Economic, Social and Cultural Rights emphasizes the close link between traditional occupations and the fulfillment of the right to an adequate standard of living.¹⁸

The second substance is the right to inhabit and access areas where traditional occupations were and/or are still practiced, including conservation areas. ILO, in its Voluntary Guidelines for Ensuring Sustainable Small-Scale Fisheries document, states that indigenous communities have the right to regain access to traditional occupational areas lost due to natural disasters and/or war in order to restore the community's fishery resources.¹⁹

14 See A/HRC/EMRIP/2025/3, para 57

15 For details on this see, Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries, ILO, Rome, 2015, pg.2

16 See ILO, Traditional Occupations of Indigenous and Tribals Peoples in Labour Statistics, Geneva, 2023, pg. 26-36.

17 See Committee on Civil and Political Rights, General Comment No. 23, Article 27 (Rights of minorities), para. 7; see also A/HRC/EMRIP/2025/3, paras. 10 and 11

18 For details on this please see the Committee on the International Covenant on Economic, Social and Cultural Rights, General Comment No. 26 (2022) paras 10 and 11.

19 See Op.Cit., Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries, pg. 6

The third substance is the right to be free from forced assimilation and integration. Article 8 paragraph (1) of UNDRIP prohibits the practice of forced assimilation against indigenous peoples. Furthermore, Article 8 paragraph (2) letter (a) prohibits various actions aimed at robbing indigenous peoples of their integrity as communities distinct from the general public, including their cultural values and identity. On that basis, Article 8 paragraph (2) sub-paragraphs (c) and (d) also prohibit forced relocation and forced integration.

Rights to Work and in Work

In the context of indigenous peoples, both individuals and groups involved in the local labor market have the right to work and rights in employment relations as recognized by international, regional, and national human rights law. Article 17 of UNDRIP affirms that indigenous peoples have the right to enjoy all rights stipulated in national and international labor law, including protection from discrimination in the workplace and in remuneration, as well as the protection of indigenous children from economic exploitation. Meanwhile, Article 20 paragraphs (1)–(4) of ILO Convention 169, in addition to strengthening the provisions of Article 17 of the UNDRIP, also regulates the right to file complaints and obtain adequate compensation, the right to associate and assemble, and the right of indigenous women to receive equal treatment.

Rights to Consultation, Participation, and FPIC

The primary reference to the human rights legal framework related to consultation, participation, and FPIC is found in Article 19 of UNDRIP. This article affirms the right of indigenous peoples to object to legislation and administrative policies that directly or indirectly impact their lives. Further elaboration of this right is provided in the Advisory Document of the UN Expert Mechanism on the Rights of Indigenous Peoples, which details the rights to consultation, participation, and free, prior, and informed consent.²⁰ This document also emphasizes that the three are a unit that is interrelated and cannot be separated, reducing and/or eliminating one of the elements means that FPIC has not been fulfilled.²¹

20 Several documents of the UN Expert Mechanism on the Rights of Indigenous Peoples related to the right to consultation, participation and FPIC include: Expert Mechanism Advice No. 2 (2011) on Indigenous peoples and the right to participate in decision-making; Expert Mechanism Report on the rights of indigenous peoples: Final study on indigenous peoples and the right to participate in decision-making, A/HRC/EMRIP/2011/2; and Expert Mechanism Advice No. 4 (2012) on Indigenous peoples and the right to participate in decision-making specifically related to extractive industries; and Expert Mechanism Study on the Rights of Indigenous Peoples on Free, prior and informed consent: a human rights-based approach, A/HRC/39/62

21 See A/HRC/39/62, para 14

The term “free” is defined as the absence of conditions that, either directly or indirectly, hinder the free will of indigenous peoples. “Without coercion” means that the consultation process takes place without intimidation, coercion, manipulation, or harassment, and does not limit or eliminate indigenous peoples’ access to applicable policies, public services, and other human rights.

In this sense, indigenous peoples also have the right to determine their representatives in accordance with their customary laws, customs, and traditions, while still taking into account women’s representation; to guide and direct the consultation process; to determine the desired protocol; and to determine the method, time-frame, location, and evaluation mechanism.

Regarding minimum standards for providing information,²² The UN Expert Mechanism on the Rights of Indigenous Peoples stipulates that the information submitted must be adequate in quality and quantity, clear, accurate, understandable, and in the local language. At a minimum, this information should include the size, stages, and scope of the project or activity; the underlying rationale and objectives of the project; the areas to be affected; the social, environmental, and cultural impacts; the form of the compensation or benefit-sharing scheme; and any potential damages and other impacts that may arise from the project’s implementation.

Right to a Safe, Clean, Healthy and Sustainable Environment

UN Human Rights Council Resolution A/HRC/48/13 and UN General Assembly Resolution A/RES/76/300 serve as the primary framework for recognizing the right to a safe, healthy, and sustainable environment. Both documents affirm that increasingly severe, massive, and widespread ecological damage has serious implications for the enjoyment of human rights globally, particularly for the most vulnerable groups.

The UN Special Rapporteur on Human Rights and the Environment, David R. Boyd, explains that the right to a safe, clean, healthy and sustainable environment includes: (1) the right to breathe clean air; (2) the right to protection from third party actions that interfere with the fulfillment of this right; and (3) the prohibition of discriminatory practices.²³ He also affirmed the right to a safe climate, including the right of indigenous peoples to practice conservation of land, water, biodiversity, and ecosystems—including forests—as well as the right to free, prior,

22 Ibid. para 22 (a), (b), (c),

23 See Clean Air and Human Rights, Executive Summary, A/HRC/40/45, United Nations Special Rapporteur on Human Rights and the Environment.

and informed consent in all actions of states and state actors related to climate change mitigation and adaptation projects.²⁴

Specifically, Boyd outlined the substance of indigenous peoples' rights to healthy biodiversity, namely: the right to identify, design, and manage traditional sites rich in biodiversity as conservation areas. Furthermore, the right to clean, safe, and sufficient water is part of the right to a safe, clean, healthy, and sustainable environment.²⁵

Other substances include the right to health and the sustainability of food systems.²⁶ In this regard, states are prohibited from taking actions that undermine the fulfillment of these rights and are obliged to protect everyone from business activities and non-state actors that could undermine the enjoyment of the right to health and a sustainable food system.

Rights of Indigenous Women

Indigenous women and children are entitled to all of the rights outlined above without exception, as international human rights law explicitly guarantees them. In the context of indigenous women and girls, Article 22 of the UNDRIP emphasizes the obligation to pay special attention to the elderly, women, children, and persons with disabilities, as they often experience discrimination.

This discrimination is often fueled by patriarchal legal frameworks, particularly regarding inheritance and joint ownership of land and resources within the family (A/HRC/30/41). A similar principle is also affirmed in CEDAW General Comment No. 34 (2016) on the rights of rural women.

In line with UNDRIP, the protection framework for indigenous women is also contained in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its General Comment No. 39 (2022) on the rights of indigenous women and girls. Articles 13 and 14 of CEDAW explicitly recognize the right to land, territories, and natural resources. Furthermore, Articles 3, 5, 13, and 14 recognize cultural rights. Articles 12 and 14 recognize the right to

24 See A/74/161, para 64 (f). For an explanation of the actions of indigenous peoples that the UN Special Rapporteur on Indigenous Peoples considers to contribute to climate change, see paragraph 48 of this document.

25 See, The global water crisis and human rights, Executive Summary, A/HRC/46/28, United Nations Special Rapporteur on Human Rights and the Environment

26 See, Human rights depend on healthy and sustainable food systems, Executive Summary, A/76/179, United Nations Special Rapporteur on Human Rights and the Environment

a safe, healthy, and sustainable environment, including the right to food, water, and seeds.²⁷ Then Articles 3, 5, 13, and 14 of CEDAW recognize cultural rights.²⁸ Articles 12 and 14 affirm the right to a safe, healthy and sustainable environment²⁹, including recognition of the rights to food, water and seeds.³⁰

In addition, Article 5 provides protection from gender-based violence practices.³¹ Meanwhile, Articles 7, 8, and 14 recognize women's rights to participate in politics and public affairs.³² In addition, Kerensa (2007) stated that Articles 7 and 5 of CEDAW strongly protect indigenous women from discriminatory practices that occur within the state, indigenous communities, and families, including a legal basis for demanding accountability and redress from the state if violations occur.³³

Right to Freedom from Military Activities

This right is regulated in Articles 7, 8, and 9 of UNDRIP, which prohibit acts of genocide and forced displacement. Similarly, Articles 26, 29, and 31 address the right to control land, territory, and natural resources. Furthermore, Articles 3, 18, and 33 address the right to participate in decision-making that will affect their land and territory.

The terminology of militarization referred to in this right refers to various forms of military strategies and activities that have the potential to limit or violate the rights of indigenous peoples as recognized in UNDRIP, including: the construction of military bases and infrastructure, and operations aimed at controlling or appropriating indigenous peoples' lands and territories under the pretext of national security. Militarization can also occur in counter-insurgency operations, border control, access to natural resources, conservation programs, development projects, or measures claimed to protect the interests of transnational corporations.³⁴

27 See CEDAW/C/GC/39, para 56

28 Ibid., para 53-54

29 Ibid., para 60

30 Ibid., para 58

31 Ibid., para 34-40

32 Ibid., para 43-45

33 See Jhonston, Kerensa, Everything in Context: Indigenous Women, International Human Rights Law, and Discrimination- Is International Human Rights the Way Forward?, Indigenous Law Bulletin 17, 2007, at <https://www.austlii.edu.au/cgi-bin/viewdoc/au/journals/ILB/2007/61.html>, accessed 4 September 2025

34 See A/HRC/54/52, Para. 2

2. State Obligations

National and international human rights law establishes three primary obligations of states regarding the human rights and fundamental freedoms of indigenous peoples: to respect, protect, and fulfill. Details of how these three obligations are implemented are set out in various human rights declarations, covenants, and conventions.

Obligations regarding Rights to Land, Territory and Natural Resources

Article 26 paragraph (3) of UNDRIP outlines the steps that the state needs to take to fulfill the rights of indigenous peoples to land, territory and natural resources.³⁵ These steps include: (1) identifying and mapping, then recognizing the rights of indigenous peoples to land, territory, and natural resources and recording them in the ownership or control registration system; (2) distinguishing land and territory owned or controlled by indigenous peoples from the territory of non-indigenous peoples, and determining their boundaries to prevent seizure or expansion through land buying and selling practices; and (3) respecting customary mechanisms in the transfer or assignment of rights based on local traditions and customs without interference or manipulation by outside parties.

In line with these provisions, Article 14 of ILO Convention 169 affirms the obligation of states to identify lands and territories traditionally occupied by indigenous peoples.

Article 27 of UNDRIP requires states to ensure that procedures for recognizing and resolving indigenous peoples' claims to land, territory, and natural resources are fair, independent, impartial, open, and transparent, and that they respect indigenous peoples' customary laws and practices regarding land use. States are also obligated to limit the transfer of rights to land owned or controlled by indigenous peoples to businesses and the general population. This is necessary to ensure that indigenous peoples, whose livelihoods depend on nature, can continue to live safely, comfortably, and in harmony with their traditions and culture.

Obligations regarding the Right to Traditional Occupations

One factor in identifying ownership and/or control rights over land, territory, and natural resources is examining traditional occupations. Article 23 of the ILO Convention requires states to identify, map, recognize, and register existing traditional occupations, including their revitalization to restore the supply of resources necessary for the survival of indigenous communities.

35 See A/HRC/45/38, paras 26 & 27

These traditional occupations are always attached to local knowledge and technology, and therefore Article 8(j) of the Convention on Biological Diversity (CBD) requires states to produce legal products that protect and strengthen knowledge and innovations from traditional occupations aimed at the conservation and sustainable use of biological resources, including the equitable sharing of benefits from each use.

Obligations to the Right to a Safe, Clean, Healthy and Sustainable Environment

Article 29 paragraph (1) of the UNDRIP requires states to provide support and assistance to indigenous communities who wish to protect and preserve their environment, both for the purpose of increasing the productive capacity of their lands, territories, and natural resources. Then paragraph (2) of this article requires states to ensure that the lands, territories, and natural resources of indigenous peoples do not become sites for the disposal of toxic and/or hazardous materials without their free and informed consent. Document A/HRC/37/59 is a reference for states in carrying out their obligations to fulfill this right.

Furthermore, states are obligated to consult with indigenous peoples to obtain their free, prior, and informed consent before relocating or approving any actions that will impact their lands, territories, and natural resources. States are also obligated to respect and protect traditional knowledge and practices related to conservation and sustainable use, and to ensure the fair and equitable sharing of benefits from any activities related to indigenous peoples' lands, territories, and natural resources.

Obligations towards the Rights of Indigenous Women and Children

Article 21 paragraph (2) of UNDRIP states that the states have an obligation to take specific steps necessary for special groups, such as: indigenous women, children, elderly people, and persons with disabilities to be able to enjoy their human rights and fundamental freedoms, including ensuring the improvement of their economic and social well-being. Article 22 paragraph (2) requires the states to provide full protection for indigenous women and children from all forms of violence and discrimination, of course in the enjoyment of human rights and fundamental freedoms.

Meanwhile, Article 17 paragraph (2) states that the states also have an obligation to cooperate with indigenous peoples to protect indigenous children from exploitative economic conditions and children's work situations/places that endanger their physical, mental, psychological, moral, spiritual and social development.

Obligations regarding the Right to Reparation

UNDRIP explicitly requires states to provide effective reparations to indigenous peoples who are the victims of human rights violations. Articles 11 paragraph (2) and 28 paragraph (1) regulate the restoration of rights to confiscated land, territories, and natural resources; Article 8 paragraph (2) guarantees reparations for forced assimilation; Article 20 paragraph (2) requires the restoration of damaged indigenous political, economic, and social institutions; and Article 32 paragraph (3) regulates the obligation to restore indigenous peoples' land, territories, and natural resources for development and extractive business purposes.

3. Business Obligations and Responsibilities

Unlike states, which have three obligations (respect, protect, and fulfill), business entities are only required to respect. This obligation requires them to avoid activities that could violate human rights and address any adverse human rights impacts arising from their operations.³⁶ The general concepts and practices of these obligations are detailed in the United Nations Guiding Principles on Business and Human Rights.³⁷

Specifically, UN human rights bodies provide guidance on the implementation of the obligation to respect human rights for companies operating in conflict areas.³⁸ This guide was created because companies in conflict zones are not neutral entities, and their presence always has an impact. Even when not directly involved in the conflict, company activities can exacerbate existing conflict dynamics.³⁹ In addition to their obligation to assess, avoid and mitigate human rights violations, UN human rights bodies encourage companies in conflict areas to use conflict-sensitive approaches to minimize impacts as much as possible.⁴⁰

36 See, Guiding Principles Business and Human Rights, Implementing the United Nations "Respect, Protect and Remedy" Framework, United Nations Geneva and New York, 2011. pg. 13 and 14

37 See, The Corporate Responsibility to Respect Human Rights, An Interpretative Guide, United Nations, pg. 12, 22, 29, and 85

38 Details on this see, see, Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises Business, human rights and conflict-affected regions: towards heightened action (A/75/212), para 43-45

39 See, Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises Business, human rights and conflict-affected regions: towards heightened action (A/75/212), para 43-45

40 Ibid., para 46-47



Various Food and Energy Megaprojects in South Papua

The issue of human rights violations against indigenous peoples related to food and energy megaprojects in southern Papua has persisted since colonial times. However, these violations have become increasingly widespread and alarming during the administrations of Presidents Susilo Bambang Yudhoyono (SBY) and Jokowi.

Some observers believe the region's gently sloping terrain and rich water-rich swamps are the reasons the global food regime has chosen southern Papua for its food and energy megaprojects. However, there's strong suspicion that the presence and influence of the military in Papua are key factors driving investors to choose this region for food and energy megaprojects.

1. Colonial Period: Pacification and Connecting South Papua to European Markets

Colonial records of state intervention in South Papua are sparse, but they provide a comprehensive picture of how the Dutch East Indies colonial government attempted to transform the region into a food barn, new job opportunities, and a source of revenue for the motherland. Beginning with the initiation of mega-colonization projects in various parts of Papua, the colonial government deployed soldiers, police, and forced laborers from Aceh to establish military posts along the Merauke coast.⁴¹

Armed military and police forces were also routinely sent into the interior to fight local tribes, particularly the Malind and Yeinan. These tribes rejected the presence of foreigners in their territory and refused to end tribal warfare. Furthermore, the colonial government forcibly relocated them to colonies established by the colonial company in Boven Digoel—then called Boven Digul—and the Merauke coast.

There is no official data on how many people were killed in these pacification operations and forced population transfers, but by 1915 it was recorded that 7,000 Malind people—then called Marind—were forced to live in single houses in the

41 Drooglever, PJ 2010, *Acts of Free Choice, Papuans and Self-Determination*, Kanisius, Jakarta, pg. 43

colony on the coast of Merauke⁴², while in Boven Digoel 648 Muyu people were forcibly relocated into colonies managed by companies and the state.

They were also forced to replace stone work tools with iron farming tools, were required to dress like Dutch East Indies people, were strictly prohibited from practicing ancestral religious rituals, and were encouraged to embrace new religions brought by the government.⁴³ In addition, they had to follow the lifestyle and work of forced laborers from Aceh and 100 transmigrants from Java, including following the instructions of government officials (migrants from the Dutch East Indies and the Netherlands), such as: cultivating rice fields, coconuts, and sago; hunting for bird of paradise feathers; building roads; and requiring children to attend school with teachers brought specially from Maluku and Manado.

Interestingly, this megaproject failed to deliver the expected results, as the motherland's support for South Papua was limited, making Dutch and Dutch East Indies companies reluctant to invest in the region. According to existing records, the South Papua food colony megaproject operated only in coastal areas and failed to reach the interior, resulting in exports of only copra and bird-of-paradise feathers, while rice and sago failed.⁴⁴

However, it should be noted that this initial project succeeded in making the government and the colonial company forcibly take over land along the Merauke coast belonging to the Malind people and a little inland in Boven Digoel, including the success of turning hundreds of people from these two tribes into a free labor force that could be tightly controlled.

The breakaway of the Dutch East Indies and the independent nation of Indonesia raised Dutch concerns about Indonesian politics, which continued to demand the transfer of West Papua to the Unitary State of the Republic of Indonesia (NKRI). They responded to this political dynamic with the colonial government's policy—with Australian support—of accelerating the transfer of government to the indigenous Papuans and even promising their independence at the appropriate time.⁴⁵ This is also what then encouraged the Papuan people's desire for independence to emerge, where they organized themselves and voiced their desire to become an independent nation.⁴⁶

42 Ibid., pg. 45

43 Ibid., pg. 56

44 Ibid., pg. 45

45 Osborn, Robin, Kibaran Sampari, *The OPM Liberation Movement and the Secret War in West Papua*, ELSAM, Jakarta, 2001, pg. 37-45

46 Ibid., pg. 53-55

2. Sukarno Period: Project to Integrate Papua into Indonesia

Seeing the shift in Dutch politics and the rise of pro-independence groups, Indonesia intensified international diplomacy to demand the return of West Papua. Sukarno claimed the former Dutch East Indies territory in the Indonesian archipelago as part of the Republic of Indonesia, while launching covert military operations to garner local support and suppress the emergence of Dutch-initiated pro-independence groups.⁴⁷

Sukarno appointed Suharto as Commander of the West Papua Liberation Operation to conduct small-scale, covert operations in South Papua between 1962 and 1963. Led by Benny Moerdani, the RPKAD (Parako) Battalion infiltrated Merauke and conducted small-scale invasions of indigenous villages supporting the independence movement.⁴⁸ Osborn stated that these covert operations were often marked by village burnings, arrests, torture, and even the murder of leaders and indigenous people in the forests surrounding Merauke city. These operations also frequently forced Merauke's native population to flee to Papua New Guinea (PNG) to escape the wrath of Indonesian Parako troops.

3. Suharto Regime: Indonesianizing Papua and Exploiting Natural Resources

The security situation in Papua and South Papua worsened when Suharto succeeded Sukarno in a bloody coup in 1965. He increasingly used military force to strengthen Indonesia's influence and control over the Papuan people. By 1969, Indonesian military forces were reportedly actively attacking the South Papuan population, triggering a large-scale refugee movement to PNG, which was then under Australian control.⁴⁹ As a result, the Pepera held by the UN from 14 July to 2 August 1969, went according to the wishes of the Indonesian military, namely that West Papua join the Republic of Indonesia.

Strangely, even though Papua had become part of Indonesia, between 1969 and 1984, Suharto continued to order his troops to destroy pro-independence groups that had established bases north and south along the PNG border, including deploying napalm-laden bombers to raze the villages where the Free Papua Movement (Papua Merdeka) guerrillas were based. This was allegedly part of their efforts to accelerate the pacification process in Papua, which was needed by major investors such as Freeport, which had obtained concessions after Suharto was inaugurated as the second president of the Republic of Indonesia.

47 Al Rahab, Amiruddin, Military operations in Papua: The Fox Guarding the Henhouse, *Journal of Political Research*, Vol 3, No. 1, 2006, LIPI, pg. 3-23

48 Osborn, pg. 66

49 Osborn, pg. 82

As a result of this operation, hundreds of people died and tens of thousands of West Papuans fled to PNG territory.⁵⁰ In the interior of Boven Digoel, military operations also resulted in a wave of violence in the villages of the Muyu people and forced this tribe to flee back to PNG.⁵¹ It was reported that 9,500 Muyu people, some OPM members and sympathizers, while most are ordinary people, lived in refugee camps in PNG. As late as 2002, 8,000 Muyu remained refugees in PNG as a result of the brutal 1984 military operation against the indigenous community.⁵²

From 1984 until his fall, Suharto designated West Papua as a Military Operations Area (DOM) with the aim of suppressing pro-independence resistance that emerged sporadically in several regions.⁵³ And, since then, this region has been closed to foreign media, while local newspapers are prohibited from reporting on Papuan economic and political events except those sourced from the military.⁵⁴

The implementation of DOM also provided the basis for the military to control all aspects of the population's political, social, economic, and cultural life. There was no longer any respect for human rights and freedoms of opinion, association, and assembly to peacefully express opinions. Those who opposed this policy were considered enemies of the state or subversives, and many critics ended up imprisoned, tortured, even killed, or disappeared.

In the captured areas, during the same period, the Indonesian military launched a purge operation against independence groups that had not had time to evacuate. Reportedly, 122 Malind supporters of Papuan independence were arrested, tortured, and killed by stuffing them into sacks filled with stones and throwing them into the sea.⁵⁵ The Irian Jaya Security and Order Command ordered the Indonesian military to launch an operation to eradicate the pro-independence group led by Silas, who was accused of disrupting the security of the Merauke transmigrant settlement.⁵⁶

Suharto also used the transmigration project to strengthen Indonesia's control over the Papuan people. In February 1966, the military pushed the government to implement a transmigration project to relocate 100 Javanese to Papua and 150,000

50 Osbon, pg. 83-84

51 Widjoyo at all, pg. 199

52 Crisis Group Asia Brief No.66, 19 July 2007, pg. 2

53 Al Rahab, pg. 16-18

54 "Something to Hide? Indonesia's Restrictions on Media Freedom and Human Rights Monitoring in Papua", HRW, USA, 2015

55 Osborn, pg. 306

56 Osborn, pg. 164

people to the border region between Merauke and Papua New Guinea.⁵⁷ They prepared these transmigration locations from the lands of indigenous people who they had previously forced to move to areas they had successfully controlled or to flee to PNG to save themselves.

Suharto also began asking the World Bank to become the largest funder of the transmigration program for residents of Java and NTT to the South Papua region⁵⁸, also supported by funds from the Inter-governmental Group on Indonesia (IGGI).⁵⁹

Suharto also commissioned Lockheed—the American manufacturer of Hercules aircraft—to transport transmigrants to transmigration sites in northern and southern Papua. The company’s promotional slogan was: The largest transport vehicle for the largest transmigration on earth. A week-long arduous journey could now be completed in two hours in an air-conditioned Hercules. Thanks to Hercules, Indonesians could move into their new homes (in Papua) the same day they left Java. A scandal later emerged, in which Suharto personally requested that the Lockheed Agency in Indonesia be managed by a company owned by his relatives.⁶⁰

To ensure that the construction of transmigration sites and supporting facilities went smoothly, Suharto also invited Japan to bring in road construction experts to build a connecting road from Merauke to the PNG border to the north.⁶¹

The transmigration project has created a tremendous fear among local residents of losing ownership and access to their land. The military and police could evict them and turn it into a transmigration site. In Merauke, the local regent reported that residents were extremely afraid to leave their villages, fearing the Indonesian government would seize their land and use it as a transmigration site.⁶²

Because of this attitude, the Jakarta government was reluctant to address the aspirations for the improvement of traditional villages, claiming it did not support the transmigration program. There is no exact data on the number of transmigrants brought to Merauke and its surroundings, but by 1983, at least 400 people were arriving each month to inhabit the 12,000 hectares designated as transmigration areas.⁶³

57 Osborn, pg. 81

58 Ibid., pg. 268

59 Aditjondro, pg. 230

60 Osborn, pg. 270

61 Osborn, pg. 378

62 Osborn, pg. 281

63 Osborn, pg. 282

Suharto also began attracting foreign and domestic businesspeople to invest in West Papua. Some of the most well-known and publicly discussed include PT Freeport, British Petroleum, and forestry and construction companies owned by Suharto's cronies. In line with this initiative, he ordered his military to protect the business activities of forestry entrepreneurs in West Papua based on his recommendations. This protection included overseeing natural resource exploitation and guarding key company sites from attacks by armed criminal groups. This also included providing and coordinating labor if laborers from outside Papua were not yet available.

Around August 1980, the Human Rights Commission of the Asmat-Agats Diocese reported that Agats police officers forced the villagers of Amborep and Pupisy to do forced labor to cut down trees belonging to businessmen who had received concession recommendations from Jakarta.⁶⁴ This report led to the beating of a member of the Diocesan Human Rights Commission from Asmat by local police. The perpetrator received no punishment because it was ordered by a superior. A pastor also witnessed, in 1984, beatings, whippings, and intimidation of residents by military forces in the Asmat region during forced labor for logging and transporting ironwood.⁶⁵ On the other hand, military officials also often forced residents to make Asmat wood carvings, which at that time were very popular with local and foreign art collectors because of their beauty, one of whom was Michael Rockefeller.⁶⁶

Suharto also invited Scott Paper—an American company that wanted to develop a 790,000-hectare eucalyptus plantation in Merauke Regency. However, the company abandoned its plans midway due to significant opposition from local communities and environmental activists.⁶⁷ In Boven Digoel, PT Korindo—a Korean HPH company—obtained a logging concession for plywood in 1993 and in 1997 changed its business to an oil palm plantation.⁶⁸ Still in Boven Digoel, Suharto also granted a concession to PT Texmaco covering 206,800 hectares for Industrial Plantation Forest in 1998.⁶⁹

64 Aditjondro, George Junus, *Cahaya Bintang Kejora, West Papua in the Study of Cultural History, Economics and Human Rights*, ESLAM, Jakarta, 2000, pg. 205

65 Osborn, pg. 262

66 *Ibid.*, pg. 261

67 Exploitation of natural resources in Papua for 22 years with a top-down approach, 90-90, November 2011, at <https://www.downtoearth-indonesia.org/id/story/eksploitasi-sumber-daya-alam-di-papua-selama-22-tahun-dengan-pendekatan-dari-atas-ke-bawah>

68 Indonesian Papua: Local perspective on the conflict, Crisis Group Asia Briefing No.26, 19 July 2007, pg. 1

69 Pusaka, the HTI Company PT Merauke Rayon Jaya in Boven Digul Regency, suspected of committing unlawful acts, <https://pusaka.or.id/news/perusahaan-hti-pt-merauke-rayon-jaya-di-kabupaten-boven-digoel-diduga-melakukan-tindakan-melawan-hukum/>

Suharto's efforts to invite foreign investors to South Papua continued until the monetary crisis hit Indonesia in early 1997. However, it seemed to have little success because investors doubted the security of investing in Papua and Indonesia due to the economic crisis that triggered a political crisis and prompted a wave of protests throughout the region.

4. Habibie and Gusdur administration: Revocation of DOM and resolution through dialogue

After Suharto's fall, the governments of Bacharuddin Jusuf Habibie and Abdurrahman Wahid (Gus Dur) focused more on the efforts to dismantle military control over Papua's people and natural resources. This included the revocation of the DOM imposed during the Habibie era and the division of Papua into three provinces, through the enactment of Law No. 45/1999 regarding the Establishment of Central Irian Jaya Province and West Irian Jaya Province to accelerate development. Habibie's latest policy was roundly rejected by the public, local academics, and even the local political elite, as it still held a New Order feel.⁷⁰

Habibie's policy could not be implemented, not only because his term of office had ended, but his successor, Abdurrahman Wahid, chose to use a different approach to resolving the Papuan conflict, namely through dialogue and also allowing the raising of the Morning Star flag as a symbol of respect for the Papuan people.

During the Gus Dur era, the government actively engaged in dialogue with all elements of society to create peace in Papua, including offering the establishment of a special autonomy (otsus) policy. Unfortunately, Gus Dur was later ousted by civilian and military politicians who disliked his policies for being too friendly to democracy and human rights, especially his policies that were too lenient in dealing with Papuan demands for independence. One of these politicians was Amien Rais, then Speaker of the Indonesian House of Representatives (DPR RI) following the 1999 general election. He believed that Gus Dur's policies on Papua would only result in Indonesia losing its easternmost province.⁷¹

Gus Dur's dialogue approach created space for pro-independence groups to consolidate and discuss opportunities for a non-violent resolution of the Papuan conflict among themselves. Furthermore, this dialogue approach also opened up space for pro-democracy groups and human rights advocates to participate in the dialogue and offer the president and the Papuan people a roadmap for a resolution through inclusive dialogue.

70 Dividing Papua: How Not To Do It, ICG Asia Briefing Paper, 9 April 2003, pg. 3

71 Ibid., pg. 5

Although Gus Dur permitted the raising of the Morning Star flag, this did not necessarily lead to police support. Authorities frequently broke up these flag-raising parades, which often escalated into violence. In Merauke, in February 2000, a high school student was killed and dozens injured in clashes between flag-raising parade participants and local police.⁷² Then, in November, security forces brutally dispersed a Morning Star flag-raising parade, sparking eight days of inter-clan conflict. This resulted in 7 deaths and 27 injuries. By the end of the year, 8 people were reported killed by the brutal crackdown by security forces who attempted to prevent the raising of the Morning Star flag at a peaceful local youth demonstration.

The weakening of military control in Papua during Gus Dur's administration opened up space for armed groups to consolidate. These groups rejected a dialogue-based solution to the Papuan conflict, believing it would distance their struggle from the ideals of independence. In this situation, they launched sporadic attacks on police and military headquarters, aiming to draw international attention to resolving the Papuan conflict.

On the other hand, they began intimidating and kidnapping employees of international companies operating since the Suharto era, seeking compensation for their unilateral exploitation of Papua's natural resources. Several companies then secretly agreed to pay these compensation demands, claiming to safeguard their investments in Papua. A case in point is the arrest and hostage-taking of PT Korindo employees by Willem Onde—Commander of the Merauke OPM—in Boven Digoel in January 2001.⁷³ The group released the hostages after the company allegedly met their demands, including compensation for Korindo's destruction of indigenous forests. The incident demonstrated the corporation's efforts to appease the armed OPM group in order to secure its investments in Papua.

5. Megawati Period: Restoring Military Control and the MIRE Project

After being inaugurated as president on July 23, 2001, Megawati Sukarnoputri chose to resolve the Papuan issue through military force. She also continued the special autonomy policy, which mandated the formation of new provinces and regencies in Papua. This was all under the pretext of accelerating development. This policy later became the basis for the military to conduct intelligence operations against pro-independence civilian figures, including pursuit operations against armed groups that attacked military offices, intimidated, and held hostage employees of companies operating in Papua.

72 "Violence and Political Impasse in Papua", Human Rights Watch, July 2001, Vol.13, No.2(c), pg. 23

73 Crisis Group Asia Brief No.66, 19 July 2007, pg. 8

Several military operations following Gus Dur's downfall included the pursuit of shop arsonists and the murder of a Special Autonomy Office security guard, a police officer, and three civilians in Abepura in December 2000. These brutal operations resulted in serious human rights violations. Then, in November 2001—three months after Megawati was inaugurated as president—an operation was launched to assassinate Theys Hiyo Eluay, a highly influential Papuan traditional leader accused by the military of supporting the pro-independence movement. In 2003, military forces launched a large-scale operation to hunt down a group that had broken into the Wamena Military District (Kodim) weapons depot. The operation left 7,000 Kwiayagawe homeless, 1,000 adults arrested and tortured at military headquarters and posts, and several others reportedly killed.⁷⁴ In addition, the murder of Willem Onde and John Tumin Kandam in Boven Digoel, which allegedly involved Kopassus, was said to be part of an operation to eradicate the OPM armed group which was considered to be disrupting the security of company operations in South Papua.⁷⁵

The return of a militaristic approach to conflict resolution in Papua during Megawati's administration resulted in the special autonomy policy, enacted through Law No. 21 of 2001, being implemented under military control. This situation continues to face resistance from Papuans. Their long experience of living under Indonesian military control has left them skeptical about the extent to which Papuans can freely determine their own lives, especially when the military regains control over security and order in Papua.

The implementation of the special autonomy policy only succeeded in dividing Merauke into four regencies (Merauke, Asmat, Mappi, and Boven Digoell) in 2002—before finally becoming South Papua Province in 2022. Another result was an increase in the number of soldiers and Mobile Brigade Corps (Brimob) in the region, as the formation of new regencies became the basis for the establishment of new military commands and police resorts at the district level. The deployment of military and Mobile Brigade Corps (Brimob) troops also increased in areas where international and national companies operate. On the other hand, respect for and protection of indigenous peoples' rights under the special autonomy policy has not been proven to be effective. Security forces are said to consistently protect the practice of confiscating and destroying indigenous peoples' living spaces by companies.

74 Alrahab, pg. 18-19

75 Crisis Group Asia Brief No.66, 19 July 2007, pg. 8

Megawati's directive to secure company operations from OPM violence was interpreted by local military/police commanders as providing security for all stages of national and international company operations. Consequently, in South Papua, land clearing and concession production practices are consistently fraught with intimidation and the seizure of land, territory, and natural resources. The primary victims are indigenous communities in Merauke, Asmat, Boven Digoel, and Mappi.

Throughout 2002-2003, Korindo—a plywood company that operated during the Suharto era—was able to resume operations under tight military and/or Brimob security. Under Brimob security, they conducted surveys and negotiated very low compensation for the indigenous peoples of Muyu, Auyu, and Mandobo (Wambon) whose customary territories became concession areas for the Korean company without their free and informed consent in 2001. As the story of the indigenous people of Kampung Tinggam, Mindiptana, who had to accept compensation for land damage of Rp10,000 per cubic meter, when the money was distributed to the 7 clans in the village, it turned out that each clan only received Rp400,000-500,000.⁷⁶ This incident shows how the presence of security forces in the concession process weakens the bargaining position of indigenous peoples over their land, forests and living space.

Meanwhile, in Autriob Village, in 2003, customary chiefs from six clans decided to reject logging in their customary territory. However, in 2005, PT Korindo resumed surveys and began operations, claiming to have obtained permits from the central government for areas claimed as state forests under Law No. 41 of 1999 regarding Forestry. Feeling they had not been involved in the consultation and approval process, the Autriob people detained six company surveyors and demanded to meet directly with Korindo leaders. Following this incident, Korindo brought in the Mobile Brigade Corps (Brimob) to release the surveyors.

A similar situation was experienced by indigenous peoples in the Getentiri, Butiptiri, and Ujung Kia areas in the southern part of Boven Digoel Regency. In March 2004, PT Korindo began clearing Block B for a 7,000-hectare oil palm concession and cleared approximately 4,000 hectares of land in Getentiri and Butiptiri. The company then planned to clear the remaining 3,000 hectares in 2006, but the plan was rejected by 25 clans in Ujung Kia. This rejection was related to the destruction and loss of sago groves, hunting grounds, rattan harvesting locations, and sources of traditional medicine, for which compensation had not been adequately provided.

In another sphere of interest, in 2001, Arifin Panigoro—a wealthy businessman affiliated with the Indonesian Democratic Party of Struggle (PDI-P)—asked

76 Ibid., pg. 6-7

the Regent of Merauke to initiate the Merauke Integrated Rice Estate (MIRE) project. This project aimed to transform southern Papua into a food and energy hub in response to the global food and energy crisis.⁷⁷ This project aims to establish southern Papua as an investment location for food crops and bioenergy, such as rice, corn, cassava, soybeans, palm oil, and wood pellets. By promising easy investment and guaranteed production security for food and timber plantation companies, Panigoro and the Merauke Regent are said to have successfully attracted 44 national and international companies in the palm oil, rice, corn, soybeans, cassava, sugar cane, wood pellets, and processed wood sectors.⁷⁸

These companies included the Saudi Binladin Group from Saudi Arabia, which reportedly planned to develop 500,000 hectares of rice fields in Merauke to produce premium rice for the export market. In addition, there were PT Bangun Tjipta Sarana, which was linked to Siswono Yudo Husodo; PT Wolo Agro Lestari; PT Comexindo, which operates in the plantation and trading sectors of corn, palm oil, rubber, and tea, owned by Hashim Djojohadikusumo; PT Sumber Alam Sutura from the Artha Graha Group; PT Digul Agro Lestari; and PT Buana Agro Tama. However, until the end of Megawati's administration, MIRE was unable to convince the Jakarta government to designate it as a national strategic project (a kind of National Strategic Project at the time). Therefore, this project belonged only to the Merauke regent and Medco.

6. Susilo Bambang Yudhoyono Administration: From MIRE to MIFEE

Early in his administration, President Susilo Bambang Yudhoyono's (SBY) focus on Papua focused more on suppressing pro-independence groups still perceived as actively disrupting business activity in the province. This approach was implemented through the use of special autonomy and administrative divisions to expand territorial command structures and police power, along with the formation of new provinces and regencies between 2004 and 2008.

In the southern region of Papua, particularly Boven Digoel Regency, the SBY administration established a new Military District Command or Kodim in 2006 with a force of around 100 personnel, after previously establishing a new Resort Police in early 2005. The government also encouraged the addition of military and Brimob posts along the 760 km border between Papua and Papua New Guinea, namely from 20 to 94 posts.⁷⁹ Of the total additions, 21 posts are located on the

77 Ito, Takeshi, Rahman, Nur Fauzi dan Savitri, Laksmi A., *Naturalizing Land Dispossession: A Policy Discourse Analysis of Merauke Integrated Food and Energy Estate*, presented at the international conference on Global Land Grabbing April 6-8, 2011.

78 Merauke Regional Investment Coordinating Board, 2011, quoted from Ito et al., 2011, pg. 9

79 "RI-Malaysia land border posts to be increased", Antara, 27 June, 2006, quoted from Crisis Group Asia Briefing No.66, 19 July 2007, pg.10

southern border of Papua and Papua New Guinea.⁸⁰ This number does not include the special forces post in Merauke, whose existence is not widely known to the public and whose task is to uncover the clandestine pro-independence network that is considered to have become active again since 2000, even though the local OPM command in the region has actually been extinguished.

These troops were also involved in numerous acts of violence against Papuan youth in Merauke throughout 2008–2009. This violence allegedly occurred under the pretext of operations to control alcohol consumption among Papuan youth. However, some also believe these actions were related to efforts to quell Papuan youth support for the pro-independence movement. Human Rights Watch reported 3 cases of arrests and torture of young people in the Kelapa Lima area of Merauke by Kopassus members without clear justification in 2008, including reports of 1 case in 2007 and 2009.⁸¹

Most of the young men tortured and abused by Kopassus members from the Kelapa Lima Post were known to have been gathering with their peers while drinking locally produced alcohol. While in detention, they were beaten, kicked, electrocuted, and some were treated inhumanely, without questioning. They were released or handed over to the local police the following day. At the police station, the victims were simply registered and then released or handed over to their families in a battered state. Some of the victims reported still feeling pain even a year after the incident.

Entering 2006, after carrying out the main harvest ceremony in Merauke⁸², SBY was interested in taking over the MIRE project initiated by Panigoro and the Regent of Merauke, Johannes Gluba Gebze, to then transform it into the Merauke Food and Energy Estate (MIFEE) project. His interest in developing MIFEE was also due to strong encouragement from Sinar Mas—a company supporting SBY and a major supplier to global food companies such as Nestle, Unilever, and Craft—which in 2007 had already obtained a 200,000 hectare oil palm plantation concession from the Boven Digoel and Mappi regional governments.⁸³ President SBY believed

80 “TNI Sends Indonesia-Papua New Guinea Border Security Troops, 450 Kujang Battalions Arrive in Merauke, JawaPos.com, at <https://www.jawapos.com/nasional/015236539/tni-kirim-pasukan-pengamanan-perbatasan-indonesia-papua-nugini-450-prajurit-batalyon-kujang-tiba-di-merauke>, accessed 15 November, 2025

81 What Did I Do Wrong? Papuans in Merauke Face in Abuses By Indonesian Special Forces, Human Rights Watch, 2009.

82 MIFEE: MIFEE: Space for Marind People to Engage Is Still Very Minimal, December 18, 2015, at <https://cpps.ugm.ac.id/en/miffee-ruang-keterlibatan-bagi-orang-marind-masih-sangat-minim-2/>, accessed 15 November 2025

83 David Adam Stott, ‘Indonesian Colonisation, Resource Plunder and West Papuan Grievances’, *The Asia-Pacific Journal* Vol 9, Issue 12 No 1, 21 March 2011, http://www.japanfocus.org/-David_Adam-Stott/3499

that MIFEE was the solution to the global food crisis, where Merauke's food and energy reserves would be able to "*feed Indonesia and the world*."⁸⁴

The SBY administration also addressed the rise in global energy prices that occurred between 2007 and 2008. This issue was then integrated into the MIFEE concept, ensuring that the megaproject would not only focus on food production and exports but also on renewable energy development.⁸⁵

SBY's concern over the food and energy crisis prompted his administration to invite the Indonesian Chamber of Commerce (KADIN) to seek input on how to secure investment support for the MIFEE initiative from business circles. Kadin then provided the government with several recommendations, including ensuring land availability for agribusiness, consistent land use policies at the administrative level, ease of land acquisition and use, and protection of land ownership rights.⁸⁶

The SBY administration strengthened the legal framework for MIFEE through Government Regulation No. 26 of 2008 regarding the National Spatial Layout Plan. This policy declared the MIFEE area a key area for economic growth. SBY then instructed the Minister of Public Works and the Governor of Papua to develop a spatial plan for land acquisition for agricultural cultivation investment, encompassing the Regencies of Merauke, Mappi, and Boven Digoel. Furthermore, the government, along with the House of Representatives of the Republic of Indonesia, passed Law No. 41 of 2009 regarding the Protection of Sustainable Food Crop Land, which allows private companies to participate in domestic and export agricultural production and trade.

The SBY administration also issued Government Regulation No. 18 of 2010 regarding Plant Cultivation Businesses, which in the Papuan context allows companies to obtain concessions of up to 20,000 hectares. Two years later, Law No. 2 of 2012 regarding Land Acquisition for Development in the Public Interest was passed, which then became the legal umbrella for the land acquisition process, including guarantees of contract security and land concessions for foreign investors. Furthermore, SBY also asked the Indonesian National Police and the State Intelligence Agency (BIN) to secure the operational processes of companies supporting MIFEE, especially from actions of resistance by local indigenous peoples, who are in fact the rightful landowners.⁸⁷

84 Takeshi Ito, Nur Fauzi Rahman and Laksmi A. Savitri, pg. 10

85 Ibid., pg. 11

86 Ibid., pg. 12

87 "NGOs urge Indonesia to heed MIFEE moratorium call", Down to Earth Update, 29 November 2011, at <https://www.downtoearth-indonesia.org/story/ngos-urge-indonesia-heed-miffee-moratorium-call>, and see also "MIFEE-affected communities want their land back", DTE, 95, March 2013, at <https://www.downtoearth-indonesia.org/story/miffee-affected-communities-want-their-land-back>, accessed 17 November 2021

In 2010, the Indonesian Minister of Agriculture announced the launch of the MIFEE megaproject to meet the demand for food and bioenergy, both domestically and internationally. With a project area reaching 1,282,833 hectares, MIFEE was divided into ten Agricultural Production Center Areas (KSPP). Within this division, Wanam was included in KSPP VI, while Yeinan was included in KSPP III. To achieve its target, this megaproject was designed in three stages of implementation: the first stage in 2010–2014 covering an area of 423,251.3 hectares; the second stage in 2015–2019 covering an area of 632,504.8 hectares; and the third stage in 2020–2030 covering an area of 227,076.9 hectares.

Table 1. Types of commodities based on clusters⁸⁸

Cluster	KSPP	Area (ha)	Commodity
I	Greater Merauke	44.239	Rice, Corn, and Dryland Rice
II	Kali Kumbe	50.140	Sugarcane, animal feed, corn, peanuts, soybeans
III	Yeinan	80.717	Corn, peanuts, soybeans, fruits, and animal feed
IV	Bian	52.926	Peanuts, palm oil, fruits and animal feed
V	Okaba	27.705	Peanuts, palm oil, fruits and animal feed
VI	Wanam	112.599	Peanuts, palm oil, fruits and animal feed
VII	Tubang	295.904	Peanuts, palm oil, fruits and animal feed
VIII	Tabonji	315.142	Peanuts, palm oil, fruits and animal feed

88 Government of Indonesia, 2011, quoted from Ito et al., 2011, pg. 15

IX	Nakias	173.971	Peanuts, palm oil, fruits and animal feed
X	Selil	65.280	Palm oil and animal feed

Source: Government of Indonesia (GoI). 2011

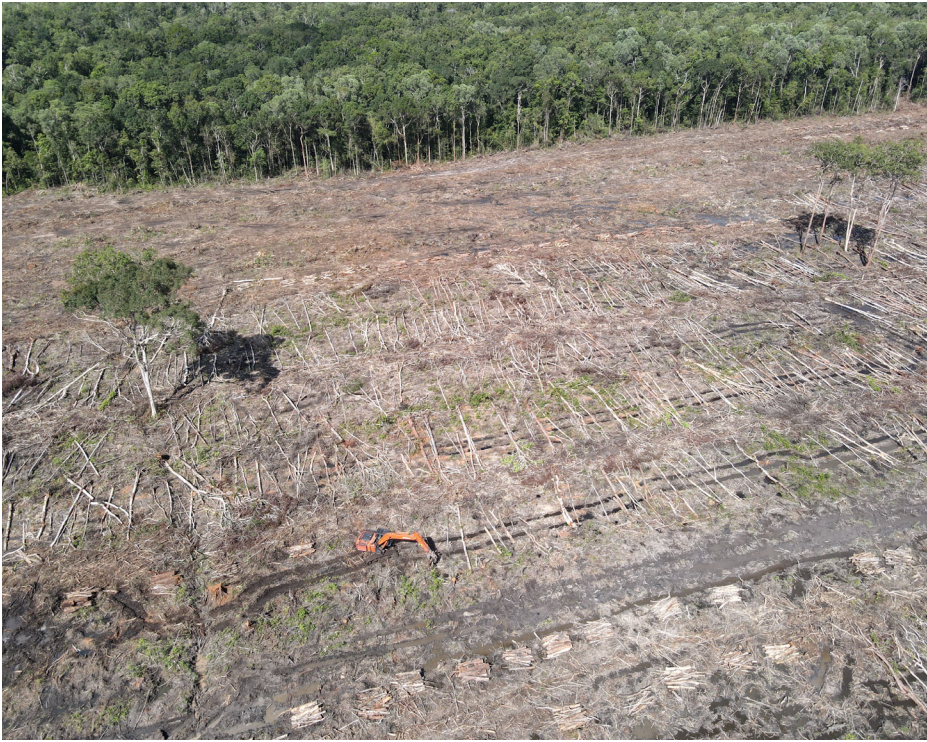
Although the SBY administration actively sought investment in MIFEE, few companies were interested. Among those few were PT Selaras Inti Semesta of the Medco Group, the Rajawali Group, the Sinar Mas Group, and several companies that were once Suharto's cronies, including those owned by Prabowo Subianto, who later became the 8th President of Indonesia.

Through PT Selaras Inti Semesta, the Medco Group obtained a 300,000-hectare industrial forest plantation (HTI) concession in Kurik, Kaptel, Animha, and Muting. PT Medco Papua Industri Lestari also obtained a concession to build a wood processing plant with a production capacity of 10 million tons per year for wood pellets and pulp. In 2009, LG formed a joint venture with Medco through PT Mitra Duta Lestari for a forestry concession. In addition, PT Kertas Nusantara, a company owned by Prabowo Subianto, is also a supporter of MIFEE with a 155,000-hectare HTI concession. Then there is PT Bangun Cipta Sarana, the company of the former Minister of Transmigration under Suharto, Siswono Yudo Husodo. Then there is the Artha Graha Group owned by Tommy Winata, who is known to be a long-time partner of the military elite in Papua.

After MIFEE was officially launched in 2010, concession companies began seizing indigenous peoples' lands through various means. Namely from manipulating traditional land tenure systems to deploying military and police forces in land clearing operations.

This manipulative customary land acquisition incident occurred in 2010 in Zanegi Village. In this case, PT Selaras Inti Semesta manipulated the traditional land ownership and access systems of six clans in Animha District, Merauke, to seize 4,000 hectares of forest. By offering a "*tali asih*" (compensation money) of Rp 300 million to clan chiefs, the company successfully persuaded the six clans to grant permits to exploit the Zanegi customary forest. To reinforce its deception, the company created a formal agreement document in the form of a certificate of appreciation stating that it had provided Rp 300 million as compensation for the purchase of community land.⁸⁹

89 Hadiprayitno, Irene I., Behind Transformation: The Right to Food, Agricultural Modernisation and Indigenous Peoples in Papua, Indonesia, Human Rights Review, 2015, pg.123-141, at <https://link.springer.com/article/10.1007/s12142-015-0353-7>, accessed 19 November 2025



Picture 1. Land clearing for PT. Selaras Inti Semesta (PT.SIS) during the MIFEE era.
(Photo: PUSAKA Bentala Rakyat)

In 2011, PT Dongin Prabhawa actively seized 21,200 hectares of forest belonging to the Mahuze, Gebze, and Kaize indigenous peoples in Nakias Village, Ngguti District, Merauke Regency to be used as an oil palm plantation.⁹⁰ They carried out this expropriation by manipulating the traditional land ownership and access system by offering “*tali asih*” (compensation money) in exchange for operating permits. They also defrauded the indigenous peoples by promising to develop plasma plantations for the local indigenous peoples and create jobs.⁹¹ The company also always involved the military in the land acquisition process.⁹²

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- 90 Nusantara Atlas, “Land clearing in Papua:2024-2025 Trends and Drivers”, at <https://nusantara-atlas.org/farming-the-unfarmable-the-high-stakes-gamble-in-papuas-wetlands/>, accessed 10 November 2025.
- 91 ‘The Story of Residents Asking for Plasma When Korindo Implemented a Moratorium on Opening Palm Oil Land in Papua,’ Mongabay, 10 August 2017, at <https://mongabay.co.id/2017/08/10/cerita-warga-minta-plasma-kala-korindo-moratorium-buka-lahan-sawit-di-papua/>, accessed 19 November 2025
- 92 Report of a visit to PT Dongin Prabhawa’s Plantation at Mam, AWAS MIFEE, 2014, at <https://awasmiffee.potager.org/index.html?p=779&lang=en>, accessed 19 November 2025

In the same year, the Wilmar Group's sugarcane company, PT Anugrah Rejeki Nusantara (ARN), manipulated the ownership system and access to the traditional land of the Malind people of Bat Wayau Village—neighboring Zanegi Village, Merauke—to seize 200 hectares of forest to be used as a sugarcane plantation.⁹³ Likewise, in 2013, PT ARN again manipulated the ownership system and access to traditional land of three clans and six sub-clans to seize 1,000 hectares belonging to this community for the purpose of building a sugarcane seed plantation in Zanegi Village.⁹⁴ The six sub-clans are Sapieze and Nazelik from the Basikbasik clan, Maliulik and Wakabalik from the Mahuze clan, and Manauze and Sawalik from the Balagaize clan. The company also reportedly seized land from indigenous peoples around Asiki Village between 2012 and 2013, including transporting the timber harvested during the land grab to PT Korindo's plywood factory in Asiki.⁹⁵

The clearing of forests in Zanegi Village for the development of sugarcane plantations and industrial timber plantations has resulted in Malind indigenous women losing their rights to access land, territory, and natural resources.⁹⁶ They reportedly began having difficulty gathering and processing food for their families because sources of carbohydrates and protein had been converted to sugarcane plantations or industrial plantations (HTI). They were also no longer able to sell meat, vegetables, and forest fruit to the nearby markets. This was because they had to travel farther into the forest to obtain game, vegetables, and fruit.

Malind indigenous women who try to work in company employee camps often face obstacles due to the qualification standards set by the companies.⁹⁷ Some of them end up selling their labor to subcontractors, which don't require specific qualifications, as they only need manual labor (casual daily workers or BHL). They are organized into work groups based on the stages of plantation development, such as land clearing, planting, plant maintenance, and so on. Each group has a foreman who determines the daily workload and the wages each worker will receive.

Malind indigenous women who work as casual daily workers in subcontractors do not receive adequate protection of their rights in their work, so they often become victims of arbitrary practices by subcontractors of PT SIS and ARN.⁹⁸ An example

93 FPP, Pusaka, & Sawit Watch, *The Sweet and Bitterness of Sugarcane, Voices of the Malind Indigenous People from Merauke*, Papua, 2013, pg. 32

94 Ibid.,

95 Ibid.,

96 Muntaza, MIFEE and Malind Indigenous Women, *Sajogyo Institute Working Paper No. 21*, 2014, pg. 14

97 Ibid., 16

98 Ibid., 17

of this case is the work contract of the Malind women's casual daily workers group with the subcontractor PT SIS which was deemed unreasonable, namely offering a contract worth IDR 5,267,153 for plant care in a 16.03 hectare garden, for one month, with a group of eight members.

To circumvent the unreasonable contract price, the Malind women had to build a *bivouac*—a temporary shelter—in the garden for a month. They then met their food and drink needs by gathering food around the *bivouac* so they could bring home Rp328,581.

In addition to the seizure of customary land, plantation expansion also results in the forced displacement of indigenous peoples from their habitats. In 2011, indigenous peoples in Bupul Village were forcibly relocated by PT Global Papua Abadi to make way for a sugarcane plantation. As of the writing of this report, there was no definitive information on the number of victims. However, the Yeinan people in this village were the most affected. According to local human rights workers, residents were promised replacement housing elsewhere. However, as of the writing of this report, PT Global Papua Abadi had not fulfilled this promise.

In line with the launch of MIFEE, state control over press freedom and freedom of expression in South Papua began to strengthen, marked by reports of the mysterious death of a local journalist and intimidation of several journalists who actively criticized the project.⁹⁹ Ardiansyah Matrais—a journalist for *Tabloid Jubi*—was reported to have died mysteriously with his hands tied, after previously being threatened for reporting on corruption and illegal logging practices involving one of MIFEE's promoters, John Gluba Gebze, who was a candidate for regent in the regional elections in Merauke.¹⁰⁰

Several local journalists also received threats from unknown persons for reporting on the Merauke regional elections in July 2010. According to Telapak and the UK's Environmental Investigation Agency (EIA), an unknown group carried out surveillance and intimidation operations against dissident groups in Merauke, where this group was connected to John Gluba Gebze and Kopassus.¹⁰¹ These restrictions also extend to a ban on providing funding to local Papuan human rights organizations, such as Cordaid, Peace Brigades International, and the ICRC.¹⁰²

99 Journalist's death overshadows launch of Papua food project, Press release, Tapol and Down to Earth, 11 August 2010, at <https://www.downtoearth-indonesia.org/story/journalist-s-death-overshadows-launch-papua-food-project>, accessed 18 November 2025

100 For details on this incident, see HRW, 2015, pg. 43

101 Ibid.,

102 HRW, 2015, pg. 56

Ironically, despite the full support of President SBY and his cabinet, the MIFEE project failed to attract investors. This lack of investment was due to the slow process of land acquisition and provision due to a conflict between the Merauke Regency Government and the Papua Province regarding the controversial rezoning of forest areas. The Ministry of Agriculture even threatened to relocate the project to another province due to the slow resolution of these two key issues.

7. The Most Prominent and Worst Record of Human Rights Violations

From the colonial era to the SBY administration, food and energy projects have had a serious impact on the human rights of indigenous peoples in South Papua. Unlike the abundant data on civil and political rights violations, data on indigenous rights violations during this period is extremely difficult to obtain. Therefore, this report only outlines the dominant violations and their severity. There are at least four of the most prominent and severe human rights impacts: the destruction of identity and culture; the seizure of land, territory, and natural resources; the destruction of traditional livelihoods; and the violation of indigenous women's rights.

a. Destruction of Identity and Degradation of Culture

The destruction of identity is a serious consequence of state and market megaprojects. Nearly every regime that has ruled this region has stated that their primary motive is to "educate" the tribes they deem primitive and barbaric in South Papua so they can integrate into domestic and global markets.

Strategies used include assaults, arrests, and killings of dissidents; the destruction of ancient villages and cultural sites; the relocation of indigenous peoples to new, designated settlements or their expulsion to neighboring countries, thus severing their ties to land, territory, and natural resources; the imposition of dress and behavior according to the dictates of those in power; the criminalization of traditional rituals and practices, particularly those deemed to perpetuate the idea of independence; and their integration into migrant or transmigrant work groups from outside Papua to train them to become commercial farmers or obedient citizens.

This destruction of identity consistently utilizes military and armed police forces as the primary force, relegating the culture of the South Papuan tribes to the lowest stratum of national culture. It is strongly suspected that this process of identity and cultural destruction aims to accelerate the formation of farmers and commercial workers who are obedient to the state. The state also involves religious institutions, although the military and police remain the primary instruments of destruction and discipline in the event of disobedience or deviation.

Table 2. Destruction of Identity and Degradation of Culture

Violation Act	Dutch Colonial	The New Order	Habibie & Gus Dur	Megawati	SBY
Attacks and destruction of indigenous villages.	There is no data, but it is estimated that many Malind and Muyu clans were killed and lost their traditional villages during the early pacification period of the colonial government between 1910-1935.	There are no data. However, the number of traditional villages destroyed was very high, given the intensive operations against armed and civilian rebel groups on the border between 1962 and 1984. At least 122 Malind people on the Merauke coast, 6 of whom were women, died after being arrested by security forces.	There are no data.	There are no data.	There are no data.
Forced displacement/eviction.	There is no exact data, but according to various sources, 7,000 Malind people were successfully placed in Dutch colonies on the coast of Merauke city and 648 Muyu people were detained in the colonies.	There is no definitive data on the number of victims of forced displacement during this period, but it is known that 9,500 Muyu people became refugees along the border between South Papua and PNG as of 1984. In the same year, the Yeinan people were also reported to have fled to PNG due to brutal military operations. Unfortunately, there is no data on casualties from this incident.	There are no data.	There is no data, but the deployment of military operations to suppress the activities of pro-civil and armed independence groups after the fall of Gus Dur, caused the Yeinan and Malind indigenous people in the interior of South Papua to leave their villages for PNG.	There were not many cases of forced evictions during this period, but the most phenomenal was the forced eviction of the indigenous people of Kampung Bupul, Merauke by PT ARN by manipulating ownership traditions to facilitate the land release process.

Prohibition of old traditions and cultures.	7,000 Malind and 648 Muyu people were prohibited from wearing traditional clothing and accessories; were required to wear modern clothing; were required to carry out traditional work with iron tools; and were required to follow the agricultural system and calendar established by the government.	The Malind and Yeinan people were forbidden from wearing noken, traditional clothing, and practicing traditional farming systems. They were required to dress like Indonesians, follow the calendar, and adopt the transmigrants' agricultural practices. The ban on "mambesak" was blamed for fueling anti-Indonesian movements. The founder was even assassinated to curb its influence. Ban on raising the Morning Star The practice of initiating adolescent boys and girls who started menstruating was prohibited.	There are no data.	Almost all the prohibitions during the New Order era are still maintained.	Almost all the prohibitions during the New Order era are still maintained.
Forced transformation into followers of a state-recognized religion.	7,000 Malind people and 648 Muyu people converted to Catholicism.	There are no data. However, traditional religious practices are routinely criminalized and labeled as primitive, barbaric, atheistic, or communist, or OPM, and in some cases, often result in death. The growth of Muslims in the interior has increased considerably, although the military denies accusations that military operations are Islamizing the interior of Papua and South Papua.	There are no data.	There are no data. Adherence to ancient religions was declining, and in many parts of South Papua, they have even disappeared. This is evidenced by the dwindling number of indigenous children who speak their ancestral languages, let alone know the sago harvest ritual songs.	There are no data. However, ancient religious practices were always labeled as primitive.

b. Rights to Land, Territory and Natural Resources

George Junus Aditjondro stated that the megaprojects of various regimes in Papua have never been successful, except in increasing land and natural resource ownership by national and international companies. The seizure of land, territory, and natural resources is always linked to the regime's need to quickly and cheaply provide investment opportunities, including through the deployment of military force and the imprisonment of indigenous communities who resist.

Table 3. Violations of Rights to Land, Territory and Natural Resources

Violation Act	Dutch Colonial	The New Order	Habibie & Gus Dur	Megawati	SBY
FPIC: Ignoring or manipulating traditional ownership systems of land, territory, and natural resources.	At this time, human rights were not yet recognized.	During this period, the military controlled every aspect of Papuan life. Therefore, when it came to land needs, they never consulted, let alone sought free and informed consent. In 1993, the Tomba, Buruk, and Toab clans, the Wambon tribe in Biantap Village, in the interior of the Digoel River, were forcibly relocated to a village created by the Suharto government called Subur.	There are no data.	PT Korindo manipulated the ownership and transfer rights system of the Muyu, Auyu, and Mandobo indigenous communities, including 7 clans in South Boven Digul, in the process of releasing and clearing their concession areas. PT HPH group Korindo manipulated the traditional land ownership system of 13 clans in Mindiptana, Tinggam, and Autriob Megawati allowed the state police and military forces to intimidate the indigenous people of Getentiri Village, Butiptiri, Ujung Kia, South Boven in the negotiation process for the provision of compensation money for PT Korindo's operations in the village.	PT Korindo manipulated the traditional land ownership system of 25 clans in Ujung Kia, Boven Digoel to ensure the company could operate in that location. PT SIS manipulated traditional land use practices to own 3,346 ha of Malind-Zanegi customary land.

Grabbing of clan land.	There is no exact amount of land confiscated, but in 1955, the Dutch Colonial Government opened a colony and developed rice fields in the Kurik District.	In the 1970s, Suharto sent transmigrants to Merauke, these transmigration sites belonged to the Malind people. In 1993 the customary territories of the Tomba, Burok and Toab clans became state property.		In 2001, the customary territory of the Tomba, Burok and Toab clans, Wambon tribe in Biantap Village was handed over to PT Berkat Cipta Abadi (Korindo Group) for the development of an oil palm plantation.	PT Korindo seized 4,000 hectares of land belonging to 25 clans of the Ujung Kia indigenous community, Boven Digoel. In 2009, the Mahuze and Ndiken people in Zanegi village lost 3,346 ha of their customary territory (forest, hunting grounds, sago groves, and sacred sites) after being manipulatively acquired by PT SIS and the military. In 2013, 6 sub-clans in Zanegi Village were victims of a 1,000-hectare land grab by PT ARN to build a sugarcane nursery. The sub-clans were: Sapieze and Nazelik from the Basikbasik clan; Maliulik and Wakabalik from the Mahuze clan; and Manauze and Sawalik from the Balagaize clan.
Plundering of forest products.	There are no data.	Logging of iron-wood forest owned by the Asmat people in the 1970s.	There are no data.	PT Korindo stole thousands of cubic meters of wood belonging to the indigenous people of Kampung Tinggam, Mindiptana.	Logging of 4,000 ha of timber belonging to 25 clans in Ujung Kia Boven Digoel. The ethnobotanical and ethnozoological destruction of the Malind people's customary forest in Zanegi Village covering an area of 3,364 ha.

There is insufficient information on the total extent of land, territory, and natural resources belonging to clans and sub-clans in South Papua that have been seized by the state and corporations for food and energy projects. However, it is certain that 25 clans in Boven Digoel and dozens of Malind clans in Zanegi Village lost their land, territory, and natural resources due to forced displacement and refugee

policies during the Dutch and Indonesian governments. The Asmat people, in particular, were not only victims of land grabbing, but also the plundering of their natural resources by PT Korindo—a logging company granted a logging concession by the Suharto government.

c. Elimination of Traditional Occupations and Forced Labor

The destruction of identity and the seizure of land, territory, and natural resources from the colonial era to the SBY administration have been factors in the loss of traditional occupations among tribes in South Papua. The primary causes are deforestation and land clearing. However, the exact number of traditional occupations lost remains unclear, as there has been no fact-finding process for such cases. However, it is certain that the number is significant.

Furthermore, several indigenous communities in South Papua were victims of forced labor, particularly during the colonial and Suharto eras. In both periods, the military frequently used local tribes as forced labor to build military and government facilities and infrastructure, and/or to harvest natural resources for private companies.

Table 4. Violations of Rights to Traditional Occupations

Human rights violations	Dutch Colonial	Suharto	Habibie & Gus Dur	Megawati	SBY
Elimination of traditional occupations.	There is no specific information, but the destruction of old culture has caused the loss of traditional occupations related to carrying out old rituals and religion.	Forced evictions due to war operations are the cause of the loss of traditional occupations of tribes in South Papua because they have to become refugees in PNG. Traditional occupations in the forest are the ones that are most likely to be lost because they are considered OPM supporters and often even result in death. Transmigration and agricultural mechanization policies contributed to the disappearance of <i>pangkur sagu</i> in several clans. In the 1970s, the military forced indigenous people to learn how to grow chilies, vegetables, and use grating machines to crush sago.	There is no information.	Traditional occupations in the forest are the ones that are most likely to be lost because the military will consider tribes who work in the forest as OPM supporters and can be arrested, tortured, and even killed. The practice of land grabbing by forestry and palm oil companies with the support of the military is the cause of the loss or decrease in the frequency of traditional activities of the 7 clans in Boven Digoel, such as: hunting, gathering, harvesting sago, planting food crops, religious rituals, and making artistic and cultural tools.	The situation was similar to that during Megawati's administration. Military operations using tactics to restrict indigenous people's activities in and around forests forced many tribes in South Papua to abandon traditional occupations to avoid unnecessary violence.

Prohibition of traditional occupations.	The colonial government prohibited jobs related to local religious rituals and the making of traditional clothing accessories which were considered to perpetuate primitive and barbaric culture.	The TNI/Brimob prohibited hunting, gathering and collecting forest products in the forests where they were hiding. The TNI/Polri also prohibited the making of koteka for everyday use, except for handicrafts for sale.	There is no information.	There are no data.	In 2009-2014, the TNI/Brimob prohibited the Zanegi people from hunting, gathering and collecting forest products in the forests where they were hiding while carrying out patrols and/or operations to pursue rebel groups.
Forced labor practices.	There are very few records on this matter, but some literature mentions that the tribes in South Papua who were successfully gathered in colonies on the coast of Merauke and around Boven Digoel were required to follow the manual work instructions given by the military and government officials.	The practice of forced labor of Asmat people to cut and transport iron-wood by the military in the early 1980s-1990s Forced labor practices were also allegedly carried out by the military against Asmat tribal sculpture artists, when Asmat sculptures were a favorite among international art and culture collectors. Upstream in the Maro River, police officers employed local residents to shoot birds of paradise. They were also involved in the slaughter of deer in the savannahs around Merauke.	There are no data.	There are no data, but there is a lot of information reporting that a number of people were forced to work at military headquarters and posts, including as military logistics carriers while pursuing armed OPM groups in the forests.	There are no data, but there is a lot of information reporting that tribes in South Papua accused of supporting the OPM were still being forced to work at military headquarters and posts, including as military logistics carriers when patrolling and/or pursuing armed OPM groups in the forests.

As a result of the destruction of traditional occupations and forced labor, the Malind people (Salor and Bat Wayau) suffer from protein deficiency due to the depletion of their traditional food because deer, pigs and wallabies have disappeared from the grasslands and forests because they have been turned into transmigration areas.¹⁰³ The practice of hunting deer and birds of paradise by outsiders, organized by the military and police, also contributed to the Malind's protein shortages from the Suharto era to the present. The Asmat people's woodcarving practices, once steeped in ritual and tradition, have recently evolved into a money-driven, exploitative craft, often involving forced labor or low wages.

d. *Rights of Indigenous Women and Children*

The impact of state and business megaprojects on indigenous women and children in South Papua is serious discrimination against their traditional roles in the context of ownership systems and access to land, territory, natural resources, and traditional occupations. In the context of the forced relocation of South Papuan tribes, women and girls were the first objects of destruction by the authorities. They were forced to live in single houses, dress, and behave like modern women in order to survive in Dutch colonies and/or refugee camps, which later became transmigration settlements when Suharto brought in transmigrants from outside Papua through the notoriously brutal transmigration project.

The main note of this report is the serious impact of counter-insurgency operations in Papua—which are believed to have also occurred in southern Papua—on indigenous women. These impacts include violence, rape, and murder of indigenous women with family and/or kinship ties to the Free Papua Movement (OPM). *Komnas Perempuan* also noted findings regarding the use of sexual violence as a method in military operations in Papua.¹⁰⁴

Following the pursuit of OPM leader Kelly Kwalik in Jila, Papua, between 1987 and 1988, 10 indigenous women were reportedly raped by soldiers multiple times, some of whom became pregnant. Elsewhere, a soldier went to the home of an indigenous woman in Nggeselema, claiming to have her sewn up a damaged military uniform, and then raped her.

The megaproject in South Papua has also resulted in the severing of women's relationship with nature. Policies of forced relocation, the seizure of land, territory,

103 Aditjondro., pg., 252-253

104 Map of Violence, Experiences of Indonesian Women, National Commission on Violence Against Women, Jakarta, 2002, pg. 229-230

and natural resources, as well as the destruction/prohibition/restriction of traditional occupations, have made it difficult for women to gather and process food sources for their families.

The distance between clans' customary territories and/or the loss or destruction of customary territories, as well as the prohibition of activities within certain areas by the Indonesian National Armed Forces (TNI) and the Indonesian National Police (Polri), are the main reasons why they struggle to meet their own and their families' food needs. The ecological destruction of customary territories due to the presence of extractive companies (HPH and oil palm plantations) exacerbates the plight of indigenous women. They must find ways to survive as companies pollute rivers and soil, destroy forests, and convert them into monoculture plantations.

During the colonial and Suharto eras, women were expected to be housewives, imagined as the caretakers and caregivers of their children and husbands, including finding and preparing daily meals for the family. This imagery included blaming women for lack of food at home and/or for having malnourished children, children born with disabilities, and or children with infertility.¹⁰⁵ There is a lot of information stating that incidents of domestic violence were often triggered by colonial and Suharto imaginations, such as husbands beating their wives because there was no food.

Indigenous women also frequently go hungry because the food they gather and prepare is primarily for their husbands and children. It is not surprising that many of them suffer from stomach ulcers, high blood pressure, and gout.¹⁰⁶ Several sources also found that Malind indigenous women were infected with HIV/AIDS because the MIFEE project not only brought in dowry and timber compensation, but also brought in a prostitution business which then became a way for sexually transmitted diseases to enter Malind homes.¹⁰⁷ Meanwhile, Malind girls are also vulnerable to becoming victims of child prostitution, in line with the increasing demand for sexual services from manual laborers who often end up ensnaring local children with all their tricks.

105 Savitri, Laksmi A., Dhamwani, Natasha Devanand, Amin, Sutami, Biopolitics of Food Estate, and the Metabolic Damage of Papuan Nature-Human, Pusaka & FIAN, 2023 pg. 31-32

106 Ibid., 47

107 Muntaza, pg.17

Table 5. Violations of Rights of Indigenous Women

Human rights violations	Dutch Colonial	Suharto	Habibie & Gus Dur	Megawati	SBY
Loss of access to land, territory and natural resources.	Colonial development policies that resulted in the forced displacement of indigenous people resulted in indigenous women in the Kurik District losing access to land, territory, and natural resources.	The operation to eradicate the Free Papua group, the formation of villages, and transmigration caused indigenous women from the Tomba, Burok, and Toab clans to lose access to land, territory, and natural resources.	There are no data.	Indigenous women from the Tomba, Burok, and Toab clans of the Wambon tribe in Biantap Village lost access to land, territory and natural resources due to being seized by PT Berkas Cipta Abadi (Korindo Group) for the development of oil palm plantations. Indigenous women from Kampung Tinggam, Mindiptana, also lost access to land, territory and natural resources because they were seized by PT Korindo.	Indigenous women from 25 clans in Ujung Kia Village, Boven Digoel, lost access to 4,000 ha of forest due to land-grabbing by the Korindo Group. Malind indigenous women in Zanegi Village, Merauke, lost access to 3,346 hectares of customary land, including forests, hunting grounds, sago groves, and sacred sites.
Violence against women.	There are no data.	There are no data.	There are no data, but women's organizations believe that the number is enormous.	There are no data, but women's organizations believe that the number is enormous.	There are no data, but women's organizations believe that the number is enormous.
Hunger and deadly disease attacks.	Colonial development policies exposed indigenous women to sexually transmitted diseases brought by immigrants.	There are no data.	There are no data.	There are no data.	Five Malind women in Zanegi Village contracted HIV/AIDS. Subsequently, several Malind girls in Zanegi Village became vulnerable to child prostitution.
Discrimination against traditional women's occupations.	There are no data.	Malind Kumbé, Kurik, and Kuper women were forced to grate sago using a grating machine.	there are no data.	Almost all Malind women found it difficult to sell forest products (game meat and sago) because non-Papuan traders received support in the form of equipment and security from the local military authorities.	Almost all indigenous women stopped selling because they could not compete with non-Papuan deer meat and sago traders.

The colonial and Indonesian governments contributed to the reinforcement of the tradition of male landowners. This pattern facilitated land grabbing and the provision of cheap labor in government-established villages. To date, there has been no government effort to open dialogue with clan leaders regarding the importance of women's ownership rights and access to land, territory, and natural resources. Recognition of these rights is believed to complicate land grabbing through the manipulation of traditional ownership.

As the consequence, indigenous women continue to be left without land rights and only gain access to land, territory, and natural resources by seeking permission from the head of the family. The state also allows women whose husbands die or divorce return to their original clans, where they work on the land, territory, and natural resources of their fathers or brothers who grant them access. As in Kalimantan and Sumatera, when extractive companies arrive and require manual labor in the early stages of operations, indigenous women are often positioned as support workers for indigenous men, whom these companies recruit as cheap labor.

During the Habibie and Gus Dur eras, the situation seemed to be improving because the policies of these two presidents prioritized dialogue in resolving problems. However, under the Megawati and SBY administrations, the situation for indigenous women remained unchanged, and the phenomena described above were considered natural. The situation for indigenous women worsened as they had to compete with a growing number of newcomers in collecting and selling remaining forest products. These newcomers typically received financial, technological, and security support from local and national military and police authorities. Accordingly, these newcomers were consistently 10 steps ahead of the Malind indigenous women in collecting, transporting, selling, and profiting from the trade in deer meat, gastor fish, vegetables, and forest fruits.¹⁰⁸

108 Minutes of the Workshop on Women and Living Space, PUSAKA, Merauke, 27-29 October 2025; see also Aditjondro, 2000, pg. 253



Jokowi's Merauke Food and Energy PSN, then Prabowo's

Jokowi's election to replace SBY did not deter the Indonesian government from pursuing a mega-project for food and energy in South Papua. Like previous administrations, the Jokowi administration used the narrative of a global food and energy crisis, supply instability, and rising national food and energy prices to accommodate the interests of both national and international companies involved in the MIFEE project.

The Merauke PSN was relatively short-lived, lasting one year before Jokowi stepped down and one year after Prabowo became president, but its brutal practices have caused tremendous damage to the ecology and human rights of indigenous peoples in South Papua.

1. Indigenous People in Ilwayab, Jagebob, and Ngguti

Clusters II, III, and IV of the Merauke KPPE PSN are largely located within the living space of more than 20 clans and sub-clans of the Malind and Yeinan tribes—16 of which are directly affected by this megaproject. In Cluster II, Ilwayab District, the indigenous communities that predominantly inhabit the area are the Malind Maklew sub-clans: the Moiwend Tayoga, Moiwend Buako, Balagaize, Gebze, Kaize, Mahuze, Kahol, and Basik-basik.

Meanwhile, Cluster III in Malind and Jagebob Districts is primarily home to the Kwipalo, Blojai, Kaljai, Kuemu, Mogo, and Wenanje Rawa clans from Yeinan; Ndiken and Basik-Basik from Malind Koa; and Mahuze Kurik, Mahuze Kaliki, and Gebze Kurik. In Cluster IV there are several clans, including the Mahuze Ngguti.

All clans and subclans in Clusters II, III, and IV depend on forests, swamps, and savannas as the dominant landscapes of their customary territories. In these forests, swamps, and savannas, indigenous people engage in various traditional occupations to meet both subsistence and commercial needs.

Traditional subsistence activities include gathering, hunting, fishing, planting and harvesting sago, tatas, and various types of tree leaves and shoots; making agricultural and household tools; weaving crafts; and maintaining sacred areas. Meanwhile, traditional commercial activities include selling sago and game meat to villages surrounding the customary territory and to nearby markets.

These traditional occupations are based on a system of hereditary ownership and access to land, territory, and natural resources. In this system, the customary territory is owned by the clan head. Meanwhile, the clan heads own the sago, tatas, cassava, and other kitchen spice groves that they plant and cultivate.

Women from these clans only have access to sago, tatas, cassava, and spice groves, as well as fishing and shrimp catching areas. This access is granted to meet the family's daily needs, including cash for daily necessities that they cannot produce themselves or that nature cannot provide.

Since the Dutch colonial government banned inter-tribal warfare, there has been no longer any transfer of ownership rights to customary land through war, let alone its sale. However, clans and sub-clans have an unwritten agreement granting access rights to closely related clans. This access right is granted after the requesting clan or sub-clan first requests permission from the landowner.

This practice persists today. Consequently, within a clan's customary territory, other clans or sub-clans often seek a livelihood through various permitted traditional occupations. To gain access, the land-owning clan conducts a traditional "door-knocking" ritual as a prerequisite for granting permission to the requesting clan or sub-clan to conduct traditional occupations in their customary territory. In this ritual, the applicants present goods or gifts to the landowner as an expression of gratitude and respect. Recently, this tradition has often been manipulated by companies and government officials seeking to control customary territories for business activities or state projects.

2. Jokowi's Policy in South Papua: Harsh and Pro-Global Market Regime

Jokowi's policies toward Papua were considered extremely harsh, particularly in response to the pro-independence movement of civilians and armed groups. Publicly, he appeared to be trying to resolve the Papuan issue through dialogue. However, in practice, his administration continued to employ a repressive security approach, including the brutal dispersal of local demonstrations, the imprisonment of civilians carrying items deemed symbols of Papuan independence, and restrictions on access to Papua by the press, foreign journalists, and international observers.

According to Tapol's report, at least 671 civilians were arrested for peacefully protesting in 2021, a 45.9% increase from the previous year.¹⁰⁹ In Merauke, 16 traditional leaders, one of whom was Paulina Imbumar, were arrested by soldiers and police after they tried to celebrate the 60th anniversary of the Papuan Declaration

109 See, West Papua 2021: Freedom of Expression and Freedom of Assembly Report, tapol.org, at https://tapol.org/sites/default/files/West_Papua_2021_Freedom_of_Expression_Assembly_Report.pdf, accessed on 24 November 2021

of Independence.¹¹⁰ In a separate incident, 13 activists from the West Papua National Committee (KNPB) were also forcibly arrested by the Mobile Brigade Corps (Brimob) during a demonstration that turned violent. They were subjected to extremely harsh treatment while in detention, with one reportedly dying two months after their detention due to deteriorating health.¹¹¹

Jokowi's harsh policies toward Papua were allegedly not solely aimed at suppressing the Papuan independence movement, but also at creating the impression that South Papua is a safe place for investment. In this context, a security approach was part of the guarantee for companies participating in the Merauke KPPE PSN.

3. KPPE Merauke PSN: New Rice Field and Sugarcane Plantation Development Project

Rather than evaluating the failures of the SBY administration, Jokowi continued the food and renewable energy megaprojects in Merauke with a more aggressive and brutal approach. In 2015, during a bumper rice harvest on Medco (PT SIS) land in Wapeko, Kurik District, Merauke Regency, Jokowi expressed his support for large-scale agricultural development in the region, which was historically linked to the MIFEE project during the SBY era.¹¹²

Like previous administrations, Jokowi used the FAO's narrative of a global food crisis as an opportunity to profit for the country. Therefore, he accepted the invitation from Arifin Panigoro and Sinar Mas without due consideration. In fact, in order to avoid SBY's failure to attract investors, Jokowi created a new investment concept with 70% state-owned enterprises and 30% private sector investment. To demonstrate his commitment, he even increased the food security budget from Rp 67.3 trillion in 2014 to Rp 103.1 trillion in 2017.¹¹³

Unlike the previous regime, which secretly involved the military and police in strategic state and business projects, Jokowi publicly announced the involvement of the Indonesian National Armed Forces (TNI) and Indonesian National Police (Polri) in the National Strategic Projects (PSN) for food and energy projects across Indonesia, including Merauke. He began by ordering TNI Commander General Moeldoko to deploy *Babinsa* (village-based military officers) to support the project's success. He stated that the reason for the military and police involve-

110 Ibid., pg.19

111 Ibid., pg. 22

112 Pandemic Power-grabs: Who benefits from Food Estates in West Papua?, Tapol, April 2022, pg.12, di https://tapol.org/sites/default/files/TAPOL-AwasMIFEE%20-%20Pandemic%20Power-grabs%20%282022%29_0_compressed-1.pdf, accessed 24 November 2025

113 "Jokowi Insists on Realizing Food Security and Sovereignty", Medcom.id, 18 October 2017, in <https://www.medcom.id/ekonomi/mikro/5b25Ym6N-jokowi-ngotot-wujudkan-keamanan-dan-kedaulatan-pangan>, accessed 21 November 2025

ment in this project was that “defense is not just about defense equipment but also food security.”¹¹⁴ Ironically, Jokowi delayed fulfilling his promise to Arifin Panigoro regarding his support for the Merauke food and energy project because he wanted to see the project remain in the public’s memory as SBY’s stalled project.¹¹⁵ Therefore, he preferred a similar project in Central Kalimantan rather than continuing the Merauke mega project.

Entering 2020, Jokowi suddenly ordered the Ministry of Defense, which was then led by Prabowo Subianto, to lead the National Food Security project together with the Ministry of Public Works and Housing, the Ministry of Agriculture, the Ministry of Environment and Forestry, and the Ministry of State-Owned Enterprises.¹¹⁶

To facilitate private sector involvement in this National Strategic Project (PSN) project, Jokowi issued Government Regulation No. 64 of 2021 concerning the Land Bank Agency, which provides a legal basis for land provision for national development purposes. He also issued Government Regulation No. 23 of 2021 concerning Forestry Management and Coordinating Minister for Economic Affairs Regulation No. 8 of 2023 concerning the Fourth Amendment to Coordinating Minister for Economic Affairs Regulation No. 7 of 2021 concerning Amendments to the List of National Strategic Projects. In the appendix to Coordinating Minister for Economic Affairs Regulation No. 8 of 2023, the Merauke KPPE in South Papua is included as one of the PSNs.

Jokowi also paved the way for the expansion of sugar cane and bioethanol in Merauke through the issuance of Approval of Conformity of Spatial Utilization Activities (PKKPR) and a letter of recommendation for the release of forest areas for ten sugarcane plantations, sugar factories, and bioethanol in the period 2023 and 2024. The area provided reaches 541,094.37 hectares and is administratively spread across the Tanah Miring, Animha, Jagebob, Eligobel, Sota, Ulilin, Malind, and Kurik Districts.

As the consequence, between 2023 and 2024, ten (10) sugarcane plantations receive PKKPR and recommendation letters, covering an area of 469,147 hectares.

114 “Not the Minister of Agriculture, This is the Reason Jokowi Chose Prabowo for the Food Estate”, *cncbindonesia.com*, 13 July 2020, in <https://www.cncbindonesia.com/news/20200713184745-4-172363/bukan-mentan-ini-alasan-jokowi-pilih-prabowo-di-food-estate>, accessed 21 November 2025

115 “Prabowo Subianto and Jokowi’s Speed Race at the Merauke Food Estate”, *tempo.co*, 22 September 2024 in <https://www.tempo.co/arsip/food-estate-merauke-23296>, accessed 24 November 2025

116 “When Jokowi Entrusts Prabowo to Manage Food Security”, *kompas.com*, 10 July 2020, in <https://nasional.kompas.com/read/2020/07/10/17323321/saat-jokowi-percayakan-prabowo-urusi-ketahanan-pangan>, accessed 21 November 2021

Thoseten companies are part of the Global Papua Abadi (GPA) Group, the beneficial owners of which are the Fangiono family, owners of First Resources, Ciliandry Anky Abadi Group, and Martua Sitorus, owners of the Wilmar Group.¹¹⁷

Table 6. Ten Sugarcane Companies in the Merauke Food and Energy PSN¹¹⁸

Company	District Location	Land Area (ha)	Owner
PT Global Abadi Papua	Tanah Miring dan Jagebob	30.777,9	Antoni, S.E. dan Angelia Bonaventure Sudirman
PT Murni Nusantara Mandiri	Jagebob, Tanah Miring Animha	39.579	Tan Keng Liam dan David King
PT Andalan Manis Nusantara	Tanah Miring dan Animha	60.000	Antoni, S.E., dan Angelia Bonaventure Sudirman
PT Semesta Gula Nusantara	Jagebob dan Sota	60.000	Antoni, S.E. dan Angelia B Sudirman
PT Berkat Tebu Sejahtera	Jagebob dan Sota	60.000	Tan Keng Liam dan Angelia Bonaventure Sudirman
PT Agrindo Gula Nusantara	Eligobel	60.000	Antoni, S.E., dan Angelia Bonaventure Sudirman
PT Sejahtera Gula Nusantara	Ulilin	60.000	Angelina Bonaventure Sudirman dan Tan Keng Liam
PT Global Papua Makmur	Ulilin dan Eligobel	59.963,07	Angelina Bonaventure Sudirman dan Tan Keng Liam
PT Dutamas Resources Internasional	Eligobel	60.000	Dudy Christian; Angell Madeleine; Michael Angelo; Rita Rushy
PT Borneo Cita Persada	Malind, Kurik, dan Animha	50.772,4	Silvia Caroline Fangiono

117 Save the Rainforest, Merauke Sugar and Bioethanol Project - A Path to Ecological and Human Rights Crisis, 30 July 2024, <https://www.hutanhujan.org/updates/12360/proyek-gula-dan-bioetanol-merauke-jalan-menuju-krisis-ekologi-dan-ham>, accessed November 11, 2025

118 Briefing Paper PUSAKA, September 2024, pg. 7 and 20

When a National Strategic Project (PSN) was tasked with addressing the energy crisis, Jokowi issued Presidential Decree No.40/2023 concerning the Acceleration of National Sugar Self-Sufficiency and the Provision of Bioethanol as Biofuel. To expedite the implementation of this Presidential Decree, Jokowi issued Presidential Decree No.15/2024 concerning the Task Force for the Acceleration of Sugar and Bioethanol Self-Sufficiency in Merauke Regency, South Papua.

Jokowi appointed Bahlil Lahadalia as the head of the task force. This task force was tasked with accelerating the development of sugarcane plantations integrated with the sugar industry, bioethanol, and biomass power plants in Merauke. The target areas included the districts of Animha, Kurik, Malind, Tanah Miring, and Jagebob, which were later designated as the Food Production Center Area (KSPP) Cluster III in PT Sucofindo's food area feasibility study.

Meanwhile, the Ministry of Defense, after receiving orders from Jokowi and Prabowo Subianto, began its work by requesting PT Sucofindo to conduct a feasibility study on rice field development in 15 districts designated for the project. The company recommended that Prabowo divide the 15 districts into five food KSPPs (rice and sugarcane). Based on the results of this study, Prabowo reactivated the state-owned enterprise under the Ministry of Defense, PT Agro Industri Nasional (Agrinas), to assist him in managing the new rice field development in Merauke.

PT Agrinas itself was established by Prabowo in 2020 to operate in the agriculture, fisheries, and plantation sectors and to anchor the Ministry of Defense's food security projects, one of which is the food estate project in the former Suharto Peatland Project (PLG) area in Pulang Pisau, Central Kalimantan.¹¹⁹ This company was rumored to receive a capital injection from Danantara, but until the CEO of this company resigned, the capital injection from Danantara never came.¹²⁰ This was what then made Prabowo ask for help from Amran Sulaiman—who at that time had just been appointed as the new Minister of Agriculture—to find a wealthy tycoon who was willing to support the Ministry of Defense's new rice field project in Merauke at the risk of loss.¹²¹

119 The Military's Roles in Food Estate Plans, Tapol, 2022, at <https://tapol.org/sites/default/files/TAPOL-AwasMIFEE%2009-22%20-%20Military%27s%20Role%20in%20Food%20Estate%20Plans%20%282022%29.pdf>, accessed 24 November 2025

120 "Profile of Agrinas Pangan, a State-Owned Enterprise that Manages Rice Fields and Abandoned by Its CEO", *kompas.com*, 12 August 2025, at <https://money.kompas.com/read/2025/08/12/111011026/profil-agrinas-pangan-bumn-yang-urus-sawah-dan-ditinggal-dirutnya>, accessed 25 November 2025

121 "Prabowo Subianto and Jokowi's Speed Race at the Merauke Food Estate", *tempo.co*, 22 September 2024 in <https://www.tempo.co/arsip/food-estate-merauke-23296>, accessed 24 November 2025

Table 7. Rice and Sugarcane KSPP Clusters¹²²

CLsuter	Location	Area (ha)
I	Kimam, Tabonji, dan Ilwayab	371.189
II	Ilwayab dan Tubang	283.066
III	Animha, Kurik, Malind, Tanah Miring, dan Jagebob	632.000
IV	Tubang, Ngguti, dan Okaba	352.000
V	Ngguti, Kaptel, Muting, Ulilin, dan Okaba	651.000

Immediately after being asked for help, Minister Amran invited his cousin Andi Syamsudin Arsyad (Haji Isam), a wealthy tycoon and owner of the Jhonlin Group, to support Prabowo's project in Merauke with the promise of obtaining a rice field concession and road infrastructure development project and other supporting facilities in Wanam, which is included in cluster II of the PSN KPPEM. In response, Haji Isam agreed to support Prabowo's rice field development project, even willing to cover the project's expenses in advance due to the Ministry of Defense's budget not being available until the following year. These expenses included the purchase of 2,000 excavators from the Chinese Sany Group needed for the development of new rice fields, the construction of 135 kilometers of roads, and the construction of canals in Wanam, Ilwayab District.

Immediately after bringing in Haji Isam, Amran made a memorandum of understanding with the Indonesian Military and Police regarding the involvement of the military and police in the project to create new rice fields covering 40,000

122 PUSAKA Briefing Paper, "National Strategic Project (PSN) of Food and Energy Development in Merauke Regency, South Papua Province: Violating Human Rights and Increasing Environmental Crisis, September 2024, pg. 9, at <https://www.hutanhujan.org/files/id/2024-Briefing%20Paper%20PSN%20Merauke%20%28Pusaka%29.pdf>, accessed 24 November 2025

hectares in six districts of Merauke Regency, South Papua.¹²³ The six districts are Kurik (10,674 ha), Malind (6,629 ha), Samangga (6,000 ha), Jagebob (4,548 ha), Tanah Miring (10,540 ha), and Merauke (1,609 ha). The project was then renamed “land optimization” instead of rice field development. At the end of September, the Directorate General of Agricultural Infrastructure and Facilities at the Ministry of Agriculture announced that, in collaboration with the Indonesian National Military (TNI) and the Indonesian National Police (Polri), 40,000 hectares of rice fields in six districts of Merauke Regency had been successfully restored to operation.¹²⁴

At the regional level, the Merauke Regency Government has also begun to be involved in the people’s rice field development project in six districts, namely: Merauke, Semangga, Tanah Miring, Kurik, Malind, and Jagebob.¹²⁵ According to residents in six districts, the district government implemented this project by requiring indigenous communities to fill out land transfer forms for the purpose of converting them to rice fields. At the time this report was made, the project was still underway and had begun to draw protests from indigenous people. They suspected that these land transfer forms would be a way for the district government to hand over the land to the company.¹²⁶

Meanwhile, Bahlil Lahadalia, who was appointed as Head of the Sugar and Bioethanol Self-Sufficiency Acceleration Task Force, moved quickly by holding a meeting with the Task Force’s member ministries/agencies, the South Papua Provincial Government, and the Merauke Regency Government. The meeting aimed to establish a target for developing 2 million hectares of sugarcane and bioethanol plantations in Merauke.

Bahlil also asked PT Global Abadi Papua to appoint the Bogor Agricultural University’s Center for Regional Planning and Development Studies as a consultant for the preparation of the Strategic Environmental Assessment (KLHS)

123 “Ministry of Agriculture Involves the Indonesian National Military (TNI) and the Indonesian National Police (Polri) in Strengthening the Food Security Program,” *tempo.co*, 14 October 2024, at <https://www.tempo.co/ekonomi/kementan-libatkan-tni-dan-polri-dalam-program-penguatan-ketahanan-pangan-88355>, accessed 21 November 2021

124 Directorate General of Agricultural Infrastructure and Facilities, “Ministry of Agriculture Completes 40 Thousand Ha Swamp Land Optimization in Merauke”, 28 September 2024, at <https://psp.pertanian.go.id/berita/kementan-rampungkan-opla-rawa-40-ribu-ha-di-merauke>, accessed 12 November 2025

125 JUBI, Merauke encourages accelerated food production through rice field development and land optimization, October 25, 2025, at <https://jubi.id/animha/2025/merauke-dorong-percepatan-produksi-pangan-lewat-cetak-sawah-dan-optimalisasi-lahan/>, accessed 12 November 2025

126 Discussion with indigenous communities, Merauke, end of October 2025.

for sugarcane plantations in cluster III of the National Strategic Project (PSN).¹²⁷ Cluster III is a KSPP covering an area of 504,000 hectares whose control has been distributed by Jokowi to 10 sugarcane companies and ethanol factories among his cronies.¹²⁸

Bahlil's work continued with the signing of the Environmental Impact Assessment (KLHS) documents for 10 sugarcane companies and an ethanol factory in Cluster III. This laid the basis for these companies to begin land clearing and construct the necessary infrastructure. At the conclusion of his work, Bahlil invited Jokowi to attend a sugarcane seedling planting event in Tanah Miring in July 2024. This marked the launch of the sugarcane plantation and ethanol factory expansion project in Merauke Regency.

4. The Prabowo Administration Took Over the Merauke KPPE PSN

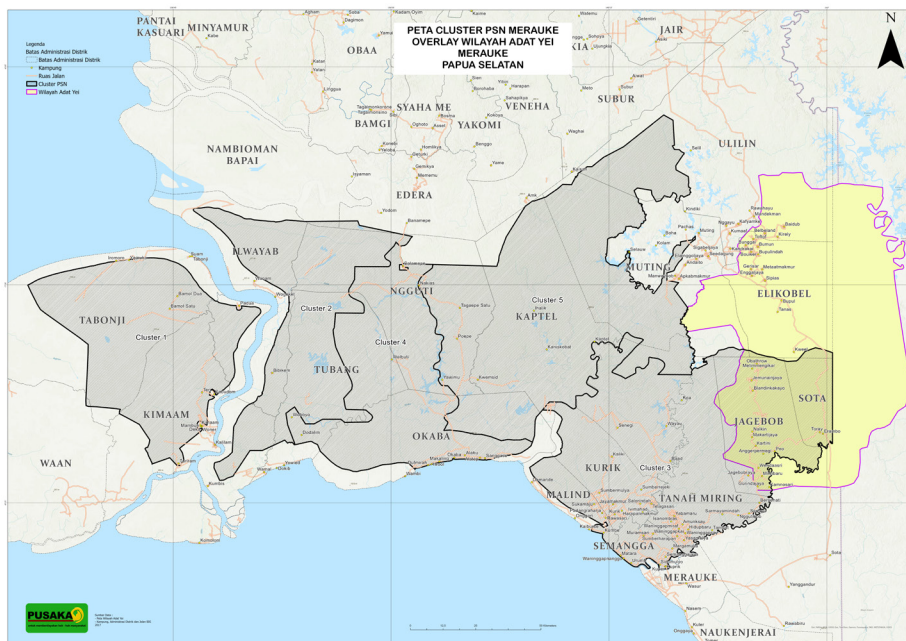
A year after Prabowo became president, the Coordinating Minister for Economic Affairs removed the Merauke KPPE from the list of National Strategic Projects (PSN) through Coordinating Ministerial Regulation No.16/2025 concerning Amendments to Coordinating Ministerial Regulation No.7/2021 concerning Amendments to the List of National Strategic Projects. However, this did not mean that Prabowo intended to halt the food and energy barn project in Merauke. Instead, he created a similar project under the name National Food, Energy, and Water Self-Sufficiency Program (PSPEAN) through Presidential Instruction No.14/2025, and expanded its coverage area to include Merauke, Mappi, Asmat, and Boven Digoel.

The name change and expansion of the project's scope will not disrupt sugarcane plantation companies and new rice field development contractors. This is because Coordinating Ministerial Regulation No.16/2025 substantially alters the Merauke KPPE PSN project from the Jokowi era.¹²⁹ This is demonstrated by the ongoing forest clearing projects in Cluster II Ilwayab to build a 138-kilometer road and water canals along the new road. This project remains under tight military security, allowing it to overcome the resistance of local clans against the road construction and new rice fields in this cluster.

127 The Merauke Sugarcane Project in the Jokowi Administration Destroys Papua's Forests," Tempo.co, 24 September 2024, <https://www.tempo.co/ekonomi/proyek-tebu-merauke-di-pemerintahan-jokowi-hutan-papua-dirusak-6391>, accessed 11 November 2025

128 "Prabowo Subianto and Jokowi's Speed Race at the Merauke Food Estate", tempo.co, 22 September 2024 in <https://www.tempo.co/arsip/food-estate-merauke-23296>, accessed 24 November 2025

129 "Change clothes" of South Papua National Strategic Project: Project scrapped, forest remains threatened", jubi.id, 22 October 2025, at <https://jubi.id/indepth-stories/2025/ganti-baju-psn-papua-selatan-proyek-dihapus-hutan-tetap-terancam/>, accessed 25 November 2025



Picture 2. Merauke National Strategic Reserves Cluster Map Overlay of Yei Traditional Area, Merauke, South Papua. Map: PUSAKA Bentala Rakyat

5. Brutal Land Acquisition and Project Development in Clusters II, III, and IV of the National Strategic Projects (PSN)

Both the Merauke KPPE PSN megaproject and its successor, PSPEAN, ultimately triggered the seizure of land, territory, and natural resources from indigenous communities in Clusters II and III. These projects not only triggered the dispossession of living space but also eliminated traditional jobs, worsened the position of indigenous women, and threatened the right to a safe, healthy, and sustainable environment.

Traces of this dispossession have been evident since the 2015 rice field development and land optimization project in Semangga District, Kuper Village, Kurik District, and Tanah Miring District. In this region, which has long been a rice field and transmigration area since the 1990s, the Malind indigenous people remain the owners of their customary land, impacted by the expansion of the state-owned food project.

Traces of this dispossession have been evident since the 2015 rice field development and land optimization project in Semangga District, Kuper Village, Kurik District, and Tanah Miring District. The government has also cleared 2,721 hectares of land for rice paddies as part of the rice field revitalization project within

the Merauke National Strategic Project (PSN). In Semangga and Kurik regions, which have long been a rice field and transmigration area since the 1990s, the Malind indigenous people remain the owners of their customary land, impacted by the expansion of the state-owned food project.

In May 2024, a land optimization project opened up a new rice field in Kurik Village, Kurik District, on 700 hectares of customary land belonging to the Mahuze clan. The land transfer was carried out through deception. People were asked to hand over land according to their respective capabilities without any written agreement. The transfer was made with the promise that the government would assist with the rice field development, provide variety 42 rice seeds, and provide fertilizer at the start of the planting season. People were also asked to form farmer groups of 10 members, which would then be supervised by a Food Brigade post involving members of the Indonesian National Armed Forces (TNI). However, to date, the government and TNI have not provided any support for rice planting.

In Kaliki Village, Kurik District, in May 2024, the Merauke Regency Government, with support from the Indonesian National Armed Forces (TNI) and the Food Brigade, demanded that the Mahuze clan hand over 700 hectares of land without a written agreement to be used as a pilot rice field. However, only a small portion was provided with rice seeds, fertilizer, and agricultural equipment, while the rest was left neglected.

In August 2024, in Wanam and Wogikel, Ilwayab District, Merauke Regency, Jhonlin Group deployed 300 heavy equipment to clear land covering an area of 11,751 hectares, including: 4,404 hectares of natural forest, 7,347 hectares of savanna, 4,200 hectares of Melaleuca swamp forest.¹³⁰ The objective was to develop new rice fields, a 40-kilometer road, and canals to drain water from the Melaleuca swamp forest. The forest they cleared belonged to the Moiwend Tayoga, Moiwend Buako, Basik-basik, Ndiken, Kahol, and Balagaize clans. Ten sacred sites, dozens of sago groves, and Marind Maklew hunting and gathering grounds were reportedly destroyed in the incident. In carrying out the operation, PT Jhonlin deployed approximately 2,000 military personnel from the Red and White Task Force into Wanam, where they became a land clearing force rife with intimidation, escorting heavy equipment that destroyed the Moiwen clan's customary land and forest, and providing security for the company.¹³¹

130 Nusantara Atlas, "Indonesia's Race for Rice: A Gamble in Merauke's Wetlands", at <https://nusantara-atlas.org/indonesias-race-for-rice-a-gamble-in-meraukes-wetlands/>, accessed 10 November 2025.

131 Mama Yasinta's testimony regarding the arrival of 2000 Indonesian military troops to Wanam in late October 2024, The Gecko Project,



Picture 3. Johnlin Group excavators and activities

The evictions in Wanam have made it difficult for the Moiwend and Basik-basik people to hunt, fish, and harvest sago. Hunting grounds and sago groves have become increasingly distant from their villages. One indigenous woman even admitted to having to seek permission to harvest sago from another clan's territory because her sago grove was cleared by PT Jhonlin.

In February 2025, personnel from the 801/NAY Territorial Development Infantry Battalion cleared the Gebze clan's customary forest for a land optimization project. The cleared area covered 500 hectares in Kurik VI, 20 hectares in Kaliki Village, and 30 hectares in Kurik Village, Kurik District, Merauke Regency.¹³² Like other food barn projects, the land acquisition process was rife with manipulation. People were promised rice field development, seeds, fertilizer, and agricultural equipment. However, until the report was written, only the new rice fields in Kurik Village had been planted, while the rest of the land remained abandoned. The ownership status of the new rice fields is also unclear, as customary landowners are unaware of whether the land they surrendered and converted into rice fields remains theirs or the state's.

In June 2025, PT Murni Nusantara Mandiri (MNM), under military escort, surveyed and cleared the Kwipalo clan's customary forest in Muckai, Blandin Kakayo Village, Jagebob District, Merauke Regency, for the construction of a Koramil (Military District Command) office. Long before the land clearing, a Babinsa (village officer) visited the Kwipalo clan head's house and offered Rp210,000,000 (50% of the promised total) in exchange for the release of 1,400 hectares of cus-

132 Documentation of the Land Optimization project, Pusaka Foundation, 2025

tomary land for the development of PT MNM's sugarcane plantation in June 2024. However, having learned from the experience of other clans whose customary lands were destroyed after being handed over to the company, the Kwipalo clan head rejected the offer. Instead of respecting the decision, PT MNM, under military escort, immediately cleared the Kwipalo customary land in Muckai, which was the habitat of birds of paradise and hornbills.

In August 2024, PT Global Papua Abadi seized 5,000 hectares of the Mahuze clan's customary territory in Ngguti Bob Village by manipulating the community's traditional land ownership and territory system.¹³³ By handing over a sum of money, PT GPA requested permission to borrow the Mahuze customary land for a 35-year sugarcane plantation. However, after receiving permission, they claimed the money was compensation for the land relinquishment.

Subsequently, on 12 September 2025, PT MNM again cleared the Kwipalo clan's forest in Cajibi Car, Abakim, and Kilpel for a sugarcane plantation. This action sparked protests from the Kwipalo clan chief, but the company, under military security, continued with the clearing. The Kwipalo clan chief was then reported to the police by the company for threatening company workers. Furthermore, in early October, a group of people began terrorizing and attacking the clan chief's house with arrows.

In the midst of the expansion of the food project in Merauke, the Merauke Regency Government together with the TNI Food Brigade in August 2025 opened new land in Tanah Miring District, including in Soa Senayu Village, Erom Village, as well as Wenda Asri Village in Jagebob IX District. To date, there is no clear information regarding the extent of land handed over by the people to the Indonesian National Armed Forces Food Brigade. However, the project continues to clear forest dominated by acacia trees, savannah, and swamps.¹³⁴ The land relinquishment process was fraught with manipulation, with promises of assistance with rice paddy development, fertilizer, and agricultural equipment. However, the landowners' clans later became disappointed because the ownership of the land they had handed over became unclear, and most of the land they were managing was rice fields managed by transmigrants.

In the Kwipalo customary territory, forest clearing activities by PT MNM occurred again in October 2025. The company reportedly cleared two kilometers of forest along the Sahor River to build a road and clear the boundary with the Malind

133 Merauke's Land-Hungry Sugar Rush: How Tycoon Seized Indigenous Land With Government and Military Backing, multatuliproject.org, 31 January 2025, at <https://projectmultatuli.org/en/meraukes-land-hungry-sugar-rush-how-tycoons-seize-indigenous-land-with-government-and-military-backing/>, accessed 24 November 2025

134 Collection of Documentation of Testimonies of Residents of the PSN Project, Pusaka Foundation, 2025.

Koa customary territory. This activity continued until November 2025, when PT MNM again cleared the Kwipalo customary territory in Agodai to expand its sugarcane plantation. At the time this report was written, the company has reportedly cleared 4,192 hectares of the Kwipalo customary territory for the development of plantations and connecting roads between the plantation area and Jagebob IX.¹³⁵



Picture 4. Land clearing by PT. Murni Nusantara Mandiri in 2025.
(Photo: PUSAKA Bentala Rakyat)

A similar situation occurred in a road construction project undertaken by PT Jhonlin. On 25 November 2025, the company cleared land belonging to indigenous people in Selamepe, Nakias, Tagaepe, Selouw, and Ihalid villages to continue construction of a 138-kilometer road.¹³⁶ The indigenous people of the four villages stated that they opposed the construction of the road through their customary territories, by erecting *sasi*. The indigenous people of these villages expressed

135 The Gecko Project, Papuan Skies: on the frontlines of Indonesia's "food estate" Project, Documenter Film, at <https://www.youtube.com/watch?v=3TodspXXUDs>, accessed 12 November 2025

136 "The Salamepe and Nakias Cases Are Voiced Loudly, Katarina Yas Strongly Warns PT Jhonlin Group! Ignoring the People's Voices Is a Form of Murder of Indigenous Papuans," Surya Papua, 23 November 2025, at <https://suryapapua.com/kasus-salamepe-dan-nakias-lantang-disuarakan-katarina-yas-warning-keras-pt-jhonlin-grup-suara-rakyat-diabaikan-itu-bentuk-pembunuhan-oap/>, accessed 25 November 2025

their opposition to the construction of the road through their customary territories, one of the ways being by erecting *sasi* (signs of land clearing). However, PT Jhonlin's heavy equipment, escorted by military personnel, ignored the *sasi* and continued clearing the people's forests and farms.

Another tangible consequence of the seizure of land, territory, and natural resources is the loss of women's access to living space and food sources. Several indigenous women from Clusters II and III of the National Food and Energy National Development Program (PSN) in Merauke, during the Women and Living Space workshop in late October 2025, stated that the development of sugarcane plantations and their supporting infrastructure has restricted their access to sago groves and food gathering sites in forests, swamps, and savannas.¹³⁷

A participant from Wanam even mentioned that women of the Kahol clan had lost access to their sago groves, fishing grounds, and harvesting areas for household utensils and crafts, after their customary territory was cleared and converted into new rice fields and supporting infrastructure by PT Jhonlin Group.¹³⁸



Picture 5. The Johnlin Group basecamp in an area cleared for the 135-km road and rice fields in Wanam. Photo: PUSAKA Bentala Rakyat

137 Pusaka Foundation documentation on the meeting of female victims of PSN, 2015

138 Ibid.,

Such circumstance has direct implications for women's ability to perform traditional tasks, particularly those related to gathering family food and selling forest products. For example, indigenous women from the Moiwend Tayoga and Kwipalo communities struggle to harvest sago, catch fish, and gather vegetables from the forest. They must travel farther from their settlements because their old livelihoods have been destroyed by PT Jhonlin Group and PT Murni Nusantara Mandiri or PT MNM.

There are also multi-layered impacts at the household level. Several participants in the meeting with women victims of PSN reported that delays in providing food for their families often trigger domestic disputes. In some cases, these disputes escalate into verbal and physical violence, including husbands shouting and beating their wives. These findings indicate that the deprivation of living space not only deprives indigenous women of their food sources and livelihoods but also increases their domestic burdens and increases their vulnerability to gender-based violence.¹³⁹

6. The Impacts of Ecological Damage that Must Be Borne Now

The practice of seizure of land, customary territories, and natural resources by various companies has undermined the respect, protection, and fulfillment of indigenous peoples' rights. At the same time, these unscrupulous actions have accelerated forest destruction in South Papua.

Based on Nusantara Atlas analysis, during the period from January 2024 to June 2025, the Merauke PSN has cleared 22,272 hectares of natural ecosystems, including forests, melaleuca swamps, savanna forests, and grasslands.¹⁴⁰ This figure includes the deforestation of 9,835 hectares of forest and grassland to build 40 kilometers of the planned 135 kilometers of roads. The main perpetrators of this deforestation are the Jhonlin Group, Fangiono, and the Salim Group.¹⁴¹ During the same period, PT Murni Nusantara Mandiri cleared 1,340 hectares of land, encompassing primary forest and savannah. Meanwhile, PT Dongin Prabhawa, a subsidiary of the Korindo Group, reportedly cleared 538 hectares of primary forest to expand its oil palm plantations.

139 Ibid.,

140 Nusantara Atlas, "Land clearing in Papua:2024-2025 Trends and Drivers", at <https://nusantara-atlas.org/farming-the-unfarmable-the-high-stakes-gamble-in-papuas-wetlands/>, accessed 10 November 2025.

141 Ibid.,



Picture 6. 135 km road opened by Johnlin Group in Wanam.
Photo: PUSAKA Bentala Rakyat

In addition to deforestation, the Merauke KPPE PSN and PSPEAN projects have begun causing flooding and a decline in the health of the local biosphere. In the Tanah Miring and Jagebob districts, the loss of swamps and savannahs has reportedly made residential areas more vulnerable to flooding during rainy seasons, as the rivers surrounding the villages are no longer able to accommodate the runoff. This situation is exacerbated by increased river turbidity due to sedimentation from deforestation in upstream areas. Residents also report a decline in fish populations in the swamps and rivers, which have long been a source of food and livelihoods for the community.

7. Repeated Actions: Dominant and Severe Human Rights Violations

The Merauke KPPE PSN megaproject has destroyed the basic rights and fundamental freedoms of indigenous people in South Papua. The pattern of violations is not isolated but encompasses a wide range of rights, occurring in numerous traditional villages and impacting more than 25 clans. Ironically, these violations are a repeat of what occurred in Papua before the reform era.

a. Dominant Human Rights Violations

The violations of indigenous peoples' rights in this project target the most fundamental aspects of their lives, from their identity, land, territory, natural resources,

traditional occupations, to the right to a safe, clean, healthy, and sustainable environment. For indigenous women, the impacts are multi-layered, as they lose access to land, territory, natural resources, and traditional occupations, while also facing increased vulnerability to domestic violence.

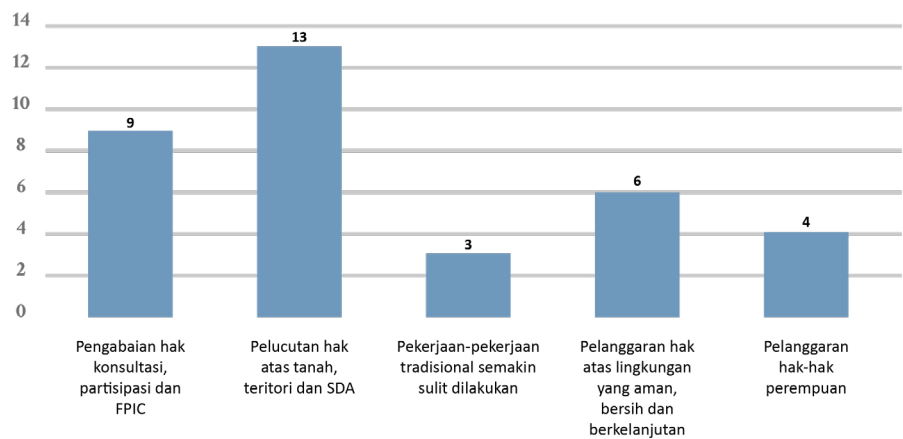


Figure 1. Incidents of violations of indigenous peoples’ rights are dominant in clusters II, III, and IV of the Merauke Food and Energy National Strategic Project.

These violations occurred during the final term of Jokowi’s administration, up until the first year of Prabowo Subianto’s administration. The primary rationale for these violations was to accelerate the development of food plantations and renewable energy in response to the domestic and global food and energy crises.

b. Dominant Perpetrators

The dominant perpetrators of violations are military task forces, the Ministry of Agriculture, and private companies engaged by the government to implement the national food barn project. The project involves the creation of new rice fields, land optimization, and the construction of strategic supporting infrastructure. Furthermore, national and global plantation companies are also involved in the development of renewable bioenergy plantations in Clusters II, III, and IV, with the support of military personnel as security forces.

This pattern of violations leads to the takeover of traditional lands and restrictions on indigenous communities’ access to their natural resources. Consequently, indigenous landowners are being forced to abandon their customary territory-based livelihood systems and become commercial commodity farmers or contract laborers for companies or subcontractors in Clusters II and III of the Merauke KPPE PSN.

c. Victims and their distribution

The distribution of victims in the Merauke PSN is very broad, covering 20 clans from the Malind and Yeinan indigenous communities in South Papua. They live scattered across several districts within the project area, namely Ilwayab in Cluster II; Animha, Kurik, Malind, Tanah Miring, and Jagebob in Cluster III; and Ngguti in Cluster IV. The victims include eight clans from Malind Maklew, six from Yeinan, two from Malind Koa, and four clans living in the Kurik, Kaliki, and Ngguti areas. The 20 clans are Moiwend Tayoga, Moiwend Buako, Balagaize, Gebze, Kaize, Mahuze, Kahol, and Basik-Basik from Malind Maklew; Kwipalo, Blojai, Kaljai, Kuemu, Mogo, and Wenanje Rawa from Yeinan; Ndiken and Basik-basik from Malind Koa; as well as Mahuze Kurik, Mahuze Kaliki, Gebze Kurik, and Mahuze Ngguti from the Kurik, Kaliki, and Ngguti regions.

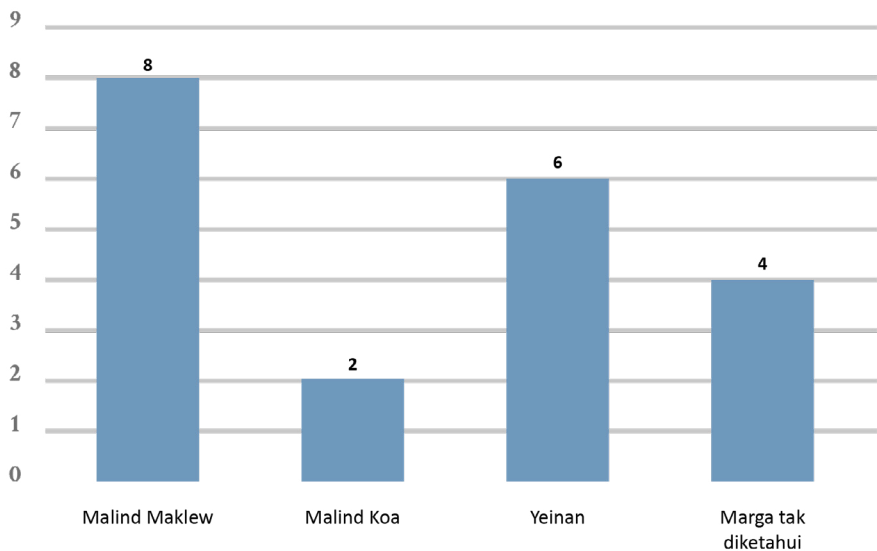


Figure 2. Number of clans/sub-clans that become the victims of violations.

The victims of the Merauke PSN include men, women, adolescents, and children from indigenous people. The level of violations of their basic rights and fundamental freedoms varies, but the impacts are largely irreversible, as the ecological damage to indigenous territories has weakened livelihoods and disrupted the sustainability of traditional ways of life. Below are details of the impacts on the fundamental rights of indigenous people in the Merauke Food and Energy PSN project during the Jokowi and Prabowo administrations.

Violation of the Rights of Consultation, Participation, and FPIC

The dominant violation in this category is the denial of the rights to consultation, participation, and FPIC of 10 clans in clusters II and III. The government and state frequently use “*tali asih*” (love money) or “*uang ketuk pintu*” (door knocking money) to manipulate traditional land ownership and access systems.

Companies and the state also frequently use promises such as job creation, road construction, and religious facilities to acquire land. They also frequently use members of the territorial command at the Babinsa level in intimidating land acquisition socialization processes. Companies also frequently deploy military personnel to secure heavy equipment clearing land within their concession areas, particularly if there is resistance from the landowner’s clan.

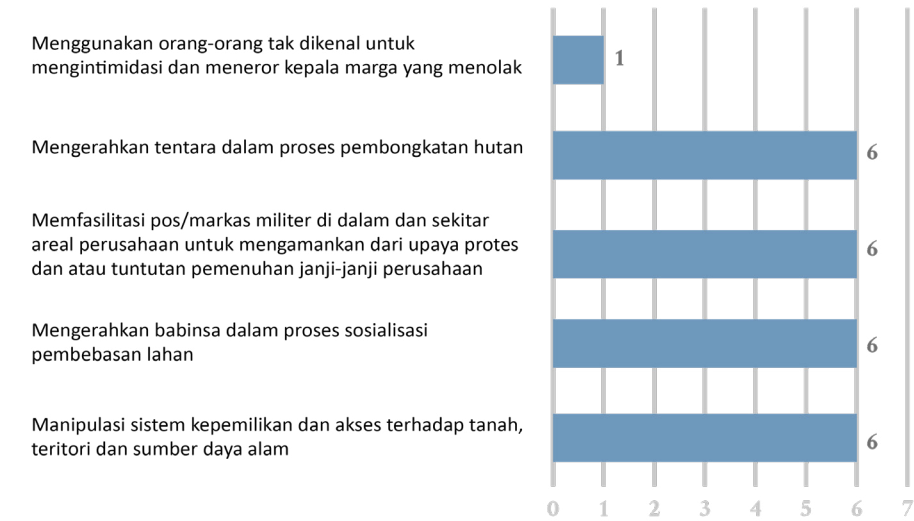


Figure 3. Land acquisition methods that result in violations of the rights to consultation, participation, and FPIC.

Secretly, companies, with the help of military personnel, often provoke civilians who support the companies by intimidating and terrorizing clan chiefs who oppose the companies. Companies also facilitate the construction of military posts and bases in and around their business areas, including having troops stationed at these posts monitor indigenous people demanding that the companies fulfill their promises.

Violations of Rights to Land, Territory and Natural Resources

Throughout the 2024–2025 period, 17 cases of land, territory, and natural resource grabbing occurred. Of those cases, eight occurred in Clusters II and III, while one

case occurred in Cluster IV. These grabbings were related to projects for new rice fields, land optimization, sugarcane plantation development, and strategic infrastructure development supporting the Merauke PSN.

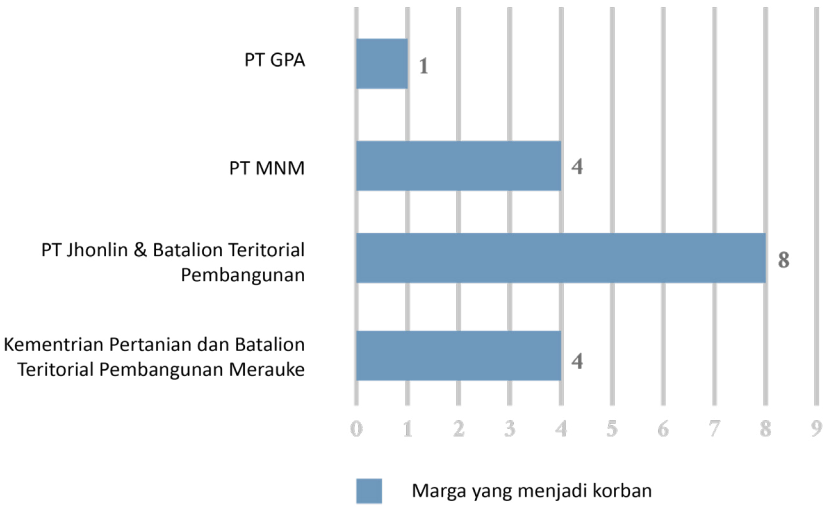


Figure 4. Dominant perpetrators of land, territory, and natural resource grabbing.

As a result, more than 20 clans (in clusters II, III, and IV of the National Forest Conservation Program) lost 63,214 hectares of land, territory, and natural resources. Such amount includes 40,000 hectares for food barn projects, 14,022 hectares for new rice fields, and 9,192 hectares for the development of sugarcane, oil palm, and industrial forest plantations.

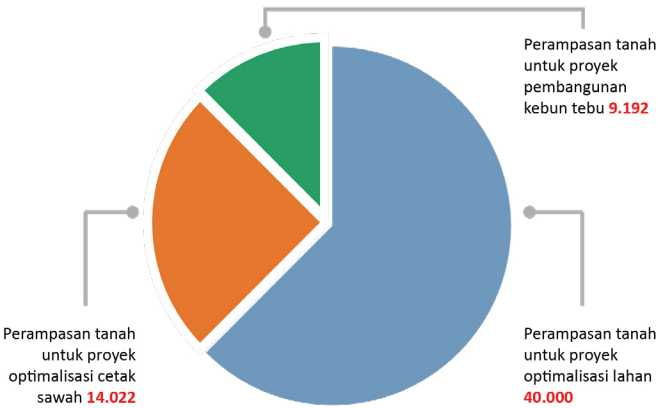


Figure 5. Land grabbing by new rice field development projects, supporting infrastructure development and sugarcane plantation development in Clusters II, III and IV of the Merauke National Forestry Project.

Ultimately, these practices of land grabbing seriously disrupt the traditional livelihoods of indigenous communities. Their impact also undermines their enjoyment of their rights to a safe, clean, healthy, and sustainable environment in these three clusters.

Violations of Rights to Traditional Occupations

Deforestation caused by the National Strategic Project (PSN) has not only destroyed forests, swamps, and savannas, but also damaged hunting grounds, fishing grounds, sago groves, and sacred sites of indigenous people. These sites serve as traditional workspaces for 20 indigenous clans in Clusters II, III, and IV. According to reports from victims to local human rights organizations, four hunting grounds in Cluster II and three in Cluster III have been lost. This situation has made it increasingly difficult for 14 clans to hunt and fish, while two other clans, the Kahol and Basik-basik (Malind Maklew), have reportedly been unable to carry out these activities.

The destruction of living space has also made it increasingly difficult for 14 clans to gather and harvest sago, as forests and sago groves have become increasingly distant from their villages. Two other clans even have to seek permission from other clans that still have customary territories to hunt and harvest sago. These difficulties are exacerbated by the reduction in game and the shrinking of sago groves, forcing them to work longer hours to meet their families’ food, economic, and spiritual needs.

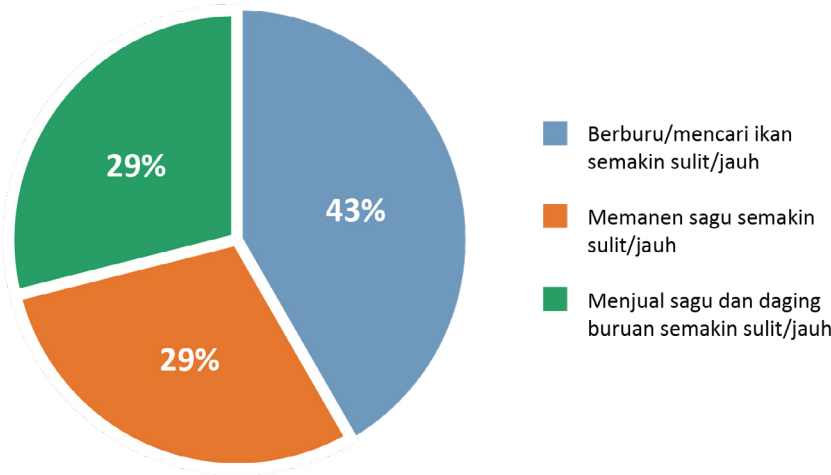


Figure 6. Indigenous women’s recognition of traditional jobs that are increasingly difficult for indigenous people to perform in Clusters II and III of the Merauke Food and Energy National Strategic Project.

These findings are corroborated by testimonies from 20 women from clans in clusters II, III, and IV who recently gathered in Merauke to discuss the issues and challenges they face since the National Strategic Projects (PSN) began in their communities. 43% of them admitted that hunting and fishing are traditional occupations that are becoming increasingly difficult to perform. This is because unpolluted hunting and fishing locations are increasingly distant.

Furthermore, 29% of indigenous women who provided testimony also stated that harvesting sago was becoming increasingly difficult. The increasing distance between sago plantations and forests from their villages has made the harvesting process longer and made it difficult to transport the harvest to their settlements. The remaining 28% of women reported that selling sago and game meat at the market is a traditional activity that is becoming increasingly difficult, as the yield is only sufficient for family consumption.

The destruction of living spaces also impacts the spiritual life of indigenous communities. For the Moiwend Tayoga people, gathering ritual materials and performing traditional ceremonies has become increasingly difficult, as Talkayadol, Oika, and Matod have reportedly been destroyed by the PT Jhonlin Group. Meanwhile, PT MNM has also made it difficult for the Kwipalo clan to perform traditional rituals, as 3 of their sacred sites—Sakor, Muckai, and Agoda—have been razed to the ground.

At the same time, new jobs offered by the government and companies have not provided certainty regarding livelihood. A number of clans lack the knowledge and skills to transition to rice farming or work as laborers in sugarcane, oil palm, and industrial forest plantations. Indigenous women in Clusters II, III, and IV also face barriers to entry into plantation companies because labor standards are considered high, while unskilled work by subcontractors is low-paid and requires longer hours.

Violations of Right to a Safe, Clean, Healthy and Sustainable Environment

Reports of violations of the right to a safe, healthy, and sustainable environment in the Merauke PSN are dominated by reports of deforestation, river pollution, reduced clean water sources, and increased flooding. According to Nusantara Atlas, from January 2024 to June 2025, the total land clearing for the Merauke PSN project covered 22,272 hectares of forest, swamp, and savannah areas.¹⁴²

142 Nusantara Atlas, “Land clearing in Papua:2024-2025 Trends and Drivers”, at <https://nusantara-atlas.org/farming-the-unfarmable-the-high-stakes-gamble-in-papuas-wetlands/>, accessed 10 November 2025.

Deforestation by PT MNM has damaged the habitats of birds of paradise and hornbills in Muckai and migratory birds in Agodai. Furthermore, a swamp area, home to fish, turtles, and crocodiles, near the Sakor River, was destroyed by PT MNM filling in the area for road construction.

Habitat destruction has also been reported in PT Jhonlin’s operational area. Deforestation by the company has resulted in the loss of migratory bird habitat in Kamago and Mailan after savannahs, swamps, and eucalyptus forests were cleared. Crocodile and migratory bird habitat in Kakobodol has also been reported to have been destroyed by the land clearing. Similar conditions have occurred in Aywaladol, where cassowary, crocodile, and grouse habitats have reportedly been lost after swamps, savannahs, and eucalyptus forests were cleared to make way for the project.

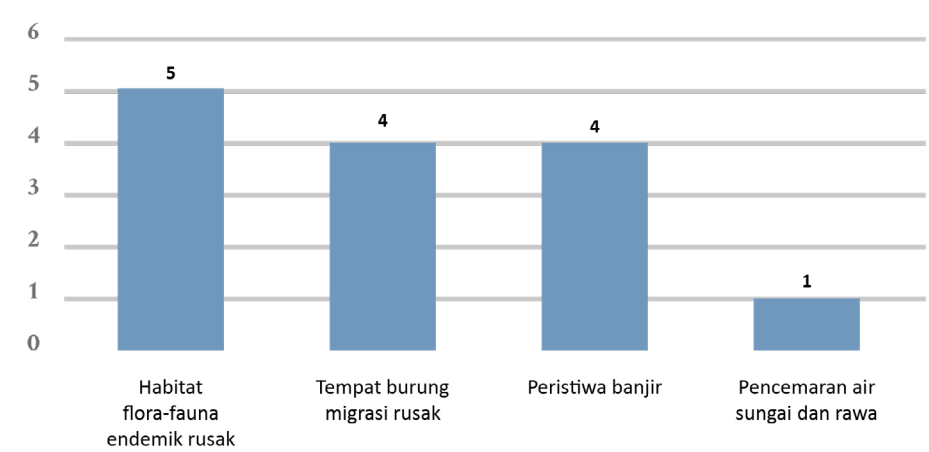


Figure 7. Ethnozoology and ethnobiology damaged throughout 2024-2025.

As the consequence, in Onggari Village, indigenous women reported river pollution after the company operated in their area. Meanwhile, indigenous women from the Kwipalo clan reported extensive forest destruction due to road construction by PT MNM. The Kwipalo women’s accounts were corroborated by Malind Pantai women, who said that since the company’s arrival, extensive forest clearance has occurred.

Indigenous women from the Kwipalo clan also reported the worsening condition of the Maro River due to alleged pollution from company waste in the upstream area and their customary territory. Meanwhile, indigenous women from the Malind Maklew clan reported that since the arrival of the Jhonlin Group, the company’s fertilizer waste has entered the river, which the community has been using.

Both clans reported that river water pollution has resulted in the death of small fish. Larger fish are also said to have become bland and rot more quickly when stored.

In addition to river pollution, indigenous women from the Kwipalo clan also reported increased flooding since PT MNM's presence. Village roads leading to the main road have become increasingly submerged, with water levels reportedly reaching three meters, making it difficult for residents to travel outside the village. From September to November 2025, they reported four floods: two in September, one in October, and one in November.

Violations of Rights of Indigenous Women

The impact of the food and energy national strategic projects (PSN) in Merauke on the rights of indigenous women is primarily evident in the loss of access to land, territory, and natural resources. In five documented cases of land grabbing, indigenous women in Ilwayab, the Yeinan customary territory, and Ngguti reported that land clearing by companies and the government has limited, if not eliminated, their access to forests, sago groves, tatas groves, and hunting grounds. Furthermore, they are finding it increasingly difficult to harvest sago, fish, hunt, and sell sago and game meat due to the increasing deforestation, polluted rivers, and loss of clean water sources.

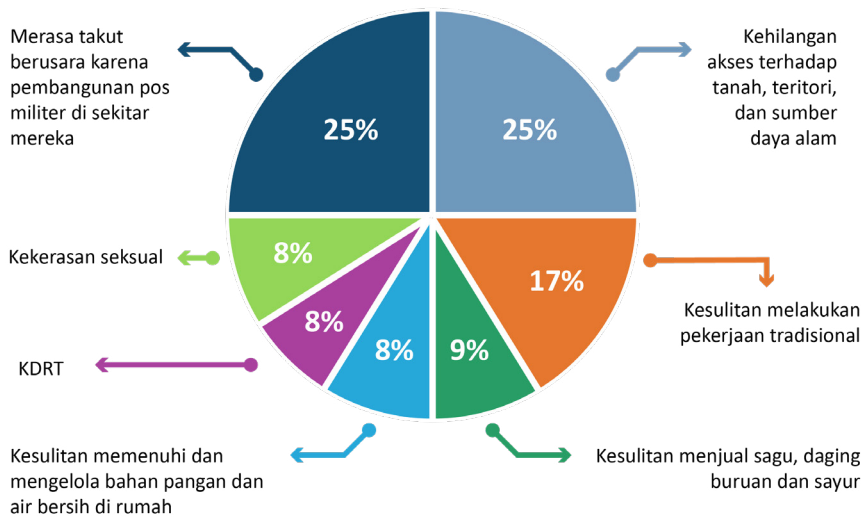


Figure 8. Violations of Rights of Indigenous Women

These impacts also extend to the household level. Decreased food supplies and reduced cash income from forest products increase domestic pressures on women. As of the writing of this report, there was no definitive information on the number of victims of domestic violence. However, at a meeting of indigenous women in Merauke, participants from ten clans reported one case of domestic violence triggered by the absence of food at home when the husband returned, as well as one case of sexual violence.

Conclusions and Recommendations

Finally, it must be stated that the Merauke KPPE and KSPEA PSN projects have violated the human rights and fundamental freedoms of 20 clans in Clusters II, III, and IV. Under the pretext of food and energy security, these projects have actually triggered violations of the right to maintain identity and spirituality, the right to land, territory, and natural resources, the right to maintain and develop traditional occupations, the right to a safe, healthy, and sustainable environment, and the rights of indigenous women.

The involvement of the Ministry of Defense, the military, and the police in food security projects has resulted in rice paddy development, land optimization, and infrastructure development projects at the field level proceeding without prior consultation, participation, and free, prior, and informed consent. The appointment of the Ministry of Defense, the military, and the police as implementing agencies has also frequently led to cases of intimidation and restrictions on the freedom of peaceful assembly of clans objecting to the eviction of customary land.

Granting free rein to sugarcane, palm oil, and industrial timber plantation companies in sugarcane plantation development projects is also a major cause of human rights violations and the fundamental freedoms of indigenous communities in Clusters II, III, and IV. Their focus solely on accelerating land acquisition processes often leads them to manipulate traditional land ownership and access systems, territories, and natural resources to expedite land acquisition, development, and production. These companies also frequently use the military and police to address indigenous communities' objections and resistance to land acquisition and expansion, including facilitating the establishment of military/police headquarters and posts within and around their concessions to protect their businesses from local resentment.

In fact, the practice of violating indigenous peoples' rights in the Merauke KPPE PSN and now the KSPEA PSN in South Papua is a repetition of Papuan development projects from the colonial and New Order eras. Therefore, it is regrettable because it contradicts the ideals of the 1998 reforms. And, as in the past, this repetition has resulted in minimal local community support for the project, making it highly likely to end as a stalled and failed project. Furthermore, it has further fueled Papuans' dissatisfaction and resentment toward the central government in Jakarta.

Recommendations:

To the national government:

1. Moratorium on all National Food, Energy and Water Self-Sufficiency PSN projects in South Papua Province;
2. Conducting an assessment of the strategy of rice field development projects and the development of renewable energy plantations which have triggered the emergence of practices that violate the human rights and basic freedoms of indigenous peoples;
3. Reviewing assignments to the Ministry of Defense, the Indonesian National Military (TNI), and the Indonesian National Police (Polri) in food and energy PSN projects, and returning the implementation of food and renewable energy PSN to the relevant ministries;
4. Developing operational standards for the protection of indigenous peoples' rights in national strategic projects at the ministerial and regional government levels;
5. Developing operational standards for the protection of indigenous peoples' rights for state and private companies involved in national strategic projects.

To National Human Rights Institutions:

1. Conducting a human rights audit of the rice field development project and the development of sugar cane, oil palm and industrial timber plantations in the National Food, Energy and Water Self-Sufficiency National Strategic Project in South Papua Province;
2. Assisting victims to obtain satisfactory reparation rights.

To Food and Renewable Energy Companies in Merauke PSN KPPE/South Papua KSPEA Areas:

1. Stop the use of military personnel in the project socialization and land acquisition process;
2. Ensure that military/police personnel assisting in securing concession areas respect and protect the rights of indigenous peoples and human rights defenders;
3. Conduct human rights due diligence to measure the impact of their activities on the enjoyment of indigenous peoples' rights, by requesting full supervision from the National Human Rights Institutions (Komnas HAM, Komnas Perempuan, Komnas Perlindungan Anak, and the Ombudsman).

Yayasan Pusaka Bentala Rakyat



Satya Bumi

