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RECONSIDERING EASTERN INDONESIA

CURRENT SITUATION IN PAPUA & MALUKU

By: Remdec Team



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The Indigenous Moi People of Sorong,
West Papua: Preserving Unique Customs
and Traditions

Reconsidering Eastern Indonesia:

The Extent of Justice and Sustainability in the Natural Resource Management in Papua and Maluku





Fishermen from Ameth, Nusa Laut District, Maluku, inspecting the nets that will be used for fishing. The abundant fisheries potential of Maluku serves as a livelihood source for the community.



EXECUTIVE SUMMARY

Eastern Indonesia, especially Papua and Maluku, is a resource rich region, both on land and sea. The Island of Papua is an area with the largest forest cover and rich mineral deposits such as gold, coal, copper, limestone, kaolin, oil, and natural gas. While the coast and sea surrounding Papua covered with thick mangroves, coral reefs, and multiple aquatic biotas.

Meanwhile, Maluku Islands have more marine resources since most of the Maluku Archipelago is covered by sea. Maluku Island is indeed geographically positioned at the center of the world's coral triangle and therefore covered with unique ecosystems comprising mangrove, coral reefs, and seagrasses. In addition, thousands of islands in Maluku Islands are home to beautiful beaches that cover 13% of the entire coastline of Indonesia.

In the last ten years, the development approach to Papua and Maluku directed toward extractive economy mainly for export, reflected in the National Medium-Term Development (RPJMN) 2015-2019 and RPJMN 2020-2024, as well as the implementation of the National Strategic Program or Major Project funded by the National State Budget (APBN) and private corporations. A number of regulations provide leeways to the corporations as can be seen in the Job Creation Law (Undang-Undang Cipta Kerja) or Law No. 11/2023. Aside from the pro-investment regulations, the government also provides accelerated infrastructure improvement as well as fiscal and non-fiscal incentives. As a result, domestic and foreign investments are flowing rapidly into Papua and Maluku provinces. It is reflected in the increased investment compared to previous years, particularly in the mining sector and its industrial derivatives such as nickel post-mining processing that witness a significant rise in the global market following the development of electric-based motorized vehicles.

This extractive approach in regional economic development assumes an improved economic and social life for the people in Papua and Maluku, which are far behind the other areas of Indonesia. A trickle down effect is thought to be brought about by the production activities carried out by the large scale companies. Therefore, less attention is paid for national strategic development projects or major projects aimed at directly improving the local people's wellbeing, especially those who need them the most, although opportunities toward such objectives are widely open by using the national State Budget (APBN).



The community is moving the fish catch from the boat at Tulehu Port, Ambon, Maluku. The incredibly rich fisheries resources have led the government to designate Maluku as the National Fishery Hub.

The only project directed toward socio-economic development is a major project of Development of Customary Land in Papua concerning the Domberays and Laa Pagos. However, the government attention toward this project is much less than the infrastructural and industrial projects, so much so that this project is almost unheard of in public discourse. Moreover, the infrastructure development that was boasted to improve living standard in the interior part of the area is better enjoyed by the companies to transport the products of their extractive industries. The infrastructures are far less used by the local communities in the remote areas to transport their agricultural commodities.

The development approach implemented in Papua and Maluku offer meager benefits to the social economic life of the local people. This can be seen in the achievements of indicators that signify an actual development, such as economic growth, poverty rate, and Human Development Indexes (HDI).

In the Province of North Maluku, the economic growth in 2022 is indeed higher than three other neighboring provinces as well as the national rate, following the investment in the nickel processing industry. However, the open unemployment rate in the same year failed to reach the target assigned in the RPJMN 2020-2024. Thus, the incoming investment is unable to decrease the number of open unemployment, most likely as a result of labor mobilization from outside of the province. Furthermore, several regencies in the province that become the center of economic activities, ironically showing higher poverty and stunting rate, compared to the provincial and national rate.

This outlook shows how in the areas with high economic growth the local people enjoy only fractions of the development benefits, while fully experiencing the negative consequences. Overlapping with and conversion of agricultural lands to mining/industrial operation areas, the pollution of nearby rivers and coastal areas are among the impacts that are already seen in several mining/industrial areas. Agricultural land conversion and pollution in the river and coastal areas are threatening the local people's life and livelihoods, which among others potentially creating a wider food crisis.

The potential widespread threats to the local people's lives can be seen in the future scenario of the nickel processing industry that would discharge its tailing waste to the sea. This waste in turn may pollute the marine ecosystem and coastal areas that are precisely the livelihood main sources for the local peoples, especially in Maluku. Furthermore, this threat is most likely becoming more real in the future government tenure, considering the nickel processing is repeatedly mentioned during the presidential candidate debates, beside the free lunch program.

Meanwhile, the natural resources that are directly benefiting the local livelihoods in Maluku, namely the marine resources, are accepting limited supporting policies. The development of the Maluku National Fish Pool (Maluku Lumbung Ikan Nasional, M-LIN) and the associated Ambon New Port (ANP), which are already becoming the new hope for the local people to improve their livelihoods, were canceled by the national government. In addition, indigenous and local knowledge related to local livelihoods that are practiced in the Islands received little to no attention from the governments. Multiple policies implemented in the Maluku and North Maluku provinces are contradicting the local knowledge and practices, strongly indicating the “continent” bias of the policy makers.

In Papua the mining sector and its derivatives are currently dominating the local economic growth. This can be seen in their significant contribution to the Gross Regional Domestic Product (PDRB). Indeed, the economic condition in the Province of Papua acutely depends on the dynamics of the PT Freeport mining production. However, the poverty rate in the province is the highest in Indonesia, and West Papua Province falls in the second place as the poorest provinces of the country. In addition, both provinces are at the bottom ranks of the national Human Development Index. These achievements once again show how the economic growth underpinned by mining and its derivatives provide no direct effect to the improvement of the local people’s wellbeing.

The high rate of poverty and the low HDI in Papua also accompanied by sporadic violent conflicts. And the government shows a simplified view toward the conflicts happening in several areas in Papua, by saying that in general the whole island is secure, and that the conflicts were instigated only by

a handful of mountainous communities and educated groups who have yet to secure steady jobs. Therefore, for them, among the solutions for the Island of Papua as a whole should be the establishment of new provinces and the extension of the special autonomy program.

The government believes that with the special autonomy funds and opportunities to become civil servants in the New Autonomous Territories (Daerah Otonomi Baru, DOB)/ new provinces, the violent conflict would accordingly subside. But these approaches are not the only solutions to the conflicts. More initiatives that are sensitive to the socio-cultural condition of Papua are required.

On the other hand, the governance of the special autonomy funds, as well as the accompanying programs, require more local participation in terms of monitoring in order to ensure that the fund can actually benefit the Papuan’s wellbeing. Social frictions surrounding the establishment of new provinces also need to be mitigated.

Meanwhile, the non-state actors continue to give special attention to the approaches and practices of development in Papua and Maluku. They range from civil society organization (CSO), community based organizations (CBO), non-government organization (NGO), religious, youths and women organizations, as well as academics and media. They carry out organizing and outreach activities, research, policy dialogues, public campaigns, and advocacies. However, their contributions are inadequately responded to and accommodated by the state agencies through mainstream policies in Papua and Maluku, although the benefits that stem from their activities are directly felt by the target communities.

Several suggestions for future development in Papua and Maluku are as follows:

1. Advocating for a shift of development orientation, to focus more on the empowerment of the most impacted groups than the investment interests. In order to do so, issues that have direct impact to the people's wellbeing such as education and health sector, improvement of local people's commodity, as well as strengthening rights to customary lands, needs to be put at the center stage of the state programs. They need to be facilitated as much as the national strategic programs and major projects, or similar ones in the next National Medium-Term Development Planning (RPJMN). Furthermore, safe-guarding policies and strategies toward the impact of the smelter needs to be advocated, considering that the smelters have been built and potentially impacting the local environment and livelihoods, including their governance.
2. Ensuring that the implementation of Papua's special autonomy extension can give more attention to the transparent and accountable management of Papua's special autonomy fund. And by extension, ensuring the improvement of education and economic sectors for indigenous Papuan through cooperatives or village-owned businesses (Bumdes), women empowerment and protection of customary land and local environment, as well as conflict resolution without violence through measures that are sensitive to local conditions in the Island of Papua.
3. Concerning the establishment of the new provinces in Papua, there is a need for different types of support for the new provinces in spatial planning that include customary land, the formulation of Provincial Medium-Term Development Plan (RPJMD), and other strategic regulations. There is also a need for strengthening district and village governments, which include social organizations in the villages, as well as improving the governance of special autonomy funds and ensuring food security. In addition, community organizing is needed to mitigate and prevent violent conflict among the people as a result of frictions surrounding the establishment of new provinces such as competition for top public offices.
4. Shifting development policies and practices in Maluku that are suitable to its unique archipelagic geography. In order to do so, the development in Maluku need not be based on administrative territories, but based on neighboring island groups. This archipelagic perspective needs to be considered when designing basic policies and programs such as education and health. When the small islands have no schools and or health services, attention needs to be paid for the security of children who have to go to school on other islands, as well as infants and pregnant women who need immediate medical services. The archipelagic perspective also needs to be accompanied by a gender perspective that is sensitive to the protection of women and children.
5. Encourage peaceful conflict resolution as the main condition and priority for future development. Conflict resolution in Papua Island needs to be carried out through measures that suit the specific condition of Papua Island. Among others, these uniqueness comprise of diversity of customs in seven customary territories that imply a representation system, rich natural resources and the wellbeing of the local peoples that is far behind other areas in Indonesia. Meanwhile, in the Islands of Maluku, initiatives to prevent violent conflicts among the people need to be carried out especially during and after local elections, both at regency and provincial levels.

The community is drying seaweed in Nuruwe Village, West Seram, Maluku. Seaweed has become a commodity that sustains the livelihoods of the people of Nuruwe.





Blue water mangroves in the mangrove forest area of Weilebet Village, Raja Ampat. Mangroves play a crucial role in climate stabilization and serve as habitats for the reproduction of various fish species.



Chapter I.

INTRODUCTION

1. Background

Eastern Indonesia, particularly Papua and Maluku, is an area with abundant natural resources, both in land and sea. The Island of Papua is hosting a large area with forest cover. Data from the Central Bureau of Statistic (BPS) shows that in 2022 the forest coverage in the Province of Papua was as much as 8.9 million hectares, and 25.4 million hectares in the Province of West Papua. Thus, the whole Island was covered by no less than 34.3 million hectares of forested areas, which make up 35.9% of the total forest areas in Indonesia (namely, 95.6 million hectares). These extensive forests are host to multiple ecosystems and biodiversity, which significantly contribute to regulating the stability of global climate.

However, the island's forests are not secure from various threats that may stimulate deforestation such as the expansion of palm oil plantations, mining operations, and other similar activities. A study shows that the rate of net deforestation in Indonesia is 0.44 million hectare annually in the period 2017-2018, with 92,955 hectares or around 21% took place in Papua, which place the island at the second highest contributor for deforestation in Indonesia, only behind the Island of Kalimantan (Renstra KLHK 2020-2024, p. 22).

Beside forests, the Island of Papua also contains a large amount of mineral deposits such as gold, copper, coal, iron, limestone, kaolin, oil and natural gas. Papua is home to the largest gold mine in Indonesia that covers an area of 229,893.75 hectares. This gold mine spread in six regencies, namely Pegunungan Bintang, Keerom, Nabire, Dogiyai, Mimika and Paniai. Data from Booklet Emas (Gold Booklet) published by the Ministry of Energy and Mineral Resources (ESDM) in 2020, stated that the gold deposit in the Island of Papua amounts to 3.2 billion tonnes.

In the sea and coastal areas, the Island of Papua has a large amount of mangrove ecosystem and coral reefs with diverse aquatic biotas. The Island has a stretch of coastal area amounting to 1,170 miles, which span across 13 regencies/cities, and it is predicted that the Papuan waters have a potential of marine resources of around 6.4 million tonnes per year. ¹

¹ Kepala Dinas Perikanan Papua, dalam <https://papua.antaranews.com/berita/685285/potensi-perikanan-papua-perairan-selatan-capai-4-juta-tontahun>

² Upwelling refers to a phenomenon when there is a vertical movement of water mass from below the surface. This movement increases the nutrient movement from the sea bed to the surface area and become the food source for the phytoplanktons.

Meanwhile in Maluku, most natural resource potentials are located at the sea, considering that a large part of the Maluku Archipelago is covered by sea. Around 92% of the Maluku, or around 658,294 of 712,479 km², are covered by sea. And the land only amounts to 7.6%, or 54,185 km². The Province of Maluku is geographically situated at the center of the world's coral triangle, which supports the abundant fish resources in the archipelagic provinces.

The Maluku waters also reap benefits from the life cycle of the large pelagic fishes such as tuna and skipjack tuna. These types of fish hatch their eggs in the Southern Jawa Sea, then migrate to the Maluku waters on the way to Japanese seas. They arrive at the Maluku waters when they are mature enough to be caught and marketed, and therefore become a blessing for the people in Maluku. Naturally, the Maluku seas also witness regular occurrences of upwelling that make this area particularly rich with nutrients needed by the fish to grow.²

Maluku waters is also at the center of three Fishery Management Areas (Wilayah Pengelolaan Perikanan, WPP), namely WPP 714 (Banda Sea), WPP 715 (Seram Sea and Tomini Bay) and Arafura and Timor Seas), with a potential marine catches of 4.3 tons.

The Province of Maluku also has a large aquaculture fishery potential, with a 495,300 ha of potential cultivation area and only 5% of which have been used. Aquaculture in brackish water areas can potentially be developed in an areas covering as much as 195,450 hectares, but only 3,5% of which have been put to actual use; while in sea there is at least 11,700 ha available for aquaculture and only less than 2% have been used for the purpose.

Furthermore, the coastal area in Maluku also has a unique ecosystem that combines mangrove, coral reefs, and sea grasses. The mangrove ecosystem covers 1,322,907 km², the seagrass ecosystem 393 km³, and the coral reefs 1,323 km². In addition, Maluku is constituted by thousands of islands with beautiful beaches and therefore her coastline reaches 10,630 km, or 13% of the entire Indonesian coastlines.

Interestingly, amid all this natural resource abundance in Papua and Maluku, data from the Central Bureau of Statistic (BPS) reveal that in 2022, the province of Papua have the highest rate of poverty with 26.8% of its total population, immediately followed by the Province of West Papua with 21,3%. Meanwhile the Province of Maluku is at the 4th with 16.23%, behind the two Papua provinces and East Nusa Tenggara, all located in eastern Indonesia.

Particularly in Maluku, this level of poverty is mainly due to lack of local own-source revenues (PAD), which can be derived from marine and coastal resources. But efforts to put these territories to actual and productive use are hampered by the Law no. 23/2014, that regulates the sea areas allowed for the local government management is a maximum of 12 nautical miles from the coastline measured during the highest high tide. This definition is different from the one in Law no.32/3004 on regional governments: a maximum of 12 nautical miles from the coastline measured during the lowest low tide.

The change in coastline definition has shrunk the sea jurisdiction of the regency governments, and in effect expanding the national government jurisdiction, while also changing boundaries between regencies.

² Upwelling refers to a phenomenon when there is a vertical movement of water mass from below the surface. This movement increases the nutrient movement from the sea bed to the surface area and become the food source for the phytoplanktons.

Aside from implication to coastal and marine resource management, the boundary shift affects budget allocation received by the regency governments. As a result, it is difficult for the local governments to improve the local people's main livelihoods that substantially depend on coastal and marine resources.

In Papua the high percentage of poverty primarily stems from the natural resource outflow, where most of Papua's extracted natural resources are exported as raw materials instead of processed in the island. This in turn creates cash outflow where most cash that circulated in Papua is being spent to buy goods and services imported from outside of the island. This is coupled with human resource inflow, where people from outside of Papua are coming to work and open businesses while the Papuans have little opportunities to get steady jobs. This partly explains why, despite abundant natural resources, Papua has the highest poverty rate.³

It is also true despite the special status of the provinces in Papua, as they are designated as Special Autonomy Regions through Law no.21/2001, and subsequently renewed two decades later with Law no.2/2021. This regulation commissions a special authority to the provincial governments in order to improve basic services, accelerate development, and the empowerment of local people, including the management of natural resources. As a special autonomous region, they have a special budget allocation from the central government to improve the wellbeing of the indigenous Papua. But the evaluation results indicate that these programs and rules have been failing to roll back the poverty in Papua, indicated by the statistical data presented above.

In the middle of this situation, in November 2022, the Indonesian government approved the establishment of new provinces. From original two provinces, now there are six with addition of South Papua (Papua Selatan), Central Papua (Papua Tengah), and Mountainous Papua (Papua Pegunungan) that are split from the original Province of Papua; and the province of Northwest Papua (Papua Barat Daya) that was separated out of the original Province of West Papua (Papua Barat). From the vantage point of the central government, the creation of new provinces is a strategy to improve the Papuans wellbeing.

However, several CSOs have voiced their doubt on this, since processes surrounding the creation of new provinces took place in an unusually short period of time and with minimum participation of civil societies. The processes are highly dominated by elite circles both in Papua and Jakarta.



The road in Kasimle Village, Sorong, Southwest Papua, serves as an important access point for the community. Several surrounding villages still lack proper road access.

³Cliff Marlesi, disampaikan dalam FGD desain riset

Suspensions are circulated that the creation of new provinces was conducted more to weaken the movement of separatist groups that are regularly conducting sporadic actions.

On these current developments in Papua and Maluku, there is a need for a comprehensive study to reconsider the current condition in the two regions, and to predict their likely future especially those related to: (a) natural resources (forest, farmland, mines, coast, and sea); (b) the social economic and cultural life of the indigenous and local groups, as well as women and youths; (c) the local political, law and security conditions as felt among the peoples; (d) foreign and domestic investment, and (e) the local governance.

The result of this study is expected to provide a more comprehensive information on current situations in Papua and Maluku following important changes that took place recently, as well as the possible future development. Actors and organizations who have a degree of attention to the development of Eastern Indonesia will benefit greatly from this study.

2. Study Objectives

The study is conducted in order to comprehend the current situation and development in Eastern Indonesia, particularly Papua and Maluku, in relation to:

- a. Current changes and political trend in the next 5 years after the establishment of four new provinces in Papua.
- b. Mapping of the strength of the indigenous and local communities as well as the investments in the contexts of rapid policy changes in Papua.
- c. Identifying potentials and roles of Papua and Maluku in the development of Eastern Indonesia.
- d. The extent of indigenous women participation in environmental protection and strategies to strengthen them in future.

3. Methods

The study applies a qualitative approach to explore and clarify the current situations in Papua and Maluku, and their possible development in the future. Data collected through document study, in depth interviews, and Focus Group Discussions (FGDs) with varied actors from relevant government agencies, at national and regional levels, and representatives from academicians, civil society organizations, community groups, and media.

4. Time and Team

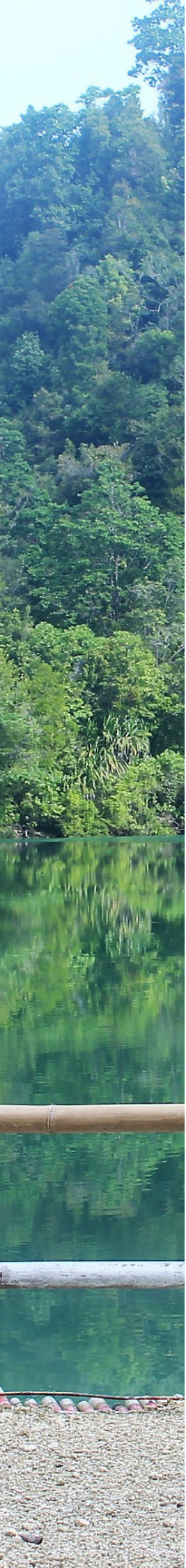
This study conducted between April and October 2023, by a Remdec research team, composed of Lili Hasanuddin, Roy Tjiong, Ririn Habsari and Papang Hidayat.

The people of Malagufuk, Sorong, Southwest Papua, are repairing the stairs using wood sourced from the forest. For the indigenous people of Papua land, the forest is considered as the mother that provides livelihoods.





A photo spot at Sarawandori Bay, Kosiwo District, Yapen Islands Regency, Papua. The natural beauty preserved by indigenous communities is an attraction for tourists.



Chapter II.

DIRECTION OF NATIONAL DEVELOPMENT POLICIES ON PAPUA AND MALUKU

The Indonesian government policies place Papua and Maluku as regions to be accelerated in economic growth by exploiting the available natural resources, mainly through mining, fishery, and tourism sectors, coupled with the development of supporting infrastructures. Economic development in Papua and Maluku is pushed toward a market oriented economic model with export as the main driver. And it is conducted by inviting domestic and foreign investment through different fiscal and non-fiscal incentives.

The direction of development assigned for Papua and Maluku by the central government is based on a proposition to increase direct investment in Papua and Maluku. Data from Ministry of Investment/Indonesia Investment Coordinating Board (BKPM), in 2014, the national investment (PMDN) in Papua and Maluku only amount to 0.2% and 0.1% respectively, while foreign investment (PMA) in Papua was 5% and Maluku 0.4%. These relatively low numbers were associated with the lack of infrastructure and facilities such as roads, ports, communication networks, and labor. The deficiencies are thought to hamper the development of investment although the regions have abundant natural resources.⁴

In order to attract investment to Eastern Indonesia, as a strategy to improve economic growth in the region, the Indonesian government issued policies on the development of industrial estates. Especially in Papua and Maluku, the government firstly assigned an industrial estate in Bintuni (West Papua) and Buli-Halmahera (North Maluku).⁵ Furthermore, the government established indications for potential locations for other industrial estate development in the economic 'corridors' of Papua and Maluku.

⁴ RPJMN 2015-2019 – Book II, page 3-32

⁵ Ibid, page 3-87

They are to be promoted in the next development stages, by using several criteria as follows:⁶

- a. Possess potential natural resources.
- b. Existence of frontier businesses (investor champion).
- c. Support and commitment of the local governments.
- d. Instances of roles from other sectors/ministries (included in national program).
- e. Show suitability in available land (legal status, topography, soil types, and slope degree).
- f. Accessibility to ports and main land transportation networks.
- g. Have supporting resources (supply of electricity, gas, coal, and water).
- h. Possess enough support of human resources (quantity and quality).

Based on these criteria, the indicated potential industrial estates in Maluku and Papua are established, which can be seen in the Table 1 below.

Table 1. Indication of Industrial Estates in Papua and Maluku

No.	Industrial Estates	Location	Size	Main Commodity
1.	Pulau Buru	Maluku Tengah - Maluku	1.000 Ha	Sago and other spices
2.	Pulau Seram	Maluku Tengah - Maluku	1.000 Ha	Sago, nutmeg, etc.
3.	Morotai	Morotai - Maluku	–	Fishery
4.	Tangguh	Teluk Bintuni - Papua Barat	–	Natural gas and Petrokimia
5.	Sorong	Sorong - Papua Barat	412,5 Ha	Oil & gas, Petrokimia, and fishery
6.	Timika	Mimika - Papua	–	Mining (gold and copper)
7.	Merauke	Merauke - Papua	–	Sugar

Source: Ministry of Industry (2013) and Musrenbang Regional RPJMN 2015-2019, in RPJMN 2015-2019, Book II, page 3-89

In the subsequent development, the central government actively attracted investors to come to Papua and Maluku through deregulation, basically relaxing the regulations that may hamper the investment and business in the economic growth areas, with little consideration to the responses from the indigenous and local communities as the natives of the areas. One of such regulations is the Law of Job Creation (Undang-Undang Cipta Kerja, Law no.6/2023), issued to ease the attainment of licenses and to reduce obstacles for potential corporations willing to invest in the area. Arguably, the Job Creation Law in principle is an affirmative policy to attract interests of companies to invest in Indonesia, including in Papua and Maluku.

⁶ Ibid, page 3-88

The establishment processes of the Law were intensely resisted by numerous civil society organizations and academicians, for the Law is thought to overly favor corporations by providing numerous relaxation in the processes and procedure to gain permits. The relaxation is believed to be potentially creating various problems, primarily those related to environmental and human rights protection. But the government and parliament went on to issue the Law as Law No.11/2020, and subsequently based on the Constitutional Court (MK) verdict revised and reissued as Law no.6/2023 with scanty substantial changes from its original document

1. National Strategic Projects (Proyek Strategis Nasional - PSN) in Papua and Maluku

Aside from formulating pro-investment policies, the central government is also actively coordinating with regional governments, and coordination among different ministries. The central government then develops national strategic projects (PSN), namely strategic projects to advance economic growth. The PSNs are intended to be conducted in cooperation between national and regional governments and business entities, in order to improve both people’s wellbeing and local development. Through Presidential Regulation no.3/2016 on acceleration of the PSN, the government announced 225 national strategic projects in different provinces across Indonesia. On the annex of the Presidential Regulation, there are 14 projects assigned to be conducted in Papua and Maluku, covering several sectors as seen in the Table 2 below.

Table 2. National Strategic Projects in Papua dan Maluku

Province	No.	National Strategic Project
Papua	1	Sentani Airport
	2	Cross-Border Posts (Pos Lintas Batas Negara - PLBN) and Supporting Facilities in Skouw
	3	Special Economic Zone (Kawasan Ekonomi Khusus - KEK) in Merauke
	4	Food Estate
West Papua	1	Industrial Estates in Teluk Bintuni Regency
Maluku	1	Trans-Maluku Road (7 segments)
	2	Food Estate
North Maluku	1	Trans-Morotai Ring Road
	2	Babullah Airport in Ternate
	3	Wayabula Port in Morotai Island Regency
	4	Industrial Estates in Buli, East Halmahera
	5	Special Economic Zone (Kawasan Ekonomi Khusus - KEK) in Morotai
	6	Acceleration of Transportation Infrastructure, Electricity, and Clean Water for 10 Strategic Areas of National Tourism (Kawasan Strategis Pariwisata Nasional - KSPN)
	7	Smelter in Buli, East Halmahera

As projects with the status of “nationally strategic”, the government issued supporting regulations that provide several easements, such as Government Regulation no.42/2021 on the facilitation of national strategic projects. As a descendant of the Job Creation Law, this regulation provides support for the PSNs and their executing agencies such as national and regional government as well as business entities. These facilities are provided at different stages of the projects, from the planning, preparation, transaction, construction, to operation and maintenance. On top of these facilities, the national ministry/state organizations and regional government also enjoy relaxation in procurement in the context of PSNs.

Despite the support of various facilitations, the PSN implementation rarely runs smoothly. Report from Committee for Acceleration of Priority Infrastructure Provision (Komite Percepatan Penyediaan Infrastruktur Prioritas, KPPIP) indicates that during implementation several obstacles caused the failure to complete the projects. They are related to land provision and spatial plan issues (29%); forestry and environmental issues (6%); permit and preparation issues (21%); construction issues (21%), and funding (23%).⁷

It is to no surprise, therefore, that the PSN experiences sharp dynamics so much so that they repeatedly change the projects listed on the PSNs. It is recorded that to date the list have been changed for seven times, which included in successive regulations as follows:

1. Presidential Regulation No. 58/2017 concerning The Change of Presidential Regulation No. 3/206.

2. Presidential Regulation No. 56/2018 concerning The Second Change of Presidential Regulation No. 3/206.

3. Presidential Regulation No. 109/2020 concerning The Third Change of Presidential Regulation No. 3/206.

4. Coordinating Minister of Economic Regulation No. 7/2021 concerning The List Change of National Strategic Project.

5. Coordinating Minister of Economic Regulation No. 9/2022 concerning The Change of Coordinating Minister of Economic Regulation No. 7/2021 concerning The List Change of National Strategic Project.

6. Coordinating Minister of Economic Regulation No. 21/2022 concerning The Second Change of Coordinating Minister of Economic Regulation No. 7/2021 concerning The List Change of National Strategic Project.

7. Coordinating Minister of Economic Regulation No. 7/2023 concerning The Third Change of Coordinating Minister of Economic Regulation No. 7/2021 concerning The List Change of National Strategic Project.

The changes in PSNs lists occur in Papua and Maluku based on these regulations are presented in the Table 3 and 4 below.

⁷ Report of KPPIP Semester 2 of 2022

Table 3. List of National Strategic Project Progress in Papua (according to government regulation)

Province	Presidential Regulation No. 3/2016	Presidential Regulation No.58/2017	Presidential Regulation No. 56/2018	Presidential Regulation No.109/2020	Coordinating Ministry Regulation No.7/2021	Coordinating Ministry Regulation No.9/2022	Coordinating Ministry Regulation No.21/2022	Coordinating Ministry Regulation NO.7/2023
Papua	Sentani Airport			Nabire Baru Airport	Nabire Baru Airport	Nabire Baru Airport	Nabire Baru Airport	Nabire Baru Airport
	Special Economic Zone (Kawasan Ekonomi Khusus - KEK) in Merauke	Special Economic Zone (Kawasan Ekonomi Khusus - KEK) in Merauke						
	Food Estate							
West Papua	Cross-Border Posts (Pos Lintas Batas Negara - PLBN) and Supporting Facilities in Skouw							
	Industrial Estates in Teluk Bintuni	Industrial Estates in Teluk Bintuni	Industrial Estates in Teluk Bintuni	Industrial Estates in Teluk Bintuni	Industrial Estates in Teluk Bintuni	Industrial Estates in Teluk Bintuni	Industrial Estates and Carbon, Capture, Utilization, and Storage (CCUS) in Teluk Bintuni	Industrial Estates and Carbon, Capture, Utilization, and Storage (CCUS) in Teluk Bintuni

Province	Presidential Regulation No. 3/2016	Presidential Regulation No.58/2017	Presidential Regulation No. 56/2018	Presidential Regulation No.109/2020	Coordinating Ministry Regulation No.7/2021	Coordinating Ministry Regulation No.9/2022	Coordinating Ministry Regulation No.21/2022	Coordinating Ministry Regulation NO.7/2023
West Papua		Sorong Seget Port		Sorong Eksisting and Arar Ports	Sorong Eksisting and Arar Ports	Sorong Port	Sorong Port	Sorong Port
		Tangguh LNG (Train 3)	Tangguh LNG (Train 3)	Tangguh LNG (Train 3)	Tangguh LNG (Train 3)	Tangguh LNG (Train 3)	Tangguh LNG (Train 3)	Tangguh LNG (Train 3)
	Special Economic Zone (Kawasan Ekonomi Khusus - KEK) in Sorong	Special Economic Zone (Kawasan Ekonomi Khusus - KEK) in Sorong	Siboru Fakfak Airport	Siboru Fakfak Airport	Siboru Fakfak Airport	Siboru Fakfak Airport	Siboru Fakfak Airport	Siboru Fakfak Airport
						Coconut Plantation and Industry of Its Derivative Products	Coconut Plantation and Industry of Its Derivative Products	Coconut Plantation and Industry of Its Derivative Products
							Industrial Estates of Fertilizer in Fakfak	Industrial Estates of Fertilizer in Fakfak
							Ubadari Carbon, Capture, Utilization, and Storage (CCUS) in Teluk Bintuni	Ubadari Carbon, Capture, Utilization, and Storage (CCUS) in Teluk Bintuni

Province	Presidential Regulation No. 3/2016	Presidential Regulation No.58/2017	Presidential Regulation No. 56/2018	Presidential Regulation No.109/2020	Coordinating Ministry Regulation No.7/2021	Coordinating Ministry Regulation No.9/2022	Coordinating Ministry Regulation No.21/2022	Coordinating Ministry Regulation NO.7/2023
Maluku	Trans-Maluku Road (7 segments)	Trans-Maluku Road (7 segments)	Trans-Maluku Road (7 segments)		Ambon New Port	Ambon New Port	Ambon New Port	Ambon New Port
	Food Estate	Way Apu Dam	Way Apu Dam	Way Apu Dam	Way Apu Dam	Way Apu Dam	Way Apu Dam	Way Apu Dam
		Pengembangan Lapangan Abadi Wilayah Kerja Masela	Pengembangan Lapangan Abadi Wilayah Kerja Masela	Pengembangan Lapangan Abadi Wilayah Kerja Masela	Pengembangan Lapangan Abadi Wilayah Kerja Masela	Pengembangan Lapangan Abadi Wilayah Kerja Masela	Pengembangan Lapangan Abadi Wilayah Kerja Masela	Pengembangan Lapangan Abadi Wilayah Kerja Masela
North Maluku	Trans-Morotai Ring Road	Trans-Morotai Ring Road (231,84 km)	Trans-Morotai Ring Road (231,84 km)					
	Babullah Airport in Ternate	Babullah Airport in Ternate	Babullah Airport in Ternate	Industrial Estates in Weda Bay	Industrial Estates in Weda Bay	Industrial Estates in Weda Bay	Industrial Estates in Weda Bay	Industrial Estates in Weda Bay
	Wayabula Port in Morotai Island							
	Industrial Estates in Buli, East Halmahera	Industrial Estates in Buli, East Halmahera	Industrial Estates in Buli, East Halmahera	Industrial Estates in Obi Islands	Industrial Estates in Obi Islands	Industrial Estates in Obi Islands	Industrial Estates in Obi Islands	Industrial Estates in Obi Islands

Province	Presidential Regulation No. 3/2016	Presidential Regulation No.58/2017	Presidential Regulation No. 56/2018	Presidential Regulation No.109/2020	Coordinating Ministry Regulation No.7/2021	Coordinating Ministry Regulation No.9/2022	Coordinating Ministry Regulation No.21/2022	Coordinating Ministry Regulation NO.7/2023
North Maluku	Special Economic Zone (Kawasan Ekonomi Khusus - KEK) in Morotai	Special Economic Zone (Kawasan Ekonomi Khusus - KEK) in Morotai	Special Economic Zone (Kawasan Ekonomi Khusus - KEK) in Morotai	Industrial Estates in Weda Bay	Industrial Estates in Weda Bay	Industrial Estates in Weda Bay	Industrial Estates in Weda Bay	Industrial Estates in Weda Bay
	Acceleration of Transportation Infrastructure, Electricity, and Clean Water for 10 Strategic Areas of National Tourism (Kawasan Strategis Pariwisata Nasional - KSPN)	Acceleration of Transportation Infrastructure, Electricity, and Clean Water for 10 Strategic Areas of National Tourism (Kawasan Strategis Pariwisata Nasional - KSPN)	Acceleration of Transportation Infrastructure, Electricity, and Clean Water for 10 Strategic Areas of National Tourism (Kawasan Strategis Pariwisata Nasional - KSPN)					

Province	Presidential Regulation No. 3/2016	Presidential Regulation No. 58/2017	Presidential Regulation No. 56/2018	Presidential Regulation No. 109/2020	Coordinating Ministry Regulation No. 7/2021	Coordinating Ministry Regulation No. 9/2022	Coordinating Ministry Regulation No. 21/2022	Coordinating Ministry Regulation No. 7/2023
North Maluku	Smelter in Buli, East Halmahera	Smelter in Buli, East Halmahera	Smelter in Buli, East Halmahera		Smelter development covers: a. Development of Nickel Processing and Refining Facilities: 1. PT. Aneka Tambang P3FH in East Halmahera 2. PT. Aneka Tambang Niterra Haltim in East Halmahera 3. PT. Teka Mining Resources in Central Halmahera	Smelter development covers: a. Development of Nickel Processing and Refining Facilities: 1. PT. Aneka Tambang P3FH in East Halmahera 2. PT. Aneka Tambang Niterra Haltim in East Halmahera 3. PT. Teka Mining Resources in Central Halmahera	Smelter development covers: a. Development of Nickel Processing and Refining Facilities: 1. PT. Aneka Tambang P3FH in East Halmahera 2. PT. Aneka Tambang Niterra Haltim in East Halmahera 3. PT. Teka Mining Resources in Central Halmahera	Smelter development covers: a. Development of Nickel Processing and Refining Facilities: 1. PT. Aneka Tambang P3FH in East Halmahera 2. PT. Aneka Tambang Niterra Haltim in East Halmahera 3. PT. Teka Mining Resources in Central Halmahera

Province	Presidential Regulation No. 3/ 2016	Presidential Regulation No.58/ 2017	Presidential Regulation No. 56/ 2018	Presidential Regulation No.109/ 2020	Coordinating Ministry Regulation No.7/2021	Coordinating Ministry Regulation No.9/2022	Coordinating Ministry Regulation No.21/2022	Coordinating Ministry Regulation NO.7/2023
North Maluku					b. Development of One Facility of Ironsand and Vanadium Processing and Refining by PT Alchemist Metal Industry In North Halmahera	b. Development of One Facility of Ironsand and Vanadium Processing and Refining by PT Alchemist Metal Industry In North Halmahera	b. Development of One Facility of Ironsand and Vanadium Processing and Refining by PT Alchemist Metal Industry In North Halmahera	b.Development of One Facility of Ironsand and Vanadium Processing and Refining by PT Alchemist Metal Industry In North Halmahera
					b. Development of One Facility of Ironsand and Vanadium Processing and Refining by PT Alchemist Metal Industry In North Halmahera	c. Development of Integrated Nickel Processing and Refining Facilities with Mining and Industrial States, in order to Develop National EV Battery by Aneka Tambang Group, Indonesia Battery Corporation (IBC), and their partners in East Halmahera	c. Development of Integrated Nickel Processing and Refining Facilities with Mining and Industrial States, in order to Develop National EV Battery by Aneka Tambang Group, Indonesia Battery Corporation (IBC), and their partners in East Halmahera	c.Development of Integrated Nickel Processing and Refining Facilities with Mining and Industrial States, in order to Develop National EV Battery by Aneka Tambang Group, Indonesia Battery Corporation (IBC), and their partners in East Halmahera

From Table 3 and 4, it can be infer that

- a. Types of PSN developed by the government are not matched with social and cultural developments or programs that are directly oriented toward human development in Papua and Maluku, such as the development of quality education facilities in the interior areas, or quality facilities for higher education in the regency capital towns.

It is possible that the improvement of educational facilities is seen as the authority of the ministry related to education or regency governments, and thus its status should not be promoted to a PSN. But, what about the industry and mining sectors, who also have their own sectorial ministry? Why would the national budget (APBN) that obligates a 20% allocation for education not be implemented through PSN schemes, which may provide leeway to improve the local human resources that are still lagging behind after almost a century of national independence?

- b. Food Estate Projects in Papua dan Maluku, were not reappeared in the lists since the first change, which means they are discontinued. Despite this, the early implementation of these projects have brought about significant impacts on local landscapes. The Food Estate development is indeed a difficult task to be implemented. Since the New Order period, this type of project has been initiated as an effort to anticipate national food scarcity.

However, these past projects ended with failures and created ecological calamities in the regions assigned as food estates. The government was only actively working at the early phase of the project and becoming more passive for various reasons. But the negative impacts have been experienced by the local people due to prolonged ecological crises. In Central Kalimantan, for instance, the peatland zone was established as a food estate location but it was discontinued after the lands were cleared. Today, the area is regularly flooded during the rainy season and suffers from wildfire during the dry seasons.

A professor from Bogor Agriculture Institute (Institut Pertanian Bogor), Dwi Andreas Santosa, stated that the food estate programs have been implemented since 25 years ago, and considered to have failed in implementation. He posits that the grim results was due to the failure to consider its 4 main principles, namely: the suitability of the soil relative to the food crops planted; feasibility of infrastructure such as irrigation and agricultural business network; cultivation and technological aspect; and social economic aspects related to the availability of human resources (farmers) in the middle of the large-scale land clearing.⁸

- c. The PSNs in Papua dan Maluku that are remained (still included in the current PSN lists after repeated changes) are the development of airports and seaports (in Nabire, Province of Papua and in Sorong and Fakfak, West Papua), the development of gas mining zones of Masela in Maluku, and West Papua, the development of industrial estates in Bintuni Bay, West Papua, Obi Island and Weda Bay in North Maluku; and the construction of smelter in North Maluku.

⁸ <https://plus.bisnis.com/read/socharto-jokowi-dan-mimpi-semu-proyek-food-estate>

The construction of smelters in order to support the nickel processing might be closely related to the rise of demand following the upsurge of electric vehicle production. Mongabay reported a Wood Mackenzie 2020 study that predicted the jump of electric vehicle production that would reach 323 million units in 2040, or a 35 times increase in 20 years.⁹

Despite the prediction, the downstream nickel mining policies should be applied in caution, particularly in the Weda Bay and Obi Island industrial estates which were assigned as production center for electric vehicle batteries. In the same Mongabay article, Pius Ginting, a coordinator of an organization for people ecological and emancipation action (Perkumpulan Aksi Ekologi dan Emansipasi Rakyat, AEER), stated that the Indonesian nickel is laterite which introduce more challenges in order to process them into battery.

Hence, industries are required to use high pressure acid leaching (HPAL) technology to produce the battery from the laterite ore, which in turn produces more sludge of tailing waste. The HPAL project in Obi Island is intended to discharge the tailing sludge to the sea, citing the high seismic activities and precipitation as the main reasons. The smelter would dump as much as 6 million tons of tailings to the sea annually, to the sea bed 230 meter deep. This plan was formulated despite other countries such as Canada and USA having banned such activity, and challenged by no less than 51 countries including China.

Again according to Pius, the sea bound tailing dumping is dangerous since the metal and processing residue materials in the tailing potentially enter the food chain, accumulate and threaten human health. Moreover, such activity also presents a threat to the marine ecosystem, including mangrove and seagrass areas that are utilized as seaweed cultivation zones. The tailing dump would damage the cultivation. Therefore, the tailing dumping can be seen as an effort to minimize production cost for the companies and shifting the burden of paying environmental costs to the local people.¹⁰

- d. In the last four regulations issued by the Coordinating Ministry for Economic Affairs between 2021 to 2023, the construction of Ambon New Port in the Province of Maluku was always included in the PSN list. This construction is actually needed in order to support the province as a National Fishery Pool (Lambung Ikan Nasional), popularly known as “M-LIN”, considering that the current port is located in a packed areas with commercial center, residence, and other city’s public facilities, and therefore it is difficult to expand the current port due to limited space.

In addition, the cargo and container terminal as well as the fishery port is nearing its maximum capacity, and the Ambon Bay is becoming much more packed with seaborne traffic. This condition empirically demands a new and integrated port such as the Ambon New Port as a center for fishery processing and cargo terminal in Eastern Indonesia.¹¹

^{9,10} <https://www.mongabay.co.id/2020/12/17/menyoal-pengembangan-baterai-nikel-bagi-lingkungan-hidup-dan-sosial/>

¹¹ <https://pim-tni.mil.id/news-detail/2671/Dukung-Maluku-Sebagai-LIN,-Pembangunan-Pelabuhan-Ambon-Baru-Akan-Dimulai-Tahun-Depan/>

The discourse to make Maluku as a National Fishery Pool¹² was initiated by the President, Susilo Bambang Yudhoyono, in his speech at the opening of Sail Banda, 2010. The center for national fishery, like its name, entails a development of an area to be the center for sustainable national fishery production, that can improve people’s wellbeing and fulfill the national and local interests. Maluku is indeed feasible to be the center for national fishery production since the region can fulfill relevant criteria, presented in the Table 5.

Referring to an article from Kompas.id, published 5 April 2022¹³, it is said that the M-LIN requires appropriate facilities and infrastructures, one of which is an integrated fishery port. At the time of initiation (2010), the M-LIN would be centered around three ports, namely the National Fishery Port of (Pelabuhan Perikanan Nasional, PPN) Ambon, PPN Tual, and Private Fishery Port of Benjina in Aru Islands. However, various obstacles run across this plan, including the supporting regulations, and it remains idle until today.

Table 5. Criteria of National Fishery Barn

No.	Criteria	Potency in Maluku
1.	The area covers more than 2 Fishery Management Areas (Wilayah Pengelolaan Perikanan - WPP).	Maluku has 3 WPPs: <ul style="list-style-type: none"> • WPP 714 in Banda Sea. • WPP 715 that intersects with the provinces of North Maluku, North Sulawesi, and Southeast Sulawesi. • WPP 718 that intersects with Papua.
2.	It has fish resources of more than 20% of the national potency.	Fish resources potency in Maluku reaches 1,72 tons per year or approximately 26% of national potency.
3.	The area contributes to fish production by more than 6%	Maluku has the highest contribution to national fish production by 9.67%, while the national production average is 3.03%
4.	It has an area of national fish production service.	

¹² Alex S. W. Retraubun (2021). Perspektif Kebijakan Maluku sebagai Lumbung Ikan Nasional. In Maluku Sebagai Lumbung Ikan Nasional. Balai Pustaka

¹³ <https://www.kompas.id/baca/artikel-opini/2022/04/03/menyoal-pembatalan-lumbung-ikan-nasional>

In 2017, with a new president, M-LIN was revitalized within a concept of “Indonesia as a maritime axis” (“Indonesia sebagai poros maritim”). Since then, coordination meetings were convened between central and regional governments, and among related ministries to put the M-LIN to realization.

Based on the series of meetings and agreements, it is planned that the Tulehu Waai in the Ambon Island as the location for the Ambon New Port. It was the same location planned for the port since early initiation, due to proximity to the provincial capital city of Ambon and situated outside of the congested Ambon Bay. Ambon New Port envisioned to be a hub port that serves direct export from Eastern Indonesia to foreign countries. The planned M-LIN area covers around 900 hectares, and includes areas for fishery industries. The complex of fishery industries and the port would become the largest fishery industrial center in Eastern Indonesia, and was thought to improve the area from the fishery sector.

However, the construction of the port was never materialized and canceled by the central government by saying that the planned location coincided with the area of tectonic plate convergence that is prone to earthquakes and one of minefields during the Second World War. These reasons are said to present a grave risk for the construction of the new port. With the New Port development being canceled, there remain 13 PSNs in Papua and Maluku with the end of Jokowi presidential tenure as the due date of completion.

A report from Committee for Acceleration of Priority Infrastructure Provision (Komite Percepatan Penyediaan Infrastruktur Prioritas, KPPIP) in the second semester of 2022, stated that since 2016 to the second semester of 2022, a total of 133 PSNs across Indonesia have been completed, with a total investment of Rp 1,040 trillion.¹⁴ Up to May 2023, there remain 58 PSNs that need to be completed across the country, including projects in Papua and Maluku, with the completion due date set at the first semester of 2024.¹⁵ From the PSN list of West Papua, the LNG Tangguh Train 3 in Bintuni Bay have been formally opened by President Jokowi, in 24 September 2023. The next project within the Proyek Tangguh is the Proyek Ubadari CCUS (UCC).¹⁶

2. The Effects of PSNs

According to the discussed regulations, the PSNs is oriented to improve the people’s “living standard”. This formulation is regularly inscribed in various development objectives. But reality shows otherwise, since the arrival of investments bring little effect to the people’s living standard.

In its implementation, the PSNs use the national state budget (APBN) and invite private investment. A study conducted by Ah Maftuchan¹⁷ on the implementation of PSN, focusing on infrastructure development from a human rights perspective, explain that the private participation in the PSN is more dominant compared to the participation of community or citizen groups. This domination affects the decision making processes related to the project development and implementation.

¹⁴ Report of KPPIP Semester 2 of 2022

¹⁵ <https://www.cnnindonesia.com/ekonomi/20230509095125-92-947066/58-proyek-strategis-nasional-jokowi-belum-keluar-hingga-kini>

¹⁶ <https://ekonomi.bisnis.com/read/20231125/9/1717878/daftar-proyek-strategis-di-timur-indonesia-teranyar-megaprojek-lng-tangguh>

¹⁷ Maftuchan, A. (2018). Pemenuhan HAM dan Pembangunan Infrastruktur: Kajian Regulasi Proyek Strategis Nasional di Indonesia.

The government tends to privilege the interest of the private companies whenever a problem ensues. The roles of citizen and community groups have been limited across the whole processes, from planning, budgeting, implementation, to the monitoring and evaluation. The government and companies are still considering the citizen and community groups as the “object” of infrastructure development and therefore seen merely as target beneficiaries. This view partly explains the recurring conflicts between the companies and local citizens both at the infrastructure construction or business activities locations. Deliberation processes are limited and the local citizens and community groups are forced to accept any decision that comes from ‘above’. In other words, top-down infrastructure policies are still prevailing. The government and companies tend to approach the citizen groups’ interests with repressive and non-dialogue strategies. As a result, numerous infrastructure projects ignore the interest of the citizens and community groups surrounding the projects. Negative effects from the infrastructure development are unanticipated and create new problems. Repressive actions of both the state and private security agencies are ubiquitous as a response to the community protests. Many of these repression and violent acts indeed indicate the violation of human rights, meaning that they were executed on a relatively large scale by well-organized perpetrators.

The incident on Rempang-Batam Island is a case in point. In 2023, based on the Ministerial Regulation (PERMENKO No.7/2023) the residential area in the Island was included in the development of Pulau Rempang Eco City Estate, which was authorized as a PSN. When the project asked the local residence to relocate, it was met by resistance.

They are fisher families and the new location they were offered was far from the coast and near the town center. An old cemetery was also in the residential area.¹⁸ This case was viral due to a physical clash between local residents and the PSN implementor backed by security forces. In Papua and Maluku, there has been an accelerated case such as one in Rempang Island. And several cases show negative effects of the PSN implementations, particularly related to smelter construction in North Maluku, which was reported in the media. Pollution was reported to have happened in Buli Bay in East Halmahera, by a research team conducted by Center for Aquaculture Research (Pusat Kajian Akuakultur, Pusaka), Universitas Khairun, Ternate. The Bay was assessed to be heavily polluted by nickel smelter waste. Beside killing fishes with nickel deposits in their bodies which render them unsafe to be consumed, the local tourism activities were also negatively affected.¹⁹ The case shows a strong indication of violation of healthy environmental rights, which is part of human rights.

In North Halmahera, North Maluku, the Weda Bay Industrial Estate is planning to build an integrated estate that includes nickel mining and processing to produce lithium batteries on an area that stretches around 8000 hectares, which is now covered by croplands. In order to secure the lands, the project pays the local farmers at a very low price. Aside from losing croplands, the mining area also distancing the local people from food sovereignty since most of their daily consumption needs to be bought from the town market. Meanwhile, their fishing zones are diminishing due to a new claim from an industrial estate that bans the local fishers from fishing in the area. The residency area and roads are also fenced out from access to fuel wood.²⁰

¹⁸ <https://law.ugm.ac.id/hak-atas-pembangunan-refleksi-dari-konflik-agraria-rempong-dan-proyek-strategis-nasional-psn/>

¹⁹ <https://www.mongabay.co.id/2024/01/02/laut-halmahera-timur-tercemar-parah-limbah-nikel/>

²⁰ <https://www.mongabay.co.id/2020/12/17/menyoal-pengembangan-baterai-nikel-bagi-lingkungan-hidup-dan-sosial/>

Meanwhile in West Papua, the construction of fertilizer industry estate in Fakfak, which is newly entering the PSN list through ministerial regulation (Permenko No. 21/2022), potentially sparking conflicts with the local people.²¹ The government assigned the PSN area for the fertilizer industry, which is run by another fertilizer producer company, PT. Pupuk Kaltim, no less than 2000 hectares, and allegedly located in a forest concession area for logging owned by PT Arfak Indra. The local indigenous group also claim a right to the same land as their customary land that includes their nutmeg groves. The communities residing around the project, one of which living in the Village of Fior, District Arguni, Fakfak, never received detailed information about the project, including the map that depicted the extent and exact location for the project.

On the construction of the fertilizer industrial estate, a senator from West Papua, Filep Wamafma, has warned about the potential problem with the local indigenous group due to the land claim. The issue of the land status and local livelihoods often become a conversation subject among the indigenous groups who are threatened by the project implementation. In a press release by two local organization, Perkumpulan Panah Papua and Yayasan Pusaka Bentala Rakyat (24 November 2023), they reveal that the affected community in the Village of Fior hope that the company refrain from closing or put barriers on the access to lands, and from displacing and destroying their croplands, especially their nutmeg groves since it is their main livelihood source. In addition, the community groups that inhabit the coastal areas and benefit from marine resources hope that their livelihood sources on land and at the sea will not be polluted or damaged.

3. Major Projects in Papua dan Maluku

put them into the RPJMN 2020-2024. They are named, Program Strategis Prioritas, or better known as Major Projects. The measure is taken on the consideration that there are still disparities between areas and the high poverty rate in the rural areas.²² Therefore, acknowledge that after 5 years of implementation of the PRPJM 2014-2019, the development results have failed to achieve its goals although coupled with the PSNs.

In the RPJMN 2020-2024 document, it is mentioned that Papua is still facing problems, namely: (a) deficient in the implementation of special autonomy of Papua, (b) limited basic services, and weak capacities of the regional governments, (c) lack of improvement in the customary areas to support economic activities, (d) suboptimal development of natural resources potential, (e) suboptimal infrastructure and connectivity improvement, and (f) physical and social vulnerabilities to climate change, disaster, pollution, and coastal abrasion, as well as vulnerability to social disparities and urban poverty. This long list of challenges does not mention the recurrent violent conflicts, although development activities require peaceful conditions with minimum violent conflicts.

Meanwhile, the document also reported several challenges for Maluku, namely: a) suboptimal basic services, b) lack of improvement to develop natural resource potentials, c) deficient connectivity between islands in the whole Maluku Islands, d) suboptimal infrastructure development, and e) weak management of local government.

²¹ <https://pusaka.or.id/siapa-diuntungkan-proyek-strategis-nasional-papua/>

²² RPJMN 2020-2024, page III.5

Responding to the challenges, the government establish 7 major projects for Papua, as follows:

1. The construction of the New City of Sorong.
.....
2. The development of the Center for National Strategic Activities (Pengembangan Pusat Kegiatan Strategis Nasional, PKSN): PKSN Jayapura and PKSN Merauke.
.....
3. The improvement of customary lands in Papua: Domberay and Laa Pago.
.....
4. The construction of integrated seaport network in Sorong.
.....
5. The construction of main roads in the underdeveloped, outermost and border islands in the Island of Biak.
.....
6. The improvement of trans-Papua highway: Merauke-Sorong
.....
7. The construction of air transportation networks in Papua.

Meanwhile in the Maluku Islands, there are 3 major projects mentioned in the document, namely:

1. The construction of an integrated fishery port and market with international standard .
.....
2. The construction of New Town of Sofifi.
.....
3. The improvement of main roads in the underdeveloped, outermost and border islands in the Islands of Morotai, Seram, Buru, Wetar, Moa, Babar, Selaru, Aru, and Kei Besar.

The list shows how the central government tends to put more attention to physical development of infrastructures than to programs to improve the people's resilience from social and cultural challenges, as well as direct economic development for the people.

Out of 7 major projects in Papua only one directed to the development of indigenous areas, in Domberay and Laa Pago, although there are seven major indigenous groups in Papua.

Even then, the implementation of this particular project is less known so it is difficult to comprehend its progress, while the public is often presented with information about infrastructure projects. And civil society organizations regularly question the benefit of these infrastructure projects for the indigenous and local groups, as well as their effect on the environment.

A study conducted by a national environmental NGO, WALHI, on the road construction of Trans-Papua-Sorong (Major Project 31/MP-31)²³ found that the road construction has diminished the forest, degrade the function of the local peatland ecosystem, and disrupted protected biodiversity.

Moreover, although the MP-31 road improves connectivity, it does not bring significant benefit to the local indigenous people. The study mentioned that although the road can improve women mobilization to marketplaces, it also creates more burden to the women especially because the road also increases the men's mobility to towns and the labor inputs for the local croplands now increasingly transferred to the women.

Interestingly, this study also shows that 39 land-based companies in Papua potentially reap the largest benefit from the improvement of connectivity. These companies have a troubling track record with environmental damage while operating in Papuan forests, which include essential ecosystems such as peatland, karst, and spark conflict with local indigenous groups.

²³ WALHI (2021). Analisis Pengaruh Rencana Pembangunan Proyek Prioritas Jalan Trans Papua (Mp-31) Terhadap Aspek Sosial-Ekologis Papua.

The WALHI findings assert that the road construction is providing more facilitation for the capital flow in order to exploit Papua’s natural resources than to improve wellbeing of the local and indigenous communities. This tendency is confirmed in the RPJMN 2020-2024 that targets annual investment growth in Papua and Maluku, as presented in Table 6.

Table 6. Investment Target in Papua and Maluku (Annually)

Province	Annual Target (in Trillion Rupiahs)					
	2019	2020	2021	2022	2023	2024
Papua	47,72	76,54	92,69	104,03	117,47	132,84
West Papua	11,59	21,64	23,78	23,69	30,09	33,85
Maluku	13,14	14,37	16,32	17,80	19,54	22,20
North Maluku	10,60	13,32	14,72	16,44	18,51	21,53

Source: RPJMN 2020-2024

In order to achieve the investment targets, aside from promoting the major projects and PSNs to investors domestically and globally, the government through Ministry of Investment also offer fiscal and non-fiscal incentives, namely:

- Tax allowances, with a decrease in net income tax as much as 30% of total investment and payable up to 6 years (PP No.18/2015).
- Import facility, in the form of free incoming import dues, as written in Ministry of Financial Affairs Regulation, PMK Nomor 176/PMK.011/2009 jo. No. 188/PMK.010/2015.
- Super deduction, a deduction on gross income amounts to 200% from cost spend for operation, apprenticeship, and training activities; and deduction on gross income as much as 300% from research activities (PP No. 45/2019)
- Tax Holiday, tax deduction for 5-15 years start at the commencement of a commercial operation (PMK No. 129/2015).
- Importer-producer Identity Number (Angka Pengenal Produsen Importir, API-P), an income tax deduction for new investment with minimum value of Rp 5 billion (PMK No. 130/PMK.010/2020).
- The use of foreign labor (Rencana Penggunaan Tenaga Kerja Asing, RPTKA), a relaxation in usage of foreign labor for jobs that span more than 6 months up to 2 years, and extendable (Peraturan Menaker No. 6 Tahun 2021)
- Facilitations in gaining business permits through online services OSS

Out of 81 investment opportunities across Indonesia offered by the Ministry of Investment, with a total value of Rp 239 trillion, there are 11 projects (13,5%) located in Papua and Maluku, with a total of investment value of Rp 19.5 trillion (8.2%)²⁴ the detail of which is presented in Table 7.

²⁴ <https://regionalinvestment.bkpm.go.id/pir/pejuang-investasi>

Table 7. Investment Proposal in Papua and Maluku

No.	Project / Sectors	Investment Value	Location	Incentive
1.	Specialty Coffee of Wamena Arabica Roasted Bean & Brewed Coffee of Cenderawasih Papua	Rp. 351 Billion	Industrial Estates in Bonggrang Jayapura, Papua	Tax allowances, import facilities, and super deduction
2.	Integrated processing industry of sago starch: Development of food estate	Rp. 660.8 Billion	Jayapura, Papua	Tax allowances, import facilities, and super deduction
3.	Integrated nutmeg plantation with the processing industry	Rp. 1.84 Trillion	Fakfak, West Papua	Super deduction
4.	Fish canning industry	Rp. 1.67 Trillion	Special economic zone in Sorong, West Papua	
5.	Live on Board (LoB) of Raja Ampat, Priority Tourism Destination in Raja Ampat	Rp. 27.74 Billion	Raja Ampat, West Papua	Free import duty and easy business permit via OSS
6.	Integrated tourism area around Botak Mountain	Rp. 24.63 Billion	South Manokwari Selatan, West Papua	Tax allowances and reduced retribution
7.	Sorong Port as Marine Toll Node in Sorong City	Rp. 5.45 Trillion	Sorong City, West Papua	
8.	Integrated wild fishery	Rp. 549.52 Billion	Tulehu Village, Central Maluku Regency, Maluku	Tax allowances, import facilities, tax holiday, API-P,
9.	Smelter Industry of Nickel Sulfate	Rp. 8.62 Trillion	East Halmahera, North Maluku	Tax allowances and reduced retribution
10.	Breda Pala Resort, Banda Tourism	Rp. 200.1 Billion	Central Maluku Regency, Maluku	Import facilities
11.	The Dehegila Resort: Traditional Style Meets Modern Aesthetics,	Rp. 549.52 Billion	Tulehu Village, Central Maluku Regency, Maluku	Tax allowances, import facilities, tax holiday, API-P,

Source: Regional Investment Potency, Ministry of Investment ²⁵

Furthermore, the Ministry of Investment provides full support for the offered projects through promotion events, as well as information disseminations and schemes that can be applied by companies on their websites. Hence, it is clear that the central government's development direction for Papua and Maluku, either through PSNs, major projects, and investment opportunities, lean toward economic growth by inviting private investment. Aside from offering fiscal and non-fiscal incentives, the government also facilitates investment with infrastructure constructions such as roads, ports, airports, and others. The central government policies are pro-investments and provide facilitation for investors, with little safeguarding policies to protect local ecosystems and communities.

²⁵ <https://regionalinvestment.bkpm.go.id/pir/pejuang-investasi>



The green landscape in Halmahera, North Maluku, serves as a habitat for various endemic plants and animals.



Chapter III.

DEVELOPMENT DYNAMICS IN PAPUA

Development dynamics in Papua is highlighted by extractive natural resource management and establishment of new provinces and the extension of special autonomy, as well as sporadic and recurring armed conflicts.

1. Natural Resource Management in the Province of Papua

Before the establishment of the new province, the Province of Papua had an area of 312,062 km², with a population of 4,418,581 in 2022. As many as 2,348,882 of them are men and 2,069,699 women.²⁶ There were 28 regencies and one municipality in the province, and divided into 5,560 villages (BPS Provinsi Papua, 2021).²⁷ The province has 14 airports, 5 seaports, 9 hospitals, 19 higher education facilities. In 2022, realization of foreign direct investment (PMA) in the province was USD 14.2 billion, while total domestic investment was Rp 9.2 trillion (Kementerian Investasi/BKPM, 2022).²⁸

Leading sector in the province is mineral mining, primarily gold. The Papua have the largest gold mine in Indonesia, with an area amounts to 229,893.75 hectares, spread over six regencies: Pegunungan Bintang, Keerom, Nabire, Dogiyai, Mimika, and Paniai. The main gold deposit in Papua is situated in the Grasberg Tembagapura-Mimika area, which is now managed by the PT. Freeport Indonesia. The Grasberg mine is able to produce 1.37 million pounds of gold per year.²⁹

Beside gold, copper is another commodity produced by the PT. Freeport Indonesia. The copper potential in Papua is as much as 1.34 billion pounds in 2022. The mining enterprise in the province supported by Governorial Regulation No.41/2011 on Mineral and Coal Mining (*Peraturan Gubernur Papua Nomor 41 Tahun 2011 Tentang Usaha Pertambangan Mineral Logam Dan Batubara*).

A study carried out by the Development Planning Board of the province on the mapping of leading sector and investment potential in the Province of Papua in the Covid-19 pandemic era³⁰, concluded that the mining business provides the largest contribution in the province's economy.

²⁶ BPS Provinsi Papua. (2023). Provinsi Papua Dalam Angka 2023. BPS

²⁷ <https://papua.bps.go.id/indicator/101/29/1/jumlah-desa.html>

²⁸ <https://regionalinvestment.bkpm.go.id/pir/daerah/?id=91>

²⁹ <https://artikel.rumah123.com/sumber-daya-alam-papua/>

³⁰ <https://bappeda.papua.go.id/file/136784267.pdf>

The economic growth of the Province in 2020 experienced a rise mainly due to the increased production from PT Freeport Indonesia. Without the mining sector contribution, the province would experience an economic growth of -3.51% in 2020. On the other hand, when the province witnesses a slowdown in mining activities in 2019, which decreases the metal ore production of PT Freeport Indonesia, the province's economic growth drastically drops to -15.75%. This instance shows how the province's economy acutely depends on the mining sector, especially PT. Freeport Indonesia.

The strong effect of the mining sector in the economy of the province can be seen further in its contribution to the province's Gross Regional Domestic Product (PDRB). The PDRB is an important indicator to assess economic growth since the PDRB represents the total value of goods and services produced by an economy of an area in a certain timeframe. PDRB can show the extent of success or failure of an economy.³¹In 2022, the contribution from the mining sector to the PDRB of Papua Province was Rp 101.3 trillion, which accounts for 38.6% of the province's total PDRB that come from 17 different business sectors (BPS Provinsi Papua, 2022).³²

From the fishery sector, the Province of Papua has two main fishing zones (WPP), WPP 718 in the north part and WPP 718 in the south. The north area has a potential of 2.4 million tons per year, while the south potentially produces 4 million tons annually.³³The province is predicted to have sustainable potential of marine fishery of 1.528 million per year and freshwater fishery as much as 268,100 tons per year. In 2021, the production of fish in the province in skipjack tuna, mackerel tuna, and tuna was around 247,230 tons, with a value of Rp 7.88 trillion.

Location with the largest catch is situated in the Regency of Merauke with 44.78 tons, followed by Jayapura with 41.25 tons, and Biak Numfor 41.12 tons. Meanwhile, freshwater fish production from aquaculture is as much as 22,144 tons from rearing, 22,934,000 from hatching, and 18,000 decorative fish (Provinsi Papua Dalam Angka 2023).

The government of Papua Province put forward the fishery sector as part of the leading sectors for the provincial own source revenue. They have established this through a provincial regulation in fishery business (Peraturan Daerah Provinsi Papua Nomor 9 Tahun 2016 Tentang Usaha Perikanan). The provincial government also offers opportunities for private companies to invest in the fishery sector. Apart from fish catching, the investment opportunities also opened for other related business such as fish auction, fishery port, ship docs, and marine product processing.³⁴

2. Natural Resource Management in the Province of West Papua

The province of West Papua extends over an area of 126,093 km², with a total of 1,183,307 inhabitants in 2022 (male 622,886 and female 560,421). In West Papua there are 12 airports, 11 seaports, 7 hospitals, 5 higher education facilities, and 1 vocational training center (BLK Manokwari). In 2022, realization of foreign direct investment was USD 1,545.29 million, and the total domestic investment was Rp 5.7 trillion.

West Papua is a province with growing tourism potentials which are relatively well managed. Tourism is one of the leading sectors in the province, growing 7.55% in 2021.

³¹ <https://bappeda.papua.go.id/file/136784267.pdf>

³² <https://papua.bps.go.id/indicator/154/155/2/-seri-2010-distribusi-pdrb-dengan-tambang-.html>

³³ <https://papua.antarane.ws.com/berita/685285/potensi-perikanan-papua-perairan-selatan-capai-4-juta-tontahun>

³⁴ <https://regionalinvestment.bkpm.go.id/pir/daerah/?id=91>

The West Papuan government is continuing to improve tourism attraction for both domestic and foreign tourists. Aside from the renown Raja Ampat, other tourism destination in the province include Taman Wisata Alam Gunung Meja Manokwari, National Park of Teluk Cendrawasih Teluk Wondama, and culinary tourism in Tembok Berlin Sorong and Kawasan Gunung Botak (BPS Provinsi Papua Barat, 2023).

The province also has a sizable mining potential, with gold and oil being the main commodity. Especially for oil, 15 spots have already been explored. In 2021, the mining contribution to PDRB was 18.84% (BPS Provinsi Papua Barat, 2021). Following the increasing export demand, the West Papua have been trying to optimize gold production, including through supporting gubernatorial regulation on metal mineral and coal mining (*Peraturan Gubernur Papua Nomor 41 Tahun 2011 Tentang Usaha Pertambangan Mineral Logam Dan Batubara*). Furthermore, mining businesses can still be extended to ore processing, reclamation, transportation, and smelter.³⁵

West Papua also has a large potential for development in the industrial sector. In the first quarter of 2022, the processing industry sector contributed 8.45% to the provincial economic growth. This growth was driven by the rise in performance of gas and oil industries, which grew as much as 8.75% (yoy). West Papua is host to the Industrial Estate of Teluk Bintuni that extends over 2,112 hectares. The contribution of the industrial sector to the West Papua PDRB is 30.59% (BPS Provinsi Papua Barat, 2021). In order to support the improvement of the industrial sector, the West Papua government has issued a provincial regulation on incentives and allowance for investment (*Perda Provinsi Papua Barat Nomor 5 Tahun 2021 Tentang Pemberian Insentif dan Kemudahan Investasi*).

In the fishery sector, the province has a large potential both from marine and land-based fisheries. According to a ministerial decree (KEPMEN KP Nomor 50/2017), the West Papua waters is included in the national fishery management zone (WPP NRI) 717 and WPP-NRI 715. Tuna catching zone in the province located in the regencies of Teluk Wondama and Sorong, with a total catch of 10.75 thousand tons in 2021. The catches are both consumed domestically and exported. The contribution of the fishery sector to the West Papua PDRB in 2021 is 5.19% (BPS Provinsi Papua Barat, 2021).

3. National Policies Affecting the Development Dynamics in Papua

A. The Acceleration of Wellbeing Achievements in Papua

The central government positioned the Province of Papua and West Papua as underdeveloped regions and the status help them to receive special attention for development acceleration, which can be seen from the publication of a president decree on wellbeing improvement acceleration for Papua and West Papua Provinces (*Inpres No.9/2020 tentang Percepatan Pembangunan Kesejahteraan di Provinsi Papua dan Papua Barat*).

The presidential decree instructed the ministries, head of state organizations, national military commander, chief of national police, and head of regencies and governors in Papua and West Papua to take necessary measures and monitoring that are ground breaking, integrated, precise, focus, and synergetic, in order to accelerate the wellbeing improvement in both provinces.

³⁵ <https://regionalinvestment.bkpm.go.id/pir/daerah/?id=92>

Apart from detailing necessary measures for the acceleration, the decree also establishes a new design and action plan for the purpose. They based on affirmative approach, holistic, sensitive to gender equality, contextual to the provinces, and focus on four new framework for the Island of Papua³⁶:

- Acceleration of improvement in human resources, to achieve human resources that are outstanding, innovative and possess strong character as well as sensitive to the local context of Papua Island; especially for the Indigenous Papuan (*Orang Asli Papua*, OAP).

- Acceleration of transformation and quality economic development in Papua (Island), with special attention to equality, interconnectedness among regions, between urban-rural areas, indigenous lands, as well as among economic actors and different local economic sectors, that are integratively managed from upstream and downstream, with a special attention to the OAP.

- Acceleration of basic infrastructure improvement to support public services and economic transformation on the Island of Papua; improvement and protection of environmental quality, improvement in resilience to disaster and climate change, and development with low carbon, sensitive to local knowledge, ecological zone, as well as spatial planning that take into consideration the local and indigenous knowledge.

- Acceleration of reformation in bureaucracy and good governance in order to strengthen the special autonomy, public services, local democracy that are inclusive, socially harmonious, as well as improvement in local security and stability with respect to and protection of human rights.

The presidential decree also extended direct instruction to 43 ministries and state institutions, including regional governments to refrain from using the security approach, and instead apply a more welfare oriented approach with development, sociocultural and economic improvements.³⁷

The publishing of the Inpres No. 9/2020 was followed by Presidential regulation on integrated coordinating team for development acceleration in the Province of Papua and West Papua (Keppres Nomor 20 Tahun 2020 tentang Tim Koordinasi Terpadu Percepatan Pembangunan Kesejahteraan di Provinsi Papua dan Papua Barat). Here the vice president assigned as the head of Directing Committee for the team. According to the vice president there are seven strategic sectors/programs that may become quick wins for wellbeing development of Papuans, namely³⁸ :

1. Smart Papua, to improve local human resources for better quality, competence, and character. The government invited the Universitas Cendrawasih, Jayapura, to help as a think-tank for this purpose.

2. Healthy Papua, as a solution for lack of access to health facilities and services experienced by a large number of local people. This will be achieved through improving hospitals in 7 indigenous areas, improvement of associated infrastructures, strengthening local clinics (puskesmas), and care for disadvantaged children.

³⁶ See the third dictum in Presidential Instruction No. 9/2020

³⁷ Interview with Deputy I of Coordinating Ministry of Politics, Law, and Human Rights

³⁸ <https://www.wapresri.go.id/program-quick-wins-percepat-pembangunan-kesejahteraan-masyarakat-papua/>

3. Self-sufficient Papua, actualized through improvement of leading commodities, including development of tourism and Papua people's businesses. This was conducted among others through establishment of Sail Cendrawasih Bay in 2023 (tourism promotion), development of integrated tourism, village economic halls, millennial farmers, and development of vocation training centers and schools.

4. Connected Papua, an effort to connect regions in Papua to facilitate access to communication and transportation for the people. This effort is designed to be achieved through the improvement of air transportation, satellite network from Palapa Ring Timur, major projects of trans-Papua that connect economic centers, and construction of several depots in the economic centers.

5. Bright Papua, the government's effort to provide access to electricity to the remote areas across the island, and building cooperation to develop renewable energy sources with relevant stakeholders. Four state institutions will be involved in this program: Ministry of Energy and Mineral Resources, State Electric Company, Ministry of Rural Affairs, and Ministry of Finance.

6. Working Papua, an initiative to improve Papua's human resources in order to be able to participate in national industries, through apprenticeship and affirmative action in civil servant recruitments in the state ministries/institutions.

7. Proud Papua, related to sociocultural aspects of the island, that display her uniqueness, and stimulated through the construction of Papua Cultural House, training centers, talent management, and creative hub.

On paper these strategies show strong attention of the central government to the people of Papua Island. However, a report from the Development Planning Board of the Papua Province on business and investment potentials mapping in Papua³⁹, reveal that 19 regencies in the province, both coastal and mountainous, experience difficulties in transportation access.

A statistic from 2021, shows that 4,349 villages located in remote mountainous areas experience lack of access, meaning that around 80% of the total villages in the province are isolated from transportation access. This finding, one year after the publication of the 'quick win' programs by the vice president, raises difficult questions on their progress, even more so considering the lack of media coverage on the implementation of the presidential decree No.19/2020.

B. The Extension of Special Autonomy

The Government of Indonesia extended the implementation of special autonomy in Papua and West Papua by issuing Law No.2/2021 on Papua Special Autonomy. This law regulates the addition and amendment in several Articles in the Law no. 21/2001, and subsequent Law no. 35/2008.

³⁹ <https://bappeda.papua.go.id/file/136784267.pdf>

The Law on Papua special autonomy regulates several principal aspects, namely:

- Obligation of the central, provincial, and regency/municipality governments to allocate education and health budgets for the OAP.

- On labor and economic aspects, Article 38 asserted that in efforts to improve Papua's economy, it is an obligation to privilege the OAP.

- On empowerment, Article 36 (2.d) affirm that 10% of the revenue sharing fund must be allocated for aiding the indigenous empowerment initiatives.

- Special autonomy budget increased from 2% of the national general allocation fund (DAU) to 2.25%. Through changes in the fund's management, it is expected that several development problems can be resolved.

- Authorize the establishment of Special Board for Papua Development Acceleration (*Badan Khusus Percepatan Pembangunan Papua, BK-P3*), the creation of new provinces in Papua Island (Article 76), and the issue of subsequent regulations for the implementation of this law, which assert that the formulation of government regulations should be consulted with national parliament, senators, and regional government in Papua and West Papua Provinces.

As the follow up of the Law No.2/2021, the president instituted a directing body for the acceleration of development of special autonomy in Papua and West Papua (Badan Pengarah Percepatan Pembangunan Otonomi Khusus Papua dan Papua Barat, BP3OKP), by issuing Presidential Regulation Perpres No. 121/2022. This body is directly under and responds to the president, tasked with synchronizing, evaluating, and coordinating the development acceleration efforts and implementation of special autonomy in Papua Island. The vice president is leading this body, with members from the ministers of home affairs, national development planning, and finance. One member is an OAP from each province who does not currently sit as head of government or parliament at all levels, as well as senator and political party, but can be a civil servant who must be temporarily discharged. And the OAP member may reside in each of their provinces.

The extension of the special autonomy is an opportunity for Papua and West Papua in attaining financial support for development through special budget allocation, considering the significant contribution of this allocation for the provincial development budget (APBD). According to APBD 2020, the contribution of the special allocation was around 59.7% and 32.2% from the matching fund, and only 8.1% from self own-source revenue.⁴⁰ What is important to note here is that the management of expenditure of these funds should be directed to fulfill the people's actual needs, particularly to satisfy the basic rights and improve the wellbeing of the OAPs.

Furthermore, the birth of the special autonomy policies were originally stimulated by violent conflicts followed by demands for independence in Papua. As an effort to moderate the demand for independence the national government issued the special autonomy policies.

⁴⁰ <https://bappeda.papua.go.id/file/364777838.pdf>

However, up to the extension of this policy the conflict is still recurring due to lack of attention to the conflict resolution during the implementation of the policy. Therefore, during the extension periode initiatives for conflict resolution needs to be prioritized, which can be done through series of dialogues, without violence, and through various schemes suitable to the local condition. The issue of conflict resolution needs to be closely monitored by the BP3OKP, aside from giving attention to development issues.

C. The Establishment of New Provinces

The Government of Indonesia has issued three Laws concerning new provinces in Indonesia. This provincial split was made legally possible through Law No.14/2022 on the establishment of the new Province of South Papua, Law No. 15/2022 on the establishment of the new Province of Central Papua, Law No. 16/2022 on the establishment of the Province of Papua Pegunungan. With the authorization of these Laws, the Province of Papua is now split into four provinces, namely:

- Province of Papua with capital city of Jayapura, consisted of eight regencies (kabupaten) and municipality (kota): (1) Kota Jayapura, (2) Kabupaten Jayapura, (3) Kabupaten Keerom, (4) Kabupaten Sarmi, (5) Kabupaten Memberamo Raya, (6) Kabupaten Waropen, (7) Kabupaten Kepulauan Yapen, (8) Kabupaten Biak Numfor, and (9) Kabupaten Supiori.
- Province of South Papua with capital city of Merauke, extend over an area of 120,270.11 km², consist of 4 regencies: (1) Kabupaten Merauke, (2) Kabupaten Boven Digoel, (3) Kabupaten Mappi, and (4) Kabupaten Asmat.
- Province of Central Papua with capital city of Nabire, and area of 61,073 km², consist of 8 regencies, yaitu: (1) Kabupaten Nabire, (2) Kabupaten Paniai, (3) Kabupaten Mimika, (4) Kabupaten Puncak Jaya, (5) Kabupaten Puncak, (6) Kabupaten Dogiyai, (7) Kabupaten Intan Jaya, and (8) Kabupaten Deiyai.
- Province of Papua Pegunungan with capital city of Jayawijaya, and cover an area of 51,213.33 km², consist of 8 regencies: (1) Kabupaten Jayawijaya, (2) Kabupaten Pegunungan Bintang, (3) Kabupaten Yahukimo, (4) Kabupaten Tolikara, (5) Kabupaten Mamberamo Tengah, (6) Kabupaten Yalimo, (7) Kabupaten Lanny Jaya, and (8) Kabupaten Nduga.

In addition, the provincial split also occurs in the Province of West Papua, legally authorized through Law No. 29/2022 on the establishment of the Province of Southwest Papua. Hence, there is an additional province as a result of the split in West Papua.

- Province of West, with capital city of Manokwari, consisted of 7 regencies: (1) Kabupaten Manokwari, (2) Kabupaten Manokwari Selatan, (3) Kabupaten Pengunungan Arfak, (4) Kabupaten Fakfak, (5) Kabupaten Kaimana, (6) Kabupaten Teluk Bintuni, and (7) Kabupaten Teluk Wondama.

- Province of West, with capital city of Manokwari, consisted of 7 regencies: (1) Kabupaten Manokwari, (2) Kabupaten Manokwari Selatan, (3) Kabupaten Penguungan Arfak, (4) Kabupaten Fakfak, (5) Kabupaten Kaimana, (6) Kabupaten Teluk Bintuni, and (7) Kabupaten Teluk Wondama.

As a follow up from the establishment of the new provinces, several measures needs to be carried out by the new provinces, namely:

- Formulating Spatial Plan for the new provinces .

- Conducting elections for governor and vice governor simultaneously. Before the election, the new provinces will be led by acting governors selected from civil servants with senior manager rank and proposed by the Minister of Home Affairs.

- The acting governor is tasked with running the provincial government, the establishment of new institutions under the provincial government, facilitating the formation of the Papuan People Congress (MRP) in the new provinces, facilitating the first governor, vice governor, and local parliament elections in the new provinces, and other tasks in line with the law.

- The Minister of Home Affairs carries out capacity building, monitoring, evaluation and facilitation for the acting governor.

On the point 4 above, there are several duties needs to be done by the Ministry of Home Affairs⁴¹:

- Closely monitoring the development of infrastructure and facilities for the new government, such as construction or procurement of offices.

- Formation of local government organizations (OPD) in each of the new provinces. There are at least 22 organizations that need to be established in each province and require senior personnel to sit at the top of each office.

- The recruitment of civil servants to sit at the top of the available offices, and at the time of the study, this activity is currently ongoing.

- Technical assistance in formulating the medium term development plan (RPJMD) and development budget (APBD) in each of the new provinces.

- Preparation for the elections.

In addition, there are several regulatory changes that need to be done in accordance with the establishment of new provinces. They are as follows:

- Amendment of Law No.7/2017 on General Election, especially concerning numbers of seat in the parliament, senates, and local parliament, as well as the assignment of election zones in the election of 2024 for new provinces.

⁴¹ Interview with Kartorius Sinaga, Expert Staff of Ministry of Internal Affairs

- The formulation of Local Regulation on Spatial Plan of the new provinces and adjustments for Spatial Plan of the regencies that are included in the new provinces.

- Changes in Local Regulations on the Local Offices.

- Changes in Gubernatorial Regulation on the Local Budget.

- Changes in Gubernatorial Regulation concerning the arrangement and number of the Papuan People Congress (MRP) members.

- Changes in the Ministry of Home Affairs Regulation on the province and sub-province boundaries in the new provinces.

- Changes in the Regulation of the Ministry of State Apparatus Utilization and Bureaucratic Reformation on the management of civil servant in the new provinces.

According to the Ministry of Home Affairs⁴², there are several reasons behind the establishment of the provinces, namely:

- The special autonomy law that was implemented since 2001 has been ended, and therefore the transfer for the special autonomy fund could be delayed if a new law was not issued as soon as possible. The provincial split is also carried out to improve the distribution scheme of the special autonomy fund, to be more equal to the remote regencies.

Before the split all of the special autonomy fund was distributed to regencies head, without a sound monitoring mechanism. There are cases that certain regents receive a larger amount of funds due to close relations with the sitting governor. After the split, it is expected that the fund distribution to the regencies would be better.

- In order to improve the quality of public services in the remote areas, the additional 4 provinces would structure governmental systems that can put the government closer to the people. In the autonomy era, the public services depend on the regency/municipality governments, while the provincial government serves as facilitators.

This approach is relatively working well in Java, due to sufficient competence and capacities of the local government staff. But in Papua, the public services in the regency/municipality level is not comparable to that of Jawa. Therefore, the provincial government serves more functions in Papua. On this note, the creation of new provinces can be seen as a solution to accelerate development in Papua in order to catch up with other and more advanced provinces.⁴³

⁴² Interview with Kartorius Sinaga, Expert Staff of Ministry of Internal Affairs

⁴³ Interview with Deputy I of Coordinating Ministry of Politics, Law, and Human Rights

- Localizing violent conflicts as an impact of the demand for independence. Conflicts in Papua have been based on ethnic or clan group nationalism, especially instigated by indigenous groups from mountainous areas, not a nationalism to establish another state.

In the Island of Papua there are 7 major customary groups with their own territories, and with a risk of oversimplification there are two large sections of the people in Papua, the people that reside in the mountainous areas and those in coastal areas. The mountain peoples are the ones that fight for the separation of Papua from Indonesia. This view from the ministry is different from that of a researcher from Indonesian Institute of Science (LIPI), Cahyo Pamungkas, who posits that the Papuan nationalism remains strong in the mountain as well as coastal areas, depending on the political momentum.⁴⁴

Socially and culturally, Papua is consisted of 7 customary (adat) territories⁴⁵ with different socio-cultural characteristics. They are as follows:

- Adat Territory of Laa Pago, situated in the Province of Papua Pegunungan and Regency of Puncak Jaya in the Province of Papua Tengah.

- Adat Territory of Mee Pago, located in the Province of Papua Tengah, especially in the regency of Nabire, Dogiyai, Deiyai, Mimika, Paniai and Intan Jaya.

- Adat Territory of Saireri, located in the Province of Papua, particularly in the Regency of Supiori, Biak Numfor, Kepulauan Yapen, and Waropen.

- Adat Territory of Tabi/Mamta, located in the Provinsi Papua, especially in the Municipality and Regency Jayapura, as well as the Regency of Keerom, Sarmi, and Mamberamo Raya.

- Adat Territory of Anim Ha, situated in the Province of South Papua, in the Regency of Merauke, Boven Digoel, Mappi, and Asmat.

- Adat Territory of Domberay, located in the Province of West and Southwet Papua, in the Regency of Teluk Wondama, Teluk Bintuni, Manokwari Selatan, Pegunungan Arfak, Manokwari, Tambrauw, Maybrat, Sorong Selatan, Sorong, the City of Sorong and Raja Ampat.

- Adat Territory of Bomberay in the Regency of Fakfak and Kaimana, in the Province of West Papua.

Aside from the mentioned reasons, the split also has long been voiced by the local top officers in Papua. The reason being, to allow for more equality for the people from remote areas to sit at top public offices. They contend that the top local officers always come from the people who live in the capital cities of the original provinces or the adjacent areas. This long standing aspiration was hampered by the Law No.23/2014 on the regional government, that required the creation of a new province to secure recommendation from the original province, governor, and national parliament. These requirements impede the process due to unwillingness of the original province to support the split.

⁴⁴ Input for the report

⁴⁵ <https://tirtoid.gTcs>

With the change in the new special autonomy law, that allows the split without the agreement from the original province, and the local people's aspiration can be delegated by the central government, and the door is finally open. Hence, the split in Papua ignored the Law No. 23/2014 and instead legally referred to the Law No. 2/2021 on the second amendment of the special autonomy. This also explains why the requirement for the proposed province to have a minimum of five regencies and one municipality (written in the Law No. 23/2014) can be ignored.⁴⁶

For many civil society organizations, the provincial split with deficiency in Papuan and adat group participation raise multiple questions. Before the split, voices of resistance were heard from different regions across Papua Island, and two local citizens, Yakob Meklok and Esron Weipsa, were shot to death during a demonstration in the Regency of Yahukimo.⁴⁷

The civil society groups see the split solely as a political move on the part of the state to strengthen their grip over Papua, for the security of investment. The government seems to only care about regional borders, with little acknowledgment to the rights of the Papuans to the lands that serve as the living space of the people who live in them, and as an ecology to be protected from degradation. And it is the case since boundaries of adat territories often overlap with administrative boundaries.⁴⁸

The government also seems to be ignorant about the complexities in Papua, that comprise about 250 adat communities with different practices, languages, religions, norms, and leadership systems.

The Island of Papua also has four different ecological territories with different characteristics. They are: (1) marshland, coastal, and riverine areas; (2) low plains areas; (3) hillfoot and valley areas; (4) mountainous areas. This diversity of areas results in different social dynamics and development in various community groups.

The division into seven adat territories was seen as simplification on the complexities of Papua, and considered to fail to represent diversity of adat communities in the island. This division also potentially creates inequality due to privilege access for adat groups that are 'recorded' as part of the adat communities acknowledged by the government, while those who are not would find their interests being neglected. This can potentially create conflicts among communities, and the adat communities in Papua would be further disintegrated.⁴⁹

An article written by I Ngurah Suryawan (Universitas Warmadewa) and Natali Efdowai (Sekolah Tinggi Teologi Walter Post Jayapura),⁵⁰ consider that the split was a move by the government to create social engineering in order to tighten the state grip on the Papuans. This study confirmed James Scott theory in his book "Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed". He maintains that one of the state's efforts to control the people is through administrative 'grids', including the practice of mapping territories.

This process is often followed by the application of science and technology to strengthen the state domination, which results in the weakening of civil society groups in the face of the state schemes.

⁴⁶ Statement of Arnold Kwemotaghai, The Head of Ikatan Pemuda Auyu (Former Head of Bawastu, Mappi Regency) in the FGD

⁴⁷ <https://theconversation.com/bagaimana-pemekaran-wilayah-bisa-memecah-kaum-adat-papua-dan-memperparah-kerusakan-hutan-181960>

⁴⁸ Input for the report from Cahyo Pamungkas

⁴⁹ <https://theconversation.com/bagaimana-pemekaran-wilayah-bisa-memecah-kaum-adat-papua-dan-memperparah-kerusakan-hutan-181960>

⁵⁰ Ibid

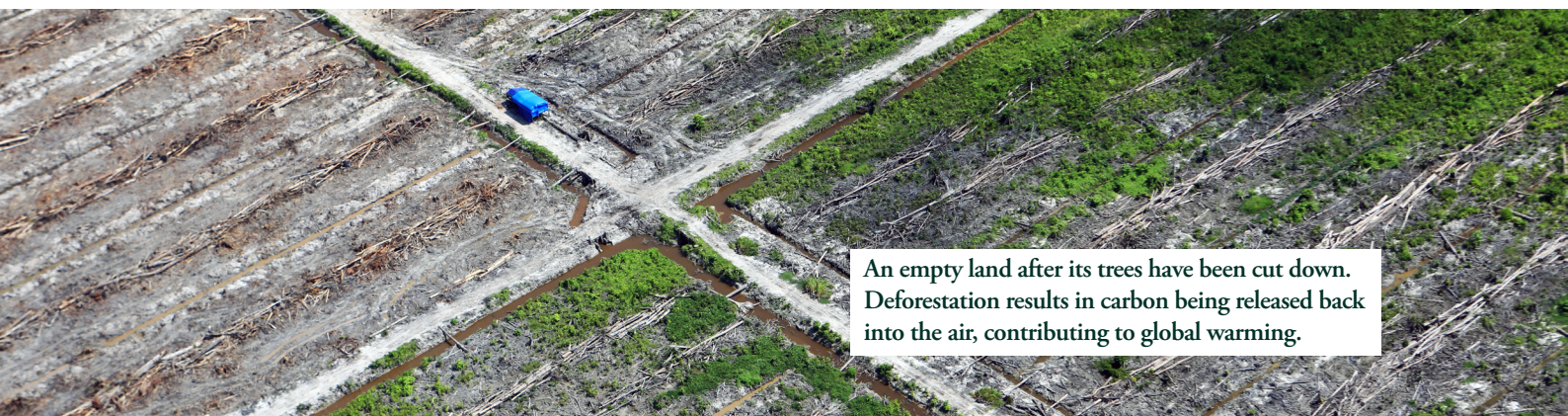
For the local government staff from the original provinces, the split process was felt to be too fast, with little preparation. The current split is seen as different from the previous establishment of the West Papua Province. At that time there were two years for the original province to prepare, and the process ran relatively smoothly. Academician confirms this view⁵¹ by questioning the establishment of four provinces simultaneously with little consideration about the preparedness of the new provinces in various aspects.

This could have been done gradually, starting from the province that is more prepared in many aspects such as competence of leadership, budget, bureaucratic staff, instead of simultaneously despite instances of armed and environmental conflicts, lack of economic power of the OAP, deficiencies in socio-cultural aspects, and other issues.

On the other hand, part of the civil society groups consider the new province can potentially bring positive effects⁵², primarily the use of scholarships to study abroad that were limited and enjoyed only by those who live around provincial cities. Furthermore, there was no opportunity for the people from South Papua to sit at the top public offices in the original provinces.

After the split, they maintain, opportunities for scholarship and top offices are open for the people from the new provinces. Nevertheless, they also worry that the new provinces establishment may stimulate changes in administrative boundaries of adat territories and the formation of new adat institutions, all of which can spark new conflict among local people.

Moreover, they are also anxious about the incoming large companies to Papua, by securing permits issued by the government without involving the local people, which once again may instigate conflicts between local communities and the companies. For example, the development of Merauke Integrated Food and Energy Estate (MIFEE) in Merauke was authorized without agreement from the Malind Anim community as the owner of the local customary lands. Another example is the development of oil palm plantation in the Regency of Sorong in the Province of West Papua, that took over the adat lands of the Moi. The local community resisted the plantation since it trampled their lands. Meanwhile, local initiatives to legalize customary lands in Papua are facing formidable obstacles. Thus far none of the many customary forests in Papua Island have been legalized by the Ministry of Environment and Forestry. The draft of regional regulation that may strengthen forest and adat territories protection is standing still in the Ministry of Home Affairs.



An empty land after its trees have been cut down. Deforestation results in carbon being released back into the air, contributing to global warming.

⁵¹ Statement of Adriana Elizabeth from UPH, in the discussion of the report.
⁵² FGD result in Merauke.

4. Emerging Major Issues in the Island of Papua

A. Preparedness of Government Staff and Budget After the New Provinces Establishment

According to Kastorius Sinaga of the Ministry of Home Affairs, each of the newly established provinces are required to recruit around 1,500 staff to fill the needs of the new government offices. The government plans to recruit staff by moving the existing civil servants with relevant competence from the original province to the new ones, and recruit new civil servants with candidates from local regencies and suitable qualification while ensuring 80% of them are OAPs. The affirmative action for the OAP is seen as a way to turn local people away from the jungles and fight for the separatist movement into becoming civil servants to develop their region.⁵³

The problem is that many of the civil servants from the original province refuse to be moved to the new provinces, as they are accustomed to the comfortable life in the City of Jayapura.

They are unwilling to move to Wamena or Intan Jaya (that are inaccessible by land transportation) due to less improved infrastructure and economy compared to Jayapura. Tapping into this issue, the national level government will conduct recruitment of local youths that have completed higher education, while encouraging these graduates to go back to their home regions. In the case where there are not enough local OAP candidates available, the government will change the maximum age requirement for civil servant recruitment, from 35 to 50 years old.⁵⁴

Aside from this, there is also a problem of competence. In Intan Jaya, 75% of top officers come from the Moni group and 25% are the Dani. They are happy about the new opportunity but at the same time anxious about their lack of inability to carry out their tasks to actually plan and implement development that is effective.

B. Proliferation of Identity Politics

In the new provinces political elites are trying to take advantage of the current situation. In the Province of South Papua, for instance, the local elite circles are organizing themselves into clusters and build a kind of patronage around certain socio-cultural divisions that further disintegrate the local people. In doing so they build discourse around identity as a political tool to get a seat in the available top public offices. The contest of identities is essentially an effort to attract acknowledgement from as many constituents that will leverage the local elites' bargaining position to political parties that may nominate them for elections.

This situation creates confusion among the local people on the leaders that can truly represent the interests of the people from all community groups and are able to protect their rights, as well as bring beneficial impacts for all, since factions are created before the elections, for legislative members as well as executive offices. These factions even started to operate since the election committees were established. During the selection of members for the Election Supervisory Body in South Papua, a candidate with a long standing and sound track record in supervising election from the village to provincial level was not selected only because he has no special connection to any of the selection team members.

⁵³ Interview with Kartorius Sinaga, Expert Staff of Ministry of Internal Affairs.

⁵⁴ Ibid

Similar situation was found in the selection for the members of Papuan People Congress (MRP) and other public offices in the same province. This situation potentially repeated during the election for legislative members in the regency/municipality level that is based on clan groupings. The recruitment for public offices that is currently dominated by the elite circle and identity politics may also affect the public services and policies in the future.

C. Fund Deficit in the Original Province of Papua

After the provincial split the distribution of the national budget is directly transferred to the new provinces, bypassing the original provinces. Thus, fund allocation for the original province is sizably decreased, while the number of staff is nearly similar to before the split (most staff unwilling to move to the provinces). In this pressing situation, the Papua Province government have to work efficiently so that the funds can be used for other purposes, not only for staff salaries.

The National Budget from the central government derived from General Allocation Fund (DAU, for salaries and general development programs), Special Allocation Fund (DAK, to fund development programs specifically proposed by the province such as for education, health and others). As the DAK is directed specifically to programs proposed by the provinces, it cannot be used for other programs and staff salaries. If a province proposes to build a marketplace, for instance, it can only be used for the construction of that particular marketplace.

For the province with the mining industry, they also receive a profit sharing fund (Dana Bagi Hasil, DBH), transferred every quarter. And the province can create its own income through self own revenue (Pendapatan Asli Daerah, PAD), acquired through taxes and retributions. The fund from PAD is generally less dependable to upset the deficit since it is often relatively small compared to the funds from central government.

D. Competence Deficiency of the OAP (Especially Women)

The Province of South Papua has abundant natural resources, but the people lack competence in managing the resources in a more sophisticated manner to face current challenges. The economic activities of the local women, particularly of the Marind, Asmat and Mappi communities, that utilize local natural resources such as river, sea and forests, are unable to fully satisfy their needs.

Therefore, intensive capacity building and assistance is needed to improve the competence of the local women in relevant skills and knowledge to improve their livelihoods. The government also needs to build a special marketplace for the local women to sell their products.

E. Increasing Urbanization

The establishment of new provinces have pushed more people to leave their villages and migrate to urban areas in hope for better life. Data from the City Registry Office (Dinas Kependudukan dan Catatan Sipil, Didukcapil) shows that the movement from villages to cities and towns is increasing following the establishment of new provinces. Some of the migrants also used the village fund (distributed from the government) to fund their migration.

As the migrants are often unskilled labor due to the general difference in economic activities between the destination town and their home village, they often fail to get a job. Thus, there is an emerging issue where the migrants use up their village allowance and become homeless and jobless in the destination towns. This situation can be found among the Asmat group who migrated in Merauke and the Kombay in Boven Digoel.⁵⁵

F. Deteriorating Security

Based on studies and observations conducted by civil society groups, it is concluded that security in Papua is deteriorating since 2018, due to increase in armed attacks carry out by either the National Military (TNI) and Police (Polri) forces or by West Papua National Liberation Army (Tentara Pembebasan Nasional Papua Barat, TPNPB) in the last five years, which doubled the number of armed clashes in the previous ten years period.⁵⁶ Moreover, the armed conflict between the two parties (TNI dan Polri vs. TPNPB) since 2018 have spread to new areas such as the Regencies of Maybrat (in the Province of Southwest Papua) and Pegunungan Bintang (Province of Papua Pegunungan). In the past, such armed conflict was centered around Mimika (Province of Central Papua) and Pegunungan Tengah (Province of Papua Pegunungan).

During these battles, both parties (TNI dan Polri vs. TPNPB) allegedly violated International Humanitarian Law (IHL), and caused internally displaced people, extrajudicial executions, and hostage situations. Although the possibility of the military emergency is minuscule, which would tarnish the Indonesian state reputation at the global scene, the actual militaristic security operations are in motion. This regressive trend may continue because the Papuan liberation army has been improving their capacities militarily, financially, personnel, and organization. Meanwhile, the deployment of the national security forces (military and police) is increasing and at times suspected to also serve to tighten control over access to Papua's natural resources and being involved in security businesses.⁵⁷ Political situations that marginalize meaningful participation of the OAP (in special autonomy extension and establishment of new provinces) also negatively contributed to the security issues.

However, a deputy of the Coordinating Ministry of Political, Legal, and Security Affairs (Kemenkopolhukam), assesses that in general the Island of Papua is secure, similar to other areas in Indonesia.⁵⁸ This view is confirmed by regulations that state that Papua is in the 'civil order' status, which is similar to other provinces. Only when conflict escalates the status will turn to 'civil emergency', and to 'military emergency' if the conflict escalates further. Moreover, he maintains that the issue of violence and terrors conducted by the separatist groups (often branded as 'armed criminal groups' or kelompok kriminal bersenjata, KKB) is disseminated to create an impression that Papua is not safe. Whereas such situations only take place in a handful of locations, not all of Papua. He also mentioned the network of Papua separatist movement, and within this organizations there are armed groups and political movement group called the Unity Labour Movement for West Papua (ULMWP), clandestine groups, media hub known as Free West Papua, as well as initiatives to internationalise the issue of Papua by international media that publish human rights violations. In addition, support from neighboring countries toward the movement also serves to keep the issue alive

⁵⁵ Statement of Eduardus Mote (Director of Yayasan Papua Mandiri Santosa), in the FGD

⁵⁶ IPAC, Simon Skodjt Report, etc.

⁵⁷ BP-TIAP Report

⁵⁸ Interview with Deputy 1 of Coordinating Ministry of Politics, Law, and Human Rights

G. Pressure on Natural Resources

In the Province of South Papua, the authorization of permits to use the forest areas for the investment interests often ignore the rights of the local adat groups.⁵⁹ Examples include the grant of concession for PT Medco to build Industrial plantation forest (Hutan Tanaman Industri, HTI) in order to satisfy their need of raw material for pulp and paper industries that are located outside of Papua. In addition, there are as many as 48 companies who are granted permits to convert the forest to become monocrop oil palm plantations.

Moreover, development programs from the national government also put pressure on Papuan environment while in return providing a minimum contribution for the local OAPs. Projects such as Merauke Integrated Rice Estate (MIRE) to produce rice and subsequently turned to Merauke Integrated Food Estate (MIFE) to produce rice and other local food stuff, have cleared a large extent of land and damaged the local ecosystems that serve as livelihood sources for the surrounding communities.

Dewanto Talubun, the director of Perkumpulan Harmoni Alam Papuana (PHAP), an environmental NGO, said that the establishment of new provinces in Papua would likely increase land clearing and the release of forest areas primarily for infrastructure construction required by the new government such as office buildings. New investments through permits issued by the central and local government may also bring similar effects.

As a new province, South Papua is in dire need of economic sources to undertake massive development. The self source revenues (PAD) is one of the sources. However, according to Herman Suparman, the executive director of Komite Pemantauan Pelaksanaan Otonomi Daerah (KPPOD), an NGO working on implementation of special autonomy, income from taxes and duties only effective in urban areas, while most of Papua is lacking in service industries and commerce.⁶⁰ Facing these difficulties, the new provinces will most likely depend on the exploitation of natural resources.

A study conducted by Auriga, an environmental NGO, predicted that the loss of Papua's forest would reach 4.5 million hectares in 2036, six times larger than the loss of Papua's forest between 2001 and 2019.⁶¹ News is also circulating among the local people about the arrival of investments from several companies in bordering areas between Merauke and Boven Digoel for mineral mining by ConocoPhillips.⁶² This mining is predicted to bring more negative impact to the local social and environmental condition.

Despite CSR programs from companies as compensation for the impacts, the locals feel that the benefit is insignificant, and substantial issues related to customary communities have yet to be resolved. For instance, there has never been a discussion on the improvement of competence and skill for the local people so that they can also work in the company, which is dominated by non-OAP immigrants.⁶³

⁵⁹ Interview with Dewanto Talubun (Director of Perkumpulan Harmoni Alam Papuana (PHA))

⁶⁰ <https://www.bbc.com/indonesia/indonesia-61955604>

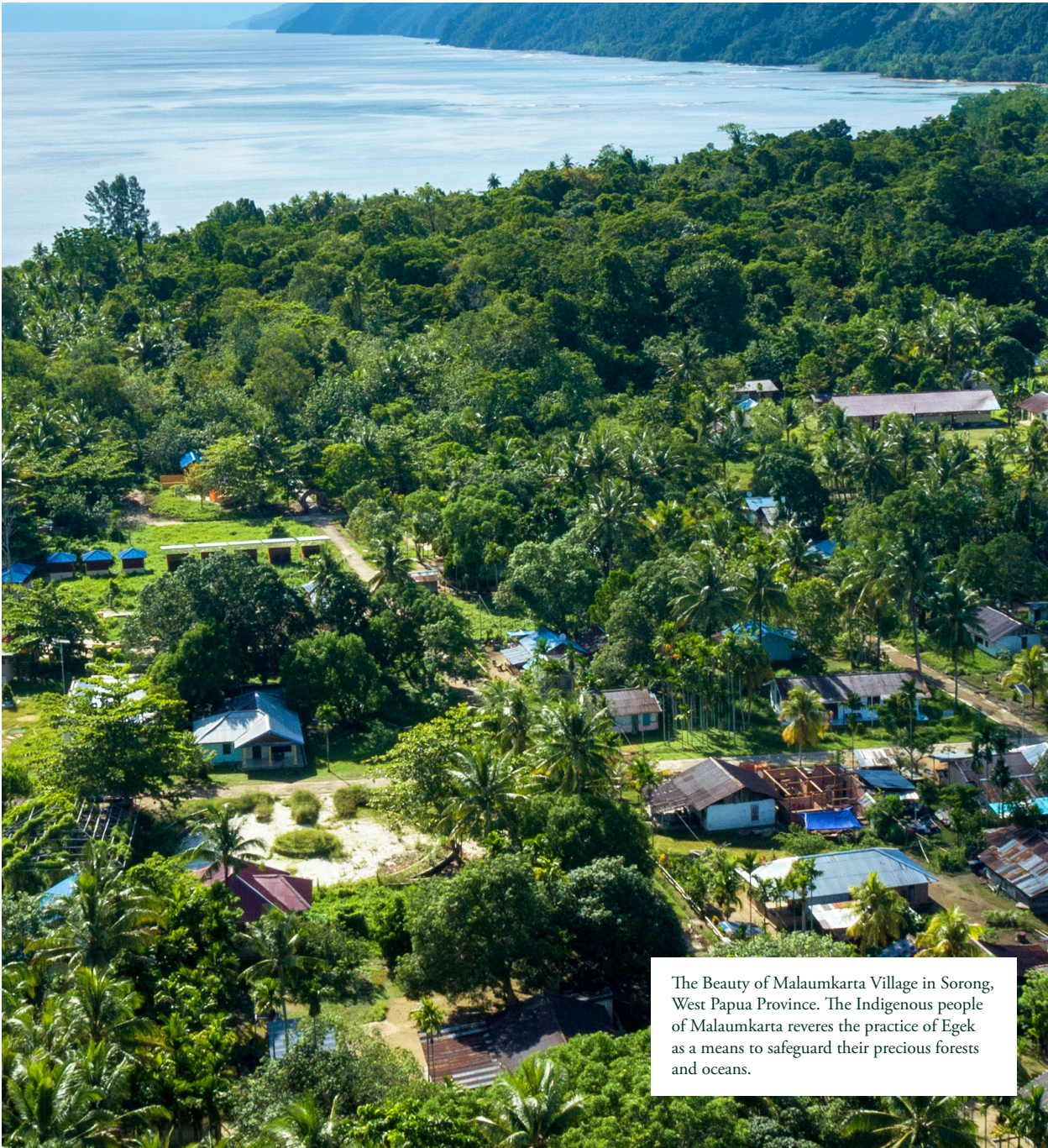
⁶¹ <https://theconversation.com/bagaimana-pemekaran-wilayah-bisa-memecah-kaum-adat-papua-dan-memperparah-kerusakan-hutan-181960>

⁶² FGD result in Merauke

⁶³ Interview with Susana Kandaimu (Head of PMKRI-Merauke)

F. Social Polarization and Fragmentation

Social fragmentation occurs among the OAP. The divisions of territories into new provinces open opportunities for public top offices in government agencies and organizations, from executive, legislative, to Papun People Congress (MRP), is now becoming more dominated by the local clan groups acknowledged as part of the OAPs and marginalizing OAP clan groups from other regions. In the Province of Central Papua, for example, the Catholic Diocese of Timika retreated from the selection process for MRP membership due to reduction of quota for the catholic groups. This reduction was authorized out of the notion that the Catholic church is not part of the local church of the OAP in the Province of Central Papua. The province is home to several christian churches based on clans or groups of clans that dominate different parts of the province.



The Beauty of Malaumkarta Village in Sorong, West Papua Province. The Indigenous people of Malaumkarta reveres the practice of Egek as a means to safeguard their precious forests and oceans.



Banda Neira Island in Maluku is not only beautiful but also rich in natural resources.



Chapter IV.

DEVELOPMENT DYNAMICS IN MALUKU

Development dynamics in the Maluku Islands are currently represented by the natural resource management and investment in extractive industries and nickel processing. Besides, various dynamics can be seen in central government policies such as sea boundaries determination, the budget linkage between central and regional governments, as well as fishing activities.

1. Natural Resource Management in the Province of Maluku

The Province of Maluku has areas of 581.376,00 Km² and is divided into 11 regencies/cities. In 2022, the total population was 1.881.727 people (952.406 of men and 929.321 of women). The realization of foreign direct investment (PMA) was USD 7.7 billion and domestic investment was Rp 5.4 trillion (BPS Provinsi Maluku, 2022). In this province, there are 15 airports and 20 seaports located in several cities/regencies and islands.

Generally, natural resource potential comprises five primary sectors in fishery, plantation, tourism, mining, and energy. Among them, the leading sector is fishery, either freshwater and marine fishery or aquaculture. Maluku has fish potential amounts to 37% of the total fish potential in Indonesia. In Maluku, there are three Fishery Management Areas (*Wilayah Pengelolaan Perikanan - WPP*): WPP 714 (Banda Sea), WPP 715 (Seram Sea and Tomini Bay), and WPP 718 (Arafura Sea and Timor Sea) (see Figure 2). Those three WPPs contribute 4.3 million tons/year (see Table 8), which equal to 30% of national fishery resource potential.⁶⁴ From the total allowed fish capture of 3.73 million tons/year, the actual catches were merely 14.45%. In 2021, freshwater and marine fishery production was about 542.400 tons which equals to Rp. 12.73 trillion.⁶⁵

Furthermore, for the aquaculture sector, based on data from Fishery Services of Maluku (2021)⁶⁶ marine fishery land covers 495.300 ha with only 5% being actively managed, cultivable land for brackish aquaculture was 195.450 ha and only 3.5% of actual use, and freshwater cultivation land covers 11.700 ha and under 2% of actual use.⁶⁷ In 2021, the freshwater and marine fishery sector produced seaweed of 245.750 tons and shrimp of 9.290 tons.⁶⁸

⁶⁴ Minister of Fishery Decree No. 19/2022

⁶⁵ BPS Provinsi Maluku (2022). Provinsi Maluku Dalam Angka 2022. BPS

⁶⁶ <https://malukuprov.go.id/storage/2022/06/lkip2021/28.%20LKIP%20Dinas%20Kelautan%20dan%20Perikanan%20Tahun%202021.pdf>

⁶⁷ <https://malukuprov.go.id/storage/2022/06/lkip2021/28.%20LKIP%20Dinas%20Kelautan%20dan%20Perikanan%20Tahun%202021.pdf>

⁶⁸ BPS Provinsi Maluku (2021)

Besides, in 2021, the contribution of the fishery sector to Maluku PDRB was Rp. 6.21 trillion or 12.76% of the total Maluku PDRB of Rp. 48.56 trillion.⁶⁹ In order to support the freshwater and marine fishery sector, the government of Maluku Province opened an investment opportunity through issuing a Regional Regulation No. 11/2019 concerning The Change of Regional Regulation No. 11/2013 concerning The Business Management of Freshwater and Marine Fishery.

Figure 2. Map of Fishery Management Area of Republic Indonesia

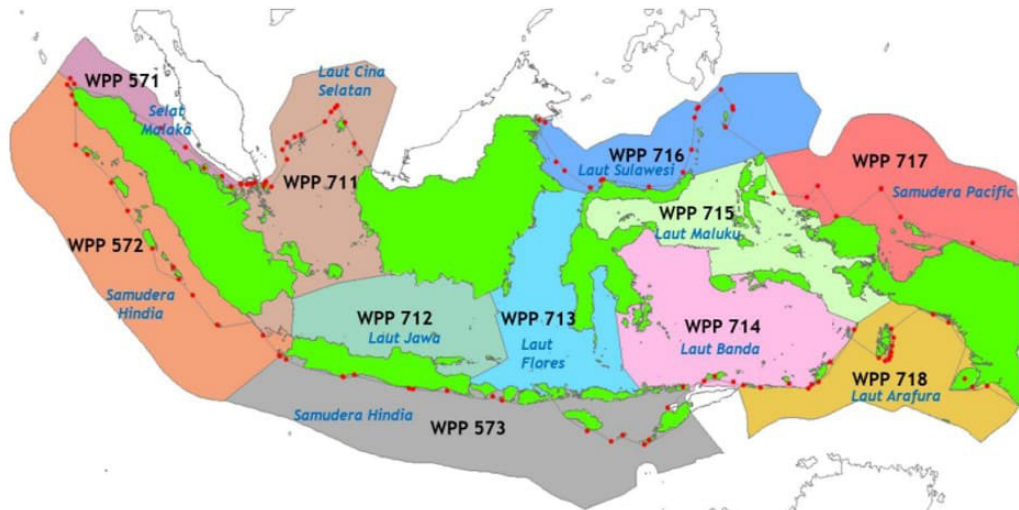


Table 8. Fishery Management Area (WPP) Potency

No.	Commodity	714 Banda Sea		715 Seram Sea & Tomini Bay		716 Sulawesi Sea & Northern Halmahera Island	
		Potency	JTB	Potency	JTB	Potency	JTB
1	Small Pelagic Fish	222,881	156,019	443,944	310,761	197.012	137.908
2	Big Pelagic Fish	370,653	259,457	74,908	52,436	176.382	123.468
3	Demersal Fish	292,000	204,400	80,226	56,158	215.900	194.310
4	Coral Fish	121,326	60,663	105,336	52,668	24.909	12.455
5	Panied Fish	6,472	3,236	5,295	3,707	6.705	4.694
6	Lobster	724	362	1,217	609	1.494	1.046
7	Crab	1,758	879	336	235	1.470	1.029
8	Portunidae	4,705	3,294	157	110	265	186
9	Squid	13,460	9,422	2,871	2,912	1.908	1.336
Total		1,033,979	697,732	714,290	479,596	626.045	471.738

⁶⁹ BPS Provinsi Maluku (2022). Provinsi Maluku Dalam Angka 2022. BPS

No.	Commodity	717 Cenderawasih Bay and Pacific Ocean		718 Arafura Sea	
		Potency	JTB	Potency	JTB
1	Small Pelagic Fish	135.140	121.626	836,973	669,579
2	Big Pelagic Fish	189.718	132.803	818,870	655,096
3	Demersal Fish	69.210	48.447	876,722	701,378
4	Coral Fish	19.814	9.907	29,485	23,588
5	Panied Fish	7.423	6.681	62,842	50,274
6	Lobster	736	515	1,187	950
7	Crab	545	491	1,498	1,198
8	Portunidae	291	146	775	620
9	Squid	1.826	1.278	9,212	7,370
Total		424.703	321.894	2,637,564	2,110,053

Source: Minister of Fishery Decree No. 19/2022

On top of the abundant sea resources, Maluku and North Maluku are also known for having plentiful spices. Historically, the Maluku Islands were included in the Nusantara trading network. Maluku people built relationships with international traders who came to sell and buy commodities, especially cloves and nutmeg. At that time, people planted cloves and nutmeg because the commodities guaranteed a huge profit. The Maluku people used the income from spice trading to acquire clothes, silk, and porcelain.⁷⁰

Cloves and nutmeg have higher value than other exotic commodities in Nusantara that were traded in the global market during the 16th to 18th century. Cloves are endemic plants that grow in small islands in the northern Maluku Archipelago. Cloves are mainly grown in Ternate, Tidore, and their surrounding islands.

Furthermore, nutmeg is an endemic plant of Banda Islands. Because of those two commodities, Maluku Islands had become a destination of the global spice trading network since the arrival of Europeans.⁷¹

So valuable was the nutmeg that the Netherlands was willing to “swap” Nieuw Amsterdam in the American continent that was one of Dutch colonies with Rhun Island which was under the United Kingdom colony. Nieuw Amsterdam as currently known as Manhattan has the size 18 times of Ruhn Island. Both countries had agreed to the swap, and it was benefiting the Netherlands because Dutch had controlled Banda Islands which at that time was the only island that produced nutmeg.⁷² During that period, Maluku Archipelago was one of the essential ‘Spice Route’ in the world.

⁷⁰ Septiawan (2022). Jejak Perdagangan Jalur Rempah di Kepulauan Maluku dan Awal Kedatangan Bangsa Barat.

⁷¹ Loc.cit

⁷² Rachmawati (2022). Demi Pala, Pulau Run di Tengah Laut Banda Ditukar dengan Manhattan di Amerika. <https://regional.kompas.com/read/2021/07/24/131300978/demi-pala-pulau-run-di-tengah-laut-banda-ditukar-dengan-manhattan-di?page=all>.

Interview with The Head of Agriculture Service of Maluku Province (2023), reveals that currently Maluku Province is the top 5 producer of both nutmeg and cloves nationally. In 2022, Maluku produced 5.900 tons of nutmeg and 2000 tons of them were sold nearby the islands, while the rest of 3.900 tons were not recorded. It assumed that they probably become seeds, or being traded through undetected routes or unreported trades because buyers may also come from outside the Maluku Islands.⁷³ Information obtained from the members of PT KOBUMI, a company operated in North Maluku, indicated that Chinese traders are having direct contact with farmers in North Maluku.⁷⁴ North Maluku was the 1st rank of nutmeg producer based on BPS (2020), while Maluku was in the 3rd. Maluku's nutmeg has a round shape and contains high myristicin, while Papua's nutmeg contains a high safrole. Myristicin is commonly used for consumption while safrole is for medicine.

The government of Maluku Province encouraged nutmeg export directly from the province. To date, nutmeg export has generally departed from Surabaya so it was recorded as an export from East Java. It is reasonable because the European Union required free aflatoxin of imported nutmeg, while there are only three laboratories in Indonesia accredited by the European Union to operate such a test. They are located in Surabaya, Bali, and Bogor. As such, nutmeg producers tended to ship their products to Surabaya for the laboratory tests such as free aflatoxin and anti-fungal, and then export them from there.

For this reason, Maluku's government is currently attempting to encourage the Plantation Testing Agency in Ambon to procure the needed testing facilities or instruments, and get an international or European Union license on nutmeg testing.

Furthermore, the United States market is only willing to import nutmeg from the Netherlands. Thus, the Netherlands import nutmeg from Maluku and ship the raw nutmeg to the factory and storage in Vietnam because the shipping cost is cheap. When a demand came from the United States, the Dutch company would ship the nutmeg from Vietnam to the Netherlands and then ship them to the US. As such, the commodity is recorded as Dutch nutmeg and the Netherlands is known as a nutmeg exporter even though in fact they are an importer.⁷⁵

The European standard on nutmeg is certainly high and strict. Approximately only 10% of cultivated nutmeg fulfilled the minimum requirement. Besides, it takes around one year to fill a single container of high quality nutmeg that is acceptable to European standards. Meanwhile, for the low quality nutmeg, they are exported to China or sold in the domestic market.

Based on BPS Provinsi Maluku (2022), , the production of nutmeg in 2021 reached 576,000 tons, most of them coming from Central Maluku and East Seram. Besides nutmeg, Maluku Province has other plantation commodities such as cloves, cocoa, and coconut with the production of each is respectively 212,400 tons, 82,400 tons, and 106,630 tons. Plantation products contributed Rp 1.78 trillion or 3.5% of Maluku PDRB in 2021.

As archipelagic areas that were generated by volcanic processes, Maluku has a potential sector in mineral mining. There are several high value mining materials in the islands of Maluku Province such as metal, copper, gold, mica, quartz sand, nickel, coal, limestone, and others.

⁷³ Interview with the head of Agriculture Service, its secretary, and related sub-division heads.

⁷⁴ Based on FGD with cooperative organizations in Maluku which are the partners and shareholders of PT KOBUMI. FGD was also conducted in Sorong.

⁷⁵ Interviews with Samson. R. Atapary, member of DPRD Maluku, Nutmeg businessman, head of Kamboti cooperative, and commissioner of PT KOBUMI, in August 2023

In some areas companies are already in the stage of exploring and producing (such as PT. Maluku Energi Abadi, Perseroda).⁷⁶ In 2021, the Mining sector contributed Rp. 1,17 trillion or 2.41% of Maluku PDRB that came from oil, gas, and metal ore.⁷⁷

Maluku Province also has potential in the tourism sector because the coastal area of Maluku has peculiar ecosystems, containing mangrove, seagrass, and coral reefs.

The total size of mangrove, seagrass, and coral reef ecosystems are respectively 1,322.90 km², 393.97 km², and 1,323.44 km².

In addition, Maluku has coastlines amounting to 10,630.10 km, that equals 13% of the total national coastline. In 2021, the tourism sector contributed Rp. 495.38 billion to Maluku PDRB.

2. Natural Resource Management in the Province of North Maluku

The Province of North Maluku has an area of 140,366 km² and is divided into 10 regencies/cities. In 2022, the total population of North Maluku was 1,319,338 people (675,131 men and 644,207 women). This province has 10 airports and 93 seaports. Realization of foreign direct investment (PMA) in 2022 reached USD 12.4 billion where the industry of basic metal, metal goods, machinery, and electronics serve as the largest contributor (USD 3.93 billion). Meanwhile, in 2022, the total domestic investment was Rp. 12.5 trillion, where the mining industry has the highest contribution (Rp. 977 billion).⁷⁸

The leading sector in North Maluku is mining (oil and gas, coal, and mineral), fishery, and agriculture/plantation. The mining sector became the primary support for North Maluku economy because this region has gold, nickel, and copper minings as well as storing petroleum and geothermal reserves that have not been fully explored. North Maluku has the largest coal reserves nationally of 8.22 million tons, nickel of 3.5 billion tons, and metal of 38 million tons.⁷⁹

Also, North Maluku has a high potential to supply nickel for both silicate/saprolite (high grade) and limonite/oxide (low grade) types to be further processed, as well as raw nickel as materials for nickel derivative products. North Maluku also has 10 oil and gas basins, but there are only 4 basins operating in 2021.⁸¹ The mining sector development in North Maluku is supported by regional policy through Regional Government Regulation No. 12/2012 concerning The Management of Mineral and Coal Minings. In 2022, the mining sector contributed Rp. 4,61 trillion, equal to 14.13% of the total North Maluku PDRB.⁸²

In the plantation sector, North Maluku has several valuable commodities including nutmeg, cloves, cocoa, and coconut. Agriculture/plantation lands are scattered in the regency of North Halmahera, Sula Islands, South Halmahera, West Halmahera, Tidore Island, and Ternate. North Maluku is the center of nutmeg production in Indonesia. The top three nutmeg producing regencies are Central Halmahera, North Halmahera, and Ternate.

⁷⁶ <https://mea-maluku.com/bisnis-kami/pertambangan-mineral/pertambangan/>

⁷⁷ BPS Provinsi Maluku (2022). Maluku dalam Angka 2022. BPS.

⁷⁸ Ibid

⁷⁹ <https://terbate.tribunnews.com/2022/03/31/stafus-esdm-provinsi-maluku-utara-memiliki-cadangan-nikel-terbesar-822-juta-ton>

⁸⁰ Ministry of Energy and Mineral Resources (2022)

⁸¹ BPS Provinsi Maluku Utara (2021)

⁸² BPS Provinsi Maluku Utara (2022). Provinsi Maluku Utara dalam Angka 2022. BPS

Based on BPS of Maluku Utara (2022), the primary and largest size of plantation product was nutmeg, planted on 70,534 ha and produced 6.107 tons; cloves planted on 26,502 ha with a production of 4,503 tons; cocoa cover 22,321 ha with a production of 7,635 tons; and coconut grow on 204,009 ha with 209,528 tons product. Plantation products contributed Rp. 2.74 trillion, equals 8.40% of North Maluku PDRB.⁸³

North Maluku has been determined to satisfy the growing needs of agroindustry to increase the added value of plantation products and domestic downstreaming (hilirisasi) program. For instance, the need for coconut products for the VCO industry and export are increasing. As coconut producer, the government of North Maluku through the Agriculture Service has continuously innovated to increase the quality and competitiveness of agricultural products through the GOSORA (Gerakan Orientasi Ekspor untuk Rakyat Sejahtera) Program. Additionally, North Maluku intensively developed the agriculture sector through the acceleration of agricultural land based on advanced, independent, and modern companies.⁸⁴

Furthermore, in the fishery sector, North Maluku has a high potential for both freshwater and marine fishery and aquaculture. The potential of freshwater and marine fishery covers WPP 715, 716, 717 (see Table 8). North Maluku also has abundant products of freshwater and marine fishery with tuna as the leading commodity. In 2021, the total production of freshwater and marine fishery was 361,500 tons, equals Rp. 8.15 trillion, that includes 56.64 tons of tuna, mostly from Morotai, Tidore, and Ternate.⁸⁵

In the aquaculture, the potential reaches 3,000 trillion/year but the utilization level remains low. In 2019, the production of aquaculture was Rp 474.77 billion. The government has continuously attempted to optimize aquaculture production including pearl oyster and whiteleg shrimp (*Penaeus vannamei*). In 2021, the total production of shrimp was 166.94 tons that came from shrimp production centers in Taliabu Islands, East Halmahera, South Halmahera, and Central Halmahera. In the same year, the fishery sector contributed Rp 1.78 trillion equals 5.45% to North Maluku PDRB.⁸⁶ The provincial government supported the fishery sector through the Regional Regulation No. 2/2014 concerning Zone Plan of Coastal Area and Small Islands in North Maluku Province Year 2014-2034.



Skipjack tuna, which is one of the export commodities from Maluku.

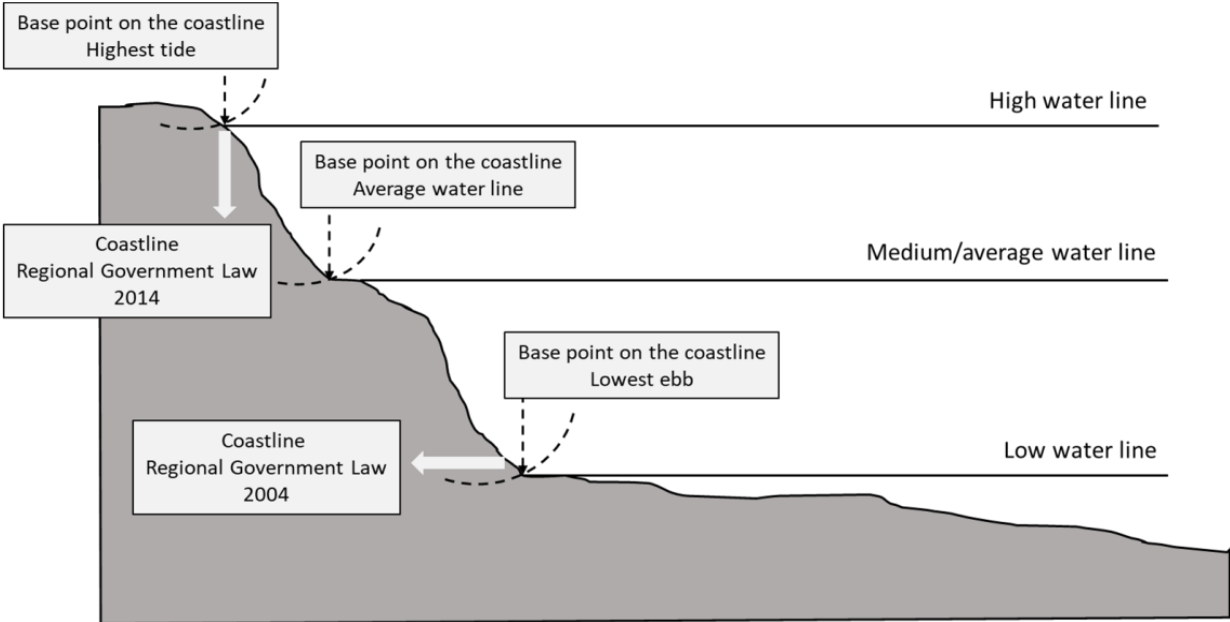
⁸⁴ Ministry of Agriculture (2022).
⁸⁵ BPS Provinsi Maluku Utara (2021).
⁸⁶ BPS Provinsi Maluku Utara (2022).

3. National Policies Affecting the Development Dynamics in the Island of Maluku

A. Law No. 23/2014 concerning Regional Government

This law stated that the size of sea area managed by the regional government is up to 12 sea miles from the coastline, measured during the highest tide. This is different from the former law regulating the same matter (Law No. 32/2004) that stated the same 12 sea miles from coastline, but measured during the lowest ebb. The differences between the two laws in measuring coastline can be seen in the illustration below.⁸⁷

Illustration 1. Coastline Determination



The change in coastline definition has squeezed coastal areas under regional government authority and expanded sea areas under central government, as well as influenced the borderline among regions. The regulation change also impacted the allocation budget received by the regional government and the effectiveness of marine resource management.

The Law No. 23/2014 also removed the authority of the regency/city in managing the sea inside its area. In Law No. 32/2004, the regency/city government has the authority to manage sea areas of 0-4 miles but Law No. 23/2014 expelled such an authority. Sea management of 0-12 miles became under provincial government authority and the regency/city authority is limited to areas as described below:

A. Sub administration of freshwater and marine fishery:

- The small fishermen empowerment in regency/city area
- The management and implementation of fish auction (Tempat Pelelangan Ikan - TPI)

⁸⁷ Merdekawati, et. al. (2021). Perubahan Ketentuan Garis Pantai Dalam Undang-Undang Pemerintah Daerah serta Dampaknya Terhadap Pelaksanaan Desentralisasi Pengelolaan Laut.

B. Sub administration of aquaculture

- The issuance of business permit in aquaculture whose business is inside in one regency/city area.
- The small aquaculture business empowerment.
- The management of aquaculture.

The government is attentively implementing Law No. 23/2014 regarding coastline determination and integrating it with several regulations:

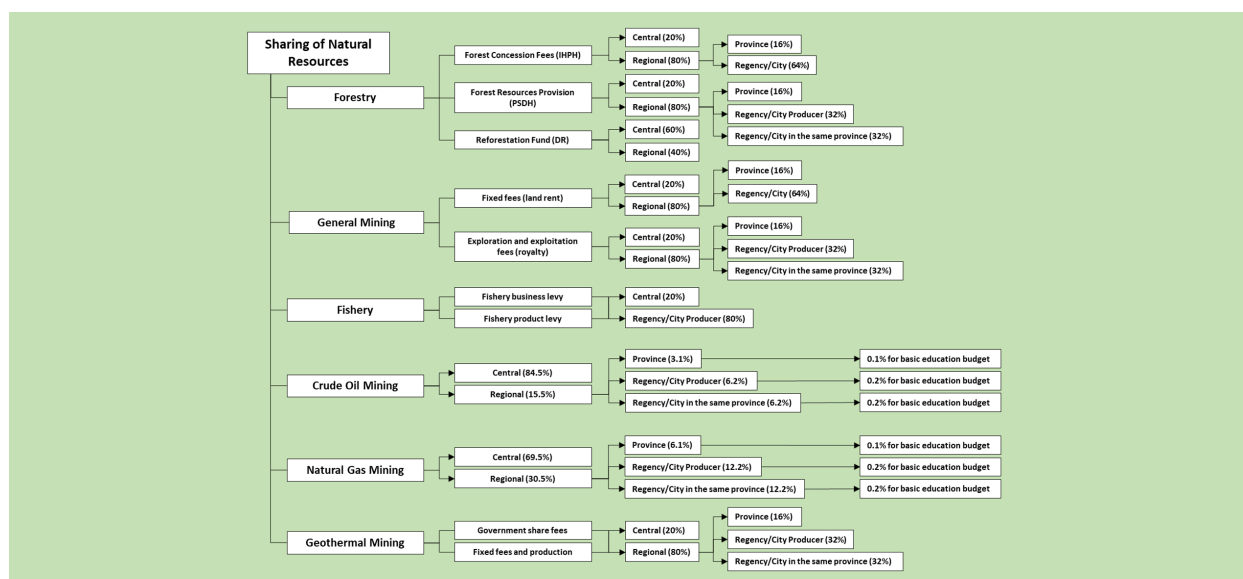
- Minister of Internal Affairs Decree No. 141/2017 concerning the Affirmation of Regional Border.
- Minister of Fishery Decree No. 23/2016 concerning The Plan of Coastal and Small Islands Areas.
- Regional Regulation of Maluku No. 1/2018 concerning RZWP3K of Maluku Province Year 2018-2038.

B. Law No. 1/2022 Concerning Financial Relations of Central and Regional Government

According to Article 119, the Profit Sharing Fund (Dana Bagi Hasil - DBH) of the fishery sector is shared with the central government who receive 20%, and the remaining 80% is shared equally by all regencies/cities in Indonesia. This allocation is based on a consideration that given the mobile nature of fish (continuously moving), defining the producing region is impossible. The DBH of the fishery sector, that is not following the principle of producing region, differs from DBH allocation mechanism in the other sectors such as forestry and mining. Forestry DBH, for example, is only distributed to a certain regency in a province with a larger percentage of the found transferred for the producing regency (see Illustration 2).⁸⁸

The equal distribution of the fishery DBH is perceived as a disadvantage by the regional government in Maluku since they receive a small portion of the fund. While in fact, the income of the regional government in Maluku Islands greatly depends on fish, considering most of the region is sea areas.

Illustration 2. Sharing Fund Scheme of Natural Resources



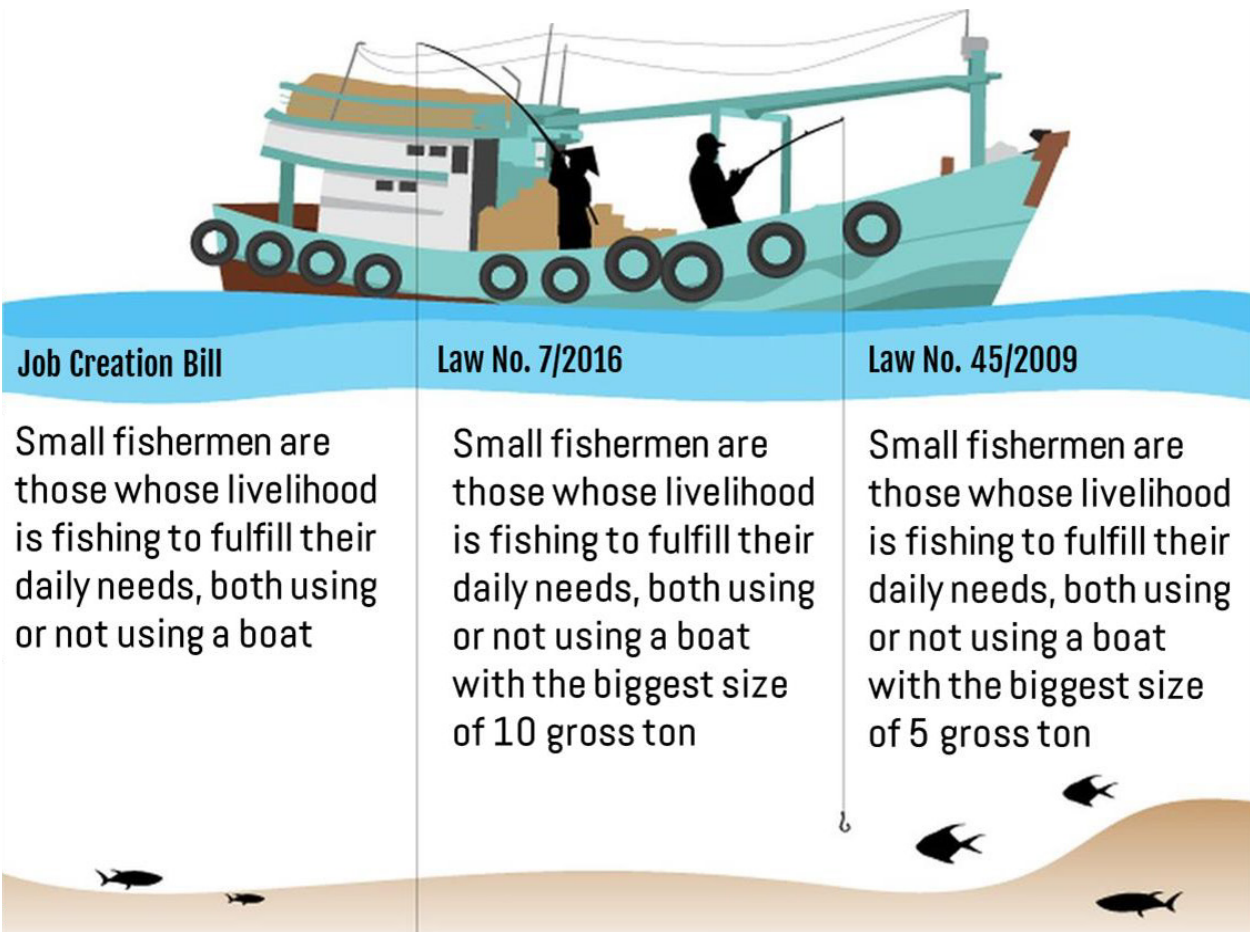
⁸⁸ Directorate General of Financial Balance (2017). Buku Pegangan Pengalokasian Dana Bagi Hasil Sumber Daya Alam. Ministry of Finance.

C. Policy on Measured Fishing

In March 2023, the central government issued Government Regulation (Peraturan Pemerintah - PP) No. 11/2023 concerning Measured Fishing (Penangkapan Ikan Terukur - PIT). This regulation states that the measured fishing activities conducted in fishing zones (WPP and open sea) should be controlled and proportional to the fishing quota in order to maintain the sustainability of fish and the overall environment.

Based on a collaborative research entitled “Riset Kolaboratif Persepsi Masyarakat Mengenai Penangkapan Ikan Terukur (Wilayah Pengelolaan Perikanan 714, 715, dan 718) dan Perikanan Skala Kecil pada Perairan Pulau Ternate” conducted by EcoNusa on the Global Sea Day, June 8, 2023, most of the fishermen who were respondents in South Seram (located in WPP 714) did not know the PIT policy. The research also reported that when this policy was disseminated, 93 of the fishermen challenged the PIT policy. Likewise, the fishermen in Kawa Village, western Seram, located in WPP 715, expressed a similar response. They had not known the measured fishing policy and even after being informed about the policy, they disagreed. Also, the fishermen in Samang and Benjina Villages in Aru Island located in WPP 718 did not receive any information about the policy and 70% percent of them still opposed the policy even after knowing it.

Illustration 3. Various definitions of small fishermen



Source Infographic: Kompas

According to the Fishery and Marine Office of Maluku Province, it was reasonable if not all fishermen understood the PIT regulation, considering this policy was relatively new. Conceptually, the PIT policy is good because the fish caught in the Maluku Islands must be landed in Maluku. It would create job opportunities for local people and protect small fishermen as long as they follow the existing regulations and procedures. Through this regulation, the small fishermen would be listed by registering in the regency office to get a Regent Decree. The registered fishermen would not need to get a fishing permit to head seaward.

However, this PIT regulation did not have yet following detailed regulations and there were no technical implementing guidelines. For example, the definitions of 'small fishermen' are different between Job Creation Bill, Law No.7/2016, and Law 45/2009 (see Illustration 3).⁸⁹

Moreover, regarding the obligation to land the caught fish, it would be effective if Maluku Province has better fishery ports in some strategic points. While in fact, currently, from the total of 13 Nusantara Fishery Ports (Pelabuhan Perikanan Nusantara - PPN), only 6 of them can be considered decent. It is expected that PPN must exist in every fishing zone:

- East Seram
- South Buru
- Southern Maluku (border area with Timor Leste).
- Southwest Maluku (Maluku Barat Daya - MBD). There is only 1 PPN that is still under construction and the location is not appropriate. Ideally, MBD should have 3 PPNs.
- Tanimbar Islands (1 PPN under construction, need more 1 PPN).
- Southeast Maluku (there is only 1 big PPN, need more 1 PPN).

The PPN development needs funds from central government and private investments. Currently, the investors are reluctant to invest due to deficient infrastructure and electricity supply. The limited electricity supply had also triggered conflict among fishery actors (pelaku perikanan) regarding cold storage that forced them to use alternately. As a consequence, some of the caught fishes regularly spoiled and had to be thrown.

While trying to develop decent PPNs, the Ministry of Fishery and Marine issued a letter that stated the government allowed the transfer of caught fish in the middle of the sea to the ships from the same company. This would further hinder the attempt to "forced" land of caught fish in PPNs located in the Maluku Islands.

Eventually, the government delayed the PIT policy implementation following a formal letter No. B. 1954/MEN-KP/XI/2023 concerning The Relaxation of Policy in Transition Period of PIT Implementation on November 29, 2023. The relaxation of PIT implementation also delayed the quotation of caught fish and certification, from the fishing season in 2024 to 2025.⁹⁰

In the meantime, the fishermen were also impacted by Law No 23/2014 that transferred the regency/city authority regarding permission to the provincial government. It was really harmful to fishermen who live on islands that are far away from the capital of the province.

For example, Tanimbar fishermen currently have to deal with permission administration in Ambon. Regarding permits, the fishermen also have to possess a business permit number (Nomor Izin Berusaha - NIB) that requires online application.

⁸⁹ <https://www.kompas.id/baca/telaah/2022/04/04/hari-nelayan-nasional-masihkah-nelayan-dalam-belunggu-kemiskinan>

⁹⁰ <https://www.kompas.id/baca/ekonomi/2023/12/05/penangkapan-ikan-terukur-berbasis-kuota-ditunda>

Meanwhile, the majority of fishermen have limited understanding of the online system and process so they needed much more time to get the NIB even though the Fishery and Marine Service had provided service to facilitate the registration process.

In addition, some fishermen have an ID card that does not match with their personal information archived in the Citizenship and Civil Registration Agency. For example, their occupation on ID cards are farmer instead of fishermen because in the past fishery was included in agriculture. Besides, fishing is not the only work some of them do. In the windy season, the waves are higher so they refrain from heading seaward. During that time, they worked on land. As such, aside from being fishermen, they are also farmers. These complicated situations hindered them from accessing fishery assistance programs. As fishermen, they are expected to register themselves so they can obtain a KUSUKA card, the fishermen ID card. By having this card, they would have an opportunity to access all fishery programs.

D. The Revocation of National Strategic Projects in Maluku (M-LIN and ANP)

The discourse of making Maluku as National Fish Pool (M-LIN) and the development of Ambon New Port (ANP) had provided a big hope for the people of Maluku. Both mega projects were expected to bring numerous job opportunities that could stimulate the economic progress in Maluku. It would be massive if added with fishery products and related business such as cold storage, expedition with reefer containers and supported by sea toll.

The establishment of M-LIN integrated with ANP would reduce shipping costs from Western to Eastern Indonesia. For instance, the container ships that are usually 'empty' when returning to the west would be filled by fishery products.

The cancellation of M-LIN and ANP disappointed the Maluku people. The cancellations were assumed to be a setback in making Indonesia a global marine axis.⁹¹ Besides, the cancellation of a policy that was ongoing for the past decade is judged as mismanagement and policy inconsistency.⁹² The government argued that the selected location is in earthquake-prone areas and littered with underwater minefields from the Second World War.

The Maluku people assume those reasons to be far-fetched or implausible. Even if the reasons are true, they can find other appropriate locations in the Maluku Islands instead of canceling the projects.

PT Pelindo 4 stated that besides those two reasons, geographically ANP has hill contours which makes development difficult. Also, the high land prices caused budget overruns.

In light of this, private investors were reluctant to invest while the government was unable to fund this project independently. PT Pelindo would optimize the Peti Kemas Terminal (Terminal Peti Kemas - TPK) in Ambon that has only been occupied 35% of its capacity. It is publicly known that the low occupancy of containers entering the Ambon TPK is due to the minimum number of industries in Maluku.

Currently, PT Pelindo is intensely communicating with shipping companies to explore the fishery potential in Maluku. Furthermore, PT Pelindo accelerates export, develops export centers, and provides 88 refrigerated containers.⁹³

⁹¹ Hengky (2022). Menyoal Pembatalan Lumbung Ikan Nasional. <https://www.kompas.id/baca/artikel-opini/2022/04/03/menyoal-pembatalan-lumbung-ikan-nasional>

⁹² Based on interview with Prof. Alex S. W. Retraubun

⁹³ <https://sulawesi.bisnis.com/read/20231029/540/1708988/pelindo-regional-4-beberkan-batalnya-pembangunan-ambon-new-port>

In the meantime, the Fishery and Marine Service stated that ANP is not only the M-LINs. Other M-LINs will continue even though ANP development stops. Though M-LINs is continued, NGO Coalition for Sustainable Fishery and Marine (Koalisi NGO untuk Perikanan dan Kelautan Berkelanjutan - KORAL)⁹⁴ still criticized the projects. KORAL reported that the level of fish resource exploitation in WPP-NRI 715 is claimed as fully exploited (2 moderate commodities, 4 fully-exploited, and 3 over-exploited). Meanwhile, WPP-NRI 714 in Banda Sea, the utilization level was dominated by the status of fully and over-exploited (2 moderates, 4 fully exploited, and 3 over-exploited). Likewise, WPP-NRI 718 in Afura Sea also has the same stats of none of moderate, 7 fully exploited, and 2 over-exploited.

Besides the potential of environmental exploitation and damage, it is worried that M-LINs will reduce the wellbeing of local people. KORAL revealed that M-LINs are only for foreign investors. According to BPKM, foreign direct investment in the fishery sector in the first semester of 2020 was dominated by Chinese investment, at 70.55%. And out of all these foreign investments, 70% of them are invested in Maluku and Papua.

The number of traditional fishermen in Maluku are 163.944 people and North Maluku has 34.944 fishermen. They wish to be able to continue catching fish safely without running into conflicts with others.

KORAL also stated that the PIT policy that is implemented in parallel with M-LIN is 'pampering' the foreign investors through zoning and quota settings. This policy is assessed as having too much risk for sea and fishery in Indonesia. Also, it potentially creates social and environmental conflicts that hinder the well-being of coastal people. For instance, this policy forced the traditional fishermen to directly compete with the 'big players' in the fishery industries which are equipped with a fleet measuring over 30 GT.

According to KORAL, the delay of M-LIN development may lead the government to reconsider this project to be a beneficial project for traditional fishermen and coastal people in general. The traditional fishermen need strengthened empowerment. They also have rights to take advantage from fishery businesses, either in aquaculture, processing, and marketing of the proper quality of fishery products.

4. Emerging Major Issues in the Island of Maluku

A. Poor Transport Infrastructures

FGD with NGOs, confirmed that Maluku Province has poor transport infrastructures. Many villages are not connected to the decent roads and to the ports, especially to the small islands. The condition influenced many aspects. For instance, many small islands do not have high and middle school buildings so the students have to go to other islands. Even the villages in the same island do not have schools up to higher level. The students who live in the upland are difficult to access education that is only located in the coastal areas.

⁹⁴ KORAL is the coalition of civil society organizations that focuses on work and campaigns for the realization of sustainable fishery and marine governance. KORAL was established in 2020 and included 9 organizations: Wahana Lingkungan Hidup Indonesia (WALHI), Koalisi Rakyat untuk Keadilan Perikanan (KIARA), Indonesia Ocean Justice Initiative (IOJI), Yayasan EcoNusa, Pandu Laut Nusantara, Greenpeace Indonesia, Destructive Fishing Watch (DFW), Yayasan Terangi, and Indonesian Centre for Environmental Law (ICEL). These organizations provoke the tagline #BersamaJagaLaut which means save sea together. <https://koral.info/id/lumbung-ikan-nasional-ditunda-apakah-pertanda-lebih-baik-dibatalkan/>

The electricity is also not evenly distributed to the small islands and especially communication facilities like internet connection service.

B. The Scarcity and High Prices of Fuel

The small-scale fishermen are basically having rights to gain subsidized fuels. However, fuels are difficult to obtain. The state is obligated to provide access guarantees for fishermen to acquire fuels by providing gas stations, easy access to fuels, and subsidized fuels. The policy of subsidized fuel for small fishermen is essential to increase the people's well-being because around 60%-70% of fishing operational costs are for buying fuels.

In one of the villages in Maluku, for example, diesel is controlled by one person who was allegedly a former regency official. As such, fishermen are forced to buy diesel with higher prices than subsidized diesel.⁹⁵ The difficulty to gain fuel is also impacted by the small number of fishing gas stations that are generally located around large islands.

C. Unlicensed Fish Aggregating Device (FAD)

In the waters of Maluku, there are a thousand of unlicensed FADs with various sizes. The large investors are able to build huge FADs that provide 'facilities' to fishermen to stay at FAD and gain fuel. Fishermen are able to catch fish around FAD but they have to share the results to the FAD owner. The FAD owners are not only being a 'corporate' with one group of fishermen but several groups. This creates competition between fishermen and sometimes triggers conflict in the sea.

This condition in turn made it difficult for students and teachers to access education resources. If it is ignored, human resources in these provinces would be even more behind.

The fishermen from small islands have difficulties accessing the gas stations. In the meantime, the gas stations are not allowed to buy fuel by jerry cans.

The scarcity and high prices of fuels force fishermen especially the small ones to take into account how far they should be fishing in the sea while the fishes are rarely found anymore. Fishermen get around by stopping at the nearest islands to rest or going to a fish aggregating device (FAD) in the middle of the sea.

It has already been two years since fishermen started to sell their fishing equipment because they are no longer able to buy fuels. In one village that has 136 fishermen, 26 of them have already sold their equipment.⁹⁶

In the waters of Maluku, FADs are built at 30-40 nautical miles, so they are out of the regency government's authority, which controlled 12 nautical miles. The fishermen who catch fish in the FAD have to sell the caught fish to the FAD owner at lower prices. Covert slavery is often taking place in the utilization of FADs. The fish will be trapped in the FAD, so the fishermen will find it more difficult to catch large-size fish in 12 nautical miles.

⁹⁵ FGD results with NGOs in Ambon

⁹⁶ loc.cit

D. Social Strata of Fishermen in the Maluku Islands

A study conducted by Attamimi, Kinseng, and Agusta in Latuhalat, Ambon in 2018 showed that fishermen are differentiated into four classes:⁹⁷

- **Fishermen Worker**

In Latuhalat, fishermen workers are divided into two groups namely masnait and tanase. Masnait is the labor while tanase is the one who leads the masnait group. They worked as crew in large boats. They are not paid daily but apply a sharing system agreed upon between the tanase and the boat owners of 60:40 sharing profits that will be distributed towards Christmas. This sharing system depends on the catch. Catch per trip could reach 20-25 buckets (loyang) that equals Rp. 750,000 per bucket. If there are no decent fish to sell, so called 'edge fish' (ikan pinggir), the fish will be shared between tanase and masnait. Often, if the edge fishes are large enough, the masnait's wife will sell them. Yet, if they are few, they will be consumed by masnait's family.

- **Small-scale Fishermen**

Small-scale fishermen have simple fishing equipment such as wooden boats, small boats (ketinting) with 5 pk engine capacity. They usually worked individually and locally varied according to their gear hand fishing fishermen, castle net fishermen, and net fishermen. Their fishing schedules mostly depend on the seasons.

- **Middle Fishermen**

Middle fishermen possess tonda (a local fishing tool) and fiber boat and 40 pk engine capacity. They usually need around Rp. 35-40 million in capitals. Middle fishermen are small-scale capitalist. They do not hire fishermen workers but usually are helped by their family members to operate the fishing activities. They do not depend on the seasons in fishing.

- **Large-scale Fishermen**

Large-scale or 'big' fishermen operate modern fishing equipment. They mostly own purse seines and a boat with 2-4 units of 24 pk engine capacity. They usually need capitals up to Rp. 400 million. This class of fishermen has access to the government so they are the majority of beneficiaries of assistance programs, such as funds for capital and fishing tools. Besides doubling their mode of production, they are also able to increase their wealth from the sharing system of 60% from the FAD catches.

The process of class making in the fishermen communities advanced through the control mode of production including equipment modernization and capital accumulation. Social class created a high disparity of fishermen communities. Workers and small fishermen gained lower than 12% income. Of 75% fishermen are only able to gain 8.27% income while the rest 25% of them who are boat owners enjoyed the 91.73% income. The research revealed that small-scale fishermen do not have enough tools for production, so that no matter how much they try, they will not acquire commensurate results.

Besides the four above-mentioned fishermen classes, there is also a 'hitchhiking/free rider fishermen' (nelayan numpang)⁹⁸ in Maluku.

⁹⁷ Attamimi et al. (2018). Kelas dan Ketimpangan Struktural Nelayan di Kota Ambon.

⁹⁸ Sekarwati (2020). Gali Lubang Tutup Lubang Nelayan Tumpang di Desa Aparu Maluku. https://bisnis.tempo.co/read/1643819/gali-lubang-tutup-lubang-nelayan-tumpang-di-des-a-paru-maluku?page_num=4

They do not possess boats and join others' boats, and share their catch 50:50 with boat owners, excluding the fuel costs. Sometimes they have to give all the catches to the boat owners because they are very few.

Such conditions are found among Buru Island fishermen who have to compete openly against large ships over 30 GT (most of which are owned by national corporations and foreign investors) in the Banda Sea which is known as a tuna fish paradise. Likewise, the fishermen in the Aru Islands, who live on small islands, have to go to sea 30 miles to get their catch with their rented boats.⁹⁹

E. Lack of Recognition of Female Fishermen

Fishing is one of the jobs that is perceived as a man's job. Even though Law No. 7/2016 concerning the Protection of Fishermen, Fish Farmers and Salt Farmers, states that a fisher is anyone whose job is to catch fish. This means that this law protects fishers regardless of their gender identity. However, in reality, the term fisher only applies to fishermen. Women are considered "fishermen's wives", even if they catch fish, it is considered part of their household duties so they are not paid. As a result men tend to be involved in higher end value chain activities such as fishing, transport, distribution and intermediary trade. Women play a role in the lower class value chain, assessing, sorting and selling fish in the market.¹⁰²

In Maluku and North Maluku, women in fact go to sea by themselves using small boats as reported by the Maluku Papua Sea Exploration team, a collaboration between Kompas Daily and the EcoNusa Foundation, June–September 2023.

Small fishermen, especially those living on small and outer islands, also have difficulty in marketing their catch. Fishermen in Lirang Island (Southwest Maluku) are determined to sell their catch to Timor Leste, which is considered illegal because there is no state-managed border post.¹⁰⁰ These small fishermen, small-scale (gurem) fishermen, hitchhiking fishermen or fishing workers are a portrait of the helplessness of Maluku fishermen both in terms of fishing facilities and marketing, in the midst of fishing grounds with the highest potential in Indonesia. Of the 125,000 recorded fishermen in Maluku, almost all of them are small-scale with below average economic conditions. They also contribute to Maluku's poverty rate.¹⁰¹

The expedition team met Mentari, a young female fisher (22 years old) from Urimesing Village, who went to fish using a 7.5 meter boat with a 1.5 PK engine. Mentari is the only daughter who was taught to fish by her father since she was 7 years old. When she was 14 years old, Mentari had the courage to go to sea alone. Currently, Mentari goes to sea to support his parents. Even though she has been fishing for years, as a woman, Mentari has not received recognition as a fisher. In fact, Mentari needs this recognition to be able to access fisher's insurance and other assistance. Moreover, the body of the Mentari ship has tilted, which endangers it every time she goes to sea.

The sea exploration team also met a husband and wife fishers from Central Halmahera, both of whom went to sea in separate boats. The wife went to sea by rowing boat about 1 hour from the coast, while the husband went further by motorized boat. Both of them had to go to the sea for the sake of their children.

⁹⁹ F. Pati Herin (2023). Nestapa Nelayan Gurem Berjibaku di Maluku. <https://www.kompas.id/baca/nusantara/2023/08/02/kisah-nelayan-gurem-berjibaku-di-maluku-hut-maluku>

^{100,101} Loc.cit

¹⁰² Lucentezza Napitupulu & Smita Tanaya (2020). 3 Alasan Kenapa Perempuan Nelayan Memainkan Peran Penting Untuk Pemulihan Ekonomi Yang Inklusif. <https://wri-indonesia.org/id/wawasan/3-alasan-kenapa-perempuan-nelayan-memainkan-peran-penting-untuk-pemulihan-ekonomi-yang>

Even though the children are now independent, they still go to sea to meet their daily needs. Likewise, an elderly female fisher (60 years old) who continues to go to sea with her small boat as far as Weda Bay, North Maluku. Even though the nickel mining that surrounded her village had a bad impact on the fish population, she still persisted in continuing to fish when other female fishers had stopped because of the negative impacts of the mining.

In the Aru Islands, female fishers also row their boats to catch fish with their fishing rods. These women have difficulty accessing the fishing program because generally the occupation recorded on their ID (KTP) is as housewife or farmer. It took months to change jobs at KTP to become a fisher. Not to mention that it costs a lot of money to take it to the regency or provincial capital, as Humanum and Baileo once did to accompany female fishers.¹⁰³

Most women work after fishing. At the Fish Landing Base in Eri Village, women gather to wait for fishing boats to land their caught fish.

F. Lack of Support to Agricultural Commodities

In Maluku, many farmers cultivate commodities such as cloves, nutmeg and coconut. However, support for these community farming businesses still receives small attention from the relevant agencies.

For example, the nutmeg farmers need to improve their post-harvest capabilities so they can control and minimize aflatoxin contamination to increase their product's prices. Nutmeg price can fluctuate depending on its quality and market mechanisms. Nutmeg trade also involves middlemen who are nutmeg collectors.

They sell their husbands' catch at the market or sell it from buckets placed on their heads. Fish vendors are called papalele. However, papalele are not only women, now men are also papalele with motorbikes, so often female papalele cannot compete, because customers have already bought from papalele who come faster by motorbike. In some areas, the term "jibu-jibu" is used specifically for women, while papalele can be either a woman or a man.¹⁰⁴

Women have an important role in fish processing such as smoking or salting and other fish products. However, currently their capacity and ability to access capital assistance is still very limited.

Fishing women are key to the economic management of fishing families. They are also the ones who are ultimately forced to go into debt to meet their family's needs. There are many stories of female fishers who are able to provide nutritious food made from fish for their families but are very poor, due to slow economic progress in their village.

Econusa, an NGO that empowers the development of people's agricultural commodity businesses, accompanies nutmeg farmers from introducing organic nutmeg cultivation to post-harvest by facilitating drying houses.

Econusa also initiated the establishment of a cooperative (koperasi) that will buy nutmeg from farmers and sell it to PT Kobumi for export. The cooperative can be an effective strategy to strengthen farmers and improve their bargaining position, as long as it is followed by applicable regulations.

¹⁰³ Based on FGD with NGOs in Ambon

¹⁰⁴ Kemitraan (2023). Jibu-jibu, Perempuan Penjemput Ikan Dari Kapal Nelayan <https://kemitraan.or.id/publication/jibu-jibu-perempuan-penjemput-ikan-dari-kapal-nelayan/>

In November 2023, PT Kobumi together with the Maluku Kamboti Rempah Cooperative recorded exports of 7 tons of nutmeg and 2 tons of mace flowers from the Yos Sudarso Port of Ambon to the Rotterdam International Port.¹⁰⁵

The initiative carried out by Econusa through PT. Kobumi, and other similar MSMEs, need to receive support from various related agencies so that people's agricultural commodities can develop properly.

G. Optimizing the Development of the Fishery Sector

Fishing production is dependent on supporting facilities and infrastructure, one of which is the availability of fishing boats. The fishing boats in Maluku can be grouped into two types, namely fishing boats with a capacity of less than 30 GT and more than 30 GT. The number of fishing boats with capacity under 30 GT are 38,377 units, and above 30 GT, 1,905 units.¹⁰⁶

The fish processing industry in Maluku Province is currently limited to freezing and filets, so advanced processing industries are still highly needed to improve the economy in Maluku Province. There are many industries to choose from, but the fishery entrepreneurs think that fish canning is the most needed, because there is no canning factory in Maluku.

Based on the current number of boats, there are still opportunities to add new boats at WPP 715 and 718. According to the Fishery and Marine Office of Maluku Province, the opportunity to add new boats could reach 1,505 units for boats with a capacity of under 30 GT and 1,415 units for above 30 GT engine capacity.

The high production of capture fisheries in Maluku accompanied by various problems, requires optimization of fishery sector development from upstream to downstream. Upstream is the procurement of fishing boats and fish transport boats which have fishing areas in WPP 714, 715, 718 and are equipped with fishing ports and shipyards.

Besides the number of boats, maintaining the quality of the catch is the most important activity in the fishery sector. Many fishers are unable to maintain the quality of their catch, due to suboptimal catch processing.

The intermediate part includes a fish auction place, provision of cold storage and an ice factory for the processing industry at the freezing level with the products being frozen fish, filets, steaks, pockets, chunks, and brown meat.

This is caused by an inadequate cold chain system. Fishing production in semester 1 of 2022 in Maluku reached 259 thousand tons, while the number of cold chain systems available is only 106 cold storage units with a capacity of 18,306 tons and 28 ice factory units with a capacity of 587 tons. Hence, it appears that the existing cold storage capacity is still far below the amount of fishing production.

Meanwhile, downstream is the procurement of a fish canning factory with raw materials from large and small pelagic fishes. The products offered will be canned fish with various types such as tuna flakes, tuna sandwiches, and other forms with various sauces, oils and marinades.

¹⁰⁵ <https://www.rri.co.id/bisnis/430659/koperasi-kamboti-siap-ekspor-pala-dari-ambon-ke-belanda>

¹⁰⁶ <https://regionalinvestment.bkpm.go.id/pir/daerah/?id=81>

H. Environmental Damage

Mining companies operating in North Maluku cause river pollution which disrupts people's lives. It took place in 2020 in Central Halmahera Regency, due to the collapse of the PT. Bakti Pertiwi Nusantara (BPN) storage tank, a company operating nickel mining business in the upper reaches of the Waleh River. The collapse caused nickel processing waste to pollute the river and had an impact on the activities of 200 households of Trans Waleh residents who used the river for drinking, washing, bathing, and irrigation. Pollution was also spread along the coast of Waleh Village, which is close to the river mouth, thus affecting fishermen's fish catches.¹⁰⁷

The construction of a nickel smelter needs to be aware of its impact in the future, because Indonesian nickel is a laterite type which is more difficult to process into battery nickel. Therefore, high pressure acid leaching (HPAL) technology is used to produce battery nickel from laterite ore. HPAL produces processed waste in the form of sludge (tailings) which will be discharged into the sea.¹⁰⁸ The situation of waste (tailings) flowing through rivers into the sea has begun to appear in East Halmahera. A research conducted by the Center for Aquaculture Studies (Pusat Kajian Akuakultur - Pusaka) of Khairun University, Ternate, found that the waters of Buli Bay, East Halmahera are in a severely damaged condition. This is marked by the migration and death of fish in these waters. The condition of Buli Bay's aquatic habitat is experiencing very high sedimentation, due to the high flow of soil particles from land demolition and land extraction carried out by 24 nickel mining business permits in East Halmahera. Findings from the latest research conducted in 2023, contaminated fish accumulate nickel, iron and other heavy metals dissolved in the water, making it very dangerous if consumed. This is quite a serious threat to the availability of protein food in East Halmahera and North Maluku.¹⁰⁹

Threats to food can also occur due to changes in the function of agricultural land into mining areas. A study conducted by Aliyusra Jolo and Rudi S. Gautama in North Halmahera found that mining industry activities caused an overlap in mining areas, especially gold mining, with agricultural areas. The area of overlapping land is 25,892.7 ha or 33% of the total area of agricultural land in North Halmahera district.

i. Poor Governance

Governance is also a problem faced in North Maluku, with the Governor of North Maluku being named a corruption suspect by the Corruption Eradication Commission (Komisi Pemberantasan Korupsi - KPK). The KPK arrested Abdul Gani Kasuba, Governor of North Maluku, along with dozens of his staff and private associates. Seven people are suspects, including nickel mining boss, Stevi Thomas, Director of PT Trimegah Bangun Persada Tbk and Kristian Wuisan, owner and director of PT Birinda Perkasa Jaya.¹¹¹ Interestingly, the Governor of North Maluku has once spoken out against the unfair distribution of mining products between the center and the regions. According to him, the natural resources of North Maluku are being exploited by the central government, leaving people in North Maluku with poverty. In fact, the acts of corruption that he carried out actually increased the suffering of poverty felt by the community.

¹⁰⁷ <https://fwi.or.id/tambang-dan-sungai-waleh-halmahera-tengah/>

¹⁰⁸ <https://www.mongabay.co.id/2020/12/17/menyoal-pengembangan-baterai-nikel-bagi-lingkungan-hidup-dan-sosial/>

¹⁰⁹ <https://www.mongabay.co.id/2024/01/02/laut-halmahera-timur-tercemar-parah-limbah-nikel/>

¹¹⁰ <https://ejournal.unkhair.ac.id/index.php/Techno/article/view/355/501#>

¹¹¹ <https://www.mongabay.co.id/2023/12/22/gubernur-malut-terjerat-kasus-korupsi-bos-tambang-nikel-pulau-obi-ikur-terseret/>



Nutmeg seeds have high economic value. Indonesia remains the largest producer and exporter of nutmeg in a world.



Waimon Village in Sorong, Southeast Papua, is rich in banana and tiger shrimp commodities.

Chapter V.

CURRENT SITUATION: SOCIAL LIFE IN PAPUA AND MALUKU

Despite development, the life for most people in Papua and Maluku have yet to significantly improve. While the poverty rates are high in both regions, new pressures are coming from the environmental degradation and deterioration of security. The space to voice concerns and opinions have been opened with the proliferation of social media, but initiative to advocate the issues further impede by lack or shrinking of civic freedom.

In the National Medium Term Development Plan of 2020-2024, the central government formulated development targets related to economic growth, poverty, and open unemployment. (tabel. 9)

Table 9. Development Target in Papua and Maluku (according to RPJMN 2020-2024)

Province	Description	Baseline (2019)	Target				
			2020	2021	2022	2023	2024
Papua	Economy growth rate (%)	2.10	4.70	5.80	6.80	7.50	7.70
	Poverty level (%)	27.53	24.59	23.55	21.88	19.95	19.25
	Open unemployment	3.65	2.90	2.90	2.90	2.50	2.30
West Papua	Economy growth rate (%)	2.00	5.70	6.50	7.10	7.60	8.20
	Poverty level (%)	22.17	20.03	19.01	17.00	16.05	14.67
	Open unemployment	6.24	6.00	5.80	5.60	5.20	4.90
Maluku	Economy growth rate (%)	5.70	6.00	7.00	7.20	7.90	8.50
	Poverty level (%)	17.69	17.02	16.24	15.85	14.95	12.90
	Open unemployment	7.08	6.90	6.70	6.50	6.10	5.80
North Maluku	Economy growth rate (%)	5.80	6.10	6.80	6.90	7.80	8.30
	Poverty level (%)	6.77	6.00	5.40	4.89	4.04	3.55
	Open unemployment	4.97	4.20	4.00	3.90	3.40	3.10

The rate of economic growth is defined as the improvement of the ability of a local economy to produce goods and services, measured by the gross domestic regional product (PDRB).¹¹² Referring to the data from BPS 2022, the rate of national economic growth in 2022 was 5.31%, while in the Province of Papua 8.97%, West Papua 2.01%, Maluku 5.11%, and North Maluku 22.94%.

The numbers show that the Provinces of Papua and North Maluku were able to reach the target, while West Papua and Maluku failed, and even fell behind the national economic growth rate. The high rate of economic growth in the Provinces of North Maluku was underpinned by the downstreaming of the mining industry and coupled by the growth in processing industries which coincide with high realization of nickel ore production.¹¹³

Meanwhile, targets around poverty and unemployment are presented in Table 10.

Table 10. Poverty Level and Open Unemployment in Papua and Maluku 2022

Province	Population (thousand)	Poverty Line (Rp)	Poverty Level (%)	Open Unemployment Rate (%)	Human Development Index
Papua	4.418,6	629.175	26,56	2,83	61,39
West Papua	1.183,3	665.604	21,33	5,78	65,89
Maluku	1.881,7	631.326	15,97	6,88	69,47
North Maluku	1.319,3	514.383	6,23	3,98	70,22
National	275.773,8	505.469	9,54	5,86	72,91

Source: BPS (2023)

Poverty line defined as minimum income required to achieve basic standard of living in a region, calculated from the aggregate of Food Poverty Line and Non-Food Poverty Line.

People with monthly average expenditure less than the poverty line categorized as poor. Meanwhile, the poverty rate according to BPS is the percentage of the population falling below the poverty line.

Open unemployment means people who currently have no income-generating activity or are unemployed, they can either never work before (like a fresh graduate) or out of employment (fired) and looking for another one.

Table 10 shows that three provinces (Papua, West Papua, and Maluku) failed to reach the target of poverty reduction in 2022. The poverty rate in these provinces is even situated above the national poverty rate.

¹¹² <https://jafung.bps.go.id/assets/js/kcfinder/upload/files/KTI%20Perdy%20Irmawan.pdf>

¹¹³ Bank Indonesia. (2023). Laporan Ekonomi Provinsi Maluku Utara November 2023. <https://www.bi.go.id/id/publikasi/laporan/lpp/Pages/Laporan-Perekonomian-Provinsi-Maluku-Utara-November-2023.aspx>.

Out of 34 provinces in Indonesia, the Province of Papua sits at the top as the province with the highest poverty rate in the country, West Papua sits at the second place and Maluku at the fourth. Meanwhile, the poverty reduction rate in North Maluku was lower than the national rate. This coincided with a high economic growth that was closely related to the development of the downstream nickel industry in the province. Interestingly, despite the incoming investment in North Maluku, open unemployment was affected marginally. In 2022, the open unemployment rate in the province was 9.98%, only slightly above the target assigned in the RPJMN 2024, namely 3.90%. This number indicates that investment does not always mean job opportunities for the local people.

Moreover, although poverty rate in the Province of North Maluku is below the national rate, more detailed examination on poverty rate at the regency level will reveal that the highest poverty rate can be found precisely in two regencies where the mining is located, namely the Central Halmahera (PT. IWIP) and East Halmahera (PT. Aneka Tambang).¹¹⁴

Poverty rates in both regencies are the highest in the province: Central Halmahera with 13.52% and East Halmahera with 15.04%.¹¹⁵ Both regencies also have much higher rates of extreme poverty than the provincial rate. Furthermore, the rate of stunting in Central and East Halmahera is high, above 32%, which is much higher than the provincial rate (26.10%) and the national rate (21.85%). The tremendous economic growth in North Maluku seems meaningless in the face of the local people's condition, since the policies in extractive industries appear to neglect the most affected people.¹¹⁶

On the other hand, Table 10 also indicates that the HDI in North Maluku was 70.22, lower than the national HDI (72.91). HDI measures achievements in human development based on a number of components that depict the quality of life. Three basic dimensions of HDI are longevity and health; knowledge, and decent life. To measure health, longevity is included, while school participation and literacy rate are calculated to measure the knowledge dimension. And to estimate the decent life dimension, purchasing power for basic needs is used, which is indicated by the average expenditure per capita.¹¹⁷ As the HDI of North Maluku is below the national HDI level (at the seventh lowest out of 34 provinces), it is safe to say that the extractive industry in North Maluku brings little to no effect for the wellbeing of the local people.

The HDI achievement in the other three provinces also fall below the national HDI: Papua 61.39, West Papua 65.89, and Maluku 69.47. Out of 34 provinces in Indonesia, Papua's HDI sits as the lowest, which corresponds to the highest poverty rate. While West Papua at the third lowest and Maluku the ninth. These HDI figures depict the reality of the people's wellbeing in Papua and Maluku. In terms of health services, multiple basic health facilities are still below minimum standard and lack guidelines for health service standards. Medication, medical tools, personnel, and quality of services are lacking. The index of average preparedness for general service in all categories of local public health clinics (Puskesmas) in Papua and Maluku sit at the lowest positions out of all Puskesmas in Eastern Indonesia. At the Puskesmas level, deficiency in the number of doctors and nurses are widespread. One of the reasons is that the personnel recruitment for rural and remote areas lacks regulations for adequate incentive systems, financial and non-financial.

¹¹⁴ <https://www.mongabay.co.id/2022/06/08/tambang-unggul-di-maluku-utara-ekonomi-tumbuh-tetapi-daerah-tak-rasakan-hasil-warga-miskin/>

¹¹⁵ <https://malut.bps.go.id/indicator/23/295/1/persentase-penduduk-miskin-menurut-kabupaten-kota-persen-.html>

¹¹⁶ Statement of Adriana Elizabeth from UPH in the report discussion meeting

¹¹⁷ <https://jambi.bps.go.id/subject/26/indeks-pembangunan-manusia.html>

Access to primary, secondary, and tertiary health services are limited, especially in the underdeveloped, border, and islands region due to geographical obstacles. The arrival of mining companies does not always mean infrastructure development even in the mining operational location, as mentioned by Vivi Marantika from Humanum, an Ambon based NGO.

In 2007, Vivi and her colleague conducted a research on the Island of Wetar and found that only three villages in the island have been connected by a road network. In 2023, the same condition can still be seen, even after two mining companies operating on the island, and another one soon to mine gold.

Concerning women and children health, the Province of Maluku and North Maluku have maternal and infant mortality rates that far surpass the national rate. Health personnel such as doctors and midwives are limited. Referring to the WHO proportion (1 doctor for every 1000 people, and 2.3 midwives for 1000 people), the availability of doctors in both provinces, but especially in Maluku, is acutely lagged behind.

The proportion of midwives in North Maluku has surpassed the WHO standard, but Maluku is still far behind in this respect. Furthermore, in the contexts of archipelagic regions, where distribution of health personnel should follow population distribution on the islands, the WHO standard is inadequate.

Therefore, it is not ideal to measure the proportion of health facilities based solely on the number of population in different administrative territories. These provinces are constituted by small islands and many of the islands are sparsely populated.

Perhaps, the number of mobile seaborne Puskesmas (public health service) or seaborne ambulances can be a better indicator to look at the feasibility of health service in archipelagic provinces such as Maluku and North Maluku.

In education, the implementation of the 12 years compulsory education policy demands intense performance to ensure that all children between 7 to 18 years old are able to attend schools and complete it after 12 years. The family economic pressures may affect the school age children (5-19 years old) to drop out of school, which may lead them to fall into negative associations and activities such as abusing alcohol or drugs.¹¹⁸

The drop out issue can still be solved by non-formal education by creating a Community Learning Center (Pusat Kegiatan Belajar Masyarakat, PKBM), a program under the authority of and supported by the National Education Office. PKBM can be developed at the village and district levels, and is expected to be a learning space for the people to improve their comprehension and skill. But in the Province of South Papua, for instance, the PKBM is acutely limited in their performance.

In the Province of Papua, many children completed primary school (SD) while being illiterate, even when the education fund for the province has reached Rp 660 trillion. It is clear that there is a need to recruit quality teachers who are supported by higher salaries in order to provide better learning for the local children.

Profesor Johannes Surya has proved that children from Papua can compete internationally when given better training. The quality of primary school needs to be improved to prepare for better intake at the next schooling stage.

¹¹⁸ Michela Kaize, Head of UMKM Rochela, stated during an FGD

1. Adat Community and Indigenous Knowledge

A. Adat Village

In the Province of Maluku there are no terra nullius or land controlled by the state. All the land has been completely divided among community groups as customary (adat) land or village. Nevertheless, most of the lands have no legal title or recognized as adat village as formulated in the Law No. 6/2014 about village affairs, although the status as 'adat village' (known as Negeri Adat in Maluku) according to the law provides more legal authority for the village government to manage their natural resources.

Legal power of the negeri adat is recently becoming more important considering that concessions for mining such as nickel and marble as well as logging operations have increasingly been claiming adat lands in Maluku.

The concession that often ignores the existence of adat lands is threatening the resilience of adat communities, especially in Maluku Islands with only four large islands surrounded by hundreds of smaller ones that are vulnerable to exploitations. Conflicts between adat communities and companies is inevitable and would be more intense in the near future.

It is not easy to be legally recognised as an adat village by the Ministry of Home Affairs. Apart from bureaucratic red tape, commitment from the local government is highly needed to produce policies that help to protect adat communities.

According to Samson Atapary, a member of provincial parliament of Maluku, the provincial parliament have completed a task of drafting 3 provincial regulations (Perda) related to adat village, namely:

- Returning the 'desa' (village) status back to original 'negeri adat' (adat village).
- Arrangement of Desa Adat (adat village) (Perda Provinsi Maluku No. 16/2019)
- Institutional arrangement of negeri adat.

These regulations however, yet to be implemented as related regulations at the regency level have not been issued. The regency governments were considered to be not persistent enough to formulate regulations under their capacity to protect their adat lands. Atapary observes, there are at least two reasons for this. First, they lack comprehension of existing laws and regulations and therefore are unable to develop innovations in drafting related regulations. Second, the high costs of formal political competition force them to make commitments with investors that more often than not help to finance their election.

Conflict of interest creates a tag of war between the legislative and executive in several regencies. Policies related to protection of adat communities becoming more dependent on the head of regencies. In several regencies, policies around adat communities (and in effect, negeri adat) forge uncertainties which weaken the position of adat communities (Jemmy J. Pietersz, 2023).¹¹⁹

Apart from issues surrounding adat community and village, another fundamental problem in legalization of adat village is related to boundaries. Boundary making often sparks conflicts among adat communities. Boundaries need to be determined for formal map making that will serve as an essential appendix document for the registration of the adat village to the Ministry of Home Affairs.

¹¹⁹ Dr. Jemmy Jefry Pietersz, S.H., M.H., expert in public administration law from Universitas Pattimura, Ambon, for a long time work as advocate for adat communities

According to Atapary, conflicts surrounding boundaries can be prevented or moderated if the regency governments formulate clear regulation on village boundaries establishment and conflict resolution related to village boundaries.

Atapary also provide an illustration of several possible steps for the establishment of village boundaries:

- Each village determine their boundaries according to their traditional knowledge.
- The boundaries discussed with other affected villages.
- Villages without overlapping boundaries with other villages can proceed to register for adat village acknowledgement.
- Villages with overlapping boundaries conduct relevant adat practices to resolve the issue within a determined period of time, with the involvement of another unaffected village as mediator.
- If the boundaries still failed to be determined through adat practices in the determined period, the state authority have to step in to take over the process by dividing the disputed areas evenly and determine a new boundary without affecting individual rights, so that “our offspring would not kill each other”.
- If agreement is yet to be reached, then the disputed land is handed over to be under state control, to become public land. In effect, there will be a new boundary, with village A for instance bordering with the state land in the east and village B at the west.
- If the disputing villages still refuse the decision, their rights on adat land can be canceled out and they will no longer have adat land.

This kind of process needs to be regulated in a regency regulation. If the adat community fail to agree on their adat boundaries, it would be impossible for them to be registered for formal acknowledgement as adat village by the Ministry of Home Affairs. Without the acknowledgement a village has no legal power to protect their adat practices, including managing their own natural resources. And this will weaken the adat community. Nevertheless, a youth from the Regency of Seram, Johand, confirms the absence of policy for the protection of adat communities, and therefore the real obstacle for strengthening the village community is residing at the regency government.

Another obstacle for the legalization of adat village stems from the concern of the investing companies who often have wield special relations with the local government. Although, according to Atapary, the companies can also be the beneficiaries of the formal acknowledgment for adat village. Provided that the companies are able to forge an equal cooperation with the adat village, they would enjoy better security as the village communities would feel the need to protect their own village. Hence, the state would have little need for more funds on conflict resolution.

On the other hand, the adat villages that have to face large companies need to be strengthened. Adat villages need to have leaders that have commitment to protect natural resources, improve wellbeing, and understand adat village management with modern administration and law. Village owned businesses (BUMDES) need to become an enterprise unit that have the ability to deal with investors, like acquiring stakes in companies that will extract the village’s natural resources. BUMDES may also build commercial connections with parties from outside of Maluku, to sell the village products.

But to be able to do so, quality staff with skills to manage the BUMDES is required. This can be developed by starting from identifying natural resource potential at least in the next 5 to 10 years. By doing so, the village would be able to develop a better bargaining position with the investors. If the BUMDES find that the investors offer a risk where natural resource damage would be higher than the potential benefit, the adat village can refuse the investment.

Conflict can also occur in the sea. The establishment of zonation and the authorization of WPP as a conservation area for instance, can stimulate conflict. Some WPP that was turned into a conservation area overlap with adat territories. In an FGD with NGOs in Ambon, it was revealed that the local people were excluded during the processes that lead to the establishment of the conservation zone. Ironically, the new conservation zone overlaps with their traditional fishing zone, livelihood source, and food reserve during harvest failures.

The zone thus affects their adat ritual for sustainable fishing (sasi): once the zone was arbitrarily claimed by the state, the adat community also being uprooted from their long standing tradition. The traditional fishers are allowed to enter the zone, provided they are registered in the regency office, but apparently this regulation dissemination was limited. Moreover, in reality it is difficult for the traditional fishers to sail far away to the regency capital towns to register themselves in the regency offices.

A leader of an adat village also needs to have a better competence. Johand believed that changes need to be started from below, from the adat communities. But adat is now eroded and indigenous knowledge and wisdom is seldom narrated to children and youths.

To tackle this issue, he has built an adat school with the support from the village leader, who has an open mind and understands his role to protect and improve his people's life. This sort of exemplary profile of a village leader was also told by Lis Marantika, a local priest, during her work with a village leader to advocate for a program to protect women from violence in Saparua. The village Leader (Bapa Raja) Ihamahu in Saparua, has fully committed to the whole process of producing the village regulation, with support from the MAMPU program, which include special punishment for the perpetrator.

B. Local Knowledge and Wisdom

The adat people of Maluku keep much of their knowledge and wisdom alive, including sasi. This can be illustrated by Eliza M. Kissya, better known as Opa Eli, a leader of Kewang (traditional village council) in Negeri (Village) Haruku. For him, sasi literally means "prohibition". More precisely sasi is a prohibition to fish, harvest fruits, or cut trees in a certain stretch of time.

When the time comes for buka sasi (termination of prohibition) the local people can fish, harvest the fruit, or other resources until the next sasi begins (tutup sasi). Thus, sasi is a form of control of consumption and extraction of natural resources, which indicates a long standing understanding of protecting and preserving the environment. Sasi is an excellent example of Traditional Ecology Knowledge (TEK)

Opa Eli is widely known as a leader for the annual buka sasi ritual for ikan lompaa, a type of ray-finned fish, that is always attended not only by the whole village of Haruku, but also people from Ambon and even from abroad.

According to Opa Eli, *sasi* is not some type of mystic practice as since the time of Adam and Eve there is already a narrative of *sasi*, which they eventually violate. When the *sasi* of *ikan lomp*a is ended, thousands or even millions of *ikan lomp*a appear on the sea surface at the shallow beach and estuary. The people gather and bring their own buckets or sacks to catch the fish. With joy, they collect the catches that are jumping up on the water surface. *Buka sasi* is a cheerful people's feast. The fish is then cleaned, sprinkled with salt and vinegar, then dried. The dried fish is then put into large cans to be consumed for a long time, sometimes for a year when the next *buka sasi* comes. Opa Eli has served as a *kewang* for 44 years, which means he has helped to lead the protection of the village environment for a very long time. He has received the *Kalpataru* award, the highest environmental award in Indonesia. Each year he was still helping organize the *sasi lomp*a, until a mining operation came. For three years Opa Eli refrained from conducting the ritual as a form of protest. He even planned to return his *Kalpataru* trophy to the government who authorized the mining in Negeri Haruku. When the mining company eventually left the village, Opa Eli restored the ritual of *sasi lomp*a.

Aside from being *kewang*, Opa Eli likes to sing while playing his ukulele, exploring local songs that transmit messages for loving nature and the environment. He is well-versed in local poetry and with all these abilities he receives a lifetime allowance as a Cultural Maestro from the Ministry of Education and Culture, which he uses for his activities in the *kewang* hall. It is an accolade he is highly proud of.

The *kewang* hall is facing the sea, Opa Eli carries out many of his activities there, including teaching the young *kewangs* about nature and how to protect it, traditional practices, and

revive the local language that is in demise as it was banned by the Dutch during the colonial era. Even the school in Haruku has no teacher available for teaching the local language of Haruku. Around the hall he also started to plant mangrove to illustrate for the local villagers how planting mangrove can save his compound from repeated flooding. Young *kewangs* have been trained to plant mangrove and keep the beach clean from litter.

On the sandy beach beside his house Opa Eli succeeds in providing spots for the rare *gosong* bird to lay eggs. The birds dig into the sand before laying their eggs. The eggs are then moved by the *kewangs* to a special protected sandy area inside a cage, so that when the eggs hatch the chicks will be protected until they are ready to be freed into the wild. It is not simple to build breeding for the rare *gosong* birds, since they are sensitive and require a safe sandy spot to lay eggs and let the eggs hatch.

The hall also has a library, green house mainly for planting organic vegetables and a homestay. These facilities are open for anybody to come and learn. Almost all of the village staff was *kewang* cadres trained at the hall, hence Opa Eli has helped to produce relatively competent youths that are later to be utilized by the local governments.

Multiple researchers from abroad have come and learned from Opa Eli although he never set foot on a university, and with little support from local government. And it is true for all the *kewangs* of Haruku, many of them are getting old while less and less youth are interested in seriously dedicating themselves to serve as *kewang*. People from outside the village are interested to come and learn about their local wisdoms, while many of the local people consider the knowledge as out of date.

Opa Eli composed a verse for them:

**“ On a city bus I go to school, Mr Apono is my teacher.
To a large town people move, local wisdom should not be abandoned.”**

*(Pergi sekolah naik bus kota. Guru kelasku pak Apono.
Kalau merantau ke luar kota, kearifan lokal jangan dianggap kuno)*



Opa Eli told the origins of kewang as the ancestor's call for forest or *ewang* and also the roles of local youngsters to conserve culture, maritime and fisheries resources through local wisdom at School of Eco Diplomacy, Banda.

2. Security Situation in Papua and Maluku

The Island of Papua is the only region in Indonesia with an active separatist movement, both through peaceful political approach and by armed actions.¹²⁰ Meanwhile, in Maluku there are only sporadic political movements that demand for independence,¹²¹ but the armed liberation movement is absent. The violent conflicts in Maluku at the end of 1990s and early 2000s that involved armed conflict took place in the context of social conflict based on religion.

In Papua, the intensity of armed conflict is rising in the last five years (since 2018), signaled by the doubling of violent actions compared to the previous ten years stretch. Furthermore, the armed contact between the state security forces and the pro liberation armed groups have spread to new regions in Papua (outside of the previous conflict regions) such as Maybrat, Pegunungan Bintang, Yahukimo, Deiyai, and Keerom.¹²³ These conflicts, for instance, have reached an area where an environmental NGO, EcoNusa, have been working peacefully. The area in the Regency of Maybrat was previously far away from the hotspot of armed conflicts, after which the local people were forced to be internally displaced.¹²⁴

The intensity of the armed conflict is predicted to not end soon. The liberation movement have improved their organizational capacities that allow them to get support financially, better access to arms and intergroup coordination.

Furthermore, their attacks now can reach important targets,¹²⁵ as shown in the case of Puncak Regency in April 2021, when they were able to gunned down the chief of regional intelligence body and kidnapped and took hostage a New Zealand pilot in Nduga Regency in February 2023.¹²⁷

On the other hand, the Indonesian government only responded by focusing on sending more troops to counter the pro-independence movement, without other measures to mitigate the root cause comprehensively.¹²⁸

The formal statements that define the “armed criminal groups” in Papua as “terrorists” under the Law of Anti-terrorism by the government in April 2021 have failed to reduce the armed conflict intensity. If anything, the move even created an effect of public anxiety, sending a message that tighter control will be applied to human rights organizations and activists in Papua.¹²⁹

The armed conflict that significantly affect communities reside around the conflict locations, now begin to target activists. An activist of women and children rights, Michell Kurisi, killed on 31 August 2023, in Regency of Lanny Jaya, Papua Pegunungan.¹³⁰ It was suspected that the perpetrator is a member of an armed liberation group that suspected Michelle as an informant or ‘collaborator’ working for the state intelligence.¹³¹

¹²⁰ Aceh, the westernmost province of Indonesia, suffered from decades of armed conflict between Indonesian security forces and the army of Aceh Liberation Movement. They have enjoyed a much more peaceful atmosphere since the peace treaty in Helsinki, Finland, August 2005.

¹²¹ See <https://www.amnesty.org/en/documents/asa21/5501/2022/en/>.

¹²² Tangguh Independent Advisory Panel (TIAP) BP (British Petroleum), Final Report on Operations and Tangguh Expansion Project, June 2023, p. 19-20, https://www.bp.com/content/dam/bp/country-sites/en_id/indonesia/home/news/reports/2023_en_tiap_report.pdf. This report asserted that potential of deteriorating security due to armed conflict between the Indonesian security forces and the armed liberation movement of Papua, and that it would affect the operation of BP in the Bintuni Bay, West Papua.

¹²³ IPAC (Institute for Policy Analysis of Conflict), Escalating Armed Conflict and a New Security Approach in Papua, 13 July 2022, p. 5-11, available at <https://understandingconflict.org/en/publications/escalating-armed-conflict-and-a-new-security-approach-in-papua>. Made Supriatma, Simon-Skjoldt Center for the Prevention of Genocide, “Don’t Abandon Us”; Preventing Mass Atrocities in Papua, Indonesia, June 2022, p. 20, https://www.usmm.org/m/pdfs/Don't_Abandon_Us_Indonesia_Report_English_Version.pdf.

¹²⁴ Interview EcoNusa staff.

¹²⁵ IPAC, Escalating Armed Conflict and a New Security Approach In Papua, p. 11-14.

¹²⁶ See <https://nasional.kompas.com/read/2021/04/26/08572891/kronologi-gugurnya-kabinda-papua-i-gusti-putu-danny-dan-antisipasi-bin>.

¹²⁷ See <https://www.bbc.com/indonesia/articles/cz41e04xyrjo>.

¹²⁸ IPAC, Escalating Armed Conflict and a New Security Approach In Papua, p. 14-18.

¹²⁹ BBC.com, ‘Penangkapan aktivis Papua dan label ‘KKB teroris’, ‘kemunduran’ solusi damai dan timbulkan ‘eskalasi kekerasan’, 10th May 2021, di <https://www.bbc.com/indonesia/indonesia-57059552>.

¹³⁰ See <https://papua.antaraneews.com/berita/708444/kasus-kematian-aktivis-michelle-kurisi-jadi-sorotan-komnas-ham-papua>.

¹³¹ <https://regional.kompas.com/read/2023/10/10/055217078/tertangkapnya-3-pembunuh-aktivis-perempuan-michelle-kurisi-4-masih-buron>.

The assassination of Michelle Kurisi heightened public fear, especially for the human rights activists whose organizations have or had collaboration with the government.¹³²

Meanwhile, the Indonesian government, via presidential statements of Joko Widodo, regularly strengthen an image that Papua is safe and that there is no serious problem on the Island.¹³³ But his promise to invite a monitoring mission from the UN Human Rights Council has shown no signs of being met anytime soon.¹³⁴

The Indonesian permanent mission in Geneva acknowledges that there are security issues in Indonesia conducted by Papuan armed groups and that they are affecting local civilians.¹³⁵ But access for journalists, researchers, and human rights activists to enter Papua is still severely limited, requiring hefty conditions.

Another troubling approach applied by the government is repressive actions on any assumed threat on “Indonesian Sovereignty”, which include both actions toward armed and peaceful political movements.¹³⁶ It is illustrated in the excessive restraint of freedom of expression, peaceful assembly and organizing, which include extra suspicion on organizations working on human and environmental rights, who also suffer from digital attacks.¹³⁷

Protests on controversial state policies such as extension and amendment of Papua Special Autonomy Law as well as the creation of new provinces responded by marginalizing the OAP participation and repressive acts in breaking up demonstrations using excessive force and arresting leaders of political organizations in Papua.¹³⁸

This pressure is also felt by CSOs outside of Papua who have activities in the island. The repression put more burden on the human rights organizations through more restrictive policies to access financial support from foreign donor organizations.¹³⁹

The insecurity in Papua is not only resulting from the conflict surrounding Papuan independence, but also, especially in the last five years, stem from conflicts between groups of OAP with other ethnic groups migrating to the island due to lucrative economic attraction.

These non-Papuan ethnic groups have changed the demographic outlook of the island where they have increasingly dominated the large cities and enjoy economic benefits more than most of the OAP.¹⁴⁰

¹³² Interview with several women activists in Papua.

¹³³ Kompas.com, 'Jokowi: 99 Persen Enggak Ada Masalah, Papua Aman-Aman Saja', 7th July 2023, <https://nasional.kompas.com/read/2023/07/07/23361321/jokowi-99-persen-enggak-ada-masalah-papua-aman-aman-saja>.

¹³⁴ In early February 2018, while meeting with the UN High Commissioner for Human Rights saat itu Zeid Ra'ad Al Hussein, Presiden Jokowi invited them to visit ke Papua. See <https://www.ohchr.org/en/statements/2018/02/opening-remarks-un-high-commissioner-human-rights-zeid-raad-al-hussein-press-0?LangID=E&NewsID=22638> dan <https://www.hrw.org/id/news/2018/06/21/319337>. But up to the fieldwork period the government always refuse visitation of the UN SC Human Rights mission to Papua.

¹³⁵ Respond of the Indonesian Government to the report of UN Special Adviser on Genocide that stated the potential rising of Human Rights violation Papua, at the 53th Regular Session of the UN HRC, 4 of July, 2023. See <https://humanrightsmoitor.org/news/un-special-adviser-on-genocide-concerned-about-human-rights-situation-in-west-papua/>.

¹³⁶ See <https://www.amnesty.org/en/documents/asa21/1108/2019/en/>.

¹³⁷ Regular report on freedom of expression, peaceful assembly and organizing, made available by TAPOR, an NGO based in England, who monitor the human rights situation in Indonesia since 1973. Since 2019, TAPOL publish an annual situational report on freedom of expression, peaceful assembly and organizing in Papua. See https://www.tapol.org/sites/default/files/West_Papua_2022_Freedom_of_Expression_Assembly_Report_English.pdf, http://www.tapol.org/sites/default/files/West_Papua_2021_Freedom_of_Expression_Assembly_Report.pdf, https://www.tapol.org/sites/default/files/sites/default/files/pdfs/West_Papua_2020_Freedom_of_Expression_Assembly_Report.pdf, <http://www.tapol.org/sites/default/files/sites/default/files/pdfs/The%202019%20West%20Papua%20Uprising.pdf>.

¹³⁸ PUSAKA Bentala Rakyat, 'Dong Penjarakan Tong Pu Suara dan Pikiran'; Report on observation of rights to peaceful expression and assembly in Papua 2022, May 2023, <https://pusaka.or.id/dong-penjarakan-tong-pu-suara-dan-pikiran/>.

¹³⁹ Lihat <https://reliefweb.int/report/indonesia/analysis-aid-access-challenges-indonesias-papua-region>. The UN Special Rapporteur on the rights to freedom of peaceful assembly and of association published a research on General principles and guidelines on ensuring the right of civil society organizations to have access to resources, June 2023, UN Doc. A/HRC/53/38/Add.4, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F53%2F38%2FADD.4&Language=E&DeviceType=Desktop&LangRequested=False>.

¹⁴⁰ Bobby Anderson, Papua's Insecurity; State Failure in the Indonesia Periphery, 2015, East-West Center, p. 39. <https://www.eastwestcenter.org/publications/papuas-insecurity-state-failure-in-the-indonesian-periphery>; Made Supriatna, Simon-Skjoldt Center for the Prevention of Genocide, "Don't Abandon Us"; Preventing Mass Atrocities in Papua, Indonesia, p. 13-14. Also see <https://papua.bps.go.id/indicator/12/577/1/jumlah-penduduk-menurut-kabupaten-kota-dan-agama-yang-dianut-di-provinsi-papua.html>, <https://papuabarat.bps.go.id/statictable/2022/03/24/225/jumlah-penduduk-provinsi-papua-barat-hasil-sensus-penduduk-2020-menurut-kabupaten-kota-jenis-kelamin-dan-kelompok-umur.html>, and <https://www.saikplus.papubaratprov.go.id/data-kependudukan>. Immigration of the non-Papuans and the fact that they enjoy economic benefits, are one of the four root causes in Papua, and causing marginalization and discrimination against OAP. Tim Papua LIPI in 'Papua Road Map: Negotiating the Past, Improving the Present and Securing the Future' (2010).

Cases of violent conflicts have been emerging,¹⁴¹ and it is clear that anti-racism protests in several Papuan cities were caused by racist attacks against Papuan students outside the island in August 2019. Some of the non-Papuan ethnic groups formed semi-militia groups that at times targeted the OAP with a pretext of self-defense.¹⁴²

Interestingly, several donor organizations stated that although the security has deteriorated in Papua lately, they intend to continue to financially support CSOs/NGOs working on environmental and indigenous community issues in Papua.¹⁴³ They justify the commitment by maintaining that the Papua primary forest cover is one of the largest and most important in the world, and needs to be protected to mitigate the global climate crisis.

The insecurity felt by activists working on human rights and environmental issues in Papua extends to the digital world. An observation by SAFEnet in 2022 revealed that there were 36 instances of disturbance (shut down) of internet connection in Indonesia, and among them 20 cases took place in Papua. SAFEnet reported that the shut down often happens following social political incidences in the island such as violent conflicts.¹⁴⁴ Moreover, SAFEnet recorded digital attacks on Papuan activists and criminalization by using the repressive Law on Electronic Information and Transaction (UU ITE)¹⁴⁵.

Another obstacle for the human right and environmental activists who specialize in advocating rights to land for the indigenous communities, both in Papua and other regions, is the refusal of the Indonesian government to acknowledge that they have yet to implement the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).¹⁴⁶ When the Government of Indonesia adopted recommendations from human rights evaluation under the UPR (Universal Periodic Review) mechanism cycle 4 in March 2023, they reasserted that the concept “indigenous peoples”, as authorized by the UNDRIP, is inapplicable to Indonesian communities.¹⁴⁷ UNDRIP provides a strong regulation for indigenous peoples’ rights to control and manage their adat lands collectively based on the principle of self-determination (Article 1 in ICCPR and ICESCR). On the other hand, the legalization of the draft of Indigenous People Law has been stalled by the government and parliament, although the draft has been in the priority list of the National Legislation Program since 2014.¹⁴⁸

No human rights organizations produce a report that indicates vulnerability of security in Maluku, an area that suffered from severe religious based violence conflicts between 1999 and 2002. However, there are a few incidents of demand for independence that lead to cases of criminalization utilizing articles on coup d’etat in the Indonesian Penal Codes.¹⁴⁹

¹⁴¹ The most deadly attack occurred in Nduga when an armed group led by Egianus Kogoya killed at least 28 workers of PT Istaka Karya in early December 2018. After that, an armed pro-independent Papua group also killed non-Papuan people who were claimed as informants of spies of the Indonesian government. Besides killing, violence involving ethnic hatred was also taking place. In Wamena, there was an attack towards non-Papuan ethnic groups at the end of September 2019. As a result, there were at least 30 people killed and around 5,000 must be evacuated to another city because of some hoax news that there was a racist action of a non-Papuan teacher over her/his OAP pupils. See <https://www.bbc.com/indonesia/indonesia-49791742>; <https://www.aa.com.tr/id/nasional/konmas-ham-10-korban-lainnya-diduga-tewas-dalam-kerusuhan-wamena/1618326>. Also, in February 2023 in Wamena, a violence of ethnic hatred nuance over non-OAP mass also occurred because they attempted to attack two non-Papuan people who were accused of kidnapping an OAP kid. Besides, the mass also burned stores and kiosks of non-OAP. Because of the unrest, ten people were killed including two non-OAPs and eight OAPs who probably faced the army and police. A thousand people in Wamena had to leave their home to take cover in police or army offices and houses of worship. See <https://news.detik.com/berita/d-6588475/penyebab-kerusuhan-di-wamena-yang-tewaskan-10-orang>

¹⁴² TAPOL (2020). The 2019 West Papua Uprising: Protest against racism and for self-determination; Made Supriatma (2022). “Don’t Abandon Us”; Preventing Mass Atrocities in Papua.

¹⁴³ Interview with Packard Foundation and Rainforest Foundation Norway (RFN).

¹⁴⁴ SAFEnet (2023). Laporan Situasi Hak-Hak Digital Indonesia 2022; Robohnya Hak-Hak Digital Kami. Available at <https://safenet.or.id/id/2023/03/safenet-pemenuhan-hak-hak-digital-di-indonesia-kian-memburuk/>.

¹⁴⁵ Ibid

¹⁴⁶ This UNDRIP is an international human rights instrument that is not legally binding. It was adopted by the General Assembly Resolution of the United Nations No. A/RES/61/295 on 13 September 2007. In the voting session of the UN General Assembly, Indonesian government supported this instrument. Though legally binding, UNDRIP has been adopted by several international human right agencies (treaty body) such as CCPR, CDESCR, CEDAW, and CERD where Indonesia has been a State Party. The UNDRIP draft can be accessed here https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.18_declaration%20rights%20indigenous%20peoples.pdf and http://www.un.org/esa/socdev/unpfi/documents/UNDRIP_Bahasa_Indonesian.doc (Bahasa Indonesia).

¹⁴⁷ Human Right Council of the United Nations (2023). Human Rights Council Adopts Universal Periodic Review Outcomes of Indonesia, Algeria and the United Kingdom. Available at <https://www.ohchr.org/en/news/2023/03/human-rights-council-adopts-universal-periodic-review-outcomes-indonesia-algeria-and>.

¹⁴⁸ <https://www.dpr.go.id/dokakd/dokumen/RJ2-20171106-094054-7086.pdf>; <https://www.voaindonesia.com/a/mengapa-ruu-masyarakat-hukum-adat-tak-kunjung-disahkan/6324774.html>.

¹⁴⁹ https://www.amnesty.id/wp-content/uploads/2022/10/ASA2160132022_FINAL_TERGERUSNYA-KEBEBASAN-SIPII-DI-INDONESIA-3.pdf

Moreover, in April 2016, a human rights and environmental activist, Yohanes “Yanes” Balubun died after being found lying on the road a day before. Suspicions on Yanes’ unusual death were based on forensic notes found by TEMPO and the Jakarta Post journalists.¹⁵⁰

Moreover, at the time of his death, Yanes was helping a community group in Maluku facing a company that was suspected to conduct illegal logging.¹⁵¹ Meanwhile in Ternate, North Maluku, four students of Universitas Khairun were ejected from the campus for involvement in demonstrations in the City of Ternate, December 2019. Their demand was the rights for self-determination for Papuans. The Police of Ternate referred to the coup d’etat article to facilitate the arrest of the students.¹⁵²

3. The Role of Non-State Sector

Non-state sector consists of various initiatives developed and applied by different indigenous groups, religious organizations, NGOs, youth and women organizations, media, academician groups and individuals. One of the roles of the non-state sector is to support community groups so that they can actively participate in different aspects of development, such as health, education, social and culture, law and human rights, economy, conflict resolution and prevention, as well as sustainable natural resource management. The non-state sector is also involved in research, public campaign and advocacy to criticize and provide inputs for policies that affected the peoples life.

In the Maluku Islands, for example, Lis Marantika of Saparua Island, through churches and village governments, is working on improving the local people’s capacities to address social issues that surround them, especially in relation to prevention and early treatment of violence against women and children. She and her colleagues train ten women from each village to be a vocal point in efforts to prevent violence against women and children which often stem from economic pressures. Meanwhile, WALHI of Maluku serves as a kind of public voice especially related to local environmental issues due to mining operations.

And the Center for Aquaculture Study (Pusat Kajian Akuakultur, Pusaka), Universitas Khairun, Ternate, conducting researches in Buli Bay, East Halmahera, on the effect of tailing dump in coastal areas and seas to the marine biotas that serve as source of local livelihoods. In addition, several researchers from Universitas Pattimura, Ambon, conducted a number of research and support for advocacies carried out by NGOs in the Maluku Islands.

In Papua, particularly in Merauke, Yayasan Vertenten conducts training for village cadres to improve their capability for managing local natural resources, and for women groups to be actively involved in the prevention of social conflicts. Meanwhile, Perhimpunan Harmoni Alam Papuana (PHAP) carries out community organizing around social forestry and climate change mitigation in coastal areas. In Bintuni, the Pahan Papua assists local indigenous communities to acquire their rights to adat lands. In Jayapura, the ALDP supports the advocacy for violence and human rights violation. A number of academicians from Universitas Cendrawasih (Jayapura), Universitas Musamus (Merauke), and Universitas Papua (Manokwari) also conduct researches and support advocacies carried out by NGOs and indigenous communities across the Island of Papua.

¹⁵⁰ <https://www.thejakartapost.com/news/2020/04/28/four-years-on-death-of-ambon-rights-figure-still-leaves-hints-of-anguish.html>.

¹⁵¹ <https://kumparan.com/ambonesia/sosok-pejuang-ham-maluku-diangkat-dalam-maluku-mural-festival/full>.

¹⁵² <https://tirto.id/eks-mahasiswa-unkhair-dijerat-pidana-makar-karena-ikut-demo-papua-fslG>; <https://www.hrw.org/id/news/2020/08/06/376022>. The four former students were free from the suspect status and then sued the university in Administrative Court (PTUN) concerning their dismissal. At the Supreme Court (MA) level, they won the case and then the MA asked the university to recover their student status.

In addition, EcoNusa, an NGO working on improvement of small-holder commodity production, organizes nutmeg farmers and fishers across Papua and Maluku Islands to develop collective marketing of their products by building cooperatives. EcoNusa also runs capacity building training for youths (male and female) to strengthen sustainable natural resource management through creative campaigns and organizing works in the communities. Several other NGOs such as WALHI, Yayasan Pusaka Bentala Rakyat, Forest Watch Indonesia (FWI), Badan Registrasi Wilayah Adat (BRWA) are running research and advocacy programs, at the local and national level, for environmental protection and acknowledgement of adat territories in Papua and Maluku.

Meanwhile, Mogabay, an environmental media, regularly produces reports on issues around the increasing private investment in the region. A number of researchers from outside of Papua and Maluku repeatedly serve with supporting analysis and studies to strengthen advocacies for the improvement of local wellbeing. They are, among others, Hariadi Kartodihardjo (Institut Pertanian Bogor, Bogor), Adriana Elisaberth (Univeritas Pelita Harapan, Jakarta), and Cahyo Pamungkas (Lembaga Ilmu Pengetahuan Indonesia, Jakarta).

4. The Shrinking Civic Space

Numerous studies, reports, and surveys done by think tanks and human rights organizations confirm the shrinking civic space, which include freedom of expression and organization.¹⁵³ This situation clearly affects the ability of the human rights activists, including environmental activists, to carry out their mandate to improve human rights protection, social welfare, and climate justice in Papua and Maluku.

In the last decade, the government and parliament issued laws and legal policies that are increasingly restraining in order to limit the movement of CSOs. These range from limiting access to funding through Law on Civil Society Organization, stigmatization, spying and harassment, intimidation, physical and digital assault, criminalization using repressive legal articles (such as defamation articles), to restraining freedom for assembly and association, as well as local fundraising.¹⁵⁴ This shrinking civic space creates worse effects in Papua, where it is coupled with the degrading security due to armed conflicts.¹⁵⁵

The shrinking space for the CSO, including the NGOs, acknowledged by donor organizations operating in Indonesia, both for those who are formally registered by the government and those who are not.¹⁵⁶ One of the donors, Packard Foundation, who focus on environmental and climate crisis issues, even provides resources to mitigate the shrinking civic space for the local CSO/NGOs in any issues. They maintained that advocacy and campaign on environmental and climate crisis issues only possible when the civic space in Indonesia can be improved.

¹⁵³ Lokataru Foundation (2019). Shrinking Civic Space in ASEAN Countries: Indonesia and Thailand. Retrieved from <https://lokataru.id/wp-content/uploads/2019/11/shrinking-space-asean-country-2.pdf>; Katadata (2021). Indeks Demokrasi Indonesia di Era Jokowi Cenderung Menurun; Indeks Demokrasi Indonesia 2010-2020. Retrieved from <https://databoks.katadata.co.id/datapublish/2021/09/15/indeks-demokrasi-indonesia-di-era-jokowi-cenderung-menurun>; Civicus (2022). Ongoing Harassment, Threats and Criminalization of Activists and Journalists in Indonesia. Available at <https://monitor.civicus.org/updates/2022/01/26/ongoing-harassment-threats-and-criminalisation-activists-and-journalists-indonesia/>; Freedom House (2023). Annual Report 2023. Retrieved from <https://freedomhouse.org/country/indonesia/freedom-world/2023>; Economic Intelligence Unit who put Indonesia in the lower part of "hybrid regime" and close to "authoritarian regime", https://pages.eiu.com/rs/753-RIQ-438/images/DI-final-version-report.pdf?mkt_tok=NzUzLVJlU000MzgAAAGK6lt5-opAii2M7av5NhlvLy4hIDLrgnyBLP1uR-oDECE4fvH4maSNtxYvX5jwI5sTyOkGXOOICWD_DoLO2LJz-0re9WYzOh1zveQABC35paPg;https://pages.eiu.com/rs/753-RIQ-438/images/eiu-democracy-index-2021.pdf?mkt_tok=NzUzLVJlU000MzgAAAGK6mDJCMi_OI32a8w50x7oqdzS3p3ooGFcJXsT_nD1-sZqOGCmJaEuq09UybjfWpvCg4Ep_c24PmkrRbre7JSSXrSX1GLNG-w2uQpkfem2Sg.

¹⁵⁴ Aliansi Filantropi untuk Akuntabilitas Sumbangan (n.d.) Optimalisasi Partisipasi Masyarakat dalam Program Pembangunan Berkelanjutan Melalui Revisi Kebijakan Pengumpulan Uang dan Barang; <https://berkas.dpr.go.id/puspanlaku/kajian/kajian-public-277.pdf>.

¹⁵⁵ US Department of State (2023). Indonesia 2022 Human Rights Report. Retrieved from <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/indonesia/>.

¹⁵⁶ Funders Meeting on Civic Space in Bali 19 -20 October 2023 attended by David & Lucille from Packard Foundation, Kurawal, Open Society Foundation, Ford Foundation, Luminate, Climate and Land Use Alliance (CLUA), Direct Dialogue Asia, TARA Climate Foundation, Norwegian Human Rights Fund (NHRF), International Media Support, TIFA Foundation, and national NGOs such as YLBHI (Yayasan Lembaga Bantuan Hukum Indonesia), AJI (Aliansi Jurnalis Independen), SAFEnet, YAPIKKA, ARC (Asia Research Center)-UI, and KIKA (Kaukas Indonesia untuk Kebebasan Akademik).



Mangrove seedlings newly planted by the EcoNusa team on the coast of Haruku, Maluku. Mangroves not only play a role in preventing erosion but also absorb carbon, making them crucial for the climate.



The Irarutu tribe in Arguni Bawah District, Kaimana, holds a closing ceremony for the “sasi sambite.” The community agrees to the rules of the “sasi sambite” to enhance nutmeg yields.



Chapter VI.

CONCLUSION AND RECOMMENDATIONS

1. Conclusion

In the last ten years, the development approach to Papua and Maluku directed toward extractive economy mainly for export, reflected in the National Medium-Term Development (RPJMN) 2015-2019 and RPJMN 2020-2024, as well as the implementation of the National Strategic Program or Major Project funded by the National State Budget (APBN) and private corporations. A number of regulations provide leeways to the corporations as can be seen in the Job Creation Law (Undang-Undang Cipta Kerja) or Law No. 11/2023. The government also provides accelerated infrastructure improvement as well as fiscal and non-fiscal incentives. As a result, domestic and foreign investments are flowing rapidly into Papua and Maluku provinces. It is reflected in the increased investment compared to previous years, particularly in the mining sector and its industrial derivatives such as nickel post-mining processing that witness a significant rise in the global market following the development of electric-based motorized vehicles. Numerous companies, national and global scale are invited to operate in territories assigned by the government as industrial estates, or to simply enlarge investment that have already been operating.

This extractive approach in regional economic development assumes an improved economic and social life for the people in Papua and Maluku, which are far behind the other areas of Indonesia. A trickle down effect is thought to be brought about by the production activities carried out by the large scale companies. Therefore, less attention is paid for national strategic development projects or major projects aimed at a direct improvement of the local people's wellbeing, especially those who need them the most, although opportunities toward such objectives are widely open by using the national State Budget (APBN).

In the education sector for instance, the government can utilize 20% from the national budget (APBN) to develop national strategic projects and major projects to build education facilities and distribute more teachers to remote areas or quality facilities for higher education in the regency capital towns while providing allowance and incentive similar to other sectors.

It is possible that the improvement of educational facilities is seen as the authority of the ministry related to education or regency governments, and thus these educational project status should not be promoted to a PSN. But, what about the industry and mining sectors, who also have their own sectorial ministry?

The only project directed toward socio-economic development is a major project of Development of Customary Land in Papua concerning the Domberays and Laa Pagos. However, the government attention toward this project is much less than the infrastructural and industrial projects, so much so that this project is almost unheard of in public discourse.

Moreover, the infrastructure development that was boasted to improve living standard in the interior part of the area is better enjoyed by the companies to transport the products of their extractive industries. The infrastructures are far less used by the local communities in the remote areas to transport their agricultural commodities.

The development approach implemented in Papua and Maluku offer meager benefits to the social economic life of the local people. This can be seen in the achievements of indicators that signify an actual development, such as economic growth, poverty rate, and Human Development Indexes (HDI). In the Province of North Maluku, the economic growth in 2022 is indeed higher than the other neighboring provinces as well as the national rate, following the investment in downstream industries for nickel processing.

However, the open unemployment rate in the same year failed to reach the target assigned in the RPJMN 2020-2024. Thus, the incoming investment is clearly unable to decrease the number of open unemployment, most likely as a result of labor mobilization from outside of the province.

Furthermore, several regencies in the province that become the center of economic activities, ironically showing higher poverty and stunting rate, compared to the provincial and national rate.

This outlook shows how in the areas with high economic growth the local people enjoy only fractions of the development benefits, while fully experiencing the negative consequences. Overlapping with and the conversion of agricultural lands to mining/industrial operation areas, the pollution of nearby rivers and coastal areas are among impacts that are already seen in several mining/industrial areas. Agricultural land conversion and pollution in the river and coastal areas are threatening the local people's life and livelihoods, which among others potentially creating a wider food crisis.

The potential widespread threats to the local people's lives can be seen in the future scenario of the nickel processing industry that would discharge its tailing waste to the sea. This waste in turn may pollute the marine ecosystem and coastal areas that are precisely the livelihood main sources for the local peoples, especially in Maluku.

Furthermore, this threat is most likely becoming more real in the future government tenure, considering the nickel processing is repeatedly mentioned during the presidential candidate debates, beside the free lunch program.

Meanwhile, the natural resources that are directly benefiting the local livelihoods in Maluku, namely the marine resources, are accepting limited supporting policies that may facilitate the local livelihoods as much as the support for the development of mining related infrastructure and industries.

The development of the Maluku National Fish Pool (Maluku Lumbung Ikan Nasional, M-LIN) and the associated Ambon New Port (ANP), which are already becoming the new hope for the local people to improve their livelihoods, were canceled by the national government.

In addition, indigenous and local knowledge related to local livelihoods that are practiced in the Islands received little to no attention from the governments. Multiple policies implemented in the Maluku and North Maluku provinces are contradicting the local knowledge and practices, strongly indicating the “continent” bias of the policy makers.

In Papua the mining sector and its derivatives are currently dominating the local economic growth. This can be seen in their significant contribution to the Gross Regional Domestic Product (PDRB). Indeed, the economic condition in the Province of Papua acutely depends on the dynamics of the PT Freeport mining production.

However, the poverty rate in the province still sits as the highest in Indonesia, and West Papua Province falls in the second place as the poorest provinces of the country. In addition, both provinces are at the bottom ranks of the national Human Development Index. These achievements once again show how the economic growth underpinned by mining and its derivatives provide no direct effect to the improvement of the local people’s wellbeing.

The high rate of poverty and the low HDI in Papua also accompanied by sporadic violent conflicts. The government shows a simplified view toward the conflicts happening in several areas in Papua, by saying that in general the whole island is safe, and that the conflicts were instigated only by a handful of mountainous communities and educated groups who have yet to secure steady jobs.

Therefore, for them, among the solutions for the Island of Papua as a whole should be the establishment of new provinces and the extension of the special autonomy program.

The government believes that with the special autonomy funds and opportunities to become civil servants in the New Autonomous Territories (Daerah Otonomi Baru, DOB)/ new provinces, the violent conflict would accordingly subside. But these approaches are not the only solutions to the conflicts. More initiatives that are sensitive to the socio-cultural condition of Papua are required.

On the other hand, the governance of the special autonomy funds, as well as the accompanying programs, require more local participation in terms of monitoring in order to ensure that the fund can actually benefit the Papuan’s wellbeing. Social frictions surrounding the establishment of new provinces also need to be mitigated.

2. Recommendations for Future Development

a. **Advocating for a shift of development orientation, to focus more on the empowerment of the most impacted groups than the investment interests. In order to do so, several initiatives need to be done:**

- To put at the center stage the issues around the state programs with direct impact to the people's wellbeing such as education and health sector, improvement of local people's commodity, as well as strengthening rights to customary lands. They need to be facilitated as much as the national strategic programs and major projects, or similar ones, in the next National Medium-Term Development Planning (RPJMN).
 - Advocate for policies that support indigenous people and local communities in the management of adat territory and natural resources as mainstream in the future development of Maluku and Papua.
 - Investigation on program/projects that are included in the RPJMN of the next government and will be implemented in Papua and Maluku, so that their implementation would be suitable to the interest/needs of the most impacted groups
 - Advocate for safe-guarding the policies and strategies around the impact of the smelter, considering that the smelters have been built and potentially impacting the local environment and livelihoods, including their governance.
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b. **Regarding the extension of special autonomy:**

- Ensuring that the implementation of Papua's special autonomy extension can give more attention to the transparent and accountable management of Papua's special autonomy fund. And by extension, ensuring the improvement of education and economic sectors for indigenous Papuan through cooperatives or village-owned businesses (Bumdes), protection of customary land and local environment, as well as peaceful conflict resolution through measures that are sensitive to local conditions in the Island of Papua.
- Education sector needs to be the main focus to improve local human resources that would enable them to compete with the incoming immigrants. Provision of teachers to remote areas, including utilizing the church resources in the education sector and in preventing horizontal conflicts.
- Improvement of women group empowerment. The Office of Women and Children Protection needs to more intensively visit villages for awareness raising and capacity building of the women groups. Financial support for village activities is inadequate, it should be coupled with direct hands-on assistance. The church also needs to extend more programs for women empowerment.
- Develop village cadres to monitor the use of special autonomy and village funds.

c. Concerning the establishment of the new provinces:

- Support the new provinces in spatial planning that include customary land, the formulation of Provincial Medium-Term Development Plan (RPJMD), and other strategic regulations.
 - Conduct community organizing to mitigate and prevent violent conflict among the people as a result of frictions surrounding the establishment of new provinces such as competition for top public offices.
 - Strengthening district and village governments, which include social organizations in the villages, as well as improving the governance of special autonomy funds and ensuring food security.
 - The provision of infrastructure and facilities (buildings and teachers) for village childrens.
 - Develop village schools for local male and female cadres (25-40 y.o), to prepare future leaders in the villages, formal and informal.
 - Ensuring the utilization of affirmative policy that regulate 80% of local civil servant recruitment for the OAPs, by making sure the publication of regency and provincial regulations regarding the special allocation and utilization of available scholarship for equal distribution by collaborating with local youth organizations.
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d. On developing Maluku with archipelagic perspective:

- Development in Maluku need not be based on administrative territories, but based on the islands. Ideally Maluku perhaps be divided into ten groups of islands and each group has an integrated development plan, and therefore better data is essential.
- The archipelagic perspectives need to be considered when designing basic policies and programs such as education and health. When the small islands have no schools and or health services, attention needs to be paid for the security of children who have to go to school on other islands, as well as infants and pregnant women who need immediate medical attention.
- The archipelagic perspective also needs to be complemented by a gender perspective that is sensitive to the protection of women and children. In dealing with violence against women and children, it is almost impossible for the victim to access necessary services that are only available in the capital of the regency and province. A breakthrough is required to provide the services.
- Climate change for the continent/large islands may bring less threat than the small islands where the inhabitants almost virtually depend on the surrounding environment. The Maluku Islands are highly vulnerable to disasters, not only due to the meeting of tectonic plates and active volcanoes, but also caused by extreme climate. The disaster consideration is yet to have a substantial mark in policy making.

e. Regarding conflicts:

- Encourage peaceful conflict resolution as the main condition and priority for future development. Conflict resolution in Papua Island needs to be carried out through measures that suit the specific condition of Papua Island. Among others, these uniqueness consist of diversity of customs in seven customary territories that imply a representation system, rich natural resources and the wellbeing of the local peoples that is far behind other areas in Indonesia.
 - In the Islands of Maluku, initiatives to prevent violent conflicts among the people need to be carried out especially during and after local elections, both at regency and provincial levels. The conflicts not only involved contesting constituents from different camps but also came from the negligence of the elected officials. There are cases where areas with constituents that choose other than the elected candidates become “neglected” and therefore receive less development programs/projects.
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f. On non-state sector

- Non-state sectors need to consolidate and work collectively to develop strategies and share roles in supporting the most impacted groups and in advocating for policy change toward more equal and sustainable development.



Cakalele, a traditional war dance of Maluku used to welcome guests or in traditional celebrations.

