

LEGAL IMPLICATION OF US-CHINA TRADE WAR ON INDONESIA'S POLICY RELATING TO PALM OIL INDUSTRY

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ABSTRACT

Indonesia has been the largest producer and exporter of Crude Palm Oil (CPO) in the world since 2006. However, Indonesia faces complex challenges related to global CPO trade, starting from the global issue of China and the United States trade war, including other strategic issues. The impact of the complexity of the US and China trade war is hitting Indonesia where palm oil from Indonesia is considered to be old and not environmentally friendly. This will impact market demand and disrupt the stability of national production. So an appropriate policy strategy is needed to manage this. The research objective is used as consideration for stakeholders in reviewing Indonesia's CPO policy in anticipation of the future. The research method uses a sociolegal approach. The research results show that the reasons for the decline in Indonesian CPO exports are the rejection of several European Union countries, which prevented the entry of Indonesian CPO and the influence of the China and United States trade war where soybean and sunflower oil are abundant as boycott between China and the US. Then, to fight against the European Union, Indonesia filed a lawsuit with the WTO, then certification of Palm Oil Plantations in Indonesia as part of the resistance will certainly have a positive impact on Indonesian CPO and developing biodiesel so that CPO consumption is used domestically.

Keywords : CPO, Issues Strategic, Legal, Trade War

A. Introduction

Indonesia is a country that adheres to a non-Block system regarding all international geopolitical tensions.¹ Since the 1960s under the command of President Ir. Soekarno Indonesia never took sides between the western and eastern blocs even though if both of them became members there would be many benefits.² Indonesia prefers to collaborate in almost all fields, in both blocks.³ Until now, in the midst of international political upheaval

1 Dzikiera Pesona Sadewa and Falhan Hakiki, "Dinamika Kebijakan Politik Luar Negeri Bebas Aktif Indonesia Melalui Gerakan Non-Blok," *Jurnal Lemhannas RI* 11, no. 1 (2023): 13-28.

2 Agus Haryanto, "Prinsip Bebas Aktif Dalam Kebijakan Luar Negeri Indonesia: Perspektif Teori Peran," *Jurnal Ilmu Politik dan Komunikasi* 4, no. 11 (2014): 17-27.

3 Luerdi and Ahmad Faruki, "Perang Dingin Dan Implikasinya Terhadap Sistem Politik Internasional Dalam

between China and the United States which has been going on since 2017, many countries are worried about a major depression like what happened in 1929-1939 as well as the economic crisis in 1998-1998 and 2008 which forced Indonesia to fighting extra hard to restore its national economy.⁴

Several countries that have benefited from the impact of the trade war between China and the United States are Taiwan, Vietnam, Malaysia, and Argentina, which show that their country's economies are growing positively.⁵ Meanwhile, several countries that are increasingly squeezed due to the trade war between China and the United States, and their economies are declining due to mutual boycotts and weakening domestic politics.⁶ The trigger for the trade war between China and the United States was precisely in May 2019 when business people in the United States were shocked because China imposed tariffs on imports of goods from the United States which were initially only 10%, increasing to 25%.⁷ Meanwhile, in August 2019, the United States immediately ratified the policy of importing goods from China, for example cellphones, shoes, fish and even toys with an additional 10% tariff starting September 1 2019.⁸

Several countries that see this opportunity, namely Bangladesh, South Korea, Vietnam, and even Taiwan see this as a profitable opportunity.⁹ Let's just say that Vietnam has benefited greatly and placed this country as number 1 in the countries that benefited from the trade war between China and the United States, where its gross domestic income (GDP) increased to 7.9% throughout 2019.¹⁰ Meanwhile, Bangladesh recorded a record economic growth of more than 7% and made Bangladesh one of the fastest growing economies in the Asian region.¹¹ A report from Nomura, a private financial research institution from Japan,

Tinjauan High Politics," *International Society* IV, no. 1 (2017): 1–12.

- 4 Kompas.com, "The Great Depression, Krisis Ekonomi Terparah Dalam Sejarah," *Kompas.Com*, last modified 2023, accessed May 4, 2024, <https://www.kompas.com/stori/read/2023/03/08/200000079/the-great-depression-krisis-ekonomi-terparah-dalam-sejarah?page=all>.
- 5 detik.News, "Perang Dagang AS-China, Vietnam Dan Taiwan Mengeruk Untung," *Detik.News*, last modified 2019, accessed May 4, 2024, <https://news.detik.com/dw/d-4580808/perang-dagang-as-china-vietnam-dan-taiwan-mengeruk-untung>.
- 6 CNBC Indonesia, "Pengaruh Xi Jinping, Warga China Ketakutan Diintip Elon Musk," *Cnbcindonesia.Com*, last modified 2023, accessed May 4, 2024, <https://www.cnbcindonesia.com/tech/20230815160307-37-463171/pengaruh-xi-jinping-warga-china-ketakutan-diintip-elon-musk>.
- 7 CNNIndonesia, "Kronologi Perang Dagang AS-China Selama Kepemimpinan Trump," *CNNIndonesia*, last modified 2020, accessed May 4, 2024, <https://www.cnnindonesia.com/ekonomi/20201103154223-92-565387/kronologi-perang-dagang-as-china-selama-kepemimpinan-trump>.
- 8 cnbcindonesia, "Membongkar Perang Dagang AS Vs China & Upaya Dedolarisasi," *Cnbcindonesia.Com*, last modified 2023, accessed May 4, 2024, <https://www.cnbcindonesia.com/research/20230421165302-128-431640/membongkar-perang-dagang-as-vs-china-upaya-dedolarisasi>.
- 9 Kompas.com, "Inilah 4 Negara Yang Paling Diuntungkan Perang Dagang China-AS," *Kompas.Com*, last modified 2019, accessed May 4, 2024, <https://money.kompas.com/read/2019/07/04/073200726/inilah-4-negara-yang-paling-diuntungkan-perang-dagang-china-as>.
- 10 nomuraconnects.com, "US-China Trade Diversion: Who Benefits?," *Www.Nomuraconnects.Com*, last modified 2019, accessed May 4, 2024, <https://www.nomuraconnects.com/focused-thinking-posts/us-china-trade-diversion-who-benefits/>.
- 11 VOA Indonesia, "Perekonomian Yang Goyah Ancam Progres Pertumbuhan Bangladesh," *Voaindonesia.Com*,

stated that 30 countries benefited from this trade war, and Indonesia was not included in the list.

Of course, this is a question for many parties that Indonesia is once again relying solely on exports but is unable to see opportunities for this compared to the list of 30 other countries outlined in the Nomura Report. Indonesia, as a large country in the Asian region with abundant natural resources, cannot see the trade war between China and the United States as a trade opportunity. One of Indonesia's leading commodities internationally is Palm Oil (Crude Palm Oil = CPO). It is unable to compete with other products and in fact exports to the United States for the 2017-2018 period were only -6.29%, while exports to China were specifically CPO products. only grew 0.83% in the same period.¹²

As the country with the largest CPO producer in the world, for 2023 production will reach at least 50.07 million tonnes, up 7.15% compared to 2022 of 46.73 million tonnes.¹³ Indonesia certainly faces various challenges in being able to supply these two countries. Apart from that, Indonesia also has to compete with several other vegetable oil producing countries whose prices are competitive and much healthier than CPO. Apart from that, China and the United States have been known as potential importers of CPO from Indonesia, but currently, the need for vegetable oil, especially American soybean oil, is still low. Safe while China continues to hoard previously imported vegetable oil.¹⁴

Of course, several policies have been implemented by the Indonesian government to save CPO production so that it can be sold on the international market or used domestically. One of the policies used is to accelerate the implementation of B30 as the main fuel. The Indonesian government through the Minister of Energy and Mineral Resources (ESDM) Regulation Number 12 of 2015 which was updated to become ESDM Regulation Number 24 of 2021 concerning the Provision and Utilization of Biodiesel Biofuels in the Financing Framework by the Palm Oil Plantation Fund Management Agency, which is in the manufacturing process This biodiesel has been initiated since 2016, which requires mixing 20% biodiesel in the form of processed CPO derivatives and also 80% diesel fuel.¹⁵

last modified 2024, accessed May 4, 2024, <https://www.voaindonesia.com/a/perekonomian-yang-goyah-ancam-progres-pertumbuhan-bangladesh/7576465.html>.

- 12 CNBC Indonesia, "Gawat! Minyak Sawit RI Mulai Tertekan Perang Dagang AS-China," *Cnbcindonesia.Com*, last modified 2018, accessed May 4, 2024, <https://www.cnbcindonesia.com/news/20180712103347-4-23182/gawat-minyak-sawit-ri-mulai-tertekan-perang-dagang-as-china>.
- 13 Media Indonesia, "Produksi CPO Pada 2023 Diprediksi Naik 7,15%," *Mediaindonesia.Com*, last modified 2024, accessed May 4, 2024, <https://mediaindonesia.com/ekonomi/655119/produksi-cpo-pada-2023-diprediksi-naik-715#:~:text=PRODUKSI minyak kelapa sawit atau,sebesar 46%2C73 juta ton>.
- 14 Antaranews.com, "Perang Dagang Amerika Serikat-China Pengaruhi Pasar Minyak Nabati," *Antaranews.Com*, last modified 2018, accessed May 4, 2024, <https://www.antaranews.com/berita/725826/perang-dagang-amerika-serikat-china-pengaruhi-pasar-minyak-nabati>.
- 15 *Peraturan Menteri Energi Dan Sumber Daya Mineral Republik Indonesia Nomor 24 Tahun 2021 Tentang Penyediaan Dan Pemanfaatan Bahan Bakar Nabati Jenis Biodiesel Dalam Kerangka Pembiayaan Oleh Badan Pengelola Dana Perkebunan Kelapa Sawit*

This is also a national mandate, which indirectly becomes the hope that CPO is not only a raw material that is always exported but also has various types of processing that can be useful, including being a renewable and environmentally friendly biofuel. Apart from Indonesia, several countries that implement it are Australia with B2, then Malaysia with B10, there is South Korea with B2-B3, then South Africa with B5, and the European Union with B7. The Indonesian government itself has strengthened its position with the issuance of Presidential Regulation Number 40 of 2023 concerning the Acceleration of National Sugar Self-Sufficiency and the Provision of Bioethanol as Biofuel.¹⁶ However, this only affects around 50% of the total national CPO production, namely 25.4 million tons, and biodiesel consumption from CPO still absorbs 11.6 million tons of CPO. Meanwhile, the trend of Indonesian CPO exports is also decreasing, which in 2019 reached 37.4 million tonnes, decreasing to 34 million tonnes in 2020 and continuing in 2021 to only 33.6 million tonnes.¹⁷

Of course Indonesia try harder to be able to use CPO clearly and effectively amidst the current impossible situation, of course there must be significant changes, especially as Indonesia's national production is the largest in the world compared to Malaysia. Apart from that, Indonesia also accepts the fact that there is trade competition with other vegetable oils, namely sunflower oil, which is more competitive than CPO.

This research will analyze the impact of legal policies on the Indonesian palm oil industry by using a sociolegal approach to examine a number of legal policies implemented in response to the trade war between China and the United States. It is hoped that the aim of this research will be for stakeholders in the CPO trade amidst the trade war.

B. Research Method

This research uses a data analysis method with a sociolegal approach so that the use of secondary data is needed in discussing the Research Question in this research.¹⁸ In addition, this research will emphasize the use of statutory regulations, jurisdiction or other documents relating to law as well as issues that will be discussed regarding Palm Oil in Indonesia and international policy.¹⁹ In the research process, legal and policy studies related to the Indonesian Palm Oil Industry became the starting point for the research. This study material is considered important to map as the initial background for this research. Legal analysis was carried out on these legal materials regarding the Indonesian Palm

16 *Peraturan Presiden Republik Indonesia Nomor 40 Tahun 2023 Tentang Percepatan Swasembada Gula Nasional Dan Penyediaan Bioetanol Sebagai Bahan Bakar Nabati (Biofuel)*.

17 CNBC Indonesia, "Ekspor Minyak Sawit Turun Terus, Ternyata Ini Penyebabnya," *Cnbcindonesia.Com*, last modified 2024, accessed May 4, 2024, <https://www.cnbcindonesia.com/news/20240202131343-4-511161/ekspor-minyak-sawit-turun-terus-ternyata-ini-penyebabnya>.

18 Felipe Silva Martins, Júlio Araujo Carneiro da Cunha, and Fernando Antonio Ribeiro Serra, "Secondary Data in Research – Uses and Opportunities," *Revista Ibero-Americana de Estratégia* 17, no. 04 (2018): 01-04.

19 Naomi Creutzfeldt, Marc Mason, and Kirsten McConnachie, *Routledge Handbook of Socio-Legal Theory and Methods*, 1st ed. (Routledge, 2019).

Oil Industry. The problem formulation in this research is the impact of legal policy on the Indonesian palm oil industry regarding the trade war between China and the United States. So, based on the results of this study, various comparisons of norms, assumptions, issues, institutions, authority, and hierarchy of applicable regulations will emerge.²⁰ So, this is the basic capital used by researchers as a starting point for carrying out analysis in this research. Data collection in this research will be carried out by a literature study of articles and literature sources that can be used in research. This literature study was carried out by applying several steps, namely searching, checking, and reviewing relevant secondary data.²¹

C. Discussions

1. Decline in Indonesian CPO Exports

The results of the study regarding the decline in Indonesian CPO exports due to the trade war between China and America have occurred in the last few years. At the beginning of the 2019 trade war, Indonesia still showed a positive attitude regarding this international dilemma until entering the 2020-2022 period, Indonesia experienced a decline in export volume, which in 2020 decreased by 8.55%.²² This was also made worse by the fact that in 2020 Indonesia and the world faced various health problems (Covid-19) which hit all countries and caused several international economic activities to stop temporarily, CPO exports to China decreased by 57%, then the European Union decreased by 30%, then India decreased to 22%, then there was the United States which fell 64%, only Bangladesh which increased to 52% compared to the previous year.²³

Based on the researcher's analysis based on several literatures, at least Indonesian CPO has dominated the markets in India and Spain for a long time in recent years, then Indonesia's rival is CPO from Malaysia which is also as big as Indonesia and has entered the Italian market in recent years.²⁴

Referring to a report by Gapki (Indonesian Palm Oil Entrepreneurs Association), Indonesia's total CPO production during the 2022 period continues to decline to only 46.7 million tonnes and is lower than in 2021 at 46.8 million tonnes. This decline is the fourth

20 Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif Dan R&d* (Bandung: Alfabeta, 2020).

21 Mey Hariyanti, "Analisis Data Kualitatif Miles Dan Hubermen," *Kompasiana.Com*, last modified 2015, accessed December 9, 2023, <https://www.kompasiana.com/meykurniawan/556c450057937332048b456c/analisis-data-kualitatif-miles-dan-hubermen>.

22 Infosawit.com, "Kinerja Ekspor Minyak Sawit Indonesia 2020-2022 Cnderung Menurun," *Infosawit.Com*, last modified 2024, accessed May 11, 2024, <https://www.infosawit.com/2024/01/04/kinerja-ekspor-minyak-sawit-indonesia-2020-2022-cenderung-menurun/>.

23 Qonita Azzahra Salsabila et al., "Kondisi Ekspor Minyak Kelapa Sawit Indonesia Selama Periode Covid-19," *Manis: Jurnal Manajemen dan Bisnis* 6, no. 2 (2023): 71–80.

24 Asrilis Saban and Tanti Novianti, "Perbandingan Daya Saing Crude Palm Oil Indonesia Dengan Malaysia Di Negara Tujuan Utama Ekspor," *Buletin Ilmiah Litbang Perdagangan* 17, no. 2 (2023): 225–246.

time that Indonesian CPO has stagnated since palm oil began to penetrate the domestic market share. This decline is not noticeable, only 0.34%. This figure is very interesting because for domestic consumption alone, Indonesia needs at least 20.96 million tons of CO only in 2022 compared to 2021 reaching 18.422 million tons.²⁵

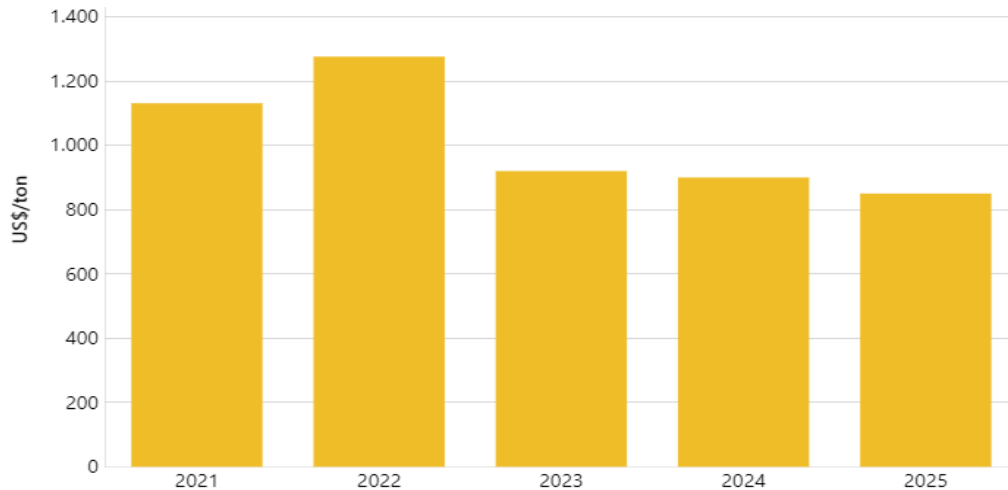


Figure 1. Graph of decline in the number of Indonesian CPO exports 2021-2025

Some predictions for example from the World Bank for 2023 through the Commodity Markets Outlook provide several assumptions that by 2025 world CPO prices will experience a decline (figure 1). This prediction is also accompanied by a decline in production from several productive world CPO producing countries, including Indonesia, however, the World Bank did not provide further details on the reasons for this decline and its impact. However, World Bank mentioned that the anti-deforestation policy from the European Union which was passed some time ago added to the list of policies that CPO entering Europe was limited and hampered.²⁶

One thing that cannot be separated from Indonesian CPO is the international selling price determined by another country, namely Malaysia. Since 2006, Indonesia has become a global player in world palm oil production, beating Malaysia to date. The minimum raw price, namely CPO, is uncertain because international exchange and trade uses the Malaysian Ringgit currency. This determination is included in the realm of *the Bursa Malaysia Derivatives* (BMD), which was the first history that Malaysia has determined the price of CPO and palm oil commodities since 1980. On this basis, Indonesia cannot sell its production domestically at cheap prices and makes Indonesia continue to have a shortage of CPO because minimal domestic purchases. Apart from that, Indonesian palm oil is also

25 news.majalahhortus.com, "Produksi Dan Ekspor CPO Terus Menurun, Lebih Rendah Dari Tahun 2021," news.majalahhortus.com (Jakarta, 2023), <https://news.majalahhortus.com/produksi-dan-ekspor-cpo-terus-menurun-lebih-rendah-dari-tahun-2021/>.

26 World Bank, "Commodity Markets Outlook," *Www.Worldbank.Org*, last modified 2023, accessed May 11, 2024, <https://www.worldbank.org/en/research/commodity-markets>.

owned by many companies from Malaysia and data from the Ministry of Investment/BPKM shows that in 2015-2021 palm oil investment in Indonesia reached a value of 9.5 billion US dollars, which means that Indonesia is unable to do much about the large amount of palm oil production in the country today.²⁷

So that in the future, Indonesia must be able to seize a share of the world oil market and be able to make a lot of breakthroughs so that Indonesian production is stable, and the Indonesian stock exchange must be able to take over price determination from Malaysia. This was immediately done so that the impact of the trade war between China and the United States would not have much of an impact on CPO production and processing in Indonesia and it was hoped that Indonesia would be able to become a global player that was not stagnant compared to Malaysia which always felt comfortable because its determination used the Malaysian Ringgit.

2. Indonesian Government Policy Towards CPO

On the basis of this trade war and seeing the situation of the decline in Indonesia's export volume in recent years and looking at future prospects, several policies have begun to be taken. In recent years, Indonesia has developed biodiesel energy made from CPO.²⁸ CPO is a raw material that is processed into various kinds of processed products and one of them is Biodiesel which is a type of biofuel or biofuel. Indonesian CPO itself is the largest in terms of income scale where in 2023 Indonesia produces \pm 50.07 million tons.²⁹ Indonesian CPO products are also the best because they have a high level of quality and are grown in areas that are high in carbon and are planted in tropical soil with sufficient irrigation throughout the season.³⁰ It is not surprising that interest from other countries to buy CPO from Indonesia is increasing from year to year.³¹

Biodiesel in Indonesia is currently used as an alternative fuel that is more environmentally friendly and can also be produced domestically. As is known, Indonesia is one of the

27 Lamhot Gibson H Pane, "Diproduksi Indonesia, Ditentukan Malaysia," *News.Detik.Com*, last modified 2022, accessed May 11, 2024, <https://news.detik.com/kolom/d-5953086/diproduksi-indonesia-ditentukan-malaysia>.

28 Adrianto Ahmad, Idral Amri, and Rhmah Nabilah, "Produksi Bioetanol Generasi Kedua Dari Pelepah Kelapa Sawit Dengan Variasi Pretreatment H₂SO₄ Dan Waktu Fermentasi," *Journal of Bioprocess, Chemical, and Environmental Engineering* 1, no. 2 (2020): 37–39.

29 InfoSAWIT, "Produksi Minyak Sawit Indonesia 2023 Meningkatkan 7,15 Persen, Ekspor Ke Uni Eropa Melorot," *InfoSAWIT*, last modified 2024, accessed May 5, 2024, <https://www.infosawit.com/2024/03/02/produksi-minyak-sawit-indonesia-2023-meningkat-715-persen-ekspor-ke-uni-eropa-melorot/#:~:text=InfoSAWIT%2C JAKARTA - Produksi minyak sawit,%2C66%25 dari tahun sebelumnya>.

30 Liputan6.com, "Eropa Sebut Kualitas Minyak Sawit Indonesia Terbaik Di Dunia," *Liputan6.Com*, last modified 2019, accessed May 5, 2024, <https://www.liputan6.com/bisnis/read/4055450/eropa-sebut-kualitas-minyak-sawit-indonesia-terbaik-di-dunia>.

31 Dikta Muhammad Ferro Berlianto and Riko Setya Wijaya, "Pengaruh Transisi Konsumsi Energi Fosil Menuju Energi Baru Terbarukan Terhadap Produk Domestik Bruto Di Indonesia," *e-Jurnal Perspektif Ekonomi dan Pembangunan Daerah* 11, no. 2 (2022): 105–112.

world's crude oil producing countries but has not been able to meet its domestic needs. Meanwhile, to fill the gap within the country, Indonesia has to import fuel oil, which for the 2023 period from January to August will reach at least 11.42 million tonnes. This figure is quite significantly up to 17% compared to the same period in 2022 which is only 9.77 %.³²

Of course, the Indonesian government's plan to replace fossil fuels and maximize the potential of one of these vegetable oils is certainly the hope of many parties. The Indonesian government through Minister of Energy and Mineral Resources (ESDM) Regulation Number 12 of 2015 which was updated to become ESDM Regulation Number 24 of 2021 concerning the Provision and Utilization of Biodiesel Type Biofuels in the Financing Framework by Palm Oil Plantation Fund Management Bodies.³³ The process of making biodiesel has been initiated since 2016, and it requires mixing 20% biodiesel in the form of processed CPO derivatives and 80% diesel fuel.³⁴

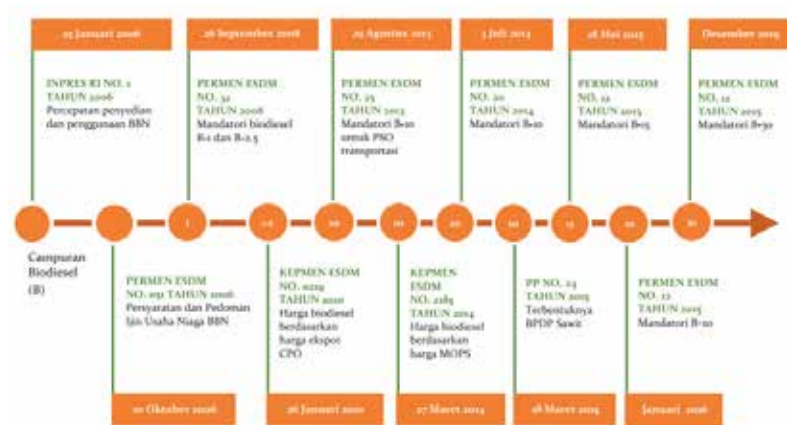


Figure 2. Implementation of Mandatory Biodiesel Policy in Indonesia

Referring to the Minister of Trade's regulation Article 21 of 2019 concerning Imports of Raw Fuels in Article 14 paragraph 5 states clearly that for Imports of Fuels used only for industrial raw materials and industrial auxiliaries so it can be said that this regulation is issued only for domestic industries that require fuel.³⁵ Indonesia's option to meet national vehicle fuel needs is to prioritize clean green resources and sustainable fuel. Indonesian CPO is also vulnerable to what is called rejection and there has even been a black campaign

32 CNBC Indonesia, "Bahaya! RI Masih Kecanduan Impor Minyak, Ini Buktinya," *Cnbcindonesia.Com*, last modified 2023, accessed May 5, 2024, <https://www.cnbcindonesia.com/news/20230918131858-4-473377/bahaya-ri-masih-kecanduan-impor-minyak-ini-buktinya>.

33 Wiko Saputra et al., *Pandangan Pemangku Kepentingan Terhadap Risiko Ekonomi Dan Lingkungan Dalam Kebijakan Biodiesel Di Indonesia* (Jakarta, 2021), https://sposindonesia.org/wp-content/uploads/2021/12/Working-Paper_SPOSI-KEHATI_ID.pdf.

34 *Peraturan Menteri Energi Dan Sumber Daya Mineral Republik Indonesia Nomor 24 Tahun 2021 Tentang Penyediaan Dan Pemanfaatan Bahan Bakar Nabati Jenis Biodiesel Dalam Kerangka Pembiayaan Oleh Badan Pengelola Dana Perkebunan Kelapa Sawit*

35 *Peraturan Menteri Perdagangan Nomor 21 Tahun 2019 Tentang Ketentuan Ekspor Dan Impor Minyak Bumi, Gas Bumi Dan Bahan Bakar Lain*

that said that Palm Oil from Indonesia is very environmentally unfriendly and damages the environment or deforestation, causing world climate change.

The Black Campaign for Indonesia shows that Indonesian palm oil still shows market vulnerability because palm oil is considered the most affordable and cheapest commodity. When compared with other vegetable oils, for example sunflower oil and soybean oil. 2019 became a dilemma for CPOs from Indonesia who were affected by the black campaign launched by several countries from the European region. It was recorded that in the first quarter of 2019 there was a decline in Indonesian CPO exports to the European Continent, especially in the Netherlands, reaching 39%. There was England with 22%, as well as several other potential countries, for example Germany, Italy and Spain.³⁶ This black campaign clearly states that Indonesian CPO products are high-risk and unsustainable products, so they are not worthy of being included in the European market list.

The term Green Deal was used by the Vice President of the European Union who wanted change and transparency in fighting deforestation and interpreted it as a global struggle. The same thing was also expressed by the Commissioner for Environment, Maritime Affairs and Fisheries of the European Union Parliament who stated that the European Union will continue to campaign to suppress deforestation in countries that contribute to forest destruction and influence the world's climate which is now shrinking.³⁷

The implementation of the use of CPO as fuel was part of the mandatory BBN program with the issuance of Minister of Energy and Mineral Resources Regulation Number 32 of 2008 concerning the Provision and Trading Administration of BBN as another Fuel. It was clear that at that time Indonesia still had very little use as a Biofuel (BBN). Utilization is still on a minor scale, namely B2.5-B7.5, this process lasted quite a long time until 2014. Then in 2015, Minister of Energy and Mineral Resources Regulation Number 12 of 2015 reappeared which required an increase, which for 2014-2015 became B15. Of course, this also continues to increase as there is a lot of research related to the use of CPO, where the Indonesian government has continued to encourage domestic industries, for example micro businesses, fisheries, agriculture, transportation and public services to use B20 since 2016-2019 and in the last few years it has been directed towards private transportation B20 utilizes a mixture of 80% Diesel and up to 20% Biodiesel.

Of course, Indonesia must always look for ways to use and exploit CPO in potential ways. It is known that in CPO production economic concepts also apply which always come and go. Apart from the complex problems in oil palm plantations in Indonesia, of

36 CNNIndonesia, "Buntut Kampanye Hitam, Ekspor CPO RI Ke Uni Eropa Anjlok," *Cnnindonesia.Com*, last modified 2019, accessed March 21, 2024, <https://www.cnnindonesia.com/ekonomi/20190415204434-92-386648/buntut-kampanye-hitam-ekspor-cpo-ri-ke-uni-eropa-anjlok>.

37 voaindonesia.com, "Mempersoalkan Kampanye Negatif Sawit Indonesia Di Eropa," *Www.Voaindonesia.Com*, last modified 2022, accessed March 21, 2024, <https://www.voaindonesia.com/a/mempersoalkan-kampanye-negatif-sawit-indonesia-di-eropa-/6882222.html>.

course there must be several policies to be able to provide many benefits to the abundant CPO yields that can be enjoyed by the domestic community.

3. Indonesian Palm Oil Plantations

The area of oil palm plantations in Indonesia is divided into several management parties, namely some are privately owned and some are owned by the community/oil palm farmers, and some are owned by state-owned companies or *PTPN* which are still operating today. At least until 2023, referring to the Indonesian Central Statistics Agency, it has an area of 15.4 million hectares (ha).³⁸ And of this area there are 10 Provinces in Indonesia which have the largest plantation area in Indonesia, with Riau Province being the largest area in Indonesia with 3.49 Million Ha or 20.7% of the total area of Oil Palm (figure 3), followed by Central Kalimantan with 2.03 Million Ha, and also North Sumatra with 2.01 Million Ha.³⁹

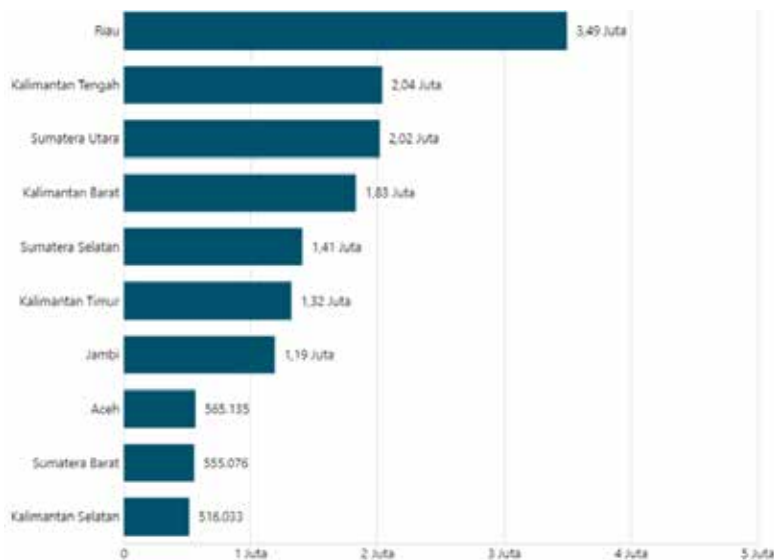


Figure 3. 10 Province with the largest area of palm oil plantations in 2023

Apart from that, Indonesia also has an area of oil palm plantations managed by communities spread across various regions in Indonesia. At least until 2018, plantations managed by these people reached 5.8 million hectares or at least controlled 40.6% of the total area. Meanwhile, in the 1980s, Indonesia only had 295 thousand Ha, with people's ownership of only 6,175 Ha or 2.1%.⁴⁰ This development continues to increase along with

38 BPS RI, "Luas Tanaman Perkebunan Menurut Provinsi (Ribu Hektar), 2023," *Badan Pusat Statistik Republik Indonesia*, last modified 2024, accessed May 12, 2024, <https://www.bps.go.id/id/statistics-table/2/MTMxIzI=/luas-tanaman-perkebunan-menurut-provinsi--ribu-hektar-.html>.

39 databoks.katadata.co.id, "10 Provinsi Dengan Perkebunan Kelapa Sawit Terluas Pada 2023, Riau Juara," *Databoks.Katadata.Co.Id*, last modified 2023, accessed May 12, 2024, <https://databoks.katadata.co.id/datapublish/2023/12/22/10-provinsi-dengan-perkebunan-kelapa-sawit-terluas-pada-2023-riau-juaranya>.

40 databoks.katadata.co.id, "Luas Perkebunan Sawit Rakyat 40,6% Dari Total Perkebunan Sawit Indonesia,"

the number of companies entering Indonesia and the ease with which people can participate in palm oil management in Indonesia in the last few years.⁴¹

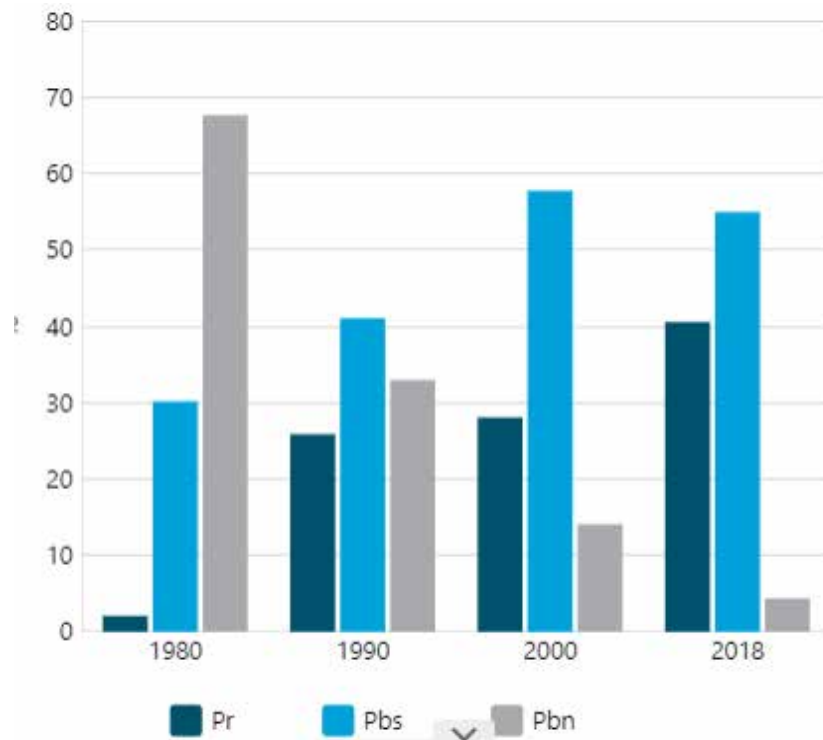


Figure 4. Palm Oil Plantation Ownership in Indonesia

Meanwhile, the area of control carried out by BUMN (State-Owned Enterprises) through reports by the Ministry of Agriculture (Figure 5) shows that the area of management by the state tends to shrink when compared with previous years, but it has the advantage of increasing production, it can be seen that in 2016 alone the area reached \pm 707 thousand Ha with total production reaching 1.8 million tons, then in 2019 the area was only 617 thousand Ha with a production area reaching 2.1 million Ha, then in 2021 the area shrank again to only 579 thousand Ha with production 2.2 Million Ha.⁴² From the results of this achievement, Indonesia was able to obtain foreign exchange for the country as a whole, namely 25 billion US dollars or the equivalent of 359 trillion rupiah in 2021.

Databoks.Katadata.Co.Id, last modified 2019, accessed May 12, 2024, <https://databoks.katadata.co.id/datapublish/2019/12/10/luas-perkebunan-sawit-rakyat-406-dari-total-perkebunan-sawit-indonesia>.

41 Megawati Siahaan and Open Darnius, "Klasifikasi Provinsi Di Indonesia Berdasarkan Luas Pengusahaan Dan Produktivitas Tanaman Kelapa Sawit Menggunakan Analisa Kluster," *Jurnal Agro Estate* 7, no. 2 (2023): 1-10.

42 *datatempo.co*, "Luasan Lahan Sawit Milik BUMN Cenderung Menyusut," *Datatempo.Co*, last modified 2021, accessed May 12, 2024, <https://www.datatempo.co/DataEkonomi/view/20210712161919/luasan-lahan-sawit-milik-bumn-cenderung-menyusut>.

| No | Provinsi | Luas Areal (Ha) | | |
|--------------|---------------------|-------------------------|-------------------------|-------------------|
| | | Perkebunan Besar Negara | Perkebunan Besar Swasta | Perkebunan Rakyat |
| 1 | Aceh | 33.325 | 195.153 | 247.101 |
| 2 | Sumatera Utara | 288.809 | 517.204 | 442.073 |
| 3 | Sumatera Barat | 8.403 | 189.806 | 250.631 |
| 4 | Riau | 75.192 | 1.020.818 | 1.762.163 |
| 5 | Jambi | 20.591 | 292.111 | 771.998 |
| 6 | Sumatera Selatan | 33.865 | 561.246 | 52.247 |
| 7 | Bengkulu | 830 | 98.706 | 273.286 |
| 8 | Lampung | 7.601 | 79.855 | 109.175 |
| 9 | Bangka Belitung | - | 155.361 | 79.457 |
| 10 | Kepulauan Riau | - | 6.073 | 1.283 |
| 11 | DKI Jakarta | - | - | - |
| 12 | Jawa Barat | 10.334 | 3.788 | 291 |
| 13 | Jawa tengah | - | - | - |
| 14 | D.I. Yogyakarta | - | - | - |
| 15 | Jawa Timur | - | - | - |
| 16 | Banten | 9.997 | 2.374 | 6.697 |
| 17 | Bali | - | - | - |
| 18 | Nusa Tenggara Barat | - | - | - |
| 19 | Nusa Tenggara Timur | - | - | - |
| 20 | Kalimantan Barat | 28.021 | 1.453.126 | 534.767 |
| 21 | Kalimantan Timur | 5.377 | 1.446.281 | 376.612 |
| 22 | Kalimantan Selatan | 16.027 | 355.897 | 107.582 |
| 23 | Kalimantan Timur | - | 1.043.425 | 252.643 |
| 24 | Kalimantan Utara | - | 199.641 | 37.494 |
| 25 | Sulawesi Utara | - | - | - |
| 26 | Sulawesi Tengah | - | 888.30 | 54.766 |
| 27 | Sulawesi Selatan | 11.089 | 1.184 | 34.677 |
| 28 | Sulawesi Tenggara | 872 | 61.974 | 7.945 |
| 29 | Gorontalo | - | 14.185 | 4.958 |
| 30 | Sulawesi Barat | - | 40.269 | 108.124 |
| 31 | Maluku | - | 9.342 | 853 |
| 32 | Maluku Utara | - | 5.555 | - |
| 33 | Papua Barat | - | 45.929 | 22.135 |
| 34 | Papua | - | 153.475 | 20.794 |
| Total | | 550.333 | 8.041.608 | 6.029.752 |

Figure 5. Wide Distribution of Oil Palm Plantations in each Province in Indonesia

Due to these results, Indonesia can certainly get a lot of foreign exchange from trading CPO and its derivatives, which can be marketed globally to meet the needs of countries that do not have large palm oil plantations. Currently, Indonesian palm oil is known for its abundant production, cheapness, and high quality. However there are several countries that have criticized Indonesia's actions because they consider it excessive human exploitation and also environmental damage, which continues to be campaigned against by the international community. So, Indonesia needs to determine many strategies to face these various complexities, including the Trade War between China and the United States which has an impact on Indonesian CPO exports.

4. Malaysian Investment in Palm Oil Sector

Since 2006, Indonesia has become a major player in the palm oil business and the world's main exporter with foreign exchange in 2021 reaching 429 trillion just from this activity.⁴³ After beating Malaysia for a long time in terms of exports they had previously since

43 Maulandi Rizky Bayu Kencana, "Kalahkan Malaysia, Industri Sawit Indonesia Rajai Dunia Sejak

the 1980s. However, this pride has something to do with Malaysia, where many Malaysians have invested in palm oil through several companies. Data for 2021 alone shows at least 7.9 palm oil plantation concessions held by foreign companies and 3.7 million hectares held by Malaysia.⁴⁴ Based on the permits granted, there are in the form of HGU (*Hak Guna Usaha*) and IUP (Plantation Business License) with an Indonesian IUP covering an area of + 12.3 million Ha and in detail 9 companies from Malaysia control around 2.32 million Ha. Meanwhile, in 2014, these 9 Malaysian companies controlled 1.42 million Ha of the total 5.12 million Ha of Indonesian plantation area.⁴⁵

In comparison, Malaysia has been a player in the world palm oil plantation industry since the 1980s. The details of the 9 Malaysian companies are CBIP Holding Berhad, Felda Global Ventures Holding Berhad, Genting Plantation Berhad, IJM Corporation Berhad, IOI Corporation Berhad, KLK Berhad, Kulim Berhad, Sime Darby Plantation, and Wilmar International.⁴⁶ It is not an exaggeration why many foreign companies in the Palm Oil Plantation sector entered Indonesia due to the monetary crisis in 1997-1999 and Indonesia received a loan from the IMF (International Monetary Fund) and one of the conditions was to open investment taps in the palm oil plantation sector.⁴⁷ Meanwhile, in previous years, during the New Order era, many palm oil plantation companies were held by BUMN, Perkebunan Nusantara Company, national private plantations and also people's plantations. Until a critical moment, Indonesia tried to sell several important assets that were bankrupt and many companies from Malaysia started buying these assets, including PT Perkebunan Nusantara, some of whose shares had changed ownership to Malaysia.⁴⁸

This has also had a further impact so far, Malaysia, even though its plantation area is small, has become a player that cannot be underestimated because they are the country that determines and standards the price of CPO and can export CPO at a premium to the markets of the European Union, the United States and even Japan. Meanwhile, Indonesia is only a non-premium market and its market share is only Bangladesh, India and even

2006," *Liputan6.Com*, last modified 2021, accessed May 12, 2024, <https://www.liputan6.com/bisnis/read/4473100/kalahkan-malaysia-industri-sawit-indonesia-rajai-dunia-sejak-2006>.

44 Aryo Bhawono and Raden Ariyo Wicaksono, "Kuasa Sawit Malaysia Di Indonesia," *Betahita.Id*, last modified 2022, accessed May 12, 2024, <https://betahita.id/news/detail/7941/kuasa-sawit-malaysia-di-indonesia.html?v=1671757213#:~:text=Olah data menunjukkan luas total,lahan dengan Fungsi Ekosistem Gambut.>

45 Kennial Laia, "Membongkar Luas Dan Cuan Kebun Sawit Malaysia Di Indonesia," *Betahita.Id*, last modified 2022, accessed May 12, 2024, <https://betahita.id/news/detail/7297/membongkar-luas-dan-cuan-kebun-sawit-malaysia-di-indonesia.html.html>.

46 Muhammad Idris, "Mengapa Perusahaan Malaysia Menguasai Banyak Kebun Sawit Di Indonesia?," *Kompas.Com*, last modified 2022, accessed May 12, 2024, <https://pemilu.kompas.com/read/2022/02/01/113530226/mengapa-perusahaan-malaysia-menguasai-banyak-kebun-sawit-di-indonesia>.

47 poskota.co.id, "Ya Ampun! Sejak Krisis Moneter 1998, Perusahaan Malaysia Kuasai Lahan Sawit Indonesia," *Poskota.Co.Id*, last modified 2022, accessed May 12, 2024, https://poskota.co.id/2022/06/01/ya-ampun-sejak-krisis-moneter-1998-perusahaan-malaysia-kuasai-lahan-sawit-indonesia#google_vignette.

48 Farid Firdaus, "Malaysia Kuasai 20% Lahan Sawit Di Indonesia," *Beritasatu.Com*, last modified 2015, accessed May 12, 2024, <https://www.beritasatu.com/ekonomi/282180/malaysia-kuasai-20-lahan-sawit-di-indonesia>.

China. Of course the prices they give cannot be the same and the amount of volume given to these importing countries is different, because it is only non-premium.⁴⁹ This action will certainly be detrimental to many Indonesian farmers and national companies who compete with immigrants under the name of investment. Then this Malaysian company harvests its plantation products, brings them to Malaysia, and sells the products with the Malaysian label so that the results obtained will actually be much greater than using the Indonesian label which has been selling with a non-premium label.

5. Indonesian CPO Against the European Union

It's not just the trade war between China and the United States that Indonesia is fighting against, making this an opportunity and also a global strategic issue. However, Indonesia also faced several rejections from the European Union which asked Indonesian CPO to stop entering its territory⁵⁰. Since 2021, from a report by Sidik, as research coordinator on food and digital economic issues from Indonesia for Global Justice, he stated that the European Union parliament's decision on renewable energy requires only a maximum of 7% of energy use from CPO until 2030, especially energy for transportation. Thus, Indonesia-Malaysia as palm oil producers with a market share of 80% globally is threatened, especially in the European Union.⁵¹

There are at least 5 (five) reasons for the European Union Parliament to ban CPO and its derivative products from Indonesia, including deforestation, degradation of flora and fauna habitats, slavery, human rights violations, and corruption in permits for forest expansion from the palm oil industry.⁵² The problem that is often raised by the European Union Parliament is the problem of deforestation, where since 2013 the European Commission has highlighted changes in land cover in Indonesia, where the area of the agricultural sector in that year reached 58 million hectares, and palm oil contributed 6 million hectares which was destructive or equivalent to 2.5% of the causes of global deforestation (239 million Ha) and the details are from the 2000-2010 period. Companies must be responsible for 88% of forest destruction and only 11% of farmers.⁵³

This consideration makes Indonesia and Malaysia indirectly accused because the world's palm oil plantations are only dominated by these two countries. This discrimination

49 cnbcindonesia.com, "Indonesia Raja Minyak Sawit Yang 'Diatur' Malaysia! Kok Bisa?," *Cnbcindonesia.Com*, last modified 2022, accessed May 12, 2024, <https://www.cnbcindonesia.com/market/20221027170638-17-383062/indonesia-raja-minyak-sawit-yang-diatur-malaysia-kok-bisa>.

50 Hendra Maujana Saragih and Hanna Rahayu, "Pengaruh Kebijakan Uni Eropa Terhadap Ekspor Kelapa Sawit Indonesia," *JPPi (Jurnal Penelitian Pendidikan Indonesia)* 8, no. 2 (2022): 296-303.

51 Rahmat Maulana Sidik, *CPO Indonesia Ditolak Uni Eropa, Kenapa?* (Jakarta, 2018).

52 Windratmo Suwarno, "Kebijakan Sawit Uni Eropa Dan Tantangan Bagi Diplomasi Ekonomi Indonesia," *Jurnal Hubungan Internasional* 8, no. 1 (2019): 23-34.

53 Janice Ser Huay Lee et al., "Environmental Impacts of Large-Scale Oil Palm Enterprises Exceed That of Smallholdings in Indonesia," *Conservation Letters* 7, no. 1 (2014): 25-33.

does not stop there, where in 2019 the European Union again issued a policy draft entitled “Delegated Regulation Supplementing Directive of the EU Renewable Energy Directive II” which was proposed by the European Commission and ratified as Delegated Regulation No. C in the same year. In the draft, it states that some vegetable oils are unsustainable and have a high risk, and if no member countries sue, they will be passed as standard regulations.⁵⁴

Following this issue, since 2015, Indonesia has made several diplomatic efforts, through the Indonesian Ministry of Foreign Affairs, mapping other potential markets and being assisted by the BPPK (Policy Research and Development Agency) to create a single study and narrative on palm oil policy. sustainability in Indonesia.⁵⁵ Apart from that, Indonesia continues to actively invite several countries in the ASEAN region, especially Malaysia and Thailand, as well as from the Latin American region, especially Colombia. Collaboration that can also strengthen the position of Indonesian CPO is cooperation between Indonesia and Malaysia through the instruments of the Council of Palm Oil Producer Countries (CPOCP) and⁵⁶ inviting Thailand to participate because they are both major palm oil producing countries in ASEAN.⁵⁷

Another issue that has arisen is because the European Union wants to protect countries that produce vegetable oils, especially sunflower oil or soybean oil, which have larger land areas than palm oil and the volume produced is also minimal.⁵⁸ As a result, Indonesia continues to try to protest very convincingly to the WTO (World Trade Organization), as the UN body that handles world trade issues.⁵⁹

Through a press release from the Indonesian Ministry of Trade and through the Permanent Mission of the Republic of Indonesia (PTRI) in Geneva, Switzerland sued the WTO on December 9 2019. Discrimination of Indonesian CPO by the European Union is very detrimental to Indonesia and has a negative impact on CPO and its derivative products, and data from Indonesian BPS for In the last 5 years (starting from 2019 onwards) Indonesia has shown a negative trend in the value of its exports and if it continues it will

54 European Union, “Palm Oil: Outcome of the Trilogue of the EU’s Renewable Energy Directive (RED II),” *European Union*, last modified 2018, accessed May 12, 2024, https://eeas.europa.eu/delegations/%0AIndonesia/46646/palm-oil-outcome-trilogue-eu’srenewable-%0Aenergy-directive-red-ii_en.

55 Badan Pengkajian dan Pengembangan Kebijakan, “Diplomasi Sawit,” *BPPK Kementerian Luar Negeri*, last modified 2017, accessed May 12, 2024, Diambil kembali dari Kementerian Luar Negeri.

56 Riva Dessthanisa Suastha, “RI-Malaysia Lawan Resolusi Diskriminatif UE Soal Sawit,” *Cnnindonesia.Com*, last modified 2017, accessed May 12, 2024, <https://www.cnnindonesia.com/internasional/20170812031841-106-234173/ri-malaysia-lawan-resolusi-diskriminatif-ue-soal-sawit>.

57 D. Sutrisno, “Indonesia Ajak Thailand Lawan Resolusi Sawit Eropa,” *Republika.Co.Id*.

58 Caren Riady, Kholif Badarul, and Helen Hi, “Analisis Upaya Indonesia Dalam Melawan Black Campaign Minyak Kelapa Sawit Dari Uni Eropa,” *Proyeksi: Jurnal Ilmu Sosial dan Humaniora* 28, no. 1 (2023): 53–67.

59 Indriati Safitri, “Strategi Council of Palm Oil Producing Countries Dalam Melindungi Ekspor Komoditas Kelapa Sawit Negara Anggota Dari Ancaman Kebijakan Proteksionis Uni Eropa,” *Indonesian Journal of Global Discourse* 3, no. 2 (2021): 64–82.

threaten the economy of small communities who depend on palm oil in Indonesia and communities on the border with Malaysia.⁶⁰ Until the last few years, Indonesia, through the Indonesian Ministry of Foreign Affairs, has attempted batik diplomacy in its resistance to the European Union parliament which narrated that with the existence of palm oil, there will be derivatives, including oil for batik, as well as palm oil as a national commodity that must be maintained because it contributes even more to state income. Has already freed the Indonesian people more over 10 million people from poverty and this is to meet the goals of sustainable development and support for this.⁶¹

After this feud had been going on for a long time, Indonesia began to implement a strategy to look for other alternatives that could be boycotted like CPO, so this decision came after Indonesia began to receive investment from China for nickel which was spread across the Eastern Indonesia region. Indonesia started proposing a boycott of Indonesian nickel to the European Union because the European Union had done the same thing to CPO. The European Union is overwhelmed and is trying to do the same thing to Indonesia by suing the WTO. As a result, Indonesia had to repeatedly appeal because the WTO agreed with the European Union's reasons, but it is known that the United States has left WTO membership and this is good news for Indonesia. Apart from that, the WTO rules for approving nickel exports are also at odds with the WTO's pro-environmental obligations. Meanwhile, Indonesia wants to promote the downstreaming of nickel and its derivatives domestically. Due to this dispute, Indonesia and the European Union again have to wait for a unanimous decision from the newly formed body, namely the WTO Appellate Body, and wait for the WTO judge's decision.⁶²

Indonesia continues to strive to create sustainable palm oil with various policies and various methods to prevent the accumulation of domestic CPO and the downstreaming of palm oil so that it can be used in various derivatives. Then Indonesia continues to promote the use of environmentally friendly palm oil as fuel so that this energy will replace various sources which currently still depend on fossil fuels, especially coal and petroleum.

6. Black Campaign and Sustainability of the Indonesian Palm Oil Industry

The black campaign for Indonesian palm oil has long been carried out by various civil servants as well as national institutions and even international institutions which always highlight the activities of Indonesian palm oil. Since 2022 the European Union has passed

60 Kementerian Perdagangan RI, "Lawan Diskriminasi Kelapa Sawit, Indonesia Gugat Uni Eropa Di WTO," *Kemendag.Go.Id*, last modified 2019, accessed May 12, 2024, <https://www.kemendag.go.id/berita/siaran-pers/lawan-diskriminasi-kelapa-sawit-indonesia-gugat-uni-eropa-di-wto-3>.

61 BPPK, "Dasawarsa Diplomasi Batik Indonesia Peran Diplomasi Dan Industri Minyak Nabati" (Jakarta: Kementerian Luar Negeri, n.d.).

62 Verda Nano Setiawan, "RI Kalah Digugat Uni Eropa, Eks Pejabat WTO Blak-Blakan," *Cnbcindonesia.Com*, last modified 2023, accessed May 12, 2024, <https://www.cnbcindonesia.com/news/20230222081557-4-415860/ri-kalah-digugat-uni-eropa-eks-pejabat-wto-blak-blakan>.

the Anti-Deforestation Law (EUDR) which not only applies to palm oil products and their derivatives but also applies to soybeans, coffee, chocolate, furniture, beef, rubber, wood and even cows which are considered to be the cause of the destruction of the world climate during This. The European Union, through the Commissioner for Environment, Maritime Affairs and Fisheries, stated that this was their effort to prevent cases of deforestation in various countries and world climate change and current environmental damage.⁶³

This black campaign was once opposed by Indonesia and research from Habibie in 2016, stated that in the 2007-2012 period the step taken by Indonesia was to carry out a green marketing strategy, namely economic diplomacy to pressure countries that carried out black campaigns so that these issues could be countered with maximally and with an accurate approach, Indonesian diplomats are prepared to face this plan, green marketing which is developing in the global region will of course really support those who are pro-environment and Indonesia sees this as an opportunity and many oil palm plantations are given direction to be more pro-environment.⁶⁴

However, this campaign did not just stop, this action continued to spread and lead to various negative views on palm oil in Indonesia and Malaysia. Especially on the islands of Kalimantan and Sumatra which are the world's main bases for global suppliers of vegetable palm oil. Another strategy used by Indonesia is diplomacy, namely by implementing the Indonesian-European Free Trade Association Comprehensive Economic Partnership (IE-CEPA) which includes Indonesia, Switzerland, Norway, Iceland and Liechtenstein. This is one way to ward off black campaigns and because for example Switzerland only imported 200 thousand tons of Indonesian oil in 2018 or the equivalent of 0.5% of Indonesia's total global exports and this is an opportunity for Indonesia to to enter the share of the European Union slowly. Switzerland can use Indonesian palm oil for global companies, namely Nestle.⁶⁵

On the other hand, Indonesia's other strategy is to collaborate with Ghana, which is Indonesia's partner and is the main palm oil producer in Africa, where the Ghanaian government positively responds to Indonesia's desire to fight back against this black campaign. Indonesia's first step is to prepare several Indonesian companies. which is starting to expand into business in Ghana and implementing several pro-environment policies as well as assisting the Ghanaian Government in developing its Palm Oil business

63 Nurhadi Sucahyo, "Mempersoalkan Kampanye Negatif Sawit Indonesia Di Eropa," *Voaindonesia.Com*, last modified 2022, accessed May 12, 2024, <https://www.voaindonesia.com/a/mempersoalkan-kampanye-negatif-sawit-indonesia-di-eropa-/6882222.html>.

64 A B Habibie, "Strategi Indonesia Dalam Mengatasi Black Campaign Sawit Untuk Meningkatkan Ekspor Crude Palm Oil (CPO) Periode Tahun 2007-2012," *Global dan Policy* (2016): 1-18, <http://ejournal.upnjatim.ac.id/index.php/jgp/article/view/1923>.

65 Gapki Indonesia, "Bukan Hanya Tudingan, Referendum Swiss Buktikan Kampanye Hitam Sawit," *Gapki.Id*, last modified 2021, accessed May 12, 2024, <https://gapki.id/news/2021/03/11/bukan-hanya-tudingan-referendum-swiss-buktikan-kampanye-hitam-sawit/>.

to be more pro-healthy environment.⁶⁶ Then another lobby was carried out, namely by entering Poland, which has always been a partner for a long time and has benefited both parties (Indonesia-Poland). Diplomatically, Indonesia and Poland have a long history and have always had emotional closeness in the past. Then Indonesian products became superior in that country. This was also welcomed by the Indonesian Ambassador to Poland, who supported the Indonesian Government and sought diplomatic lobbying against this black campaign.⁶⁷

7. Indonesian Palm Oil Certification

Improving Indonesian Palm Oil production is of course not just planning, since 2020 through Presidential Regulation of the Republic of Indonesia Number 44 of 2020 concerning the Indonesian Sustainable Palm Oil Plantation Certification System, the government has continued to strive to downstream and establish sustainable and environmentally friendly Palm Oil Plantations.⁶⁸ The concrete step taken by Indonesia is to certify domestic palm oil so that it can be accepted and free from international black campaigns. In article 1 the certification will be carried out for palm oil and its processed products, then in article 4 it is stated in detail that management of the environment and natural resources as well as social responsibility to the community must be addressed and transparency as an antidote to the issue of indications of corruption in licensing. Included in this regulation are sanctions that can be given to every palm oil plantation in Indonesia, in the form of a warning, up to the closure of the licensing business and revocation of the ISPO certificate.

Indonesia is a country that always suffers from various global issues and also other strategic issues if it does not act quickly. Indonesia has had to fight several times from various sides to fight world tensions and also an economy that is not conducive to several events that have occurred so far. Through the trade war between China and the United States, Indonesia cannot take sides because America and China have been strategic partners for Indonesia all this time. Where for the United States itself 12.6% of trade then China accounts for 26.3% of trade.⁶⁹ Indonesia is always improving the governance of palm oil and its domestic derivatives and their use to avoid European black campaigns, the

66 Gapki Indonesia, "Indonesia – Ghana Kerja Sama Lawan Kampanye Negatif Sawit," *Gapki.Id*, last modified 2018, accessed May 12, 2024, <https://gapki.id/news/2018/04/12/indonesia-ghana-kerja-sama-lawan-kampanye-negatif-sawit/>.

67 bpdp.or.id, "Indonesia Ajak Ghana Lawan Kampanye Hitam Sawit," *Bpdp.or.Id*, last modified 2018, accessed May 12, 2024, <https://www.bpdp.or.id/indonesia-ajak-ghana-lawan-kampanye-hitam-sawit>.

68 *Peraturan Presiden Republik Indonesia Nomor 44 Tahun 2020 Tentang Sistem Sertifikasi Perkebunan Kelapa Sawit Berkelanjutan Indonesia*, n.d.

69 lemhannas.go.id, "Mitra Dagang Terbesar Indonesia: AS Dan China Sedang Alami Perlambatan Ekonomi," *Lemhannas.Go.Id*, last modified 2022, accessed May 12, 2024, <https://www.lemhannas.go.id/index.php/publikasi/press-release/1627-mitra-dagang-terbesar-indonesia-as-dan-china-sedang-alami-perlambatan-ekonomi-2>.

China and United States Trade War which has made the world economy unstable.⁷⁰

D. Closing

Global developments are related to the issue of the China and United States Trade War, and also strategic issues that influence the Indonesian palm oil industry. The impact caused by this trade war will of course affect all lines in Indonesia, including the influence on Indonesia's export uncertainty. The strategic issues facing Indonesia are no less important because until 2023 Indonesia faces various challenges including rejection of Indonesian palm oil and its derivatives as well as black campaigns carried out by countries in the European region. Impact on Indonesian exports and their volume to date. Through analysis related to the impact of legal policies on the Indonesian palm oil industry regarding the trade war between China and the United States and global strategic issues. Several ways Indonesia can do this are by making efforts to implement downstream policies on palm oil derivatives, then downstreaming products that are also needed by Europe, especially Nickel, diplomacy with global palm oil producing countries, for example Malaysia, Thailand, Colombia and also Ghana as production palm oil global. As well as starting to approach countries that are loyal to Indonesia, for example Poland, Iceland, Norway and even Switzerland to support Indonesia's decision. Apart from that, Indonesia is making various efforts to implement a certification policy for processed palm oil products so that they are more systematically organized and wisely managed by the Indonesian government because palm oil has become an important commodity for Indonesia.

70 Udin Abay, "Percepatan Dan Kredibilitas ISPO, Solusi Jitu Melawan Issue Negatif," *Swadayaonline.Com*, last modified 2018, accessed May 12, 2024, <https://www.swadayaonline.com/artikel/1714/Percepatan-dan-Kredibilitas-ISPO-Solusi-Jitu-Melawan-Issue-Negatif/>.

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D. Regulations

Peraturan Menteri Energi Dan Sumber Daya Mineral Republik Indonesia Nomor 24 Tahun 2021 Tentang Penyediaan Dan Pemanfaatan Bahan Bakar Nabati Jenis Biodiesel Dalam Kerangka Pembiayaan Oleh Badan Pengelola Dana Perkebunan Kelapa Sawit.

Peraturan Menteri Perdagangan Nomor 21 Tahun 2019 Tentang Ketentuan Ekspor Dan Impor Minyak Bumi, Gas Bumi Dan Bahan Bakar Lain.

Peraturan Presiden Republik Indonesia Nomor 40 Tahun 2023 Tentang Percepatan Swasembada Gula Nasional Dan Penyediaan Bioetanol Sebagai Bahan Bakar Nabati (Biofuel).

Peraturan Presiden Republik Indonesia Nomor 44 Tahun 2020 Tentang Sistem Sertifikasi Perkebunan Kelapa Sawit Berkelanjutan Indonesia.

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Wisnu Widayat is a lecturer, and currently serves as Director of Immigration. He is active in writing and has been invited several times as a speaker on immigration matters. His current interest and concentration are related to law and immigration, so that currently he has become a reference for several cases related to immigration. Besse Hartati is a bureaucrat and currently serves at the Immigration Polytechnic as a lecturer and serves as deputy Director I of Immigration. He received a placement in immigration technology management, making him fluent in technology to support immigration tasks. Muhammad Arief Adillah is a lecturer with a doctorate among other writers. He had the opportunity to be placed in the immigration administration study program and was active in writing as well as several opportunities to be a speaker on immigration matters, especially those related to government.