

Sertifikasi minyak kelapa sawit berkelanjutan sebagai instrumen penataan hukum lingkungan: analisis hukum terhadap Indonesian sustainable palm oil, Roundtable on sustainable palm oil dan Malaysian sustainable palm oil = Sustainable palm oil certification as environmental law compliance instrument a legal analysis of Indonesian sustainable palm oil, Roundtable on sustainable palm oil and Malaysian sustainable palm oil

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Abstrak

Saat ini, minyak kelapa sawit merupakan komoditas penting yang digunakan untuk berbagai macam produk, seperti minyak goreng, margarin, kosmetik, dan bahan bakar hayati. Didorong oleh tuntutan global, perluasan penanaman kelapa sawit di berbagai belahan dunia, terutama di negara-negara tropis membuat kelapa sawit menjadi sumber minyak nabati terbesar. Perkembangan produksi minyak kelapa sawit berperan penting dalam memberikan dampak ekonomi yang positif, khususnya bagi negara-negara produsen. Kendati demikian, perkembangan produksi minyak kelapa sawit juga berdampak negatif terhadap lingkungan dan kehidupan sosial. Oleh karena itu, terdapat kebutuhan untuk menyelenggarakan produksi minyak kelapa sawit berkelanjutan. Salah satu upaya yang dilakukan untuk mencapai produksi minyak kelapa sawit berkelanjutan adalah dengan menerapkan standar minyak kelapa sawit berkelanjutan melalui sistem sertifikasi. Terdapat tiga sistem sertifikasi minyak kelapa sawit berkelanjutan, yaitu sertifikasi Roundtable on Sustainable Palm Oil, sertifikasi Indonesian Sustainable Palm Oil, dan sertifikasi Malaysian Sustainable Palm Oil. Skripsi ini mencoba untuk mengkaji secara normatif ketiga sistem sertifikasi minyak kelapa sawit berkelanjutan tersebut sebagai instrumen penataan hukum lingkungan. Hasil penelitian dalam skripsi ini menunjukkan bahwa ketiga sistem sertifikasi tersebut belum optimal sebagai instrumen penataan hukum lingkungan. Untuk itu, ketiga sistem sertifikasi tersebut perlu disempurnakan. Kemudian, untuk mendukung pelaksanaan sistem sertifikasi minyak kelapa sawit berkelanjutan diperlukan pula tekanan-tekanan dari pihak ketiga, seperti konsumen, masyarakat / lembaga swadaya masyarakat, pemegang saham, pengecer dan pemasok, dan komunitas keuangan.

Nowadays, palm oil is an important commodity that is used for various products, such as cooking oil, margarine, cosmetics, and biofuel. Driven by global demands, the great expansion of palm oil production in many parts of the world, especially in tropical countries, makes oil palm the highest yielding source of vegetable oil. The expansion of palm oil production plays an important role in providing positive economic impact, particularly for the producing countries. Nevertheless, the expansion of palm oil production also has negative impact on the environment and social life. Therefore, there is a need to provide sustainable palm oil production. One of the efforts needed to achieve sustainable palm oil production is to apply sustainable palm oil standards through a certification system. There are three sustainable palm oil certification systems, namely Roundtable on Sustainable Palm Oil Certification, Indonesian Sustainable Palm Oil Certification, and Malaysian Sustainable Palm Oil Certification. This thesis tries to study normatively the three certification systems of palm oil as an environmental law compliance instrument. The result of this research shows us that the three certification systems are not yet optimal as one. Therefore, that three certification

systems need to be revised. Furthermore, to support the implementation of sustainable palm oil certification system, the pressures from the third parties, such as consumer, communities non governmental organization, shareholders, retailers, suppliers, and financial community are also required.