

## Kebijakan diskriminatif Renewable Energy Directive (RED) Uni Eropa terhadap negara produsen sawit (2009-2019) = Discriminative policy of the european union Renewable Energy Directive (RED) against palm oil producing countries (2009-2019)

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### Abstrak

Skripsi ini membahas bentuk diskriminasi yang dilakukan oleh Uni Eropa melalui kebijakan Renewable Energy Directive (RED) terhadap komoditi sawit yang berdampak pada negara produsen sawit diantaranya Indonesia dan Malaysia. Uni Eropa melakukan bentuk diskriminasi melalui skema Indirect Land Use Change (ILUC) dan sertifikasi sebagai syarat diberlakukannya RED. Skema ILUC memberikan hambatan non-tarif dan hambatan tarif. Komoditi sawit dikategorikan sebagai komoditi High Risk karena memiliki nilai ILUC yang tinggi, hal ini berdampak pada penurunan nilai jual sawit di Uni Eropa. Selain skema ILUC, sertifikasi Certification of Sustainable Palm Oil (CSPO) RED juga memberikan hambatan non-tarif yang membatasi masuknya komoditi sawit ke pasar Uni Eropa, hal ini dikarenakan sertifikasi CSPO-RED bersifat wajib bagi komoditi yang akan masuk kedalam pasar Uni Eropa. Kedua hambatan tersebut merugikan Malaysia dan Indonesia sebagai eksportir terbesar sawit ke Uni Eropa. Indonesia dan Malaysia dirugikan karena terkena dampak tarif biaya dari skema ILUC sehingga menurunkan harga jual minyak sawit, selain itu Malaysia dan Indonesia juga dirugikan dengan tidak diakuinya sertifikasi lokal MSPO dan ISPO yang tidak berbeda jauh dari CSPO-RED. Diskriminasi yang dilakukan oleh RED Uni Eropa dalam skripsi ini penulis jelaskan menggunakan analisis teori proteksionisme oleh Levy dan mengaitkannya langsung dengan prinsip Non-diskriminasi World Trade Organization (WTO). Bentuk proteksionisme RED Uni Eropa dianalisa berdasarkan tingkat transparansinya (Intentional), Incidental, dan Instrumental Protectionism.

.....This thesis discusses the forms of discrimination carried out by the European Union through the Renewable Energy Directive (RED) policy on palm oil commodities that have an impact on palm producing countries including Indonesia and Malaysia. The European Union carries out forms of discrimination through the Indirect Land Use Change (ILUC) scheme and certification as a condition for the enactment of RED. The ILUC scheme provides non-tariff barriers and tariff barriers. The palm oil commodity is categorized as a High Risk commodity because it has a high ILUC value, this affects the decline in the value of palm oil sales in the European Union. In addition to the ILUC certification scheme, the Certification of Sustainable Palm Oil (CSPO) RED also provides non-tariff barriers that limit the entry of palm oil commodities into the European Union market, this is because CSPO-RED certification is mandatory for commodities that will enter the EU market. Both of these obstacles harm Malaysia and Indonesia as the largest exporters of palm oil to the European Union. Indonesia and Malaysia were disadvantaged because they were affected by the cost tariffs of the ILUC scheme, thereby reducing the selling price of palm oil, besides that Malaysia and Indonesia were also disadvantaged by the non-recognition of MSPO and ISPO local certification that did not differ greatly from CSPO-RED. Discrimination conducted by RED of the European Union in this thesis the author explains using the analysis of protectionist theory by Levy and

relates it directly to the principle of Non-discrimination World Trade Organization (WTO). The forms of protectionism of the EU RED are analyzed based on the level of transparency (Intentional), Incidental, and Instrumental Protectionism.</p>