

ABSTRACT

Environmental problems in Indonesia are getting worse along with economic development, where many companies are destroying the environment. One of them is a lawsuit by the Awyu tribal community in Boven Digoel, Papua, against the environmental permit issued to the palm oil company PT. Indo Asiana Lestari (IAL). Indigenous communities are suing because they were not involved in the licensing process, which is contrary to the Papua Special Autonomy Law. Although the law recognizes their rights to customary forests, the court rejected the lawsuit. PT activities. IAL has the potential to destroy forests which are the source of life for indigenous communities and contribute to the climate crisis. Cancellation of this permit is important to protect the rights of the community and the environment.

This study is normative research utilizing library research, which involves examining laws as norms, rules, legal principles, doctrines, and theories, and gathering data from various sources such as libraries, books, journals, and others to address the legal issues under investigation. The approaches taken include statutory, case, and conceptual approaches.

The results of this research show that the judge rejected the Awyu indigenous community's lawsuit, because they considered that LMA Boven Digoel's support was sufficient, and the AMDAL issue and permit procedures were not the object of dispute. The government must involve indigenous communities in licensing and protecting their rights to customary forests to prevent environmental damage.

Keywords: Customary Law Communities, Customary Forests, Environmental Protection.

ABSTRAK

Masalah lingkungan di Indonesia semakin parah seiring dengan berkembangnya ekonomi, di mana banyak perusahaan merusak lingkungan. Salah satunya adalah gugatan masyarakat adat suku Awyu di Boven Digoel, Papua, terhadap izin lingkungan yang dikeluarkan untuk perusahaan sawit PT. Indo Asiana Lestari (IAL). Masyarakat adat menggugat karena tidak dilibatkan dalam proses perizinan, yang bertentangan dengan Undang-Undang Otonomi Khusus Papua. Meskipun hukum mengakui hak mereka atas hutan adat, pengadilan menolak gugatan tersebut. Aktivitas PT. IAL berpotensi merusak hutan yang merupakan sumber kehidupan masyarakat adat dan berkontribusi pada krisis iklim. Pembatalan izin ini penting untuk melindungi hak masyarakat dan lingkungan.

Jenis penelitian ini adalah penelitian normatif yang menggunakan penelitian pustaka (*Library Research*), artinya meneliti atau mengkaji tentang hukum sebagai norma, aturan, asas hukum, doktrin hukum, teori hukum dan menghimpun data dari berbagai literatur baik dari perpustakaan, buku, jurnal dan lain-lain untuk menjawab permasalahan hukum yang diteliti. Adapun pendekatan yang dilakukan adalah pendekatan perundang-undangan, pendekatan kasus, dan pendekatan konseptual.

Hasil dari penelitian ini menunjukkan, bahwa Hakim menolak gugatan masyarakat adat Awyu, karena menganggap dukungan LMA Boven Digoel sudah cukup, dan masalah AMDAL serta prosedur izin bukan objek sengketa. Pemerintah harus melibatkan masyarakat adat dalam perizinan dan melindungi hak-hak mereka atas hutan adat untuk mencegah kerusakan lingkungan.

Kata Kunci : Masyarakat Hukum Adat, Hutan Adat, Perlindungan Lingkungan.