

Business and Human Rights in The Nickel Industrial Estate: A Socio-Legal Study of People's Rights in Weda Bay

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Abstract

The development of the Weda Bay nickel industrial estate as a National Strategic Project, which, on the one hand, encourages economic growth but, on the other, has a profound impact on the human rights of the people around the mine. This research aims to analyze the implementation of Business and Human Rights principles in PT's operations. IWIP with a focus on fulfilling the community's rights in Lelilef Sawai, Lelilef Woebulan, and Gemaf Villages. The research method uses a socio-legal approach, with data collected through interviews, field observations, and document analysis. The results of the study show that although companies have formally opened participation spaces, there are substantive restrictions on the right to freedom of expression, characterized by the criminalization of citizens, meaningless participation, and a weak legal complaint mechanism. These findings show a gap between the normative framework of Business and Human Rights and practices in the field, as well as reflecting on corporations' failure to carry out human rights due diligence.

Keywords: Business and Human Rights; Nickel Industrial Estates; Mining Circles; Human Rights; Weda Bay.

1. Introduction

The development of the nickel extractive industry in Indonesia has undergone a massive transformation in line with the implementation of the mineral downstream policy through Law Number 4 of 2009 concerning Mineral and Coal Mining. (Abdussamad et al., 2024). This strategic policy encourages the establishment of the Weda Bay Industrial Estate (IWIP) in Central Halmahera as one of the National Strategic Projects under Presidential Regulation Number 3 of 2016, with a concession area of 45,065 hectares. This reality marks a new chapter in extractive industrialization in eastern Indonesia, attracting trillions of rupiah in investment from Chinese joint ventures such as Tsingshan, Huayou, and Zhenshi. (Muhtar et al., 2024). This policy has encouraged the establishment of large-scale industrial estates, including the Weda Bay Industrial Estate (IWIP) in Central Halmahera, which has been designated as a National Strategic Project under Presidential Regulation Number 3 of 2016. Supported by significant foreign investment, particularly from Chinese joint ventures such as Tsingshan, Huayou, and Zhenshi, IWIP has accelerated the processing of nickel into high-value-added products for global supply chains, including stainless steel and electric vehicle batteries, while generating employment and contributing to regional economic growth. However, this rapid industrial expansion also reveals a structural tension between the state's ambition for resource-based industrialization and the protection of the fundamental rights of communities living around mining areas, as economic growth has been accompanied by environmental degradation, social conflict, and increasing pressures on local livelihoods and human rights.

Studies on the nickel mining industry in Indonesia show analytical tendencies that highlight juridical aspects and socio-environmental impacts. Nickel mining activities in Halmahera have implications for local fishermen's welfare, including seawater pollution, deforestation, and the diversion of coastal land uses. (Bobby and Basani, 2024). The study emphasized the importance of government regulations and the sustainability principle in agribusiness law to ensure socio-economic protection for affected communities. Meanwhile, mining activities, especially by PT IWIP in Central Halmahera, which cause water, air, and soil pollution, have a direct impact on the health and livelihoods of the surrounding community. (Bidul and Widowaty, 2024). They criticized the weak corporate accountability mechanism after the enactment of Law Number 6 of 2023 concerning Job Creation, which abolished the principle of responsibility without proof of wrongdoing, thereby worsening victims' ability to demand environmental justice. The study emphasizes the urgency of a progressive legal approach to assessing the nickel industry's practices in Indonesia, not only from economic and environmental perspectives but also from human rights and ecological justice perspectives. This research was conducted to fill this gap through a socio-legal analysis integrating business and human rights in the context of nickel mining corporations in Indonesia, particularly in the Halmahera area.

The problems in this study related to macroeconomic growth are shown to have increased the contribution of the mining and quarrying sector from IDR 540.07 billion in 2020 to IDR 9,139.77 billion in 2023, despite the real conditions that people around the mine face, including violations of their fundamental rights (Badan Pusat Statistik Kabupaten Halmahera Tengah, 2024). Central Halmahera BPS data in 2024 shows that although the GDP has increased significantly, the number of poor people remains 6.44 thousand, with a poverty rate of 10.71%, while 1,079 people are recorded as unemployed. This condition illustrates the tension between economic growth driven by natural resources and the social welfare of local communities. The increase in the monetary value of the mining sector is not automatically



proportional to improvements in the quality of life of people living around the industrial area, because most of the profits are concentrated among corporate actors and economic elites. This phenomenon indicates the failure of development governance, as community empowerment strategies, environmental protection, and distributive justice have not fully aligned with the downstream mineral policy. Economic growth and social welfare are issues in assessing the effectiveness of nickel downstream policies in Indonesia, especially in the Weda Bay Industrial Estate.

Empirical evidence reveals multidimensional problems in the vicinity of the nickel mining industry. In Lelilef Sawai Village, a criminal was convicted for rejecting the land acquisition mechanism, which was considered non-transparent and unfair to customary landowners. (Takuling, 2025). Since 2019, the people of Gemaf village have continued to protest against the vagueness of compensation for the use of mangrove land by companies that have resulted in the loss of coastal traditional livelihoods. At the same time, the O'Hongana Manyawa Indigenous people face serious threats to the sustainability of their living space, cultural identity, and cultural practices due to the expansion of industrial estates that ignore the principle of recognition and protection of indigenous peoples' rights. This condition confirms the inequality of power relations between corporations, local governments, and local communities, which leads to the marginalization of economic, social, and cultural rights of vulnerable groups. The pattern of development based on natural resource extraction is not yet fully aligned with the constitutional mandate on social justice and the principle of sustainable development.

This study aims to analyze the implementation of the three pillars of the UN Guiding Principles on Business and Human Rights (UNGPs) in the operations of PT Indonesia Weda Bay Industrial Park (IWIP). Substantively, the study assesses the effectiveness of the state's obligations in protecting human rights through Presidential Regulation Number 60 of 2023 concerning the National Action Plan for business and Human Rights (RAN BHAM); consistency of corporate responsibility through the implementation of human rights due diligence (human rights due diligence) which includes the identification, prevention, and mitigation of the impact of human rights in the; as well as the effectiveness of recovery access for affected communities through case studies of land acquisition and handling of social conflicts in the mine ring. This approach is expected to reveal the extent to which the international normative framework of business and Human Rights is internalized in national policies and practiced at the local level, while presenting policy recommendations for governments and industry players to realize fair and sustainable business governance.

This study is guided by the following research questions: (1) How are the three pillars of the UN Guiding Principles on Business and Human Rights implemented in the operations of PT Indonesia Weda Bay Industrial Park? and (2) To what extent do national regulatory instruments, particularly Presidential Regulation No. 60 of 2023, translate into effective protection, corporate responsibility, and access to remedy for mining-affected communities?

Employing a socio-legal approach, this research positions the UNGPs as its primary analytical framework to examine the interaction between international norms, national legal instruments, and local practices. This study contributes to the literature by providing an empirical and integrated assessment of business and human rights implementation in Indonesia's nickel downstreaming sector, an area that remains underexplored in existing socio-legal scholarship.

2. Literature Review

2.1. Business and human rights and the UN guiding principles

The Business and Human Rights (BHR) framework has developed as a global normative response to the growing influence of corporations on the enjoyment of human rights, particularly in contexts characterized by weak governance and resource extraction. The adoption of the United Nations Guiding Principles on Business and Human Rights (UNGPs) in 2011 marked a significant shift in international governance by articulating three interdependent pillars: the state duty to protect human rights, the corporate responsibility to respect human rights, and access to remedy for victims of business-related human rights abuses. The UNGPs emphasize human rights due diligence (HRDD) as a core mechanism through which corporations are expected to identify, prevent, mitigate, and account for adverse human rights impacts throughout their operations and value chains.

In the extractive sector, the UNGPs have been widely discussed as a critical governance instrument due to the sector's high-risk profile, including land dispossession, environmental degradation, labor exploitation, and conflicts with Indigenous Peoples. Empirical studies in Africa and Latin America demonstrate that mining corporations often comply with BHR standards only symbolically, while substantive implementation of HRDD remains limited, particularly in relation to meaningful participation and effective grievance mechanisms. These studies highlight persistent gaps between international human rights norms and local practices, especially in jurisdictions where economic development agendas prioritize investment and resource extraction over social and human rights safeguards.

2.2. Mining, indigenous rights, and socio-legal approaches

A growing body of socio-legal scholarship examines mining activities as sites of structural inequality, where legal frameworks coexist with power imbalances between states, corporations, and local communities. Studies on extractive industries in the Global South reveal that mining operations frequently undermine land rights, cultural rights, and traditional livelihoods, particularly among Indigenous Peoples. Concepts such as meaningful participation and Free, Prior, and Informed Consent (FPIC) have emerged as central analytical tools to assess whether communities are genuinely involved in decision-making processes or merely consulted in a procedural and non-substantive manner.

Socio-legal research further demonstrates that the criminalization of environmental defenders and community leaders is a recurring pattern in mining regions, reflecting the use of legal instruments to suppress dissent rather than protect rights. These dynamics underscore the importance of examining not only formal legal compliance but also how laws are implemented, contested, and experienced at the local level. In this context, access to remedy—through judicial, administrative, or non-judicial mechanisms—remains one of the weakest pillars of BHR implementation, as affected communities often face barriers related to power asymmetries, lack of information, and limited institutional support.

2.3. Business and human rights in Indonesia's nickel downstreaming context

In Indonesia, existing studies on nickel mining and downstream industrialization have largely focused on environmental impacts, agrarian conflicts, and regulatory compliance within the framework of mining and environmental law. Research on nickel mining in Halmahera, for example, documents pollution, deforestation, and declining fisheries, as well as conflicts arising from land acquisition and compensation

mechanisms. While these studies provide valuable insights into the socio-environmental consequences of mining, they tend to address human rights issues indirectly and in a fragmented manner.

Following the enactment of Presidential Regulation No. 60 of 2023 concerning the National Action Plan on Business and Human Rights (RAN BHAM), Indonesia formally adopted the UNGPs framework into its national policy architecture. However, empirical assessments of how this framework operates in practice, particularly within large-scale nickel industrial estates, remain limited. There is a notable absence of integrated socio-legal studies that examine the interaction between international BHR norms, national regulatory instruments, and local realities in mining-affected communities.

This research addresses this gap by providing an empirical and integrated analysis of the implementation of the UN Guiding Principles on Business and Human Rights in the Weda Bay Industrial Estate. By examining state obligations, corporate responsibility, and access to remedy through field-based evidence, this study contributes to the broader literature on extractive industries and human rights, while offering context-specific insights into the challenges of aligning Indonesia's nickel downstreaming agenda with the protection of community rights.

3. Method

This research uses a socio-legal approach. (Banakar and Travers, 2005) which integrates normative legal analysis with empirical realities in the field to analyze the legal framework of Business and Human Rights with its implementation in the operational practice of PT. IWIP. This approach is particularly relevant for assessing the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs), as it enables the analysis of how international norms and national regulatory frameworks are interpreted, implemented, and experienced at the local level. The study focuses on the Weda Bay Industrial Estate operated by PT Indonesia Weda Bay Industrial Park (IWIP), with empirical research conducted in Lelilef Waibulan, Lelilef Sawai, and Gemaf Villages—areas identified as directly affected by mining activities based on the company’s Environmental Impact Assessment (AMDAL). By combining doctrinal analysis with field-based evidence, this approach allows for a critical evaluation of the gap between normative commitments to human rights and their practical realization in mining-affected communities.

The research population comprised all stakeholders in the industrial estate, and a purposive sample of 15 key informants was selected. The sample consisted of representatives of directly affected communities, such as Hernemus Takuling and Alfons Sigoru; local governments, including members of the Central Halmahera DPRD; traditional community leaders O'Hongana Manyawa; and representatives of civil society organizations, such as JATAM Malut. The selection of this informant has been based on the depth of their knowledge and direct experience regarding the operational impact of PT. IWIP on the fulfillment of human rights of the community.

Legal materials include Presidential Regulation Number 60 of 2023 on Business and Human Rights Regulations, Central Halmahera Regency Regional Regulation Number 3 of 2024, and AMDAL documents for PT. IWIP, BPS secondary data, and company annual reports. Data collection techniques included interviews, participatory observation at conflict sites, and the study of policy documents. The analysis was carried out by triangulating the data to ensure the validity of the findings, by comparing the results of interviews, field observations, and document studies. This analysis technique was chosen to identify inconsistencies between legal norms and practices in the field, as well as to reconstruct an ideal model for protecting the rights of communities around the mine, grounded in the principles of Business and Human Rights.

4. Result and Discussion

Central Halmahera Regency in North Maluku Province covers an area of 8,381.48 km², as shown in Figure 1, with a hilly topography and significant natural resource potential, particularly in mining, fisheries, agriculture, and tourism. (Pemerintah Kabupaten Halmahera Tengah, n.d.). Administratively, the region comprises 10 sub-districts and 61 villages, with East Weda District the largest and East Patani the smallest. Annual rainfall ranges from 1,695 to 2,570 mm, with typical seasonal variations. This great potential encourages the development of industrial estates, especially in the nickel mining sector. In the last five years, the population has increased significantly, from 56,802 people in 2020 to 106,500 people in 2024, primarily due to labor migration to mining industrial estates. Weda District is the most populous area, with a population density of 152.98 people/km², and the mining sector is a major contributor to economic growth and demographic change. (Badan Pusat Statistik, 2025). This geographical and administrative context is essential for understanding the scale of land use change and the heightened risk of human rights impacts associated with large-scale mining and industrial development.

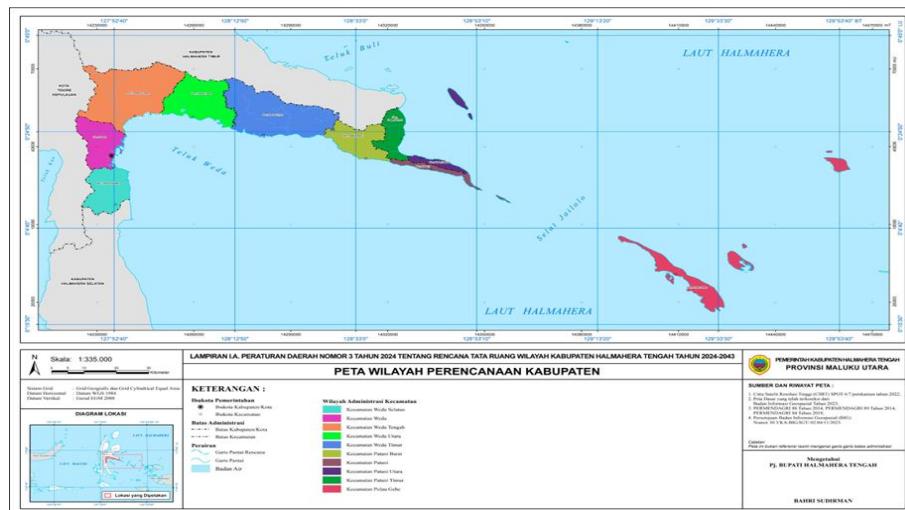


Fig. 1: Map of the Administrative Area of Central Halmahera Regency.

Source: Central Halmahera Regency Regional Regulation Number 3 of 2024 (Kabupaten Halmahera Tengah, 2024).

The government mandated the development of the Weda Bay Industrial Estate as part of the National Strategic Project (PSN) under Presidential Regulation Number 3 of 2016. Presidential Regulation Number 9 of 2020, which the Job Creation Law supports. Through this project, a significant investment is directed to the downstream mineral resources sector, managed by PT Indonesia Weda Bay Industrial Park (IWIP), a joint venture of three Chinese investors: Tsingshan, Huayou, and Zhenshi. PT Weda Bay Nickel holds a Seventh Generation Contract of Work with a concession area of 45,065 hectares after the reduction of the area in 2019. Based on the Central Halmahera Regional Regulation Number 3 of 2024, this industrial estate is set at 13,784 hectares in the Central Weda and North Weda Districts, as shown in Figure 2. The company's spatial plan and EIA are directed to be able to build an integrated industrial estate that includes production zones, ports, worker housing, and supporting utilities while still paying attention to environmental and spatial governance aspects. Despite its designation as a National Strategic Project, the development framework places limited emphasis on human rights risk assessment and meaningful community participation, raising concerns under the UN Guiding Principles on Business and Human Rights.

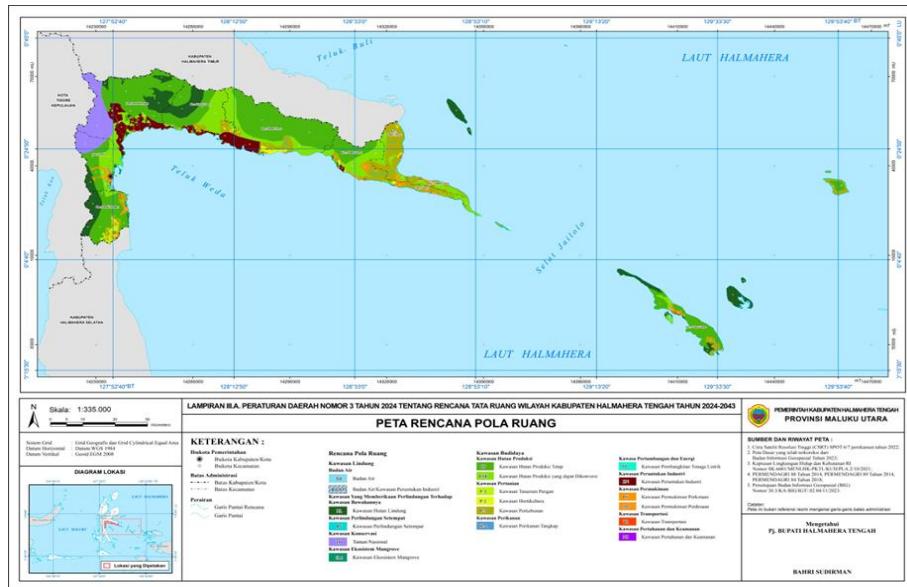


Fig. 2: Map of Industrial Estate Space Patterns in Central Halmahera Regency.

Source: Central Halmahera Regency Regional Regulation Number 3 of 2024

Until early 2025, PT IWIP had absorbed more than 81,000 Indonesian workers, with 35% from local communities and 40% from North Maluku. (Anon., 2025). The mining and processing industry sectors showed a sharp increase in the Gross Regional Domestic Product (GDP) of Central Halmahera Regency, from IDR 540.07 billion (mining) and IDR 841.88 billion (processing industry) in 2020 to IDR 9,139.77 billion and IDR 16,670.99 billion, respectively, in 2023. However, this increase does not always reflect the welfare of the people around me. The GDP indicator only describes economic output, without showing the distribution of benefits to the community, so economic inequality, local community rights, and social justice remain the main challenges in business implementation and the fulfillment of human rights in the Weda Bay nickel industrial estate. However, these macroeconomic indicators do not necessarily reflect the realization of economic and social rights of communities surrounding the mining area, as the distribution of benefits remains uneven and local livelihoods continue to face structural vulnerabilities.

4.1. Implementation of the protection of mining ring community rights in the Weda Bay nickel industrial estate from the perspective of business and human rights

Corporations in Indonesia that contribute to national economic growth by creating jobs, such as PT Indonesia Weda Bay Industrial Park (IWIP), which has absorbed more than 81,000 local workers. However, behind this role are negative impacts, including environmental pollution, resource conflicts, and human rights violations affecting the surrounding community. In line with the UN Guiding Principles on Business and Human Rights (UNGPs), every corporation is obliged to respect human rights. (Ruggie, 2013) By (1) developing human rights integration policies, (2) conducting human rights due diligence (human rights due diligence), and (3) preparing a recovery mechanism for affected parties (Ruggie, 2013). This provision was adopted in Presidential Decree No. 60 of 2023. Komnas HAM Regulation No. 001 of 2017 concerning the National Action Plan for Business and Human Rights (RAN BHAM), which emphasizes three main pillars: the state's obligation to be able to protect, the responsibility of corporations to respect their environment, and the right of victims to obtain adequate and sustainable remedies, as shown in Figure 3.



Fig. 3: Pillars of the UN Guiding Principles on Business and Human Rights.

Source: KomNas HAM, National Action Plan for Business and Human Rights (2017) (Komisi Nasional Hak Asasi Manusia (Komnas HAM), 2017).

Nickel business activities in the Weda Bay Industrial Estate are the embodiment of Article 33 paragraph (3) of the 1945 Constitution and Law No. 4 of 2009 jo. Law No. 3 of 2020 concerning Mineral and Coal Mining. This regulation emphasizes that economic activities of natural resources must be carried out in accordance with human rights principles as guaranteed in Law No. 39 of 1999 concerning human rights. Articles 95 and 96 of the Mineral and Mineral Law require business actors to apply sound mining engineering principles, promote community empowerment, and maintain the environment's carrying capacity. In addition, Article 145 of Law No. 3 of 2020 guarantees the rights of the affected community to obtain appropriate compensation and to file a lawsuit for losses resulting from the company's violations. In this framework, the mining business is not only an economic instrument but also a mechanism for protecting fundamental human rights and the environment.

The development of the IWIP Industrial Estate in Central Halmahera aligns with the national strategy for mineral downstreaming but carries significant social and ecological consequences. Communities around the mine, including the O'Hongana Manyawa indigenous community, have lost traditional living space and are experiencing socio-ecological pressures due to industrial expansion. Based on research in villages around the mine (Lelilef Waibulen, Lelilef Sawai, and Gemaf), the implementation of corporate responsibility for civil-political rights and economic-socio-cultural rights (EKOSOB) has not been optimal. Citizens have the right to voice their opinions, to reject relocation, and to demand transparency without intimidation, as guaranteed by Article 19 of the ICCPR and Articles 23–25 of Law No. 39 of 1999. However, the land acquisition process lacked transparency and was marked by price uncertainty, triggering social protests. Residents of Gemaf Village took action to demand clarity on compensation, but the company sent only field officers, without offering a solution. (Sigoru, 2025).

Similar cases occurred in Lelilef Woebulen and Lelilef Sawai Villages. There were demonstrations in 2013–2014 and 2021 against land acquisition, the prohibition on the use of the Wosia river, and the imposition of prison sentences for refusing to participate in land acquisition procedures considered unfair. (Takuling, 2025). The two cases illustrate two dimensions: (1) the use of people's right to expression in fighting for land and environmental rights, and (2) human rights violations in the form of criminalization of environmental defenders, which is contrary to Article 66 of Law No. 32 of 2009. Law No. 6 of 2023. The peaceful protest in Gemaf shows that space for expression still exists, but it has not been accompanied by a meaningful dialogue mechanism, as shown in Figures 4 and 5. On the contrary, the criminalization of Lelilef Sawai confirms the weak state protection of environmental human rights defenders in the mining area. Figure 4 illustrates community resistance to land compensation practices that were perceived as non-transparent and exclusionary, highlighting the gap between formal participation mechanisms and their substantive implementation.



Fig. 4: Protest in Gemaf Village Over Dissatisfaction with Land Compensation.

Source: <https://www.teropongmalut.com/puluhan-warga-gemaf-desak-pt-iwip-ganti-untung-lahan/> (accessed 31 October 2025).



Fig. 5: Protest by Residents Around the Mine.

Source: <https://betahitia.id/news/detail/11381/kritik-di-ultah-iwip-penaklukan-alam-berkedok-transisi-energi.html?v=1756788036> (accessed 31 October 2025).

After seven years of operation, PT. This IWIP is still considered to have failed to uphold the principle of respect for human rights in the Second Pillar of the UNGPs, as shown in Figure 5. Zulfikar Sangaji (JATAM Malut) called IWIP a "manifestation of extractive colonialism" that deprives Halmahera residents of their living space (Sangaji, n.d.). The protests of Lelilef and Woebulen residents in February-August 2025 marked dissatisfaction with the ecological and social damage caused by industrial operations. Woebulen residents said that rivers and forests were severely damaged, while traditional agricultural and fishing activities stopped. (Masud, 2025). National strategic projects that are claimed to bring prosperity cause loss of food sources, pollution, and intimidation of residents (Takuling, 2025). These facts, which confirm serious violations of the rights of the EKOSOB community around the mine, show that the corporation has not carried out substantive human rights due diligence in accordance with the UNGPs and RAN BHAM standards.

4.2. Reconstruction of ideal legal policies to realize the protection of the rights of the mining circle community in accordance with the principles of the business plan and human rights

The Weda Bay Nickel Industrial Estate in Central Halmahera Regency is one of the national strategic projects that is the backbone of Indonesia's mineral resource downstream policy. Since its inception in 2018, the region has attracted significant investment, created jobs, and driven substantial growth in its Gross Regional Domestic Product (GDP). However, behind these economic achievements, fundamental problems arise regarding the fulfillment of human rights in communities around the mine, especially the right to participate, the right to a healthy environment, the right to decent work, and the right to freedom of expression.

Research data has shown that the operating area of PT. The Indonesia Weda Bay Industrial Park (IWIP) covers more than 45,000 hectares spread across the Central Halmahera and East Halmahera regions. This vast area has a direct impact on surrounding villages, including Lelilef Sawai, Lelilef Woebulen, and Gemaf. Communities in the region are facing ecological pressure from forest destruction and air and water pollution, as well as social pressure from the loss of traditional livelihoods. In addition, there are restrictions on space for expression and citizen participation, indicating an inequality between macroeconomic growth and the substantive well-being of local communities. In the realm of mining activities, these rights include the right of communities to obtain accurate information, express opinions, approve or reject mining activities, and supervise the implementation of projects in their areas. The fulfillment of this right to participation is an essential aspect in ensuring that economic development does not sacrifice the fundamental rights of citizens. The state and corporations themselves are obliged to ensure that local communities have adequate space to meaningfully engage in every stage of planning, implementing, and evaluating mining projects.

Guarantees for people's participation rights have been regulated in various national legal instruments. First, Article 28C, paragraph (2), of the 1945 Constitution of the Republic of Indonesia guarantees the right of everyone to participate in economic, social, and political development and to benefit from its results. Second, Articles 44 and 45 of Law Number 39 of 1999 concerning Human Rights affirm the right of everyone to participate in the formulation and implementation of public policies that affect society's interests. Third, Article 65 paragraph (2) of Law Number 32 of 2009 concerning Environmental Protection and Management gives the right to the community to play an active role in protecting and managing the environment.

In addition, Articles 96 to 100 of Law Number 3 of 2020 concerning Mineral and Coal Mining require mining companies to prioritize community safety, treat the surrounding community fairly, and implement community empowerment programs (PPM). This provision is strengthened by Presidential Regulation Number 60 of 2023 concerning the National Action Plan for Business and Human Rights (RAN BHAM), which affirms the principles of meaningful participation and human rights due diligence for corporations in business activities that affect society at large. The management of the Weda Bay Nickel Industrial Estate should not only focus on economic growth but also on respecting and protecting the rights of the mining community, which will later affect the implementation of a just and prosperous state.

5. Conclusion

The development of the Weda Bay Nickel Industrial Estate as a National Strategic Project has created an imbalance between macroeconomic growth through nickel downstreaming and the protection of the human rights of the mining community. Normatively, national legal frameworks such as Law No. 39 of 1999 on Human Rights, Law No. 3 of 2020 on Mineral and Mineral Resources, and Presidential Decree

No. 60 of 2023 on Business and Human Rights have adopted the UN Guiding Principles on Business and Human Rights, which affirm the state's obligation to protect, the responsibility of corporations to respect, and the victim's right to recovery. However, findings such as the criminalization of environmental human rights defenders, restrictions on space for expression, meaningless participation, and ecological impacts that harm the right to a healthy environment and livelihood show that the responsibility of PT. The IWIP has not conducted substantive due diligence on human rights and on the state's performance in carrying out its protection obligations. Although these industrial estates contribute significantly to GDP and labor absorption, they fail to ensure a fair distribution of benefits and instead cause violations of the civil, political, economic, social, and cultural rights of local communities, so a strong legal policy reconstruction is needed to ensure the integration of human rights principles in the stages of industrial operations to build a prosperous and balanced life.

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References

- [1] Abdussamad, Z., Harun, A.A., Muhtar, M.H., Puluhulawa, F.U., Swarianata, V., and Elfikri, N.F., 2024. Constitutional balance: Synchronizing energy and environmental policies with socio-economic mandates. E3S Web of Conferences, [online] 506, p.06006. <https://doi.org/10.1051/e3sconf/202450606006>.
- [2] Anon. 2025. Kawasan Industri IWIP Serap Lebih dari 81 Ribu Tenaga Kerja Lokal. [online] Available at: <<https://www.metrotvnews.com/read/kELCzBX9-kawasan-industri-iwip-serap-lebih-dari-81-ribu-tenaga-kerja-lokal>>.
- [3] Badan Pusat Statistik, 2025. Kabupaten Halmahera Tengah dalam Angka 2025. Halmahera Tengah: BPS Kabupaten Halmahera Tengah.
- [4] Badan Pusat Statistik Kabupaten Halmahera Tengah, 2024. Kabupaten Halmahera Tengah dalam Angka 2024. [online] Available at: <<https://holtengkab.bps.go.id/publication/2024/02/28/443cb5329c0a1f77368169c1/kabupaten-halmahera-tengah-dalam-angka-2024.html>>.
- [5] Banakar, R. and Travers, M. eds, 2005. Theory and Method in Socio-Legal Research. Oxford: Hart Publishing.
- [6] Bidul, S. and Widowaty, Y., 2024. Analisis Yuridis Dampak Pencemaran Lingkungan Pertambangan Mangan dan Nikel di Provinsi Maluku Utara. JUSTISI, [online] 9(3), pp.412–426. <https://doi.org/10.33506/js.v9i3.2768>.
- [7] Bobby, S.R. and Basani, C.S., 2024. A Juridical Review Of The Implementation Of Nickel Mining In Halmahera And Its Impact On Local Fishermen From The Point Of View Of Agribusiness Law. JURNAL HUKUM SEHASEN, [online] 10(2), pp.617–630. <https://doi.org/10.37676/jhs.v10i2.6270>.
- [8] Kabupaten Halmahera Tengah, 2024. Peraturan Daerah Nomor 03 Tahun 2024 tentang Rencana Tata Ruang Wilayah Kabupaten Halmahera Tengah Tahun 2024–2043. Halmahera Tengah.
- [9] Komisi Nasional Hak Asasi Manusia (Komnas HAM), 2017. Rencana Aksi Nasional Bisnis dan HAM. Jakarta: Komnas HAM.
- [10] Masud, F., 2025. Interview by the author.
- [11] Muhtar, M.H., Harun, A.A., Putri, V.S., Apripari and Moha, M.R., 2024. Addressing the paradox: Why environmental constitutionalism is more than just rights? E3S Web of Conferences, [online] 506, p.06004. <https://doi.org/10.1051/e3sconf/202450606004>.
- [12] Pemerintah Kabupaten Halmahera Tengah, n.d. Simoregam Halmahera Tengah. [online] Available at: <https://simoregam.malutprov.go.id/SimoreGam/public/regency_detail/2>.
- [13] Ruggie, J.G., 2013. Just Business: Multinational Corporations and Human Rights. New York: W. W. Norton & Company.
- [14] Sangaji, Z., n.d. Kritik di Ultah IWIP: Penaklukan Alam Berkedok Transisi Energi. [online] Available at: <<https://betahita.id/news/detail/11381/kritik-di-ultah-iwip-penaklukan-alam-berkedok-transisi-energi.html?v=1756788036>>.
- [15] Sigoru, A., 2025. Interview by the author.
- [16] Takuling, H., 2025. Interview by the author.