

ABSTRAK

Skripsi ini meneliti peran *World Trade Organization* (WTO) dalam penyelesaian sengketa dagang antara Indonesia dan Uni Eropa terkait minyak sawit pada periode 2019-2025, dengan fokus pada efektivitas *Dispute Settlement Body* (DSB) dalam menghasilkan kepatuhan. Sengketa ini berpusat pada kebijakan *Renewable Energy Directive II* (RED II) yang mengklasifikasikan minyak sawit sebagai *high-risk Indirect Land-Use Change* (ILUC), sehingga menimbulkan pembatasan terhadap akses pasar ke UE. Dengan menggunakan pendekatan kualitatif melalui desain *single-case study* dan *process tracing*, penelitian ini menganalisis proses adjudikasi serta implementasi pasca-putusan berdasarkan dokumen putusan WTO, regulasi UE, dan laporan kebijakan terkait. Temuan penelitian menunjukkan bahwa WTO efektif menjalankan fungsi adjudikatif melalui dihasilkannya putusan mengikat yang menegaskan adanya unsur diskriminatif dalam klasifikasi *ILUC-risk*. Namun demikian, kepatuhan UE bersifat parsial—terbatas pada langkah prosedural dan administratif, tanpa diikuti perubahan substantif terhadap unsur diskriminatif dalam metode klasifikasi yang menjadi dasar sengketa. Kondisi ini lebih mencerminkan upaya menjaga reputasi sebagai *good faith actor* dan mempertahankan legitimasi WTO, daripada kesediaan untuk mengubah substansi kebijakan yang disengketakan. Munculnya kebijakan lanjutan seperti *European Union Deforestation-free Regulation* (EUDR) semakin memperkuat indikasi bahwa UE bergeser secara strategis tanpa mengubah tujuan kebijakan lingkungan secara fundamental. Keterbatasan ini berkaitan dengan karakter WTO sebagai rezim internasional yang tidak memiliki otoritas melampaui kedaulatan negara, dan tetap bergantung pada kemauan politik UE. Akibatnya, pemulihan akses pasar bagi minyak sawit Indonesia tidak sepenuhnya terealisasi, dan ketegangan antara liberalisasi perdagangan dan standar keberlanjutan lingkungan akan terus menjadi area perdebatan dalam WTO.

Kata Kunci: *World Trade Organization*, *Dispute Settlement*, Minyak Sawit, Uni Eropa, Indonesia, Kepatuhan.

ABSTRACT

This thesis examines the role of the World Trade Organization (WTO) in resolving the trade dispute between Indonesia and the European Union (EU) concerning palm oil during the period 2019-2025, with a particular focus on the effectiveness of the Dispute Settlement Body (DSB) in producing compliance. The dispute centers on the Renewable Energy Directive II (RED II), which classifies palm oil as a high-risk Indirect Land-Use Change (ILUC) commodity, thereby imposing restrictions on its market access to the EU. Employing a qualitative approach through a single-case study design and process tracing, this research analyzes the adjudicative process as well as post-ruling implementation, drawing on WTO ruling documents, EU regulations, and relevant policy reports. The findings indicate that the WTO effectively performed its adjudicative function by producing a binding ruling that affirmed the discriminatory elements embedded in the ILUC-risk classification. Nevertheless, EU compliance proved partial—confined to procedural and administrative measures, without substantive changes to the discriminatory aspects of the classification methodology that formed the basis of the disputes. This conditions reflects an effort to maintain reputation as a good faith actor and preserve WTO legitimacy, rather than a genuine willingness to alter the substance of the contested policy. The European Union Deforestation-free Regulation (EUDR) further suggests that the EU has shifted its approach strategically without fundamentally altering its underlying environmental policy objectives. This limitation are inherent in the character of the WTO as an international regime that lacks authority beyond the state sovereignty, and remains dependent on the political will of its member. As a result, the recovery of market access for Indonesian palm oil has not been fully realized, and the tension between trade liberalization and environmental sustainability standards will continue to be an area of contestation within the WTO.

Keywords: World Trade Organization, Dispute Settlement, Palm Oil, European Union, Indonesia, Compliance.