



EFFECTIVENESS OF ENVIRONMENTAL CRIMINAL LAW ENFORCEMENT IN CASES OF ENVIRONMENTAL CRIME OF ILLEGAL LOGGING CASE STUDY AT THE SUMATERA ELEPHANT FOUNDATION

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Article History Received : 2024-09-03 Revised: 2024-09-05 Published: 2024-10-01 Keywords: Environmental Law Enforcement, Illegal Logging, Environmental Crime, Environmental Protection, The Role of the Sumatran Elephant Foundation.	<i>Illegal logging is a significant environmental problem, especially in developing countries with large tropical forest areas. This activity not only causes forest degradation, but also has an impact on the loss of biodiversity, climate change, and socio-economic conflicts in local communities. This study aims to analyze the causal factors, impacts, and mitigation efforts of illegal logging. The results show that the main factors that trigger illegal logging include weak law enforcement, high demand for illegal wood, and economic pressure at the local level. The impacts include ecosystem damage, increased carbon emissions, and decreased quality of life for indigenous and local communities. To overcome this problem, effective strategies include increasing supervision, empowering local communities, implementing strict policies, and cooperation between countries in controlling the illegal wood trade. This study recommends a holistic approach involving various stakeholders to protect forests sustainably. The Sumatran Elephant Foundation has a very important role in overcoming this problem. As a conservation institution, Yagasu not only monitors and documents illegal logging activities, but is also active in conducting education and advocacy activities to the community about the importance of protecting mangrove forests and how to properly process mangrove products.</i>

I. INTRODUCTION

Enforcement of environmental criminal law is one of the important instruments in efforts to overcome various environmental crimes, including illegal logging. Illegal logging has long been a serious threat to the sustainability of tropical forest ecosystems, especially in areas with high biodiversity such as Sumatra. This activity not only causes the loss of ecological functions of the forest but also has a negative impact on local communities, both socially and economically, not only has a negative impact on humans, Illegal Logging also has a negative impact on wildlife protection.

In the context of law enforcement, various regulations have been implemented to suppress illegal logging activities, but their effectiveness is often questioned. Factors such as weak supervision, minimal public concern for the environment, and lack of coordination between agencies are the main obstacles in eradicating this crime. Various methods have certainly been carried out by stakeholders in forest resources.

The case study we conducted at the Sumatran Elephant Foundation shows how illegal logging

activities damage mangrove forests and destroy the habitat of animals in the mangrove forests.

This study aims to determine the effectiveness of environmental criminal law enforcement in illegal logging cases found at the Sumatran Elephant Foundation. This study is expected to provide relevant strategic recommendations to improve environmental protection, especially mangrove forests and the sustainability of their ecosystems in Indonesia.

Based on the description above, the author formulates the problems analyzed as follows: What is meant by illegal logging and the conclusion with criminal law in the context of mangrove forests in the environment of the Sumatran Elephant Foundation. What is the role of the Sumatran Elephant Foundation and its correlation with law enforcement in handling crimes in mangrove forests. How is the implementation of criminal law enforcement in cases of illegal logging in mangrove forests at the Sumatran Elephant Foundation.

II. RESEARCH METHODS

This research was conducted through

qualitative methods. This method includes collecting information from in-depth understanding, on narrative and descriptive analysis carried out in detail through interviews, participant observation and analyzing regulations, policies, related reports and also observing the law enforcement process in the field.

III. RESULTS AND DISCUSSION

A. what is meant by illegal logging and the conclusion with criminal law in the context of mangrove forests in the Sumatran Elephant Foundation environment

Illegal logging is the activity of cutting, transporting, processing, and selling wood illegally, without permission from the competent authority. This practice violates the law with UUD No. 18 of 2013 concerning the prevention and eradication of forests, UUD No. 41 of 1999 concerning forestry, Government Regulation No. 3 of 2013 concerning the implementation of the UUD concerning the prevention and eradication of forest destruction and regulations in force in a region, both in terms of permits, logging locations, and the amount of wood taken. Illegal Logging perpetrators can be subject to criminal sanctions of a maximum prison sentence of 10 years, a maximum fine of ten billion rupiah, additional penalties such as taking evidence and also substitute penalties such as, for example, paying environmental compensation.

In the environment of the Sumatran Elephant Foundation, environmental crimes such as illegal logging often occur. To prevent illegal logging, the Sumatran Elephant Foundation has created a patrol team consisting of Yagasu staff, community groups, and forest police to patrol to prevent or even arrest people who are carrying out illegal logging. This patrol activity is usually carried out 2 to 3 times a month in order to suppress illegal logging activities.

Usually, illegal loggers commit the crime of cutting down mangrove forests to make charcoal from mangrove trees and then distribute it to charcoal kitchens or charcoal production places from mangroves. This charcoal is more in demand because charcoal from mangrove trunks is more durable and relatively inexpensive, not too expensive compared to charcoal from ordinary wood (bricks). However, as we know, illegal logging activities are illegal logging activities.

B. The Role of the Sumatran Elephant Foundation and Its Correlation with Law Enforcement in Handling Crime in Mangrove Forests

Yagasu plays a role in monitoring illegal logging activities and mangrove forest destruction, and because of that, Yagasu formed a patrol team for illegal logging law enforcement involving the authorities. Yagasu also raises public awareness of mangrove forests or mangroves so as not to carry out illegal logging by providing appeals, counseling and even training to utilize mangrove forests without cutting down mangroves, for example, making batik dyes from mangroves, making syrup, jam and also chips from mangroves.

Making batik dye from mangroves is done by boiling mangrove stems until the water turns brown, after which it is lifted and drained before it can be used as batik dye.

The purpose of this training is to improve the economy of coastal communities and raise awareness among communities to protect mangrove forests because it can provide an opportunity to earn income other than being fishermen and farmers. Of course, not only maintaining and repairing, Yagasu also utilizes mangrove products to be processed into valuable products for the market, such as: Mangrove Batik made from black propagul waste, the propagul waste is boiled for a long time until it produces a dark brown color, then the boiled water of the propagul waste is filtered to get natural dyes, then there are Mangrove Chips made from jeruju leaves, before being processed into food, the thorns and veins of the jeruju leaves are first removed, then the jeruju leaves are boiled in boiling water for ten minutes, then mix the boiled jeruju leaves with other ingredients such as garlic, shallots, wheat flour, tapioca flour, eggs, margarine, cooking oil, salt and water until they produce a dough for frying, then there is Mangrove Syrup made from berembang fruit, with the method and recipe owned by Yagasu, Yagasu can process berembang fruit into syrup, and finally there is Mangrove Jam made from berembang fruit. Just like Mangrove Syrup, Mangrove Jam is also made from berembang fruit with its own method and recipe. After doing various kinds of Mangrove processing correctly without damaging the mangrove itself, Yagasu will market the processed results to generate a selling price. Of course, Yagasu educates the coastal community to utilize mangroves with the

correct processing method and not violate existing legal regulations.

C. Implementation of Criminal Law Enforcement in Illegal Logging Cases in Mangrove Forests at the Sumatran Elephant Foundation

People who commit illegal logging crimes will be arrested by the Yagasu patrol team and processed through the forest police. Before an arrest is made, the forest police will first receive a report from local residents and an investigation will be carried out by the authorities to collect evidence. After all has been proven, the process of arresting the perpetrators of illegal logging cases will be carried out.

The perpetrators who are arrested will be taken and interrogated at the village hall to find out the reasons why the illegal logging perpetrators committed the crime. Most of them answered that they carried out illegal logging only to make boat paddles, house poles and some also to make mangrove charcoal in the charcoal kitchen.

There are several stages before the perpetrators of illegal logging are arrested, especially in the environment of the Sumatran Elephant Foundation, the first warning will only be given a warning, the second warning will confiscate the tools used for illegal logging by the forest police, usually in the form of axes, machetes and ropes and the third warning will be punished according to the applicable customary law, for example 1 mangrove tree that is cut down is replaced with 5 kg of rice or can also be punished with imprisonment in accordance with Law no. 18 of 2013 concerning the prevention and eradication of forest destruction, and also ensnared by government regulation no. 3 of 2013 concerning the implementation of the law on the prevention and eradication of forests.

IV. CONCLUSIONS AND RECOMMENDATIONS

As a form of prevention effort, YAGASU formed a joint patrol team consisting of foundation staff, local community groups, and forest police. Patrols are carried out routinely two to three times a month to reduce and suppress illegal logging activities. In addition to prevention, the patrol team is also tasked with arresting perpetrators caught red-handed committing the crime. This step shows YAGASU's seriousness in preserving the environment, especially the

mangrove ecosystem, which plays an important role in maintaining the balance of nature. However, the success of preventing illegal logging requires strong synergy between the community, government, and related parties so that environmental management can be sustainable.

The Sumatran Elephant Foundation (YAGASU) plays an important role in law enforcement and mangrove forest conservation efforts through repressive and preventive approaches. In the repressive aspect, YAGASU forms a patrol team tasked with monitoring mangrove areas, arresting illegal loggers, and handing them over to the forest police to be processed according to the law. In addition, a preventive approach is carried out by increasing awareness of coastal communities regarding the importance of maintaining the mangrove ecosystem. Various efforts such as appeals, counseling, and training are provided to help communities understand the benefits of mangroves without having to cut them down. One of the innovations taught is the use of mangroves to produce products with economic value, such as batik dyes, syrup, and chips.

Law enforcement in the YAGASU environment uses a phased approach as follows:

1. First Warning: If caught for the first time, the offender is only given a verbal warning.
2. Second Warning: If caught a second time, the tools used for illegal logging, such as axes, machetes, or ropes, will be confiscated by the forest police.
3. Third Sanction: If caught for the third time, the perpetrator will be subject to customary punishment, for example replacing each mangrove tree that is cut down by giving 5 kg of rice. In addition, the perpetrator can be subject to criminal sanctions in accordance with Law No. 18 of 2013 concerning the Prevention and Eradication of Forest Destruction, as well as Government Regulation No. 3 of 2013 which regulates the implementation of the law.

This approach reflects YAGASU's efforts to enforce the law in a balanced manner, by giving perpetrators the opportunity to correct their mistakes before facing more severe sanctions. It also shows YAGASU's commitment to involving the surrounding community to preserve mangrove forests through a collaborative approach between the community, authorities, and applicable customary laws.

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