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Indonesian National Policy of Criminal Law in Enforcing Law Against Illegal Logging of Conservation Forest Timber

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Abstract

Crime in the forestry sector in the form of illegal felling of trees creates problems that are quite complicated to overcome. Tree felling in Indonesia is one of the cases most frequently handled by the Environmental and Forestry Law Enforcement Service. Illegal logging leads to deforestation and a decrease in the size of state forests. This article aims to discuss law enforcement against illegal logging crimes and how national laws can reduce the occurrence of these crimes. This research uses a normative juridical approach, namely a study of statutory regulations as primary data supported by secondary data using a literature review. The findings of this research are that in law enforcement efforts to respond to these crimes, the Indonesian Government has implemented regulatory provisions that have been stated firmly in the Prevention and Combating of Forest Destruction Law (2013), which have comprehensively provided opportunities for regional governments through the distribution of central government authority, as well as the involvement of the community and legal agencies or corporation that has a permit to manage forest products in an effort to prevent and eradicate illegal logging crimes, imposing consequences on wrongdoers through incarceration, criminal fines, and administrative penalties. However, the legal policies in this law have not effectively reduced the occurrence of crime because other regulations still contain policies that open up opportunities for illegal logging. Therefore, synchronization between regulations and laws related to forestry issues is required.

Keywords: criminal sanctions; Illegal logging; law enforcement.

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Introduction

Indonesia is renowned for its extraordinary natural resources on land and sea (Baransano & Mangimbulude, 2011). The country is blessed with a fertile and resource-rich expanse from Sabang to Merauke (Sihombing, 2023). Indonesia boasts the world's highest biodiversity, which has the potential to make its people prosperous and the nation prosperous (Sutarno, 2015). One gift given by God to humans is forests as a resource that is now controlled by the state to benefit to society, so we are all obliged to respect, protect, and make the best use of them.

As a support for life and a source of prosperity for the people, the preservation of its existence, the sustainable maintenance of its carrying capacity, and the adherence to noble, fair, wise, open, professional, and responsible ethics must be ensured. An important feature of the region is its extensive and varied forest cover, which includes conservation forests, protected forests, and production forests.

Regarding conservation forests, the groups are categorized as follows: Grouping forests based on their function serves the specific purpose of preserving and protecting the biodiversity of plants and animals within them. Effective management is crucial for maintaining the sustainability of both the forest and its biodiversity. A conservation forest is an area with distinctive characteristics that serve as a habitat for preserving biodiversity and its ecosystem. The regulation governing conservation forests is Law Number 5 of 1990, which pertains to the preservation of natural resources and ecosystems. It is essential to preserve biodiversity in the forest to prevent extinction. At the same time, the utilization of forest resources, including flora and fauna, should be carried out wisely and responsibly.

Forests, in general, play a crucial role in sustaining life for various organisms and serving as a source of livelihood for humans. Indirectly, forests offer numerous benefits, including regulating water systems, mitigating erosion, providing clean air for living beings to breathe, mitigating global warming, preserving soil fertility, serving as a tourism attraction due to their natural beauty, and contributing to the national economy through the utilization of production forests (Nurhaedah & Hapsari, 1999). The existence of forest areas, which serve as essential life support and a source of people's welfare, is diminishing. Unwise forest utilization has resulted in significant losses. One example of a detrimental activity is illegal logging. (Wirmayanti et al., 2021). In Indonesia, forest destruction continues to occur every year, leading to a decrease in the country's forest area. Indonesia's forest area had a decline of 956,258 hectares (ha) from 2017 to 2021, as reported by the Central Statistics Agency (BPS) (Kusnandar, 2022).

The Ministry of Environment and Forestry has mostly addressed illegal logging throughout the past six years, from 2015 to 2021, handling 497 instances. During the COVID-19 pandemic, illegal logging activities in forest areas in Indonesia saw an increase throughout 2020. Nine cases of illegal logging were legally processed (Andi Nimah Sulfiani & Rizka Firdaus, 2022). The majority of these instances pertained to entrepreneurs, timber collectors, and local groups residing in the vicinity of the forest region. The community participated in illicit

deforestation activities and traded the timber to entrepreneurs or collectors thereafter. This practice created an impression during the pandemic that there was exploitation of the urgent situation to meet the community's needs, while entrepreneurs were also driven by production demands.

Law enforcement against forestry crimes in Indonesia, especially against illegal logging, has experienced various obstacles and has given rise to complex and difficult problems in efforts to overcome and eradicate these criminal acts. The impact is not only in the form of damage to the forest environment and its ecosystem but also causes losses to the state in terms of state income from the tax sector. Illegal logging involve cutting wood without permits, transporting, and selling, which ironically is often considered a normal problem. Many cases of illegal logging are not legally processed, especially in cases where there is much involvement from unscrupulous individuals. So, this illegal logging must be prevented and eradicated, considering that forest areas is crucial for life, and it is the government's responsibility to protect and maintain them.

Indra Tihirang's research highlights the significant global harm caused by illegal logging to forests and the ecosystem, leading to detrimental consequences for the country and society. In Indonesia, law enforcement against illegal logging often involves collusion between entrepreneurs and law enforcement, making it ineffective. The Forestry Law (1999) a still exhibits various deficiencies, particularly in the phrasing of excessively broad, the inability to hold corporate and intellectual perpetrators accountable, the lack of access to examine the bank accounts of individuals involved in forestry crimes, and the absence of a judicial institution that specifically handles these violations (Indra Tihirang, 2013).

Roberto Romareo's research findings indicate that the imposition of consequences on wrongdoers should take the shape of incarceration and monetary penalties. Penalty is a crucial aspect of criminal law enforcement, which aims to deter individuals and corporations involved in illegal activities (Roberto Romario Seke, Fonny, 2020). In comparison, Yuniarti Pratiwi concluded that various factors could cause weak law enforcement against illegal logging. One important factor is weak coordination between law enforcement officials and related agencies, as well as the presence of corrupt officials involved in illegal logging activities. In addition, the regulation of illicit logging offenses, as outlined in Forestry Law (1999), exhibits numerous deficiencies and loopholes, impeding the apprehension of individuals involved in the forestry mafia (Pratiwi, 2013).

In contrast to the discussion examined in previous research, the focus of the author's research will center on the differences in illegal logging patterns in

Indonesia, how effective Indonesia's national legal policies are in reducing illegal logging patterns, and how these regulations address illegal logging patterns. The aim to be achieved is to provide a more specific understanding and insight regarding law enforcement against illegal logging crimes and to be able to contribute ideas to the International United Nations Environment Program (UNEP) as an international organization so that it can improve the cooperation that has been carried out with Indonesia to jointly together to help overcome and eradicate illegal logging crimes that occur in forests in Indonesian territory.

Research Problem

Based on the description above, the author intends to conduct a study on:

1. How does law enforcement respond to illegal logging crimes, especially regarding timber sourced from conservation forests?
2. How effective is national legal policy in reducing illegal logging patterns?

Research Methods

The study utilized a normative juridical methodology, which views law as the content found in laws and regulations (law in books) or as the standards and norms outlined in statutory regulations. This methodology entails a comprehensive analysis of all pertinent statutes and regulations related to the legal matters being investigated (Yanova et al., 2023). This study employs primary legal sources, namely statutory rules, to analyze the content of the Prevention and Combating of Forest Destruction Law (2013), which focuses on the prevention and eradication of forest destruction. The researcher collected secondary data by doing a comprehensive literature review, which involved examining a range of sources such as books, scientific research papers, and other relevant materials available in libraries. The data collection strategy utilized in this study involves conducting library research, which is subsequently followed by analysis. The data analysis method employed in this study is qualitative analysis. The research employs qualitative analysis techniques, specifically focusing on a thorough examination of the available legal documents. These materials are then integrated with additional legal sources and supplemented with relevant theories to derive comprehensive conclusions.

Discussion

1. Illegal Logging Patterns In Indonesia

As to the Prevention and Combating of Forest Destruction Law (2013), illegal logging refers to the unauthorized and coordinated exploitation of timber

products. This act is a human activity that involves the exploitation of forest resources outside existing sustainable forest management systems. Illegal logging is usually conducted by a certain collective of individuals or individuals systematically, either within a network or through other means, for their benefit. Illegal logging refers to any activity that involves the illegal exploitation of forest wood (Safitri & Sitabuana, 2013). This activity includes logging, harvesting, transporting, controlling or owning forest wood that is not in accordance with statutory regulations and other applicable provisions (Irawan et al., 2021). Cases of illegal logging in Indonesia are increasing. Various forms of illegal logging that occur include illicit distribution of timber, encroachment into forests, illegal logging, and abuse of power to issue permits for timber use, both on a small and large scale with a systematic and neatly organized system (Ammri & Jaya, 2023). Illegal logging not only has an impact in the form of natural damage in the form of floods, erosion and drought which, affects the foundations of it adversely affects the lives of individuals and causes significant disruptions to the national economy, namely the emergence of state losses in terms of non-tax state revenues (Roberto Romario Seke, Fonny, 2020).

Forms of illegal logging include the following (Maulana & Nanda Setiawan, 2023):

- a. Cutting trees in forest areas without permission.
- b. Tree felling does not comply with permits issued by authorized officials;
- c. Cutting down trees unlawfully;
- d. Carrying logging wood out of the forest without permission;
- e. Transporting wood that does not meet administrative requirements;
- f. Bringing logging equipment without permission from authorized officials;
- g. Carrying heavy equipment suspected of being used to transport wood illegally;
- h. Using forest wood illegally; and
- i. Distributing wood via land, water, and air illegally.

There are three types of illegal logging. The first, is the illegal cutting of trees carried out by people/individuals or groups of people who reside in the vicinity of the forest, including those who do not dwell within its bounds, No one has the legal right to do so tree logging. Second, the illegal logging that is carried out by companies without permission from authorized forestry officials. Third, hidden parties argue on behalf of the people or certain people without legal rights/permission (Fadliah, 2009). The leading cause of forest destruction is mainly due to large-scale logging. This logging even involves various parties

working together and in an organized manner. Destruction of forests by cutting down trees illegally without taking into account all the resulting losses. The devastation of forests is not limited to protected areas, conservation forests, or even woods that have been declared national parks. Forest areas are specific regions that the government has identified and/or decided should be kept as permanent forests (Frastien, 2017).

Cases of wood theft have now become a common phenomenon that occurs everywhere (Sholahudin, 2016), but the global issue of illegal logging and trading undermines efforts to manage forests responsibly (Rybakov, 2019). Nowadays, not only is wood stealing an unlawful activity committed by the community, but it has also developed into a regular occurrence and even a means of subsistence (Rusydi, 2013). Problems related to forestry today are not just wood theft and illegal logging but have become problems involving many parties. Hence, to be able to handle, prevent and eradicate it, the role of various parties is needed. For reasons of fulfilling economic needs, illegal actions in forest areas, such as deforestation illegal logging, logging, illegal logging certainly cause environmental damage and, affect the socio-cultural life of the community itself and even increase global warming of the earth.

In Indonesia, the theft of wood from conservation forests has occurred since the New Order era (Political period 1966-1998) (Kamilia & Nawiyanto, 2015). From time to time, deforestation has become a habit. It has even become a growing and increasing trend, resulting in forest areas on islands in Indonesia, including Sumatra, Kalimantan, Java, Bali, Papua, and Sulawesi, experiencing rapid deforestation. Deforestation is a situation where forests experience a decline in function due to changes in land structure due to clearing of land intended for settlements, agricultural land, mining, plantations, and even clearing of land intended for industry (Wahyuni & Suranto, 2021).

In Indonesia, every year, forest destruction does not decrease but instead increases, causing the forest area in Indonesia to decrease. Apart from causing forest destruction, another impact is environmental damage due to less than optimal supervision and enforcement of laws pertaining to environmental protection (Feri Andriawan, 2021). With permission, the text refers to the combination of the Forestry Law (1999) and the Prevention and Combating of Forest Destruction Law (2013), which is the hope that it can be firmly implemented in order to prevent and eradicate the crime of wood theft and crime in the forest sector, especially wood theft in conservation forests which contain rare trees and their existence needs to be preserved. Prevention and eradication of criminal acts of theft of conservation forest timber have not yet been

implemented optimally and have been unable to spread a widespread discouraging impact among the people who still commit these acts (Barus & Alvi Syahrin, 2015).

According to the provisions the Protection of Natural Resources and Ecosystems Law (1990), conservation forest areas are classified into three types based on their function and designation (Rahman et al., 2020). This category encompasses environment reserves, nature protection forests, and wildlife reserves. Conservation forests primarily focus on protecting ecosystems and the diversity of life forms within them (Samedi, 2021). Apart from that, this area can function as a tourist spot and research site.

Conservation forests play a vital role as protected areas due to their significant benefits, particularly in maintaining the ecosystem (Zulkarnain, 2013). These forests are safeguarded to preserve the forest itself and the diverse life within it, preventing forest destruction and deforestation. However, conservation forest areas in Indonesia encounter various problems and challenges in their preservation by the government. The utilization of forest resources prior to the implementation of preservation area regulations has further exacerbated the visible damage that persists in forests today (Winarwan, 2011).

There are several problems related to violations in conservation forest areas, including forestry criminal cases. On average, these violations involve entering forest areas without valid permits or authority, engaging in activities that cause damage to forest areas, harvesting or collecting forest products without permission, herding livestock in forest areas, destroying forest areas, and engaging in illegal logging (Zulaihah, 2014). Examples of violations have occurred in various conservation forest areas, for instance, in the protected forest area of the East Java Provincial Forestry Service's R. Soerjo Forest Park Conservation Center (TAHURA) in the Mojokerto SKPPKH area (Kuswendi & Trilaksana, 2015). Similarly, in the conservation forest area of Tesso Nilo National Park in Riau Province, several areas have suffered damage due to inadequate maintenance of former Forest Concession Rights areas (Handoyo, 2015). The damage in these areas resulted from illegal logging and encroachment, which can be attributed to weak supervision and indecisive law enforcement. As a consequence, these areas have been stripped of trees and have undergone a change in function, being utilized for various residential purposes, as well as palm oil and rubber farmland (Sabir et al., 2018).

Other violations have occurred in the Lorentz National Park, situated in the south-central part of Papua. This park is recognized as a conservation area with the most comprehensive ecosystem in Indonesia and is renowned as the last bastion of wilderness in Southeast Asia. The extraordinary ecosystem of Lorentz National Park encompasses 34 identified vegetation types, 29 land systems, and a recorded 123 mammal species. Furthermore, the forests of Lorentz National Park harbor a significant number of rare bird species (45 species) and endemic bird species (9 species) (Dewan Perwakilan Rakyat RI, 2017). Recognized for its ecological importance, Lorentz National Park has been designated as a World Heritage Site under Letter WHG/74/409.1/NI/CS, dated December 12, 1999, covering an area of 2,350,000 hectares. Unfortunately, the Lorentz National Park area is currently facing threats from road construction infrastructure projects, which could result in encroachment on the forest (Ode Rakhman dkk, 2021).

According to Marcena, a Global Initiative Against Transnational Organized Crime in a report he wrote that in the Asia Pacific region, the value of illegally logged timber hidden in this region is estimated at US\$11 billion per year, which accounts for around 30% of the total timber trade. Indonesia, Malaysia, Laos, Myanmar, Cambodia, Papua New Guinea, and the Solomon Islands are among the countries in the region that engage in extensive illicit mining. Indonesia is recognized for having the highest incidence of illegal logging in the globe. It is estimated that illegal cutting and land conversion result in the destruction of between 1.6 and 2.8 million hectares of forest annually (Hunter, 2018). The majority of the damage caused by illegal logging occurs in Sumatra and Kalimantan (Rimbo Gunawan, Juni Thamrin, 1998). In contrast, in Cambodia, illegal logging is primarily located in the Ratanakiri and Mondulkiri Northern Provinces, where accessible roads for trucks across the Vietnamese border facilitate transportation (Hak et al., 2018).

China stands as the largest importer of illegal timber due to its significant demand for timber products. The exponential growth in China's timber imports over the past two decades can be attributed to its emergence as a major timber processing center, the development of its home market, and the prohibition of domestic logging in large swaths of its native forest. Despite working with the international world, China's State Forestry Administration has persistently opposed legislation that would outlaw the unlawful import and export of timber (Puspitasari, 2016). Vietnam has also contributed significantly to the illegal timber trade that Cambodia engages in. Vietnam is a prime place for the laundering of illicit timber because it is an importer as well as an exporter. The

wood is transferred to target markets after being smuggled into Vietnam from Cambodia's northern border. Vietnamese provincial officials set import quotas for Cambodian lumber to Vietnamese enterprises, some of which outsource these quotas to smugglers despite the country's official ban on log exports. When it comes to illicit wood coming from Laos, the same trend is repeated (Liu, 2014).

In the course of enforcing the law against Indonesia's illicit logging, has received a court decision, for example: in 2023, the Waikabibak Class II District Court criminal sanctions will impose criminal sanctions against two defendants who carried out illegal logging, cutting down trees in the Matalawa National Park area, Waingapu, Indonesia, they argue that they are logging forests owned by their ancestors so that they have the right to take them, cut them down and sell them. The Waingapu District Court decision Number 21/Pid.B/LH/2023/PN Wkb, which the Panel of Judges rendered, imposes criminal penalties on each defendant, including two years in prison, a fine of IDR 500,000,000 (five hundred million rupiah), and a six-month secondary jail sentence.

2. Effectiveness of National Legal Policy in Reducing Logging Patterns

Legal substance is an important component determining whether a law is implemented effectively or not. Substance also refers to the outcomes produced by individuals within a legal system, including their decisions or the new rules they establish. The substance includes not only the regulations contained in legal books, but also the laws that exist in society (Siregar, 2017).

The National Legal Policy in Reducing Logging Patterns in the Law on Prevention and Combating of Forest Destruction (2013) aims to prevent and eliminate forest destruction. It replaces the Forestry Law (1999), which previously governed forestry regulations. The law provides guidelines to prevent forest destruction resulting from improper forest use and utilization of forest areas that do not comply with legal requirements. The central and provincial governments have a duty to halt the degradation of forests proactively. With the existence of a decentralization system based on law, regional government administration through the spirit of regional autonomy has brought about changes in the devolution of power, which refers to the delegation of authority from the central government to regional administrations, one of which is in the realm of forest conservation and combating deforestation. The authority granted through the Regional Government Law (2014) mandate for regional government. According to their jurisdiction, the Central Government and Regional Governments, determine

alternative sources of wood by encouraging the development of productive forest plantations and processing technology. For example, in forest management, education and training, counseling and empowerment of the community in the forestry industry, watershed management (*Daerah Aliran Sungai - DAS*), is the central government's authority distributed to the regions. Regional administrations can impose regulations and manage the forestry sector. However, in reality, regional governments are not optimal in their efforts to regulate the forestry sector in question, namely that illegal logging cases still are not processed. What is worse, there are local government individuals who are involved in illegal logging activities (Natalia, 2013).

Individual person, organizations with legal status, and businesses with forest use permits are required to take action to prevent the degradation of forests. They aim to participate as government representatives in the field by monitoring and reporting when it is discovered that illegal logging is occurring around their area but is being carried out by other parties who do not have forest use permits, enhancing community involvement in forest conservation, particularly as a means of social oversight in implementing measures to eliminate forest destruction and ensuring the long-term existence of forests while preserving environmental and ecosystem integrity, to foster a prosperous society.

Government and Regional Governments have a mandatory responsibility to eliminate deforestation. The eradication of forest destruction is achieved by implementing legal measures against individuals or entities responsible for any form of direct, indirect, or associated activities leading to forest degradation. The legal actions referred to include investigations, inquiries, prosecutions, and examinations in court.

Destruction cases must be prioritized over other cases that must be submitted to a court hearing for quick resolution. This prioritization is because many cases of forest destruction are related to other laws and regulations, for example, the Forestry Law (1999), the Environmental Law (2009), and the Forestry Law (Amendment 2004). In essence, forestry crimes are not just ordinary criminal acts but are environmental crimes that are extraordinarily detrimental. If this continues continuously, the state will suffer losses in terms of state revenue receipts and the form of environmental damage, which is immeasurable in rupiah (Irwan, 2017).

Logging offenses are included in the Law on Prevention and Combating of Forest Destruction (2013), including:

- a. Individuals who reside in or near forested areas and companies that remove trees in forested regions without following forest utilization licenses, without permits issued by authorized officials, and cut down trees in forest areas. illegally;
- b. Individuals who intentionally, by not following the rules, people who live in or near forests and corporations that load, unload, remove, transport, control, or possess logging products in the area forestry without permits; transporting, controlling, or possessing timber forest products that do not come with a legal certificate of forest products; or using timber forest products that are thought to come from illegal logging;
- c. Individuals who intentionally, individuals who due to their negligence, people who live in or near forests and businesses are breaking the law by bringing tools that are usually used to cut down, fall, or split trees into forests without permission from the right people;
- d. Individuals and corporations who deliberately carry large machinery and other machinery that is frequently or plausibly suspected of being used to move forest products inside forest zones without a permit;
- e. Individuals and corporations who deliberately distribute or smuggle timber from illegal logging originating by land, sea, air, or river from or into the Unitary State of the Republic of Indonesia;
- f. Individuals who intentionally, individuals due to their negligence, people who live in or close to wooded regions, and corporations who receive, buy, sell, receive exchanges, receive deposits, market, process, store, and possess illegal forest products;
- g. Individuals and corporations transport forest product wood without having legal documents, falsifying legal certificates, or misusing legal documents.

Sixth, the formulation of criminal sanctions applicable to the Prevention and Eradication of Forest Destruction Law Number 18 of 2013, Articles 82–88 regulates the offense of illegal logging of conserved forest products. These articles provide a general description of the actions involved, which include:

Tabel 1. list of forestry crimes on the Prevention and Eradication of Forest Destruction Law Number 18 of 2013

Prohibited	Subject	Sanction (imprisonment & fine)
Cutting down trees without permission	Individual	1-5 years & 500.000.000 – 2.500.000.000 IDR
	The people	3 months- 2 years & 500.000,00-

	who live in or near forests	500.000.000,00 IDR
	Corporation	5-15 years & 5.000.000.000,00 - 15.000.000.000,00 IDR
Loading, unloading, removing, transporting, controlling, and possessing logging products and utilizing illegal logging forest products	Individual	1 - 5 years & 500.000.000,00 - 2.500.000.000,00 IDR
	Negligent individual	8 months - 3 years and 10.000.000,00 - 1.000.000.000,00 IDR
	The people who live in or near forests	3 months - 2 years & 500.000,00 - 500.000.000,00 IDR
	Corporation	5 - 15 years & 5.000.000.000,00 - 15.000.000.000,00 IDR
Bring tools used for felling, trimming, or splitting trees	individual intentionally	1 - 5 years & 250.000.000,00 - 5.000.000.000,00 IDR
	Negligent individual	8 months - 2 years & 10.000.000,00 - 1.000.000.000,00 IDR
	The people who live in or near forests	3 months - 2 years & 500.000,00 - 500.000.000,00 IDR
	Corporation	2-15 years & 2.000.000.000,00 - 15.000.000.000,00 IDR
Carrying heavy equipment and other tools, which are most of the time likely to be Used to transport forest goods	Individual	2 - 10 years & 2.000.000.000,00 - 10.000.000.000,00 IDR
	Corporation	5 - 15 years & 5.000.000.000,00 - 15.000.000.000,00 IDR
Distribute, smuggle wood resulting from illegal logging by land, sea, air, or river from or into the Unitary State of the Republic of Indonesia.	Individual	1- 5 years & 500.000.000,00- 2.500.000.000,00 IDR
	Corporation	5- 15 years & 5.000.000.000,00 - 15.000.000.000,00 IDR
Receiving, buying, selling, receiving exchange, accepting deposits, marketing, processing, storing, and possessing illegal forest products.	Individual	1 - 5 years & 500.000.000,00 - 2.500.000.000,00 IDR
	Negligent individual	8 months - 3 years & 250.000.000,00 - 1.000.000.000,00
	The people who live in or near forests	3 months - 2 years & 500.000,00 - 500.000.000,00 IDR
	Corporation	5 - 15 years & 5.000.000.000,00 - 15.000.000.000,00 IDR
Transporting forest product wood without having legal documents, falsifying legal certificates, or misusing legal documents.	Individual	1 - 5 years & 500.000.000,00 - 2.500.000.000,00 IDR
	Corporation	5 - 15 years & 5.000.000.000,00 - 15.000.000.000,00 IDR

Law enforcement against illegal logging crimes must be carried out adequately based on regulations that contain provisions regarding its eradication so that it does not happen again (Pranata et al., 2021). The criminal act of illegal

logging that occurred in Indonesia, including forest destruction, is subject to criminal acts involving two activities, namely Illegal logging and use of wild areas planned and carried out efficiently. Illegal logging is all activities that use forest products illegally/against the organized law, while illegal utilization of forest areas is organized activities executed in forest areas. Engaging in plantations or mining activities without obtaining approval from the Minister of Forestry is prohibited. The crime of illegal logging itself has several other criminal elements, including theft, environmental damage, smuggling, criminal acts, and corruption between authorized officials and illegal logging perpetrators (Ida Ayu Ratna Narlita Dewi & Diah Ratna Sari Hariyanto, 2021). For these acts, three types of criminal sanctions can be applied to illegal logging perpetrators. these sanctions include prison, fines, and confiscation of items used in illegal activity.

The application of prison sanctions and fines against perpetrators of illegal logging crimes, factual threats, and firm and consistent sanctions are expected to deter those who commit crimes. The application of criminal penalties in the Law is classified as very severe because the prison term served as a legal sanction is more than 5 (five) years with a considerable fine. However, its implementation in the field has not been optimal because unscrupulous forestry officers are still involved in the occurrence of unlawful and illicit logging. Apart from that, law enforcement officials are involved in areas with forests, which causes conflicts of interest when other law enforcement officials want to apply legal sanctions against perpetrators of illegal logging. This statement means that until now, illegal logging has not been able to be eradicated consistently based on the mandate of statutory regulations. To fulfil feelings of justice, the formulation of forestry criminal sanctions action taken by government employees or civil servants, especially those with power in the forestry sector and the potential to make crime worse in that sector, should be regulated and clearly defined. Of course, defining criminal sanctions is not the same as actually committing criminal sanctions against a person or individual (Hidaya & Lestaluhu, 2022).

If you look at the methods and practices of illegal logging carried out by individual communities outside forest areas and communities residing in and around forest areas, thus making illegal logging a criminal act into a series or combination of several criminal acts or multi-layered criminal acts because there is a significant amount of involvement from local communities when illegal cutting is done, which is a crime. The local community uses forest products from communities that live in the area. It cannot be denied that the lives of local communities are still poor. Amidst the difficulties of competition in the world of work and economic pressures, people inevitably commit illegal logging in order

to support themselves (Siburian, 2004). There is also logging to obtain wood or materials and take over the function of land and other uses, such as clearing land for plantations, agriculture and settlements (Arpan, 2020).

The other side is the fact that local communities control private/community forests, in which there are several types of trees, including teak, durian, rubber, and others. However, since the provision prohibits the use of forest products without obtaining permission from authorized officials, local communities in rural areas can no longer use these forest products for their daily living needs. According to the local community, it is very unfair and detrimental to their interests in maintaining their lives (Maryudi, 2020) because every local community that will utilize forest products originating from private/community forests is obliged to follow the procedures established by the government, according to the Decree of the Minister of Forestry Number 126/KPTS-II/2003 on the Management of Forest Products (Arpan, 2020). People who live in or near forests and break the rules of Law Number 18 of 2013 about stopping and eradicating forest destruction can be punished with jail time and fines.

Conclusion

Forests have a big part in supporting the existence of various organisms and are a source of livelihood for humans. The importance of preserving diversity in forests to prevent extinction. However, many people illegally log the wealth contained in forest areas. One of them is that illegal logging and wood theft in Indonesia are some of the most frequently handled cases. Forest destruction continues to occur every year in Indonesia, causing a reduction in the country's forest area.

Meanwhile, law enforcement responds to illegal logging crimes, especially regarding wood sourced from conservation forests. In law enforcement efforts to address these crimes, the Indonesian government has implemented regulatory provisions that have been stated firmly in Law Number 18 of 2013, which have comprehensively provided opportunities for regional governments through the distribution of central government authority, as well as the involvement of the community, legal entities or corporations in order to prevent and eliminate criminal acts of forest destruction (illegal logging). Imposing prison sanctions, fines, and administrative criminal sanctions against the perpetrator. However, several legal policies contained in the law have not been effectively implemented to reduce illegal logging patterns. This is because various regulations still overlap and still open up opportunities for illegal logging to occur.

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