



The Role of Forest Police in Tackling Illegal Logging Crimes

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<http://dx.doi.org/10.18415/ijmmu.v11i1.5621>

Abstract

Illegal logging often occurs against the backdrop of economic conditions and low income levels that make it unable to meet the costs of daily living needs. Forest products also have high economic value so that many people benefit from forest products. However, how to use it is done in an unlawful way or in a criminal way. The criminal act of illegal logging is regulated in government regulation Number 45 of 2004 concerning Forest Protection and Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction. This thesis problem discusses how the role of the Forestry Police in tackling illegal logging crimes and what factors are obstacles for the Forestry Police in carrying out its role in illegal logging crimes. The method used in this study was carried out with an empirical legal approach. that the role of the Forest Police in tackling illegal logging crimes is Repressive Efforts, Preventive Efforts, and Pre-emptive Efforts as well as Factors that hinder the Forest Police in carrying out its role in illegal logging crimes, namely External Factors, Internal Factors, and Geographical Factors.

Keywords: *Illegal; Logging; Police; Forestry*

Introduction

Forest authority by the State is not only ownership but the State gives authority to the government to regulate and manage everything related to forests, forest areas and forest products, determine forest areas in changing the status of forest areas, regulate and establish legal relationships between humans and forests or forest areas and forest products, and regulate legal acts regarding forestry. The government is authorized to grant permits and rights to other parties in carrying out an activity in the forestry sector. (Ayuningutami & Najicha, n.d.)

Forest resources have an important role in providing industrial raw materials, sources of income, creating jobs. Forest products are commodities that can be converted into processed products in an effort to get added value and open up job and business opportunities. Efforts to process forest products cannot result in the destruction of forests as a source of industrial raw materials. In order to always maintain its balance and ability to provide raw materials in the processing industry, so that the regulation, guidance and development of the upstream forest product industry is regulated by the minister in charge of forestry. The results of forest utilization have been regulated in laws and regulations, are part of the recipient

countries of natural resources in the forestry sector, taking into account the consideration of their use for the benefit of the central and local governments. (Marina et al., 2011)

To ensure the status, function, condition of forests and forest areas, forest protection efforts are carried out to prevent and limit forest damage caused by actions taken by humans and livestock, fires, natural resources, pests and diseases. In the definition of forest protection is defending and defending the rights of states, communities and individuals over forests, forest areas and investment in forest products and tools and related to forest management. (Study et al., n.d.)

Forest development is one of the national developments that is expected to provide great benefits for the prosperity of the people, it turns out that it is not only something that is difficult to happen but because of the rampant practice of forest accretion and logging without the permission of authorized officials. (Forest et al., n.d.)

Law 41 of 1999 on forestry has included in the provisions criminal, compensation, administrative sanctions, and dispute resolution for any person who commits unlawful acts in the field of forestry. In large criminal and administrative sanctions in order to cause a deterrent effect for law violators in the forestry sector.

Before the suspect is sentenced to a crime by the decision of a court judge, the next stage is the investigation process, the investigation process is a series of criminal acts by investigators in order to obtain related evidence in the criminal act that occurred, trying to clarify the crime. Indonesia's forest area reaches 98,072.7 million hectares or 52.2% of Indonesia's total area. If forests are managed and utilized properly, it will have a positive impact in supporting the development of the nation and State. However, the number of illegal logging crime cases in Indonesia is currently still one of the obstacles in the development of the nation and State. As well as a number of cases of Illegal Logging in Lampung Province from 2016 to 2018 as follows:

Table 1. Illegal Crime Case Data

Not	Year	Case Type	Number of Suspects	Number of Cases
1	2016	Sonokeling	3	2
2	2017	Sonokeling	3	3
3	2018	Sonokeling	12	4
Sum			18	9

Based on the data above, forest crime cases increased from 2016 to 2018, causing the most glaring problems in the forestry sector and resulting in rampant illegal logging practices. The forestry agency affirms that illegal logging is a criminal act of cutting trees with its activities with reference to Law Number 41 of 2004 and Government Regulation Number 45 of 2004 which includes logging or harvesting forest products in forest areas without having the right or authorized permission as well as receiving, rebelling or selling, receiving exchanges, receiving deposits, storing, transporting, own, or possess forest products that are not equipped with a valid forest product certificate.

(Hamzah et al., 2023) The authority of the Forest Police is broad enough that it does not necessarily prevent forest destruction due to illegal logging. This has led to an increase in the number of illegal logging, namely the lack of forest security officers and the lack of government-owned forest security facilities used by officers in maintaining forest security from illegal logging crimes. Based on the description above, the author is interested in conducting a research entitled "**THE ROLE OF FORESTRY POLICE IN TACKLING ILLEGAL LOGGING CRIMES**" (Study at the Lampung Provincial Forestry Service).

Research Methods

The problem approach used in this study is an empirical approach, which is an approach carried out by seeing reality directly that occurs in the field of things that are the object of this study.

In this study, two types of data collection are needed, namely: The data used in this study consists of two types, namely secondary data and primary data. Secondary data is data that includes books, diaries, personal letters and official documents from the government while primary data is data obtained directly from the community as the first legal source through field research. Primary data acquisition from field research can be done through observation, and interviews

Discussion

The Role of Forest Rangers in Combating *Illegal Logging Crimes*

Based on the results of an interview with Syamsu Rizal, S.H there are several efforts made by Lampung Provincial Forestry Service officers, namely:

1.Pre-emptive Efforts

In pre-emptive crime management will instill good values / norms so that these values / norms are embedded in a person. So, even if there is a chance to do this, there will be no crime.

By providing counseling and socialization of understanding of the Law, the risk of forest destruction, and forest use for the community as well as the sanctions given when committing timber theft in state forest areas. In addition to the police, prevention efforts in the form of forest counseling are also carried out by parties from the forest service. (Fauzi et al., n.d.)

2.Prevention Efforts

Preventive efforts are a follow-up to pre-emptive efforts that emphasize eliminating opportunities to commit crimes. Based on the results of an interview with Ir.Wiyogo Supriyanto said that preventively what has been done is to remain vigilant, actively participate and be responsive in anticipating the occurrence of timber theft crimes, by cooperating and improving coordination with Polrisale officers who conduct routine patrols in forest areas, in forest security efforts there are always routine patrols to prevent crimes in forest areas. Here is the schedule of routine patrol activities: (HAMID & AMIN, 2021)

Table 2. Schedule of routine patrol activities

Name	Day	Supporting facilities
Amirsyah, SH Julianto, SH Marwandi, SE	Monday	My jungle ranger car Communication tools I am a motorcycle
Bustami Supraptok Anugroho, T, SH	Tuesday	My jungle ranger car Communication tools I Field of Protection And motorcycles
Irawan Putra Hidayat Sugiono	Rabo	My jungle ranger car Communication tools I am a motorcycle
Azhari Shamsudin Suratno marzuli	Thursday	My jungle ranger car Communication tools I am a motorcycle
Bambang S And salim M. Tohir	Friday	My jungle ranger car Communication tools I am a motorcycle

- Lampung Provincial Forestry Service Personnel Resources

With these routine patrol activities, forest rangers in carrying out their duties are carried out every day from Monday to Friday which are carried out routine patrols 24 hours a day, starting at 06.00-18.00 and the time is made according to the schedule alternately to maintain the security of forest areas from looting and destruction by thieves and encroachment of forest products. In forest patrols, forest rangers do not just sit at posts, but walk around forest areas and in forest areas.

3.Repressive Efforts

Repressive efforts are intended to combat timber crime, namely cracking down on perpetrators of timber theft crimes according to deeds and correcting them again so that they are aware that their actions are actions Repressive efforts are intended to overcome the crime of timber theft, namely cracking down on perpetrators of timber theft crimes in accordance with their actions that are not justified by law and harming the community, by first securing what is strongly suspected to be the perpetrators of crimes Timber theft and subsequent investigation of each case of timber theft crime. Every case of timber theft crimes completed in the investigation is handed over to the police and then tried in court with maximum sanction. So that the perpetrators of the crime of wood theft no longer repeat their actions. Because there can be a deterrent effect with given witnesses. (Jadda & Hamzah, 2019)

Article 36 paragraph (3) of Government Regulation Number 45 of 2004 concerning Forest Protection stipulates that the forestry police under the command of the leadership are authorized to conduct investigations, in order to find and arrest suspects. Although the Forestry Civil Servant Investigator is authorized by law to conduct investigations, in carrying out his duties his position is under the coordination and supervision of PORLI investigators (article 7 paragraph (2) of the Criminal Procedure Code) in other words that:

- 1.In the investigation of forestry crimes, he serves as a coordinator and supervisor of investigations for forestry civil servant investigators.
- 2.The position of the Civil Forestry State Officer as an investigator investigating forestry crimes.

Coordination is a form of working relationship between Porli Investigators and Civil Servant Investigators in the investigation of certain criminal acts that are the basis of law, in accordance with joint functional relationships, while supervision is the process of investigating and directing the implementation of investigations by Civil Servant investigators to ensure that all activities carried out are in accordance with laws and regulations. The implementation of coordination and supervision of porli investigators to Civil Servant investigators is carried out based on the principles of independence, togetherness and legality, The role of forestry civil servant investigators:

- 1.Conduct Investigation of Forestry Crime in accordance with the authority as stipulated in the Code of Criminal Procedure (KUHAP), Law Number 5 of 1990, Law Number 41 of 1999 and Government Regulation Number 45 of 2004.
 - 1) Report the investigator's execution to the porli investigator.
 - 2) Inform the public prosecutor of the commencement of the investigation through porli investigators.
 - 3) After the investigation was completed, the Forestry Civil Service Investigator submitted the results of the investigation to the Public Prosecutor through Porli education.
 - 4) In the event that the forestry civil servant investigator ends.
 - 5) Investigation, then notify the Public Prosecutor, the suspect and his family through the Porli Investigation.

e. Inhibiting Factors of Forest Police in Carrying Out Their Role in *Illegal Logging Crimes*

From the results of research conducted by the author, there are obstacles possessed by forest police in overcoming obstacles or obstacles that arise in the process of *illegal logging* crimes as follows:

a) External Factors

External factors are factors that prevent civil servant investigators from conducting investigations from outside. External factors that hinder the investigation of civil servants in conducting investigations are as follows: (ENDRA SUPARDI et al., 2021)

- 1) Weak and inadequate coordination between law enforcement plays a very important role in the law enforcement process against illegal logging. Similarly, the investigation process also involves Porli as an investigator and involves Forestry Civil Servant Investigators and forestry police who are authorized by law to conduct investigations and investigators of illegal logging forest crimes.
- 3) Perpetrators who carry out illegal logging that occurs in Lampung Province are organized crimes because they involve many actors with various network interests, both from officials in the Forestry Service, entrepreneurs and other agencies. In practice in the field it is often found that only field workers are caught, i.e., loggers, timber haulers or illegal timber containers. While the brain of the main perpetrators of illegal logging crimes such as cannot be penetrated by law. In addition to other forms of the existence of silvertex individuals who support illegal logging, there are escorts carried out by individuals both from the police, TNI and forestry police against illegal logging and transportation of timber. With irresponsible individuals, the investigation process into illegal logging crimes will be slightly hampered. Because usually unscrupulous people try to cover up or hinder investigators from investigating illegal logging crimes. (Basuki et al., 2013) .(Son, n.d.)
- 4) Facilities or facilities are one of the factors that affect law enforcement. Without certain means and means, it is impossible for law enforcement to run smoothly. This facility factor also affects the Forestry Service civil servant investigators in conducting investigations, this is because illegal logging is a complicated crime in handling, because the Forestry Service civil servant investigators must conduct an inspection at the scene, which to get to the place, facilities and facilities are needed.
- 5) The law enforcement community factor comes from the community, and aims to achieve peace in the community. Therefore, viewed from a certain angle, society influences law enforcement. There are still many communities that are used as shields or protection from illegal logging actors, this can also hinder forestry civil servant investigators in investigating illegal logging crimes. This is because the community will conduct inspections at the scene or field.
- 6) The factor of people living in and around forests, the majority of whom are in economic conditions belonging to the poor group, is also one of the obstacles. Limited access, low levels of education and lack of job opportunities have an impact on the welfare of communities around the forest. This reality is exploited by buttocks and investors through illegal logging practices. Communities are used as field spearheads in illegal logging practices that result in conditions of destruction of forest resources. Through society as well, buttocks and owners of illegal logging capital hide and always pit the two.

b) Internal Factors

This internal factor is a factor that comes from within or internally the civil servant investigator itself, where this internal factor is related to the obstacles faced by the Forestry Service civil servant investigator in investigating illegal logging crimes. Some of these obstacles are as follows:

- 1) Witnesses and suspects who do not fulfill the investigator's call for examination The obstacle faced by PPNS Forestry in investigating illegal logging crimes is the absence of witnesses or suspects who come before PPNS for examination Witnesses and suspects who do not fulfill the

Investigator's call for examination The obstacle faced by PPNS Forestry in investigating illegal logging crimes is the absence of witnesses or suspects to come to PPNS for examination. This is because not all suspects of illegal logging crimes are detained. Therefore, it is not uncommon for witnesses or suspects when called not to meet face-to-face. In the absence of suspects or witnesses who have been called, the inspection schedule that has been arranged by PPNS Forestry always cannot run as scheduled, causing the process of examination and investigation of illegal logging crimes to be longer and protracted, therefore it is not uncommon for the investigation of illegal logging crimes of PPNS Forestry to take a rather long time.

- 2) Difficulty tracking and finding evidence Another obstacle faced by PPNS Forestry in investigating illegal logging crimes is the difficulty of finding and collecting evidence, because currently there are other ways that illegal logging actors do to deceive or eliminate evidence. This new method is to deceive or eliminate evidence. This new way is to first process wood into finished or semi-finished goods. Wood is distributed not in the form of logs, but is processed in advance on trucks equipped with official documents. To fool investigators, another piece of processed wood came from official logging. As a result, forestry investigators must first sort out between official and illegal, requiring more accuracy and time.
- 3) The lack of forestry civil servant investigators, the number of forestry civil servant investigators is still very low considering that there are still many forestry cases, especially illegal logging that occur in Lampung Province. In dealing with a forest crime, especially illegal logging, a minimum of 2-3 Forestry PPNS is needed, this is because illegal logging is a criminal act that is very difficult to handle and investigate. Due to the difficulty of investigating this illegal logging crime, every forest service both at the provincial and district levels is because illegal logging is a crime that is very difficult to handle and investigations or cities should ideally have at least 5 (five) forestry civil servant investigators
- 4) The lack of human resources in terms of quality, PPNS owned by the forestry service with an educational background in the field of law, in addition to the lack of knowledge from PPNS itself in terms of techniques and investigation techniques, will also affect the performance of PPNS in carrying out its duties. The success of the criminal law mission to tackle illegal logging is not only determined by the formulation of perfect legal policies formulated in positive law. But more than that, success depends largely on the officers who carry out (law enforcement) from the level of investigation to the level of execution. This is due to the characteristic characteristics of illegal logging as a special crime. As a logical consequence, PPNS Forestry must have more ability in conducting investigations and must have extensive knowledge and insight into material violations and legal events related to the investigation process of illegal logging crimes.

c) Geographical Factors

Geographical factors are types of natural factors that have a direct or indirect relationship with human life in the sense of providing facilities for him to inhabit the surface of the earth as a territory. The obstacles or obstacles currently faced by the forestry police in carrying out their duties are the geographic location of the Lampung province area which extends from west to east surrounded by many villages and alternative roads and rivers that are difficult to reach by forest rangers such as in the forest area register 19 Tahura wan abdurahman, Gedong District, Pesawaran Regency, Lampung. From this area, it is rarely reached by forest rangers due to inadequate roads and distances. Forest area data in Lampung Province are as follows:

Table 3. Area and Forest Destruction

Not	Area Type	Area: (Ha)	Damage (Ha)	Percentage %
1	Forest Conservation National Park CA Marine and Forest Park	402.030	171.617	37.14
2	Protected Forest Areas	317.615	192.154	60.50
3	Production Forest Area	225.090	172.136	76.48
	SUM	1.004.735	535.909	53.342

- Lampung Provincial Forestry Service Personnel Resources

Based on the data above, the area and destruction of forests in Lampung Province is very dominant, so there are many obstacles for forest police such as very difficult conditions for forest rangers to catch wood thieves in the forest.

According to the author's analysis, the inhibiting *factors of the forestry police in carrying out their role* in illegal logging crimes must be focused, namely on internal factors where these factors have obstacles for the forestry police, such as the lack of forestry civil servant investigators, can have a suboptimal impact in undergoing illegal logging forestry cases that occur in Lampung Province. Furthermore, the factor where there are still many people living in or around forests who join illegal logging groups has an impact on increasing forest destruction. Due to community factors, it is the main obstacle faced by forestry PPNS in efforts to eradicate illegal logging practices. Especially when conducting field inspections, in addition to the lack of legal awareness in the surrounding community or in the forest without following predetermined rules. (Muzaki et al., 2021) .

Conclusion

Based on the results of research and discussion on the role of the Forest Police in tackling illegal logging crimes, the author draws the following conclusions:

1. The role of the Forestry Police in tackling illegal logging crimes in the Lampung Provincial Forestry Service is also by doing three ways in which efforts are made, namely the first pre-emptive effort in reducing pre-emptive crime, namely instilling good values/norms so that these values/norms are embedded in a person. Second, preventive efforts are a follow-up to pre-emptive efforts that emphasize eliminating opportunities to commit crimes. Third, repressive efforts are intended to overcome the crime of timber theft, namely taking action against perpetrators of wood theft crimes in accordance with the deed and correcting them to realize that their actions are actions that are not justified by law and harm the community.
2. Inhibiting factors for the Forestry police in carrying out their role in carrying out their role in illegal logging crimes are in the form of 3 (two) factors, namely: First, External Factors are factors that hinder civil servant investigators from conducting investigations originating from outside. Second, internal factors are factors derived from internal or internal civil servant investigators, where internal actors are related to obstacles faced by Forest Service civil servants in investigating illegal logging crimes. 3. Geographical factors are types of natural factors that have a direct or indirect relationship with human life in the sense of providing facilities to them for those who inhabit the earth as a region.

Advice

Based on the results of the above research, the author conveys the following suggestions:

1. In handling non-criminal *illegal logging*, an active role of the community is needed in accordance with the laws and regulations. For this reason, it is hoped that the community will play a more active role in doing
2. Supervision and protection of surrounding forests and forest products and reporting to the authorities any suspicious incidents. The government is also expected to pay attention to the economic condition of the community, especially those living around forest areas, generally depending on forest products. So it is not recommended to carry out illegal logging practices either for their own interests or at the behest or order of the outside community. In addition, the government must also increase legal counseling activities so that people know and understand the meaning and function of forests.

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