

**FOREST PROTECTION AGAINST ILLEGAL LOGGING**  
**(In the Forest Area of Perhutani Public Company Mantingan Forest Management Unit,  
Rembang Regency, Central Java)**

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**ABSTRACT**

*This research is a study of forest protection against illegal logging in the Forest area of Perhutani Public Company Mantingan Forest Management Unit, Rembang. The method used in this research is qualitative research method. In this study researchers used a sociological juridical approach, the role of the government in forest protection against illegal logging in the Forest area of the Public Company Perhutani Mantingan Forest Management Unit, namely by conducting preemptive activities such as communicating and raising awareness to the public of the impact of illegal logging and providing socialization related to penalties for illegal loggers. The government also carries out preventive activities such as prevention activities against illegal logging by forming teams to protect forest areas. Meanwhile, the policy taken by the government of the Forest area of the Perhutani Public Company Mantingan Forest Management Unit of Rembang is repressive activities where the government will take action against perpetrators of illegal logging. Based on this, it can be concluded that the community and government have an important role in maintaining and preventing illegal logging activities that can damage the forest and will pose a serious threat to the flora and fauna in the forest area.*

**Keywords:** *Forest, Forest Protection, Illegal Logging.*

## **INTRODUCTION**

Nature has always held diverse riches. As an archipelago, Indonesia has treasures within it that are widely spread across 17,001 islands. Among them, there are five major islands: Sumatra, Java, Kalimantan, Sulawesi, and Papua as well as a number of other small islands that are still preserved. From the many islands in Indonesia, the diversity of races, tribes, religions, customs, nature, and other things stand out. One example is the natural diversity of forests. Law No. 41/1999 on Forestry defines forest as an ecosystem consisting of

a land area rich in biological resources, especially trees, and its natural environment that is inseparable from one another.<sup>1</sup>

A forest is an ecosystem that includes a variety of natural resources and their environment that are interrelated and inseparable, and is rich in natural resources such as flora, fauna, and various other natural resources. Proper utilization of these natural resources can provide prosperity. Forests are also a gift of nature that has potential and important functions in maintaining environmental balance. The benefits of this potential and function are very meaningful to humans if managed properly and wisely. The sustainability of these benefits can be realized as long as the forest can be maintained in ideal conditions. In the forest there are many ecosystems consisting of animal and biological, in an ecosystem if one of them is imbalanced it will experience extinction, damage, and will also harm the people who are around it.

Indonesia's forest area is 113.6 million hectares, which is 38.9% of the total area affected by damage each year.<sup>2</sup> Forests have an important position in the sustainability of life, namely as the lungs of the world or oxygen producers, as well as forests as a place where flora and fauna life takes place. with that there are many various benefits that can be taken from the forest, this wealth is part of the rights attached to the nation and state, and the state is obliged to maintain existing wealth because it contains valuable noble values that are beneficial for the benefit of the nation and state itself.

The massive number of humans who act greedily by utilizing forests for personal interests without considering future consequences is a real challenge to forest conservation. Humans should play a role in protecting forests, but in reality, many exploit forest timber without responsibility for reforestation or replanting, as a result, disasters such as flash floods, landslides, and other environmental damage often occur. Forest destruction in Indonesia is so widespread and requires huge costs for rehabilitation.

Illegal Logging is a word from English which means illegal logging or illegal logging, illegal logging is logging by irresponsible people who damage the forest ecosystem and logging without permission to log the forest. According to Haryadi Kartodiharjo, illegal logging is a logging activity carried out without official permission and in violation of legal

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<sup>1</sup> Law of the Republic of Indonesia Number 41 of 1999 concerning Forestry.

<sup>2</sup> Wawan 2020, "Perlindungan Hutan Lindung Terhadap Penebangan Liar di Kelurahan Battang Kecamatan Wara Barat KOTA PALOPO", *Skripsi Program Studi Hukum Tata Negara Fakultas SYARIAH INSTITUT AGAMA ISLAM NEGERI PALOPO*, pg.2.

regulations, such as timber theft in state forest areas or forests owned by certain parties, as well as exceeding the allocation limits specified in the logging permit.<sup>3</sup>

Illegal Logging can harm the ecosystem in the forest, because in the forest plants play a very important role in the ecosystem. Illegal logging is a very disgraceful act, because logging forests without a permit and only cutting down trees to meet their needs without having procedures in carrying out their activities, the people who carry out this action should think about the impact they are doing because destroying the forest periodically will cause enormous losses for the nation and state, even forests that have been managed by the government there are still people who dare to carry out this Illegal Logging.

Illegal logging activities are punishable under Article 83 Paragraph 1 Letter b, Law No. 18 of 2013 on the Prevention and Eradication of Forest Destruction, which states that illegal logging is punishable by a maximum imprisonment of 15 years and a maximum fine of IDR 100 billion.<sup>4</sup> Illegal logging carried out by these individuals selects only trees that have a very high price value, and in logging that has a high price value, namely large trees, even though large trees play a very important role in the forest ecosystem because they have a function of absorbing water, producing oxygen, preventing landslides, and as a home for wildlife in the forest, forest protection needs to be done so that the ecosystem in the forest is balanced. The government and the community have the same obligation to preserve forests. Forest protection can be defined as an effort to maintain forest areas, forest resources, and allocate the investment and facilities needed to manage forests so that they can provide optimal benefits for ecosystems and human life.

Forest protection in Government Regulation on Forest Protection Number 45 of 2004 is defined as efforts to avoid and reduce damage to forests, forest areas, and forest products caused by human actions, livestock activities, fires, natural phenomena, pest attacks, and diseases, while safeguarding and protecting the rights of the state, communities, and individuals to forests, forest areas, forest products, investments, and facilities related to forest management. It aims to ensure the sustainability of the forest ecosystem and its benefits for all parties involved.<sup>5</sup>

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<sup>3</sup> Haryadi Kartodiharjo, "Modus Operandi", *scientific Evidence dan Legal Evidence dalam kasus Illegal Logging, Makalah disampaikan dalam Pelatihan Hakim Penegakan Hukum Lingkungan yang diselenggarakan oleh ICEL bekerjasama dengan Mahkamah Agung RI, Jakarta 2003.*

<sup>4</sup> UU Republik Indonesia Nomor 18 Tahun 2013 Tentang Pencegahan dan Pemberantasan Kerusakan Hutan.

<sup>5</sup> PP Nomor 45 Tahun 2004 Tentang Perlindungan Hutan.

Forest protection is very important for forest sustainability and is the responsibility of all parties, especially the government in managing forests must maintain the integrity of the forest so that a balanced ecosystem avoids disasters. One of them is forest protection in the Perhutani Area of Mantingan Forest Management Unit, Rembang Regency, Central Java, which covers an area of 16,751.92 Ha, including forest areas in Rembang and Blora Regencies. Based on the results of the evaluation of forest resource potential, the forest area of Mantingan Forest Management Unit is 16,745.41 Ha (99.96%) of Production Forest and 6.51 Ha (0.04%) of Alur and land with special purpose.<sup>6</sup> This forest area is prone to Illegal Logging, as in the news article on the Gatra.com broadcast page in 2022 “Already Assisted by Spies, Illegal Logging Action Still Succeeds”, in the news Illegal Logging occurs in the forest area of the Mantingan Forest Management Unit, because the forest in the Mantingan Forest Management Unit area is a type of production forest which this forest area is useful for public purposes, especially as a development and export industry. Therefore, the role of the local government in managing or protecting the area must be good in order to avoid Illegal Logging activities, by issuing policies or rules that deter individuals.

## **PROBLEM STATEMENT**

Based on the background description above, the following problem statement is obtained:

1. What is the role and effectiveness of the government in forest protection against illegal logging in the Perhutani Area of Mantingan Forest Management Unit, Rembang Regency, Central Java?
2. How is government policy in forest protection against illegal logging in the Perhutani Area of Mantingan Forest Management Unit, Rembang Regency, Central Java?

## **THEORETICAL REVIEW**

### **a. Forest**

Bambang Pamulardi views the concept of forest as a horizontal unity that cannot be separated between the land and the elements above it. This unity includes soil, plants, and the surrounding environment, and these components *de facto* form the forest structure currently recognized by the public. The designation of an area by the government as a forest aims to

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<sup>6</sup> <https://www.perhutani.co.id/tentang-kami/struktur-organisasi/divisiregional/jateng/kph-mantingan>, diunduh pada 23 Oktober 2023, pukul 15:23.

establish the area, whether planted with trees or not, as part of a permanent forest. *De jure*, forests are determined by the possibility that areas of treeless land outside of the forest can be designated as part of the forest area.<sup>7</sup>

Forests are one component of the ecosystem that contains biological resources. composed of trees native to the environment, and do not interact with each other. separated according to Law Number 41 of 1999, forests have a variety of positive impacts on human life, both in the form of wood and non-timber.<sup>8</sup>

It can be concluded that a forest is an ecosystem unit in the form of a large area of land whose natural environment contains biological resources, especially trees, both of which are inseparable. The diversity of vegetation types that grow and develop in each region is influenced by plant environmental factors such as the type of regional climate and altitude, and there are certain differences in vegetation.

#### **b. Forest Protection**

Government Regulation No. 45/2004 Article 1 defines Forest Protection as an effort to avoid and reduce damage to forests, forest areas, and forest products caused by human activities, livestock, fires, natural phenomena, pest attacks, and diseases. In addition, it also aims to protect and safeguard the rights owned by the state, communities, and individuals to forests, forest areas, forest products, investments, and tools related to forest management.<sup>9</sup>

The objective of this article is to present a precise definition of the concept of forest protection. The objective of forest protection is twofold: firstly, to prevent damage caused by various factors, including human activities, livestock, fires, and other natural disasters; and secondly, to maintain forest-related rights for the state, communities, and individuals. This means that forest protection includes efforts to maintain the sustainability of forest ecosystems and ensure that the benefits of forests can be enjoyed by all parties involved in a fair and sustainable manner, prevention and preservation efforts continue so that adverse impacts such as disease and natural disasters can be avoided.<sup>10</sup>

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<sup>7</sup> Bambang Pamulardi, *Hukum Kehutanan dan Pembangunan Bidang Kehutanan*, cet. 1, (Jakarta: RajaGrafindo Persada), pg. 234-235.

<sup>8</sup> Toni Sadian, "Inventarisasi Jenis Tumbuhan Yang Berpotensi Sebagai Penghasil Hasil Hutan Bukan Kayu (HHBK) Di Hutan Produksi KPH Wilayah V Aceh Kabupaten Gayo Lues", *Jurnal Ilmiah Mahasiswa Pertanian*, Vol. 4 No. 8 November 2023, pg. 1405.

<sup>9</sup> PP No. 45 Tahun 2004 Pasal 1 Tentang Perlindungan Hutan

<sup>10</sup> Wirmayanti Ayu Irma Putu, "Akibat Hukum Penebangan Secara Liar", *Jurnal Preferensi Hukum* Vol. 2, No.1, Februari 2021, hal. 199.

In accordance with the aforementioned definition, forest protection can be defined as the collective efforts or activities undertaken by the community or government to prevent or also defend forest areas from a multitude of crimes that have the potential to damage or harm forest areas. Additionally, it encompasses the restoration of forests in accordance with their intrinsic functions and the utilization of these ecosystems by other living organisms, in alignment with the regulations that safeguard forests from the detrimental effects of illegal activities.

### **c. Illegal Logging**

Illegal logging is the illegal act of cutting down trees in the forest without official permission from the authorities. The practice involves uncontrolled logging for material gain alone, without considering the negative impacts that may arise from the activity.<sup>11</sup>

As defined by the Ministry of Forestry, illegal logging is a criminal act that occurs concurrently with other legal activities. This definition is in accordance with the Law of the Republic of Indonesia Number 41 of 1999 concerning Forestry and Government Regulation Number 34 of 2002 concerning Forest Management and Preparation of Forest Management Plans, Forest Utilization and Utilization of Forest Areas. These regulations define illegal logging as any activity related to the recording of harvesting or processing of forest products in areas where the individual does not possess the necessary rights or authorization. Additionally, the regulations prohibit the receipt, transfer, storage, transportation, or sale of forest products obtained through illegal means.<sup>12</sup>

In general, based on the definition above, illegal logging or better known as illegal logging is an activity that occurs when forest timber is cut illegally in violation of laws and regulations, in the form of timber theft from state forest areas or owned forests and/or permit holders. The volume of harvesting exceeds the limit specified in the permit, this activity causes many negative impacts, both in terms of the economy and the damage it causes to the existing area.

## **METHOD**

This type of research includes sociological juridical research with qualitative research data type, qualitative approach is research that features assessment procedures that produce

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<sup>11</sup> Syamaun Syukri, “ Peran dan Kendala Jurnalis Dalam Pemberitaan Deforestasi di Aceh ”, *Jurnal Peurawi:Media Kajian Komunikasi Islam*, Vol.4 No.1 Tahun 2021, hlm. 16.

<sup>12</sup> Harahap Parlindungan Arlin, “Pertanggungjawaban Pidana Bagi Pelaku Kejahatan Perdagangan hasil Illegal Logging”, *Jurnal EduTech*, Vol. 6 No. 1 Maret 2020, hlm. 55.

descriptive data in the form of written or spoken words from people and observed behavior.<sup>13</sup> In this case, researchers interpret and explain the data obtained by researchers from interviews, observations, documentation, so as to get answers to problems in detail and clearly.

## **RESULTS AND DISCUSSION**

### **The Role and Effectiveness of Government Policy in Forest Protection in Perhutani Mantingan Forest Area**

The Mantingan forest area is a production forest area that produces quality timber with a high selling price, the forest area in Mantingan is a forest area prone to illegal logging because this forest is a production forest, Law No. 18 of 2013 concerning the prevention and eradication of forest damage states that illegal logging is all activities of illegal utilization of timber forest products in an organized manner.<sup>14</sup> This activity is an activity that can damage the habitat in the forest and also damage the life of flora and fauna in the forest, forest damage is a direct or indirect change in the forest caused by irresponsible people in forest utilization. Forest destruction has a very bad impact on living things. Habitats and various types of animals, plants, and microorganisms that are natural resources are threatened by forest destruction caused by irresponsible human actions. Many can cause forest damage such as for example unscrupulous people destroying forests by illegal logging (Illegal Logging), this activity is a major cause of forest damage from year to year, with that the government has a role in protecting forests, through the Public Company Perhutani Mantingan Forest Management Unit, which manages this forest area so that the forest can be managed properly to avoid irresponsible people who can damage the forest.

Perhutani Public Company Mantingan Forest Management Unit is based in Rembang Regency and as a forest area manager, whose forest area is divided into 2 areas, namely in the Rembang Regency area consisting of 40 villages and in Blora Regency consisting of 13 villages, in order to protect forest sustainability and forest integrity, Perhutani Public Company Mantingan Forest Management Unit has a role in protecting forests, reducing and overcoming illegal logging activities as follows:

- (1) Conducting Preemptive activities, social communication activities and awareness to the community, such as the example of Perhutani Mantingan Forest Management Unit

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<sup>13</sup> Sudjarwo, *Metodologi Penelitian Sosial*, (Bandung: Mandar Maju, 2011), h.25

<sup>14</sup> UU Republik Indonesia Nomor 18 Tahun 2013 Tentang Pencegahan dan Pemberantasan Kerusakan Hutan.

conducting debriefing and training to forest village communities to emphasize the number of illegal logging which is a factor in the low economic needs of the surrounding community, conducting socialization activities to the community through forest village communities to protect the forest and provide direction to the community so as not to cut trees illegally that are not in accordance with procedures, collaborating with influential parties in the village such as institutions in the village, community leaders and religious leaders who are around the shade area of the Perhutani Mantingan Forest Management Unit, sharing the results of timber production carried out by Perhutani to forest village community institutions in order to foster a sense of belonging to the community to forest resources, direction or socialization that the punishment for illegal loggers (Illegal Logging) is given severe punishment that can harm the forest village community itself, absorption of labor from the community around the forest by Perhutani in the management of forest resources.

- (2) Conduct Preventive activities, prevention activities so that illegal logging does not occur with efforts in accordance with the rules, such as Perhutani has a command post team to oversee forest security Each in the Forest Management Unit (BKPH) is tasked with overseeing forest security in each area, with 21 Forest Police Resorts (RPH) serving as field coordinators and 2 Regional Police (Polter) per Forest Police Resort area. Perhutani Mantingan Forest Management Unit has also established a Forestry Mobile Police (POLMOB) whose duty is to protect the forest and act as a law enforcement officer in the event of a report from the BKPH (Forest Stakeholder Unit) or RPH (Forest Police Resort). All indications that may lead to forest security disturbances must be reported by the KRPH (Head of Forest Police Resort) to the Asper/Head of the Forest Management Unit Division, which must then be immediately forwarded to the Deputy Administrator/Head of the Forest Management Unit Sub as the Head of the Control Post.

Based on the role that has been carried out by the government, namely carrying out preventive activities such as preemptive activities and preventive activities, it can be seen that these activities are one of the efforts that are considered effective in preventing Illegal Logging activities in the Mantingan Forest Management Unit Perhutani area, where these activities involve all levels of society to jointly suppress Illegal Logging activities that cause negative impacts such as causing losses to the government, society, and the environment,

growing the economy of the community around the forest with the cooperation between the government and the community, fostering public awareness in the importance of protecting the forest environment.

In its policy, Perhutani Mantingan Forest Management Unit conducts repressive activities, whose main objective is to achieve things selectively to preserve the existence of existing forest assets, either alone or in collaboration with the police, related agencies, and the community by increasing the enforcement of authority over the law aimed at resolving disputes referred to as punitive actions, achieving the objectives of Law No. 18 of 2013 in Article 3, namely to improve communication between law enforcement officials and other parties involved in overcoming problems of preventing and handling forest damage. In addition, this initiative is also effective. based on Article 8, which describes the forest eradication process as a means of taking legal action against parties who cause forest damage, both intentional and unintentional related to other enforcement activities for perpetrators of illegal logging carried out by unscrupulous loggers in forests that are not in accordance with procedures or illegal logging. The forest police cooperate with the Rembang Police or Blora Police to take action against these perpetrators in accordance with applicable law, by handing over these perpetrators to the Police to punish the perpetrators so that they are deterred and do not repeat their actions again. From the policies that have been implemented, there are positive impacts on this matter such as reducing Illegal logging activities in the form of timber theft that occurs in the Public Company Area of the Mantingan Forest Management Unit, maintaining forest sustainability and forest security with policies that have been enforced by the Public Company of the Mantingan Forest Management Unit, establishing communication between several parties such as the Police, Perhutani Public Company and layers of society who play an active role in supporting the success of policies that have been enforced.

## **CLOSING**

### **Conclusion**

The community and the government have an important role in maintaining and preventing illegal logging activities that can damage forest areas. Forest destruction due to illegal logging activities is a serious threat to the survival of existing flora and fauna. In reducing, overcoming, and preventing illegal logging activities, Perhutani Public Company

Mantingan Forest Management Unit conducts preemptive and preventive activities. Preemptive activities are social communication activities and awareness to the community carried out by the Mantingan Forest Management Unit, in its implementation the Mantingan Forest Management Unit provides debriefing and training to the village community to reduce the occurrence of illegal logging and provides socialization about penalties for individuals who carry out illegal logging activities. Meanwhile, preventive activities carried out by the Mantingan Forest Management Unit to prevent illegal logging. In controlling efforts to prevent illegal logging, the Perhutani formed a special team to monitor and protect forest areas, including the Resort Forest Police, Regional Police, and Forestry Mobile Police. In its policy, Perhutani Mantingan Forest Management Unit conducts repressive activities, namely prosecution activities for perpetrators of illegal logging (illegal logging) carried out by individuals who cut wood in the forest not in accordance with procedures or illegal logging.

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