

## Environmental Crimes in The Perspective of Criminal Law and Ecosystem Protection in Indonesia

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### ABSTRAK

*Undang-Undang Nomor 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup merupakan landasan hukum yang mengatur berbagai bentuk pelanggaran lingkungan hidup, mulai dari pencemaran sampai dengan perusakan sumber daya alam. Tujuannya adalah untuk menganalisis bagaimana penerapan hukum pidana dalam menanggulangi tindak pidana lingkungan hidup di Indonesia serta menciptakan kondisi dan hukum penegakan hukum yang berlaku. Metode penelitian yang umum digunakan dalam mengkaji tindak pidana lingkungan hidup di Indonesia adalah pendekatan kualitatif, yaitu dengan melakukan wawancara kepada pemangku kepentingan utama seperti pejabat pemerintah, pegiat lingkungan hidup, dan masyarakat setempat. Hasil penelitian ini menunjukkan bahwa perlindungan lingkungan hidup merupakan hal yang sangat penting dan harus menjadi prioritas bagi semua pihak. Sehingga hukum pidana yang mengatur tindak pidana lingkungan hidup dapat mendorong tumbuhnya kesadaran dan tanggung jawab setiap orang dan kelompok dalam menjaga kelestarian lingkungan hidup. Penerapan hukum pidana yang tegas terhadap tindak pidana lingkungan hidup diharapkan dapat memberikan efek jera bagi pelaku yang melakukan perusakan lingkungan hidup.*

**Kata Kunci:** Tindak Pidana, Lingkungan Hidup, Hukum Pidana, Perlindungan Ekosistem

### ABSTRACT

Law Number 32 of 2009 concerning Environmental Protection and Management is the legal basis that regulates various forms of environmental violations, ranging from pollution to destruction of natural resources. The aim is to analyze how criminal law is applied to deal with environmental crimes in Indonesia and create existing conditions and enforcement laws. The research method commonly used in studying environmental crimes in Indonesia is a qualitative approach, which involves interviews with key stakeholders such as government officials, environmental activists, and local communities. The results of this study show that environmental protection is very important and should be a priority for all parties. So that the criminal law that regulates environmental crimes can encourage the awareness and responsibility of the same person and the same person in preserving the environment. The implementation of strict criminal law against environmental crimes is expected to have a deterrent effect on perpetrators who damage the environment.

**Keywords:** Crime, Environment, Criminal Law, Ecosystem Protection

## **INTRODUCTION**

Environmental crime is one of the more pressing issues in Indonesia. With the increasingly severe environmental damage, ecosystem protection is becoming increasingly important (Haryanto, 2008). In the perspective of criminal law. In addition, ecosystem protection must also be a priority for the government and society so that environmental sustainability can be guaranteed (Khaeriyah and Nurasia, 2024). Environmental protection must also involve all parties, including the government, companies, and the general public (Mina, 2016). Stricter and more effective law enforcement efforts must also be carried out to take action against perpetrators of environmental crimes (Santriana, 2023). In addition, education and awareness of the importance of protecting the environment also need to be improved so that all parties can play an active role in preserving the environment. With comprehensive and collaborative measures, it is hoped that environmental damage can be minimized and environmental sustainability can be achieved. For example, the government can impose strict regulations on industries that have the potential to damage the environment, while companies are required to comply with established environmental standards (Akbar, 2023). On the other hand, communities also need to be involved in environmental education programs such as plastic waste reduction campaigns or tree planting to raise awareness of the importance of protecting the environment (Effendi, 2023). However, in practice, there are still many companies that violate environmental regulations and do not comply with established standards, as well as people who are less concerned about the environment and still often dispose of plastic waste carelessly.

This shows that there is still a lot of work that needs to be done in an effort to preserve the environment (Siti, 2016). Cooperation between the government, companies, and communities is needed to create a clean and healthy environment. In addition, there needs to be stricter law enforcement against environmental violations in order to reduce the negative impacts caused (Laily, 2022). All parties must work together and be responsible for preserving the environment for the common welfare. Cooperation between various parties is very important to overcome environmental problems that are increasingly damaging the ecosystem (Wawan et al., 2021). The government needs to make stricter and more effective policies in regulating environmental management. Companies must also be responsible for the environmental impacts caused by their activities and be involved in environmental conservation efforts (Wiwik and Ratih, 2017). Meanwhile, the community also needs to be involved in efforts to protect the environment by reducing the use of plastic and planting more trees (Dailami et al., 2024). With good cooperation, it is hoped that the environment can be well maintained for the common welfare.

Criminal law has a very important role in upholding justice and protecting the environment (Fiddin, 2022). Companies must assume responsibility for the environmental effects of their operations due to stricter and more effective regulations governing environmental management (Riska and Nur, 2016). In addition, the role of the community is also very important in protecting the environment, such as by reducing the use of plastic and planting more trees. With good cooperation between companies, communities, and the government, it is hoped that the environment can be well maintained for the common welfare. All parties must work together to preserve the environment for the sustainability of life on this planet. Companies must comply with environmental regulations and take responsibility for the impacts caused by their activities. Communities also need to play an active role in protecting the environment by taking concrete actions such as recycling and limiting the use of hazardous materials (Ady and Hadi, 2023). With good collaboration between all parties, we can create a healthy and sustainable environment for future generations.

Law No. 32/2009 on Environmental Protection and Management is the legal basis that regulates various forms of environmental violations, ranging from pollution to destruction of natural resources. The government's efforts to enforce the law need to be continuously improved so that perpetrators of environmental violations can be punished strictly and fairly (Christian et al., 2024). In addition, education about the importance of protecting the environment also needs to be continuously socialized to the public so that awareness of environmental protection increases. Cooperation between the government, the community, and the business world is also needed in an effort to maintain environmental sustainability (Anastasha and Fatma, 2023). With concrete steps and synergy between all parties, we can realize a clean, healthy, and sustainable environment for all living things on this earth. All parties must be united in fighting for environmental protection for the sustainability of life on this planet. It is time for all of us to act responsively and responsibly towards the environment in which we live. With awareness and real action, we can create positive changes that will bring long-term benefits to future generations (Putranto, 2023). Thus, we can preserve nature and provide a good legacy for our children and grandchildren.

The aim is to analyze how criminal law is applied in dealing with environmental crimes in Indonesia. By understanding existing regulations as well as challenges in law enforcement, it is hoped that this research can provide deeper insights into the effectiveness of criminal law in protecting ecosystems (Yusriyadi et al., 2024). In addition, this research will also explore the importance of regulating ecocide crimes as a more comprehensive form of protection for the environment. This is important to ensure that perpetrators of environmental crimes are not only subject to criminal sanctions but also provide a deterrent effect that can prevent similar acts from occurring in the future (Tofik and Mohamad, 2024). In addition, this research will also highlight the role of the community in protecting the environment, as well as

collaborative efforts between the government, legal institutions, and the community in maintaining ecosystem sustainability. Thus, it is hoped that the results of this research can make a positive contribution to environmental conservation efforts in Indonesia. This research will also involve analyzing existing policies and evaluating their effectiveness in dealing with environmental crimes. In addition, it will be conducted with various related parties to obtain a comprehensive perspective on environmental issues in Indonesia. Thus, it is expected that the results of this research can provide concrete recommendations for the government and related institutions to improve environmental protection in the country.

## **RESEARCH METHODS**

One commonly used research method in studying environmental crime in Indonesia is a qualitative approach, which involves interviews with key stakeholders such as government officials, environmental activists, and local communities affected by environmental damage (Nanik et al., 2023). These interviews can provide valuable insights into the causes of environmental crimes and the challenges faced in enforcing environmental laws (Muh et al., 2023). In addition, researchers can also conduct document analysis to examine legal documents, court cases, and policy reports related to environmental crimes to identify patterns and trends in criminal behavior. By using a combination of qualitative methods and document analysis, researchers can gain a comprehensive understanding of the complexities surrounding environmental crimes in Indonesia and develop effective strategies to combat them. This legal research method can provide an in-depth insight into environmental crime cases in Indonesia, as well as the challenges faced in environmental law enforcement. In addition, researchers can also conduct document analysis to look at legal documents, court cases, and police reports on environmental crimes to find the people responsible and their criminal activities. By using qualitative research methods and document analysis, researchers can gain a deeper understanding of the complexity of environmental crimes in Indonesia and find effective ways to stop them.

## **RESULTS AND DISCUSSION**

### **Theoretical Considerations and Accountability for Environmental Crimes in Indonesia**

Through careful document analysis, researchers can discover patterns of criminal behavior that may not be directly visible (Harahap, 2020). As such, they can identify perpetrators of environmental crimes and uncover the motivations and factors that drive such behavior (Darryl et al., 2024). In addition, document analysis can also assist in evaluating the effectiveness of existing environmental laws and policies and provide recommendations for future improvements. With this approach, it is expected that law enforcement efforts against environmental crimes can be more effective and provide a deterrent effect for the perpetrators (Dwientha et al., 2019).

The results of this research analysis can also be used as a basis for developing a more targeted and efficient law enforcement strategy. Thus, the police and other law enforcement agencies can work more effectively in combating environmental crimes (Rajasa et al., 2023). In addition, a deeper understanding of these patterns of criminal behavior can also help in preventing future environmental crimes so that the environment can be maintained and preserved for generations to come. A detailed example of the results of this document analysis is the identification of environmental crime patterns by a group of thieves who routinely carry out illegal logging in protected forests (Zawindra, n.d.). Such information can be used to develop more effective sting operations by the police and other law enforcement agencies so that the perpetrators can be arrested and punished according to Indonesian law and prevent similar crimes from occurring in the future. However, while this information is useful for the prevention of environmental crimes, there is still a possibility that the thieves may change their behavior patterns to avoid ambushes and continue their illegal activities undetected (Pohan, n.d.).

Therefore, there needs to be a more proactive and continuous effort in monitoring and cracking down on these groups in order to reduce the level of environmental crimes that occur. In addition, there also needs to be close cooperation between the police, law enforcement agencies, and local communities to provide accurate information and support law enforcement efforts (Ina et al., 2024). Thus, it is hoped that a safer and more sustainable environment can be created for future generations. With good cooperation between various parties, it is hoped that illegal activities that damage the environment can be minimized. Preserving the environment is not only the responsibility of the government but also the responsibility of the entire community (Hari and Paramita, 2020). Thus, we can create a cleaner, healthier, and more sustainable environment for our children and grandchildren.

### **Reformulating criminal liability for perpetrators of environmental crimes**

There needs to be a revision in criminal liability for perpetrators of environmental crimes to be effective in providing a deterrent effect (Silaban, n.d.). In addition, strict and fair law enforcement also needs to be implemented to prevent illegal actions that damage the environment (Aim and Bunyamin, 2023). Thus, awareness of the importance of protecting the environment will increase among the community. All parties must work together to create a healthy and sustainable environment for the survival of future generations. The government also needs to increase supervision of companies or individuals who often commit acts that damage the environment (Kahfi, 2014). The sanctions given must be in accordance with the level of damage caused in order to provide a real deterrent effect (Wahyuni, 2016). In addition, education about the importance of environmental conservation must also continue to be promoted so that people are increasingly concerned and play an active

role in protecting the surrounding environment. With these steps, it is hoped that the environment can be maintained for the sustainability of life on this earth (Latuconsina, 2010). For example, the government can increase supervision of companies that often dump hazardous waste into rivers and impose severe sanctions according to the level of damage caused (Lasut, 2022). In addition, educational programs on waste management and reforestation also need to be improved so that people are more aware of the importance of environmental conservation (Umami et al., 2023). However, despite the measures taken to protect the environment, there are still many companies that continue to illegally dispose of hazardous waste without strict sanctions from the government. This shows that public concern has not been fully effective in protecting the environment if it is not followed by strict law enforcement against environmental violations (Suherman, 2020).

Therefore, it is important for the government to increase supervision and law enforcement against companies that violate environmental regulations (Putri, 2020). Firm sanctions need to be given so that the company feels encouraged to comply with environmental regulations (Jennie et al., 2023). In addition, there also needs to be cooperation between the government, companies, and the community in an effort to protect the environment in order to achieve the goal of sustainable environmental conservation. Thus, environmental sustainability can be guaranteed for future generations. Cooperation between various parties is also important in ensuring that environmental conservation efforts can be implemented effectively. Companies must take responsibility for the environmental impacts caused by their operations, and communities must be encouraged to be involved in monitoring the environment around them. With good cooperation between the government, companies, and communities, it is hoped that the environment can be well preserved for sustainability for future generations.

## **Environmental Crimes in the Perspective of Criminal Law and Ecosystem Protection in Indonesia**

It is becoming increasingly relevant in the current global context. The role of criminal law in protecting the environment is increasingly important to prevent irreparable damage in the future (Kim, n.d.). With clear regulations and strict law enforcement, it is hoped that all parties can work together to preserve the environment for the survival of humans and other creatures (Nugroho, 2022). In addition, education and awareness of the importance of environmental conservation also need to be improved so that people can play an active role in maintaining the cleanliness and beauty of the nature around them. Environmental education and socialization about the importance of protecting nature should be a priority in environmental protection efforts. The more individuals who are aware of the negative impacts of environmentally destructive behavior, the more likely it is to create positive changes in nature protection (Lasaiba, 2023). With cooperation between the

government, communities, and the private sector, we can achieve the common goal of a healthy and sustainable environment for future generations. This will provide long-term benefits for the sustainability of our lives and the planet (Martusa, 2009). For example, a socialization program that involves waste management training in the surrounding environment can make people more aware of the importance of protecting nature. With active participation from all parties, such as youth, housewives, and businesses, a clean and healthy environment can be created for the next generation. However, there are cases where socialization programs involving waste management training in the surrounding environment are not successful due to a lack of support and participation from related parties. Thus, the environment remains poorly maintained, and future generations cannot enjoy a healthy and sustainable environment.

Therefore, it is important for the government and related institutions to continuously evaluate and improve the implementation of environmental socialization programs (Fatih, 2024). Further efforts are needed to educate the public about the importance of protecting nature and the negative impacts if the environment is not well maintained. In addition, there needs to be incentives or rewards for people who are active in maintaining the cleanliness of the environment around them. Thus, it is hoped that public awareness will increase and the environment can be well maintained for future generations. Environmental socialization programs must continue to be refined so that important messages can be conveyed more effectively to the community. In addition, cooperation between the government, institutions, and communities also needs to be improved to create a clean and healthy environment. With incentives for individuals or communities who are active in keeping the environment clean, it is hoped that environmental awareness will increase and create a sustainable environment for future generations.

## **CONCLUSION**

This shows that environmental protection is very important and must be a priority for all parties. So that the criminal law governing environmental crimes can encourage the awareness and responsibility of the same person and the same person in preserving the environment. In addition, ecosystem protection must also be the main focus in an effort to maintain natural balance and environmental sustainability. Thus, concrete steps and synergistic cooperation between the government, institutions, and the community are needed to achieve common goals in creating a clean, healthy, and sustainable environment for future generations. With the implementation of strict criminal law against environmental crimes, it is expected to create a deterrent effect for perpetrators who damage the environment. In addition, it is also important to educate the public about the importance of protecting the environment and the negative impacts of behavior that damages the ecosystem. With

# *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga*

Volume 6 Nomor 4 (2024) 1220 - 1231 E-ISSN 2656-8152 P-ISSN 2656-4807

DOI: 10.47476/assyari.v6i4.6308

good cooperation between various parties, it is expected to create a healthy and sustainable environment for all living things on earth.

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# *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga*

Volume 6 Nomor 4 (2024) 1220 - 1231 E-ISSN 2656-8152 P-ISSN 2656-4807

DOI: 10.47476/assyari.v6i4.6308

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