

Criminal Law Policy on Illegal Logging in Berbak National Park in Jambi Province and Efforts to Overcome

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Abstract

Berbak National Park in Jambi Indonesia is one of the conservation area of forests and ecosystems conservation in it and as the conservation of peat forest in Sumatra as an activity scheme for carbon emissions reductions from deforestation and forest degradation according the Ramsar Convention. In fact, the forest has been used by the public by way of illegal logging for shipbuilding and create housing. As a result of the use of forests causes damage that covers all areas of life. Therefore, the government has issued a policy of criminal law in law enforcement against illegal logging activities set out in Act No. 41 of 1999 can not be implemented to the fullest.

Keywords: Criminal law policy, Illegal logging.

1. Introduction

The issue of the environment is not a mere domestic issue but has become a global problem, this happens because the context of the environment, the sources or causes and consequences can not be localized in a particular way, along with the development of modern life in the face of globalization and the process of industrialization and modernization. Forest resources are very important not only as a source of timber, but rather as one of the components of the environment. So that Indonesia's forests is one of the centers of biodiversity in the world. Although forest biological resources are renewable, does not mean that the forests left without proper management. Instead, forests should be managed with attention to aspects that are there to lead to a sustainable forest management. Besides functioning economy, the forest occupies a very important function in the creation of a climate and ecosystem balance.

National Park is a nature conservation area which has a native ecosystem management using zoning system that is managed in an integrated manner means that all of the goals of protection and preservation and utilization management in one unit. The National Park area Berbak Jambi determined by the Minister of Forestry Number : 285 / Kpts-II / 1992 covering an area of 162.700 hectares as a nature conservation area which serves as a life support system protection, conservation of flora, fauna and ecosystems and sustainable use of natural resources biodiversity and ecosystems. Berbak National Park (BNP) Jambi is a wetland of international importance, so it has been recognized and assigned to the Ramsar Convention (Iran).²

Berbak National Park contains carbon stocks 25.9985 million tons of carbon with an average of 0-225 tons of carbon per hectare and 95,988,500 tonnes of carbon emissions CO₂e. The highest value of carbon stocks in comparison with the content of forest carbon emissions in areas other adjacent peat bog. Based on historical data of deforestation, the average rate of deforestation for 18 years at Berbak National Park Jambi was -1.14%. And if an extensive forest fires are ignored and no conservation with carbon emission reduction activities scheme from deforestation and forest degradation, and based Simulation Deforestation next 30 years is predicted Berbak National Park in 2037 will lose the forest for 1,800 hektar.³ Factor drivers of deforestation is the source of carbon emissions in Berbak National Park has been known to cause, because of factors threats of deforestation, such as illegal logging. Total net emissions of forest carbon produced during the next 30 years is 34.40043 million tonnes of CO₂. Berbak National Park designation Jambi as one of the locations of the reduction of carbon emissions from deforestation and forest degradation is right, because along with the implementation of the policy of Presidential Decree No. 61/2011 on the National Action Plan for Reducing Emissions of Greenhouse Gases (GG).

The Presidential Regulation is the implementation of the Indonesian Government's commitment to the global community to reduce greenhouse gas emissions by 26% by its own efforts and reach 41% if the international aid received in 2020 from the condition of the absence of a plan of action. In the Presidential Decree has been set, that one of the core activities of GHG emission reduction action plan on forestry and peat is through the use of environmental services schemes reduction activities carbon emissions from deforestation and forest degradation in peat forest conservation area. The choice of location Berbak National Park Jambi as the location scheme of carbon emission reduction activities from deforestation and forest degradation, because of the multiple benefits follow from the conservation of forest carbon in the activities of the scheme, namely the

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² National Park Authority Berbak, Draft Proposal Demonstration Activities (Da), Reducing Carbon Emissions from Deforestation and Forest Degradation in Jambi Province Berbak National Park, National Park Authority Berbak, Jambi, 2012, page. 4

³ Ibid, page. 7

preservation of the uniqueness and richness of biodiversity, carbon stock enhancement and improvement of people's welfare. Berbak National Park Jambi interact strongly with the 32 surrounding villages. Conditions are generally poor communities and vulnerable to natural disasters, including the impact of climate change. On the other hand, the presence of wildlife species of tigers *Panthera Tigris Sumaterae* which is one of the main species in Sumatra are highly threatened extinction and rare bird species and endemic, and implementation of prevention activities through the reduction of carbon emission reduction activities scheme carbon emissions from deforestation and degradation Jambi forest park will provide a positive impact on increasing the protection of wildlife populations and habitatnya. The other hand, the increase in carbon stocks made possible by the restoration through reforestation of degraded forest areas by forest fires and illegal logging in and regions Park Buffer Zone national Berbak.

The case of land and forest fires in Sumatra increased in 2014. The increase in forest fires burning 100 hectares of peat forest as a buffer in National Parks Berbak Tanjung Jabung Jambi Province in the whole year 2014. The condition is very worrying, in addition to hit land owned by the community, Berbak National Park existence Jambi threatened. Approximately 100 hectares of forest buffer around the national park peat already sold on fire.¹ And more widespread, making Berbak National Park Jambi threatened because of fires getting closer. Suppression efforts with the National Agency for Disaster Management has been performed. The location of fire that was on peatlands, create difficulties attendant to extinguish the fire. Post monitoring in a number of critical points of fire has also been alerted. In all of 2014, a fire in the park area of Jambi has happened twice. Officers had attempted to blackouts in locations easily accessible.

In the field of environmental criminal law enforcement has a weak point that there is no certainty in the context of the eradication of forest plunder, both regarding the management of the environment and natural resources. The forest serves as a conservation and protection, as well as production land and must be balanced with rehabilitation efforts as well as the forest reclamation purposes other than restoring forests also improve the quality of people's welfare. Noting the impact is so vast, society and the government should protect the forest from further damage. The government should be bold and decisive action against any perpetrators of logging and burning with punishments as severe so that a deterrent effect. To realize it takes a strong law enforcement is based on an integrated criminal justice system. The government is still not optimal in dealing with issues that make a bad image of Indonesia in the eyes of neighboring countries. This is evidenced by the still widespread forest fires each year. There are still weaknesses that both of its legislation and institutions or law enforcement officers. The application of criminal sanctions which are not in accordance with the principle of *lex specialis derogat legi generalist* can lead to "abused" rule of law by investigators with the investigation. In addition, the investigators did not work optimally in investigating criminal acts occurring forest fires in the region jurisdiction. Not seriousness of the government is also visible from the small budgets held by institutions that are authorized to investigate other than the Police. Most important in the case of forest fires is the willingness of law enforcement agencies to crack down on offenders because investigate the case only requires a significant operational cost. Currently extensive burnt areas has reached 27.025 hectares. Conditions surrounding communities who do not have a steady job, and still to rely on the natural resources that exist in Berbak National Park with a low level of welfare increase the level of damage to Berbak National Park.

2. Problem

Forest National Park Berbak expected as one of the world's lungs which can contribute carbon gas reserves for the world community in general and Jambi in particular communities. As a conservation area of pristine wetlands and unique as well as its importance for the international community, then through Presidential Decree No. 48 In 1991 this area was added to the Ramsar convention area is a wetland of international protection, but over ime has been damaged. Forest damage as a result of illegal logging, forest fires and land in the National Park Berbak lead to disasters that almost every year is always repeated. Various attempts to reduce the number of forest fires and land has been carried out both preventive and enforcement with all the laws and regulations and policies from the central to the provincial level.

So that these issues interesting to examine, among others : What is the definition of illegal logging ? How does the criminal law policy against illegal logging ? What are the causes of deforestation in Berbak National Park ? Is the impact of the damage occurred in the forest Berbak National Park ? What are the obstacles in implementing the criminal law policy against illegal logging in Berbak National Park ? and how the efforts that have been made in the prevention of illegal logging in Berbak National Park ?

3. Discussion

3.1. Definition of Illegal Logging

In the legislation that is not explicitly defined by the firm. However, illegal logging terminology can be seen

¹ Date from the National Park Berbak Jambi, dated December 15, 2014

from the definition literally that of English. In The Contemporary English Indonesian Dictionary, " illegal " means invalid, prohibited or illegal, unlawful. In Black's Law Dictionary, illegal means " forbidden by law, unlawfull " means that which is prohibited by law or invalid. " Log " in English means the logs or timber, and " logging " means to cut wood and bring to a sawn.¹ Based on the above understanding, it can concluded that illegal logging is a series of timber harvesting and transport to the place of processing to export activities wood does not have permission from the authorities so that unauthorized or contrary to applicable laws, therefore regarded as an act which can destroy the forest. The elements contained in the crime of illegal logging include : the existence of an activity, logging, timber transport, timber sales, timber purchases, can destroy the forest, there are laws that prohibit and contrary to the rule of law. Illegal logging is a series of activities in the field of forestry in the context of the utilization and management of timber forest products contrary to the applicable legal rules and potentially damaging the forest. The essence of which is important in the practice of illegal logging is the destruction of forests that would impact on both the economic, ecological and socio-cultural. Therefore, it is not through the activities in the comprehensive planning process, the illegal logging has the potential to destroy forests which then impacts on environmental destruction. Associated with the destruction of the environment explicitly mentioned in the Law 23 of 1997 on Environmental Management Article 1 paragraph 14, namely that " the destruction of the environment is a direct action that cause changes in the physical and/or biological environment resulting in no longer function in supporting sustainable development."

Forest damage, according to Act No. 41 of 1999 in the elucidation of Article 50 paragraph (2), " The definition of damage is the occurrence of physical changes, physical or biological properties, which led to the forest disturbed or may not act in accordance with its function." The term " Deforestation " contained in regulations prevailing in the forestry sector is interpreted that the destruction of forests that are duality implies that : First, the positive impact of forest destruction and obtain approval from the government can not be categorized as an act that is against the law. Second, adverse impact damage is real action against the law and contrary to or without government approval in the form of licensing.

3.2. Criminal Law Policy

The more complex problems faced by the public and law enforcement agencies in tackling crime, it needs to be balanced with the improvement and development of the criminal justice system as a whole, which includes the development of culture, structure and substance of the criminal law. It is clear that the criminal law policy occupies a strategic position in the development of criminal law modern.² In effect the criminal law policy contains a State policy to regulate and restrict the power of both the public authorities in general to act and behave as well as the power or authority of the ruler or law enforcement in their duties to make sure that people obey and abide by the established rules. Criminal law policy is a set of processes which consists of three phases namely : a) stage legislative policy or formulatif. b) stage of judicial policy or applicative and c) stage of executive policy or administrative. Based on the three stages of the descriptions contained in the three power or authority, namely the legislative or formulatif authorities in terms of establishing or formulate actions what can be imprisoned oriented fundamental problems in criminal law includes acts that are unlawful, error or criminal liability and penalties that may be imposed by what the legislators, the judiciary or applicative is power in terms of applying the criminal law by law enforcement officers or the courts and the executive power or administrative in implementing criminal law by the implementing agency or executions. Based on the three stages of crime prevention policy is always oriented in an effort to achieve the welfare of the community. As stated by Barda Nawawi Arief, that policy or crime prevention efforts is essentially an integral part of efforts to protect the public and efforts to achieve prosperity society community.³

Policy relating to criminal law enforcement process (criminal) thoroughly. Therefore, criminal law policy directed at the concretization or operationalization and functionalization of criminal law material (substantial), the formal criminal law (the law of criminal procedure) and criminal law enforcement. Furthermore, criminal law policy can be associated with actions : 1) how the government's efforts to combat crime with the criminal law; 2) how to formulate the criminal law to comply with the conditions of the community; 3) how government policies to regulate community with criminal law; 4) how to use the criminal law to regulate society in order to achieve the policy objectives greater than.⁴ use of criminal law as part of a political crime, basically a rational effort to support and achieve social welfare and social protection. Thus, the use of criminal law as a means of criminal politics and social political means, intended to protect the interests and social values in order to achieve certain social welfare. Based on a general explanation 8th paragraph of Act No. 41 In 1999 the intent

¹ Salim, Indonesian Dictionary English, Modern English Press, Jakarta, 1997 page. 925

² Muladi, Democratization, Human Rights and Law Reform in Indonesia, The Habibie Center, Jakarta, 2002, page. 256

³ Barda Nawawi, Arief, *Problems of Law Enforcement and Crime Prevention Policy*, PT. Citra Aditya Bakti, Bandung, 2002, prints to 2, page. 73

⁴ Aloysius Wisnubroto, *Criminal Law Policy in the Computer Misuse Prevention*, Universitas Atma Jaya Yogyakarta, 1999, page. 10

and purpose of severe criminal sanctions as the formulation of Article 78 of Act No. 41 Th. 1999 was against any person who violates the law in the field of forestry is to be a deterrent effect for offenders in the forestry sector. Deterrent effect referred not only to the perpetrator who has committed a criminal act of forestry, but to others who have activities in the field of forestry become reluctant to commit unlawful acts as severe criminal sanctions.

In addition to the Law on forest use in the prevention of illegal logging in Indonesia, also use other laws, namely Act No. 5 of 1990 on the Conservation of Natural Resources and Ecosystems, which has set up two kinds of criminal acts are crimes and violations, while criminal sanctions there are three kinds, namely imprisonment, imprisonment and fined. Criminal sanctions for crimes stipulated in Article 40 paragraph (1) and (2) and criminal sanctions for violations stipulated in Article 40 paragraph (3) and (4), while the elements of criminal acts under Article 19, 21 and Article 33. Based on the formulation of the criminal provisions in Act 5 of 1990, it can be understood that the Act 5 In 1990 only specifically regulates the Evil and the violation of certain forest areas and certain plant species, so as to apply to the crime of illegal logging only as a complementary instrument or as an article demands layer (subsidiaritas) in criminal law enforcement against criminal acts illegal logging. And keep in mind that these provisions can only function if its elements are met.

Basically, illegal logging crime, can generally be attributed to elements of general crime in the Code of Criminal Law, illegal logging can be grouped into some form of crime in general, namely: Theft (Article 363, 364 and 365), forgery (Articles 263-276), fraud (article 372-377), fencing (article 480).

So although not perfectly true positive law we have enough set Illegal logging. Nevertheless Illegal logging remains rampant and the damage caused by it are no longer counted. Along with the development of modern society in the face of industrialization would foster social change in the governance process of public life. The process of industrialization and modernization of forestry have a major impact on the survival of the forests as a buffer of life and living beings in the world. Forest resources are very important not only as a source of timber, but more as an environmental component hidup.¹ Likewise in Jambi to the forest park in his capacity as one of the determinants of forest systems life support should be kept its authenticity, as the constitutional basis of Article 33 paragraph (3) of the 1945 Constitution which reads: " Earth's water and natural resources contained therein is controlled by the State and used for the welfare of the people " The forest area is a natural resource that is open, so that public access to use a very large entry. These conditions spur problems in forest management. Based on the spirit of reform, logging and timber theft is becoming increasingly prevalent in the forest when it is allowed to take place continuously deforestation Berbak National Park will Jambi disruption to the continuity of ecosystems, flooding, erosion or landslides, forest dysfunction as a buffer to the balance of nature and of the State government revenue losses calculated from tax and income that should go into the state treasury.

3.3. Causes Illegal Logging

In general, the problems that led to illegal logging can be grouped into: imbalance of demand and supply of wood, government policy is less precise, multi-dimensional crisis, as a result of decentralization (autonomy) and moral apparatus. While the causes of illegal logging that occurs in Berbak National Park in Jambi due to the cooperation between local communities act as executor of the field with the barons who act as investors who will buy the timber is felled, sometimes barons not only accommodate and buy wood-logs but also supplying equipment to the public for timber transportation needs. To cope with the rise of the crime of illegal logging ranks of law enforcement officers (police and investigators Forestry, Attorney or Judge) has been using the Act 41 of 1999 as amended by Act 19 of 2004 both these laws on forestry as a legal instrument to overcome illegal logging activities, although in a limited manner the law does not mention the existence of the term illegal logging. From the data source is obtained from the investigators that in 2014 this is still a lot of people who do illegal logging in Berbak National Park. Among the results of the handling of criminal cases forestry by the Natural Resources Conservation Center (NRCC) Jambi in 2013 there were 8 cases and in 2014 decreased to 7 kasus.² Medium forestry handling criminal cases committed by the police in 2013 were 10 cases whereas until November of 2014 had amounted to 17 kasus.³ Most actors transport, control or have the forest products that are not equipped together with the legal documentation of forest products or violate article 50 paragraph (3) h Jo article 78 paragraph (7) and (15) of Act No. 41 of 1999 on Forestry. From these data Berbak National forest damage growing every year with the resence of illegal logging. Estimated damage Berbak National Park in East Tanjung Jabung reaches 60% of the total area in this area since 2001. Of the 60% of the damage is divided into several types of damage, 40% of which belongs to the category very severe because it is considered to have

¹ Siswanto Sunarso, *Environmental Criminal Law and Dispute Resolution Strategies*, Rineka Cipta, Jakarta, 2005, page. 6.

² Tiger Brigade SPORC Jambi, *Registration Data Forestry Crime cases in 2013 and 2014*, Natural Resources Conservation Agency of Jambi, December 2014.

³ Special Crime Directorate, *Anev Case Management Special Crime Directorate Year 2013/2014 Police Jambi*, Jambi Police, December 2014.

become extinct due to human activity through illegal logging and illegal logging, 20% including damage medium and light, so it can be rejuvenating forest through reforestation efforts reboisasi.¹ also considered not able to restore sustainability East Tanjung Jabung Berbak National Park region to normal. Which is unfortunate, highly systemized illegal logging activities and indicate the involvement of law enforcement officers and local government.

The existence of a variety of cases, a person for merely economic needs cutting, take and bring a piece of wood from the forest without permission authorities raises problems associated with crime prevention goals an effort to protect the public in order to achieve justice and prosperity imposed illegal logging activities, when associated with the purpose of punishment will make it fair enough thought they were due just to meet the needs of the economy or stomach is punishable by the same owners of capital are clearly stealing timber with aim to gain as much as possible. In anticipation of the response to the crime of Illegal Logging has become very important to carry out a policy of legislative policy in particular criminal law, namely how to formulate an act that is considered a criminal offense of illegal logging, what conditions must be met to blame or account a person committing illegal logging and what sanctions were duly imposed and how to implement the legislative policy by the judiciary.

3.4. Impact of Illegal Logging

Illegal logging was very impact on the state of the ecosystem in Berbak National Park in Jambi. Losses caused by forest destruction not only damage the economic value, but also result in the loss of life that is priceless. The impacts of illegal logging as follows : First, the impact of which is starting to feel now this is during the rainy season in the area around the National Park Berbak frequent flooding and landslides. Second, Illegal Logging also result in reduced water sources in the area around the National Park Berbak. The trees in the forest are usually a water absorbent to provide a source of water for the benefit of the local community, is now depleted by illegal loggers. Third, Illegal Logging also impact the destruction of a variety of fauna and flora in the National Park Berbak and erosion as well as the conflict in the community. Fourth, the impact of the most complex of the existence of illegal logging in general is that current global warming is threatening the world in profound confusion and fear. Fifth, resulting in not only a loss for the country, but also resulted in a loss for the survival of living things around them which then affects the occurrence of natural disasters.

3.5. Constraints

First, the infrastructure to carry out enforcement officers still less like a car, vehicle or vessel patrol in waters is limited. Second, forest areas difficult to reach officials supervised. Third, the difficulty Officers carry/transport timber that is secured as evidence for the investigation. Fourth, the object of law enforcement or the perpetrator is still selective, only charged for the carrier, driver or captain ship, are the main actors, especially timber barons, government officials, law enforcement officials, civil servants tend to be left. Fifth, the seizure of evidence timber, treatment includes procedures, methods, expertise in measurement and quite a long time. Medium Forestry Law does not regulate the mechanism of seizure of evidence in particular wood. Sixth, constraint verification. The process of proving illegal logging still refers to the Act No. 8 of 1981. In this context an ordinary crime, making it difficult to catch offenders who are behind the case. This happens because the function of criminal sanctions in criminal law, including forestry environment has changed from ultimum remedium into law enforcement instruments are premium remedium. Seventh, criminal sanctions Article 78 of Act No. 41 of 1999 in conjunction with Act No. 1 of 2004, which has criminal sanctions of the most severe penalties compared to other criminal provisions, does not provide a deterrent effect on those involved in illegal logging, as more emphasis on administrative and criminal sanctions, after the new criminal sanctions applied. Eighth, weak coordination among law enforcement agencies. The condition persists despite now been issued Presidential Instruction No. 4 of 2005 on Combating Illegal Logging in Forest Area and Its Distribution in Indonesia. Ninth, illegal logging criminal offenses are crimes that have an impact on the ecological losses, necessitating the formulation of article about ecological loss calculation. It turns out this is not set in the Forestry Act. So the criminal law policy forestry crime less effective in its application in the control efforts of illegal logging in Berbak National Park in Jambi.

3.6. Abatement efforts

In the context of illegal logging in Berbak National Park is a fact that is triggered by other facts. Another fact which is in the form of a few things, such as : a huge need for raw materials for the manufacture of industrial ships and to make home-home community because most homes in the community about Berbak National Park using wood. In fact, this is compounded by the lack of law enforcement in solving cases of illegal logging because the proliferation of corruption, collusion, and nepotism with short-term interests of law enforcement

¹ Date from the National Park Berbak Jambi, dated December 15, 2014

officers. Combating illegal logging in Berbak National Park remains to be pursued to stop illegal logging altogether before the expiration of the forest resources where there is a forest area but there are no trees in it. Combating illegal logging can be done through a combination of preventive measures, enforcement and monitoring efforts. First, the detection of the presence of illegal logging. The activities of the current detection has been done, although unknown or no allegation of illegal logging activities follow-up is not real. However action to detect illegal logging still have to continue to do, but there must be a commitment to follow through with the strict law enforcement and real in the field. Detection activities can be carried out by the relevant agencies melalau Natural Resources Conservation Center joint activities as follows : a) for example through aerial photographs so known of the illegal logging indicators such as logging paths, the base camp, and so on. b) Ground checking and patrols. c) Inspection in places suspected of illegal logging. d) detection along the lines of transport. e) Inspection at the site of the shipbuilding industry. f) Receive and act on any information that comes from the community. g) Examination of documents need to be more intensive, especially documents more carefully examine the reports with reports that contain irregularities. Second, measures of illegal logging. This action is an action that is oriented to the front of a strategic nature and is a medium-term action plan and long-term, but should be seen as urgent measures to be implemented. These activities can be done through : a) Development of community organizations around the area for forest conservation. b) empowerment of the community, such as providing access to the utilization of forest resources so that people can participate in maintaining forests and feel ownership, including the approach to local government to be more responsible for the preservation of forests. c) socio-economic development of society such as creating jobs with wages or income that exceeds the wage illegal timber cutting, for example, wage work in oil palm plantations cultivated higher or equal to the illegal timber felling. d) Providing incentives for people who can provide information that makes the offender may be arrested. e) Improvement of the catch timber auction mechanism or findings. f) Increased support facilities and infrastructure to support human resources professionalism. g) Development of community empowerment h) Conduct a more rigorous selection in the appointment of officials. h) Restructuring of the wood processing industry, including termination management rights of forest products and small logging concessions. Third. Enforcement action, an action from the investigation, the investigation to the court. For that there must be a common perception between each element that law enforcement investigators (Police and investigators), prosecutor and judge. Because of the magnitude of the problem of illegal logging, repressive measures must be able to ensure a deterrent effect so that legal sanctions should be right.

4. Conclusion

Illegal logging is a symptom that arises as a result of the very complex issues involving many parties of the various layers. Illegal logging has become a national problem that the commitment of the government at the national level must be real. Causes Illegal logging is happening in Berbak National Park in Jambi due to the collaboration between the local community act as implementers in the field with the financiers who acted as a financier who will buy timber-the timber, sometimes financiers not only accommodate and buy timber felled yet also supply equipment to the public for timber transportation needs.

However, because this problem occurs at the local level, the commitment of the region should also be clear that the regional government should have a real responsibility. Illegal logging in Berbak National Park in Jambi with criminal law policy for environmental sustainability can not be resolved. In fact the government through the criminal justice system in Indonesia, both the police, investigators, judges and prosecutors are still difficult to eradicate illegal logging through the roots, while the factors that affect, among others: (1) existing laws and policies have not been able to solve the problems in particular environmental crime, (2) the problem of illegal logging has been set in the positive law, among others in the Act No. 41 of 1995 on forestry and Act No. 18 of 2013 on the prevention and eradication of forest destruction but has not been able to become an effective instrument for protecting the environment, and (3) The mentality of law enforcement agencies to eradicate the illegal loggers. Illegal logging was very impact on the state of the ecosystem in the Park Berbak Jambi Indonesia. Logging very adverse impact surrounding communities, even people of the world. Losses caused by forest destruction not only damage the economic value, but also result in the loss of life that is priceless.

Combating illegal logging efforts can be done through a combination of preventive measures, enforcement and monitoring efforts. First, detection of the presence of illegal logging. The activities of current detection has been done, although there are known or allegation of illegal logging activities follow-up is not real. However action to detect illegal logging still should be done, but there must be a commitment to follow through with the process of law enforcement and the real firmly on the ground. Activity detection can be done by photographing from the air in order to know the indicators of illegal logging as track logging, base camp, and so forth, holding ground checking and patrols, inspections in places that allegedly occurred illegal logging, detection along the lines of transportation, inspection at the site of the shipbuilding industry, following up on the information coming from the community, examine more closely the reports that contain irregularities. Second, measures of illegal logging. This action is an action-oriented forward a strategic nature and is a medium-term

action plan and the long-term, but should be viewed as an urgent action to be implemented immediately. The activity can be done through: Development of community institutions around the area for forest conservation, community empowerment such as granting access to the utilization of forest resources so that people can participate in maintaining the forests and feel ownership, socio-economic development of society such as creating jobs with wages/revenue exceeded wage cutting down illegal timber, for example, wage work in oil palm plantations cultivated higher/same as cutting down illegal timber, providing incentives for people who can provide information that makes the offender can be arrested, repair auction mechanism wood catches or findings, improvement of infrastructure support for support the professionalism of human resources, the development of the community empowerment program, selecting a more stringent in appointments, the restructuring of the wood processing industry. Third. Enforcement action, an act from the investigation, the investigation to the court. For that there must be a common perception between each element that law enforcement investigators (police and civil servants investigator forestry), prosecutor and judge. Because of the magnitude of the problem of illegal logging, repressive measures should be able to pose a deterrent effect so that legal sanctions must be precise.

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