



## Legal reconstruction of the authority of the public prosecutors in a follow-up investigation of illegal deforestation crime based on justice value

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### Abstract

The objectives of the research are to identify and analyze the weaknesses of the public prosecutor's authority in a follow-up investigation of Illegal Deforestation cases, as well as reconstructing the authority based on the value of justice. The Research method used in this research are Juridical-Normative using the paradigm of constructivism where the research approach method used is socio-legal. The research data sources are analyzed using qualitative descriptive analysis.

The findings show that the regulation of investigative authority by the public prosecutor in Law Number 18 of 2013 does not reflect the value of justice, because it has not regulated additional articles or explanations of the law and there are also no other rules that describe the conduct of investigations by public prosecutors, especially the forms of investigation activities in question so that it is feared to cause polemics or overlapping investigations. The clash of authorities will certainly result in delays in the legal process of handling Illegal Deforestation cases. Reconstruction of the value of the public prosecutor's authority in further investigations of Illegal Deforestation cases, that the author feels that law enforcement on forestry cases needs comprehensive action. Several key areas and approaches are needed by changing the regulations contained in the Law of the Republic of Indonesia Number 18 of 2013 concerning Prevention and Eradication of Illegal Deforestation in Article 29, and Article 42.

**Keywords:** legal reconstruction, follow-up investigation, illegal deforestation, justice value

### Introduction

Deliberate Illegal Deforestation aimed at seeking personal gain has grown massively and has become a crime that has extraordinary and organized impacts and is capable of involving many parties, both national and international. Efforts to deal with Illegal Deforestation have basically been carried out by various related parties both preventively and repressively, but so far have not run effectively and have not shown optimal results (Boekhout, 2010) <sup>[1]</sup>.

This can be seen from information that the Directorate of Certain Crimes, Bareskrim Polri, reported the latest data related to cases of forest and land fires (Karhutla) in Indonesia since 2020. A total of 99 reports were reported to the police regarding cases of forest and land fires. The number of police reports is 99 with details, individual perpetrators 97 reports, and corporate actors. However, these cases have not been transferred to the court due to the fact that case files are still going back and forth, meanwhile, according to data from the Attorney General's Office, only 126 of the hundreds of cases have their files received by the public prosecutor and some of the case files have been returned to the Police Investigators for completion (Ibrahim, Tribun News, 2020) <sup>[5]</sup>.

Incompleteness both formally and materially in the investigation stage becomes an obstacle in the proceedings for the settlement of Illegal Deforestation. These obstacles can make cases pile up and in arrears which eventually leads to injustice. Cases that accumulate and are not followed up by investigators are the same as delays in justice demanded by justice seekers. This statement is in line with Hiroshi Ishikawa's opinion in Effendy (2005) <sup>[6]</sup> which states that "delay of Justice is Denied of Justice". On the other hand,

the Criminal Procedure Code does not set a limit on the number of times to submit case files back and forth from the investigator to the public prosecutor or vice versa. This condition will clearly be very detrimental to the suspect, where the rights of the suspect are clearly regulated by the Criminal Procedure Code, one of which is the suspect has the right to legal certainty.

With the authority of the public prosecutor as an investigator, it will break the deadlock and be able to speed up the process of handling cases as mandated in Article 39 letter b of Law Number 18 of 2013 concerning the Prevention of Illegal Deforestation Eradication (P3H). Therefore, the authority of the public prosecutor in conducting further investigations is of course a necessity in efforts to resolve or handle cases of Illegal Deforestation.

Since the ratification and enactment of Law Number 18 of 2013 concerning Prevention of Eradication of Illegal Deforestation (P3H), the function of the investigation authority in criminal acts of Illegal Deforestation have been carried out by public prosecutors in the field but is still not optimal due to the approach taken by the AGO related to forestry cases. with a multi-door approach. These findings are based on the practice of the public prosecutor in handling cases related to Illegal Deforestation in the field, which, oftentimes are regional prosecutors not taking advantage of the provisions of the investigative function because there is still no clarity in the implemented regulations of these provisions. Meanwhile, the urgency of the use of this authority is very much needed in resolving the impasse in the process of handling cases of Illegal Deforestation.

The rise of environmental damage is seen in the number of environmental cases every year. In 2015 the number of environmental cases reached 66, then in 2016 it reached 83 cases, in 2017 it reached 89 cases, in 2018 it reached 83 cases, and as of July 2019, it reached 28 cases (Handitya, 2020) <sup>[4]</sup>.

In the context of the enforcement of Law Number 18 of 2013 concerning Prevention of Eradication of Illegal Deforestation (P3H) as a system, there is a legal substance that authorizes the Prosecutor's Office to carry out investigations based on the provisions of Article 39 letter b which states "...in the event that the results of the investigation are incomplete, The Public Prosecutor is obliged to carry out an investigation for a maximum of 20 (twenty) days and can be extended for a maximum of 30 (thirty) days..." .

This investigative authority by the public prosecutor is a legal breakthrough to minimize the back and forth of case files in handling the crime of Illegal Deforestation. The authority of the Public Prosecutor to conduct Investigations in the case of the Crime of Illegal Deforestation as the best practice of legal innovation both against individual legal subjects and against legal entities/corporations as mandated in Article 39 letter b of Law Number 18 of 2013 concerning Prevention of Illegal Deforestation Eradication (P3H). However, the provisions on the investigative function possessed by the public prosecutor in investigating cases of Illegal Deforestation will also bring back old polemics over the seizure of investigative authority by law enforcement agencies, namely the police and prosecutors.

This situation is closely related to the national legal politics of the position of the Prosecutor's Office in the law enforcement process in Indonesia, where there is a reduction and limitation of authority by law. One of the reductions in the authority of the Prosecutor's Office is the investigative function attached to a prosecutor as a Magistrate during the period of the *Het Herzeine Inladsch Reglement (HIR)*, namely before Law Number 8 of 1981 concerning the Criminal Procedure Code was declared valid in Indonesia (Widodo, 2018) <sup>[10]</sup>.

The clash of authorities will certainly result in delays in the legal process of handling Illegal Deforestation cases. In the end, these conditions will lead to injustice and legal certainty for suspects and justice seekers so that what is aspired to a fair law enforcement process within the framework of the Due Process of law will not be realized, as Mardjono Reksodiputro argued, meaning "*due process of law*" or "*process of law*". just or proper law".

Based on the above background, the authors are interested in conducting research titled "*Legal Reconstruction of The Authority of The Public Prosecutors In A Follow-Up Investigation of Illegal Deforestation Crime Based On Justice Value*" where the authors raise 2 (two) main issues as follows:

1. What are the weaknesses of the public prosecutor's authority in a follow-up investigation of Illegal Deforestation cases in Indonesia currently?
2. How is the reconstruction of the public prosecutor's authority in a follow-up investigation of Illegal Deforestation cases based on the value of justice?

### Method of Research

This study uses a constructivist legal research paradigm approach. The constructivism paradigm in the social

sciences is a critique of the positivist paradigm. According to the constructivist paradigm of social reality that is observed by one person cannot be generalized to everyone, as positivists usually do.

This research uses descriptive-analytical research. Analytical descriptive research is a type of descriptive research that seeks to describe and find answers on a fundamental basis regarding cause and effect by analyzing the factors that cause the occurrence or emergence of a certain phenomenon or event.

The approach method in research uses a method (*socio-legal approach*). The sociological juridical approach (*socio-legal approach*) is intended to study and examine the interrelationships associated in real with other social variables (Toebagus, 2020) <sup>[9]</sup>.

Sources of data used include Primary Data and Secondary Data. Primary data is data obtained from field observations and interviews with informants. While Secondary Data is data consisting of (Faisal, 2010) <sup>[3]</sup>:

1. Primary legal materials are binding legal materials in the form of applicable laws and regulations and have something to do with the issues discussed, among others in the form of Laws and regulations relating to the freedom to express opinions in public.
2. Secondary legal materials are legal materials that explain primary legal materials.
3. Tertiary legal materials are legal materials that provide further information on primary legal materials and secondary legal materials.

Research related to the socio-legal approach, namely research that analyzes problems is carried out by combining legal materials (which are secondary data) with primary data obtained in the field. Supported by secondary legal materials, in the form of writings by experts and legal policies.

### Research Result and Discussion

#### 1. Weaknesses of the Public Prosecutor's Authority in A Follow-Up Investigation of Illegal Deforestation Cases In Indonesia Currently

The authority of law enforcement agencies is guaranteed by law so that in carrying out their duties and responsibilities, they are free from the influence of government power and other influences. There is an adage that states "*fiat justitia et pereat mundus*" (even though the world is collapsing, the law must be upheld) (Soekanto, 1981) <sup>[8]</sup>.

The structural components of a legal system include various institutions (institutions) created by the legal system with various functions to support the operation of the legal system. One of the institutions is the judiciary with its various equipment.

Regarding this, Friedman, in Edelman (2011) <sup>[2]</sup> wrote that "...structure is the body, the framework, the longlasting shape of the system; the way courts of police departments are organized, the lines of jurisdiction, the table of an organization". (Structure is the body or framework patterned form of the system as a way of organizing Police Department arrangements, lines of jurisdiction, and organizational charts).

The law cannot run or be upright if there are no credible, competent, and independent law enforcement officers. How good is a statutory regulation if it is not supported by good law enforcement officers, then is justice only just wishful

thinking? this means that the weak mentality of law enforcement officers resulted in law enforcement not running properly (Rusmana, 2018) <sup>[7]</sup>.

The legal structure component in this case includes various institutions created by the legal system with various functions in order to support the operation of the legal system.

The process of investigating crimes in the forestry sector is specifically regulated, namely carried out by Civil Servant Investigating Officers within the Ministry/Forestry Service, both at the central and regional levels. In addition to special investigators, there are other law enforcement officials who also have the authority to investigate crimes in the forestry sector, namely investigators from the Police, the Prosecutor's Office, and the Navy.

In practice, sometimes there is a conflict of authority between the investigators so the performance of the investigation does not go well. While the process of prosecution and examination in a court of crimes in the forestry sector is carried out, in general, using the provisions of the procedural law contained in the Criminal Procedure Code.

In the context of the enforcement of Law no. 18 of 2013 concerning Prevention and Eradication of Illegal Deforestation (P3H) as a system, there is a legal substance that authorizes the Prosecutor's Office to carry out investigations based on the provisions of Article 39 letter b which states "...in the event that the results of the investigation are incomplete, the Public Prosecutor is obliged to carry out an investigation at least 20 (twenty) days and can be extended for a maximum of 30 (thirty) days...". This investigative authority by the public prosecutor is a legal breakthrough to minimize the back and forth of case files in handling the crime of Illegal Deforestation.

The authority of the Public Prosecutor to conduct investigations in the case of the Crime of Illegal Deforestation as the best practice of legal innovation both against individual legal subjects (*natuurlijk persoon*) and against legal entities/corporations (*recht persoon*) as mandated in Article 39 letter b of Law no. 18 of 2013 concerning Prevention and Eradication of Illegal Deforestation (P3H). However, the provisions on the investigative function possessed by the public prosecutor in investigating cases of Illegal Deforestation will also bring back old polemics over the seizure of investigative authority by law enforcement agencies, namely the police and prosecutors. This situation is closely related to the national legal politics of the position of the Indonesian Prosecutor's Office in the law enforcement process in Indonesia, where there is a reduction and limitation of authority by law. One of the reductions in the authority of the Prosecutor's Office is the investigative function attached to a prosecutor as a Magistrate during the *Het Herzeine Inladsch Reglement* (HIR) period, namely before Law Number 8 of 1981 concerning the Criminal Procedure Code was declared valid in Indonesia.

In addition, the provisions on the investigative function possessed by the public prosecutor in investigating cases of Illegal Deforestation will also bring back the old polemic over the seizure of investigative authority by law enforcement agencies, namely the police and prosecutors. This situation is closely related to the national legal politics of the position of the Indonesian Prosecutor's Office in the

law enforcement process in Indonesia, where there is a reduction and limitation of authority by law. One of the reductions in the authority of the Prosecutor's Office is the investigative function attached to a prosecutor as a Magistrate during the period of the *Het Herzeine Inladsch Reglement* (HIR), namely before Law Number 8 of 1981 concerning the Criminal Procedure Code was declared valid in Indonesia.

The clash of authorities will certainly result in delays in the legal process of handling Illegal Deforestation cases. In the end, these conditions will lead to injustice and legal certainty for suspects and justice seekers so that what is aspired to a fair law enforcement process within the framework of the Due Process of law will not be realized, as Mardjono Reksodiputro argued, meaning "*due process of law*" or "*process of law*" as a just or proper law.

The problem of criminal law in Indonesia is growing in line with the rapid growth of society and the increasing mobility of individuals and the increasingly intense relationship between individuals and individuals. Such conditions will cause ordinary social problems but will also cause criminal problems. Formal enforcement of criminal law through the Law Enforcement Agency will produce justice which tends to be relatively procedural justice.

The Prosecutor's Office has a very important and strategic position in controlling the criminal case process. It is said to be very important and strategic because the Prosecutor's Office is on the axis and becomes a filter between the investigation process and examination in court trials or called *dominus litis*. In addition, the Prosecutor's Office also has the authority to implement court decisions, which are also called executive *ambtenaar*.

In the Criminal Procedure Code, the process of resolving criminal cases is often known as the Integrated Criminal Justice System framework. Within the framework of the Integrated Criminal Justice System, the Attorney General's Office as a law enforcement agency has a central position in the legal system in Indonesia. The Prosecutor's Office plays the role of controlling the handling of cases where only the Prosecutor / Public Prosecutor can determine whether or not a case can be submitted to the court which is the embodiment of the *Dominus Litis* principle (Widodo, 2019) <sup>[11]</sup>.

Coordination in handling cases between the Prosecutor's Office and the Police is manifested in a concept called Pre-Prosecution. In the pre-prosecution stage for the handling of Illegal Deforestation cases, cases often occur back and forth between investigators and public prosecutors. The back and forth of the case was caused by various factors, one of which the investigator was unable to fulfill the instructions given by the public prosecutor, causing incomplete case files. The Directorate of Specific Crimes, Bareskrim Polri, reports the latest data related to cases of forest and land fires (Karhutla) in Indonesia since 2020. A total of 99 reports have been reported to the police regarding cases of forest and land fires. The number of police reports is 99 with details, individual perpetrators 97 reports, and corporate actors. However, these cases have not been transferred to the court due to the fact that case files are still going back and forth, meanwhile, according to data from the Attorney General's Office, only 126 of the hundreds of cases have their files received by the public prosecutor and some of the case files have been returned to the Police Investigators for completion.

Delegation of case files to the Court to be tried in absentia, as regulated in Article 51 paragraph (1) of Law Number 18 of 2013. This is to avoid arrears in cases where the alleged perpetrator has not been found immediately because he fled, so to provide the certainty the law that all case files that have been declared complete, sufficient evidence, and fulfill all the elements must end up in court to obtain a court decision.

Through various kinds of policies in general and the Prosecutor's Office wants to prove that legal innovations within the framework of systemic, holistic, and integrated law enforcement are expected to be used as alternatives and instruments as a solution to accelerate the resolution of environmental and forestry criminal cases in an effective and efficient manner.

Then, in the context of the enforcement of Law no. 18 of 2013 concerning Prevention and Eradication of Illegal Deforestation (P3H) as a system, there is a legal substance that authorizes the Prosecutor's Office to carry out investigations based on the provisions of Article 39 letter b which states that *"...in the event that the results of the investigation are incomplete, the Public Prosecutor is obliged to carry out an investigation at least 20 (twenty) days and can be extended for a maximum of 30 (thirty) days..."*. This investigative authority by the public prosecutor is a legal breakthrough to minimize the back and forth of case files in handling the crime of Illegal Deforestation.

In particular, the policy of accelerating the handling of Illegal Deforestation cases by taking over the investigation will arise several obstacles, including:

1. There is no arrangement or form of understanding between the Prosecutor's Office as the public prosecutor and the Ministry of Forestry as PPNS and the Indonesian Police as investigators regarding the technical take over of the case, including responsibility for the suspect and the confiscated evidence.
2. There is no internal regulation in the Prosecutor's Office regarding the investigation of criminal acts of Illegal Deforestation, including the authority of the field conducting the investigation.
3. The minimum time limit for the public prosecutor to complete the investigation is 50 (fifty) days.
4. There are no implementing regulations for Law Number 18 of 2013 concerning Prevention and Eradication of Illegal Deforestation related to the a quo case, such as the Government Regulation Ministerial Regulation concerning the procedures for storing confiscated evidence of Illegal Deforestation.
5. There is no ad hoc judge appointed by the President to examine forestry cases.
6. The mandate of Article 111 paragraph (1) regarding the establishment of the Agency for the Prevention and Eradication of Illegal Deforestation has not been implemented, no later than 2 years from the date of promulgation, namely 6 August 2013, so it should have been formed on 6 August 2015.

Several obstacles in law enforcement against crimes in the forestry sector show that the legal provisions in the forestry sector have not been able to accommodate the development of crimes in the forestry sector. The criminal provisions in the Forestry Law have not been effective in dealing with

criminal cases in the forestry sector, which have recently grown rapidly and widely.

Law enforcement against crimes in the forestry sector encounters several obstacles, both juridical in nature originating from the laws and regulations governing forestry, namely the formulation of forestry offenses cannot reach intellectual perpetrators of crimes in the forestry sector, evidence is difficult, the scope of the formulation of offenses is still narrow, ecological compensation is not regulated, and a special judicial institution for forest crimes is not established. Then the non-juridical factors, including weak coordination between law enforcement, regulation of the confiscation process which is treated the same as other general crimes, limited human resources, funds, facilities and infrastructure in law enforcement against forestry crimes, also affect the performance of law enforcement against crimes in the field of forestry. forestry. Therefore, it is necessary to reform and reform both in terms of substance and structure or legal culture in dealing with crimes in the forestry sector.

Obstacles encountered in conducting investigations into forestry crimes include, among others, the lack of laws and regulations regarding this crime, lack of facilities and infrastructure, lack of participation from the community in efforts to carry out criminal investigations in the forestry sector, the total area of the forestry sector. personnel are not balanced, there are many differences in the perception of commensurate boundaries between customary land and state forests (protected forests), as well as places or terrain that are difficult to reach in carrying out criminal investigations in the forestry sector.

## **2. Reconstruction of The Public Prosecutor's Authority In A Follow-Up Investigation of Illegal Deforestation Cases Based on The Value Of Justice**

In the process of law enforcement in forestry crimes, especially in the realm of investigation and regulation of the authority of Investigation by the Public Prosecutor, the accommodation of the authority of the public prosecutor as stated in Article 39 letter b is intended to accelerate the settlement of cases of Illegal Deforestation in the investigation stage.

These provisions indicate the existence of legal politics in positive law in Indonesia which allows overlapping of investigative powers previously carried out by the Police as regulated in Law Number 8 of 1981 concerning Criminal Procedure Code, hereinafter KUHAP.

The regulation of investigative authority by public prosecutors in this law is not regulated in additional articles or explanations of the law and there are no more rules that describe the conduct of investigations by public prosecutors, especially their duties.

The explanation of the limitations of the investigation authorization by the public prosecutor is also not explained properly in the implementing rules, and the implementation of the investigation by the public prosecutor can be interpreted as a follow-up investigation or an investigation that can be started from the beginning, so it is feared in the future if there is no good coordination and communication. between Polri Investigators and/or Forestry PPNS and the Public Prosecutor, it is feared that there will be polemics or overlapping investigations.

To prevent the occurrence of justice delayed justice denied in the criminal justice system, Law of the Republic of Indonesia Number 18 of 2013 concerning Prevention and Eradication of Illegal Deforestation has provided an example of legal breakthrough innovation that effectively and efficiently cuts back and forth flow of case files and guarantees legal certainty, by providing a time limit for the investigation and the availability of further investigation space by the public prosecutor.

In order to increase the effectiveness of eradicating Illegal Deforestation, there needs to be a law reconstruction that are divided into two Reconstruction of values, that in Article 39 letters a, b, and c of Law Number 18 of 2013 states that to accelerate the settlement of Illegal Deforestation cases, investigators are obliged to complete and submit case files to the public prosecutor no later than 60 (sixty) days from the start investigation and may be extended for a maximum of 30 (thirty) days.

If the investigator has not been able to complete the investigation, the public prosecutor is obliged to carry out an investigation for a maximum of 20 (twenty) days and it can be extended for a maximum of 30 (thirty) days and after that, the public prosecutor is obliged to delegate the case to the court for a maximum of 25 (twenty-five) days. days from the completion of the investigation. Based on the description above, it is necessary to carry out Value Reconstruction related to the authority of the public prosecutor in further investigations of Illegal Deforestation cases based on the value of justice.

Therefore, it is necessary to reconstruct the regulations so that they can provide a deterrent effect on perpetrators of criminal acts in the forestry sector and the value of optimizing the settlement of forest crimes in an effective and efficient manner.

Reconstruction of Regulations, reconstructing the Law of the Republic of Indonesia Number 18 of 2013 concerning Prevention and Eradication of Illegal Deforestation by changing the regulations contained in Article 29, Article 39, and Article 42 which reads as follows: Article 29: Investigators, in this case, are POLRI investigators, prosecutors, and PPNS who are given special authority as investigators as referred to in the Criminal Procedure Code. Article 39: To optimize the handling of cases of Illegal Deforestation: a. From the beginning of the case, investigators must coordinate with the Public Prosecutor and consider the potential for other criminal acts in the form of money laundering, crimes committed between countries as well as the involvement of corporations, as well as the possibility of beneficial ownership behind the corporations involved. b. the investigator in completing and submitting the case file to the public prosecutor no later than 90 (ninety) days from the start of the investigation and can be extended for a maximum of 30 (thirty) days; c. in the event that the results of the investigation are incomplete, the public prosecutor is obliged to conduct an investigation for a maximum of 20 (twenty) days and may be extended for a maximum of 30 (thirty) days; d. the public prosecutor is obliged to delegate the case to the court no later than 25 (twenty-five) days from the completion of the investigation; e. for areas that are difficult to reach due to natural and geographical factors or transportation and high costs in the context of safeguarding and securing evidence, for wooden evidence, it is sufficient to remove the evidence accompanied by an official report on the removal of

evidence; and the forestry technical agency is obligated to appoint wood testing and measuring experts as requested by the investigator by taking into account the speed of the investigation. Then, in Article 42: Every official who does not carry out the obligations as referred to in Article 39, Article 40, and Article 41 is subject to administrative sanctions in accordance with the provisions of the legislation.

If the investigator has not been able to complete the investigation, the public prosecutor is obliged to carry out an investigation for a maximum of 20 (twenty) days and it can be extended for a maximum of 30 (thirty) days and after that the public prosecutor is obliged to delegate the case to the court for a maximum of 25 (twenty five) days. days from the completion of the investigation. Based on the description above, it is necessary to carry out Value Reconstruction related to the authority of the public prosecutor in further investigations of Illegal Deforestation cases based on the value of justice. The reconstructed values are: The value of the deterrent effect on the perpetrators of criminal acts in the forestry sector and the value of optimizing the settlement of forest crimes in an effective and efficient manner.

### Conclusion

Based on the results of the research, the following conclusions can be drawn:

1. In the context of the enforcement of Law no. 18 of 2013 concerning Prevention and Eradication of Illegal Deforestation (P3H) as a system, there is a legal substance, the weaknesses in the enforcement, are, as follows: 1) There is no arrangement or form of understanding between the Prosecutor's Office as the public prosecutor and the Ministry of Forestry as PPNS and the Indonesian Police as investigators regarding the technical take over of the case, including responsibility for the suspect and the confiscated evidence. 2) There is no internal regulation in the Prosecutor's Office regarding the investigation of criminal acts of Illegal Deforestation, including the authority of the field conducting the investigation. 3) The minimum time limit for the public prosecutor to complete the investigation is 50 (fifty) days. 4) There are no implementing regulations for Law Number 18 of 2013 concerning Prevention and Eradication of Illegal Deforestation related to the quo case, such as the Government Regulation Ministerial Regulation concerning the procedures for storing confiscated evidence of Illegal Deforestation. 5) There is no ad hoc judge appointed by the President to examine forestry cases. 6) The mandate of Article 111 paragraph (1) regarding the establishment of the Agency for the Prevention and Eradication of Illegal Deforestation has been implemented no later than 2 years from the date of promulgation, namely August 6, 2013, so it should have been formed on August 6, 2015.
2. Reconstruction of Regulations, reconstructing the Law of the Republic of Indonesia Number 18 of 2013 concerning Prevention and Eradication of Illegal Deforestation by changing the regulations contained in Article 29, Article 39, and Article 42 which reads as follows: Article 29: Investigators, in this case, are POLRI investigators, prosecutors, and PPNS who are given special authority as investigators as referred to in

the Criminal Procedure Code. Article 39: To optimize the handling of cases of Illegal Deforestation: a. From the beginning of the case, investigators must coordinate with the Public Prosecutor and consider the potential for other criminal acts in the form of money laundering, crimes committed between countries as well as the involvement of corporations, as well as the possibility of beneficial ownership behind the corporations involved. b. the investigator in completing and submitting the case file to the public prosecutor no later than 90 (ninety) days from the start of the investigation and can be extended for a maximum of 30 (thirty) days; c. in the event that the results of the investigation are incomplete, the public prosecutor is obliged to conduct an investigation for a maximum of 20 (twenty) days and may be extended for a maximum of 30 (thirty) days; d. the public prosecutor is obliged to delegate the case to the court no later than 25 (twenty-five) days from the completion of the investigation; e. for areas that are difficult to reach due to natural and geographical factors or transportation and high costs in the context of safeguarding and securing evidence, for wooden evidence, it is sufficient to remove the evidence accompanied by an official report on the removal of evidence; and the forestry technical agency is obligated to appoint wood testing and measuring experts as requested by the investigator by taking into account the speed of the investigation. Then, in Article 42: Every official who does not carry out the obligations as referred to in Article 39, Article 40, and Article 41 is subject to administrative sanctions in accordance with the provisions of the legislation.

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