

---

## Environmental Crime

Amar Mubarok

Universitas Muhammadiyah Purwokerto

---

### ARTICLE INFO

**Article history:**

DOI:

[10.30595/pssh.v14i.1023](https://doi.org/10.30595/pssh.v14i.1023)

Submitted:

June 08, 2023

Accepted:

September 29, 2023

Published:

November 16, 2023

---

**Keywords:**

Environmental, Crime,  
Ecosystem

---

### ABSTRACT

*Environmental crime is a serious threat to ecosystem sustainability and people's welfare in Indonesia. This paper aims to describe various forms of environmental crimes that have occurred in Indonesia, explore the causal factors, and analyze law enforcement efforts in tackling these crimes. By understanding the traces of crime and the challenges it faces, this paper provides an overview of the importance of strengthening the law enforcement system and cooperation between various stakeholders in protecting the environment.*

*This work is licensed under a [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/).*



---

**Corresponding Author:**

**Amar Mubarok**

Faculty of Law, Universitas Muhammadiyah Purwokerto

Jl. KH. Ahmad Dahlan, Kembaran, Banyumas, Jawa Tengah 53182, Indonesia

---

## I. INTRODUCTION

Environmental crime refers to any illegal activity that harms the environment and violates environmental laws and regulations. It encompasses a wide range of offenses committed against nature, including pollution, illegal wildlife trade, illegal logging, poaching, illegal fishing, dumping hazardous waste, and more. These crimes pose significant threats to ecosystems, wildlife, natural resources, and human health.

## II. RESEARCH PROBLEMS

When it comes to researching environmental crime, there are several key problem areas that scholars and experts focus on. These research problems aim to deepen our understanding of the nature, causes, impacts, and responses to environmental crime. Here are some common research problems in the field of environmental crime:

1. **Measurement and Detection:** One challenge is accurately measuring the extent and scale of environmental crime. This includes determining the volume of illegal activities, estimating the economic value of environmental crimes, and developing effective methods for detecting and monitoring these crimes.
2. **Understanding Motivations:** Research seeks to uncover the underlying motivations that drive individuals and organizations to engage in environmental crime. This involves studying the economic, social, and psychological factors that contribute to illegal activities such as illegal logging, wildlife trafficking, or pollution.
3. **Impacts on Ecosystems and Communities:** Investigating the ecological and social consequences of environmental crime is crucial. Research focuses on understanding the immediate and long-term impacts of these crimes on ecosystems, biodiversity, local communities, and public health.

### III. RESEARCH METHODS

Research on environmental crime involves employing various methods to gather data, analyze information, and draw meaningful conclusions. The choice of research methods depends on the specific research questions, available resources, and the nature of the phenomenon being studied. Here are some commonly used research methods in the field of environmental crime:

1. **Quantitative Surveys:** Surveys can be conducted to collect quantitative data on people's attitudes, behaviors, and perceptions related to environmental crime. This method involves designing questionnaires or structured interviews to gather data from a large sample of respondents. Surveys can provide valuable insights into public awareness, compliance levels, and the social dimensions of environmental crime.
2. **Case Studies:** Case studies involve in-depth examination of specific environmental crime incidents, organizations, or regions. Researchers collect and analyze qualitative data through interviews, document analysis, and direct observation. Case studies provide detailed insights into the context, dynamics, and complexities of environmental crimes, as well as the responses to these crimes.
3. **Data Analysis:** Researchers can analyze existing data sets to explore patterns, trends, and correlations related to environmental crime. This can involve using statistical methods to analyze data from law enforcement agencies, regulatory bodies, or international databases. Data analysis can help identify hotspots, understand the modus operandi of criminals, and assess the effectiveness of enforcement efforts.

### IV. RESULT AND DISCUSSION

#### 1. First Research Problem Discussion

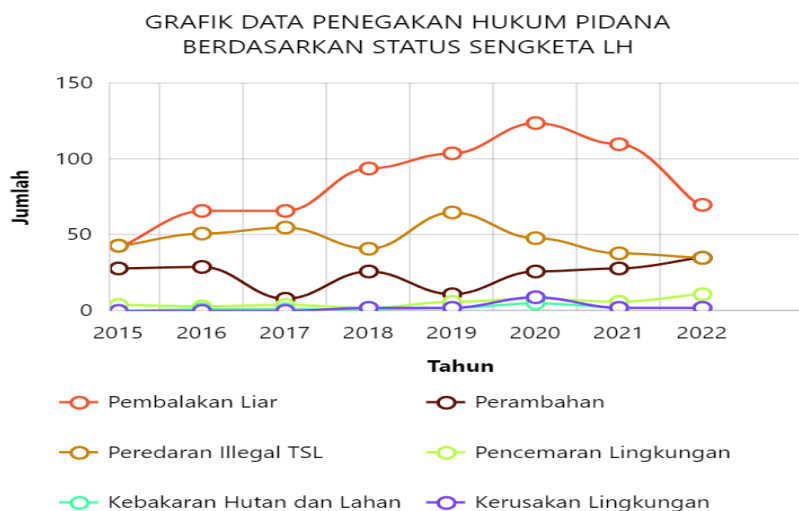
Environmental crime has significant impacts on ecosystems and communities. These impacts can be both immediate and long-term, affecting biodiversity, ecosystem health, and the well-being of local communities. Here are some key impacts of environmental crime:

1. **Biodiversity Loss:** Environmental crimes such as illegal logging, wildlife trafficking, and habitat destruction contribute to the loss of biodiversity. Endangered species are particularly vulnerable, as they are targeted for their high market value. This loss of biodiversity disrupts ecosystems, affects ecological balance, and can lead to cascading effects on other species within the food chain.
2. **Habitat Destruction:** Environmental crimes often involve activities that result in the destruction of natural habitats. Forests are illegally cleared for logging, mining, and agriculture, leading to deforestation and habitat fragmentation. Wetlands are drained or polluted, affecting the diverse array of species that rely on these ecosystems. Such habitat destruction can have severe consequences for both flora and fauna, disrupting their reproductive cycles, migration patterns, and overall survival.
3. **Pollution and Contamination:** Environmental crimes such as illegal waste dumping, improper disposal of hazardous materials, and industrial pollution lead to the contamination of air, water, and soil. Pollution can have devastating effects on ecosystems, poisoning aquatic life, harming vegetation, and impacting the overall health of ecosystems. Contamination also poses risks to human health, with communities living near polluted areas being particularly affected.

**Table 1.** Number of Crimes in District X in 2018-2019

No	Types of Crime	2021	2022
1	Illegal logging	110	70
2	Peredaran ilegal TSL	38	35
3	Encroachment	28	38
	Total	176	140

Source: gakkum menlhk

**Figure 1. Border Areas and Types of Crime**

Source:

gakkum

menlhk

## 2. Second Research Problem Discussion

The case of illegal logging is the highest crime handled by the Ministry of Environment and Forestry in the last five years. This case is considered not only a forestry and environmental case but also a financial crime. Data from the Directorate General of Law Enforcement, the Ministry of Environment and Forestry for the 2015-2021 period, shows that illegal logging has the highest number of cases compared to other crimes, such as environmental damage, forest and land fires, forest encroachment, pollution, and wild plants and animals.

There were 497 cases during the 2015-2020 period. In 2020, the highest reached 124 cases, 104 (2019), 94 (2018), 66 (2017), 66 (2016) and 43 (2015). From January to April 2021, there have been 20 cases of illegal logging in a number of areas.

"The results of the 2018-2020 timber operations have secured 418 containers or 7,239 cubic meters of timber from Papua, a small part of Maluku," said Yazid Nurguda, Director of Criminal Law Enforcement of the Ministry of Environment and Forestry in a discussion 'Can the Indonesian Judicial System Convict the Timber Mafia', at the end of last April.

There are three basic rules for the authority to investigate illegal logging by the Ministry of Environment and Forestry, namely, Law Number 41/1999 concerning Forestry, Law Number 18/2013 concerning Prevention and Eradication of Forest Destruction, and Law Number 11/2020 concerning Job Creation.

In general, the Job Creation Law applies *last resort* criminal sanctions as the last sanction before administrative sanctions. According to Yazid, especially crimes in the forestry sector, whether illegal logging or forest encroachment that has an impact on the environment, can be directly subject to criminal law.

"Unlike the Environmental Law, the Job Creation Law does not specifically change the norms of criminal law enforcement regarding investigations into illegal logging offenses. The legal subjects in illegal logging that we deal with are individuals, corporations and community groups."

Police Brig. Pipit Rismanto, Director of Specific Crimes at Bareskrim Polri, said that illegal logging is an extraordinary crime, not only for environmental crimes but also for national wealth.

So far, punishments for environmental crimes have caused losses to state assets. This is because the state needs to spend money to improve the environment. "Not to mention, how much the state loses when there is a disaster." Based on data from Bareskrim Polri, there were 272 cases in 2020, 74 (2019), 74 (2018), 575 (2017) and 507 (2016) illegal logging cases handled. Writing quotes from book sources:

- 1) Lusia Arumingtyas [Jakarta]<sup>1</sup>

## V. CONCLUSION

The conclusion section basically contains the essence of the study and at the same time, it is also an answer to the problems studied in the article. In connection with this, the writing of conclusions must be adjusted to the order of the problems studied and relevant to the research objectives. In the Conclusion section, there should be

<sup>1</sup>Data Direktorat Jenderal Penegakan Hukum, KLHK periode 2015-2021.

no new discussion or comments from the author. In the conclusion, the author's recommendations, if any, can be included.

## REFERENCES

- Aji, Adiguna Bagas Waskito, Puji Wiyatno, Ridwan Arifin, and Ubaidillah Kamal. "Social Justice on Environmental Law Enforcement in Indonesia: The Contemporary and Controversial Cases." *The Indonesian Journal of International Clinical Legal Education* 2, no. 1 (March 31, 2020): 57–72.
- Alhakim, Abdurrahman, and Wilda Lim. "PENEGAKAN HUKUM LINGKUNGAN DI INDONESIA: KAJIAN PERSPEKTIF HUKUM PIDANA." *Maleo Law Journal* 5, no. 2 (2021): 44–56.
- Ansari, Muhammad Insa. *Implikasi Pengaturan Lingkungan Hidup Terhadap Peraturan Perundang-Undangan Dalam Kegiatan Bisnis (Perspektif Konstitusi)*, 2014.
- DS, Mayer Hayrani. "PERKEMBANGAN HUKUM PIDANA LINGKUNGAN HIDUP." *Jurnal Legislasi Indonesia* 15, no. 4 (2018): 331–442. <http://www.mongabay.com>.
- Duarte, Fernando. "Perubahan Iklim: Kebakaran Hutan, Gelombang Panas, Banjir Bandang - Mengapa Rekor Cuaca Terpecahkan?" *Bbc.Com*, 2021.
- Farhan, Farida. "Lumpur Beracun Dikubur Di Tanah Proyek Perumahan Di Karawang," 2019.
- Hamid, Muhammad Amin. "Penegakan Hukum Pidana Lingkungan..... PENEGAKAN HUKUM PIDANA LINGKUNGAN HIDUP DALAM MENANGGULANGI KERUGIAN NEGARA." *Legal Pluralism* 6, no. 1 (2016): 88–117.
- Rachmat, N. A. (2022). Hukum Pidana Lingkungan di Indonesia berdasarkan Undang-Undang Nomor 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup. *Ikatan Penulis Mahasiswa Hukum Indonesia Law Journal*, 2(2), 188-209.
- Kementerian Lingkungan hidup dan kehutanan*  
*Direktorat Jenderal Penegakan Hukum Lingkungan Hidup dan Kehutanan*
- Sufiyati, Sri., and Munsyarif Abdul. Chalim. "CRIMINAL LAW POLICIES IN EFFORTS TO OVERCOME ENVIRONMENTAL CRIME (Case Study of Management of Hazardous and Toxic Solid Waste Remaining from Coal Burning Boiler Machines)." *Khaira Ummah Law Journal* 12, no. 3 (2017): 457–466.
- <https://www.connectedpapers.com/profile/saved>
- <https://journal.unnes.ac.id/sju/index.php/ipmhi/article/view/53737>
- <https://gakkum.menlhk.go.id/kinerja/penegakan>
- [https://www.researchgate.net/publication/339538119\\_KEJAHATAN\\_KEHUTANAN\\_ILLEGAL\\_LOGGING\\_KE\\_BAKARAN\\_HUTAN\\_DAN\\_LAHAN\\_KERUSAKAN\\_HUTAN\\_DAN\\_PERAMBAHAN\\_HUTAN\\_FORESTRY\\_CRI\\_ME\\_ILLEGAL\\_LOGGING\\_FOREST\\_AND\\_LAND\\_FIRE\\_FOREST\\_DAMAGE\\_AND\\_FORESTRY](https://www.researchgate.net/publication/339538119_KEJAHATAN_KEHUTANAN_ILLEGAL_LOGGING_KE_BAKARAN_HUTAN_DAN_LAHAN_KERUSAKAN_HUTAN_DAN_PERAMBAHAN_HUTAN_FORESTRY_CRI_ME_ILLEGAL_LOGGING_FOREST_AND_LAND_FIRE_FOREST_DAMAGE_AND_FORESTRY)