

Law Enforcement against Illegal Logging in Indonesian Forestry Legal System

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ABSTRACT

Illegal logging is an organised environmental crime that threatens the sustainability of Indonesia's forest ecosystems. This study analyses the transformation of normative forestry regulations following the enactment of Law No. 18 of 2013 (the P3H Law) and Law No. 6 of 2023 (the Job Creation Law), the criminal classification of illegal logging, and the harmonisation of preventive and repressive strategies in law enforcement. The methodology employed is a normative legal approach utilising both a statutory approach and a conceptual approach. The research findings indicate that the enactment of the P3H Law, as a *lex specialis*, broadens the definition of the offence of illegal logging from a mere conventional offence under the Criminal Code to organised crime, encompassing the forgery of transport documents for forest products, the handling of stolen goods by industry, and the financing by funders and corporations. Meanwhile, the Job Creation Act reinforces the principle of 'ultimum remedium' by prioritising administrative sanctions for technical violations committed by local communities, whilst continuing to impose strict cumulative criminal sanctions for commercial offences. Preventive strategies based on the participation of communities living near forest areas need to be optimised, accompanied by consistent repressive law enforcement without the misuse of administrative sanctions by corporate offenders, in order to create a deterrent effect.

INTRODUCTION

Forests constitute a natural resource that possesses a strategic role for the survival of humans and other living creatures. The ecological function of forests as a life support system and global climate regulator makes them an invaluable asset for the sustainability of planet Earth. The biodiversity contained within Indonesia's forests is among the highest in the world, making their preservation an international concern. Protection of forests is not solely for the interests of the present generation, but also to guarantee the availability of resources for future generations. Sustainable forest management requires compliance with legal norms regulating their utilization and preservation. Every forest product harvesting activity should be conducted in accordance with prevailing provisions and by paying attention to ecosystem carrying capacity (Hudaya et al., 2024). Compliance with environmental regulations also constitutes an important part in fulfilling timber supply chain standards, due diligence on business

partners, and corporate reporting accompanied by evidence regarding legality, licensing, and compliance with prevailing environmental provisions (Farhoq et al., 2024).

Forest destruction continues due to illegal logging carried out on a massive and organized scale. Illegal logging occurs across almost all forest areas in Indonesia, from production forests to protection forests that should receive the strictest safeguards. Illegal loggers operate by exploiting weak supervision and the limited capacity of law enforcement officers in the field. These activities not only damage tree stands but also threaten wildlife habitats and the hydrological functions of forests. This damage weakens the capacity of ecosystems to sustain themselves and adds to the pressure of the climate crisis (Issalillah et al., 2024; Mardikaningsih, 2025). The area of forest destroyed by illegal logging keeps increasing every year without adequate recovery efforts. The impact falls hardest on vulnerable groups living

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near forest areas (Mardikaningsih et al., 2025). This situation creates a wide gap between the ideal of forest protection and the reality of ever-worsening destruction (Windiyastuti, 2024).

Laws and regulations have set out various prohibitions and sanctions for those who destroy forests, but their implementation has not been optimal. Illegal logging offenders often escape legal liability because of limited evidence and complicated law enforcement procedures. This condition is made worse by the involvement of officials and regional authorities in illegal logging practices (Dekiawati, 2022). Weaknesses in the law enforcement system mean that the sanctions imposed do not produce the expected deterrent effect. Weak enforcement also reduces the effectiveness of environmental management, because rules are not applied consistently (Nuraini et al., 2021).

Forestry regulations provide a legal basis for protecting forest ecosystems, but their application faces various technical and juridical obstacles. In addition to the Forestry Law, the Law on the Prevention and Eradication of Forest Destruction (UU P3H) provides specific reinforcement (*lex specialis*) to prosecute organized crime, and the Job Creation Law has shifted the paradigm of sanctions. The elements of forestry crimes in legislation are often formulated in general terms, which makes them difficult to apply to concrete cases of illegal logging. Proving a case in court requires strong evidence, while gathering evidence in the field is very difficult. Illegal loggers use constantly evolving modes of operation to avoid detection by law enforcement officers. The unclear boundary between lawful and unlawful forest use adds to the complexity of forestry law enforcement. Open reporting and public access to data on forest business activities can help distinguish lawful use from violations (Mamesah et al., 2024).

The classification of illegal logging as a crime in the criminal law system requires careful identification of each element of the offense fulfilled by the offender. Illegal logging can be classified as theft, destruction of property, document forgery, or handling stolen goods, depending on the *modus operandi* used. These differences in classification lead to different criminal penalties and affect the prosecution process in court. Law enforcers often face difficulty in determining the correct classification because of limitations in the regulations of the criminal code (Triadi & Triadi, 2024). Timber smuggling, for instance, does not yet have specific regulation, so it is often treated the same as theft.

Preventive strategies for tackling illegal logging

place the public at the front line of preserving forests. The preventive approach emphasizes building awareness and active participation among people living around forest areas. This approach rests on the precautionary principle, which requires prevention before damage occurs rather than waiting for losses to appear (Hidayat et al., 2024). Increased environmental awareness and individual involvement are important in encouraging behavior that supports environmental sustainability and preserves natural resources in the long term (Mahardani & Mardikaningsih, 2024). People who live in and around forests have local knowledge about forest conditions and potential threats to them. This knowledge also strengthens their ability to adapt to and withstand social and ecological pressures around the forest (Oluwatosin et al., 2023). Guidance and empowerment of the public are important instruments for preventing illegal logging. Reforestation of bare forests and participatory monitoring are concrete steps that can involve the public in forest protection. However, public participation is not yet optimal because of limited facilities and incentives provided by the government (Ardiyanto et al., 2022). According to Purwanto et al. (2024), law enforcement depends heavily on public support and perceptions of the legitimacy of the actions taken, so public involvement is an important factor in creating effective law enforcement. Strengthening cooperation between central and regional supervisory institutions is very important to minimize legal loopholes that could be exploited by irresponsible business actors and to increase the effectiveness of supervision and law enforcement (Prasetyo et al., 2024). Clear administrative authority among these institutions is also needed so that supervision does not overlap (Pereira et al., 2024).

Repressive law enforcement against illegal logging requires firm and measured action to deter offenders. At the level of repressive enforcement, criminal instruments play a specific role in controlling activities that risk causing environmental damage, with criminal provisions in forestry and environmental legislation serving as the basis for prosecuting illegal loggers (Santoso et al., 2024). The repressive approach focuses on enforcement operations involving routine patrols, document inspections, and action against violations found. Business actors also have obligations to manage the impact of their activities, so violations of these obligations need to be dealt with firmly (Farhoq et al., 2024). Imposing severe sanctions on illegal logging offenders is expected to reduce similar crimes in the future. Coordination among the police, prosecutors,

judges, and forestry officers is a decisive factor in the success of repressive law enforcement. Consistent application of sanctions regardless of who the offender is will strengthen public trust in the forestry criminal justice system (Budiyono & Lirëza, 2024).

This research aims to analyze the normative forestry regulations in relation to the protection of forest ecosystems. The next objective is to identify the qualifications of illegal logging criminal offenses within the Indonesian criminal law system. The research also aims to formulate effective preventive strategies in tackling illegal logging and to examine repressive law enforcement and its impact on the deterrent effect for perpetrators. The contribution of this research is to provide a comprehensive analysis of the weaknesses in forestry law enforcement that can serve as input for policymakers. The second contribution is to provide practical guidance for law enforcement officers in handling illegal logging cases effectively and measurably.

RESEARCH METHOD

This research applies a normative juridical approach with an emphasis on the analysis of primary and secondary legal materials. The primary legal materials examined encompass laws and regulations in the fields of forestry, criminal law, and environmental protection. Meanwhile, secondary legal materials take the form of legal literature, scientific articles, jurisprudence, and expert views related to illegal logging practices and law enforcement in the forestry sector. Data collection is conducted through literature searches covering written sources, both in printed and electronic forms, which are subsequently classified according to subject matters to streamline the analysis process (Kumar, 2020).

Data analysis is carried out qualitatively using interpretive and systematic methods to describe the meaning and relationships among prevailing legal norms. Conclusion drawing is based on deductive reasoning, which involves elaborating general legal provisions and subsequently applying them to the concrete case of illegal logging. The results of the study are presented descriptively-analytically to depict the prevailing legal conditions while identifying gaps encountered in their enforcement practice. Each finding is connected with the framework of criminal law theory and criminal policy, thereby enabling the formulation of weaknesses in the existing legal system as well as recommendations for improvement that are practical and applicable.

RESULT AND DISCUSSION

Normative Forestry Regulations and Ecosystem Protection

Forestry law regulations aim to balance the interests of utilization and preservation of forest functions. The prohibitions in Article 50 of the Forestry Law are binding absolutely on every legal subject without exception. Forest areas constitute legal objects whose protection is guaranteed by the constitution and sectoral laws and regulations. The forestry legal system in Indonesia is designed to prevent forest damage while prosecuting illegal logging practices that damage ecosystems. Normatively, the basic framework for forest management and protection is based on Law Number 41 of 1999 concerning Forestry (Forestry Law), which was subsequently amended and adjusted through Law Number 6 of 2023 concerning Job Creation (Job Creation Law). Article 50 of the Forestry Law regulates strict prohibitions for everyone to conduct activities of destroying forest areas, unauthorized logging, and unlawful control or utilization of forest products. Every unauthorized logging action violates public legal norms regulating natural resource management. Legal certainty in forest management depends on the effectiveness of the application of prohibitions and sanctions contained within the Forestry Law.

Organized forestry crime requires legal instruments capable of reaching the chain of command behind offenders. The position of the UU P3H as *lex specialis* confirms that forestry crimes contain elements that general criminal norms cannot cover. The involvement of intermediaries and financiers is an integral part of the construction of forestry criminal law. To respond to increasingly complex and organized illegal logging practices, the forestry legal regime is reinforced by Law Number 18 of 2013 on the Prevention and Eradication of Forest Destruction (UU P3H). The UU P3H serves as *lex specialis* designed specifically to prosecute structured forestry crimes, including the involvement of intermediaries (brokers), financiers (funders), and corporations. The norms in the UU P3H not only prohibit the physical act of logging but also criminalize supporting activities such as moving heavy equipment into forest areas and forging Forest Product Transport Documents (Aderiswanto, 2024). Criminalizing supporting activities shows that forest protection covers the entire chain of crime. This protection matters because forests play a role in maintaining the quality of the living environment (Dahar et al., 2022). The norms in the UU P3H are designed to

anticipate modes of operation that go beyond physical logging alone. However, these norms are effective only if their criminal provisions are applied consistently in the field (Noor et al., 2023).

The principle of *ultimum remedium* places criminal sanctions as the last resort after administrative sanctions are considered ineffective. Administrative sanctions have preventive and rehabilitative functions that are in line with the goal of restoring forest damage. The distinction between technical-administrative violations and organized commercial violations becomes the basis for determining the type of sanction. The Job Creation Law brought a significant paradigm shift in forestry law enforcement by strengthening the principle of *ultimum remedium* (criminal law as a last resort). This adjustment regulation prioritizes administrative sanctions, such as administrative fines, suspension of activities, and restoration of forest function, especially for violations that are technical-administrative in nature or involve the belated use of forest areas by local people. This approach is important so that small communities affected by the rules do not bear an unfair legal burden (Issalillah & Mardikaningsih, 2022). The choice of sanction should also take into account how local people adapt and the cultural values they hold (Mardikaningsih & Darmawan, 2023; Oluwatoyin & Mardikaningsih, 2022). In contrast, firm criminal sanctions and cumulative fines are prioritized for illegal logging carried out commercially and in an organized manner. Applying criminal sanctions cumulatively to commercial offenders reflects the seriousness of the threat to forest sustainability. Forestry criminal law policy gives priority to the proportionality of sanctions according to the nature and degree of the offender's fault.

The ecological functions of tropical forests possess protection values that cannot be materially compensated. The destruction of hydrological functions and the decline of carbon reserves constitute legal consequences that must be prevented by forestry norms. Effective law enforcement must be closely integrated with sustainable development strategies to ensure the creation of a balance among economic, social, and environmental preservation interests (Purnomo et al., 2024). The sustainability of forest ecosystems constitutes the ultimate goal binding all policies and law enforcement in the forestry sector. Forest destruction resulting from illegal logging causes irreversible impacts on the ecological functions of Indonesia's tropical forests, both as life support systems, hydrological regulators, and global carbon stock storages (Sitanggang &

Sugama, 2024). Modern forestry normative regulation is insufficient by relying solely on traditional prohibition articles, but demands integration among the norms of the Forestry Law, the *lex specialis* enforcement instruments of the P3H Law, as well as the administrative sanction mechanisms of the Job Creation Law in order to guarantee ecosystem preservation sustainably. The integration of norms among laws constitutes an absolute requirement for the creation of coherent and effective law enforcement. Modern normative regulation must be capable of accommodating changing dynamics of forest destruction without neglecting the principle of legal certainty.

Qualification of Illegal Logging Criminal Offenses in the Criminal Law System

Illegal logging constitutes a special criminal offense (*lex specialis*) that is no longer appropriate if solely qualified through general criminal offense norms in the Criminal Code (KUHP). The distinction between special delicts and general delicts lies in the nature of the loss incurred. Losses resulting from illegal logging are not limited to material aspects, but permanently damage ecosystem functions. The use of Criminal Code norms to ensnare illegal logging is considered not to fulfill elements of substantive justice because it ignores the unique characteristics of forest resources. Conventionally, the destruction of forest areas or illegal timber control is often drawn into the framework of Criminal Code delicts such as property damage (Article 406 of the Criminal Code) or theft (Article 363 of the Criminal Code) (Rosadi, 2023). However, the presence of Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction (P3H Law) which was subsequently adjusted through Law Number 6 of 2023 (Job Creation Law) has shifted the qualification of this delict to be more specific, comprehensive, and reach modern *modus operandi*. The formation of the P3H Law is a manifestation of the principle of *lex specialis derogat legi generali* in the realm of criminal law. The delict qualifications within the P3H Law are designed to accommodate the interests of forest protection as a strategic national asset.

The formulation of delicts in the P3H Law encompasses the entire post-harvest activity chain that has the potential to cause state losses. Law enforcement in the forestry sector demands the qualification of acts that are not only final, but also preventive against the distribution of illegal timber. The element of the absence of valid documents constitutes a fundamental distinction between legal and illegal timber control in the construction of

forestry criminal law. The qualification of illegal logging and timber control acts that were previously equated with ordinary theft (Article 363 of the Criminal Code) is now formulated specifically in the P3H Law. This delict not only targets the act of physically cutting or harvesting trees within forest areas, but also encompasses the acts of loading, unloading, transporting, and controlling forest timber products not equipped with valid documents (Sari & Syahrudin, 2023). This formulation reinforces that the object of the crime is not merely property belonging to another party, but state wealth protected for its ecological function. The expansion of the scope of this act affirms that forest protection constitutes a responsibility that spans across operational stages. This qualification provides legal certainty regarding the protected object, which is natural wealth holding ecological value for the wider community.

The falsification of forestry documents exerts a systemic impact on the loss of state control over natural resources. The distinction of heavier sanctions in the P3H Law reflects the level of threat seriousness against forestry governance. Timber smuggling crimes cannot be equated with ordinary theft because they involve cross-border state jurisdictional territories. Regarding the modus operandi of falsification and smuggling, the P3H Law closes the legal loopholes existing in the general Criminal Code. The act of falsifying or using Forest Product Transport Documents, such as the Forest Product Legality Certificate (SKSHH), which was previously snared under Article 263 of the Criminal Code, is now specifically qualified as a forestry document falsification criminal offense with much heavier sanctions. Furthermore, the weakness in regulating timber smuggling that has often been equated with theft due to the absence of a special article in the Criminal Code (Ramadhani, 2024), is now reached through the strict prohibition of transporting, distributing, or exporting illegal timber out of the territory of the Republic of Indonesia. Specific regulations concerning transport documents function as a means of supervision inherent in every timber circulation. The P3H Law places document validity as an absolute element in every transportation and export activity of forest products.

The qualification of receiving stolen goods (penadahan) in forestry crimes must encompass business actors integrated into the timber supply chain. Corporate criminal liability is a necessity in eradicating structured crimes in the forestry sector. The mastermind behind illegal logging possesses a central role that must be punished separately from

field perpetrators. The qualification of the criminal offense of receiving stolen goods has also experienced an expansion of meaning compared to Article 480 of the Criminal Code. The P3H Law reaches every person or timber processing industry that buys, receives, accommodates, or processes timber known or reasonably suspected to originate from illegal logging (Januri et al., 2024). Moreover, the P3H Law formulates the qualification of organized crime that criminalizes the act of financing, ordering, or controlling illegal logging. This qualification constitutes a vital legal instrument to ensnare funders (cukong) and operationalize corporate criminal liability which is not widely recognized in the construction of conventional criminal law. Financing and controlling illegal activities constitute forms of intentionality that can be independently held accountable. Corporations are obligated to have a legal duty to ensure that all their timber supplies originate from legitimate sources. Consequently, corporations are responsible for ensuring that their business activities do not cause negative impacts on the environment while continuing to observe sustainability principles in every operational activity (Darmawan, 2022).

Preventive Strategies in Tackling Illegal Logging

Illegal logging constitutes an environmental crime categorized as an extraordinary crime. Law enforcement against illegal logging perpetrators must fulfill elements encompassing legislative policy, namely formulating or preparing laws; judicative policy, namely implementation for law enforcement; and administrative policy, namely criminal law enforcement (Rosadi, 2023). Criminal law policy functions as a prevention and prosecution instrument through rules designed in detail to overcome the criminal offense of illegal logging (Putra, 2019). Forest destruction resulting from illegal logging has caused significant ecosystem damage that endangers natural resources and community welfare. A systematic and efficient law enforcement strategy is required to address these problems thoroughly.

Illegal logging activities constitute one of the most profitable environmental crimes, which exert a major impact on forest ecosystems and complicate law enforcement due to the involvement of various parties. Unauthorized logging is referred to as an extraordinary crime due to its immense impact on environmental destruction and forest ecosystems. The criminal offense of illegal logging possesses several constituent elements of other criminal offenses, including theft, environmental destruction,

smuggling, and corruption crimes between officials and illegal loggers. Illegal logging constitutes one of the most profitable environmental crimes in the world (Rondo, 2022). The factor of the involvement of many officials cooperating with illegal logging perpetrators to obtain personal gain results in difficult law enforcement against illegal logging perpetrators. Illegal logging must be immediately tackled thoroughly. Due to the involvement of various parties and large ecological impacts, the countermeasure of illegal logging must be executed comprehensively and systematically.

Efforts to suppress illegal logging require a strategy that combines preventive and repressive actions to protect forests as an essential part of environmental balance and natural resource sustainability. Countermeasures are all efforts undertaken by every individual and government or private institution for security, control, and obtaining welfare or peace of life. Unauthorized logging in protected forest areas must be immediately halted so that forest resources remain preserved for common interests. The forest problems occurring constitute an obstacle for all layers of law enforcement to restore forests experiencing damage due to the prevalence of illegal logging. Recovery steps must be implemented immediately considering that illegal logging crimes cause an increase in forest damage within Indonesian regions (Rondo, 2022). Reform of environmental dispute mechanisms has also brought changes in terms of the role of the community and related parties in environmental recovery efforts, particularly through increasing participation and involvement in dispute resolution processes (Kurniawan et al., 2024). It is very important to maintain forests as the lungs of the world. The government and related parties must implement various solutions to repair forests experiencing damage due to unauthorized logging. Combating unauthorized logging can be conducted through a combination of prevention (preventive) and countermeasure (repressive) actions (Aderiswanto, 2024). Preventive and repressive actions against unauthorized logging must be applied consistently and involve various parties.

The strategy for preventing illegal logging focuses on initial steps to protect forests and invite surrounding communities to maintain their preservation. Situational crime prevention constitutes a multi-dimensional approach emphasizing the identification and control of factors facilitating the occurrence of criminal acts. The countermeasure of a crime through preventive efforts outside criminal law emphasizes a preventive

attitude or is termed preventive effort. Preventive efforts focus on actions of a preventing nature prior to the occurrence of an unwanted crime. In a broad sense, prevention is defined as a conscious effort to avoid disturbances, damage, or losses to public interests (Windiyastuti, 2024).

Non-penal efforts that can be undertaken to avoid the increasing prevalence of illegal logging crimes in Indonesia encompass approaches toward the community. Community involvement is extremely large in guarding forests from illegal logging perpetrators because many community members reside in forest area regions. The government needs to approach communities located around forest areas by issuing appeals regarding the importance of guarding forest areas from illegal logging criminals. Illegal logging that continuously occurs will highly endanger and harm the community itself. Communities surrounding forest areas must cooperate with the forestry service to maintain the preservation of forest ecosystems (Windiyastuti, 2024). The subsequent effort is to provide guidance to the community. Local communities or indigenous communities possess a very important role in maintaining the legality of forest utilization and forest product management. Indigenous communities reside closest to forests where illegal logging criminal offenses have the potential to occur. Communities are guided regarding the absolute necessity of maintaining forest preservation for the survival of the community itself. Communities are also guided regarding efforts that must be undertaken if they encounter the occurrence of an illegal logging criminal offense, which is immediately contacting related parties. The subsequent effort is conducting reforestation activities on barren forests (Dekiawati & Dekiawati, 2022). The impact generated from illegal logging crimes results in many forests experiencing barrenness. The government cooperates with the community to replant barren forests (reforestation) sustainably.

Reforestation actions function to restore forest functions by greening barren land caused by illegal logging practices or natural disasters. Community-based conservation constitutes an important strategy in maintaining environmental preservation through community involvement and active participation in sustainable natural resource management (Ramle et al., 2022). Community capacity building and collaboration among various parties constitute important strategies to enhance the effectiveness of sustainable environmental conservation efforts, while encouraging active

community participation in maintaining environmental preservation (Nuraini et al., 2022). Community involvement, training, and replanting trees become crucial steps to prevent illegal logging as well as maintain forest functions and the welfare of surrounding residents. Cooperation between the government, the community, and related parties becomes the key to success in creating effective prevention efforts against the threat of illegal logging criminal offenses (Wibowo et al., 2024).

Repressive Law Enforcement and Deterrent Effects for Illegal Logging Perpetrators

The penal approach to illegal logging aims to enforce the law by imposing sanctions, while simultaneously preventing similar violations in the future. Penal countermeasures constitute an effort to overcome a crime through legal channels. Penal countermeasures constitute a form of repressive action, namely actions carried out after a crime occurs by using enforcement procedures and imposing punishment on perpetrators for the crimes committed. Repressive countermeasure actions also enable perpetrators to receive counseling and rehabilitation (Sudiarta, 2024). Repressive countermeasure efforts are carried out if a legal violation occurs, whereupon enforcement actions will be executed in accordance with prevailing laws. The purpose of repressive countermeasures is fundamentally designed to prevent violations from occurring and provide a deterrent effect on criminals.

Actions that need to be undertaken to pursue the countermeasure of illegal logging crimes repressively include conducting sustainable operations. Law enforcement to minimize illegal logging practices can be carried out by increasing forestry patrols by officers located closest to forest areas where illegal logging crimes have the potential to occur. These patrols can be conducted through the inspection of the integrity of letters or documents related to the transportation of forest products. Operations against forest areas can be conducted by forestry police units (Polhut) coordinating directly with other law enforcement agencies (Mahzaniar et al., 2023). Letters or documents inspected by the forest police include forest product legality statements and harvesting permits issued by local regional governments. The inspection of letters or documents by the forest police is expected to reduce the occurrence of illegal logging practices in forest areas (Aprianto & Kamarubayana, 2023). The subsequent action is the establishment of forest security officers. The prevalence of illegal logging practices in Indonesia

indicates that the protection and security of forests by existing officers are not yet optimal. It is necessary to establish a special forestry elite unit with a single command system from the center. Law enforcement officers can form a forest protection unit to guard forest areas from unauthorized logging perpetrators. The subsequent action is the imposition of severe sanctions against illegal logging perpetrators. With this penal strategy, it is expected to be capable of suppressing illegal logging practices while sustainably protecting forest preservation.

Repressive law enforcement is highly necessary to prosecute illegal logging perpetrators and ensure a deterrent effect for the community. Repressive action constitutes a law enforcement action starting from investigation, inquiry, up to the court. There needs to be a shared perception among each element of law enforcement, namely investigators (the Police and Civil Servant Investigators/PPNS), public prosecutors, and judges. The magnitude of illegal logging problems demands repressive actions capable of generating a deterrent effect, so that the imposition of legal sanctions must be precise (Mahzaniar et al., 2023). The imposition of severe sanctions on perpetrators of forest destruction crimes is expected to provide a deterrent effect. When someone knows that committing a crime against forests can result in severe criminal sanctions, they tend to think twice before committing the criminal offense (Mahmud et al., 2023). The imposition of severe sanctions against illegal logging perpetrators is also expected to instill fear in members of the public who harbor the intent to commit destruction against forests to be utilized for personal or group interests. The imposition of these sanctions is intended for all and any forms of crimes against forests, including individuals within the government. The imposition of these sanctions is impartial and blind to power, because local officials are frequently involved in forest destruction aimed at obtaining personal gain while setting aside the public interest. With the imposition of firm sanctions against perpetrators, including officials, law enforcement can become more effective and make people reluctant to commit illegal logging.

CONCLUSION

The normative regulation of forestry in Indonesia has undergone significant transformation, shifting from reliance on conventional regulations of the Forestry Law and the Criminal Code toward a modern law enforcement system through the *lex specialis* instrument of Law No. 18 of 2013 (P3H Law) as well

as the adjustment of the *ultimum remedium* principle in Law No. 6 of 2023 (Job Creation Law). The qualification of illegal logging criminal offenses can no longer be merely reduced to ordinary theft or property damage delicts. The up-to-date legal framework has reached organized crime including the falsification of Forest Product Transport Documents (SKSHH), the accommodation of illegal timber products by industries, to the financing of illegal logging by funders and corporations.

The comprehensive tackling of illegal logging requires harmonization between preventive strategies and repressive actions. At the preventive level, community development and the provision of economic incentives for communities surrounding forest areas constitute the main keys to initial prevention. Meanwhile, at the repressive level, the implementation of the Job Creation Law provides clear boundaries: administrative sanctions are prioritized for resolving the *fait accompli* of local community activities, whereas severe criminal penalties and cumulative financial sanctions based on the P3H Law are firmly applied against organized commercial crimes in order to create a deterrence effect.

The implications of this research demonstrate the importance of consistency among law enforcement officers (the National Police, Forestry PPNS, the Prosecutor's Office, and the Courts) so that the administrative sanction mechanism in the Job Creation Law is not misused by corporate criminals to escape criminal liability. The government is recommended to strengthen technology-based integrated supervision, improve coordination in prosecuting corporate responsible parties/*cukongs*, and optimize the participation of indigenous and local communities as the primary protectors of Indonesia's forest ecosystem.

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