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## **ENFORCEMENT OF CRIMINAL LAW AGAINST THE PERSONNEL OF BURNING FOREST AND LAND IN SOUTHWEST ACEH DISTRICT**

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### **ABSTRACT**

Criminal acts in the forestry sector are "acts that violate the provisions of Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction (P3H) with the threat of criminal sanctions for anyone who violates the law unlawfully". According to Law No. 18 of 2013 concerning prevention and destruction of forests, and Law No. 39 of 2014 concerning Plantations, that forest destruction, especially in the form of illegal logging, mining without permits, and plantations without permits, has caused losses to the state, damage to social and cultural life. and the environment, as well as increasing global warming which has become a national, regional and international issue. The purpose of this study was to analyze criminal law enforcement against perpetrators of forest and land burning, the obstacles faced by law enforcers in eradicating forest and land burning perpetrators and efforts to deal with the problem of criminal acts of forest and land burning in Aceh Barat Daya District. This type of research is empirical juridical, where the research data was obtained by interviewing several sources, both from the Southwest Aceh District Forestry and Environment Service, the Southwest Aceh District Disaster Management Agency, the Indonesian Forum for the Environment of Southwest Aceh District and the West Aceh District Police. Power and the local community. The results of the study show that law enforcement against perpetrators of forest fires is considered based on the area of forest burned, the age factor of the perpetrators, the defendant is the backbone of the family and the defendant has never been convicted or is a resident. Meanwhile, the obstacle for law enforcers in eradicating perpetrators is natural factors which are an obstacle because the condition of the location of the fire is difficult to access, the law factor greatly influences the application of the law, but if the law does not have multiple interpretations, then law enforcers will find it difficult to enforce the law, let alone the imposition of arson. forest and land is still low. In addition, the factor is the lack of law enforcers in the Southwest Aceh Police Satreskrim Unit, namely only 2 investigators available, while the facilities and infrastructure factor, namely the absence of environmental laboratory facilities at the Southwest Aceh Police

and the lack of car transportation facilities, the factor of the lack of environmental experts should provide and adding experts in each region, especially in the field of forest and land fires, community factors, namely that people must obey existing regulations, as well as community habits in opening new land.

**KEYWORDS:** Criminal Law, Forest and Land Burning.

## 1. INTRODUCTION

Indonesia is a country that has the third largest forest area in the world. The existence of forests has an important role in human life, both forests as an economy and forests as an ecology. As an economy, we can see forests with medicines that cure diseases also come from forests, firewood for homes, meranti, teak ironwood or forest products as earners of the country's foreign exchange while forests as ecology are sucking carbon from the air and returning clean oxygen to humans.

Burning forests and land in the context of clearing plantations if widespread forest fires occur can cause environmental damage resulting in disruption of public health, educational activities, economic activities and land and air transportation, making it difficult to get a prosperous life physically and spiritually. To have a place to live, and to have a good and healthy environment are the rights of the community as stated in Article 28 h paragraph (1) of the 1945 Constitution of the Republic of Indonesia.

In Law Number 32 of 2009 concerning Environmental Protection and Management, article 69 states prohibited actions such as committing acts that result in contamination and/or environmental damage, including B3 (non-hazardous waste) which is prohibited according to laws and regulations. into the territory of the Unitary Republic of Indonesia, importing waste originating from outside the territory of the unitary state of the republic of Indonesia into the environmental media of the Unitary Republic of Indonesia, importing B3 waste into the territory of the Unitary State of the Republic of Indonesia, disposing of waste to environmental media, disposing of B3 and B3 waste to environmental media, Releasing genetically engineered products to environmental media in contravention of laws and regulations or environmental permits, Clearing land by burning, Preparing amdal without having a competency certificate for preparing amdal.

The results of the author's interviews with several residents who are local residents said that forest fires occurred due to the actions of residents who deliberately set fires to expand their plantations, the dominant of them were farmers who wanted to expand oil palm plantations.

As for accidental incidents such as wasting cigarette flames, causing a fire, supported by the weather conditions at that time it was the dry season and could easily catch fire if there was a spark. Some residents who own lava around the burnt land admit that there are illegal activities to expand their land.

Based on information from several actors who carried out burning for land expansion. That is land expansion without a permit process, and even those that have been burned are also part of a protected forest. There are also unintentional fires such as throwing cigarette butts, causing fires in the dry season and have a serious look on the burned area.

Aceh Barat Daya District has experienced a decrease in the amount of forest and land due to the mushrooming existence of the forestry industry in Aceh Barat Daya District which is the cause of increasingly uncontrolled degradation of natural forests. Therefore, based on the explanation above, the authors are interested in conducting research on thesis writing related to criminal law enforcement against perpetrators of forest and land burning in Southwest Aceh District.

Based on the description of the problems above, the objectives of the research are as follows:

- 1.1 To find out the enforcement of criminal law against the perpetrators of forest and land burning in Aceh Barat Daya District
- 2.1 To find out what are the obstacles faced by law enforcement in eradicating the perpetrators of arson forests and land in Southwest Aceh District
- 3.1 To find out the efforts to overcome the problem of criminal acts of forest and land burning in the Regency Southwest Aceh

## **2. LITERATURE REVIEW**

### **2.1 Criminal Law**

Law enforcement is an attempt to realize ideas about justice, legal certainty and social benefits into reality. Criminal law enforcement is an attempt to realize ideas about justice in criminal law in legal certainty and social benefits into legal reality in legal certainty and social benefits into legal reality in every legal relationship (Marzuki, 2012).

### **2.2 Enforcement of Criminal**

Law Law enforcement According to Satjipto Rahardjo consists of several models or levels, namely macro law enforcement and micro law enforcement.

Van De Bunt stated in his paper that there are several signs in choosing the application of administrative instruments and criminal law instruments or the application of both simultaneously with several criteria, namely:

a. Normative Criteria

Normative legal rules or doing something or not doing something based on the norms of the applicable legal rules, means having to carry out or enforce legal rules.

b. Instrumental Criteria

Instrumental criteria that are pragmatic in nature, such as the nature of imprisoning suspects which is a goal, then it is the punishment that should be applied.

c. Opportunistic Criteria

Opportunistic criteria can be applied mainly if the application of administrative instruments cannot work, because the corporation is bankrupt or insolvent, then applying criminal law instruments can still be done.

### **2.3 Criminal law enforcement against perpetrators of forest and land burning in Indonesia**

According to Pounds of responsibility or liability as an obligation or to pay retaliation that will be received by the perpetrator from the person who has been harmed. The concept of "liability" is defined as "reparation", so that there is a change in the meaning of the conception of liability from composition for vengeance to reparation for injury. Changing the form of compensation with an amount of money to compensation with the imposition of a sentence, historically is the beginning of liability or responsibility.

According to Van Hamel, responsibility is a normal state of psychology and skills that bring three kinds of abilities, namely: first, being able to understand the meaning and real consequences of one's own actions. Second, being able to realize that these actions are contrary to social order. Third, being able to determine the will to do

### **2.4 Criminal Law Policy**

1) Criminal Provisions in Article 78 of Law Number 41 of 1999 concerning Forestry

Delict Paragraph 1: Whoever deliberately violates the provisions referred to in Article 50 paragraph (1) or Article 50 paragraph (2) with sanctions punishable by imprisonment for a maximum of 10 (ten) years and a fine of up to 5,000,000,000.00 (five billion rupiah). Delik Paragraph 2: Whoever deliberately violates the sanction is threatened with imprisonment.

2) Law Regarding Environmental Protection And Management Number 32 of 2009

Clearing land by burning forest is something that is expressly prohibited by law, which is regulated in Article 69 paragraph (1) letter h of the Law Regarding Environmental Protection And Management Law which reads: "Everyone is prohibited from committing acts of clearing land by burning"

### 3) Law on Plantations No. 18 of 2004

Article 26 of Law Number 18 of 2004 concerning Plantations ("Plantation Law"): "Every plantation business actor is prohibited from clearing and/or cultivating land by burning which results in pollution and damage to environmental functions." Any person who deliberately clears and/or cultivates land by burning which results in pollution and damage to environmental functions as referred to in Article 26, is punishable by imprisonment for a maximum of 10 (ten) years and a fine of up to Rp. 10 billion.

### 4) Regulation of the Minister of Environment Number 10 of 2010

In line with the Law Regarding Environmental Protection And Management Law and the Plantations Law, we can see other regulations regarding clearing land by burning in the Regulation of the Minister of Environment Number 10 of 2010 concerning Mechanisms for Prevention of Pollution and/or Damage to the Environment which Relating to Forest and/or Land Fires ("Permen LH 10/2010"). Article 4 paragraph (1) Permen LH 10/2010: "Customary law communities who burn land with a maximum land area of 2 (two) hectares per head of family to plant local varieties are required to notify the village head."

## **3. IMPLEMENTATION METHOD**

This type of research is qualitative research using an empirical juridical approach. This research is focused on analyzing the process of law enforcement against perpetrators of forest and land burning, the obstacles experienced by officers in the handling process and the efforts that have been made to eradicate forest and land burning in Southwest Aceh District and the Southwest Aceh District Police. This research uses a qualitative descriptive approach. Qualitative is research that is descriptive in nature and tends to use analysis with an inductive approach. Qualitative research is also called interpretive research, nature research, or phenomenological research.

Samples were selected from the study population to obtain primary data by conducting direct interviews, the objects in this study were the Southwest Aceh District Forestry and Environment Agency, the Southwest Aceh District Disaster Management Agency, the Indonesian Forum for the Environment of Southwest Aceh District and the Police. Southwest Aceh District and the local community.

Research data collection techniques through interviews, namely structured and unstructured interviews. The data obtained is then documented in the form of collection, processing, storage.

## **4. RESEARCH RESULTS**

### **4.1 Cases of Forest Fires in Southwest Aceh**

It is known that the total forest and land burned in Southwest Aceh is 23 hectares, so far 20 hectares have been successfully extinguished for further cooling. Meanwhile, joint officers are still working to extinguish 3 hectares of forest and land that are still on fire. Darul Makmur Police Chief said, the extent of the burned area and thick plumes of smoke were obstacles in the process of extinguishing the karhutla. an appeal to the public not to open land indiscriminately by burning, if it is really necessary it must be coordinated and supervised by the relevant officers.

Based on the researcher's interviews with several communities around the local protected forest area, some of them said that the forest burning occurred because of the actions of the residents who intended to expand their land, the expansion of the gardens was not carried out all at once but in stages so that no forest burning was seen.

### **4.2 Enforcement of Criminal Law Against Forest and Land Burning Actors in Aceh Barat Daya District**

Indonesia is a state of law. This is confirmed in Article 1 paragraph (3) of the 1945 Constitution. This norm means that within the Unitary State of the Republic of Indonesia, law is the lifeblood of all aspects of life.

Law has a strategic and dominant position in the life of the nation and state society.

According to Article 1 of the Regulation of the Head of the National Police of the Republic of Indonesia Number 6 of 2019 concerning Investigation of Criminal Acts it states that: "The National Police of the Republic of Indonesia, hereinafter referred to as Polri, is a state instrument that plays a role in maintaining public security and order, enforcing the law, and providing protection, protection and services to the public in the framework of maintaining internal security.

The basis for the Police in carrying out actions based on the Chief of Police Regulation as stipulated in Perkap Number 6 of 2019 concerning Investigation of Criminal Acts is a new regulation replacing the old Perkap Number 14 of 2012 concerning Investigation of Criminal Acts. This law regulates a series of investigative actions, namely all actions in the name of law carried out by Polri investigators, starting from summons, examination, arrest, detention, confiscation and other actions regulated in legal provisions, applicable laws and regulations to the investigation process. it is declared complete.

So that this basis is the guideline for investigators. According to Musliyanmeizar Erwin (2022) Head of Environmental Services Southwest Aceh District, the obstacles in investigating perpetrators of forest and land burning are: a) Awareness and insight into the environment of the community and officials who do not yet have the ability to be able to understand the nature, urgency of a clean, healthy environment with carrying capacity which ensures the implementation of sustainable development. This causes law enforcement officers to be less sensitive to environmental pollution or damage.

So that this basis is the guideline for investigators

The author alludes to the duties and powers of investigators as stated in Article 7 paragraph 1 of the Criminal Procedure Code, namely:

- a) Receive a report or complaint from someone about a criminal act;
- b) Take the first action at the scene of the incident
- c) Order a suspect to stop and check the suspect's identification
- d) Arrest, detain, search and confiscate

#### **4.3 Law Enforcement of Forest and Land Burning Actors in Aceh Barat Daya District**

Article 1 paragraph (1) of the Law Regarding Environmental Protection and Management Law states that the environment is a spatial unit with all objects, power, circumstances, and living creatures including humans and their behavior that affects nature itself, the continuity of life and the welfare of humans and other living things. Therefore, the assumption that humans are the most powerful creatures is not true. The determinants of our survival are not in our hands, so our lives are very vulnerable. However, humans are living beings who have the greatest responsibility for maintaining this continuity.

As an authorized institution, the police have carried out legal proceedings against individuals and companies that carry out forest fires. The data released by the police stated: The police have named 5 companies as suspects in the forest and land fires case. Based on data from the Southwest Aceh Police, there are 23 individual and corporate suspects in the case. Finally, the police named two suspects. The two suspects are residents of Babah Rot District. The case is being handled by the Southwest Aceh District Police.

The actions of the police have at least shown that there are efforts to enforce the law against the perpetrators of forest and land burning. Previously, the Minister of Forestry and Environment also announced that several companies had their business licenses revoked and some had their operational licenses revoked.

#### 4.4 Obstacles to Law Enforcement in Eradicating Forest Burning Actors

Based on the results of the researcher's interviews with several informants in Southwest Aceh District regarding the obstacles experienced by officers in eradicating the perpetrators of forest fires, namely as follows:

##### 1. Obstacles in Investigation

According to Musliyanmeizar Erwin (2022) Head of Environmental Services Southwest Aceh District, the obstacles in investigating perpetrators of forest and land burning are:

- a) Awareness and insight into the environment of the community and officials who do not yet have the ability to be able to understand the nature, urgency of a clean, healthy environment with carrying capacity which ensures the implementation of sustainable development. This causes law enforcement officers to be less sensitive to environmental pollution or damage.
- b) Inadequate technical capabilities of the apparatus can lead to doubts and delays in acting.
- c) Difficulty in obtaining accurate data and facts relevant to evidence.
- d) The view that the foreign power of the industry is not allowed by the increase in production costs because they have to make tools waste processor.
- e) The awkward and ewuh-pakewuh attitude that is still inherent in the culture of the Indonesian people so that when rights are violated, including the environment, they remain silent, do not make an issue out of it or take it to court.
- f) There are many opportunities for entrepreneurs to make efforts to prevent or complicate research and inspection.
- g) Infrastructure and facilities are still limited, including technical and cost as well as the ability of personnel.
- h) There is frequent interference by third parties using influence and power.
- i) Confidentiality that does not guarantee.

##### 2. Obstacles in Investigation

Obstacles in investigations are as follows:

###### a) Officer Constraints

Lack of Number of Investigators at the Southwest Aceh Police, because the number of investigators in Unit II of the Southwest Aceh Police Criminal Investigation Unit is only 2 Personnel.

One of the inhibiting factors for law enforcement is the minimal number of investigators and assistant investigators at the Satreskrim Polres Aceh Barat Daya. This means that if you look at the number of



investigators there are only 2 (two persons. Which in carrying out investigations into criminal acts of forest and land fires turns out that the quantity and personnel are less than what happened, it will be less effective in dealing with criminal acts of forest and land burning.

Law enforcement for the criminal act of forest fires in Aceh Barat Daya is not easy. Law enforcement officials who enforce the law against perpetrators of forest fires experience several difficulties. Obstacles that occur in enforcing the Criminal Act of Forest Burning in Southwest Aceh, namely:

1) Lack of understanding from law enforcement officials who have the authority to enforce the criminal act of arson forest against laws and regulations governing forest burning.

2) Limited funds, facilities and infrastructure

Budgetary costs which are an obstacle for the police in enforcing the non-criminal law on forest and land fires that are not adequate are also a problem because of the minimal costs incurred by the central and regional governments. Limited budgetary support for combating forest and land burning In carrying out the law enforcement process for perpetrators of forest and land burning in Aceh, the police do not have specific financial support to conduct investigations into cases of forest and land burning and the handling of cases of land and forest fires is the same as other cases. others are handled by the Southwest Aceh Police.

3) Lack of human resources. Another obstacle in law enforcement for criminal acts of forest burning in East Kotawaringin Regency is that in carrying out investigations of criminal acts of forest burning, civil servant investigators are structural employees, not functional. So that in carrying out investigations, they are also burdened with other tasks according to their structural positions in related agencies

b) Budget Constraints

Budgetary costs which are an obstacle for the police in enforcing the non-criminal law on forest and land fires that are not adequate are also a problem because of the minimal costs incurred by the central and regional governments Limited budgetary support for combating forest and land burning In carrying out the law enforcement process for perpetrators of forest and land burning in Aceh, the police do not have specific financial support to conduct investigations into cases of forest and land burning and the handling of cases of land and forest fires is the same as other cases. others are handled by the Southwest Aceh Police. In line with that, if we pay attention to Perkap 14 of 2012 concerning investigations, it states that the criteria for investigating cases are young cases, moderate cases, difficult cases and very difficult cases. Handling forest and land fires is categorized as a difficult case because in determining whether a forest and land fire has occurred, investigators do not only see with

the naked eye that a forest and land fire has occurred, but also requires a statement from an expert about the quality of the damage in the area.

In the author's opinion, inadequate facilities and infrastructure at the Southwest Aceh Police have affected the space for law enforcement officers and members of the public as seekers of justice, so according to the author, if the facilities and infrastructure are inadequate, it is impossible for law enforcement to achieve its goals. This is because the certainty and speed of solving cases depends on the existing supporting facilities in the fields of crime prevention and eradication.

The author also believes that budgetary issues should not be an obstacle in every state law enforcement agency is obliged to fully facilitate and meet the needs of enforcement agencies in various existing cases because each case has a different budget in its completion, if budget finances are met then the law enforcement process will run smoothly.

### **3. Obstacles in the Judicial**

Process Obstacles in the investigation are as follows:

#### **Unsupportive Rules**

One of the main obstacles in eradicating the perpetrators of forest fires in Nagan Raya Regency is weak legal force, the rules apply only as rules, while their application is not in line with the applicable rules.

Based on the legal theory of Lawrence Meir Friedman who explained that the ideal legal system is a good correlation between substance, structure, and culture. Meanwhile, the legal provisions as the basis for enforcing the criminal law on forest and land burning (substance) in Indonesia do not yet have a clear position. because there are many laws that regulate forest and land burning. So that this creates overlapping regulations because they are not interrelated between one Law and another, which results in confusion for law enforcers to interpret them

According to the author, the law has a great influence on the application of the law, but if the law does not have multiple interpretations, it will be difficult for law enforcers to enforce the law, especially since the impact on forest and land burning is still low, so there are still many actors who dare to burn forests and land.

### **4. Obstacles in the Sanctions Process**

Obstacles in the investigation as follows:

Habitual factors, namely: In clearing land or cultivating it, they are accustomed to using the burning method so that if there are people who burn land either to open new land or manage their land, other people stutter, it is a normal thing and don't report it immediately to the authorities.

Many people are concerned that the weak application of law on forest fires has resulted in cases of forest and land fires happening almost every year. This incident also harmed many related parties, both airlines, the community, school children who were closed, and so on.

Law enforcement in fire and land cases is starting to take its toll. At least, the Criminal Investigation Directorate of the Southwest Aceh Police stated that his party had detained the perpetrators of the forest fires. He is most responsible for the fires in an area of 10 hectares.

#### 4.5 Efforts to Combat Forest and Land Burning in Southwest Aceh

##### 1. Preventive Measures (Prevention)

###### a) Integrated Patrols for Karhutla Prevention

This integrated patrol was carried out jointly, namely by Babinsa Koramil Aceh Tengah, Bhabinkamtibmas, Forestry Police and community leaders. Patrols are carried out by mobilizing the Integrated Prevention Patrol Team in rotation in areas prone to fire using owned facilities and infrastructure, such as motorbikes, patrol cars or other modes of transportation.

###### b) Counseling

Implementation of good counseling can be carried out on a scale by legal officials, in this case the forestry police and the Aceh Barat Daya district government carry out:

###### 1) Socialization of Land Clearing Without Burning

Other preventive measures that can be carried out to deal with forest and land fires according to Ipda Edi Sufendi from the results of interviews is to socialize to the community about the prohibition of burning forests. This socialization is carried out routinely once every three months, this socialization is carried out jointly with various components by forming task forces and working together between the Police, the Service of related agencies and the community.

###### 2) Installation of Banners

Installation of banners placed at points that are prone to forest fires. The banner contained words such as "Stop.....!!! Forest burning (RI Law NO. 41 of 1999) and installed in several places with the aim of intensifying efforts to prevent and control forest and land fires

###### c) Mapping of Fire Prone Areas

Forest The use of mapping is expected to be a step in facilitating supervision, either through patrols or raids that can be carried out by the Police Unit, Police and Civil Servant Investigators (PPNS), namely the Forestry Police.

## 2. Repressive Measures (Enforcement)

Various efforts were made by the police in overcoming the obstacles encountered in carrying out law enforcement against the perpetrators of forest and land burning. Among the efforts made by the Southwest Aceh Polres are as follows:

- a) The police are looking for a solution by using operational support funds from the police office that are not is an investigation fund in addition to other savings funds
- b) Difficulties in finding evidence and witnesses, the police overcome it by looking for alternative articles that fulfill the elements and can be used to reconstruct cases of forest and land burning that have occurred. Like using articles 187-188 of the Criminal Code which is about negligence. So that in this article the witness does not have to be those who directly saw the incident, it could also be that the witness is only someone who knows about the criminal act of forest and land burning that occurred.
- c) Another obstacle is regarding the limitations or lack of personnel, where the number of special investigators is only 2 people.

Other steps taken to overcome obstacles in enforcing the law on forest fires, namely:

1. Improvement of supporting facilities and infrastructure, namely by adding operational vehicles that can reach forest fire locations, adequate extinguishers. and the tools needed in the investigation.
2. Carry out routine patrols carried out by related officials from the Plantation Forestry Service. and the police, and Satpol PP.
3. Increasing the Capability of Law Enforcement Officials in identifying criminal acts of forest burning. Efforts are being made to overcome these obstacles, namely:
  - a) Carrying out activities to control forest and land fires which are carried out every time the dry season approaches.
  - b) Improvement of supporting facilities and infrastructure, namely with additional operational vehicles that can reach forest fire locations. adequate extinguishers, and tools required in the investigation.
  - c) Carry out routine patrols carried out by related officials from the Forestry and Plantation Service, the Police and Satpol PP

#### **4.6 Analysis**

Efforts made to overcome obstacles in law enforcement against criminal encroachment on the area of Aceh Barat Daya District Based on Law Number 18 of 2013 concerning Prevention and Eradication of Forest Destruction by Investigators Efforts to overcome obstacles in investigating criminal acts of encroachment on forest areas are:

1. Establishment immediately a special team consisting of several competent agencies, both investigators from the Aceh Barat Daya Resort Police and PPNS in the area of Southwest Aceh Regency, namely forestry, plantations and the environment.
2. Availability of special funds prepared by forestry, plantation and environmental agencies to speed up investigations carried out in connection with expert testimony, where the Ministry has several agencies under it in Aceh Province, namely BPKH and BKSDA, they do not have experts so they have to request data directly to the Ministry of Forestry and the Environment.
3. Coordination between the prosecution and the judiciary to expedite strict legal sanctions in accordance with the penalty referred to in Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction.
  - a) Conduct a search for suspects with media publications
  - b) Submission of additional prisons so that detention can be carried out.

According to the author's analysis, the efforts made to overcome obstacles in law enforcement against criminal acts of encroachment on the Giam Siak Kecil Biosphere Reserve Area based on Law Number 18 of 2013 concerning Prevention and Eradication of Forest Destruction, there are additional personnel to deal with cases of criminal acts of forest fires due to their limitations. police personnel so that there is still a lot of encroachment on forest areas, if forest supervision and security is still lacking and it is possible that there will be many fires in the coming days if the role of the Southwest Aceh District Police and Civil Servants do not work well together to carry out forest supervision and security although with a limited number of personnel at this time.

The government has prepared a government budget for the availability of special funds available by forestry, plantation and environmental agencies to speed up the investigation process carried out regarding expert testimony that does not exist in Aceh Province.

### **5. CLOSING**

#### **5.1 Conclusion**

Based on the results of an analysis of law enforcement against the perpetrators of forest and land burning in Aceh Barat Daya District, the following conclusions can be drawn:

- a. Investigations into the Criminal Act of Encroachment on Forest Areas by the Aceh Barat Daya Resort Police have not been carried out effectively, because there are still many cases of forest fires that occur each year as well as encroachment on forest areas in Aceh Barat Daya District.
- b. The obstacles experienced by the Aceh Barat Daya Resort Police in carrying out investigations into criminal acts of encroachment on forest areas are obstacles with mapping experts, lack of personnel and budget for investigating the case.
- c. Efforts were made to deal with cases of Encroachment on Forest Areas by forming a special team for investigation cases in the forestry sector as well as the existence of a budget from the Government.

## 5.2 Suggestions

Based on the suggestions above, the authors assess the need for improvement and management of available land in Aceh Barat Daya District in order to minimize illegal clearing of plantations and land by the community and certain individuals, so that deforestation can be avoided, namely as follows:

- a. To the Aceh Barat Daya Resort Police, especially the Criminal Investigation Unit in the TIPITER sector, in the context of enforcing environmental criminal law, it is hoped that they will always be consistent and always improve deficiencies in their function as law enforcement officers in a repressive manner. So that law enforcement measures against perpetrators of encroachment on forest areas and land burning can be handled optimally and there are no more cases of forest fires in Southwest Aceh District.
- b. In carrying out the investigation carried out by investigators from the Aceh Barat Daya Resort Police and Civil Servant Officials, they must cooperate well in order to speed up the completion of the investigation, and the Government must also make a budget for carrying out the investigation.
- c. It is necessary to form a special team to carry out the investigation because more personnel will speed up the investigation process so that the performance is more optimal and focused with the existence of a budget from the Government.

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