

ABSTRAK

PERTANGGUNG JAWABAN PENEANGAN POHON SECARA LIAR DIPINGGI R JALAN

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Pohon dalam kehidupan manusia merupakan sumber daya alam hayati serta ekosistemnya berfungsi dan memiliki peranan yang sangat vital. Mengingat bahwa pohon disamping berfungsi ekologis, juga berfungsi dan bernilai ekonomis. sebagai pemenuhan bagi kebutuhan hidup manusia sehari-hari. Hal itu membuat terjadinya penebangan pohon secara liar tanpa izin atau illegal logging. *Illegal Logging* merupakan rangkaian kegiatan yang mencakup penebangan, pengangkutan, pengolahan hingga kegiatan jual beli termasuk *ekspor-impor* kayu yang tidak sah bertentangan dengan aturan hukum yang berlaku.

Berdasarkan uraian diatas maka fokus penelitian ini akan membahas permasalahan bagaimana bentuk pertanggung jawaban terhadap penebang pohon secara liar dipinggir jalan yang tidak berizin dan Kemudian, bagaimana sanksi terhadap penebangan pohon secara liar dipinggir jalan yang tidak berizin.

Adapun metode Penelitian ini merupakan penelitian hukum normative yang menggunakan pendekatan perundang-undangan, adapun bahan hukum yang digunakan hukum primer dan sekunder. Bahan hukum tersebut dikumpulkan dengan menggunakan studi kepustakaan atau tehnik penelusuran dokumen perundang-undangan bahan hukum yang telah dikumpulkan akan dianalisis secara kualitatif dengan tehnik content analysis.

Adapun hasil penelitian menunjukkan bahwa: (1) bentuk pertanggung jawaban terhadap penebang pohon secara liar pidana telah diatur di dalam Undang-undang Nomor 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup. Yang menyebutkan bahwa penebangan pohon secara liar merupakan suatu kejahatan *lex specialis* yang diatur khusus oleh undang-undang tersendiri. Sementara (2)sanksi penebangan pohon secara liar termaktub dalam Peraturan Daerah Kabupaten Sumenep Nomor 23 Tahun 2008 Tentang Izin Penebangan Pohon yang meliputi; pidana penjara, pidana kurungan dan pidana denda.

Maka dalam hal ini pemerintah telah menerbitkan suatu peraturan perundang-undangan untuk menimalisir suatu kejahatan illegal logging, dan juga sebagai pencegahan dan pemberantasan perusakakan lingkungan secara efektif dan agar memberikan suatu efek jera terhadap pelaku penebangan pohon secara liar.

(Kata kunci: Pertanggungjawaban, Penebangan, Pohon)

ABSTRACT

RESPONSIBILITY OF LIGHTING TREE ILLEGAL LOGGING

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Trees in human life are natural biological resources and their ecosystems function and have a very vital role. Considering that the tree besides functioning ecologically, it also functions and has economic value. Ecological function as a buffer for sustainability and environmental control, while the economic function as a fulfillment of the needs of everyday human life. Along with human development and needs. This makes illegal logging without permission or illegal logging. Illegal Logging is a series of activities that encompass logging, transportation, processing to buying and selling activities including the export-import of illegitimate timber in contravention of applicable law.

In this connection, what is the form of accountability for illegal loggers alongside unlicensed roads. Then, how about sanctions against illegal logging of trees alongside unlicensed roads.

From writing method used by the author is a systematic and directed method using the law as a legal basis as well as guidelines for analysis or in other words referred to as a type of normative juridical writing (legal research). With the existing problems, the author gets several answers that can be used to answer related to existing problems.

The form of accountability for illegal loggers can be said to be a form of criminal offense that has been regulated in Law Number 32 of 2009 concerning Prevention and Eradication of Forest Damage. Where, in the legislation also has mentioned that illegal logging is a *lex specialis* ration that is specifically regulated by separate laws.. This matter if reported with the types of criminal as regulated in the Criminal Law Act consists of Principal Crimes. Where criminal sanctions for illegal logging of trees include: imprisonment, confinement and fines.

It can be said that illegal logging is a form of crime that causes damage to forests such as places or green open spaces and so on which have an extraordinary impact on the community. So in this case the government has issued a law to minimize an illegal logging crime, and also as an effective prevention and eradication of forest enterprises and to have a red effect on the perpetrators of illegal logging.

(Keywords: Liability, Logging, Trees)