

ENVIRONMENTAL PROBLEMS AND LAW ENFORCEMENT OF MANGROVE FORESTS IN THE JAKARTA COASTAL

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Abstract

The background of this research is how to solve an environmental problem, especially the law enforcement section in the coastal mangrove forest of Jakarta, legal protection for law enforcers in the environment. It has not been able to be overcome optimally, therefore legal certainty must be given in order to protect the environment by Therefore, this research is expected to be able to provide suggestions and contributions in order to assist law enforcement officers in carrying out their duties. The method used in this study is to use the literature review method by using the basics of thought based on journals that have been published on environmental journals and as a legal basis using environmental law. The problem raised in this research is how to find out environmental problems and law enforcement in Jakarta's coastal mangrove forests, knowing these problems can be improved So that the environment in Jakarta's coastal mangrove forests will be better. The purpose of this research is how to find problems that occur in environmental problems and law enforcement, especially in mangrove forests on the coast of Jakarta by knowing the problems will be able to correct deficiencies that occur in the field.

Keyword: Environment, Law Enforcement, Mangrove Forest, Coastal Jakarta

INTRODUCTION

Indonesia is a unitary state and an archipelagic state. Indonesia has a very broad archipelago perspective because it has tens of thousands of islands throughout Indonesia. This is influenced by the many islands and tribes that exist in Indonesia, therefore the government is obliged to manage the environment on these islands. has a function as the holder of control in environmental life in the area, therefore the government is obliged to maintain and develop sites that exist in the environment on islands in Indonesia.

In Law No. 32 of 2009 concerning the protection and management of the environment, it can be explained that the management and protection of the environment is a systematic and integrated effort carried out in maintaining the environment from the prevention process to

pollution or environmental damage so that it can be maintained optimally and law enforcement is given if there is an error in the management of the environment.

The process of preventing and overcoming environmental damage has been carried out continuously and systematically. The system includes various institutions and human resources as partners appointed by the Ministry of the environment to help restore environmental quality in areas deemed necessary for development can be better.

The method used in this research is the literature review method by reading many journals and books in order to find new problems and problems of the founders of the research so that they can find novelty in this research so that it can be used for future research.

The problem raised in this research is how to enforce the law on environmental problems in Jakarta's coastal mangrove forests, with strict law enforcement it can prevent environmental problems from spreading on the Jakarta coast.

The purpose of this study is to find out what environmental problems occur in mangrove forests on the coast of Jakarta and how to take legal action to prevent further damage to the surrounding environment and mangroves on the coast of Jakarta.

Mangrove forest is one of the artificial forests created to protect the coast from sea abrasion. Therefore, with the existence of a mangrove forest, it will be able to protect the erosion of soil on the coast so that the beach does not expand, therefore with the reforestation and planting of mangrove trees in Jakarta it will be able to help Jakarta in tidal flooding and soil erosion on the coast so that what is a problem in the coastal area can be handled properly.

RESEARCH METHOD

In this section, we will discuss how this research method was carried out and how the research could produce a new problem formulation so that this research could be carried out and produce conclusions that could answer the problems raised stages of this research was carried out.

This research was conducted on mangrove forests on the coast of Jakarta. This research is based on the impact of damage to mangrove forests on the coast of Jakarta which are almost damaged. Therefore, this research is developed continuously so that mangrove forests can be sustainable and coastal abrasion can be prevented so that tidal water can decrease on the plains.

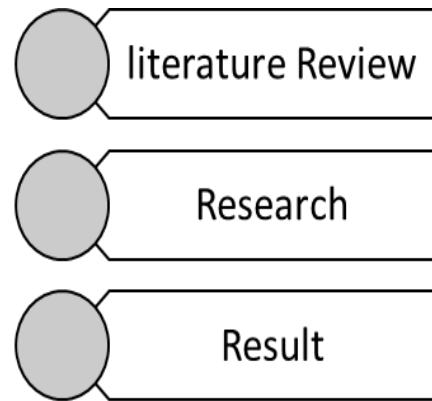


Figure 1. Hipotesis Model

RESULT AND DISCUSSION

In the constitution Republic of Indonesia 1945 with the change as mandatory constitutional reasons use natural resources for maximum prosperity everyone it is it is described in article 33, paragraph 3. 1945 constitution, earth, water and natural resources controlled by included used with the country the greatest prosperity of the people. Political issues environmental management, government promulgation law no. 23 completed in 1997 through the enactment of the law about no. 32 in 2009 protection and management surroundings.

Law version no. 32 in 2009 seems to have been intentional further strengthen the planning aspect and enforcement of environmental law alive, it can be seen in the structure judgment method in managing aspects of the plan and law enforcement. nevertheless enough distance stand out by law 32 of 2009, the lack of articles poetry that hints commitment of stakeholders decelerate, stop reverse the direction of destruction rate neighborhood. Cases of pollution and vandalism this environment is very dangerous for humanity. Plus pollution and destruction the environment is run by the enterprise move in various fields of activity mining, forestry, etc. when this happens, no one loses only two people, but the whole ummah people on this earth. For this reason law enforcement aspect is necessary attention and empowerment

campaign maximum, especially the company causing the damage and pollution.

Monitoring and implementation threat, use of musical instruments management, detective or citizen order is achieved legal provisions general and individual. What is monitoring (control). Government oversight compliance with regulations in parallel with a judicial inquiry criminal.

So for the company with pollution can give environmental destruction the legal actions are as follows administrative disposition administrative disposition it's a legal act given first company to do pollution and destruction environmental and administrative sanctions it has an instrumental function, that is prevention and management banned acts and special focused on protection profit protected by violate legal provisions das.

Prosecution under environmental law can be prevented repressive. Enforcement of preventive law means active monitoring is in progress to comply with laws and regulations no direct event about a specific event raise suspicion violated the law. This effort is monitoring and use authority, that is at a glance (article 71, paragraphs 1 and 2) (3) article 72, article 73, article 74 paragraphs (1), (2) and (3), article 75 law number 32 years 2009 protection and environmental management.

Repressive law enforcement translate to action break the rules and aim direct end this forbidden act. In this case governor or by rule region, this authority handed over by the governor regent / mayor and if any certain violations like there are residents who are in the way health due to pollution and / or environmental degradation then the regional manager or stakeholders can submit an application for license revocation efforts for staff approved.

Law number 32 2009 for protection and environmental management, article 76, paragraph 2 sanctions management consists of:

- a. written warning.
- b. national coercion.
- c. freezing of environmental permits.

in other words, the revocation of the environmental permit. article 80 (1) compulsory government as planned character b of article 76 paragraph 2 in the following format:

- a. temporary suspension of activity manufacture.
 - b. relocation of production equipment.
 - c. sewer blockage wastewater or wastewater.
 - d. in short dismantling.
 - e. forfeiture of goods or potential tools justify the violation.
 - f. all pauses activity.
 - g. other intentional behavior to stop the crime and action recovery function neighborhood.
1. Civil punishment it 's a civil punishment. Second legal course awarded to the company contaminate and destroy neighborhood. based on article 84 2009 law number 32 years explained it as a solution environmental dispute for claim damages, environmental purification costs.
 2. Criminal punishment criminal punishment is an aspect final legal action. penalty company punishment with pollution environmental destruction function to educate the company in relation to the action especially aimed and implemented protection of the public interest protected by law violate. Apart from that, the function prevent or interfere potential criminals do not commit irresponsible behavior for the environment. can penalize the case the environment of the company regulations such as other criminal issues, the principle of legality i mean it has to be based on the law existed at the time of the crime must be done and verified error.

In the case of environmental crime life takes place on behalf of the body then the company or company insists criminal sanctions and criminal sanctions are imposed for companies and individuals order crime or person act as an activity leader during a crime (article 116) law number paragraph (1) and (2) 2009 32 for protection and environmental management). Crime threats like described in

the article about law no. 32 of 2009 protection and management the environment is a crime imprisonment and fines. Apart from that other criminal or administrative measures properly against the company article 119 in the following format:

- a. withdrawal of profit, obtained from a crime.
- b. full or partial closure business establishments and / or activities.
- c. criminal repair.
- d. so what is your duty to do it was illegally ignored.
- e. placement of the following Companies maximum forgiveness 3 (3) year.

CONCLUSION

Law in the environment is that really needs to be protected because it will have a big impact on the existing ecosystems in the area, especially the mangrove forest ecosystem in Jakarta. This is in accordance with Article 116 paragraphs 1 and 2 of Law Number 32 of 2009 which will provide criminal and sanctions to business entities or people who have committed crimes against the environment, therefore the aspect of legal protection needs to be maximally enforced. future research by using legal protection for parties who protect mangrove forests, especially in the Jakarta area so that these parties can carry out environmental protection in Jakarta coastal mangrove forests, therefore legal clarity to all parties must be stated in a law laws or articles on the environment.

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Source of Legislation:

1945 Constitution of the Republic of Indonesia
Law of the Republic of Indonesia Number 32
of 2009 concerning Environmental Protection
and Management;
Government Regulation of the Republic of
Indonesia Number 27 of 1999 concerning
Environmental Impact Analysis.

HALAMAN INI SENGAJA DIKOSONGKAN