



Sustainable Forest Resources Use Policy

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ABSTRACT. Forests are made up of a variety of trees that produce wood and oxygen, both of which are essential for human life. As a result, forests must be wisely managed, but in practice, there is still a lot of forest damage as a result of inappropriate forest use. Article 12 Paragraph (2) of Law No. 32 of 2009 Concerning Environmental Management and Protection lists excessive forest use. This clause hasn't, however, provided clarity regarding how to use forest resources. Because of this, research on is very pertinent: (1) forms of utilization of natural resources (forests) so that forests function in a sustainable manner. (2)It can be concluded, among other things, that the utilization of forest resources must be carried out based on the principles of sustainable and environmentally sound development that are integrated into the system of environmental permits, after carrying out normative research using a statutory and conceptual approach. Laws, government regulations, and other regulations specify how policies for the use of forest resources should be implemented.

Keywords: Forest Utilization, Policy, Sustainability

1 INTRODUCTION

As a source of essentials for life on earth, forests are one example of very important environments. In addition, forests are one of the biological natural resources that have a lot of potential to be used for national development in order to benefit communities as much as possible. While preserving forest sustainability, forest utilization aims to give all people a sense of the natural wealth that is their homeland's and beneficial to their welfare. Therefore, the Republic of Indonesia's 1945 Constitution's Article 33 Paragraph (3) authorizes the use of natural resources (including forests). Article 3 of Law No. 41 of 1999 Concerning Forestry, Article 1, then outlines this mandate.

Awareness of the impossibility of separating human activities from the environment causes the resource management strategy that is applied to pay attention to the balance of socio-economic development and conservation.

The rise in human needs causes people to forget that there will come a time when the biodiversity-rich forests and environment won't be able to withstand the various effects that cause significant environmental damage and pollution, as in the case of Indonesian forest fires. Human activities in the utilization of forest resources have contributed greatly to the destruction of the forest itself, including illegal logging,

excessive use of plastic waste, poaching, excessive use of chemicals in daily life and others. Other deviations are also marked by weak law enforcement, courts that are not independent, and a culture of KKN within the bureaucratic apparatus and the less than optimal role of society. In addition, the occurrence of this is also inseparable from the role of the government which is not selective in granting forest resource utilization permits to irresponsible business actors.

According to Law Number 41 of 1999 Concerning Forestry, "forest damage" is defined as "physical changes, physical or biological characteristics that cause the forest to be disrupted or incapable of playing a role in accordance with its function." As a result, the forest cannot perform its intended function and can undoubtedly result in physical changes, physical characteristics, and a loss of biodiversity. As an illustration, consider the use of logging operations, the construction of forest roads, the removal of forest products that may harm the undergrowth, and the entry of heavy machinery into the forest area, all of which are covered by business permits for the use of timber and other forest products. Logging activities are carried out outside designated areas based on permits granted or activities in the process of utilizing forest resources that unknowingly have an impact on physical changes, the nature and ecosystem of the forest will certainly affect the sustainability of the forest itself.

According to Law Number 32 of 2009's provisions in Article 12 Paragraph 2, "Utilization of Natural Resources is carried out based on the Carrying Capacity and Capacity of the Environment by taking into account:

- a. environmental processes and functions that are sustainable;
- b. environmental productivity that is sustainable; and
- c. security, lifestyle quality, and social welfare.

Due to the need for further research, these provisions have not provided clarity regarding the use of natural resources (forests).

Based on the background that has been described above, the problem is:

Utilization of natural resources (forests) so that forests play a role according to their functions and forms of policies in the utilization of natural resources (forests).

2 Discussion

2.1 Forms of Utilization of Forest Resources

According to its economic purpose, forests serve as a source of raw materials for the production of valuable goods and services. Additionally, forests provide jobs, tax revenue, and support for people's livelihoods. However, one cannot only consider the direct economic advantages that forests offer. As one of the factors determining life support systems, forests must also be viewed from their environmental and social functions. Forests have greatly benefited humanity and play a role in environmental harmony and balance.

Utilizing forest resources for economic purposes frequently results in a number of issues that endanger the sustainability of forests, including encroachment, illegal logging, forest and land fires (karhutla), and the illegal trade in wildlife. In addition, the increasing efforts to convert the function of the forest, the impact on the environment

will increase. This condition must encourage community and government efforts in controlling environmental impacts to minimize the risks that can be caused by the impact of environmental changes. In this case, it should be remembered that forests will provide benefits if accompanied by good management and sustainable use.

In the perspective of Environmental Law, the application of the principles of sustainable development is an effort to deal with environmental damage due to environmental management. These principles integrate the needs of present and future generations for a good and healthy environment and strive for environmental quality to be maintained from the negative impacts of development. In order to prevent environmental destruction, the principle of sustainable development serves as a fundamental cornerstone of environmental law in national development activities. The creation and implementation of environmental law in Indonesia, specifically in the form of an integrated licensing system for the environmental sector, will allow for the realization of this principle.

As a result, the way that forest natural resources are used is determined by how the principles of sustainable development are put into practice, which is done by creating and enforcing laws that are part of an integrated licensing system for the environmental sector.

2.2 Policy in the Utilization of Forest Resources

Utilization of forests and forest areas must be tailored to fulfill their primary purposes, which include those of conservation, protection, and production. The reality so far shows that the function of protecting forest resources, which among other things is to regulate water and climate, has not been given the correct value so that awareness of the multifunctionality of forests is still low.

In Indonesia's long history of forestry management, the goal of boosting economic growth through the collection of taxes and fees on forest products has taken precedence. These taxes and fees are mainly from exploited timber forest products without considering aspects of forest sustainability as an ecosystem. Therefore, regulations are formed that are expected to guarantee the management and utilization of forest resources that are oriented towards the conservation of natural resources so as to guarantee their preservation and sustainability. Laws and regulations related to forestry resources, among others:

1. (3) of Article 33 of the 1945 Constitution

The Government is given the authority to manage natural resources, including forests and the resources found within them, for the maximum possible prosperity of the people in accordance with the mandate of Article 33 Paragraph (3) of the 1945 Constitution. Because of this, continuous use of these natural resources is required. To improve the welfare of the Indonesian people, the use of natural resources must be able to support the national economy. On the other hand, when managing natural resources, one must not overlook the preservation of the biodiversity they contain.

2. The Law Concerning Forestry No. 41 of 1999 explains:

"Forest utilization, as referred to in Article 21 letter b, aims to obtain optimal benefits for the welfare of the entire community in an equitable manner while maintaining its sustainability," according to Article 23".

Article 24 states that "Utilization of forest areas may be done in all forest areas, with the exception of forests within nature reserve areas and forests within national parks".

The legal basis in the forestry sector is of course very good with the support of criminal aspects in it, so that it can regulate the application of imposition of sanctions for anyone who destroys and pollutes the forest. One effort to protect forests in order to sustainably maintain forest functions is the criminal provisions regulated in Law Number 41 of 1999's Article 50 and the criminal penalties in Law Number 19 of 2004's Article 78.

3. Law Number 18 of 2013 concerning Prevention and Eradication of Forest Destruction (UU P3H)

Article 5 to Article 7, the P3H Law has obligated the government and regional governments according to their authority, to establish policies regarding alternative wood sources, to develop productive forests and protected forests in the context of preventing forest destruction, by involving communities, legal or cooperative entities forest utilization permit holder.

4. Law Number 23 of 2014 concerning Regional Government (UU Pemda)

Article 14's first and second paragraphs of Law Number 23 of 2014 state the following:

- (1) The Central Government and the Provincial Governments are responsible for implementing government affairs in the forestry sector.
- (2) The Regency/City Region assumes responsibility for managing the affairs of municipal forested parks in the period.

The district/city level of forest management has been abolished by Law Number 23 of 2014 regarding Regional Government. This law assigns the central government and the provincial governments equal responsibility for forest management. Currently, the central government has the majority of the power to manage forests. Meanwhile, at the regional level, the authority to carry out planning and utilization of forest areas as well as several non-timber permits is handed over to the provincial government. Regency/city governments are given a limited portion of authority in managing the implementation of Forest Management Units (KPH) as a continuation of provincial government authority at the district/city level. This clearly runs counter to the idea of regional autonomy, according to which the region has the authority to handle issues pertaining to community welfare in the forestry industry. Given that each region has unique natural resource and environmental conditions, as well as a unique character that is closely related to the sustainability of the forest and the interests of the larger community, which require special management capabilities, the management and utilization of forest resources should be under the control of the regional government.

5. Environmental Protection and Management Law No. 32 of 2009 (UU PPLH)

The provisions in Article 97 to Article 120 of the PPLH Law contain elements of acts that can be punished with all legal consequences for perpetrators of individuals or business entities or organizations that are legal entities or not legal entities, especially

the threat of revocation of business licenses for interested parties when carrying out activities that impact on the destruction of the environment, one of which is the forest. Additionally, this law aims to ensure environmental management and protection in order to preserve natural resources for present and future generations to enjoy.

6. Law Number 5 of 1990 concerning Conservation of Living Natural Resources and Their Ecosystems.

This law raises public awareness of the importance of preserving ecosystems and plant and animal species vital to the preservation of nature. The provisions in Article 1 of Law Number 5 of 1990, also known as the Bio Conservation Act, state that biological elements in nature, including plant-based natural resources (plants) and animal natural resources (animals), as well as non-biological elements nearby, are what are meant by living natural resources.

In order to provide protection and preservation related to the use of forest resources, policies dating back to the Republic of Indonesia's 1945 Constitution, Law No. 41 of 1999 in conjunction with Law No. 19 of 2004, Law No. 18 of 2013 concerning prevention and eradication of forest destruction, Law No. 23 of 2014 regarding regional government, Law No. 32 of 2009 concerning environmental protection, and Law No. 41 of 1999 concerning forestry have all been included. With the implementation of this policy, it is hoped that the philosophy of using forest resources outlined in Article 33(3) of the 1945 Constitution of the Republic of Indonesia can come to pass.

3 Conclusion

1. Whereas the form of utilization of forest resources is the determination of the principles of sustainable development which is realized by integrating the preservation of forest resources in an integrated licensing system in the environmental sector.
2. That the Republic of Indonesia's 1945 Constitution, Laws Nos. 19 of 2004 Concerning Forestry, 18 of 2013 Concerning Prevention and Eradication of Forest Destruction, 23 of 2014 Concerning Regional Government, 32 of 2009 Concerning Environmental Protection and Management, and Law No. 5 of 1990 Concerning the Conservation of Living Natural Resources and Their Ec.

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