

ABSTRACT

Research on the enforcement of environmental law on forest fire aims at establishing efforts in enforcing the environmental law in the fire case occurring so far, both through administrative effort and criminal and private efforts.

The current research utilizes juridical-normative approach (dogmatic), that is, studying law provisions regulating the law enforcement on the forest fire case in Indonesia in accordance with the applicable environmental and forestry legislation. Based on the reason, the research results are studied using descriptive-analytical discussion. It means that the study is conducted by carefully and thematically exposing the provisions of environmental and forestry law regulating the forest fire.

The results show that the enforcement of environmental law on the forest fire case in Indonesia could be done through first, the enforcement of administrative environmental law in forestry field covering supervision as a preventive effort and the application of administrative sanctions as a repressive effort toward the breach of permit/right of forest management resulting in the risk of forest fire. Second, the enforcement of environmental criminal law in the forestry field, in which the criminal act does for forest firing either individual persons or companies could be asked responsible for their actions causing forest fire done either done intentionally or negligently. Third, the settlement of the forestry controversy could be resolved on the basis of administrative aspects such as claims to the administrative court and private aspects such as claims to the court or controversy settlements outside the court. Due to the fact that the neighboring countries also feel the impacts of forest fire, it is also necessary to establish the settlement of the forestry controversy from international

aspects, even though Indonesia is not claimed by other countries for air pollution resulting from the forest fire.

The results illustrate that the enforcement efforts in the environmental law on forest fire began in 1997 because the forest fire occurred in the year was the biggest event. The law enforcement imposed to the case was materialized in the form of repeal of the wood utilization permit and the controversy settlement by the court. However, the law enforcement is not yet optimally implemented, even the enforcement does not stop the forest fire case and even it does not touch the essentials. Therefore, the legal apparatus need to improve themselves in order to possess ability, case, concern and the same visions on the environment considering the importances of forest functions for societies; life.