

ABSTRAK

Lingkungan merupakan sarana kehidupan bagi manusia yang beragam isinya, salah satunya adalah hutan rakyat yang berisi kekayaan alam yang perlu dilindungi, adapun penjelasannya diatur dalam Undang- undang Nomor 41 Tahun 1999 tentang Kehutanan dan Peraturan Daerah Kabupaten Bangkalan Nomor 5 Tahun 2002 jo Nomor 7 Tahun 2003 tentang izin penebangan dan pengangkutan kayu rakyat dan peraturan Bupati Bangkalan Nomor 8 Tahun 2010 tentang Pengaturan Pengendalian dan Pengolahan Hutan Rakyat, yang didalamnya mengatur tentang perizinan yang baik dan benar. Dengan demikian penulisan sripsi ini dilatarbelakangi adanya penebangan pohon, pohon ini milik sendiri yang akan dimanfaatkan sendiri dan harus menggunakan surat izin. Penelitian yang didasarkan pada analisis terhadap bahan-bahan kepustakaan sebagai sumber data, dan beberapa teori hukum serta peraturan perundang-undangan yang berkaitan dengan permasalahan yang akan dibahas dalam skripsi ini. Adapun permasalahan yang dibahas adalah bagaimana penanggulangan tindak pidana penebangan kayu di hutan rakyat. Selanjutnya pendekatan penelitian ini menggunakan pendekatan perundang-undangan (*statute approach*). Hasil penelitian menyimpulkan bahwa tindak pidana yang dilakukan di hutan rakyat meliputi dua aspek yaitu berupa prefentif misal penyuluhan, dan represif melalui penerapan Undang- undang Nomor 41 Tahun 1999 tentang Kehutanan dan peraturan- peraturan untuk menjerat pelaku penebangan kayu di hutan rakyat yang tidak melalui mekanisme yang sebenarnya, yang salah satunya diatur dalam Pasal 78 dengan sanksi pidana penjara 10 (sepuluh) tahun dan denda 5.000.000.000 (lima miliar rupiah) harapanya agar bisa membuat jera si pelaku penebangan kayu di hutan rakyat dan melalui mekanisme yang benar.

Kata Kunci : *Penanggulangan, penebangan kayu, sanksi pidana, hutan rakyat.*

ABSTRACT

Environment is one of the means of life for humans which varied contents. One of them is the community forest that contains the wealth of nature which needs to be protected. This is stated in the Law No. 41 of 1999 on Forestry and Bangkalan Regional Regulation No. 5 of 2002 and No. 7 of 2003 “Law No. 41 of 1999 on Forestry and Bangkalan Regional Regulation No. 5 of 2002 and No. 7 of 2003”) about the permission of logging and timber transport, and the Bangkalan Regent regulation No. 8 of 2010 on Control and Processing Settings Community Forests (Bangkalan Regent regulation No. 8 of 2010 on Control and Processing Settings Private Forests) in which regulates the right and appropriate licensing. This thesis is motivated by private logging that will be used alone and should use permit letter Thus sripsi writing this backdrop of felling trees, this tree belongs to own that will be used alone and should use permit ◊ this sentence need repaired, especially underlined. This research is based on the analysis of the literature materials as the source of data, and several theories of law as well as law and regulation relating to the issues which is discussed in this thesis. The issue discussed is how countermeasures the crime acts of logging in community forests. Furthermore, this research is using the statue approach. The result of this research concluded that the criminal act on community forest includes two aspects, first is in the form of preventive for example counseling, and in the form of repression through the implementation of Law No. 41 of 1999 on Forestry and regulations to prosecute perpetrators of logging in community forests who went through the illegal mechanism (Law No. 41 of 1999 on Forestry and regulations to catch offenders logging in community forests through a mechanism that is not true), which one of it is set in article 78 with the sanction of imprisonment of 10 (ten) years and a fine of 5,000,000,000 (five billion IDR/rupiah) hopes to be able to deter the perpetrators logging in community forest, and adhere to the correct and legal mechanism.

Keywords : *Countermeasures, logging, crime sanction, community forest*