The role of forestry police in the prevention and eradication of forest destruction

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Abstract. The issue of forest destruction in the North Buton region lately should have received serious attention from all parties. The nature reserve is one of the protected areas that have the function of conservation, sustainable use of biological natural resources and its ecosystem. One of them is the Wildlife Reserve Forest in Ronta Village, West Kulisusu District and Limited Production Forest in Kambowa, Torombia, Wantulasi, Korolabu and Bira Villages, North Kulisusu District, North Buton Regency. The objectives of this study are (1) To determine the role of the Forestry Police in the Prevention and Eradication of Forest Destruction Based on Law Number 18 of 2013 in North Buton Regency; (2) To determine the inhibiting factors of North Buton District Forestry Police in taking measures to Prevent and Eradicate Forest Destruction Based on Law Number 18 of 2013 in North Buton Regency. The method in this study is juridical empirical with the number of respondents from this study were 6 (six) members of the North Buton District Forestry Police. Data analysis using qualitative descriptive analysis. The results showed that: (1) The forest area of North Buton Regency is 135,362.38 Ha or 72% of the total area of North Buton Regency, which consists of: Ordinary Production Forests covering an area of 6,521.03 Ha, Limited Production Forests covering an area of 10,535.16 Ha, Production Forests that can be converted are 33,331.71 Ha, Protected Forests are 9,463.72 Ha and Wildlife Reserve Forests are 75,528.26 Ha. In these forest areas, there are several types of wood that have high economic value both for trade within the district and outside the North Buton Regency. Apart from wood, there are also other forest assets such as rattan, dammar, mace and others.(2) Factors that hinder the task of the Forestry Police in the Prevention and Eradication of Forest Destruction in North Buton Regency are: (a) Lack of public knowledge about forest functions, as well as applicable laws and regulations concerning forestry; (b) Lack of Forestry Police personnel; (c) Lack of budget; (d) Communities still consider forest as their main livelihood; (e) Lack of supervision from the competent agencies and related agencies; (f) The involvement of officers who back up the perpetrators of illegal logging.

1. Introduction

Indonesia is currently one of the countries that is a concern and made as the hope of the world community, because it has the largest forest area, therefore the Indonesian state is categorized as a buffer or lung state of the world, so it needs to conserve and manage forests for ecosystem sustainability and balance nature on earth. Various types of forests in Indonesia have functions as...
erosion prevention and landslides, storing, regulating and maintaining water supply and balance, fertilizing the land, economic resources, as a source of germplasm, and reducing air pollution. However, along with human development, and the limited residential area for the community, humans will begin to explore the forest and environmental problems will be increasingly complex because it will cause forest destruction.

One aspect of the environment that has been discussed a lot lately is forest sustainability. Forests are ecosystems that are very important for human life which is dominated by trees and have different environments than those outside the forest. According to the Law of the Republic of Indonesia Number 41 of 1999, forests are a unit of the ecosystem in the form of expanses of land containing biological natural resources dominated by trees in the fellowship of their natural environment, where one and the other cannot be separated. Forests are a collection of ecosystems where the close interconnections between forests and the environment are in the form of trees, biological and non-biological objects, supporting environments (services) where all of the above are always interconnected and influence each other. The forest as a whole is a collection of living natural life and its natural environment.

Forests, as part of national natural resources, have important meanings and roles in various aspects of social life, development and the environment. Forests have several benefits for life in the form of perceived direct benefits and indirect benefits. The benefits of the forest are obtained if the forest is guaranteed its existence so that it can function optimally. The ecological, economic and social functions of forests will provide a real role if the management of natural resources in the form of forests is in line with conservation efforts to realize sustainable national development. A more important advantage for forests from other natural resources is that they are renewable natural resources. Forest resources will not run out and dry out. It will always be available as long as it is managed and maintained as well as possible.

A nature reserve is one of the protected areas that has a very important conservation or protection function, especially as a life support system, cultivating a variety of species of plants and animals and sustainable use of biological natural resources and their ecosystems. A nature reserve is a natural reserve area because its natural condition has the characteristics of plants, animals, and its ecosystem or certain ecosystem that needs to be protected and its development take place naturally. At present, almost around the nature reserve area is generally disturbed and in some spots, there is a stretch of unvegetated land. An open expanse is ready to become a new residential area that is ready to be developed, for example, for roads and housing.

Environmental problems in life today are of great concern from various circles, because if the damaged environment certainly has an impact on the community itself, so it is not surprising if we pay attention and preserve the environment around each. The nature reserve is one of the protected areas that have the function of conservation, sustainable use of biological natural resources and its ecosystem. One of them is the Wildlife Reserve Forest in Ronta Village, West Kulisusu District and Limited Production Forest in Kambowa, Torombia, Wantulasi, Korolabu and Bira Villages, North Kulisusu District, North Buton Regency. In order for the existing nature reserves in North Buton Regency to be well maintained for this reason, there needs to be serious attention from the local government to continue to strive to preserve and preserve the existing forest environment by rehabilitating forests and land as a necessity in an effort to conserve forest resources and land that is still good as well as an effort to anticipate disaster. This is inseparable from the role of the community in North Buton in an effort to preserve this environment should the community not only when there are activities to plant trees, but must continue at every opportunity, so that if you find empty land and no plants, you should with self-awareness to plant it with trees or be able to collaborate with the local government, especially in the procurement of forest plant seeds.

Management of conservation areas as part of forest management also requires the emergence of a new paradigm, because, in essence, this is one aspect of development that is sustainable and environmentally sound and has a real impact on efforts to improve people's welfare. Through the new
community-based management paradigm, the government must reduce its over-dominant role and start sharing roles with other related parties, so that the policy concept becomes more participatory [1].

The provision of public services by the government apparatus to the public is an implication of the function of the state apparatus as a public servant to realize people's welfare. Therefore, the position of the government apparatus in public services is very strategic because it will determine the extent to which the government can provide the best service to the community, thereby determining the extent to which the state has carried out its role well in accordance with its founding goals to realize welfare for its people as stated in the concept of "welfare state", in order to overcome disasters that have hit almost all parts of Indonesia [2].

Article 2 of Law Number 41 of 1999 concerning Forestry states the principles of implementation, including the following:

a. Benefits and Sustainable Principles
   The principle of benefit and sustainability is intended to ensure that every implementation of forestry takes into account the balance and sustainability of environmental, socio-cultural and economic elements.

b. The Principle of Population and Justice
   The principle of democracy and justice is intended so that every implementation of forestry must provide equal opportunities and opportunities to all citizens following their capabilities to increase the prosperity of all people.

c. Togetherness Principle
   The principle of togetherness is intended so that the implementation of forestry implements a joint business pattern so that interrelationships and interdependence are established synergistically between the local community and State-Owned Enterprises, Indonesian Private Enterprises, in the framework for empowering small, medium and cooperative businesses.

d. Principle of Openness
   The principle of openness is intended so that every forestry activity involves the community and pays attention to the aspirations of the community.

e. Integrity Principle
   The principle of integration is intended so that every forestry implementation is carried out in an integrated manner by taking into account national interests, other sectors, and the local community.

Environmental law is one of the supporting facilities to realize the protection and management of the environment optimally. Environmental law, especially in legislation, is relatively adequate, both in quantity and quality, so it is expected to function properly. This good and relatively complete environmental law, as well as the law in general, remains in itself as a mere means of inanimate matter. To be able to bring goodness in the protection and management of the environment, this environmental law must be turned on and applied in real life by humans. Therefore, he needs several people who are willing and able to live and apply it in real life [3].

The forest area can be utilized while still taking into account its nature, characteristics and vulnerability, and it is not justified to change a forest area that has a protection function, and a thorough and comprehensive study must be carried out. The utilization of forest areas must be adjusted to its main functions, namely the functions of conservation, protection and production. The suitability of the three functions is very dynamic and the most important is that the utilization must remain synergized. Although normatively, conversion or changes in forest areas are intended not prohibited by law, but to maintain environmental quality, as far as possible avoid conversion/changes to productive natural forests, to avoid damage to forest areas. Based on the study then the objectives of this study are (1) To determine the role of the Forestry Police in the Prevention and Eradication of Forest Destruction Based on Law Number 18 of 2013 in North Buton Regency; (2) To determine the inhibiting factors of North Buton District Forestry Police in taking measures to Prevent and Eradicate Forest Destruction Based on Law Number 18 of 2013 in North Buton Regency [4].
2. Methods

This type of research is empirical juridical research. The location of this study is in North Buton Regency. Sources of data in this study are primary data obtained directly from research in the field and secondary data collected from library materials and documents that support this research. Data collection techniques are by observation, interviews and documentation. Data analysis using qualitative descriptive analysis, namely data obtained through research activities, identified and grouped according to the characteristics of the research objectives, then analyzed qualitatively descriptive. The use of this qualitative analysis technique includes all research data both primary legal data and secondary legal data. Qualitative data derived from primary legal data which is the result of interviews with respondents then analyzed to answer the problem of the role of the Forestry Police in the Prevention and Eradication of Forest Destruction.

3. Results and discussion

Law number 41 of 1999 distinguishes four types of forests, namely:

1. Forest-based on status
   - Forest-based on status is divided into two types, namely:
     a. The state forest is a forest that is on land that is not burdened with land rights, such as customary forests, village forests, and community forests.
     b. Forest rights are forests that are located on land that is burdened with land rights.

2. Forest-based on its function
   - Forests are classified into three types, including:
     a. Conservation forest is a forest area with certain characteristics, which has the main function of preserving plant and animal diversity and its ecosystem.
     b. The protected forest is a forest area that has a function as protection of life support systems to regulate water systems, prevent flooding, control erosion, prevent intrusion (breakthrough) of seawater, and maintain soil fertility.
     c. Production forest is a forest that has the main function of producing forest products.

3. Special purpose forest
   - Use of forests for research and development, education and training, as well as for the interests of religion and local culture.

4. Forests are based on micro-climate regulation, aesthetics, and water absorption
   - In each city, certain areas are designated as urban forests which function to regulate the microclimate, aesthetics and water absorption.

3.1. The task of forestry police in forest protection

Article 1 number 15 of the Republic of Indonesia Number 18 of 2013 concerning Prevention and Eradication of Forest Destruction that Forestry Police are certain officials within the scope of central forestry agencies and/or regions that are in accordance with the nature of their work to carry out and/or carry out forest protection business the law is given special police authority in the field of forestry and conservation of biological natural resources and their ecosystems which are in a single unit of command. Based on the law, it was then in the form of the Institute for the Prevention and Eradication of Forest Destruction. The establishment of the Institute for the Prevention and Eradication of Forest Destruction, as an affirmation of reformulation does not seem to provide a deterrent and ineffectual effect of eradicating the crime of forest destruction from previous regulations, so mandated the establishment of institutions for the Prevention and Eradication of Forest Destruction to ensure the effectiveness and efforts to prevent and destroy forests. Establishment of Forest Destruction Prevention and Eradication institutions or agencies are regulated in the provisions contained in the provisions of CHAPTER V, Article 54, 55 and Article 56 of Law Number 18 the Year 2013 concerning Prevention and eradication of Forest Destruction [5].
Forestry police are one of the parties responsible for safeguarding forests from the dangers of forest destruction. The main task of the forestry police is to prepare, implement, develop, monitor and evaluate and report on forest protection and security activities and the distribution of forest products (Article 4 of Permentan and Bureaucratic Reform Number 17 of 2011).

Certain Forestry Officials are given special authority. With the enactment of Law No. 41 of 1999, especially relating to forest protection in Article 51, which reads as follows:

1. To ensure the implementation of forest protection, certain forestry officials according to the nature of their work are given special police authority.
2. Officials given special police authority as referred to in paragraph (1) are authorized to:
   a. patrolling inside the forest area or its jurisdiction;
   b. Checking letters or documents relating to the transportation of forest products in forest areas or their jurisdiction;
   c. Receive reports about criminal acts involving forests, forest areas and forest products;
   d. Search for information and evidence of the occurrence of criminal acts involving forests, forest areas, and forest products;
   e. in the case of being caught red-handed, it is obligatory to arrest the suspect for submission to the authorities; and
   f. make a report and sign a report on the occurrence of criminal acts involving forests, forest areas, and forest products [6].

3.2. Illegal logging

Through this effort to protect forests and forest areas, forestry officials are given special police authority. The formulation of the special authority of the police of forestry officials cannot be separated from the formulation of Article 50 of Law Number 41 of 1999 which contains restrictions relating to the protection of forests which state that:

1. Every person is prohibited from damaging infrastructure and means of forest protection.
2. Every person who is granted an area utilization business permit, a business permit to utilize an environmental service, timber and non-timber forest product utilization permit, and a permit to collect timber and non-timber forest products, is prohibited from carrying out activities that cause forest damage.
3. Everyone is prohibited:
   a. do and or illegally use and or occupy forest areas;
   b. Penetrating forest areas;
   c. Cutting trees in a forest area with a radius or distance up to: 1) 500 (five hundred) meters from the edge of a reservoir or lake; 2) 200 (two hundred) meters from the edge of the spring and left and right of the river in the swamp area; 3) 100 (one hundred) meters from the left and right side of the river; 4) 50 (fifty) meters from the left and right side of the tributary; 5) 2 (two) times the depth of the cliff from the edge of the cliff; 6) 130 (one hundred and thirty) times the highest and lowest tide difference from the shore.
   d. Burn down the forest;
   e. cut down trees or harvest or collect forest products in the forest without having the right or permission from the competent authority;
   f. receive, give or sell, receive an exchange, receive deposits, store our forest products that are known or should be suspected of originating from forest areas that have been illegally taken or collected;
   g. Carry out general investigations or exploration or exploitation of mining materials in forest areas, without the Minister's permission;
   h. Lifting, controlling, or possessing forest products that are not equipped together with a certificate of the legality of forest products;
   i. grazing animals in forest areas that are not specifically designated for this purpose by authorized officials;
j. Bring in heavy equipment and other common equipment or should be expected to be used to transport forest products in forest areas, without the permission of the competent authority;
k. Carrying tools commonly used to cut, cut, or divide trees into forest areas without the permission of the competent authority;
l. Dispose of objects that can cause fire and damage and endanger the existence or continuity of forest functions into forest areas; and
m. The issue, carry and transport wild plants and animals that are not protected by laws originating from forest areas without the permission of the authorized official.

4. Provisions concerning removing, carrying, and or transporting plants and or animals that are protected, regulated following applicable laws and regulations [6].

In various legal literature, illegal logging crime is a criminal crime that has the character of an extraordinary crime. Illegal logging is classified as a crime that directly violates Law Number 23 of 1997 concerning Environmental Conservation. In particular, Article 48, states that forest destruction is a crime in the form of environmental destruction, through the practice of illegal logging [7].

3.3. Due to forest destruction
Many negative consequences of forest destruction, such as air pollution due to forest fires, the resulting smoke disrupts people's health and disrupts land, river, lake, sea and air transportation, changes in micro and global climate, declining forest economic value and land productivity, decreases biodiversity. The variety and diversity of these effects shows the fundamental existence and function of forests in human life, society, and the state. There have been many losses suffered by the community due to natural disasters, which are not only in the form of property losses but also in human lives. Already hundreds of thousands of Indonesian human lives have been victims of natural disasters. Natural disasters are regarded as routine events that have been difficult to avoid or must be received by the community. Almost every rainy season, for example, occurs in several regions in Indonesia, both floods and landslides. Even as it has become a habit, when it comes to the rainy season, it means coming the flood season. Various forms of natural disasters are not a few of them due to the destruction of Indonesia's forests [8].

Deforestation and degradation are the main threats to forest conservation in Indonesia. Deforestation and forest degradation that occur in Indonesia has encouraged the development of issues as a significant contributor to carbon emissions. On the other hand, like other developing countries, forests are still positioned as a resource for economic development, which is feared to accelerate the rate of deforestation and forest degradation which increases greenhouse gas emissions from the forestry sector. Until now, deforestation and forest degradation are still occurring in Indonesia, causing a decline in forest cover. The rate of deforestation and forest degradation in Indonesia reached 1.1 million hectares per year for the period 1997-2006 [9].

Land resources have a vital role because they are a key asset for a country, where the condition of the quality and quantity of land resources determines the viability of future generations. Realizing this, the Government of the Republic of Indonesia continues to strive for soil and water conservation as an important program in development so that the land resources do not experience degradation which ultimately harms nation-building. The government's policy to control the rate of land degradation is pursued by the government through the Rehabilitation and Quality Improvement of Natural Resources and Environment Program, which aims to overcome and anticipate the degradation of land resources through efforts to rehabilitate land and technical and biological soil conservation and spatial planning and control [10].
3.4. Community participation in prevention of forest destruction

Forest protection is an effort to protect, protect and defend forests from a variety of disturbances that can disrupt and damage natural resources within them such as flora and fauna, marine biota, ecosystems, habitats, water systems and others. The concept of forest security based on local community participation is based on the understanding that the people living around the area have understood the potential characteristics of the forest area, can live in harmony and harmony, enjoy and maintain their homes from damage [11].

Many models of forest area management have been implemented by other countries to overcome forest degradation. These programs require community participation as part of the management of forest areas within the corridor of decentralization and governance. For example, community-based forest management practices applied in Madagascar in the era of decentralization. The impact is more real on the institutional relationships between governance actors. The practice of community-based forest area management cannot yet be said to "empower" the local community, but it can be called the initial stage of opening space when individual actions originating from various social positions can change existing power relations. The study of decentralization of natural resources in governance regimes shows that decentralization in a democracy does indeed aim and have the potential to promote democracy and participation. This is the same as the promotion of efficiency but in the natural resources sector [12].

Community empowerment is an economic development concept that summarizes social values. This concept reflects the new paradigm of development, which is "people-centered, participatory, empowering, and sustainable." This concept is broader than merely pursuing basic needs or providing a mechanism to prevent the process of further impoverishment (safety net), which has recently been developed as an effort to find alternatives to concepts of past growth [13].

The area of North Buton Regency forest area is 135,362.38 Ha or 72% of the total area of North Buton Regency, which consists of:
1. Ordinary Production Forests covering an area of 6,521.03 Ha
2. Limited Production Forest covering an area of 10,535.16 Ha
3. Convertible Production Forests of 33,313.71 Ha
4. Protection Forest covering an area of 9,463.72 Ha
5. Wildlife Reserve area of 75,528.26 Ha

In these forest areas, there are several types of wood that have high economic value both for intra-district trade and outside of North Buton District. Apart from wood, there are also other forest assets such as rattan, dammar, mace and others.

The birth of the Forestry Police of the North Buton District Forestry Service together with the establishment of the North Buton District Forestry Service which was formed based on Regional Regulation No. 4 of 2008 concerning the Establishment of the Organization and Work Procedure of the North Buton District Office previously known as the Agriculture, Plantation and Forestry Service. But after increasing the capacity of regional institutional organizations, the Agriculture, Plantation and Forestry agencies were merged into 2 (two), namely the Agriculture, Plantation and Livestock Services and the North Buton District Forest Service with the task and function of implementing decentralized authority in the Forestry sector. And along with the establishment of the North Buton District Forestry Service, the Forestry Rangers or Police were formed and since its formation, it only consisted of 6 people up to now, and each has attended Technical Education and Training.

The main task of the Forestry Service is to assist the Bupati in carrying out regional household affairs in the Forestry sector that have been submitted by the government and the Southeast Sulawesi Provincial Government, as well as carrying out other tasks given by the regent.

For these basic tasks to be carried out properly, the Forest Service has the following functions:
1. Providing recommendations on the approval of the designation of plans and programs for short, medium and annual term operations made by sub-services within the scope of the Forestry Service;
2. Carry out control and technical guidance in the field of forestry and greening;
3. Carry out technical policies, provide guidance and guidance, provide licensing following the Bupati's policies and applicable laws and regulations;
4. Fostering and controlling forest protection activities;
5. To provide guidance and control over the administration of the Forestry Service;
6. To carry out institutional development of the Forestry Service to the lower level and to foster and improve the quality of Human Resources in the field of forestry;
7. Organizing the processing of the property of the Regional Government and or the State which is its responsibility;
8. Carrying out technical control and supervision over the implementation of tasks in the forestry sector following the main tasks at the discretion of the Regent and the applicable laws and regulations;
9. Implementation of other duties determined by the Regent.

The results showed that in North Buton based on an Interview with six respondents namely Mr. Rusdin, Arifin, Alan, Rahmat, Aswan and Irwan all of them or 100% stated that in North Buton until now there has been forest destruction in the form of illegal logging. This is based on the findings of some unlicensed tree cutting machines that operate in forest areas and are currently being confiscated from the North Buton District Forestry Service, which was discovered by Forestry Police during operations in several areas of forest in North Buton.

Forest destruction activities were not only carried out by ordinary people, but the culprit was also found among materially wealthy people and it was usually the people who had the money who tried wood cutting machines and used other people to cut wood in the forest. There are also illegal logging actors who carry out a conspiracy with the authorities because based on the confession found by the Tree Cutting Machine by the North Buton Forest Police Patrol, there are those who claim to cooperate with law enforcement officials because the law enforcement officers also get rations from the logging done.

According to an interview with Mr. Aswan North Buton Forestry Police Officer at the North Buton Forest Service Office stated that the factors that caused the community to do a lot of forest destruction in North Buton Regency were:
1. Cultural Factors. The cultural factor meant here is the habits carried out by the community in treating the forest, which consequently threatens the existence of the forest, for example, there is a belief in the community that if they build mosques or other public places such as community meeting places, the wood materials must be taken from the forest accompanied by certain rituals. There are also hereditary habits that have been embedded in certain communities which then become habits that are very difficult to stop. For example, the ability to take wood in the forest through parents is followed by their children from generation to generation. In practice, principals sometimes use cunning methods. To avoid the law, usually, the wood tree first opens its skin to die quickly. There are also injections of poisons on wood trees. This cultural factor is related to the waning of 'local wisdom' values. In daily life, the forest area community is a creature with a need to express its culture. For them, a forest is a place as well as the best means of organizing rituals. Therefore, many of the safety rituals that are carried out are related to the existence of the forest. This condition will then encourage the community to maintain and maintain the forest. However, the current condition of local values is almost gone, no longer applied. So people enter the forest randomly without manners and damage it.
2. Guarding and Monitoring Factors from the Forestry Police Still Not Running Well. This condition is caused by the imbalance in the number of Forestry Police personnel with the amount of forest in North Buton Regency, because of the number that means that one sub-district has only 1 (one) Forestry Police on duty, with a vast amount of forest certainly not able to monitor if there are certain people or individuals who intend to cut down the forest wildly.
3. Factors for Providing Small-Scale Forest Rights. Deforestation through the provision of small-scale logging rights by the regions has led to an increase in forest destruction, because this system has opened up gaps in illegal logging, in addition to the weak supervision of forestry agencies.
4. Technology Development Factors. With the advancement of technology in all fields, including in the forestry sector, causing the ability of the community to increase in exploiting the forest, especially for illegal logging activities, it is increasingly easy to do so. With the help of modern tools, cutting down trees does not require a long time.

5. Factors of Community Engagement to Take Care of the Forest. This factor should the North Buton District government build partnerships with local communities on an ongoing basis by utilizing community forestry, where it is hoped that the community can maintain and maintain the forest, also can improve their welfare, so that the community can feel that they are truly empowered, so that the community really feel like they love the forest, but in North Buton District community forests have not yet been formed, there is indeed a partnership pattern that the local government and the community are trying to build in maintaining and maintaining forests, but there is no thought on how the existence of forests also contributes to supporting their lives.

6. Economic Factors. In general, people who live near forest areas in North Buton are farming and gardening. But along with the rapid growth of the population, many of their agricultural and plantation land turned into residential functions. This further reduces employment, which in turn has an impact on the low level of the economy of the community. Moreover, the community only relies on farming and gardening. For those who live near the forest, they tend to be determined to cut timber in the forest and sell it, especially in the economic conditions that are squeezed, they consider this very easy to be able to meet the puff of smoke at home. Because there were several cases handled by the Forestry Police, it turned out that some people did logging and claimed they were forced to carry out these activities because there was no other choice to fulfill their needs. Some mothers only claimed to take firewood in the forest but developed into a logging business after timber barons were ready to buy, and others simply abandoned their equipment when they found out the officers knew of their whereabouts.

4. Conclusion
Based on the results of analysis and discussion, some conclusions can be made as follows: (1) The Role of Forestry Police in the Prevention and Eradication of Forest Destruction in North Buton Regency is to involve communities living near the forest; (2) Factors that hinder the task of the Forestry Police in the Prevention and Eradication of Forest Destruction in North Buton Regency are: Lack of public knowledge about forest functions, as well as applicable legislation regarding forestry; Lack of Forestry Police personnel; Lack of budget; Communities still consider the forest as their main livelihood; Lack of supervision from authorized institutions and related agencies; The involvement of officers who back up the perpetrators of illegal logging.

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