


Misuse of Forest Products Transport Documents

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Abstract

Introduction: This study examines the juridical review of the misuse of timber transport documents in Sidenreng Rappang Regency, with a case study of Decision Number 222/PID/B/LH/2023/PN Sdr.

Purposes of the Research: The study aims to identify the forms of misuse of timber transport documents and analyze the judge's considerations in sentencing offenders involved in such misuse.

Methods of the Research: The research employs a normative-empirical approach. The normative approach involves analyzing legal theories, principles, doctrines, and relevant regulations, such as Law No. 18 of 2013 on the Prevention and Eradication of Forest Destruction. The empirical approach is conducted through direct observation and interviews with judges at the Sidenreng Rappang District Court.

Findings of the Research: The result reveal that the misuse of timber transport documents occurs when the documents used do not correspond to the actual physical condition of the transported timber, thereby violating applicable legal provisions. In Decision No. 222/PID/B/LH/2023/PN Sdr., the judge considered various factors, including aggravating and mitigating circumstances, before imposing a sentence of one year in prison and a fine of IDR 500,000,000. However, from the author's perspective, this decision requires further review, considering the possible involvement of other parties in this criminal act.

Keywords: Legal Misuse of Documents; Forestry Law; Judge's Considerations.

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INTRODUCTION

Environment in Indonesian is a territorial area and everything contained therein. inside it group, circles. Whereas based on Chapter 1 number 1 Republic of Indonesia Law Number 32 of 2009 concerning Environmental Protection and Management that is Environment life is unity room with all object, Power, circumstances and living creatures, including humans and their behavior, which influence nature itself, the continuity of life, and the welfare of humans and other living creatures.¹ Environmental issues that often become a problem are environmental damage and this forest damage problem has become the government's concern since the formation of Law of the Republic of Indonesia No. 4 of 1982 concerning Basic Provisions for Environmental Management to Law of the Republic of Indonesia Number 23 of 1997 concerning Environmental Management to the most recent Law, namely Law of the Republic of Indonesia Number 32 of 2009 concerning Environmental Protection and Management. ²From what is the main topic of discussion about environmental pollution, the author will examine theories about the misuse of warm documents for wood forest products and their causes.³ Forest damage is also greatly influenced by the process of

¹ Radhmad K. Bi Susilo, *Sociology Environment* (Jakarta: Eagle Press).

² Sukanda Husin, *Enforcement law Environment Indonesia* (Jakarta: Ray Graphics, 2009), p. 4.

³ Ibid

transporting forest wood, which starts with loading forest products into transport vehicles and other transport vehicles. transporting mobile forest products to their destination and unloading, unloading, or removing them from the vehicle. In reality, many parties transporting forest products do not follow the procedures or methods established by the government. One example is that many transporters of forest products do not have a certificate of legality for the forest products.

However, there are still many cases that are very detrimental to the forests and the country itself. One for example is transportation results forest in area Kalimantan North where illegal logging activities occur is something that often the same thing that the author will examine is the transportation of wood to processing facilities or sales areas. However, there is still a lot of forest product and wood transportation that doesn't adhere to government procedures or regulations. This includes "many wood transportation activities without a wood processing permit." Based on Article 1 of Law No. 18 of 2013 concerning the Prevention and Eradication of Forest Destruction, it states:⁴ *"Legal Certificate of Forest Products/SKSHH is: a document that serves as proof of the legitimacy of forest products obtained in each segment of action in the organization of wood products."* SKSHHK documents are required when carrying out transportation activities: Wood from Protected Forest Timber Reserves, Timber Registration Places and important companies; and wood being handled.

Environmental issues are no longer merely domestic issues, but have become global ones. This is because the environmental context, between the source or cause and the resulting effect, cannot be localized with certain demarcations.⁵ Along with the development of modern life in the face of globalization and the process of industrialization and modernization, especially forestry industrialization, has had a major impact on the sustainability of forests as a support for life and the lives of living creatures in the world. Forests are a very important resource. not only as a wood resource, but more as a component of the environment.⁶ Forests, as a life-support system, provide significant benefits to humanity, and therefore must be preserved. Forests play a role as a buffer and balancer for the global environment, making their relationship with the international community crucial. with still prioritize interest national. In line with Chapter 33 The 1945 Constitution as a constitutional basis requires that the land, water and natural resources contained therein be controlled by the State and used for the greatest prosperity of the people, forestry management must always be imbued with the spirit of the people, justice, and sustainability. Therefore, forestry management must be carried out based on the principles of benefit and sustainability, democracy, justice, togetherness, openness, and integration, grounded in noble morals and responsibility.⁷ Illegal logging has frequently occurred in the heart of conservation areas, protected forests, and production forests, demonstrating the increasing and worsening situation of illegal logging. In general, forests play a significant role in human life. They serve two primary functions: ecological and economic.⁸

In law law Number 18 of 2013 concerning Prevention and Eradication of Forest Destruction. Illegal logging has long been identified with forest destruction in the form of

⁴ Harsono, Boedi. *Law Agrarian Indonesia*. (Jakarta: University Trisakti, 2016).

⁵ Marwan Effendy "Prospects Enforcement Law Environment," *Paper delivered on National Coordination Meeting on Environmental Law Enforcement*, Ministry of Environment, (Jakarta: The Acacia Hotel, 2010), p.1.

⁶ Siswanto Sunarso, *Law Criminal Environment Life and Strategy Settlement Dispute*, (Jakarta: Rineka Cipta), p. 6

⁷ Team Editorial Nuance Aulia, *Set Regulation Legislation About Forestry and Illegal Logging*, (Bandung: Nuansa Aulia, 2008). p.42

⁸ Koesnadi Hardjasoemantri, *Law Protection Environment, Conservation Source Power Natural Biological and its Ecosystem*, (Yogyakarta: Gadjah Mada University Press, 1991), p.7.

illegal or unauthorized logging, transportation, and sale of timber. have permission from the relevant authorities. Discussing forest destruction, this affirmed in Article 1 paragraph (3) of Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction, namely: "*Forest destruction is the process, method, or act of destroying forests through illegal logging activities, the use of forest areas without permission or the use of permits that are contrary to the intent and purpose of granting permits in forest areas that have been determined, designated, or are being processed for determination by the government* ." The crime of illegal logging as a corporation is carried out by several individuals in an organized and structured manner. Article 1 paragraph (22) of Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction determines that a corporation is a group of people or organized wealth, whether in the form of a legal entity or not a legal entity. From the definition above, it can be said that the crime of illegal logging as a corporation is an act of forest destruction in the form of illegal logging, transportation and sale of wood or without permission from the relevant authorities carried out by a group of people, whether in the form of a legal entity or not a legal entity.

The legal phenomenon of illegal logging in Indonesia is considered an extraordinary crime, due to the destruction of natural resources for material gain. As the country with the second largest forest area in the world, Indonesia's forests are among the most threatened in the world due to the consequences of forest destruction through illegal logging. Illegal logging is one of the factors contributing to the current destruction of forest areas. Illegal logging will result in numerous natural disasters such as landslides, erosion, and flooding. flood and other and so on. However No only disaster natural only that it is feared that this will result in the land quality decreasing, and the area in the forest area will become increasingly degraded due to the spread. In this case, it is related to intentionally transporting, controlling or possessing wood forest products which are not accompanied by a certificate of legality of the forest products, Those who do it, those who order it to do it, and those who participate in doing it, then this has violated Law of the Republic of Indonesia Number 11 of 2020/Chapter III/Part Four/Paragraph 4 Article 83 paragraphs 1 and 2. Basically, forests have an important role in human life, but often...misused by individuals for the sake of interest personal.

Individuals the Born from companies operating in the wood processing sector and obtaining large profits and from companies also prioritizing the wishes of buyers who order wood rather than paying attention to the condition of the forest so that it has a negative impact on the community and the forest itself. Based on this, the practice of Illegal Logging continues because of the very large demand for wood, so that illegal logging occurs to meet this. The actions often carried out by these individuals are often falsifying documents make it easier them to sell buy wood. The fake documents the is Wrong One The methods used by certain individuals to carry out illegal logging. If this is not addressed in detail, illegal logging will continue. Based on the background explanation above as a guide, the author has formulated two things, namely (1) What is the legal review of the misuse of the Timber Forest Products Questionnaire Document (2) What are the judge's considerations in sentencing th perpetrator to a crime? Misuse of Timber Product Questionnaire Documents.

METHODS OF THE RESEARCH

This research uses a normative-empirical approach. The normative approach is conducted by examining and interpreting theoretical aspects, including principles, concepts, doctrines, and legal norms related to evidence. Meanwhile, the empirical

approach is conducted through field research by conducting interviews with authorities at the Sidenreng Rappang District Court. The normative approach is based on primary legal materials by analyzing legal theories, concepts, principles, and relevant laws and regulations. This approach is also known as a literature study, which involves reviewing books, legal regulations, and related documents. In contrast, the empirical approach is carried out by observing actual practices in the field, often referred to as a sociological approach, by directly examining conditions that occur in the field. This research focuses on a legal review of the misuse of forest product transport documents at the Sidenreng Rappang District Court. The research location is at the Sidenreng Rappang District Court, Maritengngae District, Sidrap Regency, South Sulawesi.

RESULTS AND DISCUSSION

A. Review of Misuse of Timber Forest Product Transport Documents

Regarding the review of the misuse of timber forest product transport documents which is often rampant in Sidenreng Rappang district which begins with deliberately controlling timber forest products without being accompanied by SKSHHK (Legal Certificate of Timber Forest Products), below the author will explain in detail how to review the misuse of timber forest product transport documents.

Certificates of legality of forest products are documents that serve as proof of the legality of forest products in every segment of activities in forest product administration. Article 16 of the Republic of Indonesia Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction states that "Every person who transports forest wood must have a document that constitutes a certificate of legality of forest products in accordance with the provisions of laws and regulations." If this article is violated, criminal sanctions can be imposed in the form of imprisonment for a minimum of 1 year and a maximum of 5 years accompanied by a fine of at least IDR 5,000,000,000 and a maximum of IDR 15,000,000.00 (Article 88 paragraphs 1 and 2). These criminal sanctions can also be imposed on perpetrators who falsify or use fake certificates of legality of forest products (SKSHH).⁹ as was done by H.busra bin baru case study No.222/PID/B/LH/2023/PN Sdr, intentionally transporting and controlling timber forest products without being accompanied by a certificate of legality of timber forest products (SKSHHK). Log Transport Invoice (FA-KB) is a transport document issued by the FA-KB Issuer who is a Company Officer. The FA-KB is used in the transport of forest products in the form of logs or small logs originating from valid permits in state natural forests or plantation forests in production forest areas, and for the further transport of logs or small logs originating from state forest areas outside the area. In contrast to the FA-KB, the Non-Timber Forest Product Transport Invoice (FA-HHBK) is a transport document issued by the FA-HHBK Officer, which is used for the transport of HHBK originating from valid permit areas in state natural forests. Meanwhile, the Processed Wood Transportation Invoice (FA-KO) is a transportation document issued by the FA-KO Issuer, used in the transportation of processed forest products in the form of sawn wood, plywood, veneer, chips and laminated veneer lumber (LVL).¹⁰

In the transportation of forest products, the legality certificate document used in the transportation of forest wood forest products as stated in the Regulation of the Minister of

⁹ Abdul Rahman Upara. "Investigation Process for the Criminal Act of Transporting Processed Wood Without a Certificate of Legality of Forest Products." *Legal Pluralism: Journal of Law Science* 5, no. 1 (2015).

¹⁰ Regulation of the Minister of Forestry Loc. Cit

Forestry Number P.8/Menhut-II/2009 concerning the Second Amendment to the Regulation of the Minister of Forestry Number P.55/Menhut-II/2006 concerning the Administration of Forest Products Originating from State Forests, consists of:¹¹ a) The Certificate of Legality of Round Wood (SKSKB) is a DKB model form. 401; b) Round Wood Transportation Invoice (FA-KB) is a DKA model form. 301; c) Non-Timber Forest Products Transportation Invoice (FA-HHBK) is a DKA.302 model form; d) Processed Wood Transportation Invoice (FA-KO) is a DKA.303 model form; e) Auction Transport Letter (SAL) is a DKB.402 model form; f) Note or invoice from the company that owns the processed wood.

In this case, all the files have been there but there has been a forgery that has been issued/made by H.Busra Bin Baru. Furthermore, in the Regulation of the Minister of Forestry of the Republic of Indonesia Number P.42/Menhut-II/2014 concerning the Administration of Timber Forest Products Originating from Plantation Forests in Production Forests, it is stated that in the transportation, control, or ownership of Permanent Timber Forest Products (KHP), transportation documents must be included which are legal certificates of forest products, which include:¹² a) Log Transport Invoice (FA-KB) A log transport invoice is a document used for onward transport or gradual transport of KB/KBS/KBK which originates from a valid permit; b) Processed Timber Transportation Invoice (FA-KO) Processed timber transportation invoice is a document used in the transportation of processed timber forest products. Transport Note. A transport note is a transport document used for the transport of wood charcoal, recycled wood, KBK originating from naturally growing trees in the APL before the title is issued and is used for piles, jermal poles, cerucuks, onward transport of processed wood resulting from auctions as well as transport of KB/KBS/KBK slings from the port/pier to the destination of the original document.

B. Regulation of Criminal Acts of Transporting Timber Without a Certificate of Legality of Forest Products in Criminal Law

There are two laws that regulate the criminal act of transporting wood without a certificate of legality of forest products, namely Law of the Republic of Indonesia Number 41 of 1999 concerning Forestry and Law of the Republic of Indonesia Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction. In Law of the Republic of Indonesia Number 41 of 1999 concerning Forestry, Article 50 states that everyone is prohibited from transporting, controlling, or possessing forest products that are not accompanied by a certificate of legality of forest products. Equipped together in this case means that every activity of transporting, controlling, or possessing forest products at the same time and place must be accompanied and equipped with valid documents as evidence. Law of the Republic of Indonesia Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction Article 12 letter e reads: "Everyone is prohibited from transporting, controlling, or possessing wood forest products that are not accompanied by a certificate of legality of forest products." In Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction, Article 83 paragraph (1) part b regulates that individuals who intentionally transport, control, or possess timber forest products that are not accompanied by a certificate of legality of forest products as referred to in Article 12 letter can be sentenced to a minimum of one year and a maximum of five years in prison

¹¹ Regulation of the Minister of Forestry Number P.55/Menhut-II/2006 concerning the Administration of Forest Products Originating from State Forests.

¹² *Ibid*

and a fine of at least IDR 500,000,000.00 (five hundred million rupiah) and a maximum of IDR 2,500,000,000.00 (two billion five hundred million rupiah). That based on the minutes of inspection and measurement of sawn timber Number: 07/BAP-PPHHK/VII/2023 dated July 5, 2023, from 1 unit of the car truck, the results were 140 logs with the following details:

Table 1 Types of Evidence Confiscated

Type group	; Jungle			
Type of wood	; Mixture			
	- but, but	; 21 sticks	; 2,0336 m3	
	- Bitangur	; 46 sticks	; 4,0044 m3	
	- Nato stone	; 73 sticks	; 3.0833 M3	
Number of stems	140 sticks			
Volume amount	9.1213 m3			

That the consequences of the defendant's actions can result in state losses because the wood is not subject to state rights in the form of provincial forest resource levies (PSDH) and Reforestation Funds (DR) for the forest products. The defendant's actions are as regulated and subject to criminal penalties in Article 88 paragraph (1) letter c in conjunction with Article 15 of Law no. 18 of 2013 concerning the Prevention and Eradication of Forest Destruction as amended in paragraph 4 of forestry, Article 37 of the government regulation in lieu of Law of the Republic of Indonesia number 2 of 2022 concerning job creation in conjunction with Article 55 paragraph (1) to -1 of the Criminal Code.

Based on the explanation above, the actions that can be qualified are participating in the criminal act of transporting wood that is not equipped with a certificate of legality of forest products with the provisions of Article 83 paragraph (1) letter b of the Republic of Indonesia Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction in conjunction with Article 55 paragraph (1) to 1e of the Criminal Code. The defendant in this case was proven to have transported processed forest wood without having a Legal Certificate from local officials/government and misused documents, namely the defendant used an active Certificate but based on the physical/volume of wood transported there were indications of inconsistency with the SKSHHK document. The actions taken by the defendant have violated the law and regulations in the use of forest wood product transport documents that do not comply with the applicable standards for transporting forest wood products. Based on the above analysis, it can be concluded that the decision Number 222/PID/B/LH/2023/PN Sdr. is correct and in accordance with the legal facts and applicable legal basis. The defendant H. busra bin baru was proven guilty of committing the crime of transporting and controlling timber forest products without being accompanied by SKSHHK and falsifying SKSHHK. In this case, all the files have been there but there has been a falsification that has been issued/made by H.busra bin baru.

Based on the results of the author's analysis, in this case H. Busra bin Baru has been proven to have carried out the act of transporting and controlling timber forest products without being accompanied by a Certificate of Legality of Timber Forest Products (SKSHHK) and falsifying the SKSHHK. Everyone transporting forest timber is required to possess a SKSHHK (Sporting Permit) document in accordance with statutory provisions. Violations of this provision may result in criminal sanctions. There are various types of

forest timber transport documents, including SKSKB (Sporting Permit), FA-KB (Sporting Permit), FA-HHBK (Sporting Permit), FA-KO (Sporting Permit), SAL (Sporting Permit), and notes or invoices from companies that own processed timber. Document Forgery: Defendant H. Busra bin Baru was found guilty of falsifying a shipping document, namely the SKSHHK. The falsified document exceeded the volume of processed wood inventory and did not match the accompanying documents.

The defendant's actions resulted in state losses because the timber was not subject to state rights in the form of PSDH and DR. witness Samido, a forestry police officer, explained that the inspection he conducted included observing the shape, volume, and quantity of the timber, then matching it with the SKSHHK document. After the inspection, the SKSHHK was registered in the SIPUHH System, but physically the timber loaded did not match the accompanying documents. This case falls under the category of co-conspiracy (participating in the act), where there is cooperation that is carried out consciously and is the joint intention of the parties involved. Evidence: Based on the inspection and measurement of sawn timber, 140 mixed logs were found with a total volume of 9.1213 m³. According to Article 88 paragraph (1) letter c in conjunction with Article 15 of Law no. 18 of 2013 concerning the prevention and eradication of forest destruction, it is true that the defendant transported forest wood products without a valid certificate of forest products. This intentional element means that the defendant's actions must be carried out intentionally or in other words, there must be intent on the part of the defendant to carry out the intended actions. Where the defendant deliberately transported processed forest wood without having a valid certificate from the local official/government.

C. Judges' Considerations in Imposing Criminal Penalties on Perpetrators of Misuse of Timber Transport Documents.

In examining criminal cases, judges strive to find and prove material truth based on the facts revealed during the trial and adhere strictly to the indictment formulated by the public prosecutor. Before the author explains the legal basis for the judge's considerations in issuing decision Number: 222/PID/B/LH/2023/PN, Mr. Based on the case study that has been researched by the author that in general "intentional" is the act of the perpetrator or defendant must fulfill the elements of the maker, namely the defendant must be aware or want (*willen*) to do the act and know / (*wetten*) the consequences of the act.¹³ Misuse is doing something not as it should be while an official is a person who is ordered or a person who because of his position has the authority with a certain task and responsibility. That what is meant by "documents for transporting forest wood products" based on the explanation of Article 15 of Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction includes, among others, a certificate of legality of forest products, a list of logs, a list of processed wood, a log transport invoice, and a processed wood transport invoice.¹⁴ Based on the author's results, the analysis of the legal review of the criminal act of misuse of forest product transportation documents issued by authorized officials (Case study of Decision Number: 222 / PID / B / LH / 2023 / PN Sdr) is a judicial process that ends with the issuance of a final decision (verdict) in which there is the imposition of criminal sanctions (punishment) against the guilty defendant and in the decision the judge states his opinion about what has been considered and what is the verdict.

¹³ Faizin, Afwan. *Forms of Proving the Element of Intent in the Crime of Defamation According to the ITE Law (Study of Decision Number: 196/Pid. Sus/2014/PN. BTL)*. BS thesis. Faculty of Sharia and Law, Syarif Hidayatullah State Islamic University, Jakarta.

¹⁴ Haris, Oheo K., and Sabrina Hidayat. "Criminal Liability of Harbor Masters in Criminal Acts of Abuse of Authority in the Shipping Sector." (2019).

Regarding the defense, the Panel of Judges is of the opinion that in proving criminal procedural law in Indonesia, the system of *negative wettelijke is adopted*, namely to declare someone guilty of committing a crime is not enough just with evidence alone but must also be accompanied by the judge's conviction.¹⁵ This is emphasized in Article 183 of the Criminal Procedure Code "a judge may not sentence someone unless with at least two valid pieces of evidence, he obtains the conviction that the crime actually occurred and the defendant is guilty of committing it". The evidence as regulated in Article 184 paragraph (1) of the Criminal Procedure Code is not only assessed from one piece of evidence, but there are still other pieces of evidence such as witness statements, expert statements, letters, instructions, and the Defendant's Statement. In imposing criminal sanctions, the judge must be based on two valid pieces of evidence, then the judge obtains the conviction that the crime charged actually occurred and the defendant committed it. This is regulated in Article 183 of the Criminal Code. The judge in this case then decided to give a lighter criminal sanction than the public prosecutor's demand. In his demands, the public prosecutor demanded 2 (two) years in prison, while the judge's decision was 1 (one) year in prison. The judge's consideration in deciding to be lighter than the public prosecutor's demands was that there were mitigating circumstances. According to lawmakers, statements and confessions presented in court can only benefit a defendant if they are truthful, and if they lie, they will be considered aggravating or mitigating factors by the judge. Therefore, in the context of criminal evidence law, there is a term known as "*vrije bewijs*," or independent evidence. This means that the judge is not absolutely bound by any particular piece of evidence.

This decision is the result of the deliberation of the panel of judges handling this case. Regarding the criminal sanctions given to the defendant, it is lighter than the demands of the public prosecutor, because there are mitigating factors that were found during the trial. Namely, first, the defendant was honest and admitted his actions. Second, the defendant was polite in front of the court so that it facilitated the trial process. Third, the defendant is elderly, seen from the perspective of the occurrence of actions and the ability to be responsible, there is no justification/excuse or elimination of the unlawful nature of the crime he committed because the defendant's actions do not support the government's program in eradicating Illegal Logging.¹⁶ As the author, assessing the judge's decision, even though the judge reduced the penalty proposed by the Public Prosecutor, he still felt it needed to be re-evaluated because the defendant was not the only one who planned the crime. The judge should have paid more attention to the defendant's legal requirements, but even though the defendant had fulfilled the elements, the reduced penalty should have been given more consideration.

The article charged by the defendant is also appropriate and fulfills the elements. The act that is qualified as misuse of timber product transportation documents issued by authorized officials in Article 88 paragraph (1) letter c in conjunction with Article 15 of Law no. 18 of 2013 concerning the prevention and eradication of forest destruction, that it is true that the defendant transported timber forest products that were not accompanied by a certificate of legality of forest products. This intentional element is an act carried out by the defendant must be done intentionally or in other words there must be intent in the defendant to carry out the said act. Where the defendant deliberately transported processed forest wood without having a Legal Certificate from the local Official/Government.

¹⁵ Ante, Susanti. "Evidence and Court Decisions in Criminal Procedure." *Lex Crimen* 2, no. 2 (2013).

¹⁶ Results of an interview with Masdianah as a member of the panel of judges in 2025

CONCLUSION

Based on the conclusions obtained, the author proposes several conclusions which are expected to be able to provide an explanation in efforts to overcome the misuse of timber forest product transport documents, namely: Review of the misuse of timber forest product transport documents. which is qualified as misuse of forest wood product transport documents issued by the authorized official is regulated in Article 88 paragraph (1) letter c Jo Article 15 No. 18 of 2013 concerning the Prevention and Eradication of Forest Destruction which contains elements of individuals and elements of intentionally transporting, controlling, owning forest wood products which are not accompanied by a certificate of legality of forest products. Therefore, the defendant in this case is proven to have transported processed forest wood without having a Legal Certificate from the local official/government and misused the document, namely the defendant used an active Certificate or but based on the physical/volume of wood transported there is an indication of non-compliance with the SKSHHK document.

REFERENCES

- Abdul Rahman Upara. "Investigation Process for the Criminal Act of Transporting Processed Wood Without a Certificate of Legality of Forest Products." *Legal Pluralism: Journal of Law Science* 5, no. 1 (2015).
- Ante, Susanti. "Evidence and Court Decisions in Criminal Procedure." *Lex Crimen* 2, no. 2 (2013).
- Faizin, Afwan. *Forms of Proving the Element of Intent in the Crime of Defamation According to the ITE Law (Study of Decision Number: 196/Pid. Sus/2014/PN. BTL)*. BS thesis. Faculty of Sharia and Law, Syarif Hidayatullah State Islamic University, Jakarta.
- Haris, Oheo K., and Sabrina Hidayat. "Criminal Liability of Harbor Masters in Criminal Acts of Abuse of Authority in the Shipping Sector." (2019).
- Harsono, Boedi. *Law Agrarian Indonesia*. (Jakarta: University Trisakti, 2016).
- Koesnadi Hardjasoemantri, *Law Protection Environment, Conservation Source Power Natural Biological and its Ecosystem*, Yogyakarta: Gadjah Mada University Press, 1991.
- Marwan Effendy "Prospects Enforcement Law Environment," *Paper delivered on National Coordination Meeting on Environmental Law Enforcement*, Ministry of Environment, Jakarta: The Acacia Hotel, 2010.
- Radhmad K. Bi Susilo, *Sociology Environment*, Jakarta: Eagle Press.
- Sukanda Husin, *Enforcement law Environment Indonesia*, Jakarta: Ray Graphics, 2009.
- Team Editorial Nuance Aulia, *Set Regulation Legislation About Forestry and Illegal Logging*, Bandung: Nuansa Aulia, 2008.

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