LAW ENFORCEMENT OVER AIR POLLUTION TO BRING ABOUT *SUSTAINABLE DEVELOPMENT GOALS* (SDGS) (A CASE STUDY ON AIR POLLUTION IN PALANGKARAYA, CENTRAL KALIMANTAN)

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Abstract: Forest fires in Indonesia have led to devastating effects on the environment and caused air pollution, and this issue needs to be addressed immediately. The involvement of law enforcers should play an essential role in such a case since they serve as the guidelines to solve environmental issues according to Law Number 32 of 2009 concerning Environmental Management and Protection. This research seeks to analyze law enforcement over air pollution resulting from forest fires and the necessity to enforce environmental law to allow for sustainable development goals (SDGs). With normative-juridical methods, this research discovered that issues such as forest fires departed from poor environmental law enforcement in Indonesia that fails to bring about significant changes for sustainable development. This weakness has lured the people in Indonesia to overlook the current law, coupled with poor supervision given by the government apparatuses, precluding the environmental law from being appropriately enforced. People's participation is required to enforce the environmental law to tackle air pollution caused by forest fires. The condition is expected to improve with the agenda of fixing existing issues, particularly the environmental problems for better sustainable development.
Keywords: law enforcement, air pollution, sustainable development goals

Introduction

World Health Organization (WHO) asserts that air pollution has been listed as a significant threat to the environment at a global level.[1] Not only climate change, but air pollution also has the greatest impact on human health. Increasing air quality leads to improved mitigation of climate change, and the quality of air will also improve when emission volume goes down. World Health Organization cited from World Air Quality that air pollution poses the greatest threat worldwide. Guidelines were made regarding the destruction caused by air pollution affecting world health even at a lower concentration than that of the previous ones.[2]

The regulation regarding the environment was actualized for the first time in Law Number 4 of 1982 concerning Fundamental Provisions of Environmental Management, followed by the amendment to Law Number 23 of 1997 concerning Environmental management. This Law was further amended to law Number 32 of 2009 concerning Environmental Protection and Management (henceforth referred to as UUPPLH). This law sets the framework ensuring that the environment is appropriately protected, but not specifically regulating the mitigation of air pollution.[3]

Air serves as the fundament for human needs and it needs to receive particular attention. Article 1 point 14 of UUPPLH defines environmental pollution as a situation in which air is polluted with energy, substance, organism, and some foreign components, contaminating the environment. This pollution is caused by human factors exceeding the environmental quality standards set.[4]

The Decree of the Health Minister of the Republic of Indonesia Number 1407 of 2002 concerning the Guidelines of Air Pollution Impact Mitigation defines air pollution as a situation where air quality drops to a certain level, causing dysfunction in

[1] Ellyvon Pranita, "WHO: Polusi Udara Masuk Daftar Ancaman Lingkungan Terbesar Dunia Halaman All, - Kompas.Com."
[2] Ibid.
[3] Sukanda Husin, *Penegakan Hukum Lingkungan Di Indonesia* (Jakarta: Sinar Grafika, 2009).
[4] JDIH BPK RI, "Pasal 1 Angka 14 Undang-Undang No. 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup," 2009.

ambient air due to particular substances or energy that contaminate the ambient air caused by humans.[5]

Chambers argued that air pollution involved physical or chemical substances contaminating normal air at a particular frequency. This contamination may have influences on animals, vegetation, humans, and other materials, while this issue is detectable. Air pollution is common in industrial areas in big cities, potentially harming human health.[6]

Forest fires happening in Central Kalimantan in September 2019 polluted the air in Palangkaraya for four consecutive days, causing respiratory problems among school children.

Figure 1.1: School Children Were Wearing Masks[7]

United Nations International Children's Emergency Fund (UNICEF) reported that the haze coming from the fires and burnt peatlands in Kalimantan and Sumatra caused 10 million children to

[5] Menteri Kesehatan Republik Indonesia, "KEPUTUSAN MENTERI KESEHATAN REPUBLIK INDONESIA Nomor 1407 Tahun 2002 Tentang Pedoman Pengendalian Dampak Pencemaran Udara, Lampiran Keputusan Menteri Kesehatan Republik Indonesia Nomor 1407. MENKES/SK/XI/2002," 2002.

[6] Ana Salsabila, "Pencemaran Udara: Pengertian, Penyebab, Dampak, Dan Jenis."

[7] bbc.com, "Kebakaran Hutan: Kisah Warga Palangkaraya Yang Terpaksa Bertahan Menghirup Asap, 'Bisa Pusing, Bisa Sesak,'" last modified 2019, https://www.bbc.com/indonesia/indonesia-49711851.

suffer from the pollution. Children are prone to the effects brought by air pollution because they breathe fast than adults, while their physical strength and immune are not perfectly developed as in adults.[8]

UNICEF also warned that air pollution would badly affect unborn babies. Research reported that heavily affected mothers by pollutants during their pregnancy would also affect the development of the unborn babies in the wombs, causing the babies to be born with body weight below normal and leading to prematurity.[9]

Forest fires pollute air whose effect may be transboundary. The following are several contributing factors causing air pollution and discomfort to neighbouring countries:[10]

a. Smoke emitted from incineration, forest fires, industrial chimneys, motorized vehicles, cigarettes, and other matters releasing oxygen and carbon dioxide into the air.
b. Vulcanic activities and eruptions emitting dust into the air.
c. Nuclear weapons or atomic bomb testing potentially spreading radioactive particles into the air.
d. *Chloro Fluoro Carbon* (CFC) emitted from the leaks in air conditioning systems in cars, fridges, and cooling machines.

Law Number 41 of 1999 concerning Forest, Article 1 paragraph (1) implies that forestry refers to the integrated management of forests and forest products. Article 2 paragraph (2) defines forests as a set of ecosystems including landscapes home to biodiversity, most of which are trees inseparable from their environment.[11]

Law Number 18 of 2013 concerning Mitigation and Eradication of Forest Destruction (henceforth referred to as UU PPPH) serves as legal protection in the mitigation of forest destruction and the

[8] UNICEF, "Indonesia: 10 Juta Anak Terancam Dampak Polusi Udara Akibat Kebakaran Hutan Dan Lahan."
[9] Ibid.
[10] Abdul Muis Yusuf And Mohammad Taufik Makarao, Hukum Kehutanan Di Indonesia (Jakarta: Rineka Cipta, 2011).
[11] JDIH BPK RI, "Undang-Undang No. 41 Tahun 1999 Tentang Kehutanan, Lembaran Negara Republik Indonesia Tahun 1999 Nomor 167, Tambahan Lembaran Negara Republik Indonesia Nomor 3888.," 1999.

utilization of forest areas that contravene the provisions in the legislation.[12]

The following are the objectives of the promulgation of UU PPPH:[13]

a. Setting stricter and more comprehensive legal protection for law enforcers concerning forest destruction to deter perpetrators concerned;
b. Setting stricter and more comprehensive capability among law enforcers and related parties through forest destruction mitigation and eradication agency to help eliminate forest destruction;
c. Making the participation of the people more frequent in preserving forests as control over the eradication of forest destruction;
d. Growing international partnerships to eradicate forest destruction in bilateral, regional, and multilateral settings; and
e. Assuring forest sustainability by keeping the forests pristine without spoiling environmental ecosystems to bring about welfare for people.

Article 1 point 1 defines a forest as a set of ecosystems consisting of landscapes home to biodiversity dominated by trees inseparable from their environment.

Article 2 of UU PPPH mentions the principles, objectives, scopes, mitigation, and eradication of forest destruction as follows:

a. Justice and legal certainty;[14]
b. Sustainability;[15]
c. State responsibility;[16]
d. Public participation;[17]

[12] Undang-Undang No. 18 Tahun 2013, "Undang-Undang No. 18 Tahun 2013 Tentang Pencegahan Dan Pemberantasan Perusakan Hutan," 2013.

[13] Ibid.

[14] "Justice and legal certainty" means prevention and mitigation of forest destruction according to Law/provisions in the legislation and law enforcement applying to all people.

[15] "sustainability" refers to every person bearing responsibilities for the upcoming generation and within one generation, they are responsible to preserve forests.

[16] "State responsibility" refers to prevention and mitigation of forest destruction as the responsibility of the state to help preserve forests.

[17] "Public participation refers to the involvement of the people in preventing and mitigating forest destruction to contribute to forest preservation.

e. Accountability;[18]
f. Priority;[19]
g. Integrity and coordination;[20]

From the above definition, the regions concerned lie on the width of the world and serve as a home to flora and fauna, hydrological flow modulator, manage carbon dioxide, and soil preservation, and also serve as biosphere as the most important element for the earth. Forest destruction in Kalimantan also affected those living near the forests and created losses to neighbouring countries. The forest fires heavily polluted the atmosphere and the air of the neighbouring countries including Singapore and Malaysia.[21]

This case led to some diseases such as respiratory infection, lower efficiency at work, and transboundary haze. This destruction shows that transformation took place to an extent where the environment is no longer functional. Forest arson represents one of the forest problems, which is understood as unfair conduct to paralyze the local economy and the economy of others.[22]

Air pollution in Kalimantan has been a national issue that has also extended to the international one since it is transboundary pollution, triggering Singapore and Malaysia to raise grievances to Indonesia due to the losses caused. This problem, as mentioned above, caused the respiratory infection, low efficiency at work, and transboundary air pollution caused by smoke heavily affecting other countries. Changes may take place following destruction, meaning that the environment could no longer function since it

[18] "Accountability" means the performance evaluation in prevention and mitigation of forest destruction is conducted by evaluating planning implementation that took place in a simple, measurable, and rational way and on schedule.
[19] "Priority" means the case of forest destruction requires immediate responses, and, thus, investigation, enquiry, or charges need to be prioritized.
[20] "Integrity and coordination" refers to activities of preventing and mitigating forest destruction by integrating all interests across sectors and across stakeholders. Coordination across sectors and across interests with stakeholders such as the government, regional governments, and the members of the public is necessary.
[21] Yusuf And Makarao, Hukum Kehutanan Di Indonesia.
[22] Walhi Jatim, "Kebakaran Hutan Dan Lahan Sebagai Konekuensi Keruskan Ekologi," Last Modified 2019, Http://Walhijatim.Or.Id/2019/08/Kebakaran-Hutan-Dan-Lahan-Sebagai-Konsekuensi-Kerusakan-Ekologi.

could not be reused. Forest arson has been one of the environmental problems, and it has been seen as a way to kill the local economy and the economy of others.[23]

The forest fires were ignited by economic factors, individual and group interests, lifestyle, poor legislation and a lack of supervision over environmental management and protection.[24]

To date, forest fires have often departed from human factors. Their activities affect the development of the environment, and this problem urges forest protection to take place. The management and protection of the environment should start as early as possible as part of a systematic effort that humans should take into account to protect the earth, and the environmental function, and reduce the likelihood of environmental pollution and destruction.[25]

Thus, law enforcement is paramount, and it could be implemented by realizing the values as the standard in day-to-day life comprising the individual life, social life, and the state.[26] Several factors such as economy, individual and group interests, lifestyle, poor legislation, and a lack of supervision over environmental management and protection have caused air pollution resulting from forest fires. Law is a reflection of a structure of values that the public believes to be a habit in day-to-day activities to support social sustainability in the state that is regarded as compulsory.[27]

Law enforcement was intended to ensure that legal provisions are applied. Prevention and sanctions should take into account administrative measures enforced by law enforcers and the government according to the current legislation. Research conducted by Anggarasena[28] reports that proper law enforcement will lead to an expected condition, enabling proper development to take place in all sectors.

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[23] Ibid.
[24] Ibid.
[25] Abdullah Mudhofir, *Al-Qur'an & Konservasi Lingkungan (Argumen Konservasi Lingkungan Sebagai Tujuan Tertinggi Syariah)* (Jakarta: Dian Rakyat, 2010).
[26] Ibid.
[27] Ibid.
[28] Bima Anggrasena, "Strategi Penegakan Hukum Dalam Rangka Meningkatkan Keselamatan Lalu Lintas Dan Mewujudkan Masyarakat Patuh Hukum" (Universitas Dipenegoro, 2010).

Law enforcement implements legal provisions to prevent or to act to embrace all aspects of activities technically and administratively. Law enforcement is performed by legal apparatuses and the government according to the provisions outlined in the current law concerned. Law enforcement regarding environmental problems is outlined in UUPPLH, specifically in Article 15 to Article 97.

As for the previous research related to the problem of environmental pollution, namely a study by Shira Thani titled "The Role of Law in Environmental Protection and Management."[29] This research focuses on the analysis of the law's role in providing good environmental protection and management so that the next generation can enjoy the environment in the future. Meanwhile, what makes this research different is that this research focuses on law enforcement regarding air pollution problems due to forest fires in Central Kalimantan to realize sustainable and environmentally friendly development.

From the problem above, this research employed normative-juridical methods obtaining varied legal materials sourced from documents, newspapers, magazines, and journals. The result of the analysis is presented in a descriptive form of a legal concept, laws, and legal comparison. This research also took into account secondary data garnered from relevant laws related to law enforcement regarding air pollution due to forest fires, and sustainable development.[30] Data analysis took place before and after data were collected with analysis methods of data reduction, data appearance, and a descriptive technique based on which a conclusion was drawn.[31] For all these reasons, this research aims to investigate how the law is enforced over pollution issues resulting from forest fires and the urgency of law enforcement over air pollution issues to realize sustainable development (SDGs).

[29] Shira Thani, "Peranan Hukum Dalam Perlindungan dan Pengelolaan Lingkungan Hidup", *Jurnal Warta* Edisi: 51, Januari 2017, 2.
[30] Zainudin Ali, *Metode Penelitian Hukum* (Jakarta: Sinar Grafika, 2012).
[31] Ibid.

Law Enforcement over Air Pollution Resulting from Forest Fires

Law enforcement over environmental problems is intended to bring about sustainable development as outlined in UUPPLH, specifically in Article 3 paragraph (9), explaining that the management and protection of the environment need to be considered to allow for sustainable development. Stronger law enforcement will motivate people to set a plan for sustainable development in the time to come.[32]

The process of law enforcement over forest fires is necessary to allow for sustainable development that requires planning, action, and dispute resolution. First, planning involves the motivation addressed to the members of the public to encourage their participation in the implementation of the law. Regarding air pollution caused by forest fires, people's participation in proper planning for a better environment such as planting a thousand trees is always encouraged.[33] Law enforcement regarding this planning as outlined in UUPPLH is seen as preventive action. This measure is taken by giving supervision or control as set out in Article 71, Article 72, Article 73, Article 74 paragraph (2), and the last part of Article 75.

Second, immediate action needs to be taken to respond to violations. An individual or a group of people who intentionally burn a land or a forest is subject to sanctions. This criminal punishment is imposed on the parties involved in forest or land destruction causing environmental pollution.[34] Law enforcement regarding this measure includes repressive action in the condition where the people start to feel discomfort due to polluted air resulting from forest or land fires and others are harmed by the effects caused. This problem is outlined in Article 76 Paragraph (1) and Paragraph (2) of UUPPLH.[35]

Third, dispute resolution is part of a set of processes in law enforcement essential to be executed. This is intended to settle

[32] Andreas Philippopoulos-Mihalopoulos, "And For Law: Why Space Cannot Be Understood Without Law," Law, Culture And The Hummanities 10–20 (2018).
[33] Ibid.
[34] Ibid.
[35] Ibid.

disputes through a litigation process under judiciary power.[36] Disputes may be settled through either litigation or non-litigation processes, as outlined in Article 84 of UUPPLH.

In addition to the above matters, public participation will also give legal effects related to the environment. Their participation should empower supervision and law enforcement. In this case, the people will give a great influence on every process of development and welfare.[37]

One of the important aspects of the development process is public participation embracing groups, the government, and local and foreign organizations. The public is taken as a group and the key to realizing the expectations for the future, and the public also plays an essential role in tackling environmental problems for the sake of sustainable development. Public participation is elucidated in Article 70 of UUPPLH.[38]

Policy issues are essential to observe with some considerations. First, the process of making public policy in any political system usually departs from a certain level of awareness of a particular problem or issue. Second, the degree of openness, namely the relatively democratic level or not of a political system, among which can be measured by the way the mechanism of the issue of issues becomes a government policy agenda and ultimately becomes public policy.[39]

Varied measures taken to enforce environmental law are taken by connecting regulations that can bring substantial transformation. Law enforcement is necessary for sustainable development, especially in the case of air pollution due to forest fires for future generations. Therefore, all existing aspects are expected to contribute to law enforcement concerning environmental problems among legal apparatuses that are required to comply with and implement all the regulations outlined in the legislation to allow for

[36] Anita Afrina, "Contempt Of Court: Penegakan Hukum Dan Model Pengaturan Di Indonesia," Jurnal Hukum Dan Peradilan 7, No. 3 (2018).
[37] Ibid.
[38] Ibid.
[39] Ari Purwadi, et al, "Urban Air Pollution Control Caused by Exhaust Gas Emissions in Developing Country Cities in Public Policy Law Perspective," *International Journal of Energy Economics and Policy* 10, no. 1 (2020): 34.

the achievement of law enforcement for a better environment and the benefits of all.

The Urgency of Law Enforcement in Air Pollution Problems to Support Sustainable Development Goals (SDGs)

The 1945 Indonesian Constitution (henceforth referred to as the Constitution) serves as the legal fundament of the state. the Constitution requires all citizens to use natural resources appropriately and proportionately, as explained in Article 33 paragraph 3 of the Constitution, implying that the land, water, and the natural riches contained therein can be controlled by the state and exploited to the greatest benefit for the welfare of the people of Indonesia.

Principally, development has its objective of improving the quality of the people into a better one. The development overlooking existing regulations will certainly leave serious impacts on the environment.[40] Air pollution due to forest fires in Indonesia, like the one taking place in Palangkaraya requires the production of regulations that can deter the perpetrators concerned. the government, in response to this idea, has made a regulation intended to protect the environment, especially regarding the case of forest fires through UUPPLH. With the promulgation of this law, the law is playing a significant role in making changes, and the law made should reinforce the aspect of law enforcement and planning.[41]

The law can facilitate the rights and obligations appropriately without harming other parties. In this case, several regulations ensure that the law can be manifested appropriately. The law also functions to motivate the development of a more advanced civilization with more logical, rational, and critical attitudes.[42]

Specifically, the law concerning the environment is outlined in UUPPLH. This law is expected to serve as a guideline to reinforce

[40] Afrina, "Contempt of Court: Penegakan Hukum Dan Model Pengaturan Di Indonesia."
[41] Slater Anne Michelle, "International Environmental Law, Policy, And Ethics (2nd Edition)," Enviromental Law Review 17, No. 2 (2015).
[42] Bram Deni, *Hukum Lingkungan Hidup* (Bekasi: Gramata Publishing, 2014).

law enforcement, where the law is more focused on planning and law enforcement in a more focused setting.[43]

These days, the concept of law and sustainable development has been an essential issue in discussion in the 21st century. Sustainable development and law share similar objective of improving the quality of life to fulfil human primary needs for a better life.[44]

The term sustainable development was introduced during the United Nations General Assembly regarding several regulations. Sustainable development is a long-term project at a global level.[45] This development is also outlined in the Presidential Regulation of the Republic of Indonesia Number 59 of 2017 concerning the Achievement of Sustainable Development Objectives. The sustainable development agenda is also mentioned in a document called Transforming Our World: the 2013 Agenda for Sustainable Development (SDGs), and this has become an agreement simultaneously performed in global development with 17 objectives.

Figure 1.3 Sustainable Development Goals

Gambar 2. 17*Sustainable Development Goals*. Sumber: GTP, 2016

[43] Ibid.

[44] Mira Rosana, "Kebijakan Pembangunan Berkelanjutan Yang Berwawasan Lingkungan Di Indonesia," Jurnal Kelola: Jurnal Ilmu Sosial 1, No. 1 (2018).

[45] Ibid.

One of the targets of the above illustration is to give protection to the environment. Environmental protection can take into account several measures to neutralize the environment and introduce the sustainability of environmental ecosystems, the protection of forest planning and management to avert the likelihood of land degradation. Tree planting and prevention of activities that harm the environment must be executed in all regions.[46]

In 2030, the agenda for sustainable development is predicted to give a good contribution through forestation for a greener earth. A great deal of exploitation of natural resources happening on a daily basis is done by humans to satisfy individual interests or the private economy.[47] The decreasing environmental capacity of neutralizing substances, worsening forest damage, and increasing exploitation of mineral resources have caused a significant drop in marine ecosystems, and the environment is getting even more damaged.[48]

Sustainable development schemes provide a signal for preservation. Environmental functions are needed to maintain the availability of natural resources. Suppose the utilization of natural resources is only oriented to the economic aspect, later naturally. In that case, the availability of natural resources will run out, and therefore the environment will no longer be able to support and cooperate with human activities. The importance of preserving environmental functions must always be applied to regional development in Indonesia.[49]

These days, human beings focus more on the economy for personal interests instead of giving protection for the sake of the pristine environment. Forest fires happening in Palangkaraya have led to some losses certain parties have to bear, and it also causes environmental problems. Most forest fires have damaged the

[46] Ibid.
[47] Ibid.
[48] Ibid.
[49] Indriyane Vera Natalia, et al, "Law Enforcement Towards Environmental Damage and Pollution Caused by Open-Pit Coal," *Tarumanegara Law Review* 1, no. 1 (2019): 65.

environment because the existing regulations cannot initiate changes and the law in general is considered weak.

Poor law intrigues economic actors to overlook the law concerned. This is obvious in forest and land arsons for personal interests, which results from the disobedience of the regulations made. Environmental damage caused often leads to losses, and, thus, sanctions in both civil and criminal scopes are considered necessary. Air pollution due to forest fires is a real example showing that this environment lacks protection and its condition is getting worse.

Environmental management must also be able to provide economic, social and cultural benefits which are carried out based on the principles of prudence, environmental democracy, decentralization, as well as recognition and respect for local wisdom and environmental wisdom. However, the declining quality of the environment has threatened the survival of humans and other living things, so it is necessary to protect and manage the environment in a truly consistent manner by all stakeholders.[50]

Law enforcement over air pollution caused by forest fires must be continuously promoted to ensure that environmental problems can be minimized. Most forest fires, including the forest fire happening in 2019 in Central Kalimantan, have been caused by human activities devastating to the environment.[51]

Law enforcement over the case of air pollution due to forest fires is mentioned in the Government Regulation of the Republic of Indonesia Number 4 of 2001 concerning Control over Damage and/or Lands.[52] Perpetrators involved in forest fires are punishable under Article 11, Article 14, Article 17, and Article 18. This conduct is, without doubt, devastating to the environment and causes air

[50] Muhammad Sadi Is, "Kepastian Hukum Terhadap Perlindungan Dan Pengelolaan Lingkungan Hidup Di Indonesia," *Jurnal Yudisial* 13, no. 3 (2020): 6.
[51] Anika No'matun Nisa And Suharno, "Penegakan Hukum Terhadap Permasalahan Lingkungan Hidup Untuk Mewujudkan Pembangunan Berkelanjuan," Jurnal Bina Mulia Hukum 4, No. 2 (2020): 9.
[52] Peraturan Pemerintah Republik Indonesia, "Peraturan Pemerintah Republik Indonesia Nomor 4 Tahun 2001 Tentang Pengendalian Kerusakan Dan Atau Pencemaran Lingkungan Hidup Yang Berkaitan Dengan Kebakaran Hutan Dan Atau Lahan," 2011.

pollution and the conduct concerned is also punishable under Article 98 paragraph (1) of UUPPLH.[53]

Article 99 paragraph (1) implies that the environmental damage due to such negligence has caused losses to others since it exceeds ambient air, water and seawater quality standards. It can also cause serious environmental damage as part of standard criteria. This conduct is subject to one-year to three-year imprisonment and an Rp. 1,000,000,000 minimum fine and an Rp. 3,000,000,000 maximum fine.[54]

All the above provisions regarding air pollution caused by forest fires assert that whoever does any harm to others is subject to a criminal sanction and a fine or detention. This sanction is related to law enforcement over air pollution due to forest fires. Forest pollution due to the fires in Indonesia has caused losses and left negative impacts on the people living nearby.[55]

Moreover, there have not been any parties held liable for this issue. Thus, law enforcement concerning air pollution caused by forest fires in Indonesia, like the one happening in Palangkaraya, Central Kalimantan, is expected to give protection to the people affected by the air pollution.

Law enforcement following this air pollution due to forest fires is also intended to realize sustainable development as mentioned in UUPPLH, Part Two, Article 3 paragraph (9) implying that environmental protection and management are intended to realize sustainable development. With strong law enforcement in the new development, it is expected to encourage humans to plan development on the basis of sustainable development. With full awareness, both the management and protection of the environment for sustainable development can go as expected.[56]

[53] Undang-Undang Republik Indonesia, "Pasal 98 Ayat 1 Undang-Undang Republik Indonesia Nomor 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup," 2009.
[54] Ibid.
[55] Nisa And Suharno, "Penegakan Hukum Terhadap Permasalahan Lingkungan Hidup Untuk Mewujudkan Pembangunan Berkelanjuan."
[56] Ibid.

The process of law enforcement regarding air pollution due to forest fires to bring about sustainable development takes into account the following measures:

a. Planning is a process aiming to increase the participation of the people in law enforcement and in planting 1000 trees. This measure is regarded as a preventive action in UUPPLH in the form of control and supervision. This matter is mentioned in Articles 71,72, 74 paragraph (2), and Article 75 of UUPPLH.[57]
b. Legal action is defined as conduct to cease a violation. An individual or a group intentionally burning forests are subject to this legal action. This action refers to a criminal sanction imposed on the perpetrators causing damage to the environment.[58]
c. Dispute resolution is part of the process of law enforcement that is necessary because this deals with dispute settlement that needs to be taken under judiciary power. That is, dispute settlement can refer to in two ways, either at court or arbitration. Law enforcement regarding dispute resolution is regulated in Article 84 of UUPPLH.[59]

Law enforcement plays an essential role in pollution problems to manifest sustainable development amidst air pollution issues. Harmony in the management and protection of the environment is essential. Measures taken to balance harmony and welfare will depend on humans because humans are part of the environment with their great impact on the environment, while these two are complementary to one another. It is necessary to comply with the law to support sustainable development, with which air pollution caused by forest fires can be tackled.

[57] Suwito Y. Imran, "Fungsi Tata Ruang Dalam Menjaga Kelestarian Lingkungan Hidup Kota Gorontalo," Jurnal Dinamika Hukum 13, No. 3 (2017).
[58] Muhammad Nurdin, "Peranan Penyidik Dalam Penegakan Hukum Tehadap Pelanggaran Tindak Piadana Lingkungan Hidup," *Jurnal Hukum Samudra Keadilan* 3 (2017).
[59] Nisa And Suharno, "Penegakan Hukum Terhadap Permasalahan Lingkungan Hidup Untuk Mewujudkan Pembangunan Berkelanjuan."

Conclusion

Weak law leads to the obedience of the law among economic actors. Some people were found to intentionally burn forests and lands for personal sake, indicating that these perpetrators fail to comply with and implement the law. Forest fires bring losses to people; therefore, civil and criminal sanctions are regarded as important to impose. Law enforcement over air pollution caused by forest fires to support sustainable development is one of the objectives set forth in UUPPLH, Part Two, Article 3 paragraph (9) implying that environmental management and protection aims to manifest sustainable development. Strong law enforcement in the new development will be able to encourage people to set a plan for the development according to the principle of sustainable development with full awareness. With it, environmental management and protection regarding sustainable development can go as planned.

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JDIH BPK RI. "Pasal 1 Angka 14 Undang-Undang No. 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup," 2009.

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