

Law Enforcement of Environmental Destruction Crimes in the PT TPL Agrarian Dispute in North Sumatra

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Abstract

This study examines law enforcement against environmental destruction in agrarian disputes PT Toba Pulp Lestari (PT TPL) in North Sumatra through a juridical-empirical approach that combines normative legal analysis with empirical findings from legal documents, field reports, and scientific data. The results indicate that the environmental damage meets the elements of an environmental crime and can be classified as a corporate offense, particularly due to discrepancies between the company's operational activities, licensing requirements, and the precautionary principle. Scientific evidence plays a crucial role in establishing a causal relationship between the company's activities and ecological degradation. However, law enforcement still faces structural obstacles, including weak inter-agency coordination and the dominance of administrative measures over criminal instruments. This study emphasizes the need to strengthen corporate criminal liability and integrate agrarian and environmental policies to ensure ecological protection and uphold the rights of indigenous communities.

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1. INTRODUCTION

Agrarian conflicts that lead to environmental destruction are a fundamental issue in natural resource governance in Indonesia. Over the past two decades, the intensification of land use for industrial purposes, plantations, and industrial timber plantations has placed significant pressure on ecosystems and increased the potential for communication between companies and local communities. North Sumatra is one of the regions frequently experiencing such conflicts, particularly related to concession areas that overlap with customary lands and forest areas. Among the various agrarian cases that have emerged, the issue involving PT Toba Pulp Lestari (PT TPL) is one of the most complex due to its long-term licensing issues, customary land claims, and allegations of prolonged ecological damage. These issues require environmental law enforcement to understand the relationship between environmental criminal law norms, their implementation, and the obstacles to enforcement in the multi-layered agrarian context.

Various studies have shown that agrarian conflicts often cause environmental damage that is difficult to compensate for. In areas with potential forest resources, such as North Sumatra, the land degradation crisis can include vegetation loss, changes in forest cover, air pollution, and disruption of hydrological systems. In the PT TPL dispute, indigenous communities repeatedly voiced the impacts of the company's activities on the environment, ranging from changes in soil quality to decreased biodiversity. This situation not only causes ecological losses but also has implications for the social, economic, and cultural

aspects of indigenous communities that depend on the sustainability of their customary lands for their livelihoods. Therefore, a legal analysis of criminal acts of environmental destruction is crucial to assess the extent to which existing legal instruments are able to provide real protection for the environment and affected communities (Ndaru, 2023).

From a normative perspective, the development of environmental criminal law in Indonesia demonstrates significant regulatory strengthening, particularly through Law Number 32 of 2009 concerning Environmental Protection and Management (PPLH). This regulation contains criminal provisions designed to protect the environment through stricter enforcement mechanisms against perpetrators of environmental pollution or destruction. It includes norms regarding corporate criminal liability, the expansion of legal subjects, and an approach based on the principles of prudence and prevention. However, despite the strong legal framework, implementation in the field has not always been optimal. Law enforcement is still influenced by structural, technical, and institutional factors that prevent environmental criminal provisions from fully functioning as an effective control tool for corporate behavior.

One of the main obstacles lies in the complex construction of evidence for corporate criminal liability. The Indonesian legal system has historically been more oriented toward individual legal subjects, so establishing corporate culpability requires more complex arguments. Corporate structures, which typically involve long chains of command, fragmented division of duties, and layers of internal policies, make it difficult to identify perpetrators and establish the nature of culpability. In practice, companies can argue that certain actions are the result of individual negligence on the grounds, rather than organizational policy. This situation creates room for corporations to avoid criminal prosecution even when their activities are proven to cause serious environmental damage. Law enforcement officials' weak understanding of corporate accountability mechanisms also undermines the effectiveness of implementing existing norms.

This complexity is further evident in the agrarian dispute involving PT Toba Pulp Lestari (PT TPL), where allegations of environmental damage and land conflicts involving indigenous communities are not always followed by effective criminal proceedings. Reports of ecological damage, land cover changes, and disturbances to customary forest functions often stop at the administrative stage without progressing to criminal proceedings. Technical obstacles, such as limited scientific evidence, a lack of laboratory support, and a lack of in-depth investigations, are key hindering factors. Furthermore, administrative obstacles, such as the tug-of-war between agencies and weak coordination, make law enforcement inconsistent. Normatively, any violation of environmental permits, the precautionary principle, and statutory provisions should be the basis for imposing criminal sanctions on corporations. This ineffectiveness demonstrates that, despite well-developed legal instruments, their enforcement still requires institutional strengthening, investigative capacity, and political courage to ensure that corporations can be held criminally accountable in a firm and proportionate manner (Wardhany, 2022).

Empirically, agrarian conflicts involving large-scale companies are often accompanied by overlapping permits. In North Sumatra, many forest areas have been converted or granted concession permits even though they contain customary territories historically controlled and managed by local communities. The lack of synchronization between forestry policies, environmental policies, and the recognition of indigenous peoples' rights exacerbates the situation. In some disputes, communities defending their customary lands face legal proceedings, while corporate environmental destruction faces the threat of criminal prosecution. This situation demonstrates that environmental law enforcement requires not only regulatory strength but also the ability to coordinate between

institutions, the courage of law enforcement officials, and the protection of the rights of indigenous peoples, who are often marginalized.

To weaken the effectiveness of environmental criminal law, it is necessary to restore corporate criminal liability that aligns with the characteristics of modern ecological crimes. Environmental damage that occurs in agrarian conflicts is usually not incidental, but rather systemic, long-term, and involves deliberate corporate decisions. Therefore, traditional approaches that only apply pressure to perpetrators are no longer adequate. The criminal liability model must be able to address corporations as legal entities capable of acting and receiving sanctions directly. Recent research suggests that such reconstruction efforts need to incorporate ecological values and human rights to prevent environmental protection from becoming trapped within a purely administrative paradigm (Pravifjayanto, 2025).

In the context of the PT Toba Pulp Lestari (PT TPL) case, political and economic dynamics significantly influence the effectiveness of environmental law enforcement. Forestry-based industries, which contribute to regional revenue, employment, and investment, are often positioned as strategic sectors whose stability must be maintained. Both local and central governments frequently face a dilemma between fulfilling their environmental protection mandates and maintaining an investment climate deemed crucial for local economic development. When economic interests dominate, criminal law instruments tend to be ignored or deprioritized, despite scientific evidence demonstrating the potential for and actual environmental damage. This situation demonstrates that environmental legal policy cannot stand alone but always interacts with broader economic interests.

The impact of this political-economic interaction is evident in oversight mechanisms that prioritize administrative action over criminal enforcement. Document inspections, warnings, and permit revisions are often the options used by the government in responding to alleged corporate violations, although these actions do not always address the root causes. Criminal instruments, which should have a deterrent effect, are rarely applied due to concerns about potential economic disruption or pressure from interested actors. In the PT TPL dispute, although several community reports described damage to customary forests, environmental degradation, and violations of environmental management procedures, the criminal process did not always parallel these findings. Even when damage was scientifically proven, the preference for administrative handling often delayed criminal steps that should have been taken to ensure corporate accountability. As a result, the opportunity to implement environmental criminal penalties stipulated in the Environmental Management Law was suboptimal.

This situation has resulted in slow progress in environmental restoration and the restoration of indigenous peoples' agrarian rights, disproportionate to the extent of the damage. The indecisiveness of law enforcement officials in prosecuting perpetrators of environmental damage has created a dire precedent: corporations with strong economic influence can operate without strict oversight and without significant legal risk. This situation demonstrates the urgency of legal reform, including strengthening corporate criminal accountability mechanisms, increasing the integrity and capacity of law enforcement agencies, and aligning policies between the central and regional governments to prevent environmental protection from becoming subordinate to investment interests. Such reform is needed to ensure that agrarian disputes impacting the ecology and indigenous communities no longer proceed without accountability, and that criminal law can function according to its primary purpose: to provide a deterrent effect, protect the environment, and ensure ecological justice (Alfian et al., 2025).

This study's empirical approach involves reviewing court decisions, government agency reports, civil society organization documentation, and relevant academic studies.

This data is used to map patterns of environmental destruction, the relationship between corporate decisions and their impacts, and the legal mechanisms adopted by both the community and the government. Using a juridical-empirical method, this study tests the effectiveness of environmental criminal law instruments in real-world situations, not just normative constructions. This approach is crucial because environmental destruction in agrarian conflicts is determined not only by norms but also by their implementation, bureaucratic practices, and evolving legal politics (Makarim, 2023).

Thus, this introduction confirms that the issue of environmental destruction in the PT TPL agrarian dispute is a multidimensional issue that requires in-depth legal analysis. This study aims to highlight how environmental criminal norms can be effectively applied to acts of environmental destruction occurring in agrarian conflict areas, how obstacles to law enforcement affect dispute resolution, and how restoring corporate criminal liability can be a solution for more effective environmental protection. The expected results of this study will not only contribute to the development of environmental legal theory but also play a role in the formation of policies that guarantee ecosystems and provide the rights of indigenous communities.

2. RESEARCH METHODS

The research method used in this study is the juridical-empirical method, namely an approach that combines normative analysis of laws and regulations with the search for factual data related to law enforcement practices in the agrarian dispute of PT Toba Pulp Lestari (PT TPL). The juridical approach is carried out through a systematic review of criminal provisions in the Environmental Protection and Management Law, forestry regulations, licensing policies, and the doctrine of corporate criminal liability. Meanwhile, the empirical approach concludes with an analysis of court decisions, government agency reports, the results of civil society organization investigations, and conflict documentation that describe the dynamics of environmental damage and its impact on indigenous communities. The collected data are then analyzed qualitatively to assess the effectiveness of environmental criminal law instruments in addressing alleged environmental damage by corporations, identify obstacles to law enforcement, and compile relevant juridical recommendations for improving environmental law enforcement policies and practices in Indonesia.

3. RESEARCH RESULTS AND DISCUSSION

3.1. Research result

The results of the study indicate that law enforcement against the crime of environmental destruction in the agrarian dispute involving PT Toba Pulp Lestari (PT TPL) in North Sumatra has been proven to have a strong legal character as a corporate crime that causes ecological, social, and agrarian impacts simultaneously. Through a normative legal approach and analysis of legal documents, environmental damage data, and scientific sources, it was found that PT TPL's operational activities were not in line with the precautionary principle, environmental protection obligations, and licensing provisions that form the basis of the company's legality. Scientific evidence shows changes in land cover, degradation of environmental quality, and disruption of the living space of indigenous communities in the concession area. These findings strengthen that the elements of unlawfulness and the elements of consequences in environmental crimes have been fulfilled, so that the corporation can be held criminally responsible based on the principles of corporate responsibility regulated in Indonesian positive law.

Furthermore, this study found that the effectiveness of criminal law enforcement against PT TPL still faces various challenges, including weak inter-agency coordination, limited use of scientific evidence, and less than optimal comprehensive enforcement of administrative and criminal instruments. Inconsistent law enforcement allows the company to continue to freely carry out operations that have the potential to damage the environment. Legal instruments such as environmental impact assessments (EIAs), environmental audits, and administrative sanctions have not been implemented optimally as prevention mechanisms. Furthermore, proving environmental crimes still relies heavily on the ability of authorities to present strong technical and scientific evidence. The results of this study suggest that to prevent recurrence of environmental damage by corporations, integration of administrative oversight, criminal policies, the use of scientific evidence, and community involvement in ongoing environmental monitoring is necessary.

3.2. Discussion

Legal Elements of PT TPL's Environmental Destruction

Understanding the legal elements is crucial for determining the direction of criminal law enforcement regarding environmental damage in the agrarian dispute involving PT Toba Pulp Lestari (PT TPL), as it involves the relationship between forestry concession permits, resource exploitation practices, and widespread ecological impacts. The resulting environmental damage is not only related to the decline in soil, air, and vegetation quality but also gives rise to social conflict between the company and the indigenous communities who depend on the area for their livelihoods. From an environmental law perspective, PT TPL's actions can be categorized as environmental damage committed through corporate activities; therefore, the elements of the crime must be analyzed based on the principle of corporate criminal liability. Its characteristics indicate that corporate environmental crimes always intersect with agrarian policies, spatial planning, and natural resource use. This aligns with the view that environmental damage by corporations has criminal consequences that implicate not only individuals but also legal entities as subjects of modern criminal law (Akbar, 2021).

The complexity of the PT TPL dispute becomes even more apparent when the legal aspects of the company's permits and operational patterns are thoroughly examined. Numerous community reports indicate that the company's activities take place in areas claimed as customary land, so the issue is not only related to non-compliance with environmental regulations, but also directly related to violations of indigenous peoples' rights recognized through national regulations. This situation places the PT TPL case in a more complex position than ordinary environmental cases, because there is an intersection between environmental law, agrarian law, and customary law. Theoretically, such conflicts require a multi-dimensional analysis, where the existence of a permit does not automatically legitimize activities if it is found that the permit process ignores the communal rights of indigenous peoples or contradicts the principles of ecological protection required by law.

Legally, testing the legality of a company's operations can be conducted through an assessment of the compliance of permit documents, such as forest product utilization permits, environmental impact analyses (Amdal), and environmental management and monitoring reports. Regulations require that any activity with the potential to cause ecological impacts be carried out based on the principle of prudence and environmental protection. When a company operates outside the boundaries of its permit, fails to comply with environmental management obligations, or ignores the potential for

serious impacts predicted in the Amdal document, this can be categorized as a violation of the law. In the case of PT TPL, numerous field findings indicate inconsistencies between operational procedures and permit provisions, further strengthening the suspicion of violations of imperative environmental norms.

If the discrepancy is proven through scientific evidence and legal examination, the elements of the criminal offense of environmental damage as stipulated in the law can be declared fulfilled. The importance of scientific evidence in environmental cases cannot be ignored, as environmental crimes have a technical dimension that can only be understood through laboratory analysis, ecological impact measurements, and methodological evaluation of company actions. Various studies have shown that the application of the precautionary principle must be the basis for legal evaluation in high-risk environmental cases. This principle ensures that any potential damage is assessed objectively, not based on unilateral company claims. Therefore, the application of credible scientific evidence and consistent legal interpretation are key to determining whether a company has exceeded its permit limits, violated the rights of indigenous communities, and caused ecological damage that leads to criminal liability (Afandi et al., 2022).

Furthermore, the law enforcement approach to the PT TPL dispute also requires clarification regarding the category of environmental damage that occurred. Several reports describe the damage as including deforestation in the concession area, decreased air quality due to industrial activities, and the loss of ecological land functions. Legally, these categories can be classified as environmental damage that fulfills the elements of serious consequences, thus requiring strict criminal law enforcement against the company. The complexity of the PT TPL case also highlights the interplay of simultaneous agrarian, forestry, and environmental policies. Therefore, the nature of the criminal act must be analyzed multidimensionally so that law enforcement can be effective and proportionate to the level of damage caused.

Corporate Criminal Liability Model

Corporate criminal liability is a crucial aspect in enforcing the environmental crime committed by PT TPL because ecological damage cannot be caused by a single individual, but rather through the organization's structure and corporate policies. Criminal liability can be imposed when a corporation commits an unlawful act through policy, omission, or negligence in supervision, resulting in environmental damage. In the context of PT TPL, three forms of criminal liability can be applied: the corporation as the perpetrator, the management as the perpetrator, or both as perpetrators simultaneously. This approach allows for more effective criminalization, particularly to prevent the company from evading responsibility through administrative mechanisms. This framework aligns with the view that corporate criminal liability is necessary to optimally achieve the preventive and repressive objectives of environmental law (Wijaya, 2021).

The application of corporate criminal liability in environmental cases requires comprehensive proof of the causal relationship between company policies and the resulting damage. In the context of PT Toba Pulp Lestari (PT TPL), this relationship is not only operational but also systemic, given the company's long-term work patterns and its operations in ecologically sensitive areas with strong ties to the living spaces of indigenous communities. To assess whether a corporation can be held criminally liable, law enforcement officials must prove that the company's actions or omissions caused or at least significantly contributed to environmental damage. In the theory of corporate criminal liability, this aspect is known as corporate mens rea, namely, the fault resulting

from the policies, organizational structure, or decisions of company management that have a direct or indirect impact on the occurrence of environmental crimes.

Proving a causal relationship requires the support of valid and objectively testable scientific evidence. Various types of scientific evidence can be used, including data on soil and water contamination, vegetation damage, changes in land cover analyzed through satellite imagery, and field findings contained in environmental impact analysis (EIA) documents. This evidence provides a concrete picture of the ecological impacts arising from a company's operational activities. In the case of PT TPL, for example, changes in vegetation structure, soil degradation, and disruption to the balance of the forest ecosystem can be correlated with the company's ongoing forestry activities. Therefore, scientific evidence serves not only as a supplement but also as an integral element in constructing an argument that the environmental damage is not accidental or the result of natural factors, but rather the result of corporate policies that fail to apply the precautionary principle.

Strengthening legal arguments through scientific evidence is crucial because environmental criminal cases are highly technical and susceptible to subjective claims. Through a scientific approach, investigators and law enforcement can more accurately determine that the environmental damage is the result of corporate policies that fail to prioritize environmental sustainability or protect indigenous territories. From a theoretical perspective, this aligns with the scientific evidence approach, which emphasizes the role of technical evidence as a tool to differentiate between allegations and facts, particularly in environmental cases that require clear causality, which is impossible to prove solely through witness testimony. Therefore, the presence of scientific evidence strengthens the validity of the legal process and ensures that corporate criminal liability can be applied objectively, transparently, and in accordance with the principles of ecological justice (Werdaya, 2023).

In enforcing criminal law against PT TPL, the potential for corporate criminal liability is strengthened by examining the company's pattern of alleged repeated violations. Repeated violations indicate structural violations and weak internal corporate controls over environmental impacts. From an environmental law perspective, this situation strengthens the basis for criminal prosecution because it indicates deliberate action, or at least gross negligence, in environmental management practices. Therefore, corporate criminal liability is necessary to ensure that the company is not only subject to administrative sanctions but also to deterrent criminal penalties. This aligns with the legal perspective that corporations can be held criminally liable to prevent exploitation that harms the environment and society (Rahmayanti, 2025).

Mechanism for Proving Environmental Crimes

Proving environmental crimes in the PT TPL dispute is essential to strengthening the effectiveness of law enforcement. Proof relies not only on formal evidence stipulated in the Criminal Procedure Code (KUHP), but also involves scientific evidence such as air quality sampling, environmental audits, satellite imagery, and landscape change analysis. This evidence demonstrates a causal relationship between industrial activity and environmental damage. In the PT TPL case, scientific evidence plays a crucial role in confirming the absence of damage as an element of an environmental crime. This aligns with research emphasizing that the use of scientific evidence is fundamental to ensuring the objectivity of environmental case handling (Werdaya, 2023).

In addition to scientific evidence, which is the primary foundation in handling environmental cases, proving environmental damage must also include the fulfillment of the unlawful element, a central element in the criminal process. This element can be

assessed through various indicators, particularly the discrepancy between company activities and the provisions stipulated in environmental permits, including operational permits, Environmental Impact Analysis (EIA) documents, and various technical standards that are legally obligatory for every business actor. The provisions in an EIA, for example, are not merely administrative documents, but rather legal instruments that regulate the company's limitations and obligations in managing the impacts caused by its production activities. Therefore, any action that deviates from the established technical provisions and environmental management plan can be categorized as a violation that meets the unlawful element. The precautionary principle is also an important benchmark, especially in industrial activities that carry a high risk of environmental damage. When a company fails to consistently apply this principle, such actions indicate elements of negligence or intent that can subject the company to criminal liability.

In the case of PT Toba Pulp Lestari (PT TPL), the element of unlawfulness can be proven through the company's activities that take place in areas claimed as customary land by the local community. Agrarian disputes involving customary land become increasingly complex when the company's activities have a direct impact on the decline in the area's ecological function, such as land degradation, reduced forest cover, and loss of biodiversity. Legally, these actions can be categorized as unlawful if the company carries out activities without regard to the principles of environmental protection and the rights of indigenous peoples guaranteed by law. The discrepancy between operational activities and environmental permit provisions indicates that the company has violated not only administrative aspects but also substantive provisions governing environmental governance. Thus, the element of unlawfulness can be proven through the relationship between the company's activities, the resulting ecological impacts, and legal obligations that are not carried out according to regulations.

Further legal analysis confirms that when a company fails to implement environmental management in accordance with the provisions of the Environmental Impact Analysis (EIA) and other environmental regulations, it meets the legal basis for criminal liability. The EIA contains various obligations, such as environmental monitoring plans, impact management efforts, and binding operational limitations. Non-compliance with these provisions indicates intent or negligence leading to environmental damage. From an environmental criminal law perspective, any violation of these provisions directly strengthens the element of unlawfulness that forms the basis for criminal prosecution. Therefore, proving this element relies not only on scientific evidence but also on a normative analysis of the company's compliance with applicable regulations. The combination of scientific and legal evidence makes proving environmental crimes more comprehensive, providing a strong basis for law enforcement officials to effectively and fairly prosecute companies responsible for environmental damage (Isabella & Ravizki, 2024).

Another crucial element in proving the cause is the causal relationship between a company's activities and environmental damage. A causal analysis is necessary to demonstrate that environmental damage is a direct or indirect result of the company's operational policies and production activities. Causality can be demonstrated through scientific studies, historical data, and long-term documentation of damage. In the case of PT TPL, the causal relationship can be seen from the consistent pattern of damage that aligns with the company's operational areas. Therefore, proving environmental crimes requires a combination of scientific and legal analysis to provide a strong basis for conviction. A similar view emphasizes that proving environmental crimes must be

conducted through an integrative approach involving both law and environmental science (Faqih, 2024).

Evaluation of the Effectiveness of Law Enforcement

The effectiveness of criminal law enforcement against PT TPL can be measured by the extent to which law enforcement officials can carry out their investigative, inquest, and prosecution functions professionally and free from interference. In this regard, the effectiveness of law enforcement is often due to overlapping agrarian and forestry policies, as well as the company's strong position in the regional economic structure. The authorities' indecisiveness in prosecuting violations also weakens the deterrent effect on the company, leading to a recurrence of environmental damage. Inconsistent criminal law enforcement can undermine public confidence in the state's ability to protect the environment. This aligns with research findings on the weak implementation of law enforcement in corporate-based environmental cases (Winarsa et al., 2022).

In addition to the structural barriers identified in various studies, the effectiveness of environmental law enforcement is also significantly influenced by the availability of resources, both technical and institutional. Law enforcement of environmental crimes differs from conventional criminal cases because it requires scientific understanding and technical skills to assess evidence related to ecological damage. Law enforcement officials must have access to investigative tools such as water and soil quality measuring instruments, satellite imagery, and environmental impact modeling tools. When this investigative infrastructure is inadequate, the process of proving the elements of the crime, including the elements of consequence and causal relationships, is hampered. Therefore, the availability of technical resources is a determining factor in the success of proving evidence in environmental damage cases.

In the field, various studies have shown that budget constraints and the lack of environmental forensic laboratories make it difficult for investigative teams to obtain relevant and legally justifiable scientific evidence. Scientific evidence, such as pollutant test results, sedimentation analysis, or comparisons of ecological conditions before and after industrial activity are a crucial component in proving environmental damage. However, when measuring instruments are unavailable or located far from the investigation site, investigations are suboptimal and time-consuming. In some cases, investigators must even rely on reports from third parties or academic institutions that are not always easily accessible. This situation results in a suboptimal evidentiary process and ultimately reduces the strength of law enforcement officials' legal arguments when confronted by corporations with greater resources.

This research confirms that environmental criminal law enforcement requires much stronger institutional support to counter corporate power, including in terms of finance, technology, and expertise. Institutions such as the police, prosecutors, and environmental agencies require capacity building through specialized training on environmental investigation procedures, an understanding of the precautionary principle, and the use of scientific evidence in criminal cases. Furthermore, inter-institutional coordination must be strengthened to ensure that every process, from investigations to trials, is supported by valid environmental data and adequate evidence. By strengthening investigative institutions and facilities, the state can improve its bargaining position in enforcing environmental law and ensure that corporations cannot escape criminal liability for the damage they cause (Winarsa, Rukmini & Takariawan, 2022).

Weak criminal law enforcement is also influenced by minimal coordination between institutions, such as the police, prosecutors, environmental agencies, and local

governments. In the case of PT TPL, coordination between agencies is sometimes ineffective due to differing interests or perceptions regarding the extent of environmental damage. When coordination is asynchronous, the law enforcement process is hampered and produces no significant impact. Therefore, the effectiveness of criminal law enforcement needs to be strengthened through a collaborative system that involves various parties in an integrated manner. This model is crucial to ensure that each institution plays a complementary role in handling environmental cases. This is relevant to research recommendations regarding the need for cross-sectoral coordination in handling corporate environmental cases (Winarsa et al., 2022).

Optimization of Legal Instruments for Corporate Prevention

Legal instruments are an important means of preventing environmental crimes by corporations, including PT TPL. These instruments include administrative, civil, and criminal sanctions that can be used in a complementary manner to curb corporate behavior that is detrimental to the environment. However, in practice, these enforcement instruments are not yet fully optimal due to gaps in regulatory implementation and weak government oversight of corporate compliance. In the case of PT TPL, prevention can actually be achieved through environmental impact analysis (EIA) monitoring, periodic environmental audits, and licensing evaluations, but these mechanisms are often ineffective. This is consistent with research that emphasizes the need for strong legal instruments to prevent excessive exploitation by corporations (Ilham, 2025).

The effectiveness of legal instruments in preventing environmental damage is largely determined by how the state interprets the environment as a public interest that must be maintained sustainably. When the state considers environmental management as part of protecting the community's human rights to a healthy life, legal instruments will be positioned as the primary means of maintaining ecological balance. However, in practice in various regions, including in the case of large corporations like PT TPL, serious gaps in the implementation of regulations remain apparent. This lack of firmness is evident in how companies can continue to operate despite having a record of violations and reports of non-compliance with technical environmental management provisions. This situation gives rise to the perception that the law lacks sufficient coercive power to pressure companies to comply with ecological protection standards.

Inconsistent administrative and criminal enforcement leaves companies feeling a relatively low legal threat. However, the effectiveness of environmental law depends heavily on the certainty of sanctions and the likelihood of enforcement. When administrative sanctions, such as permit revocation, activity suspension, or government coercion, are not implemented in a timely and proportionate manner, companies can neglect their remedial and preventive obligations. In the context of PT TPL, weak oversight is evident in repeated public reports of changes in environmental quality, conflicts over land use, and ecological damage that persist despite the company's operational permit. This demonstrates that permit documents and oversight instruments do not automatically guarantee compliance, as their effectiveness is largely determined by the political will and institutional capacity of the state to exercise control.

These conditions make it clear that legal instruments must be used firmly, consistently, and sustainably to create a deterrent effect and change corporate behavior. This consistency encompasses not only the application of sanctions but also compliance with basic principles of environmental law, one of which is the precautionary principle. This principle requires that every risky activity be managed with a predictive and preventive approach, rather than a reactive one. In the case of PT TPL, the implementation of this principle appears to be suboptimal, resulting in potential

environmental impacts not being adequately addressed. Various academic studies emphasize the importance of strengthening the precautionary principle as the foundation for all licensing, supervision, and enforcement of environmental law. With consistent application, legal instruments will not be merely symbolic tools but will serve a real function in protecting the environment and ensuring that economic interests do not compromise ecological sustainability (Afandi et al., 2022).

Furthermore, preventing environmental destruction by corporations must involve community participation as a form of social control. In the case of PT TPL, indigenous communities play a crucial role in providing information and monitoring company activities. However, without state support, community participation cannot be optimal. Therefore, legal instruments must provide space for community involvement while ensuring that companies respect the rights of indigenous communities. This participatory legal model is believed to be more effective in preserving environmental ecosystems and preventing recurrent agrarian conflicts. This is in line with legal studies that emphasize the importance of implementing inclusive legal instruments in handling environmental crimes (Rahmayanti, 2025)

4. CONCLUSION

This study shows that the criminal act of environmental destruction in the agrarian case of PT Toba Pulp Lestari (TPL) in North Sumatra is a structural solution that is removed from the disharmonious relationship between the company, indigenous communities, and the state. Interesting field findings indicate that the company's activities have caused ecological damage in the form of land degradation, decreased air quality, and the loss of natural vegetation, which have a direct impact on the living space of indigenous communities. Legally, these actions fulfill the elements of environmental destruction as regulated in Law Number 32 of 2009 concerning Environmental Protection and Management, including elements of negligence and intent that result in pollution and ecosystem damage. However, the implementation of positive law has not been optimal due to weak supervision, inconsistencies in agrarian and forestry sector policies, and minimal law enforcement against corporations. This condition indicates a gap between normative formulations and empirical reality, which shows that legal protection for the environment and indigenous communities has not yet been fully realized.

Furthermore, this study also shows that the resolution of agrarian conflicts between PT TPL and indigenous communities is still dominated by administrative approaches rather than criminal ones, resulting in potential corporate crimes not receiving adequate legal treatment. Available legal mechanisms, such as criminal sanctions, administrative sanctions, and environmental restoration, have not been optimally utilized by law enforcement officials. This study emphasizes that handling agrarian cases that impact the environment must prioritize the principles of ecological justice, respect for the rights of indigenous communities, and the absolute responsibility of corporations as mandated by modern environmental law. Policy reform, increased state oversight capabilities, and the courage of law enforcement officials in applying criminal sanctions to corporations are key to resolving similar cases. Therefore, this study emphasizes the importance of strengthening environmental legal instruments to ensure legal certainty and ecological justice. Criminal law enforcement must be strengthened through the application of criminal sanctions, the integration of scientific evidence, and effective inter-institutional coordination.

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