Legal Implications for The Regulatory Enforcement of the Patterns of Central and Local Government Relations in the Field of Forestry

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Abstract

The purpose of this study is to determine whether the legal implications of the implementation of the regulation of the relationship between the Central and Regional Government in the forestry sector at this time. This research is a normative legal research with several approaches including the law approach, concept approach, historical approach, case approach and philosophical approach. Legal material analysis techniques are carried out in perspective. The results of the study indicate that the current regulations in the forestry sector are inconsistent in regulating the relationship between the central and regional authorities, Article 18 paragraph (5) of the 1945 Constitution of the Republic of Indonesia, requiring regional governments to exercise as much autonomy as possible, except for other matters that are determined as central government affairs. In the perspective of regional autonomy, the principles of managing forest resources must reflect the nuances of the economy of the community to manage forest resources, as stipulated in the Law of the Republic of Indonesia Number 23 of 2014 concerning Regional Government, not just transferring the authority of affairs to the Regional Government, but more than that is the surrender of autonomous management of forest resources to local communities, especially local indigenous communities as manifestation of the paradigm of community-based forest resource management.

Keywords: Forestry, Central and Local Government, Legal implications, regulation.

Introduction

Indonesia is known throughout the world as a country that has abundant natural resources, the persistence of natural resources from the government's perception is the main capital to carry out national development. Therefore, in the name of national development, the control and utilization of natural resources, especially in the field of forestry, is oriented to pursue economic growth targets in order to increase the country's income and foreign exchange. The implication that arises then is that natural resources, especially in the forestry sector, tend to be exploited merely to meet economic growth targets by ignoring the dimensions of the national development

process, so that through political exploitation gradually but surely causes damage and degradation of the quantity of natural resources, especially in the forestry sector in Indonesia.

Strategic licensing authority in the forestry sector is still in the hands of the Central Government, in this case the Ministry of Environment and Forestry (KLHK). The implementation of decentralization since 1999 in the era of reform in the field of forestry, the government tried to reorganize the order with the issuance of Law of the Republic of Indonesia Number 22 of 1999 concerning Regional Government, then replaced with Law of the Republic of Indonesia Number 32 of 2004 concerning Regional Government, and replaced again with the Law of the Republic of Indonesia Number 23 of 2014 concerning Regional Government, placing the hierarchy of Provincial and Regency/City Governments, although as a measure of decentralization, this reflects the increasingly understood meaning of decentralization, While the Ministry of Environment and Forestry seeks to adjust the delegation of authority for timber exploitation and the demands of the Regency/City Government on revenue from forest management are marked by the issuance of Government Regulation of the Republic of Indonesia Number 34 of 2002 concerning Forest Management and Preparation of Forest Management Plans, Forest Utilization and Use of Forest Areas (Arnita, 2013).

The existing decentralization process of Law of the Republic of Indonesia Number 22 of 1999 concerning Regional Government, replaced with Law of the Republic of Indonesia Number 32 of 2004 concerning Regional Government, and continues to be more strongly replaced by Law of the Republic of Indonesia Number 23 of 2014 concerning Local government. As a comparison of concurrent affairs according to the Law of the Republic of Indonesia Number 32 Year 2004 concerning Regional Government, government affairs in which are forestry affairs are regulated in government regulations. This means that the authority granted to the Provincial Regional Government and Regency/City Government is delegative from the Central Government.

The distribution of intergovernmental affairs in the forestry sector according to the Law of the Republic of Indonesia Number 23 of 2014 concerning Regional Government, illustrates that the authority of the Central Government is 51%, Provincial Government 46%. And Regency/City Regional Government 3% (Ruwiastuti, 2000). The proportion of the functional assignment confirms that the implementation of functions in the forestry sector is carried out with a deconcentrated system by giving a large space to the Central Government and the Provincial Government as the executor.

This shows that the Law of the Republic of Indonesia Number 23 Year 2014 concerning Regional Government, was born because the consideration has not been effective and efficient in the administration of Regional Government, especially in the aspect of the relationship between the Central and Regional Governments and the unity of the Regional Administration system, it can be seen from 6 (six) matters, i.e. Presidential power holders, Principles of functional assignment, Relationship to the utilization of Natural Resources, Management of the sea, Efforts to cancel Regional Regulations, and The existence of attachments to laws governing the distribution of concurrent affairs between the Central Government, Provincial Governments and Regency/City

Governments.
According to Abdul Rauf Alaudin Said (2015), criteria that can be used as guidelines in the division of government affairs, namely:

1) The Central Government, has the authority to make arrangements in the form of Norms, Standards, Procedures and Criteria (NSPK) that are used as a reference for Provincial Governments, and Regencies/Cities to carry out governmental affairs which are the authority of the region, authorized to carry out monitoring, evaluation and supervision of Regional Government, and authorized to carry out governmental affairs on a national scale (across provinces) or internationally (across countries).
2) Provincial Regional Governments have the authority to regulate and manage government affairs on a provincial scale (cross Regency/City) based on the NSPK determined by the Central Government.
3) Regency/City Regional Government has the authority to regulate and manage governmental affairs on a Regency/City scale based on the NSPK set by the Central Government.

Based on empirical facts, it can be identified the overlapping authority between government agencies and the applicable rules, both the rules in the Central Government and the rules in the Regional Government. This mainly relates to (a) authority related to Central and Regional government responsibilities, (b) delegated authority and functions provided by ministries to Regional Governments, (c) authority in preparing operational standard procedures for Regional Governments in translating any existing laws and regulations. Management and utilization of forests by the Central Government and local governments are still far from the principles of good governance, forest management is not transparent, closing access and public space to participate, minimal accountability, and lack of commitment to coordinate to carry out forest management and use.
Based on the description above, that the problems in the field of forestry are philosophically where forest management and utilization do not reflect justice, theoretically the problem of regulating the pattern of relations between the Central and Regional Governments is centralistic so that it is not in accordance with the objectives of Regional Government administration, juridical problems of decentralization in forest management are more it is technical rather than substance, giving rise to an asynchronous arrangement regarding the Regional Government with forestry regulation, as well as sociological problems in the management and utilization of forests that have not impacted the welfare of the community. So this research was conducted to find out how the legal implications of the implementation of the regulation of the relationship between the Central and Regional Government in the forestry sector at this time.

Research methods

This type of research is normative or doctrinal legal research. Doctrinal research is research that provides a systematic explanation between regulations explaining areas of difficulty and possibly predicting future development (Marzuki, 2011). Normative

or doctrinal legal research is also referred to as library research or document study because this research is conducted or is aimed only at written regulations or other legal materials (Soekanto and Mamudji, 2004). This study uses several approaches to obtain comprehensive research results, including the legal approach, concept approach, historical approach, case approach and philosophical approach. In other words, in this study the researcher will see the law as a closed system that has the characteristics of comprehensive, all-inclusive and systematic (Ibrahim, 2006).
This research uses primary legal materials (consisting of laws and court decisions), secondary legal materials (consisting of textbooks from legal experts, Scientific Journal, Scientific Articles, Research Results, magazines, newspapers, internet sites and etc.), and tertiary legal materials (consisting of legal dictionaries, Indonesian dictionaries, encyclopedias, etc.). The technique of searching primary and secondary legal materials is done by studying literature and internet searching (Rahardjo, 2000). The analysis technique in this research is carried out in a perspective that is done to solve the problem of legal issues encountered in the enactment of legal rules regarding the pattern of relations between the Central and Regional Governments in the forestry sector, as a process of finding and formulating the arrangement of the relationship patterns between the Central and Local Governments in the forestry sector. justice (Abdlatif and Ali, 2010).

Results and Discussion

The Regulatory Development of Spatial Planning for Forest Areas in Indonesia

The development of forest spatial planning policies in Indonesia has undergone several policy improvements in line with changing conditions, social, economic, political, cultural, defense and national security in Indonesia. The development of forest spatial planning policies is as follows:

(1) Until 1980, based on the Law of the Republic of Indonesia Number 5 of 1967 concerning the Basic Forestry Law, forest areas were managed based on registers and partial designation of forest areas.
(2) From 1980 to 1992, the spatial planning of forest areas was determined through a Forest Use Agreement (HTGHK) established by the Minister of Agriculture with the strengthening of the provisions in Law of the Republic of Indonesia Number 5 of 1990 concerning Conservation of Natural Resources of Forest Areas and Ecosystems.
(3) From 1992 to 1999, the issuance of Law of the Republic of Indonesia Number 24 of 1992 concerning Spatial Planning, the policy on Spatial Planning of forest zones was based on the results of harmonization between RTRWP and TGHK.
(4) From 1999 to 2005, the issuance of Law of the Republic of Indonesia Number 41 of 1999 concerning Forestry, the spatial planning of forest areas was based on the designation of forest and water areas stipulated by the Minister of Forestry.
(5) From 2005 to 2007, with the issuance of Law of the Republic of Indonesia Number 32 of 2004 concerning Regional Government, which replaced Law No. 22 of 1999 concerning Regional Government, spatial planning of forest areas began to be

affected by implications due to the existence of several provinces and districts/cities which proposes the revision of the RTRWP and RTRWK as well as the expansion and merging of government administrative areas.

(6) From 2007 until now, with the issuance of Law of the Republic of Indonesia Number 26 of 2007 concerning Spatial Planning, which replaces the Law of the Republic of Indonesia Number 24 of 1992 concerning Spatial Planning, the policy on spatial management of forest areas has been adjusted in line with the revised RTRWP process.

(7) Government Regulation of the Republic of Indonesia Number 26 of 2008 concerning National Spatial Planning (RTRWN), is a guideline for the preparation of national long-term, medium-term development plans to realize integrated, interconnected, and balanced development among sectors, spatial planning and spatial functions for investment, spatial planning of national strategic areas and spatial planning of provincial and district/city regions.

(8) Enactment of Government Regulation of the Republic of Indonesia Number 10 of 2010 concerning Procedures for Changing Designation and Function of Forest Areas, and Government Regulation of the Republic of Indonesia Number 24 of 2010 concerning Use of Forest Areas, in accordance with the dynamics of national development and community aspirations, in principle forest areas can be altered or its function.

According to the Law of the Republic of Indonesia Number 41 of 1999 concerning Forestry, the policy for spatial planning of forest areas is the activity of determining the function and use of forest areas, based on its main function, the forest area is divided into 3 (three) namely conservation forests, lid forests and production forests. With the division of the forest area based on its main function, the proposed change in the function of the forest area in the proposed change in the function of the forest area in the revised RTRWP must consider the criteria of each of the main functions of the forest area. The position of the forest area in the spatial pattern in accordance with Government Regulation of the Republic of Indonesia Number 26 of 2008 concerning National Spatial Planning, is as follows:

(1) Based on Article 51 of the Government Regulation of the Republic of Indonesia Number 26 of 2008 concerning National Spatial Planning (RTRWN), protected forest areas consist of: a) Areas that provide protection to the subordinate areas, and based on Article 52 of the Government of the Republic of Indonesia Regulation Number 26 of 2008 concerning National Spatial Planning (RTRWN), namely: (i) Protection Forest Areas, (ii) Peat Areas, (iii) Water Absorption Areas, b) Local Protected Areas, c) Natural Reserve Areas, Nature Conservation Areas and Nature Reserves, Nature Conservation and Cultural Heritage, d) Natural Disaster Prone Areas, e) Geological Protection Forest Areas, and Other Protected Areas.

(2) Based on Article 63 Government Regulation of the Republic of Indonesia Number 26 of 2008 concerning the National Spatial Planning (RTRWN), the cultivation area consists of:Production Forest Designation Area, Forest Designation Area, Agricultural Allotment Area, Fisheries Allocation Area, Mining Allocation Area, Industrial Allotment Zone, Tourism Allotment Area, Settlement Designation Area; andOther Designation Areas.

Legal Implications for Regulations in Spatial Planning in Forest Areas

Land requirements for inventory outside the forestry sector and the construction of urban and rural infrastructure including the need for pemekaran and merging of administrative areas both provincial and district/city are the driving force for the emergence of proposals for changing the designation of the huta area to other use areas (APL). The implications for the policy on spatial planning of forest areas, namely the proposed changes to the designation, are not only proposed in forest areas that are not encumbered by rights (forest utilization permits), but often also occur in forest areas that have been encumbered with rights (forest utilization permits). This condition has implications for uncertainty in forestry business/investment, and will affect efforts to achieve Sustainable Forest Management (SFM), for the welfare of the community. Furthermore, the proposed changes to the area are not limited to production forest areas, but also include conservation and protection forest areas.

Another driving factor behind the legal implications of the arrangement of forest area management is the emergence of the usual designation of the designation of forest areas into Other Use Areas (APL), namely the continuity of non-forestry activities that have proceeded without or not through the mechanism of changing forest area functions currently in force or there is no approval from the Ministry of Forestry in accordance with the mandate of Article 9 of the Republic of Indonesia Law No. 41/1999 concerning Forestry.

The condition turned out to provide legal implications that are not easy to find a way out. Provisions for bleaching in the review of spatial planning are not allowed in the Law of the Republic of Indonesia Number 26 of 2007 concerning Spatial Planning, and the necessity of applying sanctions against Violations of the Law of the Republic of Indonesia Number 41 of 1999 concerning Forestry, is a legal implication that must be sought immediately the way out or the solution.As a general description of the legal implications in the process of approval of forestry substance on the proposed revised RTRWP, including:

(1) Demands for spatial change that are in line with the lively regional expansion and merging;

(2) The proposed changes to the forest area occur because of a tendency to accommodate the continued existence of non-forestry activities in the forest area;

(3) Proposed changes in the designation of forest areas to other use areas, local government is not equipped with technical results and related to the plan and realization of the previous use of space. Change in convertible forest area (HPK) to (APL). Apparently it cannot always be followed by an increase in regional government economic activity and community welfare, this can be seen from the still coming from the HPK.

(4) The number of plantation permits and other permits that have been issued by the local government in the provincial area and district/city government are in forest areas that are not or not in accordance with the mechanism and provisions of the Law of the Republic of Indonesia Number 41 concerning Forestry, with this matter related to understanding certain conditions of regional autonomy may

cause conflicts of interest between the central government and the provincial and district/city governments.

(5) There is an overlap in the use of forest areas, such as plantations in IUPHHK areas, mining in IUPHHK areas, etc., such conditions add to the complexity of the legal implications in spatial planning policies for forest areas in Indonesia;

(6) Approval of forestry substance on the proposed RTRWP requires quite a long time, because Article 19 of the Law of the Republic of Indonesia Number 41 of 1999 concerning Forestry, states: Changes in the designation and function of forest areas are determined by the Government based on the results of integrated research and if the changes in the allotment in large-scale, strategic and important impact must pass the approval of the Republic of Indonesia Parliament.

The authority to manage forest resources by the Forest Management Unit (KPH) is greatly influenced by the regional and institutional status of the KPH. KPH does not have a Long-Term Forest Management Plan (RPHJP). Although the process of drafting the RPHJP has been carried out for a long time, it is still constrained by the process of adjusting the Law of the Republic of Indonesia Number 23 of 2014 concerning Regional Government, the lack of planning has an impact on the difficulty of obtaining program support from technical agencies. The budget limiting factor also influences to ensure the boundary process can be implemented well and participatively, such as the KPH area boundary arrangement process. All KPHs that are the focus of this assessment do not yet have adequate institutional mechanisms, both in the form of availability of standard of procedure (SOP), administrative management, decision making, field activities, information and investment services as well as regulatory support in the Regional Government.

Implications of the application of Law of the Republic of Indonesia Number 23 of 2014 concerning Regional Government, in the implementation of forestry development including for KPH development, of course with the issuance of this law, a comprehensive study is needed to see the extent of the implications of changes in the ongoing KPH development processes at present, as well as the next stage of the KPH development and operation process. Including the need for changes to the regulations below the level which become the reference for KPH development.

The change in relations between the Provincial and Regency/City Governments in the management of Forest Resources is one of the critical points that must be addressed quickly and wisely at each level of the central government, the Provincial Government, the Regency/City Government. This shift of authority requires speed in rearranging structures, authorities and responsibilities, and preparing the capacity of resources and infrastructure, so as not to hamper forestry development (KPH).

Regulations in Spatial Planning Through licensing Management and Utilization of Forest Products

Permission is an instrument that is widely used in administrative law, the Government uses permits as a legal tool to control people's behavior, permits are also an approval from the authorities based on laws or government regulations, for certain circumstances deviate from the provisions of the prohibition of legislation (

Hadjon, 1993). Permission (in the narrow sense) is binding on a permit regulation generally based on the desire of lawmakers to achieve a certain order or to prevent bad conditions (Ridwan, 2006).

Forest as one part of the environment is a gift from God Almighty and is one of the natural resources that is very important for humanity. This is based on the many benefits taken from the forest (Murhaini, 2012). Forest management includes forest management activities and preparation of forest management, forest use and use of forest areas, forest rehabilitation and reclamation, forest protection and nature conservation. Utilization in the nature reserve forest area as well as the core zone and jungle zone in national plants (Rahmadi, 2012). The purpose and principles of forest protection are the implementation of forest protection is aimed at protecting forests, forest products, forest areas and the environment, so that the protection function, conservation function, and production function, are achieved optimally and sustainably.

In the regulation in the forestry sector, there is no permit holder's obligation to carry out an analysis of environmental impacts or environmental management efforts (UKL) and Environmental Monitoring Efforts (UPL), whereas, Environmental Impact Analysis or Environmental Monitoring Efforts (UPL) are requirements to obtain forestry permit (Helmi, 2012).

In the case of licensing, the authority for issuing permits is administrative officials, the relation is with the government's task in providing public services to the public. The Regional Government in managing and regulating its authority, issues policies in the form of regional government policies, namely the Regional Head, the Decree of the Regional Head and other regulations. One form of this manifestation of authority is licensing as a form of stipulation, it is a unilateral action of the state administration, according to Article 66 paragraph (1) of the Republic of Indonesia Law No. 41 of 1999 concerning Forestry, that in the framework of forestry management, the government surrenders some authority to the Government Area.

The Government and/or regional governments are obliged to prevent forest destruction, in the context of preventing forest destruction the government makes policies in the form of:

(1) Cross sector coordination in the prevention and eradication of forest destruction;
(2) Meeting the needs of forest security apparatus resources;
(3) Incentives for those involved in protecting the forest;
(4) Map of forest area designation and/or geographical coordinates as the legal basis for forest area boundary;
(5) Meeting the needs of facilities and infrastructure for preventing and eliminating forest destruction.

Regulations in Spatial Planning of Forest Areas

Population growth, the need for land and economic, social and cultural development plans are the basis for the regional government to revise the RTRWP. In the Law of the Republic of Indonesia Number 41 of 1999 concerning Forestry,

which states:
(1) Changes in the designation and function of forest areas are determined by the government based on integrated research results.
(2) Changes in forest areas as referred to in paragraph (1) which have significant impacts and broad and strategic value are determined by the government with the approval of the House of Representatives;
(3) Provisions on how to change the designation of forest areas and changes in the function of forest areas, must first be preceded by integrated research conducted by competent government agencies and having scientific authority together with other relevant parties, regulated further in Article 13 of the Government Regulation of the Republic of Indonesia Number 10 of 2010 concerning Spatial Planning.
In the elucidation of Article 19 paragraph (1) of the Law of the Republic of Indonesia Number 41 of 1999 concerning Forestry, it is stated that integrated research is carried out to guarantee the objectivity and quality of research, so the research activities are carried out by government agencies that have competence and have scientific authority (scientific authority) along with other related parties. Then in paragraph (2) what is meant by significant impact and broad scope and strategic value is changes that affect biophysical conditions such as climate change, ecosystems, and water disturbance, as well as socio-economic impacts of the community for the lives of present and future generations . Next paragraph (3) contains rules, Forest function criteria; Wide coverage; The parties conducting the research; and Procedures for Change.
An integrated team for forest area change was formed and worked in accordance with the Decree of the Minister of Forestry, while the members in the integrated team themselves, including the Ministry of Forestry, the Ministry of Home Affairs, the Ministry of Public Works, the State Ministry of Environment, BAPPENAS, the relevant Regional Government and the local University. Furthermore, an audit of the forest area was carried out to determine the condition of the forest area with its problems and directions for its resolution. The results are expected to be a reference in establishing forest management policies with other sectors. The Ministry of Forestry is expected to present the mechanism that has been applied to the implementation of integrated research on the proposed changes to the designation and function of the forest area in the revised RTRWP process. The forest area audit will also be carried out in other sectors that utilize space such as agriculture, plantations, mining, transmigration, etc.
One legal function is as an agent of (social) change (Rasjidi, 2008), or a means of community renewal (Kusumaadmadja, 1986). Of course, the changes and renewal towards a better direction, which is in line with the ideals of the law (rechtsdee) of the Indonesian nation. The goal of Indonesian law is essentially Pancasila which is placed in the Preamble to the 1945 Constitution of the Republic of Indonesia, together with the state's goal of realizing people's welfare. In the context of forest management and utilization, the regulation must be understood as the principles of people's welfare which must be managed, protected and preserved to achieve the objectives of the welfare state.
Law in the context of social engineering functions to organize the interests that exist

in society. These interests must be arranged in such a way as to achieve a proportional balance between public interests, social interests and personal interests (Tanya, et. Al. 2010). In the context of arranging the national legal system, forestry legal sub-system, the law in this case the legislation must be a way for development, the law is ahead in management and natural resources, as affirmed in MPR Decree No. IX/MPR/2001, the development of legal management of forest resources must be more responsive and not repressive (Nurjaya, 2008). The forestry legal system and natural resources are expected to be harmonious, synchronous, and synergic with each other, in such conditions, the laws and regulations that overlap or conflict with the substance of the regulations as a result of the regulation of forestry problems and sectoral natural resources (Arizina, 2014).

The principle of justice refers to policies on management of forest resources that must be planned, implemented, monitored, and evaluated continuously in order to meet the interests of the preservation and sustainability of the functions of forest resources, for the benefit of present and future generations, including justice in the allocation and distribution management and utilization of forest products (BAPPENAS, 2009).

The principle of democracy refers to the policy of managing and utilizing forest products must accommodate the decentralization of the relationship pattern between the central and regional governments, the principle of participation, the principle of transparency, the principle of accountability, access to information, integration between sectors, judicial resolution of conflicts, protection of human rights, and recognition legal pluralism in the management and utilization of forest products, including principles that can minimize corruption, such as simple, integrated and effective licensing procedures (ICEL, 2011).

The principle of decentralization refers to the delivery and responsibility of the management and utilization of forest products by the government to autonomous regions, so that decision making can be done in accordance with the characteristics of each autonomous region. Recognition and guarantee of the protection of the rights of local customary law communities and the plurality of legal arrangements regarding the control and use of forest products that grow and develop in the community.

The principle of public accountability emphasizes the legal accountability of the management and utilization of forest products to the people, especially in planning and implementing policies that concern the public interest, for all actions taken in the management and use of forests. Coordination and integration between sectors provide space for the management and utilization of forest products in an integrated manner by taking into account mutual interests between sectors, so that relationships and cooperation can be built to support each other, by placing the interests of the preservation and sustainability of forest resources above the sectoral interests. Whereas access to information (accsess to information) is a guarantee to the community to give and receive information from the government regarding every decision and/or policy on the management and utilization of forest products. Considering the forest area that has been determined by the government is no longer forested, political will is needed to set the target of reforesting non-forested forest area. In other areas for forest areas where public facilities and forestry facilities are already in place, there needs to be a policy to exclude these areas from forest areas.

Setting targets for reforestation can begin by speeding up the process of forest inventorying and forest area gazettement. Determination of these targets must be accompanied by adequate budgeting for both activities, and by involving stakeholders, with the establishment of targets for both, it is hoped that the conflict will be raised due to unclear forest areas. Forests are part of natural resources, the existence of forests as a very strategic resource both socially, culturally, economically, and environmentally, so that whatever happens to the forest as a resource must be a concern of all parties. There are many strategic functions of forest resources. Both the ecological, economic, and socio-cultural functions. Ecologically, forests function among others:

a. accommodate, release, and regulate the flow of water into rivers, rice fields and urban areas,
b. help control soil erosion, flooding and sedimentation into rivers,
c. play a role in the global oxygen and carbon cycle,
d. provide habitat for many species and provide a storehouse of biodiversity,
e. protection of genetic resources and germplasm, maintaining biodiversity of flora and fauna as well as all species in it, guaranteeing the permanence and development of available genetic resources,
f. maintain a quality natural balance.

Economically and commercially, forests function among other things:Building and firewood sources,Pulp source (paper material), Sources of medicines, Mining, Livestock grazing,Recreation and tourism,Research and education,Employment Opportunity, Benefits from special treatment or interests, andVarious other forest products.

Socially, culturally and religiously, the forest functions among other things as a place of meditation and spiritual practice, preservation of cultural and traditional values, values of regional pride and heritage and socio-cultural values of communities around other forests (Yakin, 2015). The existence of these three forest functions makes the forest a valuable resource, so the concept of forest management must be sustainable (sustainable forest management), by integrating the economic, socio-cultural, and environmental sustainability dimensions in the utilization of forest resources. Therefore, the development of forestry law is an effort to implement sustainable management of forest resources and the maximum utilization of forests for the prosperity of the people. The implementation of forestry development must be carried out in a planned, comprehensive, integrated, directed, gradual, and sustainable manner to improve the ability of forest and forestry resources to deliver optimal results, both in the form of goods and services. By maintaining the preservation of natural resources and the continued functioning and quality of the environment and improving the socio-economic function of the forest.

Conclusions

The legal implications for the implementation of the regulation of the relationship pattern of the Central and Regional Governments in the forestry sector at this time are: there are inconsistencies in the regulation of authority relations between the center

and the regions. except other matters that are determined as central government affairs. Whereas according to Article 9 of the Law of the Republic of Indonesia Number 23 of 2014 concerning Regional Government, uniformity is carried out in detail according to the material household system of authority matters between the central, provincial and district/city. The implication of the enactment of the Law of the Republic of Indonesia Number 23 of 2014 concerning Regional Government, the change of authority of forest management is more emphasized at the level of the Central Government and Provincial Governments, thus affecting several policies that have been there (for example policies related to KPH, licensing at forestry sector, funding and implementation of forest management in the regions, and so on.

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