

LAW ENFORCEMENT OF PETROLEUM EXPLOITATION IN THE BATANG HARI DISTRICT THAT IS WITHOUT A COOPERATION CONTRACT

M. Nanda Setiawan

Master of Law; Faculty of Law Andalas University
Jl. Pancasila Nomor 10 Padang, 25163
E-mail: Setiawannanda007@gmail.com Telp: +6282186366282

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ABSTRACT

The community in Batang Hari Regency exploits petroleum without a cooperation contract by drilling a well and then taking the oil contained in the well. This is one of the issues arising from oil and gas mining in Indonesia. This study aims to determine how law enforcement can be used to combat illegal petroleum extraction in Batang Hari Regency. This research employed a descriptive-analytical research design and an empirical legal methodology. According to research findings, the Batang Hari Police in the Batang Hari District implements preventative and punitive law enforcement measures that are quite effective at reducing the number of annual cases. Without a cooperation agreement, these actions target illegal petroleum exploitation. The law in Batang Hari Regency prohibits the exploitation of petroleum without a cooperation contract, which includes difficulty to access sites of illicit oil wells and the participation of individuals.

Keywords: Law enforcement; Criminal Offender; Exploitation; Petroleum; Cooperation Contract.

Introduction

Petroleum is a state-controlled strategic nonrenewable natural resource that controls the lives of many people and plays a significant role in the national economy; therefore, its management must maximize the prosperity and welfare of the people (Salim HS, 2005). The establishment of a national development objective necessitates the empowerment of natural resources managed by the central government, regional governments, and the private sector. The right of the state to manage and control natural resources for the benefit and prosperity of the

entire community constitutes natural resource management. This is stated in Article 33 of the Constitution of 1945, which focuses solely on paragraphs (2) and (3): Production branches that are important to the state and that control the lives of many people are discussed in paragraph (2). governed by the government Earth, water, and all-natural resources contained therein are under the control of the state and used for the greatest good of the people.

National development is carried out equitably with a planning model that determines the main priorities in the implementation of development in the political and security sector and is accompanied by development in the economic sector to provide for the livelihoods of many people, one of the problems that arise. It is also referred to as Illegal Drilling. Illegal Drilling is illegal oil mining / without government permission as well as drilling illegal oil wells by processing oil from old oil wells or constructing oil wells without a permit. (Riyandani Rahmadiyah Lioty, 2017). According to Mudzakir a hli, the criminal law classifies illegal drilling as an extraordinary crime; therefore, law enforcement of illegal drilling must be conducted without waiting for public reports. (Marsudi Utoyo, 2018) In terms of palm oil and petroleum products, Batang Hari Regency has potential natural wealth. Petroleum extraction operations are conducted by PT. Pertamina EP Asset I Jambi in the Mining Working Area (WKP), which is adjacent to and directly opposite the oil palm plantation owned by the local community in Bajubang Subdistrict, Pompa Air Village, and Bungku Village. In the past, local residents relied solely on oil palm plantations, but now they also depend on the illegal exploitation of petroleum (illegal drilling).

In 2017, there were approximately 50 illegal petroleum exploitation wells in Pompa Air Village and Bungku Village, Bajubang District, Batang Hari Regency; in 2018, there were approximately 150 illegal oil exploitation wells. The exploitation of the earth is illegal, and thousands of illegal wells have expanded into the Grand Forest Park in Bajubang District, Batang Hari Regency, in 2019 alone. (<https://jambi.tribunnews.com>, 23/09/2019).

The large potential profit from illegal petroleum mining in the Batang Hari Regency, Bajubang District, Bungku Village, and Pompa Air Village motivates people to illegally exploit petroleum, despite the fact that doing so without a cooperation agreement is a crime. or a criminal act, in accordance with the provisions of Article 52 of Law Number 22, 2001 concerning Oil and Gas, which states: Whoever engages in Exploration and/or Exploitation without having a Cooperation Contract as referred to in Article 11 paragraph (1) shall be sentenced to imprisonment for a maximum of 6 (six) years and a maximum fine of Rp.60,000,000,000.00 (sixty billion rupiahs). (Wahyudin Sunarya and Giri Ahmad Taufik, 2017)

Additionally, Article 57 Paragraph 2 states that the criminal acts described in Articles 52, 53, 54, and 55 are crimes. In terms of law enforcement on oil and natural gas crimes committed by National Police Investigators and Civil Servant Investigators (PPNS), it is governed by the oil and natural gas law, specifically Article 50 paragraphs (1) and (2) Law Number 22, 2001. Regarding Oil and Gas and their respective authorities:

- 1) In addition to Investigating Officials of the State Police of the Republic of Indonesia, certain Civil Servant Officers within the department whose duties and responsibilities include Oil and Gas business activities are granted special authority as Investigators under Law Number 8 of 1981 pertaining to Criminal Procedure Law. to conduct criminal investigations into Oil and Gas business activities.
- 2) Civil Servant Investigators referred to in paragraph (1) have the authority to a) examine the accuracy of reports or information received in connection with criminal acts in Oil and Gas business activities; b) examine persons or entities suspected of committing criminal acts in Oil and Gas business activities; c) search places and/or facilities suspected of being used to commit criminal acts in Oil and Gas business activities; d) conduct an investigation; e) conduct an examination of the facilities and

infrastructure for Oil and Gas business activities and stop the use of equipment that is suspected of being used to commit criminal acts; e) sealing and/or coruscating Oil and Gas business activity tools used to commit a criminal act as evidence; f) bring in the necessary experts in connection with the investigation of criminal cases in Oil and Gas business activities, and g) stop investigations of criminal cases in Oil and Gas business activities.

In 2018, the Batang Hari Police closed seven cases involving hundreds of illegal oil wells in Bajubang, Pompa Air, and Bungku. The location was immediately visited by the Deputy Governor of Jambi, but after a few days, irresponsible elements reopened it. The difficulty of eradicating petroleum exploitation without counter-cooperation in Batang Hari Regency, Jambi Province is reflected in the high number of cases of oil exploitation without counter-cooperation handled by the police in the Batang Hari area to date, according to data obtained from the author's pre-study at the Police resorts Batang Hari s. At this time, a case of exploitation of petroleum without cons of cooperation, there were six cases in 2019 and 2020; in January, three cases were still under investigation; and there are numerous suspected cases of exploitation of petroleum without counter cooperation that are being legally processed. The Batang Hari Police's enforcement of the law did not proceed without hiccups, as many locals in the vicinity of Bungku Village and Pompa Air Village opposed their efforts and even resisted by physically obstructing the police. officials without such cooperation to enter the area of petroleum extraction. Several explosions accompanied by fire emanating from the location of the oil well exploitation without the cons of cooperation that is located in the Village Pompa Air District of Bajubang have claimed the lives of as many as two (2) people working oil drilling illegal as a result of the burns he sustained, and environmental damage over the past three years. (<https://www.beritasatu.com> nationwide, 23/10/2019).

Law Number 22, 2001 concerning Oil and Natural Gas is a Special Law that regulates Oil and Gas and stipulates that the illegal exploitation of oil without a cooperation contract is punishable by criminal sanctions. The exploitation of petroleum without a cooperation contract (illegal) is quite prevalent, but this has no deterrent effect on the perpetrators who exploit oil illegally, as evidenced by the increasing number of years perpetrators in Batang Hari District, Bajubang District, Bungku Village, and Pompa Air Village have been exploiting oil without a significant cooperation contract. In order to create benefits and win-win solutions in law enforcement against petroleum exploitation without a cooperation contract, it is necessary to have regulations governing individual communities' petroleum exploitation. How are Batang Hari police resort investigators enforcing the law against the illegal exploitation of petroleum without a cooperation contract? is the issue that will be addressed in this study. And what obstacles do investigators from the Batang Hari police resort face in enforcing the law against criminal acts of petroleum exploitation without a cooperation contract?

According to the problem's background and formulation, the purpose of this study is to determine how Batang Hari Police investigators enforce the law against the criminal act of petroleum exploitation without a cooperation contract in Batang Hari Regency. Batang Hari Police investigators will investigate the obstacles encountered in enforcing the law against illegal petroleum exploitation without a cooperation contract in the Batang Hari District.

Research Method

This is juridical empirical research, or in other words, the law research sociological and also known as the field research, which includes reviewing the applicable law and what occurs in reality in society, (Bambang Waluyo, 2002) or in other words research conducted on the actual situation or real conditions that occur in society with the intention of knowing and finding the facts and data needed, after the required data is collected then it leads to the identification of the variables. (Zainuddin Ali, 2015) This research is descriptive-analytical, in that it describes

clearly the results of the author's field research, or research that aims to describe something in a particular area and at a particular time, or discloses statutory regulations. invitation pertaining to legal theories that are the subject of study. In addition to secondary data or literature, the primary source of data for this study is field research conducted with the Batang Hari police. Primary data is collected through in-depth interviews with respondents and informants to discover and obtain concrete explanations for research questions. Secondary data is collected from tested data and legal materials, such as research reports and legal journals related to the topic of the paper. scientifically. To find scientifically plausible answers, qualitative data analysis was performed. After obtaining the primary and secondary data, the data analysis is conducted by revealing the facts in the form of sentences for the data obtained from the study's results.

Result and Discussion

1. Law Enforcement of Oil Exploration Without Cooperation Agreements by Batang Hari Police

The implementation of law enforcement can occur normally, peacefully, or because of law violations, in which case the law that was broken must be enforced. Through law enforcement, the law becomes operational. (Satjipto Rahardjo, 2009). There are three elements that must always be considered when enforcing the law: legal certainty, benefit, and justice. In this case, law enforcement, particularly in this writing, the desired outcome is benefit. Few are aware that law enforcement began with the formulation of legislation by the legislative body (Ismansyah, Fauzia Zaini, 2014). Every legal rule, regardless of its form, will contain certain values that are regarded as admirable. Criminal law is the field of law where it is easiest to implement indicators of the success or failure of legal reforms implemented in Indonesia. Human resources in the legal sector hold the key to achieving law enforcement education, which is one of the most important factors that determine the quality of law enforcement. Only

through the rule of law and legal education can these resources be realized (Dian Agung Wicaksono, 2019).

Batang Hari Regency is one of the regencies in Indonesia's Jambi Province's eastern region. This district has one of the highest rates of population growth among all districts. Batang Hari Regency is a lowland and swamp region divided by the Batang Hari River that is permanently flooded. Batang Hari Regency has an area of 5,804.83 km² or 580,483 hectares, making it one of the largest districts in Jambi Province. Batang Hari Regency borders Tebo Regency in the north, Muaro Jambi Regency in the east, Musi Banyuasin Regency in the south, and Sarolangun Regency in the west, with a total population of 241,334 (<https://www.BatangHarikab.go.id>, 23/3/2020).

Oil, natural gas, coal, and tin are potential natural resources in the province of Jambi. The province of Jambi has a total petroleum potential of 1,270.96 million m³ and a gas potential of 3,572.44 billion m³. The primary oil reserve area is located in the Kenali Asam structure, Jambi Luar Kota District, Batang Hari Regency, with a total of 408.99 million barrels. The Muara Bulian Structure, Muara Bulian District, and Muara Jambi Regency contain 2,185.73 billion cubic meters of natural gas reserves (<https://www.bi.go.id>, 20/02/2020).

In Batang Hari Regency, two petroleum companies are engaged in the upstream business: PT. Pertamina Asset 1 EP, a subsidiary of PT. Pertamina, and PT Prakarsa Betung Meruo Senami Jambi (PBMSJ), which is directly supervised by SKK Migas. Work Area (WK) of Bajubang District, Batang Hari Province. The two legal companies conducting upstream business activities in Batang Hari Regency, Bajubang District have a cooperation agreement with the implementing agency SKK Migas, which has complied with the provisions of Law Number 22 Year 2001 concerning Oil and Natural Gas.

On the other hand, the community in the Batang Hari Regency, Bajubang District also conducts upstream business activities without a cooperation contract with an implementing agency. It is well known that in order to conduct upstream oil and gas business activities, they must first form a business entity

and have a cooperation contract with the implementing agency, which is now SKK Migas. (Yuswalina, Adi Candra, 2017). Article 52 stipulates that anyone who engages in Exploitation and/or Exploitation without a cooperation contract as specified in Article 11 paragraph (1) shall be sentenced to a maximum of 6 (six) years in prison and a maximum fine of Rp. 60,000,000,000,000.00. (Sixty billion rupiah).

This exploitation is carried out by first drilling an oil well with a depth of approximately 120 meters, and then operating the facilities and infrastructure in the form of a motorbike that has been modified and assembled onto a roller rope that is attached to an oil canting so that it becomes a unit with means to firstly turn on a motorcycle and then lower Canting of oil into base oil wells so that the ropes that were on rolling the Canting of oil into the base oil wells can (Decision of the Muara Bulian District Court Number 58/Pid.Sus - LH/2019/PN Mbn Defendant Representing Suroso bin Supadi, 2019).

According to the Head of the Department of the Environment in Batang Hari, Mr. Parlaungan, the impact of the activities of oil exploitation on the earth without a cooperation contract is extremely harmful to society, as a result of the spill not being in the facilitation of adequate infrastructure, resulting in the flow of the oil spill flowing into the flow of the red lake, which is located close to the petroleum exploitation activities without a cooperation contract, so that the surrounding environment was contaminated (Parlauangan, Interview, 23/01/2020).

The results of laboratory tests conducted by the Batang Hari Environmental Service Agency (DLH) on a water sample from Red Lake at the illegal oil drilling site, specifically in Pompa Air Village, Batang Hari Province, indicate environmental damage. The lake water's turbidity and concentration levels exceeded the tolerance limit. Even higher levels of oil and fat, 10,824 mg/l, exceeded the threshold of 1 mg/l. In the meantime, hydrogen sulfide levels of 0.800 mg/l or far exceeding the 0.02 threshold will impair human health, causing

dizziness, nausea, the appearance of olfactory disorders, skin diseases, vision, and loss of consciousness.

If the gas is hazardous, it can also cause fires. Indicators of environmental damage are found not only in the environment of Red Lake, but also in the Hulu Berangan River, the Berangan Hilir River, and the well water of Pompa Air Village, Bajubang District. According to a report from the environmental office of Batang Hari Regency, residents' well water was odorless, tasteless, and colorless prior to oil mining activity. As a result of the extensive mining, the residents' well water has become foamy, murky, and pungent. In order to restore the environmental ecosystem damaged by oil extraction without a work contract, oil extraction without a cooperation agreement will result in environmental damage, forest fires, and even fatalities. According to the monitoring of the Batang Hari Environmental Service Office in 2019, there were approximately 2000 oil well points without a cooperation contract in the Bajubang, Pompa Air Village, and Bungku Village areas. This number of oil well points was caused by the fact that the well was no longer covered by a cooperation agreement. People who engage in petroleum exploitation activities without a work contract will drill new oil wells to produce this oil. The oil drilling activities carried out by the community are not limited to community-owned land; the Grand Forest Park, which covers 15,820 acres, is also affected. The hectare is also used for illegal oil drilling, which has grown to encompass 50 hectares of Grand Forest Park land.

According to Law Number 22, 2001 concerning Oil and Natural Gas, the community's activities constitute a criminal act of petroleum exploitation without a cooperation contract. Batang Hari Police investigators are obligated to enforce criminal law in accordance with the oil and gas law. (Asep N. Mulyana, 2019) In accordance with the findings of an interview with Orivan Kasat Reskrim, Batang Hari Police, law enforcement consists of the following two actions: (Orivan, Interview, 20/01/2020).

a. Preventive Efforts

The Batang Hari Police enforces the law through preventive measures, such as conducting patrols and supervision in collaboration with the Batang Hari Forestry Service, and then provides appeals, socialization, and legal counseling to the community in order to increase community participation in beneficial legal awareness. Notifying that petroleum exploitation activities without a cooperation contract with the implementing agency, currently known as SKK Migas, are classified as criminal acts in the oil and gas sector and are punishable by imprisonment and fines under Law Number 22 of 2001 pertaining to Oil and Gas. The Batang Hari Police also involve the surrounding community in order to monitor if oil exploitation occurs without a cooperation contract. If this occurs, the community is expected to immediately report it to the authorized party, namely the police, and close oil wells without a cooperation contract so that the community does not engage in oil exploitation. petroleum without a collaboration agreement.

b. Repressive Efforts

Repressive enforcement is a strategy for overcoming criminal acts using criminal law or the law that focuses on the eradication of criminal acts after the crime has occurred and all actions taken by law enforcement officials after the crime has occurred. In accordance with investigators' authority as law enforcement officers in carrying out legal action in accordance with the standard operating procedure (SOP) of the Batang Hari Police, the first person receives reports, conducts investigations, investigates, and holds initial cases by carrying out arrest, search, confiscation, detention, and examination. After interviewing witnesses, experts, suspects, and gathering evidence, and conducting a filing if the files are complete, the investigator submits the files, evidence, and suspects to the Public Prosecutor in accordance with the applicable laws and regulations.

Table. 1

Number of criminal cases of petroleum exploitation without a cooperation contract handled by Batang Hari Police investigators between January 2018 and February 2020.

Year	Petroleum Exploitation Crime Without Cooperation Contract	Information	
		Investigation Process	P.21
2018	7	1	6
2019	6	5	1
2020	3	3	0
Jumlah	16	9	7

Data source: Polres Batang Hari from 2018 to January- February 2020.

According to information obtained from Batang Hari Police Investigators, law enforcement has been carried out in 16 instances of repressive action or legal action from 2018 to 2020, but seven of these cases have been overflowed. to the prosecutor's office for further processing (P.21), but 9 cases are still being investigated. The number of cases that have not been completed is due to the fact that when the investigator made the arrest, the suspect fled, and up until now, the investigators were still pursuing the suspects. Fugitives and for cases delegated to the Public Prosecutor for 7 (seven) cases, prosecution has been conducted and a court decision with imprisonment and fines has been obtained according to the actions of the perpetrator who committed a criminal act of petroleum exploitation without a cooperation contract in Batang Hari Regency.

In addition to conducting repressive law enforcement, Batang Hari Police investigators conducted action and sealing of oil wells without a cooperation contract with the executing agency by closing oil wells without a cooperation contract and destroying equipment used for petroleum exploitation activities without a cooperation contract, as detailed in the table below:

Enforcement for the closure of petroleum wells without a work contract by the Batang Hari Police in Bajubang, Bungku and Pompa Air 2017-2019 years		
2017 year	2018 year	2019 year
50 wells	150 wells	1.393 wells

Data source: Batang Hari Police from 2017-2019.

Since 2017, petroleum exploitation activities have occurred in Batang Hari Regency without a work contract. In 2017, Batang Hari Police collaborated with multiple agencies, including the TNI, the Environment Service, the Jambi Province Energy and Mineral Resources Service, and the Batang Regency Forest Service. Hari, Sat Pol PP (Pamong Praja Police Unit) has closed approximately 50 oil wells without a cooperation contract in Batang Hari District, Bajubang District, Bungku Village, and Pompa Air Village in 2017; and approximately 150 oil wells without a cooperation contract in Batang Hari Regency, Bajubang District, Bungku Village, and Pompa Air Village in 2018. In the areas of Pompa Air and Bungku Villages, Batang Hari Regency, Jambi, 1,393 illegal oil wells were shut down and sealed by a joint TNI/Polri/Batan Regency Government team. Today, officers shut down illegal oil wells in an effort to eradicate illegal oil mining in the region. Out of the total of 2,000 wells, 1,393 have been abandoned (Orivan, Interview, 20/01/2020).

2. Constraints in the Enforcement of Petroleum Exploitation that is without Cooperation Contracts by Batang Hari Police Investigator

a. Limited investigators

The insufficient quality of investigator members in each unit, especially in certain criminal units, is a factor in the Batang Hari Police Department's inability to enforce the law against petroleum exploitation offenses in the Batang Hari Regency without a cooperation agreement. In this instance,

according to Budi P. Siboru, the quality referred to is the number of members of certain criminal unit investigators in the Police of Batang Hari; there are only 6 members of the investigator who are not balanced with petroleum exploitation cases that occurred in the Regency of Batang Hari without contact of cooperation. The deployment of the National Police's human resource deficiencies in law enforcement against petroleum exploitation in the Batang Hari Regency is still well below expectations. Multiple indicators demonstrate that law enforcement against petroleum exploitation without cooperation contracts are not operating optimally. Among the six investigators of the Police Satreskrim Batang Hari, not one has a background in the environment to support the investigation and investigation of criminal acts in the oil and gas mining sector. In addition to problems associated with the readiness of human resources, budgets, and infrastructure, the methods applied in dealing with criminal acts in the oil and gas mining sector have not been operating optimally. This is evidenced by the fact that law enforcement against petroleum exploitation without cooperation contracts is more likely to prioritize repressive aspects than to take preventative measures through a persuasive approach to the community. In addition, law enforcement efforts against petroleum exploitation without cooperation contracts have thus far targeted only those caught in the act of petroleum exploitation without cooperation contracts, while landowners, financiers, and those providing facilities are frequently exempt from the law's jurisdiction.

- b. Remote locations of the oil exploration
- c. The perpetrator ran away

The location of oil exploration activities conducted by the community without a cooperation contract is in the middle of a palm plantation owned by local residents in Bajubang Subdistrict, Pompa Air Village, and Bungku Village, and difficult vehicle access poses a challenge for Bandung Police investigators. According to the law and data sources from the Environmental

Office of the Regency of Batang Hari, oil exploitation activities without a cooperation contract have encroached upon approximately 50 hectares of land in the Great Forest Park, out of a total of 15,830 hectares encroached upon by petroleum exploiters without a cooperation contract. (Interview with Syah Martono, 21/01/2020)

d. The lack of civil servant investigators

In Law Number 22, 2001, Civil Servant Investigators are also granted the authority to carry out law enforcement of petroleum exploitation crimes without a work contract. However, field investigations have revealed that for the Batang Hari District, there are no civil servant investigators handling the case, and Budi P. Siboru was informed by Batang Hari Police investigators that they have never coordinated with civil servant investigators, as no one has ever coordinated the investigation of oil and gas cases between the Batang Hari Police and PPNS. From the statement of Mr. Zulfahmi ST, Head of the Renewable and Non-Renewable Energy Sector of the Department of Energy and Mineral Resources (ESDM) of Jambi Province, law enforcement against petroleum exploitation activities without cooperation contracts in the Batang Hari Regency, Bajubang Subdistrict, The Village of Air Pump, and the Village of Bungi is under the jurisdiction of the Batang Hari Police Department.

e. Difficult to present witnesses

The difficulty of presenting this witness hinders the Batang Hari Police's investigators as they rip apart the case files during the investigation phase. The parties involved in a criminal case without a cooperation agreement must also be presented and examined to obtain clear information. However, after a witness was summoned in writing by the police investigator Batang Hari, the witnesses were reluctant to attend the examination process because they were afraid to give the investigator information. The lack of evidence in the form of witness testimony has a significant impact on the enforcement of petroleum exploitation crimes in the absence of cooperation agreements, as this has a negative effect on law enforcement efforts.

- f. The difficulty in locating witnesses for oil and gas law experts who have been requested to provide expert testimony

The significance of bringing in and requesting the testimony of legal expert witnesses in the oil and gas industry to complete the evidence relating to the crime of petroleum exploitation without a cooperation contract by the Police Police investigator, based on data provided by Budi P Siboru as head of certain criminal acts to request information from investigators must bring oil and gas legal experts from Jakarta because there are no competent legal experts in the field of oil and gas in Jambi Province. Therefore, investigators must bring in oil and gas legal experts from Jakarta to complete the case file for oil and gas crime.

- g. Bring in heavy equipment (excavators) to cover oil wells without a cooperation contract

Due to a large number of oil wells and limited human power, it is necessary to bring in heavy equipment (excavators) to control by closing oil wells drilled without a cooperation contract by the perpetrators. Heavy equipment is used to cover oil wells from oil exploitation activities without a cooperation contract, but road access is difficult for heavy equipment, resulting in not all oil wells being covered.

- h. Person involvement

The involvement of individuals hinders investigators from enforcing laws against illegal petroleum exploitation in the absence of cooperation. Due to the presence of law enforcement officers who support petroleum exploitation activities without a cooperation agreement, the individual has the initials P.I. ES aka Eko Rondo, who has been arrested by the Directorate of Criminal Investigation of the Jambi Regional Police, is an active police officer serving at Mapolres Batang Hari and has been defending petroleum exploitation activities without a cooperation contract for a considerable amount of time.

- i. Low legal culture

The widespread practice of oil exploitation without cooperation contracts is caused by a lack of public awareness of the laws and regulations governing the oil and gas mining industry, as well as the socio-economic conditions of the people who engage in oil exploitation activities without cooperation contracts. The surrounding community wanted oil exploitation activities to be legalized without a cooperation contract in order to improve the economy of the community in the area, specifically in the village of Bungku and the Village Pump Air Kec. Bajubang, Batang Hari District. However, legalizing the exploitation of petroleum without a cooperation contract is in direct violation of the applicable laws and regulations. Despite the appeal, socialization, and legal advice pertaining to Law Number 22, 2001 concerning Oil and Gas, the community continues to conduct oil extraction activities without a cooperation agreement to this day.

Batang Hari's Police Investigator's efforts to overcome limitations on petroleum exploration Law Enforcement Without Cooperation Agreements are as follows:

a. Increased the number of investigator personnel at Batang Hari Police Station

There is an attempt to submit proposals to increase the number of investigators, especially in the investigation of criminal acts in the oil and gas industry, due to the number of investigators who lack personnel. To improve the quality and knowledge of investigators in criminal law enforcement in the oil and gas industry, it is necessary to conduct training, provide investigators with access to higher education, or both. In addition to cooperating with the South Sumatra regional police and concurrently performing duties under their authority, a Task Force will be formed to manage oil extraction activities without a cooperation agreement.

b. Location Mapping

In this case, the Police Batang Hari investigators perform the mapping by flying a drone camera over locations that are suspected to be locations of petroleum exploitation activities, taking photos or videos and then closing access roads so that the community no longer conducts oil exploitation activities without a cooperation contract.

c. Inviting the neighboring community to collaborate

In conducting law enforcement efforts against petroleum exploitation without counter-cooperation, there is no doubt that investigators encounter obstacles. During raids related to the exploitation of petroleum without cooperation contracts, the perpetrators frequently flee when the Batang Hari Police investigator attempts to apprehend them. In minimizing these obstacles, the perpetrators are frequently apprehended. Batang Hari's Police investigator, collaborated with the neighborhood to provide information on the perpetrators who fled during the raid.

d. Intensify coordination with other organizations

To overcome the efforts of the absence of civil servant investigators (PPNS) in carrying out law enforcement against petroleum exploitation crimes without cooperation contracts, Batang Hari Police investigators always coordinate with multiple agencies such as the Office of the Environment, the Office of Energy and Mineral Resources, the TNI, and the Forestry Service so that law enforcement against criminal acts of oil exploitation without cooperation contracts is more effective..

e. Providing assurances that witnesses will receive protection

The difficulty of presenting witnesses for questioning becomes an obstacle for law enforcement investigators; these obstacles must be overcome. Batang Hari Police investigators take a humanistic stance by ensuring the safety of witnesses.

f. To Cooperate with PT. Pertamina and the Faculty of Law

To request an Expert Witness for the Batang Hari Police Investigators, it is necessary to bring in an oil and gas law expert witness from Jakarta, which takes a

considerable amount of time and money for the Police Batang Hari investigator. Pertamina and the Jambi Province Law School.

g. Request assistance from the Office of Public Works

Closing oil wells without a cooperation contract requires heavy equipment such as excavators to permanently close the well so that people no longer carry out oil exploration activities without a cooperation contract, but the availability of heavy equipment is quite limited. Investigators seek to ask the Public Works Department to assist investigators in closing oil wells.

h. Entails decisive actions

In an effort to combat individuals suspected of engaging in petroleum exploitation, investigators at the Batang Hari Police Resort will take harsh action if any of their members are implicated.

i. The implementation of Oil and Gas Law and Its Environmental Impact

Educating the community not to engage in petroleum exploitation activities without a cooperation agreement, in an effort to protect the environment from waste pollution resulting from petroleum exploitation activities, and inviting the community to work together to preserve the environment. As well as conducting socialization related to Law Number 22, 2001 Concerning Oil and Gas, which prohibits oil exploitation activities without a cooperation contract and contains threats of imprisonment and fines for violations.

Based on this, the Batang Hari Regency's petroleum exploitation crime enforcement strategy efforts without cooperation contracts are as follows:

1. Law enforcement must be carried out meticulously

Based on information obtained by the author from Batang Hari Police investigator, the average perpetrators were arrested and carried out repressive law enforcement actions only against workers, while landowners, financiers, and individuals who facilitate petroleum exploitation activities without work contracts are very rarely prosecuted. If the Police Investigator is serious about enforcing the law against petroleum exploitation without a cooperation agreement, all parties

involved, including landowners, financiers, and facilitators, must be dealt with severely.

During the period 2017 to 2019, the Police closed thousands of illegal oil well points in the villages of Pompa Air and Bungku without cooperation contracts. However, closing the illegal oil wells was insufficient to prevent the community from resuming oil exploitation activities without a cooperation contract because there is no assurance from law enforcement officials that the closure will be maintained. The fact that after the closure of illegal oil wells, officials left the location of oil exploitation activities without counter-cooperation and the absence of strict supervision related to closed oil wells, Law enforcement should be carried out by law enforcement officials who must also consider the economic aspects of the community, as the reason why people engage in these activities is that these activities have become the means of subsistence for the community. According to the authors, if the economy of the surrounding community improves, the community will not resume oil extraction activities without a cooperation agreement.

2. Allow the exploration in certain areas without cooperation contracts.

Communities in the district of Batang Hari that continue to carry out oil exploitation activities without work contracts due to economic reasons will not be paid if they do not work to exploit oil without a work contract. This is according to some people who refuse to control wells - the age of oil without cooperation contracts; from 2017 to the present, some people rely on oil exploitation activities without cooperation contracts that they sell to oil-buying agents; and some people claim that activities petroleum exploitation without a cooperation contract have a significant positive impact on their economies.

For this reason, there is a need for legalization as a Win-Win Solution by involving the local government and related agencies in oil exploitation activities without a cooperation contract, bearing in mind that the large potential of petroleum products will improve the welfare of the community and increase the opinion of the

local area, with a note that it is mandatory to prioritize the sustainability of the surrounding environment in accordance with the applicable terms and conditions.

In making regulations legalizing petroleum exploitation activities without cooperation contracts, the local government can learn from a number of regions that have also legalized petroleum exploitation activities without work contracts, such as those carried out in South Sumatra by forming the Business Enterprise Area and then the Village Unit Cooperative by involving Pertamina as the coach in the processing of upstream oil and gas business activities. This, according to the author, would prevent the exploitation of petroleum without a cooperation agreement.

Conclusion

Two forms of law enforcement action are utilized by the investigator of the Batang Hari Police to prevent the illegal exploitation of petroleum without a cooperation contract. The first is to appeal, socialize, and provide legal counsel to the public in order for them to understand that petroleum exploitation without a cooperation contract is a crime regulated by Law Number Number 22, 2001 concerning Oil and Gas. The second is a repressive law enforcement action taking action through legal channels in accordance with Article 52 of the Law.

Constraints in the law enforcement of petroleum exploitation crime without cooperation contracts encountered by investigators of Batang Hari Police, namely the lack of investigator resources, locations of oil exploitation activities that are difficult to reach by investigators for the Police Station, the difficulty in presenting witnesses in the examination, the involvement of individuals as obstacles for Police investigator Batang Hari, and the absence of cooperation contracts. Efforts are made to overcome obstacles in law enforcement of petroleum exploitation without cooperation contracts, including increasing the human resources of the investigator at the Police Batang Hari, mapping locations, increasing intensive coordination with other agencies, and providing guarantees to witnesses to receive protection, working with parties PT. Pertamina and the Faculty of Law, socializing the Oil and Gas Law and the environmental impact.

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