



0210502010601010649

“ENVIRONMENTAL RIGHTS IN THE INDONESIAN ENVIRONMENTAL LAW (EMAs) TOWARD THE ESTABLISHMENT OF ASEAN HUMAN RIGHTS COURT”

Febrian Zen and Achmad Romsan

The notion of environmental rights is not clearly defined in the first EMA 1982 and the second EMA 1997. In the third EMA 2009, the notion of environmental rights is integrated into human rights. The questions are how to implement the protection of the people's environmental human rights; does Human Rights Court have jurisdiction over the environmental human rights violation. These questions arise in correlation of The ASEAN Economic Community (AEC). Under the AEC, the ASEAN Court of Human Rights will be established. If the community environmental rights is not clear formulated in the EMA, therefore the role of National Commission of Human Rights (KOMNAS HAM) and of the Environmental Court will be less important. As the peoples from ASEAN countries will be able to submit their claims of their environmental human rights impaired to the SEAN Commission of Human Rights. This paper tries to examine and analyze the community environmental disputes which have been decided by the District Court within the period of the application of the EMAs. All the data obtained are in form of secondary data and are descriptively and qualitatively analyzed. The findings conclude that environmental rights and also environmental human rights as protected rights are not fully protected the victims of pollution and environmental degradation. As a result, there must be an amendment to the existing environmental human rights law instruments, including the law on human rights court in Indonesia to include environmental issues.

Keywords: environmental rights, environmental human rights, Indonesian Environmental Management Acts (EMAs), environmental disputes.

INTEGRAL AND QUALIFIED CRIMINAL LAW ENFORCEMENT MODEL IN DEALING WITH VEHICLE ROBBERY: A LEGAL STRENGTHENING

Heni Siswanto, Maroni, and Fathoni

The crime of theft with violence, theft of motorcycles, and robbery have spread terror massively. It becomes a very frighteningly specter for people in Lampung. To resolve it, it is necessary to build a "Criminal Law Enforcement Policy" (CLE) through effective policy. The question of this paper are about the condition of the existing model of CLE against the crimes in Lampung; and the application of integral and quality of the CLE model of in dealing with crime and robbery on the investigation in the future.

The research approach used is legal study (jurisprudence) approach, which is based on ideas and the recent approach. The first step of this research begins with doctrinal legal research by using statute approach, an analytical approach (analytical approach), and the conceptual approach. As a complement, it also uses the approach of socio-legal studies, which examine the law as a social phenomenon related to the enforcement of criminal law. The research location in the jurisdiction of the Lampung Police.

The final results are expected to be obtained through legal research are building a model of the integral and qualified CLE applications in dealing with the crime of vehicle theft on the stage of investigation. Model application of CLE will be able to provide guidance in combating this crime, effective, non-transactional, and based on the science of law. The most relevant application model was applied in accordance with the typology and characteristics of the Lampung Police jurisdiction.

Keywords: Model, CLE, Integral, Qualified