

## Legal protection of protected wildlife based on victimological perspective

Proteção legal da vida selvagem protegida com base na perspectiva vitimológica

Protección jurídica de la vida silvestre protegida basada en la perspectiva victimológica

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### Abstract

Indonesia is an archipelagic country in which abundant biological resources and ecosystems, including wild animals, are protected by laws and regulations. Legal protection for protected wild animals is regulated in law number 5 of 1990 concerning the conservation of living natural resources and their ecosystems, that acts prohibited by this law if violated will be subject to sanctions. In implementing legal protection for protected wild animals, it is the responsibility of the Natural Resources Conservation Agency and other law enforcers. In the implementation of legal protection for protected wild animals there are still many cases that occur and are not resolved, in this legal protection the role in law enforcement should be maximized. The urgency of this research is about legal protection carried out by related parties that have not been handled properly. This research is an empirical normative legal research which is conducting legal research that knows legal protection in accordance with the law and what is happening in the field. This research shows that there are inhibiting factors in the protection of wild animals protected by law enforcement, this can be detrimental to the community in the future if there are still problems that should be solved by increasing coordination between law enforcers.

**Keywords:** Legal protection; Protected wildlife; Victimological; Perspective.

### Resumo

A Indonésia é um país arquipélago no qual abundantes recursos biológicos e ecossistemas, incluindo animais selvagens, são protegidos por leis e regulamentos. A proteção legal para animais silvestres protegidos está regulamentada na lei nº 5 de 1990 relativa à conservação dos recursos naturais vivos e seus ecossistemas, que atos proibidos por esta lei se violados estarão sujeitos a sanções. Ao implementar a proteção legal para animais selvagens protegidos, é responsabilidade da Agência de Conservação de Recursos Naturais e outros agentes da lei. Na implementação da proteção legal para animais silvestres protegidos ainda existem muitos casos que ocorrem e não são resolvidos, nesta proteção legal deve-se maximizar o papel da aplicação da lei. A urgência desta pesquisa é sobre a proteção legal realizada por partes relacionadas que não foram tratadas adequadamente. Esta pesquisa é uma pesquisa jurídica normativa empírica que está realizando uma pesquisa jurídica que conhece a proteção legal de acordo com a lei e o que está acontecendo no campo. Esta pesquisa mostra que existem fatores inibidores na proteção de animais selvagens protegidos pela aplicação da lei, isso pode ser prejudicial para a comunidade no futuro se ainda houver problemas que devem ser resolvidos aumentando a coordenação entre os agentes da lei.

**Palavras-chave:** Proteção legal; Fauna protegida; Vitimológico; Perspectiva.

### Resumen

Indonesia es un país archipelágico en el que abundantes recursos biológicos y ecosistemas, incluidos los animales salvajes, están protegidos por leyes y reglamentos. La protección jurídica de los animales silvestres protegidos está regulada en la ley número 5 de 1990 relativa a la conservación de los recursos naturales vivos y sus ecosistemas, cuya violación los actos prohibidos por esta ley serán sancionados. La implementación de la protección legal para los animales salvajes protegidos es responsabilidad de la Agencia de Conservación de Recursos Naturales y otras autoridades encargadas de hacer cumplir la ley. En la implementación de la protección legal para los animales silvestres protegidos aún son muchos los casos que ocurren y no se resuelven, en esta protección legal se debe maximizar el rol de aplicación de la ley. La urgencia de esta investigación es sobre la tutela judicial realizada por partes relacionadas que no han sido manejadas adecuadamente. Esta investigación es una investigación jurídica normativa empírica la cual es la realización de una investigación jurídica que conozca la tutela jurídica de acuerdo con la ley y lo que ocurre en el campo. Esta investigación muestra que existen factores inibidores en la protección de

los animales silvestres protegidos por las fuerzas del orden, esto puede ser perjudicial para la comunidad en el futuro si aún existen problemas que deben resolverse aumentando la coordinación entre las fuerzas del orden.

**Palabras clave:** Protección legal; Vida silvestre protegida; Victimológico; Perspectiva.

## 1. Introduction

Indonesia is a country that is blessed with a diversity of natural resources. According to the Ministry of Forestry in 2004, Indonesia has a high wealth of biological diversity, second in the world, after Colombia (Wibisana, 2015). It is estimated that 300,000 species of wild animals or about 17% of the world's animals are found in Indonesia, although the area of Indonesia is only 1.3% of the land area in the world. Indonesia is the number one country in terms of the wealth of mammals (515 species) and is a habitat for around 1,539 bird species and 45% fish species in the world (Nursahid, 2010).

This long list of endangered species can be seen in several types of rare animals in their natural habitat, such as the Sumatran tiger, one-horned rhinoceros, anoa, bird of paradise, Sumatran elephant, Javan tiger, and many other animals that live on land, waters, and in the air that are endangered. The potential that Indonesia has is actually very abundant and can be a promising asset for Indonesia, so it is necessary to carry out legal protection for this biodiversity. Therefore, Indonesia saves a lot of diversity of endangered species, but is also one of the countries that has a fairly high rate of animal species extinction (Nursahid, 2010).

The embodiment of the Indonesian state itself as confirmed in the third amendment to the constitution of the Unitary State of the Republic of Indonesia (NKRI), namely in Article 1 paragraph (3) of the 1945 Constitution which states that, "The State of Indonesia is a state of law", is very clear in every aspect of national life. and state in Indonesia which is always related to the law, which can be seen from the many laws and regulations up to their implementation, including the regulations regarding the legislation concerning the Conservation of Biological Natural Resources and Ecosystems as stipulated in Law Number 5 of 1990 on the conservation of living natural resources and their ecosystems.

The regulations above regulate the types of endangered animals that are protected by the state, both those owned by the community and those that are not owned by the community, because these animals are almost extinct, and their natural habitat is rarely found. With the existence of Law Number 5 of 1990 concerning Conservation of Natural Resources, every perpetrator of the killing of wild animals is threatened with a maximum imprisonment of 5 years or a maximum fine of 100 million rupiah.

Furthermore, in Article 21 paragraph (2) of Law Number 5 of 1990 concerning Conservation of Biological Natural Resources and its Ecosystems, it is explained that everyone is prohibited from:

- Capture, injure, kill, store, possess, maintain, transport and trade, protected animals alive
- Storing, possessing, maintaining, transporting, and trading protected animals alive
- Removing protected animals from one place in Indonesia to another inside or outside Indonesia
- Trading, storing or possessing the skin, body or other parts of protected animals or goods made from parts of these animals or removing them from another place inside or outside Indonesia
- Taking, destroying, destroying, trading, storing or possessing eggs and/or nests of protected animals

Violation of the above article can be categorized as a criminal act or a violation of the law involving endangered protected animals. Hunting, persecution, killing of animals and the illegal trade of live and preserved animals are types of crime against animals. The level of crime against animals is still high in Indonesia.

The facts show that more than 80% of the animals traded in various animal markets in Indonesia come from wild capture. This condition can trigger the phenomenon of "empty forest syndrome" which is a condition in which a forest is devoid of contents because the animals have been hunted out. Efforts to use animals for the benefit of humans of course Efforts to use animals for the benefit of humans of course (Khakim, 2005).

The agency that has an important role in reducing the number of crimes against animals is the Natural Resources Conservation Center. Illegal wildlife trade in Indonesia is very complex and involves many parties, ranging from hunters, collectors, buyers to exporters. Not a few cases of illegal wildlife trade also involve officers related to saving the environment and security forces. The wildlife trade is a crime that has been well organized, has a wide and strong network and the mode of smuggling of goods continues to grow from time to time.

According to Article 3 of the Regulation of the Minister of Forestry Number: P. 02/Menhut-II/2007 concerning the Organization and Work Procedure of the Technical Implementation Unit for Natural Resources Conservation, it is the Main Duties and Functions of the BKSDA which stipulates the investigation, protection and security of forests, forest products and plants and wild animals inside and outside the conservation area, but in practice the BKSDA has not carried out its Main Duties and Functions to the maximum extent possible.

There are still many problems regarding the scarcity of animals caused by human behavior, namely using wild animals to be kept, hunted illegally, preserved, and traded against the law. This behavior arises because endangered animals have such high economic value in everyday life. Whereas rare animals, whether protected or not, are entitled to a decent life in the wild because they are also living things that can balance nature.

As an effort to prevent human behavior, conservation of endangered species is carried out. Although there have been many achievements from the Natural Resources Conservation Agency in disclosing cases of protected rare animals, it does not make the cases of these animals experience a decline because there are still many cases regarding trade, excessive maintenance for sale, and the killing of wild animals in the wild which causes wildlife then declined.

This shows the need for an in-depth study from the Natural Resources Conservation Center related to the legal protection of protected wild animals so that wild animals can get their right to live, which will be for the survival and sustainability of human knowledge in the future so that they are aware of protected wildlife, especially in Indonesia.

## **2. Methodology**

This research is an empirical normative legal research which is conducting legal research that knows legal protection in accordance with the law and what is happening in the field.

## **3. Results and Discussion**

Biological natural resources and their ecosystems are the most important part of natural resources consisting of animal resources, vegetable nature and natural phenomena, both individually and collectively having functions and benefits as forming an environment whose presence cannot be replaced and has position and important role for human life, the conservation of living natural resources and their ecosystems is an absolute obligation for every generation.

Irresponsible actions that can damage the life of nature reserves and nature conservation areas or actions that violate the provisions on the protection of protected plants and animals can be punished with corporal punishment or fines. The punishment is deemed necessary because the damage or extinction of one of the living natural resources and their ecosystems can result in huge losses for the community which cannot be assessed in terms of material, while its recovery as before is difficult to carry out.

In Law Number 5 of 1990 concerning the conservation of living natural resources and their ecosystems, it is also explained about the maintenance of both protected and unprotected animals and the management of living natural resources which are used wisely to ensure the continuity of their supply while maintaining and improving the quality of the existing diversity and maintain the value it contains.

According to Articles 2 and 3 of the Regulation of the Minister of Forestry Number: P. 02/Menhut-II/2007 concerning the Organization and Work Procedure of the Technical Implementing Unit for Natural Resources Conservation, it is the Main Duties and Functions of the Natural Resources Conservation Agency which has the task of carrying out conservation, management of nature reserves, animal wildlife sanctuaries, nature tourism parks, hunting parks as well as technical coordination of protected park management and plant and animal conservation outside the area based on applicable laws and regulations which in its technical implementation also carries out the functions of investigation, protection and security of forests, forest products and wild plants and animals inside and outside conservation areas, controlling forest fires, developing love for nature, counseling, developing partnerships, developing the tourism environment and supervising administration and household affairs which are clearly regulated in the regulation of the minister of forestry.

The success of the conservation of living natural resources and their ecosystems is closely related to the achievement of three conservation goals, namely:

- Ensure the maintenance of ecological processes that support life for sustainable development and human welfare.
- Ensuring the maintenance of genetic diversity and ecosystem types so that it can support science, development, and technology that enables it to meet human needs using living natural resources for welfare (preservation of germplasm sources).
- Controlling the ways of utilizing living natural resources so as to ensure their sustainability, the side effects of the application of science and technology that are carried out in an unwise manner have resulted in a lack of harmony in the use and designation of land and the failure to achieve optimal conservation targets which have led to a decrease in living natural resources (utilization of natural resources biologically)

The government has paid attention to the environment with a focus since the 1972 Stockholm conference. Law Number 4 of 1982 is one of the first laws and regulations governing the environment where the law is a parent or umbrella law (known as the Wet Law). or Umbrella act) which is in an environmental field.

Although this law does not specifically regulate animal protection, this law has a broader subject matter and does not contain articles that directly indicate the protection of the specific potential for animal protection, this law has a broader subject matter and contains articles that directly indicate the protection of animals specifically.

Although Chapter II of this Law regulates the principles, objectives and targets of environmental management in Indonesia where living things including animals are an inseparable part. Environmental management is an integrated effort to preserve environmental functions which includes policies for structuring, utilizing, developing, maintaining, recovering, monitoring, and controlling the environment.

Law Number 4 of 1982 was revised with Law Number 23 of 1997, which in Article 4 formulates targets for the government's environmental management of resources wisely. Protection of potential wildlife in Indonesia is one of the targets of environmental management efforts, Law Number 5 of 1990 concerning the conservation of living natural resources and their ecosystems is a law created from the Environment.

Articles 2 to 5 of Law Number 5 of 1990 contain basic provisions in the field of conservation of living natural resources and their ecosystems which involve 3 (three) activities, namely, protection of life support systems, preservation of

the diversity of plant and animal species and their ecosystems, and sustainable use of living natural resources and their ecosystems. These efforts are expected to help the government and society fulfill their responsibilities and obligations. To strive for the realization of the preservation of living natural resources in a balanced ecosystem so that they can better support efforts to improve community welfare and the quality of human life.

Article 21 paragraph (2) of Law Number 5 of 1990 concerning Conservation of Biological Natural Resources and its Ecosystems explains that everyone is prohibited from:

- Capture, injure, kill, store, possess, maintain, transport and trade, protected animals alive
- Storing, possessing, maintaining, transporting, and trading protected animals alive
- Removing protected animals from one place in Indonesia to another inside or outside Indonesia
- Trading, storing or possessing the skin, body or other parts of protected animals or goods made from parts of these animals or removing them from another place inside or outside Indonesia
- Taking, destroying, destroying, trading, storing or possessing eggs and/or nests of protected animals.

Acts that can be punished are regulated in Article 40 which reads Whoever intentionally violates the provisions as referred to in Article 19 paragraph (1) and Article 33 paragraph (1) shall be sentenced to a maximum imprisonment of 10 (ten) years and a maximum fine of Rp. 200,000,000.00 (two hundred million rupiah). Paragraph 2 Whoever intentionally violates the provisions as referred to in Article 21 paragraph (1) and paragraph (2) and Article 33 paragraph (3) shall be sentenced to a maximum imprisonment of 5 (five) years and a maximum fine of Rp. 100,000,000.00 (one hundred million rupiah). Paragraph 3 Whoever because of his negligence violates the provisions as referred to in Article 19 paragraph (1) and Article 33 paragraph (1) shall be sentenced to a maximum imprisonment of 1 (one) year and a maximum fine of Rp. 100,000,000.00 (one hundred million rupiah). Paragraph 4 Whoever because of his negligence violates the provisions as referred to in Article 21 paragraph (1) and paragraph (2) and Article 33 paragraph (3) shall be sentenced to a maximum imprisonment of 1 (one) year and a maximum fine of Rp. 50,000,000.00 (fifty million rupiah). Paragraph 5 The crime as referred to in paragraph (1) and paragraph (2) is a crime and the crime as referred to in paragraph (3) and paragraph (4) is a violation.

Regarding investigative activities, it is stated that in addition to Investigating Officers of the Indonesian National Police, certain Civil Servant Officers within the department whose scope of duties and responsibilities include fostering the conservation of living natural resources and their ecosystems, are given special authority as investigators as referred to in the Act. Number 8 of 1981 concerning Criminal Procedure Code in the field of conservation of living natural resources and their ecosystems, investigators are authorized to:

- Examine reports or information relating to criminal acts in the field of conservation of living natural resources and their ecosystems;
- Conduct examinations on persons suspected of committing criminal acts in the field of conservation of living natural resources and their ecosystems;
- Checking the identification of a person who is in a nature reserve area and a nature conservation area; Conduct searches and confiscate evidence of criminal acts in the field of conservation of living natural resources and their ecosystems;
- Requesting information and evidence from individuals or entities in relation to criminal acts in the field of conservation of living natural resources and their ecosystems;

- Create and sign minutes of events;
- Stop the investigation if there is not enough evidence regarding the existence of a criminal act in the field of conservation of living natural resources and their ecosystems.

Talking about criminal law enforcement in Indonesia cannot be separated from the practice of criminal law enforcement based on the Law of the Republic of Indonesia Number 8 of 1981 concerning the Criminal Procedure Code, known as the Criminal Procedure Code, the criminal justice system in Indonesia is based on Het Herziene Inlandsch Reglement (stbl 1941 No. 44). Then on December 31, 1981 HIR was revoked with sub I of the Criminal Procedure Code Number 8 of 1981.

The Criminal Procedure Code (KUHAP) has laid the foundation for humanism and is a new era in the Indonesian judiciary. In this Criminal Procedure Code, the goal to achieve order and legal certainty is no longer the main goal, but the priority and the basic problem is how to achieve that goal so as to reduce respect for human dignity and dignity. a suspect, accused or defendant in the law is the main goal.

From the description of the contents of the Criminal Procedure Code, the criminal justice system in Indonesia consists of the police, prosecutors, advocates, courts, and social institutions as law enforcement officers. The implementation of the Criminal Procedure Code is a reflection of law enforcement in Indonesia so that law enforcement officers in carrying out their duties and functions are expected to be in accordance with applicable provisions so that order and justice are created in accordance with what is aspired by law.

In applying a sanction or punishment to someone who has committed a crime or violated existing regulations, analysis is also needed by using several theories of applying criminal sanctions or commonly known as punishment theory, namely as follows: Absolute Theory or theory of retaliation, Relative theory or theory goals, Combined Theory (Holyone, 2017). However, in its development, in addition to the three theories, there are also contemporary theories about the purpose of crime, namely: The Theory of Deterrence Effect, Educational Theory, Rehabilitation Theory, Social Control Theory, and Restorative Justice Theory (Hutahaen, 2013).

Law should develop dynamically in human life so that it does not lag far behind what has been regulated in the existing rules, because essentially the purpose of law is to uphold justice, legal certainty, and legal benefits. Legal certainty can be provided by codification and legal jurisprudence. Because basically jurisprudence can fill legal voids in legal construction efforts, so that legal certainty is created or legal certainty is guaranteed.

Law enforcement is a process of making efforts to enforce or function of legal norms in a real way as a legal relationship in society and the state. Law enforcement is an effort to realize legal ideas and concepts that are expected by the community to be able to become suggestions for renewal in order to achieve justice in people's lives.

Concrete law enforcement is the application of positive law in practice as it should happen. Therefore, giving justice in a case means deciding inconcreto law in maintaining and guaranteeing compliance with material law by using the procedural method established by formal law (Dellyana, 1988).

One way to achieve the goals of criminal law is to impose a sentence on someone who has committed a crime. The crime is a suffering deliberately imposed by the State on someone who has committed a criminal act (Sastrawidjaja, 1990). In criminal law, there are 3 theories of criminal law (strafrechtheorieen) which are generally divided into three groups.

According to the absolute theory, the crime is a legal consequence that absolutely must exist as a revenge for people who have committed a crime. The basis for justification lies in the crime itself. The crime here is solely to give suffering to people who commit crimes. Kant, Hegel, Herbart, Stahl, and Leo Polak.



According to the relative theory, the crime has certain useful purposes, the basis of its justification lies in the purpose of punishment itself, namely to pacify the community and the purpose of the crime to prevent crime, which consists of general prevention and special prevention. General prevention is based on the idea that the crime is intended to prevent anyone from committing a crime.

The main purpose of the crime to be achieved is prevention aimed at the general public or everyone so that they do not violate public order. Anselm Von Feuerbach developed the "psychologische zwang" theory, namely if everyone understands and knows that violating the law is punishable by punishment, then that person understands and knows that he will also be punished for the crime he has committed. So that it can prevent everyone from doing evil, because in the soul of each person has been under pressure from the threat of punishment for the evil act (Poernomo, 1992).

Meanwhile, special prevention is based on the idea that the crime is intended so that people who have committed crimes do not repeat the crime again in the future. Adherents of this school are Franz Von List, Van Hamel and Simons (Sastrawidjaja, 1990). Van Hamel argues that the purpose of crime in addition to maintaining public order, also has a combined goal of frightening, repairing and certain crimes to destroy (Poernomo, 1992).

In the draft law concerning the 1968 Criminal Code, ideas about the purposes of the 1968 criminal code can be found, and ideas about the aims of punishment are found with the following formulation (Poernomo, 1992):

- To prevent the commission of criminal acts for the protection of the state, society and population.
- To guide the convicts to convert and become virtuous and useful members of society.
- To remove stains caused by criminal acts.
- Sentencing is not intended to suffer and is not allowed to degrade human dignity.

The four elements of criminal objectives are carried out by means of cooperation between the government and the community, so that prisoners are not completely separated from human nature, the process of implementing such a crime is formulated in the form of a correctional system (Poernomo, 1992).

Crime has a purpose as a sanction to maintain legal order, and as a legal institution that pays attention to the general welfare. The way the criminal objective works, the first is to demand as much guilt (repressive) as possible for those who are guilty of violating legal norms, who are held accountable for the actions they have committed, and secondly to prevent where necessary and where possible for future unlawful acts. called preventive. There are three layers that must be passed as a criminal stage, namely (Poernomo, 1992):

- The stage of threatening and treating criminal offenses drawn up by the legislators.
- The stage of the criminal decision as determined by the judge.
- The stage of implementing the criminal judgment on the judge's decision by the official appointed as the executor.

Repressive is intended primarily to begin at the stage of determining the judge's decision, if the act committed with the error is definitely subject to criminal punishment. Generale prevention is emphasized at the stage of implementing a criminal which has the intention of frightening, educating, and destroying (Poernomo, 1992).

The state in carrying out its obligations to carry out the law enforcement process applies legal sanctions or penalties imposed on someone who violates the law. The most obvious manifestation of sanctions can result in deprivation of liberty (imprisonment), property (confiscation), honor and even one's soul (death penalty). The state in implementing legal sanctions

must be in accordance with the method as outlined in the criminal procedural law which is intended to keep the accused's rights as citizens and dignity as human beings into account. This is the embodiment of Pancasila, namely the precepts of humanity (Kusumaatmadja & Sidartha, 2000).

The main problem of law enforcement actually lies in the factors that influence it. These factors are laws, in the material sense are written regulations that are generally accepted and made by central and regional authorities. Problems in law enforcement stemming from the law are caused, among others, because the principles that apply to the law are not followed, there are no implementing regulations that are urgently needed to implement the law, and the unclear meaning of the words used in the formulation of the articles. certain article. It is possible that this is due to the use of words whose meanings can be interpreted widely, or because of inaccurate translations from foreign languages. So that it can lead to confusion in its application (Soekanto, 2007).

Law enforcement, in which those who are directly involved in law enforcement do not include law enforcement, but also peace maintenance. This group includes those who work in the fields of justice, prosecutors, lawyers, and correctional facilities (Soekanto, 2007).

Law enforcement officials also include the notion of law enforcement institutions and law enforcement officers (persons). In a narrow sense, law enforcement officials involved in upholding the law, starting from witnesses, police, legal advisors, prosecutors, judges and correctional officers. Each relevant apparatus and apparatus also includes parties concerned with their duties or roles, namely reporting or reporting activities, investigations, investigations, prosecutions, evidence, sentencing and imposing sanctions, as well as efforts to re-socialize the convicts (Anonymous, 2021).

Each law enforcement has a position and role. Law enforcers are considered as role models who should set an example in society. Law enforcement problems that come from law enforcement are limited ability to position themselves when interacting, aspiration level is relatively not high, limited ability to think about the future, lack of ability to delay satisfying needs and lack of innovative power (Soekanto, 2007).

Certain facilities or facilities support the smooth running of law enforcement. These facilities or facilities, among others, include skilled educated human resources, good organization, adequate equipment, sufficient finances, and so on. The problem of law enforcement originating from the facilities or facilities is that if this is not fulfilled, it will hinder the process of resolving case handling and crime prevention and eradication programs (Soekanto, 2007). Facilities or facilities have a very important role in law enforcement. Without these facilities or facilities, it will not be possible for law enforcement to harmonize their supposed roles with their actual roles (Soekanto, 2007).

Law enforcement comes from the community and aims to achieve peace in society. The public will judge directly without considering the performance of law enforcers. Community members have the perception that every law enforcement officer can overcome the problems experienced by the community with the best possible results (Soekanto, 2007). Law enforcement must recognize the social stratification in the community that exists in the environment which is expected to be a law enforcer to adapt to the situation and conditions of the local community. Citizens must also know their rights and obligations (Soerjono Soekanto, 2007).

The problem of law enforcement comes from the community, namely if the community does not know or is not aware that their rights have been violated, are not aware of any legal remedies to protect their interests, are unable to take advantage of legal remedies due to financial, psychological, social or political factors, do not have experience of being a member of an organization that fights for its interests, and having bad experience when interacting with law enforcement officers (Soekanto, 2007).

Cultural factors basically include the values that underlie the applicable law, these values are the value of the order, the value of the army, the value of the physical (material), the spiritual value (morality), the value of permanence



(conservatism), and the value of novelty (innovation). So that the laws that are made must reflect the values that are the basis of the customary culture of the community so that the laws and regulations can apply effectively (Soekanto, 2007).

The urgency in protecting wildlife is related to the losses that will be felt by humans in the future if not all authorized elements make improvements and maximize all aspects so that this animal crime is not prolonged and causes extinction. Talking about crime does not escape also talking about victims of crime who are, of course, victims of individuals and individuals at first. This view is not wrong because in the scope of society, most people only know about crimes such as murder, persecution, theft and so on. However, in its development, victims of crime are not only individuals, but are widespread and complex.

The perception is not only the number of victims, corporations, institutions, governments, nations and countries. It is also stated (Gosita, 1984) that victims can mean "individuals or groups, both private and government". It is more broadly described (Abdussalam, 2010) regarding individual victims, institutions, the environment, society, nation and state as individual victims, namely that every person as an individual suffers mental, physical, material, and non-material suffering.

Institutional victims are every institution that suffers losses in carrying out their functions which cause prolonged losses as a result of government policies, private policies and natural disasters. Environmental victims are any natural environment which contains the life of plants, animals, humans and society as well as all living bodies that grow and develop and their sustainability is highly dependent on the natural environment that has been deforested, landslides, floods and fires caused by government policies. wrong and irresponsible human actions, both individuals and society. Victims The community, nation and state are people who are treated unfairly by discrimination, overlapping the distribution of development results and civil matters, political matters, economic rights, social rights, cultural rights are not getting better every year.

If you look at the history of human life, wildlife is closely related to human life. For a long time, humans have used wild animals for meat, skin, fur, oil or just for their energy. Livestock such as chickens, goats and cows are the result of a process of "taming" wild animals. Swallow's nest is a commodity with high economic value. Fish is also a food that is very popular with humans. Animals can be a potential source of protein, if managed properly and wisely. In many developing countries, wildlife is the main source of protein.

Some wildlife captivity can provide an advantage in some areas. Such as butterfly breeding in Papua and butterfly breeding in Harau and Tarantang villages in West Sumatra have succeeded in raising the standard of living of the local community, from the sales of butterflies. Nature tourism that uses wildlife as its main object is also able to generate very large money, although in Indonesia this tourism has not been developed properly. In fact, this nature tourism activity is an alternative to the indirect use of wild animals which further ensures the preservation of wild animals. Meanwhile, the use of wild animals in Indonesia tends to be carried out directly, for example being hunted or traded.

Wild animals have directly helped the preservation of human life itself, and often humans are not aware of this, so that the exploitation of animals continues. Whereas the extinction of one species will encourage the extinction of other species and will eventually accelerate the extinction of humans themselves. Many wild animals help spread the various types of trees in the forest, so there is a connection between trees and wildlife. In some types of trees can not bear fruit if not assisted by wildlife. Kalongs help spread durian trees, orangutans help spread trees in Kalimantan and Sumatra. Pollination of various types is also assisted by many animals, including birds, bats and insects. These animals also help various types of plants emit their seeds, to maintain the continuity of their species.

Many wild animals can be an indicator of environmental damage, because animals are very sensitive to environmental changes, for example dragonflies will only want to live in rivers that have not been polluted. Intensive research on the ability of wild animals as biological indicators needs to be developed so that one day it will be useful for human life. Various types of

wildlife are genetics that will be useful for the life of the world of science and human life in the present and future. Many vaccines for the benefit of immunization for millions of children, the basic ingredients are wild animals.

Many local people in their daily lives depend on the presence of certain types of animals. Some tribes in Papua require a bird of paradise for their traditional ceremonies or rituals. Javanese people in rural areas still believe in the signs given by wild animals. The extinction of a type of wildlife is a very big loss for human life, because all living things must have a role and benefit, but humans will lose the opportunity to use it if the animal is extinct (Nursahid, 2007). The following are reasons why it is important to protect species from extinction (Workshop: 2021).

Ecological reason, is to avoid extinction. Extinction must be avoided, because all species in the ecosystem individually or together have an important role. The extinction of a species will break the chain of reciprocal relationships between the components of the ecosystem. In some cases the impact will be felt by humans in the short term, but many of them are unknown or have not yet been known. Ethical reasons, because this earth is entrusted to our children and grandchildren in the future. Moral reasons, because morally humans should be ashamed if they are silent witnessing the extinction of animals caused by human hands who commit crimes against nature, especially protected wildlife.

#### 4. Conclusion

Legal protection for protected wild animals is regulated in law number 5 of 1990 concerning the conservation of living natural resources and their ecosystems, which regulates the utilization, management, protection, and what may and may not be done to natural wealth and its animals. and to implement the law, it regulates investigators, namely the police and civil servant investigators and institutions related to law enforcement. It also stipulates the penalty for committing the crime of protected wildlife.

In carrying out the mandate of the law, there are still many inhibiting factors, including the law itself, law enforcers, facilities and infrastructure, and the culture of the community itself which causes the legal protection for the protected wildlife to be less than optimal, and this should be done. efforts to maximize the rules, authority, facilities, and education to the public to obey and obey the law itself so that the protection for these animals can be maximized.

Victims of crimes against wildlife protected by irresponsible people will cause enormous losses for humans themselves who play an important role in the ecosystem for human survival, both in the economic sector, life growth, culture, education in the future. it will not be felt if the extinction of animals continues to occur and today we should together continue to carry out legal protection for wild animals so that unwanted things do not happen such as the extinction of the animal itself which will affect us and our children and grandchildren in the future.

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