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Ultimum Remedium in Environmental Criminal Law Enforcement

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ABSTRACT

In environmental cases, some have adopted the principle of Ultima Ratio as a last resort to address the problem. The aim is to enforce environmental law, distinct from criminal law enforcement, and to apply the Ultimum Remedium Principle of Environmental Law according to Positive Law. This study employs a normative juridical method and literature-based data collection techniques. The results of the Research are the principle of ultimum remedium (last resort) in resolving environmental criminal cases. In 2024, police case files at the investigation stage were not completed for 187 cases, and in 2025, case files in Pegcourt were not completed for 21 cases. The criminal process involves police reports, stalking investigations at the prosecutor's office, and court verdicts. Ultimum Remedium is invoked to encourage settlement through mediation. In 2024, there will be 32 cases outside the Court with agreements, and in 2025, 38 cases with contracts and negotiations. The conclusion is that the Law and Government Regulation on Environmental Management regulates environmental law enforcement through criminal law. Under government regulations, environmental damage can be subject to administrative, civil, and criminal penalties. In addition, the term Ultimum Remedium encourages mediation through agreements or negotiations.

Keywords: Ultimum Remedium, Law, Environmental

INTRODUCTION

The environment comprises all external elements that affect the organism. These elements can be living (biotic) or nonliving (abiotic), including energy, chemicals, and other physical conditions. The environment is considered good when the ecosystem is well-maintained. An ecosystem is a set of environmental elements that function as a whole, influencing one another to maintain balance, stability, and ecological productivity. However, the balance of nature does not mean that the ecosystem has not changed. Ecosystems are dynamic and not static. Plant and animal communities across ecosystems are gradually adapting to environmental change. Plants and animals also experience changes in ecosystems due to floods, erosion, earthquakes, pollution, and climate change. Although the ecosystem is constantly evolving, it can return to its original state provided the change is not dramatic. These changes may result from weather or human activities that have deliberately perturbed the balance of natural ecosystems.

Forestry management activities are carried out with community involvement; thereafter, forestry governance is conducted with community participation; finally, governance is assessed to prioritize state interests, even though the community has contributed. The community plays a crucial role in promoting the unity of the natural ecosystem. In addition, the community can help enforce environmental laws against perpetrators of ecological damage.

Environmental law enforcement plays a crucial role in maintaining ecosystem sustainability and improving human quality of life. While each venture and/or activity can have a significant impact on the environment, these potential threats have been evaluated to identify the environmental risks associated with the planned industry and to design mitigation strategies to address them. However, as natural resource exploitation and industrialization intensify, the problems of pollution and environmental degradation have become increasingly complex, often involving large corporations and having massive, permanent impacts. Environmental crimes, such as illegal Hazardous dan Toxic Material (HAZMAT) waste disposal or forest burning, are characterized by long-term impacts (environmental damage is not only felt today, but also affects future generations), transformative nature (damage is difficult, even impossible, to recover fully), and collective loss (the victims of environmental harm are the wider community and nature itself). This complexity stems from the presence of a robust and adaptive legal system, encompassing administrative, civil, and criminal law.

Overall, criminal law related to the environment is premised on the principle of countermeasures (the last resort). The principle of Ultimum Remedium is a crucial concept in criminal law. In other legal relationships, criminal law is the previous way. The meaning is that criminal law is invoked only when sentences in different areas of law are inadequate. In addition, this principle is rooted in the idea that punitive (retributive) criminal sentences should be the last resort, after administrative (preventive and corrective) and civil (compensatory and restorative) sentences have been tried and considered inadequate or ineffective. The goal is to prioritize environmental restoration rather than punishing perpetrators.

Environmental rules are set out in Law No. 32 of 2009 on Environmental Protection and Management (UU PPLH) and Government Regulation No. 22 of 2021 on the Implementation of the Protection and Management of Living Environments (PP PPPLH). However, its application raises a profound juridical problem: a paradigm shift in practice, particularly in cases of severe harm, such as illegal burning, marine pollution, and environmental damage committed by large mining companies, as evidenced by the considerations companies undertake. In these cases, many parties argue that applying the Ultimum Remedium weakens deterrence and creates an opportunity for the perpetrator to repeat the offense. The

power of administrative sanctions, such as fines and permit revocation, is considered disproportionate to the economic benefits criminals derive, and therefore ineffective as a last resort. The discretion afforded to law enforcement, coupled with this dualism, gives investigators, prosecutors, and judges considerable latitude in determining the legal course to be pursued, which can lead to legal uncertainty and decisional disparity.

However, for the Ministry of Environment (KLH) or the Environmental Settlement Agency (BPLH), success is not measured by the number of cases or the value of losses. More critical are behavior change, the prevention of repeat damage, and a sense of justice among the community. Because for KLH/BPLH, environmental justice does not belong to today's generation alone; it is a matter of inheritance for our children and grandchildren. Director of Environmental Dispute Resolution (PSLH), Dodi Kurniawan, stated that, with a new strategy that is scientific, transparent, and participatory, the Ministry of Environment and Forestry/BPLH demonstrates that environmental dispute resolution can be firm but fair, strong but grounded. Environmental damage is a serious crime, and the state is responsible for remedying, restoring, and preventing it.

Environmental damage became a central focus of attention. It was examined in Isvan Diary's 2024 article, "The Application of the Ultimum Remedium Principle in Environmental Law Enforcement," which led to criminal legal action against CV. Perajutan Sahabat is more appropriately considered an administrative error, since they have applied for a permit but have not yet been issued one. The discussion revealed that law enforcement must prioritize administrative measures before resorting to criminal action, in accordance with the principle of Ultimum Remedium. In conclusion, the application of this principle is to maintain a balance between law enforcement and the protection of human rights. The suggestions include expanding legal education and awareness among business actors, strengthening oversight, and environmental law reform responsive to industry needs. In addition, improving the quality of judges and law enforcement personnel through ethical training and supervision is expected to lead to fair decisions that adhere to legal principles. By implementing these recommendations, it is hoped that the Indonesian judicial system can be more effective in enforcing environmental laws, protecting individual rights, and promoting better waste management practices. Differences: The author's Research draws on Law No. 32 of 2009 concerning Environmental Protection and Management and Government Regulation Number 22 of 2021 concerning the Implementation of the Protection and Management of Living Environments, whereas the previous writing relies on Law No. 32 of 2009 concerning Environmental Protection and Management.

RESEARCH METHODS

This Research method employs a normative legal approach to examine the elements of positive law. Normative legal Research focuses on the definition, provisions, rules, and teachings of law. One of the main benefits of this approach is its ability to analyze and present an orderly and transparent legal framework. In addition, this approach is essential because it allows for a robust theoretical foundation for researchers to understand and interpret applicable legal norms. The data source of this study uses secondary data collected through library Research, including Law Number 32 of 2009 concerning Environmental Protection and Management, Government Regulation Number 22 of 2021 concerning Environmental Implementation and Management, prior scientific works (books, theses, and journals), expert opinions, and Case Studies.

RESULTS AND DISCUSSION

The Directorate General of Environmental and Forestry Law Enforcement (Gakkum LHK) has handled 187 investigation files related to environmental and forestry cases throughout 2024. The Gakkum LHK also resolved ecological disputes outside the court by reaching 32 agreements totaling IDR 68,12 billion. The Gakkum LHK in the Court handled 48 environmental civil cases, implemented 370 administrative sentences, and handled 880 complaints. These cases range from illegal waste disposal and animal trafficking to illicit timber trafficking. The number of cases that have not been completed and have been resolved, as a result of:

Table 1. Environmental Cases in 2024

Out of Court	**In Court**			
Finished	Not yet finished	Finished		
Deal	Investigation File	Environmental Civil	Administrative Evidence	Complaints
32	187	48	370	880

(Sumber: Direktorat Jendral Penegakan Hukum Lingkungan Hidup dan Kehutanan, 2024.)

In the first semester of 2025, the Directorate of Environmental Dispute Resolution (PSLH) handled 74 environmental cases, both through the courts and through non-litigation mechanisms. The state collected Non-tax Revenue (PNBP) totaling IDR 117,28 billion, derived from compensation and ecological restoration by business actors. But this is not just about numbers. It concerns responsibility and a paradigm shift. The PNBP will be used for institutional strengthening and environmental restoration. PSLH Director Dodi Kurniawan stated that this new approach is not an immediate response to a viral ecological disaster, but a systematic effort that begins with small steps: community reports, villagers' voices, and field-level supervision. The Director of PSLH also emphasized that environmental permits are not merely a complementary document but also an early warning of potential damage. In other words, a permit is a commitment by business actors to protect the environment, and the Ministry of Environment and Forestry (MoEF) is responsible for ensuring that this commitment is fulfilled. Over the past six months, 38 disputes have been resolved peacefully through mediation and negotiation, based on scientific data and active community participation. On the other hand, 36 cases proceeded to court, of which 15 already had final rulings. One case was even successfully executed with an environmental restoration value of IDR 86 billion. The table of cases in 2025 is as follows:

Table 2. The Case for the Environment in 2025

Out of Court	**In Court**	
Finished	Not yet finished	Finished
38	21	15

(Sumber:Kementerian Lingkungan Hidup/Badan Pengendalian Lingkungan Hidup, 2025)

Completion begins with field verification: collecting samples, photographing ecological conditions, and analyzing laboratory results. This data is the primary, undeniable evidence in demanding accountability of the perpetrators. KLH/BPLH also applies the principle *of strict liability*, particularly in

cases involving hazardous and other waste, marine pollution, and damage to conservation areas. This means that business actors can be held accountable even in the absence of any element of intentionality. This strengthens the position of the state and society in fighting for environmental justice. The negotiation process is also designed to be professional and efficient, with a maximum of five stages, beginning with the submission of claims and culminating in the recovery agreement as outlined in the official minutes. Each deal is monitored directly by the KLH/BPLH technical team.

Behind the negative awareness of humans as animal thinking or thinking animals, humans have the basic potential to be able to damage the order created by God very perfectly. Allowing humans to live freely by their own choice is like letting the universe slowly crumble. Based on this, with positive awareness, humans form laws to regulate and balance freedom. Environmental law is a combination of two words: law and the environment. According to Gatot P. Soemartono, ecological law is a comprehensive regulatory framework governing human behavior with respect to the environment and enforced by authorities.

Environmental law encompasses material aspects, including regulations and enforcement. Law enforcement in the environmental sector is evolving rapidly, adapting to human needs and behavior rather than to nature (the environment). The paradigm of ecological law places humans in a dilemma within the circle of the cosmos: nature or humans, with humans positioned as the primary agent. The paradigm that positions humans as the primary agents posits that humans are the center of will, ideas, and behaviors, and even the determinants of the black-and-white environment. The next choice regarding nature is unlikely to yield immediate benefits for humans. From a normative perspective, human beings are those who possess power in the form of intentions, wills, actions, and responsibilities.

The environmental law paradigm has given rise to three streams: classical, modern, and postmodern. First, classical environmental law relies on natural laws that place the environment as a parameter of individual behavior and collective policy. The classical school is still preserved today through the recognition of communal and customary wealth. Second, modern environmental laws that protect the environment constitute a set of normative rules written, promulgated, and enforced by officials or other authoritative bodies. Third, postmodern environmental law relies on the orientation of law formulation and enforcement to strengthen environmental elements while supporting the resilience of human life.

Environmental Law Enforcement in Law Number 32 of 2009 on Environmental Protection and Management (UU PPLH).

The government conducts environmental risk assessments to prevent pollution. Ecological risk assessment is a step used to evaluate the emissions and circulation of genetically modified products, as well as the management of hazardous and toxic waste. Any business or activity that can have a significant impact on the environment, ecosystems, and life, and/or on human health and safety must conduct an environmental risk assessment, including risk communication. Risk assessment encompasses the process of identifying hazards, assessing the magnitude of consequences, and evaluating the likelihood of desired outcomes, both for human health and safety and for the environment. Risk management encompasses risk assessment and risk selection; identification of risk management options; selection of management measures; and implementation of those measures. Environmental risk analysis is implemented in accordance with Law Number 32 of 2009 on Environmental Protection and Management.

In Law Number 32 of 2009 concerning Environmental Protection and Management, the application of environmental law, in the basic sense, is understood as an effort to enforce existing laws (ius

constitutionis) to promote a prosperous community life and a healthy ecosystem. Law enforcement in the environmental sector can be classified into three categories, namely: 1) Enforcement of administrative laws, 2) Enforcement of Civil Judgment, and 3) Enforcement of Criminal Law.

In theory, several administrative sanctions are used in environmental law enforcement, including government actions, fee imposition, business closures, temporary suspensions of company machinery activities, and permit revocations. Under Article 76, paragraph (2) of Law No. 32 of 2009, four types of administrative punishments are recognized: written warnings, coercion by the Government, freezing of environmental permits, and revocation of environmental permits. Of the four types of administrative sanctions, the 2009 law does not inude coercive financial penalties, although the government's coercive measures have proven complex.

The government's coercive sanctions in accordance with Article 80 paragraph 1 of Law Number 32 of 2009 include: temporary suspension of production activities, relocation of production facilities, closure of waste systems or emission streams, dismantling, confiscation of goods or equipment that may result in violations, temporary suspension of all activities, and other actions aimed at stopping violations and restoring environmental functions. The witness stated that the components described in the second paragraph were: a serious threat to humans and the environment; greater and more widespread impacts if pollution and/or use are not stopped immediately; and greater losses to the environment if pollution and/or damage are not addressed immediately.

If a situation makes it challenging to enforce government coercion, or if some sentences are unduly severe, the interested party may be required to pay a fine as an alternative. Instead of the Government's forced money, the imposition of forced money should only be charged if the Government's coercion can also be applied. The forced money charged will be lost for each time the violation is reported or for each day the violation (after the stipulated time) continues. As an alternative witness, the imposition of monetary sanctions must be based on laws and regulations that expressly govern this type of witness.

Administrative sentences, such as freezing environmental permits, also aim to end violations of administrative law. The sentences were carried out pursuant to Law No. 5 of 1986 concerning the State Administrative Court, which may be enforced by filing a lawsuit.

Under articles 87 to 93 of Law No. 32 of 2009 (UU PPLH), it can be pursued in 2 ways: through the Court mechanism and outside the Court. Article 88 of Law No. 32 of 2009 (UU PPLH) stipulates that every person whose actions, business, and/or activities use HAZMAT, produce and/or manage HAZMAT, is absolutely responsible for losses that occur without the need to prove elements of error. The provisions of Article 88 of Law No. 32 of 2009 (UU PPLH) contain absolute responsibility. Under the principle of absolute responsibility in Law No. 32 of 2009 (UU PPLH), polluters are not held liable for losses arising from their business activities.

Each party has the freedom to determine whether to resolve the matter through the Court or outside the Court, in accordance with the provisions stipulated in Article 87 of Law No. 32 of 2009 (UU PPLH). The purpose of conflict resolution outside legal channels is to reach an agreement on the type and amount of compensation or to establish specific steps for the aggrieved party to take to prevent similar incidents from recurring. Settlement outside of this Court can use the services of third parties, both authorized and unauthorized. Meanwhile, a settlement in Court is an ordinary procedural process. Victims of environmental pollution may sue polluters, individually or on behalf of others, for damages or seek specific actions against them. Settlement in Court can be used by parties who initially settle outside the Court.

Crimes in this regulation are interpreted as violations of the law. To enforce the law against individuals involved in environmental violations, integrated law enforcement actions can be carried out by civil servants, the police, and the prosecutor's office, under the leadership of the Minister. If environmental crimes are committed on behalf of a company, lawsuits and sanctions will be imposed on the company, on the individuals who instructed it to commit the crime, or on those in positions of leadership in illegal activities, regardless of whether the violations were committed individually or collectively. Criminal sanctions, both imprisonment and fines, are increased by one-third of the existing provisions. Apart from these crimes, the company may be subject to criminal sanctions or other disciplinary actions, such as taking profits from violations, closing all or part of business locations and/or activities, repairs due to violations, obligation to do things that are neglected without permission, and company supervision for a maximum of three years. The government has the authority to manage companies subject to sanctions in the context of the enforcement of legally binding court decisions. The prosecutor will collaborate with the agency responsible for environmental protection and management to ensure the decision is implemented. The investigation procedures for ecological crimes are as follows:

- In addition to police investigators, Government Officials who are authorized in the environment are authorized as investigators and have the obligation to conduct investigations of environmental crimes.
- Officials who have the responsibility to examine the veracity of reports of crimes related to the environment, trace individuals suspected of committing such acts, and request data and evidence from individuals linked to criminal incidents in environmental protection and management. Conduct audits of records, documents, and other bookkeeping materials related to criminal acts in the environmental protection and management sector. Examine a specific location where evidence, records, documents, and other bookkeeping are suspected.
- Confiscating materials and goods due to violations that can be used as evidence in environmental criminal cases. Valid evidence in law enforcement for ecological crimes consists of testimony, expert opinions, documents, instructions regarding the defendant's statements, and other evidence permitted by law. Requesting expert assistance in the context of carrying out criminal investigation tasks in the field of environmental protection and management. The current regulations appear to have accommodated expert opinions and scientific evidence in the Court's evidentiary process. Several points still need emphasis: procedures for assessing the relevance of scientific evidence or expert testimony; procedures for determining the validity of such evidence; and the knowledge criteria for experts, obtained through valid methods and already recognized by the relevant scientific community. Thus, the evidentiary process in environmental cases differs slightly from that in this case, and scientific evidence is sometimes incomprehensible to the judge without prior explanation by the expert.
- Conducting searches of bodies, clothing, rooms, and/or other places that are suspected of being the place where criminal acts were committed. Enter a specific location, take photographs, and/or make audiovisual recordings. Authorized officials have the right to arrest and detain individuals involved in criminal acts. At this stage, the allegations of the crime have not been proven so that the authorities may halt the investigation.
- Police Officials can assist government employees in the environment during the arrest process. Suppose an investigator for a civil servant official conducts an investigation. In that case, the investigator for the Government Employee in the environment informs the police investigator, who then assists to ensure the inquiry runs smoothly. Then the investigator for the Government Employee

in the environment notified the public prosecutor of the start of the investigation, with a copy to the police. The investigator's inquiry into Government Employees in the Environment was submitted to the public prosecutor.

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Environmental Law Enforcement in Government Regulation Number 22 of 2021 concerning Environmental Implementation and Management (PP PPPLH)

This Government Regulation includes (1) environmental approval, (2) water quality management and protection, (3) air quality management and protection, (4) marine quality protection and maintenance, (5) courts related to environmental damage, (6) management of hazardous and non-hazardous waste, (7) funds to ensure the restoration of environmental functions, (8) environmental information systems, (9) supervision and coaching, and (10) enforcement of administrative sanctions. In 2024, 375 administrative sanctions are planned; in 2025, 38 cases are estimated to be resolved through mediation and negotiation. The explanation of administrative sanctions is as follows:

First, official notification is issued when the party responsible for the business and/or activity fails to comply with the provisions of the business license or approval from the Government or Regional Government related to environmental permits, as well as administrative and legal regulations in the field of environmental protection and management.

Second, the Government coerces the parties responsible for businesses and/or activities that violate the order by issuing a warning letter within the stipulated period. The application of government coercion can be carried out by issuing a warning letter in the event of a violation, which poses a serious risk to humans and the environment, and results in a greater and broader impact if the pollution and/or damage is not stopped immediately, as well as a larger and wider loss if the pollution and/or damage is left unacted. These actions may include the temporary halt of production, the relocation of production facilities, the closure of waste or emission sewers, the demolition, confiscation of potentially infringing goods, the partial or total termination of business activities, the obligation to prepare an Environmental Evaluation Document (DELH) or Environmental Management Document (DPLH), as well as other measures that may stop violations to restore environmental functio

Third, administrative sanctions, on the condition that they do not have an environmental permit but have obtained a business license, do not have an environmental permit and business license, and take actions that exceed wastewater quality standards and/or emission quality standards according to the license, do not fulfill the obligations in business licensing related to environmental approval, preparation of the EIA without certification of the competence of the EIA preparer, caused by their negligence in carrying out the actions that are resulting in exceeding ambient air quality standards, water quality standards, seawater quality standards, disturbance quality standards, and or environmental damage standards, which are not in accordance with the business license related to the ecological approval owned, as well as taking actions that cause environmental pollution where such actions are carried out due to negligence and do not endanger human health. This is not included in taxes payable to the state treasury, nor in the calculation of administrative fines and coercive sanctions.

Fourth, the abolition of business licenses is applied to activities that do not fulfill obligations under pressure from the Government, do not pay administrative fines, do not pay fines due to delays in implementing Government orders, do not fulfill the commitment to freeze business licenses or Government

permits, and commit pollution or environmental damage that cannot be repaired or are challenging to recover.

Referring to this Government Regulation, the filing of a civil lawsuit by the plaintiff may prove absolute responsibility for activities related to HAZMAT, HAZMAT waste disposal, and/or HAZMAT waste management that may pose a serious threat to the environment. The defendant may present evidence. The defendant may be released for the following reasons: natural disasters, urgent circumstances beyond human control, or the actions of other parties that cause environmental pollution or damage. In the event of environmental pollution or damage caused by a third party, the party is responsible for the resulting losses. The Environmental Supervisory Officer provides recommendations for law enforcement follow-up, including administrative, civil, and criminal. The procedures for civil and administrative witnesses are set out in this government regulation, whereas those for criminal witnesses are not.

Ultimum Remedium Against Environmental Criminal Law

The Government Has Conducted An Environmental Risk Assessment To Stop Pollution. Ecological risk evaluation is a method for assessing the release and deployment of genetically engineered products and the handling of hazardous and toxic waste. Every company or activity that has the potential to significantly impact the environment, ecosystems, life, and human health must undergo an environmental risk assessment and submit the results. Risk assessment encompasses the entire process, from identifying hazards to assessing the severity of consequences and the likelihood of achieving the desired impact, for both human health and safety and the environment. Risk management includes risk assessment or risk selection, the introduction of risk management options, the selection of management measures, and the implementation of these measures. Environmental risk evaluation is implemented in accordance with applicable law. The analysis also includes cases from 2024 and 2025. In 2024, there are 187 unresolved cases in the Court, with criminal proceedings ongoing, and 32 cases resolved outside the Court through agreements. In 2025, 36 cases are expected in the Court, including 21 unresolved and 15 reported. Outside of Court, 38 cases have been resolved through negotiation and mediation.

Another argument for accepting the doctrine of Ultimum Remedium was advanced by Sudarto, who viewed the doctrine as a criminal sanction threatened with violation of its norms. He stated that: "Sentences in criminal law are negative sentences, therefore it is said that criminal law is a negative sanction system. In addition, considering the nature of the criminal law, which should only be applied if other means or efforts are inadequate, it is also said that criminal law is a subsidiary function." Sudarto further stated that, given its nature, the use of criminal law or criminal sentences must question the basis, nature, and purpose of criminal law and punishment to justify the crime. Thus, the question arises: what is the basis for lawmakers to establish an act as a criminal act, or, in other words, what is the basis or measure for criminalization? Regarding the nature of the *Ultimum Remedium*, Sudarto further stated that the nature of the criminal as the *Ultimum Remedium* (the last remedy) requires that if it is not necessary, do not use the criminal as a means. On the contrary, criminal regulations should be repealed if they do not confer a benefit. This repeal process concerns decriminalization.

The principle of Ultimum Remedium refers to the last resort. In environmental management and protection, sanctions are primarily governed by the principle of Ultima Ratio, encompassing administrative, remedial, and criminal measures. Regarding the nature of Ultimum Remedium, Sudarto further explained that the villain's characterization as Ultimum Remedium (the last remedy) suggests that, if not forced, it

should not be used as a tool. On the contrary, criminal regulations should be repealed if they do not confer a benefit, and the Ultimum Remedium process should be pursued through mediation outside the Court, involving mediators and arbitrators. If the mediation files a lawsuit in Court or a civil process, the process is before the hearing on the lawsuit. If the matter is processed through a criminal report, mediation may be conducted before the District Court. In the Criminal Code, there is no specific provision governing *the Ultimum Remedium*. Still, every police process to the prosecutor's office has an offer of mediation (peace) as an effort to resolve before entering the Court. According to the 2024 data, cases resolved outside the Court have reached an agreement and are resolved, while cases in the Court remain unresolved. In 2025, 38 cases were resolved outside the Court, and 21 were resolved within the Court. This shows that the *Ultimum Remedium* case outside the court is completed more quickly, suggesting that some litigants still choose to settle there. According to Article 85 of Law Number 32 of 2009, the settlement of environmental disputes outside the Court is carried out to reach an agreement on the form and amount of compensation, remedial actions due to pollution and/or destruction, specific actions to ensure that pollution and/or destruction will not be repeated, and actions to prevent negative impacts on the environment. Out-of-court dispute resolution does not apply to environmental crimes under this law.

CONCLUSION

The conclusions of the juridical analysis of the Application of *Ultimum Remedium* in the Enforcement of Environmental Criminal Law. The enforcement of environmental laws under criminal law is regulated by Law Number 32 of 2009 concerning Environmental Protection and Management (UU PPLH) and (PP PPPLH). The regulation emphasizes that acts of environmental destruction can be subject to administrative, civil, and criminal sanctions. Under government regulations, ecological damage may be subject to administrative, civil, and criminal penalties. Sentences in environmental cases were implemented in 2024, with 1517 cases in 1 year, and in 2025, with 74 cases in the first semester. Using the term *Ultimum Remedium* in the sense of utilizing another way out first before the criminal process by mediating in the form of an agreement or negotiation. This mediation can be conducted in or out of litigation. In litigation, including civil litigation (filing a lawsuit in court) and criminal proceedings, reports to the police until the case is heard in court. Meanwhile, non-litigation outside the Court employs mediators or arbitrators. In 2024, there will be 32 cases with agreements, and in 2025, 38 cases with negotiations. The term *Ultimum Remedium* is still used in mediation, and cases that employ it are more likely to reach an agreement than environmental settlement cases. But not all ecological cases use the term *Ultimum Remedium.* Therefore, there are still environmental cases in 2024–2025. Regional and Government Officials must exercise sound judgment in enforcing environmental laws, and the community must recognize the importance of environmental protection.

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