

## **ABSTRAK**

### **PENEGAKAN HUKUM PIDANA TERHADAP PELAKU TINDAK PIDANA PENGGUNAAN SUMBER DAYA AIR TANPA IZIN (Studi Pada Wilayah Hukum Kabupaten Pesawaran)**

Oleh  
**Nauval Fareza Irvanka**

Penggunaan sumber daya air tanpa izin merupakan permasalahan yang masih terjadi di beberapa wilayah di Provinsi Lampung sehingga memerlukan langkah serius dan maksimal dari aparat penegak hukum. Berkaitan dengan hal tersebut, skripsi ini membahas dua permasalahan pokok, yaitu penegakan hukum pidana terhadap tindak pidana penggunaan sumber daya air tanpa izin serta faktor-faktor yang menghambat penegakan hukum tersebut.

Penelitian ini menggunakan pendekatan yuridis normatif dan yuridis empiris. Data yang digunakan terdiri dari data primer dan sekunder, dengan metode pengumpulan melalui studi kepustakaan dan studi lapangan. Analisis data dilakukan secara kualitatif. Narasumber dalam penelitian ini adalah Kepolisian Resor Pesawaran, hakim pada Pengadilan Negeri Gedong Tataan, dan jaksa pada Kejaksaan Negeri Pesawaran.

Hasil penelitian menunjukkan bahwa penegakan hukum pidana terhadap penggunaan sumber daya air tanpa izin dilakukan melalui tiga tahapan, yaitu formulasi, aplikasi, dan eksekusi. Tahap formulasi mencakup penyusunan peraturan perundang-undangan sebagai dasar hukum, tahap aplikasi mencakup implementasi norma hukum oleh aparat penegak hukum melalui penyidikan, dan tahap eksekusi mencakup pelaksanaan putusan pengadilan terhadap pelanggar. Namun, penegakan hukum ini belum berjalan efektif karena dihadapkan pada lima faktor penghambat, yaitu peraturan perundang-undangan yang belum jelas, keterbatasan aparat penegak hukum dalam jumlah dan kapasitas, sarana dan fasilitas pengawasan yang belum memadai, kesadaran hukum masyarakat yang masih rendah, serta budaya pembiaran terhadap pelanggaran. Oleh karena itu, diperlukan penguatan penegakan hukum melalui regulasi yang lebih tegas, peningkatan kapasitas aparat, pemanfaatan teknologi digital dalam pengawasan, serta edukasi hukum kepada masyarakat agar dapat berperan aktif dalam mendukung pengelolaan sumber daya air yang tertib dan berkelanjutan.

***Nauval Fareza Irvanka***

Adapun saran yang dapat penulis sampaikan adalah agar aparat penegak hukum memperjelas regulasi sehingga tidak menimbulkan keraguan dalam penerapannya, meningkatkan jumlah dan kapasitas aparat melalui pelatihan khusus, menyediakan sarana dan fasilitas pengawasan yang memadai, memperkuat kesadaran hukum masyarakat melalui sosialisasi dan edukasi, serta menanamkan nilai hukum ke dalam budaya lokal agar penegakan hukum pidana terhadap penggunaan sumber daya air tanpa izin dapat berjalan lebih efektif, adil, dan berkelanjutan.

**Kata Kunci:** Penegakan Hukum, Sumber Daya Air, Tanpa Izin

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### **CRIMINAL LAW ENFORCEMENT AGAINST PERPETRATORS OF THE CRIMINAL ACT OF USING WATER RESOURCES WITHOUT PERMISSION (A Study in the Jurisdiction of Pesawaran Regency)**

By

**Nauval Fareza Irvanka**

*The use of water resources without permission remains a problem in several regions of Lampung Province, which requires serious and comprehensive efforts from law enforcement officials. In relation to this issue, this thesis examines two main problems, namely the enforcement of criminal law against the criminal act of using water resources without permission and the factors that hinder its enforcement.*

*This study applies both normative juridical and empirical juridical approaches. The data consist of primary and secondary sources, collected through literature study and field research, and analyzed qualitatively. The key informants in this study are the Pesawaran Resort Police, judges of the Gedong Tataan District Court, and prosecutors of the Pesawaran District Prosecutor's Office.*

*The results of the study indicate that criminal law enforcement against the use of water resources without permission is carried out through three stages: formulation, application, and execution. The formulation stage involves the drafting of statutory regulations as the legal basis, the application stage involves the implementation of legal norms by law enforcement officials through investigation, and the execution stage involves the implementation of court decisions against offenders. However, the enforcement has not been effective due to five inhibiting factors, namely unclear statutory regulations, limited number and capacity of law enforcement officials, inadequate facilities and monitoring systems, low public legal awareness, and a prevailing culture of tolerance toward violations. These factors are interrelated and form a complex barrier, thereby reducing the effectiveness of criminal law as an instrument of controlling the use of water resources. Therefore, it is necessary to strengthen law enforcement through clearer regulations, capacity building of law enforcement officials, the provision of adequate monitoring facilities supported by digital technology, as well as continuous legal education for the public in order to encourage active participation in supporting the orderly and sustainable management of water resources.*

**Nauval Fareza Irvanka**

*The recommendation proposed in this study is that law enforcement officials should provide clearer regulations to avoid ambiguity in their application, increase the number and capacity of officials through specialized training, provide adequate monitoring facilities, enhance public legal awareness through legal education and outreach, and internalize legal values into local culture so that criminal law enforcement against the unauthorized use of water resources can be carried out more effectively, fairly, and sustainably.*

**Keywords:** *Law Enforcement, Water Resources, Without Permission*