

Abstract

HADI PURNOMO; "LAW ENFORCEMENT OF ENVIRONMENTAL DAMAGING ACTIVITIES BASED ON DIRECT RESPONSIBILITIES IN CLASS ACTION PRIVATE LAWS." This dissertation is under the guidance of Prof. Dr.H.Faisal Santiago, SH. MM, as the Advisor and Dr. H. Azis Budianto, SH.MS, as co the Advisor.

Since the inception of the Unitary State of the Republic of Indonesia, the most important thing was outlined in the constitution of the 1945 Constitution, namely the State's goal, namely the achievement of the Just and Prosperous people. Law Number 32 Year 2009 Concerning Environmental Protection and Management, regulates the rights and obligations and participation of the public, and the State's authority as well as administrative, civil and criminal legal sanctions against the parties to environmental destruction and pollutants.

The problems in this dissertation are: 1. Why can law enforcement for environmental recovery be carried out based on the Principle of Direct Responsibility in the Class Action Civil Lawsuit? And 2. How is the Implimentation of the Concept of Civil Enforcement Law Based on the Principle of Direct Responsibility in a Class Action Civil Lawsuit. ? This research is a research conducted through two approaches, namely the normative juridical approach and the sociological juridical approach or socio legal research.

Research results; Enforcement of environmental recovery against perpetrators of environmental destruction can be done based on the principle of direct responsibility in a Class Action civil claim, so that the State guarantees that every human citizen of the Unitary State of the Republic of Indonesia can obtain a good and healthy environment. This is in order to fulfill the interests of human rights as well as efforts to enforce environmental remedies against perpetrators of environmental destruction. Implimentation in a Class Action civil action, related to law enforcement efforts to restore the environment to the perpetrators of environmental destruction can be done based on the principle of direct responsibility in the civil lawsuit. Conceptual alternatives applying direct liability (strict liability), can be used as a legal choice in making a civil claim against the perpetrators of environmental destruction through a class action lawsuit.

It is recommended, bearing in mind the still low role of the community and the role of the State through state lawyers in carrying out legal actions against perpetrators of environmental destruction resulting in damage to the structure and structure of the environment, it is recommended that there are regulations governing to optimize, understanding in law enforcement in order to realize quality environmental preservation and fulfill the rights and obligations of the community in maintaining a good and healthy environment.

Keywords: Class Action Civil Law