

**ANALISIS YURIDIS TERHADAP POTENSI PENERAPAN PRINSIP
COMMON HERITAGE OF MANKIND PADA HUTAN DI INDONESIA
UNTUK MELINDUNGI KEBUTUHAN MASYARAKAT
INTERNASIONAL**

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ABSTRAK

Penelitian ini menganalisis potensi penerapan prinsip *Common Heritage of Mankind* (CHM) dalam pengelolaan hutan di Indonesia untuk melindungi kebutuhan masyarakat internasional. Latar belakang penelitian didasarkan pada tingginya laju deforestasi hutan Indonesia yang mencapai 261.575 hektare pada tahun 2024, yang berdampak tidak hanya pada kepentingan nasional tetapi juga terhadap stabilitas ekosistem dan iklim global. Permasalahan penelitian berfokus pada kemungkinan penerapan prinsip CHM terhadap hutan Indonesia serta bentuk harmonisasi antara hukum internasional yang memuat prinsip tersebut dengan hukum nasional Indonesia. Penelitian ini bertujuan untuk mengkaji penerapan prinsip CHM dan menganalisis harmonisasi hukum internasional dan nasional dalam perlindungan hutan. Metode yang digunakan adalah penelitian hukum normatif dengan pendekatan perundang-undangan dan konseptual, melalui analisis instrumen hukum internasional seperti *Convention on Biological Diversity* dan *Paris Agreement*, serta peraturan perundang-undangan kehutanan nasional. Hasil penelitian menunjukkan bahwa prinsip CHM tidak bertentangan dengan kedaulatan negara apabila dipahami sebagai kerangka normatif evaluatif yang memperkuat tanggung jawab negara atas sumber daya berdampak lintas batas. Harmonisasi hukum telah berlangsung melalui ratifikasi berbagai konvensi internasional, namun belum efektif dalam praktik akibat lemahnya penegakan hukum, dominasi kepentingan ekonomi, dan koordinasi kelembagaan yang belum optimal. Penelitian ini menyimpulkan bahwa prinsip CHM dapat diterapkan sebagai kerangka normatif evaluatif dalam pengelolaan hutan Indonesia, dengan penguatan harmonisasi melalui reformasi regulasi, penguatan kelembagaan, dan peningkatan penegakan hukum.

Kata kunci: *Common Heritage of Mankind*, hutan Indonesia, harmonisasi hukum, kedaulatan negara, hukum lingkungan internasional.

**A JURIDICAL ANALYSIS OF THE POTENTIAL APPLICATION OF THE
COMMON HERITAGE OF MANKIND PRINCIPLE TO FORESTS IN
INDONESIA FOR THE PROTECTION OF INTERNATIONAL
COMMUNITY INTERESTS**

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ABSTRACT

This study analyzes the potential application of the Common Heritage of Mankind (CHM) principle in the management of forests in Indonesia to protect the interests of the international community. The research is motivated by the high rate of deforestation in Indonesia, which reached 261,575 hectares in 2024, causing impacts not only at the national level but also threatening global ecosystem and climate stability. The main issues examined are the applicability of the CHM principle to Indonesian forests and the harmonization between international legal instruments embodying CHM and Indonesia's national legal framework. This study aims to examine the application of the CHM principle and to analyze the harmonization of international and national law in forest protection. The research employs a normative legal method with statutory and conceptual approaches, analyzing international legal instruments such as the Convention on Biological Diversity and the Paris Agreement, as well as Indonesian forestry legislation. The findings indicate that the application of the CHM principle does not conflict with state sovereignty when it is understood as a normative evaluative framework that strengthens state responsibility for resources with transboundary impacts. Although legal harmonization has been pursued through the ratification of various international conventions, its implementation remains ineffective due to weak law enforcement, the dominance of economic interests, and suboptimal institutional coordination. This study concludes that the CHM principle can be applied as a normative evaluative framework in the management of Indonesian forests, with stronger harmonization achieved through regulatory reform, institutional strengthening, and enhanced law enforcement.

Keywords: Common Heritage of Mankind; Indonesian forests; legal harmonization; state sovereignty; international environmental law.