



LAW ENFORCEMENT FOR THE DESTRUCTION OF THE CULTURAL HERITAGE BUILDING EMA IDHAM'S HOUSE IN WEST SUMATRA

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Nurlinda Yenti¹, Netra Meldi²

¹*Faculty of Law, Tamansiswa Padang University, nurlindayenti1977@gmail.com*

²*Faculty of Law, Tamansiswa Padang University, meldinetra@gmail.com*

Abstract: The investigation into the destruction of Ema Idham's heritage building by PPNS at BPK West Sumatra is governed by Article 66 Paragraph (1) of Law No. 11 of 2010 concerning Cultural Heritage. It states that everyone is prohibited from damaging cultural heritage, whether in whole or in part, from the unit, group, or original location. The research questions are: 1) How is the investigation of the criminal act of destroying Ema Idham's cultural heritage building by PPNS at BPK West Sumatra conducted? 2) What are the obstacles faced during the investigation of this crime? 3) What efforts are being made to overcome these obstacles? This study uses a sociological-legal approach and a descriptive method. The findings are: 1) The investigation met the elements of the crime of destroying cultural heritage, but legal proceedings faced challenges because the Padang District Court canceled the suspect's status through a pre-trial decision. 2) Obstacles include limited witnesses, investigator capabilities, and PPNS officials at BPK West Sumatra. 3) To address these issues, efforts include increasing community awareness to gather witnesses, enhancing cooperation among PPNS officials, and improving capacity through training and discussion forums.

Keywords: Cultural Heritage Crimes; Ema Idham House; Investigation; West Sumatra

I. INTRODUCTION

The destruction of cultural heritage, such as Ema Idham's House in West Sumatra, is a significant issue that intersects with international law, human rights, and security. The provided abstracts offer insights into the legal frameworks, enforcement mechanisms, and challenges associated with protecting cultural heritage. The destruction of Ema Idham's House in West Sumatra highlights the broader issue of protecting cultural heritage. Effective law enforcement requires robust international legal frameworks, compliance by all actors, and active involvement of international organizations and local communities. Addressing these challenges is crucial for preserving cultural heritage and upholding human rights.

Juridical investigation contained in Article 1 point 2 of the Criminal Code states that "investigation is a series of actions of investigators in the event and in the manner regulated in this law to seek and collect evidence that, with that evidence, sheds light on the criminal act that occurred and to find the suspect.¹ During the investigation, investigators must perform several actions, including summoning suspects and witnesses, making arrests if needed, detaining individuals if necessary, and conducting searches and seizures. All these actions must be justified with warrants, and detailed minutes must be recorded for each.

Investigations can be carried out by Officials of the National Police of the Republic of Indonesia and Civil Servant Investigators (PPNS) as determined by law. According to the provisions of Article 6, Paragraph (1), letter a of the Criminal Code, one of the agencies authorized to conduct investigations is a State Police official. The Criminal Code has placed the responsibility of the investigation function on the police agency. Furthermore, Civil Servant Investigators are regulated under Article 6, Paragraph (1) b, of the Criminal Code, namely civil servants who have functions and authority as investigators.

Article 1 Number 1 of Law of the Republic of Indonesia Number 11 of 2010 concerning Cultural Heritage, explains about cultural heritage as follows:

"Cultural heritage is tangible cultural heritage in the form of cultural heritage objects, cultural heritage buildings, cultural heritage structures, cultural

¹ Arya Zurnetti, et al., 2021, *Pengantar Hukum Acara Pidana Indonesia*. Depok: Rajawali Pers, p. 48.

heritage sites, and cultural heritage areas on land and / or in water that need to be preserved because they have essential value for history, science, education, religion, and / or culture through the determination process."

Article 66, explains that:

- 1) Everyone is prohibited from damaging cultural heritage, both in whole and in parts, from a unit, group, / or from its place of origin.
- 2) Everyone is prohibited from stealing cultural heritage, both in whole and in parts, from units, groups, and / or from their original location.

The cultural heritage of Ema Idham's house was established in 1930, which is located at Jalan Ahmad Yani No. 12, Padang Pasir Village, West Padang District, Padang City. Ema Idham's house was one of the houses occupied by Soekarno in Padang City in 1942. The house was designated as a cultural heritage by the Mayor's Decree to the Level II Region of Padang Number 3 of 1998, dated January 26, 1998, concerning the Determination of Cultural Heritage Buildings and Historic Areas in Padang Municipality.

The destruction of Rumah Ema Idham's cultural heritage began after the defendant met with investors in August 2022, and it was agreed that Rumah Ema Idham would be used as a restaurant and would cooperate with the investor under a profit-sharing system. That Ema Idham's house was purchased by the defendant in 2017 from a person named Andreas for a purchase value of Rp. 12,500,000,000 (twelve billion five hundred million rupiah), and at that time, the defendant felt unaware and was told that the Ema Idham House was a cultural heritage.

On January 13, 2023, the building owner asked the Staff of PT. Statika Mitra Sarana, a staff member of the building owner, is responsible for dismantling the Ema Idham House building. Furthermore, on January 18, 2023, Mulyadi contacted Musrial, alias Ujang, to help dismantle Ema Idham's House. From 19 to 21 January 2023, the demolition of the Ema Idham House building was carried out manually, namely on the roof and kusen by Marsial and the builders ordered by Soehinto Sadikin. From January 22 to 24, 2023, the demolition was carried out using a yellow Komatsu PC 200-8 brand excavator owned by the defendant, operated by Rasyid on the orders of Soehinto Sadikin. On January 24, 2023, the building of Ema Idham's house was

leveled with the ground, and a zinc fence was installed.²

Based on the case of damaging the cultural heritage of Rumah Ema Idham carried out by Soehinto Sadikin, it indicates that there has been an event that is contrary to the law, such as violating Law Number 11 of 2010 concerning Cultural Heritage because it has damaged historical buildings that have been protected by the Padang City Government so that the case has met the elements of a criminal act. The case of damaging cultural heritage has completed the investigation stage at the Civil Servant Investigator in Padang City, and currently the case is running the investigation stage at the West Sumatra Police Investigator. With the occurrence of a violation of a law, the perpetrator can be sanctioned in accordance with the applicable law as stated in Article 105 Paragraph (1) that those who damage cultural heritage can be given criminal sanctions of imprisonment for a minimum of 1 (one) year and a maximum of 15 (fifteen) years and/or a fine of at least Rp 500,000,000 (five hundred million rupiah) and a maximum of Rp 5,000,000,000 (five billion rupiah). Based on this background, several interesting problems can be taken to be analyzed and studied in this study. How is the Investigation of the Crime of Destruction of the Cultural Heritage Building of Ema Idham's House by Civil Servant Investigators at the West Sumatra Provincial Cultural Preservation Center? What are the obstacles to the Investigation of the Crime of Destruction of the Cultural Heritage Building of Ema Idham's House by Civil Servant Investigators at the West Sumatra Provincial Cultural Preservation Center? Are there efforts to overcome the obstacles of the Investigation of the Crime of Destruction of the Cultural Heritage Building of Ema Idham's House by Civil Servant Investigators at the West Sumatra Provincial Cultural Preservation Center?

II. RESEARCH METHODS

This study employs a sociological juridical-legal approach, which is descriptive in nature. Data types and sources include primary and secondary data, as well as tertiary legal materials. The data collection methods encompass document analysis and interviews. Data processing involves editing and coding, while data analysis is conducted qualitatively.

² Berkas Perkara Penyidikan Nomor: LK/01/II/2023/PPNSCB-BPKIII-Sumbar

III. ANALYSIS AND DISCUSSION

a. Investigation Entails A Sequence of Actions Undertaken by Investigators, Conducted in Accordance with Legally Regulated Procedures, To Search For and Collect Evidence

This process aims to elucidate a criminal act and to identify suspects. During the investigation, there exists a potential for irregularities or abuse of authority, and such incidents are conceivable. Consequently, all criminalists consider investigative ethics an integral component of the professionalism an investigator must possess.³

- 1) Criminal investigation activities consist of:
 - a) Research.
 - b) Investigation.
 - c) Forced attempts.
 - d) Examination.
 - e) Determination of suspects.
 - f) Filing.
 - g) Submission of case files.
 - h) Submission of suspects and evidence.
 - i) Termination of investigation.
- 2) In the case of investigations of minor crimes and violations, investigation activities consist of:
 - a) Examination
 - b) Notify the defendant in writing of the day, date, time, and location of the hearing.
 - c) Submit the file to the court.
 - d) Confront the defendant and present evidence at the court hearing.
- 3) Investigators, in carrying out investigation activities as intended in paragraph (1), must register for investigation administration.
- 4) Registration of investigation administration as intended in paragraph (1) is carried out centrally.
- 5) Every development of case handling in criminal investigation activities, as intended in paragraph (1), must be issued SP2HP.

Investigation into the destruction of Ema Idham's House, a cultural heritage building, by civil servant investigators at the West Sumatra Provincial Cultural Preservation Center. The investigation into the criminal act of destroying the cultural heritage

³ Jhon Thamrun, 2016. *Perselisihan Prayudisial*. Jakarta: Sinar Grafika Offset, p. 66.

building of Rumah Ema Idham by PPNS investigators at the West Sumatra Provincial Cultural Preservation Center was carried out in the following stages: the completion of the administrative investigation. This includes gathering evidence such as the Decree on the Determination of Cultural Heritage issued by the Mayor of Padang, the registration form for the cultural heritage determination, the Statement of City Design (KRK), the Title Deed (SHM), and witness and expert statements. Once all these administrative procedures are complete, the investigation process can proceed.⁴

1) Heading to the crime scene (Crime Scene)

The investigation into the Crime Scene (TKP) regarding the witness's report on the destruction of the cultural heritage of Ema Idham's House by a specialized team has been conducted. Subsequently, the team documented their findings in a written report, affirming that the destruction of the cultural heritage of Ema Idham's House indeed occurred as reported by the witness.

2) Performing a whistleblower background check

At the time, the Special Police for Cultural Heritage reported the destruction of the cultural heritage building known as Ema Idham's House to the Civil Servant Investigation Team of the Cultural Preservation Center; the identity of the perpetrator had not yet been ascertained. According to investigation case file Number: LK/01/II/2023/PPNSCB-BPKIII-West Sumatra dated August 13, 2024, it was explained that on February 15, there were two complainants, namely Sukardi, who became aware of the demolition of the building located at Jalan Ahmad Yani No. 12 on February 15, 2023, following a report from the Padang City Education and Culture Office. In response, on February 16, 2023, he conducted a visit to the scene pursuant to an order from the Head of the West Sumatra Region III Cultural Preservation Center. During the visit, Sukardi observed an area enclosed with zinc fencing, within which the remains of the building debris had been flattened to the ground, with no ongoing activity. He proceeded to document the condition using a mobile camera and subsequently reported the findings to the Head of the Cultural Preservation Center of Region III of West Sumatra.

Additionally, Ozil Fadlizil became aware of the demolition on February 15, 2023, through a report from the Padang City Education and Culture Office. The following day, upon instructions from the Head of the West Sumatra Region III

⁴ Interview with Nedik Tri Nurcahyo as an investigator for the PPNS Cultural Preservation Center (BPK) region III on June 21, 2025.

Cultural Preservation Center, he conducted a site review. At the location, he observed an area fenced with zinc, containing debris flattened to the ground, with no activity observed. The condition was documented photographically, and the findings were reported to the Head of the Cultural Preservation Center of Region III of West Sumatra.⁵

3) Evidence

The evidence collected for the case of the destruction of the Rumah Ema Idham cultural heritage building includes: Decree number 03 dated March 26, 1998, concerning the designation of the Rumah Ema Idham building as a cultural heritage; socialization documents given to the cultural heritage's owners by the Padang City Government; witness statements; and expert opinions from criminal law experts, cultural heritage law experts, and cultural heritage professionals. Evidence is regulated in Article 184, paragraph (1), of the Criminal Procedure Code, which states that valid evidence in criminal proceedings includes witness statements, expert opinions, letters, instructions, and the defendant's statements. The evidence listed has been fulfilled in the case of the destruction of the Ema Idham cultural heritage house.

The evidence utilized in the investigation concerning the destruction of the cultural heritage site, Ema Idham's residence, includes one (1) unit of a Komatsu PC 200-8 excavator painted yellow, bearing tool serial number 19 (nineteen); one (1) Borneo wooden door; two (2) Borneo wooden windows; one (1) goat crow or hooves; a fragment of tiles; and brick fragments. According to the investigation case file Number: LK/01/II/2023/PPNSCB-BPKIII-West Sumatra, which details the suspect determination process on August 13, 2024, through various procedures such as administrative investigation, crime scene examination, interrogation of the complainant, and analysis of evidence, it is concluded that the demolition of Ema Idham's residence located at Jalan Ahmad Yani No. 12, Padang City, constituted an act fulfilling the elements of a crime of destroying cultural heritage, as stipulated in Article 66, paragraph (1) in conjunction with Article 105, paragraph (1) of Law Number 11 of 2010 concerning Cultural Heritage. The residence of Ema Idham has been legally designated as a cultural heritage building by the Mayor

⁵ Interview with Ahmad Kusasi as an Investigator for The PPNS Cultural Preservation Center (BPK) Region III On June 21, 2025.

of Padang's Decree Number 03 of 1998. It is recorded in the national register of cultural heritage maintained by the Ministry of Education and Culture. The demolition was intentionally carried out by the property owner, Soehinto Sadikin, without authorization from the competent authority, using an excavator, thereby obliterating all physical traces and the structure's original significance.

The testimonies of witnesses and experts affirm that this act not only contravenes the obligation to safeguard and preserve cultural heritage but also fulfills all the criteria of a criminal offense under the relevant cultural heritage legislation. Consequently, the perpetrator may be held criminally liable pursuant to applicable legal provisions. Based on the fulfillment of the elements constituting the criminal act such as each person, damage, and cultural heritage, whether wholly or partially, from the unit and / or the point of origin, the perpetrator could face sanctions in accordance with the law, as stated in Article 105, Paragraph (1). This provision states that individuals who damage cultural heritage may be subject to criminal penalties, including imprisonment for a minimum of one (1) year and a maximum of fifteen (15) years, and/or a fine ranging from at least Rp 500,000,000 (five hundred million rupiah) to a maximum of Rp 5,000,000,000 (five billion rupiah). Based on an interview with Ahmad Kusasi as a PPNS investigator at the Cultural Preservation Center (BPK Region III West Sumatra on July 1, 2025), he explained that the case of destruction of the cultural heritage building of Ema Idham's House was initially reported by the Special Police for Cultural Heritage to the Civil Servant Investigation Team (PPNS) of the West Sumatra Cultural Preservation Center III. Initially, it was not known who the perpetrator was, but after examining many witnesses, Soehinto Sadikin bin Salikin was designated as a suspect. The investigation process is governed by the Regulation of the National Police Chief Number 6 of 2010, beginning with the issuance of an Investigation Warrant (Sprin Sidik) and a Notice of Commencement of Investigation (SPDP), which were submitted to the West Sumatra High Prosecutor's Office. After examining witnesses and experts, as well as the case title, it was agreed that the act constituted a criminal destruction of cultural heritage under Law No. 11 of 2010.⁶

⁶ Interview with Ahmad Kusasi as a PPNS investigator at the Cultural Preservation Center (BPK) Region III West Sumatra on July 1, 2025

However, before the case file was transferred to the prosecutor's office, the suspect submitted a pre-trial to the Padang District Court. On September 13, 2024, the judge ruled that the suspect's determination was invalid because the SPDP had not been submitted to the reported party, in accordance with the Constitutional Court's Decision. Nonetheless, the case's subject matter was not dismissed. Since the issuance of the verdict, the investigation has been halted and has not proceeded further due to the absence of a new Sprin Sidik from the Center's new head. The investigation lasted 4.5 months and involved five investigators from 2 Balai regions. The evidence collected includes a decree on the determination of cultural heritage, socialization documents provided to the owners, and statements from seventeen expert witnesses.

The destruction of Ema Idham's house, a cultural heritage site in West Sumatra, has sparked serious concerns about cultural preservation in Indonesia. This incident underscores issues related to existing legal protections, law enforcement responses, and community reactions. Indonesia has put in place robust legal frameworks to protect cultural heritage, including Law No. 11 of 2010 on Cultural Heritage and Law No. 28 of 2014 on Copyright, which addresses Traditional Cultural Expressions (TCEs).⁷ These laws are designed to protect both tangible and intangible cultural assets. At the local level, governments like that of Bone Regency have adopted specific regulations, such as Regional Regulation No. 7 of 2020, aimed at preserving and managing cultural heritage. Nevertheless, the success of these laws can vary across regions, largely due to differences in enforcement practices and community participation.⁸

Local governments, such as those in Regency, have enacted specific regulations, such as Regional Regulation No. 7 of 2020, which focuses on the preservation and management of cultural heritage. However, the effectiveness of these laws often varies by region due to differences in enforcement and community engagement. Law enforcement agencies face significant challenges in enforcing cultural heritage protection laws. Issues such as limited resources, lack of coordination among agencies, and economic and political pressures hinder effective action. For instance,

⁷ Nasrianti, et al., 2025. *Legal Protection of Traditional Cultural Expressions in Aceh: A Comparative Legal Analysis of Islamic Law and Positive Law in Indonesia*. Al-Istinbath: Jurnal Hukum Islam 10, no. 1, p. 81 – 104, <https://doi.org/10.29240/jhi.v10i1.12526>.

⁸ Andi Sugirman, et al., 2024. *State and Protection of Cultural Heritage in Bone, South Sulawesi: Perspectives on National Law and Islamic Law*. Samarah: Jurnal Hukum Keluarga dan Hukum Islam 8, no. 3, p. 1409, <https://doi.org/10.22373/sjhk.v8i3.22125>.

while laws exist, their application can be inconsistent, and local law enforcement may struggle to prioritize cultural heritage amidst other pressing issues. Community involvement: Local communities play a crucial role in cultural preservation. Grassroots movements have emerged to protect historical sites and resist encroachment, demonstrating the importance of community engagement in enforcing heritage laws. This community involvement can sometimes supplement law enforcement efforts, especially in areas where formal mechanisms are lacking.⁹

The situation surrounding Ema Idham's house illustrates the complexities of cultural heritage preservation in Indonesia. While legal frameworks exist, their enforcement is often challenged by various factors, including economic pressures and the need for community engagement. The active involvement of local communities is essential in advocating for cultural heritage protection and influencing law enforcement actions.

b. Challenges in Investigating The Destruction of Ema Idham's House, A Cultural Heritage Building, by Civil Servant Investigators At The Cultural Preservation Center of West Sumatra Province

Limitations of Witnesses

For 5 (five) days, the work tools demolished the cultural heritage building of Rumah Ema Idham; there was no single witness to observe the work in progress. During the investigation into the destruction of Rumah Ema Idham's cultural heritage, he had limited community witnesses because the community did not want to report the case to the West Sumatra Cultural Preservation Agency (BPK) regarding drainage. Meanwhile, the witnesses who reported the case were internal parties or employees of the BPK itself. However, the public prefers to see the draining of Rumah Ema Idham's cultural heritage on social media. During the investigation, the community does not want to serve as a witness for the complainant.¹⁰

Limited Ability of Investigators, Investigation of Cultural Heritage, House

Ema Idham was carried out by 3 (three) investigators from the Cultural

⁹ Romi Saputra, 2024. *Governance Frameworks and Cultural Preservation in Indonesia: Balancing Policy and Heritage*. Journal of Ethnic and Cultural Studies 11, no. 3, p. 25 – 50, <https://doi.org/10.29333/ejecs/2145>.

¹⁰ Interview with Nedik Tri Nurcahyo as a PPNS investigator of the Regional Cultural Preservation Center (BPK)

Preservation Center (BPK), namely PPNS region III, PPNS region IV, and PPNS region X. PPNS investigators at the Cultural Preservation Center (BPK) region III seem to have no experience in solving cases of destruction of cultural heritage because the investigation is not a job but an additional work. Besides, no special budget has been allocated for the settlement of cases by BPK Region 3.¹¹

Limitations of PPNS Officials

Since no PPNS investigator at BPK West Sumatra leads the region, when PPNS Region III faces obstacles in resolving a case, there is no support for PPNS during the investigation. As a result, PPNS Region III is more compelled to try, within their respective abilities, to overcome the challenges encountered during the investigation process. Usually, PPNS learns from senior professionals to resolve issues that arise in the process investigation.¹²

General Community Reactions to Heritage Destruction in West Sumatra. The destruction of heritage buildings often generates profound cultural and economic consequences for local communities. Such incidents can disrupt the authenticity of the cultural landscape while simultaneously opening new economic opportunities through reimagined heritage tourism. Similar dynamics are likely anticipated in West Sumatra. In this context, community empowerment becomes essential during the rehabilitation and reconstruction phases following destructive events. Effective empowerment strategies include mobilizing internal community resources and establishing collaborative partnerships with external stakeholders, thereby strengthening social resilience and fostering economic self-reliance.¹³ This approach is particularly relevant for communities affected by the destruction of heritage buildings in West Sumatra.

Based on these insights, it appears that West Sumatra's local communities might react to the destruction of Ema Idham's heritage building with a mix of cultural mourning and adaptive economic responses. To preserve their cultural identity, they are likely to initiate community-led initiatives and form partnerships with

¹¹ *Ibid*

¹² *Ibid*

¹³ Indra Farni, et al., 2019. *Community Base Development at the Implementation of Rehabilitation and Reconstruction Project after Earthquake in West Sumatera*. IOP Conference Series: Materials Science and Engineering 620, no. 1, p. 1 - 9, <https://doi.org/10.1088/1757-899X/620/1/012049>.

various stakeholders. Simultaneously, they may seek alternative economic opportunities, especially by developing heritage-based tourism. Local wisdom and traditional cultural practices are expected to be central in shaping their collective reaction, guiding both recovery efforts and the restructuring of their socio-economic environment.

c. Efforts to Overcome Obstacles in Investigating the Destruction of Ema Idham's House, a Cultural Heritage Building, by Civil Servant Investigators at the West Sumatra Provincial Cultural Preservation Center

Efforts made to overcome these obstacles are:

1) Increase witness

To increase the public's willingness to serve as witnesses in reporting criminal incidents, especially those involving cultural heritage, socialization is conducted directly with the community and through social media, emphasizing the importance of preserving cultural heritage. For anyone who observes acts of destruction against cultural heritage, a report will be promptly made to the West Sumatra Cultural Preservation Center. Additionally, this information is shared on social media to raise awareness about cultural heritage destruction. The public is encouraged to participate as witnesses to ensure that law enforcement processes run smoothly.

2) Increase cooperation

Preserving cultural heritage is a significant effort to safeguard the historical heritage and identity of an area. However, this often faces difficulties, especially when cultural heritage is destroyed. The role of PPNS is crucial in law enforcement efforts against perpetrators of cultural heritage destruction. PPNS has special authority to address violations of the Cultural Heritage Act, but its effectiveness is greatly influenced by the investigators' skills and expertise. The lack of PPNS experience in BPK region III in conducting investigations into the destruction of the cultural heritage of Rumah Ema Idham is addressed in cooperation with PPNS in BPK region IV and PPNS in BPK region X (ten), as the investigators already have experience in solving criminal cases.

Law enforcement measures against the destruction of cultural heritage structures, such as Ema Idham's House in West Sumatra, are explicitly governed by Law Number 11 of 2010 concerning Cultural Heritage. Nevertheless, implementation in

practice encounters numerous challenges, spanning from regulatory issues to investigative procedures. Under Law Number 11 of 2010 on Cultural Heritage, the destruction of cultural heritage is strictly prohibited. The law establishes rigorous criminal sanctions, including imprisonment and substantial fines, for those responsible for such acts. These sanctions are intended to deter and provide legal protection for cultural heritage. Law enforcement on the destruction of the Uma Idham House and other cultural heritage in West Sumatra already has a strong legal basis. However, its implementation still faces technical, regulatory, and social obstacles. Synergy between institutions, improvement of regulations, and public education are needed to ensure that cultural heritage protection runs effectively.

The legal protection of cultural heritage is a complex and evolving area that functions at both international and national levels. It covers both tangible and intangible assets, aiming to safeguard cultural identity, promote human rights, and preserve heritage for future generations. International law, particularly through UNESCO conventions like the 1972 World Heritage Convention and the 2003 Convention for the Safeguarding of Intangible Cultural Heritage, establishes obligations for states to identify, protect, and preserve cultural heritage. These treaties highlight the importance of the “outstanding universal value” of heritage and require nations to align their laws with international standards. Organizations such as UNESCO are crucial for overseeing compliance and fostering global cooperation, though enforcement largely relies on ratification and implementation by individual states.¹⁴ The legal safeguarding of cultural heritage depends on an evolving interaction among international agreements, national laws, and local efforts. Although notable progress has been achieved, ongoing challenges call for greater legal consistency, more vigorous enforcement, and greater community participation to ensure the preservation of cultural heritage for everyone.

IV. CONCLUSION

The investigation into the destruction of Ema Idham's House by Civil Servant Investigators at the West Sumatra Cultural Preservation Center was conducted by the PPNS of the same center, as Soehinto Sadikin's unauthorized demolition met the elements of Article 66(1) and Article 105(1) of Law No. 11 of 2010. Despite the house's legal status as cultural heritage, the Padang District Court's pre-trial decision

¹⁴ Katerina Papaioannou, 2017. *The International Law on The Protection of Cultural Heritage*. IJASOS - International E-Journal of Advances in Social Sciences 3, no. 7, p. 257 – 262, <https://doi.org/10.18769/ijasos.309684>.

canceled the suspect's determination due to the absence of the Notice of Commencement of Investigation (SPDP). The case was not canceled, but the investigation was halted because no new Splitik was issued, leaving law enforcement incomplete. A key obstacle was the limited number of witnesses, as the community was unwilling to report the destruction. It is suggested that the Head of BPK routinely trains PPNS Region III to improve their investigative capabilities.

REFERENCES

- Berkas Perkara Penyidikan Nomor: LK/01/II/2023/PPNSCB-BPKIII-Sumbar.
- Farni, Indra, et al., 2019. *Community Base Development at the Implementation of Rehabilitation and Reconstruction Project after Earthquake in West Sumatera*. IOP Conference Series: Materials Science and Engineering 620, no. 1.
- Nasrianti, et al., 2025. *Legal Protection of Traditional Cultural Expressions in Aceh: A Comparative Legal Analysis of Islamic Law and Positive Law in Indonesia*. Al-Istinbath: Jurnal Hukum Islam 10, no. 1, p. 81 – 104.
- Papaioannou, Katerina, 2017. *The International Law on The Protection of Cultural Heritage*. IJASOS - International E-Journal of Advances in Social Sciences 3, no. 7.
- Peraturan Kepala Kepolisian Negara Republik Indonesia Nomor 6 tahun 2019 tentang penyidikan Tindak Pidana.
- Peraturan Kepala Kepolisian Negara Republik Indonesia Nomor 6 Tahun 2010 tentang Manajemen Penyidikan Oleh Penyidik Pegawai Negeri Sipil.
- Saputra, Romi, 2024. *Governance Frameworks and Cultural Preservation in Indonesia: Balancing Policy and Heritage*. Journal of Ethnic and Cultural Studies 11, no. 3.
- Sugirman, Andi, et al., 2024. *State and Protection of Cultural Heritage in Bone, South Sulawesi: Perspectives on National Law and Islamic Law*. Samarah: Jurnal Hukum Keluarga dan Hukum Islam 8, no. 3.
- Thamrun, Jhon, 2016. *Perselisihan Prayudisial*. Jakarta: Sinar Grafika Offset.
- Undang – Undang No. 8 Tahun 1981 tentang Peraturan Hukum Acara Pidana.
- Undang – Undang Republik Indonesia Nomor 11 Tahun 2010 tentang Cagar Budaya.
- Zurnetti, Arya, et al., 2021. *Pengantar Hukum Acara Pidana Indonesia*. Depok: Rajawali Pers.