



Developing Halal Mineral and Coal Mining Licenses Through a Fair Criminal Sanctions Policy

Nusantara Tarigan Silangit^(✉) and Sri Endah Wahyuningsih

Member of the Regional People's Representative Council Faculty of Law, Unissula, Semarang, Indonesia

nusantara.silangit@gmail.com, endah.w@unissula.ac.id

Abstract. In development destination from mining mineral and coal based on Pancasila which mandates existence appreciation balance fulfillment right basic humans to be able realize Justice social for whole group public in deep Indonesia Thing this related right fulfillment need source energy and at the same time right ecological justice. Mandate from this Pancasila then realized in goal stated national in the Fourth Paragraph Opening The 1945 Constitution of the Republic of Indonesia. Implementation criminal in case publishing permission mining mineral and coal During this not yet amp realize Justice for public impacted, hal this seen with lightness threat sanctions in Article 165 of the Law Number 4 of 2009 About Mineral and Coal Mining that is not comparable with the damage environment because mineral and coal mines, as well as delete it Article 165 in Law Number 3 of 2020 concerning Change First Of The Laws Number 4 of 2009 About Mineral And Coal Mining is clear will result in the more rampant publishing permission mineral and coal mining laden will the charge of KKN that will put aside Justice ecological for public affected. To use realize Justice in Thing implementation penalty criminal related deed publishing permission mining deviant and harmful mineral and coal public so already should Article 165 as regulated in Constitution Number 4 of 2009 concerning Mining Minerals are also preserved in Constitution Number 3 of 2020 even added heavy penalty criminal existing prisons and fines, even no only at legal level national but also necessary made by more applicable technical level policy area nor policy village, hal this so that every bureaucrat as holder power in Thing publishing permission mineral and coal can also behave fair especially for need ecological society. So that policy mining mineral and coal able realize Justice as has described above.

Keywords: Development · Coal Mining · Policy

1 Introduction

Has Indonesia has long been known as a country rich in source power nature. View this showed with how nation this life in atmosphere prosperous and prosperous in frame riches nature and wealth culture. Indonesia's fertile and productive land various results abundant

© The Author(s) 2023

F. Kerem Giray et al. (Eds.): LICs 2022, ASSEHR 754, pp. 125–136, 2023.

https://doi.org/10.2991/978-2-38476-074-9_15

nature _ including inside it various Spice become a country that wants controlled by various European countries. View will existence riches Indonesia's abundant nature is also explained with clear by Kwik Kian Gie, Kwik Kian Gie state that:¹

“in the Age of Reign Dutch Colonial _ practical no have industry, though have industry light manufacturing _ However Mark added owned by the VOC and then by the Government Dutch East Indies is riches nature that doesn't made by man However is bestowed wealth _ for Indonesian people in the form of water, earth, air and everything the wealth contained in it.”

Based on various existing view seen clear that Indonesia is a country with riches natural overflow so that capable create prosperity and prosperity for Indonesian people from generation to generation. History of Colonialism The Dutch East Indies also show how the prosperity of the country of Indonesia with abundant natural resources. Because of things it also results in Government The Dutch East Indies, which was initiated by the VOC, did all type effort for dominate riches Indonesian nature. This thing in accordance with view from Soepomo who stated that:²

At first The Dutch East Indies first entered Indonesia in the 19th century 16th with destination do mastery trade in Europe through track mastery spices, which in the the development of the Netherlands often do monopoly trade and control herbs and spices with road violence circles armed or with road strength military, this page happened to the nation Portuguese and Spanish who tried snatch power Dutch East Indies over Indonesia and also happened to the kings in Indonesia who did resistance to government Dutch East Indies.

Opinion Soepomo this also supported by view from John Ball who stated that:³

The first Dutch ships to reach Java came in 1596, they had been sent on an expedition to the East Indies by a company formed merchants of Amsterdam. The result of the expedition were so encouraging that ten companies were soon established in the Netherlands private ventures as they were backed by various civic corporations.

Next could concluded that since colonialism invaders in this country, the issue Source Power natural as well as environment already start felt in this country. Based on explanation Indonesian history can concluded that Indonesia as a developing country is more based on culture traditional as well as values customs must colonized by the arrival Dutch Hindi government source from colonialism the is problem the economy at the time that in the form of monopoly results natural in the form of spices in Indonesia. Problem the world economy happens basically caused existence interest various actor

¹ Kwik Kian Gie, *The Fate of the Indonesian People in the Era of Independence*, Gramedia Pustaka Pelajar, Jakarta, page. 5

² Supomo, *History of Customary Law Volume I, From the Company Age to 1948*, Pradnya Pramita, 1982, page. 9-10

³ John Ball, *Indonesian Legal History, 1602-1848*, Ougtershaw Press, Syney, 1982, page. 1

who has result in well-being Indonesian society is marginalized.⁴ State worrying this keep going in progress until moment this, statement that's one of them could observed in problem mineral and coal mining which often marginalizes interest public minority.

In development destination from mining mineral and coal based on Pancasila which mandates existence appreciation balance fulfillment right basic humans to be able realize Justice social for whole group public in deep Indonesia Thing this related right fulfillment need source energy and at the same time right ecological justice. Mandate from this Pancasila then realized in goal stated national in the Fourth Paragraph Opening The 1945 Constitution of the Republic of Indonesia which states: that:

Then than that for shape something Government of the State of Indonesia that protects all Indonesian nation and all spilled Indonesian blood and for advance well-being general, educating life nation, and follow doing world order based on independence, peace eternal and justice social, then arrange independence The Indonesian nationality in something The sovereign constitution of the Republic of Indonesia people with based on to : God Almighty _ One, just and civilized humanity, Indonesian unity, and democracy led by wisdom wisdom in deliberation/representation, as well as with realize something Justice social for whole Indonesian people.

Then Fourth Paragraph Opening The 1945 Constitution of the Republic of Indonesia come true return in mandate as express and implied _ in Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia which states "everyone has the right " on recognition, guarantee, protection, and certainty fair law as well as the same treatment in front of law", and Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia which reads "everyone has the right life prosperous physically and mentally, located stay, and get environment good and healthy life _ as well as entitled get service health." And Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which states that "Fourth Paragraph" Opening the 1945 Constitution of the Republic of Indonesia.

This thing by automatic is also mandated in preamble from Constitution Number 4 of 2009 concerning Mining Minerba stating that :

- a. That the minerals and coal contained within the jurisdiction Indonesian mining is wealth natural not renewable as karun.he ' the Supreme spirit The one who has role urgent in fulfil need many people 's lives, because that management must controlled by the State for give Mark plus by real for economy national in business reach prosperity dzn well-being people by fair;
- b. That activity business mineral and coal mining which is activity business mining outside hot earth, oil and gas and ground water have role urgent in give value plus by real to growth economy national and development area by sustainable;
- c. That with consider development national nor international, law Number 11 of 1967 concerning Terms tree Mining already no in accordance again so that needed change regulation legislation in the field of mineral and coal mining that can manage and

⁴ Budi Winarno, Dynamics of Contemporary Global Issues, Center of Academic Publishing Service, Yogyakarta, 2014, page. 25

manage mineral and coal potential by independent, reliable, transparent, empowered competitive, efficient, and insightful environment, use ensure development national by sustainable;

- d. That based on consideration as intended in letter a, letter b, and letter c, it is necessary shape law about Mineral and Coal Mining.

Then existence destination implementation mining mineral and coal is also based on the principles and objectives contained in Constitution Number 4 of 2009. Article 2 states that:

Mineral and/or coal mining managed based on:

- a. benefits, justice, and balance;
- b. partiality kepadati interest nation;
- c. participatory, transparency, and accountability;
- d. sustainable and insightful environment.

Then in Article 3 of the Law Number 4 of 2009 stated that:

In skeleton support development sustainable national goal mineral and coal management are:

- a. Ensure effective implementation. Control activity business mining by Empower use, work useful, and powerful competitiveness;
- b. Ensure benefits mineral and coal mining secure sustainable and insightful environment live;
- c. Ensure availability of minerals and coal as ingredient rights and/ or as source energy for need domestically;
- d. Support and grow develop lamp national for more capable compete at the level national, regional, and international;
- e. Increase income public local, regional, and country, as well as create field work uiituk big - big well-being people; and
- f. Ensure certainty law in maintenance activity business mineral and coal mining.

Basically To use prevent happening publishing permission mining Minerba problem so arrange provision chapter 165 Act _ Number 4 of 2009 which states that:

Everyone who issues IUP, IPR, or IUPI that contradicts with Constitution this and abuse his authority given penalty a maximum of 2 (two) years imprisonment and a maximum fine of Rp. 200,000,000.00 (two hundred million rupiah).

However thereby threat sansi in provision Article 165 is really light when compared to with impact publishing permission mining Minerba problem. Problem this the more increase complicated with delete it Article 165 in Constitution Number 3 of 2020 About Changes to the Law Number 4 of 2009 concerning Mining mineral and coal.

This thing result in the more rampant action deviate in publishing permission mining Mineral and Coal in Indonesia. Based on data from the Ministry of Energy and Mineral Resources, as of January 1, 2019, there were 539 IUPs or 15.92 percent of 3,384 Minerba IUP status *non- CnC* . Meanwhile , the rest , have status CnC. Meanwhile , the company *non- CnC* still can operate and sell the product ride another company. Condition

this harm the country because company risky no report production nor pay his obligations to the state.⁵ So that clear that problem publishing permission mining Minerba has problems in its development many cause loss good damage environment nor loss state finances. This thing clear has contrary with the Pancasila mandate, the 1945 Constitution of the Republic of Indonesia, and Constitution Number 4 of 2009 concerning mineral and coal. So that leave from various type Existing explanation _ so urgent wish discussed related to “Reform “Policy Penalty Criminal In Publishing Permission Mineral and Coal Mining“. As for the issues that will discussed in this article is related implementation penalty criminal in case publishing permission problematic mineral and coal mining.

2 Research Method

Method used in writing this is method study juridical sociological where law no only analyzed in perspective normative but also in context sociological.

3 Result and Discussion

3.1 Implementation Penalty Criminal In Case Publishing Permission Mining

In development gift authority full to government center and government province no could allowed completely, thing this because good center nor province no truly understand existence related harmonization Among management mining with life social community in the area.

state thereby often results in a lot publishing permission to hurt interest public general especially in the field of ecological. Head of Legal Division of the Directorate General of Mineral and Coal (Minerba) Ministry of Energy and Mineral Resources Heriyanto mention that along from 2019 to 2020 there are 8,280 permits mining However from total the there are 2,155 IUPs that are problematic and not in accordance with principle *clean and clear*.⁶

Then Indonesian Corruption Watch stated that dar enhancement trend case corruption in 2019 is the biggest state loss is caused by corruption in the mining sector. ICW stated that even though in 2019 only there is four case corruption in the sector permission mining However from four case the state losses reached Rp. 5.9 trillion.⁷

So that clear that Thing the result in problem publishing permission frequent mining _ colored with KKN no could avoided. Related Thing that Zainal stated that During do help law for public Kendeng there is various not fair in publishing permission mining granted by the government province to Indonesian Cement Factory, one of which can seen is on the document Amdal that doesn't in accordance with existing data existing environment

⁵ <https://www.cnnindonesia.com/ekonomi/20190109155055-85-359627/esdm-desak-gubernur-pul-ratusan-izin-tambang-berhasil> , Accessed on March 12, 2020.

⁶ <https://www.cnnindonesia.com/ekonomi/20180222172759-85-278120/polri-catat-240-case-law-di-sector-pertambangan> , Accessed on May 12, 2020.

⁷ https://kbr.id/nasional/02-2020/icw_korupsi_paling_besar_2019_terjadi_di_sektor_pertambangan/102332.html , Accessed on May 12, 2020.

However many changed, though So Zainal and some party defender farmer Kendeng amazed because document Amdal the declared no problematic and made consideration exit permission mining limestone in the mountainous region Kendeng.⁸

state thereby Becomes the more dilemma with lightness threat criminal for perpetrator publishing permission troubled mining, This is seen in the terms chapter 165 Act Number 4 of 2009 which states that:

Everyone who issues IUP, IPR, or IUPI that contradicts with Constitution this and abuse his authority given penalty a maximum of 2 (two) years imprisonment and a maximum fine of Rp. 200,000,000.00 (two hundred million rupiah).

However thereby threat sansi in provision Article 165 is really light when compared to with impact publishing permission mining Minerba problem. This thing result in the more rampant act criminal in publishing permission mining Mineral and Coal in Indonesia. State this could seen in Decision No. 31/G/2010/PTUN-SMD, in case the plaintiff want the revocation of the decree made by the defendant related permission mining in Province Samarinda, however lawsuit plaintiff rejected with a pedestal no have strength strong law. This thing no correct because submission lawsuit has be equipped with various type proof good witness even document related problem generated environment.⁹

Then on the verdict number 99 PK/TUN/2016 related case dispute permission mining cement factory in the area mountains Kendeng lawsuit society approved by the Supreme Court in Thing Review and from results The Review The Supreme Court decided that

- a. Accept Plaintiffs ' lawsuit for entirely;
- b. State cancel the Governor's Decree Central Java Number 660.1/17 of 2012, dated 7 June 2012, concerning Permission Environment Activity Mining by PT Semen Gresik (Persero) Tbk, in Kabupaten Rembang, Province Central Java;
- c. Require to Defendant for revoke the Governor's Decree Central Java Number 660.1/17 of 2012, dated 7 June 2012, concerning Permission Environment Activity Mining by PT Semen Gresik (Persero) Tbk, in Kabupaten Rembang, Province Central Java; Punish Respondent Review for pay cost case in all level court, deep This Review set IDR 2,500,000.00 (two million five hundred thousand Rupiah).¹⁰

Based on various type the verdict above seen it is also clear that lawsuit in problem publishing permission mining mineral and coal often have a paradigm PTUN procedural law is n't it ? criminal . So that Article 165 of the Law Number 4 of 2009 seldom used in case publishing permission troubled mining.

Problem ni the more increase big after birth Law Number 3 of 2020 concerning Change First Of The Laws Number 4 of 2009 About Mineral And Coal Mining. Birth Law Number 3 of 2020 concerning Change First Of The Laws Number 4 of 2009 About Mineral and Coal Mining has been delete Article 165. This clear the more result in not justice in Thing maintenance enforcement law in the field of mineral and coal mining.

⁸ Zainal Arifin, Interview personal with director of LBH Central Java on May 12, 2020.

⁹ Decision No. 31/G/2010/PTUN-SMD , Registrar Samarinda State Administrative Court which was obtained on 20 May 2020.

¹⁰ Decision No. 99 PK/TUN/2016 , Accessed through <https://ujungan3.mahkamahagung.go.id/direktori/ujungan/df8fdd2e24a5061257ec52dfe1f7743a> , on April 12, 2020.

So that clear that lightness threat sanctions in Article 165 of the Law Number 4 of 2009 About Mineral and Coal Mining that is not comparable with the damage environment because mineral and coal mines, as well as delete it Article 165 in Law Number 3 of 2020 concerning Change First Of The Laws Number 4 of 2009 About Mineral And Coal Mining is clear will result in the more rampant publishing permission mineral and coal mining laden will the charge of KKN that will put aside Justice ecological for public affected.

3.2 Weaknesses Implementation Penalty Criminal in Case Publishing Permission Mining Moment This

a. Weakness Related Regulation Legislation.

Has described above that problem implementation penalty criminal publishing permission problematic mineral and coal mining caused by the lightness threat sanctions in Article 165 of the Law Number 4 of 2009 About Mineral and Coal Mining that is not comparable with the damage environment because mineral and coal mines as well as delete it Article 165 in Law Number 3 of 2020 concerning Change First Of The Laws Number 4 of 2009 About Mineral And Coal Mining is clear will result in the more rampant publishing permission mineral and coal mining laden will the charge of KKN that will put aside Justice ecological for public affected. Not existence penalty for perpetrators of KKN in publishing permission mineral and coal mining will result in a lot permission problematic mining, so that in the end destruction will the environment will also the more no under control.

According to Fuller a regulation or policy law must have various aspects of order policy law the could said good. As for aspects it is by Fullerr called as eight principle or *principles of legality*, as for eight principle or *principles of legality*, namely:¹¹

- 1) System law must contain the rules it means he no can contain just decisions that are *ad hoc*.
- 2) The regulations that have been made that must announced.
- 3) Regulation no can apply recede.
- 4) Rules arranged in possible formula understandable.
- 5) Something system no can contain conflicting rules one each other.
- 6) Rules no can contain demands exceed what can done.
- 7) Regulation no can often changeable.
- 8) There must be compatibility Among promulgated regulations with implementation everyday.

Based on Fuller 's opinion seen that in implementation penalty criminal for perpetrator publishing permission troubled mining has contrary with points 7) and 8) namely:

- 1) Regulation no can often changeable.

¹¹ Esmi Warassih, Legal Institutions, A Sociological Study , UNDIP, Semarang, 2011, page. 5-6.

- 2) There must be compatibility Among promulgated regulations with implementation everyday.

This thing clear has result in publishing permission troubled mining because based on the practice of KKN will difficult determined as something deed criminal.

b. Weakness Paradigm Law Enforcement.

In development enforcement law in case publishing permission mining moment this administrative paradigm means that During this although publishing permission mining has override and violate Justice for public affected, however lawsuit always to permission Mining made no to his office so that dispute damage environment life as impact from mining often posted to State Administrative Court .

3.3 Implementation Penalty Criminal in Case Publishing Permission Mining in America

In the 1980s in the United States not yet lah apply system modern federal law, p this result in not yet existence law criminal environment in that era, then in the 1990s then applied system law just started too apply law criminal environment in America at the time it. This thing delivered by Robert F. Blomquist who mentions that:¹²

Turning to the specific subject of environmental criminal law in America, the earliest modern federal felony statutes were not enacted until 1980, with additional environmental criminal legislation promulgated by the United States Congress during the 1990s.

So that clear that before the 90s in America about criminal environment still including in criminal light. It is also a moment with opinion from Robert F. Blomquist who stated that:¹³

Until 1980, federal criminal provisions for environmental infractions carried only misdemeanor penalties,. “which had little deterrent value and provided little incentive for prosecutors to invest scarce resources in criminal enforcement.”

In development system Modern federal laws in America are numerous give birth to law criminal environment in conflicting state scale with law made by national. This thing Becomes problem alone for various type problem criminal environment in the United States. This was also conveyed by Robert F. Blomquist who explained that:¹⁴

¹² Robert F. Blomquist, The Logic and Limits of Environmental Criminal Law in the Global Setting: Brazil and the United States--Comparisons, Contrasts, and Questions in Search of a Robust Theory, https://scholar.valpo.edu/cgi/viewcontent.cgi?referer=https://www.google.co.id/&httpsredir=1&article=1119&context=law_fac_pubs , Diaskse on 12 March 2020.

¹³ Loc, cit.

¹⁴ Loc, cit.

Serious implementation issues bedeviled the federal enforcement of environmental crimes during the 1980s and 2000s, including a reluctance of prosecutors to prosecute environmental crimes, mistrust between different parts of the federal legal bureaucracy, and chronic case mismanagement.

So that clear that enforcement law related mining in America based on laws that apply and are recognized in each state of the United States of America.

3.4 Reform Policy Penalty Criminal in Publishing Permission Mineral and Coal Mining

Basically law created for capable realize justice. In development Justice is one destination most laws talked about along journey history philosophy law. Aristotle has write by wide about justice. He state that Justice is related policies with connection between humans. More further, Aristotle in the writing *Rhetoric* differentiate Justice in two type that is Justice distributive (*justitia distribution*) as justice that gives to everyone is based on his services or distribution according to their respective rights, as well as Justice cumulative (*justitia cumulative*) as justice received by each member without care service each. Justice cumulative this based on transactions (*sunallagamata*) both voluntary or not. Thomas Aquinas has also describe Justice with differentiate it in 2 (two) groups that is Justice general (*justitia generalist*) and justice special (*justitia specialist*). Justice general is Justice according to will the law must carried out for the sake of general, while Justice special is Justice on base similarity or proportional. Justice special then spelled out in 3 (three) forms, namely:

- a. Justice distributive (*justitia distribution*) is justice which applied proportional in field law public by general;
- b. Justice commutative (*justitia commutativa*) is Justice with liken Among achievement with counter achievement.
- c. Justice indicative (*justitia vindicativa*) is Justice in Thing drop punishment or change loss in act criminal. Somebody will considered fair if sentenced to corporal punishment or fine in accordance with big the punishment that has been determined on act the crime he committed.

Ibn Taymiyyah also gave view about justice, that Justice is give something to every member public in accordance with the right to got it without requested, no heavy adjacent or no take sides to one party , knowing rights and obligations , understand which one is right and what is wrong, act honest and steady according to regulations that have been set. Justice is values basic humanity and become pillar for various aspect life, both individually, family, and society. Justice this no only Becomes hope every human/human, will but the holy book Muslims (Al Quran) made Justice as destination treatise heavenly.

So importance Mark Justice in public demands that the values the could realized as well as life especially in life nation and state. In country size. Each have theory the justice alone possible _ just different one with others, and not except for the Unitary State Republic of Indonesia. To use realize Justice in Thing implementation penalty criminal related deed publishing permission mining deviant and harmful mineral and coal public so already should Article 165 as regulated in Constitution Number 4 of 2009 concerning

Mining Minerals are also preserved in Constitution Number 3 of 2020 even added heavy penalty criminal existing prisons and fines, even _ no only at legal level national but also necessary made by more applicable technical level policy area nor policy village, hal this so that every bureaucrat as holder power in Thing publishing permission mineral and coal can also behave fair especially for need ecological society. So that policy mining mineral and coal able realize Justice as has described above. Justice that doesn't only in context nation and state but also in context religious, moral, humane. This thing in accordance with destination law according to Islam. Destination law according to Islam basically set in principle *maqsid al-Sharia*, on the principle of *maqsid al-Sharia* explained that law must capable protect five things, as for five things the are:¹⁵

- a. Religion;
- b. Intellect;
- c. Soul;
- d. Treasure objects;
- e. Descendants.

4 Conclusion

1. Implementation criminal in case publishing permission mining mineral and coal During this not yet amp realize Justice for public impacted, hal this seen with lightness threat sanctions in Article 165 of the Law Number 4 of 2009 About Mineral and Coal Mining that is not comparable with the damage environment because mineral and coal mines, as well as delete it Article 165 in Law Number 3 of 2020 concerning Change First Of The Laws Number 4 of 2009 About Mineral And Coal Mining is clear will result in the more rampant publishing permission mineral and coal mining laden will the charge of KKN that will put aside Justice ecological for public affected.
2. As for weakness from Implementation criminal in case publishing permission mining mineral and coal is in the form of delete it Article 165 concerning criminal for publisher permission problematic mineral and coal mining at Unadang-Unadang Noor 3 of 2020 and the paradigm enforcement law in case publishing permission mining problematic mineral and coal administrative paradigm is not paradigm law related crimes with deed error perpetrator publisher permission ytang result in the damage environment consequence mining permitted mineral and coal.
3. To use capable realize Justice in Thing implementation penalty criminal related deed publishing permission mining deviant and harmful mineral and coal public so already should Article 165 as regulated in Constitution Number 4 of 2009 concerning Mining Minerals are also preserved in Constitution Number 3 of 2020 even added heavy penalty criminal existing prisons and fines, even no only at legal level national but also necessary made by more applicable technical level policy area nor policy village.

¹⁵ Sri Endah Wahyuningsih, Principles of Criminal Individualization in Islamic Law and Indonesian Law Reform, UNDIP, Semarang, 2013, page . 48.

Bibliography

Books

- Budi Winarno, 2014, *Dynamics of Contemporary Global Issues*, Center of Academic Publishing Service, Yogyakarta a
- John Ball, 1982, *Indonesian Legal History, 1602-1848*, Ougtershaw Press, Sydney
- Kwik Kian Gie, *The Fate of the Indonesian People in the Era of Independence*, Gramedia Pustaka Pelajar, Jakarta
- N otohamidjojo, 1973, *Foreword to Legal Secrets* , BPK Gunung Mulia, Jakarta
- Sri Endah Wahyuningsih, 2013, *Principles of Criminal Individualization in Islamic Law and Indonesian Law Reform*, UNDIP, Semarang
- Supomo, 1982 , *History of Customary Law Volume I, From the Company Age to 1948*, Pradnya Pramita , Jakarta

Interview results

Zainal Arifin, Interview personal with director of LBH Central Java on 12 May 2020

Decision Court

Decision No. 31/G/2010/PTUN-SMD , Registrar Samarinda State Administrative Court obtained on 20 May 2020

Decision No. 99 PK/TUN/2016 , Accessed through <https://ujungan3.mahkamahagung.go.id/direktori/cepatan/df8fdd2e24a5061257ec52dfe1f7743a>

Internet

<https://www.cnnindonesia.com/Ekonomi/20190109155055-85-359627/esdm-desak-gubernur-pul-ratasan-izin-tambang-berhasil>

Robert F. Blomquist, *The Logic and Limits of Environmental Criminal Law in the Global Setting: Brazil and the UnitedStates--Comparisons, Contrasts, and Questions in Search of a Robust Theory*, https://scholar.valpo.edu/cgi/viewcontent.cgi?referer=https://www.google.co.id/&httpsredir=1&article=1119&context=law_fac_pubs

<https://www.cnnindonesia.com/ekonomi/20180222172759-85-278120/polri-catat-240-case-law-di-sektor-pertambangan>

https://kbr.id/nasional/02-020/icw__korupsi_paling_besar_2019_terjadi_di_sektor_pertambangan/102332.html

<https://www.republika.co.id/berita/internasional/global/15/03/05/nkq8dc-cina-denda-perrusaklingungan>

Open Access This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial 4.0 International License (<http://creativecommons.org/licenses/by-nc/4.0/>), which permits any noncommercial use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

