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Reformulation Of Mineral And Coal Mining Legal Policy Towards Strengthening The Principles Of Sustainability And Ecological Justice In Support Of The National Energy Transition

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Abstract

Mineral and coal mining (Minerba) is a strategic sector in the Indonesian economy, but its management practices continue to raise serious issues related to environmental damage and ecological injustice. In the context of the national energy transition towards cleaner and more sustainable energy use, existing mining legal policies are deemed not fully adaptive to the need for environmental protection and the rights of affected communities. This study aims to analyze the current legal regulations for mineral and coal mining, identify their weaknesses, and formulate a direction for legal reform that can integrate the principles of sustainability and ecological justice. Using a normative juridical approach, this study looks at several relevant laws, such as Law Number 32 of 2009 concerning Environmental Protection and Management, Law Number 3 of 2020, and Law Number 6 of 2023 about Job Creation. The results indicate an imbalance between the interests of resource exploitation and environmental protection, as well as weak recognition of the rights of local and indigenous communities. Reformulation of mining legal policies needs to be directed at strengthening sustainable development principles, enforcing ecological obligations for mining businesses, and providing regulatory support for energy diversification. These efforts must be accompanied by increased oversight and law enforcement capacity to effectively and sustainably achieve the goals of the energy transition and ecological justice.

***Keywords**: Mineral And Coal Mining, Ecological Justice, Energy Transition*.

Abstrak

Pertambangan mineral dan batubara (Minerba) merupakan sektor strategis dalam perekonomian Indonesia, namun praktik pengelolaannya terus menimbulkan isu-isu serius terkait kerusakan lingkungan dan ketidakadilan ekologis. Dalam konteks transisi energi nasional menuju penggunaan energi yang lebih bersih dan berkelanjutan, kebijakan hukum pertambangan yang ada dinilai tidak sepenuhnya adaptif terhadap kebutuhan perlindungan lingkungan dan hak-hak masyarakat terdampak. Penelitian ini bertujuan untuk menganalisis peraturan hukum pertambangan mineral dan batubara saat ini, mengidentifikasi kelemahannya, dan merumuskan arah reformasi hukum yang dapat mengintegrasikan prinsip-prinsip keberlanjutan dan keadilan ekologis. Dengan menggunakan pendekatan yuridis normatif, penelitian ini melihat beberapa undang-undang yang relevan, seperti Undang-Undang Nomor 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup, Undang-Undang Nomor 3 Tahun 2020, dan Undang-Undang Nomor 6 Tahun 2023 tentang Cipta Kerja. Hasilnya menunjukkan ketidakseimbangan antara kepentingan eksploitasi sumber daya dan perlindungan lingkungan, serta rendahnya pengakuan terhadap hak-hak masyarakat lokal dan adat. Perumusan ulang kebijakan hukum pertambangan perlu diarahkan pada penguatan prinsip-prinsip pembangunan berkelanjutan, penegakan kewajiban ekologis untuk bisnis pertambangan, dan memberikan dukungan regulasi untuk diversifikasi energi. Upaya ini harus disertai dengan peningkatan pengawasan dan kapasitas penegakan hukum untuk mencapai tujuan transisi energi dan keadilan ekologis secara efektif dan berkelanjutan.

Kata Kunci: Pertambangan Mineral Dan Batubara, Keadilan Ekologis, Transisi Energi.

INTRODUCTION

The background to the reformulation of mineral and coal mining legal policies is crucial in the context of global changes toward a clean energy transition (Yanuari, 2022). The world is rapidly moving away from fossil fuels and accelerating the use of more environmentally friendly renewable energy (Mahendra, 2024). Meanwhile, Indonesia remains highly dependent on the coal mining sector, which contributes significantly to environmental damage and carbon emissions (Wirawan & Setijaningsih, 2022). Current legal policies have not been able to optimally encourage structural transformation in natural resource management based on sustainability principles. While coal energy remains the primary source of energy, pressure on environmental carrying capacity will continue to increase (Abisono, 2024). Legal policies that respond to global paradigm shifts are essential to ensure the mining sector aligns with the national energy transition mission.

Environmental damage caused by mining practices has exacerbated the ecological crisis in various mining regions (Bimantara et al., 2024). Large-scale mining activities carried out without strict oversight and without ecological considerations have led to land degradation, water and air pollution, and biodiversity loss (Prasetyo et al., 2025). Local communities, particularly indigenous communities and smallholder farmers, are often the victims of mining expansion. The reality reflects the fact that mining law still predominantly prioritizes economic exploitation over ecological protection (Situmeang, 2025). This imbalance reinforces the urgency of reformulating legal policies that can guarantee ecological justice for all stakeholders. Protecting the right to a healthy environment must be an integral part of the legal design of the mineral and coal sector (Wahyu & Batara, 2023).

The gap between applicable legal policies and the principles of sustainable development is evident in the minimal recognition of community and ecosystem rights in the mining licensing system (Andin et al., 2025). The issuance of IUP and IUPK permits is often based on short-term economic interests rather than long-term sustainability assessments (Putri et al., 2025). The absence of the precautionary principle in the implementation of these policies has resulted in many mining projects being carried out without an accountable AMDAL (EIA) (Pabbu et al., 2024). In this context, understanding environmental law theory as the theoretical foundation for reforming mining legal policies is crucial. Environmental law theory emphasizes the balance between development and environmental protection through universal principles (Syabana & Idris, 2024). Sustainable development is one such idea that prioritizes the demands of the current generation without sacrificing those of future generations (Nurhakiki & Ivanka, 2025).

The principle of sustainable development, formulated in the 1987 Brundtland Report, has become a primary reference in global and national environmental policy (Saputri et al., 2021). In legal practice, this principle demands the integration of economic, environmental, and social aspects in every decision-making process. The implementation of this principle should guide mining management toward environmentally friendly and responsible practices. Law should not merely serve as a tool to legitimize resource exploitation, but also as a corrective tool to maintain ecological balance. In the mining context, the application of sustainable development principles should be a reference in permit evaluation, mining operations, and post-mining stages (Megaartha, 2021). Unfortunately, a normative vacuum and weak oversight prevent this principle from being implemented in national mining practices.

The polluter pays principle is another important principle in environmental law theory relevant to the mining sector. This principle emphasizes that businesses polluting the environment must be fully responsible for their impacts, both legally and financially (Buana et al., 2024). In the mineral and coal sector, reclamation and environmental rehabilitation costs should be the mandatory responsibility of mining corporations (Ranjani & Setiawan, 2024). However, many cases demonstrate that companies ignore this responsibility or neglect it without strict sanctions. When the polluter pays principle is not consistently enforced, environmental and social losses are borne by the community and the state. Legal policy reforms need to ensure that this principle is explicitly and operationally institutionalized within mining law.

The precautionary principle requires preventive action against the risk of environmental damage before definitive scientific evidence is available (Abdul, 2023). It is crucial in addressing the complex and long-term uncertainty of the ecological impacts of mining. In Indonesian mining law practice, this principle has not been comprehensively implemented because the policy approach remains reactive. The application of the precautionary principle should be the basis for mining licensing processes, environmental impact analyses, and routine monitoring. Without this principle, legal policy will continue to lag behind the dynamics of environmental damage caused by mining activities. Understanding environmental law theory needs to be transformed into regulatory instruments and concrete implementation on the ground.

Ecological justice offers a more progressive approach than social justice in the context of natural resource management. While social justice focuses on the distribution of benefits among human groups, ecological justice encompasses the protection of the rights of nature and non-human entities (Rafiqi, 2021). In the mining sector, an ecological justice approach recognizes that environmental damage impacts not only humans but also other living creatures and the ecological system. This approach challenges the anthropocentric paradigm in natural resource law, which has historically ignored environmental concerns. Ecological justice encourages laws that favor not only humans but also the sustainability of the whole planet. These values must be internalized in mining legal policy through appropriate principles, norms, and institutions.

The concept of ecological justice also emphasizes the importance of intergenerational and interspecies equity as key pillars of sustainability. Intergenerational equity demands that natural resources be managed wisely so that future generations do not bear the burden of the environmental crisis caused by current exploitation (Santika, 2025). Interspecies equity, on the other hand, rejects the approach of humans as the sole owners of rights over nature, but instead positions all living creatures as part of an ecological community that must be protected. These principles are not yet explicitly recognized in Indonesian positive law, although they can be derived from the spirit of the constitution and several norms in environmental laws. Strengthening these principles requires a more transformative legal paradigm reform. Integrating ecological justice principles will strengthen legal legitimacy and build public trust in fair and sustainable mining policies.

The principle of natural resource management in Article 33 of the 1945 Constitution of the Republic of Indonesia should be interpreted not only in the context of economic efficiency but also ecological responsibility. The phrase "for the greatest prosperity of the people" must be understood as sustainable and equitable prosperity across generations. The principles of integration and sustainability in national energy policy are included in the National Energy Policy document and several derivative regulations, but enforcement

remains weak. The integration between the energy, environment, and forestry sectors is not yet fully reflected in the regulatory system. When each sector operates with separate policy logic, legal policy cannot serve as a guide for a just energy transition. The law must form an integrative framework, encourage collaboration between sectors, and balance ecological and economic interests.

The energy transition, from a legal perspective, demands legal instruments that can encourage decarbonization and reduce dependence on fossil fuels, including coal. The energy transition is not merely a technical or economic process, but also a transformation of norms and values in resource management. The law must act as a catalyst for change by creating certainty, incentives, and appropriate sanctions to direct actors towards clean energy. In this regard, synchronization is needed between the Mineral and Coal Mining Law, the Environmental Law, and planned legislation such as the New and Renewable Energy Bill. Laws supporting the energy transition must be able to balance the urgency of climate crisis mitigation with the interests of national development. This process demands legal reform that supports a sustainable and equitable ecological future.

RESEARCH METHODS

This research uses a normative juridical method with a statutory and conceptual approach. The normative juridical method was chosen because this research focuses on analyzing applicable positive legal norms, particularly laws and regulations governing the mineral and coal mining sector and their relationship to environmental policy and the energy transition. The provisions of Law Number 32 of 2009 concerning Environmental Protection and Management, Law Number 6 of 2023 concerning the Stipulation of the Job Creation Government Regulation in lieu of Law into Law, and Law Number 3 of 2020 concerning Amendments to Law Number 4 of 2009 concerning Mineral and Coal Mining are examined using the statutory and legal approach, which serve as the main normative foundations in the mining and environmental sectors. Furthermore, this approach also includes an analysis of implementing regulations, such as relevant Government Regulations and Ministerial Regulations. Furthermore, the conceptual approach is used to explore and understand key notions, such as ecological justice, sustainable development, and the energy transition in a legal context. This approach allows researchers to interpret general principles developed in legal and environmental sciences and examine how these principles can be internalized within the Indonesian mining legal system. By combining these two approaches, the research seeks to provide a comprehensive and critical analysis of the existing legal structure and propose legal policy formulations that are more responsive to future ecological and energy challenges.

RESULTS AND DISCUSSION

Legal Analysis of Current Mineral and Coal Mining Policies

The main piece of legislation controlling Indonesia's coal and mineral mining industry is Law Number 3 of 2020 about Amendments to Law Number 4 of 2009. By taking away some of the regional governments' power, notably the ability to issue mining business permits, this law increases the central government's control over the management of coal and mineral resources. Law Number 3 of 2020's Article 4, Paragraph 2 highlights that the Central Government is the state's agent for managing and supervising the use of coal and mineral resources. This provision marks a paradigm shift from decentralization to centralization in mining affairs. While intended to enhance governance effectiveness, this centralization has sparked various controversies related to regional autonomy and local community involvement in decision-making processes.

These shifts create new challenges in terms of cross-sectoral coordination and the enforcement of equitable environmental law principles.

The enactment of Law Number 11 of 2020 concerning Job Creation (which was later declared invalid and replaced by Law Number 6 of 2023 concerning the Stipulation of the Perppu on Job Creation) also impacted mineral and coal mining governance. In Article 39, point 15 of the Job Creation Law (amending Article 35 of Law No. 4 of 2009), the government simplified the licensing process by introducing a risk-based business licensing system, including in the mining sector. This measure has drawn criticism for easing oversight of the environmental impacts of mining activities. This simplification has also increased the opportunity for exploitation of natural resources without adequate ecological considerations. While the goal of this deregulation is to accelerate investment, the aspects of prudence and sustainability are often neglected in practice. In the energy transition, such regulations need to be reviewed to align with the principles of sustainable development.

Law No. 4 of 2023 concerning the Development and Strengthening of the Financial Sector (PPSK) is also relevant in the mining context because it concerns capital and investment in the energy and environmental sectors. Article 245 of the PPSK Law states that the financial services sector is encouraged to support financing for sustainable development, including new and renewable energy. However, the implementation of this policy has not yet substantially affected the mineral and coal mining sector, which is still dominated by a financing model based on extraction and short-term profits. Integration between sustainable financing and mining policy remains minimal and tends to be fragmented. The absence of financing instruments that address environmental risk factors demonstrates the government's weak integrative efforts to drive energy sector transformation. Yet, within the framework of the energy transition, the integration of sustainable finance is crucial to supporting the shift to environmentally friendly mining activities.

The dualism of authority between the central and regional governments in mining management has become a major problem following the enactment of the Job Creation Law. Although Article 4 paragraph (2) of Law No. 3 of 2020 stipulates that authority rests with the central government, its implementation on the ground demonstrates numerous conflicts with regional authorities, particularly regarding environmental oversight and control. Many regional governments feel they have lost control over their own jurisdictions, even though they are the ones most directly impacted by mining activities. This disharmony often leads to a lack of oversight and weak enforcement of environmental law. Weak coordination also creates room for corruption and a disregard for public participation. This situation has resulted in legal uncertainty in the implementation of mining policies in various regions.

The issuance of Mining Business Permits (IUP) and Special Mining Business Permits (IUPK) is still often carried out without considering environmental carrying capacity. In fact, Article 3, letter f of Law No. 32 of 2009 concerning Environmental Protection and Management explicitly states that development policies must take into account environmental carrying capacity. In practice, many areas experience severe environmental damage due to mining activities that exceed the capacity of their ecosystems. The AMDAL process is often used as an administrative formality, without truly being an effective environmental control instrument. When mining permits continue to be issued without in-depth analysis, ecological risks and environmental disasters

increase. This situation demonstrates the weak integration between mining regulations and environmental law principles.

The dominant extractive approach to mining policy in Indonesia is the primary cause of stagnant reform in this sector. According to Article 33, paragraph (3) of the Republic of Indonesia's 1945 Constitution, the state controls the land, water, and natural resources found there and uses them for the benefit of the populace. However, in practice, this principle is often misinterpreted as a justification for large-scale exploitation for short-term profit. The extractive approach ignores the sustainability of natural resources and does not provide sufficient space for ecological reconstruction processes. The socio-ecological inequalities resulting from this model further deepen the environmental crisis and ecological justice. Transformation towards a more ecological and participatory approach remains very limited in national regulations and policies.

The environmental impacts of mineral and coal mining activities are complex and extensive. Groundwater pollution from mining waste, damage to soil structure due to excavation activities, and air pollution from coal combustion are real problems in various mining areas. Article 69, paragraph (1), letter a of Law No. 32 of 2009 prohibits environmental destruction, including pollution. However, weak law enforcement renders this article ineffective in stemming ongoing environmental damage. Mining operators' lack of commitment to waste management and reclamation exacerbates the environmental conditions surrounding mines. Irreversible ecosystem damage poses a serious threat to the survival of surrounding communities.

Social conflicts resulting from mining, particularly those involving indigenous peoples and local communities, demonstrate the weak legal protection of the rights of affected communities. Many cases of forced evictions, criminalization of indigenous peoples, and confiscation of customary land occur without a just resolution mechanism. Article 6 of Law Number 39 of 1999 concerning Human Rights states that indigenous peoples have the right to preserve and develop their cultural identity. However, in practice, this right is often ignored when faced with mining investment interests. The absence of meaningful public consultation (free, prior, and informed consent) creates public distrust in state policies. This situation not only violates human rights principles but also threatens social stability and sustainable development.

The obligation of business actors to carry out reclamation and post-mining activities, as stipulated in Article 96, letter c of Law Number 39 of 1999, is also a violation of the principles of human rights. Law No. 3 of 2020 has not been optimally implemented. Many mining companies fail to carry out reclamation even after completing exploration or production activities. Central and regional governments often lack effective oversight mechanisms for the implementation of this obligation. Reclamation and post-mining are crucial steps to restore ecosystem function and prevent long-term environmental degradation. The lack of administrative and criminal sanctions for violations of reclamation obligations also demonstrates the state's weak commitment to enforcing regulations. The lack of adequate reclamation guarantee funds further exacerbates the imbalance between exploitation and environmental restoration.

Problems in the implementation of mineral and coal mining policies demonstrate a significant gap between formal regulations and the reality on the ground. Although various laws have been designed to accommodate the principles of sustainability and ecological justice, weak political commitment and inadequate oversight prevent these regulations from having a significant impact. Policy fragmentation between sectors and overlapping authorities compounds the complexity of mining governance issues. A more

integrative and progressive legal approach is needed to enable the mining sector to transform toward sustainability. Consistent law enforcement and broader public participation are key to driving systemic change. Policy reforms that prioritize a balance between economic, social, and environmental issues are an urgent need to address the challenges of the energy transition and the global climate crisis.

Reformulation of Mining Legal Policy Towards Energy Transition and Ecological Justice

Reformulation of mining legal policy towards energy transition and ecological justice requires the comprehensive integration of sustainability principles into the existing regulatory system. In addition to protecting the environment, these values also strike a balance between the rights of impacted communities, economic needs, and the preservation of the ecosystem. Given this, it is necessary to reinforce Law Number 3 of 2020 about Amendments to Law Number 4 of 2009 with provisions that specifically call for sustainability indicators, both in permit issuance, exploitation activities, and post-mining obligations. These strengthened articles should include the obligation to conduct holistic environmental impact studies and involve communities from the planning and evaluation stages of mining projects. The integration of these principles must also be legally binding, with strict sanctions for violations that damage ecosystems or ignore the protection of local communities. Stronger regulations will reinforce the legal position in suppressing irresponsible mining practices.

Harmonization between the Mineral and Coal Mining Law and Law No. 32 of 2009 concerning Environmental Protection and Management is key to regulatory reform. Law No. 32 of 2009 stipulates that every activity with a significant impact on the environment must have an Environmental Impact Analysis (AMDAL) document and involve affected communities (Articles 22 and 26). This obligation is often overlooked in mining licensing practices. The government needs to develop derivative regulations that integrate strategic environmental assessments (KLHS) into mining area planning. Regulatory harmonization will create legal certainty, avoid overlapping authority, and ensure that mining activities can only proceed if all environmental requirements are met. Inter-agency synergy between the Ministry of Energy and Mineral Resources (ESDM) and the Ministry of Environment and Forestry (KLHK) must also be strengthened to ensure that environmental protection interests are not sidelined for investment.

Ecological justice in mining regulations must be realized through legal protection of the rights of affected communities. Indigenous peoples, farmers, and local communities are often victims of mining expansion that ignores the rights to land, water, and a healthy environment. In policy reformulation, the protection of these rights must be enshrined in articles that explicitly protect customary lands and territories, as affirmed in Constitutional Court Decision No. 35/PUU-X/2012, which states that customary forests are no longer part of state forests. The government should encourage the issuance of regulations that recognize customary territory maps as the legal basis before issuing mining business permits. This protection is crucial to prevent land conflicts and structural injustices against vulnerable groups living near mining sites. Ecological justice is not only an environmental issue but also encompasses social and human rights dimensions.

The application of the principles of public participation and free, prior, and informed consent (FPIC) is an integral part of the principle of ecological justice. The FPIC principle provides space for local communities to determine their stance on the presence of mining projects that impact their lives. Within the national legal framework, this principle can be adopted through a revision of the Mineral and Coal Mining Law or

the issuance of a ministerial regulation requiring mining companies to conduct open and documented public consultations before obtaining operating permits. Article 66 of Law No. Law No. 32 of 2009 also states that anyone who advocates for the right to a healthy environment cannot be prosecuted criminally or sued civilly. Protection of environmental defenders must be a priority to prevent the criminalization of residents who oppose mining projects in their areas. Implementing Free, Prior, and Informed Consent (FPIC) will increase the legitimacy of mining projects and minimize the potential for social conflict.

Ecological restoration needs to be established as a normative legal obligation inherent in every mining business entity. This restoration includes the restoration of post-mining land, forest rehabilitation, and revitalization of water and air quality around mining areas. Article 96C of Law No. 3 of 2020 stipulates the obligation of Mining Business License (IUP) and Special Mining Business License (IUPK) holders to carry out reclamation and post-mining activities, but implementation remains weak due to a lack of oversight and strict sanctions. The government must reaffirm this provision in derivative regulations, such as Government Regulation No. 78 of 2010 concerning Reclamation and Post-Mining, by expanding the indicators for the success of scientifically based and participatory ecological restoration. Corporations are also required to establish reclamation guarantee funds from the beginning of mining activities as a form of financial commitment to environmental restoration. Enforcing ecological restoration norms will strengthen the environmental accountability system within national mining law.

The move towards a just energy transition requires the development of a roadmap to reduce dependence on coal in a gradual and realistic manner. The government must have a national strategic policy that sets targets for reducing coal production and encourages energy diversification based on renewable sources. Law No. 3 of 2020 does not yet provide clear direction regarding an energy transition roadmap, necessitating new regulations or revisions to articles that mandate the development of such a document. The existence of this roadmap is crucial to provide direction for energy businesses and investors in adjusting their business policies. The government must also facilitate training and skills transfer for mining workers to prepare them for the transition to the clean energy sector. The development of this roadmap will demonstrate Indonesia's commitment to supporting the global net-zero emissions target.

The synergy between the Mineral and Coal Mining Law and the Draft Law on New and Renewable Energy (RUU EBET) is a crucial element in the national energy transition process. The EBET Bill is expected to provide a legal framework that supports the systematic development of solar, wind, biomass, and geothermal energy. The integration of these two regulations must be stipulated in concrete and operational cross-sectoral coordination clauses. The EBET Bill must also guarantee the existence of an independent renewable energy supervisory agency with regulatory, supervisory, and enforcement authority. This integration will not only facilitate investment allocation but also avoid overlapping policies and conflicts between regulations. Consistent policies across energy sectors will provide legal certainty for business actors and support the success of the national energy transition program.

Strengthening legal incentives for the renewable energy sector and green investment can be achieved by providing tax facilities, simplifying licensing, and recognizing international environmental standards. The government needs to issue legislation governing tax holidays, tax allowances, and green bonds for clean energy

projects that meet sustainability requirements. This provision could be included in amendments to the PPSK Law (Law No. 4 of 2023), which has provided space for green finance policies. In the long term, this legal incentive will attract global investors, who are currently more interested in sectors that prioritize ESG (Environmental, Social, and Governance) aspects. The government must also establish an independent verification mechanism for the implementation of green standards in investment projects. The existence of clear and measurable incentives will accelerate the shift of capital from the extractive sector to the sustainable energy sector.

Revision of Law No. 3 of 2020 with a green law approach is a key urgency in reformulating mining policy. This approach emphasizes the importance of a balanced relationship between economic and ecological interests in the formulation of legal norms. Articles in the law must be examined by adding clauses on biodiversity protection, carbon emission reduction, and energy transition obligations for mining permit holders. The green law approach also requires that mining policies support intergenerational sustainability, rather than simply pursuing short-term economic growth. In the legislative process, this approach can be sharpened through the participation of environmental experts, academics, and civil society organizations. Revisions with a green law perspective will usher in a new paradigm in Indonesia's natural resource management.

Strengthening the legal oversight role of the Ministry of Environment and Forestry (KLHK), the Corruption Eradication Commission (KPK), and the Ministry of Energy and Mineral Resources (ESDM) must be more clearly regulated in implementing regulations. Currently, oversight is often unsynchronized, creating legal loopholes that can be exploited by industry players. An integrated digital-based monitoring system is needed that allows these three institutions to share data, audit results, and follow-up law enforcement actions. The KPK can strengthen the prevention and prosecution of corrupt practices in the granting of mining permits and allocations. The KLHK can strengthen oversight of environmental violations and the restoration of critical post-mining land. Solid oversight coordination will enhance the integrity of the mining sector and foster public trust in energy transition policies

CONCLUSION

Mining legal policy in Indonesia still faces various limitations in addressing the complex challenges related to ecological justice and the transition to a sustainable energy system. Existing regulations tend to be oriented toward the exploitation of natural resources for short-term economic gain, while aspects of environmental protection and the rights of affected communities have not been comprehensively addressed. Law No. 3 of 2020, a revision of the Mineral and Coal Mining Law, has not yet demonstrated a strengthening of the principles of sustainable environmental justice. In practice, the implementation of the law demonstrates an imbalance between the interests of the state, corporations, and communities, particularly in mining concession areas. The direction of national energy policy, which remains dependent on fossil resources such as coal, demonstrates a lack of consistency with global commitments to climate change mitigation. Reformulation of mining legal policy is necessary, emphasizing the integration of sustainability principles, the protection of community rights, and the interests of future generations.

The government, together with the House of Representatives (DPR), needs to immediately design transformative mining legal reforms, not merely as technical revisions to legislation, but as a paradigm shift toward fair and sustainable resource governance. The resulting legislation must ensure the active involvement of civil society

through inclusive and transparent participation mechanisms from the planning stage through implementation and evaluation. The legal system must provide a strong space for sustainability principles, including recognition of the rights of indigenous and local communities directly impacted by mining activities. The capacity of law enforcement institutions such as the Ministry of Environment and Forestry, the Corruption Eradication Commission, and the Ministry of Energy and Mineral Resources needs to be enhanced through regulations that strengthen their mandates to monitor and prosecute environmental violations. To support policy effectiveness, it is crucial to provide data- and technology-based oversight tools that enable accurate and accountable monitoring of mining activities and their impacts. These efforts must be accompanied by legal incentives that encourage mining companies to transform toward more environmentally friendly and socially responsible practices.

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