

Urgency of Providing Shares to Local Communities in Mineral and Coal Mining Activities

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Abstract. *Giving shares to local communities in mineral and coal mining activities is very important. The position of the community as parties who have the potential to suffer losses in mining activities is something that cannot be avoided even though they are permanent residents and any natural losses will have an impact on the community. This research aims to conduct a study and analysis of the importance of giving shares to local communities in mineral and coal mining activities. The formulation of the problem in this research consists of: First, what are the problems with the welfare of local communities whose areas are areas of mineral and coal mining activities. Second, what is the urgency of giving shares to local communities for mineral and coal mining activities. The research method used is doctrinal legal research with a statutory and conceptual approach. The results of this research conclude that: First, the problem with the welfare of local communities regarding mineral and coal mining is that extraordinary social impacts arise such as environmental damage and the emergence of economic disparities caused by the management of nickel and coal mining solely for the welfare of entrepreneurs. Second, so far CSR in its implementation has not been able to improve the welfare of the people, in areas where nickel and coal mining takes place. This shows that it is time for the public to be given shares in every nickel and coal company, because only then will there be legal certainty to obtain prosperity.*

Keywords: *Community, Mining, Shares.*

1. Introduction

Indonesia is a country rich in natural resources, all kinds of natural resources stretch from Sabang to Merauke. Indonesia's economic growth is also increasing rapidly in several sectors such as plantations, agriculture and animal husbandry and mining. The mining sector itself is currently still one of the main sectors that

drives the wheels of the Indonesian economy.¹Realizing this, since the debate on the formation of the 1945 Constitution, the nation's founders, such as Mohammad Hatta, have placed their attention on controlling nature to advance the welfare of society.

Since the ratification of the Constitution on August 18, 1945, the state's right to control mining materials has been the domain of the state. This is as formulated explicitly and explicitly through Article 33 paragraph (3) that "The earth and water and the natural resources contained therein are controlled by the state and used for the greatest prosperity of the people". The authentic interpretation of the provisions of this article is formulated through the explanation of the 1945 Constitution that the earth and water and the natural resources contained in the earth are the mainstays of the people's prosperity. Therefore, they must be controlled by the state and used for the greatest prosperity of the people".²

In the framework of state control over mining, it means that the state holds the power to control and exploit all mineral resources found in the Indonesian mining jurisdiction. Control and utilization of natural resources as stated in (Article 33 paragraph (3) of the 1945 Constitution) is within the framework of state control rights, which does not mean that they are managed or exploited by the state or government with its bureaucracy, but can be handed over to private businesses, as long as they remain under the control of the state or government.³

Currently in Indonesia there are two types of mining that have received attention from international investors, namely nickel mining and coal mining. The explanation is that nickel itself is a naturally occurring metal element and is most often found in the earth's crust. Nickel commodities are greatly needed by many industries, such as the stainless steel industry, batteries, alloys, and metal coatings.⁴Coal is a solid fossil fuel formed from plant remains that have been buried for a very long time through several geological phases (stages within the earth).⁵

Management of metal mineral mining (nickel) has a positive impact on the community around the mine in the form of creating jobs, increasing welfare and comfort for the community around the mine, and a positive side for the local

¹Ruth Laksmi Charisma, Problems of Law Enforcement of Illegal Rock Mining Activities in Samarinda City,*Mulawarman Natural Resources and Environmental Law Review*, Vol. 1, No. 1, March 2021,p. 44.

²Marilang, Welfare State Ideology of the Constitution: The State's Right to Control Mining Goods, *Jurnal Konstitusi*, Vol. 9, No. 2, June 2012, p. 260.

³Mohammad Hatta, *Guided Economy*, Jakarta: Djambatan, 1967, p. 46.

⁴Dicky Dwi Radhica & Raden Ambara Arya Wibisana, Indonesian Nickel Protectionism in World Trade, *Journal of Trade Development and Studies*, Vol. 7, No. 1, 2023, p. 75.

⁵Ratih Diah Andayani, Utilization of Bituminous Coal as Raw Material for Chemical Industry and Petrochemical Industry, Vol. 4, No. 1, June 2019, *Redox Journal*, p. 2.

government, for example regional income through profit sharing funds which increase the Regional Revenue and Expenditure Budget (APBD) of the Regency by billions of rupiah.⁶ However, it cannot be denied that the negative side of mining activities is so great that the impacts caused include environmental damage. Such as: the abandonment of former mining excavations by companies that ignore reclamation and post-mining obligations; the existence of fatalities due to falling in unreclaimed mining holes, the opening of mining areas in forest areas, and the occurrence of erosion, landslides and floods.⁷

The community that does not feel the impact of mining, then it can be understood that the government's public services, to maintain public rights, cannot be implemented. Whereas public services are the spearhead for the government in implementing its power, and public services are also a reflection of the good or bad government.⁸

In general, mineral and coal mining businesses have an important role in providing real added value to national income and regional development related to global demand for coal as an alternative energy source to meet energy needs along with the increasing price of petroleum fuels.⁹

Indonesia is one of the largest nickel producers in the world with consumer markets including China, America and Japan. Nickel is a raw material not the result of a production process but rather produced from the weathering and enrichment of minerals in rocks stored in a certain area and is a non-renewable natural resource.¹⁰ Nickel is currently being targeted by developed countries because it can be used as a new source of energy for the world, in this case, making batteries and other technological devices.

Based on the explanation above, the author feels the need to conduct journal research with the title: the urgency of providing shares to local communities in mineral and coal mining activities.

⁶Sahrina Safiuddin, Rizal Muchtasar, and Heryanti, Administrative Efforts as an Instrument to Realize Good Governance for the Community, *Halu Oleo Law Review*, Vol. 6, No. 2 September 2022, p. 6.

⁷Muhammad Jufri Dewa, Muhammad Sabaruddin Sinapoy, Oheo Kaimuddin Haris, Guasman Tatawu, La Senu & Arifin, Legal Policy for Mining Management Based on Community Welfare, *Haluolo Legal Research*, Vol. 5, No. 1, April 2023, p. 159.

⁸Suparto Wijoyo, Environmental Licensing Requirements and Their Importance for Environmental Management Efforts in Indonesia, *Jurnal Yuridika*, Vol. 27, No. 2, 2012, pp. 97–110.

⁹Hemi Faradila, Mineral and Coal Mining Business Permits in Relation to Environmental Management and Protection (Fiqh Al-Bi'ah), *Mudarrisuna Journal*, Vol. 11, No. 3, 2020, p. 33.

¹⁰Edy Suryano, Does Indonesian Nickel Have Competitive Advantage in International Market?, *Ecoplan Journal*, Vol. 5, No. 2, p. 110.

2. Research Methods

This study uses doctrinal legal research using a legislative and conceptual approach. The type of data used is secondary data and is presented qualitatively.

3. Results and Discussion

3.1. Problems of Local Community Welfare Regarding Mineral and Coal Mining

Indonesia's renewable natural resources are also quite large and potential, for example renewable resources are forests. Indonesia is a country that is recognized as having the 3rd largest forest area after Zaire. It is generally recognized that Indonesia's forests play a role in protecting local and global ecosystems. From the biodiversity function, Indonesia's forests are known to have 17% of global varieties, although Indonesia's area is approximately 1.3% of the world's area. It is estimated that Indonesia has 11% of identified flowering plant species, 12% of mammals, 15% of amphibians and reptiles, 17% of bird varieties and approximately 37% of fish species found in the world.¹¹Indonesia's natural resources also include the earth's energy needed by humans, in this case nickel and coal.

Based on research by Marthen B. Salinding¹²stated that customary law communities do not get maximum benefits from the management of mineral and coal mining, in fact the negative impacts experienced are not only the current generation but also future generations. In addition, there is an important idea of the principle of recognition and the principle of informed consent without coercion as a legal principle that sides with customary law communities, because this legal principle positions customary law communities as subjects of development, not as objects of development.

In addition to social impacts, mining activities will also impact the economy of communities around the mining area. Mining operations require large areas of land, which are filled by evicting land owned and managed by the people. This will have an impact on the following conditions:¹³

- a) Loss of production resources (land and natural resources) paralyzes the ability of local communities to produce their own goods and necessities.

¹¹Zen Lutfulloh, Wahyu Donri, Legal Consequences of Issuance of Mining Business Permits (IUP) on Natural Resources of the Sangihe Islands, *Journal of Government Science Widya Praja*, Vol. 47, No. 2, 2021, p. 2. See also in Nofrizal, Hayatul Ismi & Almadison, Direction of Mining Policy for Sustainable Development (Case Study of Mining Business Licensing Post Law Number 23 of 2014 in Rokan Hulu Regency, Riau), *Journal of Law, Faculty of Law, University of Riau*, Vol. 11, No. 2, August 2022, p. 268.

¹²Marthen, B. Salinding, Principles of Mineral and Coal Mining Law that Favor Customary Law Communities, *Constitutional Journal*, Vol. 16, No. 1, March 2019, p. 148.

¹³M. Iqbal Asnawi, Legal Implications of Mining Management in the Aspects of Community Socio-Economic Life, *Samudra Keadilan Law Journal*, Vol. 14, No. 1, 2019, p. 22.

- b) The destruction of the consumption system, the paralysis of the production system makes society increasingly dependent on goods and services from outside. For their daily needs, they are increasingly trapped in the economic trap. Cash tends to see land and natural resources as factors of production and can be exchanged for a certain amount of money, no more.
- c) The breakdown of the distribution system means that local distribution activities are increasingly dominated by the inflow of goods and services into the community.

Actually, there has been a concept of distributing financial assistance for companies to the community, known as Corporate Social Responsibility (CSR), which is a form of corporate responsibility towards the community around the company's operational location. The implementation of CSR is the company's commitment to continue to act ethically, operate legally and contribute to economic growth, in line with improving the quality of life for employees and their families and improving the quality of local communities and society at large.¹⁴

According to Law Number 40 of 2007 concerning Limited Liability Companies, the definition of CSR in Article 1 number 3 states that social and environmental responsibility is the company's commitment to participate in sustainable economic development in order to improve the quality of life and the environment which is beneficial, both for the Company itself and the local community.¹⁵

CSR is unable to improve welfare because there are no firm sanctions in the law regulating the obligation of every mineral and coal company to pay CSR, so there is no guarantee for local communities affected by mineral and coal mining to obtain welfare rights. So far, the legal instruments used are only regulated in Article 74 paragraph (1), (2) and (3) of Law Number 40 of 2007 concerning Limited Liability Companies, which reads as follows:

- a) Companies that carry out their business activities in the field of and/or related to natural resources are required to implement Social and Environmental Responsibility.
- b) Social and Environmental Responsibility as referred to in paragraph (1) is the Company's obligation which is budgeted and calculated as the Company's costs, the implementation of which is carried out with due regard to propriety and fairness.

¹⁴Candra Puspita Ningtyas, Makmur Kambolong & Munawir Makmur, Implementation of Corporate Social Responsibility at PT. Aneka Tambang Tbk. UBPN Southeast Sulawesi, Publicuho Journal, Vol. 5, No. 4, November-January, 2022, p. 1092.

¹⁵Ibid. p. 1092.

- c) Companies that do not fulfill the obligations as referred to in paragraph (1) shall be subject to sanctions in accordance with the provisions of statutory regulations.

Oddly enough, the derivative rules of Article 74 paragraph (1), (2) and (3) of Law Number 40 of 2007 concerning Limited Liability Companies. Namely, Government Regulation of the Republic of Indonesia Number 47 of 2012 concerning Social and Environmental Responsibility of Limited Liability Companies in Article 7 actually throws back sanctions to the Law, without making a new formulation in the government regulation, only stating that "Companies as referred to in Article 3 that do not carry out social and environmental responsibilities are subject to sanctions in accordance with the provisions of laws and regulations". So it is not clear what the sanctions actually are if CSR is not given by the company to the local community.

The level of regulation below the Law in its implementation is also not able to be used optimally. In this case, Government Regulation No. 23 of 2010 concerning the Implementation of Mining Business Activities, especially Article 108, is a regulation that regulates the obligations of mining companies to carry out social responsibility towards the community around the location of the activity. Based on the Law *a quo* in Article 108 it states: "Companies that carry out mining business activities are required to carry out sustainable social and environmental responsibilities in accordance with the provisions of laws and regulations." This article aims to ensure that mining business activities do not only focus on economic profit, but also provide broader social benefits for the community and the surrounding environment. This social responsibility includes aspects of environmental management, education, health, and sustainable local economic development.¹⁶

Based on the results of research conducted by Sawendi Muhammad et al.¹⁷ stated that one of the crucial issues in the implementation of CSR in Indonesia is that the relationship between companies and indigenous people is relatively more confrontational than compromising. Indigenous people are often involved in sharp conflicts with companies, many of which even end in violent acts that are detrimental to both parties. Companies such as PT Freeport, PT Newmont, Kaltim Prima Coal (Bumi Resource) and other companies have experienced ups and downs in relations with local communities related to CSR issues. Mining areas inhabited by multicultural communities such as PT Vale

¹⁶Wulandari, Melvin Dhiva Ananda, Ulfha Aziza & Aulia Ramada, The Role of Government Regulation No. 23 of 2010 Concerning the Implementation of Mining Business Activities in Increasing Corporate Social Responsibility, *Jurnal Causa*, Vol. 7, No. 4, December 2024, p. 4.

¹⁷ Sawedi Muhammad, Mansyur Radjab & Rahmat Muhammad, Conflict Mitigation in the Mining Circle: A Study of the Contribution of PT. Vale Indonesia's Social Responsibility (CSR) Program in Sorowako, *National Security Journal*, Vol. 6, No. 2, November 2018, p. 126.

Indonesia face much greater challenges. In implementing CSR programs, companies are very careful so that issues of ethnicity, religion and politics are handled properly so that CSR programs become a medium for unifying and mitigating potential communal conflicts.

3.2. Urgency of Providing Shares to Local Communities in Mineral and Coal Mining Activities

The demand to present a policy of providing shares to local communities is an absolute right in areas or regions that have the potential to be impacted by mineral and coal mining activities. Therefore, in principle, land acquisition and/or revocation of land rights can only be carried out if the development carried out is for the public interest. Schenk defines public interest as an interest that provides more benefits than losses. This means that the benefits provided can be enjoyed by the community, even though they cause losses to some individuals. Van Poelje gives the meaning that the public interest in Schenk's opinion is interpreted as an interest that provides more benefits than losses. This means that the benefits provided can be enjoyed by the community, even though they cause losses to some individuals. Van Poelje gives the meaning that the public interest is the interest of the wider community that must be served by the government, in order to realize the welfare of the community.¹⁸

In reality, the implementation of mining investment does not always run according to the rules set by the Government. Mining investment cases such as the case of PT. Newmont Minahasa Raya, PT. Ved'co Indonesia, and PT. Medco E&P Tarakan East Kalimantan and the case of PT. Newmont in East Nusa Tenggara are indications of the inconsistent application of mining investment law. Dissatisfaction of indigenous peoples towards the presence of investments that are considered detrimental. Resulting in rejection and lawsuits from the community to stop companies exploring mining. Dissatisfaction occurs as a result of overlapping authority between the center, provinces, and districts in controlling mining investment resulting in indigenous peoples not maximally enjoying the results of mining and leading to dissatisfaction of the community in the region.¹⁹

Various facts show that the impact of mineral and coal mining has had a negative impact on people's lives, so it is not wrong if the community obtains the status of shareholders of every mineral or coal mining company. Regarding the damage,

¹⁸ Istijab, Legal Review of Land Acquisition for the Mineral Mining Industry, YURIJAYA: Scientific Journal of Law, Vol. 5, No. 2, August 2023, p. 81.

¹⁹Jemmy Sondakh, Investment Profit Sharing as the Right of Indigenous Peoples in Mining Areas in the Era of Regional Autonomy, Unsrat Law Journal, Vol. 23, No. 8, January 2017, p. 28.

this has been stated by Suharyono in his research on Freeport's flashback in national economic development. He stated that:²⁰

- a) In order for the Indonesian government to have the legal power to actively participate in managing Freeport, the composition of share ownership should be rearranged to be proportional. The possibility of creating a law to achieve this goal can be studied. If possible, make Freeport a company with open share ownership (go public).
- b) In order for the Indonesian government to obtain balanced information regarding the benefits and losses of Freeport's presence in Indonesia, a comprehensive scientific study should be conducted to calculate in detail the economic benefits and the magnitude of the environmental damage caused by Freeport's exploration and waste disposal. Not only now, but also the estimate until the Freeport work contract ends.
- c) In order for the Indonesian government to have the legal power to close Freeport if the company is proven to have continuously violated Indonesian law, it is necessary to consider creating a legal instrument that binds Freeport to comply with this. With this legal instrument (perhaps in the form of a Law), unilateral termination of the work contract can be carried out safely, in order to protect the interests of the nation and state.
- d) As a monitoring tool for the Indonesian government towards Freeport, the government should create a structured Freeport security funding system through institutions, both the TNI and Polri. The principles of accountability need to be applied in this funding system, to ensure there is no corruption and to protect the TNI and Polri from becoming tools of corporate interests.
- e) As a tool for evaluating Freeport's activities periodically, the government can require the company to transparently conduct external audits of all aspects of the company's activities and publish them to all Indonesian people. Violations of the audit provisions in force in Indonesia require strict and professional legal action to encourage Freeport to become part of the elements of sustainable development.
- f) In responding to Freeport, the government should act rationally and not be excessive in its defense of Freeport. This needs to be done to avoid the assumption of Freeport management that the Indonesian government is easily dictated and controlled. If this is not done, it is very likely that there will be a mistaken assumption and a demeaning of the Indonesian government's authority by Freeport management.

²⁰Suharyono, Flashback of Freeport in National Economic Development, *Journal of Science and Culture*, Vol. 41, No. 60, September 2018, pp. 7171-7173.

In terms of state administration, there are 3 forms of state involvement in the management of mineral and coal resources, namely regulation, management and supervision. The regulatory aspect is an absolute right of the state that cannot be handed over to the private sector and is the most important aspect played by the state among other aspects. Control in the coal mining sector cannot all be carried out by the state, so management (management rights) can be delegated to private legal entities or individuals in the Indonesian mining jurisdiction with a mining business permit or special mining business permit.²¹

The concept of "controlled by the state" as contained in Article 33 paragraph (3) of the 1945 Constitution, has been interpreted by the Constitutional Court in case number 01-021-022/PUU-I/2003 concerning the judicial review of Law No. 20 of 2002 and 02/PUU-I/2003 concerning the judicial review of Law No. 22 of 2002 concerning Oil and Natural Gas, dated 1 December 2004. Formulating that state control is something higher than ownership. It is stated that:²²

"...the concept of being controlled by the state in Article 33 of the 1945 Constitution contains a higher or broader meaning than ownership in the concept of civil law. The concept of control by the state is a concept of public law related to the principle of people's sovereignty adopted in the 1945 Constitution, both in the political (political democracy) and economic (economic democracy) fields. In the concept of people's sovereignty, the people are recognized as the source, owner and at the same time the holder of the highest power in state life, in accordance with the doctrine of "from the people, by the people, and for the people". In this concept, the concept of public ownership by the people collectively is also included.

The control of natural resources by the state, as regulated in the 1945 Constitution, cannot be separated from the purpose of such control, namely to realize the greatest prosperity of the people. The relationship between control by the state for the prosperity of the people, according to Bagir Manan, will realize the state's obligations in terms of:²³

- 1) All forms of utilization (of land and water) and the results obtained (natural resources) must significantly increase the prosperity and welfare of society;
- 2) protect and guarantee all the people's rights in or on the earth, water and certain natural resources which can be produced directly or enjoyed directly by the people;

²¹Andrian Sutendi, Mining Law, 1st edition, Jakarta: Sinar Garfika, 2011, p. 25.

²²Ahmad Redi, Dynamics of the Concept of State Control over Natural Resources, Constitutional Journal, Vol. 12, No. 2, June 2015, pp. 407-408.

²³Ibid. p. 408. Quoted from Bagir Manan, Growth and Development of a State's Constitution, Bandung: Mandar Maju, 1995, p. 12.

- 3) Prevent all actions from any party that will cause people to not have the opportunity or lose their rights to enjoy natural resources.

Based on the description above, it can be analyzed that the state must play a role in ensuring that the natural resources obtained are truly targeted to improve the welfare of the surrounding community. If previously explained CSR is unable to bring prosperity to the community in the mineral and coal mining areas. It would be nice if the concept of share ownership is adopted in all regulations concerning the Law governing minerals and coal.

In simple terms, shares are proof of ownership of a company where the owner is also called a shareholder (shareholder or stockholder). Proof that a person or party can be considered a shareholder is if they have been registered as a shareholder in a book called the Shareholders List (DPS).²⁴

Shareholders are generally very interested in Earnings Per Share,²⁵ because shareholders can see the rupiah profits that they will actually receive in the form of dividends (income distribution) obtained from each share they own.²⁶ Thus, mineral and coal mining companies, without having to wait for self-awareness or sanctions to be imposed, without waiting for this, the community will automatically receive income every month because they have the status of shareholders.

The government must create a policy for the obligation for companies to include the community as part of the shareholders. This is very important considering that policy standards are issued when there are dynamics and serious problems in the public, especially regarding mineral and coal mining. This is reinforced by the opinion of Maulvi Ratri Adinda Putri who stated that:²⁷

“Policy is a series of concepts and principles that form the basis of a plan of action related to government, organizations and so on; management guidelines to achieve a goal. The emergence of problems in people's lives is always the government's goal to find solutions in the form of policies. The implementation of policies means that it is an obligation for the related parties. Of course, if the related parties do not carry out their obligations in accordance with the applicable policies, then the party will be affected by sanctions or punishments.”

²⁴Ni Luh Dwik Suryachyani Gunadi & Jose Widyatama, Calculation as a Stock Investor of the Amount of Tax to be Paid to the State, Jurnal Locus Delicti, Vol. 2, No. 1, April 2021, p. 15.

²⁵A paper that explains the benefits obtained from ownership of shares in a company.

²⁶Julinta Paulina, The Effect of Earning Per Share and Return On Asset on the Stock Price of PT. Telekomunikasi Indonesia TBK ON THE IDX (2012-2016 PERIOD), JIP: Jurnal Inovasi Penelitian, Vol. 2, No. 2, July 2021, p. 664.

²⁷ Maulvi Ratri Adinda Putri, Sadino & Suartini, Legal Review of the One Data Indonesia Mineral and Coal Policy for Mining Business License Holders, Sang Pencerah Journal, Vol. 9, No. 4, November 2023, p. 968.

The principle of joint ventures based on the principle of kinship emphasizes the importance of cooperation, while efficiency emphasizes the importance of competition. Both can be said to be inevitable in the life together of every society. If only cooperation is prioritized, without open competition, human individuality will certainly be swallowed up by togetherness which can develop into forced collectivity so that an authoritarian system is formed. On the other hand, if only competition is prioritized, then everyone will destroy each other (survival of the fittest) which damages the order of life together. Both mechanisms of competition and cooperation are collected in what is meant by Article 33 paragraph (4) of the 1945 Constitution as the principle of "fair efficiency".²⁸

4. Conclusion

Based on the discussion above, it can be concluded as follows: First, the problem of local community welfare in mineral and coal mining is that there are extraordinary social impacts such as environmental damage and the emergence of economic disparities caused by the management of nickel and coal mining solely to improve the welfare of entrepreneurs. Second, so far, CSR in its implementation has not been able to improve the welfare of the people in the nickel and coal mining areas. This shows that it is time for the community to be given shares in every nickel and coal company, because only then will there be legal certainty to obtain welfare. The author's suggestion to resolve this issue is that the following efforts are needed: First, revise the Law relating to mining to include an Article on the obligation for every nickel and coal company to provide shares to communities living near nickel and coal mining areas. Second, it is necessary to establish a supervisory institution for the realization of providing shares to mining and nickel companies throughout Indonesia. The institution can be established under the President, so that it can be established quickly and without having to go through a complicated legislative process.

5. References

Journals:

Ahmad Redi, *Dinamika Konsepsi Penguasaan Negara Atas Sumber Daya Alam*, Jurnal Konstitusi, Vol. 12, No. 2, Juni 2015.

Andrian Sutendi, *Hukum Pertambangan, Cet 1*, Jakarta: Sinar Garfika, 2011.

²⁸Arif Firmansyah, Concept of the Form of Mineral and Coal Mining Companies in the Perspective of the 1945 Constitution, *Constitutional Journal*, Vol. 17, No. 3, September 2020, p. 503.

- Bagir Manan, *Pertumbuhan dan Perkembangan Konstitusi Suatu Negara*, Bandung: Mandar Maju, 1995.
- Candra Puspita Ningtyas, Makmur Kambolong & Munawir Makmur, Implementasi Corporate Social Responsibility Pada PT. Aneka Tambang Tbk. UBPN Sulawesi Tenggara, *Jurnal Publicuho*, Vol. 5, No. 4, November-Januari, 2022.
- Dicky Dwi Radhica & Raden Ambara Arya Wibisana, Proteksionisme Nikel Indonesia dalam Perdagangan Dunia, *Journal of Trade Development and Studies*, Vol. 7, No. 1, 2023.
- Edy Suryano, Apakah Nikel Indonesia Memiliki Keunggulan Daya Saing di Pasar Internasional?, *Jurnal Ecoplan*, Vol. 5, No. 2.
- Hemi Faradila, Izin Usaha Pertambangan Mineral Dan Batubara Dalam Kaitan Dengan Pengelolaan Dan Perlindungan Lingkungan Hidup (Fiqh Al-Bi'ah), *Jurnal Mudarrisuna*, Vol. 11, No. 3, 2020.
- Julinta Paulina, Pengaruh Earning Per Share Dan Return On Asset Terhadap Harga Saham Pt. Telekomunikasi Indonesia TBK DI BEI (PERIODE 2012-2016), *JIP: Jurnal Inovasi Penelitian*, Vol. 2, No. 2, Juli 2021.
- M. Iqbal Asnawi, Implikasi Yuridis Pengelolaan Pertambangan Dalam Aspek Kehidupan Sosial Ekonomi Masyarakat, *Jurnal Hukum Samudra Keadilan*, Vol. 14, No. 1, 2019.
- Marilang, Ideologi Welfare State Konstitusi: Hak Menguasai Negara Atas Barang Tambang, *Jurnal Konstitusi*, Vol. 9, No. 2, Juni 2012.
- Marthen, B. Salinding, Prinsip Hukum Pertambangan Mineral dan Batubara yang Berpihak kepada Masyarakat Hukum Adat, *Jurnal Konstitusi*, Vol. 16, No. 1, Maret 2019.
- Mohammad Hatta, *Ekonomi Terpimpin*, Jakarta: Djambatan, 1967.
- Muhammad Jufri Dewa, Muhammad Sabaruddin Sinapoy, Oheo Kaimuddin Haris, Guasman Tatawu, La Senu & Arifin, Kebijakan Hukum Pengelolaan Pertambangan Berbasis Kesejahteraan Masyarakat, *Haluolo Legal Research*, Vol. 5, No. 1, April 2023.
- Ni Luh Dwik Suryachyani Gunadi & Jose Widyatama, Perhitungan Sebagai Seorang Investor Saham Atas Besaran Pajak Yang Harus Dibayarkan Kepada Negara, *Jurnal Locus Delicti*, Vol. 2, No. 1, April 2021.
- Nofrizal, Hayatul Ismi & Almadison, Arah Kebijakan Pertambangan Untuk Pembangunan Berkelanjutan (Studi Kasus Perizinan Usaha Tambang Batuan Pasca Undang Undang Nomor 23 Tahun 2014 Di Kabupaten Rokan Hulu

Riau), *Jurnal Ilmu Hukum Fakultas Hukum Universitas Riau*, Vol. 11, No. 2, Agustus 2022.

Ratih Diah Andayani, Pemanfaatan Batubara Peringkat Hvcbituminus Sebagai Bahan Baku Industri Kimia dan Industri Petrokimia, *Jurnal Redoks*, Vol. 4, No. 1, Juni 2019.

Ruth Laksmi Charisma, Problematika Penegakan Hukum Kegiatan Pertambangan Batuan Ilegal di Kota Samarinda, *Mulawarman Natural Resources and Environmental Law Review*, Vol. 1, No. 1, Maret 2021.

Sahrina Safiuddin, Rizal Muchtasar, dan Heryanti, Upaya Administratif sebagai Instrumen Mewujudkan Penyelenggaraan Pemerintahan yang Baik Bagi Masyarakat, *Halu Oleo Law Review*, Vol. 6, No. 2 September 2022.

Suparto Wijoyo, Persyaratan Perizinan Lingkungan Dan Arti Pentingnya Bagi Upaya Pengelolaan Lingkungan Di Indonesia, *Jurnal Yuridika*, Vol. 27, No. 2, 2012.

Zen Lutfulloh, Wahyu Donri, Akibat Hukum Penerbitan Surat Izin Usaha Pertambangan (IUP) Pada Kekayaan Alam Kepulauan Sangihe, *Jurnal Ilmu Pemerintahan Widya Praja*, Vol. 47, No. 2, 202.