

THE ROLE OF THE KATINGAN REGENCY GOVERNMENT TOWARDS ILLEGAL GOLD MINERS IN HAMPALIT VILLAGE

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Abstract

The rise of Unlicensed Gold Mining (PETI) activities in Hampalit Village, Katingan Regency, has created an environmental crisis and complex socio-economic dilemmas. Regional policies such as Katingan Regent Regulation No. 44 of 2023 have not been able to effectively overcome this problem, mainly because of the community's dependence on mining as the main livelihood and the limited regional authority after the enactment of the Minerba Law. Using empirical and sociolegal legal approaches, this study examines the dynamics of the policy and its implementation through literature studies, legal documentation, and in-depth interviews with the Environmental Agency, community leaders, law enforcement officials, and local miners. The results show that despite efforts to curb mining and environmental rehabilitation programs, weak synergies between levels of government and the lack of viable economic alternatives are the main obstacles. A sustainable strategy that includes the establishment of a People's Mining Area (WPR), local economic empowerment, and more adaptive regulatory coordination between local, provincial, and central governments is needed to create a fair, legal, and environmentally friendly solution to PETI practices in this region.

Keywords: *Unlicensed Gold Miners, local authority, social economy*

INTRODUCTION

Article 33 Paragraph (3) of the 1945 Constitution emphasizes that the earth, water, and all natural resources contained therein are controlled by the state and used to the greatest extent for the prosperity of the people. This provision is the philosophical, juridical, and sociological basis for natural resource management in Indonesia.¹ This provision is the philosophical, juridical, and sociological basis for natural resource management in Indonesia. Central Kalimantan Governor Regulation No. 2 of 2022 on Regional Action for the Elimination of Mercury and Katingan Regent Regulation No. 44 of 2023, although implemented, have not been able to effectively stop the activities of Unlicensed Gold Mining (PETI). Therefore, a thorough evaluation is needed to measure the extent to which these policies are effective and formulate more comprehensive and adaptive strategic steps to address this problem. The issue of PETI in Hampalit Village, Katingan Regency, is not only an environmental issue, but also intersects with the social and economic aspects of the community. The community's dependence on mining activities as a source of livelihood, community dependence, lack of alternative livelihoods, and limited authority of the Regional Government are a combination of interrelated problems. The results of initial observations in Hampalit village, conducted by the author, show that although illegal miners are aware of the legal risks and environmental impacts, they are forced to continue the activity due to limited employment options to meet family needs. Many miners admitted to fearing imprisonment, but economic factors forced them to take the risk. During the raids, information about the crackdown spread quickly, so many miners stopped temporarily, but resumed their activities immediately after the raids were over, even by moving to new locations.² This is reinforced by Ibda Budiansyah's response that in conducting operations, he will certainly make an appeal not to carry out activities during the raid. The challenge

¹ Hakim Fadhillah DKK, "Implementasi Undang-Undang Nomor 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup Terhadap Kebersihan Lingkungan Masyarakat.," *Angewandte Chemie International Edition* 5, no. 2 (2022): 1190–1200.

² Doglo, *Hasil wawancara Awal dengan oknum yang melakukan pertambangan, 02 Maret 2025* (Kereng Pangi, 2025).

in enforcing the law is difficult because there is a balance between the law and also the social aspects where in this case the police are trying to carry out their duties as law enforcers but on the other hand with this raid it affects the social aspects which may have an impact on the economic aspects.³ However, the role of local governments in the mining sector faces major obstacles after the enactment of Law No. 3 of 2020 concerning Minerals and Coal. The new Mining Law has caused a significant shift in authority, where most of the authority in granting mining business licenses (IUP), supervising, and controlling mining activities is now transferred to the central government. As a result, local governments have lost most of their authority in mining management, especially in restoring the environment damaged by illegal mining activities.⁴

The legal issue that is the focus of this research is how the role of the Katingan Regency government in handling illegal gold mining activities in Hampalit Village in terms of authority, law enforcement, and alternative community economic development. This research also questions how much the effectiveness of policies that have been implemented by local governments and the extent to which juridical, contextual and social constraints affect the implementation and policies. In addition, it is also necessary to examine the extent to which synergy between local and central government can be a solution or this complex PETI problem. This research aims to critically analyze the role of the Katingan Regency government in handling PETI in Hampalit Village. It aims to identify the main obstacles faced in policy implementation, evaluate the effectiveness of efforts that have been made, and formulate more effective and sustainable policy recommendations, including strategies to strengthen the community's economy so that dependence on illegal mining activities can be minimized.

LITERATURE REVIEW

The issue of Unlicensed Gold Mining (PETI) has been the focus of many studies in Indonesia due to its far-reaching impacts on the environment, the law, and the socio-economic life of the community. Research conducted by Sri Melan Dondo and Burhanuddin Kiyai in Bakan Village, North Sulawesi, shows that PETI activities cause significant environmental degradation, particularly in the form of soil damage and water pollution. These findings reinforce the premise that illegal exploitation of natural resources can destroy local ecosystems if not accompanied by adequate regulatory controls.⁵ Another study by Rika Jumi and Bhayu emphasized the socioeconomic side of PETI activities. They identified that the government's policing efforts often clash with the community's economic dependence on mining activities. Enforcement that is carried out without providing alternative livelihood solutions risks causing social conflict and local economic instability. This shows the importance of a policy approach that is not only repressive, but also transformative and based on community empowerment.⁶

Meanwhile, Fitria in her study criticized the effectiveness of reactive PETI handling policies, such as the formation of the PETI Task Force. She considered that without a policy of strengthening community institutions and an inclusive legalization scheme, short-term handling would not be able to stop this illegal practice in a sustainable manner. The fundamental weakness of the policy is the lack of synergy between law enforcement efforts and the development of the socio-economic capacity of local communities.⁷ From these three studies, there appears to be a common thread, namely the urgency of strengthening policies that not only focus on law enforcement, but also on the development of sustainable economic alternatives. However, most of the existing studies are still general in nature and have not specifically evaluated the dynamics of local government authority in the context of handling PETI, especially after the enactment of Law Number 3 of 2020 concerning Minerba which led to the centralization of authority to the central government. This is the research gap that this study tries to fill. Different from previous studies, this research specifically examines the role and limitations of the Katingan Regency Government in handling PETI activities in Hampalit Village. This focus is important considering that the area has not yet implemented the

³ Budiansyah, *Hasil Wawancara Dengan Kepolisian Sat Reskrim Polres Katingan, 16 Juni 2025* (Katingan Hilir, 2025).

⁴ Roza Maiza Sova, "Kewenang Pemerintah Daerah Dalam Melakukan Pegawasan Perambangna di Kabuputaen Nagan Raya," *Braz Dent J.* (Universitas Islam Negeri Ar-Raniry, 2022).

⁵ Novie Palar Sri Melan Dondo, Burhanuddin Kiyai, "Dampak sosial pengelolaan tambang emas di Desa Bakan Kabupaten Bolaang Mongondow," *Jap* 7, no. 101 (2021): 63–72.

⁶ Rika Jumi Saputri dan Bhayu Rhama, "Dampak Kebijakan Penetiban Pertambangan Emas," *JISPAR, Jurnal Ilmu Sosial, Politik dan Pemerintahan*. 11, no. 2 (2022): 81–98.

⁷ Fitria Resa, "Pelaksanaan Kewenangan Pemerintah Daerah Terhadap Dampak Kerusakan Lingkungan Akibat Pertambangan Emas Ilegal Persefektif Siyash Dusturiyah," *Repository IAIN Bengkulu*, 2022.

People's Mining Permit (IPR) scheme optimally as it has been implemented in Gunung Mas Regency.⁸ Using a sociolegal and empirical legal approach, this research aims not only to assess the effectiveness of existing policies, but also to formulate a more adaptive, participation-based and contextual strategy in handling PETI. As such, this literature review not only strengthens the theoretical foundations of the research, but also confirms the scientific contributions offered: namely highlighting the structural and institutional limitations of local governments in the context of decentralization, as well as the importance of central-local policy synergy in creating legal, equitable and sustainable solutions to illegal mining practices.

METHODS

Location and Time of Research

This research was conducted in Hampalit Village, Katingan Hilir District, Katingan Regency, Central Kalimantan Province. The selection of this location was based on the high level of urgency of the PETI problem and the existence of policy interventions from the Katingan Regency Government. The research was conducted from March to July 2025, including the stages of field observations, interviews, and collection of documents and secondary data.

Type and Source of Data

The legal research method used in this research is empirical law, empirical law research.⁹ The approach taken in this research is a sociolegal approach, a sociolegal approach is an approach that identifies in depth the context that includes all processes, this socio-legal approach is an attempt to investigate and understand an issue more deeply, not only fixated on the study of existing legal norms or doctrines, but also considering the context of the norm and its application as a whole.¹⁰

Data Collection Method

Data collection techniques were carried out through literature studies, documentation of laws and regulations, and in-depth interviews with relevant parties, such as the Environmental Agency, law enforcement officials, community leaders (Hampalit village head) and miners. Data analysis was conducted qualitatively to understand the relationship between regulations, policy implementation in the field, and the social conditions of the community related to PETI in Hampalit Village.¹¹

RESULTS AND DISCUSSION

1. Illegal Gold Miners in Hampalit Village

Hampalit Village, located in Katingan Hilir sub-district, is now facing serious problems due to the activities of Unlicensed Gold Miners (PETI) which has been going on since the 1990s starting with the operation of PT Ampalit Mas Perdana, but before the existence of the company, the migrants had been doing traditional gold mining, this condition became more widespread after the cessation of PT Ampalit's operations in 2008. This mining is generally carried out by local people and migrants from outside the area.¹² This activity occurs because of the high economic dependence of the community on mining products, limited alternative employment opportunities, and not optimal supervision and law enforcement from the local government. Environmental damage due to illegal mining activities is a serious problem that requires immediate attention, especially in areas with minimal regulation and supervision. One of the real cases occurred in Hampalit Village, Katingan Hilir Subdistrict, where unlicensed gold mining has taken place massively and uncontrollably. DLH Katingan revealed that an estimated 31,000 hectares of

⁸ Roberto Adriano Lombah et al., "Kebijakan Pemerintah Kabupaten Gunung Mas Dalam Pengendalian Kerusakan Lingkungan Pertambangan Emas Skala Kecil (Studi Kasus Desa Tanjung Riu Kecamatan Kurun Kabupaten Gunung Mas Provinsi Kalimantan Tengah)," *Jurnal Penelitian UPR : Kaharati* 1, no. 2 (2021): 93–107.

⁹ Muhamin, *Metode Penelitian Hukum*, Mataram Universiti Press, vol. 11 (Mataram: UPT. Mataram universiti Press, 2020). 27.

¹⁰ Herlambang P. Wiratraman, "Pencitian Sosio-Legal Dan Konsekuensi Metodologisnya," *Hukum dan Keadilan* 5, no. 3 (2018): 1–2.

¹¹ DKK Muhammad rizal Pahleviannur, *Metodologi Penelitian Kualitatif*. In *Metodologi Penelitian Kualitatif*, Rake Sarasin, Fatma Sukm. (Sukoharjo: maret 202, 2022).

¹² Heron, "Jangan Biarkan Hampalit Jadi Gurun Pasir," 1 Februari 2025, last modified 2025, diakses Juni 27, 2025, https://www.kaltengpos.info/metropolis/2435594622/jangan-biarkan-hampalit-jadi-gurun-pasir?page=4&utm_source.

land in Katingan, including the Hampalit area, has been degraded, including desertification, changes in land morphology, and loss of natural vegetation cover.¹³ These findings indicate that the former gold mining area in Hampalit Village is in dire need of ecological interventions and structured policies to prevent further damage and support sustainable environmental recovery. Environmental damage due to alluvial gold mining that occurs in the area causes significant environmental impacts, especially its mobile nature. This mining leaves pits that fill with rainwater and groundwater, forming artificial lakes that change the surrounding ecosystem, destroying native vegetation, and disrupting the lives of microorganisms and wild animals.¹⁴ The land damage that occurred in Hampalit was initially caused by mining activities carried out by PT Ampalit Mas Perdana since the company began operating in 1998. Poorly managed mining activities, coupled with the use of hazardous chemicals such as mercury, have resulted in massive land degradation, loss of vegetation cover, and pollution of natural resources.¹⁵ This condition has reached a stage that worries the Minister of Environment and Forestry (LHK) that if not addressed immediately, this area has the potential to experience desertification or change into a desert. This is corroborated by the statement of the Head of the Katingan District Environment Office (DLH), Yobie Sandra, that the land damage was caused by mining activities carried out by PT Ampalit Mas Perdana, currently being worked on by emerald miners in the Hampalit area.¹⁶ This phenomenon shows that Indonesia, especially inland areas such as Katingan Regency, still faces serious challenges in dealing with rampant illegal mining practices. This activity is not only economically and socially detrimental, but also has significant ecological impacts. A comprehensive response, including law enforcement, community education, and environmental rehabilitation programs, is urgently needed to restore damaged ecological conditions and prevent a wider environmental crisis.

2. Socioeconomic and Environmental Implications of Illegal Gold Mining Activities in Katingan Hilir

Gold mining activities in Hampalit Village, Katingan Hilir Subdistrict, Katingan Regency, Central Kalimantan, are still a phenomenon that is difficult to stop, despite the existence of regional regulations such as Katingan Regent Regulation Number 44 of 2023 which regulates the supervision and handling of illegal gold mining. The existence of this regulation shows the commitment of the local government in controlling environmental damage, but on the other hand, the facts on the ground show that unlicensed gold mining (PETI) activities are still rampant. One of the main factors driving people to engage in this activity is economic pressure. The price crisis in commodities such as rattan and rubber has forced people who previously depended on these sectors to turn to the gold mining sector, which is considered more promising financially.¹⁷ The positive impacts arising from this development, although significant, are not free from a range of adverse social problems. These include increasing economic inequality, a declining sense of social solidarity, the emergence of conflicts that threaten security, and an increase in law violations related to illegal theft.¹⁸ Illegal gold mining activities in Katingan Regency, as researched by the author, have caused significant socio-economic problems for one individual who works as a miner, with the local community relying heavily on this sector despite knowing the negative impacts on the environment. Hadi, who is involved in unlicensed mining, stated that this sector is more economically profitable than his previous professions in the shipping and palm oil plantation sectors, the reason Hadi prefers mining is because there are no ties to the company and the income is more flexible.¹⁹ Uncontrolled Gold Mining Without Permit (PETI) activities have a negative impact on the environment. One of them is the decline in soil quality due to open mining pits, which collect rainwater and form acid puddles and contaminate the soil with hazardous chemicals, such as mercury. This reduces soil fertility and interferes with plant growth. In addition, poor mine management increases the risk of erosion and landslides, due to the loss of vegetation that

¹³ Tim Redaksi, "Tambang Emas Liar Rusak 41.000 Hektare Lahan di Katingan," 4 Februari 2025, <https://www.tabengan.co.id/bacaberita/114209/tambang-emas-liar-rusak-41-000-hektare-lahan-di-katingan/>.

¹⁴ Yuniar Siska Novianti Anisa, Nurhakim, "Hidrologi dan limnologi danau bekas tambang aluvial Hydrology and limnology of former alluvial mine lakes Banjarbaru City, South Kalimantan province," *Jurnal Himasapta* 7, no. 3 (2022): 143–146.

¹⁵ Titin, "Desa Hampalit Bikin Mentri Lingkungan Hidup 'Menjerit,'" 2025, diakses Januari 31, 2025, <https://kaltengpos.jawapos.com/berita-utama/31/01/2025/desa-hampalit-bikin-menteri-menjerit/>.

¹⁶ Heron, "Eks Tambang Di Desa Hampalit Bakal Jadi gurun Pasir," *Jumat*, 31 Januari 2025, diakses Juni 3, 2025, <https://media.neliti.com/media/publications/318767-pertambangan-batubara-dampak-lingkungan-ddaa3d1e.pdf>.

¹⁷ Sukardie, *Hasil Wawancara Kepala Desa Hampalit*, 11 Juni 2025 (Hampalit, 2025).

¹⁸ Iwansyah Iwansyah, "Dampak Ekonomi Penambangan Emas Tanpa Izin Masyarakat Desa Teluk Pandak Kecamatan Tanah Sepenggal Kabupaten Bungo," *DEMOS: Journal of Demography, Ethnography and Social Transformation* 2, no. 2 (2022): 97–106.

¹⁹ Hadi, *Hasil Wawancara Dengan Salah Satu Oknum Penambang*, 9 April 2025 (Galangan, 2025).

should protect the soil, exacerbating natural disasters. PETI activities that are not accompanied by reclamation also lead to the loss of vegetation, exacerbating environmental damage with exposed soil. In addition, PETI contributes to sedimentation that damages water quality in nearby rivers and contaminates water with heavy metals, especially mercury, which damages aquatic ecosystems and affects the quality of water used by communities. Illegal mining expansion also exacerbates deforestation, reducing the amount of forest cover that plays an important role in maintaining ecosystem balance.²⁰ A major challenge now faces local governments and communities in finding a balance between economic benefits and law enforcement, environmental protection and maintaining social harmony in the area.²¹

In an interview conducted by researchers, Hampalit Village Chief Sukardie revealed that although illegal gold mining (PETI) activities in his village have decreased, they still take place in areas such as Galangan and Bonbango. Economic factors are the main reason why people remain as miners, as it is considered more profitable than other sectors such as plantations. Previously, the community depended on rattan handicrafts and rubber tapping, but due to the fall in commodity prices, many have turned to mining. Sukardie stresses the importance of providing alternative employment opportunities and hopes that programs such as the Merah Putih Cooperative can open up new legal business opportunities for residents.²² Regarding environmental impacts, Sukardie stated that the damage caused by PETI is real, especially due to the use of mercury, but he clarified that the data on 41,000 hectares of damage is not entirely in Hampalit Village. He also noted that mitigation measures such as reforestation have been carried out with the assistance of the Ministry of Energy and Mineral Resources. In addition, he highlighted the changes in regulations after the transfer of mining authority to the central government which made the bureaucratic process longer.²³ Village governments have no direct authority in coordinating enforcement, while socialization on the dangers of PETI by non-governmental organizations still needs to be expanded. The proposal to establish a People's Mining Area (WPR) has also not received a response from the central government, so efforts to legalize people's mining activities still encounter obstacles.²⁴ The role of local governments is vital in tackling illegal gold mining in Indonesia, especially in this resource-rich region. Illegal gold mining not only violates the law, but also has a negative impact on the environment, public health, and creates deep social injustice.²⁵

3. The Role of the Katingan Regency Government in Handling Illegal Gold Miners in Hampalit Village

Local governments in Indonesia implement the principle of decentralization stipulated in Article 18 of the 1945 Constitution which has been implemented into Law Number 23 of 2014. This gives local governments the right and obligation to manage government affairs that are directly related to the local community.²⁶ Broadly speaking, the authority is divided into two categories: mandatory affairs and optional affairs. Mandatory affairs include basic matters such as education, health, infrastructure, housing, and the environment, while optional affairs cover a wide range of areas in accordance with the potential and needs of the region.²⁷ Thus, it includes the implementation of government affairs that are under its authority, the implementation of assistance tasks, as well as coordination with the provincial and central governments. All of this is systematically regulated through the Katingan Regency regulation no 1 of 2022 concerning regional apparatus and regent regulation no 21 of 2022 which regulates the structure, duties, functions, and work procedures of the regional secretariat, to ensure the achievement of sustainable regional development goals.²⁸

²⁰ Ferra Murati et al., "Dampak negatif kegiatan penambangan emas tanpa izin (peti) (negative impacts of unlicensed gold mining activities on the environment and socio economy of communities in Central Kalimantan" 24 (2024): 66.

²¹ Ibid.

²² Sukardie, *Hasil Observasi Awal Dengan Kepala Desa Hampalit, Selasa 8 Maret* (Hampalit, 2025).

²³ Sukardie, *Hasil Wawancara Kepala Desa Hampalit, 11 Juni 2025*.

²⁴ Ibid.

²⁵ J Managament & Education Human Development, "The Role of Local Government in Protecting the Management of Mineral Mining Companies and Controlling Environmental Impacts in East Kolaka Regency," *International Jurnal Of Management and Eductaion in Human Development* 02, no. 04 (2022): 626–642.

²⁶ Bina Hukum Lingkungan, "Regional Authority In Protection and Management Of The Environment Post-Application Of Copyright Law," *Perkumpulan Pembina Hukum Lingkungan* 7 (2022): 40–58.

²⁷ Dian Agung Wicaksono dan Faiz Rahman, "Penafsiran terhadap Kewenangan Mengatur Pemerintahan Daerah dalam Melaksanakan Urusan Pemerintahan melalui Pembentukan Peraturan Daerah," *Negara Hukum* 11, no. 2 (2020): 231–248.

²⁸ Kementrian Energi Dan Sumber Daya Mineral, "Pertambangan Tanpa Izin Perlu Menjadi Perhatian Bersama," *siaran pers*, last modified 2022, diakses Februari 20, 2025, <https://www.esdm.go.id/id/media-center/arsip-berita/pertambangan-tanpa-izin-perlu-menjadi-perhatian-bersama>.

Local governments play a strategic role in tackling illegal gold mining (PETI), including regulation, law enforcement, community development and environmental supervision. Based on Law Number 3 of 2020, unlicensed mining activities are subject to criminal penalties of up to 5 years in prison and a maximum fine of IDR100 billion.²⁹ In Katingan Regency, curbing illegal mining involves collaboration between related parties such as the police, mining office, environment and forestry office, as stated by Ibda Budiansyah in research conducted by the author on June 16, 2025. Thus, in dealing with the problem of illegal mining in Katingan, the role of the police is very important, but it also requires support from the government and the community to create a balanced and sustainable solution.³⁰

However, the role of local governments in the mining sector faces major obstacles following the enactment of Law No. 3/2020 on Mineral and Coal. The new Mining Law has caused a significant shift in authority, with most of the authority in granting mining business licenses (IUP), supervising and controlling mining activities now transferred to the central government.³¹ Even post-mining land rehabilitation, reclamation authority and environmental monitoring at mine sites, which were previously in the hands of districts, are now the sole responsibility of the central and provincial governments.³² It is explained that all mining business licensing is now the domain of the Ministry of Energy and Mineral Resources/KLHK and the provincial government through delegation, while districts/cities lose their formal role in licensing and direct supervision.³³ Through Presidential Regulation No. 55 of 2022, the central government delegates some authority to the provincial government—including the issuance of IUP for non-metallic commodities, IPR, IUJP, and mine supervision. As a result of this centralization, local governments are no longer authorized to issue community mining permits (IPR) or establish Community Mining Areas (WPR).³⁴

In response to this problem, the Central Kalimantan Provincial Government issued Governor Regulation No. 02 of 2022 concerning Regional and Elimination of Mercury Use. Jo Regent Regulation No. 44 of 2023 on Regional Action Plan provides operational guidance in the implementation of the policy. These regulations emphasize supervision of mining activities, development of alternative livelihoods, and rehabilitation of the affected environment. The hope is that these two regulations can create harmony between environmental preservation and improving community welfare. However, the effectiveness of these policies in addressing illegal gold mining in Hampalit Village still requires evaluation to ensure that the positive impacts are felt for the community and the environment.³⁵

Although the formal authority has shifted, the local government, especially the province, still functions in normative guidance, technical and administrative supervision. However, they only follow up on violations and do not have the legal power to stop mining directly without a central mandate.³⁶ The task of the local government is to find locations that are feasible and meet the criteria to be proposed as WPR. With solid coordination between local, provincial and central government, it is expected that policies on illegal mining can be well implemented, provide legitimate space for artisanal miners, and reduce the negative impacts of PETI activities on the environment and communities.³⁷ In this context, although local governments have made efforts with local regulations that accommodate artisanal miners, the effectiveness and coordination between local and central policies are key factors to ensure success in protecting the environment and improving community welfare. Local governments play an important role in strengthening the capacity of local law enforcement agencies and security forces to more

²⁹ Republik Indonesia, *Undang-undang Nomor 3 Tahun 2020 tentang Perubahan Atas Undang-undang Nomor 4 Tahun 2009 tentang Pertambangan Mineral dan Batubara*, Pemerintah Pusat, vol. 2 (Indonesia, 2020).

³⁰ Budiansyah, *Hasil Wawancara Dengan Kepolisian Sat Reskrim Polres Katingan*, 16 Juni 2025.

³¹ Sova, "Kewenang Pemerintah Daerah Dalam Melakukan Pegawasan Perambangna di Kabuputaen Nagan Raya."

³² UI.CSGAR, "Pembagian Kewenangan Pusat dan Daerah Pada Bidang Pertambangan Mineral dan Batubara," *Policy Brief* (2020): 4.

³³ Ibid.

³⁴ Derita Prapti Rahayu dan Faisal Faisal, "Eksistensi Pertambangan Rakyat Pasca Pemberlakuan Perubahan Undang-Undang tentang Pertambangan Mineral dan Batubara," *Jurnal Pembangunan Hukum Indonesia* 3, no. 3 (2021): 337–353.

³⁵ Bupati Katingan, *Rencana Aksi Daerah Pengurangan Dan Penghapusan Merkuri Kabupaten Katingan* (Katingan, 2023).

³⁶ Editor IESDM, "Dinas ESDM Provinsi Kalimantan Tengah mengikuti Sosialisasi Perubahan WP," Dinas Energi Dan Sumber Daya Mineral Provinsi Kalimantan Tengah, last modified 2024, diakses Juni 5, 2025, https://desdm.kalteng.go.id/berita/dinas-esdm-provinsi-kalimantan-tengah-mengikuti-sosialisasi-perubahan-wp/?utm_source.

³⁷ Nr/sekaltengcom, "Pasca Insiden Tambang di Kapuas, Pemprov Kalteng Dorong Penambangan Legal dan Berbasis Keselamatan," 2025, diakses Juni 5, 2025, https://www.sekalteng.com/pemerintahan/pasca-insiden-tambang-di-kapuas-pemprov-kalteng-dorong-penambangan-legal-dan-berbasis-keselamatan/?utm_source.

effectively monitor and crack down on illegal mining activities. This is in line with efforts to create a safe and orderly environment, which can bring benefits to the community and the environment. As part of this effort, cooperation between local governments, law enforcement officials and communities is crucial.³⁸ Efforts to curb unlicensed mining (PETI) cannot be fully blamed on local governments because they have very limited authority and are often under socio-political pressure. Although the District Government usually has the authority to manage its territory, the status of the forest area in Hampalit Village makes the role of the local government limited. Based on research conducted by the author. On June 16, 2025, in an interview with Noga Yetra, S.Si, Head of Pollution and Damage Control Katingan District Environment, it was revealed that around 41 thousand hectares of open land in Katingan, including in Hampalit, is dominated by shrubs without natural land cover. One of the main obstacles in land rehabilitation is the limited access of the Environmental Agency (DLH) due to the status of the area which is a forest. This area is legally part of the domain of authority of the Central Kalimantan Provincial Government and the Ministry of Environment and Forestry (KLHK), which holds the authority in forest management and utilization in the region.³⁹

The implementation of the curbing of PETI needs to be reviewed and evaluated again by the Provincial Government, as well as the Ministry of Environment considering that the curbing of illegal mining by the local government shows a big challenge because the majority of the community derives its main income from this activity.⁴⁰ PETI activities have existed for a long time and are felt by the community to be a better loan in the economy, thus becoming the economic foundation of the local community. People find it difficult to switch jobs because there are no commensurate economic alternatives, so the crackdown without a solution can disrupt their survival.⁴¹ Therefore, collaboration between the local government and the central government, especially in terms of handling mining land and areas, is needed to ensure that mining activities are carried out legally, in accordance with applicable regulations, and do not cause adverse impacts on the environment and society. The success of handling mining issues also depends on effective coordination, so that the policies implemented can be in line and avoid overlapping authorities that can actually hinder the implementation of sustainable natural resource management.⁴²

CONCLUSION

The Katingan District Government faces a major challenge in curbing illegal gold mining (PETI) in Hampalit Village, mainly due to the community's economic dependence on the activity. Although various policies such as the Governor Regulation and Regent Regulation have been enacted, their effectiveness is limited due to the lack of legitimate livelihood alternatives and weak coordination between local and central government. Community dependence on PETI causes serious environmental damage, such as water pollution, land degradation, and loss of vegetation, and worsens local socioeconomic conditions. Rehabilitation and socialization efforts have not been able to stop this practice due to the absence of adequate replacement economic solutions. Therefore, a comprehensive approach through community empowerment, alternative economic development, the establishment of People's Mining Areas (WPR), as well as coordination between local, provincial and central government is needed to provide a holistic and sustainable solution to the illegal mining problem in this region. Local governments need to strengthen law enforcement against PETI activities by improving coordination between the central, provincial and local governments. The Katingan district government should maximize cooperation with the provincial and central governments in solving the illegal gold mining (PETI) problem with a more holistic approach. The change in authority constrained by the Minerba Law, which transfers much of the supervisory authority to the central government, requires a more organized effort to ensure that local governments can play a more effective role in controlling and eradicating PETI. To reduce community dependence on PETI, the government should introduce legitimate employment alternatives, such as skills training programs or assistance for the development of micro,

³⁸ Muhammad Syaifullah et al., "GUIDANCE TO LOCAL GOVERNMENTS AGAINST UNLICENSED GOLD," *Commune Journal* 02, no. 01 (2024): 10–19.

³⁹ Noga Yetra, *Hasil Wawancara Dengan Kepala Bidang Pengendalian Pencemaran Dan Kerusakan Lingkungan Kabupaten Katingan*, 16 Juni 2025 (Kasongan, 2025).

⁴⁰ Radeni Ilyan Putra et al., "Analisis Dampak Pertambangan Tanpa Izin (PETI) Batu Andesit di Desa Tasikmalaya Kabupaten Rejang Lebong," *Insologi* 4, no. 3 (2025): 332–344.

⁴¹ DKK Mohamas Dzikie Aulia Al Farauqi, "Resistensi masyarakat terhadap aktifitas penambangan ilegal di desa sumber sari, kecamatan loa kulu, kabupaten kutai kartanegara," *Ekonomi Pertanian dan agribisnis* 8 (2024): 1265–1277.

⁴² Katingankab.go.id, "P3MD adalah program unggulan pusat," Portal Resmi Kabupaten Katingan, 2022, diakses 22 '[=Juni 2025, https://portal.katingankab.go.id/berita/read/312/p3md-adalah-progam-unggulan-pusat?utm_source.

small and medium enterprises (MSMEs). This will provide communities with sustainable economic opportunities and reduce dependence on illegal mining.

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