

Enforcement Of Laws Against Mining Resulting In Environmental Pollution Due To Mercury Liquids

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ABSTRACT

This study aims to find out law enforcement against mining resulting in environmental pollution due to mercury. This type of research is the dualism of normative-empirical legal research and this research uses an approach. Law Enforcement Against Mining Causes Environmental Pollution Due to Mercury Liquid that there are three first ways is preemptive law enforcement, namely by coaching on actors this aims to strive to prevent environmental damage by mercury liquids. Second is preventive efforts by the police and the government to countermeasures by making appeals against the dangers of mercury use for the environment. While the last is law enforcement action by repressive means by confiscating tools and materials owned by miners. Environmental pollution that occurs is the indecision of the local government to enforce the law against illegal mining that is already damaging the environment. For that, both local governments and village governments should provide education to the community, especially to miners not to do things that should cause environmental pollution, especially the use of mercury.

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INTRODUCTION

Background

The environment in Indonesia is regulated by law. Environmental law is a set of regulations that regulate how to protect the environment and handle living areas. Care is also the handling of living areas in a methodical and structured way that will maintain the use of the environment and stem the problem of environmental muscle and/or ugliness through improvement, utilization, development, care, recovery, care, and law enforcement. Environmental management describes business and ways that are aligned, comprehensive also integrated into the form of protecting the usefulness of the environment through the act of revamping, utilization, development, care, recovery, care, and environmental regulation. For this reason, a healthy living environment must be maintained and kept away from materials. Dangerous that can pollute and even damage the environment itself. Indonesia itself is one of the countries that put forward a constitution in every aspect of national and state life.¹

One of the activities that can pollute the environment is mining activities. However, the mining industry also describes one of the industries that the government trusts in giving birth to budgets. In addition to giving birth to the mining budget also absorbs jobs for regencies and cities that later become the origin of PAD. Mining activities manifest activities that contain: Investigation, utilization, refining processing, transportation of minerals and mining materials. In addition, mining activities are vulnerable to environmental damage. The amount of mining activity ignites the attention of the surrounding population this is due to the environmental damage it causes, especially miners who do not have permits. This not only damages the environment but can also be a big risk to miners due to a lack of insight and lack of care from the parties.² This can happen if the village government realizes the inherited conditions are internalized into the development program(*endogenous development*).³ Development is a strategic step to realize these national goals.⁴

Environmental problems in mining in reality in Indonesia, many questioned. The cause is the emergence of negative impacts in the business of mining materials as a result of mining businesses in the form of forest destruction,

¹Fakhris Lutfianto Hapsoro. (July, 2020). *Interpretasi Konstitusi dalam Pengujian Konstitusionalitas untuk Mewujudkan The Living Constitution*. JALREV 2 (2), 145

² Mochamad, Ahyani. *Pengaruh Kegiatan Penambangan Emas Terhadap Kondisi Kerusakan Tanah Pada Wilayah Pertambangan Rakyat di Bombana Provinsi Sulawesi Tenggara*. 2011. PhD Thesis. Program Magister Ilmu Lingkungan, 1 15

³ Zamroni, S. (2016). *Desa Membangun Tanpa Meninggalkan Kelompok Pinggiran*. Institute for Research and Empowerment (IRE), 2, 1-10, 6

⁴Ahmad Rustan Syamsuddin.(July, 2020) *Pembuktian Penyalahgunaan Wewenang Dalam Perkara Tindak Pidana Korupsi Pengadaan Barang dan Jasa*. JALREV 2 (2), 163

polluted seas, disease, and community conflicts in the mining circle. The direct impact is ecological damage as well as the chance of floods and landslides. Tailings waste in gold miners contains toxic materials that cause people's inability to obtain a healthy environment.⁵

One of the processing materials in mining that pollutes the environment is the use of mercury. Industries that use mercury a lot are small-scale gold mines (PESK), but in reality, large-scale gold mines no longer use amalgam. Mining is carried out by the mining community, the method of amalgamation is easy to implement, namely combining mercury liquid with gold ore, then producing amalgam. However, the use of mercury liquid by the public cannot be compared with concerns about the dangers of mercury. Typically, gold miners come into direct contact with mercury without any protective measures. Communities or environments that live around small-scale gold mining (PESK) areas are also at risk of exposure to mercury hazards. ⁶The goal is on social welfare.⁷

Bone Bolango Regency itself precisely in Bulawa Subdistrict in terms of mining there are still many people who use mercury, which has the potential to damage the environment, what else if used in the riverside mining area, of course, this will damage the river ecosystem and river water quality, which will have an impact on the health of the surrounding community that utilizes the river water. Miners who use mercury, in carrying out the mining process based on the results of the study do not have a permit, it can be concluded they violate the provisions of the Law on PPLH that a person who dumps waste or materials into living area facilities without consent as intended Article 60, punishable by up to three years and a fine of up to three billion rupiahs.⁸

Based on field data found by researchers found there are several mining locations where the mining location still holds illegal status from 1993 to the present day. This is based on a statement from Mr. Arman Nusa as the head of Dunggilata Village of Bulawa District of Bone Bolango Regency which is the place of mining location, where several mining locations still use mercury chemicals, but in this case, the owner of the location does not want to be named. One of them is as berikut.

Table 1.
Mercury Material User Data

⁵ Puluhulawa, Fenty U. *Pengawasan sebagai Instrumen Penegakan hukum pada pengelolaan Usaha pertambangan Mineral dan Batubara*. Jurnal Dinamika Hukum. 2011. 11.2: 306-315, 307

⁶National, Legal Development Agency; Man, Khdanhak; Indonesia, Republic. *Results of Alignment of Academic Manuscripts of the Minamata Convention On Mercury Ratification Bill (Minamata Convention on Mercury)*.2017, 2-3

⁷Ariefulloh. (2019). *Dilema Penerapan Sanksi Pelanggaran Lalu Lintas Terhadap Anak*. JALREV 1 (2), 199

⁸Undang-Undang Lingkungan Pengelolaan dan Perlindungan Lingkungan Hidup Pasal 60

	Location owner	Years of activity	The amount of mercury used
If	Initials K	2011	Spending 3 Kg of Mercury every month can be even more
	Initials TT	2014	Spend 3 Kg of Mercury for 1 year
	Initials LP	2015	Spend 3 Kg of Mercury for 1 month
	Initialized I	2013	Spend 3 Kg of Mercury for 2 months

referring to the provisions of existing laws and regulations, in the contents of Presidential Regulation 21/2019, the RAN PPM document contains strategies, activities, and targets for mercury reduction and elimination. The target of mercury reduction and elimination in Perpres 21/2019 is divided into Mercury reduction targets for manufacturing and energy priority areas, as well as Mercury removal targets for PESK and health priority areas. Efforts that can be done on this are to bring the legal decision closer to the sense of justice lived by the community so that the implementation of the law further creates order in the community itself.⁹ State involvement is also one of the characters of the phenomenon of conflict.¹⁰ So that the law is only for the sake of the means of sovereignty.¹¹

Rumusan Masalah

How to enforce the law against environmental pollution in mining areas caused by the use of mercury liquids

Research Methods

This type of research is the dualism of normative-empirical legal research is research that uses normative-empirical legal case studies in the form of products of legal behavior.¹² Furthermore, using a juridical approach means an approach by looking at events and behavior of the community, especially those that occur on the influence of environmental damage in general, namely mining problems and sample withdrawal using *purposive sampling*, which is a data source sampling

⁹Ibrahim, Ahmad. (2010). "Prinsip Keadilan Dalam Penyelesaian Sengketa Tanah Untuk Kepentingan Pembangunan." *Jurnal Legalilas* 3 (2), 21

¹⁰Arwana, Yudha Chandra. (2019). "Jalur Mediasi dalam Penyelesaian Sengketa Pertanahan Sebagai Dorongan Pemenuhan Hak Asasi Manusia." *JALREV* 1 (2), 216

¹¹Asshiddiqie, Jimly. *Penegakan Hukum dalam Sistem Ketatanegaraan*. Institute for Legal & Constitutional Government, Jakarta, 2010, 1

¹² Abdulkadir Muhammad. 2014. *Hukum dan Penelitian Hukum Cet-1*, Bandung:PT Citra Aditya Bakti, 52

technique with certain considerations.¹³ The legal material (data) processing results are analyzed using qualitative analytical methods, namely decomposing quality data in the form of sentences that are arranged regularly, logically, not overlapping, and effectively. Thus facilitating the interpretation of data and understanding of the results of the analysis.

DISCUSSION

Law Enforcement Against Mining Results in Environmental Pollution Due to Mercury Liquids

Law enforcement on the environment does not run away from the discussion of mining conducted by small people. The existence of mining that is not supervised will have a bad impact on the surrounding environment, especially known that miners using mercury liquid is very dangerous for human health and even threatens many lives of the ecosystem around the mining. Therefore, according to the author, if doing law enforcement against environmental pollution caused by this mercury liquid, you should do first enforcement of mining that is not supervised. No supervision is carried out due to the existence of mining does not have a permit as stipulated in the existing regulations.

One of the implementers of the laws and regulations is law enforcement itself, where law enforcement is currently a very interesting menu when viewed from various media. The point is that almost every media presented it as law enforcement news in enforcing a prevailing law. So that it can be ascertained about law enforcement in Indonesia, especially in Gorontalo itself is very important to load.¹⁴ The police as law enforcement themselves do not have the authority to carry out enforcement if they do not have a warrant. According to him, if we have permission to do law enforcement then indirectly we will do law enforcement itself, but for the time being, running this time we only do data collection on the miners who are on the spot. As it says that:¹⁵

"We can't do the crackdown because we don't have a warrant ourselves unless there's an order from the Regent or the Governor then we'll go down to that place, but for now we're just doing the data, like anyone who has the tools in place and the data is complete in us."

¹³Sugiyono. 2009. *Metode Penelitian Kuantitatif, kualitatif dan R&D*. Bandung: Alfabeta, 218- 219.

¹⁴ Maizard. Penegakan Hukum Terhadap Tindak Pidana Pertambangan Batuan Non Logam Pada Tanah Hak Milik Masyarakat (Studi Pada Satreskrim Polres Kerinci). Volume 1, Issue 1, September 2018, 72

¹⁵ Hasil Wawancara Bersama Feki Sabubu Selaku Banit Reskrim TIPIDTER Unit II di Polres Bone Bolango. Tanggal 19 Juli 2021, pukul 11:00 Wita

Based on the above statement that the police are not arbitrary to carry out enforcement against miners because the exterior is contrary to their duties and duties as law enforcement. According to a statement from one of the miners, they are:¹⁶

"Once they from the police cracked down on miners such as confiscation of tools and materials for miners and summons, but when asked for a warrant by the community they could not show it so that there was a clash between the police and the community as miners. The problem is also that they arbitrarily confiscate our goods without a warrant from their superiors"

The two statements above provide the understanding that law enforcement authorities themselves without the right to perform their duties without a warrant from the attached, the effect is that the police take defensive action by confiscating goods owned by miners that they use in terms of gold processing. Confiscation of other people's property is certainly not as important as possible but must go through existing legal procedures. Researchers see this repressive action does not reflect what the provisions of the applicable laws and regulations are. For example, in the case of confiscation of goods only if they already have a defendant, then in the event of confiscation is carried out it must be on the orders of the Judge / Chairman of the Assembly before or during the examination process. Then what about the tools and materials used in mining seized by law enforcement authorities without having a warrant as the community says.

The law enforcement efforts carried out by the police are:

1. Preemptive law enforcement efforts

The efforts of law enforcement authorities who cooperate with the Local Government, in this case, the Environment Agency, in terms of preemptive, namely coaching to miners who have an impact on the surrounding environment, to seek law enforcement to take action by fostering. This is done to prevent the use of mercury that should no longer be used in small-scale gold mining.

We from the police have repeatedly done coaching to miners but only those we confiscate the goods, as is the case with trommel, mercury, and other tools. Previously we confiscated goods which then we did a call to them and we did construction to them.

¹⁶ Hasil Wawancara Bersama Bpk. Yunus Mohi selaku masyarakat penambang. Tanggal 16 Oktober 2021. Pukul 11:20 Wita.

The above statement can provide an understanding that the ministry repeatedly conducts coaching to those who violate the provisions of the laws and regulations. Efforts to prevent the actions of miners are certainly a task and function of the law enforcement authorities themselves. It is natural when the police conduct coaching to those who violate the existing rules. But the record is what about those who have not done coaching alone they also do not have a license to operate in mining. Again and again, mining is still illegal since time immemorial, then indirectly also that they do not have health insurance or the like that can guarantee their life when in that place. Regarding the efforts of the police as well as in Article 13 undanh-law No. 2 of 2002 concerning the State Police of the Republic of Indonesia where it is said that the duties and functions of the police provide protection, protection, and service to the community. To encourage creativity in providing public services.¹⁷

2. Preventive law enforcement efforts

Preventive efforts by the police and the government to countermeasures by making appeals to the dangers of mercury use for the environment. In the case of socialization in the form of legal counseling to ordinary people with the law will be very meaningful and important given by the authorities. Because with the legal counseling carried out, it is expected that the community not only understands and understands the important points in an existing regulation that understands the nation and state, but the most important thing is for how the community understands and understands the value of their rights and obligations as a good citizen. As one of the miners said that:¹⁸

"The police have conducted counseling in the form of socialization to the dangers of mercury"

The above statement is true by what is said by the law enforcement authorities themselves, wherein the implementation of the extension sometimes they do counseling at the mining site even as it is said that they can do socialization and coaching to the community when law enforcement authorities confiscate tools and materials belonging to miners, after which a call is made to the owner of the tool and the material is then done coaching

¹⁷Wemben, Norma L.P.. (2010). "Kinerja Pelayanan Pada Kantor Badan Pertanahan Nasional Kabupaten Gorontalo." *Jurnal Legalitas* 3 (2), 131

¹⁸ The results of the Interview with Mr. Usman Uno as a mining community. October 16, 2021. At 4:28 p.m.

to the community. they. This action certainly according to the researchers has not given a clear effect to all miners why those who get the construction are only a few people, so it must be done systematically involving all the patrons so that it can have an impact on everyone. With this as is the core of this study where environmental pollution caused by mercury will of course be reduced and mining is expected to be friendly with the surrounding environment.

3. Repressive law enforcement efforts

The actions of law enforcement authorities in repressive are to confiscate tools and materials for gold processing, as is the case with mercury confiscation, confiscation of other processing tools. As one of the miners explained that:¹⁹

The process of enforcing the rules by the authorities, in this case, the police is with the confiscation of our materials used in processing gold because it has previously been done warning of danger to the use of mercury, so the police have confiscated hundreds of kilograms of silver water (mercury), even to the summoning of miners to the Police. Furthermore, the police still gave us an appeal.

Efforts made by the police and local authorities of course to enforce the existing law. However, from the efforts made only up to repressive efforts in terms of the enforcement of confiscation of materials to process gold, namely the seizure of mercury. Against the danger of mercury is not up to the stage of enforcement against mercury polluters who damage the surrounding environment and its impact on the ecosystems that live around the mining. So by looking at various efforts through statements delivered both by law enforcement themselves and local governments in this case the Environment Agency where they are just waiting for the applicant to apply for a permit against his business. However, according to the researchers themselves, if the above has been done and does not provide effective value then a repressive effort in the form of enforcement as stated in the law should be done by them as law enforcement and as a government in the mining area itself, this keeps the environment from being continuously damaged due to mercury pollution which is essentially mining and in fact until now. It does not have an operating permit. So with that also as the government must come alone to analyze to give a business license in mining, this is often said as picking up the ball but not waiting for the ball. According to the

¹⁹ The results of the Interview with Mr. Andris Makmur as a mining community. October 16, 2021. At 7:30 p.m.

researchers themselves in addition to revenue from mining that has violated the rules, it is good for the miners to develop creative potential, for example, currently e-commerce business becomes one of the most efficient steps that can be applied to the type of UMKN business. Therefore, ²⁰the pressure is slightly more significant to the existence of society, so the government is careful in solving a problem that has to do with society.²¹ Develop the human resources that exist in the village and work optimally in their respective work environments.²² In addition, mercury can also be released into the environment through human activities; such as in forest fires, coal processing, and coal burning, waste burning, iron metal processing, silver, gold, and others.²³

The course of mining that does not have a permit in this case IUP is illegal mining done so that existing laws and regulations apply. The IUP will be beneficial for both parties both as miners and also beneficial for the government. If the community benefits in terms of administrative management such as its thing with safety guarantees and the government fortunately on the taxes that will be obtained through the mining. Furthermore, the impact will also be felt by people who are not miners as is the case with the state of the environment organized, maintained, and not damaged through illegal forms of mining. As the research source said in this case the miner:²⁴

This mine from the beginning of operation until now does not have a permit as stipulated in the applicable laws and regulations, but because we as breadwinners whatever the dangers but we do so.

As the above statement said by the miners themselves that the mines that are their place of business to earn a living do not have an operating permit based on regulations governing the existence of mining. So this is certainly questioned by researchers whether the mining is known by the local government or not, why from 1993 until now it is not legal for mining. As stated by the local government in this case the Environment Agency Kab. Bone Bolango that:²⁵

²⁰Mohamad Rivaldi Moha. (July, 2020). *Urgency Pendaftaran Snenergara Electronic System Bagi Pelaku E-Commerce Business*. JALREV 2 (2)., 115

²¹Fitriyadi, Ahmad Adi. (2020). *Diferensiasi Pengungsi dan Pencari Suaka dalam Hukum Pengungsi Internasional dan Hubungannya dengan Prinsip Non-Refoulement*. JALREV 2 (2), 127

²²Iriyanto Tiranda. (July, 2019). *Konsep Ideal Penanganan Perkara Tindak Pidana Korupsi Pungutan Liar Berdasarkan Asas Peradilan*. JALREV 1 (2), 132

²³Muslim, Abrar; ST M, Eng. *Merkuri dan Keberadaannya*. Syiah Kuala University Press, 2020, 1-3

²⁴ The results of the interview with Mr. Tahir Alisi as a community of miners. September 25, 2021, 8:09 PM

²⁵ The results of the interview with Maya Gusti Ningsih Yasin as the Head of amdal section of the Environment Agency Bone Bolango. July 27, 2021, 10:00 AM

We've known about it for a long time, but when we do the enforcement of the law, they just say it's a stomach problem. So we also can't do anything, let alone the mine is a people's mining.

The above statement can be understood that the Government of Kab. Bone Bolango in this case DLH took a silent stance rather than inviting a fuss with a small community as miners. One form of law enforcement is the granting of permits for mining by the Environment Agency. However, again and again, the local government is not that easy to permit mining activities, because there must be someone applying for a mining permit. If the mining is owned by the people then all those who operate in it must make an application which is then in the process and further studies are carried out. As is the case with AMDAL and ANDAL studies. As the local government says in this case the Environment Agency that:²⁶

For the granting of permission, the community that in fact as a miner in that place must make an application in our office to get permission that we then process and we will analyze in terms of AMDAL and AMDLnya.

If you follow a rule, there must be law enforcement and there is a law that enforces the law itself. Just like law enforcement is can come from the police and other agencies and who run the law itself is the community. The application for a business license by the community as a miner certainly needs to be obtained because when doing mining does not conflict with existing laws and regulations. As stipulated in Article 1 (7) of Law No. 4 of 2009 on Mineral and Coal Mining (Minerva Law), Mining Business License (IUP) is a permit granted to carry out mining business. To try to change the point of view more humanist and apply the human rights paradigm as the basis.²⁷ The right to life must be protected by the state, especially the state of law.²⁸ The existence of human rights will have no meaning if it is not followed up with the law that regulates the relationship of rights, meaning that the law formalizes human rights into a set of rules to maintain and protect so as not to become clashes in the life of society and state.²⁹

All kinds of enforcement efforts against aspects of management and supervision rather than mining aim to control the course of mining. According to

²⁶ The results of the interview with Maya Gusti Ningsih Yasin as the Head of amdal section of the Environment Agency Bone Bolango. July 27, 2021, 10:00 AM

²⁷Siregar, Nurul Aldha Mauliddina. (2020). *Melawan Stigma Diskriminatif: Strategi Pemberdayaan Penyandang Disabilitas di Desa Panggungharjo*. Jurnal Pemberdayaan Masyarakat, Vol. 4, No. 1 : 23-44, 28

²⁸Badu, Lisnawaty. (2012). *Euthanasia Dan Hak Asasi Manusia*. Jurnal Legalitas. 5 (1), 1

²⁹Tijow, Lusiana. *Perlindungan Hak Asasi Manusia Teriiadap Hak Hidup Anak Dalam Kandungan Di Luar Pbrkawinan Yang Sah*. Jurnal Legalitas 3 (2), 80

one expert, the surveillance itself is a form of means to see and analyze whether the organs inside can be ascertained to run as well as possible, especially the devices that exist within the scope of the device itself. Furthermore, the function of supervision itself can control the process of the operation of mining where it must be ensured must be by the provisions and policies of the government itself. Not only the government's policy but more importantly to run according to tupoksi and performance rather than mining itself. This effort is also a form of legal protection for the community so as not to violate all regulations as triggered by the government. The purpose of this regulation is only to maintain everything, whether it is maintaining human resources or maintaining natural resources.³⁰ The results of policies issued by the Government are solely derived from the wishes of the community.³¹

Law enforcement carried out by the Bone Bolango Police has come to repressive efforts, meaning that the law enforcement authorities themselves make various efforts, starting from preemptive, preventive, and repressive efforts themselves. But the record of the researchers is at the stage of repressive efforts where the efforts made by the police are only confiscation of tools and materials used in mining itself. Unlike others where if it has entered into repressive efforts then the law enforcement authorities themselves have to carry out all the things that are the provisions of the current laws and regulations regarding mining, especially if it is associated with mining that is the object of research researchers, namely, mining is illegal mining that does not have an operating permit. Whether the working person or its development does not have documents as the administrative requirements in the applicable laws and regulations, it can also be ascertained that the mining is illegal.

In addition to mining continues to operate until now even though it does not have a permit. So indirectly also provides an opportunity for many people to commit an act that violates the prevailing laws and regulations as described above, namely contained in Law No. 4 of 2009 Article 158. Likewise, the existence of this mining also causes damage to the environment, one of which is the use of mercury liquid which is generally done by miners to process the presence of gold that will be obtained in the mine which then the liquid is simply thrown away even thrown in the river. So that looking at the above statement there must be law enforcement against mining which then will have a good impact on the environment around the river. Not only the benefits for humans but the benefits

³⁰ C.J.N.Versteden, *Inleiding Algemeen Bestuursrecht*, Dikutip Dari Ridwan, 2009, *Hukum Administrasi Di Daerah*, Cetakan Pertama, Yogyakarta: Fh Uii Press, 126-127

³¹ Putri Handayani Nurdin.(July, 2019). *Politik Hukum Pengaturan Pendidikan Politik oleh Partai Politik*. JALREV 1 (2), 146

will be felt by the ecosystem that lives around the place. It is also as stated by the Head of The Perindagkop Office that:³²

Law enforcement can be said not our territory, but there is a separate agency to carry out enforcement or enforcement against environmental pollution, but I see this should also be a concern from the Bone Bolango Regional Government itself to continue to give directions or regulations to the miners even though they generally do not have a permit.

Based on the above statement provides the understanding that the role of the local government is very necessary to act on environmental damage, not to mention if the mining is in the forest, then the impact will be very large for the people under the foot of the mountain, such as the occurrence of flooding. Well of course this is the influence and impact of mining that is increasingly damaging the environment, especially forests. Law enforcement against environmental pollution caused by mercury liquids as the results of interviews with law enforcement authorities itself said that for environmental pollution reports against mercury use in general zero cases or it can be said there are no reports from the surrounding community against environmental pollution that exists. So in modern times is an era where humans are required to develop themselves.³³ As law enforcement officials have said in this case, the police say:³⁴

If the problem of environmental pollution reports does not exist even though cases on the ground exist, so how do they want to report anyway almost all the heads of families around the riverbank are mined in that place, so if reporting environmental pollution means they kill themselves.

The above statement is in harmony with the communities around the river that are affected by environmental pollution, as he said that:³⁵

The surrounding environment sometimes suffers damage due to mercury liquids used by miners, but how else the livelihood of the local community is only in mining it. So if I report to the authorities, then the consequences are many people who will be dragged into the case.

³²Interview with Mr. ImranBagu, SE. MM as Head of Perindagkop Bone Bolango Office. July 28, 2021, 10:00 AM

³³Bakung, Dolot Alhasni. (2020) *Determinasi Perlindungan Hukum Pemegang Hak Atas Neighboring Right*. JALREV 2 (1), 67

³⁴ The results of the Interview with Feki Sabubu as Banit Reskrim TIPIDTER Unit II in Bone Bolango Police. July 19, 2021, 11:00 AM

³⁵ The results of the interview with Mrs. Rosmin Husain as a community in the Mining River Bantaran Area. September 15, 2021, 8:48 PM

As previous researchers have said, environmental pollution will remain, if the mine continues to operate as it should. Moreover, the mining does not hold an operating permit as stipulated in existing laws and regulations. So how can they as law enforcement to act if there are no reports from the public? Therefore, law enforcement only provides a kind of socialization for citizens, especially minors, to maintain the environment and such as the dangers of mercury liquids to human health and existing ecosystems. It should be true to protect the environment to avoid various kinds of pollution, especially environmental pollution in the scope of mining, then indirectly both the government and law enforcement must comply with sanctions as stipulated in the applicable laws and regulations which will be ensnared with Article 17 Paragraph 1 of Law No. 11 of 2021 on Copyright and/or Article 12 of Law No. 18 of 2013 on Prevention and Prevention. Eradication of Forest Destruction, with the threat of imprisonment of a maximum of 15 years and a maximum fine of Rp 10 billion.

Law enforcement against environmental pollution caused by mercury liquids in Bulawa Subdistrict is very important to do. Because this environmental pollution is not only felt and experienced by people under the flow of the river but the animals that are ecosystems in the region. So by indirectly, it looks like animals or ecosystems will simply become extinct due to mercury liquid used by miners in this case the community to process or dissolve gold.

Conclusion

Law Enforcement Against Environmental Pollution In Mining Areas Caused By The Use of Mercury Liquids that there are three first ways is preemptive law enforcement, namely by coaching actors this aims to strive to prevent environmental damage by mercury liquids. Second is preventive efforts by the police and the government to countermeasures by making appeals against the dangers of mercury use for the environment. While the last is law enforcement action by repressive means by confiscating tools and materials owned by miners.

Suggestion

Environmental pollution that occurs is the indecision of the local government to enforce the law against illegal mining that is already damaging the environment. For that, both local governments and village governments should provide education to the community, especially to miners not to do things that should cause environmental pollution, especially the use of mercury. If you look on social media one of the youtube channels Dedi Mulyadi who is also the Deputy Speaker of the House of Representatives where he always dissolves illegal mining that does not have an operating permit, so it must be boosted by legally

conscious socialization to the community. As the provisions of the laws and regulations also that whoever does the first illegally then as the existing provisions will be faced with the criminal law.

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