

ABSTRAK

Penelitian ini bertujuan untuk mengetahui bentuk kebijakan pemerintah dalam menerbitkan izin usaha pertambangan kepada organisasi masyarakat keagamaan, serta hambatan yang dihadapi pemerintah dalam menetapkan izin usaha pertambangan. Metode penelitian ini digunakan adalah yuridis normatif, dengan pendekatan perundang-undangan, kasus, sejarah, perbandingan, dan konseptual. Pengumpulan bahan hukum dilakukan melalui bahan hukum primer, sekunder, dan tersier dengan mencakup menginventarisasi, mensistematisasi, dan menginterpretasi. Hasil penelitian ini menunjukkan bahwa pengaturan kebijakan pemerintah dalam menerbitkan izin usaha Pertambangan kepada organisasi masyarakat keagamaan diatur dalam Peraturan Pemerintah Nomor 24 Tahun 2024, yang dimana memberikan prioritas kepada organisasi masyarakat keagamaan untuk mengajukan Izin Usaha Pertambangan Khusus (IUPK). Namun, terdapat beberapa hambatan yang dihadapi pemerintah, seperti perbedaan regulasi di tingkat pemerintah pusat dan daerah, kurangnya pengawasan dan penegakan hukum, tingginya korupsi, ketidakstabilan ekonomi dan politik, penolakan masyarakat, serta masalah ilegalitas dalam pertambangan. Pemerintah perlu memperkuat mekanisme seleksi dan evaluasi kelayakan agar hanya ormas yang memenuhi kriteria pengelolaan bertanggung jawab dan kepemilikan mayoritas saham yang memperoleh izin usaha pertambangan, sekaligus memberikan pendampingan dan peningkatan kapasitas agar ormas dapat mengelola usaha secara profesional dan berkelanjutan. Selain itu, koordinasi dan sinkronisasi regulasi antara pemerintah pusat dan daerah harus ditingkatkan untuk menciptakan kepastian hukum, disertai dengan pengawasan dan penegakan hukum yang efektif guna mencegah korupsi dan pelanggaran. Keterlibatan aktif masyarakat dalam proses perizinan juga penting untuk memperoleh legitimasi dan menghindari konflik sosial.

Kata Kunci: Kebijakan pemerintah, Izin Usaha Pertambangan, Organisasi Masyarakat Keagamaan, Peraturan Pemerintah

ABSTRACT

This study aims to determine the form of government policy in issuing Mining Business Permits for Religious Mass Organizations, as well as the obstacles faced by the government in determining Mining Business Permits. The research method used is normative juridical, with a statutory, case, historical, comparative, and conceptual approach. The collection of legal materials was carried out through primary, secondary, and tertiary legal materials by including inventory, systematization, and interpretation. The results of this study indicate that the regulation of government policy in issuing Mining Business Permits for Religious Mass Organizations is regulated in Government Regulation Number 24 of 2024 which gives priority to Religious Mass Organizations to apply for Special Mining Business Permits (IUPK). However, there are several obstacles faced by the government, such as differences in regulations at the central and regional government levels, minimal supervision and law enforcement, high rates of corruption, economic and political instability, community rejection, and problems of illegality in mining. The government needs to strengthen the selection and evaluation mechanisms for eligibility so that only mass organizations that meet the criteria for responsible management and majority share ownership obtain mining business permits, as well as provide assistance and capacity building so that mass organizations can manage their businesses professionally and sustainably. In addition, coordination and synchronization of regulations between the central and regional governments need to be improved to create legal certainty, accompanied by effective supervision and law enforcement to prevent corruption and violations. Active community involvement in the licensing process is also important to gain legitimacy and avoid social conflict.

Keywords: *Government policy, mining business permits, religious community organizations, government regulations*