



Actualization of the public participation report in the regional mining management to encourage public accessibility to mining business information

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Received Date: June 22, 2025

Revised Date: July 18, 2025

Accepted Date: August 29, 2025

ABSTRACT

Background: Local regulations governing mineral and rock mining activities often fail to clearly establish reporting mechanisms regarding public participation. This lack of transparency limits public access to mining management data, thereby exacerbating widespread environmental damage. To mitigate this ecological damage, incorporating structured public participation reports into the local regulatory framework is essential to legally ensure community involvement. **Methods:** Researched using normative legal research methods with descriptive-qualitative analysis techniques. The approaches used are the statutory regulatory approach and the conceptual approach. **Findings:** The results of this study indicate that; Special Region of Yogyakarta Regional Regulation No. 1 of 2018 concerning mining business management must clearly regulate the existence of a public participation report; second, efforts to actualize the public participation report in Regional Regulation No. 1 of the Province of Special Region of Yogyakarta to encourage public accessibility to information, data, and documents on public participation reports in mining management business activities in Special Region of Yogyakarta. **Conclusion:** This research is oriented towards alleviating the problems faced by the community. Thus, formulation is created that makes the community objectivity by creating an effective moral compass in overseeing mining business activities in Special Region of Yogyakarta Province. **Novelty/Originality of this article:** This study introduces the conceptual framework of the “Public Participation Report” as a mandatory legal document in mining governance at the local level, shifting the paradigm of public engagement from a mere procedural formality to a legally binding instrument in terms of environmental accountability and information equity.

KEYWORDS: regional regulations; mining business; data; information; report documents.

1. Introduction

The Special Region of Yogyakarta is facing serious mining problems. In general, many mines in the Special Region of Yogyakarta Province are illegal because permits do not comply with regulations. However, there is significant mining potential in the Special Region of Yogyakarta Province because the area is geographically located along two major rivers. Strengthening the Role of Regional Apparatus Organizations Data from the Public Works, Housing, and Energy and Mineral Resources Agency recorded 32 illegal mining locations both on land and around rivers: 15 in Kulon Progo Regency, 11 in Bantul Regency, and 11 in Gunungkidul has three points, and Sleman Regency has three points. Chair of

Cite This Article:

Pradana, B. P., Nabila, & Ayuningrum, P. L. (2025). Design and formulation of ministerial regulation on remote and hybrid work to enhance employment for individuals with physical and sensory disabilities In Indonesia. *Green Governance: Exploring Politics, Social Justice*, 2(2), 108-121. <https://doi.org/10.61511/gg.v2i2.2025.2294>

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Commission B of the Special Region of Yogyakarta House Representative, Andriana Wulandari, explained that one of the reasons for illegal mining activities is the lack of data, information and reporting documents. community participation in monitoring mining business activities. The absence of an adequate database has weakened the social control function that should be carried out by the community regarding mining business activities, thus resulting in a high potential for legal violations in the environmental and mining governance sectors (Solikin, 2021).

Mining management activities often neglect the importance of sustainable environmental conservation. As technology advances, the use of sophisticated equipment increases, so do the negative impacts on natural resource management. Furthermore, mining management also requires adequate public access to data and information to mitigate environmental damage. If data and information are difficult to access, not only will environmental damage occur, but regional economic losses could also be at risk. So far, public participation in the mining sector in the Province of Yogyakarta Special Region has been normatively regulated, but in practice it is still limited, partial, and less effective. The right of the community to play an active role in the preparation of environmental documents, monitoring, providing input on permits, and reporting on mining business activities, the lack of clear derivative regulations that regulate the transparency of data and information from mining managers that can be accessed by the public (Irianto, 2015), especially documents that summarize the findings of the process of community involvement in mining management. Special Region of Yogyakarta Provincial Regulation No. 1 of 2018 concerning Management of Metallic Mineral, Non-Metallic Mineral, and Rock Mining Businesses has not yet clearly regulated the obligations of local governments and mining management permit holders to provide information, data, and reports to the public regarding mining businesses (Huda, 2017).

Therefore, such practices can degrade public accessibility to data and information on mining management. The research in this article focuses on the formulation of problems that are considered necessary to be resolved immediately, namely; how is the regulation of public participation reports related to mining business management in the Special Region of Yogyakarta Regional Regulation No. 1 of 2018?; how is the actualization of the public participation report model in the Special Region of Yogyakarta Regional Regulation to encourage public accessibility to information, data, and report documents as evidence of public participation in mining activities in Special Region of Yogyakarta? Based on the problems described above, it is necessary to actualize the public participation report in the Special Region of Yogyakarta Provincial Regulation on mining permits, which emphasizes public accessibility to information, data, and reporting documents on mining activities (Kurnia, 2022). It is hoped that this participation can mitigate environmental damage caused by mining business activities. Thus, it will create better transparency of information and data to improve the accountability of mining business actors, encourage active community participation in maintaining environmental sustainability, and overcome mining activities that can cause environmental damage. In addition, the results of this study are expected to serve as policy recommendations for all stakeholders, namely local governments, miners, entrepreneurs, and the community regarding community involvement in mining management (Kementerian ESDM, 2025).

2. Methods

2.1 Types of research

The type of research used by the author is a normative or doctrinal legal research method, which, according to Peter Mahmud Marzuki, is a process of researching legal sources to address problems, resulting in new solutions. In the normative legal method, the author uses aspects of applicable legislation relevant to the problem being analyzed (Nurhayati et al., 2021). This research examines how the actualization of public

participation reports in regional regulations facilitates public accessibility to information and data on mining management in the Special Region of Yogyakarta.

2.2 Types of research approaches

The approach in writing is the stage of discovering reliable information to formulate answers to the issues discussed. In this case, the author uses a statutory approach and a conceptual approach. The statutory approach is used to examine legal rules, such as regulations, laws, or other rules related to the issues discussed, while the conceptual approach is used to provide answers to the problems through an elaboration of the analysis that has been conducted. By using a statutory regulatory approach, it can be identified that the Special Region of Yogyakarta Regional Regulation No. 1 of 2018 has not yet had problems, including: the public information disclosure norm has not been explicitly integrated into the Special Region of Yogyakarta Regional Regulation No. 1 of 2018, so that public access to mining information, data, and reports still depends on the administrative policies of the regional government; the reporting obligation by permit holders has not been balanced with the publication obligation by the regional government, to encourage transparency and accountability.

2.3 Sources of legal materials

In normative legal research methods, legal materials are used to support the research in order to obtain answers to the research problem formulation (Armia, 2022). In this research, primary and secondary legal materials are used to provide a scientific basis for analysis that can support the research. Primary legal materials are the rules, principles, and concrete legal regulations applicable within the legal system, in the form of written regulations to be enforced by the state (Muhaimin, 2022; Nugroho et al., 2020). In this study, the primary legal materials used are: the 1945 of the Republic of Indonesia, Law No. 32 of 2009 concerning Environmental Protection and Management, Law No. 4 of 2009 concerning Mineral and Coal Mining, Law No. 3 of 2020 concerning Amendments to Law No. 4 of 2009 concerning Mineral and Coal Mining, Law No. 2 of 2025 concerning the Fourth Amendment to Law No. 4 of 2009 concerning Mineral and Coal Mining, Presidential Regulation (Perpres) No. 55 of 2022 concerning Delegation of Business Licensing in the Mineral and Coal Mining Sector. In order to simplify and accelerate licensing services, Presidential Regulation No. 55 of 2022 concerning Delegation of Business Licensing in the Mineral and Coal Mining Sector then regulates the delegation of part of the authority to issue permits from the Minister to the Governor (Asshiddiqie, 2005; 2009). Thus, all provisions in the Special Region of Yogyakarta Regional Regulation No. 1 of 2018 regarding licensing, environmental obligations, and mining supervision must be harmonious and not contradictory to the norms stipulated in the Minerba Law and Presidential Regulation No. 55 of 2022. Special Region of Yogyakarta Regional Regulation No. 1 of 2018 concerning Management of Metallic Mineral and Non-Metallic Mineral and Rock Mining Businesses. Regulation of the Governor of the Special Region of Yogyakarta Number 39 of 2022 concerning the Implementation of Mining Business Activities for Metallic Minerals, Non-Metallic Minerals, Certain Types of Non-Metallic Minerals, and Rocks, Regulation of the Governor of the Special Region of Yogyakarta Number 84 of 2024 concerning the Implementation of Mining Business Activities for Metallic Minerals, Non-Metallic Minerals, Certain Types of Non-Metallic Minerals and Rocks. Meanwhile, secondary legal materials are legal materials in the form of publications on law that are not official documents. Legal materials that provide explanations to primary legal materials (Rahardjo, 2000). Secondary legal materials are used to help analyze and understand primary legal materials, in the form of books and scientific articles related to the problem being analyzed.

2.4 Analysis techniques

The research of normative legal method with primary and secondary legal materials uses descriptive technique by providing an explanation or description of the results of the author's research. This research uses descriptive analysis technique to describe the conditions and positions of legal and non-legal assumptions as they are. In this study, it describes the actualization of the public participation report in the Regional Regulation of the Province of Special Region of Yogyakarta No. 1 of 2018 and the ideality of optimizing the realization of regional.

3. Results and Discussion

3.1 *Quo vadis public participation report in Special Region of Yogyakarta regional regulation no. 1 of 2018*

Regional autonomy is a crucial pillar of Indonesia's governance system. This concept grants regions the authority to regulate and manage their own affairs, including the creation of Regional Regulations. According to Law Number 23 of 2014 concerning Regional Government, regional autonomy aims to improve public services, encourage community participation, and accelerate regional development. In this context, Regional Regulation/*Peraturan Daerah* (Perda) serves as a legal instrument that reflects local wisdom and the needs of the local community. Regional authority in the formation of Perda is not limited to administrative aspects, but must encompass democratic aspects that emphasize the importance of community involvement in the decision-making process. Regional autonomy has an impact on almost all areas, including permits for the management of natural resources/*sumber daya alam* (SDA) in the Special Region of Yogyakarta Province, for example in mining management efforts (Iswari et al., 2020).

In the context of managing metal mineral and coal mining businesses as regulated in Special Region of Yogyakarta Regional Regulation No. 1 of 2018, the licensing governance process that prioritizes the principles of openness and public participation can be described as follows: public participation report (Application, Examination, and Recommendation) Stakeholders submit applications for mining permits/*izin usaha pertambangan* (IUP) to the technical institutions of the Special Region of Yogyakarta Regional Government. Applications go through administrative, technical, and environmental examination stages in accordance with the provisions of Article 20 and Article 21 of Special Region of Yogyakarta Regional Regulation No. 1 of 2018. Licensing, issued by authorized officials through deconcentration or delegation of authority to the Governor. Publication, the permit-issuing official is required to publish information, data, and documents related to the permit grant to the media for public access, in accordance with the principle of transparency. This includes data on the applications for mining permits, mining area maps, environmental obligations, and balance sheet and reclamation realization reports. Participation, the public has the right to access, obtain, and utilize data, information, and reporting documents related to mining permits, in exercising their constitutional right to a healthy environment and as a form of social oversight. This is stipulated in Article 18 of Special Region of Yogyakarta Regional Regulation No. 1 of 2018, which addresses the participation of affected communities. This embodies the principle of transparency in regional government administration (E-Parlemen DPRD DIY, 2026).

In addition to licensing in mining management activities, transparency of information, data, and reporting documents related to community participation in mining business management is an important tool for monitoring government actions in implementing policies and practices of mining business managers (Indirwan et al., 2025). This information is the basis for social and personal development for the community, so the right to obtain information is crucial in strengthening people's sovereignty and supporting the achievement of transparent, effective, and accountable governance. Not only information and data are used as a reference in mining management activities. However, accessibility of

reports on mining business results to the community is also necessary as regulated in Special Region of Yogyakarta Regional Regulation Number 1 of 2018 concerning Management of Non-Metallic Mineral and Rock Mining Businesses is an important matter that must be immediately accommodated to facilitate community participation in mining management efforts.

Table 1. Distribution of mining areas in the province of special of region Yogyakarta

Regency	Area (approximate)	Types of mines
Kulon Progo	Pulo Lendah	Sand/Rock without permission
Kulon Progo	Giling Tuksono	Sand/Rock without permission
Kulon Progo	Progo River (North)	Sand/Rock
Kulon Progo	Progo River (South)	Sand/Rock
Bantul	Siyangan	Sand/Rock without permission
Bantul	Situmulyo, Piyungan	Fill Material (earth filling)
Bantul	Progo River (Central)	Sand/Rock
Bantul	Progo River (East)	Sand/Rock
Gunungkidul	Serut, Gedangsari	Fill Material (earth filling)
Gunungkidul	Tancep, Ngawen	Fill Material (earth filling)
Sleman	Sleman (A) illegal point 1	Fill Material (earth filling)
Sleman	Sleman (B) illegal point 2	Sand/Rock

To strengthen the urgency of regulating public participation reports in mining management in the Special Region of Yogyakarta Province, the following presents data on the distribution of mining activity areas recorded in several districts/cities in the Special Region of Yogyakarta. Special Region of Yogyakarta Regional Regulation Number 1 of 2018 focuses more on the technical and administrative aspects of mining business management, such as licensing requirements, permit issuance procedures, post-mining reclamation obligations, and administrative sanctions. However, regulations regarding transparency of information, data, and reports that substantively provide access rights for the community are not clearly regulated, and the existence of report documents from mine managers as evidence that the community has been involved in providing input and suggestions before mining business activities are not clearly regulated in the regional regulation (Haris, 2021).

3.2 Mining licensing process mechanism in Special Region of Yogyakarta regional regulation no. 1 of 2018

There are stages in the mining licensing process mechanism. is set as follows. First application stage and examination of licensing requirements. As regulated in Articles 20 to 23 of Special Region of Yogyakarta Regional Regulation No. 1 of 2018, this application must be accompanied by various administrative, technical, environmental documents, as well as a reclamation plan which serves as the basis for assessing the feasibility of mining businesses. Recommendation issuance and business license determination stage (Wedhatami & Ningsih, 2025). Basically, it is the Minister's authority or delegated to the Governor to provide recommendations on suitability by authorized officials in issuing permits. Data, information, and report management stage, DI special region of Yogyakarta Regional Regulation No. 1 of 2018 provides special attention to the management of data, information and reports on mining business activities as regulated in Articles 30 to 31. Public participation stage, in the interest of transparency and supervision of mining business activities and ensuring transparency of information that opens up space for the public to obtain information (Humas Pemda DIY, 2025).

This creates a legal loophole in protecting the public's right to public mining information. Based on Article 18 paragraph (1) of special region of Yogyakarta Regional Regulation Number 1 of 2018, "Holders of exploration mining business permits are required to socialize exploration activities to the community in the Mining Business Permit Area no later than 2 (two) months after the Exploration Mining Business Permit is issued." Meanwhile, paragraph (2) states, "Information related to socialization is conveyed in

writing via the announcement board in the village hall/or communication media. used by the local community”, paragraph (3) states “the socialization referred to in paragraph (1) is carried out to obtain the approval of the local community and those directly affected. The contents of the article essentially only explain that mining permit holders must conduct socialization to the community no later than 2 (two) months after the permit is issued, the socialization in question can be delivered in writing or through communication media that can be accessed by the community in order to obtain approval from the community (Hadi, 2020). However, the contents of the article do not clearly state the mechanism or format regarding the public participation report document. The article focuses more on the obligation to socialize, accept, reject, the community by submitting a letter of provisions, and procedures for continuing exploration if there are no objections from the community.

The legal consequences of the absence of clear regulations on transparency of mining information, data, and report documents in the Special Region of Yogyakarta Regional Regulation No. 1 of 2018 could lead to legal implications in the form of a weak regional legal basis for guaranteeing the public's right to access information and data specifically for the mining sector. From an environmental protection perspective, the absence of detailed data transparency norms in the Regional Regulation also has the potential to weaken the effectiveness of Article 70 of Law No. 32 of 2009 concerning Environmental Protection and Management, which guarantees public participation in environmental monitoring. In fact, it is emphasized that transparency of mining data is an absolute prerequisite for preventing moral hazard and reducing the potential for environmental damage due to excessive mining. Therefore, the ideal optimization of the Special Region of Yogyakarta Provincial Regulation No. 1 of 2018 in the future must be directed at integrating mining information transparency norms into sectoral regulations, in order to strengthen the protection of community rights and preventative control of environmental damage (Sri Cahyani, 2024).

3.3 Optimizing the public participation report in Special Region of Yogyakarta regional regulation no. 1 of 2018

Every action of government officials, including regional governments, is based on the principles of transparency, accountability, and environmental protection. This principle is in line with Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which states that everyone has the right to a good and healthy environment, and Article 33 paragraph (4) which states that the implementation of the national economy is based on the principles of sustainability and environmental awareness. The ideal implementation of regional regulations governing mining management must be directed at optimizing legal norms that prioritize information transparency and data accessibility for the public (Pasal 28H UUD NRI 1945).

Transparency of mining data is not only a public right but also a strategic oversight instrument. Harleando & Hermawan (2020), in a study of community mining permits in the Progo River, Yogyakarta, demonstrated that limited public access to permit data and environmental documents has weakened social control, making it difficult to prevent potential environmental damage. Therefore, the existence of a Regional Regulation in the Province of Special Region of Yogyakarta which comprehensively regulates the transparency scheme of data, information, and report documents is very important as a legal guarantee to protect the environment from excessive mining exploitation, regarding the accessibility of data, information, and report documents as evidence that the community has been involved in mining management efforts, this is an element which will later be called a public participation report. Establishing a public participation report mechanism to encourage public participation. Ideally, the Regional Regulation should regulate public participation reports, requiring official documentation of the public consultation process, public responses, and follow-up actions. This aligns with Lee's argument that substantive public participation requires more than simply inviting the public to participate; it must be documented for evaluation (BPS DIY, 2023).

3.4 Disclosure of mining information based on Special Region of Yogyakarta regional regulation No. 1 of 2018

Special Region of Yogyakarta Regional Regulation No. 1 of 2018 implements the principle of information transparency through provisions governing the obligations of mining business permit holders to provide data and reports that are subject to public oversight. This is regulated in Article 30, which is based on the principle of transparency. The public is given the broadest possible access to obtain correct and honest information regarding government administration. Public information transparency in mining permits in Special Region of Yogyakarta is not merely administrative, but rather a consequence of citizens' constitutional rights to a good and healthy environment and to obtain information, which aims to enable the public to monitor government actions from the initial stage, thereby minimizing the potential for abuse of authority (Taufik et al., 2020).

More technically, Law Number 14 of 2008 concerning Public Information Disclosure requires public bodies to provide access to information they control, including licensing information and environmental documents in the mining sector. In the context of regional natural resource management, Article 15 paragraph (2) Letter a of Law Number 1 of 2018 concerning Regional Government emphasizes that the energy and mineral resources sector is a concurrent government affair, part of which falls under the authority of the province. This means that the Special Region of Yogyakarta Regional Government has the authority to regulate the technical aspects of mining management, including licensing and supervision, so that the legitimacy of drafting Regional Regulations in this field is constitutional compliance (Ilmia Dewianalisna, 2024).

The current Yogyakarta Special Region Regional Regulations, such as Regional Regulation No. 4 of 2021 concerning Public Information Disclosure Management, only regulate general principles for public information disclosure services and do not specifically address data disclosure obligations in the mining sector. The ideal approach to optimizing the implementation of Regional Regulations in Yogyakarta Province to ensure a mining management scheme that prioritizes data and information transparency to mitigate environmental damage lies in the Regulation's ability to include mandatory data publication norms, regulate participatory environmental audit mechanisms, and impose strict sanctions on non-compliant business entities.

Thus, the Regional Regulation is not merely a declarative document, but rather an operational legal instrument that effectively enforces the principles of good environmental governance at the regional level. Good environmental governance is understood as an idea that discusses the importance of regulating the needs to manage the interaction between social systems and the surrounding ecosystem (Azizah & Sudibyo, 2023). The management of social system governance must also be maintained based on ecological values. In implementing good environmental governance, the actors involved are not only the government, but also the community, especially those involved in the private sector, and organizations.

3.5 Regional regulation practices related to public participation reports on mining licensing in other provinces

Comparison of Regulations related to information, data, and reports on mining activities in various provinces in Indonesia, including: West Nusa Tenggara Province (NTB), through Regional Regulation No. 9 of 2019 concerning Mineral and Coal Mining Management, is one of the regions that has explicitly regulated the obligation of data transparency and public participation in mining management. Article 78 of NTB Regional Regulation No. 9/2019 affirms the public's right to: obtain clear information regarding mining business permits, provide suggestions and opinions, supervise mining operations, and report indications of violations or environmental damage. The NTB regional government is encouraged to build a mining public information system so that data such as

permits, production reports, reclamation plans, and monitoring results can be accessed by the wider public (Nasution et al., 2024). West Nusa Tenggara Regional Regulation No. 9 of 2019 concerning Mineral and Coal Mining Management has included mining data collection and information systems, as outlined in Articles 75–76, which mandates the Governor to organize data collection and geographic information through inventory and exploration managed by the Regional Apparatus Organization/*Organisasi Perangkat Daerah (OPD)* in the Ministry of Energy and Mineral Resources of the Republic of Indonesia/*Kementerian Energi dan Sumber Daya Mineral Republik Indonesia (ESDM)* sector. The public test of the academic draft of this regional regulation involves the Ministry of Energy and Mineral Resources of the Republic of Indonesia Office, Ministry of Communications and Information Technology, Information Commission, academics, and the public, to ensure data transparency and support for derivative regulations of the governor's regulation, so that P2R governance runs consistently; East Java Province, has natural resources recorded as having economic value as of 2015, there are 337 applications for mining permits operating in East Java Province, which are dominated by rock mining permits. East Java Province has a relatively equal and dynamic demand for information in terms of numbers compared to other provinces. The number of information requests from 2017 to 2019 was 36 requests, where in 2018, Malang Corruption Watch made a request for information related to applications for mining permits/*izin usaha pertambangan (IUP)*.

Based on the principles of good governance, transparency, accountability, and the public's right to obtain public information (Article 28F of the 1945 Constitution, Article 2 of Law No. 14 of 2008 concerning Public Information Disclosure) with Revisions or Additions to Regional Regulation Provisions. Amending Special Region of Yogyakarta Regional Regulation No. 1 of 2018, by adding chapters or articles that explicitly regulate: the public's right to obtain information, data and reports on business activities mining; procedures for requests for information by the public, information service procedures, including application and objection formats according to the Public Information Disclosure Law standards; the obligation of local governments (related agencies) to publish reports proactively, for example via official websites, notice boards in sub-districts/regencies, and annual reports that can be accessed by the public; administrative sanctions for public bodies or officials who do not fulfill their obligations to disclose information.

3.6 The urgency of public participation reports in the Special Region of Yogyakarta regional regulation

Within the framework of a state based on the rule of law (*rechtsstaat*), the principles of transparency and public participation are two key foundations that must be realized by every government administrator. This aligns with the principles of good governance, which require government to operate transparently, accountably, and participatory. In the mining sector, an extractive activity with potentially high environmental risks, public participation reports are crucial to ensuring public access to information, data, and reports directly related to the right to a healthy and good environment.

In the context of the Special Region of Yogyakarta, the arrangement of public participation mechanisms in the mining sector through Regional Regulations has not been fully optimal in encouraging public accessibility to information on mining activities. This requires actualization so that the objectives of environmental protection and the fulfillment of community rights can be more effective. Public Participation Reports as a form of community participation are a fundamental principle in environmental law. Article 70 of Law Number 32 of 2009 concerning Environmental Management/*Perlindungan dan Pengelolaan Lingkungan Hidup (PPLH)* emphasizes that the community has the right and opportunity to play an active role in environmental protection and management. One concrete form of this participation is through mechanisms for access and provision of input on information, data, and reports on business activities that impact the environment (Shabarudin & Rahmat, 2022). One form of implementation of Article 70 of the

Environmental Management Law is in the process of preparing an Environmental Impact Analysis/*Analisis Mengenai Dampak Lingkungan (AMDAL)* (Siswanto, 2020). For example, in the preparation of the Amdal for the Coal Mining Plan of PT Indo Tambangraya Megah Tbk in Kutai Kartanegara, the local government and the company held a public consultation involving local villagers, environmental NGOs, and academics. The community provided input regarding river corridors and mining product transportation routes to minimize the impact of pollution.

This study has important legal value in assessing whether the licensing decision-making process has met the principle of participation. This principle requires every government official to provide the broadest possible access to information to the public as a form of public accountability. This is to ensure that mining licensing decisions truly take into account the interests of the surrounding community and do not violate environmental rights. Problems in the Special Region of Yogyakarta Regional Regulation and the Need for Reconceptualization include the Still Weak Substantive Regulation of Public Participation. Special Region of Yogyakarta Regional Regulation Number 1 of 2018 concerning Management of Non-Metallic Mineral and Rock Mining Businesses, as well as Special Region of Yogyakarta Regional Regulation No. 4 of 2021 concerning Management of Public Information Disclosure, do not rigidly contain norms regarding the obligation to prepare and publish a public participation report containing community responses and how those responses are followed up by the local government or business entities. According to Harleando & Hermawan (2020), community involvement in the community mining licensing process in the Progo River is only carried out as a formality, without a well-documented feedback mechanism.

This weakens public control over mining activities. There is a need for a reconceptualization of the Public Participation Report in the Special Region of Yogyakarta Regional Regulation. In order for the Special Region of Yogyakarta Regional Regulation to effectively encourage public accessibility to mining information, data, and reports, a reconceptualization is necessary that includes several aspects, namely: affirmation of the Obligatory Norm for the Preparation of Public Participation Reports, the Regional Regulation needs to be optimized by adding an imperative norm that requires every business entity holding a mining business permit to prepare and submit a public participation report periodically to the regional government. This report must contain: the results of public consultations, community responses, and concrete steps to implement and enforce the mandate in the Regional Regulation; obligation to Publish through the Public Information Portal, the Regional Regulation requires the regional government through the Information and Documentation Management Officer/*Pejabat Pengelola Informasi dan Dokumentasi (PPID)* to proactively publish public participation reports in an information disclosure portal that is easily accessible to the public, thereby strengthening the effectiveness of the Public Information Disclosure Law in the mining sectoral context (Ferdaus & Zaimasuri, 2023).

Updating the public participation report in the Yogyakarta Regional Regulation is crucial for strengthening public access to information, data, and reports on mining activities in the province. This way, the principles of transparency, public participation, and environmental protection mandated by the Environmental Management Law/*Perlindungan dan Pengelolaan Lingkungan Hidup (PPLH)* and the Public Information Disclosure Law, as well as the principles of good governance, can be concretely implemented in mining governance in the region. This will ultimately prevent potential environmental damage and ensure the protection of the community's right to a healthy environment.

3.7 Amendment to regional regulation No. 1 of 2018: An effort for improvement

In essence, this represents an effort to reformulate regional law. This step is intended to refine existing normative provisions regarding the governance of mineral and coal mining permits. As Jimly Asshiddiqie stated, changes to regional legislation are part of the

function of legal reconstruction (law reform), aimed at adapting legal norms to evolving community needs and strategic environmental dynamics, including developments in national policies on mining and environmental protection.

Within the framework of environmental law and regional government (Lee, 2014), the revision of Special Region of Yogyakarta Regional Regulation 1/2018 is aimed at improving efforts, especially in: strengthening the transparency mechanism for data, information and reporting documents related to mining permits that can be accessed by the public; optimizing community participation in monitoring mining business activities; as well as the affirmation of administrative sanctions and environmental restoration for business actors who violate. This is in line with the opinion of Hadjon (1987) who emphasized that efforts to improve legal norms through revision of regional regulations are important in the context of preventive legal protection, which prevents government or business actors' actions that can harm society and the environment.

3.8 Revision of Special Region of Yogyakarta regional regulation no. 1 of 2018

Development of a technology-based mining information system. In today's era of digital government, the application of information technology in the administration of mining affairs is an urgent need to realize the principles of transparency, accountability, and public participation. This aligns with Article 28F of the 1945 Constitution, which affirms the right of every person to obtain information and the principles of good governance in regional government administration. In the context of regional regulations, Special Region of Yogyakarta Regional Regulation Number 1 of 2018 concerning Management of Metal Mineral and Coal Mining Businesses (hereinafter referred to as Special Region of Yogyakarta Regional Regulation 1/2018) essentially contains provisions regarding the obligation to submit reports, data, and information by mining permit holders. However, the Regional Regulation has not expressly regulated the development of a technology-based information system, either related to the format or mechanism for public access to mining data and reports. According to Tuasikal & Homer (2024), public information disclosure in mining matters will only be effective if supported by information technology that facilitates access, not just administrative procedures for data requests. Thus, the development of a technology-based mining information system within the framework of Special Region of Yogyakarta Regional Regulation No. 1 of 2018 is an urgent need to guarantee the principles of transparency, accountability, and public participation in the management of mining businesses in the Special Region of Yogyakarta. This is also a manifestation of the constitutional right of the community to obtain information, as well as the implementation of the principles of modern, technology-based regional governance.

3.9 Strengthening the role of communities, village apparatus organizations, and the government in supervising mining business management

Strengthening the role and capacity of supervision by the community and regional apparatus organizations (heads of RT and RW, heads of hamlets, village heads, and sub-district heads), in overseeing the practice of mining management businesses in order to increase public participation practices, the principle of public participation is one of the important pillars in the implementation of democratic and transparent governance, especially in strategic sectors such as mining business management (Wibawa, 2019). Public participation cannot be realized optimally without strengthening the role of supervision (oversight) by government officials and empowering the community to utilize the right to information. In the context of the Special Region of Yogyakarta, the management of metal mineral and coal mining businesses is regulated through the Special Region of Yogyakarta Regional Regulation Number 1 of 2018 concerning the Management of Metal Mineral and Coal Mining Businesses (Special Region of Yogyakarta Regional Regulation 1/2018). This regulation regulates the obligation to submit reports, data, and information by permit

holders, but does not yet explicitly contain norms for strengthening the capacity of regional government and community supervision, as well as public participation mechanisms in utilizing data and documents as evidence that the community has been included in mining management. This is emphasized in Article 42 of Special Region of Yogyakarta Regional Regulation No. 1 of 2018, This regulation stipulates that the Governor supervise Mining Business License/*Izin Usaha Pertambangan (IUP)* and Special Mining Business License holders, including through audits of mining business activity implementation reports. Within the framework of mining governance, communities have a direct stake in social, economic, and environmental impacts, making strengthening their capacity to understand data, read reports, and monitor permit implementation a pressing need.

4. Conclusions

Accessibility of data, information, and document reports as evidence of community participation in mining business management has become a polemic in the Special Region of Yogyakarta Province. So far, Regional Regulation/*Peraturan Daerah (Perda)* of the Special Region of Yogyakarta Province Number 1 of 2018 concerning the Management of Metallic Mineral, Non-Metallic Mineral, and Rock Mining Businesses only regulates that mining permit holders must socialize to the surrounding community about mining management business activities no later than 2 (two) months after the permit is issued.

Socialization can be delivered in writing and through communication media accessible to directly affected communities as proof of community consent. The Public Participation Report (P2R) must be a mandatory instrument required of mining permit holders to be compiled and published periodically. This regional regulation does not explicitly regulate the development of technology-based information systems, either regarding the format or mechanisms for public access to mining data and reports. Ideality of embodiment Regional Regulation of the Special Region of Yogyakarta Province Number 1 of 2018 concerning Management of Metallic Mineral, Non-Metallic Mineral, and Rock Mining Businesses must be directed at optimizing legal norms that prioritize information transparency and data accessibility for the public. There is a need to revise and add legal norms to the Special Region of Yogyakarta Regional Regulation to explicitly regulate public participation reporting.

Acknowledgement

The authors would like to express their sincere gratitude to all parties who contributed to the completion of this research.

Author Contribution

The authors would like to thank the families who supported this research; also like to thank the lecturers who guided him in conducting the research. The authors would also like to thank the school for their assistance and cooperation in collecting water samples.

Funding

This research received no external funding.

Ethical Review Board Statement

Not available.

Informed Consent Statement

Not available.

Data Availability Statement

The study is based on publicly available legal documents, regulations, and academic literature, which can be accessed through official government publications and online databases. No new data was generated.

Conflicts of Interest

The authors declare no conflict of interest.

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