

IMPLEMENTATION OF MINERAL AND COAL MINING POLICIES IN SOUTH PAPUA PROVINCE

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Abstract

Mineral and coal mining has undergone regulatory changes recently which inevitably affect the policy implementation. As a newly established autonomous region, South Papua Province faces challenges, such as adapting to existing policies and implementing them, alongside other factors like the availability of supporting resources. The aim of the study is to analyze the implementation of mineral and coal mining policies in South Papua Province using George C. Edward III's implementation model. A qualitative research approach was employed, with interviews used as the primary data collection method. The data were then analyzed using the interactive model of Miles, Huberman, and Saldana. The results show that the communication among the implementers, indicated by their understanding of the policy contents and the efforts to socialize the policy to the public has been carried out. However, resources, particularly human resources, remain insufficient as there are only 40 employees responsible for a vast coverage area. Financial resources are also still limited for effective policy implementation. The attitude of the employee is commendable, as it reflects the success of policy implementation. Meanwhile, the bureaucratic structure is supported by the availability of Standard Operating Procedures (SOP) in executing the policy.

Keywords: Implementation, Policy, Making

INTRODUCTION

One of the natural resource sectors that is known to be abundant in Indonesia is the mineral resource sector, this sector even contributes quite significant Non-Tax State Revenue (PNBP) to state revenue. From the press release from the Ministry of Energy and Mineral Resources, the mineral and coal sector contributed more PNBP when compared to other sectors as shown in the following table:

Table 1. Non-Tax State Revenue in the Energy and Mineral Resources Sector in
2022-2024 (Trilion Rupiah)

Sector	2022	2023	2024
Minerba	180,4	172,1	140,5
Oil and Gas	148,5	117,0	110,9
EBTKE	2,3	3,1	15,4
Others	17,4	7,2	15,4
Total	348,6	299,5	269,5

Sources: (<https://esdm.go.id/assets/media/file/file-capaian-kinerja-sektor-esdm-tahun-2024.pdf>, n.d.)

Specifically in South Papua Province, the potential mining sector is non-metallic minerals and rocks, which include types of gemstones, quartz sand, marble, granite, clay and sand. In particular, the type of sand is more widely distributed and taken in the Merauke Regency and Boven Digoel Regency which are used for building materials and other needs. Statistical data on Gross Regional Domestic Product at Current Prices by Business Field in South Papua Province (billion rupiah) in 2023 from the mining and quarrying sector is 387.56. Percentage Distribution of Gross Regional Domestic Product at Current Prices by Business Field in South Papua Province in 2023 1.24%, Meanwhile, the Gross Regional Domestic Product Growth Rate at Constant in 2010 According to the Business Sector in South Papua Province (percent) in 2023 it is 4.97%, (Badan Pusat Statistik Provinsi Papua, 2024).

From the data above, it can be seen that minerals and coal are one of the sectors that provide a significant contribution to state income and regional income. The mineral and coal policy itself is regulated in Undang-Undang Republik Indonesia Number 4 of 2009 About Pertambangan Mineral Dan Batubara. The policy stipulates that the provincial government has the authority to grant mining business permits (IUP) within the provincial territory across district/city areas and/or sea areas of 4 (four) miles to 12 (twelve) miles. District/city areas still have the authority to grant IUP and people's mining permits meeting (IPR) for district/city areas and/or sea areas up to 4 (four) miles as regulated in Pasal 8.

This did not last long, through a new policy namely Undang-Undang Republik Indonesia Number 23 of 2014 Regarding Regional Government as amended to Undang-Undang Republik Indonesia Number 9 of 2015 About the Second Amendment to Undang-Undang Number 23 Of 2014 Regarding Regional Government limiting the scope of movement in IUP and IPR matters, where in Pasal 14 sentence (1) that the implementation of government affairs in the fields of forestry, maritime affairs, as well as energy and mineral resources is divided between the Central Government and the provincial government. (Undang-Undang Republik Indonesia Number 9 of 2015 About the Second Amendment to Undang-Undang Number 23 of 2014 About regional government n.d.).

This policy gives authority to provincial regions in terms of granting IUP and IPR within their territory, while district/city regions do not have authority in energy and mineral resources matters. This certainly raises one problem, namely the span of licensing control which is increasingly far from the reach of district/city regions. The problems that resulted in the birth of this policy include the lack of control over IUP and IPR so that mining permits are felt to be very easy to obtain and have an impact on many things as previous research states that overlapping mining, forestry and plantation permits are a portrait of the poor land use permit system in Indonesia. (Redi & Marfungah, 2021, p. 494). Another impact is related to environmental damage due to the rampant mining, especially mineral mining, as previous research has shown that sand mining on the coast for sale has also caused abrasion in several coastal areas in Merauke Regency. (Lekatompeppy & Maturbongs, 2021, p. 4).

The government has again issued a new policy namely Undang-Undang Republik Indonesia Number 3 of 2020 About Changes to the Law Undang-Undang Number 4 of 2009 About Mineral and Coal Mining. In the policy of removing provisions on pasal 7 and pasal 8 contained in Undang-Undang Republik Indonesia Number 4 of 2009 About Mineral and Coal Mining regarding the authority of provincial and district/city regions in the management of mineral resources. From this policy, the South Papua Provincial Government issued a policy regarding the management of mineral resources, namely Peraturan Gubernur Papua Selatan Number 8 of 2024 Regarding the Implementation of Mining Business Activities for Metal Minerals, Non-Metal Minerals, Certain Types of Non-Metal Minerals and Rocks.

In fact, a development stage that is created must be carried out or implemented as well as various policies made by the government. Policy implementation is a stage in the policy process immediately after the enactment of a law (Handoyo, 2012, p. 94). The various policies that are made must be implemented down to the regions so that understanding of the policies, both at the regional government level and at the target groups of the policies, must be implemented appropriately because of course there are many policy contents that must be known by the public. both regarding procedures, administration, environmental sustainability after mining and work safety, as in several cases in Indonesia where accidents occurred due to community mining without paying much attention to work safety.

As a new province that was just established in 2022, South Papua must of course adapt to the various policies made by the government in the division of affairs as regulated in the policy, including policies on minerals and coal. The South Papua Provincial Government is certainly faced with problems related to the existence of regulations or policies made by the government that must be implemented by the community, especially in South Papua. Problems arise when there is a clash of interests between

the policies made and the actual conditions in the field, with the continued existence of mining practices that are more towards people's mining, of course the implementation of mineral and coal policies will experience obstacles.

According to George Edward III, the success of policy implementation is influenced by four components, namely communication, resources, dispositions and bureaucratic structure (Edward III, 1980). Data from the Manpower, Transmigration, Energy and Mineral Resources Service of South Papua Province states that the total number of employees, especially human resources, is 40 people. With a limited number of employees and the reach of South Papua Province which has a very wide administrative area, this number is certainly still very limited to properly carry out various work programs and in the process of implementing various policies issued by the government.

Edward III also said that policy implementation is also influenced by bureaucratic structures (Edward III, 1980), in this case the regions seem unable to develop their natural resource potential as stated in previous research that by reducing the role of the government in the mining sector, it is the same as not giving regions the opportunity to develop their natural resource potential (Al-Farisi, 2021, pp. 26–27). In addition, the span of control over IUP and IPR matters is getting longer, this causes new problems as stated in previous research that revoking licensing authority is not a solution but creates new problems (Nordiansah & Resdiana, 2022, p. 198). Based on the problems stated above, the purpose of this study is to analyze the implementation of mineral and coal mining policies in South Papua Province.

LITERATURE REVIEW

Public Policy

Harold Laswel and Abraham Kaplan define public policy as a projected program with certain goals, certain values, and certain practices (Maulana & Nugroho, 2019, p. 1). Ealau and Prewitt explain that policy is a prevailing provision characterized by consistent and repetitive behavior, both from those who make it and those who obey it (those affected by the policy), while Titmuss defines policy as principles that regulate actions directed towards certain goals (Meutia, 2017, p. 10). From the several definitions above, it can be explained that public policy is a program set by the government in order to solve various problems in society. This reason makes sense considering that the government's task is to ensure that the community can be served well without differentiating between one and another. In addition, public policy is also present to provide certainty of legal guarantees that are based on guidelines for implementers to carry out the public policy.

Nakamura and Smallwood said in their view that things related to policy implementation are success in evaluating problems and translating them into specific decisions (Subianto, 2020, p. 18). This

view emphasizes that any government decision should be made as a decision that is specific or detailed in nature regarding the problem of concern.

Public Policy Implementation

Implementation of public policy is part of the process or stages of public policy, namely a series of implementations of a public policy after it has been determined by stakeholders who have authority or power. Implementation of public policy is also a stage to ensure that whatever is contained in a public policy is carried out in accordance with what is supposed to be and what is stated in the contents of the public policy. Sometimes there are also public policies that after receiving approval or ratification are not implemented properly and correctly so that the public is not aware of the policy or there is doubt about all information obtained regarding a policy. In the view of Van Meter and Van Horn (1975), policy implementation is an action carried out by individuals or officials or government and private groups which is directed towards achieving the goals set in policy decisions (Subianto, 2020, p. 21).

In implementing policies, several approaches can be used, namely structural approaches, procedural and managerial approaches, behavioral approaches and political approaches (Suaib, 2016, pp. 101–103). Grindle added that the new implementation process will only begin when goals and targets have been set, activity programs have been prepared, funds have been prepared and have been distributed to achieve targets (Maulana & Nugroho, 2019, p. 96). It is clear from these views that a public policy, once ratified, must be implemented or carried out in part or in full, to the target groups of the policy so that the desired impact can be clearly seen.

George C. Edward III Policy Implementation Model

George C. Edward III put forward several 4 (four) variables (Edward III, 1980) including (1) *Communication*: successful policy implementation requires the implementer to understand what should be done. Whatever the goals and objectives of the policy must be transmitted to the public or target group in order to reduce errors or mistakes in policy implementation. If the goals and objectives of a policy are not clear or even not known at all by the target group, then there is a possibility of resistance from the target group, (2) *Resources* : If the implementor lacks resources for policy implementation, then policy implementation will not run effectively. These resources can be in the form of human resources, namely the implementor's competence, and financial resources, (3) *Dispositions*: is the nature and characteristics of the implementer, such as commitment, honesty, democratic nature. If the implementer has a good disposition then he can carry out the policy well as desired by the policy maker, (4) *Bureaucratic Structure*: One of the important structural aspects of every organization is the existence of standard operating procedures (SOP). The existence of SOP becomes a guideline for every implementer in implementing policies.

RESEARCH METHOD

The type of research used in this study is qualitative research which places more emphasis on data written in words and not in the form of a series of numbers, as according to Bogdan and Taylor, qualitative methodology is a research procedure that produces descriptive data presented in the form of written or spoken words from a number of people and their behavior that can be observed (Moleong, 2014, p. 4), in another view, qualitative research is a method for exploring and understanding the meaning that is considered to originate from a social problem or humanitarian problem (Creswell, 2014, p. 4). Data collection through observation, interviews and documentation. The collected data is then analyzed using the Components of Data Analysis model: Interactive Model (Miles et al., 2014).

RESULTS AND DISCUSSION

Communication

Some considerations as to why communication is very important in policy implementation include (1) communication is important to ensure proper understanding of the policy to be implemented, both between implementors and between implementors and the target group (2) reduce the possibility of misunderstanding and uncertainty of policy information among the public and help understand the roles that must be taken in the process, (3) communication is important to facilitate public participation in policies, and (4) communication can build public trust in the government.

The South Papua Provincial Government has made efforts to ensure that mining management can be managed well through the policies that have been drawn up and the contents of these policies, especially the implementers, must understand. The mineral and coal mining policy in South Papua Province is stated in Peraturan Gubernur Papua Selatan No 8 of 2024 Regarding the Implementation of Mining Business Activities for Metal Minerals, Non-Metal Minerals, Certain Types of Non-Metal Minerals and Rocks. In order to operationalize the policies that have been made regarding the management of mineral and coal mining, the next step is that these policies must be implemented to the public. However, before the policy is implemented to the public, the implementer needs to understand, study and know the contents of the policy, taking into account that (1) implementors will find it easy to explain to the public when implementing the policies that have been drawn up; and (2) implementors can reduce the level of errors in implementing the policies.

Figure 1. Socialization of the Energy and Mineral Resources Sector



Sources : Dinas Tenaga Kerja, Transmigrasi, Energi dan Sumber Daya Mineral Provinsi Papua Selatan, 2024.

The research results show that this indicator has been running well by the implementer, as is known from the research results where employees Dinas Tenaga Kerja, Transmigrasi, Energi dan Sumber Daya Mineral Provinsi Papua Selatan understand and know well the contents of mineral and coal mining policies as stated in various regulations that are made, determined and implemented, As Edwards and Sharkansky (1978) stated, the first requirement for effective implementation is that those responsible for implementing a decision must know what they are supposed to do, where the orders to implement a policy must be consistent, clear and accurate in determining the objectives of the decision makers. (Marume et al., 2016, p. 90).

The mineral and coal mining policy itself in South Papua Province has been socialized to the public or in this case to stakeholders related to the policy. The results of this study are in line with the results of research by Aminah et al. that the policy implementation process does not run by itself after the policy is issued, the government needs to conduct outreach to the mining community, even to the coaching stage and even to the evaluation stage of a rule or policy that has been set. (Aminah et al., 2021, p. 18). This shows that if communication by the implementer has gone well, then the policy made will have a good and positive impact on the policy itself.

Resources

Resources in this study refer to 2 things, namely human resources and financial resources in the implementation of mineral and coal mining policies in South Papua Province. From the human resources side in Dinas Tenaga Kerja, Transmigrasi, Energi dan Sumber Daya Mineral South Papua Province the employee amount 40 people with employee allocation as illustrated below:

Table 2. Distribution of the number employees in Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral Papua Province

Sector	Amount	Percentage
Secretariat	10	25%
Manpower Sector	11	27,5%
Transmigration	8	20%
Sector		
ESDM	11	27,5%
Total	40	100%

Sources : Dinas Tenaga Kerja, Transmigrasi, Energi dan Sumber Daya Mineral Provinsi Papua Selatan, 2024.

Based on the personnel data above and referring to the research results, it can be concluded that resources related to human resources can be said to not yet meet expectations, which is seen from the number of employees, especially in the field ESDM as many as 11 people or 27.5% of the total employees Dinas Tenaga Kerja, Transmigrasi, Energi dan Sumber Daya Mineral Provinsi Papua Selatan can be said to be very lacking to implementing of Peraturan Gubernur Papua Selatan No 8 Of 2024 Regarding the Implementation of Mining Business Activities for Metal Minerals, Non-Metal Minerals, Certain Types of Non-Metal Minerals and Rocks throughout the Province of South Papua.

Table 3. Number of Employees Dinas Tenaga Kerja, Transmigrasi, Energi dan Sumber Daya Mineral Provinsi Papua Selatan based on education level

Level	Amount	Percentage
S-2 (Master)	1	2,5%
S-1 (Bachelor)	25	62,5%
D-3 (Diploma)	3	7,5%
Senior High School	10	25%
Junior High School	1	2,5%
Elementary School	0	0
Total	40	100%

Sources : Dinas Tenaga Kerja, Transmigrasi, Energi dan Sumber Daya Mineral Provinsi Papua Selatan, 2024.

Considering the area of South Papua Province, which has an area of 117,849.16 km² (Badan Pusat Statistik Provinsi Papua, 2024) which is wider than all the provinces in Papua and is the fourth largest province in Indonesia after Central Kalimantan, West Kalimantan and East Kalimantan. With this number, it will be very difficult to implement policies properly throughout the entire South Papua Province.

According to previous research, resource allocation is the prioritization of the use of limited resources (Salmarita & Yuliani, 2023, p. 17), the result will affect the technical implementation of policies in the field. Employee competence must of course be considered in the implementation of policies and in the implementation of technical mining tasks. One way to improve employee competency is by involving them in competency-based training so that employees can improve their understanding of the mining sector.

Resources is empower financial resources that include budget availability to support policy implementation in Peraturan Gubernur Papua Selatan No 8 of 2024 Regarding the Implementation of Mining Business Activities for Metal Minerals, Non-Metal Minerals, Certain Types of Non-Metal Minerals and Rocks. if based on the research results, it can be concluded that the budget for Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral Provinsi Papua Selatan not enough to implement the policy, this can result in less than optimal or even failed implementation of the policy as the results of previous research state that limited funds or other incentives in policy implementation can result in the failure of the implementation of a policy. (Salmarita & Yuliani, 2023, p. 15).

Budget constraints could cause the failure of policy implementation, because currently the government is implementing the principle of budget efficiency which is feared will reduce budget allocations in Dinas Tenaga Kerja, Transmigrasi, Energi dan Sumber Daya Mineral Provinsi Papua Selatan so that it influences policy implementation of Peraturan Gubernur Papua Selatan No 8 of 2024 Regarding the Implementation of Mining Business Activities for Metal Minerals, Non-Metal Minerals, Certain Types of Non-Metal Minerals and Rocks.

Dispositions

The dispositions or attitudes of the apparatus need to be put forward in carrying out any activity, especially in public service, because that is what the state is there for. If there are dispositions or attitudes that are not good, then there is a potential for failure in policy implementation, as in previous research which stated that the lack of or limited intensity of the implementer's disposition can cause failure in policy implementation. (Salmarita & Yuliani, 2023, p. 17). Based on the research results, it is known that the dispositions or attitudes of employees towards Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral Provinsi Papua Selatan shows good conditions as per the research results.

The dispositions or attitudes from employees Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral Provinsi Papua Selatan This can be seen from the implementation of the main tasks which are carried out well, with integrity, loyal to the leader, always helping if someone experiences problems and the tasks carried out are guided by efficient and effective results. The results of this study are in contrast to the results of previous studies where the attitudes of the implementers were still irrational in enforcing the rules as regulated in the people's mining area policy (Hapsari et al., 2024, p. 10). If the dispositions or attitudes are not good or negative, resistance occurs, where this resistance can occur in various forms, such as indifference, where policy implementers use their discretion to subtly prevent policy implementation by ignoring, delaying and other obstructive actions. (Sulila, 2021, p. 1215).

Figure 2. Officer from Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral Provinsi Papua Selatan When Conducting a Survey of Mining Provisions at Mining Locations Located in Tanah Miring District, Merauke Regency



Sources: Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral Provinsi Papua Selatan, 2024.

To avoid this resistance both internally and externally, there is a need for a value system related to the dispositions or attitudes that employees need to have in Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral South Papua Province in implementing policies and in other activities, including (1) Every employee must have a commitment to work to implement policies as a basis for achieving predetermined goals, (2) employee compliance with rules by adhering to the procedures and rules that have been set out in the policy, (3) Employees must have creativity to produce innovative solutions during policy implementation to face challenges or reduce the impacts that occur, and (4) cooperation between employees is very necessary to achieve policy objectives. The dispositions or

attitude value system does not cover all aspects, if examined there are still many other values related to dispositions or attitudes. Through a good and positive value system, the implementation of mineral and coal mining policies in South Papua Province can run well in accordance with the stated objectives.

Bureaucratic Structure

A policy should have operational guidelines with the aim of directing and being a bridge in implementing the policy to the public. This can be seen from the availability of standard operating procedures documents (SOP). Apart from the availability of SOPs, another thing is the fragmentation stage, although sometimes this process can cause obstacles in implementing the policy itself. Fragmentation is the distribution of responsibility for a policy into several different units that require coordination, where the higher the level of coordination required in implementing a policy, the less likely the program or policy is to be successful. (Sulila, 2021, p. 1215).

Bureaucratic Structure can be seen from the existence of standard operating procedures (SOP) documents from the implementer, which in this study are in Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral South Papua Province. The easier the SOP, the easier it will be to implement the policy. Likewise, if the bureaucracy is too complicated, it will hinder the implementation of the policy, as in other areas which state that in the mining process there is too much bureaucracy involved in obtaining permits (Eshun & Okyere, 2017, p. 58).

Figure 3. Flowchart Recommendations for Non-Metallic Minerals and Rocks

NO	KEGIATAN	PELAKSANA				BAKU MUTU			KETERANGAN	
		PTSP	DINAS TENAGA KERJA TRANSMIGRASI ESDM				KELENGKAPAN	WAKTU (HARI)		OUTPUT
			SEKRETARIAT	KADINAS	BIDANG ESDM	SEKSI MINERBA				
1.	Mengirim surat permohonan rekomendasi teknis dan data permohonan ke Disnakertransesdm						Surat permohonan dan data permohonan	1		
2.	Melakukan disposisi surat masuk						Surat permohonan dan data permohonan	1	Disposisi	2-3 , 1 hari
3.	Memverifikasi data awal permohonan						Surat permohonan dan data permohonan	1	checklist	
4.	Meneruskan proses rekomendasi atau mengembalikan berkas kurang lengkap/ data salah ke PTSP						Surat permohonan dan data permohonan	1	Surat pengantar pengembalian berkas	4-5, 1 hari
5.	Memproses dan mengkaji data teknis permohonan dan mempersiapkan tinjauan lapangan						data permohonan	1	Catatan hasil kajian	
6.	Melaksanakan tinjauan lapangan						Kamera, GPS, Meteran, Draft Berrita Acara	2	Berita acara	
7.	Memproses dan menganalisa data lapangan						Data lapangan, berita acara, komputer	2	Nota dinas	
8.	Menyusun konsep rekomendasi						Data lapangan, berita acara, komputer	1	Draft rekomendasi	
9.	Menyetujui konsep rekomendasi						Nota dinas, konsep rekomendasi, berkas permohonan	1	Rekomendasi	9-10 , 1 hari
10.	Mengarsip rekomendasi 7 dan mengirim rekomendasi ke PTSP						Rekomendasi minerba			
Total Waktu								10 Hari		Rekomendasi Terbit

Sources: Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral South Papua Province, 2024.

To facilitate policy implementation, SOP must be made simpler and less complicated with several approaches, such as: (1) Innovative SOP with the demands of changing times, (2) Doing a periodic evaluation of SOP so that SOP can be more flexible in relation to implemented policies., (3) fragmentation causes narrow-mindedness in many bureaucratic institutions and this can be detrimental to the success of policy implementation (Sulila, 2021, p. 1215), to avoid this, as much as possible, fragmentation should not be too long and complicated so that it will affect the SOP that are made

CONCLUSION

Based on the results of the research and discussion, as described above, it is known that the implementation of mineral and coal mining policies in South Papua Province has been implemented well, but there are still obstacles encountered. This can be seen from the communications aspect where employees understand the mineral and coal mining policies in addition to having socialized them to the community. Resources in the research from the human resources element recorded the number of employees in Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral South Papua province still very lacking to implement mineral and coal mining policies in the very large South Papua region, while budget resources are also still insufficient to implement mineral and coal mining policies in South Papua Province. IN general, the disposition or attitudes of employees at the Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral South Papua Province very good. Bureaucratic Structure can be seen from the existence of standard operating procedures (SOP) documents used in services and in the implementation of mineral and coal mining policies.

Some suggestions from this research include (1) improving the competence of employees of Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral South Papua Province through study assignments or study leave or through education and training, (2) a clear employee recruitment system that is in accordance with each respective field of work, (3) The budget allocation for Dinas Tenaga Kerja, Transmigrasi, Energi and Sumber Daya Mineral South Papua Province in the following years must be increased from the previous period to support the implementation of mineral and coal mining policies, and (4) the need for supervision and monitoring by involving other related parties such as Satuan Polisi Pamong Praja, police, environmental NGOs and other teams in mining areas to prevent illegal mining.

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