

RINGKASAN

**ALFIKI NASUTION
NIM 227420202023**

**PENEGAKAN HUKUM TINDAK PIDANA
PERTAMBANGAN EMAS TANPA IZIN
(*ILEGAL MINING*) DI WILAYAH HUKUM
KEPOLISIAN RESOR KABUPATEN
MANDAILING NATAL.
(Dr. Mukhlis, S.H., M.H dan Dr. Marlia Sastro,
S.H., M.Hum)**

Pertambangan emas secara *ilegal* dapat menyebabkan berbagai dampak negatif, seperti kerusakan lingkungan, pencemaran air dan udara, serta ancaman bagi ekosistem dan masyarakat sekitar. Meskipun sudah ada regulasi yang mengatur pertambangan, seperti Undang-Undang Nomor 3 Tahun 2020 tentang Perubahan atas Undang-Undang Nomor 4 Tahun 2009 tentang Pertambangan Mineral dan Batubara, masih banyak pelanggaran terjadi. Lemahnya penegakan hukum menjadi salah satu faktor utama maraknya tambang ilegal. Adanya keterlibatan oknum aparat dan lemahnya pengawasan memperparah situasi ini. Maka dari itu sudah seharusnya pihak Kepolisian berupaya memberantas dan menangkap para pelaku pertambangan emas secara *ilegal* yang ada di wilayah hukum Polres Kabupaten Mandailing Natal.

Metode penelitian ini adalah jenis kualitatif dengan pendekatan hukum empiris yang berlokasi di Kepolisian Resor Kabupaten Mandailing Natal, sumber data dalam penelitian ini berasal dari 2 sumber yaitu sumber data primer dan sumber data sekunder, teknik pengumpulan data digunakan melalui wawancara, dokumentasi dan observasi, analisis data melalui metode deskriptif.

Berdasarkan hasil penelitian menunjukkan bahwa penegakan hukum tindak pidana pertambangan emas tanpa izin yang dilakukan pihak Kepolisian Resor Kabupaten Mandailing Natal terdiri dari 1) Melakukan penyelidikan 2) Melakukan Penangkapan 3) Melakukan Pengeledahan 4) Melakukan Penyitaan 5) Melakukan Penahanan, Namun, dalam praktiknya, penegakan hukum sering menghadapi tantangan. Adapun kendala yang di hadapi pihak kepolisian dalam menjalankan tugasnya yaitu, Investigasi dan pemberantasan tambang *ilegal* sering kali terhambat karena adanya perlindungan dari oknum aparat, sehingga sulit menindak pelaku utama di balik aktivitas ini.

Disarankan dalam upaya penegakan hukum terhadap tindak pidana pertambangan emas tanpa izin oleh Kepolisian Resor Kabupaten Mandailing Natal agar melaksanakan tugas, peran dan fungsinya semaksimal mungkin dan Kepolisian harus menunjukkan komitmen dalam menindak anggotanya yang terlibat dalam aktivitas tambang *ilegal*. Sanksi tegas, baik disiplin internal maupun proses hukum, harus diterapkan tanpa pandang bulu.

Kata kunci: Penegakan hukum, Tindak pidana, Pertambangan emas tanpa izin.

SUMMARY

**ALFIKI NASUTION
NIM 227410101013**

**LAW ENFORCEMENT ACTS GOLD MINING
CRIMINAL WITHOUT PERMISSION
(ILLEGAL MINING) IN POLICE
JURISDICTION RESORT DISTRICT NATAL
MANDAILING NATAL
(Dr. Mukhlis, S.H., M.H and Dr. Marlia Sastro.,
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Illegal mining causes various negative impacts, such as environmental damage, water and air pollution, as well as threats to the ecosystem and surrounding communities. Even though there are regulations governing mining, such as Law Number 3 of 2020 concerning Amendments to Law Number 4 of 2009 concerning Mineral and Coal Mining, many violations still occur. Weak law enforcement is one of the main factors in the rise of illegal mining. The involvement of unscrupulous officers and weak supervision worsens this situation. Therefore, the police should try to eradicate and arrest the perpetrators of illegal mining in the jurisdiction of the Mandailing Natal District Police.

This research method is a qualitative type with an empirical legal approach located at the Mandailing Natal District Police Department. The data sources in this research come from 2 sources, namely primary data sources and secondary data sources, data collection techniques are used through interviews, documentation and observation, data analysis through descriptive methods.

Based on the research results, it shows that law enforcement for criminal acts of gold mining without a permit carried out by the Mandailing Natal District Police consists of 1) Carrying out investigations 2) Making arrests 3) Carrying out searches 4) Carrying out confiscations 5) Carrying out detentions. However, in practice, law enforcement often faces challenges. The obstacles faced by the police in carrying out their duties are that investigations and eradication of illegal mining are often hampered due to protection from unscrupulous officers, making it difficult to take action against the main perpetrators behind this activity.

It is recommended that in law enforcement efforts against criminal acts of gold mining without a permit by the Mandailing Natal District Police to carry out their duties, roles and functions as fully as possible and the Police must show commitment in taking action against its members who are involved in illegal mining activities. Strict sanctions, both internal discipline and legal processes, must be applied indiscriminately.

Key words: Law enforcement, Gold mining without a permit.