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**PRESIDENTIAL INSTRUCTION
NO. 3/2000 ; DATED APRIL 3, 2000**

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COORDINATION TO OVERCOME PROBLEMS OF UNLICENCED MINING

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

- Considering :**
- a. that unlicenced mining activities have already cause negative impacts to the state, namely environmental destruction and pollution, reduction of state revenue from the mining sector and loss of investors' confidence;
 - b. that in order to overcome the above mentioned problems of unlicenced mining activities, strategic, integrated and coordinative steps need to be made promptly by involving all sectors, non-government institutions and communities concerned;
 - c. that in relation thereto, it is deemed necessary to issue a Presidential Instruction on coordination to overcome problems of unlicenced mining.

**Bearing
in mind**

1. Article 4 paragraph (1) of the Constitution of 1945;
2. Law No. 11/1967 on mining principle provisions (State Gazette of 1967 No. 22, Supplement to State Gazette No. 3475);
3. Law No.23/1997 on the environment (State Gazette of 1997 No. 68, Supplement to State Gazette No. 3475);
4. Law No. 22/1999 on regional administration (State Gazette of 1999 No. 60, Supplement to State Gazette No. 3839);
5. Law No. 25/1999 on financial balance between the central government and regional administrations (State Gazette of 1999 No. 72, Supplement to State Gazette No. 3848);

6. Government Regulation NO. 32/1969 concerning the implementation of Law No.11/1967 on the mining principle provisions (State Gazette of 1969 No. 60, Supplement to State Gazette No. 2916);
7. Government Regulation No. 27/1999 on environment impact analysis (State Gazette of 1999 No. 59, Supplement to State Gazette No. 3838);

To INSTRUCT :

1. Minister of Mines and Energy;
2. Minister of Home Affairs;
3. Minister of Industry and Trade;
4. Minister of Law and Legislation;
5. Minister of Finance;
6. Minister of Communications;
7. Minister of Manpower;
8. Minister of Forestry and Plantations;
9. Minister of Health;
10. State Minister of the Environment;
11. State Minister of Regional Autonomy;
12. State Minister of Cooperative and Small-and Medium-scale Businesses;
13. Attorney General;
14. Head of the Indonesia Police Force;
15. Governors;
16. Regents/Mayors.

TO :

FIRSTLY : To make efforts to overcome problems and put in order as well as to stop all forms of unlicensed mining activities functionally and comprehensively in accordance with tasks and areas of authority of the respective officials.

SECONDLY : To assign :

1. Minister of Mines and Energy :
 - a. to arrange coordination with ministers, Attorney, General, Head of the Indonesia Police Force, governors, regents/mayors, heads of non-ministerial government institutions and heads of other relevant Institutions in the implementation of programs to overcome problems of unlicensed mining integratedly at the central government and regional administrations;
 - b. to establish a Central Integrated Team to execute programs to overcome problems of unlicensed mining;
 - c. to make necessary steps to support the smooth execution of programs to overcome problems of unlicensed mining in a cross sectoral/institutional manner by involving participation of communities;
 - d. to report results of activities of programs to overcome problems of unlicensed mining periodically to the President.

2. Governors and Regents/Mayor :

- a. to establish regional integrated teams to have coordination with the central integrated team and all relevant institutions in the respective regions to execute programs to overcome problems of unlicensed mining;
 - b. to supervise and control the smooth operation and security of all mining businesses in the respective regions in the framework of ensuring good mining practices as well as to safeguard and maintain good governance.
3. The head of the Indonesia Police Force and Attorney General according to their respective tasks and areas of authority to impose legal actions firmly on all parties, both government apparatuses and communities, involved in unlicensed mining activities.

THIRDLY : The instructions as meant in FIRST and SECOND Dictums shall be executed integrately by :

1. Paying respect to communal rights and interests of local communal society in accordance with the provisions of law in force;
2. directing the legal awareness and compliance of communities in undertaking business activities, including mining business activities truthfully and legally in accordance with the provisions of laws in force, and if necessary, legal repressive actions can be applied;
3. observing the allocation of natural resources to local communities;
4. observing business partnership and job opportunities for local communities on the basis of mutually beneficial principles;
5. observing facilities and infrastructures of welfare and harmonization of life between corporate society and local communities;
6. creating possibilities of partnership between cooperatives or small-scale business and medium and large-scale businesses outside the principal mining activities;
7. to make efforts to ensure law enforcement and law in order to guarantee certainty for mining businesses.

FOURTHLY : To execute this Presidential Instruction in the full sense of responsibility.

This Presidential Instruction shall come into force as from the date of issue.

Issued in Jakarta
On April 3, 2000

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

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ABDURRAHMAN WAHID
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