COMPARISON OF THE PUBLIC PROSECUTOR'S SENTENCING SUBMISSION AND JUDICIAL RATIO DECIDENDI IN DETERMINING THE STATUS OF EVIDENCE IN ILLEGAL GOLD MINING CASES

Rita Gusniarti
Universitas Terbuka, Indonesia
gusniartirita87@gmail.com

Submitted: 2026-09-29
Accepted: 2026-10-08
Published: 2026-10-10
DOI: https://doi.org/10.70210/amrj.v4i3.248

Abstract
Determining the status of evidence in illegal gold mining cases requires distinctions based on the connection between the objects and the criminal offense, the characteristics of the objects, and their ownership. This study analyzes the legal construction of the Public Prosecutor's sentencing submission and the judge's ratio decidendi in determining the status of evidence in Teluk Kuantan District Court Decision Number 122/Pid.Sus-LH/2026/PN Tlk., with particular emphasis on the grounds for conformity and differences between the sentencing submission and the judgment. The study employs normative legal research using a statutory approach and a case approach through qualitative analysis of legislation and case documents. The novelty of the study lies in a comparative analysis of the legal construction of the sentencing submission and the ratio decidendi within a single case to explain how the characteristics and legal relationships of individual objects affect the determination of the status of evidence. The findings show that the Public Prosecutor primarily based the status of evidence on its connection to the criminal offense and third-party ownership, whereas the judges also considered the function, possibility of reuse, economic value, and ownership relationship of the objects. This difference resulted in the Robin water pump and mobile phone, which the Public Prosecutor requested to be destroyed, being ordered to be forfeited to the state, while the status of the other evidence was generally consistent with the sentencing submission.

Keywords: *illegal gold mining, status of evidence, Public Prosecutor's sentencing submission, ratio decidendi*

Introduction

Natural resource management has both economic and legal dimensions because the utilization of natural resources affects the interests of the state, communities, and business actors (Yu et al., 2024). In the mining sector, the state regulates the exploitation of mineral resources through a licensing framework that establishes the legal basis for mining activities (Mills et al., 2025). Licensing also serves as an instrument for controlling the utilization of mineral resources to ensure compliance with applicable legal requirements (Buss, 2024). Mining activities conducted without the required authorization fall outside this legal framework and may give rise to criminal liability.

Illegal gold mining (PETI) constitutes one form of mining-related unlawful activity subject to criminal law enforcement (Ayoo, 2026; Kasenda et al., 2025).

PETI is extensive in the context of law enforcement in Indonesia. The Ministry of Energy and Mineral Resources identified more than 2,700 PETI sites based on mapping conducted in 2021, approximately 2,645 of which were located in the mineral mining sector (Suryani, 2023). PETI activities are also associated with substantial financial flows. The Indonesian Financial Transaction Reports and Analysis Center (PPATK) recorded transactions suspected of being related to PETI amounting to IDR 185.03 trillion during 2023–2025 (Pusat Pelaporan dan Analisis Transaksi Keuangan, 2026). The scale of these activities indicates that PETI cases may involve operational equipment, extracted materials, and other objects with varying economic value and legal relationships (Haris, 2026b; Iwari et al., 2024).

Article 158 of Law Number 3 of 2020 establishes criminal liability for persons who conduct mining activities without the required authorization (Republik Indonesia, 2020). This provision constitutes the legal basis for assessing the conduct of defendants in PETI cases (Butar et al., 2023; Mustakim et al., 2026). The adjudication of such cases also concerns objects that have been seized and submitted as evidence (Adrian Sutedi, 2022). Machinery, heavy equipment, mining tools, extracted materials, and other objects may be involved in the same case while having different legal statuses (Melati & Panjaitan, 2025). The determination of the status of evidence must take into account the connection between each object and the criminal offense, as well as its ownership relationship (Haris, 2026a; Saputra & Mardiantari, 2026).

Differences in the legal status of evidentiary items determine the legal consequences applicable to each object (Tustinaningsih & Akhmaddhian, 2025). Heavy equipment used in mining activities may be owned by a party who has no involvement in the criminal offense (Putriani et al., 2025). Mining equipment may serve as an instrument for carrying out the activity, whereas extracted materials constitute the product of the activity under examination (R. Yusuf & Niasa, 2022). These differences in the characteristics of the objects require the court to assess each item before determining its legal status (M. B. Yusuf et al., 2024). Such assessment may result in destruction, forfeiture to the state, or return to the entitled party (Zulfia & Chofa, 2025).

The determination of the status of evidence is reflected in the Public Prosecutor's sentencing submission and the judge's legal reasoning (Sumarni & Saragih, 2025). The Public Prosecutor formulates the sentencing submission on the basis of facts established during the evidentiary process and the applicable legal provisions (Makalew et al., 2021; Susilo, 2026). The judge then assesses the facts established at trial and the relevant legal grounds before determining the status of evidence in the judgment (Alkansa & Ravizki, 2025). The ratio decidendi represents the legal reasoning underlying the judge's determination (Tute & Puluhulawa, 2025). Differences between the sentencing submission and the judgment may therefore reflect differences in the legal construction of the status of an evidentiary item.

Previous studies have examined the status of evidence in various mining-related cases. M. B. Yusuf et al. (2024) found that means of transportation not owned by the offender could be returned to their owner, while extracted mining materials could be forfeited to the state. Jaya (2022) examined the status of evidence with particular emphasis on protecting parties who were not involved in the criminal offense. Melati & Panjaitan (2025) examined the forfeiture of mining equipment by taking into account the interests

of parties having a legal relationship with the property. Kontu et al. (2024) examined the legal position of heavy equipment in mining cases in relation to participation in criminal offenses.

Previous studies have not specifically compared the legal construction reflected in the Public Prosecutor's sentencing submission with the judge's ratio decidendi in determining the status of multiple evidentiary items within a single PETI case. Existing research has primarily addressed the status of objects, protection of owners, or the legal position of equipment used in mining activities. Further analysis of the relationship between the sentencing submission and the judgment is therefore required to explain the legal grounds on which a particular status of evidence is maintained or altered by the judge.

Kuantan Singingi Regency is one of the areas with intensive law enforcement against PETI (Iqbal et al., 2023). The Riau Regional Police recorded 29 PETI cases involving 54 suspects between January and April 2026. During the same period, enforcement operations covered 210 illegal mining sites in Kuantan Singingi Regency and resulted in the destruction of 1,167 mining rafts (Khotami, 2022; Marlinda, 2022). These data demonstrate the intensity of PETI law enforcement in the research setting and reinforce the relevance of Kuantan Singingi Regency as the context of the study.

Teluk Kuantan District Court Decision Number 122/Pid.Sus-LH/2026/PN Tlk was selected as the object of analysis because a single PETI case involved three forms of evidentiary disposition: destruction, forfeiture to the state, and return to the entitled party. The judgment also reveals differences between the Public Prosecutor's sentencing submission and the judge's determination with respect to some evidentiary items, while the determination of other items remained consistent with the sentencing submission. This variation indicates that the connection between an object and a criminal offense alone does not determine its legal status. The determination of the status of evidence also involves consideration of the characteristics of the object, its function, its economic value, and its ownership relationship. The judgment is therefore relevant for examining the legal grounds underlying the different treatment of multiple evidentiary items within a single PETI case.

This study examines the legal construction of the Public Prosecutor's sentencing submission and the judge's ratio decidendi in determining the status of evidence in Teluk Kuantan District Court Decision Number 122/Pid.Sus-LH/2026/PN Tlk. The analysis focuses on the legal grounds used to determine the status of each evidentiary item and the reasons underlying the conformity or differences between the sentencing submission and the judgment. The novelty of the study lies in comparing the legal construction of the Public Prosecutor's sentencing submission with the judge's ratio decidendi in determining the status of evidence, particularly to explain the legal reasons underlying statuses that are maintained or altered in the judgment. The study addresses two questions: (1) how is the legal construction of the Public Prosecutor's sentencing submission formulated in determining the status of evidence in Teluk Kuantan District Court Decision Number 122/Pid.Sus-LH/2026/PN Tlk? and (2) how does the judge's ratio decidendi determine the status of evidence, and what are the grounds for its differences from the Public Prosecutor's sentencing submission in Teluk Kuantan District Court Decision Number 122/Pid.Sus-LH/2026/PN Tlk?

Method

This study employs normative legal research (doctrinal legal research) using a statutory approach and a case approach. The statutory approach is used to examine the legal provisions governing illegal mining offenses and the status of evidence under Law Number 4 of 2009 on Mineral and Coal Mining, as amended by Law Number 3 of 2020, and Law Number 20 of 2025 on the Criminal Procedure Code. The case approach is used to analyze Teluk Kuantan District Court Decision Number 122/Pid.Sus-LH/2026/PN Tlk and the Public Prosecutor's sentencing submission in the same case. The case examined is an actual judicial case; therefore, the analysis is based entirely on the relevant case documents.

Primary legal materials consist of legislation, the Public Prosecutor's sentencing submission, and Teluk Kuantan District Court Decision Number 122/Pid.Sus-LH/2026/PN Tlk. Secondary legal materials comprise books, scholarly journal articles, and previous studies relevant to mining offenses, the status of evidence, protection of third parties, and judicial legal reasoning. The legal materials were collected through a literature review and document analysis by examining legal provisions and case documents relevant to the subject of the study.

The legal materials were analyzed qualitatively by comparing the legal construction of the Public Prosecutor's sentencing submission with the judge's ratio decidendi in determining the status of evidence. The analysis of the sentencing submission focuses on the legal grounds and considerations relied upon by the Public Prosecutor in determining the status of each evidentiary item. The analysis of the ratio decidendi focuses on the judge's considerations concerning the connection between each object and the criminal offense, its function and economic value, and its ownership relationship. The results of these analyses are then compared to identify the evidentiary items whose status was consistent with the sentencing submission, those whose status was altered by the judge, and the legal grounds underlying such differences.

Result and Discussion

Case Number 122/Pid.Sus-LH/2026/PN Tlk concerns the criminal offense of illegal gold mining behind the Petapahan Village Community Health Center (Puskesmas), Gunung Toar District, Kuantan Singingi Regency. The case involved several types of objects submitted as evidence, namely one Volvo PC 200 heavy equipment unit, one Robin water pump, three carpets, one spiral, one piece of gabang, one pan, one bucket, and one mobile phone. Differences in the functions, economic values, and ownership relationships of these objects give rise to a legal issue concerning the basis for determining the status of evidence after the case has been adjudicated. The issue is particularly relevant because the Public Prosecutor's sentencing submission and the court's judgment do not assign the same status to all evidence in the same case.

Legal Construction of the Public Prosecutor's Sentencing Submission in Determining the Status of Evidence

The Public Prosecutor classified the evidence into two categories of requested disposition. The Robin water pump, three carpets, the spiral, the piece of gabang, the pan, the bucket, and the mobile phone were requested to be destroyed, while the Volvo PC 200 heavy equipment was requested to be returned to the entitled party. This

distinction indicates that the Public Prosecutor did not apply the same legal consequence to all objects seized in the case.

The Robin water pump was used to spray excavated material, while the carpets, spiral, piece of gabang, pan, and bucket were used in the processes of separating and processing the mined material. On the basis of their use in illegal mining activities, the Public Prosecutor placed these objects in the same category and requested that they be destroyed. The mobile phone was also placed in the same category in the sentencing submission.

A different construction was applied to the Volvo PC 200 heavy equipment. The heavy equipment was used to remove the topsoil layer and lift soil mixed with sand and gravel suspected of containing gold. Although it was used in the activities constituting the subject matter of the case, the heavy equipment was not requested to be destroyed because it was owned by a third party. This ownership was supported by Invoice of PT Indotruck Utama Number G-1100-CI-260002329 dated January 29, 2026, while the possession of the equipment by the Defendant was based on a Lease Agreement dated February 2, 2026.

The construction of the sentencing submission concerning the heavy equipment indicates that the use of an object in a criminal offense was not regarded as the sole basis for determining its status. The Public Prosecutor took into account the legal relationship among the object, its user, and its owner when determining the legal consequence applicable to the heavy equipment. The third party's position as the owner distinguished the heavy equipment from the other objects for which destruction was requested.

The distinction based on ownership was not accompanied by a similar distinction concerning the characteristics of the Robin water pump and the mobile phone. Both objects were requested to be destroyed together with equipment directly used in the mining process. The sentencing submission did not indicate specific consideration of the economic value of either object or the possibility of their use for purposes unrelated to the criminal offense. As a result, objects with different characteristics were placed under the same legal consequence on the basis of their connection with the criminal offense.

The construction of the Public Prosecutor's sentencing submission ultimately reflects two principal considerations. The connection between an object and the mining activities constituted the basis for requesting its destruction, while third-party ownership constituted the basis for requesting the return of the heavy equipment. This distinction provides the basis for comparing the construction of the sentencing submission with the judge's ratio decidendi, particularly where the judge assigned a different status to the Robin water pump and the mobile phone.

Table 1. Comparison of the Public Prosecutor's Sentencing Submission and the Status of Evidence in the Judgment

Evidence	Public Prosecutor's Sentencing Submission	Status in the Judgment	Judge's Considerations
Volvo PC 200	Returned to the entitled party	Returned to the entitled party	Third-party ownership was established through the invoice, lease agreement, and tax invoice, while the owner was not proven to have known of or been involved in the criminal offense

Robin water pump	Destroyed	Forfeited to the state	Used in the criminal offense and still has economic value
3 carpets	Destroyed	Destroyed	Directly used in mining activities and potentially capable of being reused for similar offenses
Spiral	Destroyed	Destroyed	Directly used in mining activities and potentially capable of being reused
Piece of gabang	Destroyed	Destroyed	Directly used in mining activities and potentially capable of being reused
Pan	Destroyed	Destroyed	Directly used in mining activities and potentially capable of being reused
Bucket	Destroyed	Destroyed	Directly used in mining activities and potentially capable of being reused
Mobile phone	Destroyed	Forfeited to the state	Used in the criminal offense and still has economic value

Ratio Decidendi of the Judge and Its Differences from the Public Prosecutor's Sentencing Submission

The Panel of Judges determined three forms of status for the evidence in the judgment, namely destruction, forfeiture to the state, and return to the entitled party. The carpets, spiral, piece of gabang, pan, and bucket were ordered to be destroyed. The Robin water pump and mobile phone were ordered to be forfeited to the state. The Volvo PC 200 heavy equipment was returned to the entitled party. This distinction indicates that the judges assessed the characteristics of each object before determining the applicable legal consequence.

The carpets, spiral, piece of gabang, pan, and bucket were ordered to be destroyed because they were directly used in the series of illegal gold mining activities. The Panel of Judges also considered the possibility that these objects could be used again to commit similar offenses. Considerations concerning their direct use and the possibility of reuse constituted the basis for their destruction. The ratio decidendi concerning this group of objects indicates that destruction was not based solely on their status as evidence. The judges linked the specific function of each object to the criminal offense and the possibility of its reuse. The outcome was consistent with the Public Prosecutor's sentencing submission, but the judgment provided more specific reasoning concerning the characteristics of the objects that justified their destruction.

The clearest difference between the sentencing submission and the judgment concerns the Robin water pump and the mobile phone. The Public Prosecutor requested that both objects be destroyed, whereas the Panel of Judges ordered them to be forfeited to the state. The judges continued to consider that both objects were connected to the criminal offense but did not stop at that consideration. Their economic value was also taken into account in determining their final status. Consideration of economic value distinguished the Robin water pump and the mobile phone from the carpets, spiral, piece of gabang, pan, and bucket. Their connection to the criminal offense remained recognized, but the characteristics of the objects resulted in different legal consequences. The change from destruction to forfeiture to the state indicates that

a connection to the criminal offense does not, by itself, determine the final status of evidence.

In this respect, the difference between the Public Prosecutor's sentencing submission and the judge's ratio decidendi lies in the scope of the considerations applied in determining the legal consequence. The Public Prosecutor relied on the connection between the objects and the mining activities as the basis for requesting their destruction, whereas the judges also considered their economic value before determining their final status. This difference explains why two objects that were both used in the case did not ultimately receive the same status as requested by the Public Prosecutor.

The consideration of the Volvo PC 200 heavy equipment was based on different facts concerning ownership. The Panel of Judges acknowledged that the heavy equipment was used to remove the topsoil layer and lift material suspected of containing gold. The use of the heavy equipment in the mining activities remained part of the facts of the case. However, its status was not determined solely on the basis of such use. Ownership of the Volvo PC 200 was established through Invoice of PT Indotruck Utama Number G-1100-CI-260002329 dated January 29, 2026, the Lease Agreement dated February 2, 2026, and the Tax Invoice dated January 29, 2026. These documents were consistent with the testimony of the third-party owner of the heavy equipment and were not disputed by the Defendant. The Panel of Judges also considered the absence of the owner's involvement in or knowledge of the use of the heavy equipment for illegal mining activities.

These considerations formed the basis for returning the heavy equipment to the entitled party. The judge's ratio decidendi did not disregard the fact that the heavy equipment had been used in the criminal offense, but distinguished the issue of its use from the issues of ownership and the owner's involvement. The Defendant's possession of the equipment under the lease agreement did not alter the third party's status as the owner. The absence of proof that the owner had knowledge of or was involved in the criminal offense reinforced the protection of the third party's ownership rights as a good-faith owner. This consideration is consistent with the principle that the use of an object in a criminal offense does not, by itself, extinguish the rights of another party who has a valid legal relationship with the object. Under the applicable Criminal Procedure Code, Article 123 regulates the objects that may be subject to seizure, while Article 135 provides that seized objects shall be returned to the person entitled to them after the case has been adjudicated, unless the judgment orders their forfeiture to the state or destruction, or they are still required as evidence in another case (Republik Indonesia, 2025). These provisions reinforce the relevance of examining third-party ownership and involvement in determining the final status of evidence.

This consideration is consistent with the study by M. B. Yusuf et al. (2024), which, in a different case, demonstrated that means of transportation not owned by the offender may be returned to the owner. The study by Jaya (2022) also demonstrated that the determination of the status of evidence is related to the protection of parties not involved in the criminal offense. Case Number 122/Pid.Sus-LH/2026/PN Tlk illustrates the application of this issue through proof of ownership and the lease relationship, which were specifically considered by the judges in determining the status of the heavy equipment.

A comparison of all the evidence indicates three considerations apparent in the judge's ratio decidendi. The function and direct use of an object, together with the possibility of its reuse, constituted the basis for ordering its destruction. Economic value was considered in determining that an object should be forfeited to the state. Proven ownership and the absence of third-party involvement constituted the basis for returning an object to the entitled party. These three considerations are a synthesis of the reasoning applied by the judges in the case under examination and do not constitute new categories established independently of the judgment.

The comparison between the sentencing submission and the judgment also demonstrates that the same outcome does not necessarily reflect the same underlying reasoning. For the carpets, spiral, piece of gabang, pan, and bucket, the requested destruction was consistent with the judgment because these objects were regarded as equipment directly used in the mining activities and potentially capable of being reused. For the Volvo PC 200, both the sentencing submission and the judgment resulted in its return because third-party ownership constituted a basis for consideration. The difference occurred with respect to the Robin water pump and the mobile phone because the judges added consideration of their economic value, which was not apparent in the construction of the sentencing submission.

The foregoing considerations indicate that differences in the status of evidence within a single case are not determined solely by whether an object is connected to the criminal offense. Once such a connection has been considered, the characteristics of the object and its legal relationship to the object remain relevant to determining the applicable legal consequence. The function and use of the object, the possibility of reuse, its economic value, ownership, and the involvement of the person holding rights to the object constitute distinguishing facts between objects that are destroyed, forfeited to the state, or returned to the entitled party.

Case Number 122/Pid.Sus-LH/2026/PN Tlk ultimately demonstrates a difference in the legal construction of the Public Prosecutor's sentencing submission and the judge's ratio decidendi in translating the relationship between evidence and the criminal offense into its legal status. The Public Prosecutor distinguished the heavy equipment on the basis of third-party ownership, whereas the connection of the Robin water pump and mobile phone to the criminal offense constituted the basis for requesting their destruction. The judges maintained the ownership consideration concerning the heavy equipment while giving separate consideration to the economic value of the Robin water pump and mobile phone. This difference directly explains why a single case resulted in three forms of evidence status, namely destruction, forfeiture to the state, and return to the entitled party.

Conclusion

This study finds that the difference between the Public Prosecutor's sentencing submission and the judge's ratio decidendi in Decision Number 122/Pid.Sus-LH/2026/PN Tlk lies in the assessment of the characteristics of the evidence. The Public Prosecutor based the sentencing submission on the connection between the objects and the criminal offense and on third-party ownership, whereas the judges also considered the function, risk of reuse, and economic value of the objects. This difference resulted in the status of the Robin water pump and mobile phone being changed from destruction, as requested in the sentencing submission, to forfeiture to the state, while the return of

the heavy equipment to the third party was maintained. The finding demonstrates that the use of an object in a criminal offense does not, by itself, determine its final status without consideration of the characteristics of the object and its ownership rights. The limitation of this study to a single decision and the analysis of case documents provides an opportunity for comparative research on the consistency of legal reasoning and empirical research on the implementation of evidence execution. In prosecutorial and judicial practice, the basis for distinguishing the status of evidence should be articulated explicitly, particularly with regard to the economic value of objects and the protection of third-party ownership rights, so that the legal reasoning can be clearly traced.

Reference

Adrian Sutedi, S. H. (2022). *Hukum pertambangan*. Sinar Grafika.

Alkansa, A. A., & Ravizki, E. N. (2025). Disparitas Ratio Decidendi atas Status Objek Sengketa yang Sama dalam Perkara Perdata dan Pidana. *Jurnal Hukum Lex Generalis*, *6*(7).

Ayoo, B. A. (2026). Does Licensing Matter? Cyanide Handling, Cyanidation Wastewater Treatment, and Tailings Management in Gold Leaching Plants in Siaya County, Kenya. *Environmental Management*, *76*(6), 197.

Buss, D. (2024). The case of the impossible mining license: Legal rituals and'responsible mining'. *Law Text Culture*, *28*, 139–164.

Butar, F. B., Nadhir, N., Wahono, R. U., & Arindya, A. Z. (2023). *Pengantar hukum pertambangan mineral dan batu bara*. Airlangga University Press.

Haris, O. K. (2026a). *Buku Ajar Hukum Pertambangan di Indonesia*. CV Eureka Media Aksara.

Haris, O. K. (2026b). *Dinamika Hukum Pidana dan Eksekusi Sanksi di Sektor Pertambangan*. CV Eureka Media Aksara.

Iqbal, M., Nopriadi, N., Iryanti, I., & Pasla, R. (2023). Penertiban Penambangan Emas Tanpa Izin Di Wilayah Hukum Kepolisian Sektor Kuantan Mudik. *KODIFIKASI*, *5*(1), 31–40.

Iwari, D. P., Febryani, E., & Aprita, S. (2024). Optimalisasi Penegakan Hukum Perkara Pidana Penambangan Emas Tanpa Izin Yang Mengancam Keamanan, Integrasi Nkri Serta Konservasi Fungsi Lingkungan Hidup. *Collegium Studiosum Journal*, *7*(2), 628–634.

Jaya, I. (2022). Tinjauan Yuridis Terhadap Tindak Pidana Pertambangan Mineral Dan Batubara Ilegal:(Studi Kasus Putusan No. 32/Pid. Sus/2019/PN Wmn). *Dinamika Hukum*, *13*(1).

Kasenda, H. T. A., Mokat, J. E. H., & Wawointana, T. (2025). Implementation of Policy on Licensing and Reporting Procedures for Gold Mining Activities in Southeast Minahasa. *Technium Soc. Sci. J.*, *73*, 166.

Khotami, K. (2022). Institution Building Dalam Mengatasi Persoalan Pertambangan Emas Tanpa Izin di Kabupaten Kuantan Singingi Provinsi Riau. *Nahkoda-Jurnal Ilmu Pemerintahan*, *19*(7), 17–37.

Kontu, H. R., Marwiyah, S., Prawesthi, W., & Amiq, B. (2024). Penegakan hukum terhadap pelaku tindak pidana pertambangan emas tanpa ijin (Studi kasus Putusan Nomor 107/Pid. Sus/2023/PN. Thn). *Lex Journal: Kajian Hukum Dan Keadilan*, *8*(1), 269–285.

Makalew, M. I., Watulingas, R. R., & Pangemanan, D. R. (2021). Substansi Barang Bukti Dalam Hukum Pembuktian Pada Peradilan Pidana. *Lex Privatum IX*, *8*, 100–109.

Marlinda, P. (2022). Difusi Kebijakan Penanggulangan Penambangan Emas Tanpa Izin Di Kabupaten Kuantan Singingi. *Jurnal Administrasi Politik Dan Sosial*, *3*(1), 1–9.

Melati, X. M., & Panjaitan, B. S. (2025). Criminal Law Enforcement against Illegal Gold Mining (Study of Decision No. 153/Pid. Sus/2023/PN. Mdl): Penegakan Hukum Pidana terhadap Pertambangan Emas Ilegal (Studi Putusan No. 153/Pid. Sus/2023/PN. Mdl). *Rechtsidee*, *13*(2), 10–21070.

Mills, L. N., Stewart, J. M., & Auld, G. (2025). Licensing to operate: Understanding variations in regulatory outcomes in the Australian mining sector. *Resources Policy*, *105*, 105578.

Mustakim, M., Iryani, D., & Hartana, H. (2026). Law Enforcement against Illegal Gold Mining:

Navigating Regulatory and Justice Dilemmas in Indonesia. *Jurisprudensi: Jurnal Ilmu Syariah, Perundang-Undangan Dan Ekonomi Islam*, *18*(2), 256–268.

Pusat Pelaporan dan Analisis Transaksi Keuangan. (2026). *Catatan Capaian Strategis PPATK Tahun 2025: Menjaga Kedaulatan dan Integritas Ekonomi Bangsa*. Pusat Pelaporan Dan Analisis Transaksi Keuangan. https://www.ppatk.go.id/siaran_pers/read/1594/catatan-capaian-strategis-ppatk-tahun-2025-menjaga-kedaulatan-dan-integritas-ekonomi-bangsa-jakarta-28-januari-2026-b001hm0531i2026-.html

Putriani, P., Nur, M., & Tasyukur, T. (2025). Tindak Pidana Penambangan Ilegal (Studi Putusan Nomor 163/Pid. B/LH/2021/PN. Lsm). *Jurnal Ilmiah Mahasiswa Fakultas Hukum Universitas Malikussaleh*, *8*(3).

Republik Indonesia. (2020). *Undang-Undang (UU) Nomor 3 Tahun 2020 tentang Perubahan atas Undang-Undang Nomor 4 Tahun 2009 tentang Pertambangan Mineral dan Batubara*. Pemerintah Pusat republik Indonesia. https://peraturan.bpk.go.id/Details/138909/uu-no-3-tahun-2020

Republik Indonesia. (2025). *Undang-Undang (UU) Nomor 20 Tahun 2025 tentang Kitab Undang-Undang Hukum Acara Pidana*. Pemerintah Pusat. https://peraturan.bpk.go.id/Details/337302/uu-no-20-tahun-2025

Saputra, M. A., & Mardiantari, A. (2026). Gold Mining Practices in Negeri Batin Village and Their Implications: An Analysis of Law No. 2 of 2025. *Al-Afkar, Journal For Islamic Studies*, *9*(2), 536–547.

Sumarni, F., & Saragih, Y. M. (2025). KUHP 2023 dalam praktik peradilan: Pedoman hakim, jaksa, dan advokat. *Penerbit Tahta Media*.

Suryani, S. (2023). Penegakan Hukum Terhadap Pelanggaran Penambangan Ilegal Gas Bumi Di Indonesia. *Jurnal Administrasi Publik Dan Bisnis*, *5*(1), 11–19.

Susilo, E. (2026). Meneropong Kepastian Penetapan Status Tersangka dalam KUHAP Baru. *Al-Adl: Jurnal Hukum*, *18*(1), 206–225.

Tustinaningsih, I., & Akhmaddhian, S. (2025). Pertangungjawaban Hukum Pelaku Tindak Pidana Pertambangan Emas Ilegal Di Indonesia. *Savana: Indonesian Journal Of Natural Resources And Environmental Law*, *2*(02), 93–102.

Tute, C., & Puluhulawa, F. U. (2025). Analisis Pertimbangan Hakim dalam Kasus Pidana Illegal Mining: Menelisik Akar Disparitas Putusan di Peradilan. *Al-Zayn: Jurnal Ilmu Sosial & Hukum*, *3*(6), 8521–8537.

Yu, M., Wang, Y., & Umair, M. (2024). Minor mining, major influence: economic implications and policy challenges of artisanal gold mining. *Resources Policy*, *91*, 104886.

Yusuf, M. B., Akili, R. H., & Tumuhulawa, A. (2024). Analisis Yuridis Terhadap Penentuan Status Barang Bukti Pada Putusan Perkara Pidana Pengangkutan Mineral Tanpa Izin di Pengadilan Negeri Marisa. *Jurnal Hukum Bisnis (J-KUMBIS)*, *2*(2), 110–124.

Yusuf, R., & Niasa, L. (2022). Penerapan Hukum Perampasan Barang Bukti Dalam Perkara Illegal Mining Di Kabupaten Konawe Utara (Studi Kasus Putusan Pengadilan Negeri Unaaha Nomor: 110/Pid. B/LH/2020/PN. Unh). *Sultra Law Review*, 2241–2259.

Zulfia, D. R., & Chofa, F. (2025). Pengelolaan Barang Bukti Dan Barang Rampasan Yang Dilakukan Oleh Seksi PAPBB (Pemulihan Aset Pengelolaan Barang Bukti) Di Kejaksaan Negeri Payakumbuh. *COURT REVIEW: Jurnal Penelitian Hukum (e-ISSN: 2776-1916)*, *5*(06), 274–279.