

CHAPTER V

CONCLUSION AND RECUMENDATION

A. Conclusion

1. There are the dualism of regulations for issuing the mining permit. The existence of Law no 23 of 2014 on The Regional Government revoke the authority the District Government to issuing the mining permit. On the other hand, the law No 4 of 2009 on Mineral and Coal Mining in conjunction with Government Regulation No 23 of 2010 on The Implementation of Business Activities of Mineral and Coal still exists. In this regulation, the District Government has authority for granting the mineral mining permit. This can cause of the legal uncertainty on issuing of the mining permit. In addition the Local Regulation on Yogyakarta Special Province concerning on spatial plan, does not accommodate the new regulation and the classification of karst in protected area and cultivation area.
2. The government effort to conserve the karst protected area has some problem; the main problem is the conversion of livelihood program for the miners in Gunungkidul is failed. The causes of the failure of this program because of the supervision from the government is very weak. There is no supervision and guidance from the government.

B. Recommendation

For giving the legal certainty on the issuing of karst mining permit in Gunungkidul, Yogyakarta special region, there is a need of harmonization of regulations on issuing the mineral mining permit. Because there is dualism of regulation regulated on the issuing mineral mining permit, The Government of Yogyakarta Special Province should immediately arrange the distribution of karst Gunungsewu area management, especially in Gunungkidul and adjusted its division in accordance with prevailing regulations. Regarding the karst zone, it must be protected. The karst protection effort must consider the readiness of society especially the community miners. Therefore the government should be more serious to do the conversion the livelihood of the society, from miners become interpreneurs, traders or food sellers.