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Holding Corporations Liable for Open Mine Pits: The Application of Strict Liability in Environmental Law Enforcement against Illegal Coal Mining in Bengkulu Province

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Abstract

Illegal coal mining can cause ecosystem destruction, land degradation, pollution, and threats to public safety. Corporate organizational structures and legal relationships can further complicate the identification of responsible parties. This study analysed the regulation of illegal coal mining and corporate strict liability under Indonesian environmental law, examined its application in Bengkulu Province, and identified normative and institutional obstacles alongside measures to strengthen implementation. A normative juridical method was employed, combining statutory, conceptual, and case approaches. The analysis examined legal provisions governing mining activities, environmental protection and management, corporate liability, and strict liability. The findings indicate that Article 88 of Law Number 32 of 2009 provides a legal basis for imposing strict liability on specified activities that pose serious environmental threats. In Bengkulu Province, implementation faces challenges concerning the construction of legal norms, establishing links between corporate activities and environmental damage, identifying responsible parties, and coordinating law enforcement institutions. The study concludes that strengthening corporate accountability requires clearer regulatory provisions, greater institutional capacity, improved monitoring mechanisms, and consistent law enforcement. These measures are expected to support the effective application of strict liability, strengthen environmental

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protection, and prevent corporations from benefiting from illegal mining activities that cause environmental damage.

Keywords: Illegal Coal Mining; Strict Liability; Corporate Liability; Environmental Law; Bengkulu Province.

INTRODUCTION

Indonesia is a country endowed with abundant natural resources, including mineral and coal resources. These resources hold strategic value for national development, as they serve as sources of energy, contribute to state revenue, and stimulate economic activities across various regions. However, mining activities also have the potential to cause serious environmental impacts when they are not conducted in accordance with the principles of good mining practices. Mining operations can result in landscape alteration, soil degradation, water pollution, sedimentation, vegetation loss, and disruption of ecosystem balance. Therefore, mining activities should not be viewed solely from an economic perspective but must also be situated within the broader framework of environmental protection and management (Rizal et al., 2024).

Environmental problems become increasingly severe when mining activities are conducted illegally or without the required permits. Unlicensed mining refers to the exploitation of mineral and coal resources outside the licensing and supervisory mechanisms established by applicable laws and regulations. The absence of a mining permit does not merely constitute an administrative violation; it may also create opportunities for various other forms of legal violations, particularly when such activities cause environmental damage and losses to communities and the state. Research (Darongke, 2017) explains that law enforcement against unlicensed mineral and coal mining activities faces considerable challenges because illegal mining is not solely a legal issue but is also closely associated with economic interests, supervisory mechanisms, and the effectiveness of law enforcement authorities.

Illegal coal mining also has different characteristics when conducted by individuals rather than through activities involving corporations. Corporations possess organizational structures, capital, resources, business networks, and the capacity to control operational activities on a larger scale. These characteristics may result in environmental damage that is

broader in scope and more complex in nature. On the other hand, corporate structures can create difficulties in determining the parties who should be held legally accountable, particularly when decision-making processes involve multiple levels of management or when third parties are engaged to carry out mining operations. Studies on corporate liability in the coal mining sector indicate that the resulting environmental damage may include air and water pollution, land degradation, and biodiversity loss (Rizal et al., 2024; Adrian, 2026).

In this context, Indonesian environmental law provides various liability instruments to strengthen environmental protection, one of which is the principle of strict liability. This principle has characteristics that distinguish it from fault-based liability. Under conventional liability, the injured party is generally required to establish the fault of the party responsible for causing the damage. In contrast, strict liability allows liability to be imposed without requiring prior proof of fault, as required under the conventional concept of liability based on fault. The application of this principle is particularly important in environmental cases because establishing fault in cases involving environmental damage is often highly complex (Silfia et al., 2026).

The legal basis for strict liability under Indonesian environmental law is provided, among other provisions, in Article 88 of Law Number 32 of 2009 concerning Environmental Protection and Management. In principle, this provision establishes absolute liability for any person whose actions, business activities, and/or operations involve the use of hazardous and toxic substances, the generation and/or management of hazardous and toxic waste, and/or activities that pose a serious threat to the environment. The existence of this provision demonstrates that environmental law provides a specific legal mechanism for addressing activities that carry a high level of environmental risk. Research (Silfia et al., 2026) demonstrate that strict liability can strengthen environmental protection because liability may be imposed without requiring proof of fault, although its implementation continues to face challenges relating to inconsistent law enforcement and differences in interpretation among law enforcement authorities.

Nevertheless, the application of strict liability should not be simplistically understood as a provision that automatically makes every corporation operating in the mining sector liable for all forms of environmental damage. Article 88 of the Law on Environmental Protection and Management essentially falls within the civil liability framework, particularly in relation to claims for compensation and environmental restoration. Accordingly, strict

liability must be distinguished from corporate criminal liability. This distinction is essential to prevent conceptual errors in determining the appropriate legal basis for imposing liability. Studies on corporate liability in the mining sector indicate that corporate criminal liability has its own legal framework and evidentiary requirements, including the involvement of corporate management, individuals issuing orders, and parties benefiting from criminal activities (Pratama et al., 2026).

These issues are particularly relevant to addressing illegal coal mining activities in Bengkulu Province. As a region with mineral and coal resource potential, Bengkulu faces the challenge of balancing the interests of natural resource utilization with the obligation to maintain environmental sustainability. Unlicensed mining activities have the potential to circumvent the supervisory mechanisms that should be implemented by the government. When such activities continue and subsequently cause environmental damage, the legal issues extend beyond violations of licensing requirements. They also involve determining who should be held responsible for the damage, how environmental losses should be calculated, and how environmental restoration obligations can be enforced against parties that have benefited from such activities.

Corporate liability becomes increasingly important because illegal mining activities may involve complex relationships among capital owners, business managers, field operators, license holders, and parties benefiting from mining operations. Research on illegal mining indicates that law enforcement continues to encounter difficulties in proving the involvement of corporate management, identifying the individuals or entities behind illegal mining operations, and establishing effective coordination among law enforcement institutions (Rahmadi et al., 2026). These circumstances demonstrate that the existence of legal provisions alone is insufficient unless supported by institutional capacity, effective supervisory systems, appropriate evidentiary mechanisms, and inter-agency coordination.

Beyond enforcement measures, environmental law enforcement against mining activities must also prioritize environmental restoration. Sanctions imposed on corporations should not be limited to punishment or the payment of monetary compensation but should also ensure that environmental damage is effectively remedied. Studies on corporate liability in the mining sector indicate that an enforcement approach focused exclusively on financial sanctions may overlook the obligation to restore ecological conditions. Therefore, legal

instruments must be directed toward ensuring that corporations undertake concrete restoration measures for damaged environments (Sudaryat, 2026).

In the coal mining sector, restoration obligations are also closely related to reclamation and post-mining activities. Mining operations that leave degraded land without adequate restoration may generate long-term environmental consequences. Reserch (Mahendra et al., 2026) demonstrate a gap between the legal provisions governing reclamation and post-mining obligations and their implementation in practice. This gap is influenced by institutional factors, administrative supervision, and law enforcement mechanisms. Accordingly, law enforcement against illegal coal mining must integrate preventive measures, enforcement actions, the imposition of liability, and environmental restoration within a comprehensive framework.

Another significant issue concerns the differing interpretations of the legal construction of strict liability and its relationship with other liability instruments. In practice, law enforcement authorities must share a common understanding of the scope of Article 88 of Law Number 32 of 2009, the relationship between environmental damage and corporate activities, and the procedures for filing claims for compensation and environmental restoration. Inconsistencies in legal interpretation may undermine the effective application of strict liability. Research (Khasanah & Handayani, 2026) demonstrate that the application of strict liability in mining-related cases requires an appropriate legal construction to ensure that this principle can function effectively as an instrument for holding corporations accountable for environmental damage.

Based on the foregoing discussion, illegal coal mining in Bengkulu Province should not be viewed merely as a violation of mining regulations but also as a matter of environmental law enforcement and corporate liability. The application of strict liability is particularly relevant because it can strengthen the legal basis for imposing liability for environmental damage resulting from high-risk activities. Nevertheless, its application must be appropriately situated within the framework of civil environmental liability and clearly distinguished from the mechanisms governing criminal liability. Therefore, a specific study is needed to examine the legal framework governing illegal coal mining and strict liability, the application of strict liability to corporations engaged in illegal coal mining in Bengkulu Province, and the normative and institutional obstacles that hinder its effective implementation. Such a study is essential to promote a law enforcement model that not only

ensures that offenders are held accountable but also guarantees that corporations assume responsibility for environmental damage and undertake tangible environmental restoration measures. Accordingly, this study aims to analyze the legal framework governing illegal coal mining and corporate strict liability under Indonesian environmental law; examine the application of strict liability to corporations engaged in illegal coal mining in Bengkulu Province; and identify the normative and institutional obstacles to its implementation, while formulating measures to strengthen its effectiveness.

METHODS

This study employs a normative juridical research method, which is a legal research approach that places legal norms, legal principles, doctrines, and statutory regulations as the primary objects of analysis. This method was selected because the study focuses on examining the legal framework governing illegal coal mining, the concept of strict liability, and its application to corporations in environmental law enforcement in Bengkulu Province. Normative legal research is used to examine the consistency between applicable legal provisions and issues concerning corporate liability for mining activities that potentially cause environmental damage (Marzuki, 2017).

The approaches adopted in this study consist of the statutory approach, conceptual approach, and case approach. The statutory approach is employed by examining various regulations concerning mining activities, environmental protection and management, corporate liability, and law enforcement against illegal mining activities. The conceptual approach is used to analyze the concepts of strict liability, corporate liability, environmental pollution and/or damage, and the principle of environmental restoration. Meanwhile, the case approach is applied to examine cases and law enforcement practices relating to illegal coal mining and corporate liability, thereby identifying how legal norms are implemented in practice.

The legal materials used in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, Law Number 32 of 2009 concerning Environmental Protection and Management, Law Number 3 of 2020 concerning Amendments to Law Number 4 of 2009 concerning Mineral and Coal Mining, and other statutory regulations relating to mining activities, environmental protection, and corporate liability. Secondary legal materials comprise legal books, scientific

journals, research findings, legal articles, expert opinions, and relevant academic publications addressing strict liability and illegal mining. Tertiary legal materials are used as supporting references and include legal dictionaries, encyclopedias, and other relevant reference sources.

The legal materials were collected through library research. The collection process involved identifying, reading, recording, classifying, and examining various legal sources relevant to the research problems. The collected legal materials were subsequently selected based on their relevance, recency, and connection to the research focus. This study primarily uses literature published within the last six years, particularly Indonesian publications addressing illegal mining, corporate liability, environmental law, and strict liability.

The legal materials were analyzed qualitatively using a prescriptive analytical method. The analysis was conducted by relating applicable legal provisions to the concepts and theories of strict liability, as well as issues concerning law enforcement against illegal coal mining activities. The analytical process began with identifying the legal provisions governing illegal mining and strict liability, followed by examining the legal status of corporations as legal subjects, analyzing the application of strict liability to environmental damage, and identifying normative and institutional obstacles to its implementation in Bengkulu Province. The findings of this analysis were subsequently used to formulate legal arguments concerning the strengthening of strict liability as an instrument of environmental accountability.

In this study, strict liability is specifically examined within the framework of Article 88 of Law Number 32 of 2009. This provision is understood as the legal basis for absolute liability within the field of environmental law, particularly concerning obligations to provide compensation and undertake environmental restoration. Accordingly, this study does not equate strict liability with corporate criminal liability. Criminal liability is analyzed separately based on the applicable criminal law provisions and the elements of criminal offenses that must be established. This distinction is necessary to ensure that the application of strict liability to corporations involved in illegal coal mining is grounded in an appropriate legal framework and does not result in conceptual errors in constructing the basis of liability.

Conclusions are drawn using the deductive method, which involves deriving specific conclusions from general legal provisions and applying them to the particular issues of illegal coal mining in Bengkulu Province. Through this method, the study seeks to provide an overview of the adequacy of the strict liability framework, its application to corporations, and the normative and institutional obstacles encountered in environmental law

enforcement. The findings are expected to provide recommendations for strengthening regulations, supervisory mechanisms, institutional coordination, and corporate liability mechanisms so that law enforcement against illegal coal mining not only produces a deterrent effect but also ensures the restoration of damaged environments.

RESULTS

Legal Framework Governing Illegal Coal Mining and Corporate Strict Liability under Indonesian Environmental Law

Coal mining is a natural resource exploitation activity that must be carried out in accordance with applicable laws and regulations. The state has the authority to regulate and supervise the management of mineral and coal resources through a licensing mechanism. Law Number 3 of 2020 concerning Amendments to Law Number 4 of 2009 concerning Mineral and Coal Mining serves as one of the principal legal foundations governing mining activities, including licensing, operational implementation, supervision, reclamation, and post-mining activities. Therefore, mining activities conducted without the required permits constitute legal violations that may potentially result in state losses, social conflicts, and environmental damage.

The problem becomes increasingly complex when illegal mining activities involve corporations. Corporations possess capital, organizational structures, technology, and operational networks that enable mining activities to be conducted on a large scale. Legal liability should not be imposed solely on workers or field operators but should also extend to corporate management, financiers, activity controllers, and parties that benefit from such operations. Accordingly, corporations may be held legally accountable based on their involvement and legal relationship with the illegal mining activities.

In addition to the Mineral and Coal Mining Law, the handling of environmental damage is also governed by Law Number 32 of 2009 concerning Environmental Protection and Management. One of the important legal instruments provided under this legislation is the principle of strict liability, as stipulated in Article 88. This principle establishes a legal basis for imposing liability in relation to certain activities involving hazardous and toxic substances (B3), the generation or management of hazardous and toxic waste, and/or activities that pose a serious threat to the environment.

The distinction between fault-based liability and strict liability lies in the position of the fault element within the evidentiary process. However, the application of strict liability does not mean that all evidentiary requirements are eliminated. Environmental damage, the characteristics of the activities, the resulting losses, and the relationship between the activities and their environmental impacts must still be established. Furthermore, strict liability under Article 88 of the Environmental Protection and Management Law (UUPPLH) must be distinguished from criminal liability because it essentially relates to civil environmental liability, particularly compensation and environmental restoration.

In Bengkulu Province, coal mining issues are closely associated with ecological conditions, particularly forest areas and the Air Bengkulu Watershed (DAS Air Bengkulu). Mining activities have the potential to cause landscape alterations, soil degradation, water pollution, flooding, and landslides. Therefore, law enforcement should not be limited to imposing sanctions on offenders but must also ensure compensation and environmental restoration based on the polluter pays principle, whereby parties responsible for causing environmental damage must bear the costs of its restoration.

Application of Strict Liability to Corporations Engaged in Illegal Coal Mining in Bengkulu Province

The application of strict liability to corporations involved in illegal coal mining in Bengkulu Province must take into account the relationship between mining activities, environmental damage, and the parties controlling those activities. Unlicensed mining constitutes a violation of mining regulations. Furthermore, when such activities result in environmental pollution or damage, corporations may face legal consequences under applicable environmental legislation.

Law enforcement practices in Bengkulu indicate that illegal mining activities do not occur solely during the extraction process but also involve the transportation and trading of coal. In June 2026, the Bengkulu Regional Police uncovered an alleged illegal coal transportation and sales operation, apprehending two suspects and confiscating three trucks, approximately 66 tons of coal, and transportation documents. The case was associated with Article 161 of Law Number 3 of 2020. These facts demonstrate that efforts to address illegal mining must encompass the entire chain of mining activities.

The application of strict liability to corporations cannot be imposed automatically merely because a company engages in illegal mining activities. It is first necessary to identify

the nature of the activities, their risk characteristics, the environmental damage that has occurred, and the relationship between the corporation's activities and the resulting environmental impacts. Evidence may be obtained through site inspections, water and soil quality testing, mapping of affected areas, documentation of landscape changes, and expert testimony.

Furthermore, law enforcement authorities need to investigate the corporate structure, including the parties providing capital, controlling mining locations, managing production, supplying heavy equipment, controlling transportation, and obtaining economic benefits. This investigation is essential to ensure that liability does not stop at field workers but also reaches the parties who exercise substantive control over the activities.

The application of strict liability must also be distinguished from criminal liability. Violations of mining licensing requirements may be subject to criminal provisions under mining legislation, whereas environmental damage may give rise to administrative and civil liability, including the possible application of strict liability when its legal requirements are satisfied. Accordingly, law enforcement efforts should be directed toward terminating illegal activities, imposing compensation obligations, and ensuring environmental restoration.

Normative and Institutional Obstacles to the Application of Strict Liability and Measures to Strengthen Its Implementation

The application of strict liability to corporations involved in illegal coal mining in Bengkulu Province faces obstacles arising from both statutory and institutional aspects. Although Indonesian law provides instruments for establishing environmental liability, their implementation continues to encounter problems relating to the interpretation of legal provisions, proof of environmental damage, inter-agency coordination, and limitations in human resources and supporting facilities. Normative obstacles primarily concern the amendment of Article 88 of the Environmental Protection and Management Law through the Job Creation Law regime. Changes to the wording concerning liability without the need to prove the element of fault have generated debate regarding the legal construction and effectiveness of strict liability. This situation may lead to differences in interpretation among law enforcement authorities. In addition, problems remain in distinguishing civil liability based on strict liability from corporate criminal liability.

Another obstacle concerns establishing the causal relationship between mining activities and environmental damage. Environmental degradation, such as water pollution,

landscape alteration, sedimentation, and soil degradation, often occurs gradually. Therefore, scientific investigations, laboratory examinations, field documentation, and expert testimony are necessary to establish the relationship between mining activities and the resulting environmental damage.

From an institutional perspective, addressing illegal mining involves various agencies, including the police, public prosecutors, regional governments, mining authorities, and environmental agencies. Inadequate coordination and data integration may hinder the identification of licensing status, mining locations, corporate structures, and the parties benefiting from these activities. Limitations in expert personnel and laboratory facilities may also affect the quality of evidence. The following table summarizes the obstacles and measures to strengthen implementation.

Table 1. Obstacles and Measures to Strengthen the Application of Strict Liability

Aspect	Obstacles	Strengthening Measures
Normative	Amendments to and differing interpretations of Article 88 of the UUPPLH	Harmonization of legal provisions and implementation guidelines
Evidence	Difficulties in establishing causal relationships	Strengthening scientific evidence and expert involvement
Institutional	Weak inter-agency coordination	Data integration and integrated supervision
Resources	Limited human resources and laboratory facilities	Improving the capacity of law enforcement personnel and supporting facilities
Corporate	Difficulties in identifying the parties controlling activities	Investigation of corporate structures and financial flows
Restoration	Law enforcement focused solely on sanctions	Compensation obligations and environmental restoration

Source: Research Findings, 2026

The table demonstrates that obstacles to the application of strict liability are not limited to ambiguities in legal provisions but also concern institutional capacity in implementing law enforcement measures. Therefore, harmonization of regulations, improvement of law enforcement capacity, technology-based supervision, information integration, and stronger scientific evidence are necessary. Strengthening measures should also be directed toward implementing the polluter pays principle. Corporations proven to be responsible for environmental damage must bear the costs of compensation and restoration. Accordingly, the success of law enforcement should not be measured solely by the number of offenders punished but also by the extent to which the environmental functions of damaged ecosystems are successfully restored.

Legal Construction of Strict Liability in Corporate Accountability for Illegal Coal Mining

The legal construction of strict liability in corporate accountability for illegal coal mining involves the relationship between mining law, environmental law, and the principles of corporate liability. Unlicensed mining activities constitute violations of licensing requirements, while the resulting environmental damage may give rise to legal consequences under the Environmental Protection and Management Law.

The principal legal basis for strict liability is provided in Article 88 of Law Number 32 of 2009. This provision establishes a basis for imposing liability on activities that meet the risk characteristics specified by law. Within the legal framework of environmental protection, strict liability primarily serves as an instrument of civil liability for pursuing compensation and environmental restoration, rather than as a mechanism for automatically establishing the criminal guilt of a corporation.

The recognition of corporations as legal subjects makes it possible to impose liability on business entities and other parties connected to their operational activities. The determination of liability should not be based solely on identifying who physically conducted the mining operations but should also consider control over the activities, corporate policies, legal relationships, decision-making authority, and the economic benefits obtained.

Within this legal construction, the polluter pays principle serves as an essential foundation for ensuring that the costs of environmental damage are borne by the parties responsible for causing it. Forms of liability may include compensation payments, land rehabilitation, restoration of water quality, pollution control, and other measures appropriate to the characteristics of the damage. Accordingly, the legal construction of strict liability must be directed toward environmental protection, legal certainty, and the restoration of environmental damage. Its application requires appropriate evidentiary procedures, identification of the legally responsible parties, and calculation of environmental losses to ensure that accountability does not end with punishment but also results in tangible environmental restoration.

Implementation of Strict Liability in Environmental Law Enforcement against Corporations Involved in Illegal Coal Mining in Bengkulu Province

The implementation of strict liability in environmental law enforcement in Bengkulu Province requires an integrated approach to mining law enforcement and environmental

protection. Illegal mining activities have the potential to cause soil degradation, water pollution, landscape alteration, and ecosystem damage. Therefore, the handling of such activities must encompass licensing aspects, corporate identification, proof of environmental damage, and environmental restoration obligations.

The case involving illegal coal transportation and sales uncovered by the Bengkulu Regional Police in June 2026 demonstrates that law enforcement has extended to the distribution chain of mining products. However, enforcement based on criminal provisions under mining legislation does not, in itself, demonstrate the application of environmental strict liability. If such activities also cause environmental damage and satisfy the requirements of Article 88 of the UUPPLH, an assessment must be conducted regarding the possibility of imposing environmental liability on the corporation.

The implementation of strict liability begins with identifying the parties connected to the mining activities, including capital owners, parties controlling mining locations, heavy equipment suppliers, production managers, transportation controllers, and parties benefiting from the operations. Subsequently, scientific investigations must be conducted to determine environmental conditions, the extent of the damage, and the relationship between mining activities and the resulting impacts.

Research on the reclamation of former coal mining land in Bengkulu indicates that reclamation constitutes an important component of mining impact management. Therefore, when a corporation is proven to be responsible, its obligations should not be limited to compensation payments but must also include environmental restoration measures corresponding to the extent of the damage.

Table 2. Stages in the Implementation of Strict Liability against Corporations

Stages	Main Activities	Objectives
Identification	Examination of mining licensing status	Determining the legality of mining activities
Corporate investigation	Identifying financiers and parties exercising control	Determining the responsible parties
Environmental assessment	Testing water and soil quality and examining land conditions	Identifying environmental damage
Evidence establishment	Establishing the relationship between activities and environmental impacts	Strengthening the basis for liability
Law enforcement	Applying administrative, civil, or criminal legal instruments	Imposing legal consequences
Restoration	Implementing compensation and land rehabilitation	Restoring environmental functions

These stages demonstrate that the implementation of strict liability requires a structured process and cannot be undertaken solely on the basis of allegations of illegal mining. Each stage must be supported by administrative data, field evidence, scientific investigations, and identification of the responsible parties. Accordingly, the application of strict liability in Bengkulu should be directed toward three primary objectives: terminating illegal mining activities, ensuring that corporations responsible for environmental damage bear the resulting environmental losses, and restoring affected environments. Criminal law enforcement remains necessary but must be complemented by environmental liability mechanisms so that the resolution of cases provides tangible benefits to communities and ecosystems.

Strengthening Law Enforcement and Corporate Liability for Environmental Damage Caused by Illegal Coal Mining

Strengthening law enforcement against illegal coal mining in Bengkulu Province requires a comprehensive approach. Law enforcement measures should not be directed solely at workers or field operators but must also reach corporations, financiers, activity controllers, and parties obtaining economic benefits. This is necessary because illegal mining involves an extensive chain of activities, ranging from land clearing and mineral extraction to transportation, storage, and coal sales.

The first step is to strengthen the harmonization of mining law and environmental law. Law Number 3 of 2020 provides the legal basis for taking action against illegal mining activities, while Law Number 32 of 2009 provides legal instruments for addressing environmental pollution and damage. These two legal frameworks must be implemented in an integrated manner to ensure that law enforcement does not stop at violations of licensing requirements.

The next step is to strengthen corporate liability through investigations into organizational structures, land ownership, funding sources, heavy equipment ownership, transportation documents, sales transactions, and financial flows. The follow the money and follow the commodity approaches are necessary to identify the parties behind illegal mining activities. Furthermore, scientific evidence must be strengthened through the involvement of environmental experts, mining experts, laboratories, and scientifically accountable methods for calculating environmental losses. Such evidence is essential for determining the

extent of environmental damage, establishing the relationship between mining activities and their environmental impacts, and identifying the necessary restoration measures.

Table 3. Strategies for Strengthening Law Enforcement against Illegal Coal Mining

Strategies	Implementation Measures	Expected Outcomes
Legal harmonization	Integration of mining and environmental law	Legal certainty
Corporate investigation	Examination of capital, control, and economic benefits	Comprehensive accountability
Scientific evidence	Laboratory examinations and expert testimony	Strong evidence of environmental damage
Institutional coordination	Cooperation among the police, public prosecutors, and relevant agencies	Integrated law enforcement
Technology-based supervision	Mapping and remote sensing	Early detection of illegal mining activities
Environmental restoration	Land reclamation and rehabilitation	Restoration of environmental functions
Human resource development	Training for law enforcement personnel and technical experts	Improved law enforcement capacity

Source: Research Findings, 2026

The table illustrates that strengthening law enforcement requires the involvement of multiple stakeholders and cannot rely exclusively on repressive measures. Technology-based supervision, data integration, and improvements in institutional capacity are essential components in preventing and addressing illegal mining activities effectively..

DISCUSSION

Legal Framework Governing Illegal Coal Mining and Corporate Strict Liability under Indonesian Environmental Law

The regulation of illegal coal mining in Indonesia cannot be separated from the principle of state control over mineral and coal resources, as stipulated in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. This principle implies that the utilization of natural resources must be conducted in accordance with legal provisions, public interests, and the principles of environmental sustainability. Consequently, mining activities cannot be carried out freely without fulfilling the licensing requirements and environmental management obligations. Law Number 4 of 2009 concerning Mineral and Coal Mining, as amended several times, most recently through Law Number 2 of 2025, establishes licensing as an instrument for regulating and controlling mining activities. Accordingly, unlicensed coal mining constitutes a violation of natural resource governance that may result in administrative and criminal consequences, particularly when such activities

involve the transportation and sale of mining products without valid legal authorization (Darongke et al., 2021; Taufiqurahman, 2024).

Illegal coal mining also has significant environmental implications that cannot be overlooked, as unregulated exploitation activities have the potential to cause soil degradation, landscape alteration, water pollution, sedimentation, and vegetation loss. These conditions are particularly relevant in Bengkulu Province, considering the relationship between coal mining activities, forest areas, water catchment zones, and the Air Bengkulu Watershed (DAS Air Bengkulu). Research (Elcaputera & Frastien, 2024) explain that the presence of coal mining corporations in forest areas in Bengkulu has the potential to cause ecosystem degradation, which may contribute to ecological disasters, including floods and landslides. These findings demonstrate that mining regulations should not merely focus on administrative compliance and production targets but must also ensure the protection of the environment's carrying and assimilative capacities. Therefore, mining activities conducted without permits and resulting in environmental damage must be addressed through an integrated application of mining law and environmental law.

Corporate involvement in illegal mining activities creates more complex liability issues than those arising from activities conducted by individuals. Corporations possess organizational structures, financial resources, control over production facilities, and distribution networks that enable mining operations to be conducted systematically. Under such circumstances, legal liability should not be directed solely at workers or operators found at mining sites but should also extend to parties providing capital, issuing instructions, controlling operational activities, and obtaining economic benefits. Research (Wijaya & Dzaki, 2023) explain that corporate criminal liability in environmental cases requires a legal framework capable of establishing the relationship between management actions, organizational policies, and business entity activities. This demonstrates that identifying the connection between individual conduct and corporate interests is an essential element in achieving effective law enforcement.

From an environmental law perspective, one of the instruments available for imposing liability in relation to high-risk activities is the principle of strict liability, or absolute liability, as stipulated in Article 88 of Law Number 32 of 2009 concerning Environmental Protection and Management. This provision regulates absolute liability for parties whose activities or businesses involve the use of hazardous and toxic substances, the generation

and/or management of hazardous and toxic waste, and/or activities that pose a serious threat to the environment. Although the wording of this provision was amended under the Job Creation Law regime, the term absolute liability remains in Article 88. Research (Rachma & Triwibowo, 2023) demonstrate that the application of strict liability in environmental disputes can provide a legal basis for compensation claims as well as environmental restoration measures. Accordingly, this principle is important in ensuring that parties conducting high-risk activities do not transfer the entire burden of environmental damage to communities or the state.

However, the application of strict liability must be distinguished from corporate criminal liability. Within the framework of the Environmental Protection and Management Law (UUPPLH), Article 88 primarily serves as the basis for civil environmental liability, particularly concerning compensation and environmental restoration, rather than as a legal basis for automatically declaring a corporation criminally liable. Criminal cases must still be established based on the relevant elements of criminal offenses and applicable legal provisions, including those governing unlicensed mining under the Mineral and Coal Mining Law. Furthermore, the application of absolute liability still requires evidence concerning the activities conducted, their characteristics within the scope of Article 88, the resulting environmental losses or damage, and the causal relationship in accordance with the legal construction of the claim. This is in line with research (Sanni, 2026) emphasizes that the principles of strict liability and polluter pays remain grounded in the UUPPLH despite changes in mining law policy through Law Number 2 of 2025. Therefore, corporate liability in illegal coal mining activities must be directed toward ensuring legal certainty, compensation, and environmental restoration on the basis of an appropriate legal framework.

Application of Strict Liability to Corporations Engaged in Illegal Coal Mining in Bengkulu Province

The application of strict liability to corporations involved in illegal coal mining in Bengkulu Province must begin with identifying the legal status of the mining activities and the environmental impacts they generate. Mining activities conducted without permits constitute violations of licensing requirements established under mineral and coal mining legislation. However, such licensing violations must be distinguished from environmental liability because the application of Article 88 of the UUPPLH requires the activities and

resulting environmental losses to meet the specific conditions prescribed by that provision. Research (Darongke et al., 2021) explain that law enforcement against unlicensed mining can be pursued through administrative, civil, and criminal legal instruments. This means that when illegal mining activities cause environmental damage, legal enforcement should not stop at addressing licensing violations but must also proceed to assess the possibility of imposing environmental liability.

The relevance of this application can be observed in developments concerning law enforcement against illegal coal mining in Bengkulu. On June 18, 2026, the Bengkulu Regional Police uncovered an alleged criminal offense involving the transportation and sale of coal suspected to have originated from parties without valid mining business permits. In this case, investigators apprehended two suspects and seized three trucks, approximately 66 tons of coal, and several transportation and sales documents. The suspects were charged under Article 161 of the Mineral and Coal Mining Law, as reported by (Maliska, 2026). This incident demonstrates that illegal mining practices are not limited to extraction activities but also involve the transportation and trading stages of mining products. Therefore, law enforcement must address the entire chain of activities to identify the parties controlling and benefiting from such operations.

In determining corporate liability, law enforcement authorities need to investigate the relationships among business entities, corporate management, financiers, contractors, and parties carrying out mining operations. Such investigations are necessary because the parties directly conducting mining activities are not necessarily those with decision-making authority or those obtaining economic benefits. The examination may focus on company ownership documents, contractual relationships, sources of financing, ownership of heavy equipment, control over mining locations, transportation documents, and coal sales transactions. This is in line with research (Wijaya & Dzaki, 2023) explain that corporate criminal liability in environmental cases requires an approach capable of identifying the relationship between individual conduct and the organization. Accordingly, the imposition of corporate liability must be based on evidence of involvement and control over mining activities rather than merely on the presence of workers at mining sites.

Furthermore, the application of strict liability requires evidence concerning the nature and extent of environmental damage resulting from mining activities. Such damage may include landscape alteration, deterioration of soil structure, vegetation loss, declining

water quality, increased sedimentation, and the formation of abandoned mine pits that have not undergone reclamation. Evidence should be established through site inspections, soil and water sampling, laboratory analysis, mapping of affected areas, and expert testimony from individuals with relevant expertise in environmental science and mining. Research (Rachma & Triwibowo, 2023) demonstrate that the application of strict liability in environmental disputes still requires an evidentiary basis for identifying environmental losses and the restoration measures that must be undertaken. Thus, absolute liability does not eliminate all evidentiary requirements but establishes a specific liability framework once its normative requirements have been fulfilled.

Ultimately, the application of this principle must be directed toward implementing the polluter pays principle, under which parties responsible for causing environmental pollution or damage are required to bear the resulting costs. In cases of illegal coal mining, this principle requires corporations proven to be responsible to bear compensation and environmental restoration costs in accordance with applicable legal provisions. Research (Nugraha et al., 2020) explain that the civil liability of companies responsible for environmental pollution may be realized through compensation payments and environmental restoration measures. Meanwhile, (Sanni, 2026) emphasizes that strict liability and the polluter pays principle are essential in establishing environmental accountability in the mining sector following the enactment of Law Number 2 of 2025. Therefore, the application of strict liability in Bengkulu should not merely result in monetary compensation but must also ensure reclamation, land rehabilitation, and the restoration of ecological functions in affected areas.

Normative and Institutional Obstacles to the Application of Strict Liability and Measures to Strengthen Its Implementation

The application of strict liability to corporations involved in illegal coal mining in Bengkulu Province faces obstacles arising from normative, evidentiary, and institutional aspects. One of the main normative issues concerns the amendment of Article 88 of the UUPPLH through Law Number 11 of 2020, which was subsequently enacted through Law Number 6 of 2023. This amendment removed the explicit wording stating that absolute liability could be imposed without the need to prove the element of fault. This change has generated differing interpretations regarding the implications of the amended provision for the application of strict liability. Research (Hanim & Suhartono, 2025) discuss how this

amendment raises concerns regarding the legal construction of absolute liability and potentially affects the effectiveness of environmental protection. Meanwhile, (Sanni, 2026) emphasizes that the legal basis for absolute liability remains in the UUPPLH. These differing perspectives indicate the need for systematic legal interpretation that continues to take into account the wording of the applicable provisions.

Another obstacle concerns the lack of uniform understanding regarding the scope of strict liability and its distinction from criminal liability. In practice, absolute liability is sometimes interpreted as a mechanism that requires no evidence whatsoever, even though its application still requires proof of the activities conducted, resulting losses, risk characteristics, and causal relationships. Furthermore, Article 88 of the UUPPLH cannot automatically replace the requirement to establish the elements of criminal offenses in mining-related or environmental criminal cases. Research (Busroni & Putri, 2025) explain that the legal construction of strict liability in environmental civil law must be understood in accordance with the distinctions between liability systems and evidentiary mechanisms. Therefore, implementation guidelines are needed to clearly distinguish administrative, civil, and criminal liability and prevent errors in determining the appropriate legal basis for taking action against corporations.

From an evidentiary perspective, environmental damage resulting from coal mining has complex characteristics because it may develop gradually and be influenced by various factors. Declining water quality, sedimentation, soil degradation, and ecosystem changes cannot always be identified through visual inspections alone. Consequently, scientific data obtained through laboratory testing, mapping of affected areas, documentation of environmental changes, and expert opinions are required. Obstacles may arise when baseline environmental data from before mining operations are unavailable or when limited laboratory facilities cause delays in the examination process. Research (Rachma & Triwibowo, 2023) demonstrate that the application of absolute liability in environmental cases still requires an evidentiary basis for establishing environmental losses and restoration measures. Accordingly, strengthening technical capacity and ensuring the availability of scientific evidence are fundamental requirements for implementing strict liability.

From an institutional perspective, law enforcement against illegal mining involves various institutions with different duties and authorities, including the police, public prosecutors, government authorities, mining regulatory agencies, and environmental

agencies. Differences in institutional authority may create obstacles when they are not accompanied by adequate coordination and information exchange. This can be observed in the need to investigate licensing records, mining locations, corporate structures, transportation documents, and the resulting environmental impacts. The search conducted by the Bengkulu High Prosecutor's Office in July 2025 at the Harbor Master's and Port Authority Office (KSOP), a mining company office, and the residence of the company's commissioner demonstrates that mining investigations may involve various parties and documents related to business operations (ANTARA, 2025). These developments highlight the importance of cross-institutional coordination in uncovering the relationships among mining activities, corporate structures, and potential losses arising from such operations.

Efforts to strengthen the application of strict liability should involve harmonizing interpretations of legal regulations, improving institutional capacity, integrating data, and strengthening environmental evidentiary mechanisms. The Supreme Court has issued Supreme Court Regulation Number 1 of 2023 concerning Guidelines for Adjudicating Environmental Cases, which may serve as a reference for improving the quality of environmental case examinations. In addition, mining areas should be subject to regular supervision through the use of mapping technology, remote sensing, and community participation to detect activities that do not comply with licensing requirements. These strengthening measures must be accompanied by investigations into corporate structures to ensure that liability is not imposed solely on field operators but also extends to parties proven to control the activities and obtain economic benefits. Accordingly, normative and institutional obstacles can be reduced through an integrated law enforcement system based on scientific evidence and oriented toward environmental restoration.

Legal Construction of Strict Liability in Corporate Accountability for Illegal Coal Mining

The legal construction of strict liability in corporate accountability for illegal coal mining must be established through the interrelationship among mining law, environmental law, and corporate liability law. Under mining legislation, coal exploitation activities must comply with the licensing requirements stipulated in the Mineral and Coal Mining Law, including its latest amendment through Law Number 2 of 2025. Meanwhile, environmental law regulates obligations concerning the prevention, control, mitigation, and restoration of environmental pollution and damage. When unlicensed mining activities cause

environmental damage, two legal issues must be examined: violations of mining regulations and liability for the resulting environmental impacts. Research (Sanni, 2026) explains that changes in mining law policy through the 2025 Mineral and Coal Mining Law do not eliminate the legal basis for applying strict liability and the polluter pays principle under the UUPPLH. Therefore, these two legal frameworks must be applied complementarily without conflating their respective grounds of liability.

Conceptually, strict liability is a form of legal liability that places the risks associated with certain activities on the parties conducting or controlling those activities without making proof of fault the primary element, as is generally required under conventional civil liability principles. Under Indonesian environmental law, this legal construction is provided in Article 88 of the UUPPLH, which employs the term absolute liability for activities meeting the qualifications prescribed by law. Nevertheless, amendments to the wording of Article 88 under the Job Creation Law regime have generated debate concerning the position of fault-based evidence in its implementation. Research (Subadi et al., 2026) explain that the removal of the phrase referring to liability without proof of fault has resulted in differing interpretations regarding the effectiveness of strict liability in environmental law enforcement. Conversely, the continued existence of the term absolute liability provides a basis for arguing that this special environmental liability regime has not necessarily been abolished. Accordingly, its legal application must take into account the wording of the applicable provisions, regulatory developments, and environmental adjudication guidelines.

In corporate liability, determining the legal subject that must bear responsibility constitutes an essential element of this legal construction. Corporations may conduct their activities through management, directors, employees, contractors, and other parties acting in the interests of the company. Therefore, the relationship between the conduct of these individuals and the corporation must be identified by examining decision-making authority, operational control, sources of financing, and the economic benefits obtained. Research (Nugraha et al., 2020) explain that a limited liability company proven to have caused environmental pollution may be subject to civil liability through claims for compensation and restoration. Meanwhile, (Wijaya & Dzaki, 2023) emphasize the importance of constructing corporate criminal liability to address offenses committed through organizational structures. These two approaches demonstrate that corporate liability should not be determined solely by identifying the individuals carrying out activities in the field but

must also consider the legal relationships and factual circumstances connecting those activities to the business entity.

The application of strict liability must also be associated with the polluter pays principle as the basis for imposing environmental costs on the parties responsible for causing damage. In the context of illegal coal mining, this principle implies that corporations proven to be responsible should not be allowed to retain the economic benefits of mining activities while transferring the costs of environmental damage to communities and the government. By (Putra, 2024) explains that the implementation of the polluter pays principle in Indonesia continues to face challenges when economic interests take precedence over ecological responsibility. Meanwhile (Fadhilah et al., 2026) also emphasize that the effectiveness of this principle requires stronger accountability mechanisms and law enforcement against parties responsible for causing pollution. Accordingly, corporate liability must encompass compensation and environmental restoration measures based on the extent of the damage that can be established through evidence.

Based on this legal construction, the application of strict liability to corporations involved in illegal coal mining in Bengkulu Province should be implemented through several legal stages. First, the legal status of mining activities must be established based on the applicable licensing provisions. Second, it must be determined whether the activities possess the characteristics that may give rise to absolute liability under Article 88 of the UUPPLH. Third, environmental losses or damage must be established through technical and scientific examinations. Fourth, the corporation and the parties connected to the activities must be identified. Fifth, the appropriate forms of compensation and environmental restoration measures must be determined. This legal construction must remain distinct from criminal liability, which has its own legal basis and evidentiary procedures. Accordingly, strict liability can serve as a proportionate instrument of environmental accountability while ensuring that law enforcement does not stop at imposing sanctions on individual offenders but also results in the restoration of damaged environments.

Implementation of Strict Liability in Environmental Law Enforcement against Corporations Involved in Illegal Coal Mining in Bengkulu Province

The implementation of strict liability in environmental law enforcement against corporations involved in illegal coal mining in Bengkulu Province should be directed toward ensuring that every business activity causing environmental damage can be held accountable

in accordance with applicable legal provisions. In practice, law enforcement must begin with an examination of the legality of mining activities, including the conformity of mining locations with licensing requirements and the validity of documents relating to coal transportation and sales. When unlicensed activities are identified, law enforcement authorities may apply mining law instruments to address these violations. Subsequently, when indications of environmental pollution or damage are identified, further investigations are necessary to determine the possibility of imposing liability under the UUPPLH. Research (Darongke et al., 2021) explain that law enforcement against unlicensed mining can employ administrative, civil, and criminal legal instruments. This demonstrates that law enforcement implementation must be integrated to ensure that licensing violations and ecological impacts are addressed in accordance with the specific characteristics of each violation.

Developments in illegal mining cases in Bengkulu indicate that law enforcement has begun to address activities associated with coal transportation and trading. In September 2026, the Bengkulu District Prosecutor's Office received the second-stage transfer of an alleged illegal mineral and coal mining criminal case involving three suspects and evidence consisting of five trucks and more than 80 tons of coal. The suspects were charged under Article 161 of the Mineral and Coal Mining Law, as most recently amended by Law Number 2 of 2025 (ANTARA, 2026). This case demonstrates that enforcement against illegal mining requires supervision of the entire distribution chain of mining products. However, criminal enforcement against coal transportation and trading does not automatically establish the existence of environmental damage or fulfillment of the requirements for applying strict liability. Therefore, law enforcement proceedings must be complemented by investigations into environmental impacts and the involvement of corporations connected to these activities.

The implementation of corporate liability further requires the identification of parties exercising control over mining activities. In this regard, investigators need to examine sources of financing, ownership of heavy equipment, control over mining locations, contractual relationships, production documents, and coal distribution channels. Such investigations are important because organized mining activities may involve a distinction between the individuals carrying out operations and the parties controlling the company's operational activities. Research (Wijaya & Dzaki, 2023) explain that corporate criminal liability requires an attribution mechanism capable of establishing the relationship between individual conduct and organizational interests. Meanwhile, (Nugraha et al., 2020) demonstrate that business

entities may be subject to civil liability for pollution proven to be associated with their corporate activities. Therefore, the implementation of corporate liability in Bengkulu must be based on an examination of legal relationships and substantive corporate involvement rather than merely on the presence of workers at mining locations.

Another important aspect is establishing environmental damage and the causal relationship between mining activities and their resulting impacts. Investigations should cover soil conditions, water quality, changes in land cover, sedimentation, vegetation degradation, and the extent of affected areas. In the context of Bengkulu, research by (Elcaputera & Frastien, 2024) on coal mining activities in forest areas within the Air Bengkulu Watershed demonstrates the potential for ecosystem degradation associated with concerns regarding environmental carrying and assimilative capacities. Furthermore, research by (Setiawan et al., 2022) on the implementation of reclamation policies for former coal mining areas in Bengkulu highlights the importance of post-mining land management and restoration. These two studies strengthen the argument that the implementation of environmental liability cannot be limited to imposing sanctions but must also take into account ecological conditions and restoration requirements in affected areas.

In practice, strict liability must be directed toward environmental restoration as an integral component of corporate accountability. Restoration measures may include land reclamation, vegetation rehabilitation, sedimentation control, water quality improvement, and other actions necessary to restore environmental functions. Research (Nugraha et al., 2020) explain that corporate civil liability may include compensation and environmental restoration measures. Meanwhile, (Petrašević & Poretti, 2022) emphasize that the polluter pays principle must be implemented through mechanisms ensuring that the costs of pollution and restoration are borne by the responsible parties. Accordingly, the success of strict liability implementation in Bengkulu Province must be measured by the effectiveness of law enforcement in identifying responsible corporations, establishing environmental damage, determining compensation, and ensuring that environmental restoration is genuinely carried out.

Strengthening Law Enforcement and Corporate Liability for Environmental Damage Caused by Illegal Coal Mining

Strengthening law enforcement against environmental damage caused by illegal coal mining in Bengkulu Province requires an approach that integrates legal enforcement,

corporate accountability, and environmental restoration. To date, the handling of illegal mining cases has often placed greater emphasis on licensing violations and criminal prosecution of individuals apprehended in the field. However, organized mining activities may involve parties providing capital, controlling operations, managing distribution, and obtaining economic benefits. Darongke demonstrate that law enforcement against unlicensed mining can be pursued through administrative, civil, and criminal proceedings (Darongke et al., 2021). Therefore, efforts to strengthen law enforcement must focus on the integrated application of legal instruments so that enforcement not only terminates illegal activities but also ensures that responsible parties bear the consequences of environmental damage.

The first necessary measure is to harmonize mining law and environmental law. The Mineral and Coal Mining Law provides the legal basis for taking action against mining activities that fail to comply with licensing requirements, whereas the UUPPLH provides instruments for addressing environmental pollution and damage. When illegal mining activities are proven to have caused environmental damage, both legal frameworks must be applied in accordance with the characteristics of the violations and their respective grounds of liability. Research (Sanni, 2026) explains that following the enactment of Law Number 2 of 2025, the principles of strict liability and polluter pays remain legally grounded in the UUPPLH as instruments of environmental accountability in the mining sector. Furthermore, (Busroni & Putri, 2025) demonstrate the importance of understanding the legal construction of absolute liability within environmental civil law. Accordingly, legal harmonization is necessary to ensure that law enforcement is not limited to licensing violations but is also capable of addressing the resulting ecological impacts.

Another essential strengthening measure involves improving the capacity of law enforcement authorities to identify and establish corporate liability. Investigations should not be directed solely at workers or heavy equipment operators but must also encompass corporate management, financiers, owners of mining facilities, and parties exercising control over mining activities. Information concerning company ownership, sources of financing, transportation documents, sales transactions, and financial flows must be analyzed to uncover the relationship between mining activities and corporate structures. Research (Wijaya & Dzaki, 2023) explain that corporate criminal liability requires a legal construction capable of identifying organizational conduct and the relationship between corporate management and the business entity. And (Aldyan et al., 2026) also demonstrate that the

enforcement of corporate criminal liability in environmental cases continues to face challenges, particularly due to approaches that place excessive emphasis on individuals and the limited application of restorative sanctions. Therefore, improving the capacity of investigators, public prosecutors, and judges in handling corporate-related cases is essential.

Strengthening measures must also focus on improving the quality of scientific evidence and supervision of mining areas. The government and law enforcement authorities need to develop monitoring systems that integrate licensing data, mining locations, environmental conditions, and business entity identities. The utilization of remote sensing technology, digital mapping, water and soil quality assessments, and field documentation can assist in detecting illegal activities and identifying changes in environmental conditions. Furthermore, the involvement of environmental experts, mining experts, and qualified laboratories is necessary to determine the extent of environmental damage and establish causal relationships between mining activities and their impacts. Research (Rachma & Triwibowo, 2023) demonstrate that the application of strict liability can provide a legal basis for compensation and environmental restoration, although its implementation still requires an adequate evidentiary framework. Accordingly, strengthening scientific evidence is one of the essential requirements for improving the effectiveness of environmental law enforcement in Bengkulu.

Ultimately, strengthening law enforcement must position environmental restoration as the primary measure of successful corporate accountability. Compensation payments and the imposition of sanctions cannot fully resolve environmental problems if former mining areas, water quality, and damaged ecosystems are not restored. Research (Putra, 2024) explains that the implementation of the polluter pays principle continues to face challenges when economic interests take precedence over environmental responsibility. Meanwhile, (Fadhilah et al., 2026) emphasize the need to strengthen mechanisms for internalizing environmental costs to prevent the burden of environmental damage from being transferred to communities. Therefore, the application of strict liability to corporations involved in illegal coal mining in Bengkulu must be directed toward three primary objectives: terminating unlawful activities, ensuring that responsible parties bear the resulting losses, and implementing environmental restoration. This approach is expected to establish a law enforcement framework that not only creates a deterrent effect but also guarantees ecological protection and the sustainable safeguarding of community interests.

CONCLUSION

Based on the research findings, it can be concluded that the application of the principle of strict liability in environmental law enforcement against corporations involved in illegal coal mining in Bengkulu Province constitutes an important instrument for strengthening legal accountability while ensuring environmental protection and restoration. Unlicensed coal mining activities not only violate the provisions of mining law but also have the potential to cause land degradation, water pollution, soil deterioration, changes in landscape characteristics, and disturbances to ecosystem balance and community life. Normatively, the principle of strict liability is grounded in Article 88 of Law Number 32 of 2009 concerning Environmental Protection and Management, which regulates absolute liability in the context of civil environmental law, subject to the applicable requirements for its implementation. This principle must be distinguished from corporate criminal liability, since the imposition of criminal sanctions still requires a legal basis and proof of the elements of a criminal offense. In practice, law enforcement against illegal coal mining in Bengkulu Province continues to face several obstacles, including difficulties in identifying the corporations controlling the activities, tracing the parties benefiting from the economic proceeds, establishing a causal relationship between mining activities and environmental damage, and ensuring compliance with environmental restoration obligations. Furthermore, limitations in scientific evidence, regulatory changes, and suboptimal inter-agency coordination may cause case handling to focus more on punishing field-level offenders than on ensuring comprehensive environmental accountability. Therefore, the application of strict liability needs to be supported by regulatory harmonization, enhanced law enforcement capacity, stronger scientific evidence, integrated mining and environmental data, and investigations into corporate structures and financial benefits. The application of the polluter pays principle is also essential to ensure that parties responsible for environmental damage bear the costs of compensation and restoration in accordance with applicable legal provisions. Accordingly, the success of law enforcement against corporations involved in illegal coal mining should not be measured solely by the cessation of mining activities and the imposition of sanctions, but also by the state's ability to hold corporations accountable, restore environmental functions, and protect the interests of affected communities.

This research makes both theoretical and practical contributions to the development of environmental law studies, particularly concerning the application of the principle of strict liability to corporate accountability for involvement in illegal coal mining. Theoretically, this

research clarifies the relationship between mining law and environmental law by positioning strict liability as a civil liability mechanism with characteristics distinct from corporate criminal liability. It also reinforces the understanding that addressing illegal mining should not focus exclusively on licensing violations but must also encompass ecological consequences, community losses, and environmental restoration obligations. Practically, the research findings may serve as a consideration for law enforcement officials, local governments, and agencies responsible for mining and environmental affairs in formulating more integrated law enforcement strategies, ranging from corporate identification and the collection of evidence of environmental damage to the tracing of economic benefits and the implementation of environmental restoration. Furthermore, this research provides a perspective for strengthening mining supervision and implementing the polluter pays principle, ensuring that legal accountability does not end with the imposition of sanctions but results in tangible and sustainable environmental restoration, particularly in Bengkulu Province.

Future research is recommended to develop empirical studies through analyses of court decisions, investigation documents, civil environmental lawsuits, and interviews with law enforcement officials, local government representatives, mining companies, environmental experts, and communities affected by illegal coal mining in Bengkulu Province. Such studies should aim to identify the extent to which the principle of strict liability is actually applied in resolving illegal coal mining cases, including challenges related to evidentiary requirements, the determination of liable parties, the calculation of ecological losses, and the implementation of environmental restoration obligations. Future research may also employ a comparative legal approach by examining other mining regions in Indonesia or countries that have developed corporate environmental liability mechanisms, thereby providing a basis for a more comprehensive law enforcement model. In addition, further studies should integrate legal perspectives with environmental assessments by measuring water quality, soil conditions, changes in land cover, and the extent of ecosystem damage resulting from illegal mining activities. Such research is expected to generate more operational policy recommendations concerning the strengthening of corporate accountability, the effectiveness of inter-agency coordination, the implementation of the polluter pays principle, and the development of measurable, transparent, and sustainable environmental restoration mechanisms.

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