

# LAPORAN KORESPONDESI JURNAL INTERNASIONAL BEREPUTASI

## A. DETAIL JURNAL

Nama Jurnal : Resources (2079-9276)  
Bidang : Environmental Science: Management, Monitoring, Policy and Law  
Jenis Publikasi : Full Open Access Journal  
Scopus Coverage : From 2012 to Present  
Quartile : Q2 ScimagoJR  
H Index : 42  
Penerbit : Multidisciplinary Digital Publishing Institute (MDPI)  
Negara : Switzerland  
Link OJS : <https://www.mdpi.com/journal/resources>  
Link Scopus : <https://www.scopus.com/sourceid/21100808642#tabs=2>

### 1. Data Scopus

The screenshot shows the Scopus Source details page for the journal 'Resources'. The page includes the following information:

- Resources**: Open Access, Scopus coverage years: from 2012 to Present, Publisher: Multidisciplinary Digital Publishing Institute (MDPI), E-ISSN: 2079-9276, Subject area: Environmental Science: Nature and Landscape Conservation, Environmental Science: Management, Monitoring, Policy and Law, Source type: Journal.
- Metrics**: CiteScore 2022: 7.7, SJR 2022: 0.699, SNIP 2022: 1.193.
- Scopus content coverage**: A table showing the number of documents published per year from 2021 to 2023.



Year	Documents published	Actions
2023	71 documents	<a href="#">View citation overview &gt;</a>
2022	121 documents	<a href="#">View citation overview &gt;</a>
2021	129 documents	<a href="#">View citation overview &gt;</a>

## 2. Data ScimagoJR

**SJR** Scimago Journal & Country Rank Enter Journal Title, ISSN or Publisher Name

Home Journal Rankings Country Rankings Viz Tools Help About Us

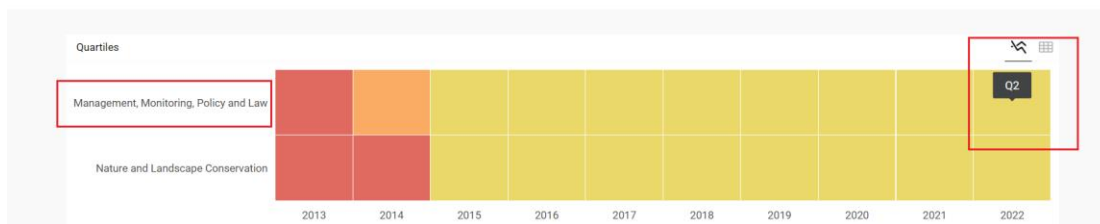
### Resources

<b>COUNTRY</b> Switzerland  Universities and research institutions in Switzerland  Media Ranking in Switzerland	<b>SUBJECT AREA AND CATEGORY</b> Environmental Science Management, Monitoring, Policy and Law Nature and Landscape Conservation	<b>PUBLISHER</b> Multidisciplinary Digital Publishing Institute (MDPI)	<b>H-INDEX</b> <b>46</b>
<b>PUBLICATION TYPE</b> Journals	<b>ISSN</b> 20799276	<b>COVERAGE</b> 2012-2022	<b>INFORMATION</b> <a href="#">Homepage</a> <a href="#">How to publish in this journal</a>

#### SCOPE

Resources (ISSN 2079-9276) is an international, scholarly open access journal on the topic of natural resources. It publishes reviews, regular research papers, communications and short notes, and there is no restriction on the length of the papers. Our aim is to encourage scientists to publish their research in as much detail as possible, whether theoretical, empirical or experimental. Full details regarding methods must be provided so that findings can be reproduced. Subject Areas: natural resources, mineral and geo-resources, land and ecological resources, plant and animal resources, water resources, energy resources, food and bio-resources, resource conservation, reuse and recycling, sustainable resource management, resource governance and policy, and circular economy.

 Join the conversation about this journal





## B. DETAIL NASKAH

Manuscript Title : Strengthening Reclamation Obligation through Mining Law Reform: Indonesian Experience  
Author : Nurul Listiyani  
Co-Author : M. Yasir Said; Afif Khalid  
Published : 28 April 2023  
Issue : 12(5), 56;  
Doi Artikel : <https://doi.org/10.3390/resources12050056>  
Link Full Paper : <https://www.mdpi.com/2079-9276/12/5/56>




## C. KORESPONDENSI

1. Pada tanggal 31 Desember 2022, melakukan submit paper secara online melalui Sistem Submission & Review Tracking dari MDPI pada <https://susy.mdpi.com/> dan mendapatkan Username & Password. Pada hari yang sama, menerima balasan pada email bahwa artikel telah diterima pihak jurnal untuk diproses dengan ID Submit Resources-2167629

[Resources] Manuscript ID: resources-2167629 - Submission Received Inbox x  



Editorial Office <resources@mdpi.com>  
to me, Nurul ▾

Sat, Dec 31, 2022, 10:30 PM   

Dear Mr. Said,

Thank you very much for uploading the following manuscript to the MDPI submission system. One of our editors will be in touch with you soon.

Journal name: Resources  
Manuscript ID: resources-2167629  
Type of manuscript: Article  
Title: Strengthening Reclamation Obligation Through Mining Law Reform  
Authors: Nurul Listiyani \*, M. Yasir Said  
Received: 31 December 2022  
E-mails: [nurullistiyani5@gmail.com](mailto:nurullistiyani5@gmail.com), [mys.legal.correspondent@gmail.com](mailto:mys.legal.correspondent@gmail.com)

You can follow progress of your manuscript at the following link (login required):  
[https://susy.mdpi.com/user/manuscripts/review\\_info/042faadcb7b8d02b4566c52071f749f1](https://susy.mdpi.com/user/manuscripts/review_info/042faadcb7b8d02b4566c52071f749f1)

2. Artikel yang disubmit berjudul **“Strengthening Reclamation Obligation through Mining Law Reform: Indonesian Experience”**. Artikel ini berisi kajian mengenai kebijakan reklamasi pertambangan dengan mengkonseptualisasikan upaya penguatan kebijakan kewajiban reklamasi dalam UU Minerba berdasarkan prinsip pencegahan kerusakan lingkungan dan sosial. Pada tulisan tersebut kami menawarkan dua reformasi besar dalam formulasi untuk memperkuat kewajiban reklamasi. Pertama, perlunya mempertegas esensi “kewajiban” bagi pemegang IUP dan IUPK untuk melakukan reklamasi dan pascatambang berikut pengawasannya. Sehingga penempatan dana reklamasi oleh perusahaan tidak sekedar formalitas dalam mengalihkan kewajiban perusahaan untuk melakukan kegiatan reklamasi dan pascatambang kepada pihak ketiga atau pihak lain. Kedua, agar perusahaan patuh, maka penting untuk menerapkan syarat wajib, dimana penempatan dana jaminan reklamasi merupakan persyaratan persetujuan rencana dan anggaran pertambangan (RKAB), dan Sertifikasi Clean and Clear (CnC). Adapun **artikel ini berkesesuaian dengan bidang Penulis yakni Hukum Lingkungan**. Tema ini memenuhi focus and scope Jurnal Resources yakni: ***Environmental Science Management, Monitoring, Policy and Law***.
3. Pada tanggal **3 Januari 2023** diberitahukan melalui email bahwa telah ditunjuk Section Managing Editor dari Resources bernama Daniel Varga untuk memproses artikel lebih lanjut.

[Resources] Manuscript ID: resources-2167629 - Assistant Editor Assigned Inbox x



**Daniel Varga** <daniel.varga@mdpi.com>  
to me, Daniel, Nurul, Resources ▾

Tue, Jan 3, 7:07 PM ☆ ↶ ⋮

Dear Mr. Said,

Your paper has been assigned to Daniel Varga, who will be your main point of contact as your paper is processed further.

Journal: Resources  
Manuscript ID: resources-2167629  
Title: Strengthening Reclamation Obligation Through Mining Law Reform  
Authors: Nurul Listiyani \*, M. Yasir Said

Received: 31 December 2022  
E-mails: [nurullistiyani5@gmail.com](mailto:nurullistiyani5@gmail.com), [mys.legal.correspondent@gmail.com](mailto:mys.legal.correspondent@gmail.com)

You can find it here:  
[https://susy.mdpi.com/user/manuscripts/review\\_info/042faadcb7b8d02b4566c52071f749f1](https://susy.mdpi.com/user/manuscripts/review_info/042faadcb7b8d02b4566c52071f749f1)

Best regards,  
Mr. Daniel Varga  
Section Managing Editor  
Email: [daniel.varga@mdpi.com](mailto:daniel.varga@mdpi.com)

4. Selanjutnya pada tanggal **6 Februari 2023** diberitahukan kepada kami bahwa artikel telah melewati proses peer review dan diperlukan major revisi yang mana kami submit kembali perbaikannya pada tanggal **6 Maret 2023** di sistem Submission & Review Tracking dari MDPI pada <https://susy.mdpi.com/> Tahap Peer-Review dilakukan oleh 3 orang reviewer. (**Record substansi review dilampirkan dibagian akhir laporan ini**).

[Resources] Manuscript ID: resources-2167629 - Major Revisions Inbox x



**Resources Editorial Office** <resources@mdpi.com>  
to me, Nurul, Resources ▾

Mon, Feb 6, 2:41 PM ★ ↶ ⋮

Dear Mr. Said,

Thank you again for your manuscript submission:

Manuscript ID: resources-2167629  
Type of manuscript: Article  
Title: Strengthening Reclamation Obligation Through Mining Law Reform  
Authors: Nurul Listiyani \*, M. Yasir Said  
Received: 31 December 2022  
E-mails: [nurullistiyani5@gmail.com](mailto:nurullistiyani5@gmail.com), [mys.legal.correspondent@gmail.com](mailto:mys.legal.correspondent@gmail.com)

Your manuscript has now been reviewed by experts in the field. Please find your manuscript with the referee reports at this link:

<https://susy.mdpi.com/user/manuscripts/resubmit/042faadcb7b8d02b4566c52071f749f1>

Please revise the manuscript according to the referees' comments and upload the revised file within 10 days.

Please use the version of your manuscript found at the above link for your revisions.

[Resources] Manuscript ID: resources-2167629 - Revised Version Received Inbox x



**Resources Editorial Office** <resources@mdpi.com>

Mon, Mar 6, 2:54 PM



to me, Nurul, Resources ▾

Dear Mr. Said,

Thank you very much for providing the revised version of your paper:

Manuscript ID: resources-2167629  
Type of manuscript: Article  
Title: Strengthening Reclamation Obligation Through Mining Law Reform  
Authors: Nurul Listiyani \*, M. Yasir Said  
Received: 31 December 2022  
E-mails: [nurullistiyani5@gmail.com](mailto:nurullistiyani5@gmail.com), [mys.legal.correspondent@gmail.com](mailto:mys.legal.correspondent@gmail.com)

[https://susy.mdpi.com/user/manuscripts/review\\_info/042faadcb7b8d02b4566c52071f749f1](https://susy.mdpi.com/user/manuscripts/review_info/042faadcb7b8d02b4566c52071f749f1)

We will continue processing your paper and will keep you informed about the status of your submission.

Kind regards,  
Mr. Daniel Varga  
Section Managing Editor  
Email: [daniel.varga@mdpi.com](mailto:daniel.varga@mdpi.com)  
Skype: live:.cid.7f3adb0751384f7d

5. Selanjutnya pada tanggal **20 Maret 2023** diberitahukan kepada kami bahwa artikel masih memerlukan revisi dari editor pada bahasa Inggris dan diagram-diagram didalam artikel yang mana kami submit kembali perbaikannya sekaligus cover letter kepada editor pada tanggal **4 April 2023**.

Academic editor's comments:

-----

The authors have made many of the changes that the reviewers have asked for. I view this manuscript positively, but I hope that some further changes can be made before the paper is acceptable.

1. English needs thorough revision.
2. Make sure there are references for all of the figures - properly formatted (e.g. Fig4, Fig 5) - and redraw these if you haven't - they are simple drawings.
3. Check the numbering of the sections.
4. Consider restructuring - the history of past law is maybe not in the right place (i.e. why is it in conclusions, not earlier?)

-----

Please revise the manuscript according to the referees' comments and upload the revised file within 5 days. (March 24)

Please use the version of your manuscript found at the above link for your revisions.

- (I) Please check that all references are relevant to the contents of the manuscript.
- (II) Any revisions to the manuscript should be marked up using the "Track Changes" function if you are using MS Word/LaTeX, such that any changes can be easily viewed by the editors and reviewers.
- (III) Please provide a cover letter to explain, point by point, the details of the revisions to the manuscript and your responses to the referees'

[Resources] Manuscript ID: resources-2167629 - Revised Version Received Inbox x



**Resources Editorial Office** <resources@mdpi.com>  
to me, Nurul, Afif, Resources ▾

Tue, Apr 4, 5:36 PM ☆ ↶ ⋮

Dear Mr. Said,

Thank you very much for providing the revised version of your paper:

Manuscript ID: resources-2167629  
Type of manuscript: Article  
Title: Strengthening Reclamation Obligation Through Mining Law Reform  
Authors: Nurul Listiyani \*, M. Yasir Said, Afif Khalid  
Received: 31 December 2022  
E-mails: [nurullistiyani5@gmail.com](mailto:nurullistiyani5@gmail.com), [mys.legal.correspondent@gmail.com](mailto:mys.legal.correspondent@gmail.com),  
[aff85fhuniska@gmail.com](mailto:aff85fhuniska@gmail.com)

[https://susy.mdpi.com/user/manuscripts/review\\_info/042faadcb7b8d02b4566c52071f749f1](https://susy.mdpi.com/user/manuscripts/review_info/042faadcb7b8d02b4566c52071f749f1)

We will continue processing your paper and will keep you informed about the status of your submission.

Kind regards,  
Mr. Daniel Varga  
Section Managing Editor  
Email: [daniel.varga@mdpi.com](mailto:daniel.varga@mdpi.com)  
Skype: live:.cid.7f3adb0751384f7d

6. Pada tanggal **6 April 2023** artikel secara resmi dinyatakan diterima (*accepted*) untuk publikasi pada jurnal Resource. Para penulis diberikan salinan draft artikel untuk di cek dan proofread sebelum diterbitkan. Selanjutnya dihari yang sama invoice biaya publikasi jurnal secara Open Access dikirimkan ke email penulis.

[Resources] Manuscript ID: resources-2167629 - Accepted for Publication Inbox x



**Resources Editorial Office** <resources@mdpi.com>  
to me, Nurul, Afif, Resources, Daniel ▾

Thu, Apr 6, 1:23 PM ☆ ↶ ⋮

Dear Mr. Said,

Congratulations on the acceptance of your manuscript, and thank you for submitting your work to Resources:

Manuscript ID: resources-2167629  
Type of manuscript: Article  
Title: Strengthening Reclamation Obligation Through Mining Law Reform  
Authors: Nurul Listiyani \*, M. Yasir Said, Afif Khalid  
Received: 31 December 2022  
E-mails: [nurullistiyani5@gmail.com](mailto:nurullistiyani5@gmail.com), [mys.legal.correspondent@gmail.com](mailto:mys.legal.correspondent@gmail.com),  
[aff85fhuniska@gmail.com](mailto:aff85fhuniska@gmail.com)

[https://susy.mdpi.com/user/manuscripts/review\\_info/042faadcb7b8d02b4566c52071f749f1](https://susy.mdpi.com/user/manuscripts/review_info/042faadcb7b8d02b4566c52071f749f1)

We will now edit and finalize your paper, which will then be returned to you for your approval. Within the next couple of days, an invoice concerning the article processing charge (APC) for publication in this open access journal will be sent by email from the Editorial Office in Basel, Switzerland.

If, however, extensive English edits are required to your manuscript, we will need to return the paper requesting improvements throughout.



**M.Yasir Said**  
Faculty of Law  
Universitas Islam Kalimantan Muhammad ARsyad  
Al-Banjari  
Complex Mustika Griya Permai No.K12  
Martapura 70612  
Indonesia

## INVOICE

MDPI  
St. Alban-Anlage 66  
4052 Basel  
Switzerland  
Tel.: +41 61 683 77 34  
E-Mail: [billing@mdpi.com](mailto:billing@mdpi.com)  
Website: [www.mdpi.com](http://www.mdpi.com)  
VAT nr. CHE-115.694.943

Date of Invoice: 6 April 2023  
Manuscript ID: resources-2167629  
Invoice Number: 2167629  
Your Order: by e-mail ([mys.legal.correspondent@gmail.com](mailto:mys.legal.correspondent@gmail.com)) on 31 December 2022  
Article Title: "Strengthening Reclamation Obligation Through Mining Law Reform"  
Name of co-authors: Nurul Listiyani, M. Yasir Said and Afif Khalid  
[Additional Author Information](#)  
Terms of payment: 5 days  
Due Date: 11 April 2023  
License: CC BY

Description	Currency	Amount
Article Processing Charges	CHF	1 600.00
Author Voucher discount code (90785174ead7b76c)	CHF	( 100.00 )
Subtotal without VAT	CHF	1 500.00
VAT (0%)	CHF	0.00
<b>Total with VAT</b>	<b>CHF</b>	<b>1 500.00</b>

7. Pada tanggal **7 April 2023** penulis melakukan pembayaran penerbitan artikel secara *open access*. Pada hari yang sama, pihak editor menghubungi penulis agar dilakukan final checking sebelum dilakukan penerbitan.

### Payment confirmation



MDPI  
St. Alban-Anlage 66  
4052 Basel  
Switzerland  
Tel.: +41 61 683 77 34  
E-Mail: [billing@mdpi.com](mailto:billing@mdpi.com)  
VAT nr. CHE-115.694.943

**M.Yasir Said**  
Faculty of Law  
Universitas Islam Kalimantan  
Muhammad ARsyad Al-Banjari  
Complex Mustika Griya Permai No.K12  
Martapura 70612  
Indonesia

[mys.legal.correspondent@gmail.com](mailto:mys.legal.correspondent@gmail.com)

Basel, 07 April 2023

Description
Payment confirmation for invoice: resources-2167629

MDPI confirms that it has received payment of invoice resources-2167629 (invoice dated 06 April 2023)

Amount Received: 1500.00 CHF  
Date Received: 07 April 2023

MDPI  
Financial Accounting  
St. Alban-Anlage 66  
CH-4052 Basel  
Switzerland



Resources Editorial Office <resources@mdpi.com>

to me, Nurul, Afif, Resources, daniel.varga

Fri, Apr 7, 2:18 PM ☆ ↶ ⋮

Dear Mr. Said,

We invite you to proofread your manuscript to ensure that this is the final version that can be published and confirm that you will require no further changes:

At MDPI, we believe in the fast dissemination of sound, valid scientific knowledge. Once accepted for publication, we aim to ensure that research is published as soon as possible.

Please upload the final proofread version of your manuscript within 24 hours, and please remember that we are able to be flexible with this timeframe should you alert us. If you need more time, please inform the Assistant Editor of the expected date that you will be able to return the proofread version.

Manuscript ID: resources-2167629

Type of manuscript: Article

Title: Strengthening Reclamation Obligation Through Mining Law Reform

Authors: Nurul Listiyani \*, M. Yasir Said, Afif Khalid

Received: 31 December 2022

E-mails: [nurullistiyani5@gmail.com](mailto:nurullistiyani5@gmail.com), [mys.legal.correspondent@gmail.com](mailto:mys.legal.correspondent@gmail.com), [afif85fhuniska@gmail.com](mailto:afif85fhuniska@gmail.com)

- 8. Artikel diterbitkan pada tanggal **28 April 2023**, Resources Edisi 12 Nomor 5 Tahun 2023 dan paper dapat diunduh pada link berikut <https://www.mdpi.com/2079-9276/12/5/56>

IK

Order Article Reprints ⚙️

Open Access Article

## Strengthening Reclamation Obligation through Mining Law Reform: Indonesian Experience

by Nurul Listiyani <sup>1</sup>, M. Yasir Said <sup>2,\*</sup>, and Afif Khalid <sup>1</sup>

<sup>1</sup> Faculty of Law, Universitas Islam Kalimantan Muhammad Arsyad Al Banjari, Jl. Adhyaksa No. 2, Banjarmasin 70123, Indonesia

<sup>2</sup> Justicia Belen Law Office, Jl. Brigjen Hasan Basry, Banjarmasin 70123, Indonesia

\* Author to whom correspondence should be addressed.

*Resources* **2023**, *12*(5), 56; <https://doi.org/10.3390/resources12050056>

Received: 31 December 2022 / Revised: 4 April 2023 / Accepted: 6 April 2023 / Published: 28 April 2023

Download

Browse Figures

Review Reports

Versions Notes

### Abstract

: Reclamation can produce more value for the environment and create a far better situation than post-mining conditions. While the reclamation obligation policy is a great way to introduce a restorative approach to the environment, the main problem is the disobedience of the mining companies in their reclamation obligation. Therefore, we focused on conceptualizing the strengthening of the reclamation obligation policy in the Mining Act



Help



Cite



Discuss in  
SciProfiles



Endorse



Comment



This author profile is generated by Scopus. [Learn more](#)

## Listiyani, Nurul

Islamic University of Kalimantan, Banjarmasin, Indonesia 57205558557 [Connect to ORCID](#)

10 Citations by 10 documents | 3 Documents | 1 h-index [View h-graph](#)

[Set alert](#) [Save to list](#) [Edit profile](#) [More](#)

### Document & citation trends



### Scopus Preview

Scopus Preview users can only view a limited set of features. Check your Institution's access to view all documents and features.

[Check access](#)

3 Documents | Cited by 10 documents | 0 Preprints | 6 Co-Authors | 0 Topics | 0 Awarded Grants Beta

### 3 documents

[Export all](#) [Save all to list](#)

Sort by [Date \(newest\)](#)

[View list in search results format](#)

[View references](#)

[Set document alert](#)

Article - Open access  
**Strengthening Reclamation Obligation through Mining Law Reform: Indonesian Experience**  
 Listiyani, N., Said, M.Y., Khalid, A.  
*Resources*, 2023, 12(5), 56  
[Show abstract](#) [Related documents](#)

0 Citations

#### Author Position

Based on 2 documents for 2013 - 2022

First author • 100%

2	5	0.289
Documents	Average citations	Average FWCI

Last author • 0%

Co-author • 0%

Corresponding author • 50%

Single author • 0%

[View author position details](#)

Conference Paper  
**Determination Strategies for HDI Improvement Using SWOT Matrix Toward Sustainable Development and Good Environment**  
 Listiyani, N., Zulfikar, R., Jaelani, A., Susanto, D.  
*IOP Conference Series: Earth and Environmental Science*, 2022, 1111(1), 012074  
[Show abstract](#) [Related documents](#)

0 Citations

Article - Open access  
**Political law on the environment: The authority of the government and local government to file litigation in law number 32 year 2009 on environmental protection and management**  
 Listiyani, N., Yasir Said, M.  
*Resources*, 2018, 7(4), 77  
[Show abstract](#) [Related documents](#)

10 Citations

[Back to top](#)

## D. RECORD PEER-REVIEW NASKAH

### 1. Hasil Review oleh Reviewer 1 (19/01/2023)

- Open Review**  I would not like to sign my review report  
 I would like to sign my review report
- Quality of English Language**  
 English very difficult to understand/incomprehensible  
 Extensive editing of English language and style required  
 Moderate English changes required  
 English language and style are fine/minor spell check required  
 I am not qualified to assess the quality of English in this paper

	Yes	Can be improved	Must be improved	Not applicable
Does the introduction provide sufficient background and include all relevant references?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all the cited references relevant to the research?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the research design appropriate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the methods adequately described?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the results clearly presented?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the conclusions supported by the results?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Comments and Suggestions for Authors** -- General Comments --

I'll preface my comments by stating that I don't have a law/legal background, so it's difficult for me to provide judgement regarding how grounded or fundamental some of the arguments and interpretations are. Particularly regarding some of the political theory relating government actors to authority and power, and how this relates to the intent inherently embedded in the Indonesian legal system.

I do believe though that the article clearly explains a weakness where multiple Indonesian laws are in conflict and so there are multiple possible interpretations as to whether mining reclamation activities can be transferred to third-parties or not. Lack of clarity on this issue potentially has quite significant financial governance and risk implications for investors and companies operating in these regions, not to mention the consequential impacts for the environment and mine affected communities. So it seems like a significant finding that should be reported and published.

The suggested reformulation of the relevant clauses in the Mining Act that is presented in the final paragraph of section 3.1 and Figure 6 appear to be an elegant possible solution for addressing this issue. My understanding is that this is in-line with policy developments in other nations, which are increasingly seeking to limit the transferability of mine reclamation and rehabilitation requirements and obligations to third-parties.

My main suggestion would be to extend the abstract by a sentence or two so that it is more clearly described upfront that the current laws are in conflict regarding whether transferability of post-mining reclamation obligations is permissible. On my initial read through, this didn't become apparent to me until getting to the latter half of the article.

Overall, the article is very direct and concise in its examination of this issue, which is refreshing.

-- Comments on Specific Lines / Sections --

[Line 33] "It is undeniable that the irresponsible practice of surface mining in Indonesia is resulting in deforestation and forest degradation which creates damages to forests and ecosystems while became a major factor of greenhouse gas emissions." This is quite emotive language. Is there any research showing how much of a contributor surface mining is to Indonesian deforestation compared to other activities/sectors (e.g. agriculture, forestry, etc.)? Also is all surface mining in Indonesia "irresponsible" or does it vary by context and company?

- I am wondering whether Indonesian law draws any distinction between mine reclamation and mine rehabilitation?

[Lines 63-82] Give the low level of obedience / compliance with the regulations, is further reform of regulations actually a viable approach to addressing this? Or is there a need for stronger enforcement of existing regulations?

[Line 343-349] "There is an issue of disharmony regarding the obligation to implement reclamation and post-mining by the holders of IUP and IUPK holder can transfer their reclamation obligation to a third party appointed by the Minister, Governor, or Regent/Mayor. Whereas Reclamation and Post-Mining Regulation expressly stipulates that reclamation and post-mining must be performed directly by IUP and IUPK holders without exception."

- This seems to be quite a significant discordance, particularly as you note later in Line 363-366 that the Gov Reg No. 78/2010 (to paraphrase) may be more effective in its implementation. Are there any examples of what has actually been occurring in practice?

enforcement of existing regulations?

[Line 343-349] "There is an issue of disharmony regarding the obligation to implement reclamation and post-mining by the holders of IUP and IUPK holder can transfer their reclamation obligation to a third party appointed by the Minister, Governor, or Regent/Mayor. Whereas Reclamation and Post-Mining Regulation expressly stipulates that reclamation and post-mining must be performed directly by IUP and IUPK holders without exception."

- This seems to be quite a significant discordance, particularly as you note later in Line 363-366 that the Gov Reg No. 78/2010 (to paraphrase) may be more effective in its implementation. Are there any examples of what has actually been occurring in practice?

References 1, 3, 9, 10, 11, 17, 20, 21, 25, 26, 32, 34, 35 and 36 are statements. I would suggest checking the journal author guidelines, as probably these should be presented in footnotes separate to the main reference list.

Language / Grammar Issues:

[Line 9] "The reclamation can..." doesn't quite make sense in this sentence. Better phrasing would be "The reclamation process can...", "Mining reclamation can...", or something similar.

[Line 12] "disobedient" should be "disobedience"

- A good proof-read of the entire article focused on clarity could be useful. Generally, it's well written but there is the occasional odd phrasing.

Submission Date 31 December 2022  
Date of this review 19 Jan 2023 14:22:26

## 2. Tanggapan Penulis Terhadap Review 1

The coverletter for this review report has been saved in the database. You can safely close this window.

### Authors' Responses to Reviewer's Comments (Reviewer 1)

Author's Notes Dear Reviewer 1,

Thank you for your constructive review. We have made several changes in accordance with your suggestion.

Also to clarify,

In response to your comments for line 33

[Line 33]: "It is undeniable that the irresponsible practice of surface mining in Indonesia is resulting in deforestation and forest degradation which creates damages to forests and ecosystems while became a major factor of greenhouse gas emissions."

Comment: This is quite emotive language. Is there any research showing how much of a contributor surface mining is to Indonesian deforestation compared to other activities/sectors (e.g. agriculture, forestry, etc.)? Also is all surface mining in Indonesia "irresponsible" or does it vary by context and company?

Response:

There were 9.721 Mining Business Permits with an open-pit coal mining system recorded in Indonesia (<https://www.atlantis-press.com/proceedings/jsts-19/125955338>). According to WALHI mining permits in Indonesia have now reached 11 million hectares, of which 4.5 million hectares are in forest areas. Recently Indonesia experienced the highest damage to tropical forests due to the mining industry, contributing 58.2 percent of deforestation (2022 PNAS Study). <https://www.pnas.org/doi/10.1073/pnas.2118273119>

While it is true that the "irresponsible" practice is vary by context and company. We noted that because most, if not all the legal and illegal mining practice in indonesia is using open-pit mining system, for expansion the company often convert forest to mining site. Compare with the low compliance of reclamation obligation, this is often the cause of deforestation and degradation. Additionally, it also brings consequences to the emergence of mining pits in many places. These coal pits (void) become an issue for the people who live in the mining area. For example in East Kalimantan, since the 2010-2018 year, 28 people drowned in coal pits that were not reclaimed; most are children.

Response to [Lines 63-82] Give the low level of obedience / compliance with the regulations, is further reform of regulations actually a viable approach to addressing this? Or is there a need for stronger enforcement of existing regulations?

We believe the reform is the first step toward stronger law enforcement. In the current state, the Mining Act allows the company to transfer the responsibility of reclamation to the third party as long as they place the fund. However what if the third party also failed to conduct reclamation? Who will be responsible? The reform of the law will force the company or permit holders to be liable for reclamation. Therefore if they not comply with the regulations, there will be no question about the burden of liability, and the sanction can be imposed properly.

We offer two major reform in formulation to strengthen the reclamation obligation.

The first key formulation that needs to change in the Mining Act is to reinforce the essence of "obligation" for IUP and IUPK holders to perform reclamation and post-mining with the supervision as in the Environmental Act. With this reform, in essence, the placement of the reclamation fund by the company does not eliminate the company's obligation to carry out reclamation and post-mining activities.

The second key formulation is to put a mandatory condition of placing the reclamation guarantees fund as a requirement for approval of the mining plans and budgets (the RKAB) and Clean and Clear (CnC) Certification. Nearly half of mining companies not paying into mandatory reclamation and post-mining funds managed by the government due to a series of blind spots in the Indonesia regulatory framework. Among these leeway is a mandatory deposit that companies must make to the government for reclamation and post-mining guarantees fund in order to obtain a mining permits. But the deposit is not a prerequisite for approval of their mining plans and budgets (the RKAB). And it is the RKAB, rather than the Mining Permits, that allows mining company to begin operating. Only six percent, have deposited both reclamation and post-mining funds with the government, according to the state auditing agency (BPK) and only twenty one percent have deposited the reclamation fund. Furthermore, while the government mandates a "clean and clear" certification for mining companies to confirm that they meet all legal requirements. However carrying out reclamation obligations is not a requirement for obtaining CnC certification. As the consequences many mining permit holders had secured CnC certification without deposited reclamation and post-mining funds. It enabled mining companies to continue to operate without having to rehabilitate their concessions, with no disincentives for non-compliance.

Kind regards,

Author

[Author's Notes File](#) [Report Notes](#)

### 3. Hasil Review oleh Reviewer 2 (03/02/2023)

- Open Review**  I would not like to sign my review report  
 I would like to sign my review report
- Quality of English Language**  English very difficult to understand/incomprehensible  
 Extensive editing of English language and style required  
 Moderate English changes required  
 English language and style are fine/minor spell check required  
 I am not qualified to assess the quality of English in this paper

	Yes	Can be improved	Must be improved	Not applicable
Does the introduction provide sufficient background and include all relevant references?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are all the cited references relevant to the research?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the research design appropriate?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are the methods adequately described?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are the results clearly presented?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the conclusions supported by the results?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Comments and Suggestions for Authors** Dear Authors

Thank you for your paper. The topic of reclamation by mining is of global interest and is a concern for civil society and governments. The topic is certainly of relevance to current debates on the subject. There are however some comments to improve the quality and soundness of the paper.

- Please add references for all statements made. For example, there is no reference for some statements (i.e. Deforestation and forest degradation are one of the major leading causes of global warming, responsible for around 15% of global greenhouse gas emissions, which makes the loss of forests a major issue for climate change. In some countries, for example, Indonesia and Brazil, deforestation and forest degradation together are by far the main source of national greenhouse gas emissions...ALSO...It is undeniable that the irresponsible practice of surface mining in Indonesia is resulting in deforestation and forest degradation which creates damages to forests and ecosystems while became a major factor of greenhouse gas emissions). Please check the entire document.

- A statement is made that...Recent studies and analyses estimate that stopping deforestation, restoring forests, and improving forestry practices is the most cost-effective way to reduce 7 billion metric tons of carbon dioxide per year... but isn't this obvious? What about the alternative argument to present that is - to stop mining operations and explore other green industrial practices that do not result in the exploitation of the earth? It seems that the authors are tied to the narrative on shallow ecology and not going to the root cause of the debate on sustainability and sustainable practices. Please could these alternative views be presented and then mention why you look at reclamation. As the authors further note... 'reclamation can produce more value to the environment and create a far better situation than post-mining conditions'. However would it not be best to avoid mining and hence reclamation entirely?

- The word 'reclamation' is used, but no definition is provided for this paper and the reader. Please can the authors add some definitions and then highlight their understanding of this term is here.

- It is noted that the paper is analyzing the post-mining law reform in Indonesia. However, can we have a section on regulatory history and governance to give the reader a better contextual understanding of the before and after picture and the build-up to the Mining Law Reform 2020? In addition, this is a new law about 2 years old and so context to how this new law has been received and implemented would be good. In addition, can the authors provide some information about the Mining Act, its contents, and how it is an improvement from previous laws? Finally, the reader needs to understand how the research issue has come about and why this is important to study for this paper.

- It is not easy to follow the argument of the doctrinal legal research method applied. Please explain how each of the characteristics of the normative research point's a-e each add to analyzing the post-mining law reform. The doctrinal legal research is divided into 3 parts. No link is made to the research aim or to explain its relevance to the study.

- It is noted that 'Using the action plan, it is aimed that this research can produce a common perception that reclamation is an essential instrument in the exploitation of natural resources which aims to restore land's function.' Again is it not obvious that reclamation aims to restore land function? I suggest the authors explore the academic literature and situate their argument on how this paper fills in knowledge gaps in existing academic literature broadly and then regarding mining law and reform in Indonesia.

- Please justify the selection of the 'primary legal material' such as Act 32/2009 on Environmental Protection and Management, Act 4/2009 on Mineral and Coal Mining, etc...lease justify selection 'primary legal material' such as the Act 32/2009 on Environmental Protection and Management, Act 4/2009 on Mineral and Coal Mining, etc.

- Also please list the secondary material used for this work.

- How did the authors decide what primary legal material and secondary legal materials were relevant to the research? What were the criteria used for this filtration?

- What were the steps involved in conducting a qualitative juridical analysis?

- A diagram to show the steps involving the methodology processes and how one area led to another would be useful. It is difficult to follow the methods section in its current form, which needs to be user-friendly. It is unclear how the analysis was applied to come up with the themes presented under the results.

- The authors simply note that they use prescriptive analysis but do not explain what this means or its importance. It is unclear how the results are presented based on the analysis.

- Please cite the relevant literature that highlights the importance of the research methodology and techniques used.

- The results are informative but not clear based on not explaining the data analysis in detail as above comment. A diagram that summaries the results would be useful to give indicate overall findings.

- Editing is needed for the document (For example, 'the Mining Act Revision also does not addressing continuous conflicts...')

- Tables and figures in the results do not have either the year or source - please include them.

- The conclusion is not comprehensive and too brief. First, highlight the key findings. Then provide a clear indication of how the paper contributes to academic debates and contributions to scholarly literature beyond just noting empirical findings. The conclusions need a set of recommendations for improvement and assignment of responsibilities to address challenges.

-----  
I hope these comments are useful

Thank you.

Submission Date 31 December 2022  
Date of this review 03 Feb 2023 18:00:33

## 4. Tanggapan Penulis Terhadap Review 2

The coverletter for this review report has been saved in the database. You can safely close this window.

### Authors' Responses to Reviewer's Comments (Reviewer 2)

Author's Notes Dear Reviewer 2,

Thank you for your constructive review. We have made several changes in accordance to your suggestion.

Also to clarify,

There were 9,721 Mining Business Permits with an open-pit coal mining system recorded in Indonesia (<https://www.atlantispress.com/proceedings/jsts-19/125955338>). According to WALHI mining permits in Indonesia have now reached 11 million hectares, of which 4.5 million hectares are in forest areas. Recently Indonesia experienced the highest damage to tropical forests due to the mining industry, contributing 58.2 percent of deforestation (2022 PNAS Study). <https://www.pnas.org/doi/10.1073/pnas.2118273119>

Despite the 2020 Mining Act Revision, Indonesia still facing the previous legal issue due to the blind spots in the regulatory framework. Ranging from the continuous conflicts between the mining company and local community to the issue of non-compliance on reclamation policy resulted in the excavation holes that left untreated and abandoned that create casualties over the years. Because most, if not all the legal and illegal mining practice in Indonesia is using open-pit mining system, for expansion the company often convert forest to mining site. Compare with the low compliance of reclamation obligation, this is often the cause of deforestation and degradation. Additionally, it also brings consequences to the emergence of mining pits in many places. These coal pits (void) become an issue for the people who live in the mining area. For example in East Kalimantan, since the 2010-2018 year, 28 people drowned in coal pits that were not reclaimed; most are children.

While we would agree that it is best to avoid mining entirely. However a reform is a more realistic approach, the latest policy in Indonesia is further promoting EODB (Ease of Doing Business) hence the 2020 Mining Law and Job Creation Law is enacted to loosen the requirements and obligations for business permits including mining company despite the refusal from the civil society and activist (which then ruled as conditionally unconstitutional by the Constitutional Court of Indonesia in 2022). The 2020 Mining Law gives miners bigger concessions and longer contracts, with fewer environmental obligations (<https://news.mongabay.com/2020/05/indonesia-mining-law-minerba-environment-pollution-coal/>).

In the current state, the Mining Act allows the company to transfer the responsibility of reclamation to the third party as long as they place the fund. However what if the third party also failed to conduct reclamation? Who will be responsible? The reform of the law will force the company or permit holders to be liable for reclamation. Therefore if they not comply with the regulations, there will be no question about the liability, and the sanction can be impose properly.

We offer two major reform in formulation to strengthen the reclamation obligation.

The first key formulation that needs to change in the Mining Act is to reinforce the essence of "obligation" for IUP and IUPK holders to perform reclamation and post-mining with the supervision as in the Environmental Act. With this reform, in essence, the placement of the reclamation fund by the company does not eliminate the company's obligation to carry out reclamation and post-mining activities.

The second key formulation is to put a mandatory condition of placing the reclamation guarantees fund as a requirement for approval of the mining plans and budgets (the RKAB) and Clean and Clear (CnC) Certification. Nearly half of mining companies not paying into mandatory reclamation and post-mining funds managed by the government due to a series of blind spots in the Indonesia regulatory framework. Among these leeway is a mandatory deposit that companies must make to the government for reclamation and post-mining guarantees fund in order to obtain a mining permits. But the deposit is not a prerequisite for approval of their mining plans and budgets (the RKAB). And it is the RKAB, rather than the Mining Permits, that allows mining company to begin operating. Only six percent, have deposited both reclamation and post-mining funds with the government, according to the state auditing agency (BPK) and only twenty one percent have deposited the reclamation fund. Furthermore, while the government mandates a "clean and clear" certification for mining companies to confirm that they meet all legal requirements. However carrying out reclamation obligations is not a requirement for obtaining CnC certification. As the consequences many mining permit holders had secured CnC certification without deposited reclamation and post-mining funds. It enabled mining companies to continue to operate without having to rehabilitate their concessions, with no disincentives for non-compliance.

Kind Regards,

Author

Author's Notes File [Report Notes](#)

## 5. Hasil Review oleh Reviewer 3 (19/01/2023)

Comments and Suggestions for Authors	<p>The paper is interesting as an approach to the postmining reclamation problem focused on Indonesian experience. Do not refer to the state of the art and experience in other countries. Therefore I propose the change of paper title:</p> <p>"Strengthening Reclamation Obligation Through Mining Law Reform - Indonesian Point of View" (or Indonesian Experience).</p> <p>References should contain the list of referred published papers only. The other comments should be included to the main paper text body.</p> <p>Inappropriate is (line 28-29 and 35) statement that "... forest degradation....are by far the main source of national greenhouse gas emissions". Forest do not emit greenhouse gases but mitigate their emission from external sources.</p> <p>"Introduction" contain repeated statements. Should be appropriately shortened.</p> <p>Figures 1 - 5 source should be presented in "references". They are not mentioned in the paper text.</p> <p>"Research design and procedure for analysis" present the obvious actions in formulation of legal acts. Presented detailed explanation is unnecessary, and may be shortened.</p> <p>Results and discussion present the detailed analysis of Indonesian mining legislation. Its history, advantages, disadvantages and recent legislation challenges after mining law revision and need and proposed mode of legislation improvement should be clearly presented in consecutive subchapters. Recent chapter 3 should be rearranged accordingly.</p> <p>Conclusions should clear present necessary steps for effective realisation of reclamation procedures and proposals for improvement of mining law.</p>
Submission Date	31 December 2022
Date of this review	22 Jan 2023 14:43:52

## 6. Tanggapan Penulis Terhadap Review 3 (19/01/2023)

The coverletter for this review report has been saved in the database. You can safely close this window.	
Authors' Responses to Reviewer's Comments (Reviewer 3)	
Author's Notes	<p>Dear Reviewer 3,</p> <p>Thank you for your constructive review. We have made several changes in accordance to your suggestion.</p> <p>Also to clarify,</p> <p>The latest policy in Indonesia is lean toward promoting EODB (Ease of Doing Business) hence the 2020 Mining Law and Job Creation Law is enacted to loosen the requirements and obligations for business permits including mining company despite the refusal from the civil society and activist (which then ruled as conditionally unconstitutional by the Constitutional Court of Indonesia in 2022). The 2020 Mining Law gives miners bigger concessions and longer contracts, with fewer environmental obligations (<a href="https://news.mongabay.com/2020/05/indonesia-mining-law-minerba-environment-pollution-coal/">https://news.mongabay.com/2020/05/indonesia-mining-law-minerba-environment-pollution-coal/</a>).</p> <p>Despite the 2020 Mining Act Revision, Indonesia still facing the previous legal issue due to the blind spots in the regulatory framework. Ranging from the continuous conflicts between the mining company and local community to the issue of non-compliance on reclamation policy resulted in the excavation holes that left untreated and abandoned that create casualties over the years. Because most, if not all the legal and illegal mining practice in indonesia is using open-pit mining system, for expansion the company often convert forest to mining site. Compare with the low compliance of reclamation obligation, this is often the cause of deforestation and degradation. Additionally, it also brings consequences to the emergence of mining pits in many places. These coal pits (void) become an issue for the people who live in the mining area. For example in East Kalimantan, since the 2010-2018 year, 28 people drowned in coal pits that were not reclaimed, most are children.</p> <p>There were 9.721 Mining Business Permits with an open-pit coal mining system recorded in Indonesia (<a href="https://www.atlantis-press.com/proceedings/jsts-19/125955338">https://www.atlantis-press.com/proceedings/jsts-19/125955338</a>). According to WALHI mining permits in Indonesia have now reached 11 million hectares, of which 4.5 million hectares are in forest areas. Recently Indonesia experienced the highest damage to tropical forests due to the mining industry, contributing 58.2 percent of deforestation (2022 PNAS Study). <a href="https://www.pnas.org/doi/10.1073/pnas.2118273119">https://www.pnas.org/doi/10.1073/pnas.2118273119</a></p> <p>In the current state, the Mining Act allows the company to transfer the responsibility of reclamation to the third party as long as they place the fund. However what if the third party also failed to conduct reclamation? Who will be responsible? The reform of the law will force the company or permit holders to be label for reclamation. Therefore if they not comply with the regulations, there will be no question about the burden of liability, and the sanction can be impose properly.</p>

There were 9.721 Mining Business Permits with an open-pit coal mining system recorded in Indonesia (<https://www.atlantis-pess.com/proceedings/jsts-19/125955338>). According to WALHI mining permits in Indonesia have now reached 11 million hectares, of which 4.5 million hectares are in forest areas. Recently Indonesia experienced the highest damage to tropical forests due to the mining industry, contributing 58.2 percent of deforestation (2022 PNAS Study). <https://www.pnas.org/doi/10.1073/pnas.2118273119>

In the current state, the Mining Act allows the company to transfer the responsibility of reclamation to the third party as long as they place the fund. However what if the third party also failed to conduct reclamation? Who will be responsible? The reform of the law will force the company or permit holders to be liable for reclamation. Therefore if they not comply with the regulations, there will be no question about the burden of liability, and the sanction can be impose properly.

We offer two major reform in formulation to strengthen the reclamation obligation.

The first key formulation that needs to change in the Mining Act is to reinforce the essence of "obligation" for IUP and IUPK holders to perform reclamation and post-mining with the supervision as in the Environmental Act. With this reform, in essence, the placement of the reclamation fund by the company does not eliminate the company's obligation to carry out reclamation and post-mining activities.

The second key formulation is to put a mandatory condition of placing the reclamation guarantees fund as a requirement for approval of the mining plans and budgets (the RKAB) and Clean and Clear (CnC) Certification. Nearly half of mining companies not paying into mandatory reclamation and post-mining funds managed by the government due to a series of blind spots in the Indonesia regulatory framework. Among these leeway is a mandatory deposit that companies must make to the government for reclamation and post-mining guarantees fund in order to obtain a mining permits. But the deposit is not a prerequisite for approval of their mining plans and budgets (the RKAB). And it is the RKAB, rather than the Mining Permits, that allows mining company to begin operating. Only six percent, have deposited both reclamation and post-mining funds with the government, according to the state auditing agency (BPK) and only twenty one percent have deposited the reclamation fund. Furthermore, while the government mandates a "clean and clear" certification for mining companies to confirm that they meet all legal requirements. However carrying out reclamation obligations is not a requirement for obtaining CnC certification. As the consequences many mining permit holders had secured CnC certification without deposited reclamation and post-mining funds. It enabled mining companies to continue to operate without having to rehabilitate their concessions, with no disincentives for non-compliance.

Kind Regards,

Author

[Author's Notes File](#) [Report Notes](#)