

**GUGATAN *CLASS ACTION* ATAS KERUGIAN LINGKUNGAN HIDUP
AKIBAT AKTIVITAS PERTAMBANGAN EMAS TANPA DILENGKAPI
ANALISIS MENGENAI DAMPAK LINGKUNGAN (AMDAL)**

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ABSTRAK

Kegiatan pertambangan emas merupakan aktivitas yang berpotensi menimbulkan dampak besar dan penting terhadap lingkungan hidup, sehingga secara hukum wajib dilengkapi dengan Analisis Mengenai Dampak Lingkungan (AMDAL) sebagai instrumen pencegahan. AMDAL berfungsi sebagai prasyarat utama dalam penerbitan izin usaha pertambangan guna menjamin perlindungan lingkungan dan kepastian hukum. Namun dalam praktiknya, kegiatan pertambangan emas oleh PT X tetap dijalankan meskipun Izin Usaha Pertambangan Operasi Produksi diterbitkan tanpa didukung AMDAL yang sah. Kondisi tersebut berpotensi menimbulkan kerusakan lingkungan hidup serta kerugian kolektif bagi masyarakat di sekitar wilayah pertambangan. Penelitian ini bertujuan untuk menganalisis penggunaan gugatan *class action* sebagai upaya hukum masyarakat terhadap kerugian lingkungan hidup akibat kegiatan pertambangan tanpa AMDAL. Metode penelitian yang digunakan adalah yuridis normatif dengan pendekatan peraturan perundang-undangan dan konseptual. Hasil penelitian menunjukkan bahwa gugatan *class action* dapat digunakan sebagai instrumen penegakan hukum lingkungan karena terpenuhinya unsur kesamaan fakta, dasar hukum, dan kerugian yang dialami masyarakat, serta adanya pelanggaran terhadap kewajiban AMDAL yang mengakibatkan perbuatan melawan hukum lingkungan hidup.

Kata Kunci: Gugatan *Class Action*, Pertambangan Emas, AMDAL.

**CLASS ACTION LAWSUIT FOR ENVIRONMENTAL DAMAGES DUE TO
GOLD MINING ACTIVITIES WITHOUT COMPLETING AN
ENVIRONMENTAL IMPACT ANALYSIS (AMDAL)**

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ABSTRACT

Gold mining activities have the potential to cause significant and significant impacts on the environment, and are therefore legally required to be accompanied by an Environmental Impact Analysis (AMDAL) as a preventative measure. An AMDAL serves as a primary prerequisite for issuing a mining business permit to ensure environmental protection and legal certainty. However, in practice, gold mining activities by PT X continue despite the issuance of a Production Operation Mining Business Permit without a valid AMDAL. This situation has the potential to cause environmental damage and collective losses for communities surrounding the mining area. This study aims to analyze the use of class action lawsuits as a legal remedy for environmental losses resulting from mining activities without an Environmental Impact Assessment (EIA). The research method used is normative juridical, with a statutory and conceptual approach. The results indicate that class action lawsuits can be used as an instrument for enforcing environmental law due to the fulfillment of the elements of similarity of facts, legal basis, and losses experienced by the community, as well as the violation of EIA obligations that resulted in an environmental violation.

Keywords: *Class Action Lawsuit, Gold Mining, EIA.*