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Research Article

Corporate Communication and Corporate Social Responsibility of Coal Mining Companies in Promoting Community Well-Being

Dian Ratu Ayu Uswatun Khasanah[1*], Hafri Yuliani[2], Titi Darmi[3], Ronald Jolly Pongantung[4]

[1,4] Universitas Terbuka, Indonesia
[2,3] Universitas Muhammadiyah Bengkulu, Indonesia

Email[*]: dian.khasanah@ecampus.ut.acc.id

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Abstract

Corporate Social Responsibility (CSR) represents both a moral and legal obligation of corporations to promote the welfare of communities within their operational sphere. In the coal mining sector in Indonesia, effective CSR implementation is inseparable from the quality of corporate communication the strategic process through which companies convey their social commitments, build trust with stakeholders, and manage their public image before affected communities. This research aims to examine (1) the normative framework of CSR for coal mining companies under applicable Indonesian legislation, encompassing the most recent regulations including Law No. 3/2020, Law No. 11/2020, Government Regulation No. 96/2021, and Government Regulation No. 25/2024; and (2) the reconstruction of an ideal CSR communication model within a welfare state perspective to improve community well-being. This study employs a normative juridical approach with qualitative descriptive-analytical data analysis, based on library research of primary, secondary, and tertiary legal materials. The primary legal materials analyzed include the 1945 Constitution, Law No. 40/2007 on Limited Liability Companies, Law No. 25/2007 on Investment, Law No. 3/2020 on Amendments to the Mining Law, Law No. 11/2020 on Job Creation, Government Regulation No. 96/2021, and Government Regulation No. 25/2024. Data were analyzed using Lawrence M. Friedman's three-component Legal System Theory (legal substance, structure, and culture), integrated with Stakeholder Communication Theory. The findings reveal that despite the relatively comprehensive legal foundation for CSR in Indonesia, significant weaknesses persist in the form of inter-regulatory disharmony, insufficient deterrent sanctions, and unsystematic oversight mechanisms. Furthermore, deficiencies in corporate communication practices including asymmetric information dissemination, lack of transparent dialogue, and absent participatory communication exacerbate the gap between normative CSR obligations and their real-world impact. Accordingly, a comprehensive reconstruction of the mining CSR system is needed, encompassing regulatory harmonization, institutional strengthening, corporate paradigm transformation, and meaningful community participation facilitated through effective multi-stakeholder communication.

Keywords: Corporate Communication; Corporate Social Responsibility; Coal Mining; Community Welfare; Normative Juridical.

INTRODUCTION

Article 33 paragraph (3) of the 1945 Constitution mandates that the state control the earth, water, and natural resources including coal mining for the greatest welfare of the people. As a welfare state grounded in Pancasila, Indonesia positions the state not as a passive guardian (*nachtwachterstaat*) but as an active agent of citizens' welfare. Fulfilling this mandate, however, depends not only on how resources are managed, but on how the benefits of their exploitation are communicated to the communities who bear its impact(Rathobei & Ran, 2024).

At the macro level, coal mining activities make significant contributions to the national economy through foreign exchange earnings, job creation, and regional infrastructure development (Zou & Xiao, 2025). However, mining activities simultaneously produce negative externalities for surrounding communities and the environment, giving rise to what scholars have termed the "paradox of development" (Zhang & Li, 2025). This paradox wherein extractive industries are economically necessary yet socially and environmentally disruptive has historically been a central concern in both legal studies and communication scholarship.

It is within this context that Corporate Social Responsibility (CSR) emerges as a conceptual and legal bridge between corporate interests and public welfare. From the perspective of communication science, CSR is not merely a legal obligation but also a communicative practice through which corporations negotiate their social contract with stakeholders (Ayu et al., 2023). Corporate communication defined as the strategic process by which organizations manage their identity, image, and relationships through structured dialogue with internal and external stakeholders plays a decisive role in determining whether CSR programs are perceived as genuine commitments or mere symbolic gestures (Wang et al., 2025). The quality of communication between mining companies and surrounding communities directly shapes the legitimacy, acceptance, and sustainability of CSR programs.

Empirical evidence suggests that CSR programs that are not accompanied by transparent, participatory, and two-way communication tend to generate community skepticism, social conflict, and erosion of institutional trust (Vintr, 2021). In the context of Islamic communication values which emphasize sidq (truthfulness), tabligh (conveyance), amanah (trustworthiness), and musyawarah (deliberation) the quality of CSR communication also carries moral and religious dimensions that are particularly relevant in the Indonesian socio-cultural context (Cader et al., 2022). These values align with contemporary theories of stakeholder communication, which argue that genuine dialogue rather than one-directional information delivery is the foundation of socially legitimate corporate behavior.

The normative development of CSR regulation in Indonesia has been substantial, particularly following the enactment of Law No. 3 of 2020 on Amendments to the Mining Law, Law No. 11 of 2020 on Job Creation, Government Regulation No. 96 of 2021, and most recently Government Regulation No. 25 of 2024. However, these regulations remain largely silent on the communicative dimensions of CSR, including the obligations of companies to disclose information transparently, conduct meaningful community consultations, or establish accessible grievance communication mechanisms (Brock & Dunlap, 2018). This regulatory silence represents a significant gap between normative CSR obligations and the communicative conditions necessary for their effective fulfillment.

This study therefore addresses two central research questions. **RQ1 (normative-legal):** How is the normative framework of CSR for coal mining companies constructed under current

Indonesian legislation? **RQ2 (communication reconstruction):** How should an ideal CSR communication model be reconstructed within a welfare state perspective to enhance community welfare? The novelty of this study lies in its integration of corporate communication theory with normative legal analysis, positioning CSR communication not merely as a voluntary best practice but as a legally embedded obligation that must be explicitly recognized and regulated within Indonesia's mining governance framework.

METHODS

This research employs a normative juridical approach, in which law is conceptualized as a system of norms, rules, principles, and doctrines (das sollen), examined without requiring the collection of primary field data. Operationally, this normative juridical approach is carried out through two complementary sub-approaches. First, the statute approach (pendekatan perundang-undangan) is applied to trace and systematize the hierarchical body of legislation governing CSR in Indonesia's coal mining sector, from the 1945 Constitution down to implementing ministerial regulations. Second, the conceptual approach (pendekatan konseptual) is applied to examine the legal doctrines and communication concepts underlying CSR including the welfare state, corporate social responsibility, and corporate communication particularly in instances where statutory provisions remain silent or ambiguous. Together, these sub-approaches enable systematic doctrinal analysis of the legal framework governing corporate social responsibility, particularly in relation to its communicative dimensions as they emerge from statutory provisions, regulatory texts, and legal scholarship(Afrizal., 2014).

The research is descriptive-analytical in nature, aimed at comprehensively describing the normative content of CSR regulation while simultaneously analyzing its strengths, weaknesses, and implications through relevant legal and communication theories. Data collection was conducted entirely through a library research method, involving the systematic study and analysis of primary, secondary, and tertiary legal materials. Primary legal materials consist of the applicable legislation and regulations governing CSR in Indonesia's coal mining sector, including UUD 1945; Law No. 40/2007 on Limited Liability Companies; Law No. 25/2007 on Investment; Law No. 4/2009 on Mineral and Coal Mining; Law No. 32/2009 on Environmental Protection and Management; Law No. 3/2020 on Amendments to the Mining Law; Law No. 11/2020 on Job Creation; Government Regulation No. 47/2012 on Social and Environmental Responsibility of Limited Liability Companies; Government Regulation No. 96/2021 on the Implementation of Mineral and Coal Mining Business Activities; Government Regulation No. 25/2024 on Amendments to Government Regulation No. 96/2021; and Ministerial Regulation of the Ministry of Energy and Mineral Resources No. 25/2018. Secondary legal materials include scholarly literature, research publications, conference papers, and academic commentaries on CSR, mining governance, and corporate communication. Tertiary legal materials comprise legal dictionaries, encyclopedias, and reference glossaries(Adlini et al., 2022).

Data were analyzed using a qualitative, prescriptive-analytical technique, in which primary legal materials are systematically interpreted and cross-referenced against secondary data from theoretical frameworks, statutory definitions, and legal literature to produce comprehensive conclusions regarding the normative framework of CSR in coal mining and the communicative conditions necessary for its effective implementation. The theoretical framework applied in this study is hierarchically structured: the Welfare State Theory (Jimly Asshiddiqie; Moh. Hatta) serves as the grand theory; Utilitarian Theory (Bentham; Mill) serves as the middle range theory; and the Triple Bottom Line (Elkington, 1997) and Lawrence M. Friedman's Legal System Theory serve as the applied theories guiding the analytical framework. Communication analysis is grounded in Stakeholder Communication Theory (Freeman; Morsing & Schultz) and the concept of Islamic Corporate Communication which emphasizes the values of sidq, tabligh, amanah, and musyawarah in corporate-community relations(Afrizal, 2014).

RESULTS AND DISCUSSION

The Normative Framework of CSR in Indonesia's Coal Mining Sector: A Hierarchical Analysis

The normative foundation of CSR for coal mining companies in Indonesia is constructed across multiple hierarchical layers of legislation, each contributing distinct obligations and communicative expectations. Constitutional Foundation. Article 33 paragraph (3) of the 1945 Constitution establishes the state's obligation to ensure that natural resource exploitation including coal mining serves the greatest possible welfare of the people. This constitutional mandate implicitly requires that the benefits of mining be communicated transparently and distributed fairly to affected communities. Article 28H paragraph (1) further guarantees every citizen's right to a good and healthy environment, creating a constitutional basis for communities to demand adequate information about the environmental and social impacts of nearby mining operation (Barker, 2025).

Statutory Framework. Law No. 40 of 2007 on Limited Liability Companies, specifically Article 74, establishes the mandatory nature of Social and Environmental Responsibility (Tanggung Jawab Sosial dan Lingkungan/TJSL) for companies whose activities relate to natural resources. Law No. 25 of 2007 on Investment, Article 15 letter b, reinforces this obligation for all investors in Indonesia, including the coal mining sector. The landmark Law No. 3 of 2020 on Amendments to the Mining Law brought substantial changes to the governance of mining companies' obligations, including: (1) the strengthening of the mandatory Community Development and Empowerment (Pengembangan dan Pemberdayaan Masyarakat/PPM) program as an integral part of mining license conditions; (2) the reinforcement of reclamation and post-mining obligations; and (3) the advancement of domestic value-added processing. However, Law No. 3/2020 remains largely silent on the communicative obligations of companies toward communities — there are no explicit provisions requiring transparent information disclosure, participatory consultation, or accessible grievance communication channels [12]. Law No. 11 of 2020 on Job Creation introduced a risk-based approach (RBA) to licensing and integrated TJSL obligations into the business licensing framework, strengthening administrative sanctions for non-compliance. Nevertheless, the Omnibus Law's dominant focus on investment simplification has been critiqued for subordinating community welfare and communicative rights to efficiency imperatives (Banerjee et al., 2025).

Government Regulation Level. Government Regulation No. 47 of 2012 provides the technical framework for TJSL implementation as mandated by Article 74 paragraph (4) of Law No. 40/2007 on Limited Liability Companies, confining the obligation to companies whose business activities relate to natural resources (Article 3 paragraph (1)), establishing that TJSL must be budgeted and calculated as a company expense (Article 5 paragraph (2)), and requiring that its implementation be disclosed in the company's annual report and accounted for to the General Meeting of Shareholders (Article 6). However, Article 7 merely subjects non-compliant companies to sanctions "in accordance with prevailing laws and regulations" without prescribing the sanction itself or a mandatory minimum allocation standard, which weakens its normative force. The pivotal Government Regulation No. 96 of 2021 requires IUP and IUPK holders to prepare a master plan (rencana induk) for community development and empowerment programs guided by a ministerially determined blueprint (Article 179 paragraph (1)), integrated into the annual Work Plan and Budget (Rencana Kerja dan Anggaran Biaya/RKAB) under its provisions on annual work plans and reporting (Chapter XVIII), alongside transparent reporting obligations to the Minister. This represents a significant normative advancement, transforming CSR from a voluntary activity into a planned, verifiable operational obligation. Most recently, Government Regulation No. 25 of 2024 introduced further refinements, including: (1) strengthened supervisory mechanisms through mining inspectors; (2) revised divestiture share obligations; (3) new criteria under Article 56 for production-operation activities integrated with processing and/or refining facilities to support downstream development, and a new Article 83A permitting priority offering of Special Mining License Areas (Wilayah Izin Usaha Pertambangan Khusus/WIUPK) to business entities owned by religious mass organizations in order to advance community welfare; and (4) reinforced reclamation and post-mining obligations. Significantly, PP No. 25/2024 still does not explicitly regulate the communicative obligations of companies toward surrounding communities, leaving a persistent normative gap in the architecture of CSR governance.

2. Weaknesses in the Normative CSR Framework: A Friedman Legal System Analysis

Applying Lawrence M. Friedman's three-component Legal System Theory, the weaknesses of Indonesia's CSR regulatory framework can be systematically mapped across the dimensions of legal substance, legal structure, and legal culture. Legal Substance. The most fundamental weakness at the substantive level is inter-regulatory disharmony: CSR/TJSL is defined and scoped differently across the Company Law, Investment Law, and Mining Law, creating legal uncertainty for both companies and communities. The absence of a mandatory minimum CSR allocation standard unlike the BUMN (state-owned enterprise) framework which mandates a percentage of profit for the Partnership and Community Development Program (Program Kemitraan dan Bina Lingkungan/PKBL) allows companies to self-determine their CSR commitments without meaningful external benchmarks. Furthermore, the total absence of provisions governing corporate communication obligations such as mandatory information disclosure to communities, participatory consultation requirements, or enforceable grievance communication mechanisms represents a significant normative lacuna that existing legislation has yet to address.

Legal Structure. Structurally, the fragmentation of supervisory authority among the Ministry of Energy and Mineral Resources (ESDM), the Ministry of Environment and Forestry (LHK), the Investment Ministry/BKPM, and regional governments creates coordination deficits that weaken the enforcement of CSR obligations. The recentralization of licensing authority under the Job Creation Law, while streamlining national policy, has simultaneously reduced local government capacity to monitor CSR implementation proximate to mining operations. The inadequate number and capacity of mining inspectors as mandated by PP No. 25/2024 further compounds this structural weakness.

Legal Culture. At the cultural level, the dominant paradigm among coal mining companies treats CSR as a formal administrative compliance requirement rather than as a strategic social investment. This compliance-oriented CSR culture manifests communicatively in one-directional, top-down information dissemination, performative community engagement activities, and the absence of genuine multi-stakeholder dialogue. From the perspective of Islamic corporate communication values, this paradigm is fundamentally inconsistent with the principles of amanah (trustworthiness), musyawarah (deliberation), and tabligh (transparent conveyance) that should govern corporate-community relationships .

DISCUSSION

Corporate Communication as a Missing Normative Dimension of CSR

The analysis above reveals that the central missing element in Indonesia's normative CSR framework for coal mining is the explicit regulation of corporate communication obligations. Communication science literature has established that CSR effectiveness is not merely a function of financial investment but is fundamentally shaped by the quality of communicative processes through which companies engage with stakeholders . Morsing and Schultz's three-tier model of CSR communication stakeholder information (one-way), stakeholder response (two-way asymmetric), and stakeholder involvement (two-way symmetric) provides a normative benchmark for evaluating the communication quality embedded in Indonesia's current CSR regulatory framework . An assessment against this model reveals that existing regulations only mandate the lowest tier: one-directional information reporting to the government through RKAB and annual reports, with no requirements for two-way communication with affected communities.

This communicative deficit has profound consequences for CSR legitimacy. Legitimacy theory in corporate communication argues that organizational legitimacy is conferred not merely through legal compliance but through ongoing communicative negotiation with the communities whose support the organization requires. When CSR programs are designed and implemented without genuine community input, they risk being perceived as illegitimate regardless of their financial scale. The resulting erosion of legitimacy leads to social conflict, project disruptions, and the paradox wherein greater CSR spending produces less community welfare improvement a phenomenon documented in multiple Indonesian mining contexts.

In the context of Islamic communication values, which are particularly relevant given the publication venue of this journal, the normative ideal of CSR communication is grounded in the Quranic principles of shura (consultation, QS 42:38), tabayun (fact-verification, QS 49:6), and 'adl (justice in information, QS 4:135). These principles collectively constitute an Islamic framework for stakeholder communication that demands: truthful and complete information disclosure, genuine participatory dialogue before decisions are made, and equitable access to communication channels for all community members regardless of socioeconomic status. The current normative framework, by failing to encode these communicative obligations into enforceable legal provisions, leaves a gap between the constitutional aspiration of community welfare and its practical realization.

The Impact of Communicative Deficiencies on Community Welfare

The normative connection between corporate communication quality and community welfare outcomes can be analyzed through the Triple Bottom Line framework. In the people dimension, communities that lack access to accurate, timely, and comprehensive information about CSR programs are systematically disadvantaged in their capacity to claim their entitlements, participate in program design, and hold companies accountable for delivery commitments. In the planet dimension, the absence of mandatory environmental communication including accessible publication of AMDAL results, pollution monitoring data, and reclamation progress denies communities the information necessary to protect their environmental rights as guaranteed by Article 28H of the 1945 Constitution. In the profit dimension, the economic sustainability of mining operations is increasingly recognized as dependent on the maintenance of the "social license to operate," which is fundamentally a communicative achievement.

The PROPER (Program Penilaian Peringkat Kinerja Perusahaan) assessment mechanism administered by the Ministry of LHK represents the most developed existing instrument for evaluating mining companies' environmental and social performance, including some communicative dimensions. However, PROPER assessments are not publicly disclosed in formats accessible to affected communities, are conducted infrequently, and do not incorporate community-based evaluation of CSR communication quality. This limits their effectiveness as instruments for driving genuine communicative improvement in corporate-community relations.

Reconstruction of an Ideal CSR Communication Model in the Welfare State Perspective

The analysis of normative weaknesses and communicative deficiencies leads to the formulation of a reconstructed model of CSR governance for coal mining companies that integrates communication obligations as legally enforceable requirements.

Regulatory Harmonization with Communication Provisions. Indonesia's CSR regulatory architecture requires comprehensive harmonization across its multiple legislative layers, including the explicit integration of mandatory communication provisions into the revised normative framework. Specifically, a dedicated CSR law or at minimum, a presidential regulation on CSR communication standards should establish: (1) mandatory annual public disclosure of CSR program plans, budgets, and performance results in formats accessible to affected communities; (2) mandatory pre-program community consultation processes with documented participatory outcomes; (3) accessible and enforceable community grievance mechanisms with defined response time standards; and (4) standardized CSR reporting aligned with the Global Reporting Initiative (GRI) or equivalent sustainability reporting standards.

Institutional Strengthening of Communication-Inclusive Oversight. The supervisory framework for CSR implementation currently fragmented across multiple ministries must be restructured to include assessment of communicative quality alongside financial compliance. A national CSR supervisory unit integrating ESDM, LHK, and BKPM with a formally mandated communication oversight function should be established. This unit should develop standardized indicators for assessing the quality of corporate communication with affected communities, incorporating metrics such as information accessibility, consultation quality, and grievance response effectiveness.

Transformation from Charity to Communicative Partnership. The paradigm shift from charity-based to investment-based CSR must be accompanied by a corresponding shift in corporate communication practice: from announcement-based to partnership-based communication. This means moving from one-directional press releases and report publications toward structured, two-way, and institutionally supported multi-stakeholder dialogue. In Indonesian cultural and religious contexts, the musyawarah mufakat tradition provides an indigenous communication framework for this transformation that is both culturally resonant and normatively consistent with Islamic communication values.

Institutionalization of Participatory Communication Forums. Every mining license area should be required to establish a formally constituted Multi-Stakeholder Communication Forum (Forum Komunikasi Multipihak) with formal legal standing, comprising representatives of the mining company, relevant government agencies, community representatives, and civil society organizations. This forum should be mandated by regulation as the primary institutional mechanism for planning, monitoring, and evaluating CSR programs, with documented proceedings that are publicly accessible. The normative provisions on community development in PP No. 96/2021 and PP No. 25/2024 provide a foundation that can be strengthened through more operationally specific communication obligations in implementing ministerial regulations.

CONCLUSION

This study has conducted a comprehensive normative juridical analysis of the CSR framework for coal mining companies in Indonesia, integrating corporate communication theory as a central analytical dimension. Two principal conclusions emerge from this analysis.

1. First, while Indonesia's normative CSR framework has undergone significant development most recently through Law No. 3/2020, Law No. 11/2020 on Job Creation, Government Regulation No. 96/2021, and Government Regulation No. 25/2024 systematic weaknesses persist across all three dimensions of Friedman's Legal System. At the level of legal substance, inter-regulatory disharmony, the absence of minimum allocation standards, and the total absence of mandatory corporate communication provisions represent the most critical gaps. At the level of legal structure, fragmented supervisory authority and insufficient inspection capacity undermine enforcement. At the level of legal culture, a compliance-oriented corporate culture produces performative rather than genuinely participatory CSR communication practices. From the perspective of communication science, these weaknesses collectively produce a structural condition of communicative asymmetry in corporate-community relations that systematically disadvantages affected communities and undermines the legitimacy of CSR programs.
2. Second, the reconstruction of an ideal CSR model for coal mining must integrate corporate communication as a legally enforceable normative obligation — not merely a voluntary best practice. The reconstructed model proposed in this study incorporates four interrelated pillars: regulatory harmonization with explicit communication provisions; communication-inclusive institutional oversight; paradigm transformation from charity to communicative partnership; and institutionalized participatory communication through formally constituted multi-

stakeholder forums. In the Indonesian context, this reconstruction must draw simultaneously on the constitutional mandate of Article 33 UUD 1945, the Triple Bottom Line principle, the normative ideals of the welfare state, and the Islamic communication values of sidq, tabligh, amanah, and musyawarah — the last of which represents a particularly resonant indigenous framework for reimagining corporate-community relations as genuine dialogue rather than managed disclosure.

The theoretical contribution of this study lies in its demonstration that CSR governance cannot be fully analyzed or effectively improved through legal analysis alone; corporate communication theory is a necessary complementary lens. Its practical contribution lies in a set of concrete normative recommendations that can inform the revision of CSR regulations in Indonesia's coal mining sector toward a more communicatively robust, community-centered, and welfare-oriented framework.

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