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Research Article

Position of Supervisory Board Organ and Its Implications for the Institutional Corruption Eradication Commission

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ABSTRACT

The negative view that the People's Representative Council of Indonesia (DPR) has long been in a constant effort to weaken the Corruption Eradication Commission (KPK), making the revision process of the KPK law until after it is legalized, receives pro and contra. A number of provisions in the new Law of KPK are considered to potentially weaken the independence of the institution, especially concerning the establishment of the so called Supervisory Council. The purpose of this research was to analyze the position of the Supervisory Council and to explain its implications on the institutional aspects of the KPK. This normative legal research was conducted through a literature study using conceptual and statute approaches, which then analyzed qualitatively. The results show that the new Law of KPK makes the Supervisory Council as an internal supervision organ, but its position had not well formulated yet in the institutional structure. The existence of the Supervisory Council also have some impacts on the institutional aspects of KPK in terms of Institutional and functional independences.

Keywords : Supervisory Council; KPK; Institutional Implications.

ABSTRAK

Adanya persepsi negatif bahwa sudah sejak lama Dewan Perwakilan Rakyat (DPR) gencar melakukan upaya pelemahan terhadap KPK, membuat proses perubahan undang-undang Komisi Pemberantasan Korupsi (KPK) sampai setelah diakhirnya menuai pro dan kontra. Sejumlah ketentuan dalam revisi undang-undang KPK yang baru dinilai berpotensi untuk melemahkan independensi KPK, utamanya menyangkut pembentukan organ Dewan Pengawas. Penelitian ini disusun untuk mengetahui dan menganalisis kedudukan organ Dewan Pengawas dan implikasinya terhadap aspek kelembagaan KPK. Penelitian hukum normatif ini dilakukan melalui studi dokumen menggunakan pendekatan undang-undang dan konseptual dengan analisis kualitatif. Hasil penelitian menunjukkan bahwa UU KPK yang baru memposisikan Dewan Pengawas sebagai organ pengawasan internal, namun belum merumuskan secara baik kedudukannya dalam struktur kelembagaan KPK. Keberadaan organ Dewan Pengawas juga berdampak pada aspek kelembagaan KPK dari segi independensi institusional dan independensi fungsional.

Kata Kunci : Dewan Pengawas; Komisi Pemberantasan Korupsi; Implikasi Kelembagaan.