



The Establishment of KPK Supervisory Board towards the Eradication of Corruption by KPK

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ABSTRACT

This research is aimed to discuss about the urgency of the establishment of KPK Supervisory Board and analyze the impact of Supervisory Board's authority on the law enforcement regarding the eradication of corruption in Indonesia by KPK.

This research is conducted through normative legal research. The data collection method in this study was carried out by library research. Then, the collected data were analyzed by grammatical interpretation and comparative interpretation.

This research concludes that KPK shall not act arbitrarily since it is the front guard of eradication of corruption. Hence, Supervisory Board must be established to anticipate KPK's performance that is harmful and against the due process of law. The Supervisory Board will control KPK's authorities and guarantee the ethical conduct of KPK. However, the adverse impacts that might happen, include weakening KPK's authorities and ineffective investigation; lack of integrity among the Supervisory Board members and diminishing KPK's independence; as well as legal uncertainty on the function and authorities of the Supervisory Board.

Keywords: KPK, Supervisory Board, Law No. 19 of 2019

Pembentukan Dewan Pengawas KPK terhadap Pemberantasan Korupsi oleh KPK

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INTISARI

Penelitian ini bertujuan untuk membahas tentang urgensi pembentukan Dewan Pengawas KPK dan menganalisis dampak kewenangan Dewan Pengawas terhadap penegakan hukum dalam pemberantasan korupsi di Indonesia oleh KPK.

Penelitian ini dilakukan melalui penelitian hukum normatif. Metode pengumpulan data yang dilakukan adalah studi kepustakaan. Kemudian, data yang terkumpul dianalisis dengan interpretasi gramatikal dan interpretasi komparatif.

Penelitian ini menyimpulkan bahwa KPK tidak boleh bertindak sewenang-wenang karena merupakan garda terdepan pemberantasan korupsi. Maka, Dewan Pengawas harus dibentuk untuk menjaga asas *due process of law*. Dewan Pengawas akan mengontrol kewenangan dan menjamin etika KPK. Namun, dampak buruk yang mungkin terjadi adalah, kewenangan KPK melemah dan tidak efektifnya penyidikan; kurangnya integritas anggota Dewan Pengawas dan berkurangnya independensi KPK; serta ketidakpastian hukum tentang fungsi dan wewenang Dewan Pengawas.

Kata Kunci: KPK, Dewan Pengawas, Undang-Undang No. 19 Tahun 2019