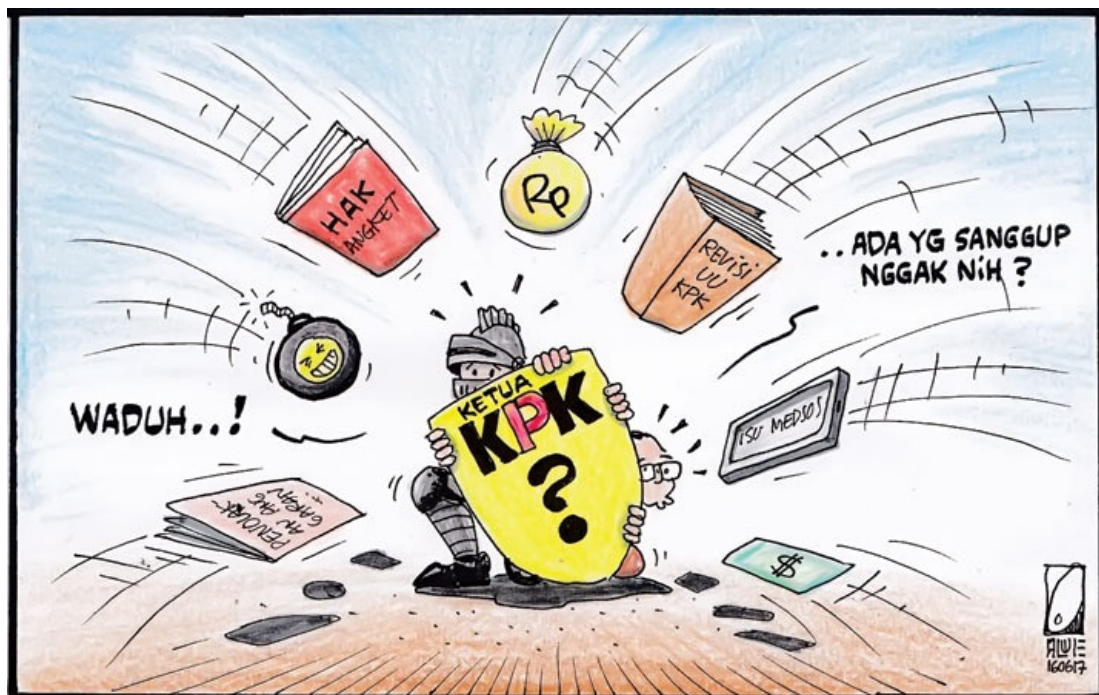


Looking for KPK Leaders By Criminal Law Lecturer at UPN "Veteran" Jakarta Faculty of Law

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By: Beniharmoni Harefa.

The Selection **Committee** (Pansel) formed by the President based on Presidential Decree Number 54/P of 2019 concerning the Formation of a Selection Committee for Candidates for the Corruption Eradication Commission for the 2019-2023 Term of Office, has almost completed its duties. The team consisted of Yenti Garnasih as chairman and Indriyanto Senoadji as deputy chairman. Its members consist of Harkristuti Harkrisnowo, Marcus Priyo Gunarto, Hamdi Moeloek, Diani Sadia Wati, Mualimin Abdi, Hendardi, and Al Araf.

The Pansel was formed with the aim of producing candidates for KPK commissioners who have integrity, are credible and independent. The government formed a selection committee in accordance with the mandate of Law Number 30 of 2002 concerning the KPK. Article 30 paragraph 2 of the a quo law states that "to facilitate the selection and determination of candidates for the leadership of the Corruption Eradication Commission, the government forms a selection committee."

Furthermore, in Article 30 paragraph 3 it is emphasized that "the selection committee consists of elements from the government and elements from the community" The selection committee was formed so that it could work independently in selecting candidates for KPK commissioners. Therefore, the selection committee must consist of people with integrity and have the spirit of eradicating corruption. The selection committee is expected to be sterile from interests that could hinder the eradication of corruption in this country.

Eligible Candidates Questioned

After carrying out various stages of selection, the Pansel finally submitted 10 names of KPK leadership candidates to the President. Alexander Marwata (KPK Commissioner), Firli Bauri (Police Member), I Nyoman Wara (Auditor), Johanes Tanak (Prosecutor), Lili Pintauli Siregar (Advocate), Luthfi Jayadi (Lecturer/ Academician), Nawawi Pomolango (Judge), Nurul Gufron (Lecturer/ Academician), Roby Arya (PNS Cabinet Secretariat), Sigit Danang Joy (PNS Ministry of Finance).

A number of parties questioned the integrity, credibility and commitment to eradicating corruption of several candidates proposed by the selection committee. The reason is, there are several names submitted that are not in line with the spirit of eradicating corruption and have unfavorable backgrounds in terms of eradicating corruption.

The candidates proposed by the Pansel were also considered not anti-corruption elements. Criticisms from several anti-corruption activists continued to be voiced to question the credibility of the Pansel which passed several problematic candidates. Because being a KPK commissioner, you have to have a clean background and be far from issues that are not in line with eradicating corruption and you have to fully understand KPK issues.

KPK's Challenges in the Future

Vishnu Juwono in the book *Against Corruption-The History of Corruption Eradication in Indonesia 1945-2014* concludes, the obstacles and resistance of interest groups and law enforcement agencies in the corruption eradication agenda show that the social, political and economic structures that want to foster corruption are largely intact.

Resistance to the KPK and the anti-corruption movement is still evident in Indonesia. The presence of the KPK is considered to have shaken the stability and comfort of corrupt officials, so that the idea of spaying the KPK politically or through intimidation of its leaders always comes up.

The second challenge that KPK commissioner candidates must face in the future, comes from within the KPK itself. Candidates for commissioners have a job that is not easy, namely to consolidate the KPK between commissioners and KPK employees. The commissioner's tenure of only four years has to do with the longer existence of KPK employees. Recently, there have been frequent internal struggles that could potentially weaken the KPK as an institution.

For example, in April 2019, 42 KPK investigators from the National Police signed a statement of protest regarding the mechanism for appointing investigators to become investigators without testing. This mechanism is considered inconsistent with KPK Leadership Regulation Number 1 of 2019 concerning Career Management at the KPK. Investigators suspect that this appointment mechanism is loaded with the interests of unscrupulous internal employees who want to reduce the number of investigators from the National Police at the KPK. This internal problem has the potential to drain a lot of energy and in the end will only weaken the KPK.

Therefore, support from political elites and all parties including the public for the KPK must be strong. The resistance against the KPK, carried out by a number of corrupt officials and pro-corruption mafias, is still fertile and will continue to be carried out. This will weaken the KPK, so that the KPK will never eradicate corruption comprehensively and thoroughly. KPK's energy will be drained a lot to deal with attacks by corrupt elites, so that political elites and pro-corruption eradication communities must continue to provide support to the KPK.

The President Must Be Sensitive

The names of the KPK leadership candidates are currently on the President's table. The tasks and challenges faced by the KPK in the future will be even more difficult, both from outside (external) and from within (internal) the KPK itself, so it is expected that the President will be more sensitive, reading the basic issues at the KPK. In that situation, we suggest the government, especially President Joko Widodo, to review the ten candidates for the KPK leadership that have been proposed by the Pansel.

KPK leaders serve as the vanguard in leading the eradication of corruption for the next four years. If the integrity, credibility and commitment of the KPK leadership are still being questioned, it will be difficult to eradicate corruption. If there is a common goal of building a corruption-free Indonesia, then the President will not let problematic candidates qualify as KPK leaders for the 2019-2023 period. ***

The author, Lecturer in Criminal Law at the Faculty of Law UPN "Veteran" Jakarta.

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