



Strategic Development Security (PPS): Efforts to Prevent Corruption by the Attorney General's Office

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Abstract

This research aims to describe the efforts made by the Strategic Development Security (PPS) in the prevention of corruption which is based on a qualitative doctrinal approach. Therefore in this study prioritizes secondary data collected by literature study. The data that has been processed is then analyzed qualitatively. Based on the research results, it was found that the efforts made by the Strategic Development Security Program (PPS) could be done by providing legal information; hold a discussion or discussion together; provide legal information and legal counseling and the Attorney General's Office can also involve other agencies or parties that have the capacity, competence and relevance to legal information materials.

Keywords: Security Strategy Development (PPS); Attorney General's Office; Prevention; Corruption.

I. Introduction

The criminal act of corruption is one of the most dangerous acts¹ and is detrimental to the state. Korupsi resulted in a slowdown of economic growth, declining investment, increased poverty, and rising income inequality. Even corruption can also reduce the level of happiness of the people in a country.²

According to the findings of the Indonesia Corruption Watch (ICW), which has monitored cases of corruption in the period January 2020 to December 2020. As a result, the total state losses resulting from corrupt practices throughout 2020 reached IDR 56.7 trillion.³ Based on the same data from ICW, it is known that throughout 2020 1,218 corruption cases were tried at the Corruption Crime Court, the High Court and the Supreme Court. The total number of defendants in corruption cases in 2020 reached

¹ Bogolib, TM, "Corruption in Ukrainian society: Problem of counteraction to effective development of the economy". East European Scientific Journal. Vol.4 No.1, 2015, 16-21

² Arvin, M. & B. Lew, "Does Income Matter in the Happiness-Corruption Relationship?". Journal of Economic Studies, 2014, 41 (3): 469-490.

³ Vendy Yhulia Susanto, "ICW: Sepanjang 2020, kerugian negara akibat korupsi mencapai Rp 56,7 triliun", (<https://nasional.kontan.co.id/news/icw-sepanjang-2020-kerugian-negara-akibat-korupsi-mencapai-rp-567-triliun>), accessed on April 17, 2021, at 13.00 WIB)

1,298 people. From these data, it is noted that the largest number of corrupt practices are carried out by the State Civil Service (ASN) with 321 cases, private parties with 286 cases, and village officials with 330 cases.⁴

Security for Strategic Development (PPS) is one of the duties of the Republic of Indonesia Prosecutor's Office in the field of Intelligence in the Directorate of Strategic Development Security (D) which is referred to as Directorate D as stipulated in the Regulation of the Attorney General of the Republic of Indonesia,⁵ where previously the Government Guard and Security Team and Central Development (TP4P) and Regional Government and Development Guards and Security Teams (TP4D) in accordance with the criteria stipulated in the Regulation of the Prosecutor's Office of the Republic of Indonesia Perja Number 014 / A / Ja / 11/2016 and The TP4P / TP4D team was disbanded in 2019 based on the Decree of the Attorney General of the Republic of Indonesia Number: 345 of 2019 concerning the revocation of the Attorney General's Decree Number: 152 / A / JA / 10/2015 concerning the formation of the Government Guard and Security Team and the Development of the Republic of Indonesia Attorney General's Office as has been amended by Decree of the Attorney General of the Republic of Indonesia Number: -KEP-059 / A / JA / 2018 concerning changes to the Attorney General's decision Number KEP-152 / A / JA / 10/2015 concerning the formation of the Government and Development Guard and Security Team, but The Attorney General's Office in supervising and securing projects continues to be carried out which is inherent in the law enforcement function of the Public Prosecutor's Office of the Republic of Indonesia.

However, to restore public confidence in the performance of the Attorney General's Office, the Prosecutor's Office will focus more on supervising projects with national strategic value based on the Prosecutor's Law Number 16 of 2004 and Presidential Regulation Number 29 of 2006 Composition and Organization of the Prosecutors of the Republic of Indonesia and Prosecutors' Regulations. Agung RI Number: PER-006 / A / JA / 07/2017 concerning the Organization of the Work Procedure of the Attorney

⁴ Tatang Guritno, "Data ICW 2020: Kerugian Negara Rp 56,7 Triliun, Uang Pengganti dari Koruptor Rp 8,9 Triliun", (<https://nasional.kompas.com/read/2021/03/22/19301891/data-icw-2020-kerugian-negara-rp-567-triliun-uang-pengganti-dari-koruptor-rp>, accessed on April 17, 2021, at 13.09 WIB)

⁵ Article 223-224 Regulation of the Attorney General of the Republic of Indonesia Number: PER-006 / A / JA / 07/2017 concerning the Organization and Work Procedure of the Republic of Indonesia Prosecutor's Office

General's Office of the Republic of Indonesia in terms of securing National Strategic Projects, the Position of Director of National Strategic Project Security is still attached.

Based on the description of the research problems above, the problem is formulated: How are the efforts made by the Strategic Development Security (PPS) in preventing Corruption Crime? and The purpose of this study is to describe the efforts made by the Strategic Development Security (PPS) in the prevention of Corruption Crime.

II. Method

This study is based on normative research. This research focuses more on secondary data collected with literature study of laws and regulations related to the prevention of corruption by the Strategic Development Security (PPS). The processed data will then be analyzed qualitatively.

The qualitative data analysis method was carried out sequentially. *First*, domain analysis to obtain a comprehensive picture of the subject matter under study. *Second*, taxonomic analysis to organize or collect elements of the same domain. *Third*, a comparative analysis to look for differences between elements and domains. *Fourth*, the cultural theme method looks for the relationship between the results of the domain, taxonomic and component analysis, in order to obtain the meaning of the object under study.

III. Main Heading of the Analysis or Results

A. Efforts made by Safeguarding Strategic Development (PPS) in the Prevention of Corruption Crime

National Strategic Projects are Indonesian infrastructure projects during the administration of President Joko Widodo which are considered strategic in increasing economic growth, equitable development, community welfare, and development in Indonesia. area. As for the projects included in the national strategic project, among others, toll road infrastructure development projects,⁶ national or non-toll national strategic road projects, intercity rail facilities and infrastructure projects, inner-city railway projects, airport revitalization projects, development new airports, other strategic airport development projects, new port construction and capacity building, one million houses program, construction of oil refineries, gas pipeline projects or LPG

⁶ Munir Fuady. 1998. *Kontrak Pendorongan Mega Proyek*. First printing. Jakarta: PT. Citra Aditya Bakti. 122

terminals, waste-based energy projects, drinking water infrastructure supply projects, communal wastewater system supply projects, construction of flood-retaining embankments, construction projects of cross-border posts (PLBN) and supporting facilities, dam projects, coverage enhancement programs *broadband*, other strategic science and technology infrastructure projects, development of priority industrial areas or special economic zones, tourism projects, smelter construction projects, and agriculture and marine.

The existence of TP4P / TP4D has actually been running quite well in assisting the stability of development and governance by striving for timely, quality and efficient results in guarding and securing the project, starting from the planning stage to the completion stage of development implementation. Projects that are supervised by TP4D are focused on the implementation of national strategic projects that have high urgency and provide facilities for facilitating project implementation, including supporting national strategic projects as well as other strategic works at the Central and Regional Governments.

The implementation of prevention / preventive and persuasive efforts in the context of guarding, securing and supporting the success of the running of government and development can be done by:

- a. Providing legal information in the environment of the Government, BUMN, BUMD and other parties related to material on planning, auction, implementation of work, supervision of implementation work, licensing, procurement of goods and services, orderly administration, and orderly management of State finances;
- b. Conducting discussions or discussions with government agencies, BUMN, BUMD to identify problems faced in budget absorption and development implementation;
- c. Providing legal information and legal counseling both at the initiative of the Regional Development Escort Team, as well as at the request of parties in need of which the place and time of implementation are determined based on agreement and as needed;
- d. The Attorney General's Office can also involve other agencies or parties that have the capacity, competence and relevance to legal information materials that will be submitted to government agencies, BUMN, and BUMD.

Prevention / preventive is a social control measure that is carried out to prevent or reduce the possibility of unwanted things occurring in the future.

The duties of the Directorate for Security of Strategic Development⁷ are to carry out the preparation of policy formulation, intelligence activities and intelligence operations related to the security sector for strategic development. While the scope of the security sector for strategic development⁸ includes the road infrastructure, railways, ports, airports, smelters, telecommunications processing, water, embankments, dams, agriculture, marine, electricity, alternative energy, oil and gas, science and technology, housing, tourism, priority industrial areas or special economic zones, cross-border posts, and supporting facilities and other sectors in order to support the success of governance and development of strategic projects both nationally and regionally.

In carrying out the tasks and functions referred to in Article 223, the Directorate D carries out functions:⁹

1. preparation of work plans and programs as well as reports on the implementation of government escort and security activities and strategic development projects both nationally and regionally related to the field of strategic development security;
2. preparing the formulation of intelligence technical policies and intelligence administration relating to the field of strategic development security;
3. preparing, collecting and reviewing laws and regulations related to governance and strategic development projects both nationally and regionally related to the field of strategic development safeguards;
4. planning, mapping and analyzing problems related to governance and strategic development projects both at national and regional levels related to the field of strategic development security;

⁷ Article 223 paragraph (1) Regulation of the Attorney General of the Republic of Indonesia Number: PER-006 / A / JA / 07/2017 concerning the Organization and Work Procedure of the Republic of Indonesia Attorney General

⁸ Article 223 paragraph (2) Regulation of the Attorney General of the Republic of Indonesia Number: PER-006 / A / JA / 07/2017 concerning the Organization and Work Procedure of the Republic of Indonesia Attorney General's Office

⁹ Article 224) Regulation of the Attorney General of the Republic of Indonesia Number: PER-006 / A / JA / 07/2017 Concerning the Organization and Work Procedures of the Republic of Indonesia Attorney General's Office

5. planning and implementing government escort and security activities and strategic development projects both nationally and regionally related to the field of strategic development security;
6. preparation and implementation of monitoring and evaluation of the implementation of government escort and security activities and strategic development projects both nationally and regionally related to the field of strategic development security;
7. control and assessment of the implementation of government escort and security activities and strategic development projects both nationally and regionally related to the field of strategic development security;
8. coordination and cooperation with ministries or agencies and local governments, as well as other organizations related to the field of strategic development security;
9. implementation, assessment and reporting coordination with the Government Internal Supervisory Apparatus in terms of policy assessments carried out by executors of strategic development projects both nationally and regionally related to the field of strategic development security;
10. planning and implementing the dissemination of duties, authorities and functions in the field of security for strategic development to ministries or institutions, State-Owned Enterprises, regional governments, Regional-Owned Enterprises, agencies and other organizations related to the security sector for strategic development;
11. preparing an estimate of the state of intelligence relating to the field of strategic development security;
12. fostering and providing technical intelligence guidance as well as intelligence administration related to the security of strategic development to regional prosecutors and prosecutors at State Representatives of the Republic of Indonesia abroad;
13. the implementation of the administrative and household affairs of the Directorate; and the
14. implementation of other functions assigned to the Deputy Attorney General for Intelligence.

The stages of procurement of goods / services for objects of escort and security must be stated in a joint agreement between the parties. In accordance with Perpres 54/2010 article 33 the main stages of government procurement of goods / services are Procurement Preparation, Implementation of Provider Selection,¹⁰ Preparation and Implementation of Contracts and Handover of Work, involvement of the Civil Service and State Administration in the procurement stage is quite effective in the following stages:

1. In the preparatory stage of implementing the selection of providers. The General Procurement Plan (RUP), the Procurement Implementation Plan (RPP) and the Provider Selection Plan were discussed with the final output of the Provider Selection Document Draft. The PA / KPA, PPK and Pokja teams identify potential legal risks that will be faced in order to seek legal opinion from the PPS Intelligence Team and the Civil and State Administration.
2. At the stage of implementing provider selection, the PPS and Civil and State Administration Teams receive periodic reports. The exception is the process of the Pokja asking for a legal opinion in making decisions. Thus, the Civil and State Administration Sector is not dragged into the technical area of selecting providers. In accordance with the mandate of Perpres 54/2010, the process of selecting providers is entirely the responsibility of the Pokja.
3. In the Contract Preparation and Implementation Stage, the PPS Team and the Civil and State Administration Sector are involved in the Contract Signature Preparation Meeting and / or Work Implementation Preparation Meeting (PCM) stages. This is important so that the parties fully understand the consequences of the engagement clause apart from technical matters, management also from the perspective of civil law. It is also in line with Perpres 54/2010 article 86 paragraph 1 that PPK is obliged to finalize the contract. Incidentally, PPK asks for a legal opinion if needed regarding work control. If needed, PPK can also request legal discussion from the PPS Team and the Civil and State Administration during the control of the contract. For example, related to the handling of critical contracts with a demonstration meeting or *Show Cause Meeting* (SCM).

¹⁰ The regulation on the procurement of goods and services has been regulated starting from Keppres 80 of 2003 then Perpres 54 of 2010 and continues to be amended until now.

4. At the job handover stage, the presence of the PPS Team and the Civil and State Administration is needed to ensure that there are no administrative and civil legal issues affecting the output of work and the utilization of the results.
5. The task of the PPS Team and the Civil and State Administration sector focuses on preventing budget leakage in project implementation so that project implementation can run well.

Technical Guidelines on the implementation of security and strategic development activities Number B-484 / D / Dpp / 03/2020 dated March 12, 2020 which confirms that one of the duties and functions of the Indonesian Prosecutor's Office in the field of

security strategic development can basically be divided into 2 (two), others:

1. Intelligence as knowledge is carried out through:
 - a. Inventory and review of statutory regulations related to governance and strategic development and;
 - b. Mapping and analyzing problems related to governance and strategic development to detect early and early warning in the context of preventing, deterring and overcoming any inherent threats that may arise and threaten national security and interests in the field of strategic development;
2. Intelligence as an activity is carried out through:
 - a. Coordination and cooperation with ministries / agencies and local governments and other organizations related to securing strategic development;
 - b. Assessment with the government internal supervisory apparatus in terms of policy appraisal carried out by activity implementers;
 - c. Conducting legal education and legal information and or;

The implementation of the function of investigations (LID), Security (PAM), and other (GAL) is in accordance with the function of law enforcement intelligence to detect early and early warning in the context of prevention, deterrence and control of any inherent threats that may arise and threaten national security and interests in the field. strategic development;

IV. Conclusion

Based on the results of the research and discussion carried out, it is concluded that the implementation of prevention / preventive and persuasive efforts in the context of guarding, securing and supporting the success of the running of government and development can be done by providing legal information related to materials regarding planning, auctioning, implementing work, monitoring work implementation. , licensing, procurement of goods and services, orderly administration, and orderly management of State finances; holding discussions or discussions with government agencies, BUMN, BUMD to identify problems faced in budget absorption and development implementation; Providing legal information and legal counseling both at the initiative of the Regional Development Escort Team, as well as at the request of parties in need of which the place and time of implementation are determined based on agreement and as needed; The Attorney General's Office can also involve other agencies or parties that have the capacity, competence and relevance to legal information materials to be submitted to government agencies, BUMN, and BUMD.

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