

Implementasi kerja sama POLRI dan Korean National Police Agency dalam penyerahan pelaku kejahatan transnasional (studi kasus tersangka SP-anggota Muslim Cyber Army) = Implementation of Cooperation Between Indonesian National Police Agency in surrendering the perpetrator of transnational crime (case study perpetrator SP Muslim Cyber Army members)

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Abstrak

Penelitian ini bertujuan untuk mengungkap implementasi kerja sama Polri dan Korean National Police Agency (KNPA) dalam handing over Tersangka SP – anggota Muslim Cyber Army yang diketahui bersembunyi di Korea. Sebagai solusi dari lamanya proses ekstradisi, Polri menciptakan kebijakan handing over yaitu penyerahan pelaku kejahatan negara lain yang ditangkap di Indonesia melalui kerja sama Police to Police dengan berasaskan resiprositas (timbang balik). Penelitian ini menggunakan penelitian kualitatif studi kasus dengan investigasi secara mendalam terhadap dokumen dan wawancara pihak-pihak yang terlibat dalam kebijakan handing over khususnya praktek kerja sama Polri dan KNPA dalam kasus SP. Penelitian ini menemukan bahwa kerja sama Polri dan KNPA dalam kebijakan handing over SP gagal, dimana pada akhirnya SP dipulangkan ke Indonesia melalui deportasi atas kerja sama Imigrasi Korea dan Imigrasi Indonesia. Teori Kerja Sama Kepolisian Internasional digunakan untuk menggambarkan bentuk kerja sama Polri dan KNPA yang selama ini telah terjalin, sedangkan Teori Implementasi dan Teori Resiprositas digunakan dalam mengungkap kerja sama Polri dan KNPA dalam kasus SP. Komunikasi, keterbatasan sumber daya baik anggaran dan sumber daya manusia, disposisi pengangkatan birokrasi dan struktur birokrasi yang terfragmentasi menjadi hambatan kerja sama Polri dan KNPA dalam kasus SP berjalan secara optimal. Hambatan yang terlihat pada kasus SP memberikan gambaran upaya perbaikan internal dan eksternal yang perlu dilakukan Polri khususnya Divhubinter Polri untuk meningkatkan terwujudnya prinsip resiprositas dalam kebijakan handing over di masa yang akan datang.

.....This study aims to reveal the implementation of cooperation between the INP and the Korean National Police Agency (KNPA) in the handing over of perpetrator named SP – a Muslim Cyber Army member known to be hiding in Korea. As a solution towards the length of the extradition process, the Indonesian National Police (INP) created a handing over policy which is surrendering other countries's fugitives who has been arrested in Indonesia through Police to Police Cooperation on the basis of reciprocity. This study uses qualitative case study research with in-depth investigation of documents and interviews of parties who involved in the handing over policy and especially the practice of the cooperation between the INP and KNPA upon SP. This study found the cooperation between the INP and KNPA regarding the handing over policy upon SP was failed. SP was eventually sent back to Indonesia through deportation process which facilitated by Korean Immigration and Indonesian Immigration cooperation instead of handing over policy. The Theory of International Police Cooperation is used to describe the form of cooperation between the INP and KNPA, while the Theory of Implementation and Theory of Reciprocity are used in revealing the cooperation between INP and KNPA upon SP. Bad communication, limited resources (financial and human resources), the disposition of bureaucratic

appointments and the fragmented bureaucratic structure became obstacles which caused the cooperation between INP and KNPA upon SP was not running optimally. However, SP case could be an important experience for INP especially International Relations Division to formulate internal and external breakthroughs to increase the realization of the principle of reciprocity in handing over policy in the future.