

# Fungsi Pengawasan Legislatif Terhadap Pelibatan Intelijen Negara Dalam Operasi Kontrainsurgensi di Papua (Studi Kasus Pada Satgas Intelijen Nemangkawi) = Legislative Oversight over Intelligenceas Involvement in the Counterinsurgency Operation in Papua (Case Study on the Nemangkawi Intelligence Task Force)

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## Abstrak

Dalam rangka mewujudkan sinergitas seluruh penyelenggara Intelijen Negara, Undang-Undang No 17 Tahun 2011 telah mengamanatkan Badan Intelijen Negara (BIN) sebagai koordinator Intelijen Negara, sekaligus perlunya pengawasan internal dan eksternal intelijen guna mewujudkan akuntabilitas penyelenggaraan Intelijen Negara. Sayangnya, interpretasi pengawasan eksternal intelijen masih bias dalam melihat ruang lingkup wewenang Tim Pengawas Intelijen yang terkesan membatasi diri pada operasi intelijen yang hanya dilakukan oleh Badan Intelijen Negara saja. Penelitian ini bertujuan untuk melihat fungsi pengawasan oleh legislatif diimplementasikan dalam studi kasus pelibatan fungsi intelijen negara dalam operasi penegakan hukum Nemangkawi sebagai bagian dari operasi kontrainsurgensi di Papua. Pendekatan kualitatif dengan metode intrinsic case study dipilih sebagai jenis dan tipe penelitian dengan sumber primer dari Kepala Operasi Nemangkawi terkait pelaksanaan operasi Nemangkawi, dan Tim Pengawas Intelijen DPR RI untuk melihat implementasi fungsi pengawasan oleh legislatif. Sedangkan data sekunder didapatkan dari strategi studi Pustaka. Peneliti menggunakan sejumlah teori dan konsep diantaranya teori kontrainsurgensi, collaborative governance, konstruksi ideal interaksi Intelijen-Negara, dan konsep pengawasan intelijen. Hasil penelitian menemukan bahwa fungsi pengawasan legislatif terhadap Satgas Intelijen Nemangkawi mengalami hambatan. Hal ini disebabkan oleh karena adanya keterbatasan wewenang yang hanya melaksanakan fungsi pengawasan jika ada laporan penyimpangan fungsi intelijen dari internal BIN dan masyarakat. Padahal, masih adanya permasalahan egosektoral antar komunitas intelijen di Papua perlu menjadi perhatian serius negara. Kaburnya garis pertanggungjawaban Binda Papua dalam mengkoordinasikan penyelenggaraan intelijen negara pada Satgas Intelijen Nemangkawi menjadi permasalahan tersendiri tidak berjalannya instrumen pengawasan intelijen oleh legislatif pada studi kasus operasi intelijen yang bukan merupakan operasi intelijen yang dilakukan oleh BIN.

.....In synergizing the Indonesian State Intelligence, Law No. 17 of 2011 has mandated the State Intelligence Agency (BIN) as the coordinator, as well as the need for internal and external intelligence oversight.</em>

<em>Somehow, the scope of authority interpreted by the </em><em>Indonesian Intelligence Oversight Team</em> <em>(Timwas)</em><em>to conduct external intelligence oversight is still biased, which relevant intelligence operations are only addressed to the State Intelligence Agency's Operation.

</em><em>This study aims to observe the implementation of intelligence oversight by legislatives to the intelligence operation being involved in Nemangkawi Operation as part of counterinsurgency operation in Papua. A qualitative approach was chosen as the method of analysis with primary sources derived from the relevant security actors, including intelligence personnel being involved, and the Indonesian Intelligence Oversight Team to scrutinize the implementation of the oversight. Whereas, the secondary data was obtained from the literature study. Relevant theories and concepts are being used such as the theory of

counterinsurgency, collaborative governance, as well as the concept of the construction of the ideal Intelligence-State interaction. The results of the study found that the legislative oversight to the Nemangkawi Intelligence Task Force encountered obstacles due to Ad-hoc supervisory function. In fact, there are still ego-sectoral problems among intelligence community in Papua that need serious attention from the state. The blurring line of responsibility of Binda Papua's in coordinating the state intelligence involved in the Nemangkawi Operation has become another crucial problem affected to the ineffectiveness of the intelligence oversight conducted by the legislature in the case studies.