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Implementation of the Election Supervisory Agency's (*Bawaslu*) Authority in Resolving Process Disputes in the 2024 Elections: A Case Study of *Bawaslu* East Lombok Regency

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ABSTRACT

This study aims to determine the implementation of the authority of the East Lombok Regency Election Supervisory Agency (*Bawaslu*) in resolving process disputes in the 2024 Election and the obstacles faced by the East Lombok Regency Bawaslu in resolving election process disputes. This research was conducted juridically and empirically. The approach taken is a statutory approach and a legal sociological approach. Based on the results of the study it is concluded: First, Bawaslu of East Lombok Regency has exercised its authority in receiving, examining, mediating or adjudicating, and deciding the settlement of disputes over the electoral process in the district/city by Law Number 7 of 2017 concerning General Elections and Regulation of the General Election Supervisory Board of the Republic of Indonesia Number 9 of 2022 concerning Procedures for Resolving General Election Process Disputes. However, because this institution holds two functions, the author feels that settling disputes over the electoral process carried out by the Bawaslu East Lombok Regency is not optimal. Second, the obstacles Bawaslu of East Lombok Regency faced in resolving disputes over the electoral process are: a. When submitting a dispute application, the applicant applies on the last day of the deadline for applying; b. The completion time for giving a decision is too short; c. Absence of the Applicant and Respondent Parties; d. Lack of human resources because not all commissioners have the authority to submit the dispute; e. lack of budget to prepare the administration of dispute resolution. The author suggests that Bawaslu of East Lombok Regency in exercising the authority to receive, examine, mediate, or adjudicate, and decide on the settlement of disputes over the election process must be by the applicable laws and regulations and must be carried out optimally. Improve the quality of human resources by holding mediation and adjudication training regularly to support the process of enforcing dispute resolution processes properly. In addition, the East Lombok Regency Bawaslu also submitted an additional budget to the Central Government through the Provincial Bawaslu.

KEYWORDS

Authority;
Election
Supervisory
Agency;
Election
Process
Dispute



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INTRODUCTION

Elections are usually held in 5-year periods according to the periodic schedule.¹ In February 2024, elections were held simultaneously for the President and Vice President of the Republic of Indonesia, Members of the House of Representatives (*DPR*), members of the Provincial House of Representatives, District/Municipal People's Representative Council, and individual candidates for the Regional Representative Council (*DPD*). In every general election, the emergence of a dispute is inevitable. The dispute in question can occur between participants and election organizers or between election participants. In addition, disputes may also arise at various stages of the election such as the nomination and the election results themselves. However, the emergence of disputes or problems should not be seen as a weakness of an electoral system but should be seen as an important element that must be present. The existence of an effective dispute resolution mechanism is necessary to maintain the legitimacy and integrity of an election.²

To minimize the occurrence of election disputes, Bawaslu as part of the Election Organizer is given duties and authority by law. The provisions in Article 93 Letter b of Law Number 7 Year 2017 concerning General Elections state that Bawaslu is tasked with preventing and taking action against election violations and disputes over the election process. It is also emphasized that Bawaslu has the authority to receive, examine, mediate or adjudicate, and decide on the settlement of disputes over the electoral process and correct the decisions and recommendations of the Provincial Bawaslu and Regency / City Bawaslu if there are things that are contrary to the provisions of laws and regulations.

The authority to resolve disputes over the electoral process carried out by Bawaslu about the issuance of KPU decisions as specified in Article 24 paragraph (1) of Perbawaslu No. 9 of 2022 concerning Procedures for Settling General Election Process Disputes states "Bawaslu, Provincial Bawaslu, Regency Bawaslu have the authority to resolve disputes between Election Participants and Election organizers". Thus, the relative competence of the authority to resolve election process disputes carried out by Bawaslu is only against decisions issued by the KPU.

Then Article 101 letter a of Law No. 7 of 2017 concerning Elections determines "The Regency/City Bawaslu is tasked with preventing and taking action in the district/city area against election violations and disputes over the election process". It is also emphasized that the Regency/City Bawaslu is authorized to receive, examine, mediate, or adjudicate, and decide on the settlement of disputes over the election process in the regency/city area.

Election process disputes include disputes that occur between Election Participants and disputes between Election Participants and Election organizers as a result of the issuance of KPU decisions, Provincial KPU decisions, and

¹ Suaidi Mahsun, Gatot Dwi Hendro Wibowo & Zunnuraeni, "Kewenangan Bawaslu dalam Penanganan Dugaan Pelanggaran Administrasi Pemilihan Umum Serentak Provinsi Nusa Tenggara Barat Tahun 2019" 37:1 Jatiswara 106-117, online: <<https://jatiswara.unram.ac.id/index.php/js/article/view/363>>.

² Agus Riwanto et al, *Serial Evaluasi Penyelenggaraan Pemilu Serentak 2019: PERIHAL PENEGAKAN HUKUM PEMILU*, Ahsanul Minan, ed (Jakarta: BAWASLU, 2019).



Regency/City KPU decisions.³ Disputes submitted between Election Participants can be resolved by Panwaslu while disputes between Election Participants and Election Organizers are resolved by Bawaslu, Provincial Bawaslu, and Regency/City Bawaslu. In Article 5 paragraph (2) of Election Supervisory Agency Regulation No. 9 of 2022 concerning Procedures for Settling Election Process Disputes states "To accelerate the settlement of disputes between Election Participants as referred to in paragraph (1) of Article 5 of Perbawaslu that occur in the sub-district area, Bawaslu Regency/City can mandate Panwaslu Sub-district to resolve disputes between Election Participants in its working area".

Based on the provisions of Article 5 paragraph (2) above, there is the authority of the Sub-District Panwaslu to resolve election process disputes specifically for disputes between Election Participants as the implementation of the mandate from the Regency/City Bawaslu. According to Philipus M. Hadjon, mandate means a delegation of authority to subordinates. The delegation intends to authorize subordinates to make decisions on behalf of the official who gave the mandate.⁴ The mechanism for resolving electoral process disputes is carried out by Bawaslu, and if the disputing parties are not satisfied with Bawaslu's decision, then the electoral process dispute resolution is carried out by the State Administrative Court institution.

Bawaslu emphasized to all election participants to comply with all the rules stipulated in the Election Law and the rules under it. Even though there are already rules applied and Bawaslu has taken precautions, the fact is that until now disputes over the electoral process still occur. When referring to the 2024 Election, there is data on disputes over the electoral process based on the findings of the East Lombok Regency Bawaslu in the Election process, namely in 2023 the East Lombok Regency Bawaslu has only received one application for the settlement of disputes over the electoral process since the East Lombok General Election Commission determined the Temporary Candidate List for 2024.

Bawaslu of East Lombok Regency conducted mediation and recommended that the two Indonesian Democratic Party candidates be included in the Provisional Candidate List. After Bawaslu gave the mediation decision, the General Election Commission followed up on the decision of the mediation agreement on Sunday, September 3, 2023. Of the 18 members of political parties participating in the elections in East Lombok, only the submission of the Indonesian Democratic Party of Struggle has been registered. The others do not yet exist because the stages of the dispute process for Settling Election Process Disputes (*PSPP*) are only three days from the issuance of the General Election Commission's decision/Minutes of the determination of the Provisional Candidate List the rest is expired, said Bawaslu East Lombok.⁵ The position of the case: The Regional Leadership Council of the Indonesian Democratic Party of East Lombok Regency filed a request for Dispute

³ Fathul Hamdani et al, *Meaningful Participation dalam Pengesahan Perjanjian Internasional: Perspektif Pembentukan Perundang-undangan* (Jakarta: Kencana Prenada Media Group, 2025).

⁴ Salim HS & Erlies Septiana Nursyahbani, *Penerapan Teori Hukum pada Penelitian Tesis dan Disertasi* (Jakarta: Rajagrafindo Persada, 2019).

⁵ Ahmad Wawan Sugandika, "2 Caleg PDIP di Lombok Timur Masuk DCS Setelah Mediasi di Bawaslu, Awalnya Tidak Memenuhi Syarat", (2023), online: *Trib Lombok* <<https://lombok.tribunnews.com/2023/09/03/2-caleg-pdip-di-lombok-timur-masuk-dcs-setelah-mediasi-di-bawaslu-awalnya-tidak-memenuhi-syarat>>.



Resolution of the General Election Process to the Election Supervisory Body of East Lombok Regency due to the issuance of the Decree of the General Election Commission of East Lombok Regency Number: 332 of 2023 concerning the Provisional Candidate List of Members of the Regional House of Representatives of East Lombok Regency in the 2024 general election and Minutes Number: 358 /PL.01.4-BA/5203/2023 concerning the Determination of the Provisional Candidate List of Members of the Regional House of Representatives of East Lombok Regency in the 2024 general election on August 18, 2023.

METHOD

The type of research used is empirical juridical research which includes research on legal effectiveness. The research approaches used in this research are the statute approach and the legal sociological approach. Type of Data Primary data is data obtained directly from the first source.⁶ Secondary data is data obtained from official documents, books, and research results in the form of theses and opinions of scholars.⁷ In this research, the data comes from literature research in the form of laws and regulations, literature books, government documents and doctrines or opinions of experts related to the subject matter under study, and research in the field in the form of direct interviews with agencies/institutions related to the problem under study. The techniques or ways of obtaining data used in this research are as follows: Literature study techniques are carried out to obtain and collect data through libraries, the internet, and others.

Searching for literature and legal materials is carried out with a card system in the form of library cards and daily notes. The interview technique is carried out to obtain and collect data using direct interviews with agencies/institutions related to the problem under study to find more detailed information. After the data is obtained by the data collection technique, the data analysis used in this research is qualitative. Qualitative analysis is a data analysis that does not use numbers but rather provides descriptions in words of the findings, and therefore it prioritizes the quality/quality of the data and not the quantity.⁸

RESULT & DISCUSSION

I. Implementation of the Authority of the East Lombok Regency Pemillu Supervisory Board in Resolving Process Disputes in the 2024 Election

The provisions in Article 101 letter of Law No.7 of 2017 concerning General Elections, stipulate "The Regency/City Bawaslu is tasked with preventing and taking action in the regency/city area against election violations and election process disputes". Then Article 102 paragraph (3) of Law No.7 of 2017 states that in taking action against disputes over the Election process, the Regency/City Bawaslu is tasked with:

- a. Receive requests for dispute resolution of the electoral process in the regency/city area;

⁶ Amiruddin & H Zainal Asikin, *Pengantar Metode Penelitian Hukum* (Jakarta: PT. Raja Grafindo Persada, 2006).

⁷ Muhaimin, *Metode Penelitian Hukum* (Mataram: Mataram University Press, 2020).

⁸ HS & Nursyahbani, *supra* note 4.



- b. Verifying formally and materially the application for settlement of election process disputes in the regency/city area;
- c. Conducting mediation between disputing parties in the district/city;
- d. Conducting the adjudication process of election process disputes in the regency/city if the mediation has not resolved the election process dispute; and
- e. Deciding the settlement of disputes over the election process in the regency/city.

Article 103 of Law No.7 of 2017 also emphasizes that the Regency/City Bawaslu is authorized to:

- a. Receiving and following up on reports relating to alleged violations of the implementation of laws and regulations governing elections;
- b. Examining and reviewing election violations in the regency/city and recommending the results of the examination and review to the parties regulated in this Law;
- c. Receiving, examining, meditating or adjudicating, and deciding on the settlement of disputes over the election process in the regency/city area;
- d. Recommend to the relevant agency the results of supervision in the district/city of the neutrality of all parties prohibited from participating in campaign activities as stipulated in this Law;
- e. Take over temporarily the duties, authorities, and obligations of the Sub-district Panwaslu after obtaining the consideration of the Provincial Bawaslu if the Sub-district Panwaslu is temporarily absent due to sanctions or other consequences by the provisions of laws and regulations;
- f. Requesting information materials needed to related parties in the context of preventing and prosecuting election violations and disputes over the election process in the regency/city area;
- g. Establishing Sub-district Panwaslu and appointing and dismissing members of Sub-district Panwaslu by taking into account the input of the Provincial Bawaslu; and
- h. Carry out other authorities by the provisions of laws and regulations.

Law No. 7 of 2017 concerning General Elections has authorized the Regency/City Bawaslu to receive, examine, mediate, or adjudicate, and decide on the settlement of disputes over the election process in the regency/city area. According to Prajudi Atmosudirjo, authority is what is called formal power, power derived from legislative power (given by law) or from executive/administrative power. Within the authority there are authorities. Authority is the power to perform an act of public law.⁹

According to the author, the authority is a legal power for Bawaslu to act in handling election process disputes. In addition, the authority is a limit for Bawaslu to act, so that in handling the Election Process Dispute Bawaslu does not take arbitrary actions. Furthermore, the authority of Bawaslu, Provincial Bawaslu, and Regency/City Bawaslu in receiving, examining, mediating or adjudicating, and deciding the settlement of disputes over the Election process in the district/city area as referred to in Article 103 letter c of the Election Law is carried out based on the Regulation of the General Election Supervisory Agency of the Republic of Indonesia

⁹ Yusri Munaf, *Hukum Administrasi Negara* (Pekanbaru: Marpoyan Tujuh, 2016).



Number 9 of 2022 concerning Procedures for Settling General Election Process Disputes.

In the provisions of Article 24 paragraph (1) of the Regulation of the General Election Supervisory Board of the Republic of Indonesia Number 9 of 2022 concerning Procedures for Dispute Resolution of the General Election Process, it is stated: "Bawaslu, Provincial Bawaslu, and Regency/City Bawaslu have the authority to resolve disputes between election participants and election organizers". Based on the results of an interview with Samsul Hadi as the Coordinator of the Legal Division and Dispute Resolution of the East Lombok Regency Bawaslu, the Regency/City Bawaslu, including the East Lombok Bawaslu, exercises its authority in resolving election process disputes in the following way:¹⁰

- a. Receiving Complaints: Bawaslu receives requests for process disputes from parties who feel aggrieved, such as election participants, legislative candidates, or political parties.
- b. Resolving Disputes: Handle and process disputes through mediation or adjudication to provide justice for the parties to the dispute.
- c. Giving decision: Renders binding decisions in the resolution of process disputes, including revoking the decision of the Election Commission if it is found to have violated the law.
- d. Supervising the Implementation of the Election Process: Ensure the implementation of the electoral stages by the provisions of laws and regulations.
- e. Monitoring the Neutrality of Election Organizers: Bawaslu also acts as a supervisor of the implementation of decisions resulting from dispute resolution.

Article 1 point 27 of the Election Law Election participants are political parties for the election of DPR members, provincial DPRD members, district/city DPRD members, individuals for the election of DPD members, and candidate pairs proposed by political parties or a coalition of political parties for the election of President and Vice President. Takdir Rahmadi said that mediation is a process of resolving disputes between two or more parties through negotiation or consensus with the help of a neutral party who does not have the authority to decide.¹¹

Election process disputes are disputes that include disputes between election participants and disputes between election participants and election organizers. There are two election process disputes, namely: (1) disputes between election participants; and (2) disputes between election participants and election organizers.¹² Disputes between Election Participants occur because the rights of Election Participants are directly harmed by other Election Participants at the stages of the Election process. Meanwhile, disputes between election participants and election organizers occur because the rights of candidates or election participants are directly harmed by the actions of the General Election Commission, the Provincial General Election Commission, or the Regency/City General Election Commission as a result of the issuance of the General Election Commission's

¹⁰ Results of an interview with Samsul Hadi as Coordinator of the Legal Division and Dispute Resolution of Bawaslu East Lombok Regency, December 19th (2024).

¹¹ Nita Triana, *Alternative Dispute Resolution Penyelesaian Sengketa Alternatif Dengan Model Mediasi, Arbitrase, Negosiasi dan Konsiliasi* (Yogyakarta: Kaizen Sarana Edukasi, 2019).

¹² Results of an interview with Suaidi Mahsun as chairman of Bawaslu East Lombok Regency, January 21st (2025).



decision, the Provincial General Election Commission's decision, or the Regency/City General Election Commission's decision at certain stages of the election such as the determination of the provisional list of candidates for the Regency/City Regional House of Representatives.¹³

The mechanism for resolving electoral process disputes is carried out by Bawaslu, and if the disputing parties are not satisfied with Bawaslu's decision, the electoral process dispute resolution is carried out by the State Administrative Court. The authority of the two institutions is formulated in the Election Law Article 466 through Article 469 (Bawaslu's authority), and Article 470 through Article 472 of the Election Law (authority of the State Administrative Court). The Election Law is closely related to the urgency of determining Bawaslu's duties, namely as an institution that carries out prevention and prosecution related to disputes over the electoral process.

Article 467 paragraph (1) of the Election Law states: "Bawaslu, Provincial Bawaslu, and Regency / City Bawaslu receive requests for dispute resolution of the Election process as a result of the issuance of the General Election Commission decision, the Provincial General Election Commission decision, and the Regency/City General Election Commission decision". The article states that the objects of election process disputes are the General Election Commission Decisions, Provincial KPU Decisions, and Regency/City General Election Commission Decisions. In addition to the General Election Commission Decisions, Provincial Election Commission Decisions, and Regency/City General Election Commission Decisions that can be the object of election process disputes are in the form of Minutes of the General Election Commission, Minutes of the Provincial Election Commission and Minutes of the Regency/City General Election Commission.

Furthermore, arrangements related to the authority to resolve election process disputes carried out by the Regency/City Bawaslu, namely against the issuance of the District General Election Commission decision, are stipulated in Article 2 paragraphs (1), and (2) of the Election Supervisory Agency Regulation 9 of 2022 concerning Procedures for Settling Election Process Disputes, which states "Bawaslu, Provincial Bawaslu, and Regency/City Bawaslu are authorized to resolve election process disputes. Election process disputes include disputes between Election Participants and disputes between Election Participants and Election organizers as a result of the issuance of General Election Commission decisions, Provincial General Election Commission decisions, and Regency/City General Election Commission decisions". Thus, the relative competence of the authority to resolve disputes over the electoral process carried out by the Regency/City Bawaslu is only against decisions issued by the Regency/City General Election Commission.

In Article 5 paragraphs (1), (2) and (3) of the Election Supervisory Agency Regulation No. 9 of 2022 concerning Procedures for Resolving Election Process Disputes states:

- (1) Bawaslu, the Provincial Bawaslu, and the Regency/City Bawaslu shall settle disputes between Election Participants as referred to in Article 4 at the place where the dispute over the Election process occurs on the same day as the application is submitted.

¹³ *Ibid.*



- (2) To accelerate the settlement of disputes between Election Participants as referred to in paragraph (1) that occur in the sub-district area, the Regency/City Bawaslu may mandate the Sub-District Election Supervisory Committee to resolve disputes between Election Participants in its working area.
- (3) The mandate as referred to in paragraph (2) shall be stipulated by a decision of the Regency/City Bawaslu through a plenary meeting after consulting with the Provincial Bawaslu.

Based on the provisions of Article 5 paragraph (2) above, there is the authority of the Sub-District Panwaslu to resolve election process disputes specifically for disputes between Election Participants as the implementation of the mandate from the Regency/City Bawaslu. According to Philipus M. Hadjon, mandate means a delegation of authority to subordinates. The delegation intends to authorize subordinates to make decisions on behalf of the official who gave the mandate.¹⁴

Bawaslu East Lombok Regency has prevented and supervised the registration of candidates for members of the East Lombok Regency Regional People's Representative Council, but Bawaslu cannot conduct supervision through Silon because it cannot access *Silon* so that the East Lombok Regency Bawaslu cannot find out about errors in the documents uploaded by candidates for the East Lombok Regency Regional People's Representative Council. This caused the two candidates for the East Lombok Regency Regional People's Representative Council to not qualify as a Provisional Candidate List, finally, the Branch Leadership Council of the Indonesian Democratic Party of Struggle submitted a request for an election process dispute to the East Lombok Regency Bawaslu.¹⁵ Examples of process disputes handled by Bawaslu East Lombok Regency are issues related to administrative verification of political parties, determination of temporary candidate lists (*DCS*), or other alleged procedural violations.¹⁶

The practice of handling the settlement of election process disputes as stipulated in Law Number 7 of 2017 has been implemented in the 2024 elections. Based on data from the East Lombok Regency Election Supervisory Agency, there was one application for the Election Process Dispute Resolution related to disputes between Election Participants and Election Organizers registered by the East Lombok Regency Election Supervisory Agency in 2023. The cause of the emergence of election process disputes in East Lombok Regency is the issuance of East Lombok Regency KPU Decree Number: 332 of 2023 concerning the Provisional Candidate List for Members of the East Lombok Regency Regional House of Representatives in the 2024 general election. From the Decree of the East Lombok Regency KPU Number: 332 of 2023, there are two Legislative Candidates from PDI Perjuangan on behalf of Ahmad Baidhowi and Wida Suryani who do not qualify as a Provisional Candidate List for Members of the Regional People's Representative Council of East Lombok Regency, namely due to the lack of photocopy of diploma documents on behalf of Ahmad Baidhowi uploaded into Silon is the front page of the photocopy of

¹⁴ M Riadhussyah et al, "The Dignity of Democracy in the Appointment of Acting Regional Heads by the President: Legal Construction After the Constitutional Court Decision Number 15/PUU-XX/2022" (2022) 12:1 J Jurisprud 106-119.

¹⁵ note 12.

¹⁶ note 10.



diploma not the back page of the photocopy of diploma that has been legalized due to the mistake of the applicant operator. The document on behalf of Wida Suryani uploaded into *Silon* is a photocopy of a legalized national exam result certificate and not a photocopy of a legalized diploma due to an upload error from the technical team. Therefore, the Chairperson of the East Lombok Regency Branch Leadership Council of the Indonesian Democratic Party of Struggle objected to the issuance of the East Lombok Regency General Election Commission Decree Number: 332 of 2023 and applied dispute resolution of the election process directly to the East Lombok Regency Bawaslu Office.¹⁷

Application for settlement of election dispute in East Lombok Regency in 2023 between the Indonesian Democratic Party of Struggle (Applicant) and the General Election Commission of East Lombok Regency, to decide the election process dispute related to the Legislative Candidate of the Indonesian Democratic Party of Struggle who did not qualify as a Provisional Candidate List for Members of the Regional House of Representatives of East Lombok Regency. In the main petition, the applicant (Indonesian Democratic Party of Struggle) filed a request for the settlement of an election process dispute over the Decision of the East Lombok Regency General Election Commission Number: 332 of 2023 concerning the Provisional Candidate List of Members of the East Lombok Regency Regional People's Representative Council in the 2024 general election dated August 18, 2023.

Then in the Decision on the Agreement to Settle Election Process Disputes Bawaslu East Lombok Regency Number Register: 001/PS.REG/52.5203/VIII/2023 after considering the evidence in the trial of the mediation panel for resolving election process disputes, the East Lombok Regency Election Supervisory Body (Bawaslu) did not have strong legal reasons to reject the petitioner's request. The decision states that the Lombok Regency Bawaslu has led mediation between the petitioner and the respondent with the results reaching an agreement as stated in the Minutes of the Mediation of the Petition Register Number: 001/PS.REG/52.5203/VIII/2023 dated August 28, 2023, which agreed on the following matters:

1. That the applicant realizes that the photocopy of the diploma document on behalf of Ahmad Baidhowi uploaded into *Silon* is the front page and this is due to the mistake of the applicant's operator.
2. the applicant is aware that the document on behalf of Wida Suryani uploaded into *Silon* is a photocopy of a legalized national examination result certificate and not a photocopy of a diploma that has been legalized due to an upload error.
3. The respondent East Lombok Regency Election Commission can accept the required documents in the form of photocopies of diplomas on behalf of Ahmad Baidhowi and Wida Suryani as long as physical documents can be provided in the form of legalized photocopies of diplomas.
4. That the respondent agrees to accept the petition of the applicant as stated in the petition of the applicant at points 2 and 4.

¹⁷ Interview with Abdul Hayyi Nukman as Deputy Secretary of the East Lombok Regency Branch Executive Board of the Indonesian Democratic Party of Struggle, February 27th (2025).



Given, Law Number 7 of 2017 concerning General elections in conjunction with Perbawaslu Number 9 of 2022 concerning Procedures for Settling Election Process Disputes states:

Deciding

1. Order the parties to implement the contents of the agreement as stated in this decision;
2. Ordering the East Lombok Regency KPU to implement this Decision within a maximum of 3 working days from the time this decision is read out.

Based on the results of an interview with Mr. Holis Iskandar the Head of the Legal Subdivision of the East Lombok Regency KPU stated that, the Decision on the Agreement on the Settlement of Election Process Disputes of Bawaslu East Lombok Regency Number Register: 001/PS.REG/52.5203/VIII/2023 has been implemented by the East Lombok Regency KPU two days after Bawaslu's decision was read out by issuing the East Lombok Regency General Election Commission Decree Number: 333 of 2023 concerning Amendments to the East Lombok Regency General Election Commission Decree Number: 332 of 2023 concerning the Provisional Candidate List of Members of the East Lombok Regency Regional House of Representatives in the 2024 general election.¹⁸

II. Obstacles Faced by East Lombok Regency Bawaslu in Resolving Election Process Disputes

Based on the results of an interview with Samsul Hadi the Coordinator of the Legal Division and Dispute Resolution of the East Lombok Regency Bawaslu, the Regency/City Bawaslu, including the East Lombok Bawaslu, has the following obstacles in resolving disputes over the election process:¹⁹

- a. Time of filing the dispute application The applicant applies on the last day of the deadline for filing the application
- b. Time to decide disputes: the time to render a decision is too short
- c. Absence of the Petitioner and Respondent
- d. Lack of human resources of the East Lombok Regency Election Supervisory Agency
- e. Lack of human resources because not all commissioners have mediator certificates
- f. Lack of budget to prepare dispute resolution administration
- g. The infrastructure owned by Bawaslu to record the mediation and adjudication process so that it affects the release of minutes of the mediation process, and adjudication which will affect the decision. This is due to the lack of budget.

These facilities include educated and skilled human resources, good organization, adequate equipment, sufficient finance, and so on. If these things are not fulfilled, law enforcement can't achieve its goals.²⁰ Based on the results of

¹⁸ The results of an interview with Mr. Kholis as the Head of Legal Subdivision of the East Lombok Regency KPU, February 25th (2025).

¹⁹ note 10.

²⁰ Soerjono Soekanto, *Faktor-Faktor yang Mempengaruhi Penegakan Hukum* (Jakarta: Rajawali Press, 2013).



interviews with Kasmayadi as the Coordinator of the Human Resources, Organization, Education and Training Division of Bawaslu East Lombok Regency, Human Resources is an important element in an organization or institution that is structured and able to carry out duties, authorities, and obligations to achieve predetermined organizational or institutional goals.²¹ According to Werther and Davis, human resources are employees who are ready, able, and alert in achieving organizational goals.²²

Based on the author's research, the Human Resources in Bawaslu East Lombok Regency amounted to 18 people consisting of 5 commissioners, 1 cashier, 1 treasurer, 4 sub-agents, 13 technical implementation staff, and 4 support staff. Currently, in Bawaslu East Lombok Regency in resolving process disputes, only 3 commissioners attend mediation sessions because only 3 have mediation certificates. The author thinks that the human resources in Bawaslu East Lombok Regency are sufficient to resolve disputes over the election process. However, in enforcing the settlement of process disputes, the quality of Human Resources is needed to support the process of enforcing the settlement of process disputes properly.

CONCLUSION

In taking action on election process disputes, the Regency/City Bawaslu is authorized to: receive, examine, mediate, or adjudicate, and decide on the settlement of election process disputes in the regency/city area. The settlement of disputes between election participants and election organizers is carried out through the following stages: a. receiving the application; b. reviewing the application through formal verification and material verification; c. mediating between the disputing parties; d. adjudicating between the disputing parties; and e. deciding the election process dispute. Based on the results of the author's research, Bawaslu of East Lombok Regency has exercised its authority in receiving, examining, mediating or adjudicating, and deciding the settlement of disputes over the electoral process in the district/city by Law Number 7 of 2017 concerning General Elections and Regulation of the General Election Supervisory Board of the Republic of Indonesia Number 9 of 2022 concerning Procedures for Settling General Election Process Disputes. However, because this institution holds two functions, the author feels that the enforcement of the settlement of disputes over the Election process carried out by Bawaslu East Lombok Regency is not optimal.

The obstacles faced by the East Lombok Regency Bawaslu in resolving election process disputes are: a. When submitting a dispute application, the applicant applies on the last day of the deadline for applying; b. Completion time for giving a decision is too short; c. Absence of the Petitioner and Respondent; d. Lack of human resources because not all commissioners have mediator certificates; e. lack of budget to prepare dispute resolution administration, Bawaslu's infrastructure to record the mediation and adjudication process so that it affects the release of minutes of the mediation process. Lack of human resources because not all commissioners have

²¹ *Results of an interview with Kasmayadi as the Coordinator of the Human Resources, Organization, Education and Training Division of Bawaslu East Lombok Regency, dated January 20th (2025).*

²² H Edy Sutrisno, *Manajemen Sumber Daya Manusia* (Jakarta: Kencana Prenada Media Group, 2013).



mediator certificates; e. lack of budget to prepare dispute resolution administration, infrastructure owned by Bawaslu to record the mediation and adjudication process so that it affects the release of minutes of the mediation process, and adjudication which will affect the decision.

DECLARATION OF CONFLICTING INTERESTS

The authors state that there is no conflict of interest in the publication of this article.

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