

ABSTRACT

General Election is a tool that aims to provide an opportunity for the people to vote for and be elected as a political power rotation. This research has objective to evaluate whether laws and regulations on election are sufficient to guarantee the independence and integrity of The General Election Commission (KPU) in Indonesia. The research is a normative legal research with statute and case approach, by using juridical qualitative analysis. The research shows that Indonesia does not have sufficient laws and regulations that may guarantee the independence and integrity of the General Election Commission. There are some requirements to guarantee the independence and integrity of national election commission commissioners by providing some additional constraints. The first constraint is Streamline the implementation of the requirements of the commissioners not to be involved in political parties for the minimum 5 years before registration as candidate of the commissioners. The second constraint is by conducting good supervision to the KPU commissioners through the Election Supervisory Board (Bawaslu) and Election Organizer Ethics Council (DKPP). The last one is by providing particular constraints to the commissioners after they resign from the past such as they cannot be nominated in executive position after he/she resign, one period after the general election conducted by them. The research recommends that there is a need to do an amendment to the Law Number 7 of 2017 on General Election to include the rules about the prohibition of ex KPU commissioner to occupying the Executive position after he/she resign one period from the general election conducted by them, in order to avoid the affiliation which leads to a conspiracy between the KPU commissioner and executive body. It is expected that the independence and integrity of election commission commissioners will be more guaranteed.

Keywords: general election, the General Election Commission, independence and integrity