

Legal Policy on Possession of Explosives by the Gegana Detacle of the Brimob (Research Study at the Gegana Detacle of the Brimob Corps of the Riau Islands Regional Police)

Jajang Warsana¹⁾ & Widayati²⁾

¹⁾Faculty of Law, Universitas Islam Sultan Agung (UNISSULA), Semarang, Indonesia, E-mail: jajangwarsana.std@unissula.ac.id

²⁾Faculty of Law, Universitas Islam Sultan Agung (UNISSULA), Semarang, Indonesia, E-mail: widayati@unissula.ac.id

Abstract. *This study was conducted to examine in depth the legal policies governing the ownership and use of explosives by the Gegana Detachment of the Brimob Corps of the Riau Islands Police. Ownership of explosives is a strategic issue because it is closely related to legal certainty, national security, and protection of human rights. Judging from the geographical location of the Riau Islands Province which directly borders a number of countries, this area is vulnerable to transnational crimes, such as illegal arms smuggling, terrorism, illegal fishing and other crimes. In this context, the role of the Gegana Detachment is very important. However, because there is no specific regulation that determines the authority to manage explosives, this can create a legal vacuum that has the potential to cause overlapping authority and abuse of authority between agencies that have the same goal, namely the goal of maintaining state security. This study uses normative legal and empirical legal approaches. The normative approach is applied to analyze the applicable positive legal framework related to the management of explosives by state institutions, including statutory provisions related to the ownership of explosives. Meanwhile, the empirical approach is used to explore field data through direct interviews with Gegana Detachment personnel involved in implementing the legal policy on the ownership of explosives by the agency. This method aims to obtain a real picture of the implementation of the policy and the practical obstacles they face in carrying out their daily operational tasks.*

Keywords: *Explosives; Gegana; Legal.*

1. Introduction

As a country of law as written in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, Indonesia places law as a guideline in every policy and action of the Government including in the management of explosives. Seen from the perspective of state ideology, Pancasila as the basis of the state requires that every policy must reflect the values of divinity, humanity, unity, democracy, and social justice. The state system regulated by the constitution of a country and in a democratic political format as well as the system of separation of state powers and Check and balance cannot be separated from the existence of principles and implementation of authority to test or test statutory regulations (Judicial Review).¹ Explosives are compounds or substances that can change into other substances chemically when exposed to impact, friction and heat. In this chemical process, heat, gas and high pressure can be produced in explosives. there is a very dangerous potential, therefore the Indonesian state has formed legal regulations to strictly regulate its use and management. It is generally known that explosives are not only limited to the construction or mining industry, but also play an important role in maintaining public order and security, especially in efforts to combat serious crimes, terrorism and other crimes. The Gegana Brimob Riau Islands Detachment (KEPRI) is one of the special elite units in the Indonesian National Police which is responsible for handling explosives in the Riau Islands region. In the context of handling extreme threats such as terrorism and organized crime which are very important, especially national security. The Gegana Brimob Polri Detachment is one of the most important units in dealing with these threats. This unit is tasked with handling dangerous and urgent situations, such as the management and use of explosives. Supervision and use of explosives by security forces, including the Mobile Brigade (Brimob) of the Riau Islands Regional Police (Polda Kepri), is part of a legal policy aimed at maintaining public order and security. This is in line with the main duties of the Police as stated in Law Number 2 of 2002 concerning the Indonesian National Police, which stipulates that the Police have the responsibility for maintaining security, law enforcement, and providing protection, care, and services to the community. From a legal perspective, the policy related to the ownership and use of explosives by Brimob Kepri does not have any specific rules, in use and ownership it still refers to more specific national regulations, such as Law Number 12 of 1951 concerning Firearms and Explosives, and Regulation of the Chief of Police Number 17 of 2017 concerning licensing, security, control, and supervision of commercial explosives. This regulation aims to ensure that the use of explosives is carried out in accordance with the law, is controlled, and prevents misuse.

¹ <https://media.neliti.com/media/publications/12287-ID-kedudukan-dan-wewenang-mahkamah-konstitusi-dalam-sistem-hukum-ketatanegaraan-ind.pdf> , downloaded January 2025, at 15:45

It is known that as a region that borders directly with other countries, the Riau Islands have a strategic interest in the management of explosives by Brimob Kepri. This region is often an international crossing route that is vulnerable to the threat of transnational crime, such as arms smuggling and acts of terrorism. Therefore, strict regulations and comprehensive supervision are needed so that the policy of ownership of explosives by Brimob Kepri remains within the legal corridor and in line with the principles of the rule of law. However, in the regulation of ownership/rights to store and use these substances by the Gegana Kepri Detachment, it is not free from various challenges and legal issues that require serious attention.²

In the modern era, there is very rapid technological progress and everything is digital, allowing for various threats. For that, there needs to be an effort to return the law to its straight and ideal goals,³ because the certainty in taking legal policies to regulate ownership/rights to explosives by the Gegana Detachment of the Riau Islands is very important to be evaluated and adjusted so that it runs relevantly and effectively. then from that, there is a regulation on the psychological and social impacts of the use of explosives by police officers on the community, who often feel threatened and unsafe.⁴With this legal analysis approach, the author hopes that the author can identify the weaknesses and strengths of the law in the regulation of explosives management in the Republic of Indonesia, especially in the Riau Islands region, in order to find out more about the extent to which all the problems mentioned above will be studied and answered in a scientific work in the form of a thesis with the title,LEGAL POLICY ON POSSESSION OF EXPLOSIVES BY THE GEGANA DETACLE OF THE BRIMOB CORPS. (RESEARCH STUDY AT THE GEGANA DETACLE OF THE BRIMOB CORPS OF THE RIAU ISLANDS REGIONAL POLICE), This research focuses not only on the legal aspects, but also on the broader implications of social security for society, with the aim of providing constructive recommendations for the improvement of more relevant legal policies.

2. Research Methods

Research is an investigation or inquiry that is systematically structured based on science that includes data, is objective and critical of a specific problem with the aim of finding alternative solutions to related problems.⁵In the research, the realization of qualitative legal research methodology is carried out to carry out research studies that will form a scientific work in an academic environment that can be differentiated based on strata, namely: Thesis for Bachelor's level,

²I Nasution. Security Law in Indonesia. Bandung: Pustaka Setia, 2019.

³ Widayati, "implementation of legal principles in the formation of participatory and just legislation", Vol 36 No 2

⁴ A Wiryawan.Technological Developments and Global Security Threats. Jakarta: Gramedia, 2021.

⁵ Syamsul Arifin, Methods of Writing Scientific Papers and Legal Research, Medan Area University Press, Medan 2012, page 60.

Dissertation for Postgraduate level and Dissertation for Doctoral level.⁶ Method is a process or principles and procedures for solving a problem.⁷ So the research method can be interpreted as a process of principles and procedures to find solutions to problems faced in conducting research. The method used in a study is basically a stage to re-examine evidence and truth. So that it will answer the questions that arise about an object in the study.⁸ According to Soerjono Soekanto, "Research is a form of effort to analyze and conduct construction methodologically, systematically and consistently. Research is defined as a means that is often used to strengthen, foster and develop science"⁹. Research is also defined as a process of scientific activity related to construction and analysis carried out methodologically, systematically and consistently. Methodological means in accordance with a certain method or method, systematic is based on a measurable system, while consistent means that there is no thing that is contrary to a certain framework that is certain.

3. Results and Discussion

3.1. Legal Policy on Possession and Use of Explosives by State Apparatus.

1) Regulation of Ownership and Use of Explosives by the Gegana Detachment of the Riau Islands Police Mobile Brigade Corps

The control and use of explosives by the Gegana Detachment of the Brimob Corps of the Riau Islands Police is based on a national legal system that is hierarchical, systematic, and comprehensive. This regulation does not stand alone, but is attached to the duties and authorities given by the state to the Indonesian National Police (Polri) institution. The hierarchy of the Indonesian legal system, as regulated in Law Number 12 of 2011 concerning the Formation of Legislation, places the Law under the 1945 Constitution and becomes a normative reference in the implementation of government duties, including in this case the Polri as a law enforcement agency.

The form of the main authority of the Police Agency in handling and managing explosives is stated in the Republic of Indonesia National Police Law Number 2 of 2002, specifically seen in Article 13 and also Article 14 which states that the Police Institution has the duty and responsibility to maintain security and order in the community, enforce applicable laws, and provide services and protection to its community.¹⁰ In carrying out these functions, the Indonesian National Police has technical authority through certain task forces, one of which is the

⁶Idham, Lo.cit, page 5.

⁷ Soerjono Soekanto, Introduction to Legal Research, UI Press, Jakarta, 1996, p. 6.

⁸Bambang Sugono, Legal Research Methods, Raja Grafindo Persada, Jakarta, 2001, p. 29.

⁹*Ibid*, page 34.

¹⁰ Law Number 2 of 2002 concerning the Republic of Indonesia National Police, Articles 13 and 14.

Gegana Detachment under the Mobile Brigade Corps (Brimob), specializing in the field of countering explosives, anti-terrorism, and bomb disposal.

2) Institutional Functions of Gegana Detachment

The Gegana Detachment is an elite unit under the Indonesian Police Mobile Brigade Corps that has a strategic function in maintaining domestic security, especially in handling high-risk threats, such as the threat of terrorism, the threat of illegal explosives, and other threats to national security. Institutionally, the Gegana Detachment has semi-militaristic characteristics, meaning that in terms of structure and training methods it approaches a military unit, but remains within the scope of police authority in serving the community.

The main task of the Gegana Detachment is not only limited to defusing explosives (bombs), but also includes other functions that are integral to the national security system. Some of these functions include countering terrorism, handling chemical, biological, and radioactive (KBR) threats, and securing Very Important Persons (VIPs). In this context, the Gegana Detachment has high multitasking capabilities because each personnel is equipped with complex tactical, technical, and psychological training.¹¹

One of the main sub-units in the Gegana Detachment is the Jibom Unit (Bomb Disposal). This unit is the front line in handling all forms of threats related to explosives, whether from armed criminal groups, domestic and international terrorism, or from human negligence in storing or using explosives. The duties and functions of the Jibom Team are divided into the following aspects:

a. Detection, Identification and Destruction of Explosives

At the beginning of the suspicion of the threat of explosives, the Jibom team will conduct initial detection using equipment such as portable X-rays, bomb sniffers, metal detectors, and even the help of sniffer dogs (K9). Furthermore, if the suspicious goods have been found, an identification process will be carried out in order to determine the type of material, how the trigger works, and its potential explosive power. This is considered very important in order to determine the appropriate bomb destruction or defuse method. The destruction process can be carried out manually, via remote control, or via counter-charge, depending on the level of risk and type of explosives.¹²

This explosives destruction activity is not only carried out in active operational areas, but also includes activities to destroy explosives confiscated from police

¹¹ Iwan Nurhidayat, *Gegana: Anti-Terror Elite in the Brimob Circle*, Jakarta: PT Gramedia Widiasarana Indonesia, 2019, p. 24.

¹² Arif Satrio Nugroho, *Anti-Bomb Technology in the Elite Units of the Indonesian Police*, Bandung: Pustaka Bhayangkara, 2020, p. 51.

operations.¹³ Jibom members are required to work with speed, precision, and high caution because if a small unintentional error occurs, it can threaten lives and even cause loss of life and widespread infrastructure damage.

b. Explosive Materials Logistics Security

The second function of the Bomb Squad is to guard and secure explosives used in training activities, tactical simulations, and real operations. This security is carried out starting from the process of receiving materials, storage in a special logistics warehouse, to distribution to the implementation location. Every explosive stored is monitored with layered security, including the use of anti-explosion cabinets, 24-hour CCTV cameras, and biometric locking systems.¹⁴

Personnel tasked with logistics management must have special authorization and follow standard operating procedures set by the National Police Logistics Division and be directly supervised by the Propam Division and the Inspectorate of General Supervision (Itwasum). This step is intended to prevent misuse of explosives or distribution leaks that can be exploited by irresponsible parties.¹⁵

c. Synergy and Solidarity of Gegana Detachment

As an elite police unit, the Bomb Disposal Team (Jibom) has a primary function in carrying out special operations that it carries out, the Jibom team carries out operational movements that are also inseparable from cooperation with other units within the Police Institution, in handling acts of terrorism, the Jibom team works hand in hand with the Densus 88 team and the internal intelligence unit of the Police, as well as external intelligence units outside the Police which have the same goal for the security of the state and the people of Indonesia. In joint operations, the Jibom team usually provides technical support in the form of defusing explosives, assistance in the process of combing locations suspected of containing explosive elements, and destroying explosives obtained from the operation. This is very important support, considering that not all operational units/units in the police institution have the ability and special facilities and infrastructure in handling explosives such as the Jibom team from the Gegana detachment. Therefore, the Jibom team is called the center of excellence in handling, using and supervising explosives within the police institution¹⁶. Even in some cases of handling/eradicating criminal acts that do not necessarily involve explosives, the bomb squad is also involved when joint operations are held such

¹³ Sri Mulyani, *Handling of Explosive Materials by the Indonesian Police*, Jakarta: Mitra Wacana Media, 2018, p. 75.

¹⁴ Regulation of the Chief of Police Number 14 of 2006 concerning Procedures for Safeguarding Commercial Explosives, Jakarta: National Police of the Republic of Indonesia, 2006.

¹⁵ Budi Santosa, *Explosive Materials Logistics System in the Indonesian National Police: Policy and Implementation Study*, Jakarta: National Security Study Institute, 2017, p. 88.

¹⁶ Agus Widodo, *Modern Police Operations Management*, Yogyakarta: Andi Publisher, 2019, p. 129.

as joint operational activities with the TNI, BPBD (Regional Disaster Management Agency and Fire Department) and also foreign agencies such as participation in international training and international border security.

In carrying out its institutional functions, the Gegana Detachment is guided by the principle of "fast, precise, safe". Each operation is planned in a structured manner and evaluated strictly. The training process is also carried out continuously, by adopting the latest technology and evolving threat scenarios. This shows that the institutional function of the Gegana Detachment is not static, but adaptive to the dynamics of threats and strategic environmental changes. As emphasized in Iwan Nurhidayat's book, "The Gegana Unit was formed as a unit that has a fast response to high-intensity security threats, by having special members in dealing with terrorism, explosives/bombs, and handling dangerous biological chemical threats."¹⁷

Thus, the Gegana Detachment not only plays a role as a technical implementer in emergency situations, but also as a main pillar in the domestic civil defense system against complex and multidimensional non-conventional threats.

3.2. Legal and Operational Obstacles and Solutions in Policy Implementation Laws Regarding Possession of Explosives by the Gegana Detachment of the Mobile Brigade Corps of the Riau Islands Regional Police.

In addition to facing legal obstacles related to the legal vacuum/unclear regulations regarding the ownership and management of explosives by special police units, the implementation of policies in the field is also often hampered by various operational factors. These operational obstacles generally arise as a result of limited human resources, complex geographical conditions of the task area, and social dynamics of the community that do not fully support the tasks of the Gegana Detachment.

One of the obstacles in operations is the limited or lack of competent human resources, because it is known that not all Brimob personnel have special expertise in the field of explosives (Jihandak) or bomb disposal. The training process for personnel takes a long time, costs a lot, and uses special tools that are not always available in every region. According to Suparji, the development of Member competencies must be carried out and tested systematically, continuously in facing contemporary threats, including the technical aspects of handling explosives or bombs.¹⁸ However, in its implementation, these needs have not been fully met. Bripka RN said that in certain conditions sometimes the team has to wait for assistance from the center and the Gegana team from other

¹⁷ Iwan Nurhidayat, *Gegana: Anti-Terror Elite in the Brimob Circle*, Jakarta: PT Gramedia Widiasarana Indonesia, 2019, p. 62.

¹⁸ Suparji, *Police Law: Challenges and Strategies for Strengthening the Police Institution*. Jakarta: Kencana, 2020, p. 145.

regions or from other units, because only a few members have special skills and have up-to-date certificates, because in getting a certificate, personnel are also required to follow a series of special training activities at the Brimob headquarters and personnel are also required to wait for their turn to be assigned to carry out the training."¹⁹

Second, the geographical location of the Riau Islands consists of separate islands. Mobilization of troop movements and logistics becomes very challenging, especially in emergency situations. This is in accordance with Ridwan's study, which states that the characteristics of the archipelago directly affect the effectiveness of police tactical units, especially in terms of the speed of response to threats.²⁰ Brigpol WN said that if the team received a report of explosives on a small island, they would have to bring equipment across the ocean. High waves, bad weather, and limited crossing boats often became serious obstacles in responding quickly to security. Not only that, it is known that if the weather remains unfriendly, the handling process can be completely delayed until an unpredictable time.²¹

Third, social and cultural challenges of local communities are often inhibiting factors that cannot be ignored. Communities in some areas do not fully understand the dangers of explosives and the importance of the role of the Gegana Detachment team. In some cases, rejections of the presence of officers often occur, there are efforts by the community itself to hide illegal explosives. Some community members in the Riau Islands region use explosives for daily activities in economic activities because most of the population in the Riau Islands work as fishermen.²²As conveyed by AKP BY in an interview with the author, he said that sometimes there are also residents who store explosives (fish bombs) at home to be used for fishing. When the bomb squad came, the residents refused the team's arrival, they argued that they were afraid of being arrested and detained. If seen from this, the community who refused were clearly breaking the law because the explosives they stored at home could endanger the lives of their families and the surrounding environment if there was a short circuit in the explosives.²³Dynamics like this show the importance of a social and educational approach by the Brimob Gegana Detachment to the community that must be carried out gradually and continuously. Public education about the dangers of explosives and their handling procedures is very

¹⁹Ibid p.81

²⁰ Ridwan, Muhammad. "The Effectiveness of Police Operations in the Archipelago." *National Security Journal*, Vol. 5, No. 1 (2021): 87.

²¹ Interview with Brigpol WN, a member of the Gegana Detachment of the Riau Islands Mobile Brigade, April 18, 2025.

²² Arifin, Fadli. *Crime in Coastal Areas: A Socio-Legal Study*. Makassar: Pustaka Pelajar, 2019, p. 98.

²³Interview BY Member of the Gegana Detachment of the Riau Islands Mobile Brigade, April 19, 2025.

important, so that the community is not only passive but also actively supports the existence and duties of the Gegana Detachment team.

Fourth, there are also problems in terms of limited operational tools and equipment, explosives detection technology, tactical vehicles, and protective clothing that have limitations. This is reinforced by the statement of one of the Gegana Detachment personnel, Brigpol AN, He explained that sometimes the lack of complete jihadist equipment (explosive disposal) support in operational conditions at the same time means they have to prioritize checking places that are considered to be at greater risk."²⁴This situation is in line with the journal written by Ramadhan & Priyono, they stated that in every special unit operation in the region, it is greatly influenced by the completeness, number of supporting equipment and logistics, and also good routine maintenance.²⁵

Of the four factors, human resources, geography, social society, and logistics are seen in the implementation of explosives handling policies that require a multi-sectoral and comprehensive approach, not just a formal regulatory framework. Cooperation between the police, local governments, civil society, and other institutions such as the TNI and Basarnas is a very important collaboration in strengthening preparedness to face potentials and threats from explosives that can harm the country and its citizens.

1) Limited New Facilities and Equipment

The Gegana Brimob Detachment is an elite unit that has the main mandate to handle high-risk threats, including explosives, hazardous chemicals, and terrorism. In carrying out these tasks, the Gegana Detachment requires operational facilities and equipment that are specific, sophisticated, and follow international technological developments. This equipment is not only as technical support, but also plays a direct role in determining the safety of personnel and the effectiveness of missions in the field. However, RN revealed that the availability of explosive disposal facilities and equipment in the regions is not all updated simultaneously, all require a process.²⁶ Not all Gegana Detachment headquarters in the region have bomb disposal robots, portable X-ray scanners, explosive disruptor devices, or tactical vehicles (bomb trucks) that are international operational standards. Most of the available equipment is the

²⁴Interview with Brigpol AN, member of the Gegana Detachment of the Riau Islands Mobile Brigade, April 19, 2025.

²⁵Ramadhan, Taufik & Priyono, Hendra. "Operational Capacity of the Indonesian Police Special Unit in Handling Explosives." *Journal of Police Science*, Vol. 4, No. 2 (2022): 134.

²⁶ Ibid p.81.

result of distribution from the National Police Headquarters, whose allocation depends on the annual budget and national priority scale.

This condition is exacerbated by the government's procurement procedures for goods and services which tend to be bureaucratic and time-consuming. When there is an urgent need for certain equipment in a regional unit, the procurement process often cannot respond quickly because it must go through stages of planning, approval, tendering, and auditing. As a result, the response to new threat dynamics is slow and not adaptive to changes in tactical situations in the field.

Ronald L. Akers, an American criminal sociologist stated that the effectiveness of law enforcement agencies is highly dependent on adequate logistical and technological support. Without such support, law enforcement agencies will have difficulty in carrying out preventive and repressive functions optimally.²⁷In the context of this handling, where every second is crucial to the safety and success of the operation, this limitation becomes a serious risk factor. In a scientific journal report by Ramadhan & Priyono, it was stated that of the total 34 Regional Police in Indonesia that have Gegana units, only about 40% have portable X-ray scanners and no more than 20% are equipped with bomb disposal robots with remote capabilities.²⁸This illustrates the imbalance in the distribution of facilities that occurs between central and regional units, which has a direct impact on the operational readiness of units in areas outside Java, including the Riau Islands. Interviews with several operational personnel also confirmed this reality in one VIP security operation, it is possible that the implementation of operations must wait for the availability of loans or be brought in first from the center.²⁹The reality in the field is that each personnel actually needs their own special EOD body armor that is explosion-resistant when carrying out operational missions.

Not only that, some time ago the author also met and interviewed one of the personnel to ask for further information, it is known that in the situation of operating the communication system must be fully encrypted specifically, because in carrying out a very risky mission this is one of the serious activities so that the information obtained in carrying out activities is right on target and the information is not easily leaked, let alone to individuals who commit criminal acts such as terrorists.³⁰

²⁷ Ronald L. Akers. *Social Learning and Social Structure: A General Theory of Crime and Deviance*. Boston: Northeastern University Press, 1998, p. 212.

²⁸ Ramadhan, Taufik & Priyono, Hendra. "Operational Capacity of the Indonesian Police Special Unit in Handling Explosives." *Journal of Police Science*, Vol. 4, No. 2, 2022: 134.

²⁹ Ibid p.93

³⁰Interview with Brigpol ANMembers of the Riau Islands Mobile Brigade Gegana Detachment, April 19, 2025.

The limitations of this equipment not only affect the technical performance of the unit, but also cause a psychological burden for personnel who must face threats if equipped with inadequate equipment. Because it will increase the great risk to life safety, while on the other hand the demands of operational responsibility of personnel remain high. According to a study by Santoso in his book "Security Technology and Modern Police Strategy" the readiness of the equipment is a vital element in ensuring accuracy, speed, and security in every high-risk operation.³¹ Without modern equipment, the Gegana Detachment would be in a vulnerable position when handling high-explosive materials.

Therefore, it is very urgent for the National Police institution, especially the Brimob Corps, to reform the procurement and distribution system of special equipment. There needs to be a routine evaluation mechanism for the completeness of regional unit facilities, as well as the allocation of a risk-based budget in border areas. In addition, cooperation with international institutions in the procurement of tactical equipment and training in the use of new technology is also an important strategy to improve the capacity of the Gegana Detachment as a whole.

2) Limited Ownership of Special Certificates by Personnel

Handling explosives, both in a preventive and responsive context, is a task that has a very high level of risk. Therefore, personnel are needed who not only have courage and mental readiness, but also who have standardized technical competence. This competence can only be obtained through formal education and training that culminates in the ownership of official certification, either from internal Polri educational institutions such as Pusdik Brimob, or through training in collaboration with international partners such as INTERPOL, UNMAS (United Nations Mine Action Service), or explosives disposal training institutions from friendly countries.

The results of the author's observations and interviews with a number of personnel from the Riau Islands Brimob Gegana Detachment, still found serious obstacles in the number of certified personnel in the field of explosives disposal (Jibom). The number of personnel who have official qualifications is very limited, especially in island areas such as the Riau Islands which have their own geographical challenges. This limitation is caused by several factors, including mutations in several work environments, limited training quotas each year, the long duration of certification education, and minimal budget allocations to send personnel to training outside the region or abroad.

This situation has a direct impact on the distribution and rotation of tasks that are not ideal. As in the field, one or two bomb squads must handle a very wide

³¹ Santoso, Budi. *Security Technology and Modern Police Strategy*. Jakarta: Rajawali Pers, 2021, p. 165.

and spread out work area, from Batam City as the center of economy and public activities, to the outermost areas of the Riau Islands which directly border the South China Sea, namely the Natuna and Anambas Islands which are the main targets in criminal operations for the misuse of explosives and other smuggling crimes. In some cases, one Explosive Ordnance Disposal (EOD) or Explosives Destruction Operation can only be carried out by several professional personnel, who carry out all aspects of the operation, from material identification, location security, defusing, to final reporting.

Based on international operational standards such as those issued by IMAS (United Nations International Mine Action Standards) and NATO EOD Policy, a bomb disposal team must consist of at least five personnel with proportionally distributed roles. two technical operators, field coordinators, support technicians, and emergency medical personnel. The emergence of non-conformities with standards will certainly lead to potential procedural errors, such as delayed responses to actual threats, increasing the risk of work accidents and failure of operational missions.

As it is reinforced by the statement from Mamudji and Soekanto, they stated that the imbalance between the number of personnel and the workload will definitely have a negative effect on the effectiveness and accuracy of the implementation of tasks, especially in emergency and stressful situations such as explosives (bomb) disposal operations. The possibility that will occur if the handling activities are carried out in a time-sensitive situation and with a limited number of personnel, automatically the quality of decision-making will be rushed and decrease, coordination actions will be weak, and the potential for failures will increase significantly.³².

Another impact of the lack of certified personnel is that it can increase fatigue and work stress among active members. Based on the results of an interview with one of the Jibom operators in Batam, sometimes in one month they can be asked to go down to the field up to five times to carry out different operational activities. not including standby security for VVIP events and routine patrols. Fatigue can also trigger burnout and lead to fatal procedural errors, considering that this job involves explosive materials.

The short-term solution currently implemented by the unit is to conduct regular internal training and delegate technical responsibilities to senior personnel who are experienced, even though they are not yet formally certified. However, this solution cannot be a long-term approach because it deviates from the principles of professionalism and operational accountability. There needs to be a strategic policy directed at increasing the quota of members who have updated

³² Soekanto, Soerjono and Sri Mamudji. *Normative Legal Research: A Brief Review*. Jakarta: Rajawali Pers, 2011.

certificates, expanding access to training to eastern Indonesia, and establishing more cooperation between Indonesian security agencies, as well as international cooperation to accelerate the transfer of personnel knowledge and knowledge about technological developments.

Thus, the development of regional training centers or Regional Training Centers for Jibom in strategic areas such as Batam, Anambas and Natuna needs to be considered by the Police in long-term planning. because if that condition is implemented, local potential can be empowered optimally and the distribution of competence is no longer centered only on Java Island.

3) Geographical Barriers and Regional Accessibility

One of the most real and impactful challenges in carrying out the Gegana Detachment's duties in the Riau Islands region is the geographical obstacles and accessibility of the region. This work area is an archipelago with more than two thousand islands, large and small, spread across the strategic waters between the Natuna Sea and the Malacca Strait. The topography of this spread-out region causes the mobility of the Jibom (Bomb Disposal) unit to be very limited, especially in emergency conditions and situations that require a very quick response.

In practice in the field, the process of moving the Gegana unit to the location of the discovery or suspected presence of explosives cannot be done instantly. Not infrequently, the team must use a speedboat that requires cross-agency coordination such as Polairud or the Indonesian Navy, depending on the availability of facilities. Bripka RN said that if the mission is on the outermost islands of the Riau Islands, the Gegana Detachment team must first coordinate with other internal units or agencies such as Polairud or the Indonesian Navy to request assistance in the form of a speedboat or ship to the location of the mission and it is possible that the request for assistance requires several series of processes that sometimes require a little special time for the completeness of the administration.³³

The long-distance conditions that must use crossing transportation like this are also sometimes exacerbated by extreme weather that often occurs in the waters of the Riau Islands, especially during the north and west wind seasons. If the wind is strong, the waves in the ocean will be high, and storms will disrupt the coordination connection between personnel, sea travel becomes vulnerable to danger, so that operational activities are sometimes postponed or canceled temporarily. In situations and conditions like this, the Gegana team must take risks carefully between the safety of personnel and the effectiveness of the mission's sustainability.

³³Interview with Bripka RN Head of the Bomb Squad Unit of the Riau Islands Brimob Gegana Detachment, April 17, 2025

This geographical condition also has an impact on operational logistics, including the transportation of heavy equipment such as bomb trucks, defusing robots, to the transportation of confiscated explosives that must be brought and destroyed in a safe and controlled location. Not all areas in the Riau Islands have storage facilities or destruction sites, so sometimes the logistics of explosives to be destroyed must be brought back to the main headquarters, which certainly adds to the burden of time, energy, and operational costs.³⁴

Edward Soja once wrote a work entitled *Thirdspace*, in which he explains that special geographical aspects have a major influence on the formation of structures within an institution and are directly connected to the distribution of authority within state security institutions.³⁵ In this context, the resource allocation structure within the National Police and the command, especially the National Police Gegana Detachment, must consider the variables of distance and space, not only based on the risk of administrative workload. The existence of remote islands in the Riau Islands region with limited access requires strengthening local capacity, transportation, logistics decentralization, and procurement of tactical equipment that is appropriate to the terrain traveled.

This is also similar to the journal researched by Zulfahmi & Andayani which states that handling security threats in the outermost island regions will definitely require a geographically based approach, namely by establishing small tactical posts (satellite bases) in strategic areas to shorten response time.³⁶ However, if we look at it until now, several Gegana Detachments in areas such as the Riau Islands do not yet have such infrastructure because many small islands have limited facilities and infrastructure, and many uninhabited islands are considered inadequate if they have to be established/guarded 24 hours a day, considering that the personnel also need clothing and food to survive.³⁷

As conveyed by AKP BY, the implementation of internal and external supervision is very good, in fact it helps ensure that all procedures are carried out according to the rules with transparency and openness to all parties, especially the Indonesian people."³⁸ This statement indicates that external supervision is not a form of negative intervention, but rather a collective effort to continuously improve the system.

³⁴ Ibid.

³⁵ Edward Soja. *Thirdspace: Journeys to Los Angeles and Other Real-and-Imagined Places*. Oxford: Blackwell Publishing, 1996, p. 71.

³⁶ Zulfahmi & Andayani. "Challenges of Law Enforcement in the Archipelago: A Case Study of the Riau Islands." *Journal of National Security Strategy*, Vol. 6, No. 1 (2021): 44.

³⁷ Interview with Bripda AS, Detachment Gegana Brimob Riau Islands, April 16, 2025.

³⁸ Interview AKP BY Detachment Brimob Riau Islands, March 25, 2025.

In Islamic law, the mechanism of supervision has a strong basis in the concept of hisbah, namely social and institutional supervision of actions that can cause harm. External supervision can be understood as a modern form of hisbah, which aims to prevent mafsadah (damage) and ensure the public interest (maslahah 'ammah).

Imam Al-Ghazali emphasized that: "Amar ma'ruf nahi munkar is a collective responsibility that involves all parties, including the rulers or state apparatus."³⁹ External supervision of armed forces, including in the management of explosives, is not merely a form of administrative function, but is also a moral and sharia obligation in order to maintain justice, safety and public accountability.

4. Conclusion

Legal regulations regarding the ownership and use of explosives by the Gegana Detachment of the Brimob Corps of the Riau Islands Regional Police until now do not have a comprehensive and detailed legal basis. The applicable provisions, such as Emergency Law Number 12 of 1951 and the Regulation of the Chief of Police Number 17 of 2017, are still general in nature and have not been able to accommodate the technical and operational needs of the Gegana Detachment specifically. The unclear legal norms create gaps in interpretation and have the potential to hinder the implementation of tasks, especially in emergency conditions that require a quick and measured response. The absence of these specific regulations also has an impact on the weak legal legitimacy of the Gegana Detachment's actions, which in the end can affect the effectiveness, accountability, and professionalism in the management of explosives.

5. References

Journals:

- Adinugraha, H. H., & Mashudi, M. (2018) *Al-Maslahah Al-Mursalah dalam Penentuan Hukum Islam*. Jurnal Ilmiah Ekonomi Islam, 4(01).
- Gunarto, H. (2015). "Aspek Hukum Penggunaan Bahan Peledak oleh Aparat Keamanan." Jurnal Daulat Hukum, Vol. 2, No. 2.
- Mashdurohatun, A. (2016). "Implikasi Hukum Kepemilikan Bahan Peledak oleh Detasemen Gegana." Jurnal Hukum, Vol. 36, No. 1
- Widayati. (2020). "Implementasi Asas Hukum dalam Pembentukan Peraturan Perundang-Undangan yang Partisipatif dan Berkeadilan." Jurnal Hukum, Vol. 36, No. 2.

³⁹ Al-Ghazali, Ihya' 'Ulumuddin, translated from Indonesian, Jakarta: Pustaka Azzam, 2002, p. 445.

Books:

- Afandi, H. A. 2018. *Hukum Kepemilikan Senjata dan Bahan Peledak di Indonesia*. Jakarta: Sinar Grafika.
- Ahmad Fauzan. 2023. *Prinsip Sadd al-Dhari'ah dalam Pengelolaan Risiko Keamanan Nasional*. Bandung: Refika Aditama.
- Ahmad Hassan Ahmad. 2023. *Prinsip dan Metodologi Ijtihad Kontemporer*. Yogyakarta: LKiS.
- Alamsyah, T. 2022. *Akuntabilitas dalam Pengelolaan Bahan Peledak*. Bandung: Pustaka Setia.
- Anwar, Rafli M. 2022. *Manajemen Risiko Bahan Peledak dalam Perspektif Hukum Keamanan Nasional*. Jakarta: Rajawali Pers.
- Ash-Shiddieqy, H. 2000. *Hukum Tata Negara dan Pilar-Pilar Demokrasi*. Jakarta: Konstitusi Press.
- Bawono, Bambang Tri. 2018. *Hukum Administrasi Negara dan Implementasinya di Indonesia*. Semarang: Unissula Press.
- Dwi, A. N. & Taufik, M. A. 2022. *Analisis Keamanan dalam Penanganan Bahan Peledak di Indonesia*. Jakarta: Universitas Indonesia Press.
- Fadilah, Laila. 2023. *Pengelolaan Keamanan dengan Prinsip Maslahah*. Jakarta: Sinergi Pustaka.
- Gunarto, Prof. Dr. 2003. *Hukum Pidana Islam dan Implementasinya di Indonesia*. Semarang: Unissula Press.
- Hajairin, M., Fitriani, L., & Rachman, A. 2022. *Pidana Pengawasan dalam Perspektif Rehabilitasi Kriminal*. Jakarta: Penerbit Sinar Grafika.
- Harahap, Muhammad. 2021. *Kemaslahatan Umum dalam Perspektif Hukum Islam*. Surabaya: PT Bina Ilmu.
- Hosen, Nadirsyah. 2022. *Shari'a and Constitutional Reform in Indonesia*. Singapore: ISEAS Publishing.
- Idham. 2004. *Konsolidasi Tanah Perkotaan Guna Meneguhkan Kedaulatan Rakyat*. Bandung: Alumni.
- Kepala Detasemen Gegana Korps Brimob. 2022. *Protokol Penanggulangan dan Pengawasan Bahan Peledak*. Jakarta: Polri Press.
- Kurniawan, I. 2023. *Kerjasama Internasional dalam Penanggulangan Bahan Peledak Ilegal*. Jakarta: Kementerian Luar Negeri RI.

- Kusuma, D. 2023. *Strategi Kontra-Terrorisme di Indonesia*. Jakarta: Pustaka Cendekia.
- Laoly, Yasonna H. 2023. *Kemenkumham Himpun Masukan*. Jakarta: Kemenkumham.
- Latifiani, Dian. 2005. *Hukum Adat dan Perkembangannya di Indonesia*. Semarang: Unissula Press.
- Manullang, R. 2024. *Pengantar Ilmu Administrasi Publik: Konsep, Teori, dan Praktik di Era Modern*. Jakarta: Aneka Pustaka Multimedia.
- Marzuki, Peter Mahmud. 2010. *Penelitian Hukum*. Jakarta: Kencana.
- Nasution, T. 2022. *Keamanan Siber di Era Digital*. Jakarta: Penerbit Teknologi Keamanan.
- Prabowo, T. 2022. *Strategi Penanggulangan Terorisme dan Penanganan Bahan Peledak*. Jakarta: Penerbit Media Pustaka.
- Rahmawati, L. 2023. *Penerapan Teknologi untuk Penanggulangan Bahan Peledak*. Jakarta: Pustaka Aksara.
- Rumengan, Jemmy, Khaddafi, Muammar & Melanie, Febby. 2015. *Metodologi Penelitian Kuantitatif*. Medan: Perdana Publishing.
- Sidharta, Bernard Arief. 2010. *Reformasi Peradilan dan Tanggung Jawab Negara, Bunga Rampai Komisi Yudisial: Putusan Hakim antara Keadilan, Kepastian Hukum, dan Kemanfaatan*. Jakarta: Komisi Yudisial Republik Indonesia.
- Soekanto, Soerjono & Mamudji, Sri. 1995. *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. Jakarta: Raja Grafindo Persada.
- Soekanto, Soerjono. 1996. *Pengantar Penelitian Hukum*. Jakarta: UI Press.
- Sudikno, Mertokusumo. 1991. *Kamus Hukum*. Yogyakarta: Liberty.
- Suryani, L. P. 2021. *Hukum Islam dan Kebijakan Publik*. Jakarta: Gramedia Pustaka Utama.
- Syamsul, Arifin. 2012. *Metode Penulisan Karya Ilmiah dan Penelitian Hukum*. Medan: Medan Area University Press.
- Wahbah, Al-Zuhayli. 2021. *Ushul al-Fiqh al-Islami*, terj. Eko Prasetyo. Jakarta: Amzah.
- Wahyudi, A. 2023. *Tantangan dalam Pengelolaan Bahan Peledak oleh Kepolisian*. Jakarta: Penerbit Teknologi dan Keamanan.

Widyatama, D. P. 2023. *Keamanan Nasional dan Kebijakan Pengelolaan Bahan Peledak di Indonesia*. Jakarta: Pustaka Mandiri.

Yusup, Permana Deni. 2023. *Metodologi Penelitian Hukum*. Bandung: Penerbit PRC.

Zainal, Akbar. 2021. *Prinsip Al-Maslahah Al-Mursalah dalam Hukum Islam*. Jakarta: Pustaka Islam.

Regulation:

Emergency Law of the Republic of Indonesia Number 12 of 1951 concerning Firearms and Explosives.

Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Members of the Republic of Indonesia National Police.

Government Regulation Number 58 of 2022 concerning Management of Explosives for Mining Business Activities.

Law Number 1 of 2023 concerning the Criminal Code (KUHP). State Gazette of the Republic of Indonesia 2023 Number 1.

Law Number 2 of 2002 concerning the Indonesian National Police. State Gazette of the Republic of Indonesia 2002 Number 2.

Regulation of the Chief of the Republic of Indonesia National Police Number 17 of 2017 concerning Licensing, Security, Supervision and Control of Commercial

Regulation of the Minister of Defense of the Republic of Indonesia Number 5 of 2016 concerning the Development of the Explosives Industry.

The 1945 Constitution of the Republic of Indonesia.

Internet:

<https://customslawyer.wordpress.com/2014/03/11/analytical-jurisprudence-john-austin-dan-ajaran-hukum-murni-hans-kelsen-positivisme-hukum/>, accessed on January 2025, at 15:45

<https://jurnal.unissula.ac.id/index.php/jurnalhukum/article/view/11391>

<https://media.neliti.com/media/publications/12287-ID-kedudukan-dan-wewenang-mahkamah-konstitusi-dalam-sistem-hukum-ketatanegaraan-ind.pd>, accessed on January 2025, at 15:45