

ABSTRAK

MARWAN

Pemilu demokratis menuntut tersedianya kerangka hukum dan prosedur penyelesaian yang jelas, adil, transparan dan tepat waktu dalam kerangka penegakkan hukum pemilu terhadap berbagai bentuk pelanggaran pemilu baik dari segi pelanggaran administrasi, pelanggaran pidana, maupun pelanggaran kode etik penyelenggara pemilu pada setiap tahapan Pemilu. Permasalahan yang dibahas, yaitu kewenangan Bawaslu dalam penyelesaian dan penanganan penindakan pelanggaran Pemilu, karakteristik laporan pelanggaran Pemilu, penyelesaian dan penanganan penindakan pelanggaran administrasi pada tahapan penyelenggaraan Pemilihan Umum 2024 di Bawaslu Provinsi Sumatera Utara tahun 2022. Metode penelitian yang digunakan adalah *deskriptif analitis*, jenis penelitian yang digunakan adalah yuridis normatif, alat pengumpulan data menggunakan Penelitian Kepustakaan (*Library Research*). Analisis data menggunakan metode kualitatif yang menghasilkan data deskriptif-analitis. Pada proses penyelenggaraan Pemilu mengacu kepada landasan hukum meliputi UU Pemilu. Tentunya setiap tahapan penyelenggaraan pemilu diharapkan berjalan dengan baik sesuai dengan regulasi, namun terdapat pelanggaran dalam tahapan pemilu. Maka jika terjadi pelanggaran tahapan pemilu meliputi pelanggaran administrasi, kode etik maupun tindak pidana pemilu, peran dari Bawaslu sebagai lembaga yang memiliki tugas, kewenangan dan kewajiban untuk mengawasi dan menindak setiap pelanggaran yang dilakukan peserta pemilu dan penyelenggara pemilu. Bawaslu menangani pelanggaran administrasi tahapan penyelenggaraan pemilu berpedoman pada UU Pemilu, Perbawaslu No. 7/2022 dan Perbawaslu No. 8/2022. Setiap putusan yang ditetapkan, khususnya perihal pelanggaran administrasi wajib dilaksanakan oleh KPU. Bawaslu Provinsi Sumatera telah menjalankan fungsinya dengan baik sesuai dengan aturan yang berlaku, termasuk dalam hal menangani temuan atau laporan yang berkaitan dengan pelanggaran administrasi pemilu. Kedepan diharapkan peran Bawaslu Provinsi Sumatera Utara dapat lebih baik lagi dalam mengawasi tahapan proses pemilu tanpa memihak kepada siapapun demi terwujudnya Pemilu yang sesuai dengan asas dan prinsip kepemiluan.

Kata Kunci: Analisis Yuridis, Pelanggaran Administrasi, Bawaslu

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Democratic General Elections require the availability of a clear, fair, transparent and timely legal framework and settlement procedures within the framework of enforcing election law against various forms of election violations, both in terms of administrative violations, criminal violations, and violations of the code of ethics of election organizers at each stage of the Election.

The problems discussed are the authority of the General Election Supervisory Agency in resolving and handling actions against General Election violations, characteristics of General Election violation reports, resolution and handling of administrative violations at the stages of organizing the 2024 General Election at the North Sumatra Provincial General Election Supervisory Agency in 2022.

The research method used is descriptive analytical, the type of research used is normative juridical, the data collection tool uses Library Research. Data analysis uses qualitative methods that produce descriptive-analytical data.

In the process of organizing the General Election, it must refer to the legal basis that has been established including Law Number 7 of 2017 concerning General Elections. Of course, each stage of organizing the General Election is expected to run as regulated in the regulations, but it does not rule out the possibility of violations occurring at each stage of the General Election. So in this case if there is a violation of the General Election stages in the form of administrative violations, code of ethics or criminal acts of the General Election, of course the role of the General Election Supervisory Agency is highly expected as an institution that has the duty, authority and obligation to supervise and take action against any violations committed by General Election participants and General Election organizers.

In the event that the General Election Supervisory Agency handles administrative violations of the General Election stages, the General Election Supervisory Agency is guided by applicable laws including Law Number 7 of 2017 concerning General Elections, Regulation of the General Election Supervisory Agency Number 7 of 2022 concerning Handling of Findings and Reports of General Election Violations and Regulation of the General Election Supervisory Agency Number 8 of 2022 concerning Settlement of Administrative Violations of the General Election. Every decision made by the General Election Supervisory Agency in every violation of the General Election stages, especially concerning administrative violations at the election stages, must be implemented by the Regional Electoral Commission as a consequence of the Decree issued by the Regional Electoral Commission which is not in accordance with applicable election regulations. The General Election Supervisory Agency of Sumatra Province has carried out its functions properly in accordance with applicable regulations, including in handling findings or reports related to administrative violations of the election. In the future, it is hoped that the role of the North Sumatra Provincial Election Supervisory Agency can be better in supervising the stages of the election process without siding with anyone in order to realize a General Election that is in accordance with the principles and principles of elections.

Keywords: Legal Analysis, Administrative Violations, Election Supervisory Agency