

**PROBLEMATIKA *WHISTLEBLOWER* DAN *JUSTICE COLLABORATOR* DALAM SISTEM HUKUM DI INDONESIA**  
**(Studi Kasus Korupsi Proyek Pengadaan dan Pemasangan *Solar Home System* (SHS))**

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**Abstrak**

Penelitian ini dilakukan untuk menjawab permasalahan mengenai mengapa perlu pengaturan khusus terhadap *Whistleblower* dan *Justice Collaborator* di Indonesia? bagaimanakah perlindungan hukum terhadap *justice collaborator* dalam kasus korupsi proyek pengadaan dan pemasangan *Solar Home System* (SHS) ? Apakah perlindungan hukum tersebut sudah optimal? Metode penelitian yang digunakan adalah yuridis normatif dengan menitikberatkan pada data sekunder, dengan memaparkan tentang peraturan mengenai *Whistleblower* dan *Justice Collaborator*. Analisis data yang digunakan adalah metode analitis kualitatif. Hasil penelitian, menunjukkan bahwa pengaturan khusus terhadap *whistleblower* dan *justice collaborator* di Indonesia sangat diperlukan, karena Undang-Undang Nomor 13 Tahun 2006 jo Undang-Undang Nomor 31 Tahun 2014 tentang Perlindungan Saksi dan Korban yang diharapkan menjadi pedoman pengaturan dan perlindungan terhadap *whistleblower* dan *justice collaborator*, nyatanya masih kurang memadai dan komprehensif serta masih terdapat kelemahan-kelemahan yang krusial. Urugensi pengaturan khusus terhadap *whistleblower* dan *justice collaborator* di Indonesia juga terkait masalah kelembagaan. Banyaknya lembaga yang dapat memberikan perlindungan kepada *whistleblower* dan *justice collaborator*, akan menimbulkan problematika tersendiri dan tumpang tindih dalam pelaksanaannya. Perlindungan hukum terhadap *justice collaborator* dalam kasus korupsi proyek pengadaan dan pemasangan *Solar Home System* (SHS), yaitu berupa perlindungan fisik dan juga penghargaan, yaitu dengan diberikannya keringanan tuntutan hukuman dan pemberian remisi. Namun demikian, perlindungan hukum tersebut belum optimal, karena masih terdapat perlindungan hukum lainnya yang semestinya berhak didapat oleh seorang *justice collaborator*, yaitu penundaan penuntutan dan pemberkasan secara terpisah, serta memperoleh keringanan pidana.

Kata Kunci: *Whistleblower*, *Justice Collaborator*, perlindungan hukum

**PROBLEMATICS OF WHISTLEBLOWER DAN JUSTICE  
COLLABORATOR IN THE LEGAL SYSTEM IN INDONESIA  
(Case Study Corruption Procurement and Installation Project of  
Solar Home System (SHS))**

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**Abstract**

This study was conducted to answer the problem of why we need special arrangements for Whistleblower and Justice Collaborator in Indonesia? How the legal protection of justice collaborator in the corruption case of procurement and the installation projects of Solar Home System (SHS)? Is that legal protection is optimal? The method used is a normative juridical with emphasis on secondary data, to explain about the rules regarding Whistleblower and Justice Collaborator. Analysis of the data used is qualitative analytical methods. Results of the study showed that the special arrangement of the whistleblower and justice collaborator in Indonesia is very necessary, because the Law No. 13 of 2006 jo Law No. 31 of 2014 on Protection of Witnesses and Victims that was expected to guide the setting and the protection of whistleblowers and justice collaborator, in fact, is still inadequate and uncomprehensive and there are still crucial weaknesses. The urgency of special arrangements for whistleblowers and justice collaborator in Indonesia is also related institutional issues. The number of institutions that can give legal protection to whistleblowers and Justice Collaborator, will give problems of its own and overlaps in the process. Legal protection of justice collaborator in the corruption case of procurement and the installation projects of Solar Home System (SHS), which is in the form of physical protection and also the award, which is given dispensation by the prosecution and remissions. However, legal protection is not optimal, because there are still other legal protection should be entitled to be obtained by a justice collaborator, that delay the prosecution and filing separately, and to obtain relief criminal.

Keywords: Whistleblower, Justice Collaborator, legal protection