

## Implementation Risk Control Law Number 2 of 2022 By Commission V House of Representatives of The Republic of Indonesia Period 2019 – 2024

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### ABSTRACT

**Keywords:**  
controlling;  
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Controlling Risks in the Implementation of Law of the Republic of Indonesia No. 2/2022 concerning Road by Commission V DPR RI for the 2019-2024 Period. Jakarta: Postgraduate Program at the Christian University of Indonesian Jakarta, 2022. This research is aiming to analyze the control of the implementation of Law RI No. 2/2022 about Road based on revision result of UU RI No. 38/2004. The qualitative method is used this research and had designed 2 main constructs, namely risk control which refers to the Bow Tie Analysis (BTA) paradigm that recommended by ISO 31000: 2008 and George Edwards' implementation paradigm which has 4 variables as following Communication, Resources, Attitudes, and Bureaucratic Structure. The research objects are members of Commission V DPR RI for the 2019-2024 period in carrying out supervisory/control functions. The results of this research indicate that implementation risks include communication distortions that use sharing information meetings (RDP) as transmission. The risk of resource variables is the occurrence of imbalances in human resources, finance/systems, processes and methods. Meanwhile, the most significant risk is the bureaucratic structure variable, the occurrence of slowness and confusion due to Standard Operational Procedures (SOP) and fragmentation of authority between institutions and ministries regarding the acceleration of increasing regional road connectivity as mandated in Presidential Instruction No. 3/2023.



### Introduction

Article 19 paragraph (1) of the 1945 Constitution states that the People's Representative Council (DPR) is a high state institution in the Indonesian constitutional system. The DPR as the people's representative institution is elected through a general election process. The provisions regarding the DPR are regulated in Law of the Republic

of Indonesia No. 17/2014 concerning MPR, DPR, DPD and DPRD (MD3) which states that DPR members consist of members of political parties. Article 68 states that: "The House of Representatives of the Republic of Indonesia is a representative institution of the people whose position is a State Institution". In this context, according to (Marwan, Gao, Fisk, Price, & Barnes, 2020) the DPR has a legislative role, namely making laws as regulations in state administration and supervising (control / control) (Ariyanti, 2015).

One of the completeness of the House of Representatives is the commission as a permanent instrument and with an amount determined at the beginning of the term of service or the beginning of the Session Year. At present (2019-2024 period) the House of Representatives of the Republic of Indonesia has 11 Commissions established based on the Resolution of the Plenary Meeting of the House of Representatives of the Republic of Indonesia dated October 29, 2019. The Commission in the House of Representatives refers to Law of the Republic of Indonesia Number 42 of 2014 concerning Amendments to Law Number 17 of 2014 concerning MPR, DPR, DPD, and DPRD, LAW OF THE RI 2/2018 concerning the Second Amendment to Law of the Republic of Indonesia 17/2014 concerning MPR, DPR, DPD, and DPRD, Regulation of the House of Representatives of the Republic of Indonesia Number 1 of 2014 concerning Rules of Conduct of the House of Representatives Regulation of the Republic of Indonesia 3/2015 concerning Amendments to the Regulation of the House of Representatives of the Republic of Indonesia 1/2014 concerning Rules of Conduct. Based on the Decree of the House of Representatives of the Republic of Indonesia Number: 44 / DLA-RI / I / 2019-2024 concerning the Determination of Working Partners of Commissions, Budget Agencies, and State Financial Accountability Bodies, the House of Representatives of the Republic of Indonesia Membership Period 2019-2024 (Nugraha et al., 2020). One of the Commissions of the House of Representatives of the Republic of Indonesia is Commission V which has a scope of work in the fields of infrastructure, transportation, disadvantaged areas and transmigration, Meteorology, Climatology, and Geophysics, search and rescue (Search and Recue / SAR). Therefore, Commission V of the House of Representatives of the Republic of Indonesia has partners including the Ministry of Public Works and Public Housing (PUPR), the Ministry of Transportation, the Ministry of Villages, Development of Disadvantaged Regions and Transmigration, the Meteorology, Climatology and Geophysics Agency (BMKG), and the National Search and Relief Agency (Basarnas) (Sirois, 2022).

The National Legislation Program (Prolegnas) for 2019-2024, namely the revision of Law 38/2004 on Roads to the government because it is not in accordance with Nawacita, namely abandoned inter-regional connecting roads so that people lose the opportunity to increase sources of economic activity triggered by the lack of clarity on the status of roads, the distribution of overlapping authorities encourages the absence of parties responsible for organizing roads (Cliquennois, Snacken, & van Zyl Smit, 2022). On the other hand, the risks and impacts that result in top events include unclear SOPs on road operations that regulate the distribution of authority and road financing schemes and mechanisms. Therefore, the government through the Ministry of PUPR submitted a revision proposal in the Problem Inventory List (DIM) of the Draft Law (RUU) to Commission V of the DPR-RI. The government submitted 904 DIM consisting of 564 DIM on the torso and 340 DIM on the explanation. On January 12, 2022, the government through the Ministry of Law and Human Rights officially passed Law 2/22 as a replacement for Law 38/2004 on roads (Maddeppungeng, Irma, & Oktaviani, 2017).

With the ratification and enactment of Law 2/2022, the political tasks of Commission V have been carried out in accordance with the vision and mission, but it does not mean that the implementation of the legislative function is complete because it must be followed up with the supervisory function or efforts to control (mitigate) risks against deviations both procedural in nature and the implementation of policies or regulations in the form of laws. Therefore, the House of Representatives of the Republic of Indonesia needs to coordinate with institutions/ministries related to controlling the implementation of Law No. 2/2022. According to (Tachjan, 2006), implementation is defined as 1) bringing to an outcome (effect) or complementing and completing; 2) provide the means (tools) to carry out something; give practical results to something; 3) Provide or equip with tools. Thus, the implementation of Law 2/2022 is a process of completing policies as a means to implement them in order to provide results or provide tools or facilities (regulatory infrastructure) to carry out activities or activities related to policies (Law 2/2022 on roads (Ayuni, Arinanto, Arsil, & Indrati, 2022).

The government as an administrative apparatus as well as policy implementative has risks, the impact of risks and consequences influenced by related intra- and inter-institutional conflicts that occur in the policy-making process. Therefore, the government in this case bureaucratic institutions both ministries and institutions / agencies (non-ministerial) involved in implementing policies at the level of implementation and execution starting from the national, provincial to local levels each have interests, ambitions, and traditions that sometimes tend to hamper both at the level of input, process and output and outcome (Goodwin, 2022). Thus, the implementation of the regulation (Law 2/22) is an effort to articulate the agreement (between the DPR and the Government) that has been established, namely the understanding that Law 2/2022 on Roads serves as the main instrument for realizing public welfare through the procurement of basic infrastructure as a public service in utilizing economic resources as part of the national transportation system through a regional development approach and increasing the acceleration of economic connectivity and increase equitable distribution of development. Road operator stakeholders (authorities) consisting of several ministries, further articulated Law 2/2022 through 4 main pillars of implementation, namely communication that focuses on encouraging resources to coordinate in accordance with bureaucratic structures, building innovative and proactive attitudes/dispositions by optimizing functions through integrative SOPs. This is the main function of the implementer, in this case the government (Ministry of PUPR) as the person in charge of the entire road implementation system as well as the institution most responsible for the existence and sustainability of road administration (Munawar, Mojtahedi, Hammad, Kouzani, & Mahmud, 2022).

Risk control of the implementation of Law 2/2022 by Commission V of the House of Representatives of the Republic of Indonesia uses the Government Internal Control System (SPIP) in accordance with Government Regulation Number 60 of 2008 concerning SPIP with its development of adopting the Enterprise Risk Management (ERM) approach of COSO (Committee of Sponsoring Organizations of the Treadway Commission). The ERM approach to COSO as stated in the 2013 COSO Internal Control Framework as a result of the previous COSO framework update (1992). These changes include operational and business environments driven by technological changes and globalization, thus demanding a more integrated internal control system to meet stakeholder needs so that organizations are more transparent, accountable, and meet good governance requirements (Parsons & Fisher, 2022). Internal control has 5 components

including: 1). Control environment: a reflection of the attitude of the owner of the entity consisting of actions, policies, and procedures carried out; 2) Risk assessment: not seen by size, structure or industry due to some inherent and external risks; 3) Control activities: measures implemented through policies and procedures that help management mitigate risk; 4) Information and communication: control responsibility to help achieve organizational goals; 5) Monitoring: evaluate and ensure the control components influence each other's principles (Awan, Siddique, & Sarwar, 2014).

According to (Alijoyo & Fisabilillah, 2021), risk control as stated in International Standard (ISO) 31000 of 2018 recommends the use of Bow Tie Analysis (BTA) as a risk control technique with the concept of using a bow tie diagram that illustrates the occurrence of a risk. The left side describes proactive risk control and the right side protectively. The BTA technique begins with fault tree analysis (FTA) and then event tree analysis (ETA) is made. These (FTAs and ETAs) indicate a cause-to-risk (FTA) relationship and a risk-to-impact relationship (ETA). The purpose of BTA is to provide a comprehensive description or helicopter view of logically the scenario of occurrence of risk events. It is intended to provide a simple visual prescription of the relationship of risk events to their causes and consequences. Bramantio and Rachmawati (2021: 170) revealed that the use of the BTA method is efficient in projecting causes and effects as well as control measure prevention.

Risk control of the implementation of RI Law No. 2/2022 because it indicates several risks that will experience peak events as happened in the previous Law, for example, the community loses the opportunity to increase sources of economic activity because connecting roads from and between regions cannot be implemented or abandoned triggered by unclear road status, no party (government) is responsible because without the potential distribution of authority misuse of the financing budget because there are no clear operational standards on road maintenance financing mechanisms and schemes. Related to this as an indicator, there is an 8 Km road section that connects North Toraja Regency (Sanggalangi District') with Tana Toraja Regency (Sanggalla District'). The road has not undergone significant changes for more than 10 years.

In the Hearing Meeting (RDP) between Commission V of the House of Representatives of the Republic of Indonesia and the Ministry of PUPR on January 25, 2022 and March 31, 2023, Commission V urged the government through the Ministry of PUPR to implement Law 2/2022 which has been passed as a replacement for Law 38/2004. As a result of the two RDPs, the government issued Presidential Government Instruction of the Republic of Indonesia Number 3 of 2023 concerning the Acceleration of Regional Road Connectivity Improvement. The regulation is a reference and guideline for road management so that when the Tana Toraja Regency government on March 20, 2023 submits a request for the acceleration of infrastructure development and community needs with the availability of representative roads that can connect production centers with marketing access and government, social, health and education service centers and realize harmony in inter-regional development in the form of handling road paving on some internodes. Therefore, Commission V of the House of Representatives of the Republic of Indonesia as a partner of the Ministry of PUPR followed up on the request and wrote to the Ministry of PUPR a copy of Highways dated March 24, 2023, which essentially accelerates regional road connectivity as stated in Presidential Instruction 3/2023 which refers to Law 2/2022 related to the development of regional road connectivity as a community need to support social economic productivity and facilitate community access to service centers government. This indicates that Law of the Republic

of Indonesia No. 2/2022 as a result of the revision of Law 38/2004 which regulates road operations has been implemented for road infrastructure development based on Presidential Instruction 2/2023.

As an institution that obtains a mandate from the people to realize equitable welfare equality, the DPR functions as in terms of budgeting, legislation and supervision of the implementation of the state administration system and government administration. The concrete manifestation of the legislative function of Commission V is to revise Law 38/2004 which is considered not to provide equal opportunities for equal welfare for road operations. Therefore, the spirit of revising regulations on roads as one of the main pillars of realizing dignified general welfare through the provision of basic infrastructure of public services in the utilization of economic resources as a national transportation system with a regional development approach to improve connectivity between centers of economic activity based on balance and equitable distribution of development between regions in national economic unity. This spirit and motivation need to get the focus of control and implementation.

## Research Methods

The method used in the research controls the implementation of Law No. 2 of 2022 concerning Roads. Data retrieval techniques are carried out by triangulating natural conditions and places so that the data is completely natural and as it is (Creswell, 2015). Data analysis is inductive and the source of research data is informants from several members of Commission V of the House of Representatives of the Republic of Indonesia for the 2014-2019 period, the Ministry of PUPR and Highways. Meanwhile, the source / informant is the person who provides information and the person who is the source of data in the research. The resource persons or informants referred to in this research activity are professional or certified teachers. The determination of informants uses *purposive techniques* where informant retrieval techniques through special considerations are people who are considered to know best about what is expected so that it will make it easier for researchers to explore the object / social situation studied. This is done because the small number of data sources has not been able to provide accurate and representative data.

The data in this study are information from informants who are research subjects, field observations, and facts of professional teacher self-development documents. In addition, data will be obtained from information from several figures who are the subject of research through structured interviews. The results of observations were obtained directly from researchers According to (Arikunto, 2020). The main source of data is information from members of Commission V of the House of Representatives of the Republic of Indonesia who are directly involved in the object of research, namely implementation control. And additional data from public policy experts from both juridical and administrative perspectives that can be used as informants related to research focus.

Technically, because this research uses explanatory methods or combines quantitative methods with qualitative methods, the steps of qualitative data analysis are as follows:

1. Risk Analysis and Identification: Data collected through interviews and questionnaires (*questionnaires*) are tabulated in matrix form through a list table of risk variables, namely all activities related to controlling the implementation of Law of the Republic of Indonesia No. 2 of 2022 concerning Roads and validating/confirming to the

controlling party or Commission V of the House of Representatives of the Republic of Indonesia for the 2019-2024 period.

2. Risk Matrix The scale of measurement of risk assessment using the ratio of vulnerability, *exposure*, fragility, and capacity which is then calculated with the risk index from Long and provides a ranking classification according to Davis and Cosenza with the following criteria for interpreting the score from the accumulated probability of hazard:

**Risk Value Interpretation Criteria Table**

Risk value	Risk level
$0 < NR < 5.00$	Low
$5.01 < NR < 10.00$	Medium Low
$10.01 < NR < 15.00$	Medium High
$3:01pm < NR < 8:00pm$	Tall
$8:01 PM < NR < 25:00$	Very High

## Results and Discussion

### 1. Risk Analysis

The risk analysis of the implementation of Law No. 2/2022 concerning Roads is based on the main duties and functions of Commission V of the House of Representatives of the Republic of Indonesia as a partner of the government, namely in regulatory supervision (laws and policies). The risk analysis of the implementation of Law of the Republic of Indonesia No. 2/2022 includes:

#### a. Communication

The form of supervision of the House of Representatives of the Republic of Indonesia on the implementation of Law No. 2/2022 carried out by the executive (related ministries/PUPR) through a Hearing Meeting (RDP). In other words, RDP is a means / medium of communication between Commission V of the House of Representatives of the Republic of Indonesia and PUPR or as a transmission between Commission V of the House of Representatives of the Republic of Indonesia and PUPR. In the RDP, information related to the implementation of RI Law No. 2/2022 is submitted consistently with a representative level of clarity. However, it needs to be admitted that in RDP sometimes there is still a gap between what should be and what happens factually, such as apathy in responding to the obstacles of the implementation process because there has not been synchronization between the DPR RI and the government (Ministry of PUPR) which has an impact on excess proposals, lack of control, and not as expected. Thus, communication in the implementation of RI Law No. 2/2022 that uses RDP as a medium or transmission (channel) has several potentials, including the level of clarity and consistency. This indicates that the implementation of Law No. 2/2022 has several risks of distortion, apathy, and inefficiency.

#### b. Resources.

Based on the results of RDP minutes with the Ministry of PUPR shows that if individuals have problems in terms of attention and commitment to carry out their responsibilities, it is difficult for groups or communities to avoid problems that

arise. Therefore, implementation cannot be carried out optimally or effectively and efficiently because resources in implementation which include people, finance/systems, processes and methods have not functioned optimally. The indicators include negligence/alpha, inequality, insignificant, and not on target in allocating resources in the implementation process of RI Law No. 2/2022 which has an impact on neglect, inequality, stagnation, and lack of benefit.

c. Attitude

Attitudes or dispositions in the implementation of Law No. 2/2022 as described in the work program based on factual situations regarding the acceleration of improving regional road connectivity in accordance with Law No. 2/2022. The delivery of strategic ideas becomes a symbol of the ongoing disposition of and towards implementation followed by an understanding of the environment and its potential. Therefore, Commission V of the DPR appeals to implementors (government/PUPR) to coordinate in articulating programs and evaluations. On the other hand, implementors also need authority and mutual information through good and transparent and continuous coordination between fields or units to diagnose problems and alternative solutions. The potential risks of attitude variables include deviations and biases as well as static and untimely attitudes. Thus, the risk of implementation of RI Law No. 2/2022 attitude variables is identified as the risk of deviation, static, untimely, and bias that has an impact on losses, misses, waste, and misunderstandings in the application of RI Law No. 2/2022 concerning Roads as a result of revisions from the previous law (Law No. 38/2004).

d. Bureaucratic Structure

The translation of tupoksi is based on Presidential Instruction Number 3/2023 concerning the Acceleration of Regional Road Connectivity Improvement. From the Presidential Instruction which became the SOP, related elements include 1) the Minister of National Development Planning / Head of the National Development Planning Agency; 2) Minister of Public Works and Housing Ralryat; 3) Minister of Finance; 4) Minister of Home Affairs; 5) Governors; and 6) The Regents/Mayors indicated that there was a powerlessness of the bureaucratic structure and the involvement of the elements involved. This is due to several potential risks of implementing Law of the Republic of Indonesia No. 2/2022 such as fregmentation, perception, and application with indicators of inaction, confusion, misconceptions and discrepancies between accelerating the improvement of regional road connectivity to provide maximum benefits in encouraging the national and regional economies, reducing national logistics costs, connecting and integrating with economic centers, and helping to equalize road conditions steady, as an effort to support the achievement of the target of the 2020-2024 National Medium-Term Development Plan with factual implementation.

From the results of the study, it can be identified the risk of implementing Law No. 2/2022 concerning Roads, which is then further regulated through Presidential Instruction No. 3/2023 Acceleration of Regional Road Connectivity Improvement, indicating that the risk of implementing Law No. 2/2022 has several consequences as a *top event*, namely ineffectiveness, unproductivity, tendencies and overlapping piercing of authority. This is due to several risks that have an impact on implementation if risk control is not carried out in accordance with ISO 31000 2018. Before risk control is carried out as mandated in PP 60/2008 concerning SPIP, it is necessary to conduct a risk assessment.

## 2. Risk Assessment

Based on the calculation of hazard probability, it shows that the highest probability of point 5 or a score of 8.01 – 10 very high categories include transmission potential risk of distortion, consistency risk of in-efficiency, financial/system risk of inequality, risky methods of not being on target, SOP risk of inaction, and fragmentation risk of confusion. While a score of 6.01-8.00 or point 4 high criteria include clarity at risk of apathy, human at risk of negligence or alpha, insignificant risk processes, integrity at risk of deviation, commitment at risk of static, professionalism at risk of not being timely and motivation at risk of bias. A score of 4.00-6.00 or point 3 criteria is quite high, namely the potential perception of risk of misconception and application risk of misconformity. Thus from the results of hazard assessment (hazard) which is an accumulation of vulnerability, exposure, fragility and capacity. This indicates that the level of hazard risk from the aspects of vulnerability, exposure and fragility compared to the capacity of Commission V of the House of Representatives of the Republic of Indonesia for the 2019-2024 period in the implementation of Law of the Republic of Indonesia No. 2/2022 on transmission communication variables has the potential for distortion, resource variables for potential finance/systems are at risk for inequality, and bureaucratic structure variables are potential SOPs and fragmentation are at risk of inaction and confusion.

From the risk value matrix, it shows that of several risks in the implementation of RI Law No. 2/2022, there are several risks and impacts that cannot be tolerated (*not acceptable*), namely for communication variables, indicators of potential transmission risk and clarity, resource variables, indicators of financial/system potential, and variables of bureaucratic structure, indicators of potential SOPs, and Fragmentation. Thus, it can be concluded that the risk of implementation of Law of the Republic of Indonesia No. 2/2022 should be controlled (mitigated) in accordance with PP No. 60/2008 concerning SPIP which refers to ISO 31000 2018 risk management.

## 3. Risk Control

Risk control (mitigation) is carried out by first identifying various risk control options such as reducing *likelihood*, reducing *risk*, *risk transfer*, or avoiding risk). These options should be selected and applied in risk control and then prepare a risk control plan and implement risk control. This risk control is carried out by Commission V of the House of Representatives of the Republic of Indonesia for the 2019-2024 period. In the risk control process, the implementation of RI Law No. 2/2022 which has been identified and analyzed is then adjusted to the level / level of risk and takes appropriate steps to minimize the risks that arise.

In relation to implementation risk control, risk control is carried out by paying attention to the causes of risk to be mitigated (*risk reduce*) – major risks and causes of risks that often come out. The form of prevention and risk handling will be carried out by the method of literature studies and interviews with members of Commission V of the House of Representatives of the Republic of Indonesia for the 2019-2024 period. The results of interviews with resource persons are:

### a. Risk Control of Communication Variables

Communication carried out by Commission V of the House of Representatives of the Republic of Indonesia with the government (Ministry of PUPR) through a Hearing Meeting (RDP) to evaluate the implementation of Law No. 2/2022. In addition, through field visits and recesses or returning to their respective regions to see firsthand the implementation of road construction to improve inter-regional connectivity. The



implementation of RI Law No. 2/2022 is inefficient because there are still regions submitting excessive proposals even not in accordance with needs because they are not controlled and not in accordance with the goals and expectations of the spirit of the Law revision. Therefore, Commission V of the House of Representatives of the Republic of Indonesia controls escalation through patterns of interaction and coordination to encourage interprovincial and inter-district border areas with unrepresentative connectivity, such as the border of South Sulawesi province with West Sulawesi (Mappa' Simbuang Sul-sel with Mamasa Sul-Bar) and the border of North Toraja Regency (Lembang/Tallungpenanian Village, Sanggalangi District') with Tana Toraja (Lembang Balik Bokko' Sangalla District').

As a side note, the people of Mappa' and Simbuang complained about road access that had never been built permanently, so they protested to the Regent and DPRD of Tana Toraja for not allocating budget for the construction of road infrastructure connecting Mappa' Simbuang with Mamasa. Therefore, members of Commission V from Dapil 3 Sul-Sel (PDI-P Faction) provided a solution so that the Tana Toraja Regency Government made a list of proposals related to the construction of a road connecting Sul-Sel with Sul-Bar to the Ministry of PUPR through To the Ministry of Bappenas, the Ministry of Finance, and the Ministry of Home Affairs, the People's Representative (Commission V) followed up on the pattern of interaction and communication through *sharing information* of the Ministry of PUPR as a form of *back-up* and *follow-up* aspirations of people who give their trust. In this context, risk control is implemented by Law of the Republic of Indonesia No. 2/2022 in the form of escalation control and pen control as well as a *barrier* to distortion, apathy, and inefficiency. At the level of mitigation or preventing the top *event of communication* variables, Commission V encourages the government through the Ministry of PUPR to compile *road mapping* related to the acceleration of improving regional road connectivity as mandated in Presidential Instruction No. 3/2023 concerning the Acceleration of Regional Road Connectivity Improvement.

b. Resource Variable Risk Control

Risk control for the implementation of Law of the Republic of Indonesia No. 2/2022 resource variables include human, financial/system, processes, and methods at risk of negligence or negligence, inequality, insignificance, and inaccuracy of targets that have an impact on neglect, gaps, stagnation, and lack of usefulness. Therefore, Commission V as a partner of the government in accelerating regional road connectivity not only contains clarity of goals / targets to be achieved, but in detail has also described the allocation of resources needed, then clarity of work methods and procedures that must be taken, and clarity of standards that must be guided. This means that the implementation of accelerating regional road connectivity as mandated in Law of the Republic of Indonesia No. 2/2022 as a result of the revision of Law No. 38/2004 is a regulation/policy of the government together with the DPR which comprehensively describes the resources used and integrated as a unity that describes targets, policies, procedures, methods, standards, and budgets/financial budgets.

Conceptually, the implementation of Law No. 2/2022 aims to regulate and facilitate the control of resource allocation properly, which in turn can be used as a format for presenting budget information based on the main problems of improving regional road connectivity that are developing and the priority of solving them in each administrative unit and programs are tiered into program categories, program sub-categories and program elements. This means that the program category is a structure

that describes the basic framework that considers solving the main problems of the objectives / objectives and the scale of operational priorities for improving regional road connectivity which is then detailed by grouping program elements that produce almost the same or similar outputs both administratively and directly to be developed with *outputs* a group of interrelated as a basic unity of the program structure. Based on these groupings, the program structure is arranged in stages into the master program (solving the main problem).

Factually the main obstacles in the implementation of Law of the Republic of Indonesia No. 2/2022 include problems arising from operational needs attached to the regulation, resources needed for the implementation of the regulation, and problems related to other organizations or bureaucracy/ministries needed, support, assistance and approval for its implementation (cross-sectoral) on the other hand each ministry has a structure, Culture and resources that tend to be different so that they cause kalalaian/alpha, inequality, insignificant, and not right on target. Therefore, Commission V implements control by establishing escalation control through *time scheduling* or scheduling and allocation in accordance with priority issues related to improving regional road connectivity. It aims to avoid risk from resources, both from human resources and from finance/systems, processes and methods. Meanwhile, escalation control is carried out through *quality control* of partners, namely the government through related ministries so that the process of accelerating the improvement of regional road connectivity as mandated in the Law. No. 2/2022 can be realized. The mitigation (*risk reduce*) carried out is through supervision to accompany and ensure the use of resources directed at goals and objectives efficiently and effectively based on work tasks and authority relationships.

c. Risk Control Attitude Variables

Attitudes or dispositions that are formed or arise from the interaction of individual characteristics with ministerial characteristics as operationalization and actualization of group attitudes towards internal challenges or stimuli from the external environment encourage the characteristics of mutual influence (interact) to provide responses both active and passive depending on the ability of the leader to modify the expected attitude. The activeness or passivity of these responses tends to affect the achievement of the performance of ministerial institutions as its own characteristics related to abilities, confidence, expectations, views, attitudes, perceptions, assumptions, needs, experiences and so on. Therefore, risk control for the implementation of Law No. 2/2022 on attitude variables is carried out by Commission V of the House of Representatives of the Republic of Indonesia to establish escalation control through coordination and promotion with relevant ministries and institutions to encourage the achievement of optimal institutional performance. As for preventive control, Commission V in RDP with the Ministry of PUPR as a partner encourages PUPR to convey the achievement of performance indicators related to the implementation of RI Law No. 2/2022 including in the PUPR process articulating the mandate of Presidential Instruction 3/2023. Commission V mitigation measures encourage ministries and institutions related to accelerating regional road connectivity through leadership and commitment that are always evaluated in RDP.

Thus, it can be concluded that risk control of the implementation of Law No.2/2022 Commission V of the House of Representatives of the Republic of Indonesia controls escalation through coordination and promotion to officials within relevant ministries and institutions who have the best performance in accordance with

the achievement of performance indicators. Meanwhile, risk mitigation establishes leadership and commitment as mandated in ISO 31000: 2018 as well as PP 60/2008 concerning SPIP. This indicates that Commission V of the House of Representatives of the Republic of Indonesia in carrying out its supervisory function, especially in the context of internal government control is guided by PP 60/2008.

d. Variable Risk Control of Bureaucratic Structure

The bureaucratic structure related to the implementation of RI Law No. 2/2022 is regulated in Presidential Instruction 3/2023 concerning the Acceleration of Regional Road Connectivity Improvement which articulates the regulations of RI Law No. 2/2022 through coordination between ministries and institutions including the Ministry of National Development Planning and the Head of Bappenas, the Ministry of PUPR, the Ministry of Finance, the Ministry of Home Affairs, the Governors, and the Mayor Regents. Furthermore, the President instructed to take coordinated and integrated steps according to their respective duties, functions, and authorities to carry out connected and integrated regional road construction activities, primarily to support the productivity of industrial estates, tourism areas, plantation areas, agricultural areas, and other productive areas as well as regional roads and help improve road stability, especially around strategic industrial areas To anticipate the growth of slums and unstable road conditions. In addition, it also plans and provides budgets, implements, monitors, evaluates and controls activities to accelerate the improvement of regional road connectivity; and overcoming obstacles and obstacles in the implementation of activities to accelerate the improvement of regional road connectivity.

Specifically, there are instructions to the Ministry of PUPR to formulate criteria for section selection and utilization and compile indications of location, section, and volume in activities to accelerate the improvement of regional road connectivity together with the Ministry of National Development Planning and the Head of Bappenas determine technical criteria as a basis for verification and assessment in activities to accelerate the improvement of regional road connectivity, conduct verification and assessment as a basis for determining sections and types of handling and ensure that there is no overlap in the handling of regional road activities carried out by the regions and the central government together with the minister of National Development Planning and Bappenas to compile a ceiling amount on each planned road section based on technical criteria, types of handling, and volume in activities to accelerate the improvement of regional road connectivity. Establish a list of activities to accelerate the improvement of regional road connectivity and ensure the details of the location, section, volume, and ceiling of each road section in the List of Contents for the Budget Implementation of the Ministry of PUPR, carry out activities to accelerate the improvement of regional road connectivity that can involve related regional devices and monitors, evaluate, and control the implementation of activities to accelerate the improvement of regional road connectivity and hand over the results of activities acceleration of improving regional road connectivity to local governments in the form of grants in accordance with the provisions of laws and regulations.

In relation to the bureaucratic structure in the context of the implementation of RI Law No. 2/2022 articulated by the government through Presidential Instruction 3/2023 as an SOP (implementation guide) to relevant ministries and institutions, Commission V of the House of Representatives of the Republic of Indonesia in carrying out escalation control is to encourage the Ministry of PUPR to issue regulations that regulate in more detail the acceleration of improving regional road connectivity as mandated in RI Law

No. 2/2022 in the form of technical implementation guidelines. Meanwhile, preventive control by synchronizing with relevant ministries and institutions realizes the acceleration of improving regional road connectivity. As mitigation (*risk reduce*) through monitoring and evaluation of implementation carried out by relevant ministries and institutions through RDP as well as work visits and recesses.

Thus, controlling the risk of implementing Law of the Republic of Indonesia No. 2/2022 variables of bureaucratic structure that are at risk of fragmentation or overlapping rules/regulations and authority have an impact on bureaucratic inaction, confusion that gives birth to misconceptions so that there is a mismatch between the goals and objectives of regulatory policies to accelerate the improvement of regional road connectivity, then Commission V of the House of Representatives of the Republic of Indonesia chooses escalation control through regulations of relevant ministries and institutions to issue technical guidelines as a form of articulation of Law No. 2/2022 and Presidential Instruction 3/2023. In addition, it also establishes control through synchronization of needs and authorities between ministries and between agencies related to accelerating the improvement of regional road connectivity. Meanwhile, mitigation as an anticipatory step for the occurrence of top *events* is carried out monitoring and evaluation. This indicates that Commission V in risk control of the implementation of Law of the Republic of Indonesia No. 2/2022 implements PP No. 66/2008 and its development takes the essence of the risk management framework, namely AS/NZS 4360:2004, COSO ERM-2004 and ISO 31000:2018.

Risk control for the implementation of Law of the Republic of Indonesia No. 2/2022 Commission V of the House of Representatives of the Republic of Indonesia which includes escalation control, prevention control and mitigation. Risk control is determined after an assessment of the risk of accumulation of vulnerabilities, exposure, fragility of potential, risk compared to implementer capacity and escalation factors that drive the occurrence of top *events*.

- a. Communication variables. Factors of escalation in-effectiveness from excess proposals, lack of control, and not meeting expectations. Control the escalation of interaction patterns and coordination with relevant ministries and agencies as a barrier to distortion, apathy and inefficiency. While the control of preventing escalation of peak events is *information sharing*. Mitigation as a risk reduction encourages the Ministry of PUPR and related ministries as well as provincial and district heads to accelerate the improvement of regional road connectivity.
- b. Resource variables. The escalation factor is not proactive from neglect, inequality, stagnation, and less usefulness. Control of time escalation *scheduling* program priorities addresses the main problem of accelerating the improvement of regional road connectivity. Preventive control as a barrier to the occurrence of peak events is *comprehensive quality control*. As for mitigation to reduce the risk of negligence or alpha, inequality, insignificant, and not on target, supervision is carried out in RDP as well as during visits and recesses to monitor the acceleration of improving regional road connectivity.
- c. Attitude variables (disposition). The escalation factor of the occurrence of tendencies as characteristic of losses, lags, waste, and misunderstandings. Therefore, escalation control coordinates and promotes individuals/institutions or ministries that have the performance to realize the acceleration of improving regional road connectivity. Commission V prevention control encourages relevant ministries and agencies to accelerate the improvement of regional road connectivity to set performance indicators

as performance targets. The mitigation to reduce risk (*risk reduce*) is carried out through increasing the capacity and capability of leadership and commitment of ministries and institutions related to accelerating the improvement of regional road connectivity.

- d. Bureaucratic Structure Variables. The escalation factor is the overlapping of authority from not developing, not synchronizing, not fit for purpose, and failure of bureaucratic structure. Therefore, the escalation control carried out by Commission V of the House of Representatives of the Republic of Indonesia is to encourage relevant ministries and institutions (Ministry of PUPR, VAT, Bappenas, Ministry of Finance, Ministry of Home Affairs) to make regulations as technical implementation guidelines on accelerating the improvement of regional road connectivity. Preventive control through inter-ministerial and inter-agency synchronization related to accelerating the improvement of regional road connectivity. The mitigation to reduce risk (*risk reduce*) is carried out through monitoring and evaluation of the acceleration of improving regional road connectivity.

Thus, risk control of the implementation of Law of the Republic of Indonesia No. 2/2022 carried out by Commission V of the House of Representatives of the Republic of Indonesia for the 2019-2024 period through PP 60/2008 concerning SPIP which accommodates ISO 31000 2018, COSO and ERM implement risk control through escalation control, prevention control and mitigation of 4 variables of implementation of the George Edwards III paradigm.

At the level of consequences, if implementation risk control is not carried out or fails to be implemented, it will have several consequences. According to the resource person, the source explained that if the government, in this case, the relevant ministries and institutions do not control the risk of implementation, it will cause several consequences, such as the most crucial, namely the spirit of the revision of Law No. 38/2004 on roads as the results of the Problem Inventory List (DIM), both according to the executive (government) and legislature (DPR), realizing equitable welfare equality. Other consequences include the gap in road infrastructure development between areas that have abundant natural resource potential as a source of finance or funding for road infrastructure development, while remote, inland and frontier areas (suburbs and state borders) will be further away from equitable development. From the aspect of policy or regulation (Law of the Republic of Indonesia No. 2/2022) articulated through Presidential Instruction No. 3/2023, it will fail at the implementation level, which has consequences, namely the non-realization of the acceleration of improving regional road connectivity.

Thus, the failure or non-implementation of risk control in the implementation of Law No. 2/2022 has several crucial consequences for the spirit of the revision of the previous Law (Law No. 38/2008) concerning roads due to the non-realization of the acceleration of improving regional road connectivity. This indicates that achieving the acceleration of improving regional road connectivity requires effective, proactive communication, resources, attitudes and bureaucratic structures as well as the distribution of duties and authorities in accordance with their main duties and functions to implement RI Law No. 2/2022.

Based on the results of the study, the Bow Tiw matrix of *Fault Tree Analysis* (FTA) can be described which describes communication that experiences distortion, apathy and inefficiency as well as HR negligence, system/financial inequality, insignificance of processes and inaccuracy of methods exacerbated by deviations, static, inaccuracy, and bias from attitudes and the occurrence of inaction due to SOPs involving several

ministries and institutions Hierarchical causes confusion, misconceptions and discrepancies in bureaucratic structure causing ineffective communication, non-proactive resources, tendency of attitudes and overlapping authority of bureaucratic structures have implications for the non-optimal implementation of Law No. 2/2022 concerning Roads.

Meanwhile, the event tree analysis (ETA) shows that the non-optimal implementation of RI Law No. 2/2022 causes several consequences, including the acceleration of increasing regional road connectivity does not reflect justice, the occurrence of gaps in regional road infrastructure development, remote, disadvantaged and frontier roads are increasingly unrepresentative, and the realization of equitable welfare as the spirit of the Law revision Previous (38/2004). Based on error tree analysis (FTA) and event tree analysis (ETA) which provide a logical overview of several risk event scenarios that help in providing about the relationship of risk events to their causes and consequences. The next BTA process will be described in the following sections:

#### 1. Hazard Identification and *Top Event*

The results showed that the identification of hazards in the risk control system of the implementation of RI Law No. 2/2022 communication variables include transmission risk of distortion, clarity at risk of apathy and consistency at risk of inefficiency. Some of these risks have the impact of excess proposals, lack of control, and not as expected to accelerate the improvement of regional road connectivity. This indicates that there will be a peak event, namely transmission ineffectiveness, consistency and clarity of communication related to the acceleration of improving regional road connectivity. Meanwhile, the peak event of resource variables with human, system / financial indicators, processes and methods is not proactive resources due to the risk of negligence or alpha of human resources has an impact on neglect, financial / system inequality has an impact on gaps, insignificant processes have an impact on stagnation and inaccuracy of target methods have an impact on less useful acceleration of improving regional road connectivity.

Attitude variables (dispositions) with indicators of integrity, commitment, professionalism, and motivation are at risk of deviation from integrity having a material and moral impact, static impact on lag, not on time that requires professionalism has an impact on waste, and can have an impact on misunderstanding in the implementation of accelerating the improvement of regional road connectivity. This indicates that there will be a peak event, that is, a trend. Meanwhile, bureaucratic structure variables, SOP indicators, fragmentation, perception, and application are at risk of inaction, impact inaction, lack of synchronization, misconceptions have an impact on goal misalignment, and inappropriateness has an impact on the failure of the bureaucratic structure system. This indicates that there will be a peak event, namely the spill of authority in the implementation of RI Law No. 2/2022 which aims to accelerate the improvement of regional road connectivity.

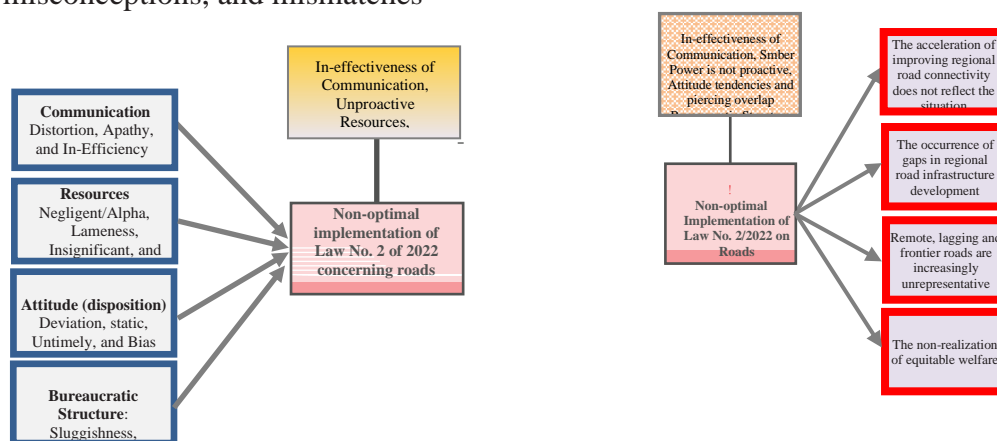
The results of the identification of hazards that have the potential for top *events* can be analyzed with Bow Tie through charts that show several potential hazards that trigger top *events* in the implementation of RI Law No. 2/2022. The variable of communication carried out by Commission V of the House of Representatives of the Republic of Indonesia with PUPR through RDP transmission is distorted will give birth to apathy in conveying information consistently so that it affects the clarity of information which has implications for the inefficiency of the communication process. When these risks arise simultaneously (simultaneously), it will encourage the

occurrence of peak events, namely the in-effectiveness of communication in terms of transmission, consistency and clarity regarding the acceleration of improving regional road connectivity. While the variable resources owned by Commission V and implementers (PUPR) include negligent / alpa human resources, the system / finance experiences a disparity between needs and system and financial capabilities, so it is almost certain that the process will not be significantly triggered by the selection of methods that are not right on target, which will encourage the peak event, namely not proactive resources owned to implement regulations (Law of the Republic of Indonesia No. 2/2022).

Attitude variables (disposition) can be identified hazards including deviations in integrity, static attitudes (unwilling to change), not punctual as a professional attitude, and the occurrence of motivational bias will encourage the occurrence of peak events, namely the tendency of attitudes that are not proactive in attitudes and actions so that they are not effective. Meanwhile, bureaucratic structure variables identified as potential hazards include a more detailed bureaucratic structure regulated in hierarchical and long (not simple) SOPs, which will encourage confusion, misconceptions and mismatches between needs and bureaucratic structures available in the implementation of RI Law No. 2/2022. This has led to the peak event, namely overlapping inter-ministerial and inter-agency authorities related to accelerating the improvement of regional road connectivity.

2. Cause

Based on the results of the study, it shows that the cause of the peak event of the implementation of RI Law No. 2/2022 concerning roads using the George Edwards III III III paradigm is communication variables that have several potentials, namely transmission, clarity and consistency which are at risk of information distortion which gives birth to apathy and inefficiency. Resource variables with human, financial/system, process, and method potential are at risk of negligence/alpha, inequality, insignificance, and mistargeting. Attitude variables that have the potential for integrity, commitment, professionalism, motivation are at risk of deviation, static, untimely, and biased. Bureaucratic structure variables that have the potential for SOPs, fragmentation, recession, and application have the potential for slowness, confusion, misconceptions, and mismatches



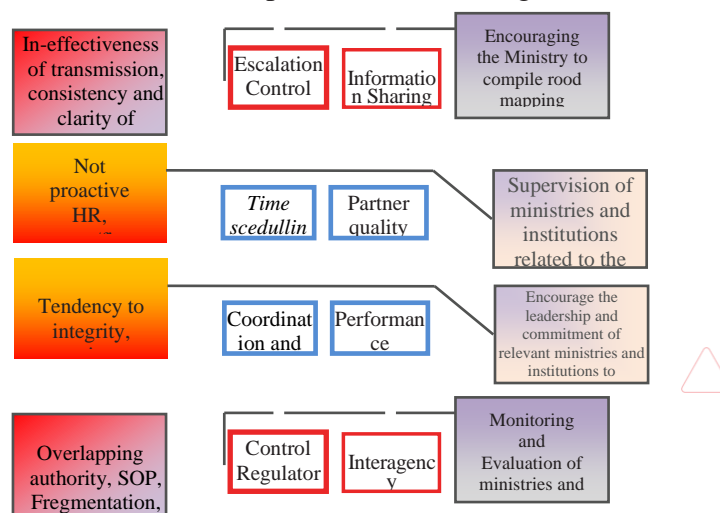
Peak Event Causes Chart

3. Consequence:

A consequence is a negative impact of a peak event that can have more than one consequence. In the context of research, the consequences of the implementation of RI Law No. 2/2022 concerning roads can be illustrated by the Bow Tie Analysis matrix which shows that the ineffectiveness of communication, non-proactive resources, attitude tendencies and overlapping piercing of bureaucratic structures have an impact on the non-optimal implementation of RI Law No. 2/2022 concerning Roads which has several consequences, namely 1) The acceleration of increasing regional road connectivity does not reflect adian; 2) The occurrence of gaps in regional road infrastructure development; 3) Remote, underdeveloped and frontier roads are increasingly unrepresentative; and 4) The non-realization of equitable welfare equality. Thus. The non-optimal implementation of Law No. 2/2022 will have significant consequences as the spirit of revision to the previous Law (Law No. 38/2004 concerning Roads) mandated in the vision and mission of the Indonesian precedent for the 2019-2024 period, namely realizing nawa cita where one of the important points is to realize equitable welfare that is just. This indicates that to realize one of the spirit of revision on roads, namely implementing the law as a regulation optimally by conducting risk control in accordance with the mandate of PP 60/2008 concerning SPIP.

4. Escalation Factors, Escalation Control, Prevention and Mitigation Control

The output of the BTA technique is the identification of escalation factors or factors that contribute to the occurrence of consequences (negative impacts). Based on escalation factors, escalation controls and preventive controls can be determined that function as barriers to the occurrence of peak events and consequences. In addition, it is also necessary to determine mitigation (*risk reduce*) or reduce the risk of potential hazards (*hazard*) that arise. In the context of risk control research on the implementation of RI Law No. 2/2022, the BTA matrix can be described on escalation factors, escalation control, prevention control and mitigation. Escalation factors, escalation control and prevention and mitigation appear on both sides of the peak event, the left side has the escalation factor and the right side (escalation control and prevention and mitigation). Escalation control serves to hold / inhibit (barrier) so that the cause does not occur, and if it occurs it will not result in a peak event. Therefore, escalation control and prevention and mitigation need to be carried out in the implementation of Law No.2/2022 on Roads to ensure that if a peak event occurs, the scenario of the consequences created does not escalate into actual consequences and/or to minimize the consequences that will be received/borne. The BTA matrix chart of escalation factors, escalation control and prevention and mitigation is as follows:





## Conclusion

Based on the results of research on risk control of the implementation of Law of the Republic of Indonesia Number 2 of 2022 concerning Roads by Commission V of the House of Representatives of the Republic of Indonesia for the 2019-2024 period, it can be concluded that:

The risk of implementation of variable communication transmission indicators is very significant risk of information distortion which has an impact on excess proposals with escalation factors of communication in-effectiveness. Meanwhile, resource variables, system/financial indicators are very significant risk to inequality, impacting gaps with non-proactive resource escalation factors. Variable attitude indicators of motivation risk are very significant to bias that impacts misunderstanding with escalation factor tendencies. The variables of bureaucratic structure, indicators, SOPs, and fragmentation are at very significant risk of inaction and confusion which have an impact on not developing and not being in sync with overlapping authority escalation factors.

Risk, impact, and escalation factors interact simultaneously and influence each other symmetrically so that escalation control and prevention and mitigation in risk control are also implemented integratively meaning that escalation control and prevention and mitigation are applied to all variables simultaneously.

Risk and impact assessment uses an approach from the aspects of vulnerability, exposure, fragile, and capacity which shows that some risks have very high criteria (very significant), namely distortion of communication, system / finance on resources, motivation on attitudes and SOPs and fragmentation on bureaucratic structures.

Control of implementation risks from the perspective of Bow Tie Analysis shows that distortion, apathy and in-efficiency of communication tend to drive the occurrence of peak events of transmission in-effectiveness, consistency and clarity. While the potential dangers of negligence / alpha, inequality, insignificant and inappropriate resources encourage non-proactivity of human resources, systems / finance, processes, and methods. The potential dangers of deviation, static, unpunctuality and bias in attitude (disposition) will give birth to a tendency to integrity, commitment, professionalism, and motivation. While the greatest potential danger, namely inaction, confusion, misconceptions, and discrepancies in bureaucratic structure will create peak events of overlapping authority from SOPs, fragmentation, perception and application. Therefore, when all hazards accumulate collectively (in-effectiveness of communication, non-proactive resources, tendency to attitudes and overlapping piercing of bureaucratic structures) it will lead to the occurrence of peak events namely non-optimal implementation which has several consequences which include: 1) The acceleration of improving regional road connectivity does not reflect adian; 2) The occurrence of gaps in regional road infrastructure development; 3) Remote, underdeveloped and frontier roads are increasingly unrepresentative; and 4) The non-realization of equitable welfare equality.

Risk control implementation from the perspective of Government Regulation Number 60 of 2008 concerning SPIP with its development adopts several risk management systems (control), one of which is ISO 31000: 2018 which reconfirms that risk control applies 3 main components including principles, frameworks and processes. These three main components have been implemented by Commission V of the House of Representatives of the Republic of Indonesia for the 2019-2024 period in controlling implementation risks.

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