

# THE AUTHORITY OF THE BRIMOB GEGANA DETACLE IN DEALING WITH BOMB THREATS IN THE JURISDICTION OF THE BALI REGIONAL POLICE

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## Abstract

The authority of the subden jibom detachment gegana mobile brigade in dealing with bomb threats in the jurisdiction of the Bali regional police is based on Article 2, Article 4 and Article 8 of Law Number 2 of 2002 concerning the Republic of Indonesia National Police, namely implementing and deploying the strength of the Indonesian National Police Mobile Brigade to overcome high levels of public order disturbances, especially mass riots, organized crimes involving firearms, bombs, chemical, biological and radioactive materials together with other police operational implementing elements to realize legal order and public peace throughout the jurisdiction of the unitary state of the Republic of Indonesia and other tasks assigned to it, and Article 220 of the Regulation of the Chief of the Republic of Indonesia Police Number 22 of 2010 concerning Organizational Structure and Work Procedures at the Regional Police Level, the mobile brigade unit is an element that carries out the main tasks under the regional police chief. The obstacles faced by the bomb disposal sub-den of the mobile brigade's bomb squad detachment in dealing with bomb threats in the jurisdiction of the Bali regional police include the geographical location of the Indonesian region which is considered to be very advantageous for perpetrators of terrorist crimes, the limited personnel from the special unit that specifically carries out the eradication of terrorist crimes through bomb threats in accordance with the mandate of laws and regulations, and facilities and infrastructure.

Keywords : Authority, Bomb Disposal Sub-Detachment, Countermeasures and Mobile Brigade

## Introduction

The Bomb Disposal Sub-Detachment within the structure of the Indonesian National Police reflects the State's commitment to protecting the most fundamental human rights, namely the right to life and the right to security. This aligns with the principle of the rule of law adopted by Indonesia, where the state has an obligation to protect its citizens from all forms of threats, including the threat of bomb terror. The existence of the Bomb Disposal Sub-Detachment can be seen as a manifestation of the social contract theory. According to this theory, society grants a portion of its freedom to the State in exchange for protection and security. The Bomb Disposal Sub-Detachment is one of the State's instruments in fulfilling its obligations to society, while simultaneously strengthening its

legitimacy as an entity responsible for public security. The role of the Bomb Disposal Sub-Detachment can be viewed from two main ethical perspectives. From a deontological perspective, bomb disposal is a moral obligation that must be carried out regardless of the consequences, as it aligns with the principle of protecting human life. Meanwhile, from a consequentialist perspective, bomb disposal efforts are justified because they aim to maximize the good (in this case, security) for the greatest number of people.

## Methods

The research method used in this study is a normative research method that utilizes various types of primary legal materials in the form of laws and regulations and secondary legal materials in the form of library materials related to the authority of the bomb disposal sub-den of the Mobile Brigade's Gegana detachment. Johnny Ibrahim argues that normative legal research is a form of scientific research aimed at finding the truth based on the logic of legal science reviewed from a normative perspective, or in the form of an attempt to discover law adapted to a particular case. This research is also supported by empirical research.

## Results and Discussion

### **The Authority of the Sub-Detachment of the Bomb Squad of the Mobile Brigade Corps (Brimob) in Dealing with Bomb Threats in the Jurisdiction of the Bali Regional Police**

Authority or power holds a crucial position in the study of administrative law. This importance is such that F.A.M. Stroink and J.G. Steenbeek stated: "The Begrip bevoegdheid is and ook een kembegrip in the staats-en administratief recht." From this statement, it can be concluded that authority is a core concept of administrative law. The term "authority" or "authority" is equivalent to "authority" in English and "bevoegdheid" in Dutch.

According to Article 2 of the Decree of the Chief of the Indonesian National Police (Skep Kapolri) No. Pol. KEP/53/X/2002 concerning the Mobile Brigade Corps (Brimob), it is stated that

the Brimob Corps is tasked with maintaining security, particularly in relation to handling high-intensity threats, in its efforts to support domestic security. Anarchy is a form of legal violation that endangers security and disrupts public order, requiring appropriate and firm action while upholding the principles of Human Rights and in accordance with applicable laws and regulations.

The main duties and functions are further explained in Article 18 Paragraph (2), which relates to the Main Implementing Elements, and more specifically to the Gegana and Pelopor units. Gegana, based on orders from the Brimob Commander, can act in response to serious security violations, particularly organized crime involving firearms and explosives or carrying out national or international terrorist attacks. Article 19 Paragraph (2) concerns the Pelopor units, which, based on orders from the Brimob Commander, are responsible for maintaining public order and countering insurgencies in support of domestic security. Brimob is the primary police force in operations against armed separatist movements, ethnic and religious violence, and other conflict situations.

Based on Article 18 Paragraph (2) of the Decree of the Chief of Police (Skep Kapolri) No. Pol. According to Decree No. 53/X/2002 concerning the Mobile Brigade Corps (Brimob), Gegana is an implementing element of the Mobile Brigade Unit. Based on orders from the Mobile Brigade Commander, Gegana can act in response to serious security violations, particularly organized crime involving firearms and explosives, or those carrying out national or international terror attacks.

Threat is a broad concept and can be applied in various contexts. Generally, a threat can be defined as a condition, situation, or action that has the potential to cause harm, loss, or disruption to the security, welfare, or interests of an individual, group, organization, or even the state. Threats can be real (concrete) or potential, and can originate from various sources, both internal and external.

Regulation of the Chief of the Indonesian National Police Number 11 of 2010 concerning Bomb Disposal defines a bomb as an object composed of four main components: a power source, an initiator, an explosive, and a switch. The term "bomb" encompasses various types of explosive devices, from conventional explosives to powerful nuclear weapons. Bombs have been part of the history of human conflict for centuries, with technological developments continually increasing their destructive power and complexity

In general, a bomb consists of 4 (four) main components: explosives, a trigger, a power source, and a switch. Explosives, hereinafter abbreviated as Handak, are materials or substances that can be in the form of solids, liquids, gases, or mixtures thereof, which when exposed to an action in the form of heat, impact, or friction will change chemically into other substances, most or all of which are in the form of gases and this change occurs in a very short time, accompanied by the effects of very high heat and pressure. The detonation mechanism is the tool that triggers this reaction, which can be a mechanical, electrical, or chemical trigger consisting of an initiator, power or energy source, and a switch.

The Indonesian National Police is a state instrument that plays an important role in maintaining public security and order, enforcing the law, and providing protection, guardianship, and services to the community in order to maintain domestic security. Therefore, to prevent and prosecute various crimes, particularly terrorism, the Indonesian National Police (Polri) issued regulations regarding bomb disposal, as outlined in National Police Chief Regulation No. 11 of 2010 concerning bomb disposal. In carrying out bomb prevention and handling activities, the Indonesian National Police delegates this responsibility to the Mobile Brigade Corps (Brimob) of the Indonesian National Police (Polri), a unit with sufficient capabilities and expertise in bomb disposal. This task assigned to the Brimob Corps is determined by its qualifications, as the Brimob Corps includes the Gegana unit, which is specifically responsible for bomb disposal.

The authority of the Brimob Corps' Gegana in handling bomb threats is exercised by the Bomb Disposal Unit, a sub-detachment under the Gegana Detachment within the Brimob Unit. Pursuant to Article 220 of National Police Chief Regulation No. 22 of 2010 concerning Organizational Structure and Work Procedures at the Regional Police Level, the Brimob Unit is the implementing unit under the Regional Police Chief. The Mobile Brigade Corps (Satbrimob) is tasked with responding to high-intensity security disturbances, including terrorism, mass riots, organized crime involving firearms or explosives, handling of chemical, biological, and radioactive weapons (KBR), and conducting search and rescue (SAR) activities.

Article 8 Paragraph (1) of Law Number 2 of 2002, which establishes the position of the Indonesian National Police (Polri) directly under the President, clearly opens the door to the possibility of the police being used as a tool for the President's political interests or becoming a force monopolizing the use of violence politically, rather than legally. Furthermore, the authority granted to the Indonesian National Police in Law Number 2 of 2002 (Articles 15, 16, 17, and 18) appears to grant them extremely broad authority in carrying out their duties. If this is not balanced by strong public oversight, the potential for abuse of power is significant. In many democratic countries, the existence of an external oversight to correct, direct, and develop the police force to become a professional organization dedicated to the public interest is an absolute prerequisite.

Based on the foregoing, it is clear that the Bomb Squad Sub-Detachment of the Mobile Brigade Corps (Brimob) has significant authority in responding to bomb threats within the jurisdiction of the Bali Regional Police. Bomb threats constitute a significant disruption to public order and security, and require specially trained personnel to address these high-stakes domestic security challenges and ensure public safety. They are supported by well-trained personnel with solid leadership and modern technological equipment.

Within its authority, the Indonesian National Police Mobile Brigade (Brimob) is responsible for, in collaboration with other police departments, taking action against perpetrators of high-stakes crimes, particularly mass riots, organized crime involving firearms, bombs, chemical, biological, and radioactive materials, in order to maintain law and order and public peace throughout the jurisdiction of the Republic of Indonesia. Brimob is authorized to assist other police departments, protect police officers and the public under threat, and replace police officers in regional units when the situation or target of the task force leads to high-stakes crimes.

According to Alexander Norman Rihi Mone, Head of Unit 2, Subden 2 Gegana Satbrimob Polda Bali, in facing and handling bomb threats within the jurisdiction of the Bali regional police, the standardization of Brimob capabilities is divided into several sections: pioneer, SAR, Gegana and Brimob intelligence. Each Brimob plays a role in high-intensity control, but Gegana is a small core that specifically handles terrorism cases.

## **Obstacles faced by the Bomb Squad of the Mobile Brigade Corps' Gegana Detachment in Dealing with Bomb Threats in the Bali Regional Police's Jurisdiction**

Bomb disposal sub-detachment personnel in carrying out the task of handling threats, finding, and disposing of bombs face various complex obstacles and risks. These obstacles include aspects of human resources, facilities and infrastructure, and budgets that require comprehensive solutions to ensure the success of the task and the safety of personnel, namely: 1. Human Resources Aspect. Human resources are the only resource that determines the direction of the organization in achieving its goals. The Mobile Brigade Unit of the Bali Regional Police certainly has very good goals and even though it is supported by sophisticated facilities, means and infrastructure, but without the support of good human resources, the goals will certainly be difficult to achieve. Because human resources are a strength that comes from the human potential that exists in a unit and is the basic capital of a unit to carry out its duties and functions. The risk of personnel safety is a major challenge in every operation. 2. Facilities and Infrastructure Aspect. For the facilities and infrastructure of the bomb disposal sub-detachment, the Gegana detachment of the Bali Regional Police Mobile Brigade Unit in carrying out defuse tasks, it really needs special bomb disposal equipment in carrying out its duties. The completeness of facilities and infrastructure should be a primary concern because it affects the success of tasks and can minimize the risks faced by personnel. One obstacle faced is the limited availability of modern equipment and the latest technology. The increasingly sophisticated development of bomb-making technology requires appropriate detection and disposal equipment. Facilities and infrastructure can also be an obstacle in handling terrorist acts such as bomb threats and the use of explosives, as stipulated in National Police Chief Regulation Number 11 of 2010 concerning Bomb Disposal.

The increasingly sophisticated use of technology and equipment used by perpetrators of terrorist crimes must also be accompanied by more sophisticated facilities and infrastructure to be owned by the unit tasked with handling terrorist crimes in the form of bomb threats and the use of explosives. Rejuvenation of facilities and infrastructure is important so that the handling and overcoming of terrorist crimes in the form of bomb threats and explosives can be overcome quickly, precisely, and

efficiently. Even if possible, the Bomb Squad can prevent bomb explosions that will be carried out by terrorists, although to be able to prevent terrorist crimes in the form of the use of bombs and explosives, collaboration between the Bomb Squad and the Intelligence Unit must be carried out properly and to bring out the role of the Intelligence Unit to the maximum, a legal umbrella is needed to legally protect the actions of the Intelligence Unit.

3. Budget Aspect. Bomb disposal is a capability owned by the Mobile Brigade Unit. It is called a unit because each movement consists of 10 personnel and is led by the Unit Head, from these personnel have different duties and responsibilities. Each bomb disposal unit personnel has a standard of ability that has been set by the Brimob Corps, to achieve this standard of ability each bomb disposal unit personnel has undergone vocational bomb disposal education at the Brimob Watu Kosek Education Center or has carried out training in the unit in carrying out their duties, bomb disposal unit personnel must also be supported by both individual equipment and unit equipment. Therefore, to achieve what has been described above, of course, it must be supported by an appropriate budget so that Brimob personnel are created who are ready to carry out tasks anytime and anywhere and are supported by equipment and supplies that are suitable for use. The budget factor is a very crucial right in the process of carrying out tasks in the field because this is where the benchmark will be faced. Specifically for the bomb disposal unit of the Bali Regional Police Mobile Brigade (Brimob) unit, it still requires a budget related to maintenance and care costs, especially for special equipment owned, almost all of which are products from abroad, requiring very large maintenance and care costs, resulting in much damage to equipment that cannot be covered by the current budget. Then there is no budget for the implementation of disposal / destruction of explosives or bombs in the Bali Regional Police Mobile Brigade unit.

4. Geographic Aspects. Bali is a strategic region with world tourist areas, geographical complexity that presents unique challenges for the Bomb Disposal Sub-Detachment in carrying out the mission of preventing and dealing with bomb threats. Diverse geographical characteristics, a combination of archipelagos, oceans and international borders create very complex security dynamics. The Bali archipelago presents significant surveillance challenges. Small islands scattered with very extensive maritime boundaries create a gray area in security control. The complexity of maritime surveillance is a major

concern. Every nook and corner of the ocean has the potential to become a route for the movement of illicit goods. Ships can easily move between islands, utilizing their navigational capabilities and local knowledge.

## Conclusion

The bomb squad sub-den of the Brimob Bali Police's Gegana detachment has the authority to deal with bomb threats, where this authority is the attribution authority of Article 2, Article 4 and Article 8 of Law Number 2 of 2002 concerning the Republic of Indonesia National Police, namely implementing and deploying the strength of the Indonesian Police's Mobile Brigade to overcome high-level public order disturbances, especially mass riots, organized crimes involving firearms, bombs, chemical, biological and radioactive materials. However, in carrying out this authority, the Bali Police's Gegana detachment sub-den of the Brimob Bali Police faces obstacles, both internal and external obstacles.

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