

# The Investigation of Criminal Negligence against Victims of Kanjuruhan Tragedy

*By InaR MochR*



## The Investigation of Criminal Negligence against Victims of Kanjuruhan Tragedy

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### ABSTRACT

*The Criminal Code does not formally define the meaning of negligence or forgetfulness. Then, the definition of negligence must be obtained from the opinions of criminal law experts and serve as a basis for defining the negligence itself. However, the Criminal Code stipulated the negligence in Article 359 and Article 360 of Criminal Code that distinguishes the result of negligence itself. Article 359 of Criminal Code explains the negligence that causes human mortality, and Article 360 of Criminal Code explains the negligence that causes serious injury to the victims. This research aims to determine the causes of Kanjuruhan Malang tragedy, who should be responsible for it, and the efforts to prevent the recurrence of the tragedy itself. This research is an empirical approach to the problem in accordance with the law that lives in society, as well as collected legal materials that are analyzed using qualitative methods, that produces descriptive information analysis. The results of this research indicate that organizing committee and the security have been negligent by making some mistakes that cause a lot of material and immaterial losses for the supporters. The organizing committee has neglected by not regulating the safety and security of the match according to PSSI regulations. Moreover, Security Officer Steward is negligent by not preparing a risk assessment document according to PSSI Regulations.*

**Keywords:** *Committee, Error, Kanjuruhan Tragedy, Negligence*

## INTRODUCTION

The Kanjuruhan tragedy is the biggest football tragedy in Indonesia, that caused by the shooting of tear gas by police. This action is contrary to the regulations of Federation Internationale de Football Association (FIFA), that firearms and tear gas cannot be used for crowd control.<sup>1</sup> Referring to the official FIFA safety document, Article 19 of the Grounds Control Authority for Groundsmen states: “Firearms and ‘human control gas’ may not be carried or used.”<sup>2</sup> The Kanjuruhan occurrence in this case contains all the necessary components of tragedy. The unfavorable circumstances that developed in Kanjuruhan sparked panic among the supporters, which led to casualties and fatalities.<sup>3</sup> There are a total of 756 victims, 135 casualties (93 females and 42 men), 596 individuals who had severe injuries, and 26 people who sustained minor injuries.<sup>4</sup> In addition, this research aims to determine the causes of Kanjuruhan Malang tragedy, who should be responsible for it, and the efforts to prevent the recurrence of the tragedy itself.

On Sunday, October 1<sup>st</sup>, 2022 at 20.00 WIB at Kanjuruhan stadium, Malang, the BRI Liga 1 Indonesia football match was held between Arema FC and Persebaya Surabaya. Before the match was held, on Monday 12<sup>th</sup> September 2022 Arema FC organizing committee sent a letter to Malang Police regarding the request for the reschedule of BRI Liga 1 Indonesia football match between Arema FC and Persebaya Surabaya that should be held on Saturday 1<sup>st</sup> October 2022 at 20.00 WIB. Then, Malang Police answered the letter by sending an official letter to match organizing committee which was forwarded to PT LIB (Liga Indonesia Baru), that was appointed by PSSI as the organizer of BRI Liga I Indonesia match to reschedule the match with the same day at 15.30 WIB with the consideration of safety factors. The letter was replied by PT LIB with Letter Number: 497/LIB-KOM/IX/2022 dated September 19<sup>th</sup>, 2022 regarding Request for a change of Kick Off Time Arema FC against Persebaya Surabaya on October 1<sup>st</sup>, 2022 signed by President Director of PT LIB Akhmad Hadian Lukita containing request that organizing committee should be consistent in organizing the soccer match between Arema FC against Persebaya Surabaya based to schedule, at 20.00 WIB.

<sup>1</sup> Jenny Yudha Utama et al., “The Root of Violence in Kanjuruhan Tragedy: An Evaluation for The Police Institution,” *Resolusi: Jurnal Sosial Politik* 5, no. 2 (December 11, 2022): 122–132, <https://ojs.unsiq.ac.id/index.php/resolusi/article/view/3604>.

<sup>2</sup> Fredrik Sokoy et al., “Kanjuruhan Indonesia Football Tragedy (Culture, Management, Governance, and Justice),” *International Journal of Human Movement and Sports Sciences* 11, no. 4 (July 2023): 753–761, [https://www.hrpub.org/journals/article\\_info.php?aid=13354](https://www.hrpub.org/journals/article_info.php?aid=13354).

<sup>3</sup> Nizvi Varra Azqiya, Michael H Hadylaya, and Nora Adelinda Siregar, “Analisis Isi Kecenderungan Pemberitaan Tragedi Kanjuruhan Pada Portal Berita Di Indonesia,” *Jurnal Riset Komunikasi* 6, no. 2 (August 8, 2023): 140–157, <https://jurnalrisetkomunikasi.org/index.php/jrk/article/view/755>.

<sup>4</sup> Moch Fuad Nasvian, Moch. Aan Sugiharto, and Muhammad Fadhilillah Setiamukti, “Day 7 of Kanjuruhan Tragedy: Twitter Data Analysis,” *Jurnal Audiens* 4, no. 2 (May 31, 2023): 242–253, <https://jurnalaudiens.umy.ac.id/index.php/ja/article/view/21>.

The match organizing committee in collaboration with Malang Police scheduled the match and organized security preparations, such as:

1. Meeting with regional coordinator (korwil) and field coordinator (korlap) Aremania at Aremania office with the results:
  - a. Aremania no flares, that Aremania did not light bright red smoky sparks during the match in the stadium,
  - b. Aremania no racist, Aremania does not distinguish between ethnicity skin color and religion during the match,
  - c. Aremania no anarchist, Aremania does not act arbitrarily which can cause chaos in the stadium or outside the stadium,
  - d. Aremania does not sweep motorized vehicles with police number L in Malang Raya,
  - e. Aremania no tickets, means Aremania only enter the stadium with official tickets
2. The security meeting at Mapolres Malang was led by head of operations about the troops' plotting that divided into 3 (three), including ring 1 is inside the stadium field consisting of Match Steward (security guards in stadium), Brimob, Police, Tni, Health Service; ring 2 is in the stadium stands consisting of Brimob, Police, Tni, Transportation Department, Sat Pol PP; ring 3 pam outside the stadium consisting of Satlantas, Transportation Department, Polek ranks, with the total number of 2086 troops,
3. Supporters guard meeting in rupertama Pasuruan Police led by Chief of Police with the results of Pasuruan Police that ready to protect the supporters from Pasuruan and Sidoarjo,
4. The meeting with Chief of Police, Polres Main Officials (PJU), Aremania representatives, and Match Steward to synergize match security agreed that Bonek (Persebaya) supporters are prohibited in Malang to watch the match live,
5. Prepare an emergency evacuation plan convergence,
6. Prepare a recommendation permit from Covid Gas Sat,
7. Prepare a security permit from the Polres,
8. Prepared 6 ambulances,
9. Prepare Kanjuruhan stadium with 14 economy doors, 1 VVIP door and 1 VIP door. During the match, all doors are open and guarded by joint officers.

Kanjuruhan Stadium was inaugurated by President Megawati Sukarno Puteri in 2005 with an audience capacity of 45.000 lined seats (38.000 people of single sit). The stadium door consists of 14 economy doors, 1 vvip door, 1 vip door, 7 gates leading to the field. In 2020 Kanjuruhan stadium was verified by PSSI including the completeness of the stadium consisting of lights, changing rooms,

field paint, entry and exit of players and officials, water and electricity systems, generators, parking lots, toilets, medical room, doping room, referee room, match supervisor room, ambulance, fire extinguisher, benches (bench for spare players), hallway in and out of players to the field and the room for press conference. The verification is all related to flexibility, comfort of players and officials during the match. In addition, Kanjuruhan stadium has never been verified for safety issues for players, officials and spectators.

On Saturday, October 1<sup>st</sup>, 2022 at 15.30 WIB at Kanjuruhan stadium, a Steward ceremony was held led by Security Officer Suko Sutrisno 5 along with 250 people followed by task distribution. The steward tasks are including inside the soccer field to drive away the supporter who came down to the field, and the entrance to the stadium to check tickets and measure the body temperature. Unfortunately, there was no command line, no communication tools, and the stewards did not know what to do when there were obstacles in the field because they had no training before the match. At 16.00 WIB, a joint security ceremony was held by Head of Operations of Malang Police, Kompol Wahyu Setyo Pranoto, followed by task distribution, there was no direction on the prohibition of using and carrying firearms or tear gas weapons when securing soccer matches in the stadium.<sup>5</sup>

The ticket counters were opened at 16.00 wib, and as many as 42,516 tickets were sold. Then, at 18.00 wib all security officers occupied their respective posts and all entrances were opened, the supporter began to enter the stadium which was divided into economy stands, VIP stands and VVIP stands. At 20.00 WIB the referee sounded the whistle signaling the starting match of Arema FC against Persebaya. The first match was intense, that each team attacked each other and broke into each other's goal with a score of 2 - 2 (draw) was created, the situation in the stands was still calm. When the second half began, the two teams attacked each other, that in 51st minute Persebaya managed to break into Arema FC goal, the position changed to 2 - 3 for Persebaya's victory, and the situation in the stands began to not conducive.

Towards the last 10 minutes, the supporter in the stands began to throw rice packets and plastic bottle towards the stadium because they were annoyed that Persebaya players were overextending themselves. The Arema FC players increasingly attacked, but the remaining match time and 7 minutes of additional time were unable to break the Persebaya goal. At 21.39 WIB the referee blew the whistle to mark the end of the match with a position of 2 - 3 for Persebaya's victory. As soon as the match was over, the Police and Stewards guarded the Persebaya players to enter the changing room and left the stadium immediately using 4 Brimob rantis. While in the field, the Arema FC players looked defeated and they went to

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<sup>5</sup> Milenio Januar Putra and Herma Setia<sup>5</sup>, "The Role of Indonesian Police Intelligence in Preventing Mass Soccer Spectators' Riot Based on The Regulation of The Head of Security Intelligence Agency of Indonesian National Police No. 2/2013," *IUS POSITUM (Journal of Law Theory and Law Enforcement)* 2, no. 3 (2023).

the supporter stands to celebrate apologizing. The incident lasted about 15 minutes and no supporter had come down to the field, the situation was still calm even though the supporter could not accept the loss.

When an Arema FC player headed to the front stands 7-8, the supporter followed by 3 people behind him came down to the field from stands 9 and 10. The supporter approached the Arema FC player to show his disappointment and the Arema FC player embraced them. The security officers came to push them away and took repressive action. Seeing this incident, hundreds of supporters came down to the field, which then conflicted with the security officers. Considering that the supporters who were on the field were getting bigger, the security officers moved back near the VIP stand and the sniffer dogs were released to drive away the audience. Considering that the conditions were getting less conducive, the Kasat Samapta Polres Malang Acp Bambang Sidik Achmadi who was inside the stadium field gave instructions to 2 of his members who were carrying tear gas guns to shoot the supporters who were in the middle of the field and in the north stand, as well as Danki Brimob.

For this incident, Directorate of General Criminal Investigation (Ditreskrim) of East Java Police conducted an investigation which included several activities:

- a. Asking for information from people who heard, saw, and experienced the incident that occurred at Kanjuruhan stadium,
- b. Investigating the tkp (crime scene) to examine and collect evidence scattered at Kanjuruhan stadium,
- c. Asking the expert statements related to the incident that occurred at Kanjuruhan stadium,
- d. Requesting a letter made under oath of office that relates to the incident that occurred at Kanjuruhan stadium,
- e. Asking for information about the alleged perpetrators of the incident that occurred at Kanjuruhan stadium.

From the of investigation activities, the valid evidence is obtained, including:

- a. The existence of information from people who hear, see and experience the incident that occur at Kanjuruhan stadium,
- b. There is evidence that can be collected from Kanjuruhan stadium that shows a criminal event has occurred,
- c. The existence of expert testimony (doctors) about the incident that occurred at Kanjuruhan stadium,
- d. There is a visum et repertum letter from the victim of the incident that occurred at Kanjuruhan stadium,
- e. There was a statement from alleged perpetrator of the incident that occurred at Kanjuruhan stadium. As a result, Directorate of General

Criminal Investigation (Ditreskrim) of East Java Police conduct more in-depth investigation activities.

## LITERATURE REVIEW

According to Article 1 point 2 of Criminal Procedure Code (KUHAP), investigation is a series of investigative actions that conducted based on the law to obtain and collect the evidence to prove that a crime has been committed. It also aims to find the suspect. Meanwhile, an investigator according to Article 1 point 1 of Criminal Procedure Code is an officer of Indonesian National Police who is specifically authorized by law to conduct the investigation process.

According to Article 1 paragraph 5 of Criminal Procedure Code, an investigation is a series conducted by an investigator to locate and detect an incident suspected of being a criminal offense in order to ascertain that the investigation can be conducted based on the law". Meanwhile, an investigator according article 1 point 4 of Criminal Procedure Code is an official of Indonesian police authorized by this law to conduct investigations.<sup>6</sup>

Based on Regulation of Republic Indonesia Police (Perpol) Number 14 of 2018 concerning Organizational Structure and Work Procedures of Regional Police, article 1 point 19 that Directorate of General Investigation, referred to as Ditreskrim, is an element of conducting the main tasks in General Investigation at police level under the Kapolda. In addition according to Annex XVI of Regulation of Indonesian National Police Number 14 of 2018 regarding Organizational Structure and Work Procedures of Regional Police, Directorate of Criminal Investigation of Polda East Java has the responsibility of organizing investigations and supervising investigations of general criminal acts, including identification functions and field laboratories.<sup>7</sup>

## RESULT AND DISCUSSION

Kanjuruhan Malang tragedy began with the defeat of Arema FC in BRI Liga I soccer match against Persebaya Surabaya with a score of 2-3 in the victory of Persebaya Surabaya.<sup>8</sup> The Aremania supporters cannot accept the lose since the team was rival with Persebaya and they play in their hometown along with the support from their own supporters.

After the football match was over, one of Arema FC players went to front stands of 7-8 to apologize for the defeat against Persebaya Surabaya, then a supporter followed by 3 people behind him came down from stands 9-10 to football

<sup>6</sup> Pemerintah Pusat, *Hukum Acara Pidana* (Jakarta, 1981).

<sup>7</sup> Muhammad Tito Karnavian Kepala Kepolisian Negara Republik Indonesia, *Susunan Organisasi Dan Tata Kerja (STOK) Kepolisian Daerah (POLDA)* (Jakarta, 2018).

<sup>8</sup> Yogie Alwatan, "Polri Crisis Communication: Polri Image Repair Strategy in Kanjuruhan Tragedy," *Translitera* 12, no. 1 (2023): 1-9.

field and approached the Arema FC player to protest and said "how can we lose to Persebaya Surabaya, this is about our pride." Then the Arema FC player embraced the supporter and said "sorry for the team's loss."<sup>9</sup>

Shortly afterwards, the security officers who were around the soccer field pushed the supporters away and instructed them to leave the soccer field by taking repressive actions with kicking them and beating them with sticks. The stewards who were on the soccer field brought in all Arema FC players to the changing room. The incident was seen by everyone in the stadium, and supporters in the stands were screaming because their friends were beaten.

Due to this incident, hundreds of Aremania supporters came down from all stands to soccer field and conflicted with security officers. Since the number of supporters on the soccer field is increasing, the security officers moved back near VIP stand and released the sniffer dogs to get rid of the supporters. Considering that the conditions were getting uncondusive, on his own initiative, Kasat Samapta Polres Malang, Akp Bambang Sidik Achmadi, who was responsible as the controlling officer at the soccer field, gave the instructions to 2 of his members who were carrying tear gas guns to shoot the supporters in the middle of the field and in the north stand.

Likewise, Danki Brimob Polda Jatim Akp Hasdarman who also controlling officer at the soccer field saw the Head of Sabhara Malang Police shooting tear gas, he also instructed one of his members to shoot tear gas in front of the south side goal which was filled with Aremania supporters, Then instructed 2 of his members to shoot tear gas towards the running track precisely behind the south side goal. Moreover, he commanded his members to shoot tear gas by saying "the next shooter is ready to shoot." Then 6 of his members shot tear gas at the supporters in the south stand.

As a result of the 11 water gas shots, the supporters and other audiences who were still in the stadium was panicked. They were jostled to get out of the stadium to avoid tear gas which was painful in the eyes and made it difficult to breathe. due to this incident, there was a buildup of spectators and supporters at door 3 of north stand and at doors 10, 11, 12, 13, 14 of south stand which incidentally there were no security officers at these doors. The spectators and supporters were crushed together, stepped on, trampled on, hurt their eyes and had difficulty breathing. This incident caused 135 spectators and supporters of Aremania died consisting of men, women, elderly, young, and children with blue-black facial conditions with the most dead victims being in the south stands, especially in the hallway of doors 13 and 14.

Based on the incident, Directorate of General Criminal Investigation (Direskrium) of East Java Regional Police conducted an investigation through the

<sup>9</sup> Mulkan Habibi et al., "Tragedi Kerusuhan Stadion Kanjuruhan Dalam Bingkai Media Asing," *Perspektif Komunikasi: Jurnal Ilmu Komunikasi Politik dan Komunikasi Bisnis* 7, no. 1 (June 30, 2023): 43, <https://jurnal.umj.ac.id/index.php/perspektif/article/view/16967>.



crime scene (tkp), collecting evidence around the scene, examining witnesses who were at the scene during the incident, examining victims who were still alive, requesting a post mortem for injured and dead victims along with the expert statements. The results of investigation concluded that there had been a criminal act that caused the death of 135 people. Based on the investigation result, the investigators of Ditreskrim Polda Jatim conducted an investigation into Kanjuruhan Malang tragedy case, and determined 6 people who were allegedly responsible for this incident. From the incident that occurred in Kanjuruhan stadium, the researchers analyze who should be responsible for this tragedy based on the legal perspective, such as:

### **1. Malang Chief of Police**

Malang Police Chief knows the situation of Kanjuruhan stadium in Malang, which is the venue for BRI Liga I football match between Arema FC and Persebaya Surabaya, and they also understands the behavior of Aremania. Therefore, the official letter was made to Chairman of Organizing Committee about rescheduling the match, but it was rejected and the match was still held as scheduled. Moreover, the Chief of Malang Police did not make a crowd permit but made a recommendation letter to obtain a crowd permit to East Java Police Directorate of Security. Based on that situation, the Chief of Organizing Committee had the audacity to hold Arema FC football match against Persebaya Surabaya, even though there was no crowd permit. Based on researchers' opinion, the Chief of Malang Police was not responsible for Kanjuruhan tragedy, because of several reasons:

- a. The Chief of Malang Police has tried to reschedule the match, but it was rejected,
- b. Only issue a Letter of Recommendation, not a crowd Permit,
- c. The implementation of security for soccer match between Arema FC and Persebaya Surabaya is the full responsibility of the Head of Operations of Malang Police as they are responsible for planning and controlling the security of the match.

### **2. President Director of PT LIB**

The President Director of PT LIB is responsible for ensuring that every stadium that organizes BRI Liga I soccer matches must have a proper certification and adequate layout requirements. Maybe he has reminded all the Heads of Organizing Committee to prepare the certification and the layout requirements are fulfilled, but there are problems like in the Kanjuruhan stadium in Malang, Abdul Haris is the Head of Organizing Committee only when BRI Liga I football match. In fact, Kanjuruhan stadium belongs to Malang Government, and the status of Head of Organizing Committee to Kanjuruhan stadium is a

lease. It is impossible for Head of Organizing Committee to handle the certification since it is the responsibility of Malang Government, in this case the manager of Kanjuruhan stadium. Based on the author's opinion, the President Director of PT. LIB is not responsible in Kanjuruhan tragedy since he may have reminded all the Heads of Organizing Committees to maintain the proper function certification and the requirements of the layout are fulfilled, but he also understands that Kanjuruhan stadium used for the match is a lease status. The President Director of PT LIB rejected the Malang Police Chief's request for a change of match schedule, but that was not the cause of Kanjuruhan tragedy. According to PSSI Regulations, the Head of Organizing Committee is fully responsible for all events in the match because he plans and controls the match. Therefore, the case file by prosecutor was returned to investigator and until his detention period expired, the investigator had not been able to complete the case file as required by the prosecutor.

### **3. Head of Organizing Committee**

The Head of Match Organizing Committee according to PSSI Regulations is fully responsible for all events in the match. Being the Head of Match Organizing Committee has no certification, just appointed, full control of the stadium only during the match and does not know what to prepare during the match for a safe and conducive situation. He was negligent in not making match safety and security regulations according to PSSI Regulations since he thought the safety and security of the match was the responsibility of the Chief Malang Police. He ignored the security by selling tickets beyond the stadium's capacity because the cost of the match was purely from ticket sales. He organized the match even though there was no crowd permit. In the author's opinion, the Head of Organizing Committee is responsible in Kanjuruhan tragedy because he has no knowledge of his duties, that caused several accidents, including not making match safety and security regulations in accordance with PSSI Regulations, selling tickets exceeding stadium capacity, holding matches without a Crowd Permit, and according to PSSI Regulations he is fully responsible for all events in the match because he plans and controls the match itself.

### **4. Security Officer Steward**

Security Officer Steward according to PSSI Regulations during soccer matches is responsible for the security of the soccer field. The Security Officer Steward was negligent in not making an assessment document according to PSSI Regulations. Moreover, the security officer steward instructed the stewards at the gates to leave the gates at the end of the

soccer match. Based on the author's opinion, the Security Officer Steward was guilty in Kanjuruhan tragedy because he did not have knowledge about the duties that caused he is not responsible in conducting their duties. According to PSSI Regulations, the Security Officer Steward should focus on the security of the soccer field during the soccer match, and they could not prevent the supporters from going down to the soccer field or to drive the supporters out of the soccer field through the emergency exit. All of those efforts was not conducted since they did not make a risk assessment document according to PSSI Regulations. In addition, Security Officer Steward only consist of 250 people that were fragmented placed at the gates, and even left when the match was over. Then, the strength on the soccer field was reduced.

#### **5. Kabag Ops Malang Police**

The Head of Operations of Malang Police ignored FIFA rules regarding the prohibition of flares and tear gas use in the stadium during the match. Based on author's opinion, the Head of Operations of Malang Police was responsible for Kanjuruhan tragedy, because maybe they did not know the FIFA rules regarding the prohibition of using flares and tear gas in the stadium during the match. In addition, the Head of Operations of Malang Police did not check the personnel's equipment during match security ceremony, then tear gas guns could enter the stadium and used to shoot tear gas at audience and supporters. However, their mistake did not directly result in the death of 135 supporters. Therefore on Thursday, 16 March, 2023 at verdict session of Surabaya District Court, the Head of Operations of Malang Police was acquitted.

#### **6. Head of Samapta Unit of Malang Police**

Kasat Samapta of Malang Police instructed his two members to shoot tear gas at audience and supporters who were on the soccer field and in the north stand. Based on the author's opinion, Kasat Samapta Polres Malang responsible in Kanjuruhan traged<sup>27</sup> or the reason that maybe he did not know that there was a ban on the use of flares and tear gas in the stadium during football matches. Otherwise, it was because the use of tear gas shoot for 214 supporters during the match of Arema FC against Persib Bandung in 2018 that resulting in no one died because of the shoot. However, his mistake did not result directly in the death of 135 supporters. Therefore on Thursday 16 March, 2023 at verdict court session of Surabaya District Court, Kasat Samapta Polres Malang was acquitted.

#### **7. Danki Brimob BKO (operation control assistance) Malang Police**

Danki Brimob Polda East Java Bko Polres Malang instructed one of his members to shoot tear gas in front of the south side goal which was filled with Aremania supporters, commanded 2 of his members to shoot tear gas towards the running track behind south side goal, instructed his members to shoot tear gas again by saying "the next shooter is preparing to shoot", and commanded a shooting order, than 6 of his members shot tear gas towards the audience and supporters who were in south stand. Based on researchers' opinion, Danki Brimob Bko Polres Malang was responsible in Kanjuruhan tragedy since they did not know that there was a prohibition to use flares and tear gas in the stadium during the soccer match. In addition, they did not know the situation and condition of the place, and they saw Kasat Samapta Polres Malang controlling the situation by firing tear gas. Then, they also did the same by shooting tear gas at the soccer field and the south stand. On Thursday, 16 March 2023, the verdict of Surabaya District Court stated that Danki Brimob was guilty because their mistake resulted directly in the death of 135 supporters.

The hashtag #PrayForKanjuruhan was used to identify a number of replies from members of the public on social media following the accident at Kanjuruhan Stadium. Twitter users interacted with one another in response to the Kanjuruhan Stadium disaster, as seen by the information sharing and public opinion formation that occurred there.<sup>10</sup> Many people regret that this tragedy can occur due to the negligence of apparatus and committee who cause hundreds of victims from the supporters.

## CONCLUSION

The organizing committee has neglected by not regulating the safety and security of the match according to PSSI regulations, because he thought the safety and security of the match was the responsibility of the police / military. He ignored the safety by selling tickets exceeding the stadium capacity which started with 38,000 (according to the stadium capacity) to 42,516 because the cost of the match was purely from ticket sales. He continued to organize matches even though there was no crowd permit. Furthermore, he was not responsible for the certification of Kanjuruhan stadium in Malang, which was to be used as the venue for Arema FC soccer match against Persebaya Surabaya, despite the fact that the last certification was made by PSSI in 2020. Thus, the person concerned has committed negligence that causing the death or cause serious injuries and is charged with articles 359 and

<sup>22</sup> Gusti Naufal Rizky Perdana, Bambang Irawan, and Paisal Akbar, "#PrayForKanjuruhan On Twitter: Public Response to Kanjuruhan Stadium Disaster," *Nyimak: Journal of Communication* 7, no. 1 (March 26, 2023): 89, <https://jurnal.umt.ac.id/index.php/nyimak/article/view/7209>.

or 360 of Criminal Code with a <sup>13</sup> maximum imprisonment of 5 years and a minimum imprisonment of 1 year.

Meanwhile, Security Officer Steward is negligent by not preparing a risk assessment document according to PSSI Regulations. Furthermore, the security officer ignore the PSSI regulations, then they could not conduct his <sup>28</sup> duties properly. The police already know the FIFA rules regarding the prohibition of the use of flares and tear gas in the stadium, but have neglected by persisting and instructed several members to shoot tear gas which resulted in casualties from injuries to death. Thus, the person concerned has committed negligence that cause the death of people or <sup>13</sup> serious injuries and is charged with articles 359 and or 360 of Criminal Code with a maximum imprisonment of 5 years and a minimum imprisonment of 1 year.

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