

## ABSTRAK

Rekrutmen Calon Pegawai Negeri Sipil (CPNS) merupakan instrumen fundamental dalam mewujudkan Aparatur Sipil Negara (ASN) yang profesional, berintegritas, dan berdaya guna sebagai pelaksana amanat konstitusi sebagaimana diatur dalam Pasal 28D ayat (2) UUD NRI 1945. Namun dalam beberapa tahun terakhir, tingginya angka pengunduran diri peserta setelah dinyatakan lulus seleksi menimbulkan persoalan yuridis dan administratif yang signifikan. Data Badan Kepegawaian Negara menunjukkan bahwa pada seleksi CPNS tahun 2024 terdapat 1.967 calon yang mengundurkan diri atau sebesar 12,12% dari formasi yang seharusnya terisi. Kondisi ini tidak hanya menimbulkan kekosongan formasi, terutama pada jabatan strategis dan formasi khusus seperti penempatan di daerah 3T, tetapi juga menyebabkan kerugian negara akibat biaya rekrutmen serta terganggunya kualitas pelayanan publik. Meskipun Undang-Undang Nomor 20 Tahun 2023 tentang ASN mengatur manajemen ASN, belum terdapat pengaturan komprehensif mengenai konsekuensi hukum bagi CPNS yang mengundurkan diri setelah dinyatakan lulus. Peraturan Menteri PANRB, termasuk Permen PANRB Nomor 6 Tahun 2024, hanya memberikan sanksi berupa larangan melamar selama dua tahun tanpa ketentuan pertanggungjawaban finansial, sehingga terjadi kekosongan norma dan ketidakpastian hukum. Ketiadaan mekanisme sanksi yang tegas melemahkan akuntabilitas proses seleksi, menimbulkan inefisiensi anggaran, serta membuka peluang terulangnya fenomena pengunduran diri secara masif. Penelitian ini menggunakan pendekatan yuridis normatif untuk menganalisis implikasi hukum pengunduran diri CPNS dan urgensi pembentukan regulasi yang mengatur mekanisme pertanggungjawaban hukum secara proporsional. Rekomendasi yang ditawarkan meliputi penerapan skema sanksi finansial berdasarkan tahapan seleksi yang telah dilalui, penguatan perjanjian administratif sejak awal seleksi, serta harmonisasi kebijakan antarinstansi. Hasil penelitian ini diharapkan berkontribusi pada pengembangan ilmu hukum administrasi negara, khususnya dalam memperkuat kepastian hukum, efisiensi anggaran, dan efektivitas manajemen ASN.

Kata Kunci: Pengunduran Diri CPNS, Rekrutmen CPNS, Pertanggungjawaban Hukum

## **ABSTRACT**

*The recruitment of Civil Servant Candidate (CPNS) is a fundamental instrument in realizing a professional, integrity-driven, and effective State Civil Apparatus (ASN) as the implementer of constitutional mandates as regulated in Article 28D Paragraph (2) of the 1945 Constitution of the Republic of Indonesia. However, in recent years, the high rate of resignation among participants after passing the selection has raised significant legal and administrative issues. Data from the National Civil Service Agency indicate that in the 2024 CPNS selection, there were 1,967 candidates who resigned, accounting for 12.12% of the positions that should be filled. This condition not only causes vacancies, especially in strategic positions and special formations such as placements in 3T areas, but also results in financial losses to the state due to recruitment costs and disrupts the quality of public services. Although Law Number 20 of 2023 concerning ASN regulates ASN management, there is no comprehensive regulation regarding legal consequences for CPNS who resign after being declared successful. The Ministerial Regulation of PANRB, including Permen PANRB Number 6 of 2024, only provides sanctions in the form of a two-year ban from applying, without provisions on financial accountability, leading to normative gaps and legal uncertainty. The absence of strict sanctions mechanisms weakens the accountability of the selection process, causes budget inefficiencies, and opens opportunities for mass resignation phenomena to recur. This research employs a normative juridical approach to analyze the legal implications of CPNS resignation and the urgency of establishing regulations that regulate proportionate legal accountability mechanisms. The recommended solutions include implementing a financial sanctions scheme based on the stages of the selection process passed, strengthening administrative agreements from the beginning of the selection, and harmonizing policies across agencies. It is hoped that this research will contribute to the development of administrative law science, particularly in strengthening legal certainty, budget efficiency, and the effectiveness of ASN management.*

*Keywords: CPNS Resignation, CPNS Recruitment, Legal Responsibility*