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Legal Measures to Support the Process of Asset Recovery in the State-Owned Enterprises Banking Sector Post-Corruption Cases

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ABSTRACT

This study aims to identify obstacles and formulate strategic measures to optimize asset recovery in the State-Owned Enterprises Banking sector post-corruption cases. This research employs a normative legal research method with a comparative approach, where the collected legal materials are analyzed qualitatively to describe the problems and answer the research objectives. The results show that asset recovery faces multidimensional challenges, including weaknesses in the legal framework, limitations in the capacity and integrity of law enforcement officers, lack of facilities and infrastructure, and efforts by the accused to avoid asset recovery. Optimizing asset recovery requires a comprehensive strategy encompassing the enactment of the Bill on Criminal Asset Forfeiture, strengthening the legal and institutional framework, enhancing the capacity and integrity of law enforcement, improving facilities and infrastructure, optimizing the civil route, and strengthening international cooperation. Therefore, it is recommended that the Government, Directors of State-Owned Enterprises Banking, the Asset Recovery Center, and law enforcement agencies undertake various optimization efforts, such as accelerating the enactment of the Bill on Criminal Asset Forfeiture, increasing the budget, strengthening corruption prevention systems, enhancing the competence of law enforcement officers, and strengthening international cooperation. Furthermore, the Public Prosecutor is expected to maximize the use of Article 18 of Law Number 31 of 1999 in indictments, enabling judges to issue optimal rulings for asset recovery in the State-Owned Enterprises Banking sector post-corruption cases.

Keywords: Asset Forfeiture; Asset Recovery; State Losses; Corruption; State-Owned Enterprises Banking.

INTRODUCTION

Indonesia entered the reformation era with a burning spirit to eradicate corruption, collusion, and nepotism (KKN) that had eroded the foundations of the nation and state (Hanif, 2022). The hope for a clean government, free from KKN, was realized with the enactment of Law Number 28 of 1999. In the same year, the Government enacted Law Number 31 of 1999¹ as a form of its commitment to eradicating corruption without exception.

Law Number 31 of 1999 was established in response to deep concerns about the impact of corruption, which is detrimental to state finances, hinders national development, and injures the public's sense of justice. Philosophically, this law manifests the noble ideals of the Indonesian people to realize a just, prosperous, and equitable society based on Pancasila and the 1945 Constitution. Corruption is seen as a severe threat to achieving these national goals, so its eradication is a top priority (Harefa et al., 2020).

From a sociological perspective, corruption not only harms state finances and the economy but also hinders the growth and sustainability of national development (Aïssaoui & Fabian, 2021). Corruption creates inefficiency, distorts resource allocation, and reduces national competitiveness. Therefore, Law Number 31 of 1999 serves as an

¹Law Number 31 of 1999 on the Eradication of Corruption Crimes is amended by Law Number 20 of 2001.

instrument to create a clean and transparent social order conducive to implementing sustainable national development. Juridically, the birth of [Law Number 31 of 1999](#) was motivated by the need to replace [Law Number 3 of 1971](#), which was no longer relevant to the times' developments and society's legal needs ([Saputri, 2020](#)). This new law is expected to be more effective in preventing and eradicating corruption by strengthening the legal framework, expanding the scope of corruption crimes, and increasing sanctions for perpetrators of corruption.

On the other hand, there is an urgent need for a separate, independent institution to eradicate corruption. This aspiration is in line with Article 43 of [Law Number 31 of 1999](#), which mandates the formation of the Corruption Eradication Commission. Following this mandate, the Government enacted [Law Number 30 of 2002](#)². The Corruption Eradication Commission is expected to be an institution free from any power intervention and able to eradicate corruption professionally, intensively, and continuously.

However, despite being equipped with a relatively solid legal instrument, Indonesia's journey in eradicating corruption is still full of twists and challenges ([Rompegading, 2022](#)). The 2023 Corruption Perception Index released by [Transparency International \(2024\)](#) shows a score of 34, placing Indonesia at 115th out of 180 countries. This score not only decreased by 4 points compared to the previous two years but also became the lowest score since 2015. Data from [Indonesia Corruption Watch \(2024, 19 May\)](#) further emphasizes this bitter reality, recording 791 corruption cases involving 1,695 suspects at the investigation stage in the police force. Meanwhile, for all stages of trial throughout 2023, [Indonesia Corruption Watch \(2024, 14 October\)](#) recorded 1,649 corruption cases involving 1,718 accused. The amount of state losses successfully monitored in the trial process was Rp 56.07 trillion.

Ironically, corruption not only occurs in the government environment but also spreads to vital sectors of the economy, including the banking sector, which is the backbone of the country's financial system. The State-Owned Enterprises Banking sector, which should be an example and pioneer in implementing the principles of Good Corporate Governance, is involved in a vortex of corruption that harms state finances. The public still clearly remembers mega-scandals such as the Bank Century case, the Bank Indonesia Liquidity Assistance scandal, the Cessie Bank Bali case, and the Bank Global case, which not only caused trillions of rupiah in losses but also tarnished the image of Indonesian banking in the eyes of the world ([ICW, 2010](#)).

Corruption cases in the State-Owned Enterprises Banking sector continue to emerge, indicating that corruption in this sector is not an incidental phenomenon but a

²Law Number 30 of 2002 on the Corruption Eradication Commission is amended twice: by Law Number 10 of 2015 (enacting Government Regulation in Lieu of Law Number 1 of 2015) and Law Number 19 of 2019.

systemic problem requiring extra and comprehensive handling. For example, in 2023, Bank Rakyat Indonesia, Bumi Serpong Damai Branch, was involved in a corruption case that resulted in a state loss of Rp 5.1 billion (Kurnia, 2023). PT Bank Mandiri, one of the largest State-Owned Enterprises Banks in Indonesia, has also been recorded several times involved in corruption cases, including at the Jakarta Prapatan Branch in 2002 with a state loss of Rp 120 billion (Faizal & Kurniati, 2022) and at the Sidoarjo Branch of Sharia in 2021 with a state loss of Rp 14.25 billion (Maharani & Krisiandi, 2021).

The State-Owned Enterprises Banking sector and the Regional-Owned Enterprises Banking sector are also not spared from the snare of corruption that harms state finances. Various corruption cases in the regional-owned enterprises' banking sector show that this problem reaches all levels of Indonesian banking. Bank Jambi, for example, recorded a loss of up to Rp 310 billion due to corruption (Suwandi & Arief, 2023). An even more significant loss was experienced by Bank Jawa Tengah, reaching Rp 500 billion (Aji, 2021). Fictitious credit practices have also become a mode of corruption in the regional-owned enterprises' banking sector, as happened at Bank Jawa Timur, where losses reached Rp 170 billion (Faizal & Pratiwi, 2021).

In addition to the cases with fantastic loss values, there are also many corruption cases in the Regional-Owned Enterprises Banking sector with more minor nominal losses that are still detrimental to state finances. Examples are the corruption case at Bank Jabar Banten (BJB) of Sharia, which involved the board of directors and resulted in a loss of Rp 10.9 billion (Ridho & Arief, 2022), and the corruption case at Bank Jabar Banten (BJB) Semarang Branch with a loss of Rp 25.1 billion (Soebanto & Senjaya, 2023). Meanwhile, in 2023, *Indonesia Corruption Watch (2024, 19 May)* noted 65 corruption cases in the banking sector, with state losses reaching Rp 984.53 billion.

The rampant corruption cases in the banking sector have a very detrimental impact on state finances and public trust in the national banking system. Corruption erodes public trust, the primary foundation for the banking sector to collect funds and distribute credit (Putera, 2020). The loss of public trust can cripple banking activities and, in turn, affect the stability of the national financial system. Therefore, the government must take strategic and comprehensive measures to recover corrupted state assets and restore public trust in national banking.

In this context, asset recovery becomes very crucial (Prakarsa & Yulia, 2017). Asset recovery is the process of handling the proceeds of crime in an integrated manner to return these assets to the rightful owner, including the state. The principle of asset recovery has been recognized internationally and implemented in Indonesia through various legal instruments. The *UNCAC* even allows asset recovery through civil

and criminal claims; asset forfeiture measures are also possible without prosecution under certain circumstances (Borlini & Rose, 2024).

In Indonesia, asset recovery efforts through disgorgement and asset forfeiture have also been regulated in Article 18 of Law Number 31 of 1999. Asset recovery efforts are strengthened by the presence of Supreme Court Regulation Number 5 of 2014, which contains guidelines on imposing an additional disgorgement penalty for corruption crimes. Meanwhile, Attorney General Regulation Number PER-027/A/JA/10/2014³ contains guidelines on the procedures and governance of asset recovery in order to implement court decisions that have obtained permanent legal force. However, asset recovery often encounters various obstacles and challenges despite a supportive legal framework. The complexity of this problem demands an in-depth study to identify inhibiting factors and formulate effective solutions in optimizing state asset recovery.

Based on the description above, this study aims to identify the obstacles in the asset recovery process in the State-Owned Enterprises Banking sector post-corruption cases. Furthermore, this study also aims to formulate strategic measures to optimize asset recovery in the State-Owned Enterprises Banking sector post-corruption cases. Thus, it is hoped that this research can increase the effectiveness of law enforcement and state asset recovery in corruption cases in the State-Owned Enterprises Banking sector.

METHOD

This research employs a normative juridical approach, which, in its assessment, refers to legal norms found in statutory regulations, court decisions, and prevailing legal norms within society (Qamar & Rezah, 2020). To enrich the analysis, this research utilizes a comparative law approach, drawing upon legal frameworks and experiences from other jurisdictions to provide a broader perspective on asset recovery mechanisms. The research uses a descriptive-analytical specification to reveal statutory regulations related to the legal theories under investigation. This approach aims to obtain a systematic, factual, and accurate picture of the facts existing in society by examining relevant laws, regulations, and court decisions alongside empirical observations from the field (Sampara & Husen, 2016).

The research is conducted in two stages:

1. Literature research: This stage examines secondary data sources consisting of primary, secondary, and tertiary legal materials. It includes reviewing relevant laws, regulations, court decisions, legal journals, and academic publications.

³Attorney General Regulation Number PER-027/A/JA/10/2014 on Guidelines for Asset Recovery is amended twice: by Attorney General Regulation Number 9 of 2019 and Attorney General Regulation Number 7 of 2020.

2. Field research: This stage is conducted to obtain primary data to support the analysis of research results. Primary data will be collected through interviews with relevant law enforcement agencies and stakeholders in banking institutions. This direct engagement with practitioners will provide valuable insights into the banking sector's practical challenges and realities of asset recovery.

This study utilizes both primary and secondary data. Data analysis in normative legal research is done by systematizing written legal materials. Systematization involves classifying these legal materials to facilitate the analysis and construction of arguments (Soekanto & Mamudji, 2019). This comprehensive analysis of legal norms and empirical data aims to identify the obstacles hindering asset recovery in the State-Owned Enterprises Banking sector and formulate strategic measures to optimize the process.

RESULTS AND DISCUSSION

A. Obstacles to Asset Recovery in the State-Owned Enterprises Banking Sector Post-Corruption Cases

Indonesia continues to grapple with the rampant phenomenon of corruption, attacking various aspects of state life, including the banking sector, an essential pillar of the economy. Data from [Indonesia Corruption Watch \(2024, 19 May\)](#) reveals that out of 791 corruption cases involving 1,695 suspects at the investigation stage in the police force, 65 cases occurred in the State-Owned Enterprises Banking sector. More specifically, 29 cases occurred in State-Owned Enterprises Banking, 28 cases in Regional-Owned Enterprises Banking, and 8 cases in other financial industries, with the total monitored state losses reaching Rp 984.53 billion. Sadly, this figure is only a tiny part of the total state losses due to corruption, which reached Rp 56.07 trillion with 1,718 accused in all stages of trial throughout 2023. Amid the high number of cases and state losses, asset recovery efforts post-corruption cases, especially in corruption cases in the State-Owned Enterprises Banking sector, still face various obstacles.

Asset recovery in the State-Owned Enterprises Banking sector post-corruption cases is not merely a matter of recovering state losses. More than that, asset recovery is an effort to protect the interests of the public who place their trust in the State-Owned Enterprises Banking sector as a financial institution that collects funds and distributes credit (Suwitoyo et al., 2021). Losses due to corruption in the State-Owned Enterprises Banking sector can have a systemic impact, disrupting the financial system's stability and, in turn, harming the wider community, especially customers and debtors. Therefore, asset recovery becomes

very crucial in maintaining public trust and ensuring the smooth functioning of the State-Owned Enterprises Banking sector in supporting economic growth.

Normatively, asset recovery has been regulated in Article 18 of [Law Number 31 of 1999](#). This article mandates the application of an additional penalty of disgorgement, which must be included in the indictment and charges by the Public Prosecutor, along with Article 2 or Article 3 of [Law Number 31 of 1999](#) (the main criminal article). However, in practice, the implementation of Article 18 of [Law Number 31 of 1999](#) is still not optimal. Data from [Indonesia Corruption Watch \(2024, 14 October\)](#) shows that out of 1,649 corruption cases in 2023, the Public Prosecutor only included the article on the additional disgorgement penalty in 866 cases.

Although cumulatively, the disgorgement claims filed by the Public Prosecutor reached Rp 83.34 trillion, exceeding the recorded total state losses, the judge's decision regarding the additional disgorgement penalty was only Rp 7.34 trillion. This significant disparity indicates obstacles in the asset recovery process. Moreover, in the context of corruption in the State-Owned Enterprises Banking sector, judges tend not to maximize the application of the additional disgorgement penalty so that the nominal decision is not comparable to the amount of state losses due to the accused's actions.

After a court decision has permanent legal force, [Law Number 31 of 1999](#) mandates convicts to pay disgorgement no later than one month. If the convict does not pay, then their assets will be confiscated and seized by the Prosecutor to be auctioned off to cover the disgorgement. This process of confiscation and asset forfeiture is carried out by the Asset Recovery Center based on [Attorney General Regulation Number PER-013/A/JA/06/2014](#). However, the effectiveness of the Asset Recovery Center in carrying out its duties also faces various challenges, such as the difficulty of tracing hidden assets, the lack of international cooperation in asset recovery located abroad, and the lengthy bureaucratic process that hinders asset execution.

The low effectiveness of asset recovery demands an in-depth study to identify and analyze the inhibiting factors. Based on the theory of legal effectiveness, the effectiveness of a law depends not only on the clarity of the norm but also on the extent to which the law is obeyed and implemented effectively ([Soekanto, 2007](#)). Therefore, an analysis of the obstacles to asset recovery in the State-Owned Enterprises Banking sector post-corruption cases needs to be carried out comprehensively by considering various influencing factors, including legal, law enforcement, means or facility, and accused factors.

1. Identification of Obstacles from the Legal Factor Side

Asset recovery efforts in the State-Owned Enterprises Banking sector post-corruption cases face various challenges, primarily stemming from legal factors. Although regulations have governed asset forfeiture and the payment of disgorgement as an additional penalty, both in [Law Number 31 of 1999](#), the [Old Penal Code](#), and the [New Penal Code](#), which will take effect in 2025, their implementation is still not optimal. It is reflected in several legal obstacles that hinder the asset recovery process in the State-Owned Enterprises Banking sector ([Haswandi, 2015](#)).

First, the definition of recoverable assets in [Law Number 31 of 1999](#) is not comprehensive enough. The definition tends to be limited to state money or goods taken by perpetrators of corruption and does not broadly cover various forms of profit obtained through abuse of authority, which results in state losses ([Kurniawan et al., 2022](#)). In fact, [Supreme Court Regulation Number 5 of 2014](#) has provided a basis for determining the maximum possible disgorgement equal to the assets obtained from corruption, not only limited to the amount of state financial losses. It can be seen in [Decision Number 18/Pid.Sus-TPK/2023/PN Srg](#), where the judge only set an additional penalty of disgorgement of Rp 290 million, while the state loss at the Regional-Owned Enterprises Banking reached Rp 58 billion. This condition makes it challenging to maximize asset recovery efforts, especially in corruption cases in the State-Owned Enterprises Banking sector, which often involves complex *modi operandi* and disguised assets.

Second, the weak regulation regarding asset tracing and identifying hidden assets is a severe obstacle ([Sukardi, 2022](#)). [Attorney General Regulation Number 7 of 2020](#), which regulates this matter, is considered inadequate to deal with the development of increasingly sophisticated money laundering methods. Perpetrators of corruption in the State-Owned Enterprises Banking sector tend to hide assets through third parties, complex financial instruments, and even crypto assets that are difficult to trace. Asset recovery efforts will be hampered without solid and comprehensive regulations regarding asset tracing.

Third, the authority and mandate of the Asset Recovery Center under the Attorney General need to be strengthened through law ([Karianga, 2020](#)). Although the Asset Recovery Center has a vital role in tracing, seizing, and confiscating assets, without the support of clear and firm regulations, the effectiveness of the Asset Recovery Center's performance can be disrupted. Strengthening the authority of the Asset Recovery Center is needed to be more

optimal in carrying out its duties, including accessing information from various financial institutions, both domestically and abroad.

Fourth, the [Bill on Criminal Asset Forfeiture](#) has not yet been enacted, an obstacle. This Bill is expected to comprehensively regulate the procedures and mechanisms and authorize parties to forfeit assets resulting from corruption, including corruption in the State-Owned Enterprises Banking sector. The existence of a particular law on asset forfeiture will strengthen the legal basis for law enforcement in carrying out asset recovery.

In addition, several other legal factors that also become obstacles are the principle of dual criminality in extradition treaties, the lack of extradition treaties with certain countries, and differences in legal systems between countries ([Mohas et al., 2021](#)). It complicates asset recovery efforts taken abroad by perpetrators of corruption in the State-Owned Enterprises Banking sector. Stronger international cooperation is needed to overcome jurisdictional constraints and facilitate the asset recovery process in foreign jurisdictions.

Finally, asset recovery can also be seen as a civil sanction in addition to criminal sanctions ([Montana & Firmansyah, 2022](#)). Although [Minister Regulation Number PER-07/MBU/07/2020](#) has regulated procedures for settling state losses within the Ministry of State-Owned Enterprises, asset recovery through a civil lawsuit mechanism still faces the obstacle of reversing the burden of proof. The principle of *actori incumbit probatio* requires the State Attorney (JPN) as the plaintiff to prove their arguments, thus requiring extra effort in gathering strong evidence ([Rahmardiko et al., 2024](#)). In addition, the tiered and time-consuming civil lawsuit process, starting from the first instance court, appeal, to cassation at the Supreme Court, is an obstacle in efforts to recover assets in the State-Owned Enterprises Banking sector quickly and effectively.

2. Identification of Obstacles from the Law Enforcement Factor Side

Legal and law enforcement factors constrain asset recovery in the state-owned enterprises' banking sector post-corruption cases. The quality and effectiveness of law enforcement in carrying out their duties are very decisive in the success of asset recovery. However, in reality, there are several obstacles originating from law enforcement itself, which ultimately affect the optimization of asset recovery in the State-Owned Enterprises Banking sector.

One of the main obstacles is the lack of human resources (HR) and particular expertise in asset tracing ([Joeroy et al., 2023](#)). Handling corruption

cases in the State-Owned Enterprises Banking sector demands particular finance, accounting, and information technology expertise to trace assets often disguised through complex financial instruments or sophisticated technology. This limitation of HR and expertise causes the asset tracing process ineffective and hinders asset recovery efforts.

In addition, the role of the Asset Recovery Center in providing guidance and technical support to law enforcement is also not optimal. The Asset Recovery Center should play an active role in providing technical guidance, training, and assistance to Police Investigators, Public Prosecutors, and Judges in handling corruption cases involving the assets of the State-Owned Enterprises Banking sector. However, in practice, coordination and synchronization between the Asset Recovery Center and law enforcement in the field still need to be improved (Sihite & Mustofa, 2021).

Another quite significant obstacle is the process of investigating corruption crimes (Sitompul, 2023). The difficulty of obtaining evidence, intervention from certain parties, or the lack of cooperation between law enforcement agencies often become obstacles in uncovering corruption cases in the State-Owned Enterprises Banking sector. This condition, of course, affects the asset recovery process because efforts to trace, seize, and confiscate the proceeds of corruption will be hampered without a smooth legal process.

The weak coordination mechanism between institutions involved in asset recovery is also an inhibiting factor (Sururoh et al., 2023). Effective coordination between the Supreme Court, Attorney General, Ministry of State-Owned Enterprises, the Audit Board, Corruption Eradication Commission, Financial Services Authority, and Financial Transaction Reports and Analysis Center is necessary to ensure asset smooth and successful recovery. However, each institution tends to work individually, resulting in overlapping authority and inefficiency in the asset recovery process.

Finally, the potential for collusion and corruption in asset recovery cannot be ignored. Collusion and corruption can occur at various stages, starting from investigation, prosecution, and judgment to the execution of the decision on the additional penalty of disgorgement. This practice of collusion and corruption is detrimental to the state and hinders asset recovery efforts in the State-Owned Enterprises Banking sector. Therefore, it is necessary to improve the integrity and professionalism of law enforcement as well as strict supervisory mechanisms to prevent collusion and corruption in the asset recovery process (Nur & Mashdurohatun, 2024).

3. Identification of Obstacles from the Means or Facilities Side

Asset recovery in the State-Owned Enterprises' Banking sector post-corruption cases does not solely depend on the legal framework and the performance of law enforcement but also the availability of adequate means and facilities. Means and facilities are essential supporting factors in ensuring the effectiveness of the asset recovery process. However, in reality, the limitations of means and facilities become one of the obstacles in efforts to recover state assets corrupted in the State-Owned Enterprises Banking sector.

Budget limitations are the main obstacle in tracing and seizing assets, especially assets located abroad or disguised in sophisticated ways (Mahmud, 2023). Tracing assets abroad requires considerable costs, including investigations, coordination with foreign authorities, and legal processes in other jurisdictions. Similarly, tracing assets disguised through complex schemes, such as shell companies or derivative financial instruments, requires particular expertise and technology that costs much money. Budget limitations hinder law enforcement in conducting optimal asset tracing and cause many unrecoverable assets resulting from corruption in the State-Owned Enterprises Banking sector.

In addition to budget limitations, limitations of facilities and infrastructure are also an inhibiting factor. Sophisticated information technology, an integrated database, and a modern forensic laboratory are indispensable to support the asset recovery process. Information technology is needed to track the flow of funds and identify assets hidden electronically (Darmadi & Dananjaya, 2024). An integrated database makes it easier for law enforcement to access information regarding asset ownership and the financial track record of perpetrators of corruption. Forensic laboratories play a role in analyzing and processing digital evidence often used in corruption cases in the State-Owned Enterprises Banking sector. These limitations in facilities and infrastructure cause the asset recovery process inefficient and potentially fail to recover assets of the State-Owned Enterprises Banking sector post-corruption cases.

4. Identification of Obstacles from the Accused Factor Side

Asset recovery in the State-Owned Enterprises' Banking sector post-corruption cases not only faces challenges from the legal side, law enforcement, and infrastructure but also the accused themselves. The accused, with various efforts and strategies, can be a significant inhibiting factor in the asset recovery process. The efforts of the accused to avoid accountability and maintain assets

resulting from corruption pose complexity in the asset recovery process in the State-Owned Enterprises Banking sector.

One tactic the accused often uses is involving other parties to avoid asset tracing. Cooperation with family, friends, or professionals, such as lawyers and financial consultants, is carried out to hide or disguise assets resulting from corruption. For example, the accused can transfer assets to family or friends to avoid confiscation or use professional services to create complex financial structures to make asset tracing difficult (Manihuruk et al., 2020).

In addition, the accused tends to take advantage of existing legal loopholes to avoid asset forfeiture (Lasmadi et al., 2023). They can claim that the assets they own were obtained legally or did not result from corruption. This tactic is often accompanied by filing objections and lawsuits that slow the asset recovery process. Pretrial or civil lawsuits against asset seizure actions can take months or even years, hindering the state's efforts to recover assets in the corrupted State-Owned Enterprises Banking sector immediately.

Efforts to hide assets are the most common tactic employed by the accused. They can transfer ownership of assets to third parties, domestically and abroad, through various financial instruments. Shell companies, accounts in other people's names, investments in hard-to-trace assets such as crypto assets, or placing assets in tax haven countries are some ways to hide the proceeds of corruption (Calafos & Dimitoglou, 2023). Thus, the obstacles posed by the accused further complicate the challenges in the asset recovery process in the State-Owned Enterprises Banking sector post-corruption cases. Without extra effort from the state and its law enforcement, asset recovery in the state-owned enterprises banking sector post-corruption cases will be increasingly complex, and corrupted state assets will be difficult to recover for the benefit of the community.

B. Optimizing Asset Recovery in the State-Owned Enterprises Banking Sector Post-Corruption Cases

Based on identifying obstacles to asset recovery in the State-Owned Enterprises Banking sector post-corruption cases from various factors, comprehensive and integrated legal measures are needed to overcome these problems. These solutions must be based on relevant legal theories and aim to create an effective, efficient, and equitable asset recovery system. The following are the legal measures needed to support the asset recovery process in the State-Owned Enterprises Banking sector post-corruption cases.

1. Promoting the Enactment of the Bill on Criminal Asset Forfeiture

After corruption cases, asset recovery in the state-owned enterprises' banking sector faces various complex challenges. The [Bill on Criminal Asset Forfeiture](#) emerges as a crucial solution expected to overcome these problems holistically. The urgency of enacting this Bill is increasing considering the multidimensional problem of asset recovery, including legal factors, law enforcement, infrastructure, and the tactics of the accused in avoiding asset recovery.

The [Bill on Criminal Asset Forfeiture](#) offers several advantages in optimizing asset recovery. *First*, this Bill will expand the definition of assets to include all profits from corruption, including those derived from abuse of authority. It is in line with the theory of legal instrumentalism, which emphasizes the function of law as an instrument to achieve goals, namely the maximum recovery of state assets (Lee & Ip, 2020). *Second*, this Bill will strengthen asset tracing by granting broader authority to law enforcement, including accessing banking information and tracing assets hidden through complex financial instruments such as trusts, shell companies, and crypto assets.

Other advantages include strengthening the authority of the Asset Recovery Center and the mechanism for inter-agency coordination. Strengthening the authority of the Asset Recovery Center will optimize the role of this institution in supporting asset recovery, while a precise coordination mechanism will avoid overlapping authority and increase efficiency. In addition, this [Bill on Criminal Asset Forfeiture](#) is also expected to strengthen international cooperation in asset recovery located abroad. Therefore, enacting this Bill is crucial in realizing a better asset recovery system and providing legal certainty for all parties. An effective recovery system will restore public trust in national banking.

2. Strengthening the Legal and Institutional Framework

Asset recovery in the State-Owned Enterprises Banking sector post-corruption cases demands a solid legal and institutional framework (Utami, 2021). While awaiting the enactment of the [Bill on Criminal Asset Forfeiture](#), optimizing the existing system becomes crucial. This step includes two main aspects: strengthening the legal framework and institutional capacity.

Strengthening the legal framework encompasses expanding the definition of assets and asset tracing. The expansion of the definition of assets

must include all forms of corruption proceeds, whether obtained directly or indirectly, such as through abuse of authority. The implementation of [Supreme Court Regulation Number 5 of 2014](#) concerning the determination of disgorgement must be directed towards a comprehensive understanding, where judges consider not only the assets obtained by the accused but also the state losses resulting from their actions. This is in line with the theory of legal instrumentalism, which emphasizes the law as an instrument to achieve goals, in this case, the maximum recovery of state losses.

On the other hand, [Attorney General Regulation Number 7 of 2020](#) concerning asset tracing needs to be evaluated and refined to respond to the challenges of increasingly sophisticated crime modes. Strengthening asset tracing must include rules for tracing crypto assets, cooperation with crypto asset service providers, and applying artificial intelligence technology. Law enforcement must have adequate authority to trace assets hidden through complex financial instruments.

Strengthening institutional capacity includes increasing the authority of the Asset Recovery Center and the inter-agency coordination mechanism ([Putra & Sadino, 2024](#)). Increasing the authority of the Asset Recovery Center includes the authority to assist law enforcement and access banking information. This strengthening will optimize the role of the Asset Recovery Center in tracing, seizing, and managing the proceeds of corruption. Meanwhile, a precise coordination mechanism between institutions such as the Supreme Court, Attorney General, Ministry of State-Owned Enterprises, the Audit Board, Corruption Eradication Commission, Financial Services Authority, and Financial Transaction Reports and Analysis Center will avoid overlapping authority and ensure the effectiveness of asset recovery. By optimizing the legal and institutional framework, it is hoped that asset recovery in the State-Owned Enterprises Banking sector post-corruption cases can be more effective and efficient.

3. Enhancing the Capacity and Integrity of Law Enforcement Officers

The success of asset recovery in the State-Owned Enterprises Banking sector post-corruption cases depends on the performance of competent and integrated law enforcement officers. Law enforcement officers act as the spearhead in uncovering corruption cases, tracing assets, and recovering state losses. Therefore, enhancing their capacity and integrity is an absolute solution to optimizing asset recovery ([Yoserwan & Dias, 2024](#)).

Capacity building includes developing competencies in financial crimes, asset tracing, and international cooperation. Specialized training programs organized by law enforcement educational institutions must be comprehensively designed and involve finance and information technology experts. This training must equip officers with in-depth knowledge of the modus operandi of corruption in the financial sector and increasingly sophisticated asset tracing techniques, including mastery of data analysis software and open source intelligence (OSINT) techniques (Nuttall, 2021).

Enhancing integrity is also a foundation for law enforcement to carry out their duties professionally, honestly, and free from intervention. This is in line with the theory of the rule of law, which emphasizes the importance of fair law enforcement, without discrimination, and based on moral principles (Ali et al., 2023). Prevention of collusion and corruption must be carried out through effective internal and external supervisory mechanisms and strict law enforcement against officers involved in corruption. By enhancing the capacity and integrity of law enforcement officers, asset recovery in the State-Owned Enterprises Banking sector post-corruption cases can be more optimal.

4. Enhancing Resources and Infrastructure

Optimizing asset recovery in the state-owned enterprises' banking sector after corruption cases demands adequate resources and infrastructure. Modern and integrated resources and infrastructure are the foundation for law enforcement in tracing, seizing, and managing the proceeds of corruption effectively and efficiently. This enhancement of resources and infrastructure includes three main aspects: budget increases, information technology development, and the establishment of forensic laboratories (Khan et al., 2024).

Increasing the budget is a crucial first step. An adequate budget is needed to support various activities, from asset tracing abroad and procuring sophisticated equipment to developing an integrated information system. Special budget allocations need to be provided to finance overseas official trips for Police Investigators and the development of information systems that allow real-time data exchange between institutions such as the Corruption Eradication Commission, Financial Transaction Reports and Analysis Center, and the Financial Services Authority.

The development of information technology and an integrated database is also significant in supporting asset tracing and identifying hidden assets. An integrated database makes it easier for law enforcement to access information

on asset ownership and the financial track record of perpetrators of corruption. Utilizing advanced technology such as artificial intelligence will increase the efficiency and accuracy of asset tracing. It is in line with cybernetic theory, which emphasizes technology's role in increasing a system's effectiveness (Wulan et al., 2024).

Establishing a modern forensic laboratory is also needed to analyze digital evidence. A forensic laboratory equipped with sophisticated equipment and competent experts will make it easier for law enforcement to uncover the modus operandi of corruption and gather valid evidence. Post-corruption cases can be more optimal by enhancing resources and infrastructure and asset recovery in the State-Owned Enterprises Banking sector. This enhancement supports law enforcement in carrying out their duties effectively and efficiently so that corrupted state assets can be returned for the benefit of the community.

5. Optimizing the Civil Law Route

Although the criminal route is the main focus, optimizing the civil law route has a strategic role in asset recovery in the State-Owned Enterprises Banking sector post-corruption cases. The civil route offers flexibility and efficiency in recovering state losses. Utilizing this civil route aligns with the theory of integrative jurisprudence, which emphasizes the synergy between criminal and civil law in achieving justice (Baiona, 2022).

Minister Regulation Number PER-07/MBU/07/2020 concerning Procedures for Settling State Losses needs to be optimized by simplifying procedures and reducing the burden of proof for the State Attorney (JPN). One option is to shift the burden of proof to the accused to prove that the assets they own are not derived from corruption. It aligns with the principle of *restitutio in integrum*, which emphasizes restoration to the original condition before the unlawful act occurred (Parulina et al., 2023).

In some instances, the application of non-conviction-based asset forfeiture also needs to be reviewed. This mechanism allows for asset forfeiture without waiting for a criminal verdict, thus accelerating asset recovery (Agustine, 2019). However, its application must be carried out carefully by paying attention to the principles of due process of law (Rustamaji et al., 2024). Thus, optimizing the civil route is expected to accelerate and increase the efficiency of asset recovery in the State-Owned Enterprises Banking sector post-corruption cases. Another advantage of the civil route is its ability to reach assets that are difficult to reach through the criminal route, such as assets transferred to third parties or located abroad.

6. Strengthening International Cooperation

Corruption in the State-Owned Enterprises Banking sector often drags state assets abroad, necessitating solid international cooperation in asset recovery efforts. Optimizing international cooperation is critical to reaching assets held in foreign jurisdictions. It aligns with transnational law theory, which emphasizes the importance of cooperation between countries in resolving cross-border legal issues, such as corruption and money laundering (Lüth, 2021).

Indonesia needs to maximize [Law Number 7 of 2006](#) as the legal umbrella for international cooperation. Increased cooperation with other countries can be carried out through various instruments, such as extradition, Mutual Legal Assistance (MLA), and information exchange. Signing extradition treaties with countries that do not yet have an agreement will facilitate the return of fugitives and assets from corruption. Optimizing MLA agreements is also needed to make it easier for law enforcement to obtain evidence and trace assets abroad (Kesuma, 2021). Indonesia's active participation in international forums will increase support from other countries.

In addition, Indonesia needs to increase its active role in global asset recovery networks, such as the Asset Recovery Inter-Agency Network (ARIN) and the Stolen Asset Recovery (StAR) Initiative (Brun et al., 2021). These networks facilitate the exchange of information, knowledge, and technical support between countries. Active participation allows Indonesia to obtain the latest information regarding money laundering methods, asset tracing techniques, and best practices in asset recovery from other countries. By optimizing international cooperation, asset recovery in the State-Owned Enterprises Banking sector post-corruption cases can be more optimal, especially in reaching assets abroad. Solid cooperation will make it easier for law enforcement to trace, seize, and confiscate the proceeds of corruption in foreign jurisdictions so that state assets can be returned to strengthen the national economy.

CONCLUSIONS AND SUGGESTIONS

Based on the results and discussion, it can be concluded that asset recovery in the State-Owned Enterprises Banking sector post-corruption cases faces multidimensional challenges. The existing legal framework still has weaknesses, such as an incomplete definition of assets and weak asset tracing regulations. On the other hand, limitations in the capacity and integrity of law enforcement officers, including a lack of human resources, unique expertise in asset tracing, and suboptimal inter-

agency coordination, also hinder the asset recovery process. Limitations in facilities and infrastructure, such as budget and information technology, further compound the challenges of asset recovery. Moreover, the accused often makes various efforts to avoid asset recovery, ranging from hiding assets to exploiting legal loopholes. A comprehensive and integrated strategy is needed to optimize asset recovery in the State-Owned Enterprises Banking sector. Enacting the [Bill on Criminal Asset Forfeiture](#) is crucial to resolving existing legal problems. Strengthening the existing legal and institutional framework, such as expanding the definition of assets and increasing the authority of the Asset Recovery Center, is also essential. In addition, enhancing the capacity and integrity of law enforcement officers, including improving expertise in asset tracing and mastery of information technology, is critical to the success of asset recovery. They are improving supporting facilities and infrastructure, such as budget, information technology, and forensic laboratories. Finally, when recovering corrupted state assets, optimizing the civil route and strengthening international cooperation cannot be ignored.

Based on the above conclusions, integrated and comprehensive measures for optimizing asset recovery in the State-Owned Enterprises Banking sector are recommended. *First*, the Government is encouraged to immediately enact the [Bill on Criminal Asset Forfeiture](#) and improve the existing legal framework. Increasing the budget to support asset tracing abroad and developing information technology is also a priority. In addition, coordination between institutions involved in asset recovery needs to be improved to avoid overlapping authority and ensure effectiveness. *Second*, the Directors of State-Owned Enterprises Banking need to strengthen the internal corruption prevention system and increase transparency and accountability in asset management. Consistent implementation of the principles of good corporate governance and increased internal supervision will minimize the occurrence of corruption. *Third*, the Asset Recovery Center must increase its capacity and expertise in asset tracing through training and cooperation with foreign institutions. This will increase the effectiveness of asset recovery, especially for assets held abroad. *Fourth*, law enforcement agencies are expected to improve professionalism and integrity in handling corruption cases in the State-Owned Enterprises Banking sector. The Public Prosecutor, in particular, is required to maximize the use of Article 18 of [Law Number 31 of 1999](#) in lawsuits and indictments to optimize asset recovery through the additional disgorgement penalty. Meanwhile, Judges are encouraged to consider asset recovery more through the additional disgorgement penalty based on the amount of state losses in the State-Owned Enterprises Banking sector post-corruption cases, not just limited to assets obtained directly by the accused. In addition, increasing competence in financial crimes, asset tracing, and international cooperation must be carried out through education and training programs. Mastery of information technology and sophisticated equipment must also be improved to support asset

recovery. With synergy and earnest efforts from all parties, it is hoped that asset recovery in the State-Owned Enterprises Banking sector post-corruption cases can be maximized so corrupted state assets can be returned and utilized for society and national development.

REFERENCES

- The 1945 Constitution of the Republic of Indonesia. <https://peraturan.go.id/id/uud-1945>
- Agustine, O. V. (2019). RUU Perampasan Aset Sebagai Peluang dan Tantangan dalam Pemberantasan Korupsi di Indonesia. *Hukum Pidana dan Pembangunan Hukum*, 1(2), 1-6. <https://doi.org/10.25105/hpph.v1i2.5546>
- Aïssaoui, R., & Fabian, F. (2021). Globalization, Economic Development, and Corruption: A Cross-Lagged Contingency Perspective. *Journal of International Business Policy*, 5(1), 1-28. <https://doi.org/10.1057/s42214-020-00091-5>
- Aji, M. R. (2021, December 27). *Bareskrim Polri Bongkar Kasus Korupsi Rp 500 Miliar di Bank Jateng*. Tempo. Retrieved January 31, 2024, from <https://www.tempo.co/hukum/bareskrim-polri-bongkar-kasus-korupsi-rp-500-miliar-di-bank-jateng-440863>
- Ali, M., Mulyono, A., & Nurhidayat, S. (2023). The Application of a Human Rights Approach toward Crimes of Corruption: Analyzing Anti-Corruption Regulations and Judicial Decisions. *Laws*, 12(4), 1-18. <https://doi.org/10.3390/laws12040068>
- Baiona, R. (2022). From Theory to Practice: Investigating Legal Jurisprudence and Theoretical Frameworks in the Pursuit of Law and Justice. *Social Science Chronicle*, 2(1), 1-18. <https://doi.org/10.56106/ssc.2022.006>
- Borlini, L., & Rose, C. (2024). The Normative Development of Laws on Asset Preservation and Confiscation: An Examination of Emerging Best Practices. *International Journal of Constitutional Law*, 22(2), 514-537. <https://doi.org/10.1093/icon/moae036>
- Brun, J.-P., Sotiropoulou, A., Gray, L., Scott, C., & Stephenson, K. M. (2021). *Asset Recovery Handbook: A Guide for Practitioners* (Second Edition). World Bank Publications. <https://doi.org/10.1596/978-1-4648-1616-1>
- Calafos, M. W., & Dimitoglou, G. (2023). Cyber Laundering: Money Laundering from Fiat Money to Cryptocurrency. In K. Daimi, et al. (Eds.), *Principles and Practice of Blockchains* (pp. 271-300). Springer. https://doi.org/10.1007/978-3-031-10507-4_12
- Darmadi, A. A. N. O. Y., & Dananjaya, N. S. (2024). Authority of the Financial Transaction Analysis Reporting Center in Tracing Hidden Trading Crimes. *Sociological Jurisprudence Journal*, 7(1), 8-14. <https://doi.org/10.22225/scj.7.1.2024.8-14>

- Decision of the District Court of Serang Number 18/Pid.Sus-TPK/2023/PN Srg on Accused: Darwinis. <https://putusan3.mahkamahagung.go.id/direktori/putusan/zaee6e1ad80bfc4c9aa3303830303036.html>
- Faizal, A., & Kurniati, P. (2022, January 19). *15 Tahun Buron, Terpidana Korupsi Bank Mandiri Rp 120 Milliar Ditangkap di Surabaya*. Kompas. Retrieved January 31, 2024, from <https://surabaya.kompas.com/read/2022/01/19/100646878/15-tahun-buron-terpidana-korupsi-bank-mandiri-rp-120-miliar-ditangkap-di>
- Faizal, A., & Pratiwi, P. S. (2021, September 9). *Rugikan Negara Rp 170 Miliar, Tersangka Kasus Kredit Macet Bank Jatim Cabang Kepanjen Dijebloskan ke Penjara*. Kompas. Retrieved January 31, 2024, from <https://regional.kompas.com/read/2021/09/16/214111278/rugikan-negara-rp-170-miliar-tersangka-kasus-kredit-macet-bank-jatim-cabang>
- Government Regulation in Lieu of Law of the Republic of Indonesia Number 1 of 2015 on Amendment to Law Number 30 of 2002 on the Corruption Eradication Commission (State Gazette of the Republic of Indonesia of 2015 Number 31, Supplement to the State Gazette of the Republic of Indonesia Number 5661). <https://peraturan.go.id/id/perppu-no-1-tahun-2015>
- Hanif, S. F. (2022). Broaden the Authority of the Corruption Criminal Act Courts in Order to Eradicate Corruption, Colusion and Nepotism. *Pandecta: Jurnal Penelitian Ilmu Hukum (Research Law Journal)*, 17(1), 58-68. <https://doi.org/10.15294/pandecta.v17i1.33036>
- Harefa, N. S. K., Manik, G. K., Marpaung, I. K. Y., & Batubara, S. A. (2020). Dasar Pertimbangan Hakim terhadap Tindak Pidana Korupsi yang Dilakukan oleh Pegawai Negeri Sipil (PNS): Studi Kasus Putusan Pengadilan Negeri Medan Nomor: 73/Pid.Sus-TPK/2018/PN.Mdn. *SIGn Jurnal Hukum*, 2(1), 30-42. <https://doi.org/10.37276/sjh.v2i1.68>
- Haswandi, H. (2015). Pengembalian Aset Tindak Pidana Korupsi Pelaku dan Ahli Warisnya Menurut Sistem Hukum Indonesia dalam Mewujudkan Negara Hukum Kesejahteraan. *Jurnal Litigasi*, 16(2), 2975-3010. <https://doi.org/10.23969/litigasi.v16i2.44>
- House of Representatives of the Republic of Indonesia. (2019, 17 December). *Bill on Criminal Asset Forfeiture* (National Legislative Program). <https://www.dpr.go.id/uu/detail/id/375>
- Indonesia Corruption Watch. (2010, 6 January). *Kotak Pandora Bank Century*. <https://icw.or.id/imH>
- Indonesia Corruption Watch. (2024, 19 May). *Tren Penindakan Kasus Korupsi Tahun 2023*. <https://icw.or.id/ZKpG>
- Indonesia Corruption Watch. (2024, 14 October). *Tren Vonis Kasus Korupsi 2023*. <https://icw.or.id/ZrHS>

- Joeroy, J., Sally, J. N., & Wiratno, W. (2023). Implementation of Follow the Money in Eradicating Corruption and Money Laundering. *International Journal of Social Health*, 2(5), 249-264. <https://doi.org/10.58860/ijsh.v2i5.43>
- Karianga, H. (2020). Law Reform and Improving Asset Recovery in Indonesia: Contemporary Approach. *Journal of Law, Policy and Globalization*, 93, 143-146. <https://doi.org/10.7176/JLPG/93-15>
- Kesuma, D. A. (2021). Penerapan Mutual Legal Assistance (MLA) dan Perjanjian Ekstradisi Sebagai Upaya Indonesia Terkait Pengembalian Aset Hasil Tindak Pidana Korupsi. *Lex Lata: Jurnal Ilmiah Ilmu Hukum*, 3(1), 1-25. <http://dx.doi.org/10.28946/lexl.v3i1.583>
- Khan, H. U., Malik, M. Z., & Nazir, S. (2024). Identifying the AI-based Solutions Proposed for Restricting Money Laundering in Financial Sectors: Systematic Mapping. *Applied Artificial Intelligence*, 38(1), 1-31. <https://doi.org/10.1080/08839514.2024.2344415>
- Kurnia, E. (2023, October 29). *OJK Pantau Kasus Karyawati BRI Kuras Dana Rp 5,1 Miliar*. Kompas. Retrieved January 31, 2024, from <https://www.kompas.id/baca/ekonomi/2023/10/29/karyawati-bri-kuras-rp-51-miliar-dengan-pembukaan-kartu-kredit-tak-berizin>
- Kurniawan, F., Alghazali, M. S. D., & Fadhila, A. (2022). Determinasi Upaya Pemulihan Kerugian Keuangan Negara Melalui Peran Kejaksanaan terhadap Perampasan Aset Tindak Pidana Korupsi. *Jurnal Hukum Lex Generalis*, 3(7), 565-588. <https://doi.org/10.56370/jhlg.v3i7.279>
- Lasmadi, S., Usman, U., Sudarti, E., & Arfa, N. (2023). Asset Seizure of Money Laundering Crimes Arising from Corruption in the Perspective of Legal Certainty and Justice. *Pandecta: Jurnal Penelitian Ilmu Hukum (Research Law Journal)*, 18(2), 352-374. <https://doi.org/10.15294/pandecta.v18i2.48568>
- Law of the Republic of Indonesia Number 1 of 1946 on the Penal Code Regulations. <https://jdih.dpr.go.id/setjen/detail-dokumen/tipe/uu/id/814>
- Law of the Republic of Indonesia Number 3 of 1971 on the Eradication of Corruption Crimes (State Gazette of the Republic of Indonesia of 1971 Number 19, Supplement to the State Gazette of the Republic of Indonesia Number 2958). <https://jdih.dpr.go.id/setjen/detail-dokumen/tipe/uu/id/1563>
- Law of the Republic of Indonesia Number 28 of 1999 on State Administration that is Clean and Free from Corruption, Collusion, and Nepotism (State Gazette of the Republic of Indonesia of 1999 Number 75, Supplement to the State Gazette of the Republic of Indonesia Number 3851). <https://jdih.dpr.go.id/setjen/detail-dokumen/tipe/uu/id/429>
- Law of the Republic of Indonesia Number 31 of 1999 on the Eradication of Corruption Crimes (State Gazette of the Republic of Indonesia of 1999 Number 140, Supplement to the State Gazette of the Republic of Indonesia Number 3874). <https://jdih.dpr.go.id/setjen/detail-dokumen/tipe/uu/id/432>
-

- Law of the Republic of Indonesia Number 20 of 2001 on Amendment to Law Number 31 of 1999 on the Eradication of Corruption Crimes (State Gazette of the Republic of Indonesia of 2001 Number 134, Supplement to the State Gazette of the Republic of Indonesia Number 4150). <https://jdih.dpr.go.id/setjen/detail-dokumen/tipe/uu/id/351>
- Law of the Republic of Indonesia Number 30 of 2002 on the Corruption Eradication Commission (State Gazette of the Republic of Indonesia of 2002 Number 137, Supplement to the State Gazette of the Republic of Indonesia Number 4250). <https://jdih.dpr.go.id/setjen/detail-dokumen/tipe/uu/id/329>
- Law of the Republic of Indonesia Number 7 of 2006 on Ratification of the United Nations Convention against Corruption, 2003 (State Gazette of the Republic of Indonesia of 2006 Number 32, Supplement to the State Gazette of the Republic of Indonesia Number 4620). <https://jdih.dpr.go.id/setjen/detail-dokumen/tipe/uu/id/63>
- Law of the Republic of Indonesia Number 10 of 2015 on Enactment of Government Regulation in Lieu of Law Number 1 of 2015 on Amendment to Law Number 30 of 2002 on the Corruption Eradication Commission Into Law (State Gazette of the Republic of Indonesia of 2015 Number 107, Supplement to the State Gazette of the Republic of Indonesia Number 5698). <https://jdih.dpr.go.id/setjen/detail-dokumen/tipe/uu/id/1635>
- Law of the Republic of Indonesia Number 19 of 2019 on the Second Amendment to Law Number 30 of 2002 on the Corruption Eradication Commission (State Gazette of the Republic of Indonesia of 2019 Number 197, Supplement to the State Gazette of the Republic of Indonesia Number 6409). <https://jdih.dpr.go.id/setjen/detail-dokumen/tipe/uu/id/1750>
- Law of the Republic of Indonesia Number 1 of 2023 on the Penal Code (State Gazette of the Republic of Indonesia of 2023 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 6842). <https://jdih.dpr.go.id/setjen/detail-dokumen/tipe/uu/id/1818>
- Lee, E., & Ip, E. C. (2020). Judicial Diplomacy in the Asia-Pacific: Theory and Evidence from the Singapore-Initiated Transnational Judicial Insolvency Network. *Journal of Corporate Law Studies*, 20(2), 389-420. <https://doi.org/10.1080/14735970.2019.1701174>
- Lüth, F. (2021). Corporate Non-Prosecution Agreements as Transnational Human Problems: Transnational Law and the Study of Domestic Criminal Justice Reforms in a Globalized World. *Transnational Legal Theory*, 12(2), 315-333. <https://doi.org/10.1080/20414005.2021.1967691>
- Maharani, T., & Krisiandi, K. (2021, June 7). *Kejagung Tahan 2 Tersangka Kasus Korupsi Bank Syariah Mandiri Sidoarjo*. Kompas. Retrieved January 31, 2024, from <https://nasional.kompas.com/read/2021/06/07/21554871/kejagung-tahan-2-tersangka-kasus-korupsi-bank-syariah-mandiri-sidoarjo>

- Mahmud, A. (2023). Dynamics of Problem of Asset Forfeiture of Corruption Proceeds and the Concept of Its Law Enforcement. *Jurnal Wawasan Yuridika*, 7(2), 173-196. <https://doi.org/10.25072/jwy.v7i2.456>
- Manihuruk, P. J., Eddy, T., & Fauzi, A. (2020). Peran Perbankan dalam Pencegahan dan Pemberantasan Tindak Pidana Pencucian Uang yang Dilakukan oleh Nasabah. *Journal of Education, Humaniora and Social Sciences (JEHSS)*, 3(2), 325-332. <https://doi.org/10.34007/jehss.v3i2.259>
- Mohas, M. M., Jaya, B. P. M., Fasyehhudin, M., & Jaya, A. M. (2021). The Indonesia Government's Strategy in Arrest and Confiscation of Criminal Corruption (Corruptor) Assets Abroad. *Jurnal Dinamika Hukum*, 21(3), 432-445. <http://dx.doi.org/10.20884/1.jdh.2021.21.3.2882>
- Montana, B., & Firmansyah, H. (2022). Kebijakan Preventif Terhadap Tindak Pidana Korupsi Melalui Pendekatan Non-Penal. *Jurnal Hukum Adigama*, 5(2), 106-112. Retrieved from <https://journal.untar.ac.id/index.php/adigama/article/view/21582>
- Nur, M., & Mashdurohatun, A. (2024). Anti-Corruption Efforts in Regional Police Departments: The Role of Regional Inspectorate Supervision Based on Justice Values. *Scholars International Journal of Law, Crime and Justice*, 7(9), 378-386. <https://doi.org/10.36348/sijlcj.2024.v07i09.006>
- Nuttall, M. (2021). Bribery, Corruption, Geopolitics and Investigation. In A. Swain, *et al.* (Eds.), *Handbook of Security and the Environment* (pp. 290-306). Edward Elgar Publishing. <https://doi.org/10.4337/9781789900668.00029>
- Parulina, J. R., Dwiwarno, N., & Paulus, D. H. (2023). Upaya Pemulihan Aset (Asset Recovery) Lintas Batas Negara di Wilayah Asia Tenggara. *Diponegoro Law Journal*, 12(1), 1-17. Retrieved from <https://ejournal3.undip.ac.id/index.php/dlr/article/view/35447>
- Prakarsa, A., & Yulia, R. (2017). Model Pengembalian Aset (Asset Recovery) Sebagai Alternatif Memulihkan Kerugian Negara dalam Perkara Tindak Pidana Korupsi. *Jurnal Hukum Prioris*, 6(1), 31-45. <https://doi.org/10.25105/prio.v6i1.1834>
- Putera, A. P. (2020). Prinsip Kepercayaan Sebagai Fondasi Utama Kegiatan Perbankan. *Jurnal Hukum Bisnis Bonum Commune*, 3(1), 128-139. <https://doi.org/10.30996/jhbbc.v3i1.2984>
- Putra, A. J., & Sadino, S. (2024). The Crime of Corruption in Social Assistance Funds (Bansos) Amid the Pandemic Era in Indonesia (Case Study of the Central Jakarta District Court Decision No. 29/Pid.Sus-TPK/2021/PN.JKT.PST). *Daengku: Journal of Humanities and Social Sciences Innovation*, 4(5), 820-828. <https://doi.org/10.35877/454RI.daengku2833>
- Qamar, N., & Rezah, F. S. (2020). *Metode Penelitian Hukum: Doktrinal dan Non-Doktrinal*. CV. Social Politic Genius (SIGn).
-

- Rahmardiko, T. A., Rifai, A., & Lutfi, A. (2024). Legal Analysis of the Determination of Corruption Suspects Land Compensation for the Construction of the Padang Toll Road. *Jurnal Indonesia Sosial Teknologi*, 5(1), 288-296. <https://doi.org/10.59141/jist.v5i01.858>
- Regulation of Minister of State-Owned Enterprises of the Republic of Indonesia Number PER-07/MBU/07/2020 on Procedures for Settlement of State Losses within the Ministry of State-Owned Enterprises (Bulletin Gazette of the Republic of Indonesia of 2020 Number 885). <https://peraturan.bpk.go.id/Details/146616/permen-bumn-no-per-07mbu072020-tahun-2020>
- Regulation of the Attorney General's Office of the Republic of Indonesia Number PER-013/A/JA/06/2014 on Asset Recovery (Bulletin Gazette of the Republic of Indonesia of 2014 Number 857). <https://peraturan.go.id/id/peraturan-kejangung-no-per-013-a-ja-06-2014-tahun-2014>
- Regulation of the Attorney General's Office of the Republic of Indonesia Number PER-027/A/JA/10/2014 on Guidelines for Asset Recovery (Bulletin Gazette of the Republic of Indonesia of 2014 Number 1491). <https://peraturan.go.id/id/peraturan-kejangung-no-per-027-a-ja-10-2014-tahun-2014>
- Regulation of the Attorney General's Office of the Republic of Indonesia Number 9 of 2019 on Amendment to Regulation of the Attorney General's Office Number PER-027/A/JA/10/2014 on Guidelines for Asset Recovery (Bulletin Gazette of the Republic of Indonesia of 2019 Number 1571). <https://peraturan.go.id/id/peraturan-kejangung-no-9-tahun-2019>
- Regulation of the Attorney General's Office of the Republic of Indonesia Number 7 of 2020 on the Second Amendment to Regulation of the Attorney General's Office Number PER-027/A/JA/10/2014 on Guidelines for Asset Recovery (Bulletin Gazette of the Republic of Indonesia of 2020 Number 568). <https://peraturan.go.id/id/peraturan-kejangung-no-7-tahun-2020>
- Regulation of the Supreme Court of the Republic of Indonesia Number 5 of 2014 on the Additional Disgorgement Penalty in Corruption Crimes (Bulletin Gazette of the Republic of Indonesia of 2014 Number 2041, Supplement to the State Bulletin of the Republic of Indonesia Number 8). <https://peraturan.go.id/id/peraturan-ma-no-5-tahun-2014>
- Ridho, R., & Arief, T. M. V. (2022, June 8). *3 Mantan Pejabat BJB Syariah Didakwa Korupsi Kredit Kapal Rp 10,9 Miliar*. Kompas. Retrieved January 31, 2024, from <https://regional.kompas.com/read/2022/06/08/071312978/3-mantan-pejabat-bjb-syariah-didakwa-korupsi-kredit-kapal-rp-109-miliar>
- Rompegading, A. M. (2022). Deterrence and Eradication of Gratification Crime. *SIGN Jurnal Hukum*, 3(2), 151-162. <https://doi.org/10.37276/sjh.v3i2.161>
- Rustamaji, M., Santoso, B., & Kurniawan, I. (2024). Memungkasi Polemik Aspek Keperdataan dalam Pemberantasan Korupsi (Studi Perbandingan Optimasi NCB Asset Forfeiture). *Unes Law Review*, 7(1), 194-207. Retrieved from <https://review-unes.com/index.php/law/article/view/2249>

- Sampara, S., & Husen, L. O. (2016). *Metode Penelitian Hukum*. Kretakupa Print.
- Saputri, A. A. I. (2020). QuoVadis Regulation of Islamic Economics in Post-Reform Indonesia. *International Journal of Science and Society*, 2(4), 507-522. <https://doi.org/10.54783/ijssoc.v2i4.234>
- Sihite, M. I., & Mustofa, M. (2021). Asset Recovery Policy Strategy of Corruption Proceeds Placed Abroad Within the Perspective of the State as a Victim. *Technium Social Sciences Journal*, 19(1), 15-38. Retrieved from <https://ideas.repec.org/a/tec/journal/v19y2021i1p15-38.html>
- Sitompul, A. (2023). Eradication of Corruption by Tracing Money Laundering as an Integral Legal System That Can Not Be Separated. *International Asia of Law and Money Laundering*, 2(3), 111-118. <https://doi.org/10.59712/iaml.v2i3.66>
- Soebanto, H., & Senjaya, I. C. (2023, March 2). *Kejati Jateng Tahan Tiga Pegawai BJB Tersangka Korupsi di Semarang*. Antara. Retrieved January 31, 2024, from <https://www.antaraneews.com/berita/3422598/kejati-jateng-tahan-tiga-pegawai-bjb-tersangka-korupsi-di-semarang>
- Soekanto, S. (2007). *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*. PT. Raja Grafindo Persada.
- Soekanto, S., & Mamudji, S. (2019). *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. PT. Raja Grafindo Persada.
- Sukardi, S. (2022). Reconstruction of Financial Crime Investigation Methods in Law Enforcement in the Era of the Industrial Revolution 4.0. *Unnes Law Journal: Jurnal Hukum Universitas Negeri Semarang*, 8(1), 133-158. <https://doi.org/10.15294/ulj.v8i1.53059>
- Sururoh, Y. L., Sadino, S., & Rifai, A. (2023). Sinergitas Aparat Penegak Hukum dalam Memberantas Tindak Pidana Korupsi di Indonesia. *Jurnal Ilmu Sosial dan Pendidikan (JISIP)*, 7(2), 1392-1405. Retrieved from <https://ejournal.mandalanursa.org/index.php/JISIP/article/view/4923>
- Suwandi, S., & Arief, T. M. V. (2023, May 9). *Jadi Tersangka Korupsi Rp 310 Miliar, Dirut Bank Jambi Ditahan*. Kompas. Retrieved January 31, 2024, from <https://regional.kompas.com/read/2023/05/09/161138578/jadi-tersangka-korupsi-rp-310-miliar-dirut-bank-jambi-ditahan>
- Suwitoyo, A., Tarjo, T., & Anggono, A. (2021). Menelisik Lika-Liku Modus Manipulasi Kredit dalam Perbankan. *Jurnal Akuntansi Multiparadigma*, 12(2), 449-466. <https://dx.doi.org/10.21776/ub.jamal.2021.12.2.26>
- Transparency International. (2024, 30 January). *Corruption Perception Index 2023*. <https://ti.or.id/corruption-perceptions-index-2023>
- United Nations General Assembly. (2003, 21 November). *Resolution Adopted by the General Assembly: 58/4. United Nations Convention against Corruption (A/RES/58/4)*. https://digitallibrary.un.org/record/505186/files/A_RES_58_4-EN.pdf?ln=en
-

- Utami, S. (2021). Tindak Pidana Pencucian Uang Terhadap Uang Virtual Money Laundering on Virtual Money. *Al Adl: Jurnal Hukum*, 13(1), 1-27. <http://dx.doi.org/10.31602/al-adl.v13i1.4224>
- Wulan, P. I. D. C., Fauzi, R., Perdana, D. P., Alfianto, M. E., Maharani, C. M., & Susila, Y. S. A. (2024). Feasibility Study of Using Blockchain Technology for Criminal Records in Central Java. *IJCCS (Indonesian Journal of Computing and Cybernetics Systems)*, 18(4), 1-12. <https://doi.org/10.22146/ijccs.100953>
- Yoserwan, Y., & Dias, F. S. (2024). Implementing the Anti-Money Laundering Law: Optimizing Asset Recovery in Corruption Cases in Indonesia. *Jurnal Hukum dan Peradilan*, 13(2), 227-250. <http://dx.doi.org/10.25216/jhp.13.2.2024.227-250>