

REGULATION OF CORRUPTION IN INDONESIA

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Abstract

Legislation that regulates corruption is Law Number 31 year 1999 concerning the Eradication of Corruption Crimes as amended by the Law of the Republic of Indonesia Number 20 Year 2001 concerning Amendments to Law Number 31 year 1999 concerning Eradication of Corruption Crimes. The law actually regulates in full the eradication of criminal acts of corruption. So that actually in legal instruments, the Indonesian state already has a legal instrument to eradicate corruption. In addition to these rules there are also rules relating to the eradication of criminal acts of corruption. There are several rules that have been made by the state that are related to combating corruption. The Law of the Republic of Indonesia Number 8 year 2010 concerning Prevention and Eradication of Crime of Money Laundering is one of the relevant laws and regulations to make efforts to eradicate criminal acts of corruption.

A. INTRODUCTION

Corruption in Indonesia has actually existed since long ago. Even now there is still a corruption crime. We can see this now where many officials are exposed to corruption. This shows that criminal acts of corruption are difficult in the hands. Even if we look at the condition of our country at this time, in fact there are already statutory regulations governing criminal acts of corruption. The regulation of corruption in Indonesia is regulated through Law Number 31 year 1999 concerning the Eradication of Corruption Crimes as amended by the Law of the Republic of Indonesia Number 20 year 2001 concerning Amendments to Law Number 31 year 1999 concerning Eradication of Corruption Crimes.

The law is a legal instrument in the context of combating corruption. However, in practice corruption still exists in Indonesia. The question is whether the legal regulation regarding corruption committed in Law Number 31 year 1999 concerning the Eradication of Corruption Crimes as amended by the Law of the Republic of Indonesia Number 20 Year 2001 concerning Amendments to Law Number 31 year 1999 concerning Eradication of

Corruption is not effective in eradicating acts criminal corruption? Is there a weakness in the legal regulation regarding corruption, which can be used by people to commit corruption?

The question really must be answered firmly. Since corruption should no longer exist if there are legal arrangements regarding criminal acts of corruption. But in reality corruption is still present in the country of Indonesia. If indeed the laws in Indonesia are ineffective or unable to eradicate corruption, then the legislation concerning the eradication of criminal acts of corruption needs to be changed. But if the legislation concerning the eradication of criminal acts of corruption has been effective in combating corruption, then the legislation does not need to be changed.

B. PROBLEMS

1. How is the regulation to eradicate corruption in Indonesia?
2. What legal rules exist in Indonesia related to eradicating corruption in Indonesia?

C. DISCUSSION

How to regulate eradication of corruption in Indonesia

As previously explained, the regulation on eradicating corruption has been regulated in Law Number 31 year 1999 concerning the Eradication of Corruption Crimes as amended by the Law of the Republic of Indonesia Number 20 year 2001 concerning Amendments to Law Number 31 year 1999 concerning Eradication of Corruption Crimes. Eradication of criminal acts of corruption will not come out too far from these laws and regulations. That is because these laws are legal instruments in combating corruption.

Corruption is regulated in chapter II of Act No. 31 of 1999 concerning the Eradication of Corruption Crimes as amended by the Law of the Republic of Indonesia Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning Eradication of Corruption Crimes. Chapter 2 states that:

Article 2

- (1) Anyone who unlawfully commits an act enriches himself or another person or a corporation that can harm the state's finance or the country's economy, be sentenced to prison with life imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years and a fine of at least Rp. 200,000,000.00 (two hundred million rupiahs) and at most Rp. 1,000,000,000.00 (one billion rupiah).

- (2) In the event that a criminal act of corruption as referred to in paragraph (1) is carried out in certain circumstances, capital punishment can be imposed.

Article 3

Every person who aims to benefit himself or another person or a corporation, misusing the authority, opportunity or means available to him because of a position or position that can harm the state's finance or the country's economy, is punished with life imprisonment or the shortest imprisonment 1 (one) year and no later than 20 (twenty) years and or a fine of at least Rp. 50,000,000 (fifty million rupiah) and at most Rp. 1,000,000,000.00 (one billion rupiah).

Article 4

The return of state financial losses or the economy of the country does not eliminate the participation of the criminal offender as referred to in Article 2 and Article 3.

It is partly about corruption committed in Law Number 31 year 1999 concerning the Eradication of Corruption Crimes as amended by the Law of the Republic of Indonesia Number 20 year 2001 concerning Amendments to Law Number 31 of 1999 concerning Eradication of Corruption Crimes. The regulation of corruption in the law is actually regulated in chapter II which is regulated from Article 2 to Article 20. The regulation has actually arranged in full relating to criminal acts of corruption (Law No. 31/199 and Law No. 20/2001) .

Even other criminal acts relating to corruption are regulated in Law No. 31 year 1999 concerning the Eradication of Corruption Crimes as amended by the Law of the Republic of Indonesia Number 20 year 2001 concerning Amendments to Law Number 31 year 1999 concerning Eradication of Corruption Crimes. Other criminal offenses referred to are:

Article 21

Anyone who intentionally prevents, obstructs, or fails directly or indirectly in investigations, prosecutions, and hearings in court proceedings against suspects and defendants or witnesses in corruption cases, shall be sentenced to a minimum of 3 (three) years and maximum 12 (twelve) years and / or a fine of at least Rp. 150,000,000.00 (one hundred fifty million rupiahs) and at most Rp. 600,000,000.00 (six hundred million rupiahs).

Article 22

Everyone as referred to in Article 28, Article 29, Article 35, or Article 36 who deliberately does not give information or give false information, shall be punished with imprisonment for a minimum of 3 (three) years and a maximum of 12 (twelve) years and / or a fine of at least

Rp. 150,000,000.00 (one hundred fifty million rupiah) and a maximum of Rp. 600,000,000.00 (six hundred million rupiahs).

Article 23

In cases of corruption, violations of the provisions referred to in Article 220, Article 231, Article 421, Article 422, Article 429 or Article 430 of the Criminal Code, are punishable by imprisonment of at least 1 (one) year and the longest 6 (six) years and / or a fine of at least Rp 50,000,000 (fifty million rupiah) and a maximum of Rp. 300,000,000.00 (three hundred million rupiah).

Article 24

Witnesses who do not fulfill the conditions referred to in Article 31, shall be sentenced to imprisonment for a maximum of 3 (three) years and/or a fine of no more than Rp. 150,000,000,000 (one hundred and fifty million rupiah).

Law No. 31 year 1999 concerning the Eradication of Corruption Crimes as amended by the Law of the Republic of Indonesia Number 20 year 2001 concerning Amendments to Law Number 31 year 1999 Concerning Eradication of Corruption also regulates investigations, prosecutions and examinations in court proceedings. This arrangement is regulated in chapter IV. In addition, the law also stipulates the role of the community in eradicating corruption. Community participation in the law is regulated in chapter V (Law No. 31/199 and Law No 20/2001).

So if you look at the regulation of corruption as regulated in Law Number 31 year 1999 concerning the Eradication of Corruption Crime as amended by the Law of the Republic of Indonesia Number 20 year 2001 concerning Amendments to Law Number 31 year 1999 Regarding the Eradication of Corruption Crime is actually complete. The eradication of corruption should be effective and cause the loss of corruption in the presence of this law.

The legal rules in Indonesia related to the eradication of corruption in Indonesia

In addition to Law Number 31 year 1999 concerning the Eradication of Corruption Crimes as amended by the Law of the Republic of Indonesia Number 20 year 2001 concerning Amendments to Law Number 31 year 1999 Regarding Eradication of Corruption Acts there are also several legal rules or legislation relating to criminal acts corruption. One rule that is closely related to corruption and is regulated separately in the law, namely the Law of the Republic of Indonesia Number 8 year 2010 concerning Prevention and Eradication of

Money Laundering Crimes. The law is related because many cases of corruption are committed by way of money laundering.

Article 2 paragraph (1) letter [a] states that the proceeds of a crime are Assets obtained from a criminal act of corruption. The statement of Article 2 paragraph (1) letter [a] of the Law of the Republic of Indonesia Number 8 year 2010 concerning Prevention and Eradication of Money Laundering Crime clearly states that corruption is strongly related to this law. Therefore, the Indonesian state made the Law of the Republic of Indonesia Number 8 year 2010 concerning Prevention and Eradication of Money Laundering with the aim of also eradicating criminal acts of corruption (Law No. 8/2010).

This means that the eradication of criminal acts of corruption is not carried out by its own rules. There are also other rules that actually help strive to eradicate criminal acts of corruption. Law of the Republic of Indonesia Number 8 year 2010 Regarding Prevention and Eradication of Crime of Money Laundering is one of the rules that helps make efforts to eradicate corruption in addition to being the most important rule related to eradicating corruption, namely Law Number 31 year 1999 concerning the Eradication of Corruption as amended by Law of The Republic of Indonesia Number 20 Year 2001 Regarding Amendments to Law Number 31 of 1999 concerning Eradication of Corruption Crimes.

D. CONCLUSION

As previously explained, the crime of corruption has actually been eradicated. There are laws and regulations that regulate corruption. The rule is Law Number 31 of 1999 concerning the Eradication of Corruption Crimes as amended by the Law of the Republic of Indonesia Number 20 Year 2001 concerning Amendments to Law Number 31 year 1999 concerning Eradication of Corruption Crimes. The law actually regulates in full the eradication of criminal acts of corruption. So that actually in legal instruments, the Indonesian state already has a legal instrument to eradicate corruption.

In addition to these rules there are also rules relating to the eradication of criminal acts of corruption. There are several rules that have been made by the state that are related to combating corruption. The Law of the Republic of Indonesia Number 8 year 2010 concerning Prevention and Eradication of Crime of Money Laundering is one of the relevant laws and regulations to make efforts to eradicate criminal acts of corruption. So, there are other legal instruments in Indonesia that make efforts to eradicate corruption in addition.

REFERENCES

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