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Construction Of Payment Of Money In Substitute As An Additional Criminal Penalty To The Criminal Acts Of Corruption In The Conception Of Legal Certainty

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Abstract. *The application of additional penalties in the form of replacement money in Indonesia is still weak in terms of consistency, evidence, and execution. The lack of synchronization between levels of justice and limited regulations that only target the main perpetrator without reaching other parties who benefit from the proceeds of crime have resulted in suboptimal efforts to recover state assets. Therefore, legal reform and reconstruction are needed regarding the concept of replacement money payments to be more firm, comprehensive, and equitable. Consistent and effective application not only serves as a means of recovering state losses, but also strengthens the deterrent effect, increases public trust, and ensures legal certainty in eradicating corruption in the future. The objectives of this study are to (1) determine and analyze the legal application of replacement money payments as additional penalties for corruption crimes in Indonesia today; (2) construct replacement money payments as additional penalties for corruption crimes within the concept of legal certainty. The method used in this study is normative juridical with a conceptual approach, statute approach, and comparative approach. Data sources use primary legal materials, secondary legal materials, and tertiary legal materials. The results of this study are (1) Payment of replacement money as an additional penalty in corruption crimes, as regulated in Article 18 of the Corruption Eradication Law and Supreme Court Regulation Number 5 of 2014, in practice has not been implemented optimally and has not provided legal certainty because the objective of recovering state financial losses is ineffective and is increasingly blurred because it has shifted to the objective of imprisonment; There is a disparity in Corruption Court decisions regarding the application and amount of replacement money; and Ineffective enforcement of criminal law. (2) Formulate the construction of replacement money payments as an additional penalty for corruption crimes in the concept of legal certainty. Namely by placing replacement* *money payments as the main penalty through the update of Article 65 of the 2023 Criminal Code and the addition of the phrase "and replacement money payments" in Articles 2 and 3; the addition of regulations in Article 3A regarding the mechanism for implementing replacement money crimes; and the elimination of Article 18 paragraph (1) letter b of the Corruption Eradication Law will be able to strengthen legal certainty, avoid multiple interpretations, and emphasize that recovery of state financial losses is the main objective in enforcing corruption laws.*

Keywords: *Additional Criminal Punishment; Corruption; Criminal Act; Legal Construction; Replacement Money.*

1. Introduction

Corruption is a contributing factor to poverty in many countries, including Indonesia. This widespread corruption not only harms state finances but also violates the social and economic rights of society as a whole.[1]Therefore, corruption is categorized as a crime or criminal act that requires extraordinary measures to be eradicated. Currently, corruption threatens various aspects of society, including social, political, bureaucratic, economic, and personal life.[2]In fact, corruption has now become part of a shameless cosmopolitan lifestyle, which can ultimately threaten the survival of the nation and state.[3]

In early 2023, Indonesia Corruption Watch (ICW) reported that Indonesia's Corruption Perception Index (CPI) had dropped significantly, from 38 to 34, placing Indonesia at 110th out of 180 countries. This indicates that Indonesia is now among the most corrupt third of countries in the world, and in Asia, its position is.

Indonesia's CPI is significantly behind countries like Singapore, Malaysia, Timor Leste, Vietnam, and Thailand. This CPI decline marks the second time the score has declined during Jokowi's administration, after Indonesia's CPI dropped from 40 to 37 in 2020.[4]This data reflects that the development of corruption rankings in Indonesia in the last ten years seems to have returned to the starting point, with a position similar to that in 2014.

The increasing development of corruption practices from year to year in Indonesia can be seen in terms of quantity and the amount of state losses as well as in terms of quality which is increasingly systematic, sophisticated, and its scope has expanded to all aspects of people's lives.[5]The uncontrolled increase in corruption will bring disaster to life, not only the national economy but also the life of the nation and state in general.[6]The rise of corruption in Indonesia no longer recognizes the boundaries of who, why, and how. It's not just officials and vested interests that commit corruption in both the public and private sectors; corruption has become a phenomenon.[7]

Corruption in Indonesia has become a very serious problem and has a significant impact on the country's economy and public trust in government institutions. In efforts to eradicate corruption, Indonesian law has established various forms of punishment, including imprisonment, fines, and additional penalties. One additional penalty often applied in corruption cases is the payment of restitution, which aims to recoup state losses resulting from the convict's corrupt actions.

2. Research Methods

The method used in this research is normative juridical. Normative research, also known as doctrinal legal research, is legal research that uses secondary data sources in the form of regulations, legislation, court decisions, legal theories, and the opinions of certain legal scholars.[8]Juridical-normative research was chosen by prioritizing the use of library materials as sources of research data (library research), as well as documentary sources of legislation (statute approach).

This research uses a conceptual approach, statute approach and comparative approach.[9]A conceptual approach is used to develop a concept to serve as a reference in this research, namely the criminal law policy regarding the payment of compensation for corruption crimes. In developing the concept, the author draws on doctrines, legal principles, and the basic substance of national law, international law, and criminal law, enabling the author to analyze the problems to be studied.

The author will use a statute approach because it can examine the consistency between the Corruption Law and the Criminal Code. The researcher also uses a comparative approach to analyze this by comparing criminal law policies with other countries, such as Malaysia and the United States, regarding the payment of compensation for corruption crimes.

3. Results and Discussion

3.1. Legal Analysis of the Implementation of Replacement Payments as Additional Punishment in Corruption Crimes in Indonesia Today.

a. Current Regulations on the Implementation of Compensation Payments in Corruption Crimes in Indonesia

The imposition of restitution in corruption crimes is an important legal measure to uphold justice and recover state losses resulting from corrupt practices. The

1Lusia Sulastri, The Legal Protection on Reporters for Corruption Crime, JDH: Jurnal Daulat Hukum, Vol 5 No. 2, June 2022, p. 115

2Pradani Tyas Septiana, & Wiwik Afifah, Civil Forfeiture as an Effort to Recover State Losses in Corruption Crimes, Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance, Vol 2 (3), September-December, 2022. p. 613

3Nopsianus Max Damping. Corruption Eradication Law and the Systematic Dimension of Special Law. Indonesian Christian University (UKI) Press, Jakarta, 2019, p. 3

4Indonesia Corruption Watch. Annual Report 2022. ICW, Jakarta, p.2

5Hulman Siregar, Criminal Formulation and Punishment for Corruption Crimes that Cause Detriments to State Finances and Problems in Their Implementation, JDH: Jurnal Daulat Hukum, Vol 1 No. 1, March 2018, p. 127

6Abdul Manan, The Threat of the Death Penalty Against the Eradication of Criminal Acts of Corruption, Unissula Law Journal, Vol 36, No. 1, June 2020, p. 13

7Cipto Dwi Leksana and Rakhmat Bowo Suharto, Implementation of Cooperation Agreement Between the Ministry of Internal Affairs, Police, Attorney General Office (Ago) in Handling and Crime of Corruption in Indonesia, JDH: Jurnal Daulat Hukum, Vol 2 No. 2, March 2019, p. 123.

8 Bambang Sunggono. Legal Research Methodology. PT. Raja Grafindo Persada, Jakarta, 2015, p. 27.

9 Peter Mahmud Marzuki. Legal Research, Kencana, Jakarta, 2013, p. 93.

concept of restitution differs from that of fines, as it focuses not only on imposing sanctions but also on recovering state losses incurred by the crime. In Indonesia, the primary legal basis governing restitution comes from Article 18 of Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 concerning the Eradication of Corruption (the Corruption Law). This regulation was later strengthened and clarified through Supreme Court Regulation Number 5 of 2014 concerning Additional Criminal Punishment in Corruption Crimes (hereinafter referred to as Perma Number 5 of 2014), which provides more detailed guidelines for judges in determining the amount, procedures, and mechanisms for restitution payments.

The provisions regarding the amount of compensation payments in criminal acts of corruption are very important to ensure the recovery of state finances resulting from the unlawful actions of the perpetrator of corruption, with the normative basis contained in Article 18 paragraph (1) of the Corruption Law as follows:

"Payment of compensation in an amount equal to the assets obtained from the criminal act of corruption"

The amount of replacement money is also stated in Article 1 of Supreme Court Regulation Number 5 of 2014, which states that:

"In determining the amount of compensation payments in corruption crimes, it is as much as possible equal to the assets obtained from the corruption crime and not merely the amount of the state financial losses incurred."

The provisions in Article 18 paragraph (1) of the Corruption Law and Article 1 of Supreme Court Regulation Number 5 of 2014 emphasize the principle of comprehensive financial responsibility of the perpetrator by referring to all assets obtained from the crime, not just to cover state losses. Analytical, this shows that replacement money functions not only as compensation, but also as a restitutive and preventive instrument that strengthens the deterrent effect. By setting the maximum payment amount equal to the profits obtained unlawfully, this provision ensures the maximum recovery of state assets and emphasizes the role of additional criminal penalties in strengthening legal certainty and upholding substantive justice, so that the perpetrator is not only punished with the main crime but is also responsible for all profits obtained from the act of corruption.

The provisions regarding the responsibility for paying compensation in corruption crimes committed jointly are explained in Article 4 of Supreme Court Regulation Number 5 of 2014, which reads:

(1) In the case of a criminal act of corruption being committed jointly and tried simultaneously, additional penalties in the form of replacement money cannot be imposed jointly and severally.

(2) If the exact amount of assets obtained by each defendant is not known, compensation can be imposed proportionally and objectively according to the role of each defendant in the criminal act of corruption that he/she committed."

This regulation reflects the principles of justice and proportionality, as each defendant is only liable for their contribution to the crime. This provision also provides judges with flexibility to objectively determine compensation when the amount of assets obtained is uncertain, allowing for fair and realistic recovery of state losses. Furthermore, Article 5 of Supreme Court Regulation Number 5 of 2014 stipulates that if the proceeds of corruption have been transferred to another party, this is regulated by:

"In the event that the assets obtained from the crime of corruption are not enjoyed by the defendant and have been transferred to another party, compensation money can still be given to the defendant as long as no prosecution is carried out against the other party, whether in the crime of corruption or other crimes, such as the crime of money laundering."

The above provisions emphasize that the defendant may still be liable for payment of compensation even if the assets obtained from the corruption crime have been transferred to another party, as long as the recipient is not subject to criminal charges. This regulation demonstrates the principle of accountability, which emphasizes that the perpetrator remains responsible for the profits obtained from the crime, even if the assets have changed hands. This strengthens the function of compensation as a restitutive instrument, ensures that the recovery of state losses can still be carried out effectively, and prevents the perpetrator from avoiding responsibility by transferring or disguising assets obtained from corruption.

The provisions for payment of compensation as stipulated in Article 5 of Supreme Court Regulation Number 5 of 2014 often face challenges in practice when assets obtained from corruption have been transferred or disguised through third parties. Corruptors often transfer assets to family, business associates, or third parties to avoid the obligation to pay compensation. Although legally responsible for the compensation, proving it in court requires in-depth investigation, including tracking financial transactions and coordination with relevant institutions. This indicates that the effectiveness of the compensation provisions depends heavily on the ability of law enforcement officials to trace assets and ensure the accountability of the perpetrators.

The provision on compensation payments also faces challenges in its proportional application for jointly involved defendants, particularly in assessing the contributions and profits earned by each defendant. Although Supreme Court Regulation No. 5 of 2014 provides guidelines, judges' interpretations in the field often differ, which can impact the amount of compensation awarded and the effectiveness of recovering state losses. Real-life cases demonstrate that decisions based on accurate evidence regarding the flow of assets and the role of the defendant are crucial to the successful implementation of this provision, while also emphasizing the need for active coordination between investigators, prosecutors, and audit institutions to ensure the principles of justice, proportionality, and accountability are upheld in practice.

Based on the above description, it can be analyzed that the payment of replacement money as an additional penalty in corruption crimes, as regulated in Article 18 of the Corruption Eradication Law and Supreme Court Regulation Number 5 of 2014, in practice has not been implemented optimally and has not provided legal certainty. From the perspective of Gustav Radbruch's theory of legal certainty, this uncertainty is evident from the inconsistency of the application of norms, both in determining the amount of replacement money and in the mechanism of its execution. Thus, existing regulations have not been able to function as stable, measurable, and predictable legal guidelines as required by the principle of legal certainty.

The lack of legal certainty in regulating the payment of replacement money as an additional penalty is due to Radbruch's theory which emphasizes that legal certainty requires clear rules, uniform application, and predictability of decisions so that society can use the law as a reliable guideline.[10]However, the fact that judges' decisions vary for cases with similar characteristics, the multiple interpretations of the phrase "may be subject to additional penalties," and the state's weak ability to enforce asset restitution once the property has been transferred, demonstrate that existing norms have not been able to create the stability and certainty envisioned by Radbruch. Thus, even though textual regulations are in place, the inconsistency between the rules and their implementation demonstrates that substantive legal certainty has not yet been realized in the application of substitute money to corruption crimes.

In line with Gustav Radbruch's theory of legal certainty, Hans Kelsen's view also reinforces the analysis that the application of compensation payments in corruption crimes does not reflect the certainty of a legal system as it should. Kelsen asserts that law is a system of norms that functions as das sollen, or what "should be," so that legal rules must be applied consistently without being

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10 Moeliono, Tristam P and Tanius Sebastian, Reductionist and Utilitarian Tendencies in Indonesian Legal Science: Rereading Gustav Radbruch's Legal Philosophy, 5th Conference in Solo, 2015, p. 17.

influenced by subjective factors.[11]In this context, although Article 18 of the Corruption Eradication Law and Supreme Court Regulation No. 5 of 2014 have provided norms that should serve as guidelines, inconsistent practices, disparate decisions, and weak execution indicate that these norms have not been consistently implemented as a binding system. When legal implementation still relies on varying interpretations and does not produce stable results, legal certainty, according to Kelsen's perspective, has not been fulfilled. Thus, the lack of synchronicity between what "should" according to the norm and what "happens" in practice is evidence that the current legal system does not operate according to the principle of legal certainty that is the basis of Kelsen's theory.

To achieve legal certainty, as envisioned by Gustav Radbruch and Hans Kelsen, a more robust and consistent legal framework is needed for the application of restitution payments. Norms regarding restitution need to be formulated without multiple interpretations, particularly regarding the change from additional penalties to principal penalties, so that decisions can be more uniform. Furthermore, asset tracking and enforcement mechanisms must be strengthened through inter-institutional coordination to prevent perpetrators from evading their obligations through asset transfer. By strengthening these norms and implementing them, the restitution instrument can function effectively and provide real legal certainty in the fight against corruption.

3.2. Formulate Construction of Compensation Payment as Additional Punishment for Corruption Crimes in the Concept of Legal Certainty.

The provision on the payment of restitution as an additional penalty in corruption crimes, within the concept of legal certainty, needs to be reformulated because the current regulations do not provide clarity, consistency, and predictability in their application. This uncertainty is evident in the disparity in the imposition of restitution, the shift in orientation from recovering state losses to imprisonment, and the weak effectiveness of execution, which results in assets obtained from corruption remaining unrecoverable. Based on these conditions, future construction formulations need to position restitution payments not as an additional penalty, but as the main penalty, so that the recovery of state assets becomes a top priority and not merely a complementary consequence.

This legal construction can be realized through normative reformulation, both in the Criminal Code and the Corruption Law, so that the status of replacement money has an explicit, comprehensive, and non-multi-interpretable legal basis. For greater clarity, the ideal formulation of the construction of replacement money payments in corruption crimes in the future can be outlined as follows:

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11 Cst Kansil et al,*Legal Terms Dictionary*,Jakarta, Jala Permata Aksara, 2009, p. 385.

a. Construction of Compensation Payment as a Principal Crime in the National Criminal Code

The 2023 Criminal Code has re-established the structure of punishment by confirming the classification of principal crimes as stated in Article 65 as follows:

(1) The main criminal penalties as referred to in Article 64 letter a consist of:

a. imprisonment;

b. criminal cover-up;

c. criminal supervision;

d. criminal fines; and

e. community service

This regulation demonstrates a restructuring of the national penal system by positioning these types of punishment as the primary instrument in criminal law enforcement. In the context of constructing compensation payments, it is important to examine whether this mechanism can or should be positioned as part of the principal punishment, given that the 2023 Criminal Code does not explicitly include it in that category. Therefore, an analysis of the normative structure of Article 65 of the 2023 Criminal Code serves as a basis for understanding the potential for reconstructing compensation as a principal punishment, particularly in relation to the need for a criminal policy that is more oriented towards recovering state losses and the effectiveness of eradicating certain crimes, such as corruption.

The construction of restitution as a principal penalty in the National Criminal Code stems from the need to shift the orientation of criminal punishment from merely punishing the perpetrator to recovering state losses as the primary objective. From a legal certainty perspective, placing restitution as an additional penalty creates uncertainty because its status depends on the judge's discretion and its implementation only occurs after the verdict has final legal force. As a result, the effectiveness of asset recovery is very low and provides room for perpetrators to divert, conceal, or exploit the legal process to eliminate the proceeds of crime. By making it a principal penalty, restitution gains normative status equal to imprisonment, thus becoming a primary obligation attached to the perpetrator from the prosecution stage to execution, while simultaneously strengthening legal certainty in its formulation.

The imposition of monetary compensation as the principal penalty will create a criminal justice system that is more responsive to the nature of corruption as an economic and profit-driven crime. Until now, imprisonment has not cut off the perpetrator's access to the profits of corruption, while the state continues to bear the losses. This new construction allows for punishment to be directed at the priority of repossessing state assets, even before corporal punishment is imposed. With this model, the logic of criminal law becomes more adaptive to restitutive objectives, in line with modern doctrine that places restitution as a form of proportionate accountability. This also creates a stronger deterrent effect because the perpetrator not only loses his freedom but also the economic benefits of his crime.

The construction of restitution as a principal penalty in the national Criminal Code will also strengthen the law enforcement system through the integration of asset tracking, confiscation, and execution mechanisms that are no longer limited by narrow provisions regarding the subject of the sentence. Thus, assets transferred to family, nominees, or other parties can still be confiscated as part of the implementation of the principal penalty. This model also eliminates a legal loophole that perpetrators have exploited to avoid financial obligations by opting for subsidiary prison sentences. With certainty of execution and broader authority, the state is guaranteed restitution of losses, while the criminal justice system gains legitimacy through its ability to deliver substantive justice, consistent decisions, and predictability for the public.

The following is a formulation of the construction of compensation payments in corruption crimes through the reformulation of Articles 65 and 66 of the 2023 Criminal Code as an effort to strengthen the orientation of criminal punishment from mere punishment to just restitution, positioning the state as the primary victim of corruption crimes, and realizing a criminal law system based on justice. This reformulation is necessary to remove the character of compensation as an additional punishment that is optional and dependent on the judge's assessment, to become a mandatory principal punishment for every perpetrator of corruption who obtains economic benefits from their actions.

Table 3.1

Formulation of the Construction of Replacement Money Payments in the 2023 Criminal Code

Current Formulation of the 2023 Criminal Code	**Proposed Construction Formulation**

Article 65 of the 2023 Criminal Code (1) The main crimes as referred to in Article 64 letter a consist of: a. imprisonment; b. criminal cover-up; c. criminal supervision; d. criminal fine; e. community service penalties.	Article 65 (Proposed Reformulation): (1) The main criminal penalties as referred to in Article 64 letter a consist of: a. imprisonment; b. criminal cover-up; c. criminal supervision; d. criminal fine; e. **criminal payment of money**substitute; and f. community service
Article 66 (1) Additional penalties as referred to in Article 64 letter b consist of: a. revocation of certain rights; b. confiscation of certain goods and/or bills; c. announcement of the judge's decision; d. payment of compensation; e. revocation of certain permits; and f. fulfillment of local customary obligations.	Article 66 (1) Additional penalties as referred to in Article 64 letter b consist of:

Based on the table above, it is clear that the proposed reformulation is not merely a wording adjustment, but rather forms a new legal construct within the national criminal justice system. By shifting the payment of restitution from its position as an additional punishment to one of the main forms of punishment in Article 65, the paradigm of punishment shifts from a retributive-deterrent model to a model of punishment based on the recovery of state losses. This new construction emphasizes that restitution is no longer treated as a supplementary instrument dependent on the judge's judgment, but rather as a mandatory legal consequence whenever there is evidence of economic benefit from the crime of corruption. Thus, this reformulation eliminates the possibility of inconsistencies in decisions, closes the opportunity for substitution with imprisonment, and strengthens the principle of legal certainty because the norms become clear, measurable, and predictable in their application. This change demonstrates a repositioning of the goal of punishment to be more rational and constitutional, namely, restitution of state losses as the main priority, rather than merely symbolically punishing perpetrators.

The removal of replacement money from the list of additional penalties in Article 66 forms a systemic consequence of this new construction, as the additional penalty structure no longer accommodates instruments related to the country's economic recovery. This emphasizes that asset recovery is not an additional measure, but rather a key element in enforcing corruption laws. This new construction also strengthens the criminal justice system's design, which aligns with the principle of asset recovery, the legal theory of normative certainty, and the doctrine of state loss accountability, where the state is recognized as a direct victim entitled to full restitution of its losses. Under this model, every stage of the investigation, prosecution, sentencing, and execution must be directed toward ensuring that the value of state losses can be truly recovered. Therefore, this reformulation not only addresses the weaknesses of existing regulations but also builds a new criminal law structure that is more effective, progressive, and compatible with the goal of eradicating corruption in Indonesia.

b. Construction of Payment of Replacement Money as a Principal Criminal Offense in the Corruption Law

The construction of restitution as a principal penalty in the Corruption Eradication Law needs to be formulated as a follow-up to harmonization with the National Criminal Code to avoid dualism of norms, inconsistent application, and uncertainty in the corruption sentencing process. Currently, Article 18 of the Corruption Eradication Law places restitution as an optional additional penalty, so its application is highly dependent on the interpretation of judges and does not guarantee effective recovery of state losses. Therefore, a reformulation is needed that explicitly emphasizes restitution as a principal penalty that must be imposed in every corruption case that results in profit for the perpetrator.

This reformulation aims not only to clarify the normative nature of substitute money, but also to uphold the principle of legal certainty, prevent disparity in sentencing, strengthen the effectiveness of executions, and position the recovery of state assets as an integral part of the criminalization objectives within the corruption eradication system. Based on this, the reformulation of the regulation on substitute money as the principal penalty under the Corruption Law can be seen in the following table:

4. Conclusion

A legal analysis of the application of replacement money payments as an additional penalty for corruption crimes in Indonesia today. The payment of compensation as an additional penalty for corruption, as stipulated in Article 18 of the Corruption Eradication Law and Supreme Court Regulation No. 5 of 2014, has not been implemented optimally in practice and does not provide legal certainty. This is reflected in the following issues: The ineffectiveness of the objective of recovering state financial losses and becoming increasingly unclear because it has shifted to the objective of imprisonment. The payment of restitution as an additional penalty makes the goal of recovering state assets ineffective because its implementation relies on a final and binding decision, while many assets have been diverted or hidden, thus preventing the state from recovering its losses. Furthermore, the provision of imprisonment as a subsidiary to the payment of restitution shifts the focus of criminal punishment from recovering state financial losses to punishment. Many convicts choose to serve prison sentences rather than pay restitution, preventing the return of state assets. There is a disparity in the decisions of the Corruption Court regarding the application and amount of compensation. The phrase "may be subject to additional penalties" in the Corruption Eradication Law gives rise to multiple interpretations, so that the application of compensation depends on the judge's judgment. This has led to different decisions, including judges imposing compensation equivalent to state losses, even though Article 18 paragraph (1) of the Corruption Eradication Law limits the amount to a maximum of equal to the assets obtained from the criminal act of corruption. This disparity demonstrates the inconsistent application of the law and weak legal certainty. Ineffective enforcement of criminal law. Unclear formulations, inconsistent rulings, and weak execution indicate that the criminal policy regarding compensation is ineffective. Asset recovery is not a priority, so even if the perpetrator is punished, state losses cannot be recovered. This undermines the primary goal of eradicating corruption and reduces the overall effectiveness of criminal law enforcement. The problems in implementing compensation require a legal framework to provide legal certainty in the recovery of state losses so that compensation payments truly function as an effective instrument in eradicating corruption. This legal framework is crucial for eliminating multiple interpretations, reducing disparities in decisions, strengthening the enforcement mechanism, and ensuring that the primary goal of returning state assets is achieved in accordance with the principles of legal certainty and justice. Formulateconstruction of replacement payment as an additional penalty for corruption crimes in the concept of legal certainty. The construction of the payment of replacement money as an additional penalty in corruption crimes needs to be designed within a framework of legal certainty so that it is truly capable of recovering state losses. This construction is carried out by placing the payment of replacement money as the main penalty through the update of Article 65 of the 2023 Criminal Code and the addition of the phrase "and payment of replacement money" in Articles 2 and 3; the addition of regulations in Article 3A regarding the mechanism for implementing replacement money crimes; and the elimination of Article 18 paragraph (1) letter b of the Corruption Eradication Law will be able to strengthen legal certainty, avoid multiple interpretations, and emphasize that the recovery of state financial losses is the main objective in enforcing the law on corruption crimes.

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