TRENDS IN CORRUPTION CASES PROSECUTION 2019
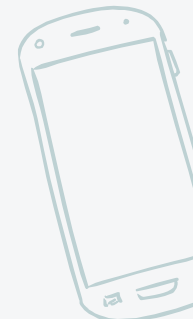
BACKGROUND

✖ The process of handling corruption cases carried out by law enforcers is not yet transparent and accountable.

✖ The absence of comprehensive information regarding the handling of corruption cases handled by the police, prosecutors, and the KPK.

✖ Efforts to monitor the performance of the handling of corruption cases by law enforcers during the investigation stage.

✖ Based on the 2019 Rule of Law Index issued by the World Justice Project, Indonesia ranks 62 out of 126 countries with a score of 0.52 on a scale of 0–1.

✖ Meanwhile, in terms of the absence of corruption, Indonesia ranks 97 out of 126 countries with a score of 0.38 on a scale of 0–1.

✖ At the regional level, Indonesia ranks 14th out of 15 countries in terms of the non-corruption parameter.

2019 Public Information Commission Ranking Results

✖ KIP provides three classifications of assessment of public bodies, among others: informative, towards informative, and quite informative.

✖ The KPK received the title of a non-structural institution, as being Towards Informative.

✖ Police and prosecutors are not included in the three classifications of the ranking results.

GOALS

Mapping of corruption cases investigated by law enforcement.

Encouraging transparency and accountability of data on the handling of corruption cases in law enforcement institutions (prosecutors, police, and KPK)

METHODOLOGY

Method

- ✖ Extracting information
- ✖ Data tabulation
- ✖ Data processing
- ✖ Data comparison
- ✖ Descriptive analysis

Data Source

- ✖ Mass media
- ✖ Online media
- ✖ Law enforcement press releases

Period

- ✖ 1 January – 31 December 2019

Performance of Corruption Case Enforcement in 2019

GENERAL FINDINGS

Number of cases
271 cases

Number of suspects
580 people

Total State losses
Rp. 8,4 trillion

Number of bribes
Rp. 200 billion

Amount of illegal fees
Rp. 3,7 billion

Money laundering
Rp. 108 billion

Corruption Cases Prosecution Trends 2015-2019

Chart data:

Year	Jumlah Kasus	Jumlah Tersangka	Jumlah Kerugian Negara
2015	550	1,124	3,107
2016	482	1,101	1,450
2017	576	1,298	6,500
2018	454	1,087	5,645
2019	271	580	8,405

Legend: ▥ Jumlah Kasus ▥ Jumlah Tersangka — Jumlah Kerugian Negara

✖ Law enforcement has gradually decreased corruption cases from 2017 to 2019, both in terms of cases and suspects.

✖ State losses during the last five years have fluctuated.

Corruption Based on Modus Operandi

No	Description	Total	Value of State Losses	Value of Bribery	Value of Extortion	Value of Money Laundering
1.	Bribery	51	-	Rp169,5 miliar	-	Rp46 miliar
2.	Mark up	41	Rp. 172,3 billion	-	-	Rp11 miliar
3.	Budget abuse	39	Rp. 1,4 trillion	-	-	-
4.	Embezzlement	35	Rp. 71 billion	-	-	-
5.	Abuse of authority	30	Rp. 6,3 trillion	-	-	-
6.	Fictional activities/projects	22	Rp. 257,9 billion	-	-	-
7.	Fictional reports	22	Rp. 113,6 billion	-	-	-
8.	Racketeering	11	-	-	Rp. 1 billion	-
9.	Gratuities	7	-	Rp. 31,2 billion	-	Rp. 51 billion
10.	Extortion	7	-	Rp. 100 million	Rp. 2,7 billion	-
11.	Circumcision/Cutting	5	Rp. 5,4 billion	-	-	-
12.	Mark down	1	Rp. 680 million	-	-	-

✖ Bribery is the dominant mode used by corruption suspects.

✖ Even though the mode of abuse of power is not too dominant, the value of state losses incurred is very large and even tends to be destructive. The abuse of authority will have an impact on land exploitation that can damage the environment.

EXAMPLES ON THE ABUSE OF AUTHORITY

✖ The alleged IUP bribery case in East Kotawaringin Regency, which involved Supian Hadi as the Regent and caused losses to the state amounting to Rp. 5.8 trillion.

✖ The alleged corruption case of the sale offer or the takeover of a 400-hectare IUP in Jambi, involving PT Antam's subsidiary, PT Indonesia Coal Resources, resulted in a state loss of Rp. 91.5 billion.

✖ The alleged corruption case for the granting of IUP to the Riau Islands Province ESDM Service, which involved the former Head of the ESDM Service, caused a state loss of Rp. 30 billion.

CORRUPTION BASED ON TYPE

No	Description	Total	Value of State Losses	Value of Bribery / Gratuities	Value of Extortion	Value of Money Laundering
1.	State financial losses	194	Rp. 8,4 trillion	–	–	–
2.	Bribery	50	–	Rp. 169,5 billion	–	–
3.	Extortion	17	–	Rp. 100 million	Rp. 3,6 billion	–
4.	Gratuities	6	–	Rp. 31,2 billion	–	–
5.	Money laundering	3	–	–	–	Rp. 108 billion
6.	Embezzlement in office	1	Rp. 91,2 milliom	–	–	–

✖ Law enforcers have never used two types of corruption, namely conflicts of interest in procurement and fraudulent acts.

Imposition of Money Laundering Article Against Corruption Cases

✖ In 2019, law enforcers imposed money laundering article on three corruption cases or around 1 percent of the total cases handled. Meanwhile, in 2018 law enforcers can impose money laundering article on seven corruption cases.

✖ One example of a case that was developed and subject to the money laundering article was the bribery case for the procurement of Rolls-Royce machines, which involved the President Director of Garuda Indonesia, Emirsyah Satar.

✖ This shows that law enforcers have not implemented the concept of asset recovery in an effort to impoverish the perpetrators of corruption in order to create a deterrent effect.

✖ Moreover, there was communication that was out of sync between President Joko Widodo and law enforcers regarding asset recovery.

President Joko Widodo's criticism regarding Corruption Eradication Performance

CORRUPTION BASED ON BUDGET

No	Description	Total	Value of State Losses	Bribe Value
1.	Expenditure	212	Rp. 2,1 trillion	Rp. 154,5 billion
2.	Acquisition	11	Rp. 42,5 billion	Rp. 5,3 billion
3.	Others	48	Rp. 6,2 trillion	Rp. 40,9 billion

✖ The expenditure budget is still very vulnerable to corrupt practices. As long as there is no mechanism or preventive measures made by the government to tackle corruption in the budget division, then the state has deliberately neglected to grant rights to its citizens.

CORRUPTION BASED ON THE TYPE OF BUDGET

No	Description	Total	Value of State Losses	Bribe Value
1.	Procurement	174	Rp. 957,3 billion	Rp. 91,5 billion
2.	Non-procurement	97	Rp. 7,4 trillion	Rp. 109,3 billion

✖ The quantity of corruption is more greater in the procurement of goods and services. However, the impact of huge economic losses arises from the non-procurement aspect.
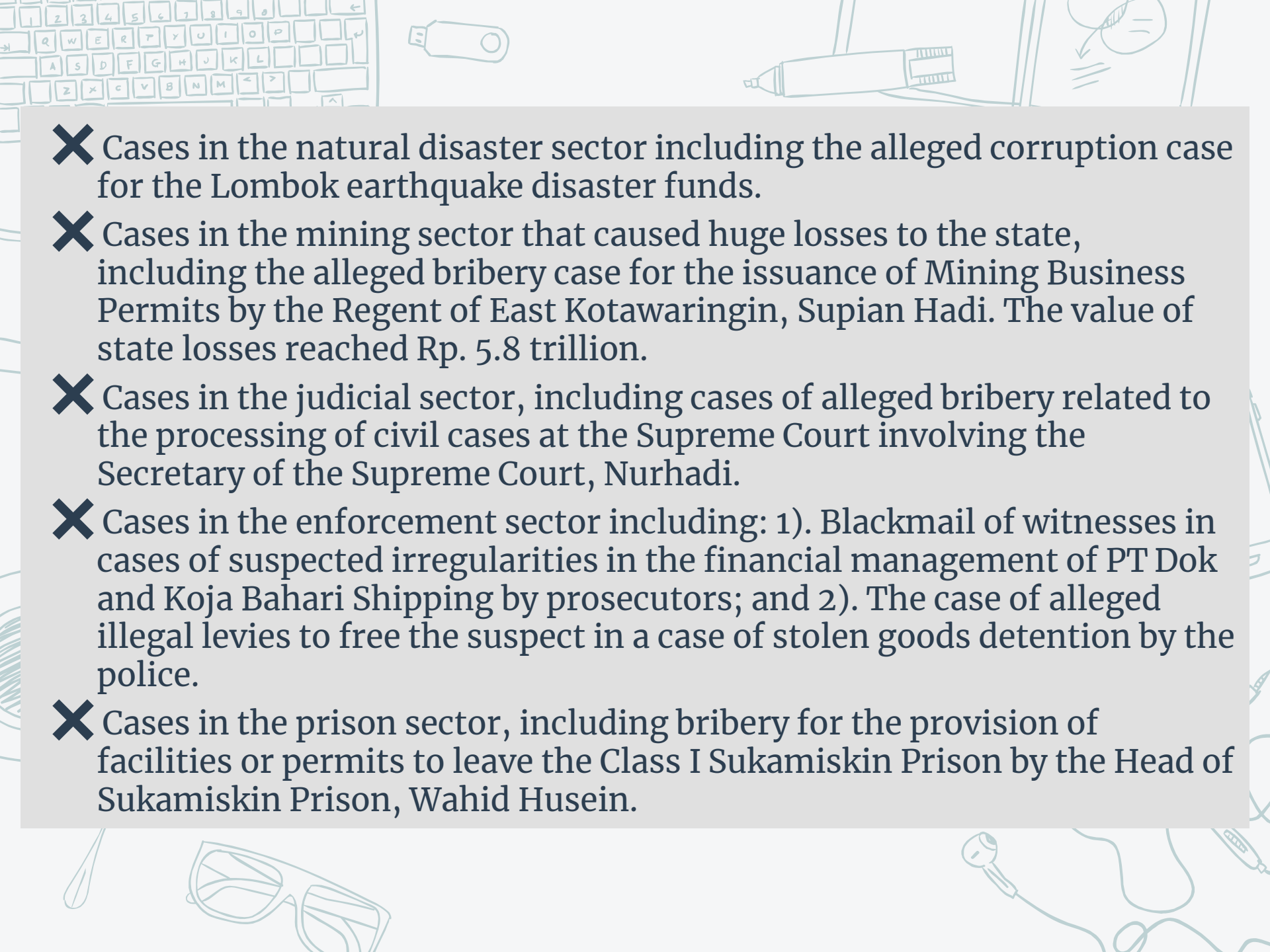
SECTOR BASED CORRUPTION (TOP 10)

No	Description	Total	Value of State Losses	Bribe Value	Extortion Value	Money Laundering Value
1.	Village Budget	46	Rp32,3 billion	–	Rp130 million	–
2.	Transportation	31	Rp434,3 billion	Rp46,7 billion	–	Rp46 billion
3.	Government	30	Rp135,1 billion	Rp35,9 billion	Rp11 million	–
4.	Education	18	Rp38,3 billion	–	–	–
5.	Land	16	Rp111,2 billion	Rp22,4 billion	Rp7 million	Rp11 billion
6.	Banking	14	Rp1,5 trillion	–	–	–
7.	Health	11	Rp23,1 billion	Rp50 million	Rp171 million	–
7.	Irrigation	11	Rp16,5 billion	Rp1 billion	–	–
8.	Social	9	Rp8,2 billion	–	Rp110 million	–
9.	Elections	7	Rp63,7 billion	Rp8,9 billion	–	–
9.	Manpower	7	Rp1,2 billion	Rp695 million	Rp260 million	–
10.	Sports	6	Rp10,7 billion	Rp26,5 billion	–	–
10.	Energy and electricity	6	Rp5,5 billion	Rp39,6 billion	–	Rp51 billion
10.	Trade	6	Rp2,7 billion	Rp3,2 billion	–	–

SECTOR BASED CORRUPTION (QUALITY)

No	Description	Total	Value of State Losses	Bribe Value	Extortion Value	Money Laundering Value
1.	Natural disasters	5	Rp2,1 billion	Rp460 million	Rp10 million	–
2.	Mining	4	Rp5,9 trillion	–	–	–
3.	Court (Law)	3	–	Rp246 million	–	–
4.	Prosecutor and Police (Law)	3	–	Rp136,5 million	Rp1 billion	–
5.	Prison	2	Rp1 billion	–	–	–

❌ Cases in the natural disaster sector including the alleged corruption case for the Lombok earthquake disaster funds.

❌ Cases in the mining sector that caused huge losses to the state, including the alleged bribery case for the issuance of Mining Business Permits by the Regent of East Kotawaringin, Supian Hadi. The value of state losses reached Rp. 5.8 trillion.

❌ Cases in the judicial sector, including cases of alleged bribery related to the processing of civil cases at the Supreme Court involving the Secretary of the Supreme Court, Nurhadi.

❌ Cases in the enforcement sector including: 1). Blackmail of witnesses in cases of suspected irregularities in the financial management of PT Dok and Koja Bahari Shipping by prosecutors; and 2). The case of alleged illegal levies to free the suspect in a case of stolen goods detention by the police.

❌ Cases in the prison sector, including bribery for the provision of facilities or permits to leave the Class I Sukamiskin Prison by the Head of Sukamiskin Prison, Wahid Husein.

CORRUPTION BASED ON REGION (TOP 10)

No	Description	Total	State Losses	Bribe Value	Extortion Value	Money Laundering
1.	National	29	Rp612,6 billion	Rp122,3 billion	Rp1 billion	Rp46 billion
2.	West Java	21	Rp1,1 trillion	Rp24,3 billion	Rp5 million	Rp51 billion
3.	East Java	19	Rp25 billion	Rp4,8 billion	Rp808 million	–
4.	West Nusa Tenggara	14	Rp6,1 billion	Rp1,3 billion	Rp1,5 billion	–
5.	Central Java	13	Rp17,1 billion	Rp426 million	Rp82 million	–
6.	Aceh	11	Rp65,8 billion	–	–	–
	South Sulawesi		Rp18,7 billion	–	Rp110 million	–
7	Jambi	10	Rp111,1 billion	–	–	–
	Lampung		Rp41,8 billion	Rp13,9 billion	Rp11 million	–
	Bengkulu		Rp2,3 billion	Rp538 million	Rp30 million	–
8	Central Sulawesi	8	Rp102,7 billion	–	–	–
	West Sumatra		Rp8,4 billion	Rp493 million	–	–
	Bali		Rp5,3 billion	Rp2 million	–	Rp11 billion
9	North Sumatra	7	Rp18 billion	Rp500 million	Rp180 million	–
	West Papua		Rp8,5 billion	–	–	–
10	Riau	6	Rp106,8 billion	Rp3,1 billion	–	–
	Banten		Rp5,7 billion	Rp150 million	Rp40 million	–

CORRUPTION BASED ON REGION (TOP 10)

No	Description	Total	State Losses	Bribe Value	Extortion Value	Money Laundering
1.	District government	95	Rp6,1 trillion	Rp42,8 billion	Rp2,1 billion	Rp62 billion
2.	Village government	48	Rp32,7 billion	–	Rp212 million	–
3.	City government	23	Rp40,9 billion	Rp1,2 billion	Rp185 million	–
4.	Ministry	20	Rp259,9 billion	Rp58,2 billion	–	–
5.	BUMN	18	Rp1,3 trillion	Rp84,5 billion	Rp1 billion	Rp46 billion
6.	Provincial government	16	Rp130 billion	Rp153 million	Rp11 million	–
7.	State Agencies/Institutions	10	Rp117,6 billion	Rp16,6 million	–	–
8.	DPRD	9	Rp90,8 billion	Rp4,8 billion	–	–
9.	BUMD	8	Rp199 billion	–	–	–
10.	Law Enforcement (prosecutors, police, courts)	6	–	Rp482 million	Rp40 million	–

CORRUPTION BASED ON ACTORS (TOP 10)

Number of suspects
580 people

=

Men
341 people

Women
40 people

N/A
199 people

(1)
ASN
213 people

(2)
Private
149 people

(3)
Village Chief
45 people

(4)
Director/ Staff BUMN
26 people

(5)
Village Apparatus
19 people

(6)
School Principal
16 people

(6)
Head/Organization Staff/Group
16 people

(6)
Regent / Deputy Regent
16 people

(7)
Chairman / Member of DPRD
15 people

(8)
Chairman / Member of DPR
9 people

(8)
Director/Staff BUMD
9 people

(8)
Prosecutor
9 people

(9)
Member of the public
7 people
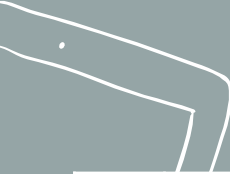
(10)
Mayor / Deputy Mayor
5 people

✖ *In 2019, law enforcers only imposed corporate crimes against three companies. Meanwhile, in 2018 law enforcers were able to convict eight corporations as suspects in corruption cases.*

✖ *One of the cases was the alleged corruption case in the management of the Bakamla budget for the procurement project for monitoring satellites and drones using the 2016 State Budget (APBN-P). The corporation designated as a suspect by the KPK was PT Merial Esa.*

Summary: The Performance of Corruption Case Enforcement by Law Enforcers

No	Description	Number of cases	Number of actors	State Losses	Bribe Value	Extortion Value	Money Laundering
1.	Attorney	109	216	Rp847,8 billion	Rp256,6 million	Rp3 billion	Rp11 billion
2.	Police	100	209	Rp1,3 trillion	Rp202,1 million	Rp 707 million	–
3.	KPK	62	155	Rp6,2 trillion	Rp200 billion	–	Rp97 billion

THE PERFORMANCE OF CORRUPTION CASES PROSECUTION BY ATTORNEY GENERAL'S OFFICE IN 2019

Chart (2015–2019):
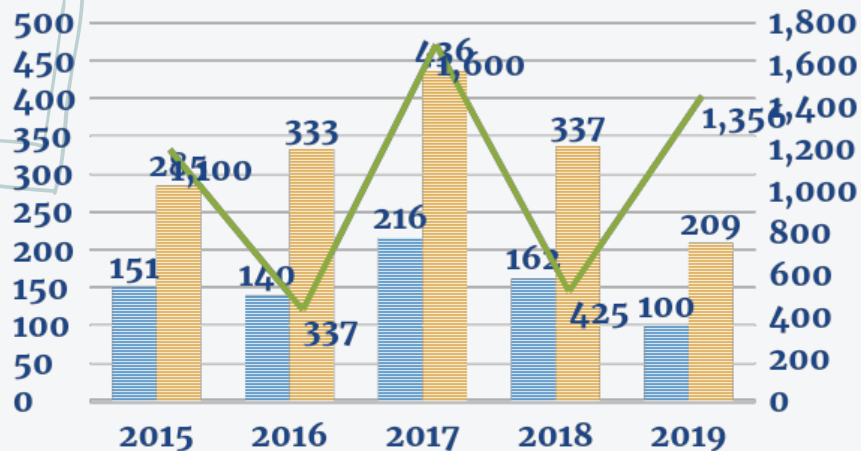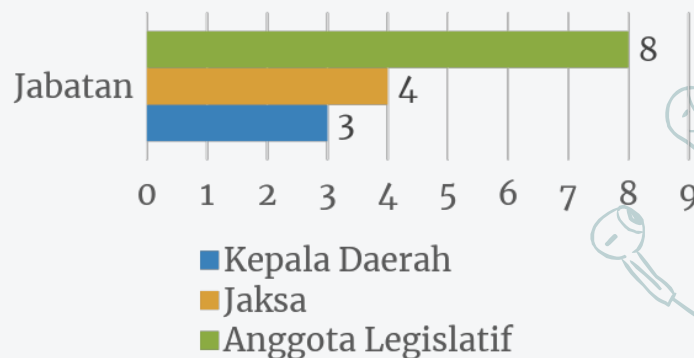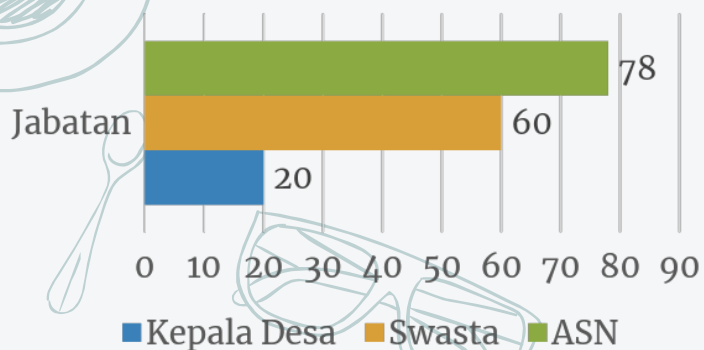- Jumlah kasus: 2015: 151, 2016: 140, 2017: 216, 2018: 162, 2019: 100
- Jumlah tersangka: 2015: 285, 2016: 333, 2017: 436, 2018: 337, 2019: 209
- Nilai kerugian negara: 2015: 1,100, 2016: 337, 2017: 1,600, 2018: 425, 2019: 1,356

Legend:
- Jumlah kasus
- Jumlah tersangka
- Nilai kerugian negara

✕ The AGO has 520 offices throughout Indonesia consisting of 488 Kejari, 31 Attorney General's Office, and 1 Attorney General's Office.

✕ Based on the 2019 Excerpt DIPA issued by the Ministry of Finance, each prosecutor at the regional and central level has targets for handling corruption cases at the investigative level, including: Kejari (1 case); Attorney General's Office (2 cases); and the Attorney General's Office (75 cases). So that in total the prosecutor's office has a target of 625 cases per year

✕ Based on the data, the prosecutor's performance in prosecuting corruption cases has decreased significantly since 2018.

✕ This condition indicates that the performance of the AGO in handling corruption cases is not yet significant. Especially in terms of the actors arrested by the prosecutor's office, most of them come from executive positions. Only a few who had strategic positions were arrested by the prosecution.

Bar chart (Jabatan):
- ASN: 78
- Swasta: 60
- Kepala Desa: 20

Legend: Kepala Desa, Swasta, ASN

Bar chart (Jabatan):
- Anggota Legislatif: 8
- Jaksa: 4
- Kepala Daerah: 3

Legend: Kepala Daerah, Jaksa, Anggota Legislatif

THE PERFORMANCE OF CORRUPTION CASES PROSECUTION BY THE POLICE IN 2019

Chart legend:
- ■ Jumlah kasus
- ■ Jumlah tersangka
- — Nilai kerugian negara

Data points (2015–2019):
- Jumlah kasus: 369, 307, 315, 235, 109
- Jumlah tersangka: 710, 671, 730, 489, 216
- Nilai kerugian negara: 1,200, 949, 4,400, 4,800, 847

✖ The police have 535 offices throughout Indonesia consisting of 500 Polres, 34 Polda, and 1 Bareskrim.

✖ Based on the 2019 Excerpt DIPA issued by the Ministry of Finance, every police at the regional and central levels has target cases, including: Polres (1 case); Polda (20 cases); and Bareskrim (25 cases). So that the target of the police to handle corruption cases per year is 1,205 cases.

✖ The performance of prosecuting corruption cases by the police has decreased significantly since 2018.

✖ This condition indicates that the performance of the police in handling corruption cases is not yet significant. Especially in terms of the actors arrested by the police, most of them come from executive positions. Only a few who have strategic positions that have been arrested by the police.
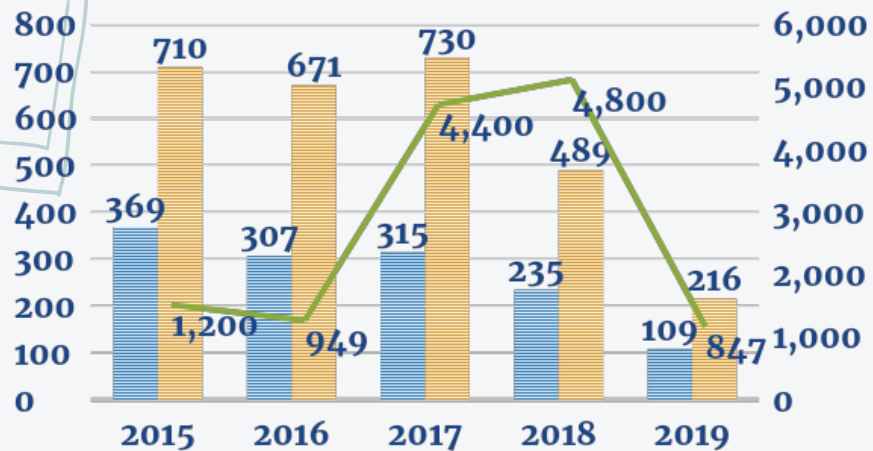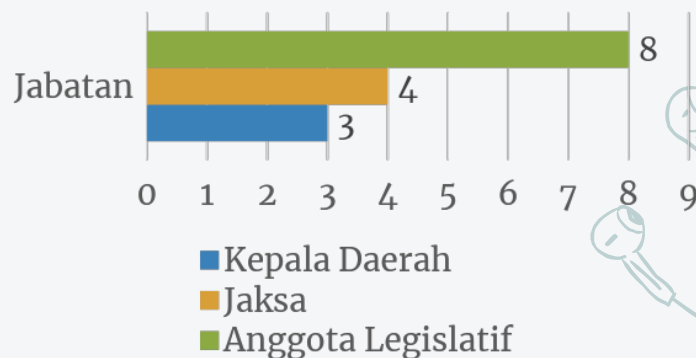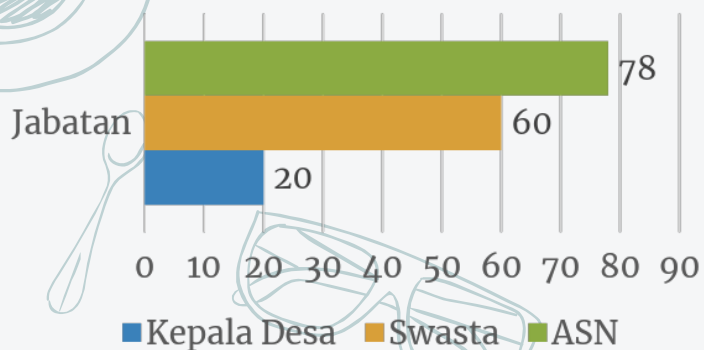

Jabatan:
- Kepala Desa: 25
- Swasta: 38
- ASN: 94

Jabatan:
- Polisi: 1
- Kepala Daerah: 1
- Anggota Legislatif: 5
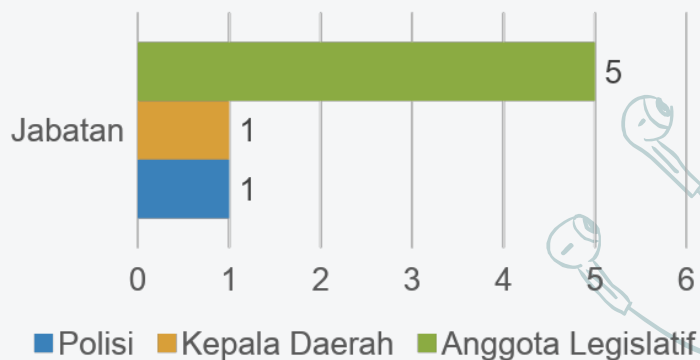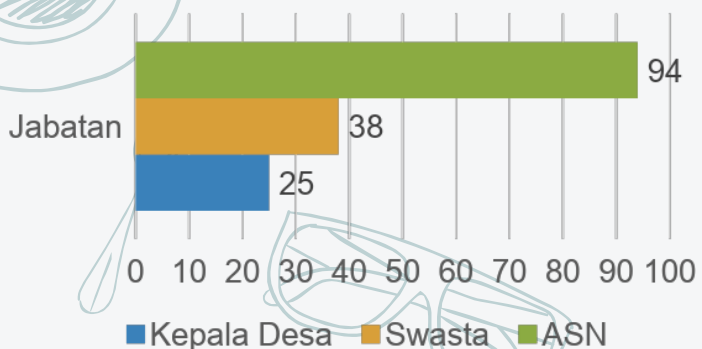
THE PERFORMANCE OF CORRUPTION CASES PROSECUTION BY KPK IN 2019

Bar/line chart values:
- 2015: Jumlah kasus 369, Jumlah tersangka 710, Nilai kerugian negara 1,200
- 2016: Jumlah kasus 307, Jumlah tersangka 671, Nilai kerugian negara 949
- 2017: Jumlah kasus 315, Jumlah tersangka 730, Nilai kerugian negara 4,400
- 2018: Jumlah kasus 235, Jumlah tersangka 489, Nilai kerugian negara 4,800
- 2019: Jumlah kasus 109, Jumlah tersangka 216, Nilai kerugian negara 847

- ◼ Jumlah kasus
- ◼ Jumlah tersangka
- — Nilai kerugian negara

✖ KPK only has 1 (one) office at the central level.

✖ Based on the 2019 Excerpt DIPA issued by the Ministry of Finance, the KPK is targeting as many as 105 cases during 2019.

✖ The performance of the prosecution of corruption cases carried out by the KPK significantly increased from 2015 to 2019.

✖ This condition indicates that the KPK's performance so far has been very significant. Especially when many actors who have strategic positions are arrested by the KPK, such as ministers, judges, regional heads, legislators and prosecutors.

Jabatan chart (left):
- Kepala Desa: 20
- Swasta: 60
- ASN: 78

- ◼ Kepala Desa ◼ Swasta ◼ ASN

Jabatan chart (right):
- Kepala Daerah: 3
- Jaksa: 4
- Anggota Legislatif: 8

- ◼ Kepala Daerah
- ◼ Jaksa
- ◼ Anggota Legislatif

PRESIDENTIAL STATEMENT REGARDING THE STRENGTHENING OF KPK

KPK PERFORMANCE POST REVISION OF THE KPK LAW
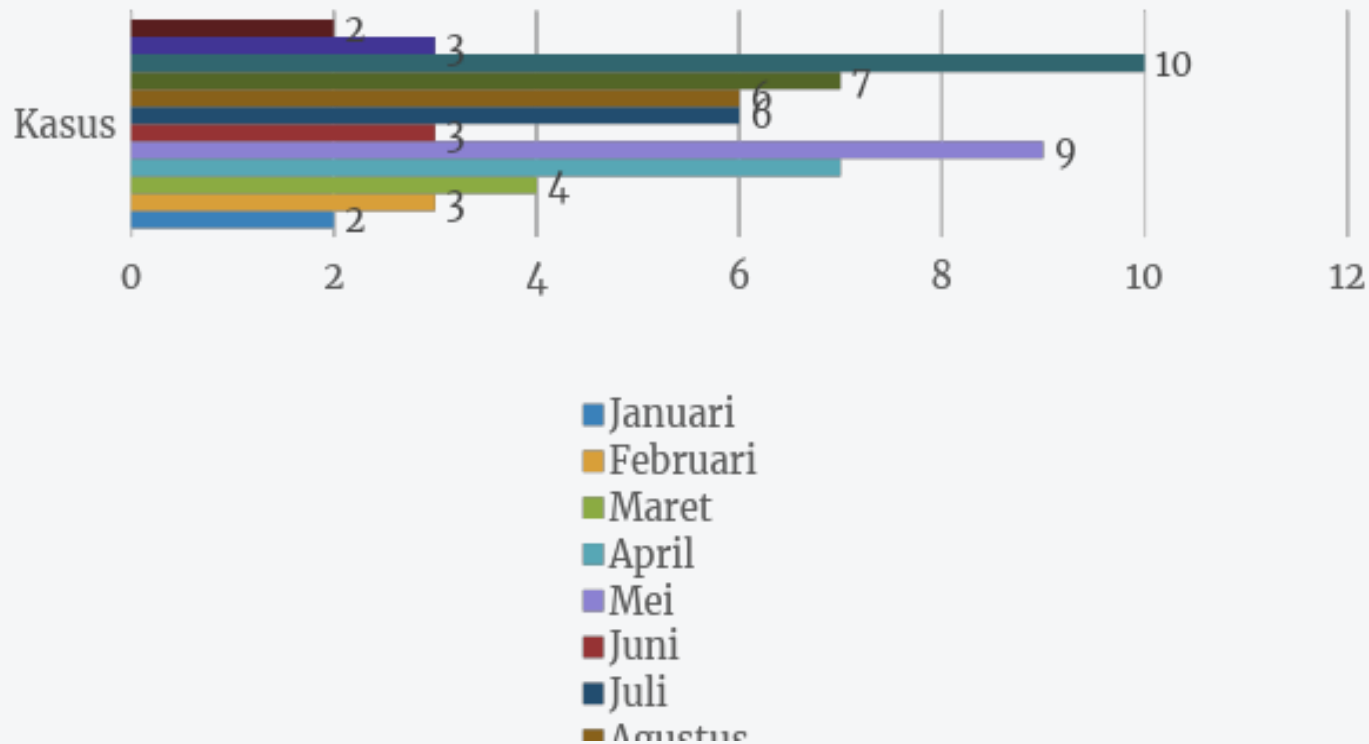
❌ On October 16, the government and the DPR passed the KPK Law. Since then, the prosecution of corruption cases by the KPK has drastically decreased. This shows that President Joko Widodo's statement regarding the strengthening of the KPK is incorrect.

CONCLUSION

- In 2019, law enforcers succeeded in cracking down on 271 corruption cases by naming 580 suspects. The value of state losses incurred as a result of the corruption was Rp. 8.4 trillion.

- The prosecution of corruption cases during 2019 has shown a gradual decline since 2018.

- Bribery is the dominant MO used by the suspects. In addition, abuse of authority has become an MO with deep implications in the amount of state losses incurred, such as the case committed by the Regent of Kotawaringin Timur regarding the issuance of IUP.

- Law enforcers have not made TPPU instruments as an effort to impoverish corruptors. This can be seen from the minimum number of articles on money laundering being imposed on corruption perpetrators.

- The village budget is the recurrent sector throughout 2019. In addition, there are also sectors that, although have small number of cases, need attention in quality, such as: natural disasters, mining, justice, law enforcement, and prisons.

- Civil servants and the private sector actors have the most corrupt tendencies and cases.

- The number of corruption charges against corruption has decreased from the previous year.

- The performance of prosecution for corruption cases carried out by the prosecutor's office and the police has not been significant because throughout 2019 the number of cases investigated has decreased and has not even reached the target as planned.

- The performance of the prosecution of corruption cases by the KPK is very significant. This is shown by the increased handling of corruption cases from 2015 to 2019. Actors named as suspects by the KPK often have great authority such as ministers, regional heads, legislators and even law enforcers.

RECOMMENDATION

- ✖ The government must stop the efforts in making it easier for companies to obtain any permits related to the environmental sector because the impact is very large and is detrimental to the surrounding community.
- ✖ Law enforcers must be more active in wearing the TPPU article as an effort to prevent and seize assets of perpetrators of corruption.
- ✖ The government must provide assistance to village heads and officials so that they can manage the large number of village budgets.
- ✖ Law enforcers must expose corruption crimes committed by the executors down to the masterminds..
- ✖ The government, law enforcement, and the court must take a firm stance, in regards to the temporary dismissal of ASN who has been named a suspect.
- ✖ Law enforcers need to impose criminal efforts against corporations as a form of accountability.
- ✖ The police and prosecutors must disclose information regarding the handling of corruption cases to the public so that the public can jointly monitor the law enforcement process in a transparent manner.
- ✖ The government must strengthen the KPK by issuing the KPK Perppu. As shown from the track record, the KPK's performance was satisfactory prior to the revision and the new KPK leadership.

Thanks!

Any questions?

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