

# Vol. 9, No. 3 September 2023

**Article History** Received: 18/08/2023 Revised: 26/11/2023 Accepted: 21/01/2024

# Criminal Conflict Analysis: Factors Causing Criminal Acts in TIPIKOR and TPPUU Cases (Decision Number 06/Pid.Sus-TPK/2022/PN.Bjm)

Vabiola Syahilla<sup>1\*</sup>, Yeni Widowaty<sup>2</sup>. <sup>1</sup>Master of Law, University of Muhammadiyah Yogyakarta Email: <u>vabiola.syahilla.psc21@mail.umy.ac.id</u> <sup>2</sup>Master of Law, University of Muhammadiyah Yogyakarta \*surel korespondensi: <u>vabiola.syahilla.psc21@mail.umy.ac.id</u>

**Abstract:** The compounding of criminal acts of TIPIKOR and TPPU is not a new thing, there are several previous studies that discuss this matter but in mining cases there has been no deeper discussion, this makes the author interested in researching related to the compounding of criminal acts in TIPIKOR and TPPU in the mining sector. This research aims to obtain knowledge related to the factors of concurrent criminal acts in TIPIKOR and TPPU in the mining sector. This research is a normative juridical research. The results of the research are: the factors causing concurrent criminal acts, namely TIPIKOR and TPPU in the mining sector based on the author's analysis in verdict number 06/pid.sus-tpk/2022/pn.bjm, namely the factors of power and opportunity possessed by the perpetrator, which made the perpetrator commit concurrent criminal acts, namely TIPIKOR and TPPU.

Keywords: Conjunction of Criminal Acts; TIPIKOR; TPPU.

## INTRODUCTION

Criminal acts that occur in excess of one criminal act (either two or more) criminal acts by one perpetrator, whether the criminal act committed by the person includes the first act and has not been sentenced, or the first criminal act and subsequent criminal acts have not been limited or not limited by a court decision or judge's decision, are concurrent criminal acts known as concursus.<sup>1</sup> Conjunction of criminal acts consists of three forms, namely<sup>2</sup>: First, it can be in the form of concurrent rules or known as concursus idealis. Second, it can be in the form of concurrent criminal acts or known as concursus realis. and Third, it can be in the form of continuing actions or known as concursus handelings. The

<sup>&</sup>lt;sup>1</sup> Asmir Reskianto, "PERBARENGAN TINDAK PIDANA (CONCURSUS) PENCURIAN DAN PENGANIAYAAN (Studi Kasus Di Lembaga Pemasyarakatan Klas I Makassar)," 2016.

<sup>&</sup>lt;sup>2</sup> Reskianto.

purpose of the form of concatenation of criminal acts above is to facilitate the imposition and facilitate the calculation of criminal sanctions to one defendant for several criminal offenses committed. It should be underlined that in the event of a combination of criminal acts or several acts there are acts that are required to be considered as an independent act (stand alone), it will become several types of crimes and several types of crimes are punishable by similar basic crimes and result in the imposition of only one criminal offense<sup>3</sup>.

The combination of criminal acts in terms of corruption is almost identical to the combination of money laundering crimes, related to the combination of the two criminal acts classified in concursus realis. There is previous research that states that "the application of witnesses to the crime of concurrent criminal acts in the criminal act of corruption and money laundering should use a sharpened absorption system". However, the reality is that judges still apply criminal sanctions to the perpetrators, namely sanctions that have a partial nature.<sup>4</sup> In the mining sector, especially business licensing, the eradication of corruption has become the focus of the Corruption Eradication Commission or KPK at this time because of the increasingly massive and systemic corruption in the mining licensing sector.

Related studies in the mining sector<sup>5</sup> The assessment conducted by Transparency International Indonesia aims to assess the consequences of corruption in the process of granting licenses in the mining business sector, both starting from the process or stage of determining the mining area, as well as the auction of the mining business license area, to the stage of issuing the license. In the results of the assessment, it was found that "there are 35 risks of granting IUP triggering TIPIKOR, 20 of which are said to be very high risk, which are almost certainly at risk or have a negative impact if there are no efforts to overcome and fix problems and gaps in the system and governance of licensing in the mining business". The consequences above include: Unopen access to information data in the mining sector, weak audit and supervision systems in the mining sector (both financial and mining implementation), incomplete geological information systems that have an impact on the uncertain economic value of WIUP and land surface status, poor law enforcement related to non-compliance and corrupt practices in the process of granting licenses in the mining business, The regulatory framework related to supporting good governance in the mining sector is not robust or strong, weak coordination of the granting of mining business licenses, non-compliance with the implementation of Law No. 4 of 2009 concerning MINERBA and other related laws, and weak community involvement, especially for those affected by mining activities, including in the granting of mining business licenses<sup>6</sup>. Not only that, other

<sup>&</sup>lt;sup>3</sup> Ibid.

<sup>&</sup>lt;sup>4</sup> Alif Oksaryan Mulyana and Diana Lukitasari, "Penerapan Aturan Perbuatan Berlanjut Dalam Putusan Perkara Pidana," *Recidive : Jurnal Hukum Pidana Dan Penanggulangan Kejahatan* 11, no. 3 (2022): 267, https://doi.org/10.20961/recidive.v11i3.67459.

<sup>&</sup>lt;sup>5</sup> Faiqoh Nur Azizah, "Konsep Penyalahgunaan Wewenang Dalam Penerbitan Izin Usaha Pertambangan (IUP) Sebagai Tindak Pidana Korupsi" 6 (2022): 31–44.

<sup>&</sup>lt;sup>6</sup> Survey Transparansi Internasional Indonesia 2017, Diakses Pada 17 Agusus 2023, Https://Ti.Or.Id/Pemberian-Izin-Usaha-Pertambangan-Rawan-Korupsi/

things concerning state losses in the financial section arising from corrupt acts of licensing in the mining sector can be said to be large in value. KPK claims in its records that every year losses in the amount of trillions are experienced by the state as a result of corrupt practices in the mining sector<sup>7</sup>.

Causes of corruption<sup>8</sup> corruption results from important decisions made on the basis of personal considerations and disregard for the effects on others. Corrupt acts are also often associated with the abuse of authority of public resources for personal gain. The rise of corruption in the mining sector must be due to a background or a factor, both internal and external factors.

Several cases occurred in Indonesia related to the conjunction of criminal acts in TIPIKOR and TPPU in the mining sector, namely the case of Nur Alam who was involved in corruption and was charged by the corruption eradication commission. In 2015, before the Nur Alam case, there was also a case in the mining sector, namely the case of Adriansyah, a PDI-P politician and former regent who was proven to have received a bribe of more than 1M given by the owner of PT Mitra Maju Sukses<sup>9</sup>. The Corruption Eradication Commission has investigated a case of concurrent criminal acts in TIPIKOR and TPPU by a former public official, namely the former "Regent of Tanah Bumbu Mardani H Maming. The corruption eradication commission investigated by requesting information and clarification from various parties, including the ESDM Office of Tanah Bumbu, ESDM of South Kalimantan Province, PT Prolindo Cipta Nusantara, and analyzing various documents". The handling of the corruption case above is classified as bribery and gratification related to business licenses in the mining sector in Tanah Bumbu, South Kalimantan<sup>10</sup>. This investigation was carried out on the basis of a report by the local community who objected to the mining business in 2022.

The number of public officials involved in corruption cases in the mining sector, namely related to mining business licenses, must be legally processed. The goal is to have a deterrent effect on the perpetrators and the perpetrators' actions must be charged with a combination of criminal acts and need to make systematic efforts to prevent corruption in the mining sector from increasing in the future. The existence of cooperation and coordination from the Corruption Eradication Commission and all related parties according to the author is important to do in order to obtain certainty regarding prevention and steps in criminal acts of corruption in the mining sector so that they can be carried out honestly and fairly. This study aims to analyze the factors that cause concurrent criminal acts in the tipikor and tppuu in the mining business permit sector by reviewing the application of sanctions in the case of Decision Number 06/Pid.Sus-TPK/2022/PN.Bjm which has been

<sup>9</sup> Https://Antikorupsi.Org/Id/Article/Korupsi-Sektor-Pertambangan Diakses Pada Tanggal 22 Desember 2022
<sup>10</sup> <u>Https://Nasional.Tempo.Co/Read/1614210/Kpk-Ungkap-Fakta-Dugaan-Korupsi-Izin-Pertambangan-Di-Tanah-Bumbu-Kalsel</u> Diakses Pada Tanggal 22 Desember 2022

 <sup>&</sup>lt;sup>7</sup> H. Satria, *Hukum Pidana Korporasi: Doktrin, Norma & Praktis* (jakarta: Kencana Prenada Media Group., 2020).
<sup>8</sup> Pope, J. (2000). *Confronting Corruption: The Elements Of National Integrity System*. London: Transparency International.

decided by the judge whether it has provided a deterrent effect on the perpetrators of concurrent criminal acts in the case of this study relating to TIPIKOR and TPPU in the mining sector related to business licenses in Indonesia. Similar research can be found in research by Inka Ananda with the title "Criminal Liability for Conflation of Corruption and Money Laundering Analysis of Decision Number 2931 K/Pid.Sus/2021". The research equation with the author is that it discusses the same criminal act, the difference is that the case studied is insurance management at PT Jiwasraya, while the author examines the case of concurrent criminal acts in mining cases.

### **RESEARCH METHODS**

This research is a normative legal research<sup>11</sup> which is descriptive in nature which means describing and providing data thoroughly regarding the analysis of corruption and money laundering cases in mining business licenses and is carried out with the results of a review of written law that focuses on doctrines, principles, and legal discoveries. The use of normative juridical research methods in this writing is a research based on legal principles, legal rules and legal systematics. The approach in this research is a statutory approach and a case approach. Legal materials are primary in the form of laws and regulations and the author also uses secondary legal materials because they can provide an explanation of primary legal materials<sup>12</sup>.

The data collection technique in this research is done by conducting a document study. The purpose of the document study conducted by the author in this writing is related to data collection by analyzing information that has become written in publications from various sources attached to this research. The collection of legal materials is carried out by collecting and studying data from library research in the form of laws and regulations, court decisions, related literature, and also the results of legal research related to the criminal act of concurrence in the crime of corruption and the crime of money laundering.

## DISCUSSION

# A. Analysis of Causal Factors and Implementation of Sanctions on Combating Crime in Corruption and Money Laundering in the Mining Business License Sector

Concomitance of criminal acts means that there is a combination of punishments. The Criminal Code regulates the combination of criminal acts with provisions on the measure in determining criminal acts that have a tendency to aggravate the punishment. The classification of concurrent criminal offenses in the Criminal Code has three forms, namely<sup>13</sup>:

<sup>&</sup>lt;sup>11</sup> aswandi S.H., "PENEGAKAN HUKUM TINDAK PIDANA KORUPSI YANG BERBARENGAN DENGAN TINDAK PIDANA PENCUCIAN UANG (CONCURSUS REALIS)." (2013).

<sup>&</sup>lt;sup>12</sup> Soerjono Soekanto Dan Sri Mamudji, Penelitian Hukum Normativ, Rajawali Press, Jakarta, Hlm 15.

<sup>&</sup>lt;sup>13</sup> Octavianus Rantung, Karel Yossi Umboh, and Willda Assa, "PERBARENGAN PERBUATAN YANG MENGGUNAKAN DAKWAAN KUMULATIF ATAU DAKWAAN SENDIRI-SENDIRI MENURUT PASAL 65, PASAL 66 DAN PASAL 71 KUHP (KAJIAN PUTUSAN PN CIREBON 301/PID.B/2020/PN.CBN)" X, no. 2 (2022).

First, it is regulated in Article 63 related to "an act that falls into more than one punishment rule". Secondly, Article 64 relates to "acts that are classified as crimes or offenses, but have such a relationship that gives rise to the view that the acts are continuing". Third, it is regulated in Article 65 related to "several actions that stand alone as criminal offenses that do not have to be similar and do not have to be interconnected". The combination of criminal acts has a punishment system in the Criminal Code known as: Absorption Stelsel (the heaviest provision is applied without regard to other provisions). and Cumulation Stelsel (a criminal act can be imposed individually)<sup>14</sup>.

An act of corruption can occur if it has fulfilled: First, power, meaning that if a person has power, especially in carrying out administrative activities, it can trigger corruption. Second, there are economic benefits in public policy or termed economic rent. Third, the existing system can encourage opportunities for public officials to commit corruption<sup>15</sup>. Corruption is not only about taking money belonging to the state, but there are many kinds or types of corruption that can be found in the Corruption Eradication Law<sup>16</sup>.

The mining business can be said to be one of the strategic sectors and has a strong potential for corruption. In practice, corruption in the mining sector can almost occur in every process of mining business activities, starting from the conversion of mining land, mining business licensing, implementation of mining activities, payment of company interests, for example, one example is Non-Tax State Revenue, sale of mining products, to the allocation of post-mining reclamation guarantee funds. According to Robert Kitgaard in his theory, namely the CDMA theory or described as Corruption Directionary Monopoly Accountability that criminal acts of corruption occur due to power and monopoly factors that are not accompanied by accountability<sup>17</sup>. Furthermore, H. Taufik Rahman, pointed out three factors that cause corruption including<sup>18</sup>: First, there is an "intention" which is closely related to a person's moral quality, meaning that a person with high morals tends not to commit corruption, but intention is abstract, meaning that it can be influenced by the conditions at that time. Second, there is an opportunity factor. Third, the influence of the environment, both internal and external. In the Corruption Eradication Law. In general, this law has divided the classification of corruption offenses into seven parts<sup>19</sup>.

The effectiveness of combating corruption and money laundering, which are strategic methods used to conceal the proceeds of corruption, has become increasingly complex.

<sup>&</sup>lt;sup>14</sup> Fioren Alesandro Keintjem, Rodrigo F. Elias, and Nurhikmah Nachrawy, "Konsep Perbarengan Tindak Pidana (Concurcus) Menurut Kitab Undang-Undang Hukum Pidana 2021," *Lex Crimen* X, no. 5 (2021): 191–98.

<sup>&</sup>lt;sup>15</sup> Ridwan Dan Wijayanto, (2009). Pustaka Utama. Hlm 9.

<sup>&</sup>lt;sup>16</sup> Wicipto Setiadi, "KORUPSI DI INDONESIA (Penyebab, Bahaya, Hambatan Dan Upaya Pemberantasan, Serta Regulasi)," 2018, 249–62.

<sup>&</sup>lt;sup>17</sup> Fabianus Wahyu et al., "FAKTOR YANG MEMPENGARUHI PENCEGAHAN DAN UPAYA PEMBERANTASAN KORUPSI" 2, no. 2 (2021): 580–85.

 <sup>&</sup>lt;sup>18</sup> Taufik Rahman : Tiga Faktor Penyebab Korupsi, Diakses 17 Agustus 2023, Https://Sumsel.Kemenag.Go.Id/Berita/View/91568/Taufik-Rahman--Tiga-Faktor-Penyebab-Korupsi
<sup>19</sup> Indah Sri Utari.dkk (2020) hlm: 325–32.

However, these challenges can be addressed through the existing Anti-Money Laundering laws. Despite this, the process of resolving and providing evidence in these cases is often characterized by a lack of swiftness<sup>20</sup>. The obfuscation of the source of funds and assets stemming from corruption is on the rise, and it doesn't always align with law enforcement's capabilities to effectively address and combat money laundering offenses. The development of robust countermeasure policies is crucial in addressing both money laundering and corruption, treating them as interconnected crimes with a shared origin<sup>21</sup>. Money laundering is considered a serious crime due to its organized and systematic nature, distinguishing it from ordinary crimes. Perpetrators, particularly those involved in corruption, often wield significant power, facilitating the concealment of illicit gains. The patterns of money laundering can typically be categorized into three main groups<sup>22</sup>, First, "placement" refers to the attempt to place funds derived from criminal activities into the financial system. Secondly, "layering" involves a series of complex transactions to hide traces of the proceeds of crime. Finally, "integration" involves the return of the disguised funds into the legal economy, making it difficult to trace back to the source of the crime.

One example of a case of joint criminal offense, namely TIPIKOR and TPPU, is found in the decision of the BJM District Court, namely: "Decision Number 06/Pid.Sus-TPK/2022/PN.Bjm". The defendant in this decision was the defendant Ir. H. Raden Dwidjono Putrohadi Sutopo bin Moejono as a Public Servant or State Organizer, namely as a Public Servant with a position as Head of the Mining and Energy Office of Tanah Bumbu Regency based on the Decree of the Regent of Tanah Bumbu Regency Number: 821.2.3.4/008-BANG.1/BKD dated January 20, 2011. In this decision, the judge considered the first cumulative charge combined with alternative charges, so the focus of the judge's consideration was on the third alternative charge. The alternative charge was based on Article 11 Jo. Article 18 of the Anti-Corruption Law, with the following elements of consideration:

1. Public Servant or State Organizer: This is the first element used to prove that the perpetrator has the authority to commit corruption.

2. Receipt of Gifts or Promises: As the second element used to explain the indictment related to the acceptance of gifts for mining business licenses that the defendant assisted in managing.

3. Knowing that the Gift was Given because of the Power of Position: This is the

<sup>&</sup>lt;sup>20</sup> Redentor Goncalinho, Antonio Obe, and Florianus Aloysius Nay, "Jurnal Administrasi Publik Model Pemidanaan Terhadap Pelaku Tindak Pidana Korupsi Yang Dibarengi Dengan Tindak Pidana Pencucian Uang Melalui Platform Digital" 4, no. 2 (2022): 125–32.

<sup>&</sup>lt;sup>21</sup> Tindak Pidana, Korupsi Dan, and Pencucian Uang, "PERTANGGUNGJAWABAN PIDANA TERHADAP PERBARENGAN TINDAK PIDANA KORUPSI DAN PENCUCIAN UANG Analisis Putusan Nomor 2931 K/Pid.Sus/2021," 2023.

<sup>&</sup>lt;sup>22</sup> Aswandi S.H., "Penegakan Hukum Tindak Pidana Korupsi Yang Berbarengan Dengan Tindak Pidana Pencucian Uang (Concursus Realis)."

third element that relates to the defendant's knowledge that the gift was given because he had power in his position.

The outcome of this verdict includes imprisonment and fines as a consequence of proving the charge. In this decision, the prosecution of criminal acts was carried out by preparing cumulative charges by the Public Prosecutor. Cumulative charges are made by the Public Prosecutor when the defendant is involved in more than one criminal act, which are considered as independent acts and not related to each other. Thus, prosecution in the form of a cumulative indictment allows the court to consider and try several criminal acts committed by the defendant separately.

Indeed, the judge's consideration plays a crucial role in realizing a decision that embodies the principles of justice, utility, and legal certainty. The careful and meticulous examination of the judge's considerations is imperative. If the judge's considerations are not addressed with precision, the decision is susceptible to being overturned by the High Court or Supreme Court. The transparency, thoroughness, and adherence to legal principles in the judge's considerations contribute significantly to the legitimacy and effectiveness of the judicial process. It ensures that decisions are grounded in the rule of law and can withstand scrutiny in higher courts, promoting the principles of justice and legal certainty in the legal system<sup>23</sup>. In criminal cases, for example, judges have an obligation to take into account the minimum and maximum sentencing limits set by the relevant laws. Judges are not allowed to impose sentences outside the ranges that have been determined by these regulations. This is to ensure that the judge's decision is in accordance with the applicable laws and does not violate the principles of justice and legal certainty.

The chronology of the case is that in 2010 "the defendant introduced HENRY SOETIO, Director of PT Prolindo Cipta Nusantara, to Mulyadi as the Mining Supervision Section of the Mining and Energy Agency of Tanah Bumbu Regency. This introduction was based on the fact that Mr. Henry wanted to transfer the Production Operation IUP of PT Bangun Karya Pratama Lestari to PT Prolindo Cipta Nusantara and asked for help from Mulyadi and was approved. Then Mulyadi contacted the legal department of PT Prolindo Cipta Nusantara regarding the completeness of the required documents in the transfer of Production Operation IUP and on the defendant's orders, Mulyadi prepared evaluation documents. The defendant submitted the recommendation letter to the Regent without attaching documents related to the Environmental Impact Assessment because PT. Prolindo Cipta Nusantara did not yet have an AMDAL document, so that on the basis of the recommendation letter the Regent signed a Regent Decree for the Transfer of PT Bangun Karya Pratama Lestari's Coal Production Operation IUP to PT Prolindo Cipta Nusantara". Then in 2014, HENRY SOETIO also applied for the Production Operation IUP of PT Asri Mining Resources to be transferred to PT Lestari Cipta Persada which also did not have and did not attach an Environmental Impact Assessment document, and even though the transfer of IUP was not allowed, the

<sup>&</sup>lt;sup>23</sup> Mukti Arto, Praktek Perkara Perdata Pada Pengadilan Agama, H.140.

defendant again made and signed a recommendation for the transfer of Production Operation IUP requested by HENRY SOETIO. On July 28, 2016, HENRI SOETIO submitted a letter of application for the Extension of Production Operation IUP on behalf of PT. Prolindo Cipta Nusantara to the One Stop Integrated Service Agency of South Kalimantan Province which was made and signed by HENRY SOETIO to the Governor. Then the defendant in addition to serving as the Head of the Mining and Energy Service of Tanah Bumbu Regency at that time, the defendant also established and ran a Coal Mining Service business by establishing PT Borneo Mandiri Prima Energi on March 8, 2016 managed by Bambang Budiono PWS as Director or younger brother of the defendant in collaboration with PT Sumber Alam Inti Mandiri. The defendant as the Head of the Mining and Energy Agency of Tanah Bumbu Regency, has received money from HENRY SOETIO in the total amount of twenty seven billion six hundred and fifty million rupiah in relation to the defendant's actions in the transfer of Mining Business License and the extension of Mining Business License for the company owned by HENRY SOETIO". The defendant is said to have concealed and disguised the source, origin, location, allocation, transfer of rights, or actual ownership of the Assets, namely having placed as initial capital and operational costs of PT Borneo Mandiri Prima Energi owned by the defendant, transferred money to the accounts of Sugiyanti as the defendant's wife and Bambang Budiono as the defendant's younger brother, transferred to the account of Andri Nor Akhmad Saputra as the defendant's staff or driver, made Royalty and Operational payments and paid for land acquisition and purchase of land for mining land for the company owned by the defendant, made car purchases and made transfers to several other people or parties ".

From this explanation, several factors can be drawn that cause defendants to commit joint criminal offenses:

1. Power Factor: The power possessed by the defendant as a Public Servant or State Organizer, especially as the Head of the Mining and Energy Agency of Tanah Bumbu Regency, provided opportunities and chances for the defendant to be involved in joint criminal acts.

2. Violation of the Mining Law: The actions of the defendant, especially in relation to the transfer of mining business licenses, were considered by the judge as a violation of the provisions in the Mining Law (Mining Law). This became one of the basis of the judge's consideration in assessing the defendant's guilt.

3. Violation of the ASN Law: The acceptance of money by the defendant was considered contrary to the ASN Law, which states that ASN employees must obey the provisions of legal regulations. Article 4 Point 8 of Government Regulation No. 53/2010, which prohibits civil servants from receiving any gifts related to their position, was used as a legal basis in the judge's consideration.

Thus, these factors became the basis for the judge in determining the defendant's guilt in committing the crime of compounding, and in line with the applicable rules of law.

Conjunction of criminal acts is regulated in Articles 65 and 66 of the Criminal Code. There are differences between the two articles<sup>24</sup>. In Article 65, concurrent criminal offenses are regulated, namely regarding similar basic criminal threats and Article 66 which regulates concurrent criminal acts with basic criminal threats (not similar or not the same)<sup>25</sup>. Charges of multiple criminal acts can be placed in one indictment, so they take the form of cumulative charges as in the example of the decision above. However, it does not rule out the possibility that another placement can be made, for example a separate indictment. Article 71 of the Criminal Code stipulates that if a person has been sentenced, and then found guilty again of a crime committed before the criminal act, then the punishment taken into account in the previous criminal act will be imposed using the rules in this article related to matters that are tried at the same time<sup>26</sup>. Regarding the application of criminal witnesses in this decision, namely two years of imprisonment, it is in accordance with the existing charges and does not exceed the maximum penalty in the cumulative charges given by the public prosecutor. According to the author, the two-year sentence and the imposition of a fine of five hundred million rupiah with the provision that it can be replaced by four months imprisonment is sufficient for the perpetrator, but the imposition of the perpetrator's punishment does not necessarily have a deterrent effect on the perpetrator. The maximum punishment in the cumulative charges considered by the judge, namely in Article 11 of the TIPIKOR Law, is 5 years.

Basically, there are various punishments for perpetrators of corruption, including the death penalty stipulated in the Corruption Eradication Law. Even so, the application of the death penalty can still be said to be rare. In fact, if you look at China, many perpetrators of corruption in the country have been sentenced to death and shown in public so that it will have a deterrent effect on anyone who wants to commit corruption. After the implementation of this punishment in China, the country's economy became more advanced. Furthermore, the punishment of cutting hands is also applied by several countries in the world which results in the number of this punishment will cause unrest related to human rights. According to the author, the punishment of cutting hands is not suitable to be applied in Indonesia. However, the death penalty should be more emphasized in Indonesia and not only become written law but real application is also needed, in order to improve the nation's economy and minimize the number of corrupt actors in Indonesia.

#### CONCLUSIONS

The conclusion provides a clear picture of the factors that cause criminal acts, especially in the TIPIKOR and TPPU cases described in decision number 06/pid.sus-

<sup>&</sup>lt;sup>24</sup> Tongat, "Dekonstruksi Stelsel Absorpsi - Dalam Perbarengan Tindak Pidana," n.d.

<sup>&</sup>lt;sup>25</sup> Rantung, dkk (2022)".

<sup>&</sup>lt;sup>26</sup> Ibid.

tpk/2022/pn.bjm. There are further developments that can be considered, such as: Deeper Analysis: Dig deeper into how the power and opportunity factors related to the position of a public servant can influence the defendant's tendency to commit a criminal offense. Are there weaknesses in the supervisory system or policies that support the occurrence of such acts, Impact on Society: Details the impact of the criminal act on the local community. How the defendant's actions have harmed the community or related sectors, and whether any restoration or compensation measures are proposed in the judgment. Recommendations for System Restoration: Provides suggestions or recommendations for improving surveillance systems or policies that may have failed to prevent criminal behavior. This may involve changes to organizational policies or improved oversight mechanisms. Long-term Implications: Presents thoughts on the long-term implications of the case for the fight against corruption and money laundering. By including these elements, your conclusion can be more complete and provide a more comprehensive picture of the impact and implications of the criminal conduct.

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