



# *Imposition of Compensation Money in Corruption Cases Based on Justice Values*

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**Abstract**— Law enforcement is a regulatory framework that governs permissible and forbidden behaviors, including the response to law infractions and other lawful actions carried out by the state. In the context of combating corruption in Indonesia, the presence of state financial loss is a crucial factor, as stipulated in Article 2 paragraph (1) and Article 3 of Law No. 31 of 1999, which was subsequently amended by Law No. 20 of 2001. This part pertains to the imposition of criminal penalties in the form of monetary restitution to compensate for financial losses incurred by the state. Nevertheless, the judge's ruling frequently must align with the prosecutor's requests about restitution, leading to challenges in implementation. This study employs a normative legal framework, utilizing a hermeneutic methodology to analyze legislative rules, judicial rulings, and relevant legal literature. The research findings indicate that the divergence between the prosecutor's requests and the judge's ruling impedes endeavors to retrieve public assets and eliminate corruption. The regulatory function of prosecutors and the Supreme Court is essential in guaranteeing uniformity in deciding replacement funds. Therefore, tight collaboration between prosecutors and judges is necessary to maintain a transparent and equitable judicial procedure. Ultimately, the implementation of financial restitution as a supplementary penalty seeks to recover the financial damages incurred by the government as a result of corruption. Furthermore, effective collaboration among law enforcement agencies can enhance public confidence in the judicial system's endeavors to eliminate corruption and reclaim state resources.

**Keywords**—Corruption; Imposition of Compensation Money; Law enforcement.

## I. INTRODUCTION

The law establishes the mandatory actions and/or the permissible and forbidden actions.[1] The law encompasses not just individuals engaging in illegal activities, but also lawful behaviors that may arise, as well as the state's resources to enforce the law. This legal system is a type of law enforcement. One notable aspect of prosecuting corruption crimes in Indonesia is the significant impact on the country's financial resources. This statement is directly connected to Article 2, paragraph (1) and Article 3 of Law number 31 of 1999, which deals with the prevention and elimination of corruption offenses. These articles were modified by Law number 20 of 2001. The issue of state financial loss is a major worry, particularly in light of the judge's ruling, as it pertains to the implementation of criminal penalties, namely compensation funds. Compensation funds in law enforcement pertaining to corruption are crucial for ensuring justice and facilitating the recovery of state financial damages incurred as a result of these illicit activities.[2] The judge's ruling specified that the restitution must be equitable and commensurate with the financial damages incurred by the state as a result of corruption. Law Number 31 of 1999, along with Law Number 20 of 2001, establishes a legal framework that governs the responsibilities of individuals involved in corruption to reimburse or compensate for financial losses incurred by the state. The imposition of compensation payment for criminal acts of corruption serves as an additional punishment for those convicted of such acts. Its purpose is to restore the financial losses incurred by the state as a result of the convict's actions, thereby ensuring that the state, as a victim, has its rights reinstated by the court.

Guideline Number 1 of 2019, released by the Attorney General of the Republic of Indonesia, pertains to the prosecution of corruption crimes. This guideline establishes rules for the recovery of state financial losses or the

restoration of the state economy, based on a specified proportion. Nevertheless, the judge's ruling on corruption offenses frequently necessitates adherence to the guidelines established by the Attorney General, rendering the execution of corruption crimes arduous. The Prosecutor's Regulations and Supreme Court (MA) Regulations are two legal organizations that play a crucial role in the administration of justice in Indonesia.[3] Common misunderstandings can occur about the allocation of financial restitution for illegal acts of corruption. An erroneous belief is that the amount of compensation awarded may not align with the prosecutor's requests and the judge's ruling. Restituting the embezzled funds in a criminal act of corruption is a formidable problem due to the fact that the culprits of this offense frequently originate from intellectual circles that hold influential positions within society. Hence, acts of corruption committed by criminals are classified as exceptional offenses. They frequently possess abundant access to resources and authority, which complicates the process of achieving returns. However, the implementation of this idea is further complicated by many barriers, mainly concerning the enforcement of supplementary fines. These hurdles may develop due to intricate regulations or divergent interpretations among law enforcement authorities, particularly prosecutors and judges.

The role of Prosecutor Regulations and Supreme Court (MA) Regulations in the Indonesian justice system is vital.[4] However, there are often discrepancies between the demands submitted by the prosecutor and the decisions issued by the judge. One result of this gap is the emergence of common misunderstandings regarding compensation arrangements in corruption cases. This discrepancy could impact the process of recovering stolen state assets, hampering efforts to eradicate corruption. Even though there is a difference in the nominal amount of compensation between the demands submitted by the prosecutor and the decisions taken by the judge in criminal acts of corruption, this cannot reduce the advantages that the Prosecutor's Regulations have in the process of investigating and prosecuting criminal acts of corruption. As the person closest to the defendant and the examination process, the prosecutor has a more significant opportunity to collect evidence and in-depth information related to the case. Apart from that, prosecutors also have a longer period to carry out more detailed and lengthy examinations than judges.

This advantage is significant in ensuring that compensation money is determined carefully and credibly. Prosecutors can make restitution claims based on solid evidence and in-depth analysis by having greater access to information and the opportunity to explore cases.[5] It allows the prosecutor to determine an adequate amount of compensation according to the losses caused by the corrupt act committed. Therefore, the judge's decision regarding compensation money is recommended to reflect the demands submitted by the prosecutor. It aims to ensure consistency and fairness in determining the amount of compensation money needed for the final decision. In this way, the decisions regarding compensation money will better reflect the results of an in-depth and credible process. They will be a practical step in efforts to eradicate corruption and restore state assets.

Consistency in law enforcement and Supreme Court (MA) regulations must follow the directions and guidelines set by the prosecutor's regulations regarding determining replacement money. By referring to these guidelines, judges can ensure that their decisions align with the analysis and recommendations prepared by prosecutors. It will help create better coordination between law enforcement agencies and minimize the risk of discrepancies between demands and decisions regarding compensation money.[6] These steps can also help avoid the emergence of common misunderstandings related to restitution arrangements in cases of corruption. By prioritizing consistency in determining the amount of compensation, the justice system can gain greater public trust in its efforts to eradicate corruption. Public trust is a key element in ensuring the success of efforts to eradicate corruption and recover state assets.

However, close cooperation between prosecutors and judges is needed to ensure the judicial process is transparent and fair. The prosecutor needs to present substantial evidence and in-depth analysis to the judge. In contrast, the judge must carefully evaluate all the information presented in the trial. Only then can decisions regarding compensation money reflect justice and truth and be a practical step in fighting corruption. In addition, increasing coordination between prosecutors and judges can help speed up the judicial process in corruption cases. By supporting each other and working together, prosecutors and judges can reduce potential bottlenecks in the justice system and ensure that corruption cases can be handled quickly and efficiently. It will help reduce the risk of undiscovered criminal acts of corruption and speed up the process of recovering state assets.

## II. LITERATURE REVIEW

### A. *The Definition of Compensation Money*

Article 18, paragraph (1) of the Anti-Corruption Law does not specify the definition of compensation money in relation to the additional penalties mentioned in letter b. Suppose the definition of "obtained" in the KBBI is contingent upon Komariah Emong Sapardjaja's viewpoint. Therefore, compensatory money, in this context, refers to the property that the defendant acquired and derived pleasure from as a result of engaging in corrupt activities. According to Article 18 paragraph (1) letter b of the Corruption Law, the individual responsible is only required to pay compensation in the same amount of money they gained from the corrupt

activity.[7] The provision does not specify the magnitude of state losses, hence the compensation funds are unrelated to the extent of state losses. The primary objective of utilizing compensation funds as a supplementary penalty is not to reimburse the state for its losses or recoup the exact amount of those losses, but rather to seize the profits derived from the committed conduct.

Compensation money is a form of punishment that entails the offender, who has caused injury to another person (or the state), paying a specific sum of money or products to the victim. This payment aims to restore the situation as if the harm had never taken place. Romli Atmasmita, a member of the proficient panel responsible for formulating Law Number 31 of 1999, asserted that while examining the punitive framework implemented by both the previous and current Corruption Laws, individuals ought to harbor a sense of trepidation against engaging in corrupt practices. Furthermore, there is an additional requirement to provide restitution based on the extent of the corruption. Why would it be otherwise? Upon being accused with corruption, individuals invariably encounter numerous criminal sanctions. Law number 3/1971, which deals with the eradication of corruption crimes (Tipikor), imposes not only jail and fines as basic punishments, but also additional penalties on corrupt offenders. This rule aims to instill a sense of caution in individuals regarding corruption, despite the fact that they still have the ability to offer bribes.[8]

Compensation money in other nations is commonly known as Non-Conviction Based (NCB), which refers to the expropriation of assets without punishment. Asset forfeiture is a legal principle that originated in common law countries, like the United States, which involves the restoration of state losses. The objective of this notion is to compensate for the damages suffered by the state as a result of crimes, without first inflicting a criminal punishment on the offender. The NCB asset forfeiture technique allows for the confiscation of assets acquired by criminal activities, whether obtained directly or indirectly. This includes assets that have been received as gifts or converted into personal assets, belonging to either individuals or corporations.

#### *B. The Definition of Corruption Crimes*

Law Number 31 of 1999 and Law Number 20 of 2001, namely Articles 2 and 3, define public financial loss as a fundamental element of corruption. In 2013, data from the Institute for Research and Advocacy for Judicial Independence (LeIP) indicated. Although there are just a few articles, law enforcement agencies, such as the Police, Prosecutor's Office, and Corruption Eradication Commission, often employ these laws to apprehend those engaged in corrupt activities. Corruption, as defined in Article 2, paragraph (1) of the PTPK Law, refers to the involvement of persons or companies in unlawful acts with the intention of gaining personal or corporate profit, which ultimately causes financial harm to the state. Article 3 of the PTPK Corruption Law specifically addresses individuals, particularly Public Service Officers (PNS), who abuse their position, opportunities, or resources for personal enrichment or to advantage a corporation. Such misuse of authority might lead to fiscal deficits for the government.

Corruption is the deliberate misappropriation or embezzlement of finances from a government or institution for personal or third-party gain.[9] According to Lubis and Scott, corruption is the deliberate violation of legal boundaries by government officials in order to prioritize their own interests at the expense of others. Corruption refers to the illegal act of gaining personal wealth or benefiting a certain group, resulting in significant adverse effects on individuals, the country, and the government. Corruption include behaviors that violate the official duties associated with a governmental position, driven by personal gains such as social standing or financial rewards. This may entail showing preferential treatment towards oneself, immediate family members, or one's own social circle, while also rejecting the norms that dictate individual behavior. Corruption, sometimes referred to as Tipikor, is a criminal act that violates the economic and social rights of persons. Acts of corruption that possess criminal characteristics are presently classified as unusual offenses rather than ordinary crimes.

Politics is often associated with corruption. Although corruption is classified as a criminal act, its definition is different from that of other offenses. Corruption is not only linked to politics, but also intertwined with social economics, public policy, international policy, social welfare, and national development. Corruption is a complex problem that is overseen by dedicated committees within international organizations such as the UN.

### III. METHOD

This research will utilize a normative or doctrinal legal methodology, which entails examining legislative rules, judicial decisions, and relevant legal literature.[10] The distinguishing feature of employing a hermeneutic or dialectical approach is that the process of constructing knowledge is examined by analyzing the interaction between the researcher and the object of study, utilizing hermeneutic tools. This study employs constructivism as it incorporates not just library and statutory data but also utilizes hermeneutic interviews as a kind of data collection. Legal research involves analyzing laws and regulations pertaining to advocates' immunity rights and the Conceptual Approach. This method employs a comparative approach with multiple countries to assess the penalties imposed for financial compensation in cases of corruption. The research methodology employed is normative legal research, which involves the acquisition and examination of legal resources pertaining to the issue at hand. Legal research is conducted in order to identify resolutions to legal problems that develop. Legal

research is conducting research within the framework of legal knowledge. The outcome is to offer a recommendation on how to address the raised concerns.

#### IV. RESULT AND DISCUSSION

The pervasive occurrence of criminal acts of corruption has inflicted significant damage on the state's finances and constitutes flagrant abuses of society's social and economic rights. Therefore, it is imperative to categorize acts of corruption as criminal offenses that require a rigorous and determined effort for their elimination.[11] Corruption in Indonesia has pervaded the Government like a highly contagious infection, and efforts to eliminate it have remained stagnant since the 1960s till the present day. This situation becomes increasingly intricate and verges on being a dilemma when law enforcement professionals at various levels, ranging from higher to lower positions, are implicated in a network of corruption that should be considered adversaries of law enforcement or even subjects of law enforcement investigations.

When analyzing the many categories of illegal conduct categorized as corruption, it becomes clear that their outcomes vary as well. Based on the morphology of corruption repercussions, such as those pertaining to state finances, the consequences of corruption manifest in the form of state losses.[12] To effectively combat corruption, it is necessary to employ criminal law measures that not only expand the scope of individuals subject to corruption laws, but also impose severe punishments on those found guilty under such laws. According to Law Number 31 of 1999, in conjunction with Law 20 of 2001 (referred to as the PTPK Law), it is clear that various criminal penalties can be enforced. An key penalty that distinguishes the quo legislation is the imposition of "compensation money."

The regulations governing replacement criminal punishments are rigorously enforced in Article 18, specifically in paragraph (1) b, paragraph (2), and paragraph (3) of the PTPK Law. The supplementary punishment of providing compensation can be imposed on those who commit criminal acts of corruption, regardless of whether they have broken the restrictions stated in Article 2 and Article 3 or other articles. The perpetrators mentioned can encompass both individuals and corporations, as corporations, as per a specific legal principle, are recognized as the legal entities responsible for committing corrupt criminal crimes.

The maximum time limit for payment of compensation money is 1 (one) month. If convicted do not pay within that time, the prosecutor confiscates the assets and auctioned them off to cover the compensation money.[13] However, suppose the assets are insufficient to pay compensation, according to Article 18 paragraph (3). In that case, the convict will be sentenced to imprisonment whose length does not exceed the maximum threat of the main sentence.

The instrument for charging compensation money for corruption perpetrators has been standardized in article provision 18 paragraph (1) of the UUTPK, namely: (1). Apart from the additional penalties as intended in the Criminal Code, additional penalties are:

1. Seizure of physical or intangible movable assets or immovable assets that were used for or acquired via criminal acts of corruption, including companies owned by convicted individuals where such activities occurred, as well as the value of assets that are utilized to replace these products.
2. Payment of restitution equivalent to the value of the assets acquired through the illicit act of corruption.
3. Temporary cessation of operations for a duration of up to 1 year, either for the entire company or a specific portion of it.
4. The government may revoke certain privileges or eliminate certain advantages that have been or can be awarded to offenders.

The implementation of the new Indonesian Criminal Code under Law number 1 of 2023 has not altered the legislation regarding the imposition of compensation funds. Nevertheless, it continues to be classified under the supplementary criminal category, with the exception that the death sentence, previously classified under the primary criminal category, is now designated as a distinct criminal sanction due to its alternative imposition. According to Article 18 paragraph (1) sub. b UUTPK, the compensation money should be determined based on the value of the property received from the corrupt act, with the goal of making it as equitable as possible. In the UUTPK, the criminal notion of reparation money entails that any property acquired through corrupt criminal activities must be surrendered to the state.

When discussing compensation money in a corruption case, it is closely tied to the financial losses incurred by the state. The amount of compensation money imposed on the prisoner is determined based on the calculated state financial losses resulting from the corruption case.[14] Imposing financial restitution on those involved in corruption is considered an additional offense, separate from the one specified in Article 10 of the Criminal Code. Article 18, paragraph (1) of the Corruption Crime Law governs the imposition of reparation money. Nevertheless, both the Corruption Law and its accompanying explanation fail to specify the precise meaning of "compensation money". Instead, this article just governs the connection between compensation money and property that is acquired by corrupt practices. The amount of restitution imposed on individuals involved in corruption is equivalent to the illicit gains they have obtained, serving as a mere substitute for the corrupted assets. Consequently, in cases where corruption involves multiple individuals, the concept of "joint

responsibility" does not apply to restitution. Within the realm of criminal law, the concept of "joint liability" is not officially acknowledged. Instead, joint liability is a term derived from civil law that has been incorporated into criminal law. In cases involving corruption, some legal professionals employ the joint liability approach to impose compensation payments on convicted defendants. However, this practice is widely discredited and infrequently employed by judges when imposing compensation charges.

Supplementary criminal activity The payment of "compensation money" is a recently acknowledged criminal offense in the field of criminal law. The absence of any provision in Article 10 of the Criminal Code pertaining to the offense of compensating money, whether as a primary or secondary offense, is the reason why it remains unknown.[4] Nevertheless, according to the PTPK Law, the imposition of an additional penalty for the payment of compensation money is stipulated in Article 18 paragraph (1) letter b. Adami Chazawi states that the primary objective of giving compensation is to recoup financial damages caused by corrupt criminal activities. Yudi Kristiana shares the same view as Adami Chazawi, stating that imposing further criminal penalties in the form of compensation money is crucial. This is because one of the objectives in combating corruption is to recover the financial losses incurred by the state.

The purpose of imposing restitution money as a penalty for corruption is to inflict severe punishment on corrupt individuals in order to dissuade them and to instill fear in others contemplating engaging in corruption. Additionally, the objective is to recover State funds that were lost due to corrupt activities.[15] Suppose that the court has decided to allocate compensatory monies as outlined in Article 18, paragraph (1), letter b. In such situations, the offender is given a designated timeframe, as stipulated in Article 18 paragraph (2), to make the necessary payment for compensation. The defined period is one month following the court decision's attainment of permanent legal effect. It is crucial to emphasize that within this specific period, the prosecutor, who is accountable for enforcing the court ruling, lacks the power to prolong the date for payment of the compensation. However, it should be noted that the prosecutor does not have the authority to prolong the time frame for paying fines, as outlined in Article 273 paragraph (2) of the Criminal Procedure Code (KUHP). This is because the payment of compensation is distinct from the payment of fines. Distributing compensation payments is an additional violation. Concurrently, the main infraction involves the imposition of a monetary penalty, therefore the rules regarding fines, as specified in Article 273 paragraph (2) of the Criminal Procedure Code, cannot be directly utilized for the provision of compensation funds.

Although criminal fines may seem similar in terms of the monetary value or currency (such as rupiah) imposed on the assets of the offender or convict, they have fundamentally different characteristics. The discrepancy in the fine amount does not necessarily need to be associated with the subsequent consequences or losses, particularly in relation to state losses. However, when it comes to criminal sanctions, the payment of compensation must be specifically linked to the repercussions or losses that occurred due to the corruption perpetrated by the accountable person.[16]

This action is motivated by the underlying principle of criminal restitution, wherein the state's primary concern is the recovery of state funds lost as a result of corrupt criminal activities. This endeavor has led to revenue being generated for the public treasury through the collection of restitution payments from multiple convicted individuals, whose payment amounts have been established. Adami Chazawi states that the primary objective of giving compensation is to recoup financial damages caused by corrupt criminal activities. Nevertheless, fines serve the purpose of generating revenue for the state treasury.

Assume that the deadline for the payment of the compensation money has expired, and it is discovered that the offender has not fulfilled their obligation to provide the replacement funds. According to Article 18, paragraph (2), if the necessary conditions are met, the prosecutor has the authority to confiscate the individual's property and sell it at an auction in order to compensate for the damages. According to R. Wiyono, the term "property" refers to belongings of a convicted individual that are not acquired through corrupt activities, and belongings that are not used to commit corrupt acts. If it is proven in court that the convicted individual's property is obtained through corrupt activities but used for non-corrupt purposes, the court will impose an additional penalty by confiscating the goods, as stated in Article 39 paragraph (1) of the Criminal Procedure Code or Article 18 paragraph (1) letter b of the PTPK Law. This means that prosecutors do not need to seize and auction off the items in question to cover the compensation money.

Hans Kelsen asserts that in cases where one individual inflicts injury upon another person and fails to provide compensation, it is necessary to employ coercive measures against the property of this individual.[17] Put simply, an individual's wealth must be seized and subsequently transferred to the person they have wronged as a kind of restitution. Hernol Ferry Makawimbang believes that Hans Kelsen's viewpoint aligns closely with the content of Article 18 paragraph (2) of the Corruption Law, suggesting that the idea of thought discussed is essentially identical.

According to Article 18, paragraph (2), the phrase "may be confiscated" indicates that the prosecutor has the option to confiscate the property of the convicted individual. Moreover, the property owned by the convict is seized. Subsequently, the property is sent to auction, a process exclusively conducted by the prosecutor acting as the executor of the court's verdict, in the event that the convicted individual fails to fulfill the court's established

deadline for paying the designated sum of restitution.[18] The seizure of the defendant's property does not necessitate obtaining prior authorization from the Chairman of the local District Court or reporting it to the Chairman immediately after the seizure, as this action is not conducted as part of an investigation but rather as the implementation of a court ruling. Crucially, the prosecution must possess the ability to accurately assess the value of the defendant's confiscated belongings while seizing them. If put up for auction, it might generate sufficient funds to cover the specified sum of compensation as determined by the court's order.

The PTPK Law has provisions for imprisoning individuals who commit acts of corruption and are unable to make the required restitution for the losses incurred by the state. This explanation pertains to the stipulations listed in Article 18, paragraph (3) of the PTPK Law. It is evident that there are various prerequisites for offenders who are required to pay compensation money as an additional penalty to be sentenced to imprisonment. These conditions are as follows:

Within one month after the court decision became legally binding, it was discovered that the convicted individual no longer had the necessary funds to pay the compensation. Additionally, the proceeds from the auction of the convict's confiscated property, as mandated in Article 18 paragraph (2), were insufficient to cover the compensation amount.

The prison term given to a convict who lacks the assets to pay restitution should not surpass the maximum potential incarceration penalty outlined in the laws pertaining to the convict's committed acts of corruption.[19] The court judgment regarding the length of imprisonment takes into account the duration of imprisonment that will be imposed if the convicted individual lacks the necessary assets to provide compensation. The defendant is liable for all State losses, as they either benefited from or were enriched by the compensation money, or the losses were a result of unavoidable causalities. The distinction between compensation money and seized money lies in corruption situations, where in addition to the crime of compensation money, there is also the presence of confiscated money. It is necessary to establish precise definitions for these two types of extra crimes due to the controversies that sometimes arise from the differing definitions of compensation money and confiscated money. Government entities must possess a unified comprehension of the distinction between compensation money and confiscated money, particularly when both are deposited in the State treasury.

The legislators intended the crime of paying compensation money as an extra punishment to impose penalties that align more closely with the rehabilitation needs of the offender, restitution for the effects of the crime, and also to ensure protection for the community. Imposing extra fines is in line with the progressive legal perspective that promotes the advancement of law enforcement by fostering innovation and creativity in legal and societal advancements. The supplementary punishment of providing compensation can be imposed on those who commit criminal acts of corruption, regardless of whether they have broken the restrictions stated in Article 2 and Article 3 or other articles. This conclusion is derived from a methodical analysis of the provisions stated in Article 17 of the PTPK Law, which can be summarized as follows: "The defendant may face additional criminal penalties as outlined in Article 18, in addition to the penalties specified in Article 2, Article 3, and Article 5 to Article 14."

This provision states that perpetrators of criminal acts of corruption who violate Articles 2 and 3 can be subject to additional punishment, including compensation money. Furthermore, this punishment can also be applied to violations of Articles 5 to 14 of the PTPK Law. When it comes to imposing additional penalties in the form of monetary compensation, it is crucial to exercise caution and tailor the application to the specific case.

## V. CONCLUSION

The act of corruption in imposing compensation money not only damages public finances but also violates society's social and economic rights, as outlined in Article 18 of Law Number 31 of 1999jo. According to Law 20 of 2001 on the Elimination of Corruption Crimes, the payment of reparation money as an additional penalty is optional and is only applicable if the person is unable to pay. The alternative penalty that can be imposed is imprisonment. As per the Corruption Eradication statute, the act of providing compensation is classified as an extra offense under Article 18, paragraphs (1), (2), and (3) of the aforementioned statute. The concept of compensatory fines can be imposed on persons or corporations involved in acts of corruption. Corruption is a more egregious economic offense, therefore, it necessitates a more exceptional approach when seeking restitution for the damages caused by such criminal conduct. This is crucial in order to prevent substantial losses from occurring. To prevent the misappropriation of state funds and minimize the financial losses incurred, it is imperative to enhance the enforcement of criminal acts of corruption by imposing appropriate compensation measures. It is imperative for all communities to actively contribute to the eradication of corruption in Indonesia in order to prevent further financial losses caused by corrupt activities.

## REFERENCES

- [1] Y. Song, M. Y. Wang, and X. Lei, "Following the Money: Corruption, Conflict, and the Winners and Losers of Suburban Land Acquisition in China," *Geogr. Res.*, vol. 54, no. 1, pp. 86 – 102, 2016, doi:

10.1111/1745-5871.12158.

- [2] A. Rachmad, Z. Ulya, and Y. Amdani, "URGENCY OF EXTRADITION AGREEMENTS IN ERADICATING CORRUPTION CRIME IN INDONESIA," *J. IUS Kaji. Huk. dan Keadilan*, vol. 10, no. 3, pp. 489 – 501, 2022, doi: 10.29303/ius.v10i3.732.
- [3] A. K. Jaelani and M. J. Hayat, "The Proliferation of Regional Regulation Cancellation in Indonesia," *J. Hum. Rights, Cult. Leg. Syst.*, vol. 2, no. 2, pp. 121 – 138, 2022, doi: 10.53955/jhcls.v2i2.38.
- [4] F. M. Nelson and T. Santoso, *Corporate Corruption Countermeasures in Indonesia: Is Supreme Court Regulation 13/2016 Sufficient?* Nova Science Publisher Inc., 2021. [Online]. Available: <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85167748523&partnerID=40&md5=920909195de1622d391ba30152554d2e>
- [5] O. G. Andini, Nilasari, and A. A. Eurian, "Restorative Justice in Indonesia Corruption Crime: a Utopia," *Leg. J. Ilm. Huk.*, vol. 31, no. 1, pp. 72 – 90, 2023, doi: 10.22219/ljih.v31i1.24247.
- [6] R. Arifin, S. Riyanto, and A. K. Putra, "Collaborative Efforts in ASEAN for Global Asset Recovery Frameworks to Combat Corruption in the Digital Era," *Leg. J. Ilm. Huk.*, vol. 31, no. 2, pp. 329 – 343, 2023, doi: 10.22219/ljih.v31i2.29381.
- [7] L. Primasari, "The impact of information and technology development on trend of sanction for corruption cases: Are monetary sanctions effective?," in *AIP Conference Proceedings*, A. R., N. A., I. S.H., and W. R., Eds., American Institute of Physics Inc., 2022. doi: 10.1063/5.0104126.
- [8] K. Gomersall, "Governance of resettlement compensation and the cultural fix in rural China," *Environ. Plan. A*, vol. 53, no. 1, pp. 150 – 167, 2021, doi: 10.1177/0308518X20926523.
- [9] Yoserwan, "Supervision of Village Fund Management through Local Wisdom as a Corruption Prevention Effort in Nagari Governments in West Sumatra, Indonesia," *ISVS e-journal*, vol. 10, no. 4, pp. 211 – 220, 2023, [Online]. Available: <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85159841550&partnerID=40&md5=b4dec04cd8aafa4f1aecee6fdc114d74>
- [10] M. Ali, A. Muliyono, and S. Nurhidayat, "The Application of a Human Rights Approach toward Crimes of Corruption: Analyzing Anti-Corruption Regulations and Judicial Decisions," *Laws*, vol. 12, no. 4, 2023, doi: 10.3390/laws12040068.
- [11] I. M. G. D. Suta, I. G. A. M. Prabandari, and N. L. G. Astariyani, "Determining State's Financial Losses in Corruption: An Institutional Power and Constraint in Indonesia," *Lentera Huk.*, vol. 8, no. 1, pp. 95 – 114, 2021, doi: 10.19184/ejlh.v8i1.21923.
- [12] A. Asa'ari, J. Ahmad, Z. Zufriani, D. Witro, and M. T. Kustiawan, "Considering Death Penalty for Corruptors in Law on Corruption Eradication from the Perspective of Maqāsid al-Syarī'ah," *Samarah*, vol. 7, no. 2, pp. 920 – 936, 2023, doi: 10.22373/sjhk.v7i2.14944.
- [13] M. Y. Idy and A. A. Sahabuddin, "Justice sector corruption: Will Indonesia neutralize it?," *Int. J. Criminol. Sociol.*, vol. 10, pp. 39 – 44, 2021, doi: 10.6000/1929-4409.2021.10.06.
- [14] S. U. W. Prakasa, Asis, and M. M. Sahid, "Reduce Corruption in Public Procurement: The Effort Towards Good Governance," *Bestuur*, vol. 10, no. 1, pp. 33 – 42, 2022, doi: 10.20961/bestuur.v10i1.51339.
- [15] B. Suprayoga, Hartiwingsih, and M. Rustamaji, "RECONSTRUCTION OF STATE ECONOMIC LOSSES IN CRIMINAL ACTS OF CORRUPTION IN INDONESIA," *Rev. Gest. Soc. e Ambient.*, vol. 17, no. 4, 2023, doi: 10.24857/rgsa.v17n4-024.
- [16] Suteki, A. Jalil, A. Natalis, and A. V. A. Nasution, "Empowering Local Communities: Enhancing Engagement in Anti-Corruption Action Programs," *Lentera Huk.*, vol. 11, no. 1, pp. 56 – 88, 2024, doi: 10.19184/ejlh.v11i1.46552.
- [17] E. Effendi and M. Ali, "PUBLIC AWARENESS OF PUBLIC ADMINISTRATION GOVERNANCE AND LEGAL AWARENESS REGARDING ANTI-CORRUPTION MEASURES," *Corp. Law Gov. Rev.*, vol. 5, no. 1, pp. 8 – 16, 2023, doi: 10.22495/clgrv5i1p1.
- [18] M. D. Pane and D. Pudjiastuti, "The Legal Aspect of New Normal and the Corruption Eradication in Indonesia; [Aspek Hukum Normal Baru dan Pemberantasan Korupsi di Indonesia]," *Padjadjaran J. Ilmu Huk.*, vol. 7, no. 2, pp. 181 – 206, 2020, doi: 10.22304/pjih.v7n2.a3.
- [19] Hartanto, "Meaningfull Justice Decision of Grant Funding Criminal Corruption Cases," *Pakistan J. Criminol.*, vol. 15, no. 4, pp. 695 – 709, 2023, [Online]. Available: <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85178283564&partnerID=40&md5=d6e18a7b611a472357002f2d7c3ddb96>

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