REPORT ON THE TREND OF CORRUPTION PROSECUTION CASE IN 2018

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INDONESIA CORRUPTION WATCH

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INDONESIA CORRUPTION WATCH

"Power tends to corrupt, and absolute power corrupts absolutely" – John Dalberg Acton

List of Abbreviations

ADD	Allocation of Village Fund
APBD	State Budget
ASN	State Civil Apparatus
BPD	Agency of Regional Development
BPJS	Social Security Administration for Health
BPKS	Office for Regional Management of Sabang
BUMD	Regional-owned Enterprises
BUMN	State-owned Enterprises
CBC	*Commercial Banking Centre*
DD	Village Fund
DPD	Regional Representative Board
DPR	People's Representative Council
DPRD	Regional People's Representative Council
Golkar	*Partai Golongan Karya*
HGU	Business Rights
ICW	*Indonesia Corruption Watch*
IPK	Corruption Perception Index
KI	Credit Investment
KMK	Working Capital Credit
KPK	Corruption Eradication Commission
LC	*Letter of Credit*
LKPP	National Public Procurement Agency
NTB	West Nusa Tenggara
OTT	OTT
PADes	Original Village Revenue
PAN	*Partai Amanat Nasional*
PBJ	Goods/Services Procurement

Polda	Regional Police Office
Polres	Police Precinct
RAPBD	Regional Government Budget Plan
RAPBD-P	Revised Regional Government Budget Plan
Raperda	Regional Regulations Design
RSUD	Regional Public Hospital
SD	Primary School
SMP	Secondary School
TPPU	Money Laundering

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I.   Background

Corruption is one of the current issues happening in Indonesia. Based on Corruption Perception Index (IPK) in 2018, Indonesia ranked 89th from 180 countries. Indonesia scored 38 from the scale of 0-100, where the lower number resembles the more corrupted country, and vice versa. In compare with 2017 rank, Indonesia placed 96th with the score of 37. The additional one point from IPK does not affected the law enforcement to maximize the corruption eradication, though we have achieved higher position. This condition should become an evaluation for the law enforcement apparatus in developing corruption eradication strategy.

The law enforcement agencies as the leading sector in the effort of the corruption eradication have been facilitated by infrastructure as well as state budget. The police have owned 535 offices across Indonesia that has the authority to prosecute corruption cases[1]. The budget managed by the police to handle one corruption case amounted at Rp. 208 million. While, the prosecutor's office has owned 520 offices across Indonesia[2] with the budget amounted at Rp. 200 million, the details are as follows: preliminary investigation (Rp. 25 million), investigation (Rp. 50 million), prosecution (Rp. 100 million), execution (Rp. 25 million). As for the Corruption Eradication Commission (KPK) have owned one office and received the budget at the amount of approximately Rp. 12 billion for handling 85 cases.[3]

With all the facilities had given by the states in the effort of corruption eradication, the civil society then have a role to supervise the work of law enforcement agencies, from the beginning of case-handling, suspect's determination, up until the findings of state's loss. This supervision role is needed and also in line with President Regulation No. 43 year 2018 on The Procedures of Community's Role Implementation and The Appreciation of Corruption Prevention and Eradication.

In the context of corruption eradication, the community capacity needs to be placed as an effort to oversee the management of alleged corruption case up to its completion. By this means, the law enforcer obligates to give the information access to facilitate the community regarding the development of case management. Based on the ranking report published by the Information Commission in 2016, the police and the prosecutor's office are not included in the top 10 of the management of information openness, while KPK is included in the top 10 under the category of

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[1] Polri.go.id

[2] Kejaksaan.go.id

[3] hukumonline.com, "*Mau Tahu Biaya Penanganan Perkara Korupsi? Simak Angka dan Masalahnya*", accessed https://www.hukumonline.com/berita/baca/lt5733f0ea01aea/mau-tahu-biaya-penanganan-perkara-korupsi-simak-angka-dan-masalahnya

heading towards informative[4]. However, in 2017 the law enforcement agencies are not included in the ranking of disclosing informative information[5].

To encourage the information's availability for the community on the management of the corruption cases done by the law enforcement, Indonesia Corruption Watch (ICW) conducts information exploration as the effort to give the illustration to the community regarding the corruption cases happened in Indonesia in 2018. This gives the community a channel to actively supervise and monitor the management of corruption cases by the law enforcement if there is any indication of wrong-doings.

II. OBJECTIVES

The aims of ICW's monitoring on corruption case prosecution by the law enforcement in 2018 are:

1. Mapping of corruption case investigated by law enforcement.
2. Encouraging transparency and accountability on the corruption case management data from the law enforcement agencies (prosecutor's office, police, and KPK).

III. METHODOLOGY

ICW has been monitoring corruption case that has entered investigation stage in which the suspect has been determined by the law enforcement. The monitoring has been conducted for one year, from January 1st 2018 to December 31st 2018. The data gathered by ICW is based on the information published by mass media, online media, or official site of the law enforcement agencies – although, not all of the sites are giving sufficient information. The collected data are tabulated and processed as well as being compared statistically on all of the analysis parameter. The processed data will then be analysed descriptively.

However, there are two limitations in monitoring: First, during the data collection, all data gathered by ICW are secondary-data, due to the obstacles in finding the primary source on corruption case, especially at local law enforcement level. At the moment, ICW only able to gather relevant press release regarding the management of corruption – should it be – available in the website of the law enforcement agency. This will affect the differences of data that will implicate the analysis regarding the work of law enforcement.

Second, the difference between the term "corruption case will be processed by the law enforcement" used by ICW versus the term used by law enforcement. ICW uses

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[4] Komisi Informasi Pusat, "Laporan Penyelenggaraan Kegiatan Penganugerahan Keterbukaan Informasi Badan Publik Tahun 2016", https://www.komisiinformasi.go.id/news/view/laporan-hasil-pemeringkatan-2016,

[5] Komisi Informasi Pusat, "Laporan Penyelenggaraan Kegiatan Penganugerahan Keterbukaan Informasi Badan Publik Tahun 2017", https://www.komisiinformasi.go.id/news/view/laporan-hasil-pemeringkatan-2017,

the term "case" to refer to the ongoing cases , while the law enforcement uses the term "investigation" in any corruption case happened and the document that will be published in the investigation document. As a result, there will be a different number of corruption cases monitored by ICW compared to the cases handled by law enforcement.

Although there are several limitations, ICW considered that there should be an open information regarding corruption case management for the community. All of the limitations that emerged are expected to encourage the law enforcement agencies to act with transparency and accountability in managing the corruption case.

IV.   FINDINGS
   a. General Finding
       In 2018, ICW found 454 corruption cases managed by law enforcement agencies. The total of determined suspects are 1.087 people from different professional background. The total state's loss founded by the law enforcement was Rp. 5,6 billion, with the total Rp. 134,7 billion for bribery, and Rp. 6,7 billion for illegal charges, and Rp. 91 billion for money laundering.

       From the findings above, ICW tried to map the variables in each cases, such as: modus, sector, area, organisation, actors, and the work of law enforcement agencies. There are also other important factors: corruption based on budget's source and corruption based on activities – procurement and non-procurement.

   b. The 4-year Corruption Trend (2015 – 2018)
       ICW has done a comparison towards the management of corruption case by the law enforcement for the past four years, from 2015 to 2018 to describe the general overview of the corruption case prosecution by the law enforcement based on the investigated case, the number of actors as suspects, and the state's loss.

Graph 1. The 3-Year Corruption Trend in The First Semester
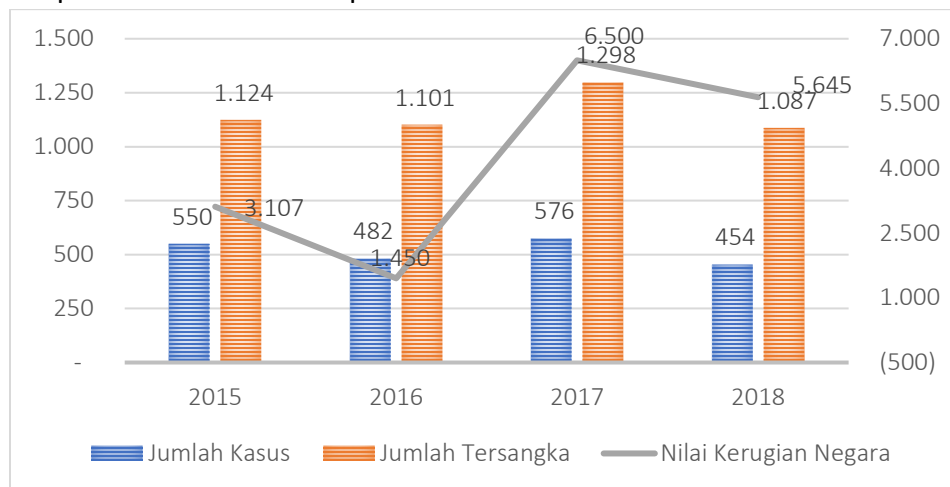
Based on this observation, we found that the prosecution trend on the cases and the suspects are declining, except for the state's loss. In the last two years, the state's loss is greater compare to 2015 and 2016. Despite that, there were some declining on 2017 to 2018 regarding the state's loss.

The approximate numbers of alleged corruption case managed by the law enforcement for the past four years are 392 cases per year, with the approximate number of suspects is 1.1.53 people and the amount of state's loss is Rp. 4,17 billion.

Meanwhile, if we calculated the approximate number for each month, the alleged corruption case number managed by the law enforcement is smaller. The law enforcement able to managed 33 alleged corruption case with 96 suspects for each month. By this means, the law enforcements only able to captured 3 corruption's suspects approximately for each of the alleged corruption cases.

This signifies that generally the law enforcement had yet to maximize the corruption eradication action based on the quantity of the case management and the actors that determined as the suspect, considering that corruption is not done by only some people but also there are a lot of parties involved, actively or passively arrange the crime.

c. Corruption Mapping; Modus
ICW mapped the alleged corruption cases by its modus. There are 13 clusters of modus that were done by the suspects, which are: marked up, budget misused, embezzlement, fake report, bribery, fake activity/project, illegal charges, abused

of authority, budget cut, gratification, blackmailed, doubled budget, and marked down.

The modus mapping could be used as the effort of prevention in the context of the system's improvement. Here are the result of the observation done by ICW during 2018.

Table 1. Corruption Mapping: Modus

No	Modus	Number of Case	Number of State's Loss	Number of Bribes/Gratification/Unauthorized Colletion	Number of Money Laundering
1	Mark Up	76	Rp541 billion	-	-
2	Budget Misused	68	Rp455 billion	-	-
3	Embezzlement	62	Rp441 billion	-	-
4	Fake Report	59	Rp160 billion	-	
5	Bribery	51	-	Rp67,9 billion	Rp57 billion
6	Fake activity/project	47	Rp321 billion	-	-
7	Illegal charges	43	-	Rp6,7 billion	-
8	Abused of Authority	20	Rp3,6 trillion	-	-
9	Budget Cut	16	Rp38,2 billion	-	-
10	Gratification	7	-	Rp65,9 billion	Rp34 billion
11	Blackmailed	2	-	Rp 80 million	-
12	Double Budget	2	Rp2,7 billion	-	-

13	Marked Down	1	Rp1,4 billion	-	-
TOTAL		454	Rp5,6 trillion	Rp140,8 billion	Rp91 billion

The common modus done by the suspect is marked up. There are 76 marked up cases of corruption that involved 185 suspects. That means each of the corruption case was involving two corruption suspects. The state's loss occurred from the marked up is Rp. 541 billion, with the approximate number at the amount of Rp. 2,9 billion each marked up case.

One of the biggest marked up case that cause a big amount of state's loss was the corruption case of the construction of unloading dock of Office for Regional Management of Sabang (BPKS) with the amount of state's loss at Rp. 313 billion. KPK has developed the case by determining two suspects from the corporate sector, which are PT. Nindya Karya and PT. Tuah Sejati.

The marked-up modus tends to happen during the goods and service procurement process (PBJ). There are 61 cases using PBJ marked-up as modus and 15 corruption cases that are not intersect with PBJ. Based on KPK's data on investigated case, PBJ ranked the second after bribery modus[6]. Besides that, based on National Public Procurement Agency (LKPP), the total of procurement package during 2018 were 1/427.397 package with the total amount of Rp. 419,2 billion[7]. This finding proved that PBJ's corruption case is often to happen.

Meanwhile, the other modus that commonly use is abuse of authority. There are 20 corruption cases using this modus with 37 people determined as suspects. By this means, each corruption cases involved one to two people maximum as the suspects. Though this case doesn't consider as the top five cases, but the amount of state's loss occurred is at the amount of Rp. 3,6 trillion, with the approximate amount of state's loss is Rp. 180 billion per case.

There were several corruption cases that caused a great number of state's loss because of the abuse of authority. First, the burglary of Mandiri Bank Commercial Banking Centre (CBC) in Bandung[8]. Two authorities from Mandiri Bank and two

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[6] ACCH, "Tindak Pidana Korupsi Berdasarkan Jenis Perkara", diakses dari https://acch.kpk.go.id/id/statistik/tindak-pidana-korupsi/tpk-berdasarkan-jenis-perkara accessed on 19 Februari 2019 time 20.42.
[7] LKPP, "Rekapitulasi Rencana Umum Pengadaan (RUP) Nasional Tahun 2018", diakses dari https://sirup.lkpp.go.id/sirup/ro/rekap accessed on 19 Februari 2019 time 20.46.
[8] Sholahuddin Al Ayyubi, "Kejagung Tetapkan 2 Tersangka Baru dari Bank Mandiri dan PT TAB", diakses dari https://kabar24.bisnis.com/read/20181112/16/858987/kejagung-tetapkan-2-tersangka-baru-dari-bank-mandiri-dan-pt-tab accessed on 19 Februari 2019 time 21.37.

authorities from PT. Tirta Amarta Bottling were involved. The case which was managed by the Attorney General caused Rp. 1,8 trillion of state's loss. Rony Tedy as the President Director of PT. Tirta Amarta Bottling is subjected to Money Laundering Article (TPPU).

The Mandiri Bank's authority was suspected to abuse by giving the credit extension to Rony Tedy. The credits that were proposed are: 1) Credit Extension on Working Capital Credit (KMK) with the amount of Rp. 880 billion; 2) Extension and additional plafond for Letter of Credit (LC) with the amount from RP. 40 billion to Rp. 50 billion; and 3) Submission of Investment Credit (KI) facilitation with the amount of Rp. 250 billion for 72 months.

Second, the corruption case on the issuance of land certificate on the Business Rights (HGU) land that belong to PT. Perkebunan Nusantara II with the area amounted at 100-ish hectares that is currently investigated by Deliserdang District Attorney. The determined suspects are Sampali's Village Head, Sri Astuti. She issued the land certificate while serving the period as Village Head from 2003 to 2017. This case caused Rp. 1,1 trillion of state's loss. Ironically, she is currently serving the prison sentence for being caught in the act of extorting illegal charges by Medan District Police on 2017[9].

This should become a correction for local government to improve the monitoring system, especially regarding the issuance of land certificate, considering that the amount of state's loss that occurred is high and potentially destructive because any illegal land will disrupt the social structure. Moreover, the suspect issued 407 land certificates for traded.

d. Corruption Mapping: Sector

ICW mapped the alleged corruption case by the sector that is prone to corruption. There are 31 sectors clustered by ICW which varied from natural resources, public service, good governance, up to community sectors.

The sector's mapping can be used to design the preventive action. The result of ICW's observation on 2018 as follow:

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[9] Amiruddin, "Kepala Desa di Deliserdang Ditetapkan Tersangka Korupsi Rp1,1 trillion", diakses dari https://www.inews.id/daerah/sumut/192693/kepala-desa-di-deliserdang-ditetapkan-tersangka-korupsi-rp1-1-trillion accessed on 19 Februari 2019 time 22.05.

Table 2. Corruption Mapping: Sector

No	Sektor	Number of Cases	Number of State's Loss	Number of Bribes	Illegal Charges	Money Laundering
1	Village Budget	96	Rp37,2 billion	-	-	-
2	Government	57	Rp287 billion	Rp 73,5 billion	-	Rp57 billion
3	Education	53	Rp64,7 billion	Rp2,6 billion	Rp1,4 billion	-
4	Transportation	32	Rp470,7 billion	Rp19,2 billion	Rp24,8 million	-
5	Health	21	Rp56,3 billion	Rp2 billion	Rp4,9 million	-
6	Irrigation	21	Rp203,7 billion	-	-	-
7	Land	20	Rp40,2 billion	Rp32,4 million	Rp372 million	-
8	Social Community	18	Rp46,7 billion	-	Rp13,7 million	-
9	Bank	16	Rp2,1 trillion	-	-	-
10	Licensing	14	Rp1,1 trillion	Rp2,8 billion	Rp107 million	Rp34 billion
11	Trading	11	Rp13 billion	-	Rp 591 ribu	-
12	Labour	9	Rp462,8 billion	Rp6,6 billion	Rp3 billion	-
13	Agriculture	9	Rp7,3 billion	-	Rp1,1 billion	-
14	Tax	9	Rp2,8 billion	Rp106 million	Rp13 million	-
15	General Election	8	Rp7,9 billion	Rp635 million	-	-
16	Energy and Electricity	6	Rp571 billion	Rp500 million	-	-

17	Population	6	Rp3,4 billion	-	Rp93 million	-
18	Cooperative	6	Rp7,6 billion	Rp30 million	-	-
19	Animal Husbandry	6	Rp20,1 billion	-	-	-
20	Justice	5	-	Rp5,7 billion	-	-
21	Housing	5	Rp16,6 billion	Rp500 million	Rp110 million	-
22	Telecommunication and Informations	4	Rp3,4 billion	Rp12 billion	Rp429 million	-
23	Landscaping	4	Rp2,9 billion	-	-	-
24	Religions	3	Rp2,6 billion	Rp100 million	-	-
25	Forestry	3	Rp1,4 billion	Rp500 million	-	-
26	Sports	3	Rp342 million	Rp7 billion	-	-
27	Tourism	3	Rp861 million	-	-	-
28	Cleanliness	2	Rp1,4 billion	-	-	-
29	Firefighters	2	Rp390 million	Rp3 million	-	-
30	Police	1	-	-	Rp40 million	-
31	Manufacture	1	Rp650 million	-	-	-
TOTAL						

The most sector that prone to corruption in 2018 is village budget. There are 96 cases related with village budget that were involving 133 suspects. This means, the averaged number of suspects in every case is one to two person. Moreover, the state's loss occurred from this modus was Rp 37,2 billion. The average number of each corruption case will cause Rp. 387 million of state's loss.

In the context of village budget, Ministry of Domestic Affairs Regulation no. 113 year 2014 regarding Village Financial Management Article 9 paragraph (2) stated that village's revenue should be grouped into three categories, which are: 1) Original Village Revenue (PADes); 2) Transfer of: Village Budget, part of regional

tax revenue, Village Budget Allocation (ADD), financial support from provincial and district APBD[10]; and 3) Miscellaneous revenue. Thus, the corruption on the village budget sector is not merely related with government support through Village Fund (DD) project.

One of the cases on the sector of village budget is the alleged corruption of DD in Taliabu Island on 2017. The state's loss amounted at Rp. 4,2 billion. North Moluccas District Police determined Agusmaswaty Toib Koten, the Division of Treasure and Regional Cash of Taliabu District, as suspect. He allegedly cut the village fund up to Rp. 45 million per village and transfer the fund to his company's accounts under the name CV. Syafaat Perdana[11].

Meanwhile, the corruption cases on public service sector were related with health issue. There are 21 corruption cases founded related with health aspect. The total of state's loss due to the corruption on health sector amounted at Rp. 56,3 billion.

The total number of suspects are 44 people, including two Head of the District. The Head of the District Regent of Hulu Sungai Tengah, Abdul Latief, was arrested because of the bribery related with the construction of Damanhuri Regional Hospital. Meanwhile, KPK conducted a OTT against the Regent of Jombang, Nyono Suharli Wihandoko that received a bribe on positions trading and collecting capitation fund from BPJS from 34 clinics in Jombang[12].

ICW clustered the corruption object related with health issues. There are 11 corruption objects that were found, such as: procurement of medical equipment (6 cases); fund capitation (3 cases); hospital construction (3 cases); hospital operation (2 cases); drugs procurement (1 case); medical operation fund (1 case); profession fund (1 case); positions trading (1 case), clinic operation (1 case); clinic construction (1 case); and birth-control procurement (1 case).

One of the cases that happened on health issue is the alleged case on drugs procurement at Andi Makassau Regional Hospital in Parepare City. The Parepare District Attorney determined the involvement of the Ex-Director of Makassau Regional Hospital, dr. Yamin, with the total of state's loss amounted at Rp. 2,2 billion. This case happened due to the late payment of drug purchased by the

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[10] Regulation refer to a quo Article 10 paragraph (1)

[11] Irwan Djailani, "Kabid Perbendaharaan Pulau Taliabu Jadi Tersangka Kasus Dana Desa", diakses dari http://rri.co.id/ternate/post/berita/565204/daerah/kabid_perbendaharaan_pulau_taliabu_jadi_tersangka_kasus_dana_desa.html accessed on 20 Februari 2019 time 17.20.

[12] Achmad Faizal, "Terima Suap, Mantan Bupati Jombang Divonis 3,5 Tahun Penjara", diakses dari https://regional.kompas.com/read/2018/09/04/16452511/terima-suap-mantan-bupati-jombang-divonis-35-tahun-penjara accesed on 20 Februari 2019 time 19.22.

hospital to the pharmaceutical company. While the report stated that all the fund has been disbursed with the total Rp. 25 billion.[13]

Aside from health issue, ICW also found two corruption cases related with natural disaster. First, the OTT related with education infrastructure rehabilitation fund because of Lombok's earthquake. The blackmail case was managed by Mataram Distric Attorney and determined the Head of Commission IV DPRD Mataram City, H. Muhir as suspect. This politican who served as the administrator of Regional Representative Board (DPD) of Golkar Party was alleged of requesting money from the official of Mataram Education Office and the contractor in order to "return the favor" for his service in giving the guarantee of budget amounted Rp. 4.2 billion to repair 14 elementary and junior high school buildings. Beside Muhir, the investigator also arrested Sudemon, the head of Mataram Education Office, and CT, the contractor who granted Muhir's request[14].

Second, the case of illegal charges for the Sunda straight tsunami's victim at dr. Drajat Prawinegara Regional Hospital in Serang City. Under natural disaster circumstances, no charges were given by the body management to the victim since all of the cost are paid by the government. Banten Regional Police office determined three suspects with the initial F (ASN) who was one of the Staff of Forensic and Medicolegal Medical Installation), I and B who were employees of hearse procurement company, CV. Nauval Zaidan. The modus that they used was offering the service of body arrangement. The amount of illegal charged recorded by the police is Rp. 15 million[15].

This shows the number of possible corruption cases that will occur in various ways, from public service, government, and the exploitation of natural disaster victim. It means, corruption case has gone to the lowest point. These events should be an evaluation for the government to strengthen the supervision in various sectors, started from creating or changing the regulation to disclosing important information to the public, so that public could actively participated in the monitoring.

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[13] Akarberita.com, "Kejaksaan Tetapkan Mantan Dirut RSUD Andi Makassau Tersangka Pengadaan Obat", diakses dari https://akarberita.com/2018/03/06/kejaksaan-tetapkan-mantan-dirut-rsud-andi-makkasau-tersangka-pengadaan-obat/ accessed on 20 Februari 2019 time 20.26.

[14] Abraham Utama, "Korupsi Dana Bencana Gempa Lombok, Kejaksaan Bidik Tersangka Baru", diakses dari https://www.bbc.com/indonesia/indonesia-45539980 access on 20 Februari 2019 time 21.08.

[15] bbc.com, "Pungli Pengurusan Jenazah Korban Tsunami Selat Sunda: 'Baru Kali Ini Terjadi'", diakses dari https://www.bbc.com/indonesia/indonesia-46719167 access on 20 Februari 2019 time 21.22.

e. Corruption Mapping: Provincial

ICW mapped the alleged corruption case based on the regions prone to corruption. There are 35 cases that are monitored by ICW both at provincial and national level. By the term national level, means that the monitoring is done for the corruption case that happen in the ministry level.

This is done to observe the vulnerability of a region in committing corruption. However, this mapping is not showing the basis of the most corrupt region. There are two indicators that cause the high cases of corruption within the region. First, the number of people's participation in reporting corruption case to the law enforcement. Second, the law enforcement actively taking actions in prosecuting corruption case. Below is the result of observation done by ICW during 2018.

Table 3. Corruption Mapping: Provincial

No	Province	Number of Case	Number of State's Loss	Number of Bribes
1	East Java	52	Rp125,9 billion	Rp4,3 billion
2	Central Java	36	Rp152,9 billion	Rp3,2 billion
3	South Sulawesi	31	Rp74,5 billion	-
4	West Java	27	Rp51,4 billion	Rp10,3 billion
5	National	25	Rp3 trillion	Rp32,1 billion
6	North Sumatera	23	Rp1,1 trillion	Rp4,4 billion
7	Aceh	22	Rp333 billion	Rp500 million
8	Bengkulu	16	Rp9,7 billion	Rp215 million
9	Jambi	15	Rp200,1 billion	Rp65,4 billion
10	Lampung	15	Rp9 billion	Rp900 million
11	Central Borneo	15	Rp102,9 billion	Rp740 million
12	South Borneo	13	Rp24,8 billion	Rp1,8 billion
13	Bali	13	Rp26,4 billion	-

14	Riau	12	Rp77,6 billion	-
15	Southeast Sulawesi	12	Rp19,2 billion	Rp2,8 billion
16	East Nusa Tenggara	11	Rp3,1 billion	Rp4,1 billion
17	West Sumatera	10	Rp1,8 billion	-
18	West Nusa Tenggara	10	Rp10,1 billion	-
19	South Sumatera	8	Rp5,3 billion	-
20	Papua	8	Rp91,3 billion	Rp500 million
21	Banten	7	Rp3,2 billion	Rp30 million
22	Gorontalo	7	Rp16 billion	-
23	Maluku	7	Rp2,7 billion	Rp100 million
24	Kep. Riau	6	Rp11,6 billion	-
25	East Borneo	6	Rp15,7 billion	-
26	West Sulawesi	6	Rp11,2 billion	-
27	Central Sulawesi	6	Rp1,8 billion	-
28	North Maluku	6	Rp10,4 billion	-
29	Bangka Belitung Islands	5	Rp4,9 billion	-
30	DKI Jakarta	5	Rp5,3 billion	Rp2,5 billion
31	West Borneo	5	Rp2,3 billion	-
32	West Papua	5	Rp4,8 billion	-
33	North Sulawesi	4	Rp2,6 billion	-
34	North Borneo	3	Rp801,5 million	-
35	DI Yogyakarta	2	Rp36,9 billion	-
TOTAL		454	Rp5,6 trillion	Rp134 billion

Some of the region do dominate the corruption case number. There are 94% out of 429 cases happened in various region across Indonesia, started at the district level, city, and province. Meanwhile, there are 6% or 25 cases happened at the national level.

In Java region, such as East Java, Central Java, and West Java are among the top five area of corruption case prosecuted by the law enforcement. The case details are: East Java has 29 districts, 9 cities, and 1 provincial official cases. East Java Prosecutor handled 52 cases with the total Rp. 125,9 state's loss and 133 suspects. While, Central Java has 29 districts,6 cities, and 1 provincial official case. The Central Java prosecutor managed to investigate 36 corruption cases that caused Rp. 152,9 billion of state's loss and determined 65 suspects. As for West Java has 18 districts, 9 cities, and 1 provincial official case. The West Java prosecutors handled 27 corruption cases that caused Rp. 51 million state's loss and determined 71 suspects.

Besides that, the law enforcement agency in South Sulawesi and at national level placed at the top five of the investigation against corruption. The details are: South Sulawesi has 21 districts, 3 cities, and 1 provincial official case. The South Sulawesi prosecuted 31 corruption cases with the amount of state's loss at Rp. 74,5 billion. As for the national level, there are 25 corruption cases during 2018 and involving 73 suspects and the amount of state's loss occurred is Rp. 3 trillion.

ICW has done a cross tabulation between the corruption sector with the regions to identify the tendency of law enforcement focus on corruption eradication. In East Java, Central Java, West Java, and South Sulawesi areas, the law enforcement tend to prosecute the case on village budget (46 cases), government (16 cases), and education (15 cases). While at the national level, the law enforcement tends to focus on banking issue (4 cases) and government (4 cases).

This inclines the prosecution of corruption case at the regional level still targeted village budget sector that administratively is the lowest position on the government system. Besides that, based on ICW's observation indicated that the corruption pattern at the village level still using old modus, thus the law enforcement could prosecute the case that happened in the targeted institutions.

f. Corruption Mapping: Organization
ICW mapped the corruption case that occur based on the organisation to show the top organisation with the corruption cases. Based on the provincial mapping, there ara 94% of corruption happened in the regional level. Below are the findings of the mapping of the corruption cases occurred in the organization by ICW.

Table 4. Corruption Mapping: Organization

No	Organisation	Number of Case	Number of State's Loss	Number of Bribes
1	District	170	Rp833 billion	Rp23,5 billion
2	Village Official	104	Rp1,2 trillion	Rp80 million
3	City Official	48	Rp122 billion	Rp4,3 billion
4	Provincial Official	20	Rp7,9 billion	Rp66,7 billion
5	BUMN (State Owned Corporation)	19	Rp3,1 trillion	Rp500 million
6	BUMD (Local Owned Corporation)	15	Rp179 billion	-
7	Ministry	15	Rp58 billion	Rp19,8 billion
8	DPRD (Local Parliament)	12	Rp38 billion	Rp400 million
9	School	11	Rp7,5 billion	-
10	Hospital	8	Rp8,7 billion	-
11	Non-Ministerial Government Body	8	Rp4,9 billion	Rp32,4 million
12	State's Agency/Institutions	7	Rp33,6 billion	Rp12,3 billion
13	Organization	4	Rp2 billion	-
14	Court	4	-	Rp5,7 billion
15	Co-op	3	Rp6,4 billion	-
16	DPR	2	-	Rp500 million
17	Attorney	1	-	-
18	Police	1	-	-
19	University	1	Rp14 billion	-
20	Correctional Institutions	1	Rp300 million	-
	TOTAL	454 cases	Rp5,6 trillion	Rp134 billion

The corruption case occurred at executive, legislative, and judicative body. The case also found at the state-owned enterprise. In the context of executive body, the corruption case done by the local official, such as: district, village, city, and provincial official. Moreover, the law enforcement also did not skip any of the ministerial body to prosecute any corruption case.

The local official category dominating the number of corruption case occurred, with 170 cases at the district level and the amount of state's loss at Rp. 833 billion with 390 number of suspects.

Furthermore, the village official which consider the lowest rank in the government hierarchy, also has some corruption cases that prosecuted by law enforcement. There are 104 cases with the amount of state's loss at Rp. 1,2 trillion, while the law enforcement determined 148 suspects.

The corruption cases also occurred in the judicative body. Based on the observation, there are four cases that occurred inside the court with 15 suspects. One of which is OTT case that prosecuted by KPK against two judges: Iswahayu Widodo and Irman whom were the judge at South Jakarta District Attorney Office that handled the litigation case on the annulment of company acquisition agreement. KPK seized the bribes money with the amount of $ 47 thousands Singaporean Dollars[16].

This shows that corruption occurred at various level of government officials, with the amount of corruption case that occurred at the local level shows that local autonomy creates a new actor on corruption case. This trend will potentially establish a corruptive regulation that will allow the regional official to steal state's money with the existing regulations.

g. Corruption Mapping: Actor

ICW mapped the actor that involve in corruption case. There are 32 officials ranking that involved in corruption case in 2018.

This mapping intended to observe the law enforcement prosecution against the actor, considering that corruption done systematically involving actor whom hold high and powerful authority. Below are the results of ICW's mapping of actor involved in corruption cases.

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[16] Dylan Aprialdo Rachman, "Kronologi OTT KPK Terhadap Dua Hakim PN Jakarta Selatan", diakses dari https://nasional.kompas.com/read/2018/11/29/05130031/kronologi-ott-kpk-terhadap-dua-hakim-pn-jakarta-selatan accessed at 21 Februari 2019 time 11.58.

Table 5. Corruption Mapping: Official Rank

No	Rankings	Number of Suspects	Percentage
1	State Civil Apparatus (ASN)	375	34,5
2	Private	235	21,6
3	Head/Members of People's Representative Council	127	11,7
4	Head of Village	102	9,4
5	Unknown	32	2,9
6	Regent/Vice-Regent	28	2,6
7	Director/Staff of States-owned Enterprise	28	2,6
8	Village Apparatus	22	2
9	Procurement Officials	19	1,7
10	Director/Staff of Regional-owned Enterprise	15	1,4
11	Chief/Member of Organisation/Group	13	1,2
12	Principle	12	1,1
13	Public	10	0,9
14	Head/Member of Coop	9	0,8
15	Corporates	8	0,7
16	Mayor/Vice Mayor	7	0,6
17	A kin of DPR/DPRD/DPD/Governor/Honourer	6	0,6
18	Contract/Honourer Workers	5	0,5
19	Head/Member of DPR	5	0,5
20	Attorney	4	0,4
21	Notary	4	0,4
22	Doctor	4	0,4

23	Aide	3	0,3
24	Head of Organisation/Government's Agency	2	0,2
25	Governor/Vice-Governor	2	0,2
26	Non-ASN	2	0,2
27	Prosecutor	2	0,2
28	Inmate	2	0,2
29	Minister	1	0,1
30	Police	1	0,1
31	Head/Member of Party	1	0,1
32	Doctor	1	0,1
TOTAL		1.087 persons	100

The law enforcement agency determined 1.087 people as corruption suspects throughout 2018. The corruption cases are mostly dominated by ASN. Furthermore, there are actors who hold the authority to design regulations, such as regional leader, legislative member, up to minister that set as a suspect by law enforcement.

The number of ASN who involved in corruption is 34,5% or 375 people. Moreover, the actor whose coming from private sector are ranked second in corruption case ranking with 21,6% or 235 stated as a suspect by KPK.

The Head of Village also one of the actors that mostly involved in corruption. There are 9,4% or 102 people that are allegedly involve in corruption with varieties of modus. Furthermore, there are some actors whom hold strategic position that set as suspect by the law enforcement, such as: head of region (37 people), head/member of DPRD (127 people), minister (1 people).

The Head of Region whom involve in corruption are governor (2 people), Mayor and Vice Mayor (7 people), and Regent (28 people). One of the governor that being investigated by the law enforcement is Zumi Zola, the Governor of Jambi for 2016 – 2021. This PAN's politician was arrested by KPK due to his effort in bribing the DPR of Jambi to legalise the regional regulations design APBD of 2017 and 2018[17]. The

[17] Yulida Medistiara, "Zumi Zola Akui Ada Pemberian Uang Ketok Palu", diakses dari
https://news.detik.com/berita/d-4201067/zumi-zola-akui-ada-pemberian-uang-ketok-palu access on 21 Februari 2019 time 15.48.

number of bribes given amounted at Rp. 16.4 billion. Furthermore, he is alleged in receiving gratification with the amount of more than Rp. 40 billion[18].

In 2018, a minister also arrested because of bribery. Idrus Marham, Minister of Social was set as a suspect by KPK for his involvement in the bribery of 35-thousand-watt power plant project. He set as a suspect after the arrestment of Eni Maulani Saragih, vice of DPR commission VII, by KPK.

Based on ICW's observations, there are three corruption cases that are done collectively. First, the case of bribery on legalisation of RAPBD-P Malang in 2015 from the Mayor to legislative member, Moch Anton 41 people set as suspects[19].

Second, the bribery case on the approval of accountability report of North Sumatra Provincial Government during 2012-2014. The actor involved was Gatot Pujo Nugroho, the governor of North Sumatra, as the briber and 38 members of North Sumatra as the receivers[20].

Third, the bribery case on the legalisation of RAPBD Jambi that involve 12 DPRD members and Zumi Zola as the head of region. This indicated that the internal control in legislative body is not working properly.

Subsequently, the law enforcement not only determined individual suspects, but also corporate as the suspect of corruption in 2018. There are eight corporations that had been sentenced after the establishment of Supreme Court Regulation Number 13 Year 2016 on Corporate Criminal Liability.

h. Corruption Mapping: Law Enforcement
The law enforcement is the forefront of eradication of systematic corruption. One of the purposes of the monitoring is to see the work of the law enforcement (Judiciary, Police, KPK) in the effort of corruption eradication.

The hindrance that faced by the public as reported is the lack of information regarding corruption prosecution that entered investigation stage that impacted to the less number of public supervising the work of law enforcement agency.

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[18] Abba Gabrillin, "Zumi Zola Didakwa Terima Gratifikasi Rp40 Miliar, 177.000 Dollar AS dan 1 Unit Alphard", diakses dari https://nasional.kompas.com/read/2018/08/23/14201771/zumi-zola-didakwa-terima-gratifikasi-rp-40-miliar-177000-dollar-as-dan-1 accessed on 21 Februari 2019 time 16.11
[19] Haris Fadhil, "Perjalanan Kasus Korupsi 41 Anggota DPRD Malang Hingga PAW Massal", https://news.detik.com/berita/d-4206487/perjalanan-kasus-korupsi-41-anggota-dprd-malang-hingga-paw-massal access on 21 Februari 2019.
[20] Robertus Belarmirnus, "KPK: Kasus 38 Anggota DPRD Sumut Tunjukkan Korupsi Dilakukan Massal", diakses dari https://nasional.kompas.com/read/2018/04/03/19001221/kpk-kasus-38-anggota-dprd-sumut-tunjukkan-korupsi-dilakukan-massal access on 21 Februari 2019 time 17.10.

Therefore, ICW mapped the law enforcement works for year 2018 to give the information on law enforcement works especially at the local level. The findings are as follow:

Graphic 2. Corruption Mapped: Law Enforcement
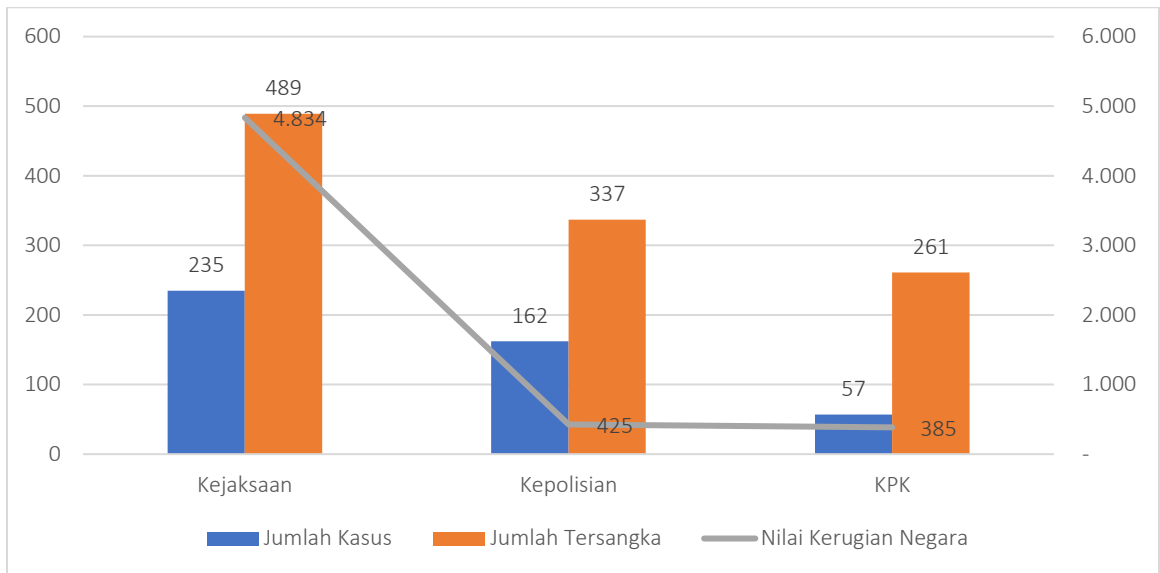
In 2018, the Judiciary has the most corruption case, with the total number around 52% or 235 cases by determining 489 suspects. Eight of the cases are handled with OTT. The state's loss occurred amounted at Rp. 4,8 trillion with the number of bribes at Rp. 732 million. Moreover, the Judiciary office also prosecuted illegal charges case with the amount of Rp. 3,4 billion.

While the police handled 36% or 162 corruption cases in 2018, with the number of state's loss Rp. 425 billion. 30 of the cases are handled through OTT. The police set 337 people as suspects and seize the bribes money amounted at Rp. 906 million and illegal charges amounted at Rp. 3,3 billion.

Meanwhile, KPK handled 13% or 57 corruption cases with the amount of state's loss occurred at Rp. 385 billion. In 2018, KPK mostly done OTT in revealing the case. There are 54% or 31 cases that are handled through OTT. KPK set 261 people as suspects and seize the bribes money with the amount of Rp. 132 billion. As for the money laundering case investigate by KPK, the total number is amounted at Rp. 91 billion.

i. Judiciary

Based on ICW's observation regarding the number of Judiciary office across Indonesia, the Adyhaksa body has 520 units[21]. Furthermore, the corruption eradication budget given by the government to the judiciary office are Rp. 200 million and divided into activities, such as preliminary investigation (Rp. 25 million), investigation (Rp. 50 million), and prosecution (Rp. 100 million), and execution (Rp. 25 million).

Graph 3. Corruption Prosecution Mapping by Judiciary
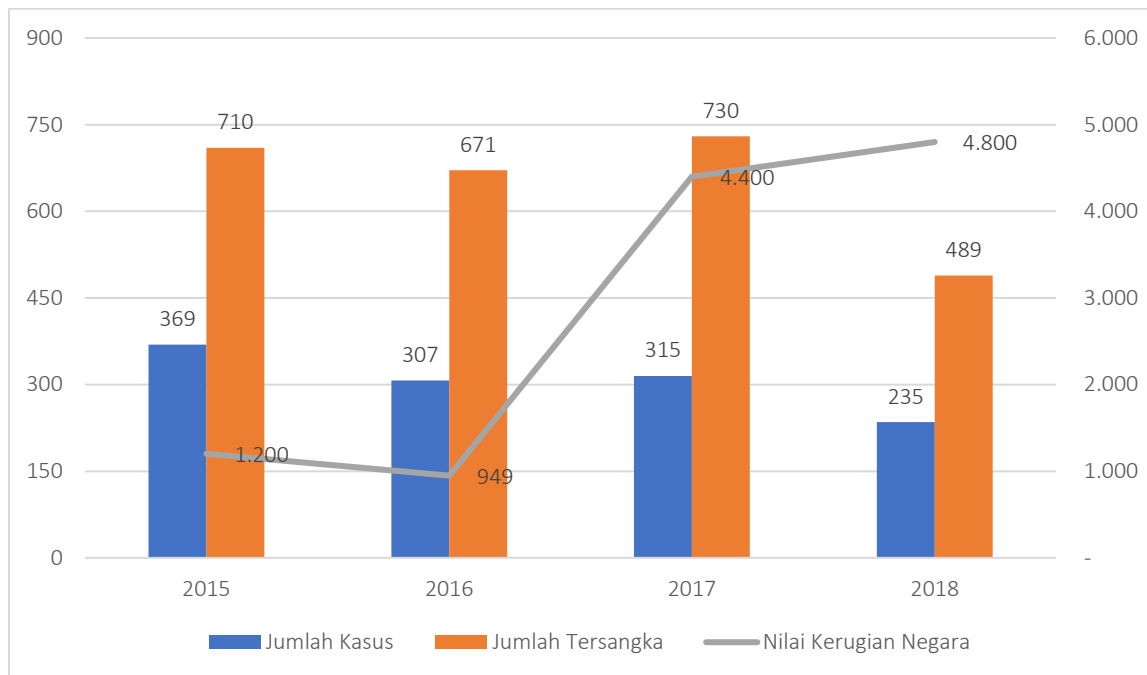
There are some declining number of case and suspects of corruption prosecution by the Judiciary from 2015 – 2018. The lower number of prosecution case done by the Judiciary implies performance reduction. The Judiciary handle around 20 cases each month, with the number of suspects around two person per each case and the amount of state's loss at Rp. 20 billion.

The number of cases handled by the Judiciary office doesn't represent the number of the offices across Indonesia. The Judiciary only able to handle 235 cases out of 520 cases in total. From the comparison, we could suspect that there are some Judiciary offices which did not handle corruption case, while each year, the Judiciary office receive corruption eradication budget. With no access of information for the public on current corruption case and the poor performance of Judiciary office, it is important to reform this Adhyaksa body.

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[21] Kejaksaan.go.id

Meanwhile, the Judiciary office barely prosecuted the actor that hold strategic position, such as head of region or legislative member. This is shown in actor mapping investigated by the Judiciary. Most of the suspects determined by the Judiciary are ASN (222 people), head of village (122 people), and from private sector (47 people).

This pattern shows that the Judiciary still focus on the criminal act done by the actor at the stage of project implementation, while the main actor is yet to be exposed. Furthermore, the Judiciary should dig up the evidence in order to expose a case. One of the efforts is giving the offer to the suspect as justice collaborator.

As for the corporate criminal, there are some executive directors sentenced by the Judiciary. However, the Judiciary have yet maximized the criminal corporate law against the corporate whom involve in corruption case. However, the Judiciary only sentenced 5 corporations in 2018.

In money laundering case, the Judiciary only given the penalty to one case, the Bank Pembangunan Daerah (BPD) NTB, Dompu Branch, with the amount of state's loss occurred amounted at Rp. 6.2 billion. This become a challenge for the Judiciary in the future to carry out the criminal imposition on money laundering so that the prosecution could expand with the focus on seizuring corruption assets.
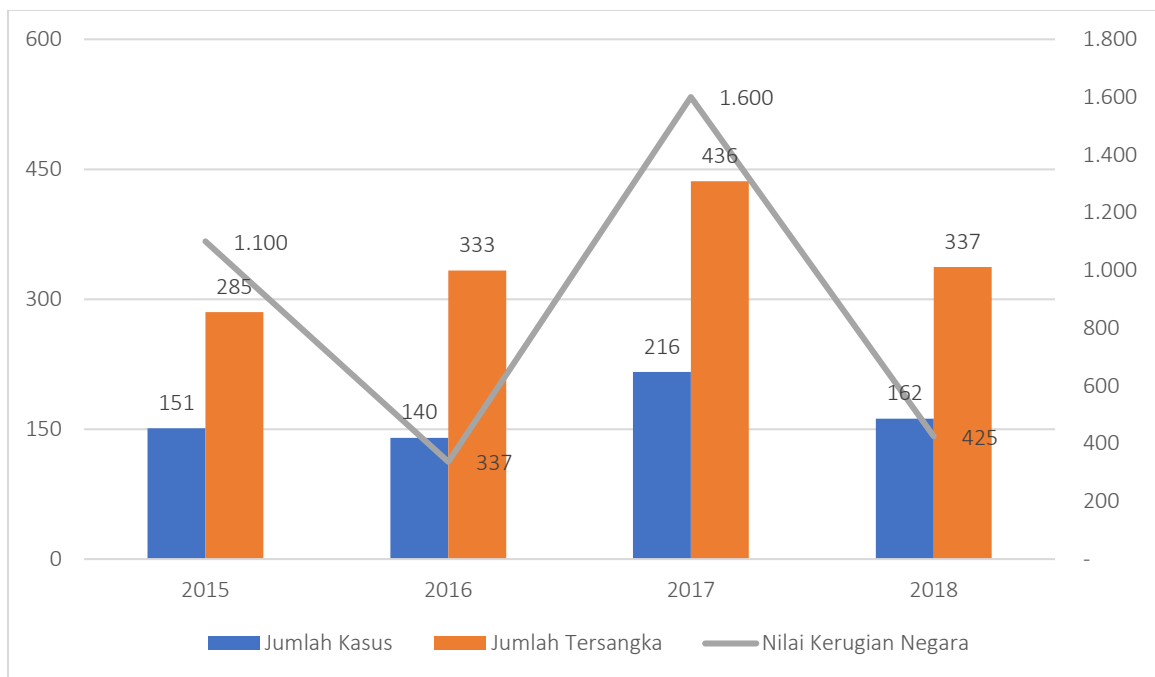
ii. Police

Based on ICW's observations, the police have 535 units[22] across Indonesia. The amount of budget given to the policy by the government on corruption eradication is Rp 208 million for each case. Different from the Judiciary office, the police only have the authority from preliminary investigations to investigation. After the investigation process, the paper work will be handed to the Judiciary office to move forward to prosecution stage.

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[22] Polri.go.id

Graphic 4. Corruption Prosecution Mapping by the Police.

The number of corruption case handled by the police from 2015 to 2018 is fluctuated in terms of number of cases, number of suspects, and the amount of state's loss. The police handled around 14 cases each month, with the number of suspects is 2 per each case and the amount of the state's loss occurred amounted at Rp. 2,6 billion.

Based the number of office and the number of cases, the police have yet to show a good performance. They only managed to handle 162 out of 535 cases. The comparison shows that some of the police unit did not handle corruption case, while each year, the police receive the corruption eradication budget. The same thing also occurred at the Judiciary office. No information access for the public caused the abstain of supervision role.

The police barely prosecuted the actor that hold strategic position, such as head of region or legislative member. This is shown by the actor mapping on police investigator. The suspects that were determined by the police were dominated by ASN (127 people), head of village (55 people), and from private sector (62 people).

Similar with the Judiciary, the police indicated that their prosecution operation still focus at the level of implementation on government project. As for the main actor is yet to be exposed. The police should dig up the evidence to expose the case. Should it be any obstacles arise, the proposal on justice collaborator to the suspect could become an option.

Regarding the corporate criminal law, the police had arrested some corporate's director. However, the imposition given by the police based on the corporate criminal on corruption case has yet to be maximized. In 2018, the police never gave the criminal corporate imposition to the corruption case in the private sector.

The police also have not applied the money laundering criminal act against the case that they are handling, eventhough some of their cases potentially lead to money laundering criminal act , especially those that related with banking sector. This is the challenge for the police to enforce the money laundering criminal act so that they could focus on corruption eradication that includes the seizure of corruption asset.

iii. KPK

KPK is one of big office with enormous budget to prosecute corruption case, using ceiling mechanism. In 2016, KPK received the budget amounted at Rp. 11 billion for 90 cases under preliminary investigation. KPK received Rp. 12 billion for 85 cases under investigation, and prosecution-execution stage amounted at Rp. 14,3 billion for 85 cases.[23] By this means, KPK has to achieve its targeted case by the end of a year.

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[23] hukumonline.com, "*Mau Tahu Biaya Penanganan Perkara Korupsi? Simak Angka dan Masalahnya*", diakses dari https://www.hukumonline.com/berita/baca/lt5733f0ea01aea/mau-tahu-biaya-penanganan-perkara-korupsi-simak-angka-dan-masalahnya.

Graphic 5. Corruption Prosecution Mapping by KPK
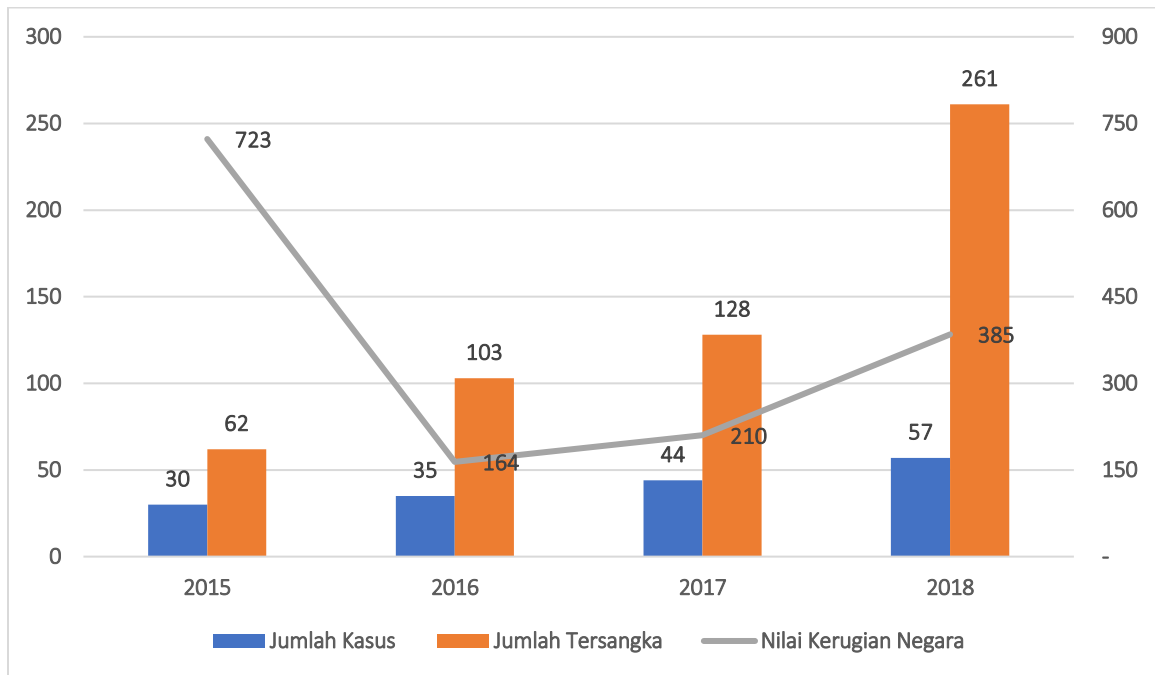
There is an increase number of corruption cases prosecuted by KPK from 2015 to 2018. The significant increasement is seen based on the actor set as the suspect by KPK. From all of the cases handled by KPK in 2018, 31 cases prosecuted through OTT. Furthermore, three corporations arrested by KPK because of corruption, there are PT. Nindya Karya, PT Tuah Sejati, and PT Tradha.

KPK handled around four cases each month. Each of the cases handled by KPK, received the total of state's loss amounted at Rp. 6,7 billion and set 4 people as suspects, with the facilitation given by the government, KPK could effectively prosecuted any corruption case.

Moreover, based on the suspect's background, KPK has a greater number of suspects which hold high ranking position, such as Head/Member of DPRD (103 people), private (51 people), and ASN (44 people). KPK has done the corruption eradication at legislative body. Public gain more trust towards KPK to exposed any corruption case which the actor considers "untouchable"

Despite that, there a few notes regarding the prosecution done by KPK, such as corruption criminal act imposition towards the corporations that involve in corruption. KPK has yet to answered to what extend the private sector's accountability in terms of fund disbursement that went to company's account. Furthermore, from all of the cases handled by KPK, only six cases that are determined as money laundering criminal act. KPK should have more effort in digging the evidence that could accomplish the mission on impoverishing the corruptor.

V.   Summary

Generally, the trend on corruption prosecution is decreasing compared to 2015, especially by the Judiciary and the police. Based on the quantitative analysis by comparing the number of cases versus the number of offices that owned by the judiciary and the police, we could assume that the regional law enforcement has yet to do the works of corruption eradication.

In terms of disclosing information, the law enforcement has yet to be transparent to the public towards the determination of the suspect. The information openness is needed by public to monitor the works of law enforcement agency.

Most of the cases happened at local level. Beside the high number of village budget, there are also a chance to do illegal charges during natural disaster condition. Considering that the case of illegal charges occurred during the natural disaster and signifies that there are system that does not include in the system.

The actor prosecuted by the law enforcement were mostly dominated by ASN and private sector officer. This show that the prosecutor has not focused on exposing systematic crime. Furthermore, the phenomenon on collective corruption by DPRD member shows that there is no corruption preventive system among legislative body, yet.

Regarding the impositions of crimes other than corruption, the law enforcement has not yet focused on the imposition of corporate criminal act and money laundering criminal act. The law enforcement should not only focus on the punishment of the suspects but also on the seizure of assets that could achieve the mission in impoverishing the corruptor, since the prison sentence does not give a proper lesson to the suspect.

VI.   RECOMMENDATIONS

Based on the summary of ICW's mapping result on 2018, ICW encouraged:

a. There are needs to build a synergy among the law enforcement, state audit institutions, and inspectorates related with state's loss due to corruption to improve the work of law enforcement in prosecuting corruption case.

b. The law enforcement should establish information canal for public as a space for participating in monitoring the management of ongoing corruption case in the institutions.

c. The local inspectorate needs to do the monitoring works to minimalize the potential of corruption. Besides that, the supervision of Central Government also needed to monitor the natural disaster fund disbursement to minimalize the amount of state and public's loss.

d. The law enforcement could give justice collaborator proposal to the suspects in order to expose the main actor of the crime.

e. The law enforcement should not only focus on prison sentence, but also on the assets seizure by imposing the money laundering criminal act, so that the return of assets and impoverishes corruptors can be realized.

f. The law enforcement needs to dig more evidence to expose corporate involvement in corruption crimes. This is need to be done to clear the business sector from corruption practice.