

# The Strengthening Authority Of Money Laundering Prosecution; A Review Of Corruption Eradication

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**Abstract:** The application of criminal law in Indonesia is quite dynamic and attract public attention because of criminal law at least has a pattern of punishment that are depriving the perpetrators of human rights, such as imprisonment or the death penalty. Criminal law essentially regulates the crime, offense (criminal), and punishment of the perpetrators of crimes and violations. Universally, criminal law in the various countries have to recognize and organize a wide variety of crimes, both crimes that are conventional, such as murder, theft, fraud, and embezzlement; that are extra ordinary crimes such as terrorism, corruption, criminal acts of narcotic and psychotropic substances; as well as criminal acts that are white collar crime as the crime of banking and money laundering.

**Index Terms:** Corruption, Money Laundering

## 1 INTRODUCTION

The application of criminal law in Indonesia is quite dynamic and attract public attention because of criminal law at least has a pattern of punishment that are depriving the human rights of perpetrator, such as imprisonment or the death penalty. Essentially, criminal law regulates the crime, offense (criminal), and punishment of the perpetrators of crimes and violations. The term "crime" is a term that is common in Indonesian people. Crime is a relative notion. Many sense used in the social sciences that come from everyday language (commonparlence), but often differ in mean. This is due to everyday language does not provide a clear picture of the crime, but only an expression in looks particular actions. In addition, it is also due to the difference between the meanings of statutory language to the linguistic language used in everyday life. Universally, criminal law in various countries have to recognize and organize a wide variety of crimes, both crimes that are conventional, such as murder, theft, fraud, and embezzlement; that are extraordinary crimes such as terrorism, corruption, narcotic and psychotropic substances; as well as criminal acts that are white collar crime like banking and money laundering. According to Hans G. Nilsson, that money laundering has become a problem of interest to the world community and in particular the Europe's Council which is the first international organization has reminded the international community of the dangers caused by money laundering. Prevention and control will not work properly if only done by the state alone, therefore, required an international approach. International cooperation is absolutely necessary, both in the exchange of information, as well as law enforcement, bilateral, and multilateral agreement.

Black's Law Dictionary explains that money laundering as: The act of transferring illegally obtained money through legitimate people or accounts so that its original source cannot be traced. It explains that this crime is an attempt to obscure the crime derived from illegal transactions. Such as drugs, corruption, terrorism and other illegal sources, and thus, the money laundering is rightful and entry into the legitimate channel, so that the original source cannot be traced. Money laundering, hereinafter referred to TPPU has been a particular concern by the international community. Former Managing Director of International Monetary Fund (IMF) Michael Camdessus had stated that the activities of money laundering in the world has reached 2 - 5% of gross revenues (PCB), or about US\$ 600 billion. Money laundering is the third largest business in the world after financial and world oil markets. The crime of money laundering is not only domestic work but it has penetrated and through the boundaries of domestic jurisdiction of a country. It cannot be removed with the implementation of the international world economic liberalization that has implications not limitation of financial flows and transactions by the boundaries of the territory of a country. IMF's statistics, criminal proceeds laundered through banks is estimated to nearly reach the value of \$1.500 billion per year. Meanwhile, according to the Associated Press, the money laundering activities of drug trafficking, prostitution, corruption and other crimes mostly processed through the banking system to then be converted into legal funds and estimated this activity is able to absorb \$600 billion per year. This means equal to 5% (five percent) of GDP worldwide. Money laundering has been done a long time and it is as done by the French nobility. In the seventeenth century they had brought their wealth to Switzerland. French party stated they bring funds escape from the nobles including traders then hid in Switzerland with the help of the Swiss, and therefore could be used safely. In the United State the money laundering known since 1936. At that time, the crime of money laundering derived from trafficking of firearms and narcotics crimes by mafia. To conceal or disguise their activities, carried out the purchase of the companies used as a place to hide money derived from crime. In its development, the money laundering is increasingly complex, across jurisdictional boundaries, and using mode increasingly varied, utilizing institutions outside the financial system, even has penetrated into various sectors and to anticipate that, FATF (Financial Action Task Force on Money Laundering) has

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issued a standard international becomes a measure of any state or jurisdiction in preventing and eradicating money laundering and criminal act of terrorism known as Revised 40 Recommendation and 9 Special Recommendations (Revised 40 + 9) FATF includes; the expansion of Reporting Parties which includes gems and jewelry/metal merchant and motor vehicle dealers. The criminalization of money laundering in Indonesia began with the enactment of Act No. 15 of 2002 on Money Laundering. Legislation set after Indonesia included in the FATF's Black in addition to 19 (nineteen) other countries as countries that do not cooperate in efforts to eradicate money laundering (Non Cooperative Countries or Territories/NCCTs). This legislation is also an affirmation that the private sector is not part of the problem, but rather part of the solution, both in economic, financial, and banking. This legislation is expected by TPPU in Indonesia can be prevented or eradicated.

## 2. ANALYSIS AND DISCUSSION

### 2.1 The Relationship between Corruption and Money Laundering

Corruption has become a serious problem for the nation and Indonesia because it has penetrated throughout of people's life that carried out systematically, thus giving rise to a negative stigma for the state and Indonesian people in the international community association. Various ways have been taken to eradicate corruption in conjunction with the elaborate modus operandi of corruption. Wealth gained from the crime of corruption is usually the perpetrators of both individuals and corporations are not directly used for their fear and indicated as money laundering activities. For it is usually the perpetrator always tries to hide the origin of such wealth in various ways, among others, sought to put the financial system (banking system), the means adopted to hide or disguise the origin of such wealth for the purpose of avoid tracking efforts by law enforcement officials are usually termed a money laundering. Money laundering is always associated with wealth derived from criminal acts, so no crime if no money laundering. Relationships between money laundering to corruption can be seen in Article 2 paragraph (1) letter a that the proceeds of crime are the assets gained from criminal acts of corruption committed in the territory of the Republic of Indonesia or outside the territory of the Republic of Indonesia and criminal offenses it is also a criminal offense under the laws of Indonesia. Thus, corruption is a predicate crime or predicate offenses of money laundering. The placement of corruption as a predicate crime number one (letter a) in TPPU legislation, is a manifestation of the legislators who believe that corruption is the most urgent problems of nation and receive priority in its handling. The eradication of corruption through the implementation of the Act on Money Laundering should be done in earnest to promote the principles of criminal law as an integrated policy, which means that are fragmentary, partial and repressive alone but must also be pursued to the direction negate or mitigate and improve the overall causes and conditions as a factor for the occurrence of corruption. So, it is required integral strategy. If observed the formulation on money laundering would be reflected in the two types of crimes that generate illegitimate e.g corruption and illicit money laundering. Both types of crime may raise questions in the verification system; whether corruption act must first prove that the corruption money laundered qualify as money

laundering. Qualification of money laundering is defined as the placement of wealth that are known or reasonably suspected to be proceeds of crime into the financial services provider, either on its own behalf or on behalf of others. Based on this provision, the act of corruption is not necessary to first prove sufficient if there is knowing or suspicion that illicit money is derived from an act of corruption is when there is already preliminary evidence enough. In the development of corruption cases in Indonesia, almost always followed by money laundering, corruption as its predicate crime. With this reality, that in order to keep track of the assets whose origins are obscured by the perpetrators of corruption in a state that faced to utilize legal media of laundering money intended to eradicate corruption. Andrew Haynes said that the new paradigm to eradicate crime can be done by eliminating the desire and motivation of perpetrator to commit crimes in a way prevented him from enjoying the outcome of his crime. Because the proceeds of crime are area to lived crime act while the weakest point of the chain of crimes most easily detected. Efforts to cut the chains of this crime in addition to relatively easy to do also will eliminate the motivation of the perpetrator to commit the crime because the purpose of perpetrator for enjoying the proceeds of crime prevented. Thus, the explication above shows that corruption has a very close relationship with money laundering. In addition, the use of Act of prevention and eradication of money laundering as a provision to be used as a strategy in eradicating corruption.

### 2.2 The Law Substance of Money Laundering Settlement and Its Relation with Corruption

Corruption and money laundering is classified as organized crime. Moreover, it has tremendous damage force. Not only damage the economy of a nation, but also can harm the principle of the society, nation and state. In these conditions the Act No. 31 of 1999, No. 20 of 2001 on Corruption Eradication and Act No. 8 of 2010 on the Prevention and Eradication of Money Laundering has been important and noteworthy. Moreover, the last decade, the crimes in the field of economy to keep pace with the changing times. Modus became more sophisticated, varied and increasingly widespread. Especially for Money Laundering is included crimes lot of attention in developed and developing countries. The attention of these countries, especially in the process of eradication and anticipate anticipation. Another thing that is also a concern they linked the need for cooperation between countries in the prevention of money laundering because it is transnational. In practice, the money laundering in Indonesia when the perpetrator tried to conceal or disguise the origin of the assets that are the result of a criminal act. In this study, it is important to disclose data on all cases of laundering money derived from corruption, as indicated in Table 1.

**Table 1. Number of cases and Money Laundering Investigators in Law Enforcement Institutions 2011-2015.**

No	Year	Case Number of Money Laundering					
		Attorney General		Corruption Eradication Commission		Police	
		Amount	%	Amount	%	Amount	%
1	2011	136	39,31	39	15,92	1	3,57
2	2012	136	39,31	49	20,00	5	17,86
3	2013	16	4,62	70	28,57	7	25,00
4	2014	31	8,96	59	24,08	8	28,57
5	2015	27	7,80	28	11,43	7	25,00
Total		346	100	245	100	28	100

**Source:** Primary data, edited, 2015

Based on Table 1 above, shows that the first, from 2011 to 2015, money laundering as result of corruption are handled by the attorney general, the Corruption Eradication Commission and the police amounted to 619 cases. Second, the Attorney General more deal of money laundering than with the Corruption Eradication Commission and the Police. Seen the number of cases handled by Attorney General amounted to 346, Corruption Eradication Commission is 245 and the Police are 28 cases. Although, in 2013 - 2015 the Corruption Eradication Commission is handle more cases of Money Laundering compared to other law enforcement agencies. Normatively, to accelerate the disclosure of Money Laundering as provided in Article 75 of Act No. 8 of 2010 confirms that in the case investigators found preliminary evidence enough of money laundering and predicate crime, investigations combine the investigation of predicate crime with the investigation of money laundering and notify to PPATK. According to author, refer to the provisions of Article 75 on Money Laundering, then this provisions is only shows that normally in terms of the investigation, inquiry and prosecution. Substantially, norm has not set the substantial thing but set just a technical thing. Legal aspect of money laundering is reviewing the rules norm which is a pattern of behavior in society in Act No. 8 of 2010 on Prevention and Eradicating Money Laundering. In order to determine the substance of law on the settlement of laundering money derived from corruption. Based on research by the author, see it from several aspects of criminal, civil, moral and administration liabilities, which will be described later.

### Criminal Liability

Liability in terms of the philosophy of law, a great philosopher in 20<sup>th</sup> century, Roscoe Pound stated that:

*Criminal liability interpreted as an obligation to pay retribution perpetrators of someone who has been injured, he argues also that the liability is not only involves a legal issue alone but also involves the problem of moral values or morals that exist in a society.*

Therefore, in criminal law determining criminal act prior stipulated in legislation or applies the principle of legality. While determining the criminal liability is based on the principle of fault. Other term of the principles of this fault is a principle of

non-criminalized if there is no mistake (Geen straf zonder Schuld). In the context of Corruption Act, philosophically corruption there must be an element of loss to the state, whereas in TTPU Act is not concerned with the amount of state losses. Because philosophically, TTPU Act only aims for the pursuit of assets derived from its predicate criminal acts and its essence is the acquisition of assets that cannot be verified from the result of a lawful or realistic are proven valid. Conceptions related to the differences of corruption character are essentially considered necessary to clarify further because it could create new problems for it. The difference corruption is the state loss and against the law, whiles the elements of money laundering the element of action should occur cumulatively (Placement, Layering, and Integration) as well as the acquisition of asset that cannot be proven realistically and legally valid. Moreover, not necessarily also the state loss, money laundering occurs because the wealth a person is not reasonable. Proving the origin of the assets and prove against the law. As results of authors' study, that all cases that had been adjudged as described previously, deemed to have been convicted of money laundering that actus reus cumulatively (Placement, layering, and integration) commit a prohibited act that is the acquisition of assets from the proceeds of corruption as mens rea.

### Civil Liability

Asset recovery in 2003 the United Nation Convention against Corruption (UNCAC). To promote asset recovery in the handling of corruption, each country in addition to opening a cooperative relationship that is more widespread, not only in law enforcement the perpetrators but also in recovering assets resulting from corruption rushed/hidden in the territory of another country, whether related aspects of criminal nor the civil aspect. The indigence of wealth owned by officials show the reality in the life of the nation, on the one hand the rights of every citizen but on one side needs to be accounted for. It's as submitted by Pratikno that suggests that 250 trillion of state money disappeared but recovered is only 15.09 trillion. The means of proof that can be used in cases of corruption through legal procedures of criminal, the model of proof in the Convention Against Corruption in 2003 and gained recognition from developed countries either use the legal system "Common Law" and "Civil Law", which supports the use civil procedure in applying the theory of proof to the balance of the possibility, that is, the whole procedure of proof is intended to claimed one's ownership of their assets derived from corruption. The burden of proof already exists in some countries such as Ireland and the UK. Legislators are allowed to adopt it as a precedent. Basically, this provision is aimed for asset recovery directly. In addition to criminal, also can be done civilly as stipulated in Article 53 (b) of the UNCAC. The arrangement of illicit enrichment already exists in some countries, but there are still differences of interpretation between Illicit Enrichment with unexplained wealth. As an example, the Philippines set unexplained wealth but its essence is Illicit enrichment and for the sake of eradicating corruption with Australia applying unexplained wealth even though in reality occurred Illicit enrichment. On the other hand illicit enrichment and unexplained wealth has a different foundation among both. Based on result, an overview of Illicit Enrichment and Unexplained Wealth as presented on Table 2.

**Table 2. Differences of Illicit Enrichment and Unexplained Wealth**

Concept	Subject	Object	Form of Sanction
Illicit Enrichment	Officials	A criminal act to self-enrich (inpersonam).	Criminal penalty and in addition deprived their wealth/asset
Unexplained Wealth	Everyone	Suspected the wealth derived from the crime or wealth ownership (inrem)	Depend on court decision related to the depriving of asset

**Source:** *Indonesia Corruption Watch, 2014*

When referring to several countries, Australia and some other countries, illicit enrichment are known by the name of unexplained wealth without punishment but an asset that cannot be proved by defendant (the reversal of the burden of proof) will be deprived by the state. While the application of Illicit enrichment in China that any state official that the property or clearly expenditure and revenue exceeded legitimate, if the difference is enormous, may be ordered to explain the sources of his wealth. If he cannot prove that a legitimate source, the part that exceeds the lawful income it will be considered as illegal gains and shall be punished by imprisonment and a fine prison not more than five years or criminal detention, and part of the property which exceeds the legitimate revenue will have confiscated. In Indonesia, the arrangement of illicit enrichment in substance has been regulated in Article 79 paragraph (4) of Act No. 8 of 2010, this is stated that if a defendant dies before the judge's ruling handed down, where there is convincing evidence that the defendant committed the crime, the judge can make a determination about the wealth of the defendant which had been confiscated for the deprived and owned by the state. The provisions of Article 79 paragraph (4) is quite contrary to the principle of presumption of innocence, in which a person cannot be found guilty before the judge's decision stating that the defendant is guilty of the charges against her. Based on these norms, it is indicated the presence of unexplained wealth but preceded by illicit enrichment, it is as if the state with impunity someone who has died does not have a property that is not reasonable or realistic and cannot be proven valid (legally). It is also as if the state cannot confiscate civilly in rem through civil law. In fact, the wealth of reporting all the assets of state officials is any civil liability of state officials. The conception of unexplained wealth is a legal instrument that allows the confiscation of assets/wealth a person civilly who own property in factious amount (which is not in accordance with the income source) without being able to prove that his wealth was acquired legally (not derived from a criminal offense). Muhammad Yusuf associated with illicit enrichment or unexplained wealth by recommending as follows:

- 1) The pursuit/asset search is a precaution of corruption.
- 2) The provisions of criminal, especially with regard to illicit enrichment/ unexplained wealth are needed and urgently felt when associated with the handling of corruption.
- 3) Draft laws of Corruption Eradication not yet fully implement/manage the provision of illicit enrichment

as a criminal act independently. Illicit enrichment imposed against "the defendant" not since the beginning of the process of inquiry/ investigation ("suspect").

- 4) Encourage the draft laws of corruption eradication currently set back on the provision of illicit enrichment as a criminal offense, and strengthened by a draft law of Asset Confiscation that set similar formulation of the unexplained wealth.

Thus, that unexplained wealth as a tool to account for all who are committing the crime of money laundering derived from the criminal acts of corruption to account for the origin of wealth that is not realistic and justifiable in rem through civil procedure. However, there has been no legal provision in force. This constitutes an obstacle for eradicate corruption which has implications on money laundering to corruption and asset pursuit of wealth that is not fair. Therefore, according to the author, the restitution of asset through a civil lawsuit shows the seriousness of the state to return the assets of the proceeds of corruption. A suspect or defendant who has died even while allowing sued to return asset from corruption cases can be done by attorney through a civil lawsuit against the heirs of the suspect or defendant needs involvement of the Supreme Audit Agency (BPK) to calculate the state losses on corruption but it needs the involvement of other agencies to calculate the value of assets that do Money Laundering. BPK as an institution that has the authority to calculate the state loss and not BPKP to calculate the losses.

### Moral Liability

Corruption in Indonesia needs to be carefully considered though is not just Indonesia as a corrupt country. Corruption spread in almost all countries, both in industrialized or developing countries. A survey conducted by Transparency International shows that Indonesia is one of the corrupt countries in the world. In the field of corruption eradication, Indonesia aligned with Nigeria and Bangladesh and very far when compared with the Philippines and Malaysia. In the Code of Conduct for Law Enforcement Officials said that law enforcement officials at all times have to meet the obligations imposed upon him by law, by serving the community and by protecting all persons against impropriety acts, consistent with the level of high liability required by their profession. In the "theory of moral development" (1997), the word of moralist is defined by the teachings of decency, character or behavior. Morality concerning morality, while ethics is a science that talks about human behavior, human actions good and the bad (ethics the study and philosophy of human conduct with emphasis on the determination of right and wrong one of the normative sciences). To distinguish these two concepts, known as word "moral" to indicate the action (moral act), while the investigation of moral is often expressed as an ethical code. Ethics is more theoretical, while the moral is more practical. In modern countries, the use of rationality aimed at economic and political domination become cause of the crisis of legitimacy of law. Rationality intended as a tool to legitimize power market. Country transformed into a vehicle that guarantees capital reproduction to be supported by various types of laws: laws that protect property and trade, laws protecting workers from the effects that disrupt them, the law on education, communication, and others. Various kinds of laws are centered in around the reproduction of capital. Some

of standard type about argumentation for a moral obligation to obey the law:

1. Consent. Through some action or inaction, which is significant from a person, for example, participated in voting, receiving the benefits provided by the government, including receiving police protection; or not moving to another country, one clear consent to certain legal rules that use it, and this means that a person has to obey the rules made by the government.
2. Fairness, reciprocity, or fair play. Civil society is seen as a kind of beneficial joint enterprise profitable, in which each person limits their freedom to expectations, where the other party is also doing the same thing, and with the conviction that in this case, the obligation to obey the law is an obligation to fellow citizens, and not an obligation to the government.
3. Gratitude. As citizens receive benefits from their country, they also have an obligation to be grateful in a way to obey the rule of law enforced by the state.
4. Moral duty to support institutions in earnest (an argument that obviously applies only if the legal system in question is just).

Thus, the money laundering as result of corruption as its predicate offenses, it is considered as predictability of wealth that far beyond the results of predicate offenses of corruption. For example, in the case of Bahasyim Assafie commits corruption 1 billion and money laundering 64 billion. That is, the moral liability of Corruption Eradication Commission is not only intended as Corruption Eradication Commission, but also has moral liability to eradicate money laundering that has relationship with corruption, because money laundering in which its predicate offense as corruption as a consequence of effort to pursuit asset as securing effort for state losses on laundered corruption. In connection with that, Rawls theorized how to reach the public conception, i.e there must be a well ordered society (roles by public conception of justice) and person moral who both bridged by the original position. For Rawls each person is subject moral, freely initiated the principle of kindness, but it can be the opposite if allowed people are not well ordered. To be well-ordered society it must look at the original position. Public conception of justice can be obtained with the original position. There are a few basic assumptions that the community work together in fair condition, first, community members do not view social order unchanged. Society must to justice, so that people open to change, especially changes in the social structure. Second, cooperation is distinguished by a coordinated activity. Thus, moralistic perspectives in the analysis of corruption cases tend to be ahistorical. Ahistorical because it does not put a background of political-economic situation with the default system that happened today so that the perspective of moral and political actors bias is seen neglectful or reluctance to look at the structural factors in understanding political phenomena. Corruption also needs to be seen in the eyes of structural to help understand more deeply why after so many years of political reform process running, corruption remains the main problem which also spread to other sectors such as local politics, the decentralization policy, the relationship between religion-state, the professionalization of political parties and many other fields.

### Administration Liability

Government can be seen in two sides: first; government in terms of function, which includes the activities of government activity and the second; government in terms of organization, which is a collection of units of government. The content of the functions of government as the former, at least put in relation to the function of legislation and judicial. In other words, that the function of government is all government activities are not included in the field of formation of law and justice. Each state administration official in act (carrying out their duties) must be based on legitimate authority, given the legislation. Governance should be based by law. Therefore, each state administration officials before carrying out their duties must first be attached to a lawful authority by legislation. Thus, the source of government authority contained in the legislation. Likewise, Wade said, that basically to avoid the abuse of power, then all power should be restricted by law or regulations. In related that, the idea of limitation of power as a logical consequence of the principle of legality. This principle regarded as the most important basis of the legal state and implies that only the government can take action based on the authority granted and restricted by law. Logeman argued that:

*"The state and position organizational and in a country there are a government post, i.e the work environment remains adhered to the authority to conduct government affairs; all state's duties in addition to the field of legislation and judicial".*

In the aspect of administrative law, good governance is inherently from the meaning of authority owned and used by the government. Corruption is predominantly occurring in the bureaucracy, which is nothing but a locus of public administration science studies. Therefore, the treasures of this knowledge must be expanded, not merely photographing the phenomenon of corruption as a moral or just administrative blunder. There is a side of political-economy that cannot be separated from how to explain the particulars of this corruption, it is necessary that comprehensive structural analysis as a tool in understanding corruption in the area. In some small discussion often find answers moralistic about writer this corruption. "Depend-ing on person" as a simplistic answer is often heard. Apparently approaching the truth. But it is inherently the answers reap its problems. Patterns and modes of corruption in each region have differences. An area that has abundant natural resources, corruption happens only in relation to mining permits and land conversion. In other areas usually associated with region expenditure for the procurement of goods and services.

### 3 CONCLUSION

The substance of law for money laundering settlement related to the corruption is not accommodated within the norm of Act No. 31 of 1999 jo Act No. 20 of 2001 and needs to be amend to conform with Act No. 8 of 2010 on TPPU or money laundering. This is very important as an attempt to optimize the eradication of corruption. TPPU and TPK have difference in terms of elements of crime, where corruption there is state losses while TPPU is not. This is caused by the TPK oriented to the state losses but TPPU oriented for pursuit asset as result of corruption and the not fair wealth. Legislation needs to be revised, act on money laundering, act on corruption eradication commission and act on judiciary. To be realized

the harmonization of laws related to Corruption Eradication Commission act and to accommodate the substantive of law of the money laundering settlement according to the Indonesian legal system.

## REFERENCES

- [1] Achmad Ali. 2002, Menguak Tabir Hukum: Suatu Kajian Filosofis dan Sosiologis, PT Gunung Agung, Tbk, Jakarta. Pages. 346-347
- [2] Barda Nawawi Arief, 1999, Pokok-Pokok Pikiran Pembaharuan Undang-Undang Pemberantasan Korupsi, Makalah Seminar di Unsoed, Porwokerto.
- [3] Bismar Nasution, 2009, Anti Pencucian Uang: Teori dan Praktek, Books Terrace & Library, Bandung.
- [4] Bryan A. Garner, 2009 Black's Law Dictionary, Ninth Edition, West a Thomson business, United States of America.
- [5] Bulletin Pengembangan Perbankan May – June No. 89 Year 2001
- [6] Burhanuddin, Etika Individual Pola Dasar Filsafat Moral, Rineka Cipta, Jakarta, 1997.
- [7] C.J.N.Versteden, 1984, Inleiding Algemeen Bestuursrecht, Samson H.D. Tjeenk Willink, Alphen aan den Rijn.
- [8] Chaerudin, et al, 2008, Strategi Pencegahan dan Penegakan Hukum Tindak Pidana Korupsi, Refika Aditama, Bandung.
- [9] Cited of paper and written to support the delegation of RI on Forthy-Seventh Session of The Comision on Narcotic Drugs, held on Wina 15-22 March 2004.
- [10] H.W.R Wade and C.F. Forsyth, Administrative Law, 7th ed., 1994, Oxford University Press, New York.
- [11] Imam Sjahputra, 2001, Teori dan Kasus Money Laundering (Pencucian Uang), Harvarindo, Jakarta.
- [12] Indra J Tirtakusuma, Telaah Sejarah Terhadap UU Nomor 15 Tahun 2002-UU Nomor 25 Tahun 2003, [www.indra5471.wordpress.com](http://www.indra5471.wordpress.com). Accessed on 15 June 2015
- [13] Jeane Neltje Saly, 2010. Pengembalian Asset Negara Hasil Korupsi di Indonesia Dalam Perspektif United Convention Against Corruption 2002 (UNTAC), Article, Indonesia Legislation, Vol. 7.No. 4 December. Source: <http://www.ugm.ac.id/id/berita/8043-uang.negara.hilang.rp.250.triliun.akibat.korupsi>. Accessed on 1 November 2015
- [14] M. Arief Amrullah, 2014, Tindak Pidana Pencucian Uang dalam Perspektif Kejahatan Terorganisasi, Pencegahan dan Pemberantasannya, Surya Pena Gemilang, Malang.
- [15] Muhammad Yusuf, Implementasi dan Pengaturan Illicit Enrichment Dalam Delik Korupsi, Disampaikan dalam National Workshop “Kajian Penerapan UNCAC di Indonesia-Implementasi dan Pengaturan Illicit Enrichment Dalam Delik Korupsi” Jakarta, 18 February 2014.
- [16] Philipus Hadjon, 1994, Algemene Beginselin van Behoorlijk Bestuur, Lembaga Penelitian dan Pengembangan Hukum Administrasi Negara Bogor, Jakarta.
- [17] Razif Novwan Putranto & Law Firm, Penerapan Azas Pembuktian Terbalik dalam Perkara Korupsi, <http://www.rnplawfirm.com/?p=publication&id=8&title=azaz-pembuktian>, Accessed on 1 November 2015
- [18] Romli Atmasasmita, 2000, Perbandingan Hukum Pidana. Cet.II, Mandar Maju, Bandung.
- [19] Siahaan, 2005, Pencucian Uang dan Kejahatan Perbankan. Revised Edition, Pustaka Sinar Harapan, Jakarta.
- [20] Tb. Irman, 2007, Praktik Pencucian Uang dalam Teori dan Fakta, MQS Publishing & AYYCCS Group, Jakarta.
- [21] Wikipedia. Avalaibale online at: [http://www.id.wikipedia.org/wiki/Pencucian\\_uang](http://www.id.wikipedia.org/wiki/Pencucian_uang), accessed on 23 June 2015
- [22] Yunus Husein, Tindak Pidana Pencucian Uang (Money laundering) dalam Perspektif Hukum Internasional. Available online at: <http://www.docstoc.com/docs/20860753/tindak-pidana-pencucian-uang-money-laundring-dalam-perspektif>, Accessed on 28 July 2015