

INDEPENDENT REPORT

3rd Conference of State Party (CoSP)

United Nation Convention Against Corruption (UNCAC)

WEAKENING of CORRUPTION ERADICATION COMMISSION (KPK) IN INDONESIA



National Coalition of Indonesia for Anticorruption

November 2009

Doha, Qatar

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Independent Report: De-legitimacy Corruption Eradication Institution

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Chapter I

PREAMBULE

A. Background

For less than one month prior to the performance of State Conference of the 3rd UNCAC in Doha, Qatar 9-13 November 2009, corruption eradication in Indonesia enters an emergency era. An alleged legal manipulation tricked to trap the two leaders/top managements of Corruption Eradication Commission (KPK), described as an independent agency, is committed. Bibit Samad Rianto and Chandra M. Hamzah were declared to be the suspects and arrested in the Police Headquarter of the Republic of Indonesia (Mabes Polri) for an indictment which is naturally unclear and doubtful for the public. Two activist of *Indonesia Corruption Watch* (ICW) were also summoned to be declared as the suspects for the case of character assassination (*Defamation*) by Police Headquarter of the Republic of Indonesia after disclosing a data about the allegation of financial management manipulation in the Attorney General's Office¹.

Name of President of the Republic of Indonesia is called in two terms namely "RI-1" and "SBY" in the transcript of conversation between Anggoro and Anggodo, and between a women and Anggodo, Several names of high ranking officials of the Police and Supreme Court Office are also involved.

Anggoro – Anggodo
(Friday, 24 July 2009. At. 12.25)

"yes the point is now its Official Minutes must be completed"

"He has already made an agreement with Mr. Rit, you know"

"Promise with Mr. Rit that the lat performance of final case with the Prosecution, will be on Monday"

"... we are just waiting for a decision letter from RI-1?"

"yes you can ask it to Trunojoyo, please"

"yes alright, tonight I will ask him"

Source:
<http://korupsi.vivanews.com/news/read/99969->

¹ two ICW's activists:

Emerson Yuntho, Vice Coordinator of ICW; **Illian Deta Arta Sari**, Coordinator of Legal Division and Judicial Monitoring of ICW.

The leaders of KPK were declared to be the suspect at time of Indonesia seriously eradicates corruption, Corruption Eradication Commission (KPK) has stipulated 158 corruption cases, which most of them are classified into major corruptors. Within the period of January 2008 – August 2009, The most corrupted sectors which are successfully trapped by KPK are among others business/private Mafia (20%); Parliament and Political Party (18,95%) and high class bureaucrat (Echelon Official, project leader and Local Government Head), all together reaching by 30,52%.

Besides, there is a big case, which is inside of it, closely related to the donator of champagne fund from a big political party; legal enforcer from the Police, Bank Indonesia officials, up to a Minister of United Indonesia Cabinet is under investigation by this institution. Amid this condition suddenly, the Police is very aggressive to try to trap the leaders of Corruption KPK.

Such phenomenon, results in big response and opposition from the civil society, artists, religious leaders, and even from two former Presidents of the Republic of Indonesia. A tapping record from KPK is heard in a transparent Session of Institutional Court (MK). This record makes shocked the Indonesian Public and it proves and confirm the badness of law of Justice and the existence of justice Mafia in the Police and Prosecution.

Woman – Anggodo

(Thursday, 6 August 2009 At 20.25)

"Just now Mr. Ritonga called me, saying that tomorrow he will get a massage, in Depok. He was laughing. The point is we must all talk just the way it is, do you understand? If not we will get into big problem. Because we all now get a support from SBY, do you understand?"

"Who?"

"We all, Mr. Ritonga, are duly supported, so KPK will then be dissolved, do you understand that?"

"Yes"

"Alright, the main point is don't worry, this matter will be completely handled. He said like that, Mr. Ritonga. Yes, Mr. Ritonga, do you know who the police is, Mr. Susno. Yesterday Mr. Ritonga was ..., Mr. Ritonga was angry. Because he already promised about that, he promised that, right? He wonders why he betray, he is not brave."

Source: KOMPAS,
Wednesday 28/10/2009

The alleged manipulation and conspiracy behind the decision of two suspects of Corruption Eradication Commission's Leaders is clearly proven. Several names of Police's high-ranking officials, Attorney General's Office, and even the name of President of the Republic of Indonesia are stated in the aforesaid recording. The content of which is about the conspiracy of high ranking official from legal-enforcing institution together with a younger brother of a suspect and fugitive of corruption case in Corruption Eradication Commission (KPK) to design a case that can bring the leaders of KPK into jail. An allegation of manipulation to trap two leaders of KPK comes up in the Indonesian public.

Previously, President of the Republic of Indonesia through his spokesperson denies having a conversation concerning a Vice General Attorney. Even he states, that his name is blackmailed². After the disclosure of alleged manipulation, Police Headquarter without any clear reason detains Bibit Samad Rianto and Chandra M. Hamzah. As the result, the society is angry; the wave of protest and public disappointment arise.

The following day (30/10), President gave a Press conference in the state Palace, asking the society to comply with the existing legal aspect. Even he stated that he will become the person who will be in the front liner to defend KPK, if there is a certain party to dissolve KPK. This statement is very similar with the statement from the Criminal Detective Division Head of Police Headquarter of the Republic of Indonesia /*Kabareskrim Mabes POLRI*, Susno Duadji, *"if there is a certain party who will dissolve KPK, we will be in the front liner to defense it"*.

² KOMPAS, 28 October 2009. "Name of President SBY is blackmailed". Hal. 1

However, the society is already not to trust. Because, even the President himself, he is deemed not to conduct any concrete action to solve this problem. The conflict arising between police and KPK has lasted for several months.

In a session held in the Constitutional Court, on Thursday, 3 November 2009, tapping record with duration of more than 3 hours was heard to the public. Several manipulations, bribery, gratification of luxurious car and alleged transaction of “prohibited drug” blackmailing of name of President of the Republic of Indonesia are arising. A number of high ranking officials (third persons) in the Police Office are stated to be involved, even the name of Vice Attorney General is found very clear in this scandal. A former Deputy Attorney General for Intelligence (only one level under Attorney General) makes a conversation with the money-provider. Hence, it is reasonable if the society say that this scandal constitutes the proof that Judicial Mafia still exists in Indonesia.

The wave of protest is arising in many different regions. A number of non-government organization leader’s, religious leaders, sociologists, artists, humanists, even wear black clothes and band as the symbol of grief “the death of justice in Indonesia”.

B. Ratification of UNCAC by Indonesia

Indonesia constitutes one of 107³ countries which participates ratifying *United Nation Convention Against Corruption, 2003* (UNCAC) through the issuance of Law Number

³ Per: 20 January 2008, UNCAC has been duly signed by 140 states and ratified by 107 states. Source: CAC/COSP/2008/CRP.1, “*Status of ratification of the UNCAC as at 20 January 2008 and notifications, declarations and reservations there to.*”

7 year 2006. Even though it reserved Article 66 section (2)⁴, the signing and ratification is all at once the affirmation of Indonesia as a part of International cooperation in eradicating corruption.

Basic principal of this convention is based on the reality of corruption which has been classified by international world as extra ordinary crimes which can penetrate through the border of states. The interest of International world to be free from corruption finally requires a convention which is agreed and adopted at large in the states.

In a larger scale, eradication of corruption indicated in the convention is closely related to agendas that directly deal with the needs of society at large, especially about property alleviation, improvement of education quality, and social health security. Such points are implicitly stated in UNCAC, especially about stability and security, democracy values and even about sustainable development⁵. In the other word, the firmness of stance and policy of the state of members of UNCAC to actively involve in the eradication of corruption in International circle constitutes a certainty. Likewise, Indonesia which has give a ratification on 19 September 2006.

Especially for Indonesia, commitment to eradicate corruption and the compliance of UNCAC should be performed in a high commitment and more strictly. In particular

⁴ Article 66 section (2) regulates the settlement of disputes between the states which cannot be reached through a negotiation. According to this provision, disputes between the states regarding interpretation or adoption of convention shall be obliged to be filed to *International Court of Justice* under a request in accordance with Justice Statute.

⁵ It is confirmed in the preamble of UNCAC, 2003: "*Concerned about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical and justices...*"

because, President of the Republic of Indonesia, Susilo Bambang Yudhoyono also includes “corruption eradication” in one of his promises in his campaign pledges and government programs since 2004. Let alone, the second states conference of members of UNCAC had been held in Nusa Dua, Bali, Indonesia (28 January – 1 February 2008).

C. Position of Independent Report from Civil Society

Do corruption eradication and the compliance of UNCAC principles run effectively in Indonesia? Does political and legal authority support and actively participate in strengthening the establishment of corruption eradication? The answer of such two questions will be explained briefly in “independent report” prepared and arranged by Indonesia Corruption Watch (ICW) in cooperation with a number of Non Government Organizations (LSM) or Non-State Actors (NSAs) in Indonesia.

The arrangers of this independent Report try to describe the reality of view of corruption eradication in Indonesia in brief and simple descriptions. Of course, the perspective of writing of this report is based on the civil society point of view, either acting as the monitoring institution or as a victim from corruption which still exists in Indonesia.

D. **Method of Report Arrangement**

E. **Limitation and Systematization of Report**

Chapter II

Weakening of Corruption Eradication

Many different surveys and researches carried out in both National and International levels show that corruption image in Indonesia has not been significantly decreased yet. Corruption Perception Index (IPK) of Indonesia released by Transparency International (TI) had ever increased by 0,6 point from 2004 to 2008, even though it had decreased to 0,1 point in 2007. In the beginning of President Susilo Bambang Yudhoyono (SBY) administration, 2004, IPK of Indonesia was about 2,0 and it had increased by 2,6 in the end of 2008.

A. Weakening of Corruption Eradication Commission (KPK)

Seemingly, the above data may probably give a satisfaction for the executive political authority led by SBY. However, in a very short time, what happens in Indonesia just the opposite. After the first volume of administration era has been finished, the symptom of weakening of corruption eradication is strongly committed. This can be observed from the aspect of regulation, namely the bill proposed by the Government, contains an effort to weaken the authority of Corruption Eradication Commission (KPK), and the issuance of a number of regulations which are

“Indonesian corruption eradication Index continuously increases since KPK exists.

Indicator of international surveys is strongly influenced by the performance of an Independent institution like KPK.

However, now, KPK is just attacked and weakened. A political and legal manipulation is committed to imprison both two leaders of KPK.

deemed to harm the independence of corruption eradication institution. Even from the aspect of policy, a good faith to improve Attorney General's Office and Police which is structurally under a direct command of President does not happen. Conversely, information available in the public in Indonesia is just about criminalizing against both KPK Leaders.

In the other word, there is a serious decrease toward the commitment of corruption eradication in Indonesia, which is worsened by the weakening against Corruption Eradication Commission (KPK), Judicial Commission, and civil society criminality.

President of the Republic of Indonesia is deemed to have failed to straighten the existence of KPK. From the perspective of legislation, Bill proposed by the Government on justice of Corruption Criminal Acts / *Tindak Pidana Korupsi* and Bill of Corruption Criminal Act can hamper and weaken corruption eradication conducted by Corruption Eradication Commission (KPK).

In Bill of corruption eradication for example, minimum and maximum penalty of sentence dramatically decreases compared to that in the existing law, namely Law number 31 year 1999 and Law number 20 of 2001. Criminality against the corruption case informer still includes, authority to lawsuit KPK is not clearly stated, formulation of criminal acts is very abstract so that it can possibly make any deviation in law-enforcing institution, and give the opportunity for corruptors to escape from the court session.

The issuance of Government Regulation In Lieu of Law Number 4 of 2009 by President of the Republic of Indonesia is also deemed by many parties in Indonesia to result in damaging the conception and arrangement of Institutional Independence of KPK. In the aforesaid Government Regulation in lieu of Law Number 4/2009, it is stated that, President shall be duly entitled to appoint and assign leaders of KPK directly numbering for less than 3 persons. This, of course, damage the meaning of independence of KPK institution, because Law on KPK clearly declares that, KPK shall not be subject to any institution whatsoever, including President. KPK shall be responsible to the public under the existing mechanism.

For several times statement of President of the Republic of Indonesia is also disappointing by stating that KPK is the institution which cannot be controlled, super body institution, and others which constitute the weakening commitment of President RI against corruption eradication executed by KPK.

Such weakening commitment against corruption eradication is also reflected from level of public satisfaction on SBY administration during his term of office 2004-2009. Survey or collection of opinions carried out by one of the biggest mass media in Indonesia carried out within 28-30 October 2009 in ten big regions in Indonesia. From the beginning of SBY-JK administration, it was found that public satisfaction which only ranging in features 30-40. However it was dramatically beginning to increase since the 39th month, namely around: January 2008.

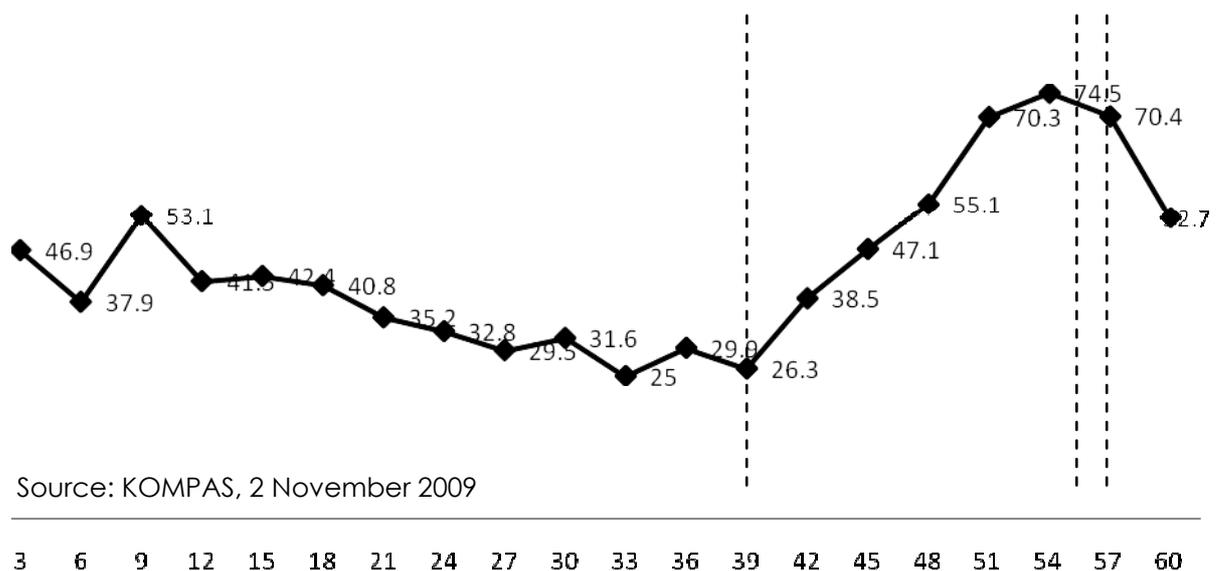
It was since the beginning of 2008, there was a dramatic increase of public satisfaction. Information hidden beside such features is, it was since January 2008,

KPK Volume II has strictly processed a number of major corruptors in Indonesia. Starting from Member of House of Representative, Business Mafia, Law-Enforcing Institution, even *besan* of President SBY.

Graphic 1

Level of Public Satisfaction against Corruption Eradication under SBY Administration

(October 2004 – October 2009)



Source: KOMPAS, 2 November 2009

Meanwhile, the decrease of public satisfaction level happened since the 56th - 57th years, namely in June-July 2009. If it is observed, the process of weakening against Corruption Eradication Commission (KPK) happened in this period. From the aspect of legislation, the authority of KPK to file a lawsuit is almost decreased in the arrangement of Bill of Justice for Tipikor (Corruption Criminal Act). It was within that period, BPKP planed to carry out an audit to KPK, even though this institution was not entitled to investigate. Under the reason of being instructed by President, Head of BPKP insists to investigate financial provision and KPK tapping.

Commitment of President RI was also criticized by the public in the era of the 57th month of his administration. In one of his visits to mass media, President said “Related to KPK, I seriously remind you *Power must not go unchecked*. This KPK has already been an extraordinary *power holder*. The responsibility is just to God. Be careful”⁶. This statement is sternly criticized by many institutions, because at that time, it was intensively talked the plan of arresting the leaders of KPK by the Police. Like what is stated above, allegation of manipulation behind legal process against two leaders of KPK abovementioned, finally is proven in the court session of Constitutional Court of the Republic of Indonesia. Exactly, at time of conducting tapping record committing between one of big businessmen (alleged: to be a bribery gratifier) with a high ranking official in Attorney General Office and Police was heard in Constitutional Court. Through a transparent court session, even name of President RI is stated for many times and is related to the planning of KPK dissolution⁷.

It is predicted that, the decrease of public trust level will be very drastic if President RI as Head of State cannot afford to settle this political and legal problems as soon as possible.

B. Criminality of Civil Society

Weakening of corruption eradication within this current and shortcoming period is committed systematically. It is not only against the Corruption Eradication

⁶ KOMPAS, 25 June 2009, “It is dangerous the big power without control”. <http://cetak.kompas.com/read/xml/2009/06/25/0300544/berbahaya.kekuasaan.yang.te.ralu.besar.dan.tanpa.kontrol>.

⁷ President in his official press conference states that his name is blackmailed.

Commission, but is also against the civil society who guards corruption eradication and oversees the performance of a clear government. Two activists of Indonesia Corruption Watch (ICW), Emerson Yuntho and Illian Deta Arta Sari are reported by Attorney General's Office to Police Headquarter of the Republic of (Mabes POLRI) due to disclosing a number of alleged state financial manipulation and the returning of asset of corruption result in the Prosecution Institution.

When ICW and other civil societies oversee and criticize Police, without any prior investigation and summon, two activists of ICW were directly declared as the suspects. The Article applied on them is the provision which is often applied for imprisoning a critical society, the defender of Human Right (HAM), informer of corruption case, and even a common society who lodge a complaint concerning public service. The aforesaid two ICW's activists are imposed with the Article of defamation of government official, namely: Article 310, 316 and 207 of Indonesian Criminal Code.

Nevertheless, if it is observed, in fact, trend of criminality and punishment against anti-corruption activist also simultaneously happens against Human Right Defender. In SBY administration era, at least 23 activists from different issues are listed as the suspects in Indonesian Police Office, *(name and case are attached)*. This total number will possibly increase especially in respect of similar cases occurring in Indonesia. This matter constitutes a poor development for the protection of Human Right in Indonesia.

In long-term period, process of criminality is actually a part of efforts to gag the freedom of expression from any individual; nonetheless, it will become very critical and dangerous if Human Right defender who becomes the front liner warrior for the enforcement of Human Right is just gagged. The 23 names stated above constitute the prominent figure who have been long time to bush the reform of improvement in various system in Indonesia.

This criminality is identified to become the effort of the government to, First, stop the case which is being handled by Human Right defender; Second, to become means of threat for the other activists working for that case, Third, to counter the critical power of Human Right defender and especially other civil societies; and Fourth, to become a tool to weaken an independent legal enforcing institution like KPK.

C. Corruption Condition in Indonesia

Corruption condition in Indonesia in this report is read in two approaches. First, to present, compare, and analysis a number of researches and surveys of international institution about corruption and democracy conditions in a certain country. Second, to read a reality of corruption eradication, especially in law-enforcing institution like KPK, Attorney General's Office, Police, Public Justice/Supreme Court, and Specific Justice for Corruption Criminal Acts.

1. Transparency International (TI)

Based on the result of *Transparency International* (TI) survey there is an increase of score of *Corruption Perception Index* (CPI) Indonesia in 2004-2008.

Table 1

Corruption Perception Index (CPI) Indonesia 2004-2008

Year	Ranking	CPI
2004	133 out of 145 countries	2.0
2005	137 out of 158 countries	2.2
2006	130 out of 163 countries	2.4
2007	143 out of 179 countries	2.3
2008	126 out of 180 countries	2.6

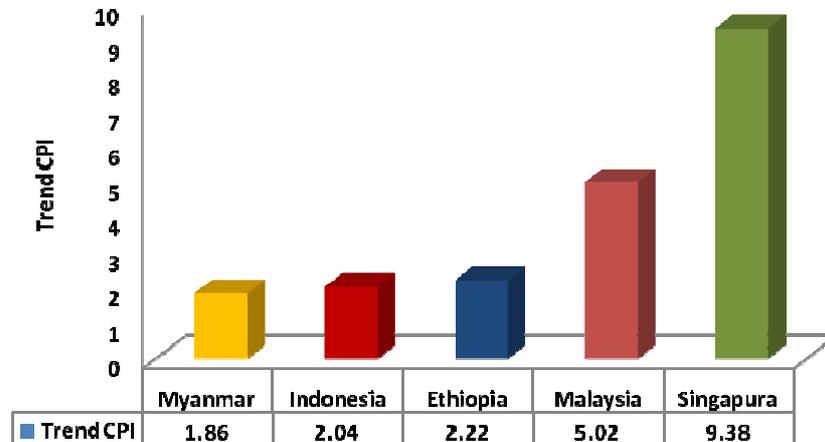
Resource: TI Indonesia, 2009

At a glance, trend of CPI which increases from 2004 through 2008 will give a hope in corruption eradication in Indonesia. Nonetheless, in more critically, such data should be necessarily viewed by two ways. First, to compare the trend of score Indonesia with the other countries; and second, to seek a reasoning background of the increase of CPI in Indonesia.

From the two charts below, it can be viewed that the increase of CPI Indonesia by 0,6 point during 5 years is not so significant compared to the trend of CPI in other neighboring countries. Singapore with trend of CPI by 9,38 is still in the highest position, similarly with Malaysia in (5,02). Position of Indonesia is seemingly almost the same with Ethiopia, a country in the African Continent which has experienced to suffer a food crisis due to civil war. Nonetheless, average of CPI Indonesia is still left behind by 0,18 point, namely: Ethiopia (2,22) and Indonesia (2,04).

Graph 1

Trend of CPI of Five Countries in 2004-2008

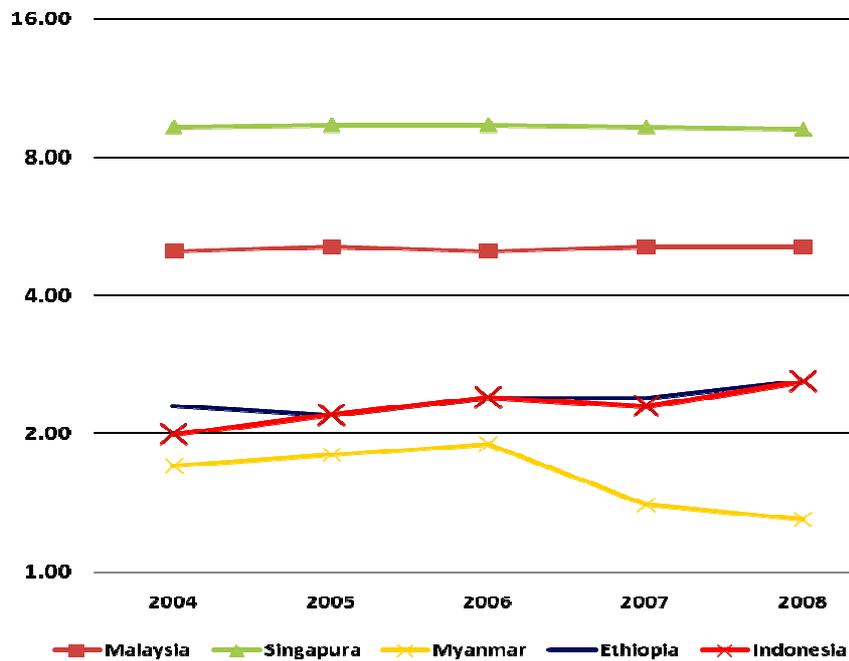


Source: quoted from: *Transparency International, 2009*

Comparison of trend or intension to increase/decrease of CPI during 5 years abovementioned can be viewed more clearly that the position of Indonesia remains not to change compared to other four chosen countries.

Graph 2

Comparison of CPI of 5 Countries in 2004-2008



Source: Transparency International, 2009

In the home country, the increase of CPI Indonesia has indeed ever given a hope for the public. Period of “honey moon” for corruption eradication is working in the period of 2008. The existence of KPK with the concept of Independent Institution after being established for more than five years is beginning to be effective. Even though it has never touched sectors of Political Party Finance and political fund yet, at least, KPK has made a basis of corruption eradication which relatively gives an deterrence effect and sense of being frightening/demoralized for the corruptor. It is this factor, added with bureaucracy reform conducted in Finance Ministry which can help improve the image of corruption eradication of Indonesia in International Society.

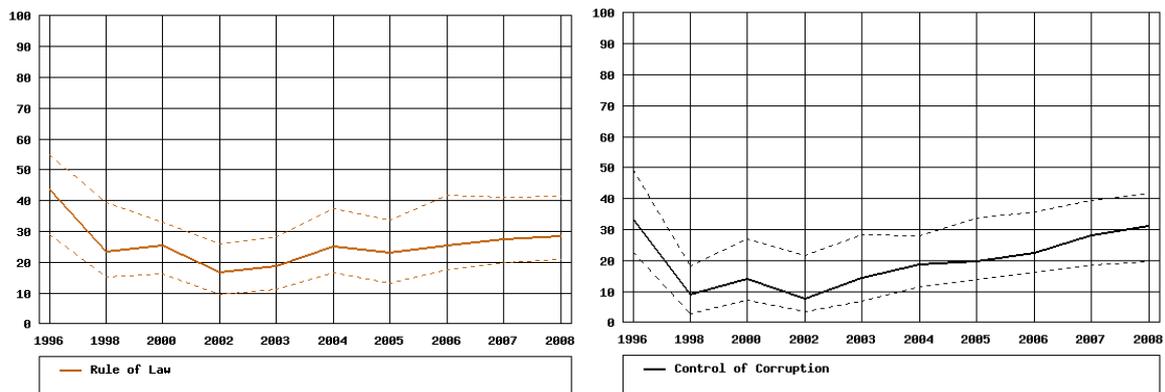
Like what is stated by Transparency International Indonesia (TII) in its press conference, that the increase of CPI Indonesia is much influenced by the intensiveness of corruption eradication. Such matter implicitly appoints an independent institution like KPK.

2. The Worldwide Governance Indicator (WGI)

It is interesting to compare the conclusion of Transparency International with the research of The Worldwide Governance Indicator (WGI). Two out of six key elements of WGI, which are Rule of Law and Control of Corruption, shows an increasing trend until year 2008.

Graph 3

Indonesian “Rule of Law” and “Control of Corruption” Ranking Year 1996-2008



Resources: Kaufmann D., A. Kraay, and M. Mastruzzi 2009: Governance Matters VIII: Governance Indicators for 1996-2008

The increasing trend of Rule of Law element and Control of Corruption element until year 2008 can actually give hope of a better corruption eradication in Indonesia. Shown on the graph of Control Corruption, its trend is higher than of Rule of Law.

Referring to the original concept from the WGI, the Rule of Law shows that there is no confidence in the Police and the Court to implement the law enforcement in Indonesia. The increasing trend shown on that graph is more likely due to small revision in the administration and the internal reformation, especially which is funded by the donor institution. However, looking at the red block graph indicator on one of WGI version, the actual condition of Rule of Law and Control of Corruption ranges between 25-50% at its highest⁸.

Referring to Control of Corruption, it is considered that the existence of Corruption Eradication Commission as a nation institution and the public active involvement in watching over the corruption have a great influence on the increasing trend until year 2008. Such thing is parallel to the increasing citizen's participation in watching over the government through freedom of expressing and pers freedom. The trend of Voice and Accountability element shows the highest compared to other elements.

Those matters give an important lesson to learn about a country's corruption eradication that it is impossible to implement the corruption eradication and the

⁸ http://info.worldbank.org/governance/wgi/sc_chart.asp#

Accessed: 2 November 2009. at. 2.35 PM

government controls if there is no guarantee of freedom of expression, press freedom, and freedom of being associated.

3. Political Economic and Risk Consultancy (PERC)

In terms of Political Economic and Risk Consultancy (PERC) in the past year of 2008, the Indonesian Supreme Court is considered the worst among the other 12 Asian countries.

The Indonesian position on “top” of the worst can be seen throughout year 1996 to year 2008. Year 2008 was the worst condition, however gradually, though it was not significant, there was an improvement until year 2007, and it got worse again in year 2008. This shows that the justice institution has failed to build public trust. The image of Justice Mafia still lingers. Moreover, the tendency of the business associate who prefer out of court settlement never declines. Dealing through the arbitration mechanism is considered to be more profitable, effective, and to reduce the cost of bribe compared to dealing at the Indonesian Court.

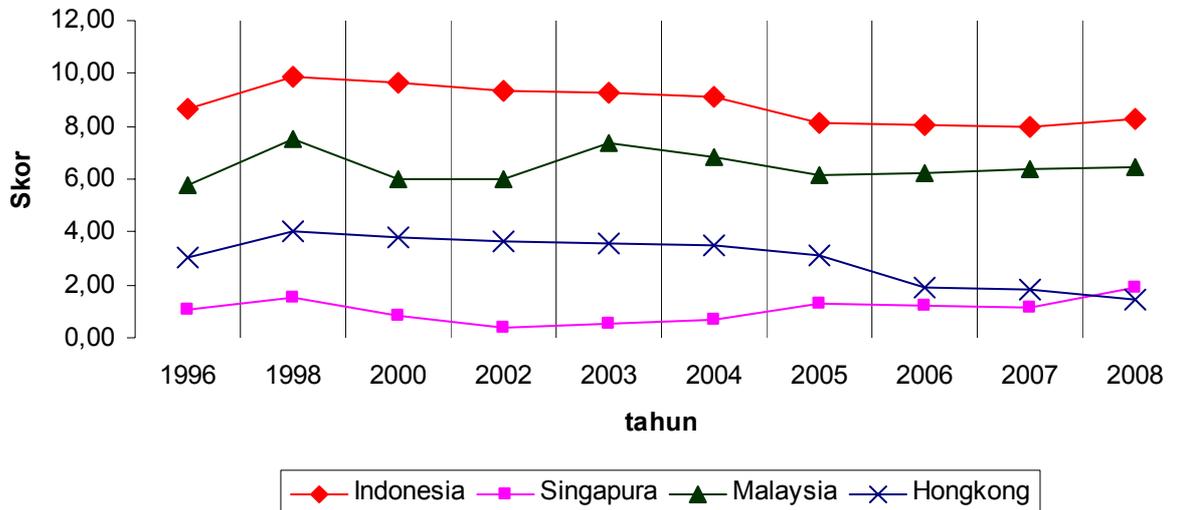
The existence of KPK as an independent institution and the active involvement of the public to monitor corruption is deemed very influencing on the increase of Control of Corruption trend up to year 2008

Trend element of “Voice and Accountability” is seen to be the highest ranking compared to that of the other elements in WGI.

Graph 4

The Comparison of Four Countries According to PERC Survey

(Year 1996-July 2008)



Resources:

The position, of course, can be upgraded if the Supreme Court as the top of the Indonesian judicial authority, besides the Constitutional Court, has a solid commitment. At least, by fully encouraging the establishment of Court of Corruption Criminal Act, by processing the selection of a credible, transparent and accountable Carrier and Ad Hoc Judge, it is predicted that national public trust and international public trust can be recovered.

Although there is a tendency to perceive the Supreme Court negatively, Indonesia has a constitutional court as one of the top independent and impartial judicial authority; that is, a Constitutional Court. This institution is considered progressive even though several of its decisions related to the educational budget, the water

resources and truth and reconciliation commission are more likely to be accepted controversially by public. Nevertheless, principally, the Constitutional Court has laid a good foundation of court management, from case administration, registrar supervision, to judge's credibility. Furthermore, the Constitutional Court plays a strategic role in encouraging the establishment of Court of Corruption Criminal Act and in revealing the criminalization manipulation of Corruption Eradication Commission's deputy. As we know, behind the scene of the two suspect deputies, there was a bribery scandal, case arrangement which involved some of high-ranking officials of law enforcement institution.

Therefore, it is worth appreciating for the leadership of Prof. Dr. Mahfud MD, S.H and other eight constitutional judges. In the future, the Constitutional Court is expected to improve the substantive meaning of a better corruption eradication and to play a role in strengthening constitutional foundation for fighting corruption in Indonesia.

Details on comparison of General Court performance (year 2005-2009) in handling corruption case will be described separately.

4. Global Corruption Barometer (GCB)

After looking at the surveys of TI, WGI, and PERC which observe the perception of corruption eradication in Indonesia in general and are from outsider's point of view in order to get to the core of the problem, it is necessary to examine the Global Corruption Barometer (GCB). This survey is released from the Indonesian TI and

becomes a specific measurement instrument for those sectors considered to be the most corrupted in Indonesia.

Table 2

Four Institutions of the Most Potentially Corrupt in Year 2005-2008⁹

Rank	Year 2005		Year 2006		Year 2007		Year 2008	
	Institution	Score	Institution	Score	Institution	Score	Institution	Score
I	Political Party	4,2	Parliament	4,2	Police	4,2	Parliament	4,4
II	Parliament	4,0	Police	4,2	Parliament	4,1	Court	4,1
III	Police	4,0	Court	4,2	Court	4,1	Political Party	4,0
IV	Court	3,8	Political Party	4,1	Political Party	4,0	Public Service	4,0

Resources: *Global Corruption Barometer (GCB) – TI Indonesia 2005-2008*

Based on the table above, it is obvious that the most four corrupted sectors from year 2005 until year 2008 did not significantly change. In politic sector, parliament

⁹ The appraisal system uses an index ranging from 1-5; 1 = no corruption at all And 5 = very high corruption. Parliament and political party from year to year is deemed to be the institution which is the most influenced by corruption.

and political party were considered to be the most corrupted and variably, the Police and the Court were on that position. This fact can be an indicator for the law enforcement officials to implement a strategy of cleaning the most corrupted sector in corruption eradication.

5. Corruption Eradication Reality

As it was previously explained, the improvement of CPI-Transparency International and Control of Corruption-WGI is greatly influenced by the performance of the independent institution such as the Corruption Eradication Commission (KPK). Meanwhile, the Police and the Attorney's Office are beyond hope of corruption eradication.

From this fact, the Corruption Eradication Commission can be relatively dependable. Since December 2007 – May 2009, the Corruption Eradication Commission has dragged major corruptors one by one from various sectors – from Parliament member with bribe transaction, business mafia to Chief of Judge Team when accepting US\$660,000 bribe related to Liquidity Aid of Bank Indonesia (*BLBI*) case.

One of the Corruption Eradication Commission's weaknesses is lack of coordination function and supervision function. According to the Law Number 30/2002 about the Corruption Eradication Commission, this independent Commission actually has been given an authority to coordinate and even to take over the corruption case which is handled by the Police or the Attorney's Office in case there is a problem. It seems

that, in addition to the institution problem in the Corruption Eradication Commission, the arrogance of law enforcement institution has a great influence.

i. Hope of Corruption Eradication at the Corruption Eradication Commission

Amidst the problem of corruption eradication, along with many criticisms, the Corruption Eradication Commission and Court of Corruption Criminal Act begin to indict major corruptors. This is something which is never done by the Police, the Attorney's Office and the General Court.

In a second period, when the infrastructure of the Corruption Eradication Commission is getting stable, some of the actors who believed that they could have run away had been indicted. Eighteen Parliament members were successfully confirmed as suspects. Most of them were suspected of receiving bonus and bribe.

Until August 2009, the typology of corruption case handled by the Corruption Eradication Commission is based on a mode dominated by bribery (35,79%); followed by Mark-Up which usually corrupting product and service (20%), and then embezzlement or illegal retribution (18,95%).

Table 3

Mode of Corruption Case handled by the Corruption Eradication Commission

January 2008- August 2009

No	Mode	Total	%
1	Budget Abuse	15	15,79%
2	Bribery	34	35,79%
3	Direct Appoint	8	8,42%
4	Mark Up	19	20,00%
5	Blackmailing	1	1,05%
6	Embezzlement/Retribution	18	18,95%
	Total	95	100%

Resource: Document of ICW, 2009

Based on ICW's record, since its establishment in 2003 until June 11, 2009, the Corruption Eradication Commission has indicted 158 suspects which spread all over the important sectors. Even though the Corruption Eradication Commission is still being criticized for its "favorism" in corruption eradication, however in general, the Corruption Eradication Commission's performance gives more hope compared to the previous institution. At Court of Corruption Criminal Act, all the accused/suspects

were finally sentenced to guilty. This phenomenon is contrary to what happens at the General Court where nearly 50% of the accused of corruption case were acquitted.

From the table below, the most corrupted sectors which have been successfully indicted by the Corruption Eradication Commission are business/private mafia (20%); Parliament and Political Party (18,95%) and high-class bureaucracy (Echelon officials, project directors, and district head) which accumulates to 30,52%.

Table 4

The Actor Profession of Corruption Case at the Corruption Eradication Commission

January 2008-August 2009

No	Level of Position	Total	%
1.	Parliament	18	18,95%
2.	State Commission	2	2,11%
3.	Board of Governors / Bank Indonesia Official	7	7,37%
4.	District Head (Governor, Regent, Mayor)	12	12,63%
5.	Ambassador, Consulate Official, Immigration	13	13,68%
6.	Echelon Official, Project Executive	17	17,89%
7.	State Owned Enterprise Official	5	5,26%
8.	Legal Apparatus	1	1,05%
9.	Private	19	20,00%
10.	State Audit Bureau	1	1,05%
	Total	95	100%

Resource: Document of ICW, 2009

Apparently, the performance of the Corruption Eradication Commission troubles some of the corruptors, especially those who are in the political sector and in the business mafia sector. The controversy heated up and when the Corruption Eradication Commission did not allow one director of PT. MASARO Radiocom to leave the country, the manipulation occurred. Based on the hearing the voice recording which was played at the Constitutional Court, there were some law enforcement officials who cooperated with a brother of the Corruption Eradication Commission's suspect and fugitive, who also played the role of a fonder.

So far, at the moment of this Independent Report is being written, there is no action and no assertive measure taken from the Indonesian president to settle "the weakening of the Corruption Eradication Commission" conclusively. The only action taken was an establishment of Independent Team of Fact Verification for Bibit Samat Rianto case and Chandra M. Hamzah. Many criticized this team because it is not independent and its substance restricts the problem to the case of two deputies of the Corruption Eradication Commission.

Some informal leaders in Indonesia, and even circle of state executive, are very certain that the problem behind this criminalization of the Corruption Eradication Commission's deputy is a national problem. Particularly, when the Police Institution and the Attorney General's Office have been hijacked by the individual interest who is not in favor of law enforcement. In short, Justice has died.

It seemed that the President did not read this as a huge problem for a country. Before the Fact Verification Team was established, it was only about the clearing President's name of an accusation whose name was in the wiretap. We, the civil community, realize that the President has a right to do so, however, focusing only on a personal image will not make the nation's problem and the corruption eradication end. We think that this is the underlying criticism of the Indonesian President. We find it hard to see the motivation and the real commitment on corruption eradication on the Indonesian President's policy and action. Instead, the recovery of his personal image looked more obvious.

For the last five years, the government has failed to reform and manage the Police Institution and the Attorney General's Office. The wiretap which was played at the Constitutional Court's hearing (Tuesday, November 3, 2009) clearly showed that Justice Mafia still occupy both of the institutions which are structurally under the Indonesian President. The Bureaucracy Reformation which is propagandized as the first programme at the law enforcement institution was nothing and does not recover anything.

During five years, the government is also deemed to have failed to perform reformation and arrangement program in the Police Institution and Attorney's General Office. Tapping recoding which was heard in a court session of Constitutional Court (Tuesday 3 November 2009) clearly shows that Justice Mafia still exists in such both institutions which structurally under President of the Republic of Indonesia.

Bureaucratic Reform which is pledged as the main program in the law enforcement institution tends to have no meaning at all and cannot recover anything.

Therefore, through this Independent Report, we appeal to the International Institution and the Funder for reconsidering the fund and the assistance for the institutions such as the Police, the Attorney General’s Office and even the Supreme Court.

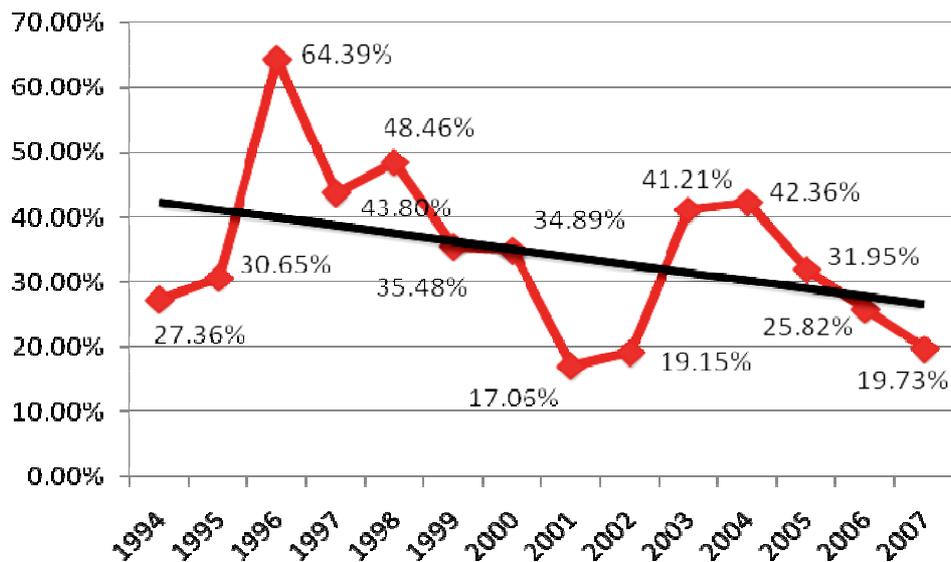
ii. Difficulty in trusting the Police and the Attorney’s Office

As mentioned above, the public in Indonesia are very disappointed by the Police and the Attorney’s Office. Although they often claim that they have successfully eradicated the corruption and dispute the existence of Justice Mafia in their institutions, the civil community knows exactly that such thing can not be trusted.

Graph 5

The trend line of the Corruption Investigation at the Attorney’s Office

Year 1994-2007



sumber: Rapat Kerja DPR RI dengan Jaksa Agung RI 2004-2005, dan

The above graph is processed from the official data of the Attorney General's Office concerning the quantities of the handling case. Even though the cases are many, it does not guarantee the quality of the handling corruption case. Often, the Attorney's Office is criticized harshly because they tend to release and not to indict the corruptor which comes from the upper level such as the Parliament, State Officials, and/or business mafia. Some big cases are even closed with a reason that there is no element of contradicting the criminal law though some suspects has been confirmed. The case of Soeharto's family, a former Indonesian President who is recorded as a first-class thief according to a version of Star United Nation, is not even processed at all.

Table 5

The List of Corruption Suspects who were released by the Attorney General's Office

(January 2008 – May 2009)

No.	Suspects	Corruption Case	State's Cost	Time of SP3
1.	Gordianus Setio L.	Allegation of corruption of illegal 60,000 ton imported rice from Vietnam since year 2006	Rp. 24 B	15-Jan-08
2.	Sjamsul Nursalim	Allegation of corruption BDNI-BLBI	Rp. 28,4 T	29-Feb-08
3.	Tomy Soeharto	Allegation of corruption KLBI BPPC	Rp. 759 B	7-Sept-08
4.	Laksamana Sukardi	Allegation of corruption of transaction of 2 super tanker VLCC Pertamina	US\$ 20 million	6-Feb-09
5.	Ariffi Nawawi	Allegation of corruption of transaction of 2 super tanker VLCC Pertamina	US\$ 20 million	6-Feb-09
6.	Alfred H. Rohimone	Allegation of corruption of transaction of 2 super tanker VLCC Pertamina	US\$ 20 million	6-Feb-09
7.	Tan Kian	<ul style="list-style-type: none"> Allegation of Corruption of Social Insurance Fund of ABRI Sale of right to claim of BII against PT. Newport Bridge Finance by Team of PPAI BII-BPPN 	US\$ 13 million	16-April-09

Source: ICW, 2009

The actors who are given SP3 by the Attorney General's Office become very noticeable when we read the data of corruption case administration by the Attorney's Office in a regional area. Based on the ICW's monitoring in 9 leading regional area in Indonesia¹⁰, it is clear that, even though the case handled by the Attorney's Office

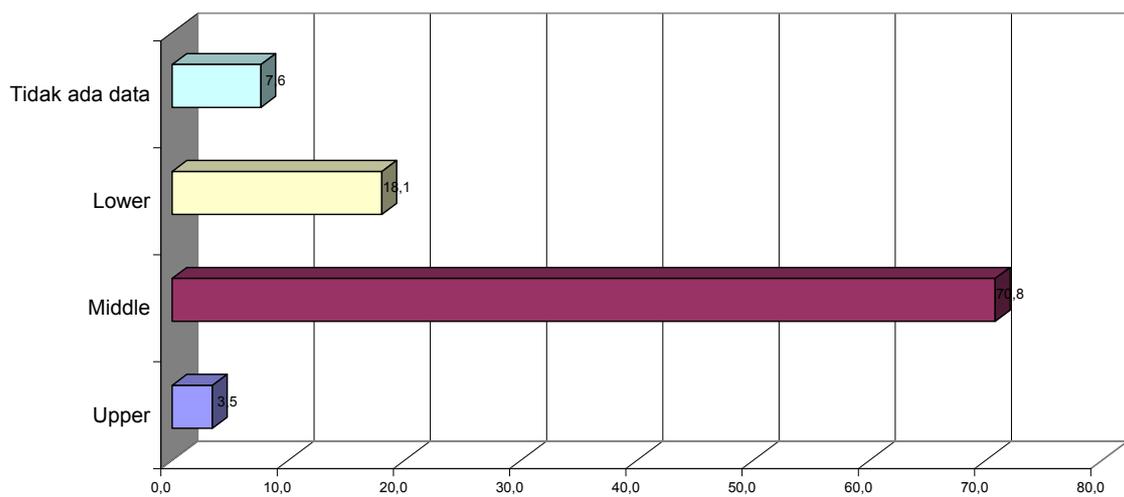
¹⁰ ICW has carried out a monitoring toward Attorney's Office Performance in Corruption Eradication in cooperation with Non GO in 9 regions, namely: DKI Jakarta, Banten,

are many, most of the case have not touched the master mind of the corruptor. Out of 665 corruption cases which were monitored in year 2008 at 9 regional area, 70,8% (510 people) were middle management level actors, then 18,1% are lower management or approximately 130 people. The mastermind who was indicted, however, no more than 25 suspects (3,5%)¹¹

Graph 6

Position Classification of the Corruption Suspects in 9 Attorney's Area

Year 2008



Resource: ICW, 2009

Bandung, Sulawesi Tengah, Sumatera Barat, Central Java, Nusa Tenggara Barat, East Java, and Nusa Tenggara Timur.

¹¹ Agus Sunaryanto and Febri Hendri A.A., Report on the Monitoring Result of Attorney's Office Performance year 2008 carried out in 9 regencies/cities (Jakarta: ICW, 2008 page 9

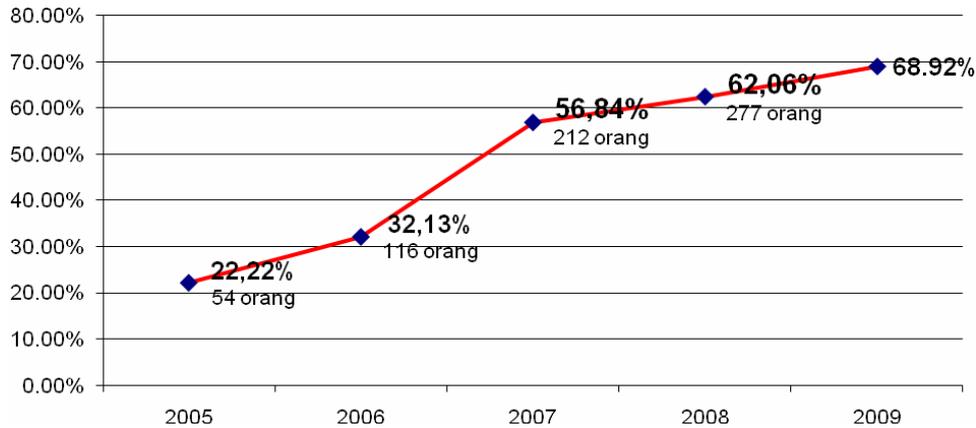
First, indict the intellectual dader (the leading actor/mastermind). Eradicating the corruption will not be effective if the perpetrator is not the leading one. Deterrence Effect, the meaning in general, the purpose of the punishment itself is to prevent and to give deterrence effect towards other perpetrators. There is hope that the heavy sanction and the ability of the law enforcement officials to disclose the perpetrator will give deterrence effect to those who may commit the same criminal.

iii. Trend of Free Punishment/being acquitted against Corruption Case and Undemanding Punishment at Court of General Jurisdiction

What happens at the Attorney's Office is different from what happens at the General Court. What happens at this juridical authority institution is a paradox of corruption eradication. Ignoring the significance of Indonesian's rank as the most corrupted country, the court is known to acquit many corruption cases. ICW recorded and monitored 1421 of the accused corruption case summoned before the General Court from year 2005 until 2008. Out of 1643 monitored, 812 corruption suspects were acquitted by the General Court. Or, the average of the acquittal from year 2005 – First Semester of 2009 is nearly 50%.

Graph 7

The trend of acquittal of corruption case at the Court of General Jurisdiction



Resource: Document of ICW, 2009

Some judges will surely oppose the acquittal. The Supreme Court refutes the arguments that the judge does not necessarily have to declare guilty. Therefore, it is normal if the judge declares innocent, minor or even trial sentence. At a glance, the Supreme Court's argumentation is logical, however, it does not answer the following questions, what about the phenomena of the acquittal becomes a trend from year to year? And what if the same judge gives a different consideration and a different legal reasoning on deciding some cases while the character of the criminal and the case are similar?

Those were the data that reinforced public conviction as it was in the institution survey such as PERC in year 2008. The Indonesian Court is on the worst position of trustworthiness compared to other 11 Asian countries. As it is written on The Jakarta Post after the publishing of PERC research (September 15, 2008):

The judiciary “is one of Indonesia’s weakest and most controversial institutions, and many consider the poor enforcement of laws to be the country’s number one problem,” PERC said, as quoted by AFP.

.....

Survey respondents were 1,537 corporate executives working in Asia. They were asked to rate the judicial systems in the countries where they reside, using such variables as the protection of intellectual property, corruption, transparency, enforcement of laws, freedom from political interference and the experience and educational standards of lawyers and judges.¹²

On this survey, on a scale of 1 – 10, Indonesia has a score of 8,26. It is worse than Vietnam’s (8,10); China (7,25); Thailand’s (7,00); India’s (6,50); Malaysia’s (6,47) and the two lowest score’s countries Singapore’s (1,92%) and Hong Kong’s (1,45%).

¹² The Jakarta Post, “Indonesia’s judicial system rated the worst in Asia: Survey”, September 15, 2008.

iv. Hope of Eradication of Corruption from the Court of specific Corruption

The existence of Court of Corruption Criminal Act is regulated on the Law Number 30 of 2002 about the Corruption Eradication Commission, and then it is embodied in a specific law. Until this UNCAC Conference is carried on, all the corruption case which are summoned before the court of Corruption Criminal Act is based on the investigation of the Corruption Eradication. However, based on the latest law, the investigation of the Police and the Attorney's Office can be also summoned before this court. There is hope that this special court can be one of the solution. There is one stage at the General Court still having Justice Mafia. However, if the Police and the Attorney's Office are still in the same condition and are not totally purged, the corruption eradication will be stagnant and fail at those two institutions.

The settlement of Court of Corruption Criminal Act (Tipikor) is different from the Court of General Jurisdiction (the case is summoned by the Attorney's Office) where most of the accused get acquittal, and some of them is sentenced

In the Court of General Jurisdiction, almost 50% of corruption case ends in acquittal, from year 2005 up to semester I year 2009.

ICW has carried out a recording and monitoring activity against 421 defendants of corruption cases filed to the Court of General Jurisdiction from year 2005 up to 2008. Out from 1643 cases monitored, 812 suspects of corruption case is imposed acquitted/free by the Court of General

minor. Or, only few who get severe punishment for their corruption acts. At the Court of corruption criminal act, the result really gives hope. All the corruptors are punished at this court.

One of the Judge at the Attorney General’s Office who accepted US\$660,000 bribe when handling the most dramatic corruption case in Indonesia was sentenced to a 20-year-prison. The highest average of a verdict within 2-5 years is 43 people (68,25%).

Table 5
Type of Verdict of Corruption Case at Court of Corruption Criminal Act (Tipikor)
January 2008- August 2009

Year	The Defendant	VERDICT/DECISION						
		FREED	TRIAL	< 1 YR	1-2 YR	2-5 YR	5-10 YR	> 10 YR
2008	31	0	0	0	5	20	2	2
S.1 2009	32	0	0	0	4	23	4	1
Total	63	0	0	0	9	43	6	3
%	100%	0,00%	0,00%	0,00%	14,29%	68,25%	9,52%	4,76%

Resource: Document of ICW, 2009

The Indonesian political authority and the policy of International Institution in the law enforcement and the corruption eradication in Indonesia must see the performance

of the Corruption Eradication Commission and of this special Court. So far, it is important to remember the criticism towards the international institution policy which tends to prioritize on reformation funding for the Police and the Attorney's Office. Its material and its substance of reformation program have not seen the real problem at the Police and the Attorney's Office.

In addition, it is necessary to prioritize the political program orientation and the international cooperation in strengthening the Corruption Eradication Commission and Court of Corruption Criminal Act. Only these two institutions can bring hope on the corruption eradication, the law enforcement and political stability in Indonesia. And if it is necessary, the Corruption Eradication Commission is encouraged to clean the Police institution and the Attorney's Office from the corrupt elements inside there. So, those two institutions can then play a role in eradicating corruption criminal.

D. National Finance Management

From the financial management aspect, the State Audit Bureau (BPK) as the country's institution who is given an authority by the Indonesian Institution states various opinions towards the law enforcement institutions. The Corruption Eradication Commission's financial report is considered "Fair Without Exception" (WTP), the best notation in the terminology of Indonesian financial report. In contrast, the evaluation of the State Audit Bureau (BPK) towards the Supreme Court, the Attorney's Office, and the Police states "disclaimer" or "no comment."

The official statement from the State Audit Bureau (BPK) certainly reinforces the above argumentation. The State Audit Bureau (BPK) as the state agency which is regulated in Constitution and Independent confirms the crucial data that there is a problem of financial reformation at the Police and the Attorney's Office.

Table 6

The Opinion of the State Audit Bureau concerning financial management of state agency

Financial Report (Ministry/Institution)	Inspection Opinion of State Audit Bureau		
	Yr 2006	Yr 2007	Yr 2008
Attorney General's Office	TMP	TMP	TMP
Republic of Indonesia State Police	TMP	TMP	TMP
Supreme Court	TMP	TMP	TMP
Corruption Eradication Commission	WTP	WTP	WTP
Center for Reporting and Financial Transactional Analisis (PPATK)	WTP	WTP	WTP

CHAPTER III

Compliance with UNCAC on Indonesian Law

A. Law of Corruption Criminal Act (Tipikor)

In Indonesia, the legal ground of corruption eradication is the Law Number 31 of 1999 in conjunction with the Law Number 20 of 2001 on Eradication of Corruption Criminal Act. There are seven general classifications of corruption criminal based on Indonesian positive law.

Picture 1

Seven Classification of Corruption Criminal in Indonesia



Source: Law Number 31 year 1999 in conjunction with Law No. 20 year 2001

Remarks:

1. To Inflict a State Financial Loss
2. Bribe
3. Gratification
4. Embezzlement in Position
5. Extortion

6. Unfair Action
7. Conflict of Interest

That law is one of reformation products in Indonesia. After the New Order collapsed, Indonesian parliament established some regulations relevant to corruption eradication. They are the Law Number 31 of 1999 in conjunction with the Law Number 20 of 2001 about Eradication of Corruption Criminal Act; the Law Number 28 of 1999; the Law Number 30 of 2002 about Eradication of Corruption Criminal Act; and the Law Number 15 of 2002 in conjunction with Money Laundering Criminal Act.

Some of the above legal grounds need to be revised and harmonized with the clause of the convention in order to improve the effectiveness of corruption eradication across the country, synergize the action, prevent, return the corrupted assets etc; and strengthen the legal ground of corruption eradication.

Some regulations have not been explicitly stipulated and need to be harmonized with the Indonesian law such as:

1. Bribing the foreign public official (article 16);
2. Trading in influence (article 18);
3. Illicit enrichment (article 20);
4. Protection for the reporter of crime (article 33).

The implementing of the Law Number 31 of 1999 in conjunction with the Law Number 20 of 2001 concerning Corruption Criminal Act apparently results in reversion which can even threaten the corruption eradication. The nature of the great crime of corruption which has been admitted by the International world was annulled through some markets on the Bill draft.

Some parts of Bill of corruption criminal act submitted by the government to Parliament has weakened the corruption eradication. Based on ICW record, there are at least 20 critical records on Bill draft which is proposed by the Indonesian government at the Parliament on last May 2009.

20 critical points which are considered to weaken corruption eradication in Indonesia at least can be grouped into seven important records:

1. Criminal Penalty

The version of government Bill, in fact, does not cite minimal criminal threats on some of its rules. This minimal threats, however, is very useful to minimize practice of Justice Mafia, especially when the Attorney and the Judge are trying to design a weak sanction for the accused in corruption case. This regulation is considered a significant setback compared to the existing law. Even though there is an explicit threat, the Judge still deviates and passes verdict as a trial punishment for the corruptor. Such thing certainly hurt public justice and can be categorized as violation of judge's ethic code. The deterrence effect cannot be achieved if corruptor's verdict can still be compromised.

2. Criminal Discharge

It is very shocking that there is a clause of criminal dismissal. It says that the corruptor cannot be sued for corruption if the corruption value is below Rp.25 million, the corruptor is regretful and the corruptor returns the state's lost. This shows a legal compromise. This is not about the little amount of the state's lost, however, it is more about "the wicked intention" and this great evil of corruption has been annulled on this clause.

3. Some regulations which are very important and are regulated specifically are not in the Bill draft. Those are: the mechanism of returning the state's lost; additional criminal relevant to compensation; corruption by the advocate; the freezing of the account related to corruption; the corrupted asset management; the cancellation of a contract/a business contract; company, trial and agreement for crime; suspension of public officials who was suspected of corruption; the deadline of decision-making; obstruction of justice; and a special mechanism of suspect's custody.
4. The authority of the Corruption Eradication Commission was stated explicitly that it is only on the investigation level, but not on prosecution. The action of weakening the authority of Corruption Eradication Commission is not only on this Bill draft; but it is also on a discussion of the Court of Corruption Criminal Act Bill where there is an argument to trim Corruption Eradication Commission's authority and to weaken that anti-corruption institution.
5. Criminalization of a reporter of corruption case.

6. No sanction for the officials who do not report their assets. The norm in this Bill is weaker.
7. Criminal threat eradication is not for all public officials, but it is only for the judge.

To keep the corruption eradication and to fight against the weakening of anti-corruption regulation, the civil society in Indonesia drafts a Bill with a version of society. In making such Bill, ICW together with Justice Monitoring Coalition / *Koalisi Pemantau Peradilan* invited some criminal law experts, constitution law experts, civil and economic law experts, practitioner such as judge, attorney and police; Non Government Organization which concerns on the straightening of corruption eradication; and even the elements which become the victims of corruption practices to perform series of expert and public discussions. This matter is very important to be conducted in order the parliament has a comparative document beside the draft proposed by the Government.

Such Draft has been submitted to the Legislation Board of House of Representative since 9 July 2009, in the hope that, in addition to as a comparative, Bill may be adopted by the House of Representative, as the Bill coming from the initiative of parliament and Indonesian Society. However, considering that it is too dangerous, Bill of Tipikor arranged by the government for corruption eradication, will be much better. Such Bill is revoked and re-viewed by expert and public who more concerned with corruption eradication.

B. Law of Court of Corruption Criminal Act

In addition to Law of Corruption Criminal Act as mentioned above, there is a highly valuable regulation for eradication of corruption in Indonesia.

Amid the strong demand of society, finally House of Representatives (DPR) of the Republic of Indonesia legalizes law of Court of Corruption Criminal Act. Even though the material or the substance of law of which is not really satisfying, but at least the existence of Court of Corruption Eradication has been saved and has a legal basis. In the future, all corruption cases, either proposed by Attorney's Office or by Corruption Eradication Commission will be investigated and decided in this Court of Specific Corruption.

Nonetheless, the establishment of court in all regions and clear and integrated judge selection will become a problem potency. If judge selection, either carrier judge from ordinary court, or ad hoc judge from the society, is not supervised and it does not involve the Public. Hence it is not impossible if Court of Corruption Criminal Act will be also infiltrated by virus of Justice Mafia. Likewise, upon the establishment of court, which has been started on 7 capitals cities in all province of the Republic of Indonesia.

Strengthening the role of society is of course required to ensure that such Court run maximally in corruption eradication. Starting from the process of judge selection; supervision mechanism in the location of court of Corruption Eradication Act,

supervision and back-ground of Judge who judge a corruption case; and arrangement of complaint mechanism and public report if there is any manipulation and corruption activities happen in a certain location of court of corruption eradication acts.

CHAPTER IV

Conclusion and Recommendation

CONCLUSION

1. Anticorruption system which has been duly established by Indonesia through Corruption Eradication Commission (KPK) is now threatened by a political and business interest which may perceive being disturbed by the blow of KPK. The parties who have such interest then react and move by using legal instrument to trim and weaken KPK. This matter can be proven by the existence of scenario/manipulation against two KPK's leaders by Indonesian Police on the alleged cases of extortion and authority mismanagement. As long as Justice Mafia / Legal Mafia still strongly exists in law enforcement institution like Police and Attorney's Office/Prosecution, it is difficult for us to build an integrated and devoted law enforcement institution to dedicate his duty to eradicate corruption. Indonesian Civil Society is worried that the progress of corruption eradication which is starting to give positive result will be back decreasing and weakening in line with the weakening act against KPK. In the period of 2006-2007, Corruption Perception Index of Indonesia was significantly increasing, namely reaching about 2,6 out of 2,3 in the pervious year.
2. Indonesian Government does not seriously execute a reform of laws and regulation in the field of anti corruption. Revision of Law Number 31 Year 1999 in conjunction with Law No 20 year 2001 on Corruption Criminal Act

which is being currently applied, in fact, it results in a very serious setback and can even threaten corruption eradication activity. A fantastic corruption crime which has been acknowledged by International society is annulled and void through several articles in the aforesaid Bill. Several parts of Bill on Corruption Criminal Act submitted by the Government to the House of Representatives are just to weaken corruption eradication.

In addition to Law of Corruption Criminal Act as mentioned above, there is a very valuable regulation for the eradication of corruption in Indonesia, namely Law on Corruption Criminal Act Court. There is an effort from the parliament and government to downsize or weaken the authority of KPK. Especially in the authority of charging and tapping. Similarly, composition of judges of Corruption Criminal Act Court which majority come from ad hoc position is also threatened to be disappeared. The government and Parliament prefer to get such a condition if composition of judge of Corruption Criminal Act shall come from carrier Judge.

RECOMMENDATION

1. Member of state convention (especially Indonesia) must prioritize its reformation agenda in the sector of justice as a part of ways to effectively perform corruption eradication, and to abolish dualism in judiciary system, strengthening integrity system in its law enforcement institution. Meanwhile, rich and developed countries should give more significant support for making any effort of reformation in the sector of justice in order to make effective the enforcement of anticorruption law.

2. It is important for the state convention member, in the attempt to make restructuring in its justice, to empower other United Nation mechanisms with respect to the application of the principles of independence of judiciary. Monitoring and observation against national justice practices by a Special Reporter of United Nations is expected to be able to strengthen mechanism of self assessment carried out by respective member of state convention.
3. Member of state convention is very important to establish system and policy which can accommodate civil society participation in national level in the basis of application review mechanism of UNCAC. This is in compliance with the mandate as set forth in article 13 UNCAC.

Jakarta, 8 November 2009

National Coalition of Indonesia for Anticorruption.

Attachment 1

List of Judges within General Courts who Handed Out Free Verdicts on Corruption Cases

(Year 2005-2009)

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
1.	Suparno, S.H.	Corruption case related to Padang Municipal Budget for 2001/2002 worth Rp 8,4 billion	Ex-Mayor of Padang, Zuiyen Rais	Padang District Court	8 August 2005
2.	Subaryanto, S.H.	Corruption case related to Singkawang Government Budget for 2003	12 ex-members of Singkawang Regional House : Soemardji (ex-Chairman of Singkawang Regional House), Hermanus (vice chairman), and Adrianto Alio (vice chairman). Meanwhile as members of budgetting committee, i.e. Tambok Pardede (chairman), with members among others Hadi Surya, Tavip Putra Purba, Aminuddin Mahyan, H Zainal Abidin HZ, JM Papilaya, Irene Kadem, Ridha Wahyudi, and Iis Sumiati	Singkawang District Court	31 May 2005
3.	Abdul Aziz, S.H.	Corruption case related to Singkawang Regional Government Budget for 2003	12 mantan anggota DPRD Singkawang: Soemardji (ex-Chairman of Singkawang Regional House), Hermanus (vice chairman), and Adrianto Alio (vice chairman). Meanwhile, in his capacity as the budgeting committee, i.e. Tambok Pardede (chairman), with members among	Singkawang District Court	31 May 2005

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
			others Hadi Surya, Tavip Putra Purba, Aminuddin Mahyan, H Zainal Abidin HZ, JM Papilaya, Irene Kadem, Ridha Wahyudi, dan lis Sumiati		
4.	Margono, S.H.	Corruption case within the Hotel Kapuas Palace worth Rp 3,3 billion	Tjemerlang Tje Pieter Tanuwidjaya	Pontianak District Court	2003
5.	P. Napitupulu, S.H.	Corruption case within the Hotel Kapuas Palace worth Rp 3,3 billion	Tjemerlang Tje Pieter Tanuwidjaya	Pontianak District Court	2003
6.	JH Butar Butar, S.H.	Corruption case within the Hotel Kapuas Palace worth Rp 3,3 billion	Tjemerlang Tje Pieter Tanuwidjaya	Pontianak District Court	2003
		Corruption case related to the issuance of fictive BNI LC	Honorius	Pontianak District Court	2004
7.	MP Sitompul, S.H.	Corruption case related to the issuance of fictive BNI LC	Honorius	Pontianak District Court	2004
8.	Arif Waluyo, S.H.	Corruption case related to the issuance of fictive BNI LC	Honorius	Pontianak District Court	2004
9.	Juliana Wullur, S.H.	Corruption case related to the budget of the Manado Municipal Regional House in the year 2003 from more than Rp. 11 billion to Rp. 20 billion.	Ex-Chairman of Regional House, Johannes E. Tampi and two Vice Chairmen of Manado Municipal House, Jeremia amongilala and Dja'far Alkatiri	Manado District Court	30 May 2005
		Corruption case related to deposit funds of the North Sulawesi Provincial	Theis Tumakaka (Holder of the Regional Cash / Treasury) and Jan F. Mailangkay (ex-Secretary of the	Manado District Court	30 December 2003

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		Government worth Rp 72,15 billion	Provincial Region)		
10.	Agus Budiarto, S.H.	Corruption case related to Manado Regional Government Budget in the year 2003 from over Rp 11 billion to Rp 20 billion	Ex-Chairman of Regional House, E. Tampi and two Vice Chairmen of Manado Municipal House, Jeremia amongilala and Dja'far Alkatiri	Manado District Court	30 May 2005
11.	Mulasimadhi, S.H.	Corruption related to Manado Municipal Budget in the year 2003 from over Rp 11 billion to become Rp 20 billion	Ex-Chairman of the Regional House, Johannes E. Tampi and their two Vice Chairmen of Regional House of Manado, Jeremia amongilala and Dja'far Alkatiri	Manado District Court	30 May 2005
12.	Lenny Wati, S.H.	Corruption related to Manado Municipal House in the year 2003 from over Rp 11 billion to become Rp 20 billion	Ex-Chairman of the Regional House, Johannes E. Tampi and their two Vice Chairmen of Manado City, Jeremia amongilala and Dja'far Alkatiri	Manado District Court	30 May 2005
13.	Erna Matauseja, S.H.	Corruption related to Manado Municipal House Budget in the year 2003 from over Rp 11 billion to become Rp 20 billion	Ex-chairman of Regional House Johannes E. Tampi and two Vice Chairmen of Manado Municipal House, Jeremia amongilala and Dja'far Alkatiri	Manado District Court	30 May 2005
14.	Halimah Pontoh, S.H.	Corruption case related to Manado Municipal House in the year 2003 from over Rp 11 billion to become Rp 20 billion	Ex-Chairman of the Regional House Johannes E. Tampi and two Vice Chairmen of Manado Municipality, Jeremia amongilala and Dja'far Alkatiri	Manado District Court	30 May 2005
15.	Sougeng	Corruption case related to the	Abdul Shobur, ex-Secretary to	Palembang District	14 February

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
	Achmad Judhi, S.H.	South Sumatra Provincial Budget worth Rp 7,5 billion	South Sumatera Regional House	Court	2005
16.	Johanes Suhadi, S.H.	Corruption case related to the funds of PT Jamsostek Tbk. (Jamsostek) worth Rp 1,8 billion	General Chairman of Democratic Social Labour Party (PBSD), Muchtar Pakpahan	South Jakarta District Court	15 February 2005
		Corruption case related to the funds for the activities of the Chairman of the Regional House period 1999-2004	Vice Mayor of Bogor, Moch. Sahid	Bogor District Court	24 January 2005
17.	T Sagala, S.H.	Corruption case related to the Regional Government Budget worth Rp 2,8 billion by members of Pontianak Regency House	Moses Alep (Chairman of Pontianak Regency House period 1999-2004) , Efendi Cingkong (Vice Chairman of Pontianak Regency House, period 1999-2004), H. Soetodjo (Chairman of Pontianak Regency House, period 1999-2004),	Pontianak District Court	12 April 2005
18.	Sabar Prihantoro, S.H.	Corruption case related to the Regional Budget worth Rp 2,8 billion by members of Pontianak Regency House	Moses Alep (Chairman of Pontianak Regency House, period 1999-2004) , Efendi Cingkong (Vice Chairman of Pontianak Regency House period 1999-2004), H. Soetodjo (Vice Chairman of Pontianak Regency House, period 1999-2004),	Pontianak District Court	12 April 2005

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
19.	Arif Rahman, S.H.	Corruption case related to the Regional Budget worth Rp 2,8 billion by members of Pontianak Regency House	Moses Alep (Chairman of Pontianak Regency House period 1999-2004) , Efendi Cingkong (Vice Chairman of Pontianak Regency House, period 1999-2004), H. Soetodjo (Vice Chairman of Pontianak Regency House, period 1999-2004),	Pontianak District Court	12 April 2005
20.	Nugraha, S.H.	Corruption related to Regional House worth Rp 2,8 billion by members of Pontianak Regency House	Moses Alep (Chairman of Pontianak Regency House, period 1999-2004) , Efendi Cingkong (Vice Chairman of Pontianak Regency House, period 1999-2004), H. Soetodjo (Vice Chairman of Pontianak Regency House, period 1999-2004),	Pontianak District Court	12 April 2005

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
21.	Sabar Prihantoro , S.H.	Corruption case related to the Regional Budger worth Rp 2,8 billion by members of Pontianak Regency House	Implicated were two ex-members of Pontianak Regency House period 1999-2004, M Makmur Abdullah dan Adrean Felix	Pontianak District Court	21 April 2005
22.	Muhammad Taufiq, S.H.	Corruption case related to Parigi Moutong Regional Budget worth Rp 2,9 billion	Five members of Parigi Moutong Regency House, Central Sulawesi, period 2003-2004, i.e. M Awalunsyah Passau, Salam Kamu Tanjemai, Nico Rantung, Andi Tjimbung Tagunu, and Hafid Yahya	Palu District Court	22 June 2005
23.	I Wayan Rena, S.H.	Corruption case related to the abuse of Bulog's funds worth Rp 169 billion, the proceeds of frying oil sales worth Rp 169 billion	Nurdin Halid, Chairman of Indonesian Distribution Cooperative	South Jakarta District Court	16 June 2005
24.	Machmud Rachimi, S.H.	Corruption related to the abuse of Bulog's funds worth Rp 169 billion, the proceeds of frying oil sales worth Rp 169 billion	Nurdin Halid, Chairman of Indonesian Distribution Cooperative	South Jakarta District Court	16 June 2005
25.	Achmad Sobari, S.H.	Corruption related to the abuse of Bulog's funds worth Rp 169 billion, the proceeds of frying oil sales worth Rp 169 billion	Nurdin Halid, Chairman of Indonesian Distribution Cooperative	South Jakarta District Court	16 Junie 2005
26.	Humuntal Pane, S.H.	Corruption case related to the smuggling of 73 thousand tons of illegal sugar	Division Head of General Trade, of Inkud , Abdul Waris Halid	North Jakarta District Court	5 July 2005
		Corruption related to the smuggling of 56 thousand tons of illegal sugar	Nurdin Halid, Chairman of the Indonesian Distribution Cooperatiive	North Jakarta District Court	15 December 2005

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
27.	Abdul Fattah, S.H.	Corruption related to the smuggling of 73 thousand tons of illegal sugar	Division Head of General Trade of Inkud, Abdul Waris Halid	North Jakarta District Court	5 July 2005
28.	Amril	Corruption related to the smuggling of 73 thousand tons of illegal sugar	Division Head of General Trade of Inkud, Abdul Waris Halid	North Jakarta District Court	5 July 2005
		Corruption related to the smuggling of 56 thousand tons of illegal sugar	Nurdin Halid, Chairman of Indonesian Distribution Cooperative	North Jakarta District Court	15 December 2005
29.	Aljaman Sutopo	Corruption case related to direct award of 19 projects of Bengkulu Municipal Government worth Rp 7,6 billion	Bengkulu Mayor, Chalik Effendi	Bengkulu District Court	14 July 2005
30.	Jon Lar Purba	Corruption case related to direct award of 19 projects of Bengkulu Municipal Government worth Rp 7,6 billion	Bengkulu Mayor, Chalik Effendi	Bengkulu District Court	14 July 2005
31.	Mabruq Nur	Corruption case related to direct award of 19 projects of Bengkulu Municipal Government worth Rp 7,6 billion	Bengkulu Mayor, Chalik Effendi	Bengkulu District Court	14 July 2005
32.	Laurensius Sibarani	Corruption case related to the smuggling of 56 thousand tons of illegal sugar	Nurdin Halid, Chairman of the Indonesian Distribution Cooperative	North Jakarta District Court	15 December 2005
33.	Margono	Corruption worth Rp46,6 billion within Kutim Regional House	Ex-chairman of Kutim Regional House, Abdal Nanang and Sekwan Darli Yusuf	Sangata District Court	16 December 2005

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
34.	Yansen Pasaribu	Corruption worth Rp46,6 billion within Kutim Regional House	Ex-chairman of Kutim Regional House, Abdal Nanang and Sekwan Darli Yusuf	Sangata District Court	16 December 2005
35.	Agung Nugroho	Corruption worth Rp46,6 billion within Kutim Regional House	Ex-chairman of Kutim Regional House, Abdal Nanang and Sekwan Darli Yusuf	Sangata District Court	16 December 2005
36.	Lief Sofijullah	Corruption within PT Perhutani worth Rp1,9 billion	Director of PT Avicom Promo Media, Deden Akbar Karsawijaya	Central Jakarta District Court	April 2005
37.	Ali Nafiah	Corruption and Bribes for qualification fo LPJ (Accountability Report) of Mandailing Natal Regent year 2001	Ir Raja Sahlan Nasution and Drs HM Suandi Hasibuan.	Padang Sidempuan District Court Sidempuan	28 March 2005
38.	Dalimunthe	Corruption and bribes for qualification of the Accountability Report of Mandailing Natal Regent year 2001	Ir Raja Sahlan Nasution and Drs HM Suandi Hasibuan.	Padang Sidempuan District Court	28 March 2005
39.	Jack J. Octavianus	Corruption related to General Elections funds worth Rp 199,5 million	Lumajang General Elections Chairman, Misbahul Munir Anshari	Lumajang District Court	30 June 2005
40.	Jessay Tarigan	Corruption related to the Konawe Regional Budget worth Rp 2 billion	Regent of Konawe Regency, Southeast Sulawesi, Lukman Abunawas	Kendari District Court	23 June 2005
41.	Soebagyo	Corruption case related to the marking up of funds for the procurement of heavy equipment i.e. escavator and trailer worth Rp 539 million	Budiono, Chief of Sub-Service of Operational and Maintenance within Public Works Department and Regency Irrigation of Jember Regency	Jember District Court	24 August 2005
42.	Wirosumarto	Corruption related to the mark-	Budiono, Head of Sub-Service of	Jember District Court	24 August 2005

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		up of funds for the procurement of heavy equipment excavator and trailer worth Rp 539 million	Operational and Maintenance within the Public Works Service of Jember Regency.		
43.	Bambang Edy	Corruption related to the Regional Budget of Tanjung Pinang for the year 2003	Drs Asep Nana Suryana . Chairman of Perkasa Faction within Tanjung Pinang Municipal House.Ketua Fraksi Perkasa DPRD Kota Tanjungpinang	Tanjung Pinang District Court	19 December 2005
44.		Corruption related to the Procurement of Natuna Bahari I worth Rp1,9 billion	Kepala Dinas Pariwisata Natuna, Yusrizal.	Tanjung Pinang District Court	2005
45.	Syahlan	Corruption related to Tanjung Pinang Municipal Budget for the year 2003.	Drs Asep Nana Suryana . Head of Perkasa Faction within Tanjung Pinang Municipal House	Tanjung Pinang District Court	19 December 2005
		Corruption related to the Procurement of Natuna Bahari I Ship worth Rp1,9 million	Head of Tourism Service, Yusrizal.	Tanjung Pinang District Court	2005
46.	Eko Budhi	Corruption related to the Regional Budget unds of Tanjung Pinang City year 2003	Drs Asep Nana Suryana, Head of Perkasa Faction within Tanjung Pinang Regional House	Tanjung Pinang District Court	19 December 2005
		Corruption of Ship Procurement –Natuna Bahari I worth Rp1,9 billion	Head of Tourism Service, Natuna, Yusrizal.	Tanjung Pinang District Court	2005
47.	Ali Nafiah	Bribery for qualification of Accountability Report of Mandailing Natal Regent for the year 2001	Amru Helmi Daulay, Second Level Regent of Madina, North Sumatera	Padang Sidempuan District Court	14 January 2005
48.	Dalimunthe	Bribery for qualification of Accountability Report of	Amru Helmi Daulay, Bupati Tk II Kab. Madina Sumatera Utara	Padang Sidempuan District Court	14 January 2005

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		Mandailing Natal Regent for the year 2001			
49.	Irwan Effendi	Bribery for qualification of Accountability Report of Mandailing Natal Regent for the year 2001.	Amru Helmi Daulay, Second Level Regent of Madina, North Sumatera	Padang Sidempuan District Court	14 January 2005
50.	P. Silitonga	Corruption related to bribery for qualification of Accountability Report of Mandailing Natal Regent for the year 2001	Amru Helmi Daulay, Second Level Regent of Madina, North Sumatera	Padang Sidempuan District Court	14 January 2005
51.	Bagir Manan	Corruption related to bribery for qualification of Accountability Report of Mandailing Natal Regent for the year 2001	Amru Helmi Daulay, Second Level Regent of Madina Regency, North Sumatera	Supreme Court	14 June 2005
52.	Parman Soeparman	Corruption related to Bribery for qualification of Accountability Report of Mandailing Natal Regent for the year 2001	Amru Helmi Daulay, Second Level Regency of Madina, North Sumatera	Supreme Court	14 June 2005
		Corruption related to BLBI Bank Umum Nasional (National General Bank) worth Rp 6,738 trillion	Kaharuddin Ongko (ex-vice commissioner of BUN), Leonard Tanubrata (ex-President Director of BUN).	Supreme Court	1 September 2004
		Corruption of non-budgetary funds of Bulog worth Rp 40 billion	Akbar Tanjung	Supreme Court	12 February 2004
53.	Djoko Sarwoko	Bribery case for qualification of Accountability Report of Mandailing Natal Regent year 2001	Amru Helmi Daulay, Second Level Regent of Madina, North Sumatera	MA	14 June 2005
54.	Joko	Alleged corruption of	Amelia Yani, Glinding and Ir	Sleman District Court	27 August 2005

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
	Sedyono	Yayasan Dakab funds worth Rp 2 billion	Sayuti Rustam		
55.	Lilik Sudarsono	Alleged corruption of funds worth Rp 2 billion	Amelia Yani, Glinding and Ir Sayuti Rustam	Sleman District Court	27 August 2005
56.	FX Jiwo Santosa	Dugaan korupsi Yayasan Dakab senilai Rp 2 miliar	Amelia Yani, Glinding and Ir Sayuti Rustam	Sleman District Court	27 August 2005
57.	Iskandar Kamil	Korupsi dana Yanatera Bulog worth Rp 35 billion	Deputy Head of Badan Urusan Logistik (Logistics Affairs Board), M. Sapuan	Supreme Court	29 October 2004
58.	Arbidjoto	Corruption related to the funds owned by Yanatera Bulog worth Rp 35 billion	Deputy Head of Badan Urusan Logistik (Logistics AffairsBulog) M. Sapuan	Supreme Court	29 October 2004
		Corruption related to Liquidity Funds of Bank Umum Nasional (BUN) worth Rp 6,738 trillion	Kaharuddin Ongko (ex-vice commissioner of BUN) Leonard Tanubrata (ex-President Director of BUN).	Supreme Court	1 September 2004
		Corruption of non-budgetary funds of Bulog worth Rp 40 billion	Akbar Tanjung	Supreme Court	12 February 2004
59.	(alm) Sunardi Padang	Corruption of the funds of Yanatera Bulog worth Rp 35 billion	Deputy Head of BULOG M. Sapuan	Supreme Court	29 October 2004
		Corruption involving Liquidity Aid of Bank Indonesia for Bank Umum Nasional (BUN) worth Rp 6,738 trilion	Kaharuddin Ongko (ex-vice commissioner of BUN) Leonard Tanubrata (ex-President Director of BUN).	Supreme Court	1 September 2004
60.	Irwan	Corruption of the Regional Budget of Cianjur worth Rp 3 billion	Chairman of Cianjur Regional House, H. Deden Zaini Dahlan, S.H., Secretary to Regional House,	Cianjur District Court	24 June 2004

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
			Hj. Nani Anggraeni, S.H., and Head of Sub-Finance of Regionustini Subli, S.H.		
61.	Lamsana Sipayung	Corruption related to Cianjur Regional Budget worth Rp 3 billion	Chairman of Cianjur Regional House, H. Deden Zaini Dahlan, S.H., Secretary to Regional House, Hj. Nani Anggraeni, S.H., and Head of Sub-Finance of Regional House, Rustini Subli, S.H.	Cianjur District Court	24 June 2004
62.	Rukman Hadi	Corruption of Cianjur Regional Budget Funds worth Rp 3 billion	Chairman of Cianjur Regional House, H. Deden Zaini Dahlan, S.H., Secretary to Regional House, Hj. Nani Anggraeni, S.H., and Head of Sub-Finance of Regional House, Rustini Subli, S.H.	Cianjur District Court	24 June 2004
63.	Bantu Ginting	Corruption of Kolaka Regency Government funds worth Rp 3 billion	Ex-Kolaka Regent, Southeast Sulawesi, Adel Berty	Kolaka District Court	3 December 2004
64.	Edy Nugroho	Corruption of Rp 4,4 billion in fictive sale-purchase case	Ex-president Director of PTPN XII, Ir Soewadji, and ex-finance director of PTPN XI, Drs Adyarto Mochtar	Surabaya Distric Court	4 May 2004
65.	Binsar P Pakpahan	Corruption of Rp 4,4 billion in fictive sale-purchase case	Ex-president Director of PTPN XII, Ir Soewadji, and ex-finance director of PTPN XI, Drs Adyarto Mochtar	Surabaya	4 May 2004
66.	H. Dam Dam	Corruption related to the Elementary School and Junior	Head of National Education Service of Lampung (non-active),	Tanjung Karang District Court	1 March 2004

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		High School Books procurement in Lampung year 2002 worth Rp6,3 billion	Sutoto, S.H		
67.	Bachtiar	Corruption related to the Elementary School and Junior High School Books procurement in Lampung year 2002 worth Rp6,3 billion	Head of National Education Service of Lampung (non-active), Sutoto, S.H	Tanjung Karang District Court	1 March 2004
68.	Dehel K Sandan	Corruption of Regional Budget funds year 2001 worth around Rp 1 billion	Three ex-chairmen of Cirebon Regional House are H Suryana (currently a member of House of R.I.) , H Sunaryo HW (currently chairman of Cirebon City Regional House) and H Haries Sutamin.	Cirebon District Court	27 December 2004
69.	Togar	Corruption of Regional Budget funds year 2001 worth around Rp 1 billion	Three ex-chairmen of Cirebon Regional House are H Suryana (currently a member of House of R.I.) , H Sunaryo HW (currently chairman of Cirebon City Regional House) and H Haries Sutamin.	Cirebon District Court	27 December 2004
70.	Purwanto	Corruption of Regional Budget funds year 2001 worth around Rp 1 billion	Three ex-chairmen of Cirebon Regional House are H Suryana (currently a member of House of R.I.) , H Sunaryo HW (currently chairman of Cirebon City Regional House) and H Haries Sutamin.	Cirebon District Court	27 December 2004

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
71.	Anom Hartanindita	Corruption of Regional Budget funds year 2001 worth around Rp 1 billion	Seven ex-members of Cirebon City Regional House period 1999-2004. Those seven persons are Jarot Adi Sutarto (PDI-P), Enang Iman Gana (PKPI), Setiawan (PAN), Agus Sompi (Partai Golkar), Suyatno AH Saman (PKB), M Safari Wartoyo (PPP), as well as Achmad Djuanedi (PBB).	Cirebon District Court	27 December 2004
72.	S Silalahi	Corruption of Regional Budget funds year 2001 worth around Rp 1 billion	Seven ex-members of Cirebon City Regional House period 1999-2004. Those seven persons are Jarot Adi Sutarto (PDI-P), Enang Iman Gana (PKPI), Setiawan (PAN), Agus Sompi (Partai Golkar), Suyatno AH Saman (PKB), M Safari Wartoyo (PPP), as well as Achmad Djuanedi (PBB).	Cirebon District Court	27 December 2004
73.	Jemmy WL	Corruption of Regional Budget funds year 2001 worth around Rp 1 billion	Seven ex-members of Cirebon City Regional House period 1999-2004. Those seven persons are Jarot Adi Sutarto (PDI-P), Enang Iman Gana (PKPI), Setiawan (PAN), Agus Sompi (Partai Golkar), Suyatno AH Saman (PKB), M Safari Wartoyo (PPP), as well as Achmad Djuanedi (PBB).	Cirebon District Court	27 December 2004
74.	Husni Rizal	Corruption of Banten Provincial Government funds worth Rp	Abdul Rahman Sabit	Serang District Court	28 October 2004

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		1,7 billion			
75.	Iskandar Tjakke	Corruption case within Exxor I Balongan	Tabrani Ismail	Central Jakarta District Court	10 December 2003
76.	Andi Samsan Nganro	Corruption case within Exxor I Balongan	Tabrani Ismail	Central Jakarta District Court	10 December 2003
77.	Andriani Nurdin	Corruption case within Exxor I Balongan	Tabrani Ismail	Central Jakarta District Court	10 December 2003
78.	Isaac Jorgen	Corruption related to insurance worth Rp 1,2 billion	Three ex-members of the Provincial House period 1999-2004 i.e. i H Abdurrachman (PPP), Nurudin Haniem (PAN) and HM Umar (PKB	Yogya District Court	4 November 2004
79.	Paulus Effendi Lotulung	Corruption related to non-budgetary funds of Bulog worth Rp 40 billion	Akbar Tanjung	Supreme Court	12 February 2004
80.	Muchsin	Corruption related to non-budgetary funds of Bulog worth Rp 40 billion	Akbar Tanjung	Supreme Court	12February 2004
81.	Saba'a	Corruption related to the release of land and building formerly used as the Offices of Assistance to the Regent of Delanggu worth Rp 1 billion	Two members of Klaten Regional House Tantowi Jauhari and Suwanto	PN Klaten	21 June 2004
82.	M Tafkir	Corruption related to the	Two members of Klaten Regional	Klaten District Court	21 June 2004

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		release of land and building formerly used as the Offices of Assistance to the Regent of Delanggu worth Rp 1 billion	House Tantowi Jauhari and Suwanto		
83.	Sartono	Corruption related to the release of land and building formerly used as the Offices of Assistance to the Regent of Delanggu worth Rp 1 billion	Two members of Klaten Regional House Tantowi Jauhari and Suwanto	Klaten District Court	21 June 2004
84.	Sarwedi	Corruption related to the release of land and building formerly used as the Offices of Assistance to the Regent of Delanggu worth Rp 1 billion	Two members of Klaten Regional House Tantowi Jauhari and Suwanto	Klaten District Court	21 June 2004
85.	Andreas	Corruption related to the release of land and building formerly used as the Offices of Assistance to the Regent of Delanggu worth Rp 1 billion	Two members of Klaten Regional House Tantowi Jauhari and Suwanto	Klaten District Court	21 June 2004
86.	Cicut Sutiarsa	Corrupt practices within PT Perhutani worth Rp1,9 billion	Head of Planning and Development Division of PT Perhutani , Bambang Adji Sutjahyo	Central Jakarta District Court	29 November 2004
87.	Wimpie Sekewael	Corruption case related to OPK Rice worth Rp. 1, 2 billion	Sampang Regent, East Java Province, Fadhilah Budiono Regional Secretary of Sampang Regency, Drs Asyhar and Direktur CV Amin Jaya, Aminudin	Surabaya District Court	8 January 2004

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
88.	Soeroso Ono	Corruption of OPK Rice worth Rp. 1, 2 billion	Sampang Regent, East Java Province, Fadhilah Budiono Regional Secretary of Sampang Regency, Drs Asyhar and Direktur CV Amin Jaya, Aminudin	Surabaya District Court	8 January 2004
89.	Yan Mulyana.	Corruption of OPK Rice worth Rp. 1, 2 billion	Sampang Regent, East Java Province, Fadhilah Budiono Regional Secretary of Sampang Regency, Drs Asyhar and Direktur CV Amin Jaya, Aminudin	Surabaya District Court	8 January 2004
90.	Bustami Nusyirwan	Corruption of the Regional Budget funds for the year 2002 worth Rp 7,6 billion	Regional Secretary of Mentawai Islands. Ridwan Siritubui, Routine Treasurer of Secretary to the Region, Rika Hasnita, Finance Division Head D. Lubis, and ex-Routine Treasurer of the Regional Secretary, Ardi.		18 September 2004
91.	Husni Sulaiman	Corruption of Inpres (Presidential Instruction) Regency Road Project year 1993 to 1998 that caused the state to incur a loss of Rp. 289,335 million.	Regent of Kendari Regency, Drs. Abdul Razak Porosi	Kendari District Court	15 March 2003
92.	Bachtiar AMS	Corruption of Yayasan Dana Kesejahteraan (Yanatera) funds under Bulog	Mulyono and M. Jacob Ishak	South Jakarta District Court Selatan	24 February 2003
93.	I Wayan Padang	Corruption within Yayasan Bali Dwipa (YBD) worth Rp 720	Ex-Bali Governor Ida Bagus Oka	Denpasar District Court	8 April 2002

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		million			
94.	Pudjawan	Corruption within Yayasan Bali Dwipa (YBD) worth Rp 720 million	Ex-Bali Governor Ida Bagus Oka	Denpasar District Court	8 April 2002
95.	I Wayan Sugawa	Corruption within Yayasan Bali Dwipa (YBD) worth Rp 720 million	Ex-Bali Governor Ida Bagus Oka	Denpasar District Court	8 April 2002
96.	I Gde Damendra	Corruption within Yayasan Bali Dwipa (YBD) worth Rp 720 million	Ex-Bali Governor Ida Bagus Oka	Denpasar District Court	8 April 2002
97.	Ridwan Nasution	Corruption related to cessie scandal within Bank Bali (BB) and PT Era Giat Prima (EGP) worth Rp 904,6 billion	Ex-Governor of Bank Indonesia, Syahril Sabirin	Jakarta High Court	12 August 2002
98.	I Gde Ketut	Corruption related to cessie scandal within Bank Bali (BB) and PT Era Giat Prima (EGP) worth Rp 904,6 billion	Ex-Governor of Bank Indonesia Syahril Sabirin	Jakarta High Court	12 August 2002
99.	Sukarata	Corruption related to cessie scandal within Bank Bali (BB) and PT Era Giat Prima (EGP) worth Rp 904,6 billion	Ex-governor of Bank Indonesia, Mantan Gubernur Bank Indonesia Syahril Sabirin	Jakarta High Court	12 August gustus 2002
100.	Soeparno	Corruption related to cessie			

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		scandal within Bank Bali (BB) and PT Era Giat Prima (EGP) worth Rp 904,6 billion	Ex-governor of Bank Indonesia Syahril Sabirin	Jakarta High Court	12 August 2002
101.	German Hoediarso	Corruption related to cessie scandal within Bank Bali (BB) and PT Era Giat Prima (EGP) worth Rp 904,6 billion	Ex-governor of Bank Indonesia Syahril Sabirin	Supreme Court	21 September 2004
102.	Soenarto	Corruption related to cessie scandal within Bank Bali (BB) and PT Era Giat Prima (EGP) worth Rp 904,6 billion	Pande Lubis	South Jakarta District Court	23 November 2000
103.	I Dewa Gde	Corruption related to cessie scandal within Bank Bali (BB) and PT Era Giat Prima (EGP) worth Rp 904,6 billion	Pande Lubis	South Jakarta District Court	23 November 2000
104.	Putrajadnya	Corruption related to cessie scandal within Bank Bali (BB) and PT Era Giat Prima (EGP) worth Rp 904,6 billion	Pande Lubis	South Jakarta District Court	23 November 2000
105.	Soedarto	Corruption related to cessie scandal within Bank Bali (BB)	Joko S Tjandra	South Jakarta District Court Selatan	2 March 2000

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		and PT Era Giat Prima (EGP) worth Rp 904,6 billion			
		Corruption related to cessie scandal within Bank Bali (BB) and PT Era Giat Prima (EGP) worth Rp 904,6 billion	Rudy Ramly Hendri Kurniawan Rusli Suryadi Firman Soetjahja	South Jakarta District Court	29 November 1999
		Alleged abuse of funds of seven foundations he led.	HM Soeharto	Jakarta District Court	28 September 2000
		Corruption of Promissory funds from PT Jasindo within Medco	Arifin Panigoro	South Jakarta District Court	-
106.	Sultan Mangun	Corruption related to Bank Bali Scandal	Joko S Tjandra,	South Jakarta District Court	2 March 2000
107.	M Ritonga	Corruption related to Bank Bali scandal that caused the state to incur a loss of Rp. 546 billion	Joko S Tjandra	South Jakarta District Court	2 March 2000
108.	Hakim Sunu Wahadi	Corruption related to Bank Bali scandal that caused the state to incur a loss of Rp. 546 billion	Joko S Tjandra	Supreme Court	26 June 2001
109.	M. Said Harahap	Corruption related to Bank Bali scandal that caused the state to incur a loss of Rp. 546 billion	Joko S Tjandra	Supreme Court	26 June 2001

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
110.	Usman Dani Achmad	Corruption related to Bank Bali scandal that caused the state to incur a loss of Rp. 546 billion	Rudy Ramly Hendri Kurniawan Rusli Suryadi Firman Soetjahja	South Jakarta District Court	29 November 1999
111.	M Munawir	Corruption related to Bank Bali scandal that caused the state to incur a loss of Rp. 546 billion	Rudy Ramly Hendri Kurniawan Rusli Suryadi Firman Soetjahja	South Jakarta District Court	29 November 1999
112.	R Soenarto	Corruption related to the swap deal of Bulog-owned land with Goro that caused the state to incur a loss of Rp 96,6 billion	Hutomo Mandala Putra	South Jakarta District Court	19 November 1999
113.	Djalius Amin	Corruption related to the swap deal of Bulog-owned land with Goro that caused the state to incur a loss of Rp 96,6 billion	Ricardo Gelael	South Jakarta District Court	19 November 1999
114.	Zoeber Djajadi	Corruption related to the swap deal of Bulog-owned land with Goro that caused the state to incur a loss of Rp 96,6 billion	Hokiarto	South Jakarta District Court	5 September 2002
115.	Lalu Mariyun	Alleged abuse of funds owned by the foundation he led	HM Soeharto	South Jakarta District Court	28 September 2000
116.	Sultan	Alleged abuse of funds owned	HM Soeharto	South Jakarta District	28 September 2000

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
	Mangun	by the foundation he led		Court	
117.	I Dewa Gde	Alleged abuse of funds owned by the foundation he led	HM Soeharto	Jakarta District Court	28 September 2000
		Corruption within BPUI worth Rp 369 billion	Sudjiono Timan	South Jakarta District Court	25 November 2002
		Bribery worth Rp 100 million	Zainal Agus, Direktur Tata Usaha Negara MA	South Jakarta District Court	5 July 2001
118.	Putrajadnya	Alleged abuse of funds owned by the foundation he led	HM Soeharto	South Jakarta District Court	28 September 2000
		Corruption within BPUI worth Rp 369 billion	Sudjiono Timan	South Jakarta District Court	25 November 2002
		Bribery worth Rp 100 million	Zainal Agus, Direktur Tata Usaha Negara MA	South Jakarta District Court	5 July 2001
119.	Mohammad Munawir	Alleged abuse of funds owned by seven foundations he led	HM Soeharto	South Jakarta District Court	28 September 2000
120.	Rusdi Asad	Corruption case related to the BLBI of Bank Modern worth Rp 169 billion	Samadikun Hartono	Central Jakarta District Court	2 August 2002
121.	Amiruddin Zakaria	Corruption related to BLBI of Bank Umum Nasional worth RP 6,7 trillion	Kaharudin Ongko	Central Jakarta District Court	10 January 2003
122.	Andi Samsan Nganro	Corruption related to BLBI of Bank Umum Nasional worth RP 6,7 trillion	Kaharudin Ongko	Central Jakarta District Court	10 January 2003
		Alleged bribery worth Rp 196 million by Endin Wahyuddin	Supraptini Sutarto Ny Marnis Kahar	Central Jakarta District Court	
123.	I Ketut Gede	Corruption related to BLBI of	Kaharudin Ongko	Central Jakarta District	10 January 2003

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		Bank Umum Nasional worth RP 6,7 trillion		Court	
124.	Rusdi Asyad	Alleged bribery worth Rp 196 million by Endin Wahyuddin	Supraptini Sutarto Ny Marnis Kahar	Central Jakarta District Court	22 August 2001
125.	Musa Simatupang	Alleged bribery worth Rp 196 million by Endin Wahyuddin	Supraptini Sutarto Ny Marnis Kahar	Central Jakarta District Court	22 August 2001
126.	PA Sianipar	Alleged bribery worth Rp 196 million by Endin Wahyuddin	Yahya Harahap	West Jakarta District Court Barat	22 August 2001
127.	Samang Hamidi	Corruption related to the Distribution of BLBI worth Rp 2 Trillion	Paul Sutopo, Heru Suprptomo and Hendro Budiyanto	Jakarta High Court	29 December 2001
128.	Taufik	Corruption related to swap of Goro Batara Sakti with Bulog	Hotumo Mandala Putra	Supreme Court Judicial Review	14 September 2001
129.	German Hoediarto	Corruption related to swap of Goro Batara Sakti with Bulog	Hotumo Mandala Putra	Supreme Court Judicial Review	14 September 2001
130.	Soeharto	Corruption related to swap of Goro Batara Sakti with Bulog	Hotumo Mandala Putra	Review	14 September 2001
131.	Faturrahman	Corruption case within the Education and Culture worth Rp 270 million	Head of Education and Culture Service of Klaten, H Muhadi SH,	Klaten Dstrict Court	30 December 2003
		Corruption case within the Education and Culture worth Rp 270 million	Head of Sub Div. Adm. and Equipment, Prihatin Hadi Purnomo	Klaten District Court	30 December 2003

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		Corruption case within the Education and Culture worth Rp 270 million	Sub-Div. Adm. and Equipment Staff Purwanto	Klaten District Court	30 December 2003
132.	Sri Kasyani	Corruption related to double salary payment worth Rp70 million	Drs H. Maman Setiawan, member of Bandung Town Regional House from National Mandate Party	Bandung District Court	12 May 2005
133.	Syafaruddin	Corruption of funds for harelip and catarract operation worth Rp 360 million	Deputy Head of Health Service of Nanggroe Aceh Darussalam (NAD) T Muhamad	Banda Aceh District Court	28 januari 2004
134.	Nasution	Corruption of funds for harelip and catarract operation worth Rp 360 million	Deputy Head of Health Service of Nanggroe Aceh Darussalam (NAD) T Muhamad	Banda Aceh District Court	28 January 2004
135.	Yapi	Corruption of funds for harelip and catarract operation worth Rp 360 million	Deputy Head of Health Service of Nanggroe Aceh Darussalam (NAD) T Muhamad	Banda Aceh District Court	28 January 2004
		Bribery of regional borrowings	Chairman of Pandeglang Regency Regional House, Acang	Pandeglang District Court	
136.	Rahmawati	Corruption of funds for harelip and catarract operation worth Rp 360 million	Deputy Head of Health Service of Nanggroe Aceh Darussalam (NAD) T Muhamad	Banda Aceh District Court	28 Januari 2004
137.	Kusnoto	Corruption within Industry and Trade Office in Cirebon	Expert staff of Cirebon Regent, Nunung Sumarsana	Cirebon District Court	3 May 2005
138.	Mardiyanto	Corruption within Industry and Trade Office in Cirebon	Expert staff of Cirebon Regent, Nunung Sumarsana	Cirebon District Court	3 May 2005
139.	Jan Mannopo	Corruption within Industry and Trade Office in Cirebon	Expert staff of Cirebon Regent, Nunung Sumarsana	Cirebon District Court	3 May 2005

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
140.	Cicut Sutiarmo	Corruption case related to mark-up of geothermal development project funds of bumi Karaha Bodas, Garut, worth US\$ 143,1 million or around Rp 1,431 trillion.	Prianto (Head of Geothermal Division, Directorate of Exploration and Production and Syafei Sulaiman (Head of Planning Service)	Central Jakarta District Court	24 January 2006
141.	Gatot Suharnoto I	Credit extension to PT Cipta Graha Nusantara (CGN) worth Rp 160 billion	ECW Neloe, I Wayan Pugeg, and M. Sholeh Tasripan	Central Jakarta District Court Pusat	20 February 2006
142.	Ketut Manika	Credit extension to PT Cipta Graha Nusantara (CGN) worth Rp 160 billion	ECW Neloe, I Wayan Pugeg, and M. Sholeh Tasripan	Central Jakarta District Court Pusat	20 February 2006
143.	Mahmud Rachimi	Credit extension to PT Cipta Graha Nusantara (CGN) worth Rp 160 billion	ECW Neloe, I Wayan Pugeg, and M. Sholeh Tasripan	Central Jakarta District Court Pusat	20 February 2006
144.	Sri Mulyani	Credit extension to PT Cipta Graha Nusantara (CGN) worth Rp 160 billion	Edyson, Saiful Anwar, and Diman Ponijan, three board of management members of PT Cipta Graha Nusantara	Pengadilan Negeri Jakarta Pusat	23 February 2006
145.	Sulthoni	Credit extension to PT Cipta Graha Nusantara (CGN) worth Rp 160 billion	Edyson, Saiful Anwar, and Diman Ponijan, three board of management members of PT Cipta Graha Nusantara	Central Jakarta District Court	23 February 2006
146.	Fauzie Ishak	Corruption case related to procurement of land for Cemetery at Bekasi, that caused the state to incur a loss of Rp 6,49 billion	Damanhuri Husein, Ex-Assistant of Regency Organization within Bekasi Regency	Bekasi District Court	22 March 2006
147.	Pujiastuti Handayani	Corruption case related to procurement of land for	Damanhuri Husein, Ex-Assistant of Regency	Bekasi District Court	22 March 2006

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		Cemetery at Bekasi, that caused the state to incur a loss of Rp 6,49 billion	Organization within Bekasi Regency		
148.	WH Van Keeken	Corruption case related to procurement of land for Cemetery at Bekasi, that caused the state to incur a loss of Rp 6,49 billion	Damanhuri Husein, Ex-Assistant of Regency Organization within Bekasi Regency	Bekasi District Court	22 March 2006
149.	Lief Sufidjullah	Corruption case related to procurement of General Elections logistics year 2004 within Jakarta Greater Area worth Rp 488,5 million.	A Riza Patria, Member of Regional General Elections Commission of DKI	Central Jakarta District Court Jakarta Pusat	28 April 2006
150.	M. Sabir, S.H.	Corruption case related to disbursement of advance of Regional Budget of Aceh Singkil worth Rp 1.733.119.635	H. Makmursyah Putra, SH, Drs H Mu'adz Vohry, MM H Ridwan Hasan, SH, MM H Bicar Sinaga, SH, MM	Aceh Singkil District Court	30 January 2006
151.	Irwandi, S.H.	Corruption case related to disbursement of advance of Regional Budget of Aceh Singkil worth Rp 1.733.119.635	H. Makmursyah Putra, SH, Drs H Mu'adz Vohry, MM H Ridwan Hasan, SH, MM H Bicar Sinaga, SH, MM	Aceh Singkil District Court	30 January 2006
152.	Hamzah, S.H.	Corruption case related to disbursement of advance of Regional Budget of Aceh Singkil worth Rp 1.733.119.635	H. Makmursyah Putra, SH, Drs H Mu'adz Vohry, MM H Ridwan Hasan, SH, MM H Bicar Sinaga, SH, MM	Aceh Singkil District Court	30 January 2006
153.	Sarpin Rizaldi	Expansion Project of Rawa Babon Dam, Kelapa Dua	HM Iwan , ex-Subdistrict Chief of Ciracas	East Jakarta District Court	

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		Wetan			
154.	Tamrin Tarigan,	Expansion Project of Rawa Babon Dam, Kelapa Dua Wetan	HM Iwan , ex-Subdistrict Chief of Ciracas	East Jakarta District Court	
155.	Djalili Zairin	Expansion Project of Rawa Babon Dam, Kelapa Dua Wetan	HM Iwan , ex-Subdistrict Chief of Ciracas	East Jakarta District Court	8 January 2009
156.	Ali Makki SH	Expansion project of electrical network at Situbondo Regency, Bondowoso	Nanang Soedarminto, Director of PT Mardika Sarana Engineering (MSE) and Rusgianto	Surabaya District Court	21 January 2009
157.	Syarifuddin Umar	Abuse of clients' funds of BRI	Darmawan Darabba, Ex-Bnak BRI Teller, Mantan Teller Bank BRI, Sombaopu	Makassar District Court	28 January 2009
158.	Arlandi Triyogo	Supporting budget for management's activities, maintenance and official activities, secretariat and social assistance	Mantan Bupati Karanganyar Sri Sadoyo Hardjomigoena. Suparno and Suparno HS (ex-Chairman of Kr. Anyar Regional House)	Karanganyar District Court	15 January 2009
159.	Panusunan Harahap,	Procurement of technical production equipment within TVRI	Sumita Tobing, ex-President Director of TVRI,	Central Jakarta District Court	12 February 2009
160.	Reno Listowo	Procurement of technical production equipment within TVRI	Sumita Tobing, ex-President Director of TVRI,	Central Jakarta District Court	12 February 2009
161.	Syarifuddin Umar	Procurement of fertilizer worth 12 thousand ton	Damayanto Sutejo (Ex-Marketing Director PTPN XIV	Makassar District Court	February 2009
		Fictive credit of Bank BNI	Tajang dan Basri Adbah (Director	Makassar District	February 2009

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
			of PT A'Tiga)	Court	
162.	Jootje sampaleng	Procurement of Fire Engines within Spatial Layout Service	Chairman of Satya Pradana Timur Foundation (YSPT) Endi Zulfikar Tumu S.Pt	Tolitoli District Court	12 February 2009
163.	Afif Januarsyah	Procurement of Fire Engines within Spatial Layout Service	Chairman of Satya Pradana Timur Foundation (YSPT) Endi Zulfikar Tumu S.Pt	Tolitoli District Court	12 February 2009
164.	Lulik Jatimukoro	Procurement of Fire Engines within Spatial Layout Service	Chairman of Satya Pradana Timur Foundation (YSPT) Endi Zulfikar Tumu S.Pt	Tolitoli District Court	12 February 2009
165.	Baslin Sinaga SH	Funds of Technical Unit Service and has a source the Regional Budger of fiscal year 2004	Health Service Head, of Labuanbatu, dr H Nazmil Fuad Harahap MKes,	Rantauprapat District Court	18 February
166.	Syahru Rizal	Funds of Technical Unit Service and has a source the Regional Budger of fiscal year 2004	Health Service Head, of Labuanbatu, dr H Nazmil Fuad Harahap MKes,	Rantauprapat District Court	18 February 2009
167.	Bony Daniel	Funds of Technical Unit Service and has a source the Regional Budger of fiscal year 2004	Health Service Head, of Labuanbatu, dr H Nazmil Fuad Harahap MKes,	Rantauprapat District Court	18 February 2009
168.	Syarifuddin Umar	Regional Budget of Luwu Regency Year 2004	28 ex-members of Luwu regency House period 1999-2004	Makassar District Court	23 March 2009

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		APBD /Regional Budget of Luwu Regency Year 2004 of Luwu Regency	Ex-Luwu Regent Basmin Mattayang, ex-Secretary to the Region Andi Baso Gani, and ex-Head of Finance Division of Luwu Regency M Sabila	Makassar District Court	
		APBD / Regional Budget Year 2004 of Luwu Regency	2 ex-leaders of Luwu Regency House period 1999-2004	Makassar District Court	25 March 2009
169.	Amril SH	Original Regional Revenue of Mining Service	A Rosman, Bendahara Mining Service	Maros District Court	31 March 2009
170.	Widarti, SH	Procurement of furnitures for SMP/SMA/SMK year 2007	Dewa Putu Supartiana, head of service of Negara Regency		22 April 2009
		Procurement of furnitures for SMP/SMA/SMK year 2007	Dwi Korawan, Director CV. Gita		22 April 2009
171.	Supomo SH	Mark-up of the Regional Budget period 2003-2004	The three of Regional House leaders of Demak period 1999-2004 KH Nurul Huda Supreme Court (Chairman), H. Suharmin (Vice Chairman) and H.M. Ghofar (Vice Chairman).	Demak District Court	23 April 2009
172.	Gusnawan	PT Pos Jakarta Branch : Taman Fatahillah	Ex-Head of Post Office Jakarta Branch Fatahillah Fahrurrozy, Ex-Marketing Manager of PT. Pos Indonesia, and ex-marketing manager of PT. PT Pos Fatahillah,	Central Jakarta District Court	24 April 2009

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
			Widianto		
173.	I Wayan	Repair and maintenance of teachers official houses worth Rp66 million in 18 official branches (Cabdin) of Education and Culture of Bangkalan Regency in 2005	Hasanuddin Buchori, ex-Head of Education Service of Bangkalan Regency period 1999-2006	Bangkalan Regency District Court	20 May 2009
174.	Muhammad Zainal Arifin	Gratification in a case of prona project or preparation of land certificate funded by the state.	Head of National Agrarian Affairs of Para-para Town, Andi Asmar Wirawan	Pare-para District Court	7 May 2009
175.	Yoga Perdana	Gratification in a case of prona project or preparation of land certificate funded by the state.	Head of National Agrarian Affairs of Para-para Town, Andi Asmar Wirawan	Pare-para District Court	7 May 2009
176.	Triapsari	Gratification in a case of prona project or preparation of land certificate funded by the state.	Head of National Agrarian Affairs of Para-para Town, Andi Asmar Wirawan	Pare-para District Court	7 May 2009
177.	Ponis Tarigan,S.H.	Distribution of Rice for the Haves Not at South Binjai Estate Village, Binjai City	Arman Syahril S. Sos	North Sumatera High Court	29 May 2009
178.	Prof.DR Jatinar Nababan,SH	Distribution of Rice for the Haves Not at South Binjai Estate Village, Binjai City	Arman Syahril S. Sos	North Sumatera High Court	29 May 2009
179.	Yasrin Nazir Nasution,S.H.	Distribution of Rice for the Haves Not at South Binjai	Arman Syahril S. Sos	North Sumatera High Court	29 May 2009

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		Estate Village, Binjai City			
180.	Jhony Sitohang, S.H., M.H	Taking over of river flow land owned by the state.	Johanis Piter and Alex Wowiling	Manado District Court	18 May 2009
181.	Robert Posumah, S.H.	Taking over of river flow land owned by the state.	Johanis Piter and Alex Wowiling	Manado District Court	18 May 2009
182.	Saur Sitindaon, S.H., M.H.	Taking over of river flow land owned by the state.	Johanis Piter and Alex Wowiling	Manado District Court	18 May 2009
183.	Widada, S.H.	Special Allocation Funds yar 2007 for the procurement of a number of goods / school equipment	Three employees of PT Tiga Serangkai i.e., Teguh, Sudarno and Suharto	Kediri District Court Kediri	20 May 2009
184.	Syamsi, S.H.	Acquisition of land for interchange in the mid of 2006 at Julang Village, Cikande, Sub-District, Serang City	Regional Secretary of Serang Regional Government, R.A Syahbandar, Inspectorate of Serang City, Martedjo, and Regional Assistant II, Serang Municipal, Dedi Kusumayadi.	Serang District Court	13 May 2009
185.	Sabarudin Ilyas	Social Rehabilitation of Slump Area Assistance Project (BRSDK) within Social and Manpower Service, Banten Banten	Dani Mulya Kusumah, ex-project manager	Serang District Court	27 May 2009
186.	Tito Suhud	Social Rehabilitation of Slump Area Assistance Project (BRSDK) within Social and	Dani Mulya Kusumah, ex-project manager	Serang District Court	27 May 2009

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		Manpower Service, Banten Banten			
187.	Ucu Jaya Sarjana	Social Rehabilitation of Slump Area Assistance Project (BRSDK) within Social and Manpower Service, Banten Banten	Dani Mulya Kusumah, ex-project manager	Serang District Court	27 May 2009
188.	Sunarti, S.H.	Bribery of regional borrowings	Chairman of Pandeglang Regency Regional House, H.M Acang	Pandeglang District Court Pandeglang	7 May 2009
189.	Arie Setiyo Ranjtoko, S.H.	Bribery of regional borrowings	Chairman of Pandeglang Regency Regional House, H.M Acang	Pandeglang District Court	7 May 2009
190.	Frans Liemena, S.H.	Bulog Divre, North Sulawesi	Nono (ex-Head of Division, North Sulawesi) and Doly, President Director of PT Mitra Tani Sentosa	Manado District Court	6 May 2009
191.	Winaryo MH	Bulog Divre, North Sulawesi	Nono (ex-Head of Division, North Sulawesi) and Doly, President Director PT Mitra Tani Sentosa	Manado District Court	6 May 2009
192.	I Made Sukanada, S.H., M.H.	Bulog Divre, North Sulawesi	Nono (ex-Head of Division, North Sulawesi) and Doly, President Director of PT Mitra Tani Sentosa	Manado District Court	6 May 2009
		Manado Beach Hotel or MBH Gate	Member of Parliament, Joseph Patty, Amril Budiman	Manado District Court	26 June 2009
193.	Jemmy Whempy Lantu, S.H.	Procurement of 24.134 pieces of Batik KPUD Gresik	Members of General Elections Commission – Gresik : Abdul Basith Fauzan, Secretary to Committee and Planning Division of the Secretariat of General	Gresik District Court	11 June 2009

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
			Elections Commission of Gresik, Tursilowanto Herujogi and Executing Staff for the Procurement of Batik of CV Karunia Agung Khoirul Anwar		
194.	Abdul Madjid Rahim, S.H.	Sales of Assets of PT Garam (Persero)	Munir Syam	East Java District Court	19 June 2009
195.	C.H Retno Damayanti, S.H.	Village Road Upgrading Project of Bikang Toboali, South Bangka Regency	Oki Jaya Hermanto, Adrian Fahmi,	Sungailiat District Court	9 June 2009
196.	Rosidin, S.H.	Procurement of goods / services within Health Service fiscal year 2006, South Bangka Regency	dr Budiman, Head of Health Service, Pangkalpinang	Pangkal Pinang District Court	9 June 2009
197.	Maratua Rambe, S.H.	Duty Trip expenses of members of the House year 2003-2004	Ram Ramli Aziz SH, ex- Secretary to Lhokseumawe Regional House	Lhokseumawe District Court	11 June 2009
198.	Azhari SH	Duty Trip expenses of members of the House year 2003-2004	Ramli Aziz SH, ex- Secretary to Lhokseumawe Regional House	Lhokseumawe District Court	11 June 2009
199.	M. Nazir, S.H.	Duty Trip expenses of members of the House year 2003-2004	Ramli Aziz SH, ex- Secretary to Lhokseumawe Regional House	Lhokseumawe District Court	11 June 2009
200.	Idrus, S.H., M.Hum.	Sub PON Project, East Kalimantan	Mahyudin ST , Planning Consultant	Balikpapan District Court	24 June 2009
201.	Benyamin Naramesakh, S.H.	Sub-PON project, East Kalimantan	Mahyudin ST , Planning Consultant	Balikpapan District Court	24 June 2009
202.	Sumino, S.H.	Sub-PON project, East	Mahyudin ST , Planning	Balikpapan District	24 June 2009

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		Kalimantang	Consultant	Court	
203.	Supomo, S.H. M.H.	Curtailment of village aid funds in Demak Regency	Ex-Demak Regency, Dra Hj Endang Setyaningdyah MM,	Demak District Court	25 June 2009
204.	Sumedi SH	Curtailment of village aid funds in Demak Regency	Ex-Demak Regency, Dra Hj Endang Setyaningdyah MM,	Demak District Court	25 June 2009
205.	Retnoningsih, S.H.	Curtailment of village aid funds in Demak Regency	Ex-Demak Regency, Dra Hj Endang Setyaningdyah MM,	Demak District Court	25 June 2009
206.	Dahlan, S.H.	PKPRI (Employees Cooperative Centre of RI)	M. Supra, Employee of PKPRI	Pamekasan District Court	7 June 2009
207.	Hadi Masruri, S.H. M.H.	Mark Up in the provision of land as from the year 2007 of Bukittinggi Town	Wasdinata, Yasmien, Asmahadi, Anderman, Darma Putra, and Ermansyah	Bukittinggi District Court	24 June 2009
208.	Mardhiah, S.H.	Mark Up in the provision of land as from the year 2007 of Bukittinggi Town	Wasdinata, Yasmien, Asmahadi, Anderman, Darma Putra, and Ermansyah	Bukittinggi District Court	24 June 2009
209.	Didik Try Sulistya, S.H.	Mark Up in the provision of land as from the year 2007 of Bukittinggi Town.	Wasdinata, Yasmien, Asmahadi, Anderman, Darma Putra, and Ermansyah	Bukittinggi District Court	24 June 2009
210.	Tumpanuli Marbun, S.H.	Procurement of Identity Blanc paper within Civil and Population Registry Office (known as Kancapilduk) Bojonegoro	Ex-Head of Civil and Population Office and ex-Sub-Division of Administration, Khusairi.	Bojonegoro District Court	20 July 2009
211.	Jimmy Maruli, S.H, M.H.	Development of Regional Hospital 2007	Herman Faizal, SE technical executing official (PPTK), legal advisor (Krepti Sayeti, SH. Ir Kasmidi Kasim owner of land together with PH Edy Sugiarto, SH and Suparno	Arga Makmur District Court	7 July 2009

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
212.	M Sacral Ritonga, S.H.	Development of Regional Government-Owned Hospital 2007	Herman Faizal, SE technical executing official (PPTK), legal advisor (Krepti Sayeti, SH. Ir Kasmidi Kasim owner of land with PH Edy Sugiarto, SH and Suparno	Arga Makmur District Court	7 July 2009
213.	Otto Edwin, S.H.	Development of Regional Hospital 2007	Herman Faizal, SE technical executing official (known as PPTK), legal advisor (Krepti Sayeti, SH. Ir Kasmidi Kasim owner of the land with PH Edy Sugiarto, SH and Suparno	Arga Makmur District Court	7 July 2009
214.	Fakih Yuwono, S.H.	Solo Municipal Budget year 2003	Heru S Notonegoro and Hasan Mulachea (ex-Chairman of Commission E and B of Solo Municipal House period 1999-2004)	Surakarta District Court	21 July 2009
215.	Dasniel, S.H.	Aid - Block Grant for Non-	Ex-Director General of Out-School	Central Jakarta District	13 July 2009

No.	Name Of Judge	Case	Defendant	District Court	Date Verdict Handed Out
		Formal Educational Institute	Education (known as Dirjen PLS) within Department of National Education, Ace Suryadi, Phd	Court	
216.	Robert Posumah, S.H.	Manado Beach Hotel (MBH)	Elisabeth Winokan	Manado District Court	15 July 2009
217.	IGK Wanugraha, S.H.	Manado Beach Hotel (MBH)	Elisabeth Winokan	Manado District Court	15 July 2009
218.	Saur Sitindaon, S.H.	Manado Beach Hotel (MBH)	Elisabeth Winokan	Manado District Court	15 July 2009
219.	Kisworo, S.H.	Regional Budget funds for Bontang Regional House allocation	Member of Bontang Regional House period 1999-2004, Kamran Haya	Bontang District Court	23 July 2009
220.	Sri Harsiwi, S.H.	Regional Budget funds for Bontang Regional House allocation	Member of Bontang Regional House period 1999-2004, Kamran Haya	Bontang District Court	23 July 2009
221.	Ali Sobirin, S.H.	Regional Budget funds for Bontang Regional House allocation>	Member of Bontang Regional House period 1999-2004, Kamran Haya	Bontang District Court	23 July 2009

Source : ICW, 2009. Processed from the media report and ICW network document.

ATTACHMENT 2

CRIMINALIZATION AND CIVIL SUIT AGAINST ACTIVISTS IN A CORRUPTION CASE

NO	NAME	RELATED CASES	YEAR	REMARKS
1.	Wahyuddin (Coalition of Palopo Anticorruption Organization).	Alleged corruption in a rehabilitation project for sixteen (16) road spaces in Palopo Town using the Regional Government Budget funds for the fiscal year 2004.	2006	Wahyuddin was reported to Palopo City Police by Yasman Miming (Head of the C Commission of Palopo House). Yasman had objections against libel.
2.	Fahmi Badoh and Adnan Topan (ICW), Arif Nur Alam (FITRA), Hermawanto (Legal Aid Body, Jakarta)	Alleged corruption in the preparation of the Bill on the expansion of Melawi Regency and Sekadang Regency in the West Kalimantan Province.	2006	The alleged corruption was reported to the KPK (corruption Eradication Commission) and is currently being probed. Akil Muchtar (the party reported) reported to the persons reporting to the Police Headquarters (29/01/06) on the libel.
3.	Sumijan (Bontang Corruption Watch)	A number of alleged corruption cases involving Bontang Mayor.	2006	Reported on libel by the Regent Mayor and in March 2006 the case was started to be tried. Sumijan was charged of breaching CRIMINAL CODE articles 207 and 310 and liable to one and a half years imprisonment. Whereas, article 310 on libel is liable to a 9 months imprisonment. Legal process against an alleged corruption committed by Bontang Regent has up to now been cloudy. Bontang District Court finally sentenced to 3 months imprisonment.
4.	Simon (Chairman of Mamasa Development Supervisory Board)	Alleged corruption of Mamasa Regency Government and Mamasa Regional House members Fiscal Year 2003.	2006	This case had actually been reported repeatedly since December 2004 (to Mamasa Police Office), February 2005 (to the High Court of South Sulawesi) and the latest January 2006 (to the Attorney General and Corruption Eradication Commission). Mamasa Regent in February 2006 reported Simon to Mamasa Police for allegedly launching a libel. Currently the reporting person has been subject to several times of probe as a defendant for libel. (The corruption case reported by LPPM/FPKM has up to now still been vague).

NO	NAME	RELATED CASES	YEAR	REMARKS
5.	Emerson Yuntho and Illian Deta Arta Sari (ICW)	Alleged corruption / Manipulation of Attorney General data related to State Funds as a Product of Corruption saved by the state.	2009	The Attorney General Office reported an activist of the Indonesia Corruption Watch, Emerson Yuntho and Illan Deta Arthasari, to the Police Headquarters. The two activists of ICW were reported on 7 January 2009 and were charged with libel against a state institution. (The development of the case is vague)
6.	Jamaludin, Badruzaman, and Zamzam Zamaludin. Anticorruption activists of the Coalition of Students – People of Tasikmalaya. (KMRT)	Alleged corruption of the Special Allocation Funds (known as DAK) within the Education Service of Tasikmalaya for 2007.	2009	Those three activists were reported by ex Head of Education Service of Tasikmalaya, Abdul Kodir (currently occupying an office of the Head of Personnel Education and Training Board), to the Police. The case was proceeded up to the attorney and District Court. Tasikmalaya District Court finally held that the libel was not convicted and acquitted those three activists.
7.	Dadang Iskandar, an activist of Gunungkidul Corruption Watch (GCW)	Alleged corruption of the allowance funds for 45 members of the Regency House within Gunungkidul Regency period 1999-2004 that caused the state to incur a loss of Rp. 3,2 billion.	2009	In August 2009, Dadang was reported by ex member of the Regional House of Gunungkidul period 1999-2004 to Gunung Kidul Resort Police.
8.	Suryani, an activist of Ponorogo Glasnot NGO.	Alleged corruption committed by members of Ponorogo Regional House, East Java in the Pasar Pulung Development Project.	2009	Anticorruption activists charged the involvement of members of Ponorogo Regional House, East Java, with the appropriation of Pasar Pulung Service money amounting to Rp 127 million. On 8 August 2009, Suryani was reported to Ponorogo Police Resort.

Dok. Indonesia Corruption Watch (ICW) processed from various sources (update by Emerson on 7 October 2009)

ANTICORRUPTION ACTIVISTS WHO ENDURED INTIMIDATION AND VIOLENCE

No	Name	Related case	Year	Remarks
9.	Hidayatullah (FITRA Southeast Sulawesi)	Alleged corruption in the bidding process of teak wood involving	12 October 2004	The house of Hidayatullah at Muna Regency was blasted by unknown people. This situation was related

No	Name	Related case	Year	Remarks
		Muna Regent and generator sets involving Governor Ali Mazi.		to the reports submitted by himself and his fellow activists on the alleged corruption in the bidding process of the wood involving Muna Regent. (alleged corruption committed by Muna Regent was vague in terms of their probe).
10.	LPS-HAM	Alleged corruption at Palu Regional House.	November 2004	The office of LPS-HAM situated in the heart of Palu town was besieged by hundreds of unidentified people. This intimidation was related to the Demonstrations against Central Sulawesi High Attorney Office to conduct a comprehensive probe into corruption cases involving members of the Regional House in several regencies within Central Sulawesi. (the alleged corruption cases are still being probed by the Central Sulawesi High Attorney Office)
11.	Civil Society Strengthening Institution (known as (LPMS), Poso and Conflict Reconciliation Center (known as PRKP)	Alleged corruption of the humanitarian funds of Poso refugees.	28 April 2005	The offices of Civil Society Strengthening Institution (known as LPMS), Poso and Poso Conflict Reconciliatory Center (PRKP) was blasted by unidentified people. This type of terror was allegedly due to the activities of this institution in revealing corruption of the humanitarian funds for Poso refugees.
12.	Sumijan (Bontang Corruption Watch)	A number of alleged corrupt practices involving Bontang Mayor.	27 January 2006	Sumijan was beaten by H Udin Mulyono, Samsuri, H Thamrin, Anggong, and Sani Syamsu. The beating was allegedly conducted because of Sumijan's activities in reporting a number of alleged corruptions involving Bontang Mayor.
13.	Kamzul Abrar, an Activist of Forum of People's Conscience Care (FPNR), Sulit Air	Alleged corruption committed by Firdaus Kahar, Mayor of Nagari Sulit Air, Solok Regency, West Sumatera.	2006	Abrar was once kidnapped for 5 days (2-7 June 2006) by unidentified people. The kidnapping was linked with Abrar's activities in revealing corruption practices committed by Nagari Sulit Air Mayor, Solok Regency, West Sumatera. The Police has not as yet conducted any probe into the kidnapping case aforesaid.
14.	Agus Gandhi	Alleged corruption involving a	2007	The house of the Secretary General of Government

No	Name	Related case	Year	Remarks
	(Secretary General of Garut Governance Watch)	number of service heads and Garut Regent.		Watch (government monitoring organization), Agus Gandhi (45), at Blok 4 Jln. Sunan Muria 150 Kompleks Perum Campaka Indah, Garut, was set fire allegedly conducted by a group of people, Friday (2 March 2007) around 3.00 p.m.. Consequently, a number of furniture and also the abuse investigation documents in one of the Garut Regency services, were burnt down.
15.	Coalition of Students-People of Tasikmalaya (known as KMRT).	Alleged corruption of Special Allocation Funds of the Education Service of Tasikmalaya for the year 2007.	2008	On 26 January 2008, those activists admitted that they were beaten and attacked by overwhelming numbers of people of the Tasikmalaya Sports Teacher Association when they were about to hold an audience with the head of the Regional House.
16.	Chairman of NGO Society Alliance Caring for Probolinggo (known as (AMPP), H Lutfi Hamid	Alleged corruption of the Public Socio-Economic Handling Program (known as P2SEM) in Probolinggo	2009	Endured murder threat. The threat emerged because the activist launched a broad push of action in the corruption case probe.
17.	Abdul Qodir, an activist of anticorruption NGO at Pasuruan.	Alleged corruption cases of the Regional Cash / Treasury committed by the Regency Government of Pasuruan.	2009	An activist of the NGO Anticorruption at Probolinggo Regency, Abdul Qodir, 34, was shot by a mysterious man around 21, Saturday (28/3/09). The incident that was allegedly due to an attempt to murder occurring within Pondok Pesantren premises Zainul Hasan Genggong, Pajarakan Sub-district, Probolinggo Regency.
18.	Stenly Kiayi, Coordinator of Anticorruption Jouth Community (known KPAK),	A number of alleged corruption cases committed by Bone Bolango Regent, Ismet Mile	2009	Terror related to demonstrations in the name of Anticorruption Jouth Community (known as KPAK) demanding a probe on a corruption case committed by the Bone Bolango Regent, Ismet Mile, in the Gorontalo State University (UNG). Stenly was intimidated and was locked up in a red police plate number car with the police plate number DM-28-E by (WI), one the PP Satpol Chief of Bonbol Regency. The incident occurred on Monday (02/03/09) afternoon, in front of Gorontalo University (UG), Gorontalo

No	Name	Related case	Year	Remarks
				Regency. The victim was dragged about to a remote place at Bolihuangga Village of Limboto Sub-district, and alerted and pressed to apologize to Bone Bolango Regent.
19.	Alfian, Coordinator of Aceh Transparency Society (known as MaTA)		2009	Revealed a corruption case of the land acquisition committed by the Lhokseumawe Municipal Government for the construction of a Korea-aided Hospital dan Tourism at Blang Panyang Village, the anticorruption social workers endured terror from the people who were involved in such a case. Alfian (September 2009) was threatened to be murdered by the parties allegedly implicated in the corruption case in the land acquisition at Blang Panyang Village, Muara Satu Sub-District.
20.	Muslim Fatillah Azis, an activist of NGO Anticorruption Forces of West Sulawesi Province (known as Lak-Sulbar)	Alleged corruption of Regional Government-Owned Enterprises funds of Mamuju worth Rp 1 billion	2009	A number of hoodlums came over the Secretariat of Lak-Sulbar on Jalan Sultan Hasanuddin, Mamuju (5 March 2009), and attempted to terrorize and stopped the activists's actions to reveal corruption cases.

Dok. Indonesia Corruption Watch (ICW) processed from various sources (up date by Emerson on 7 October 2009)

Why Lizard versus Crocodile? (*Cicak lawan Buaya?*)

Lizard constitutes a symbol of opposition from the civil society supporting and encouraging corruption eradication and Corruption Eradication Commission (KPK), meanwhile crocodile constitutes a symbol of Indonesian Police. Lizard versus Crocodile becomes a big theme for the civil society movement in the effort to oppose the intrigue of criminality committed by Indonesian Police against two leaders of KPK, Bibit Samad Riyanto and Chandra M Hamzah. Both of them have been presently stipulated as the suspects by Indonesian Police for the allegation of extorting other parties and authority mismanagement in executing the duty of enforcement in KPK.

Even though lizard is in fact a small animal, however if the number of which are many, they will become an equal or proportional opponent for a crocodile, or even can defeat a crocodile. Movement of lizard has been spread out to various regions throughout Indonesia



in line with the disclosure of manipulation case of Bibit and Chandra by Anggodo Widjojo, a younger brother of Anggoro Widjojo, the suspect and fugitive of corruption case of KPK. The opposition of LIZARD has reverberated/spread out and it does not only deal with the defense against KPK, but it also deals with the filing of demand requiring for total reform in the body of Indonesian Police and Attorney's Office from committing Legal Mafia practices which has already strongly griped.

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