

## The Intersect of Money Laundering and Electoral Crimes in the Context of Election Campaign Finance

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### Abstract

This paper aims to analyze the intersection between the PPTPPU Law and the Election Law in the context of election campaign funding, compare money laundering arrangements in the PPTPPU Law and the Election Law, and recommend ideal arrangements for handling money laundering in the context of future election campaign funding. The intersection between the PPTPPU Law and the Election Law regarding the provisions prohibiting receiving money from criminal acts has raised legal issues, namely which law should be applied, since both are special laws, furthermore this will also lead to different arrangements in each law. - the law, as well as PPATK not being involved in the handling of money laundering, which has been transformed into an election crime under the regime of the Election Law. The problem continues with the unregulated prohibition of giving election campaign fund contributions originating from criminal acts in the Election Law, and this shows the inconsistency of legislators in adopting the concept of money laundering into the Election Law. The method used is the normative legal research method. The results of the study show that based on the lex specialist systematic principle, the law that is applied is the Election Law. The Election Law does not stipulate active money laundering provisions, only regulates passive money laundering, while the PPTPPU Law regulates both; in the future, it is necessary to formulate active money laundering provisions in the Election Law.

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### Introduction

It is common that almost all countries that exist today pin the title of themselves as a state of law, including Indonesia; even the label as the Indonesian version of the state of the law has been outlined in the hierarchy of the highest legislation, namely the UUD NRI 1945 constitution in article 1 paragraph (3) by mentioning "The State of Indonesia is a state of law," the tendency that occurs today the vocabulary of the state of law feels incomplete when not juxtaposed with its counterpart namely democracy, the two conceptions, in reality, do complement each other,

as Frans Magnis Suseno said, "legal democracy will lose its direction and form, otherwise law without democracy will become meaningless". A democracy that is not a rule of law is not a true democracy.<sup>1</sup> Democracy is the most effective means of control over the rule of law. In connection with the close relationship between law and democracy, its development is known as the conception of a democratic state of law.

The implementation of the conception of democracy is translated differently by each country.<sup>2</sup> Still, the essence of democracy is the recognition that the state's highest power is in the people's hands.<sup>3</sup> One of the characteristics of the implementation of democracy is the holding of general elections. As expressed by Fritz Edward Siregar, elections are an inseparable part of a democratic state, a *conditio sine qua non* because without the presence of elections, the state is considered to abandon democracy.<sup>4</sup>

The implementation of elections in Indonesia has experienced a long history. It will be part of a new history for Indonesia with the simultaneous election in April 2019, marked by the promulgation of Law (UU) No. 7 of 2017 (hereinafter referred to as the Election Law), where in one day, the people will elect candidates for members of the DPR, DPD, Provincial DPRD, Regency / City DPRD to elect the President and Vice President. This simultaneous election is the first time in Indonesia.

The democratic party that will be held can certainly be expensive, as has been done in previous elections. The most strategic stage in the election is the campaign, called strategic because, at this stage, the election participants compete to gain the greatest sympathy from the people in the hope that the people will give their voting rights to the election participants. Still, at this stage, not all of them get the allocation of financing from the APBN, the type of campaign that the APBN can fund is only the installation of props in public places, print mass media advertising, electronic mass media, and the internet, candidate pair debates with candidate<sup>5</sup> spouse campaign materials, Even though the type of campaign is not only limited to that because there is still a lot that election participants can do for campaign purposes. In contrast, the financial capabilities of election participants are very diverse; some do have solid financial conditions. Some have mediocre financial conditions but still, force themselves to run in elections.

At this stage of the campaign, it became a vulnerable point for money politics; this was due to the need for a budget for financing that was so large and became the responsibility of each election participant.<sup>6</sup> Problems will arise if the required budget needs are not proportional to the existing financial capabilities. It does not even rule out the possibility that even though the election participants are financially strong, the ambition to win the election is so great that it demands additional financing for campaign needs and other needs related to candidacy. From here, the opportunity for the entry of third parties who have capital power offers "sponsorship services" to election participants, and it can be guessed, of course, that what has been given by third parties to election participants is not free. Still, there are agreed deals, which are mutualism symbiosis.

Transactional relationships between third parties that provide "sponsorship" to election participants are carried out based on their respective interests; on the one hand, election

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<sup>1</sup> Frans Magnis Suseno, *Mencari Sosok Demokrasi: Sebuah Telaah Filosofis* (Jakarta: Gramedia, 1997), 58.

<sup>2</sup> Jimly Asshiddiqie, *Konstitusi dan Konstitusionalisme Indonesia* (Jakarta: Sinar Grafika, 2014), 116.

<sup>3</sup> Janedjri M. Gaffar, *Politik Hukum Pemilu* (Jakarta: Konstitusi Press, 2012), 144.

<sup>4</sup> Fritz Edward Siregar, *Bawaslu Menuju Peradilan Pemilu* (Jakarta: Themis Publishing, 2018), 1.

<sup>5</sup> Vide Pasal 275 UU Pemilu

<sup>6</sup> Vide Pasal 325, 329, 332 UU Pemilu

participants need financial assistance, and third parties can do this, while on the other hand, third parties also have interests when election participants are elected and occupy an office, barter interests also color the process of delivering election participants to political office seats.

It does not rule out the possibility of third parties who provide "sponsorship" to election participants to get money from illegal and unlawful means, such as corruption, narcotics trafficking, etc. Thus, money given by third parties and received by election participants is the proceeds of crime or even intended for hiding or disguising the results of criminal acts. From a legal perspective, actions committed by third parties or election participants who receive money from criminal acts can be categorized as money laundering crimes, third parties as active money laundering actors, and election participants who receive money as passive money laundering actors.

The prohibition on election participants, campaign executives, and campaign teams from receiving donations of election campaign funds derived from the proceeds of criminal acts has been regulated in Article 339 jo 527 of the Election Law (UU Pemilu), whose formulation is identical or can be said to adopt the provisions in Article 5 paragraph (1) of Law No. 8 of 2010 (hereinafter referred to as the PPTPPU Law). This means that money laundering carried out in election campaign finance, as illustrated earlier, has been included in the electoral crime regime whose handling is subject to the Election Law. At the same time, paradigm differences result in different handling arrangements between the Election Law and the PPTPPU Law. In this background description, at least in this short paper, we will discuss first the intersection between money laundering and electoral crimes in the context of election campaign finance, second, the comparison of the regulation of laundering as an anti-money laundering regime and as an electoral crime regime, and third, the ideal arrangement for handling money laundering in the context of future election campaign finance (*ius constituendum*).

## Methods

The research method used in this paper is a normative legal research method with two approaches: the statutory approach (statute approach) and the conceptual approach (conceptual approach).

## The Intersect Between Money Laundering and Electoral Crime in the Context of Election Campaign Finance

In the doctrine of criminal law known as the principle of *lex specialis derogat legi generali* as reflected in Article 63 paragraph (2) of the Criminal Code (KUHP), in its implementation, the principle of a *quo* certainly does not experience difficulties because more specific provisions will override general provisions, even so in determining provisions that are specific and general in plain view can be distinguished.

With the proliferation of specific laws often in one act governed by more than one regulation (*concursum idealist*), dealing with this certainly can no longer use the *lex specialis derogat legi generali* principle. As mentioned by Eddy O.S Hiariej, in the development of legal science (especially in the field of criminal law), the principle of *lex spcialis derogat legi generali* cannot be used as a formula in solving legal problems if there is an intersection or conflict between laws which all qualify as special laws (*lex specialis*). In such cases, the relevant principle is the systematic specialist lex, which derives the *lex specialis derogat legi generali* principle.<sup>7</sup>

Concerning money laundering, namely in Article 5 paragraph (1) of the PPTPPU Law (UU), it is stated:

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<sup>7</sup> Eddy O.S. Hiariej, *Prinsip-Prinsip Hukum Pidana* (Yogyakarta: Cahaya Atma Pustaka, 2016), 417.

*Any person who receives or controls the placement, transfer, payment, grant, donation, custody, exchange, or use of Property that he knows or reasonably suspects is the result of a crime as referred to in Article 2 paragraph (1) shall be punished with a maximum imprisonment of 5 years and a maximum fine of Rp.1,000,000,000.00 (one billion rupiah).*

*Meanwhile, article 339 paragraph (1) of the Election Law (UU Pemilu) states: Election participants, campaign executives, and campaign teams are prohibited from receiving donations from election campaign funds originating from:*

- a. Foreign parties;*
- b. Unidentified donors;*
- c. The results of criminal acts that have been proven based on court decisions that have obtained permanent legal force and/or aim to hide or disguise the results of criminal acts;*
- d. Government, local governments, state-owned enterprises, and regional-owned enterprises; or*
- e. Village government and village-owned enterprises. Meanwhile, in the explanation of Article 339 paragraph (1) point c, it is stated that criminal acts in this provision are following the laws governing the prevention and eradication of money laundering and other crimes such as gambling and narcotics trafficking.*

The criminal provisions for the prohibition stipulated in Article 339 paragraph (1) of the Election Law are regulated in Article 527 of the Election Law (UU Pemilu), which states:

*Election participants who are proven to have received donations from election campaign funds, as referred to in article 339 paragraph (1) shall be punished with a maximum imprisonment of 3 (three) years and a maximum fine of Rp. 36,000,000.00 (Thirty-six million rupiah).*

If you pay attention to the formulation of Article 5, paragraph (1) of the PPTPPU Law and Article 339, paragraph (1) point c of the Election Law are identical and intersecting, namely, both regulate money laundering in passive form, although the diction used in formulating each of the two provisions is different, but has the same main thought, namely the prohibition of receiving money/assets resulting from criminal acts, especially when paying attention to the explanation of article 339 paragraph 1 letter c of the Election Law which expressly relates the provisions of article 339 paragraph 1 letter c with the PPTPPU Law.<sup>8</sup> This provision is relevant to the definition of money laundering, which is a process carried out to change the proceeds of crime, such as corruption, narcotics crimes, gambling, smuggling, and other serious crimes so that the proceeds of crime appear to be the result of legitimate activities because their origin has been disguised or hidden.<sup>9</sup>

Strictly speaking, the concept of passive money laundering is regulated by the Election Law and also the PPTPPU Law, and the position of both is the same as a special crime (*bijzonder delict*); this shows the intersection between the PPTPPU Law and the Election Law in terms of passive money laundering regulations, this phenomenon at a practical level will certainly cause gaps in the problem of which specific laws should be applied. The answer to this problem can be used as a systematic specialist *lex* principle as mentioned above, said by Indriyanto Seno Adji as quoted by Marchelino Christian Nathaniel Mewengkang, to determine which special laws are applied, the principle of *systematische specialiteit* or systematic specificity applies, meaning special criminal provisions if the framer of the law intends to enact

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<sup>8</sup> Vide Penjelasan Pasal 339 ayat 1 huruf c UU Pemilu

<sup>9</sup>Yenti Garnasih, *Penegakkan Hukum Anti Pencucian Uang dan Permasalahannya di Indonesia* (Depok: RajaGrafindo Persada, 2017), 118.

these criminal provisions as a special criminal provision or it will be special from the existing special.<sup>10</sup>

In the author's view, although the basic idea contained in Article 5 paragraph (1) of the PPTPPU Law and Article 339 paragraph (1) point c of the Election Law are both prohibitive from receiving money derived from criminal acts, if we look closely there are specificities in the elements of Article 339 paragraph (1) point c of the Election Law that is not owned by the elements of Article 5 paragraph (1) of the PPTPPU Law. The specificities are: First, regarding the legal subject (*addresat*) of the norm is a limitation, which only applies to election participants, campaign executives, and campaign teams, meaning that the norm does not apply to everyone, but only to certain people with qualifications as election participants, campaign executives, and campaign teams. Second, the money (donations) received must be intended for election campaign purposes, not for other purposes or to be saved. From these two specificities, it is clear that the Election Law is a special law that is more specific than the PPTPPU Law, or in other words, the Election Law is a systematic specialist *lex* of the PPTPPU Law. Thus, the intersection between the two laws *quo* has found a way out, namely to continue to enforce the Election Law based on the principle of *systematic lex specialis*.

### **Comparison of Laundering Arrangements as an Anti-Money Laundering Regime and as an Electoral Crime Regime**

The high productivity of the performance of legislative power holders does not always have a positive impact. The trend today is the success parameters of legislative institutions, one of which is measured by how many laws are produced. As a result, the phenomenon that occurs is hyper-regulation; this was also expressed by Benny Riyanto, a portrait of the condition of laws and regulations in Indonesia today, which has approximately three problems: overlap, disharmony, and hyper-regulation.<sup>11</sup>

Disharmony and overlapping (overlapping) are, of course, harmful excesses of many laws made; it makes sense indeed how not, regarding the same thing regulated by more than one law, will result in overlap and disharmony between laws; ironically, sometimes this is not realized by the framers of the law.

The intersection that occurs between the PPTPPU Law and the Election Law regarding the regulation of passive money laundering that occurs in campaign finance may be only one of the many overlaps between existing regulations; in this context, the author will not explore further why this phenomenon can occur, but rather compare the regulation of passive money laundering in the two laws *a quo*. So that it will be able to further clarify the picture of how money laundering is regulated under the anti-money laundering regime and how money laundering is regulated under the electoral crime regime, at least the author will compare in three things, namely, institutions authorized to conduct investigations, reporting obligations, and the presence or absence of active money laundering arrangements.

First, regarding the institution authorized to conduct investigations. In the PPTPPU Law, institutions authorized to investigate money laundering crimes are determined in a limited manner in Article 74, namely the National Police of the Republic of Indonesia, the Prosecutor's Office, the Corruption Eradication Commission (KPK), the National Narcotics Agency (BNN), as well as the Directorate General of Taxes and the Directorate General of Customs of the

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<sup>10</sup> Indriyanto Seno Adji dalam Marchelino Christian Nathaniel Mewengkang, “*Penerapan Asas Kekhususan Sistematis Sebagai Limitasi Antara Hukum Pidana dan Hukum Pidana Administrasi*”, Jurnal Hukum Unsrat, Vol. 23 No. 10, (Juli-Desember 2017): 57, <https://ejournal.unsrat.ac.id/v3/index.php/jurnalhukumunsrat/article/view/18593>

<sup>11</sup> “12 Masalah Penghambat Kemudahan Berusaha Hasil Analisa BPHN”, Hukum Online, diakses pada tanggal 27 Januari 2019 pada jam 17.00 wib, <https://www.hukumonline.com/berita/baca/lt5be96681cb943/12-masalah-penghambat-kemudahan-berusaha-hasil-analisa-bphn>.

Ministry of Finance of the Republic of Indonesia.<sup>12</sup> Meanwhile, in the Election Law, the authority to investigate election crimes lies with investigators from the National Police of the Republic of Indonesia.<sup>13</sup> The concept of money laundering stipulated in Article 339 paragraph (1) of the Election Law has been transformed into an electoral crime; for that, the author calls it an election crime. What distinguishes between law enforcement of election crimes and laundering crimes is that in the enforcement of election crimes, a Gakkumdu Center (integrated law enforcement center) was formed whose composition consists of Bawaslu, Polri, and the Prosecutor's Office,<sup>14</sup> The author believes the Gakkumdu Centre is only an *ad hoc* forum to speed up and facilitate coordination in handling electoral crimes. At the same time, each institution remains in its respective authority, namely Bawaslu, as the entrance to allegations of election violations; if it turns out that election violations have criminal elements and are election crimes, Bawaslu forwards handling to the Police Investigators in the Centre Gakkumdu, as well as the prosecution process is still carried out by the Prosecution Office which is also inside the Gakkumdu Centre.<sup>15</sup> Strictly speaking, the institution with the authority to investigate election crimes is the National Police of the Republic of Indonesia.

Second, regarding reporting obligations, provisions regarding passive money laundering as stipulated in Article 5 paragraph (1) of the PPTPPU Law are exempted for reporting parties who carry out reporting obligations,<sup>16</sup> This means that the unlawful nature of the act as stipulated in Article 5 paragraph (1) of the PPTPPU Law becomes deleted if the reporting party fulfills the reporting obligation, while the reporting party in the PPTPPU Law is determined in a limited manner consisting of financial service providers and providers of goods and or other services,<sup>17</sup> while the reporting is addressed to PPATK.<sup>18</sup> Unlike the arrangements regarding election participants, campaign implementers, and campaign teams who receive donations from criminal proceeds, reporting obligations are not directed to PPATK, but reporting is addressed to the KPU.<sup>19</sup>

Third, regarding the presence or absence of active washing settings. Logically in any act, if there is a recipient, there must be a giver, especially in criminal acts; any criminalization regarding the act of receiving something (passive actors) should ideally be balanced with the criminalization of the act of giving to something (active actors), for example in Law No. 20 of 2001 (hereinafter referred to as the Tipikor Law) prohibition on civil servants or state administrators who receive gifts or promises,<sup>20</sup> paired with a ban on giving or promising something to a civil servant or state administrator.<sup>21</sup> Similarly, in the PPTPPU Law, the prohibition of placing, transferring, transferring, spending, paying, granting, or entrusting assets resulting from criminal acts,<sup>22</sup> Paired with the prohibition of receiving placement, transfer, payment, grant, or custody of assets resulting from criminal acts.<sup>23</sup> However, the Election Law only prohibits election participants, campaign executives, and campaign teams who receive donations from election campaign funds derived from the proceeds of criminal acts and aimed at concealing or disguising the results of criminal acts. At the same time, it is not formulated in the Election Law regarding the prohibition of giving campaign fund donations to election

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<sup>12</sup> Vide Pasal 74 dan penjelasan Pasal 74 UU PPTPPU

<sup>13</sup> Vide Pasal 476 ayat (1) UU Pemilu

<sup>14</sup> Vide Pasal 1 angka 38 dan Pasal 486 ayat (1) UU Pemilu

<sup>15</sup> Vide Pasal 486 ayat (5) UU Pemilu

<sup>16</sup> Vide Pasal 5 ayat (2) UU PPTPPU

<sup>17</sup> Vide pasal 17 UU PPTPPU

<sup>18</sup> Vide pasal 23 ayat (1) UU PPTPPU

<sup>19</sup> Vide pasal 339 ayat (2) UU Pemilu

<sup>20</sup> Vide pasal 11 UU Tipikor

<sup>21</sup> Vide pasal 5 UU Tipikor

<sup>22</sup> Vide pasal 3 UU PPTPPU

<sup>23</sup> Vide pasal 5 ayat (1) TPPU

participants, campaign implementers, and campaign teams derived from the proceeds of criminal acts and aimed at concealing or disguising the proceeds of criminal acts. Strictly speaking, in the Election Law, no provision regulates the prohibition of campaign fund donations derived from the proceeds of criminal acts and aimed at hiding or disguising the results of criminal acts.

### **Ideal Arrangements for Tackling Money Laundering in the Context of Future Election Campaign Finance (*Ius Constituendum*)**

In reality, until today, there has been no perfect legislation; it can even be said that it will never exist because every regulation made must have a gap for criticism of the regulation; the end of the complaint is usually in the form of prescriptive recommendations to improve so that the criticized regulation can be close to ideal in the future (*ius constituendum*).

The discussion of changes in laws and regulations is the scope of legal politics; as stated by Mahfud MD, legal politics is the official line (policy) about laws that will be enforced by making new laws and replacing old laws to achieve state goals. Thus, legal politics is a choice about which laws will be repealed or not enacted, all of which are intended to achieve the objectives of the state as stated in the Preamble to the 1945 Constitution (UUD 1945).<sup>24</sup> Barda Nawawi Arief said that criminal law policy can also be referred to as criminal law politics, which means striving to make and formulate a good criminal law.<sup>25</sup>

In the context of the Election Law, the framer of the law has adopted the concept of passive money laundering and pulled it into an election crime. The Election Law does not regulate the definition of the election crime itself. Still, Article 260 of Law No. 8 of 2012 concerning General Elections for Members of the People's Representative Council, Regional Representative Council, and Regional People's Representative Council define election crime as a criminal offense and crime against the provisions of election crime as stipulated in this law.<sup>26</sup> Regarding the definition of election crime, Topo Santoso said that election crime comes from two words, "criminal act" and "election." Based on this, the definition and limitation of "electoral crime" can be formulated simply as all violations of provisions related to the electoral process to the extent that criminal sanctions in the election law threaten such violation.<sup>27</sup> Therefore, the concept of passive money laundering adopted in the Election Law has been transformed into an electoral crime.

There are weaknesses, as mentioned in the discussion on the comparison of the regulation of laundering as an anti-money laundering regime and the election crime regime above; this should be the attention of the framer of the law to revise the Election Law in the future to make it better.

First, the provisions regarding when election participants, campaign executives, and campaign teams receive campaign fund donations that are the proceeds of criminal acts based on the current Election Law must be reported to the KPU; in the future, PPATK should also be involved, so that supervision of the integrity of election participants, campaign implementers, and campaign teams is tightened, this is based on arguments, namely, with only the obligation to report to the KPU seems to be only formal administrative, because in reality the KPU and even if it coordinates with Bawaslu still have limitations and do not have experience, resources, and technology in handling money laundering. For this reason, how is it possible that the KPU will be able to ensure that campaign donation funds received by election participants, campaign

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<sup>24</sup> Mahfud MD, *Politik Hukum di Indonesia* (Jakarta: RajaGrafindo Persada, 2014), 1.

<sup>25</sup> Barda Nawawi Arief, *Bunga Rampai Kebijakan Hukum Pidana: Perkembangan Penyusunan Konsep KUHP Baru* (Jakarta: Kencana, 2011), 26-27.

<sup>26</sup> Telah dicabut dengan berlakunya UU Pemilu

<sup>27</sup> Topo Santoso, dkk, *Demi Keadilan : Antologi Hukum Pidana dan Sistem Peradilan Pidana*, 6 Dasarwarsa Harkristuti Harkrisnowo (Jakarta: Pustaka Kemang, 2016), 219.

implementation, and campaign teams are the results of criminal acts if, in this case, PPATK is involved in receiving reports on the receipt of campaign fund donations that are indicated as criminal proceeds, PPATK will analyze these reports.<sup>28</sup> Furthermore, if there is an indication that the money results from a criminal act, the analysis results will be forwarded to the investigator.<sup>29</sup> With such arrangements, it is hoped that supervision of campaign fund donations will be more effective. However, election participants are required to use a special campaign finance account. Consequently, if there are suspicious financial transactions, the bank that issued the account will still report to PPATK. Still, the problem is that the amount received can be very diverse and will certainly be very difficult for the bank as a bank. Financial service providers to determine which transactions are considered suspicious financial transactions and must be reported, especially if the donation of funds entered the account in a small amount and also if the donation of funds received by election participants is in cash, on these thoughts and considerations, it is better for the election participants to be determined separately as reporting parties to PPATK.

Second, in the current Election Law related to campaign fund donations originating from criminal acts, only a ban is set on recipients, namely election participants, campaign implementers, and campaign teams (passive actors), while parties who make donations of funds that turn out to be the proceeds of criminal acts or aim to hide or disguise the results of criminal acts have not been regulated separately in the Election Law if the framer of the law consequently and consistently withdraws the ban on passive money laundering adopted from article 5 paragraph (1) of the PPTPPU Law into the Election Law so that its existence is transformed into an electoral crime, The framer of the law should also regulate in the Election Law the prohibition on parties who provide campaign donation funds that turn out to be the proceeds of criminal acts or aim to hide or disguise the results of criminal acts, this kind of arrangement is certainly quite logical, where there is a recipient party there will definitely be a party who gives, and there can be no recipient party if there is no offering party.

## Conclusion

The regulation of the conception of passive money laundering in the PPTPPU Law and also the Election Law has caused intersections between special laws; however, the conception of passive money laundering regulated in the Election Law has specificities that are not contained in the PPTPPU Law, namely regarding the specificity of the *addresat* only intended for legal subjects who qualify as election participants, campaign implementers, and the campaign team, and also the specificity of the money received must be earmarked for campaign finance, for that in practice level where such a case the law applied is the Election Law, this is based on the principle of systematic *specialist lex* or which is more specific than exceptional.

Comparison of the regulation of money laundering as an anti-money laundering regime and as an electoral crime regime shows differences; first, in the PPTPPU Law, the institutions authorized to conduct investigations are the National Police of the Republic of Indonesia, the Prosecutor's Office, the Corruption Eradication Commission (KPK), the National Narcotics Agency (BNN), as well as the Directorate General of Taxes and the Directorate General of Customs of the Ministry of Finance of the Republic of Indonesia while in the Election Law institutions The authority to conduct investigations is the National Police of the Republic of Indonesia. Second, the reporting obligation according to the PPTPPU Law is to the PPATK, while the reporting obligation according to the Election Law is to the KPU. Third, the Election Law does not regulate provisions against active money laundering but only regulates passive money laundering; this differs from the PPTPPU Law, which governs both.

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<sup>28</sup> Vide Pasal 40 huruf d UU PPTPPU

<sup>29</sup> Vide Pasal 44 huruf l UU TPPU



In the future, reporting obligations should not only be addressed to the KPU but also to PPATK, and it is also necessary to formulate provisions regarding active money laundering in the Election Law.

### Suggestions

In revising the Election Law, The framers of the law (Government and DPR) should include provisions involving PPATK regarding reporting obligations from election participants, campaign implementers, and campaign teams.

In revising the Election Law, The framers of the law (Government and DPR) should add provisions regarding the prohibition on providing donations to election campaign funds originating from criminal acts or aimed at concealing or disguising the proceeds of criminal acts.

If the framer of the law (Government and DPR) revises the PPTPPU Law, the provisions regarding the reporting party should be changed, and election participants, campaign implementers, campaign teams, or even political parties as reporting parties.

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