



**ENGLISH DEVELOPMENT DIVISION ALSA LC UB  
PROUDLY PRESENT**

# **ALSA LEGAL ENGLISH HANDBOOK:**

**"What Is Money  
Laundering?"**

**A Guide to Improve Your English**

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**Yonathan, I Nyoman, Nafisah, Oktaviana, Michael Agi, Brillyan, Fachri, Jovanka**



# Introduction

Assalamualaikum Wr.Wb,  
Shalom,  
Om Swastiastu,  
Namo Buddhaya.

Firstly, let's praise and express our gratitude to The Almighty God who has granted us countless blessings, knowledge, and opportunities for each of us so that we have the chance to manage this monthly activity held by the English Development Division of ALSA Local Chapter Universitas Brawijaya.

ALSA Legal English Handbook for May issue raises such an important theme, a crime that is still happening today and has not yet been able to be completely eradicated. Through this handbook, it is with great hope that it will open new horizons to all of the readers, notably in the field of money laundering.

Last but not least, I would like to thank and appreciate everyone involved in making this incredible and useful writing, especially Yonathan Parasian Simbolon as the Person in Charge of ALSA Legal English Handbook for the May issue and English Development Division.

Wassalamualaikum Wr.Wb.,  
Shalom,  
Om Shanti, Shanti, Shanti Om,  
Namo Buddhaya.

Together Will Be,  
Connected As One,  
ALSA, Always Be One!



Muhammad Haikal Thohir  
Director ALSA LC Universitas Brawijaya

# Introduction

Assalamualaikum Wr.Wb,  
Shalom,  
Om Swastiastu,  
Namo Buddhaya.

First of all, let us praise the Almighty God for His blessings and mercy, we are here, happy, and healthy. My name is Yonathan Parasian Simbolon, it is an honor for me to be chosen as Person In Charge of ALSA Legal English Handbook for May issue, to give my forewords and introduction to this handbook.

ALSA Legal English Handbook is an activity that is being held every 3 months. This activity will be in form of a booklet that contains everything about legal English, be that a general knowledge about legal English, or even a detailed study about newest and relevant topic about law and packed with glossary related to the topic in English. This booklet will contain one theme that is different every edition. It can be criminal law, constitutional law, business law, international law, etc.

For this month's issue, the topic of the handbook will be about money laundering. A very interesting topic to discuss lately. This month's edition will contain the definition and history of money laundering, the legal basis for money laundering, the modus operandi, and so on related to money laundering.

As a Person in Charge, I would like to thank everyone who involved in the making of this handbook. From the bottom of my heart. I hope this handbook will help the members of ALSA LC UB in Legal English knowledge, especially in the topic of this month's issue.

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Yonathan Parasian Simbolon  
PIC ALSA Legal English Handbook May



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# DEFINITION AND HISTORY OF MONEY LAUNDERING

## Definition

Money laundering is the illegal conversion or transfer of a large amount of property generated by criminal activity, such as drug trafficking or terrorist funding, which appears to have come from a legitimate source. According to United Nations record, the estimated amount of money laundered globally in a year is \$800 billion-\$2 trillion, this proves that the money laundering method is still an eminent choice for criminals even though those numbers are just or 2 - 5% of global GDP. These days, online banking and cryptocurrencies have made it easier for criminals to transfer and withdraw money without detection.



Money laundering has been addressed in the UN Vienna 1988 Convention Article 3.1 defining Money Laundering as “the conversion or transfer of property, knowing that such property is derived from any offense(s), for the purpose of concealing or disguising the illicit origin of the property or of assisting any person who is involved in such offense(s) to evade the legal consequences of his actions”.

Sarah Welling stated “money laundering is the process by which one conceals the existence, illegal source, or illegal application of income, and then disguises that income to make it appear legitimate”.[1] On the other hand, according to Article 3 Law Number 8 of 2010 on Countermeasure and Eradication of Money Laundering, money laundering is described as activities by any person who places, transfers, diverts, spends, pays, grants, entrusts, takes abroad, changes form, exchanges for currency or securities or other actions on assets which he knows or reasonably suspects is the result of a criminal act.

From several definitions above, we see differences from scholars or institutions on defining money laundering, but we can understand that money laundering is a process of “cleaning” money from illegal sources to make it look just like a normal asset.





Meyer Lansky  
Source: wikipedia.org

## History

Money laundering has become a thing of the 20th century and gained glamor when the accountant of Al-Capone found it difficult to explain the source of money obtained from illegal activities. Meyer Lansky, one of Al Capone's contemporaries, ultimately became the Pioneer of Money Laundering. He was determined to avoid Capone's fate (a conviction in 1931 for tax evasion) and was the one responsible for figuring out how to use the Swiss banking system to hide his growing cash reserves. He developed the first real laundering technique, which placed illegally-received money into the Swiss bank and then loaned it back to other foreign banks, thus making it legitimate.

Through the process of money laundering, the perpetrator's crime can use the proceeds of the crime as if the money was obtained from a valid output. This issue is one of the triggers that promote the growth of crime corruption in Indonesia because the corrupt can easily enter the proceeds of action of corruption crimes committed in the financial system and then reuse it as if obtained from valid results. As a result, in 1990, the FATF (Financial Action Task Force) issued a Forty Recommendation, which is a recommendation for countries to reduce money laundering, whereas one of the ways is by criminalizing money laundering.



Al Capone  
Source: wikipedia.org





FATF

Source: [wikimedia.org](https://www.wikimedia.org)

In the course of white-collar crime enforcement in Indonesia, the challenge of proof becomes even greater as perpetrators are always trying to conceal evidence that might entice them. This condition makes it difficult for law enforcement to gather evidence that leads directly to the perpetrator. Under these conditions, based on the forty recommendations by FATF, the Government's efforts to prevent and eliminate crime has issued Law No. 15 in 2002 on money laundering charges. This is Indonesia's attempt to ratify the United Nations Convention against Illustrated Trafficking in Narcotics and Psychotropic Substances in 1998.

In addition to specifically criminalizing acts of obscuring the origins of criminal assets, the follow the money approach is also equipped with a detection scheme that involves the financial industry and is supported by various legal breakthroughs that seek to overcome weaknesses in conventional law enforcement.



# LEGAL BASIS OF MONEY LAUNDERING

In Indonesia, there is only one legal basis that regulates money laundering. That is Law Number 8 of 2010 on Countermeasure and Eradication of Money Laundering. Although there is only one law that regulates money laundering, the law regulates every form of money laundering, with a total of 26 forms of crime and how to prosecute and handle the crime of Money Laundering for law enforcers apparatus. This regulation is different from any other criminal law regulation. The reason is because in this Law, actors of Money Laundering are divided into three, which are active actors that are regulated in Article 3 and Article 4, and passive actors that are regulated in Article 5. Aside from that, this Law also regulates the reverse burden of proof in Article 77 and 78, which is only now regulated in Money laundering Law even though it is also used for corruption cases after that, and the issue surrounding Article 74 regarding the apparatus that is authorized to investigate cases of Money Laundering.





# Actors of Money Laundering

Active Actors are divided into two types in Article 3 and Article 4

- Article 3: Anyone, who places, transfers, forwards, spends, pays, grants, deposits, takes to the abroad, changes the form, changes to the currency or securities or other deeds towards the Assets of which are recognized or of which are reasonably alleged as the result of criminal action, as set forth in Article 2 section (1) with the purpose to hide or to disguise the origin of Assets, shall be subject to be sentenced due to the criminal action of Money Laundering with the imprisonment for no longer than 20 (twenty) years and fine for no more than Rp10.000.000.000, 00 (ten billion rupiah).

In this article, the actors of Money Laundering actively did the crime regulated in Article 2 section (1) and after they did those crimes, they also actively did the crime of Money Laundering.

- Article 4: Anyone, who hides, or disguises the origin, source, location, purpose, transfer of right or the truly ownership of the Assets that are known by him or of which are reasonably alleged as the result of criminal action, as set forth in Article 2 section (1), shall be subject to be sentenced due to the criminal action of Money Laundering with the imprisonment for no longer than 20 (twenty) years and fine for no more than Rp500.000.000.000, 00 (five hundred billion rupiah).

In this article, the actors only actively commit the crime of Money Laundering by hiding, distinguishing the origin, source, location, purpose, transfer of right, or the true ownership of the asset. They do not commit the crime that is regulated in Article 2 section (1).

Passive Actor is regulated in Article 5

- Article 5 section (1): Anyone, who accepts or who takes the control on placement, transfer, payment, grant, deposit, exchange, or utilizes the Assets of which are known by him or of which are reasonably alleged as the result of the criminal action, as set forth in Article 2 section (1), shall be subject to be sentenced with the imprisonment for no longer than 5 (five) years and fine for no more than Rp1.000.000.000, 00 (one billion rupiah).

In this article, the actors only accept and take control of the placement, transfer, payment, grant, deposit, exchange, or utilization of the assets. This article is applied to actors who do not report this crime to law enforcer apparatus when they know or alleged that those assets are the result of a crime committed.

From the articles and explanation above, it can be concluded that in the crime of Money Laundering, the actors have to know or is suspicious or alleged that the assets are the result of criminal actions.

## Reverse Burden of Proof

The reverse burden of proof means that the defendant has to prove that the funds gained do not originate from the means that are illegal. This principle is unusual compared to the Code of Criminal Procedure that the plaintiff is obligated to indict and prove that the defendants are guilty.

The reverse burden of proof is a part of the principles of proof that is not a violation of the principle, but rather an exception to the legality principle. This principle is an exception regarding the general burden of proof that puts proof on the Prosecutor and brings the burden of proof to the defendant's behalf to prove that he/she is not guilty of the crime that he/she was charged with.

In reverse burden of proof, the reverse proof method is applied by means of the determination of judges or requests from the public prosecutor to the judge to carry out the reverse proof method. The use of the reverse burden of proof principle is regulated by Article 77 and 78 Law Number 8 of 2010.

- Article 77: For the interest of the examination in the trial, the defendant shall be obliged to evidence that his/ her Assets are not the result of criminal action.
- Article 78 Section (1): When the examination in the trial as set forth in Article 77 above, the judge orders the defendant in order to evidence that his/ her Assets are not from or are not associated with the criminal action as set forth in Article 2 section (1).
- Article 78 Section (2): The defendant evidences that his/ her Assets are not from or are not associated with the criminal action as set forth in Article 2 section (1) through proposing the sufficient items of evidence.

## Investigations on Money Laundering

Article 74 Law No. 8 Of 2010 states that The investigation for the criminal action of Money Laundering shall be conducted by the investigator of the origin criminal action in accordance with the provision of the criminal procedures law and the provision of law and regulation, unless otherwise stipulated herein. There are some problems in this article. While it's stated that the investigation for the criminal action of money laundering shall be conducted by the investigator of the origin criminal action. It is hard to convict the defendant with the law of money laundering when the primary crime has not been proven.



# MODUS OPERANDI



Modus operandi is a method of operating or a manner of procedure; esp. a pattern of criminal behavior so distinctive that investigators attribute it to the work of the same person.[2] Van Heerden (1985:10) describes modus operandi as the habits and techniques of criminals, which have become stereotyped. Van Heerden sees it as a routine mode of behavior that employs individualized techniques. The conclusion that can be drawn from this statement is that the modus operandi is a special method or technique used by a criminal, in this case the perpetrator of money laundering, to commit a crime. Essentially, there are eight modes of money laundering that are currently evolving:

## 1. Loan Back

The loan-back method of money laundering includes cleaning money obtained from illegal activities such as insider trading, extortion, illegal gambling, and drug trafficking so that financial institutions can handle it without suspicion. Various techniques, varying in sophistication and complexity, are available for money laundering. Typically, loans and mortgages are used as a cover for money laundering, with lump sum cash payments used to repay the loans and mortgages. This method is further described in the form of direct loans, which involve borrowing money from foreign companies in the form of shadow companies whose directors and shareholders are the borrower. In the form of a back-to-loan, the bank guarantee is disbursed when the perpetrator borrows money from a foreign bank branch using a standby letter of credit or certificate of deposit indicating that the money was obtained using proceeds from a crime.

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[2] Thomas Reuters. 2010. Modus Operandi. In Black's Law Dictionary. (9th ed., p. 860).

## 2. C-Chase Operation Mode

C-Chase is a money laundering scheme proposed in 1986 by an undercover customs agent named Robert Mazur. Operation C-Chase ultimately proved to be a highly successful undercover operation that assisted in shedding light on the massive drug money laundering occurring in the United States. Mazur testified that one of the money launderers apprehended in Operation C-Chase had monthly gross U.S. receipts of approximately \$200 million in a currency that needed to be removed from the U.S. on his behalf. This method is extremely convoluted and winding, as it involves transferring funds several times to a number of different financial institutions before having them converted into a Certificate of Deposit to serve as a loan guarantee. In this scenario, the loan is never billed; rather, repayment is contingent on the withdrawal of the certificate of deposit.

## 3. International Trade Transaction Mode

Trade-based Money Laundering (TBML) is the process of disguising proceeds of crime and moving value through trade transactions to legitimize their illicit origin or to finance their activities (FATF, 2008). John Cassara identifies the three main methods used in TBML:

- **Over- and under-invoicing shipments of goods and services**  
Overvaluing or undervaluing a product for the purpose to shift value from one jurisdiction to another. By invoicing a product for less than it is worth, the exporter can transfer value to the importer.
- **Multiple invoicing of goods and services**  
Multiple invoicing refers to the repeated billing for a single international shipment or service. In a multiple invoicing scheme, unlike the previous technique of over- and under-invoicing, there is no need to misrepresent the cost of any shipped product. This type of TBML may become more prevalent in service provision for two reasons. First, it is difficult to quantify the worth of provided services. Second, it is equally difficult to determine the frequency of service delivery.
- **Falsely described goods and services**  
In the trans-shipment process, goods and services can be falsely declared in order to reduce or increase their value. This may also include phantom shipping, in which no actual product or service is provided.



## **4. Mode of Acquisition**

When a business is acquired, also known as an acquisition, the company's shares can later be resold to third parties for the purpose to make money while maintaining a clean appearance.

## **5. Certain Investment Modes**

Primarily engaged in the trade of antiques or paintings, with the intention of later fetching a high price from the buyer (who is in reality acting on the agent's instructions).

## **6. Stock Trading Mode**

In a case that was brought before the Amsterdam stock exchange, the stock company Nusse Brink was involved (NB). Several clients of NB Securities Company went on to engage in illegal activities involving money laundering. NB established two separate accounts for these customers: one was for financial dealings that resulted in a loss, and the other was for financial dealings that resulted in a profit. It is attempted that the account will be opened in a location that has very stringent security measures in place, making it difficult to determine who the true beneficial owner of the account is.

## **7. Deposit Taking Mode**

Companies that are already well-established in the financial sector, such as Canada's Deposit Taking Institution. The Department of Trade and Industry (DTI) is well-known for operating money-laundering facilities, including chartered banks, trust companies, and credit unions. Cases of money laundering that were investigated by the DTI involved the purchase of government bonds and Treasury bills, as well as telex transfers, securities, and foreign exchange.

## **8. Fake Identity Mode**

Utilizing financial institutions as money bleaches by making deposits under fictitious names, hiding the proceeds of criminal activity in safe deposit boxes, using transfer facilities so that funds can be easily transferred to the desired location, using electronic fund transfers to pay off obligations stemming from illegal transactions, and storing or distributing proceeds from illicit transactions in dark transaction ledgers are all examples of money bleaching.

# MONEY LAUNDERING STAGES

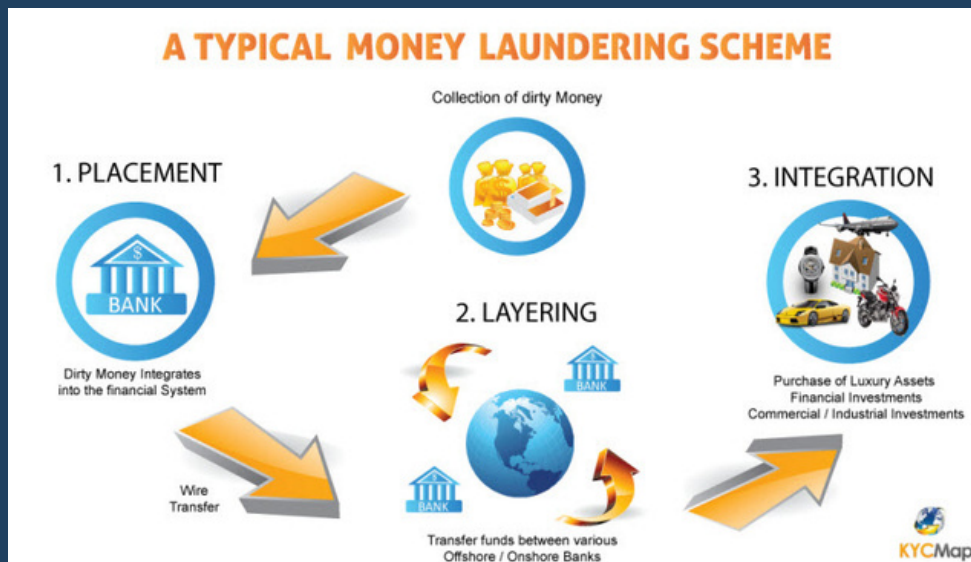


Money laundering has one motive: to turn the proceeds of crime into cash or property that appears legitimate and may be used without suspicion. There are a number of the most common methods this is carried out. By keeping criminals away from the proceeds of their crimes, criminals can enjoy the proceeds of crime without suspicion of them, or reinvest the proceeds of crime for further crimes or legitimate businesses.

The stages of money laundering are divided into three phases:

- 1.Placement
- 2.Layering
- 3.Integration





Source: <https://compliancedivision.wordpress.com/2015/01/23/mengenal-money-laundering-dan-tahap-tahap-proses-pencucian-uang/amp/>

## Placement

Placement is a phase of placing money resulting from a criminal activity, for example by breaking up large amounts of cash into small, inconspicuous amounts to be placed in the financial system either by using a bank deposit account or used to purchase a number of financial instruments. For example, checks or demand deposits will be billed and then deposited in a bank account located in another location. Placement can also be done by physical movement of cash either through smuggling cash from one country to another, and combining cash from crime with money obtained from legitimate activities.

## Layering

Layering is a process of separating the proceeds of a crime from its source, namely related criminal activity through several stages of financial transactions. In this case, there is a process of transferring funds from certain accounts of locations as a result of placement to another location through a series of complex transactions designed to disguise or hide the source of the “illegal” money.

## Integration

Integration is an attempt to establish a basis as a “legitimate explanation” for the proceeds of crime. In this phase the money that is “laundered” through placement or layering is diverted into official activities so that it appears to be completely unrelated to the previous criminal activity which was the source of the money being laundered. At this stage the money that has been laundered is put back into circulation in a form that is in line with the rule of law.

# THE PROCESS OF PROSECUTING A MONETARY CRIME

Investigators of predicate crimes are not limited on six agencies that were authorized by laws and regulations to conduct investigations as stated in the Elucidation of Article 74 of Law Number 8 of 2010 concerning the Prevention and Eradication of the Crime of Money Laundering (UU TPPU). Elucidation of Article 74 of Law Number 8 of 2010 concerning Prevention and Eradication of the Crime of Money Laundering (UU TPPU) as long as the sentence "Investigators of predicate crimes' are officials from agencies authorized by law to carry out investigations, namely The Indonesian National Police, the Attorney General'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 and Excise, Ministry of Finance of the Republic of Indonesia." Though the construction of the criminal law system in Indonesia is still aimed at uncovering the crimes that occurred, finding the perpetrators, and punishing the perpetrators of criminal acts with criminal sanctions. Meanwhile, the development of international law, such as the issue of confiscation and confiscation of proceeds from criminal acts and instruments of criminal acts, has not been widely implemented in Indonesia. [5]

The main paradigm of the crime of money laundering is to prioritize the asset approach in tackling crime, namely the approach to tracing the flow of money or assets resulting from crime. When allegations of money laundering are reported, law enforcers should use a follow-the-money approach which refers to the flow of funds, in order to find out what forms of assets resulting from criminal acts are, where they are stored, and on the basis of whose name it is and knowing the person or institution that assisted the perpetrator of the money laundering crime.[6] The follow-the-money approach seeks to find money/property / other assets that can be used as evidence (objects of crime), in contrast to the conventional approach which focuses on searching for the culprit directly after finding initial evidence. In eradicating criminal acts, the principle of presumption of innocence has been applied to the perpetrators,

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[5] Academic Paper on the Draft Law on the Prevention and Eradication of the Crime of Money Laundering. (2012). National Legal Development Agency of the Ministry of Law and Human Rights. Jakarta, p.14

[6] Muhammad Yusuf, et al., (2011). Summary of Provisions for the Prevention and Eradication of the Crime of Money Laundering. The Indonesia Netherlands National Legal Reform Program (NLRP). Jakarta, p.97



therefore the proof will be done by proving whether the perpetrator was involved in the crime of money laundering. Thus, if the lifeblood of the crime can be detected and confiscated by the state, the opportunity to reduce the crime rate will be even higher. Efforts to cut the chain of crime are relatively easy to do with follow-the-money approach.[7]

Article 69 of Law Number 8 of 2010 concerning the Prevention and Eradication of the Crime of Money Laundering states that in order to be able to carry out investigations, prosecutions, and examinations in court against the crime of money laundering, it is not necessary to first prove the crime of origin. There is a phrase that it is not mandatory to prove the original crime first so that in its arrangement it seems contrary to the nature of Law Number 8 of 2010 concerning the Prevention and Eradication of the Crime of Money Laundering which is a derivative crime. In this case, a follow-the-suspect approach is needed as an approach to pursuing and punishing criminals, which are basically perpetrator-oriented. This approach is still behaviorally oriented and has far-reaching consequences in the operation of criminal law. The consequences include Asset Consequences and Criminal Consequences. [8]

Handling crimes, in general, requires the presence of perpetrators and sufficient evidence first but not so in handling money laundering crimes and this is a privilege possessed in money laundering crimes as a paradigm shift in dealing with criminal crimes. Although evidence of other crimes and the perpetrators have not been found, died, or fled, as long as the proceeds of the money laundering crime, namely the money itself as the object, can be traced to its origin and distribution, the investigation and investigation process can be carried out. This is a revolutionary principle in handling crimes known as follow-the-money not (only) follow-the-suspect. The rationale for applying this principle includes:

1. Eliminating the motivation of criminals, and
2. The proceeds of the crime of money as the blood of the crime, where the property is the weakest point of the crime chain.

Tracing the assets resulting from crime, it is difficult to prove criminal acts and the responsibility of criminal intellectual actors can be more easily overcome. Money laundering is basically an independent crime. Therefore, the follow-the-suspect approach still requires criminal responsibility for the results of the actions of the object of the crime of money laundering.

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[7] Yunus Hussein. (2008). The Land of the Money Launderers. Jakarta: Juanda Tigalima Library, p.66

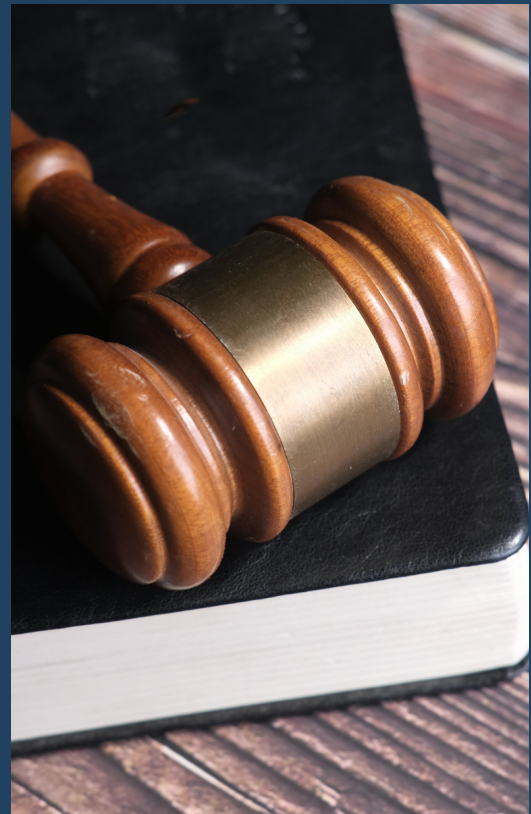
[8] Yudi Kristiana. (2015). Eradication of the Crime of Money Laundering: A Progressive Legal Perspective. Yogyakarta: Thafa Media, p.14

Article 1 point 6 of Law Number 8 of 1981 concerning the Criminal Procedure Code (KUHP), defines public prosecutors as prosecutors who are authorized by this law to carry out prosecutions and carry out judges' decisions. Based on Article 14 of the Criminal Procedure Code, the public prosecutor has the authority to make an indictment and has the power to carry out prosecutions. The definition of prosecution as referred to in Article 1 point 3 of Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia (the "Prosecutor Law") is the action of the public prosecutor to delegate the case to the competent district court in terms of and according to the method regulated in the Criminal Procedure Code by a request to be examined and decided by a judge in court. In addition, Article 140 paragraph (1) of the Criminal Procedure Code states that: "In the event that the public prosecutor is of the opinion that from the results of the investigation a prosecution can be carried out, he shall immediately prepare an indictment." After the court examination process is completed, then Article 182 paragraph (1) letter a of the Criminal Procedure Code which reads: After the examination is declared complete, the public prosecutor submits a criminal charge."

However, In proving the TPPU, it is not necessary to prove the original crime. How come? The answer is based on Article 69 of the Money Laundering Law, although money laundering is a further criminal act from the original crime where money laundering is an act to hide or disguise the origin of assets originating from the predicate crime, it does not have to be proven beforehand so that the money laundering offense can be proven to be separate crime. However, a judicial review application for this article occurs where the applicant states that it must first be proven the original crime in order to prove that the property is the proceeds of a criminal act. However, based on the Decision of the Constitutional Court Number 77/PUU-XII/2014, the application was rejected with the consideration that if the perpetrator of the original crime dies, it means that the case is void, then the recipient of the money laundering cannot be prosecuted because the original crime must first be proven. A further example of corruption, In-Law Number 30 of 2002 concerning the KPK and Law Number 8 of 2010 concerning the Crime of Money Laundering, there is no provision that authorizes or allows KPK to prosecute perpetrators of a money laundering crime. However, the old law concerning KPK which has been amended to Law Number 19 of 2019 has renewed some points in order to develop KPK and its authorities and responsibility. Sadly, either old ones or new ones, still can't envision certain progress about the Implementation of the position of KPK as an independent institution does not work as in theory proper independent agency.



This still creates an uncertainty law. Article 75 states: "In the event that an investigator finds sufficient preliminary evidence of the occurrence of a crime of money laundering and a predicate crime, the investigator combines the investigation of the predicate crime with the investigation of the criminal act of money laundering and shall notify the PPATK". Based on the stipulation above, KPK can conduct money laundering and predicate crime investigations at the same time or simultaneously, except the prosecution is separate. The KPK Prosecutors are not authorized to prosecute money laundering. This means that the KPK must hand over to the Public Prosecutors Office in order to prosecute the perpetrators of the Crime of Money Laundering itself.



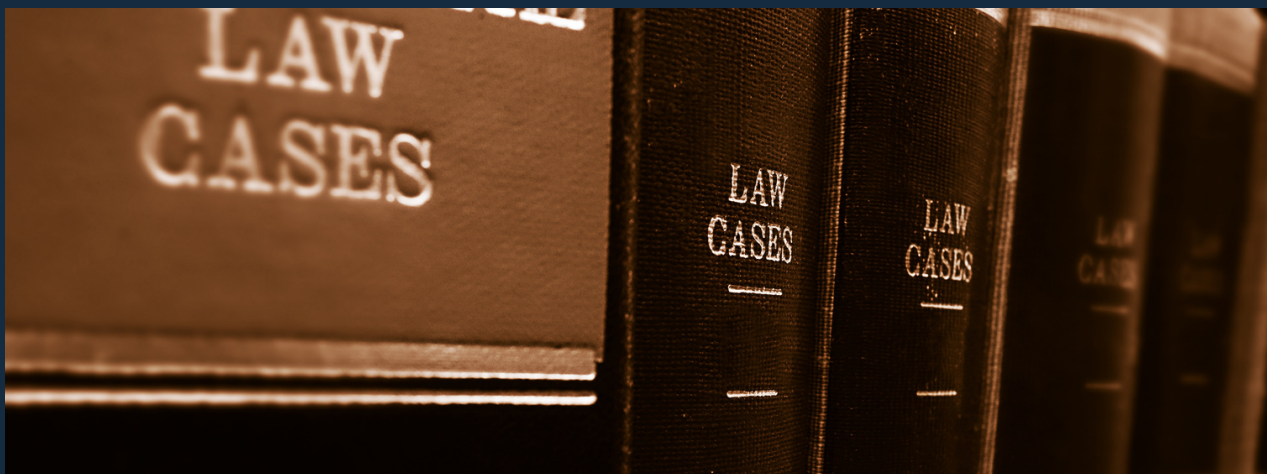
In addition, regarding the form of money laundering crime which was formulated in Article 3, Article 4, and Article 5 of the Law Number 8 of 2010, in particular words "Wealth which they are aware of or moderately suspects is the result of a criminal act", it could be confirmed that part of it was intentional, partially because of negligence. With that being said, the logical consequence is that the article doesn't only require intentional but also intentional negligence. The context "Culpa" that was mentioned, references to real and non-real culpa. Real culpa means the prohibited results that arise due to negligence, while non-real culpa means doing an act in the form of intentional but one of them is Culled. [9]

From the commentary above, it can be mentioned that the provisions of Articles 2, 3, 4, and 5 belong to non-real culpa. However, the problem is that the provisions are contradictory to the explanation of Article 5 (1), which states that "reasonable to suspect" refers to a condition that fulfills at least knowledge, desire, or purpose at the time of the transaction which is known to indicate a violation of the law. Elucidation of Article 5 (1) changes the consequences/results of the error form from negligence to intentional. It comes from the phrase "... a condition that fulfills at least knowledge, desire purpose..." the existence of knowledge and desire is an absolute requirement of intentional and not negligent. [10]

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[9] Eddy O.S Hiariej, Some Critical Notes on Law Number 8 Year 2010 Regarding the Prevention and Eradication of the Crime of Money Laundering, Paper Presented in the Workshop on Recovery of Criminal Assets by the Criminal Law and Criminology Society Indonesia (MAHUPIKI) Center in Collaboration with DKI MAHUPIKI, Jakarta 28-29 August 2014.

[10] Ibid.



Another contradictory problem is a provision in Article 69 which states: "In order to be able to carry out investigations, prosecutions, and examinations in court, courts against money laundering crimes do not have to be proven first the original crime". The provisions of Article 69 result in the absence of legal certainty and can be misused by law enforcement officers because it is clear that Articles 2, 3, 4, and 5 explicitly state that for the Crime of Money Laundering there must be a predicate crime and this must be proven first or at least proven collectively. Of the several cases corruption crime cases, especially those handled by KPK investigations, prosecutions, and judicial investigations are combined with money laundering crimes. The court's ruling has stated that the defendant is proven to have committed a Corruption Crime and Criminal Acts Money Laundering, declaring imprisonment and fines, as well confiscation against property obtained from his crimes.

The last is about the reserve proof as regulated in Articles 77 and 78. Article 77 states that "for the importance of examination in court, the defendant is obliged to prove that the assets wealth is not the result of criminal action". Article 78 states: (1) "During examination in court as referred to in Article 77, The judge ordered the defendant to prove that wealth related to cases not originating in or relating to a criminal act as referred to in Article 2 paragraph (1). (2) "The defendant proves that the assets of wealth related to the case not originating in or related to action crime as referred to in Article 2 paragraph (1) by submitting sufficient evidence". The two articles do not regulate the procedure or at least regulate the consequences of reserve proof. Should it be strictly regulated, what if the defendant can prove that the assets and the wealth could be proved not coming from proceeds of crime. On the other hand, what if the defendant cannot prove the property and the wealth of the related person do not come from crime proceeds. Therefore, it's expected that the origin of wealth will not be tracked or pursued by law enforcement authorities. Various efforts to hide or disguise the origin of wealth gained through this crime is known as Money Laundering. [11]

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[11] Syahdeini Sutan Remi, *The Ins and Outs of Money Laundering and Combating Terrorism*, Graffiti Main Library, Jakarta, 2007, p. 48.

# FORMS OF RESTITUTION FOR VICTIMS OF THE CRIME OF MONEY LAUNDERING

Government Regulation Number 44 of 2008 concerning the Provision of Compensation, Restitution, and Assistance to Witnesses and Victims (hereinafter abbreviated as PP No. 44 of 2008). In the PP it is stated that restitution is compensation given to the victim or his family by the perpetrator or a third party, it can be in the form of returning property, payment of compensation for loss or suffering, or reimbursement of costs for certain actions (Article 1 point 5). [12]



Restitution has a purpose, namely:

1. Compensate for the loss suffered by the victim and to convict the perpetrator.
2. Tracing the losses caused by the crime (perpetrators) serves as an instrument of prevention because it warns potential perpetrators that they will also be held accountable for any losses incurred.
3. Forcing the criminal to admit the loss caused by his actions by ordering him to pay a sum of money to the victim. [13]

The form of restitution for victims of the crime of laundering is in the form of material and immaterial, but more in material use. One of the things that will be discussed is Asset recovery.

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[12] Fauzy Marasabessy, "Restitusi Bagi Korban Tindak Pidana: Sebuah Tawaran Mekanisme Baru", Jurnal Hukum dan Pembangunan Tahun ke-45, No.1 (Januari-Maret, 2015), p. 58.

[13] Susanto, "Penafsiran Asas Manfaat Tentang Asset Recovery Korban Tindak Pidana Pencucian Uang", Jurnal Yudisial, Vol. 13 No. 1 (April, 2020), p. 99.



Asset recovery or return of assets (assets) is very necessary in financial crime, which is generally a white collar crime. Financial crime is a crime committed with the aim of seeking money or wealth, for example corruption, money laundering, drug crimes, and others. The purpose of asset recovery is covering activities of tracing, securing, maintaining, confiscating, and returning assets which also includes the elimination and destruction of assets. To realize good governance, asset recovery must be carried out in an effective, efficient, transparent and accountable manner. That the enforcement of criminal law, in essence, is not only aimed at punishing the perpetrators of criminal acts (crimes/violations) so that they become a deterrent or not repeating their actions, but also aims to recover financially from the losses suffered by the victims as a result of the perpetrators' actions, all of this is in accordance with the *dominus litis* principle. prosecutor's responsibilities. Individual victims of money laundering are entitled to fair compensation for a number of their lost assets for asset recovery. [14]



Asset recovery for victims of money laundering in the form of compensation and/or restitution is something that is considered very useful on the condition that victims of money laundering crimes are considered as aggrieved parties and are entitled to repatriation of funds originating from assets of the crime of laundering. money, this is adjusted to Article 67 paragraph (3) of Law No. 8 Of 2010 on Countermeasure and Eradication of Money Laundering.

Asset Recovery stages can be divided into stages, namely: tracking, freezing or blocking, confiscation, confiscation, and asset recovery. In addition, the pre-confiscation stage in several countries is intended for preparation and analysis carried out prior to confiscation, such as: seeing the priority of the confiscated assets, the method of confiscation, profit and loss, management, other issues, so that when the assets are confiscated, they can be easily managed. and the value remains at maximum when returned for the state.

[14] Susanto, "Penafsiran Asas Manfaat Tentang Asset Recovery Korban Tindak Pidana Pencucian Uang", Jurnal Yudisial, Vol. 13 No. 1 (April, 2020), p. 92-93.



## Tracking

The tracking or asset tracing stage is the first stage, where at this stage the investigator collects and evaluates relevant evidence relating to assets resulting from money laundering crimes hidden by the perpetrators to be identified, counted, and subsequently to be able to Blocking or freezing and confiscation is carried out for recovery of losses due to the actions of the perpetrators of the money laundering crime. In the Academic Manuscript of the Asset Confiscation Bill, tracking or tracing is defined as a series of actions to seek, request, obtain, and analyze information to find out or reveal the origin and whereabouts of assets of criminal acts. Tracking can be started during the investigation process in looking for elements of a criminal act, during the investigation to find the suspect and look for the assets of the asset. In addition, the tracking process can be started even when there are no cases at all. Basically the tracking process is divided into three general stages, namely: planning, implementation and reporting stages.

## Blocking

The next stage is the blocking stage or the freezing stage. It can be said that blocking is an effort to prevent the assets of a criminal offense from being transferred to another person by temporarily freezing the assets of a criminal offense. This stage also authorizes investigators or public prosecutors or judges to block.



Law Number 1 of 2006 provides a definition of blocking as the temporary freezing of assets for the purposes of investigation, prosecution, or examination in court with the aim of preventing them from being transferred or transferred so that certain people or all people do not deal with assets obtained from criminal acts.

The blocking implementation stage can be carried out if from the results of tracking or tracing there are sufficient allegations regarding the origin or existence of the assets of the crime. After that, the investigator or public prosecutor can order the blocking to the authorized institution. In this case, it is like asking the Bank to block the account of the perpetrator of a crime. If the assets to be blocked are located abroad, cooperation between law enforcement officials in Indonesia and the destination country is required. This is needed to make it easier to block and return assets to Indonesia. One of the steps taken to facilitate the handling of these assets is the existence of Mutual Legal Assistance.

Law No. 8 of 2010 on Countermeasure and Eradication of Money Laundering states that it has become the authority of investigators or public prosecutors or judges to order the reporting party to block assets that are known or reasonably suspected to be the result of criminal acts of suspects, defendants and everyone who has been reported by PPATK to investigators



## Foreclosure

Foreclosure According to the Criminal Procedure Code (KUHP), foreclosure is defined as a series of actions by an investigator to take over and or keep under his control movable or immovable, tangible or intangible objects for the purpose of proof in investigation, prosecution and trial.

The Draft Law on Asset Foreclosure also provides the definition of foreclosure as a series of actions by an investigator or public prosecutor to take over and or keep assets of a criminal offense under their control, both for the purpose of evidence in the investigation, prosecution and trial as well as for the purpose of foreclosure of assets.



Foreclosure can only be carried out by investigators with a permit from the chairman of the local district court. As for the exception, if it is in an urgent situation, and the investigator must act immediately and it is not possible to obtain a permit in advance, the investigator may confiscate only movable objects and for this reason must immediately report to the chairman of the local district court to obtain his approval.



## **Confiscation**

The definition of confiscation can be seen in article 2 letter g of UNCAC, namely confiscation which includes the imposition of fines where applicable, means revocation of wealth for good based on court orders or other competent bodies.

According to Indonesian criminal law, the legal concept of confiscation is the expropriation of property belonging to a person who has committed a crime as an additional punishment imposed by a judge together with the main criminal offense as regulated in Article 10 of the Criminal Code (KUHP).

Asset confiscation is defined as a forced effort made by the state to seize the assets of a criminal act based on a court decision without being based on punishment of the perpetrator. The MLA Law also provides the definition of confiscation as a forced effort to take over rights to assets or profits that have been obtained, or may have been obtained by people from criminal acts committed based on court decisions in Indonesia or foreign countries.

The explanatory section of Law No. 8 of 2010 on Countermeasure and Eradication of Money Laundering concerning the Prevention and Eradication of the Crime of Money Laundering explains that in the concept of anti-money laundering, the perpetrators and the proceeds of criminal acts can be identified through investigations for further confiscation of the proceeds of the crime for the state. This proves that in confiscation, objects or rights to objects have been transferred to the state, whereas in confiscation the transfer of objects or rights to objects has not yet fully occurred.



## Return

This stage of return is included in the management of the assets of a crime which includes the activities of storing, securing, maintaining, appraising, transferring, using, utilizing, distributing and utilizing the assets of a crime. If an asset of a criminal offense is located abroad, this stage of return includes the stage of returning the asset. The return of this asset is carried out by the party which is mentioned in the court decision.

The regulation referred to above is the Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2013 concerning Procedures for Settlement of Applications for Handling Assets in the Crime of Money Laundering or Other Crimes. The reason for making this regulation is to fill the legal vacuum in Article 67 of Law No. 8 of 2010 on Countermeasure and Eradication of Money Laundering.

As in the previous discussion, Article 67 of Law No. 8 of 2010 on Countermeasure and Eradication of Money Laundering regulates the procedures for handling asset recovery, precisely in the stage of confiscation of assets that are known and suspected to be the result of a criminal act. However, the article does not stipulate in detail the procedures for implementing the seizure of assets that are known and suspected to be the result of a criminal act.

Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2013 hereinafter referred to as Perma No. 1 of 2013 regulates several important matters related to asset recovery. These include: applications for the handling of assets, the authority of the court to adjudicate, the announcement of applications for the handling of assets, examination of applications for the handling of assets. [15]

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[15] Maggie Regina Imbar, "Peran Jaksa Terhadap Asset Recovery Dalam Tindak Pidana Pencucian Uang", *Lex Crimen*, Vol. IV No. 1 (Januari-Maret, 2015), p. 91-94.

# EXAMPLE OF MONEY LAUNDERING CRIME CASES FROM OUTSIDE OF INDONESIA



Danske Bank

Source: [emerging-europe.com](http://emerging-europe.com)

Denmark is a Nordic kingdom in which there is the largest financial institution called Danske Bank. Danske Bank is considered to have smelled a suspicious transaction at its branch office in Estonia. Through the company's internal investigation, thousands of branch office customers are suspected of committing money laundering crimes. The branch office of Danske Bank, which manages about US\$235 billion belonging to 15 thousand foreign customers in the 2007–2015 period, said that 6,200 of them made suspicious transactions.

This money laundering case occurred because Danske Bank ignored warnings when it wanted to acquire Bank Sampo in 2007 and turned it into a DBE. although Danske had received many warnings about transaction irregularities at the Estonia branch regarding non-resident customers even before the acquisition took place they still ignored these warnings because they believed that this risk had been reduced by Anti-Money Laundering (AML) procedures.





AML

Source: internationalbanker.com

The authorities in Estonia and DBE assured Danske Bank that the AML procedures at DBE were appropriate. However, in 2013 a legal correspondent from Danske Bank found that many DBE customers were blacklisted by RCB.

AML system failure is also the reason for this case. Danske Bank uses a three-layer defense system. The AML system must be implemented in all Danske Bank branches. However, DBE failed to implement it. The first layer, business, does not focus on high-risk customers as evidenced by the discovery of thousands of non-resident customer data that were blacklisted by RCB. The second layer, DBE, does not include details of AML risks in their regular reports to senior management. The last layer, the branch internal audit function, is not fully integrated with Danske Bank's Internal Audit (GIA) department.

In 2012, Danske Bank agreed to pay \$1.92 billion to settle money laundering allegations with US regulators. At that time the relevant authorities said that HSBC allowed the most famous international network drug cartel to 'launder' billions of US dollars. Because of this case, it triggered a wave of anti-money laundering campaigns and reforms around the world, including in the European Union. However, instead of disappearing, similar cases keep popping up after financial institutions in the Netherlands did the same thing.

In the opinion of Money Laundering Expert from Transparency International, Laure Brilliand explained that the main problem with the large number of money laundering cases in Europe is that Europe does not have an organization that prosecutes money laundering crimes. The three main financial regulators in Europe only have two full-time officers working on money laundering prevention and the supervisory bodies at the national level do not always carry out their oversight properly. This is evidenced by the fact that dirty money that enters the banking system in one of the 28 countries in the European Union can be easily transferred. Due to the large number of money laundering cases, the European Commission proposed that stronger rules be made to regulate the work of national inspectors.

# GLOSSARY

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## **Asset Recovery**

Asset recovery is activities such as tracing, securing, maintaining, confiscating, and returning assets which also includes the elimination and destruction of assets of financial crime proceeds.

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## **C-Chase Operation**

C-Chase is a money laundering scheme that involves transferring funds several times to a number of different financial institutions before having them converted into a Certificate of Deposit to serve as a loan guarantee.

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## **Certain Investment Modes**

One of money laundering modes that engaged in the trade of antiques or paintings, with the intention of later fetching a high price from the buyer (who is in reality acting on the agent's instructions).

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## **Certificate of Deposit**

Certificate of Deposit is an investment product issued by a bank as a form of giving an interest rate premium, as well as proof for customers for having kept their deposits within a certain period of time. Certificate of Deposit is an instrument of securities that is usually used in making payments in a transaction.

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## **Chartered Bank**

A chartered bank is any bank that offers relevant financial services and is governed by a charter, which vests them with the power to accept people's money and assets and loan them out to other customers.

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## **Credit Union**

Credit Union is a financial institute engaged in savings and loans owned and managed by its members.

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## **Culpa**

Culpa is a situation when someone who need to be careful in doing an action or should be suspecting an effect from an action but did not do it due to negligence. In this handbook, The context "Culpa" references to real and non-real culpa regarding Article 3, Article 4, and Article 5 of the Law Number 8 of 2010, in particular words "Wealth which them aware of or moderately suspects is the result of a criminal act".

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## **Deposit Taking Mode**

Deposit Taking used to describe financial institution where people can put their money in. In money laundering, perpetrators put their money they usually got from purchasement of government bonds and treasury bills, as well as telex transfers, securities, and foreign exchange.



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## Extortion

Extortion is the crime of obtaining something from someone, especially money, by using force or threats.

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## Fake Identity Mode

Fake Identity Mode is a money laundering scheme also known as money bleaching. Examples of money bleaching are making deposits under fictitious names, hiding the proceeds of criminal activity in safe deposit boxes, using transfer facilities so that funds can be easily transferred to the desired location, using electronic fund transfers to pay off obligations stemming from illegal transactions, and storing or distributing proceeds from illicit transactions in dark transaction ledgers.

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## FATF

Financial crime is a crime committed with the aim of seeking money or wealth, for example corruption, money laundering, drug crimes, and others.

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## Foreign Exchange

Foreign exchange, or forex, is the conversion of one country's currency into another. In a free economy, a country's currency is valued according to the laws of supply and demand. In other words, a currency's value can be pegged to another country's currency.

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## Integration

Integration is an attempt to establish a basis as a "legitimate explanation" for the proceeds of crime.

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## **International Trade Transaction Mode**

Trade-based Money Laundering (TBML) is the process of disguising proceeds of crime and moving value through trade transactions to legitimize their illicit origin or to finance their activities

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## **KPK**

Corruption Eradication Commission (abbreviated KPK) is a government agency established to prevent and fight corruption in Indonesia.

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## **Layering**

Layering is a process of separating the proceeds of a crime from its source, namely related criminal activity through several stages of financial transactions.

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## **Loans**

Loan refers to a type of credit vehicle in which a sum of money is lent to another party in exchange for future repayment of the value or principal amount.

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## **Loan Back**

The loan-back method of money laundering includes cleaning money obtained from illegal activities such as insider trading, extortion, illegal gambling, and drug trafficking so that financial institutions can handle it without suspicion.

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## Mode of Acquisition

One of money laundering modes when acquisition happens, the company's shares can later be resold to third parties for the purpose of making money while maintaining a clean appearance.

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## Modus Operandi

Modus operandi is a special method or technique used by a criminal, in this case the perpetrator of money laundering, to commit a crime.

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## Money Laundering

Money laundering is the act of placing, transferring, diverting, spending, paying, donating, entrusting, bringing abroad, changing forms, exchanging with currency or securities or other actions on assets which are known or reasonably suspected to be the proceeds of criminal acts with the aim of hide or disguise the origin of assets so that they appear to be legal assets.

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## Mortgage

A mortgage is an agreement by which a bank or other creditor lends money at interest in exchange for taking title of the debtor's property, with the condition that the conveyance of title becomes void upon the payment of the debt.



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## Placement

Placement is a phase of placing money resulting from a criminal activity, for example by breaking up large amounts of cash into small, inconspicuous amounts to be placed in the financial system either by using a bank deposit account or used to purchase a number of financial instruments.

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## Phantom Shipping

It occurs when the exporter invoices the buyer for goods that are not sent or in other words, no actual product or service is provided.

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## Restitutions

Restitution is compensation given to the victim or his family by the perpetrator or a third party, it can be in the form of returning property, payment of compensation for loss or suffering, or reimbursement of costs for certain actions.

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## Securities

Securities are fungible and tradable financial instruments used to raise capital in public and private markets.

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## Stock Trading Mode

One of money laundering modes engaging in stock trading where an account will be opened in a location that has very stringent security measures in place, making it difficult to determine who the true beneficial owner of the account is.

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## Treasury Bills

Securities in the form of acknowledgement of indebtedness in rupiah and foreign currency secured by the payments of interest and principal amount by the State of the Republic of Indonesia, according to their validity period, as referred to in the applicable Laws.

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## Trust Company

A trust company is a legal entity that acts as a fiduciary, agent, or trustee on behalf of a person or business for a trust.

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## White Collar Crime

A white-collar crime is a non-violent crime committed by an individual, typically for financial gain

# BIBLIOGRAPHY

## Book

Hariej, Eddy. 2014. Some Critical Notes on Law Number 8 Year 2010 Against Crime Prevention and Eradication Money Laundering, Paper Presented at Asset Recovery Workshop Crime. DKI Jakarta: Central Mahupiki.

Syahdeini, Sutan Remi. 2007. The Ins and Outs of Money Laundering and Combating Terrorism. Jakarta: Graffiti Main Library.

Siahaan, NHC. 2002. Money Laundering Money and Banking Crimes. Jakarta: Sinar Harapan Library.

Subekti. 1987. Law of Evidence. Jakarta: PT. Pradnya Paramita.

N.T.H. Siahaan, Money Laundering and Banking Crime, Jakarta: Jala Publisher, 2008.

Djoko Sarwoko, Criminal Acts of Corruption in the Criminal Justice System in Indonesia, Jakarta: Science Library, 2012

## Constitution

Law Number 20 years 2001 concerning the Eradication of Crime Corruption.

Law Number 15 years 2002 concerning the Crime of Money Laundering.

Law Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 concerning the Crime Eradication Commission Corruption.

Law of the Republic of Indonesia concerning Amendments to Law Number 15 of 2002 concerning the Crime of Money Laundering, Law no. 25 of 2003, LN, No. 108 of 2003.

Article 2 of Law Number 8 years 2010 concerning Prevention and Eradication of Acts Money Laundering.

Article 3 of Law Number 8 years 2010 concerning Prevention and Eradication of Acts Money Laundering.

Article 4 of Law Number 8 years 2010 concerning Prevention and Eradication of Acts Money Laundering.



Article 5 of Law Number 8 years 2010 concerning Prevention and Eradication of Acts Money Laundering.

Article 69 of Law Number 8 years 2010 concerning Prevention and Eradication of Acts Money Laundering.

Article 74 of Law Number 8 years 2010 concerning Prevention and Eradication of Acts Money Laundering.

## Journal

Todd Hataley, (2020), Trade-based Money Laundering: Organized Crime, Learning and International Trade, *Journal of Money Laundering Control*, Vol. 3.

Prof. Dr. H. Joni Emirzon, SH., M.Hum., FCBarb, (2017), Bentuk Raktik dan Modus Tindak Pidana Pencucian Uang, [https://jurnal.kpk.go.id/Dokumen/SEMINAR\\_ROADSHOW/Bentuk-praktik-dan-modus-tpu-Joni-Emirzon.pdf](https://jurnal.kpk.go.id/Dokumen/SEMINAR_ROADSHOW/Bentuk-praktik-dan-modus-tpu-Joni-Emirzon.pdf) accessed 21 May 2022.

Wibowo, M. H. (2018). Corporate Responsibility in Money Laundering Crime (Perspective Criminal Law Policy in Crime of Corruption in Indonesia). *Journal of Indonesian Legal Studies*, 3(2), 213.

Setiadi, W., & Harefa, B. (2019). The principle of reversal burden of proof in act of money laundering in Indonesia. *International Journal of Innovation, Creativity and Change*, 9(7), 197-209.

AL MARSYAH DAN, M. U. H. A. M. M. A. D., & YUSTIA, R. H. D. A. (2014). PERTANGGUNGJAWABAN PIDANA PELAKU PASIF DALAM TPPU DIHUBUNGKAN DENGAN UU Number 8 TAHUN 2010 TENTANG PENCEGAHAN DAN PEMBERANTASAN TINDAK PIDANA PENCUCIAN UANG.

Hutagalung, D. (2017). *Penerapan Pasal 5 Undang-Undang Nomor 8 Tahun 2010 Tentang Pencegahan Dan Pemberantasan Tindak Pidana Pencucian Uang Terkait Pertanggungjawaban Pidana Terhadap Pelaku Pasif (Studi Kejaksaan Tinggi Jawa Timur)* (Doctoral dissertation, Universitas Brawijaya).

Sabatini, S. (2012). Implementasi Undang-Undang Tindak Pidana Pencucian Uang (TPPU) Di Indonesia (Suatu Gambaran Tentang Pengetahuan dan Aplikasi Aparat Penyidik Penuntut Umum dan PPATK). *Jurnal Kriminologi Indonesia*, 6(3).

Marasabessy Fauzy. 2015. Restitusi Bagi Korban Tindak Pidana: Sebuah Tawaran Mekanisme Baru. Jurnal Hukum dan Pembangunan Tahun ke-45, Number1.

Susanto. 2020. Penafsiran Asas Manfaat Tentang Asset Recovery Korban Tindak Pidana Pencucian Uang. Jurnal Yudisial, Vol. 13 Number 1.

Imbar Maggie Regina. 2015. Peran Jaksa Terhadap Asset Recovery Dalam Tindak Pidana Pencucian Uang. Lex Crimen, Vol. IV Number 1.

Morris-Cotterill, Nigel (1999). "A brief history of money laundering"

"History of Anti-Money Laundering Laws". United States Department of the Treasury.

Lawrence M. Salinger, Encyclopedia of white-collar & corporate crime: A – I, Volume 1, page 78

Kurniawati, Endri. "KPPU: Kami Temukan Indikasi Korupsi E-KTP Lebih Dulu dari KPK". Tempo. Accessed 2022-05-21

## Dictionary

Thomas Reuters, Black's Law Dictionary, (2010), Ninth Edition.

## Link Website

<https://pocketsense.com/difference-chartered-bank-commercial-bank-7926001.html>

<https://www.investopedia.com/ask/answers/08/what-is-foreign-exchange.asp>

<https://www.investopedia.com/terms/l/loan.asp>

<https://www.investopedia.com/terms/s/security.asp>

<https://www.investopedia.com/terms/t/trustcompany.asp>

<https://www.investopedia.com/terms/m/moneylaundering.asp>

<https://indiaforensic.com/certifications/origin-of-money-laundering/>



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