



TRANSPARENCY  
INTERNATIONAL  
Indonesia  
the global coalition against corruption

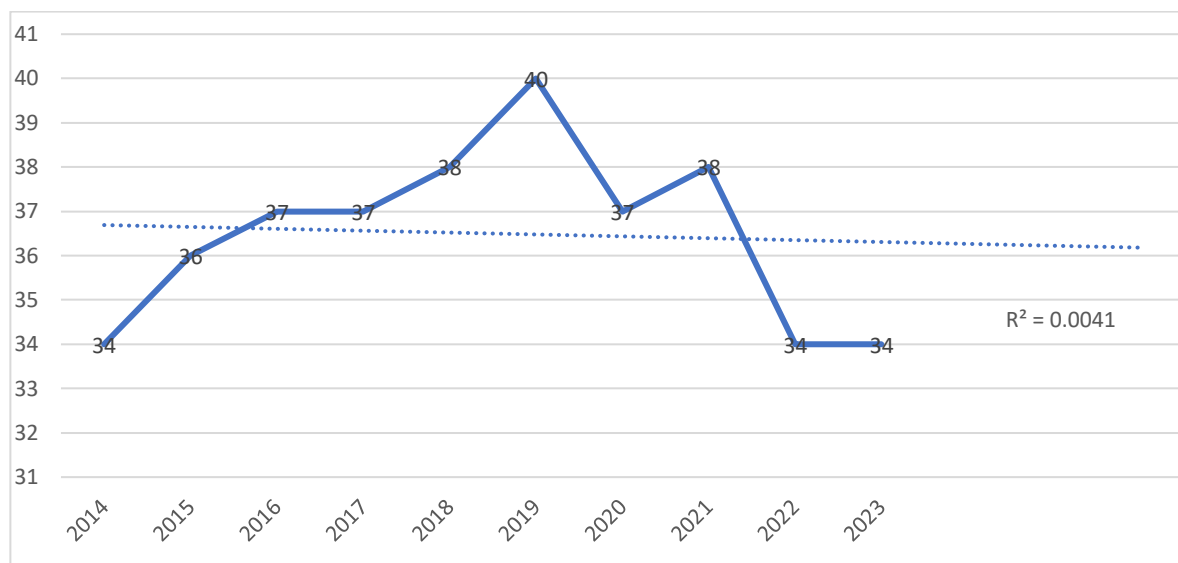
# REFLECTION ON ANTI-CORRUPTION COMMITMENT OF 2024 PRESIDENTIAL CANDIDATES



# A. Situation Context

The 2023 *Corruption Perception Index* (CPI) score reaffirms that the problem of political corruption is still deeply rooted in Indonesia's democratic system. This affects economic growth and the fulfillment of citizens' welfare rights. At that time Indonesia's CPI scored 34/100, and in the same year President Joko Widodo was elected for the first time through the 2014 election. For almost 10 years President Joko Widodo has ruled, Indonesia's CPI score in 2023 is back at 34/100.

**Table 1. Indonesia CPI Trends 2014-2023**



The 2023 CPI provides a context not much different from the 2014 CPI, where political sector corruption is back at square one. Various achievements in the first half of President Joko Widodo's term were negated by the decline in CPI scores in the second half of his administration. A number of corruption cases involving politicians, public officials and business actors are increasingly rife. Even the smell of political corruption in the form of violations of ethical values bursts at the end of 2023.

At the same time, strong conflicts of interest among perpetrators of corruption further demonstrate the weakness of corruption prevention systems in the public sector. The complexity of eradicating corruption in Indonesia is further complicated when corrupt practices also occur in law enforcement agencies.

Ahead of the two-decade anniversary of the United *Nations Convention against Corruption* (UNCAC) on October 31, Indonesia's anti-corruption agenda is increasingly worrying. The 2023 GPA score repeats history by experiencing the worst decline since 1997 or almost twenty years after the start of the UNCAC regime in Indonesia.

This decline in score certainly cannot erase public anxiety even though Indonesia has just been accepted as a permanent member of the FATF. Even in battered conditions in the eradication of corruption, Indonesia tried to align itself with other G20 countries, by participating in registering as part of the Organization *for Economic Cooperation and Development* (OECD). Indonesia's achievement in the highest CPI score in history of 40/100 in 2019 seems to remain a heavy expectation.

Instead of progressing, Indonesia's score dropped four points in 2022 to 34 and then stagnated in 2023. This decline is one of the steepest in the Asian region. In terms of ranking, Indonesia is currently down five places from the previous position of 110 to 115 in 2023. Currently, Indonesia is on the brink of being 1/3 of the most corrupt countries in the world and far below a number of neighboring countries such as Singapore, Malaysia, Timor-Leste, Vietnam and Thailand—a heartbreaking truth for the leader of the *G20 Presidency 2022* baton and *the ASEAN Chairmanship 2023*.

This collapse was further accelerated by the proliferation of influence trading in the political system and bureaucracy. At the same time, surveillance instruments in general have also been dysfunctional due to widespread executive discretion. The weak function of balancing power in Indonesia's democratic system has also become more complete when the attack on the independence of judges in even the phenomenon of the "*Mahkamah Keluarga*" or "Family Court".

These dangerous signs have been consciously breached and have the potential to continue to erode the basic rights of citizens ahead of the 2024 electoral process. Today it seems natural to see public officials who have several robes at once: rulers and businessmen, political parties with a sense of family, overlapping positions, or even members of the military who enter civilian positions. Unfortunately, the regulation of conflict of interest risk is completely absent to date.

The shifting political pendulum of corruption eradication law is also a contribution to the contribution of corruption prevention policies. The implementation of Presidential

Regulation Number 54 of 2018 concerning the National Strategy for Corruption Prevention approximately four years ago, in fact, did not contribute to boosting the Corruption Perception Index score. This policy seems to be "negotiating" and tends to avoid deep-rooted problems that actually have a major impact on corruption in Indonesia, namely political corruption.

This red report card for combating corruption is also the fruit of the "legal disaster" that occurred in recent years. How repeatedly the public is shown the practice of abuse of power that seems to use legitimate legal instruments, such as legislative weakening, weakening civil society, and weakening law enforcement agencies (revision of the KPK Law, revision of the Constitutional Court Law, Judgeship Bill). These moves have in fact clearly violated constitutional morality and democratic principles through the veil of *state-capture corruption*.

Towards the end of President Joko Widodo's term, the practice of legal autocracy is increasingly evident in a number of processes of making laws and government policies. This is illustrated in the Government Regulation in Lieu of Law on Job Creation which was declared unconstitutional last year, or the revision of the Criminal Code Law which lacks accountability and the public participation process fails to provide meaning. This severe situation is reinforced by the rules of elections that are played according to the taste of the ruler.

Law enforcement institutions, ranging from the Police, Prosecutors, Courts to Prisons, do not tire of showing the integrity and moral crisis that surrounds their respective institutions. The court proceedings also show the nadir of the criminal disparity complemented by the rampant discount of corruption convictions. The most recent situation, the integrity of the court's last bastion, the Supreme Court, was also tarnished by an alleged bribery case involving two Supreme Court Justices and several of their employees, as well as the appointment of the controversial former head of the Corruption Eradication Commission (KPK), Firli Bahuri, on suspicion of being a suspect in the alleged extortion case of former Agriculture Minister Syahrul Yasin Limpo (SYL).

The current political corruption is not only a problem that arises related to the electoral political process, but far from it has also penetrated into other strategic sectors; such as the economy and investment to the natural resources sector which is still a support for political funding. The practices of deregulation and debureaucratization as the

panacea legacy of global financial institutions are not panaceas that can cure the acute disease of corruption.

The practice of recentralization is a new norm that has also occurred in the past decade. Blaming costly and corrupt decentralization practices and trying to pull back some strategic authority to the Central Government only restores the locus of corruption from the Regional Government to the Central Government, and not solving the root cause of acute political corruption.

## **B. Portrait of Anti-Corruption Commitment of Presidential Candidates**

Referring to the vision and mission statements of presidential candidates and vice presidents in public spaces, in general, the commitment to eradicate corruption from the three still tends to be normative and does not touch much on the root of the problem, namely political corruption.

However, from the document, it can be seen that there are signals of commitment from the candidate pairs, at least from the diction of *corruption* and the *KPK*. The Prabowo-Gibran recorded the most mentions of the word *corruption*, namely 19 times, while the word *KPK* mentioned 3 times. Not much different, recorded from the vision and mission document of the Anies-Muhaimin which was recorded to mention the word *corruption* 16 times and the word *KPK* 1 time. While the Ganjar-Mahfud used the word *corruption* in 6 times and 1 time for *KPK*.

Transparency International Indonesia believes that the vision and mission of eradicating corruption should not be just rhetoric for electoral interests alone. Referring to Indonesia's Corruption Perception Index (CPI), political corruption is still the root of the problem that is answered systemically and comprehensively, especially political party governance issues to campaign finance issues. The political funding sector has been specifically ignored, even though political funding is the entry point that determines the extent to which policies can bring the maximum benefit to the public.

In addition, in almost two terms of President Jokowi's administration, there have been "legal disasters" that have resulted from rampant conflicts of interest. Unfortunately, candidates do not seem serious about the issue of conflicts of interest, as well as how candidates guarantee to the public that campaign funding from donors will not hold candidates hostage later when elected (for example in determining cabinet ranks or in policy making).

No less important context is the corruption prevention agenda which is predicted by the Government as a remedy for corruption problems such as through deregulation, debureaucratization and digitalization, in fact deadlocked and even more perpetuating corruption, especially because currently the KPK is at its nadir due to the "independence disaster". Unfortunately, only chapters 1 and 3 said they would restore the independence of the KPK, although it is also unclear how to take concrete steps.

The commitment to strengthen the KPK institution, for example, is stated in the vision and mission document of the Anies-Muhaimin. The document stated they will restore the role of the KPK that is independent, not selective, and strengthens synergy with other law enforcement officials. Meanwhile, presidential candidate Prabowo-Gibran is also determined to lead efforts to eradicate corruption in earnest. Prabowo views corruption as damaging the life of the nation and state. According to him, failed countries are largely due to the inability to control, mitigate, or eliminate corruption. He said that many corrupt practices occurred in the natural resources sector which greatly disrupted the survival of the nation.

The institutional approach also appears to be mentioned by Prabowo-Gibran in his vision and mission document. Among others, strengthening the KPK, police, prosecutors, and judiciary and making the KPK as a center of excellence for combating corruption that is preventive through direct education to the primary, secondary and higher education sectors.

Furthermore, the Ganjar-Mahfud stated that they wanted to restore the independence of the KPK. Ganjar said, institutional strengthening can be through coordination with existing institutions. He wants to restore the independence of the KPK, which has full investigative authority. According to him, maintaining the independence and integrity of the KPK is important so that no one intervenes.

**Table 2. Anti-Corruption Vision-Mission Comparison of 2024 President-Vice Presidential Candidate Pairs**

<b>01 Anies-Muhaimin</b>	<b>02 Prabowo-Gibran</b>	<b>03 Ganjar-Mahfud</b>
<ul style="list-style-type: none"> <li>• Improvement of Indonesia's Corruption Perception Index score, from 34 (2022) to 44-46 (2029)</li> <li>• Strengthening corruption prevention through the National Integrity System</li> <li>• Strengthening corruption prevention and eradication in all sectors including strategic sectors, such as defense equipment, social programs, infrastructure, SOEs, state revenue sectors (taxes, excise and UN), natural resources and food, basic services, to illegal businesses (gambling and drugs)</li> <li>• Improving accountability mechanisms within the police, there is transparency over</li> </ul>	<ul style="list-style-type: none"> <li>• Corruption eradication is balanced between prevention and enforcement</li> <li>• Regulate the political funding and financing system</li> <li>• Establish the KPK as a <i>center of excellence</i> for preventive corruption eradication through direct education to the primary, secondary and higher education sectors</li> <li>• Guarantee not to intervene in the KPK</li> <li>• Strengthening anti-corruption education programs for young people</li> <li>• Give priority to eradicating corruption in sectors related to the livelihood of banvak people. such as agriculture. rural, fisheries, education, health, forestry, natural resources, and labor.</li> <li>• Building corruption control in the National Logistics System</li> </ul>	<ul style="list-style-type: none"> <li>• Accelerate information technology support and strengthen the KPK together with Kejaksaan (Attorney General Office) and Polri (Police) in a synergistic and harmonious manner</li> <li>• Impoverishing the corrupt and assets confiscated for the state through the passage of the Asset Forfeiture Bill</li> <li>• Increase financial assistance for political parties up to Rp 1 trillion from the state budget to maximize the work of political parties, followed by the obligation to be transparent and accountable in their management, and audited by BPK.</li> </ul>



<p>everything that is done from activities at the lowest level to the very top level. There must be professional development &amp; competence in the police force. Police institutions should be an example in the implementation of law enforcement. Problematic police members, who break the law, should be subjects for questioning. Public involvement in police surveillance, with Ombudsman and Kompolnas may have better access to surveillance.</p> <ul style="list-style-type: none"> <li>• Restoring the role of the KPK that is independent, non-selective, and strengthening synergy with other law enforcement officials.</li> <li>• Encourage the passage of the Asset Forfeiture Bill as a real impoverishment effort for corruptors.</li> </ul>	<ul style="list-style-type: none"> <li>• Systemic and realistic improvements by way of salary increases of inf officials</li> </ul>	<ul style="list-style-type: none"> <li>• Imprisoning corruptors in Nusakambangan, Cilacap, Central Java.</li> <li>• The importance of exemplary leaders and officials who must demonstrate simple living and promote integrity, as well as the enforcement of a code of ethics,</li> <li>• Meritocracy in the bureaucracy also needs to be ensured so that the practice of buying and selling positions that have been massive in the government can be prevented.</li> <li>• <i>Gaspol</i>: Double budget, Brush KKN, Polish bureaucracy with digitization</li> <li>• Follow up on the recommendations of the Law Reform Acceleration Team in relation to police reform.</li> </ul>
--	---	--

<ul style="list-style-type: none"> <li>• A meritocratic government filled with competent people</li> <li>• Proper respect for whistleblowers and corrupt hunters</li> <li>• Encourage criminalization <i>of illicit enrichment and trading in influence</i></li> <li>• Optimization of existing LHKPN if not implemented, demotion and repositioning will occur.</li> <li>• Pushing for the enactment of the Political Funding Bill</li> <li>• Facilitating civil society in the field of corruption eradication and prevention, and placing it as a strategic partner of the government in realizing a clean country.</li> <li>• Incorporate anti-corruption culture in the national education curriculum.</li> </ul>		<ul style="list-style-type: none"> <li>• Financial system digitalization (cash transactions, e budgeting and e planning) and budget transparency</li> <li>• LHKPN Strengthening</li> <li>• Strengthening <i>the Whistle-blowing System</i> (WBS) and whistleblower protection regulations</li> <li>• Minimize concurrent positions</li> </ul>
--	--	---

In addition to institutional issues, handling and enforcement issues are also important in strengthening efforts to eradicate corruption. Efforts to create a deterrent effect on perpetrators of corruption by punishing impoverishing the corrupt also arise from documents or statements of vice presidential candidates.

In their vision and mission document, the Anies-Muhaimin couple wrote their program to encourage the passage of the Asset Forfeiture Bill as a real impoverishment effort for corruptors. The same thing was also conveyed by Anies on a number of occasions, including an event at the PAKU Integritas held by the KPK (17/1).

The issue of the Asset Forfeiture Bill is not contained in the vision and mission document of the Prabowo-Gibran couple. In the first debate of the presidential candidate and the delivery of the vision and mission at the forum held by the KPK, this issue was also not raised in detail by Prabowo. Prabowo emphasized strengthening the KPK and other law enforcement officials because corruption is a form of betrayal of the nation.

Although the issue of the Asset Forfeiture Bill is not detailed in Ganjar-Mahfud's vision and mission document, this issue was conveyed by Ganjar in the first presidential debate in December 2023. Ganjar Pranowo, who received questions from the panelists about how to create a deterrent effect on corruption and at the same time save state assets, said what must be done is to impoverish the corrupt and have their assets confiscated for the state. For this reason, according to Ganjar, the Asset Forfeiture Bill must be passed immediately. Not only that, efforts to impoverish perpetrators of corruption must also give birth to a deterrent effect. If elected president, Ganjar revealed his plan to imprison corruptors in Nusakambangan, Cilacap, Central Java.

Meanwhile, the commitment of the vice presidential candidates in the vision-mission related to the economy and investment and natural resources is still limited to technical matters. It has not touched at all related to the disclosure and regulation of *politico-businesses* that are very vulnerable to corruption. This means that the vision of a business free from corruption has not been fully realized by the candidates.

## C. Analysis and Recommendations

Looking back at the anti-corruption vision and mission document followed by analyzing a number of candidates' statements and ideas in various public forums, Transparency International Indonesia prioritizes 7 commitments that should be fulfilled as a condition to re-increase the anti-corruption agenda in Indonesia.

These priority commitments includes:

- 1. Determine GPA score targets during future leadership terms and provide a measurable roadmap to eradicate corruption.**
- 2. Eradicating political corruption as the main agenda in combating corruption;**
- 3. Acceleration and implementation of merit systems and bureaucratic reforms and regulation of conflicts of interest in various sectors;**
- 4. Develop anti-corruption legislation priorities, such as commitment to asset seizure and renewal of corruption crimes, such as containing influence trading and conflicts of interest, regulation of corruption in the private sector, and corruption that occurs abroad and involves foreign officials;**
- 5. Prevent corruption in strategic sectors, including infrastructure, public procurement, natural resources, both mining and forests.**
- 6. Promote public participation;**
- 7. Independent law enforcement and KPK institutional officials;**

This commitment item is a joint guide for the Government, legislative bodies, judicial institutions, the business world, higher education institutions and civil society organizations in building synergy and collaboration in eradicating corruption that is far more targeted, effective and has a real impact on the wider community.

Transparency International Indonesia considers that, in the short term, the next President-elect has a precarious homework not to intervene in law enforcement and restore the independence of the KPK if it is serious about eradicating corruption. In

order for the eradication of corruption to be effective again, the KPK absolutely must be restored as an independent state institution by being excluded from the executive power cluster so that any power cannot intervene. One of them is breaking away from dependence to fill the position of investigator from the police institution and reprioritizing the trigger mechanism function to other law enforcement agencies, namely the police and prosecutors.

The second step, the President-elect must focus on formulating concrete policy steps in eradicating corruption in the political sector in a participatory and open manner. The practice of political corruption is upstream of various democratization problems that we are currently witnessing, including the rampant conflict of interest. This means that the President needs to answer systemically and comprehensively the issue of political funding reform and improvement of political party governance.

**Table 3. TI Indonesia's Position of Anti-Corruption Vision-Mission of 2024 President-Vice Presidential Candidate Pair**

<b>Anti-Corruption Commitment</b>	<b>01 Anies-Muhaimin</b>	<b>02 Prabowo-Gibran</b>	<b>03 Ganjar-Mahfud</b>
1. Target score of Corruption Perception Index (2024-2029)	Improvement of Indonesia's Corruption Perception Index score, from 34 (2022) to 44-46 (2029)		
<p><b>TII: The increase in GPA scores in the last 20 years is less than 1 point per year or an average of 0.7 per year. Indonesia's highest GPA score was recorded at 40 (2019). During the administration of President Joko Widodo, Indonesia received a score of 34 in 2014 and again obtained the same score in 2022 and 2023, a situation that indicates stagnation and lack of seriousness of the government in the agenda to eradicate corruption. In order to raise Indonesia's GPA score, a number of main requirements are needed, especially the return of the President as anti-corruption commander, followed by the need to build a corruption eradication paradigm that prioritizes the eradication of corruption in the political sector and law enforcement, focusing on prosecuting corruption cases that are strengthened by prevention and education, and the independence of law enforcement agencies.</b></p>			
2. Eradicate political corruption	Encourage the passage of the Political Funding Bill in order to improve political party governance which includes aspects of financing, party	Regulate political funding and financing systems that ensure independence, transparency, prevent corruption, and maintain	<ul style="list-style-type: none"> <li>Facilitate consultations between the government and civil society, and restore political party circumcision as a tool of</li> </ul>

	management and participation in elections, presidential elections, and regional elections	the sustainability of democracy	democracy by increasing state funding for political parties. <ul style="list-style-type: none"><li>• Increase financial assistance for political parties up to Rp 1 trillion from the state budget to maximize the work of political parties, followed by the obligation to be transparent and accountable in their management, and audited by BPK.</li></ul>
--	---	---------------------------------	---

TII: In order to restore the circumcision of political parties as a tool of democracy, independence from the aspect of political party funding is one of the most important. However, another aspect that is no less important is the implementation of democratic mechanisms within political parties. This concerns the circulation of political party leadership, the feeding of strategic policy making, the meritocracy of candidacy for public office, and so on.

Setting up an ideal political funding and financing system requires a clear roadmap. This at least starts from mapping the strategies that may be chosen/combined, namely by reducing political costs (limiting campaign spending, simplifying the requirements for the establishment of political parties, etc.) and/or by opening funding opportunities (such as increasing funding assistance from the state for political parties).

Increasing state funding assistance for political parties should be a means of strengthening the overall transparency and financial accountability mechanism of political parties. The partial realization of the principles of transparency and financial accountability so far (only regarding financial assistance from the state) must not occur again so that increased funding assistance from the state is truly able to generate independence.

<p>3. Acceleration of bureaucratic reform and prevention of conflicts of interest</p>	<ul style="list-style-type: none"> <li>• A meritocratic government filled with competent people</li> <li>• Optimization of existing LHKPN if not implemented, demotion</li> </ul>	<p>Systemic and realistic improvements by way of official salary increases</p>	<ul style="list-style-type: none"> <li>• The importance of exemplary leaders and officials who must demonstrate simple living and promote integrity, as well as the enforcement of ethics</li> </ul>
---	---	--	--



	and repositioning will occur.		<ul style="list-style-type: none"><li>• Meritocracy in the bureaucracy also needs to be ensured so that the practice of buying and selling positions that have been massive in the government can be prevented.</li><li>• <i>Gaspol</i>: Double budgets, brush KKN, and polish bureaucracy with digitization</li><li>• Minimize concurrent positions</li><li>• Financial system digitalization (cash transactions, e-budgeting and e-planning) as well as budget transparency</li><li>• LHKPN instrument reinforcement</li></ul>
--	-------------------------------	--	--

TII: At the international level, the United Nations Convention Against Corruption (UNCAC) also recommends that countries properly manage *conflicts of interest* (COI) as a corruption prevention strategy. Under current conditions, there are still significant gaps in the field of handling conflicts of interest, caused by gaps in the legal framework and implementation of laws and policies.

From the perspective of the legal framework, at the statutory level, as in other countries, existing legislation has helped to manage and prohibit conflicts of interest, with the existence of its criminal and administrative sanctions regime. The legislation has been detailed in several Circulars and Regulations of the Ministry of PAN-RB, in order to manage conflicts of interest.

However, there are still gaps in the regulatory framework, when compared to international practices, such as *revolving doors* or shifting one's position from public office to his new job in the private sector or to non-governmental organizations and *cooling off periods* or waiting periods for transfer of public office to other positions. In addition, there is still no regulation that expressly and clearly provides sanctions and also accompanying administrative sanctions) if a public official fails to comply with the obligation to declare a conflict of interest. Therefore, it is important that regulation around conflicts of interest should be a priority in the country.

<p>4. Priorities of anti-corruption legislation and commitment to follow up on UNCAC (UN Convention Against Corruption) recommendations</p>	<ul style="list-style-type: none"> <li>• Encourage criminalization of <i>illicit enrichment</i> and <i>trading in influence</i> which is expected to become the mainstream of corruption eradication</li> <li>• Encourage the passage of the Asset Forfeiture Bill as</li> </ul>		<p>Impoverishing the corrupt and assets confiscated for the state through the passage of the Asset Forfeiture Bill</p>
---	--	--	--

	a real impoverishment effort for corruptors.		
<p>TII: Until recently, the promulgation of the Asset Forfeiture Bill has been hampered because the majority of political parties have not shown firm political commitment. In addition, the deterrent effect for corruptors is also highly dependent on the decisions made by the court. In fact, so far the trend of court rulings tends to punish below the maximum sentence.</p> <p>There are three simultaneous efforts that are urgently needed including:</p> <ol style="list-style-type: none"> <li>1. At the regulatory level, it is now very important that there are special provisions that can rob wealth due to <i>illicit enrichment</i>, one of which can be answered by the presence of the Asset Forfeiture Bill. This is because the current use of the Money Laundering Law and the Fraud Law still holds complexities in the evidentiary process, such as having to prove efforts to hide the origin of wealth. In addition, for reporting purposes (LHKPN, Tax Report and PPATK), a revision of Law Number 28 of 1999 concerning Clean Government Implementation from KKN is needed. As long as the criminalization of <i>illicit enrichment</i> is not regulated, it is difficult to expect LHKPN to be effective, even if there is an unreasonable increase in state administrator assets.</li> <li>2. At the level of government organizations, it is necessary to strengthen detection led by the Inspector General and supported by the KPK/Attorney General's Office, PPATK, and BPK/BKPK. It is necessary to build a serious audit system mechanism and profile analysis of tax officials and employees within the government.</li> <li>3. The State Administrator's Property Report Instrument (LHKPN) needs to be improved in order to ensure that the income of public officials is monitored regularly and given before holding public office, while in office and after taking office. This instrument needs to be placed not only as an instrument of declaration, but also the entrance to the investigation of the</li> </ol>			

case. This development includes integrating it with the Corporate Beneficial Ownership Transparency instrument at the Ministry of Law and Human Rights.

In terms of fulfilling global commitments, the Government of Indonesia is also considered not serious in fulfilling global commitments such as UNCAC. Of the 32 recommendations from the results of the first round of UNCAC review, Indonesia has only completed about 8 recommendations while from the 21 recommendations from the second round of review, Indonesia has only completed about 13 recommendations. The KPK identified 6 priority issues that need to be resolved from the recommendations of the UNCAC Review Rounds I and II of Indonesia, including the following: Completion of the Revision of the Corruption Law (Tipikor); Increasing Public Sector Transparency and Integrity and Strengthening the Implementation of Bureaucratic Reform; Increased Private Sector Transparency and Integrity; Completion of the Revision of the Mutual Legal Assistance in Criminal Matters (MLA) Act; Strengthening the Independence and Institution of Anti-Corruption Institutions; and Completion of the Asset Forfeiture Bill.

<p>5. Prevention of corruption in strategic sectors</p>	<ul style="list-style-type: none"> <li>• Strengthening corruption prevention and eradication in all sectors including strategic sectors, such as defense equipment, social programs, infrastructure, SOEs, state revenue sectors (taxes, excise and UN), natural resources and food, basic services, to</li> </ul>	<ul style="list-style-type: none"> <li>• Give priority to eradicating corruption in sectors related to the livelihood of banvak people. such as agriculture. rural, fisheries, education, health, forestry, natural resources, and labor.</li> </ul>	<p>Accelerate information technology support and strengthen the KPK together with Keaksan and Polri in a synergistic and harmonious manner</p>
---	--	--	--

	<p>illegal businesses (gambling and drugs)</p> <ul style="list-style-type: none"> <li>• Developing good SOE governance by prioritizing the principles of transparency, and meritocracy, especially including in employee and leadership recruitment, as well as requiring SOEs to implement governance with integrity and spreading the spirit of anti-corruption to their supply chains</li> <li>• Strengthening corruption prevention through the National Integrity System</li> <li>• Incorporating anti-corruption culture in the</li> </ul>	<ul style="list-style-type: none"> <li>• Establish the KPK as a <i>center of excellence</i> for preventive corruption eradication through direct education to the primary, secondary and higher education sectors</li> <li>• Building corruption control in the National Logistics System</li> <li>• Expand and strengthen the use of e-catalogue and e-procurement in government and SOEs</li> <li>• Strengthening the management of SOEs that are professional and have integrity and</li> </ul>	
--	--	--	--

	national curriculum	education	are free from practical political interests.	
--	---------------------	-----------	--	--

TII:

Infrastructure

The United Nations Conventions Against Corruption (UNCAC) continue to encourage States parties to develop anti-corruption strategies that can effectively prevent corruption (Articles 5 and 12) by harnessing the collective power of individuals and groups, especially civil society, to prevent and raise public awareness about corruption (Article 13), particularly in the procurement and infrastructure sectors (Article 9). Over the years, Indonesia has sought to build such multistakeholder collaboration in order to promote integrity in the public and private sectors.

However, the fundamental findings of the Corruption Risk Assessment Study in the Infrastructure Sector (ICRAT) illustrate that most government infrastructure projects monitored violate *legal quality decision making*. The implication is that these projects could potentially be classified as "*white elephant* projects", where the projects built appear grandiose, despite their high cost and deficit of social benefits. A number of projects analyzed all failed to meet aspects of *lawfulness*, effectiveness, efficiency, and social legitimacy in decision making. It is clear that the development of these projects tends to ignore critical records based on scientific studies, do not provide sufficient opportunities for affected parties to be heard, and do not carefully consider the facts and interests of stakeholders, both in the present and future contexts.

In addition, all infrastructure work projects monitored have not been able to fulfill the mandate of the Public Information Disclosure Law No. 14 of 2008. In fact, for work that is not carried out by public bodies, almost no information is provided either in proactive or reactive form through official channels from the project implementers. Even though the mandate of this regulation expressly requests that Public Bodies provide, provide and/or publish public information other than excluded information in accordance with the provisions.

Another thing that is no less important related to the procurement of public goods and services, we consider that digitalization of public procurement has not completely reduced corrupt practices in the public procurement sector. The high number of procurement corruption cases confirms that procurement system reform is not enough with digitalization. However, a regulation is needed that is able to answer the problem of procurement corruption such as preventing conflicts of interest in the public procurement sector, integrating national procurement data by providing a procurement system that is able to detect early procurement corruption practices and ensure the Provider Performance Information System (ATTITUDE) is integrated with Beneficial Ownership (BO) data, as well as ensuring the procurement planning process and the procurement process of public goods and services are more responsive to mainstreaming gender, disability and social inclusion (GEDSI).

Therefore, this study recommends that all stakeholders consistently and continuously make efforts to improve the investment climate broadly, improve the quality of real coordination in the politics of infrastructure project planning, continue further institutional and regulatory reforms, and increase transparency of public information in state institutions in the infrastructure sector. The various problems above seem to be intertwined with President Joko Widodo's high desire to execute infrastructure projects quickly. If it continues not to be based on a decision-making process that heeds the concept of legal *quality decision making* and lacks openness, Jokowi-era infrastructure will be remembered as a high-cost development, with low social benefits, and even a long-term economic, social, and ecological burden.

## Mining Governance

Another fundamental finding in the context of mining conducted by TI Indonesia related to Corruption Risk Assessment, Licensing & Supervision of Mining Business in Indonesia states that policy changes in the mining sector through Law Number 3 of 2020 and the passing of the Omnibus Law through Law Number 11 of 2020 concerning Job Creation which offers ease of licensing through centralized licensing actually narrow the space for accountability and weaken aspects of integrity. This is because policy changes are not followed by the establishment of specific implementing regulations to determine procedures for issuing company permits, potentially exacerbating the risk of corruption.

The absence of derivative rules also causes supervision to not run well, the lack of supervision after the Job Creation Law is also followed by weakening public participation in policy making. Normatively, there is almost no room for the public to express objections to, for example, mining policies published by the center. The crime of 'obstructing the mining business' stipulated in Article 169 of the 2009 Mining Law and maintained in the 2020 Mining Law has repeatedly become a rubber article aimed at criminalizing attempts to reject mines. The provision of a complaint channel or portal to facilitate public objections is crucial to build public accountability.

In addition, shifting the authority to issue permits to the center does not necessarily solve the conflict of interest issue. The close relationship between governments, politicians and mining industry businessmen – sometimes even overlapped, does not only occur at the local political level. This can be seen from the corruption cases that have been revealed lately and the economic profile of the mining business. The high dependence of business actors on government regulations and licensing is closely related to politics and political officials, encouraging more and more indications of significant conflicts of interest in mining governance in Indonesia.



Mining entrepreneurs also realize that companies holding mining permits are dominated by corporations that have good relations and closeness with power holders in politics and government.

On the other hand, it is also important to see that the downstream agenda is not only an agenda to pursue economic growth without exploring who exactly gets the most benefits and ignoring the voices of the people who are actually affected by the acceleration and expansion of mining activities for the benefit of downstream. The reality on the ground shows that the downstream program is also closely related to corrupt practices between political elites and mining entrepreneurs in obtaining business licenses through bribes, alleged falsification of documents due to closeness to state organizers.

#### Fisheries Governance

Transparency International Indonesia calls on the president-elect to prioritize the main subjects of Blue economy actors are Small Fishermen, Local Communities, and Indigenous Peoples in Coastal Areas and Small Islands whose number dominates or called Small-scale *Fisheries*. Basically, blue economy principles are based on resource utilization that is rooted in locality. Therefore, it is fitting that the main subject of blue economy actors refers to local actors such as small and traditional fishermen, local communities, and indigenous peoples in coastal areas and small islands. So far, the main subjects of blue economy actors who are close to potential economic resources have become neglected parties. Furthermore, Transparency International Indonesia calls on the President-elect to implement a community-based or local wisdom-based resource management approach because it will help ensure sustainable use of marine resources. The president-elect needs to support the establishment and empowerment of local or customary-based community institutions to manage and monitor the management of marine resources in the region. In addition, training and education are needed for small fishermen and local communities on sustainable fisheries practices, environmental protection, integrated prevention and reporting in handling *IUU Fishing*.

Furthermore, the President-elect also needs to strengthen his commitment to the eradication of IUU Fishing and protection of the marine environment through *binding Regional Agreements and Commitments*. This will provide a strong legal basis for protecting marine resources and encouraging blue economy practices. Maritime security issues are a concern of various parties at the national, regional, and international levels. In this context, the potential for conflict of interest is significant because the problem requires a fair and transparent distribution of authority for handling. Therefore, it is important for the President-elect to develop clear guidelines and authorities to provide firm guidance regarding investigations, arrests, and security aspects. Meanwhile, small stakeholders in the small- to medium-scale fisheries sector need to be provided with education and training that enables them to avoid illegal fishing practices, known as *IUU Fishing*. The implementation of a tracking system (*Transparency and Traceability*) in the fisheries supply chain can help ensure that fish exported from Indonesian territory are fished legally and sustainably. This step will help address *IUU fishing* issues and ensure fair and transparent fishery products.

#### Palm Oil Governance

Transparency International Indonesia emphasizes the urgency for the president-elect to mandate anti-corruption commitments from companies operating in the palm oil sector, with particular emphasis on corruption prevention priorities and enforcement of anti-corruption commitments from palm oil companies. Not only limited to policy formulation, but the government must also ensure the practice of implementing anti-corruption policies at the company level.

The results of Transparency International Indonesia's assessment in the Transparency in Corporate Reporting (TRAC) study of 50 Palm Oil Companies in Indonesia in 2023 highlight serious problems related to the implementation of anti-corruption policies and corporate political involvement. It found that very few companies effectively implemented anti-corruption policies, including aspects of the practice such as training, monitoring, and supervision. This shows the need for serious action to ensure that anti-corruption policies are not just formal statements, but are implemented effectively in every aspect of the company's operations. In addition,

Transparency International Indonesia encourages strengthening in the transparency of the amount of revenue and tax *payments* from palm oil corporations to the Government. This transparency is key to ensuring that companies make a fair contribution to the country's economy and preventing harmful tax avoidance practices.

In the context of political engagement, Transparency International Indonesia encourages tighter regulation and supervision of *Politically-Exposed Persons* (PEPs) in palm oil companies. This is important given the finding that political connections are valuable to palm oil companies, as revealed in the results of the study *Transparency in Corporate Reporting: Assessment of 50 Palm Oil Companies in Indonesia*. Thus, strong regulations and effective supervision of PEPs are expected to prevent conflicts of interest and abuse of power that can harm the integrity of palm oil companies and threaten the sustainability of the industry.

#### SOE Governance

Although the majority of State-Owned Enterprises (SOEs) and Regional-Owned Enterprises (BUMD) in Indonesia have been required to have ISO-37001 standards on anti-bribery guidelines, there are still many SOEs / D that stumble on corruption cases. During mid-2004-2022 alone, referring to the monitoring of the Corruption Eradication Commission (KPK), there were around 399 suspected cases of corruption crimes originating from business actors. Out of 399, there were 129 suspects from SOEs/BUMDs. The most corruption cases are found in procurement activities (BJP), whose form of cases is bribery cases, with the latest data as of June 2023, there are 948 bribery cases handled by the KPK.

Responding to the phenomenon of corruption that still often infects SOEs / D in Indonesia, Transparency International Indonesia calls on the elected president to reform the governance of SOEs / D, especially in leadership recruitment, as well as optimizing *the whistleblowing system* (WBS).

Transparency International Indonesia found that there are still many SOEs in Indonesia that are still weak in implementing regulations related to the appointment of leaders. There are still many SOEs / D that do not have a set of rules such as due diligent, revolving doors, cooling off periods, prohibitions on politicians as company leaders, rules on the existence of *Politically Exposed Persons* (PEPs) to political donations. In addition, related to the whistleblowing system (WBS), although the majority of SOEs / D already have a WBS system, the optimization of the performance of the WBS system is still minimal. Often the existence of this system is only used as a mere formality.

6. Public Participation

- Facilitating civil society in the field of corruption eradication and prevention, and placing it as a strategic partner of the government in realizing a clean country
- Proper respect for whistleblowers and corrupt hunters

- Intensify participation and initiate public opinion through providing space for public participation in the preparation of laws and regulations. Establish mechanisms that can ensure an appropriate response to any public participation.
- Strengthening *the Whistle-blowing System* (WBS) and whistleblower protection regulations

TII: Reflecting on the implementation of UNCAC Article 5 on corruption prevention policies and practices, Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain coordinated and effective anti-corruption policies that promote public participation and reflect the principles of the rule of law, management of public affairs and public property, integrity, transparency and accountability. In addition, States Parties shall, as appropriate and in accordance with the fundamental principles of their legal systems, collaborate with each other and with relevant international and regional organizations in promoting and developing the measures mentioned in this article. The collaboration can include community participation in corruption prevention programs.

In the Indonesian context, the space for the involvement of civil society organizations in the preparation, implementation, monitoring, monitoring and evaluation of Corruption Prevention Action (Aksi PK) is still partial and does not have a clear mechanism in accordance with the mandate of Presidential Regulation 54 of 2018 Article 9 concerning the involvement of their roles and stakeholders. In order to strengthen the participation of civil society organizations in PK Action, it is necessary to establish clear mechanisms and standard operating procedures (SOPs) on concrete forms of involvement at every stage of PK Action preparation. In addition, a clear form of Co-Creation between civil society organizations and the Stranas PK Team will also be further developed if civil society organizations become an institutionalized part of the National Team of Corruption Prevention

In addition, the synergy model for the involvement of civil society participation to improve the quality of Stranas PK achievements can take the example of collaboration in the form of co-creation of the Open Government Partnership initiative in Indonesia. Co-Creation starts from the involvement of civil society organizations from the highest level of decision-making as members of the PK National Team to implementation, monitoring, and evaluation.

<p>7. KPK Criminal and Institutional Law Enforcement</p>	<ul style="list-style-type: none"> <li>Restoring the role of the KPK that is independent, non-selective, and strengthening synergy with other law enforcement officials.</li> <li>Improve accountability mechanisms within police agencies</li> </ul>	<ul style="list-style-type: none"> <li>Strengthen the eradication of corruption more systematically by strengthening the Corruption Eradication Commission (KPK), the Police, the Prosecutor's Office, and the Judiciary.</li> <li>Guarantee not to intervene in the KPK</li> </ul>	<ul style="list-style-type: none"> <li>Strengthening the KPK together with the prosecutor's office and the National Police in a synergistic and harmonious manner</li> <li>Imprisoning corruptors in Nusakambangan, Cilacap, Central Java</li> <li>Following up on the recommendations of the Law Reform Acceleration Team related to police reform.</li> </ul>
<p>TII: The Anti-Corruption Agency (ACA) Assessment 2023 study compiled by Transparency International Indonesia confirms that the political decision to revise the KPK Law has proven to have a negative impact on the legal ecosystem in Indonesia. Although the KPK's new institutional in the constitutional structure does not automatically eliminate its total independence, this change has implications for the limited space for the KPK to eradicate corruption.</p> <p>The results of this study found that the majority of 50 indicators divided into six measurement dimensions experienced a significant decrease when compared to the performance of the KPK in the presence of Law 19 of 2019. The largest decrease occurred in the Independence dimension which decreased by 55% (from 83% in 2019 to 28% in 2023), then the Enforcement dimension which</p>			

decreased by 22% (from 83% in 2019 to 61% in 2023), and the Inter-Agency Cooperation dimension which decreased by 25% (from 83% in 2019 to 58% in 2023). The other three dimensions are Human Resources and Budget; Accountability and Integrity; and Prevention also compactly decreased.

Therefore, Transparency International Indonesia calls for the eradication of corruption to be effective again, the KPK must be restored as an independent state institution by removing the KPK from the executive power family. KPK human resources must be fully managed and filled independently and independently, including immediately breaking away from dependence on resources from other ministries/institutions, especially the position of investigator positions from police institutions. Without high independence, the KPK is unlikely to be able to eradicate corruption effectively. It is fitting that in order to restore the performance of corruption eradication by the KPK, a firm state legal policy and favours the independent KPK institution is absolutely needed.

Articles 6 and 36 of the United Nations Anti-Corruption Convention (UNCAC) and The Jakarta Principles (2012) on Anti-Corruption Institutions also affirm that anti-corruption bodies or bodies within the jurisdiction of States parties must be equipped with "necessary independence" to perform their functions effectively and "free from undue influence" as well as adequate material resources, staff, and training.

In that context, law enforcement agencies that focus on corruption crimes together with other quasi-state and quasi-judicial institutions must cooperate and synergize in the eradication of corruption. The problem is, in addition to the issue of independence in these institutions that is still hanging, each institution has a different pattern of existing problems, such as blunting the authority to follow up on the Ombudsman's recommendations, or the issue of conflicts of interest in leadership recruitment in the BPK. This means that each of these institutions requires two basic things that are urgent, namely independence in carrying out their duties fully, and strengthening a comprehensive road map.



Kunjungi Perpustakaan Digital  
Transparency International Indonesia



Sosial media:



Kontak Kami:



Kantor Kami:  
Jl. Amil No. 5, RT.1/RW.4, Pejaten Barat, Pasar Minggu, Jakarta Selatan, 12510

**e - Learning**  
[riset.ti.or.id](http://riset.ti.or.id)  
[korupedia.ti.or.id](http://korupedia.ti.or.id)  
[sintesis.ti.or.id](http://sintesis.ti.or.id)  
[kamubersihakupilih.id](http://kamubersihakupilih.id)  
[covid19.ti.or.id](http://covid19.ti.or.id)  
[ceksekolahku.ti.or.id](http://ceksekolahku.ti.or.id)  
[cpei.ti.or.id](http://cpei.ti.or.id)