Reforming Asset Recovery Work Procedures for Effective and Just Corruption Handling

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Abstract

The current institutional structure of the Asset Recovery Center (*Pusat Pemulihan Aset/PPA*) under the Indonesian Attorney General's Office poses significant challenges in the effective recovery of assets from criminal acts, particularly corruption. The PPA's position under the Junior Attorney General for Administration limits its strategic function, decision-making authority, fiscal autonomy, and coordination across prosecutorial levels. This article proposes a new institutional model by transforming the PPA into an independent Asset Recovery Agency *(Badan Pemulihan Aset/BPA)* to enhance efficiency, legal responsiveness, and institutional performance in asset recovery. This study employs a normative legal approach alongside theoretical perspectives on institutional effectiveness, bureaucratic rationality (Max Weber), and modern organizational systems. The analysis is descriptive-qualitative, based on legal and organizational frameworks. The study finds that reconstructing the PPA into a level-one agency (*Eselon I*) directly under the Attorney General would strengthen authority, expedite decision-making, and allow for independent budget control. The proposed structure introduces vertical integration with asset recovery units at regional levels and functional specialization through five strategic centers, including transnational cooperation. This model supports faster, transparent, and accountable asset recovery aligned with the principles of good governance and substantive justice.

**Keywords:** Asset; Bureaucracy; Good Governance; Reform;

Introduction

Corruption constitutes one of the most egregious forms of crime, as it not only violates criminal law norms but also poses a significant impediment to the realization of national development goals and the attainment of general welfare, as mandated in the Preamble of the 1945 Constitution of the

Republic of Indonesia[1]. Corrupt practices have infiltrated the very fabric of state institutions, resulting in structural damage to the functions of public service delivery, wealth distribution, and the fair enforcement of law [2]. The Corruption Perceptions Index (CPI) released by Statista in 2023 ranked Indonesia with a score of 34 out of 100, a decline from the previous year, indicating persistently low public sector integrity. It suggests that the enforcement efforts undertaken thus far have not adequately met public expectations nor produced a sufficient deterrent effect against perpetrators of corruption.

Picture 1. Corruption perceptions index score of Indonesia from 2014 to 2023
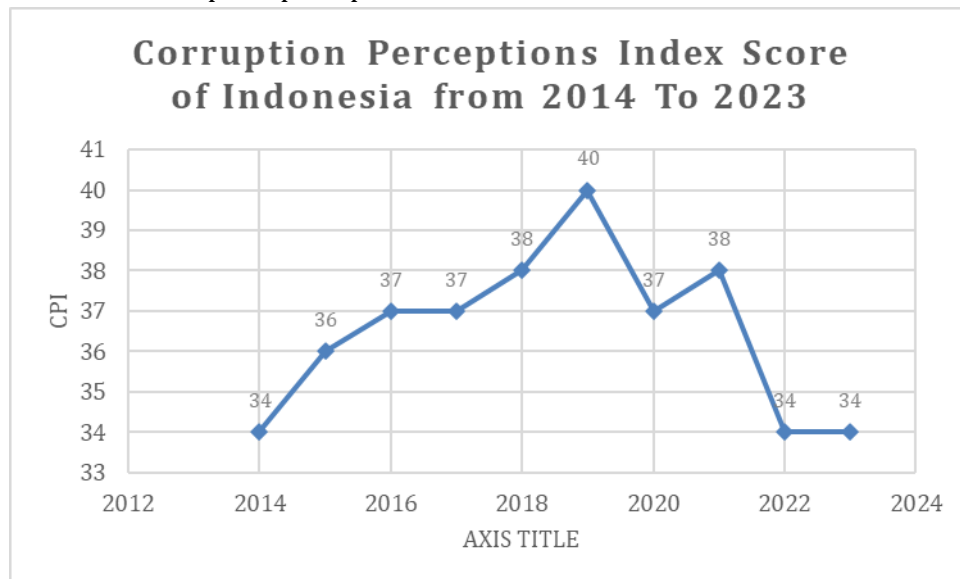
Sources: Statista's Website and processed by the author

Based on the Corruption Perceptions Index (CPI) data for Indonesia from 2014 to 2023, it is evident that the country's anti-corruption efforts have experienced fluctuations with no consistent upward trend. In 2014, Indonesia began the decade with a score of 34. Modest improvements were seen in the following years, reaching a peak of 40 in 2019, the highest score recorded within this period. This improvement suggested growing optimism regarding public sector integrity and the effectiveness of anti-corruption measures at the time.

However, this momentum did not last. From 2020 onward, the score began to decline—dropping to 37 in 2020, slightly recovering to 38 in 2021, and then falling sharply to 34 in both 2022 and 2023. These scores indicate a

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[1] Boge Triatmanto and Suryaning Bawono, 'The Interplay of Corruption, Human Capital, and Unemployment in Indonesia_ Implications for Economic Development', *Journal of Economic Criminology*, 2.September (2023), 100031 https://doi.org/10.1016/j.jeconc.2023.100031
[2] Johanes D Widojoko, '17 - Indonesia's Anticorruption Campaign: Civil Society versus the Political Cartel', in *The Changing Face of Corruption in the Asia Pacific*, ed. by Marie dela Rama and Chris Rowley (Elsevier, 2017), pp. 253–66 https://doi.org/https://doi.org/10.1016/B978-0-08-101109-6.00017-4

return to the low perception of public sector integrity observed in 2014. The stagnation at 34 over the past two years suggests a severe erosion of trust in Indonesia's anti-corruption institutions and a weakening of democratic accountability.

This downward trend in CPI scores aligns with growing concerns among observers and civil society regarding the weakening independence of law enforcement agencies, the lack of continuity in institutional reform, and perceived political interference in the judiciary. The decline from the 2019 peak also coincides with controversial policy shifts, including the weakening of the Corruption Eradication Commission (KPK). Overall, the data reflect not only stagnation but also regression in anti-corruption performance, raising concerns about the effectiveness of governance reforms and the sustainability of past achievements. Without renewed commitment and stronger institutional safeguards, Indonesia risks a further deterioration in public trust and democratic resilience [3].

From a legal standpoint, the law classifies corruption as a crime of calculation—a criminal act driven by a cost-benefit analysis conducted by the offender [4]. It implies that as long as the proceeds of crime remain accessible, either directly or indirectly, through the offender's family, individuals are likely to continue engaging in corrupt acts despite the threat of imprisonment [5]. A purely repressive approach, such as criminal prosecution without accompanying asset recovery, fails to deliver a meaningful deterrent effect [6]. Consequently, asset recovery constitutes a vital and integral strategy within the broader framework of anti-corruption efforts, as it directly disrupts the economic incentives that underpin such crimes.[7]

As a concrete manifestation of this strategy, the Attorney General's Office of the Republic of Indonesia established the Asset Recovery Center (*Pusat Pemulihan Aset/PPA*) in 2014 through the Attorney General Regulation No.

[3] Bambang Sugeng Rukmono, Pujiyono Suwadi, and Muhammad Saiful Islam, *The Effectiveness of Recovering Losses on State Assets Policy in Dismissing Handling of Corruption*, *Journal of Human Rights, Culture and Legal System*, 2024, IV https://doi.org/10.53955/jhcls.v4i2.259

[4] Attila Gáspár and others, 'Corruption and Extremism', *Journal of Development Economics*, 2025, 103526 https://doi.org/https://doi.org/10.1016/j.jdeveco.2025.103526

[5] Jonathan Murphy and Oana Brindusa Albu, 'The Politics of Transnational Accountability Policies and the (Re)Construction of Corruption: The Case of Tunisia, Transparency International and the World Bank', *Accounting Forum*, 42.1 (2018), 32–46 https://doi.org/https://doi.org/10.1016/j.accfor.2017.10.005

[6] Ming Fang, Weizheng Lai, and Congling Xia, 'Anti-Corruption and Political Trust: Evidence from China', *Journal of Economic Behavior & Organization*, 234 (2025), 107015 https://doi.org/https://doi.org/10.1016/j.jebo.2025.107015

[7] Novianty Helitha Muchtar, Miranda Risang Ayu Palar, and Muhamad Amirulloh, 'Development of a Valuation System of Technology for the Enhancement of Innovation in Indonesia', *Heliyon*, 9.2 (2023), e13124 https://doi.org/10.1016/j.heliyon.2023.e13124

PER-006/A/JA/3/2014 [8]. This institution's role was reinforced by amending Law No. 16 of 2004 into Law No. 11 of 2021 on the Prosecution Service, particularly in Article 30A, which grants the authority to trace, seize, and return assets derived from criminal acts to the state, victims, or rightful parties[9]. However, in institutional practice, the PPA faces multiple structural and functional challenges that undermine its effectiveness in executing asset recovery functions.

First, from a structural perspective, the PPA's position under the Deputy Attorney General for Administration (*Jaksa Agung Muda Pembinaan/JAMBIN*) creates coordination barriers in both strategic policy-making and cross-sectoral operational implementation[10]. It contradicts the inherently cross-sectoral and cross-jurisdictional nature of the PPA's mandate, which ideally requires greater institutional autonomy and managerial flexibility. Second, in terms of budgeting, the PPA lacks authority as a Budget User Proxy (*Kuasa Pengguna Anggaran/KPA*), rendering it dependent on allocations and authorizations from JAMBIN [11]. This limitation directly impacts the frequency of auctions and maintenance of seized or confiscated assets, ultimately hindering the optimization of asset recovery efforts.

Third, on the institutional level, overlapping authorities with other agencies—such as the Corruption Eradication Commission (through its Asset Recovery Unit, *Labuksi*) and the Ministry of Law and Human Rights (through the State Confiscated Objects Repository, *Rupbasan*)—create conflicts of jurisdiction and lead to inefficiencies in asset management. Moreover, the absence of asset recovery structures at the regional and district prosecutors' offices causes a disconnect in vertical coordination and reporting channels, resulting in neglected or unsystematic asset recovery activities at the regional level [12].

Several studies have demonstrated that the current approach tends to be reactive and fragmented. Asset recovery is typically pursued only after a legally binding court decision, whereas, in practice, asset tracing and securing

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[8] Aghia Khumaesi Suud, 'Optimalisasi Peran Pusat Pemulihan Aset (PPA) Kejaksaan Dalam Pemulihan Aset (Asset Recovery) Hasil Tindak Pidana Korupsi' (Universitas Indonesia, 2019) https://doi.org/https://lib.ui.ac.id/detail.jsp?id=20495009

[9] Hirofumi Fukuyama, Yong Tan, and Peter Wanke, 'Global Inefficiencies in Labour, Patents, Energy, Capital, Environment, and Economics: The Role of Corruption, Democracy, and Income Distribution', *Socio-Economic Planning Sciences*, 2025, 102248 https://doi.org/https://doi.org/10.1016/j.seps.2025.102248

[10] Pragati Priya and Chandan Sharma, 'Reinforcing the Effects of Corruption and Financial Constraints on Firm Performance: Normal versus Crisis Period in Developing Economies', *Economic Modelling*, 127 (2023), 106463 https://doi.org/https://doi.org/10.1016/j.econmod.2023.106463

[11] Ari Wibowo, 'Barriers and Solutions to Cross-Border Asset Recovery', *Journal of Money Laundering Control*, 26.4 (2023), 739–50 https://doi.org/10.1108/JMLC-01-2022-0022

[12] Yogi Yasa and others, 'Unraveling the Complex Policies Regulating Conflicts of Interest and Criminal Corruption', *Journal of Human Rights, Culture and Legal System*, 5.1 (2025), 33–59 https://doi.org/https://doi.org/10.53955/jhcls.v5i1.486

should commence as early as the investigation or inquiry stage [13]. Recent international practices emphasize the importance of *non-conviction-based asset recovery*[14]. This mechanism enables asset recovery without requiring a final criminal conviction, as outlined in the United Nations Convention against Corruption (UNCAC) of 2003 [15]. As a State Party to the convention, Indonesia holds both constitutional and international obligations to develop an asset recovery system that is adaptive and responsive to evolving global legal standards [16].

Additionally, technocratic approaches focusing on system digitalization, human resource capacity building, or administrative guideline updates—while important—fail to address the deeper institutional roots of the problem [17]. Without a comprehensive reform of organizational structure and work mechanisms, capacity-building programs risk becoming entangled in bureaucratic deadlock and unclear authority structures [18]. Therefore, the government must undertake profound reform by restructuring the PPA into an independent Asset Recovery Agency (Badan Pemulihan Aset/BPA) directly under the authority of the Attorney General, on par with other Deputy Attorneys General[19].

Referring to Max Weber's classical organizational theory, an ideal bureaucracy should possess a clear division of labor, a well-defined hierarchy of authority, documented procedures, and impersonal working relationships governed by legal norms [20]. In this context, institutional strengthening through the establishment of the BPA is not merely a matter of changing

[13] S A Igbinedion and Anthony Osobase, 'GRAND CORRUPTION IN THE GLOBAL SOUTH: LEGAL, POLITICAL AND ECONOMIC ANALYSIS OF ASSETS RECOVERY IN NIGERIA', *Journal of Economic Criminology*, 2025, 100164 https://doi.org/https://doi.org/10.1016/j.jeconc.2025.100164

[14] David Schultz and Khachik Harutyunyan, 'Combating Corruption: The Development of Whistleblowing Laws in the United States, Europe, and Armenia', *International Comparative Jurisprudence*, 1.2 (2015), 87–97 https://doi.org/https://doi.org/10.1016/j.icj.2015.12.005

[15] Selamat Widodo and others, 'State Officials Asset Disclosure : Evidence from China', *Journal of Human Rights, Culture and Legal System Vol.*, 4.1 (2024), 54–74 https://doi.org/https://doi.org/10.53955/jhcls.v4i1.187

[16] Aaron Erlich and others, 'What Corruption Is Most Harmful? Unbundling Citizen Perceptions', *World Development*, 194 (2025), 107001 https://doi.org/https://doi.org/10.1016/j.worlddev.2025.107001

[17] Ade Paranata, 'The Miracle of Anti-Corruption Efforts and Regional Fiscal Independence in Plugging Budget Leakage: Evidence from Western and Eastern Indonesia', *Heliyon*, 8.10 (2022), e11153 https://doi.org/10.1016/j.heliyon.2022.e11153

[18] Jiwon Suh, 'Human Rights and Corruption in Settling the Accounts of the Past', *Bijdragen Tot de Taal-, Land- En Volkenkunde / Journal of the Humanities and Social Sciences of Southeast Asia*, 179.1 (2023), 61–89 https://doi.org/https://doi.org/10.1163/22134379-bja10049

[19] Marcio Salles Melo Lima and Dursun Delen, 'Predicting and Explaining Corruption across Countries: A Machine Learning Approach', *Government Information Quarterly*, 37.1 (2020), 101407 https://doi.org/https://doi.org/10.1016/j.giq.2019.101407

[20] Max Weber, *The Teory of Sosial and Economic Organization*, *The Free Pers* (The Free Pers, 1974) https://doi.org/10.7767/boehlau.9783205790099.1336

nomenclature but rather a step toward *systemic rationalization* in addressing economic crimes while simultaneously reinforcing the principles of good governance, transparency, and accountability in public administration[21].

To complement the theoretical approach, this article presents a comparative analysis with previous studies to emphasize its contribution and position within the existing literature. Compared to Ari Wibowo's study (2023), which highlights obstacles in cross-border asset recovery—such as weak legal frameworks, limited mutual legal assistance treaties, and differences in legal systems—this article offers a more structural and comprehensive approach. While Wibowo focuses on normative and diplomatic solutions, this study emphasizes the importance of institutional reform through the establishment of an independent Asset Recovery Agency (ARA), which not only strengthens cross-sectoral coordination at the national level but also enhances the effectiveness of international cooperation through specialized units such as a Transnational Cooperation Center. Accordingly, this article complements prior findings by linking international legal challenges to the need for improved national institutional design[22].

Furthermore, this study complements the findings of Hafidz et al. (2024), which highlight the reverse burden of proof mechanisms in combating corruption, particularly in the context of administrative law and public procurement. While their study stresses the importance of clear evidentiary standards for legal certainty and human rights protection, their approach is more focused on normative aspects and the application of sound governance principles in public administration. In contrast, this article proposes institutional reform through the creation of an independent Asset Recovery Agency (ARA), which would not only enable more effective implementation of reverse burden of proof mechanisms but also enhance the state's capacity to seize assets without waiting for a criminal conviction, as provided for under Australia's *Proceeds of Crime Act 2002*. Thus, this study adds a concrete institutional dimension to the discourse on the effectiveness and fairness of asset recovery in cases of corruption [23].

Moreover, the findings in this article also complement the study by Yogi Yasa Wedha et al. (2025), which explores the complexities of policies related to conflicts of interest and corruption offenses. Although that study underscores the need for comprehensive policy reform—including regulatory harmonization, strengthening institutional coordination, and

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[21] Adel M Aladwani, 'Corruption as a Source of E-Government Projects Failure in Developing Countries: A Theoretical Exposition', *International Journal of Information Management*, 36.1 (2016), 105–12 https://doi.org/https://doi.org/10.1016/j.ijinfomgt.2015.10.005

[22] Festus Boamah, David Aled Williams, and Joana Afful, 'Justifiable Energy Injustices? Exploring Institutionalised Corruption and Electricity Sector "Problem-Solving" in Ghana and Kenya', *Energy Research and Social Science*, 73.December 2020 (2021), 101914 https://doi.org/10.1016/j.erss.2021.101914

[23] Jawade Hafidz and others, 'The Corruption Reduction with an Administrative Law Approach : Evidence from Australia', *Journal of Human Rights, Culture and Legal System*, 4.3 (2024), 822–41 https://doi.org/https://doi.org/10.53955/jhcls.v4i3.396

whistleblower protection—it focuses more on the normative and socio-cultural aspects of corruption prevention. In contrast, this article highlights the need for structural reform through the establishment of an independent and vertically integrated asset recovery institution, aiming to ensure effective cross-sectoral coordination and to reinforce the operational implementation of transparency and accountability principles. Therefore, this study contributes an additional layer to the discourse by offering a concrete institutional design that supports systemic improvement in Indonesia's anti-corruption efforts[24].

This article also complements the findings of Widodo et al. (2024), who compare the effectiveness of asset disclosure by public officials in Indonesia and China in reducing corruption levels. That study notes that despite the asset disclosure requirement in Indonesia, corruption remains high due to weak implementation and oversight. In contrast, China has experienced a significant decline in corruption, aided by strict wealth reporting requirements that function as tools for transparency and conflict of interest prevention. This article takes a different approach by arguing that asset disclosure alone is insufficient without strong institutional support. The proposed establishment of an independent Asset Recovery Agency (ARA) in this article aims to fill the institutional gap, enabling systematic integration of asset disclosure into more effective asset recovery and law enforcement mechanisms [25].

The study by Rukmono et al. (2024) highlights the weaknesses of Indonesia's legal framework for recovering state financial losses from corruption, especially when compared to Saudi Arabia's practices, which allow for the seizure of up to 70% of a corrupt actor's wealth. That study advocates for legal reform and the adoption of the *unexplained wealth* paradigm, whereby the authorities may confiscate assets that are grossly disproportionate to one's lawful income without awaiting a criminal conviction. This article builds upon those findings by asserting that asset recovery effectiveness depends not only on substantive legal instruments but also on strengthening institutional structures. The proposed establishment of an independent Asset Recovery Agency (ARA) in this article offers a structured institutional approach to support the implementation of the *unexplained wealth* paradigm more systematically and effectively, enabling faster, more coordinated, and accountable recovery of state losses [26].

Accordingly, this article contributes to the existing academic discourse by adopting a more structured and practical institutional approach to recovering assets derived from corruption. Unlike previous studies that

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[24] Dimitrios Asteriou, Keith Pilbeam, and Iuliana Tomuleasa, 'The Impact of Corruption, Economic Freedom, Regulation and Transparency on Bank Profitability and Bank Stability: Evidence from the Eurozone Area', *Journal of Economic Behavior & Organization*, 184 (2021), 150–77 https://doi.org/https://doi.org/10.1016/j.jebo.2020.08.023

[25] Widodo and others.

[26] Rukmono, Suwadi, and Islam, IV.

primarily focus on normative, administrative, or general anti-corruption policy approaches, this article provides a novel contribution by proposing a concrete institutional design in the form of an independent and integrated Asset Recovery Agency (ARA). This approach not only addresses the challenges of cross-sectoral coordination at the national level but also enhances the effectiveness of international cooperation, enabling more efficient and equitable implementation of the *unexplained wealth* mechanism [27].

Aligned with these challenges, this article critically evaluates the current institutional model of the Asset Tracing Center (*Pusat Pelacakan Aset* or PPA). It proposes a representative design for a law enforcement strategy, particularly in the context of recovering assets from corruption. The proposed design seeks to enhance institutional effectiveness, strengthen both vertical and horizontal coordination, and ensure that asset recovery functions not merely as a formal legal mechanism but also as a tool of substantive justice—restoring public trust and reinforcing the rule of law in Indonesia.

Methodology

This research employs a normative legal methodology, integrating conceptual, statutory, institutional, and comparative approaches, presented descriptively to provide a thorough analysis of asset recovery institutions within the Indonesian legal framework[28]. The study systematically examines primary legal materials, including national legislation such as Law No. 11 of 2021 concerning the Prosecution Service, the Attorney General Regulation No. PER-006/A/JA/3/2014, and international instruments like the United Nations Convention against Corruption (UNCAC) 2003. Secondary legal materials consist of legal doctrines, academic journal articles, institutional reports, and other relevant scholarly literature, which collectively support critical analysis and contextual understanding. The conceptual approach facilitates the identification and clarification of fundamental legal principles governing asset recovery, while the statutory and institutional approaches analyze existing laws and organizational frameworks to assess their coherence and effectiveness[29]. A comparative approach further examines asset recovery institutional models in countries such as the United Kingdom, Singapore, and Australia, enabling identification of best practices and lessons applicable to the Indonesian context. To enhance validity and enrich the normative analysis, limited data triangulation is conducted through

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[27] Hafidz and others.

[28] Eka Rismawati and Abdul Kadir Jaelani, 'The Regulation of Foreign Workers as Technology and Knowledge Transfer', *Journal of Sustainable Development and Regulatory Issues*, 1.2 (2023), 64–74 https://doi.org/https://doi.org/10.53955/jsderi.v1i2.8

[29] Abdul Kadir Jaelani and Muhammad Jihadul Hayat, 'The Proliferation of Regional Regulation Cancellation in Indonesia', *Journal of Human Rights, Culture and Legal System*, 2.2 (2022), 121–38 https://doi.org/https://doi.org/10.53955/jhcls.v2i3.55

exploratory interviews with key informants, including representatives from the Attorney General's Office, academia and legal practitioners. These interviews serve to confirm and supplement documentary findings and provide practical insights into institutional challenges. This integrated methodology aims to formulate an alternative institutional model by proposing the transformation of the Asset Recovery Center into a more autonomous, effective, and accountable Asset Recovery Agency. This transformation supports the development of a just and rights-oriented anti-corruption strategy, addressing identified legal and administrative challenges[30].

Results and Discussion

Organizational Structure and Institutional Weaknesses of the Asset Recovery Center (PPA)

An institution's organizational structure is a fundamental determinant of its effectiveness, especially in public service delivery [31]. In asset recovery related to corruption offenses, the responsible body must operate with broad reach, strong authority, and institutional flexibility [32]. However, the current structure of Indonesia's Asset Recovery Center under the Attorney General's Office reveals significant weaknesses—both normatively and operationally—in addressing cross-sectoral, cross-jurisdictional, and multinational asset recovery challenges.

Structurally, the Attorney General's Office places the PPA as a second-echelon unit under the supervision of the Deputy Attorney General for General Administration (*JAM Pembinaan*). This hierarchical placement makes the PPA administratively subordinate to other units within the Attorney General's Office. In practice, however, the PPA holds strategic responsibilities, including tracing, securing, managing, and repatriating assets derived from corruption crimes both domestically and internationally, as outlined in the Attorney General's Regulation No. PER-006/A/JA/07/2017, the PPA is tasked with the technical implementation of internationally standardized asset recovery and with overseeing asset recovery activities nationwide[33].

This disproportionate institutional placement leads to several negative consequences in carrying out its mandate. A key issue is the lack of derivative structures at the provincial (*Kejaksaan Tinggi*) and district (*Kejaksaan Negeri*) levels. This results in a lack of vertical operational coordination across regions,

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[30] Abdul Kadir Jaelani and Resti Dian Luthviati, 'The Crime Of Damage After the Constitutional Court ' s Decision Number 76 / PUU-XV / 2017', *Journal of Human Rights, Culture and Legal System*, 1.1 (2021), 31–41 https://doi.org/https://doi.org/10.53955/jhcls.v1i1.5

[31] R M Walker, G A Boyne, and G A Brewer, *Public Management and Performance: Research Directions* (Cambridge University Press, 2010).

[32] Laurence R Helfer, Cecily Rose, and Rachel Brewster, 'Flexible Institution Building in the International Anti-Corruption Regime: Proposing a Transnational Asset Recovery Mechanism', *American Journal of International Law*, 117.4 (2023), 559–600 https://doi.org/10.1017/ajil.2023.32

[33] Abdul Rehman and others, 'Corruption's Impact on Non-Performing Loans of Banks in Emerging Markets: Empirical Insights', *Research in Globalization*, 9 (2024), 100241 https://doi.org/https://doi.org/10.1016/j.resglo.2024.100241

causing fragmentation in reporting, supervision, and the implementation of asset recovery activities in the field. Successful asset recovery heavily depends on regional-level information gathering and technical execution, encompassing seizure and evidence management, as well as auction processes[34].

Table 1. Comparative Analysis of Asset Recovery Structures in Indonesia and Selected Countries

Aspect / Country	Indonesia (PPA)	United Kingdom (NCA)	Singapore (CPIB)	Australia (AUSTRAC)
Institutional Status	Unit under the Attorney General, not independent	Independent agency	Independent agency under a ministry	Independent agency under the Ministry of Finance
Organizational Structure	Limited, unclear hierarchy	Clear hierarchy with dedicated divisions	Centralized with clear hierarchy	Hierarchical structure with specialized and regional divisions
Legal Authority	Limited, dependent on Prosecution	Broad, includes international coordination	Strong authority, wide investigative powers	Investigative and asset tracing authority
Inter-agency Coordination	Weak inter-agency coordination	Integrated with police, ministries, and international bodies	Highly integrated with other law enforcement agencies	Intensive coordination with security and financial agencies
International Capacity	Limited, suboptimal	Active international negotiations	Strong international cooperation	Structured international collaboration
Integrated Database	Lacks a comprehensive national database	Integrated national and regional database	Centralized and up-to-date database	Integrated database with multi-agency access
Human Resources	Limited and under-specialized	Experts in financial crimes	Professional staff with special training	Experts in IT and financial intelligence
Government Status and Authority	Subordinate, non-strategic status	Equal to other law enforcement agencies	Strategic status with full government support	Strategic status with full government support

Sources: Compiled by the author from various sources

The key differences between Indonesia's PPA and advanced asset recovery agencies in countries like the UK, Singapore, and Australia lie in their institutional status, organizational structure, and inter-agency and

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[34] Jie Liu and others, 'Corruption Induced Energy Inefficiencies: Evidence from China's Energy Investment Projects', *Energy Policy*, 183 (2023), 113825 https://doi.org/https://doi.org/10.1016/j.enpol.2023.113825

international coordination capabilities [35]. The PPA remains a subordinate unit within the Attorney General's Office, with an unclear and unstructured hierarchy. This limits its coordination functions and decision-making authority. Its legal powers are also constrained and dependent on the prosecution, which hampers flexibility and responsiveness in handling asset recovery cases.

In contrast, the UK's National Crime Agency (NCA) is an independent body with a clear hierarchy and dedicated divisions that handle serious crimes and asset recovery [36]. It has broad authority, enabling effective cross-agency coordination and active international cooperation in tracing illicit assets abroad [37]. An integrated database system and well-trained personnel further contribute to the NCA's effectiveness [38]. Similarly, Singapore's Corrupt Practices Investigation Bureau (CPIB) exemplifies a centralized and independent institution with strong legal authority and effective coordination mechanisms [39]. The CPIB has access to an advanced centralized database and professional staff, ensuring rapid and effective asset recovery. Australia's AUSTRAC functions as both a financial intelligence and regulatory agency, with strong investigative authority. Its structured hierarchy supports cross-sector coordination and organized international cooperation, aided by an integrated database system [40]. As a strategic and independent institution, AUSTRAC plays a key role in financial crime surveillance and asset recovery [41]. This comparison highlights that independence, a clear hierarchical structure, strong legal authority, effective inter-agency coordination, and active international engagement are critical success factors for asset recovery institutions in developed countries.

[35] Limia Trifena, 'Designing and Operationalising Macroprudential Supervisory Reforms in Indonesia , Malaysia , Singapore , and the UK : A Comparative Legal Analysis with Lessons for Indonesia' (University of Warwick, 2021).

[36] Monika Atkins, 'Should Banks Face Criminal Prosecution for Breaches of Money Laundering Regulations or Are Civil Fines Effective. Analysis of the Significance of the First Ever Criminal Conviction of a Bank (NatWest) for Breaches of the Money Laundering Regulations', *Journal of Economic Criminology*, 6 (2024), 100097 https://doi.org/https://doi.org/10.1016/j.jeconc.2024.100097

[37] Mark Button and others, 'Understanding the Rise of Fraud in England and Wales through Field Theory: Blip or Flip?', *Journal of Economic Criminology*, 1 (2023), 100012 https://doi.org/https://doi.org/10.1016/j.jeconc.2023.100012

[38] Transparency International UK, *Corruption Laws: A Non-Lawyers' Guide to Laws and Offences in the UK Relating to Corrupt Behaviour*, 2016.

[39] Jon S.T.Jon S T QuahQuah, 'Five Success Stories in Combating Corruption: Lessons for Policy Makers', *Asian Education and Development Studies*, 6.3 (2017), 275–89 https://doi.org/https://doi.org/10.1108/AEDS-03-2017-0031

[40] Christopher Bajada, '9 - Money Laundering Activities in Australia—an Examination of the Push and Pull Factors Driving Money Flows', ed. by Marie dela Rama and Chris B T - The Changing Face of Corruption in the Asia Pacific Rowley (Elsevier, 2017), pp. 127–47 https://doi.org/https://doi.org/10.1016/B978-0-08-101109-6.00009-5

[41] Baban Eulaiwi and others, 'Money Laundering Governance and Income Shifting: Evidence from Australian Financial Institutions', *Economic Modelling*, 132 (2024), 106653 https://doi.org/https://doi.org/10.1016/j.econmod.2024.106653

Indonesia must restructure the PPA to elevate its status to a strategic unit within the Attorney General's Office, strengthen inter-agency coordination, develop a comprehensive national database, and enhance human resource capacity to meet the demands of effective asset recovery. Moreover, documented findings reveal that several district prosecution offices can only conduct auctions of seized assets twice per year due to budgetary and administrative constraints. This indicates a systemic inability to handle seized property efficiently, resulting in depreciation, damage, or even loss of assets that are not processed promptly [42].

Normatively, this situation contradicts the spirit of Law No. 11 of 2021, which mandates enhancing the Attorney General's functions in tracing, managing, and returning crime-related assets to the state. The gap between legal norms and institutional reality signals the need for a fundamental overhaul of the PPA's structure and operational mechanisms [43]. Therefore, the most rational structural solution is to transform the PPA into a first-echelon BPA that reports directly to the Attorney General and has a vertical organizational structure extending from the central to regional levels. This restructuring would empower the BPA to formulate strategic national policies, coordinate effectively across various units, and respond swiftly to evolving legal challenges. Such an arrangement is especially crucial in the context of international cooperation, as mandated by Article 33 of Law No. 11 of 2021, which requires the Attorney General's Office to foster cooperation and communication with law enforcement and other government agencies, foreign law enforcement bodies, and international institutions or organizations.

With this transformation, the BPA would be able to carry out policy formulation, national coordination, regional supervision, and continuous performance evaluation in asset recovery. Furthermore, the BPA is expected to become the main driver in realizing the principle of accountable recovery, ensuring that asset recovery is not merely a legal formality but delivers tangible benefits, justice, and public restitution. This institutional reconstruction is also a prerequisite for the success of a national anti-corruption strategy grounded in breaking economic incentives and strengthening the state's capacity to enforce the law fairly and effectively.

Problems of Authority, Budget, and Inter-Agency Coordination

In the institutional context of the PPA, issues of authority arise from an organizational structure that fails to support the independence and effectiveness required for task implementation adequately [44]. As stipulated in

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[42] J E Campos and S Pradhan, *The Many Faces of Corruption: Tracking Vulnerabilities at the Sector Level*, World Bank E-Library (World Bank Publications, 2007).

[43] Lusia Sulastri, Bahtiyar Efendi, and Gugun Gumilar, 'The Politics of Asset Confiscation Law in Indonesia', *Lex Publica*, 10.1 (2023), 43–65 https://doi.org/10.58829/lp.10.1.2023.43-65

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Article 30A of Law Number 11 of 2021, which amends the Law on the Prosecutor's Office, the Prosecutor's Office is authorized to trace, seize, and recover assets derived from criminal acts. However, in practice, there remains a lack of concrete and comprehensive implementing regulations to manage this authority efficiently.

This unclear division of authority has resulted in jurisdictional conflicts with other law enforcement agencies, such as the Corruption Eradication Commission *(Komisi Pemberantasan Korupsi/KPK)* through its *Labuksi* unit and the Ministry of Law and Human Rights through its *Rupbasan* unit. This situation highlights the absence of a clear and comprehensive institutional framework for asset recovery, resulting in fragmented roles among agencies [45]. It indicates that the PPA's authority is not only limited normatively but is also structurally weakened by its position under the Deputy Attorney General for General Administration (*JAM Pembinaan*), even though the PPA carries substantive, not merely administrative, functions [46].

Furthermore, the absence of a PPA organizational structure at the High Prosecutor's Office (*Kejaksaan Tinggi/Kejati*) level demonstrates the suboptimal implementation of its authority within the vertical hierarchy. It creates barriers to coordination between central and regional levels, complicating the implementation of a unified policy in cross-jurisdictional asset recovery [47]. According to organizational theory, the successful execution of functions depends on the alignment of authority, cross-unit coordination, and clarity of responsibilities across organizational levels.

Beyond authority, one of the fundamental obstacles in executing the PPA's duties is budget limitations. Based on investigations, the budget only allows *Kejari* to conduct two asset auction events per fiscal year. This number is disproportionate to the volume and complexity of seized and confiscated assets that require management [48]. The PPA's status as a working unit under the General Administration Division exacerbates this situation. In this position, the PPA lacks direct control over planning and budgeting, as it is bound to the broader budgetary system of the Prosecutor's Office. Consequently, the PPA lacks the fiscal flexibility to adapt its work programs to the dynamic needs of asset recovery operations in the field [49].

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The proposed solution in the document is to restructure the PPA into a first-echelon body so that the Head of the Asset Recovery Agency can act as the *KPA*. It would provide the necessary flexibility in planning, implementation, and evaluation of work programs while also promoting efficiency and accountability. In Max Weber's ideal bureaucracy framework, efficiency is a core element of a rational organization. Institutions that manage their resources effectively are better equipped to achieve complex legal goals such as asset recovery [50].

A third issue is the lack of inter-agency coordination, both internally within the Prosecutor's Office and externally with other law enforcement bodies such as the KPK, BPK, PPATK, and the police. In practice, the PPA lacks structural authority to compel reporting and cooperation from the *Kejati* and *Kejari* offices, as it is not directly linked to them hierarchically. It impairs the monitoring and evaluation system concerning the progress of asset handling. Without a strong vertical coordination network, asset recovery operations lack continuity between central and regional levels. This situation can lead to inefficiency, misinformation, and even potential conflicts of interest among working units. Externally, the lack of integration between institutions leads to overlapping policies, duplicated procedures, and counterproductive authority disputes within law enforcement.

Organizational restructuring that integrates the District Prosecutor's Office (Asset Recovery Section), the High Prosecutor's Office (Assistant for Asset Recovery), and the Attorney General's Office (Asset Recovery Agency) into a single, connected structure is a strategic move. Effective coordination should be facilitated by a clear communication pathway, as advocated by Mary Parker Follett in modern organizational theory, which emphasizes the importance of interconnectedness within an open system [51].

Based on modern organizational theory, analysts should analyze complex institutions like the PPA as open systems due to their environment. Therefore, flexibility, adaptability, and connectivity between units are crucial. The issues of authority, budget, and coordination faced by the PPA demonstrate that its current structure fails to meet the fundamental principles of a modern, adaptive, and dynamic organization. Restructuring to establish a new organizational model with greater autonomy will significantly improve the PPA's performance [52].

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The concepts of reorientation, restructuring, and alliance, as proposed in the reinventing government theory, also align with the proposed reforms of the PPA. Reorientation is necessary to align institutional vision, mission, and strategies with global contexts. Restructuring allows for the elimination of irrelevant functions, and alliances are necessary to strengthen inter-agency and cross-sectoral coordination. In the context of law and governance, enhancing authority, budgetary control, and coordination mechanisms is crucial for achieving effectiveness, efficiency, transparency, and accountability. Therefore, asset recovery, as part of law enforcement, is not merely an administrative task but a realization of substantive justice that directly impacts public interest and national integrity.

Construction of the Asset Recovery Agency to Improve Justice and Efficiency

The Asset Recovery Center of the Attorney General's Office of the Republic of Indonesia has faced institutional challenges that hinder the effectiveness of its asset recovery function, a vital component of efforts to combat criminal acts, particularly corruption [53]. Although the PPA has a clear mandate to trace, secure, seize, and return assets derived from crime, its placement under the Deputy Attorney General for Development (*Jambin*) has proven suboptimal for handling strategic and substantive responsibilities. This situation has led to various issues, including limitations in decision-making authority, dependence on external budgeting processes, and inadequate coordination across hierarchical levels within the Attorney General's Office. Moreover, the absence of dedicated structural units at the provincial (*Kejati*) and district (*Kejari*) levels has hampered the comprehensive execution of asset recovery functions. Therefore, institutional transformation through the restructuring of the PPA into an independent BPA is a strategic move toward more just and efficient law enforcement[54].

Transforming the PPA into the BPA represents a strategic institutional strengthening effort within the Attorney General's Office, specifically in the realm of criminal asset recovery. Upgrading the status from an echelon II work unit to an independent echelon I agency reporting directly to the Attorney General—and equal in rank to other Deputy Attorneys General such as *JAM Pidum, JAM Pidsus, JAM Intel,* and *JAM Datun*—signifies a paradigm shift in administrative law, particularly in the management of confiscated and restituted state assets. Normatively, this transformation aligns with the principle of legal effectiveness as articulated by Satjipto Rahardjo, who emphasized that the law should not merely exist as a normative text but must also operate functionally and concretely within society. In this sense, an

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effective institutional structure is an essential tool for ensuring that the law delivers tangible public benefits[55].v

One key benefit of this transformation is the enhanced efficiency of decision-making. By positioning the Head of the Agency as the highest authority in asset recovery matters, decision-makers can issue policy decisions without facing delays from complex bureaucratic processes—as often occurred when the PPA was under *Jambin*. This streamlined and focused decision-making structure allows for quicker responses to legal developments and more effective management of confiscated assets in the field. It aligns with Jimly Asshiddiqie's theory of institutional effectiveness, which states that public institutions must possess flexible, timely, and constitutionally sound designs to meet practical challenges. The elevation of the PPA's status thus represents the embodiment of an adaptive institutional model[56].

Strengthening institutional authority is further realized by granting the Head of the Agency the role of Budget User Authority, allowing for independent fiscal management without reliance on the broader budget of the development division. In the context of administrative law, Philipus M. Hadjon underscores the importance of administrative discretion, particularly in terms of fiscal autonomy, for upholding good governance principles. Given that asset recovery activities, such as auctions, storage, and maintenance of seized goods, often require urgent and flexible funding, direct budget control enhances the institution's operational effectiveness [57].

This model also reinforces the principle of vertical integration. By establishing a structural hierarchy from the central agency to the regional offices—through the creation of Asset Recovery Assistant roles at the *Kejati* and Asset Recovery Section Heads at the *Kejari*—policy coordination and implementation can become more standardized and consistent. It addresses long-standing critiques about weak links between central and regional offices, which have led to fragmented asset recovery efforts. According to Lawrence Friedman's legal system theory, which categorizes legal systems into structure, substance, and culture, developing a comprehensive institutional network from the center to the regions represents a structural improvement that is essential for the overall effectiveness of the legal system.

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Therefore, restructuring the PPA into the BPA is not merely an administrative upgrade but part of a broader legal reform agenda. This transformation supports a more responsive, equitable, and efficient legal system by strengthening the institution directly involved in corruption eradication and asset restitution. In the long term, it will enhance public trust in the legal system and support the realization of substantive justice, a cornerstone of Indonesia's national legal vision.

The proposed BPA model also aligns with Max Weber's concept of ideal bureaucracy, which emphasizes rationality, efficiency, and a clear hierarchical structure. The institutional redesign embodies Weber's six principles [58]: a well-defined division of labor, a structured hierarchy of authority, standardized rules and procedures, document-based administrative management, impersonal and objective working relationships, and appointments based on technical qualifications. By incorporating these principles, the BPA positions itself to operate as a rational and practical legal institution capable of managing complex asset recovery processes with transparency, accountability, and consistency[59]. Modern organizational theory also supports this approach, particularly the view of the organization as a dynamic system. Mary Parker Follett emphasized the importance of interactive and interconnected systems that remain open to external influences. The transformation of the PPA into the BPA reflects such an open system—responsive to national and international developments in asset recovery, especially in cross-border cases[60].

The designers of the BPA's organizational structure aimed to promote specialization and clarify responsibilities. The agency is headed by an Echelon I official, who reports directly to the Attorney General, ensuring strategic alignment with national priorities. Supporting this leadership is a Secretary of the Agency (Echelon II) who oversees administration and planning. The agency's leadership further divides it into five specialized centers, each headed by an Echelon II official: the National Asset Recovery Center (domestic recovery efforts), the Transnational Asset Recovery Center (cross-border recovery and cooperation), the Database and Information Exchange Center (data management and inter-agency coordination), the Confiscated Goods and Asset Center (seized asset management), and the External Agency Coordination Center (coordination with law enforcement and oversight agencies). This functional division aims to strengthen focus, accountability, and responsiveness in executing the asset recovery mandate.

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[58] Weber.

[59] Joshua Ping Ang and Fang Dong, 'Middle-Income Trap and Corruption: Evidence from a Dynamic Panel Data Analysis', *Research in Economics*, 77.3 (2023), 349–61 https://doi.org/https://doi.org/10.1016/j.rie.2023.06.003

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This clear division of duties aligns with Henri Fayol's management theory, which emphasizes planning, organizing, coordinating, and controlling as core managerial functions. It also enables specialized operations, such as the Transnational Center, to work directly with foreign agencies and diplomatic missions, thereby accelerating international tracing and repatriation.

The institutional redesign also addresses structural inefficiencies that previously hampered the PPA's effectiveness. From a policy standpoint, separating the BPA from the development division increases its independence and focus. In terms of budget management, it enables measurable and adaptive financial planning. In terms of coordination, the new vertical structure strengthens communication between the central and regional offices. Functionally, the BPA model also enhances performance management, allowing structured and tiered monitoring and evaluation and establishing a more enforceable system of accountability. It is especially significant since the PPA previously lacked direct authority over regional offices[61].

Furthermore, this model promotes organizational efficiency by creating a lean but strong structure consistent with the right-sizing principle in modern management. The transformation of the PPA into the BPA is not simply a technocratic reform but a significant effort to reinforce the state's legitimacy in upholding substantive justice. Delays in returning illicit assets to the state or victims can result in structural injustice. With a more autonomous, efficient, and coordinated institution, stakeholders expect the asset recovery process to become faster, more transparent, and more accountable. The deterrent effect against economic crimes will also be more substantial, particularly as modern legal frameworks increasingly adopt the principle of non-conviction-based asset forfeiture. In the long run, strengthening the asset recovery institution will boost public trust in Indonesia's legal and justice systems—an essential step in meeting high public expectations for comprehensive anti-corruption efforts[62].

Conclusion

The current institutional structure of the Asset Recovery Center (PPA) has proven ineffective in handling the complexity of asset recovery tasks that span multiple sectors and jurisdictions. Weaknesses in authority, budgeting, and coordination have become major obstacles, reducing the efficiency and accountability of its performance. Therefore, transforming the PPA into the Asset Recovery Agency (BPA) at the echelon I level is a strategic step aimed

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at strengthening its institutional functions structurally, operationally, and financially. With institutional autonomy and a vertical structure extending to regional levels, the BPA will be able to carry out tasks quickly, coordinate effectively, and adaptively respond to modern legal challenges, including international cooperation in asset recovery. Theoretically, this approach aligns with Max Weber's model of rational bureaucracy and Satjipto Rahardjo's perspective on law as functional and oriented toward societal needs. Moving forward, the implementation of the BPA model is expected to establish an asset recovery system that is effective, transparent, and just, as well as serve as a crucial instrument in strengthening the state's legitimacy in sustainable corruption eradication.

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