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The Authority of Law Enforcement Officials in Uncovering Money Laundering Crimes Derived from Narcotics Offenses in the Jurisdiction of the Aceh Regional Police

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Abstract

Several cases of Money Laundering (TPPU) in Aceh Province are known or reasonably suspected to be the result of narcotics crimes. However, law enforcement against TPPU is not yet optimal because the TPPU Law still has limitations in efforts to detect TPPU, there are various interpretations of several norm formulations in applicable laws and regulations related to TPPU. The authority of agencies related to the implementation of the anti-money laundering regime has not been regulated clearly and firmly

in the TPPU Law, including regarding the authority of predicate crime investigators to investigate TPPU, the authority of PPATK to block assets. "So it is necessary to carry out a study to find out and analyze the problem of TPPU law enforcement, especially regarding the Authority of Law Enforcement Officials in Revealing TPPU from the Proceeds of Narcotics Crimes in the Legal Area of the Aceh Regional Police."

Keywords: Law Enforcement, Money Laundering Crimes, Narcotics Crimes

Introduction

Narcotics is an abbreviation for narcotics, psychotropic substances and other addictive substances. If this substance enters the human body, either through the mouth or inhaled or using a syringe, it will affect the functioning of the brain or central nervous system. Narcotics have very strong addiction (addiction), tolerance (adjustment) power, and habitual power, which causes narcotics users to be unable to stop using them. The danger of drugs is because they are related to the effects of addiction, which in medical terms is called the *Addiction Effect*.¹

Narcotics crimes in Indonesia continue to increase every year. This is what causes narcotics traffickers to make Indonesia a promising market for carrying out criminal acts of illicit narcotics trafficking. The circulation of narcotics is increasing to the point where it can be categorized as a disaster. It is said to be a disaster because the death rate due to narcotics has also increased. This is the basis for the government to make implementing regulations for Act No. 35 of 2009 concerning Narcotics (Narcotics Act).

In its development, the law enforcers who have the authority regarding criminal acts of illicit trafficking of narcotics, as stated in Article 81 of the Narcotics Act, are that investigators who have the authority to carry out investigations into the abuse and illicit trafficking of narcotics are the Police (Polri) and the National Narcotics Agency (BNN), then If the investigator finds that there is a development of a criminal case of illegal narcotics trafficking towards the Crime of Money Laundering (TPPU) which does not stand alone because the assets placed, transferred or transferred in an integrated manner were obtained from criminal acts or illegal activities, it means that there is already other criminal acts that preceded it (predicate crime). Then it is also stated in Article 1 point 4 of the Head of BNN Regulation No. 7 of 2016 concerning Investigation and Investigating TPPU from Crimes Originating from Narcotics and Narcotics Precursors which states that "BNN Investigators are BNN Employees who are given the authority to carry out investigations and inquiries into abuse and illicit trafficking of Narcotics and Narcotics

¹ Adisti, N. A, *Kebijakan Kriminal Dalam Pencegahan dan Penanggulangan Narkotika di Kota Palembang*, Jurnal Legalitas, Kurnal Hukum, 1(12), 38-64, 2020.

Precursors as well as TPPU from crimes originating from narcotics and narcotics precursors."

The large profits obtained from narcotics transactions give rise to the perpetrator thinking about hiding or disguising the money obtained from these narcotics transactions. This indicates that the crime of money laundering and narcotics crimes are related to each other.² TPPU is an attempt to disguise or hide the origin of money or funds and assets resulting from a criminal act through various financial transactions, so that later the money appears as if it came from legal or authorized activities.³

Indonesia pays serious attention to TPPU, one of the national efforts to eradicate it is proven by the issuance of the TPPU Act which has an important meaning in criminalizing money laundering in Indonesia. Several factors underlie Indonesia's need to have laws that regulate the prohibition of money laundering, including that money laundering practices are very detrimental to society, because:⁴

1. Criminals (either individually or in the form of organized crime organizations), perpetrators of TPPU, always try to expand their operational activities, and the possibility in that direction always exists. This has the effect of increasing the costs of law enforcement to eradicate it.
2. The increase in criminal activity in the form of drug trafficking can increase the costs of rehabilitating, caring for and treating drug addicts or drug victims, which in fact these costs ultimately become a burden on the state which obtains funds for this financing from taxes paid by the community.
3. Considering that TPPU involves large amounts of money, it is possible that TPPU perpetrators undermine society in the financial sector because of the large amounts of money they control. In addition, with the control and circulation of such large amounts of illicit money, the potential for committing other crimes such as corruption is likely to increase along with the increase in TPPU. And TPPU can also reduce state income in the taxation sector and indirectly harm state finances and honest taxpayers as well as reduce legitimate employment opportunities.
4. The ease with which money enters a country has attracted undesirable elements through the country's borders, the level of difficulty in people's lives is increasing, and concerns about state security are also increasing.

The characteristics of TPPU make TPPU a double crime.⁵ This means that the emergence of TPPU is always preceded

by the original crime.⁶ The TPPU Law itself determines the types of crimes that are the source of wealth whose origins are then disguised as regulated in Article 2 of the TPPU Law. Of the various forms of crime, one of them is narcotics crime. This connection can be seen in the United Nations Convention against Corruption (UNCAC) regulations which were formed in 2004 where money laundering regulations were mentioned many times and clearly stated the obligation for participating countries to carry out law enforcement processes against TPPU.

The background to the actions of perpetrators of illicit narcotics trafficking who divert and hide assets resulting from crimes through the financial system is to move or distance the perpetrators from crimes that produce proceeds of crime from the crimes committed, separating the proceeds of crime from the crimes committed, and committing reinvestment of criminal proceeds for further criminal activity or into legitimate businesses. Overcoming the crime of illicit narcotics trafficking by separating the proceeds of crime from the crimes committed and the enjoyment of the proceeds of crime in the form of placing narcotics crimes as core crimes.⁷

To further strengthen the success of preventing and eradicating narcotics, not only implementing the Narcotics Law but pairing it with the TPPU Law in eradicating crimes, it is no longer focused on efforts to arrest perpetrators but is more focused on confiscating and confiscating the resulting assets as a new paradigm in solving the problem of eradicating narcotics crimes. By using an anti-money laundering regime. According to Chalkin and Sharman, it is said that the proceeds of crime are the "lifeblood of the crime" which means that it is the blood that feeds the crime and is also the weakest point in the chain of crime that is most easily detected.⁸

If we look closely at the mechanism for confiscating assets resulting from narcotics crimes in the Narcotics Law, it is not straightforward because the mechanism refers to the personam model or what is commonly called criminal forfeiture. The implication is that assets which are the proceeds of a criminal act can only be confiscated after the perpetrator who is the defendant is found guilty by a court decision that has permanent legal force, then the National Police or BNN can apply for the confiscation of the proceeds of the narcotics crime committed by the defendant. This model also places an obligation on the defendant to prove that his assets or assets were obtained legally. Proving assets resulting from criminal acts requires time and a long legal process and allows for the transfer of ownership rights to assets resulting from criminal acts owned by the defendant to another party, as well as the transfer of assets belonging to the defendant abroad to avoid confiscation from the state if he is found guilty.⁹

⁶ *Ibid.*

⁷ Bismar Nasution, *Hukum Kegiatan Ekonomi I*, Bandung, Books Terrace & Library, 2009, hlm. 219.

⁸ David Chalkin dan J.C Sharman, *Corruption and Money Laundering: A Symbolic Relationship*, Amerika Serikat, Palgrave Macmillan, 2009, hlm. 14.

⁹ Usman Arifin, Dahlan Ali dan M. Nur Rasyid, *Pemblokiran Aset Tersangka Tindak Pidana Narkotika dalam Kaitannya dengan Tindak Pidana Pencucian Uang*, Jurnal Ilmu Hukum Pascasarjana Universitas Syiah Kuala, Oktober 2019, hlm. 5.

² Risal Septian dan Dudung Hidayat, *Penyidikan Tindak Pidana Pencucian Uang Dari Hasil Kejahatan Narkotika*, Hukum Responsif Vol 9. No 1, Februari 2018. hlm. 39.

³ Amin, I, *Penerapan Sanksi Terhadap Tindak Pidana Pencucian Uang*, Jatiswara, 34 (1), 87-92, 2019.

⁴ Sutan Remy Sjahdeini, *Pemberantasan Tindak Pidana Pencucian Uang*, Disampaikan dalam rangka sosialisasi RUU tentang Pemberantasan Tindak Pidana Pencucian Uang yang diselenggarakan oleh Departemen Kehakiman dan HAM tanggal 6-10 November 2000.

⁵ Joni Emirzon, Bentuk, *Praktik, dan Modus Tindak Pidana Pencucian Uang*, makalah dalam Seminar KPK, pada tanggal 15 Juni 2022.

Several examples of TPPU from the proceeds of narcotics crimes can show that the most dominant mode is financial instruments offered by the banking sector. The use of banks in money laundering can take the form of: (1) storing money resulting from criminal acts in the form of savings/deposits/current accounts/current accounts in fake names, (2) exchanging fractions of money resulting from crimes with other larger or smaller denominations, (3) using transfer facilities, (4) carrying out fictitious export-import transactions by issuing Letters of Credit (L/C) by falsifying documents and collaborating with related individuals, (5) establishing/utilizing/carrying out illegal banking practices. Meanwhile, the factors that determine the purpose of money laundering are: (1) keeping secret who the real owner of the money obtained from the proceeds of the crime is; (2) obtain a form of placement/layering/integration of the money obtained from the proceeds of the crime into a financial system/instrument that is easy to carry anywhere, for example into a traveler's check instrument; (3) keep the washing process secret, making it difficult to trace; and (4) easily monitored by the actual owner of the proceeds of this crime.¹⁰

Several cases of money laundering crimes based on the proceeds of narcotics crimes that occurred in Aceh province during the last 5 years, namely those that occurred in the jurisdiction of the Bireuen District Court with decision No.43/Pid.Sus/2017/PN.Bir in the name of the defendant Murtala Ilyas Bin Ilyas Those found guilty of committing the crime of money laundering from the proceeds of narcotics crimes are sentenced to imprisonment for 19 years and a fine of IDR 5,000,000,000.¹¹ As for the case which also occurred in North Aceh Regency, it can be seen from the Lhoksukon District Court Case Decision No.56/Pid.Sus/2020/PN.Lsk Defendant Aliun Musrsafi Alias Yun regarding a case of money laundering which he knew or reasonably suspected was the result of a narcotics crime with the aim of hiding or disguising the origin of assets as regulated in Article 3 of the TPPU Act. Criminal liability is based on the element of intent by the perpetrator (*dolus*), namely that the perpetrator knows that his actions are prohibited by law but continues to carry out these actions so that there is no justification or excuse for him to avoid punishment.¹² Then the case occurred in the jurisdiction of the Takengon District Court with case decision No.1/Pid.Sus/2023/PN.Tkn, namely the defendant in the name of Nazaruddin Bin M. Saleh intended in Article 114 Paragraph (2) Jo Article 112 Paragraph (2) Jo Article 137 a Act No. 35 of 2009 concerning Narcotics, Jo Article 55 (1) 1st of the KUHP and or Article 2 (1) c and Article 3 of Act No.8 of 2010.¹³

In the context of law enforcement, National Police investigators and BNN investigators have the authority to

carry out investigations into the abuse and illicit trafficking of narcotics and narcotics precursors based on the Narcotics Act. BNN investigators have limited authority in carrying out asset searches as stipulated in the TPPU Act. Meanwhile, Article 3 of the BNN Head Regulation (Perka) No. 7 of 2016 concerning Investigation and Investigation of TPPU from criminal acts originating from Narcotics and Narcotics Precursors states that, Investigations by BNN investigators are carried out in the context of searching for, collecting and analyzing evidence in order to find TPPU incidents and assets from crimes originating from narcotics and narcotics precursors.

Law enforcement of money laundering crimes is not yet optimal because the TPPU Law still has limitations in efforts to detect money laundering crimes, there are various interpretations of several norm formulations in applicable laws and regulations related to TPPU. The authority of agencies related to the implementation of the anti-money laundering regime has not been regulated clearly and firmly in the TPPU Act, including regarding the authority of predicate crime investigators to investigate TPPU, the authority of PPATK to block assets.

Based on what has been described, as an illustration, in the jurisdiction of North Aceh there have been cases of money laundering which he knows or reasonably suspects are the proceeds of narcotics crimes. Therefore, to find out and analyze the cases mentioned above, it is necessary to carry out research entitled "The Authority of Law Enforcement Officials in Revealing Crimes of Money Laundering from the Proceeds of Narcotics Crimes in the Legal Area of the Aceh Regional Police"

Research Method

Based on the problems raised, this research uses empirical juridical research methods. Empirical juridical legal research is legal research regarding the application of normative legal provisions (codification, laws or contracts) in action to each specific legal event that occurs in society.¹⁴ Empirical legal research or what is commonly called sociological legal research or also known as Field Research. Empirical legal research is based on primary/basic data, namely data obtained directly from the community as the first source through field research, namely by conducting interviews.¹⁵ The location of this research was carried out in the jurisdiction of the Aceh Regional Police. Determining the location is because there are still problems due to the lack of maximum law enforcement for the crime of money laundering from the proceeds of narcotics crimes. Meanwhile, the population in this research is the Head of the Criminal Investigation Unit (*Kasatreskrim*) and *Satreskrim* Investigators. The sample selection was carried out using purposive sampling (*feasibility*), namely where the entire population was selected, only a few people were taken who could provide accurate data and were considered to represent the entire population consisting of respondents and informants. The respondents and informants in this study were:

¹⁰ Mas Ahmad Yani, *Kejahatan Pencucian Uang (Money Laundering): Tinjauan Undang-Undang Nomor 8 Tahun 2010 tentang Pencegahan dan Pemberantasan Tindak Pidana Pencucian Uang*, (Jurnal Widya Yustisia, Volume 1 Nomor 1 Mei-Agustus 2013), hlm. 24.

¹¹ Putusan Perkara Pengadilan Negeri Lhoksukon Nomor 56/Pid.Sus/2020/PN Lsk

¹² Putusan Perkara Pengadilan Negeri Lhoksukon Nomor 56/Pid.Sus/2020/PN Lsk

¹³ Putusan Perkara Pengadilan Negeri Takengon Nomor 1/Pid.Sus/2023/PN.Tkn

¹⁴ Abdulkadir Muhammad, *Hukum dan Penelitian Hukum*, Bandung, Citra Aditya Bakti, 2004, hlm. 134.

¹⁵ *Ibid.*

1) Respondent

- a. Drug Investigation Unit investigators, 2 people each in the jurisdiction of the Aceh Besar Police, Bireun Police, North Aceh Police and Central Aceh Police.
- b. 2 Prosecutors each in the jurisdiction of the Aceh Besar District Prosecutor's Office, the Bireuen District Prosecutor's Office, the North Aceh Prosecutor's Office and the Central District Prosecutor's Office
- c. One person each commits the crime of money laundering from the proceeds of narcotics crimes in the jurisdiction of Aceh Besar Regency, Bireun, North Aceh Regency and Central Aceh Regency.

2) Informant

- a. Head of Narcotics Investigation Unit, 1 person each in the jurisdiction of the Aceh Besar Police, Bireun Police, North Aceh Police and Central Aceh Police.
- b. Head of Sub-Directorate for Narcotics Directorate of Aceh Police.

The data collection carried out by the author in this research was interviews by asking questions directly to the information provider who plays an important role in the field to be studied and researched.¹⁶ Then a data management analysis is carried out and after the data is processed and deemed sufficient, it is then presented in narrative form and ends by drawing conclusions and suggestions from all the research results.

Results and Discussion**1. Coordination of Law Enforcement against the Crime of Money Laundering from the Proceeds of Narcotics Crimes**

Law enforcement is one way to resolve legal problems that exist in communities where law enforcement has jurisdiction. TPPU law enforcement, starting from TPPU investigations and investigations carried out by investigators from the Indonesian National Police (Polri). One of the cases handled by the Aceh Regional Police is related to money laundering, where another suspect is Nazaruddin bin M. Saleh, who committed the crime of money laundering in 2022. The money laundering carried out by the suspect was the proceeds from the sale of crystal methamphetamine. So, the suspect Nazaruddin is suspected of having violated Article 3 of the TPPU Act. As investigators who have the authority to investigate TPPU originating from narcotics crimes as stated in Article 2 (1) letter c of the TPPU Act, BNN investigators also have the authority to suspend transactions, block and request information from financial service providers as regulated in Articles 70, 71 and 72 TPPU Act.

The process of investigating criminal acts of money laundering does not only involve investigators and PPATK but also involves the Reporting Party. The Reporting Party is every person who, according to TPPU Act, is obliged to submit a report to PPATK. Reporting Parties according to Article 17 (1) of TPPU Act, include financial service providers (banks; finance companies; cooperatives carrying out savings and loan activities; pawnshops; etc.) and goods providers and/or services (property companies/property agents; motor vehicle traders; auction houses and others).

BNN investigators and Polri investigators both have the authority to carry out investigations into the abuse and illicit trafficking of narcotics and narcotics precursors based on Article 81 of Narcotics Act.¹⁷ In law enforcement in criminal cases, the police are the first agency to handle it if a criminal act occurs. The police as investigators and investigators are obliged to carry out an investigation into the criminal act and then hand it over to the prosecutor's office to prosecute the suspect. However, when a narcotics crime occurs, BNN also has the authority to receive reports, make arrests, and exercise other authority over the investigation and investigation process related to narcotics crimes.

The suspicion of a money laundering crime emerged when investigators carried out a search of the suspect's assets at the beginning of the investigation. However, BNN investigators have limited authority in carrying out asset searches as stipulated in TPPU Act.

Article 3 of the Head of BNN Regulation No.7 of 2016 concerning Investigation and Investigation of TPPU from criminal acts originating from Narcotics and Narcotics Precursors states that, Investigations by BNN investigators are carried out in order to search for, collect and analyze evidence in order to find TPPU incidents and assets from criminal acts origin of narcotics and precursors of narcotics. Head of BNN Regulation No. 7 of 2016, in conducting an investigation, BNN investigators have the authority to (1) Receive reports or complaints from someone regarding a criminal act, (2) Search for information and evidence, (3) Order someone who is suspected to stop and ask for and check personal identification and, (4) Take other actions based on the provisions of the Laws and Regulations.

BNN investigators who have completed their investigative duties, then make and submit a report on the results of the implementation to the BNN investigator's superior, in this case the Head of the Eradication Division. In the process of investigating TPPU from criminal acts originating from narcotics, the investigation carried out by BNN investigators is not much different from investigators from the police. It's just that the investigations carried out by BNN investigators are more stringent, namely in certain cases regarding the crime of money laundering from narcotics crimes.

It is further explained in Article 4 paragraph (1) of Head of BNN Regulation No. 7 of 2016, that in carrying out investigative activities, BNN investigators can use the following techniques:

- 1) Analysis of financial transactions
- 2) Tracking and mapping network assets stored in the electronic system (data base)
- 3) Observation
- 4) Interview (interview)
- 5) Surveillance; and/or disguise (undercover).

Article 4 (2) of the Head of BNN Regulation No. 7 of 2016 then states that carrying out investigations by BNN investigators must be accompanied by an Investigation Order, issued by the BNN investigator's superior (Head of the Eradication Division). This investigation warrant can be

¹⁶ Muhammad teguh, *Metode Penelitian Ekonomi*, Jakarta, Raja Grafindo persada, 2005, hlm. 136.

¹⁷ Thalib, H., Rahman, S., & Semendawai, A. H, "The Role of Justice Collaborator in Uncovering Criminal Cases in Indonesia", *Diponegoro Law Review*, Vol. 2(1), 2017, hlm. 27-39.

used by BNN investigators to uncover the occurrence of a Narcotics crime.

Regarding investigative authority, in general the handling of TPPU cannot be separated from the original criminal act. However, based on the current TPPU Law, TPPU investigations are only carried out by the police, so that when the prosecutor's office, which also has investigative authority, finds a flow of funds that meets the elements of TPPU, investigators of predicate crimes (narcotics crimes) have the authority to investigate TPPU matters. Because in the TPPU Act there is no clarity regarding the authority of predicate crime investigators regarding TPPU investigations. Meanwhile, among prosecutors, they use their authority to carry out investigations, especially TPPU matters, which are based only on the provisions regulated in criminal acts of corruption.¹⁸ Investigating a money laundering crime is known as a follow the money and follow the suspect approach. With the follow the money approach, it will be possible to reveal who the perpetrator is, what crime was committed, as well as the place where it was committed and the amount of assets hidden by the perpetrator.

Article 72 (2) of the TPPU Act essentially states that for the purposes of examination in money laundering criminal cases, investigators, public prosecutors or judges are to be disregarded or set aside the provisions of laws and regulations governing bank secrecy and other financial transactions. Therefore, efforts to prevent banks from being used as a means of money laundering make it possible to reveal bank secrets. Apart from that, banks must apply the principle of getting to know their customers by conducting Customer Due Diligence (CDD) with each customer. CDD is an activity in the form of identifying, verifying and monitoring the conformity of transactions with customer profiles. Therefore, as early as possible, banks can prevent criminal acts of money laundering that use banking facilities.

2. Obstacles Faced by Law Enforcement Officials in the Crime of Money Laundering from the Proceeds of Narcotics Crimes

In handling TPPU cases handled by investigators from the Aceh Regional Police's Narcotics Directorate, there are factors that become obstacles. The obstacles for the Aceh Police Narcotics Directorate are:

a. Juridical Obstacles

1) Overlapping Authorities to Investigate TPPU
Investigators who have the authority to carry out investigations are the National Police (Polri), Prosecutors, and Corruption Eradication Commission. This overlap is what becomes an obstacle for the National Police because these three legal agencies have the authority to carry out investigations. This is due to a lack of harmony and lack of synchrony in statutory regulations regarding certain fields or it could also be between statutory regulations and customary law or unwritten law. So this becomes an obstacle in enforcing TPPU law.¹⁹

¹⁸ Thalib, H., Ramadhan, A., & Djanggih, H, "The Corruption Investigation In The Regional Police of Riau Islands", *Indonesia. Rechtsidee*, Vol. 4(1), 2017, hlm. 71-86

¹⁹ Soerjono soekanto, *Beberapa permasalahan hukum dalam rangka pembangunan di Indonesia*, Penerbit Universitas Indonesia, Jakarta, 1983, hlm, 36.

2) Financial transactions are carried out in cash without going through banking

It is very difficult to find evidence if the transaction is carried out in cash. Because most payments via cash do not have proof of the payment transaction and most of them also do not have witnesses who witnessed the transaction taking place. So the conclusion is that transactions can be carried out in places where no one is watching or no one knows when the transaction takes place. Evidence - from the TPPU in this way it is difficult to trace the whereabouts of the proceeds of the illicit money, especially if the money from the TPPU has been entrusted to another person in cash without going through banking as a third person or fourth person or more, and in the end back to the owner of the cash, namely the second person.

b. Technical Obstacles

1) Lack of understanding of TPPU by the public as regulated in the TPPU Act

According to R. Ojje Salman, the public's opinion is that understanding the law is an understanding of the content and objectives of certain laws, written or unwritten, as well as the benefits for the parties whose lives are regulated by these regulations. In this case, understanding the law does not require someone to know that there is a written regulation that regulates a matter. However, what is seen here is how they perceive various things, in relation to the norms that exist in society. This perception is usually manifested through their attitude. Regarding daily behavior.²⁰ A somewhat erroneous emphasis on providing legal information/counseling will most likely lead to an understanding of society that is not considered.

2) Lack of Courage by Investigators in Carrying Out the TPPU Investigation Process

The courage and morals of investigators in examining reports regarding the TPPU and the lack of mental and moral guidance regarding threats that create a feeling of discomfort for investigators in carrying out the investigation process and investigations into criminal acts of money laundering so that investigators feel a lack of confidence in the process - the process that will be carried out, apart from that there is a lack of support that can inspire enthusiasm for investigators to carry out the investigation and investigation process.

3) Insufficient Number of Investigators

There is a lack of investigative personnel/assistant investigators at the Sub-Directorate of Narcotics Police for the Aceh region, so that the police find it difficult to examine and analyze money laundering criminal cases quickly, but the time required is quite long in order to achieve perfection in the examination process and collect evidence so that strong enough to proceed to Court. The investigation process carried out by investigators must be honest because honesty in the examination process is useful for investigators to avoid committing fraud such as being bribed to obtain the truth for perpetrators of money laundering crimes.

4) Lack of quality/ability of investigators' understanding of TPPU

The lack of quality of investigators including skills, tenacity and ability as well as motivation of investigators in carrying out TPPU investigations is one of the important obstacles to

²⁰ R. Otje Salman, *Beberapa Aspek Sosiologi Hukum*, Penerbit Alumni, Bandung, 1989, hlm. 56

pay attention to in the successful enforcement of TPPU Acts. This obstacle affects the creativity and ability of investigators in handling money laundering crimes. Because with the progress of science and technology and the development of the times, everything, including education in the quality of empowering knowledge, is increasingly developing and resulting in the level of evil acts or acts against the law being more creative and neat. This can be exemplified, such as obscuring the origins of the proceeds of money laundering crimes using accounts overseas. This makes it difficult for investigators to understand investigations through overseas account transactions.

5) Lack of Facilities, Infrastructure and Budget for Investigators' Needs in TPPU Investigations

In a general study regarding law enforcement, it is explained that facilities or infrastructure, which are daily called facilities (including the available budget), greatly influence the law enforcement process, including law enforcement in the field of TPPU. So it will not be possible for law enforcement to be successful and run smoothly as expected and mandated by regulations, without adequate facilities and infrastructure as well as a budget. The facilities referred to include skilled and educated human power (investigators), sufficient equipment, good organizational management, availability of sufficient financial budget and so on. Therefore, it is very impossible to say that the law will achieve its goals while the facilities and infrastructure are limited.²¹ Moreover, narcotics crimes and TPPU are included in transnational crimes²² which are not only committed in Aceh Province, but have crossed national borders.²³

3. Efforts Made by Law Enforcement Officials to Reveal Crimes of Money Laundering from the Proceeds of Narcotics Crimes

In response to the above, it is necessary to make efforts to increase capabilities which are realized in real terms through developing and fostering personnel capabilities, system development, as well as additional material and budget support.

Based on the considerations above, in order to support the implementation of increasing investigators at the Aceh Police Narcotics Directorate, it is necessary to have guidelines in the form of policies and strategies as well as efforts that can be taken. Below is an explanation of the efforts made by the Aceh Regional Police.

a. Juridical Efforts

- 1) Coordinate with Polri operations and coordinate with institutions that are members of the Criminal Justice System (CJS).

- 2) Carrying out examinations of witnesses regarding financial transactions for the crime of money laundering through cash
- 3) Organizing seminars for the public on understanding Act No. 8 of 2010.

b. Technical Efforts

- 1) Developing the mental attitude and courage of investigators in carrying out the process of investigating criminal acts of money laundering.
- 2) Optimizing the duties of investigators and encouraging motivation and discipline in handling investigations into money laundering crimes.
- 3) Participate in education and training on handling money laundering crimes as well as motivational encouragement.

Conclusion

The Aceh Police Narcotics Directorate can coordinate with Police (Polri) investigators in enforcing TPPU laws originating from narcotics crimes, because TPPU itself originates from narcotics crimes. Up to now, TPPU law enforcement has not been implemented optimally because the TPPU Act still has limitations in efforts to detect money laundering crimes, there are various interpretations of several norm formulations in applicable laws and regulations related to TPPU. The authority of the relevant agencies has not been firmly and clearly regulated in the TPPU Law, especially regarding the authority of predicate crime investigators to investigate TPPU and the authority of the PPATK to block assets.

The obstacles faced by the Polda Aceh in handling TPPU cases consist of juridical obstacles such as overlapping authority to investigate money laundering crimes, financial transactions carried out in cash without going through banking and a lack of understanding of money laundering crimes by the public. The Technical Obstacles are; Lack of courage of investigators in carrying out the TPPU investigation process, lack of number of investigators, lack of quality/ability of investigators to understand TPPU, and lack of facilities, infrastructure and budget for the needs of investigators in TPPU investigations.

The efforts made by the Polda Aceh to overcome obstacles to TPPU consist of juridical efforts, such as: Coordinating with Polri operations and coordinating with institutions that are members of the *Criminal Justice System* (CJS), conducting examinations of witnesses regarding financial transactions of money laundering crimes through cash, and holding seminars for the public on understanding the TPPU Act. As for technical efforts such as; developing the mental attitude and courage of investigators in carrying out the TPPU investigation process, optimizing investigators' tasks and encouraging motivation and discipline in handling TPPU investigations, participating in education and training on handling TPPU as well as encouraging motivation, improving facilities and infrastructure (both quantity and quality), providing training to investigators in the field of information technology as well as submitting adequate budgets.

Suggestions

It is recommended that intensive coordination and cooperation be carried out between the Police (Polri), PPATK, Attorney General's Office and the Supreme Court

²¹ Soerjono Soekanto, Op.cit, hlm. 36

²² Dahlan Ali, Mustakim, Mahfud, Suhaimi, State Responsibility for the Waters of the Malacca Strait in Relation to the Prevention of Transnational Crime, *International Journal of Multicultural and Multireligious Understanding*, Volume 10(3), 2023, pp.85-92.

²³ Suhaimi, T. Hafliyah, Chadijah Rizki Lestari, Application of the Principle of Recognizing Service Users (PMPJ) by Notaries in the Context of Preventing Money Laundering and Terrorism Funding Crimes, *International Journal of Advanced Multidisciplinary Research and Studies*, Volume 3(3), 2023, pp.1128-1132 (Int. j. adv. multidisc. res. stud. 2023; 3(3):1128-1132).

in order to optimize and speed up the completion of investigations.

It is recommended that continuous improvements be made to the structure of members of the Indonesian National Police and that libraries relating to laws and regulations, especially TPPU, be available, so that investigators can access them easily to assist with investigative tasks in the TPPU sector.

It is recommended that additional personnel be added to the Narcotics Directorate of the Polda Aceh who have a research background and undergraduate education who have attended honesty education, training, outreach and seminars in the field of TPPU as well as proposing an additional budget that supports operations in TPPU investigations.

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