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The Significance of Financial Transactions in the Process of Proving Economic Crimes and Money Laundering

Ismawanto Somantri [1]
[1] Magister Ilmu Hukum, Program Pascasarjana Pasundan Bandung

Email: ismawantri1970@gmail.com

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ABSTRACT

Financial transactions play a crucial role in the process of proving economic crimes and money laundering, as they are the primary means of tracing the flow of proceeds of crime (follow the money). This study aims to analyze the significance of financial transactions as evidence, the forms and patterns of transactions used to disguise the proceeds of crime, and the authority of law enforcement agencies in utilizing financial transaction data for evidentiary purposes. The method used is normative legal research through library research and qualitative analysis of relevant laws, doctrines, and literature. The results indicate that financial transactions play a significant role in proving economic crimes and money laundering. The complex and evolving transaction patterns that follow the stages of money laundering (placement, layering, integration) require in-depth analysis. Law enforcement agencies, including the Police, the Prosecutor's Office, and the Corruption Eradication Commission (KPK), utilize financial transaction data from the Financial Transaction Reports (PPATK), such as the Suspicious Financial Transaction Report (LTKM), as primary evidence. This suspicious transaction reporting and analysis system enables effective tracing of the flow of proceeds of crime to support investigations, inquiries, and evidence presentation in court

Keywords: *: Financial Transactions, Economic Crimes, Money Laundering*

INTRODUCTION

Economic crimes include money laundering (Pardede, 2015). Various groups have recently paid special attention to the crime of money laundering, not only on a national, regional, or global scale but also through cooperation between countries. Various crimes are committed by irresponsible parties. The act of transferring, spending, donating, entrusting, exchanging, or transferring assets known or reasonably suspected to be the proceeds of crime with the intent to conceal or conceal the assets is known as money laundering.

Money laundering (TPPU) has become a serious threat to the stability of the global financial system and the integrity of the national economy. This crime not only harms the state financially but also undermines the socio-economic fabric of society (Sjahdeini, 2017). Money laundering is a means for criminals to legalize the proceeds of crime in order to cover their tracks. Furthermore, the sheer volume of laundered funds has impacted national and even global financial balances and caused enormous losses (PPATK, 2024).

Another danger is that money laundering forces criminals, especially organized crime, to develop networks using the laundered money, leading to the rise of crimes such as narcotics and banking crimes (Sjahdeini, 2017). The role of the rule of law is a crucial element in the national legal system in combating money laundering, a contemporary and complex form of crime.

Satjipto Rahardjo argues, "Law can serve to control society and can also be a means to bring about changes in society. These changes must be accompanied by active and effective legislation to address money laundering crimes. Currently, the eradication of money laundering in Indonesia is regulated by Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes (UU TPPU) (Tunggal, 2014).
Money laundering (TPPU) is defined as a series of acts committed to conceal or disguise the origin of assets derived from criminal acts (predicate crime) so that the assets appear legally legitimate (Syamsudin, 2014). TPPU perpetrators use various sophisticated and complex modus operandi, such as fund smurfing and layering, which are carried out covertly and exploit bank secrecy and cross-border banking systems (PPATK, 2024). This creates a significant challenge for law enforcement officials in collecting and analyzing relevant TPPU evidence. Although Article 69 of the TPPU Law facilitates law enforcement by not requiring prior proof of the predicate crime, in reality, financial transactions are the only objective traces that can be traced to prove the elements of TPPU, especially the subjective element of "intentionally, knowingly, or reasonably suspected" that the assets originated from the proceeds of crime. Without comprehensive financial transaction tracing, it will be difficult for the Public Prosecutor to link the assets to the perpetrator's malicious intent in hiding or disguising the origin of the funds.

In the context of criminal procedure, proving money laundering (TPPU) is unique because its primary focus is tracing the flow of funds. Digitally recorded and distributed financial transactions serve as primary and essential evidence (mandatory evidence) to uncover the objective (actus reus) and subjective (mens rea) elements of TPPU (Al Islam, et al., 2025). Financial transaction data, particularly account transfers, is a crucial and multidimensional instrument in handling money laundering (TPPU) cases, not merely a supplement but the primary foundation of evidence.

The significance of this data can be grouped into three main pillars within the legal framework and criminal liability:

1. Essential Evidence (Mandatory Evidence) for a criminal act (Actus Reus)

In the context of Article 3 of Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering, account transfer data is the only factual instrument capable of concretely proving the elements of concealment and concealment of assets, which are the core of this crime. Without this data, law enforcement will have great difficulty tracing the flow of funds. This data is vital in uncovering

a. Layering Stages

Complex, chained, and intersecting patterns of fund transfers across multiple accounts or jurisdictions constitute the digital footprint of the layering process. Account transactions provide a visualization of fund movements that are deliberately complicated to break the chain between the proceeds of crime (predicate crime) and the laundered money.

b. Data Integration Stage: This data also shows how dirty money is ultimately re-introduced into the legal economic system, for example through the purchase of high-value assets or investments. Therefore, account transactions serve as irrefutable physical (digital) evidence of the crime (actus reus) of money laundering itself.

2. Determinants of Subjective Elements (Mens Rea)

Beyond physical evidence, financial transaction data plays a central role within the Criminal Responsibility Theory framework, particularly in establishing the subjective element (mens rea) or the perpetrator's malicious intent. Transaction patterns reflected in account statements exhibit complex, irregular, and chained characteristics. This pattern strongly indicates intent (dolus) on the part of the perpetrator in committing money laundering (Ahmad, 2025).

Patterns that deviate from normal transactions (such as high frequency, odd amounts, or the use of multiple shell accounts) indicate that the perpetrator has a conscious intention to:

a. Eliminating traces of the origin of wealth.

b. Hiding ownership identity.

Thus, the complexity of the transaction pattern becomes an external reflection of the perpetrator's inner will, which is an essential requirement for proving subjective guilt and imposing criminal responsibility.

3. Vital Basis for Asset Recovery

The crucial function of financial transaction data extends beyond criminal evidence to asset recovery for the state or victims. Account mutation data enables law enforcement to conduct asset tracing with high precision. The accuracy of this data allows for a precise calculation of assets proven to originate from crime.

This accuracy is very important because this data is a vital legal basis for judges in:

a. Determining the decision to confiscate assets.

b. Determine the amount of compensation.

Realizing asset recovery through accurate transaction data not only satisfies the criminal aspect but also embodies the principle of corrective justice. This principle aims to restore the equilibrium disturbed by crime by returning the proceeds of crime to the victim or the state treasury, while simultaneously providing a significant deterrent effect. The urgency of financial transactions lies in their ability to follow the money and uncover the perpetrators' covert efforts. Financial transaction data also serves as the legal basis for the Financial Transaction Reports and Analysis Center (PPATK) to conduct financial intelligence analysis, which serves as a gateway for investigators to uncover predicate crimes and money laundering itself (Afandi et al., 2026).

For example, the case is Decision Number 4178 K/Pid.Sus/2023. This TPPU case has a predicate crime which is embezzlement with the following chronology: Daniel Rachmat, who is the director of CV. Agro Makmur Jaya, collaborated in buying and selling agricultural products in the form of beans including soybeans to Halim Alias A Kim, then the agricultural products were resold to other parties and each time the transaction, Halim Alias A Kim bought 4 (four) tons and initially the payment went smoothly, but from August 16, 2019 to October 10, 2019, the Defendant did not make any more payments so that CV. Agro Makmur Jaya suffered a loss of Rp. 1,568,887,500.00 (one billion five hundred sixty-eight million eight hundred eighty-seven thousand five hundred rupiah) and when billed, Halim Alias A Kim said he did not have the money because the money had been used to buy a car.

The actions of Halim Alias A Kim resulted in CV. Agro Makmur Jaya experiencing a loss of Rp. 1,568,887,500 (one billion five hundred sixty eight million eight hundred eighty seven thousand five hundred rupiah) and for his actions, Halim Alias A Kim was declared guilty and proven to have committed the crime of embezzlement then for the purpose of hiding or disguising the origin of the money from the crime of embezzlement, then Halim Alias A Kim together and in agreement with Erlin Wijaya Alias Aling (wife of Halim Alias A Kim) has placed, transferred, diverted, spent or paid the money from the crime. That Halim Alias A Kim resold the agricultural products in the form of nuts to another party and the payment was made in 2 (two) ways, namely paying in cash to Halim Alias A Kim or transferring via cash deposit at the CSM machine or at the teller counter to the BCA Bank account number 8195053355 and account number 8195000952 in the name of Halim. The transactions carried out in cash are suspected to have been carried out to break the connection or chain of transactions obtained from the proceeds of crime so that it appears as if it no longer comes from the proceeds of crime, while for the payments received in cash, Halim Alias A Kim ordered Erlin Wijaya Alias Aling to deposit the money into a BCA Bank account with account number 8195956789 in the name of Erlin Wijaya and on the orders of the defendant, the money in the BCA Bank account belonging to Erlin Wijaya Alias Aling was then transferred to another account according to the amount requested by the defendant, including to BCA account number 8195000952 in the name of Halim and to the Permata Bank account belonging to Halim Alias A Kim as payment of a loan debt at Permata Bank or transferred back to Erlin Wijaya Alias Aling's account and this was done to distance the origin of the wealth so that it appears to come from a legitimate source.

Based on the PPATK investigation, it was found that on September 17, 2019, Erlin Wijaya Alias Aling opened a new account at Bank Permata with account number 4134547753 and in the transaction mutation of the account it was found that the largest source of incoming funds was from the account of Halim Alias A Kim at Bank Permata so it is reasonable to suspect that the purpose of Erlin Wijaya Alias Aling in opening the account was to distance the origin of the wealth resulting from criminal acts and make it difficult to trace the flow of funds by carrying out a U-TURN transaction pattern and based on the transaction mutation in the account, there was a total amount of funds coming in and out from the same party in the period September 2019 to December 2019.

Another case is Decision Number 2029 K/Pid.Sus/2023. Indra Kesuma, also known as Indra Kenz, is widely known as an influencer or affiliate for the binary options app Binomo. From 2019 to 2022, Indra Kenz actively promoted and invited people to join the binary options derivative trading platform Binomo through various social media platforms, including videos on YouTube, Instagram, and TikTok. In each promotional content, Indra Kenz portrayed himself as a successful figure, displayed a luxurious lifestyle, and provided a referral code directly linked to his affiliate account at Binomo. Through intensive promotion, Indra Kenz directed people to register and make transactions using the referral code, which was directly linked to his affiliate account at Binomo. Through this referral code, the defendant earned a commission (affiliate commission) from every transaction made by users who registered through the link he distributed.

Through this affiliate system, Indra Kesuma, also known as Indra Kenz, earned large commissions into his bank account. The funds were derived from pseudo-illegal trading activities, as Binomo lacks a license from the Financial Services Authority (OJK) and is categorized as a form of gambling disguised as trading. Therefore, the funds clearly originated from the predicate crime of investment fraud. After receiving the funds from the victims, Indra Kesuma, also known as Indra Kenz, did not immediately deposit them but instead conducted a series of financial transactions through the banking system. He transferred some of the funds to other accounts belonging to close family members, third parties, and affiliated businesses, made large cash withdrawals, placed the funds in time deposits, and converted them into valuable assets such as luxury cars, houses, and watches. This pattern of fund transfers did not stop at a single transaction; instead, significant amounts were repeatedly transferred to various accounts, strongly indicating an attempt to disguise the origin of the funds, which were essentially sourced from a criminal act.

An analysis conducted by the Financial Transaction Reports and Analysis Center (PPATK) revealed that the flow of funds to Indra Kenz's account showed a recurring pattern, with complex transfers between accounts and significant cash withdrawals. These findings illustrate classic money laundering practices, which include placement, where the proceeds of crime are placed into the banking system; layering, where the funds are transferred to make tracing difficult; and integration, where the funds are used to purchase legitimate assets to appear legitimate.

Thus, based on the series of actions, Indra Kenz was declared to have fulfilled the elements of Article 3 of Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering. He as a legal subject has placed, transferred, diverted, spent, paid, and changed the form of assets that he knew or reasonably suspected were the proceeds of crime, with the aim of hiding or disguising the origin of the assets. In its decision, the court emphasized that Indra Kenz not only committed fraud through the promotion of illegal platforms, but was also proven to have committed the crime of money laundering. Therefore, he was sentenced to 10 (ten) years in prison, a fine of Rp. 5,000,000,000 (five billion rupiah), and confiscation of a number of assets for the state.

In law enforcement practices against economic crimes and money laundering, financial transactions play a central role in tracing the origins, movement, and destination of funds derived from criminal acts. However, the use of financial transaction data in the evidentiary process has not been fully optimized, due to limited access, the complexity of the modern financial system, and differences in law enforcement officials' understanding of the evidentiary value of financial information. On the other hand, the process of proving economic crimes and money laundering should place financial transactions as the primary instrument in uncovering the link between the predicate offense and the proceeds of crime. The use of integrated, accurate, and analytically based financial transactions is expected to increase the effectiveness of evidence, strengthen judicial confidence, and ensure legal certainty and justice in handling economic crimes and money laundering cases.

Based on the foregoing discussion, this study focuses on three main issues, namely the significance of financial transactions in the process of proving economic crimes and money laundering, the forms and patterns of financial transactions that may serve as evidence in establishing such offenses, and the authority of law enforcement agencies in utilizing financial transaction data to support the evidentiary process in economic crime and money laundering cases.

METHODS

This study uses a normative legal research method with a statute approach and a conceptual approach. Normative legal research was chosen because this study focuses on the analysis of legal norms governing the provision of evidence and the use of financial transactions in handling economic crimes and money laundering (Marzuki, 2021). The legal materials used consist of primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering, the Criminal Procedure Code (KUHAP), and other related regulations. Secondary legal materials include books, scientific journals, research results, and expert opinions relevant to proving economic crimes and money laundering, while tertiary legal materials include legal dictionaries and encyclopedias. The legal material collection technique is carried out through literature study, by tracing laws and regulations, doctrines, and court decisions related to proving economic crimes and money laundering (Husein, 2008). Next, the legal materials that have been collected are analyzed using qualitative analysis methods, namely by interpreting and reviewing legal norms systematically, logically, and argumentatively to draw conclusions that are relevant to the research problem.

RESULTS AND DISCUSSION

1. Regulation of the Significance of Financial Transactions in the Process of Proving Economic Crimes and Money Laundering

The significance of financial transactions in proving economic crimes and money laundering (TPPU) in Indonesia is strictly regulated to trace the proceeds of crime (follow the money). This system relies on suspicious transaction reporting (LTKM) and in-depth analysis by the Financial Transaction Reports and Analysis Center (PPATK) to present legal evidence in court. Evidence is at the core of the criminal justice process because it is at this evidentiary stage that the judge determines whether or not the defendant is guilty. In money laundering (TPPU), evidence faces a much higher complexity than in conventional crimes. This is due to the nature of money laundering as a sophisticated crime, namely a crime committed using sophisticated, layered, and organized methods that make it difficult for law enforcement to detect (Pieth, 2012). The term sophisticated crime refers to crimes that utilize technological developments, modern financial instruments, and cross-jurisdictional networks to disguise the proceeds of crime (Alldridge, 2003). The modus operandi involves transaction manipulation such as fund splitting (structuring/smurfing), cross-transfers (layering), the use of third parties (nominee accounts), and conversion to digital assets or luxury goods.

Therefore, proving money laundering (TPPU) does not rely solely on testimony or confessions, but also requires in-depth analysis of financial transaction data, PPATK analysis reports, and suspicious fund circulation patterns. The evidentiary process must distinguish between evidence as a means of proof and proof as the result of the judge's legal reasoning in assessing the defendant's guilt. Evidence is legal facts, documents, or data presented in court, while proof is a legal belief formed from logical reasoning based on that evidence. Therefore, in money laundering (TPPU), deposit slips, account transfers, PPATK analysis reports, or electronic data are merely evidence, which can only be transformed into evidence after being processed through criminal procedure mechanisms (Anandiansyah, 2020).

2. Forms and Patterns of Financial Transactions in the Process of Proving Economic Crimes and Money Laundering

The forms and patterns of financial transactions used in the process of proving economic crimes and money laundering are complex mechanisms designed to disguise the illicit origins of the proceeds of crime. Generally, these patterns follow the stages of money laundering: placement, layering, and integration, with transaction methods continually evolving in line with technological advancements (Gultom et al., 2026).

Proving the crime of money laundering (TPPU) cannot be separated from the analysis of the form and pattern of financial transactions carried out by the perpetrator (Mulyadi, 2015). This is because TPPU is a follow-up crime that aims to disguise or hide the origin of assets derived from the original crime (predicate crime). Thus, financial transactions are not only a technical means of circulating funds, but are the main object in the process of proving TPPU. Law Number 8 of 2010 concerning the Prevention and Eradication of TPPU firmly places financial transactions as one of the main instruments in uncovering TPPU crimes. Articles 3, 4, and 5 of the TPPU Law define various acts that fall into the category of money laundering, such as placing, transferring, paying, spending, donating, or hiding assets known or reasonably suspected to originate from criminal acts. Thus, the pattern of financial transactions is not merely a flow of funds, but a concrete form of criminal engineering that aims to disguise the origin of assets.

The forms and patterns of financial transactions in money laundering practices are highly diverse and continue to evolve, in line with advances in technology and financial systems. Therefore, recognizing and analyzing these forms and patterns is highly urgent in the legal evidence process. This discussion aims to outline the forms and patterns of financial transactions frequently used in money laundering schemes, as well as how these transactions are assessed as evidence in legal proceedings. The forms and patterns of financial transactions play a crucial role in uncovering the practice of money laundering (TPPU) (Andrian, 2018). These patterns not only serve as early indications of deviant financial activity but also serve as a foundation for law enforcement officials in building a legal framework during the evidence stage. In the Indonesian legal system, financial transaction patterns are positioned as a crucial instrument in implementing the "follow the money" principle, a law enforcement approach that emphasizes tracking the flow and use of criminal proceeds, without necessarily relying solely on the underlying crime.

Basically, the forms of financial transactions in TPPU practices can be divided into two large categories, namely:

1. Cash Transactions

These transactions are conducted through large or repeated direct deposits into bank accounts, or through significant withdrawals. This method is often used to cover the origin of the funds, making it difficult for law enforcement to link the transactions to the predicate crime. Furthermore, large cash withdrawals are often used to obscure the location of funds after they have been placed in a specific account.

2. Non-cash transactions.

These transactions include transfers between accounts, fund transfers between accounts/banks, asset purchases, and the use of financial instruments such as deposits, stocks, or even cryptocurrency. These forms of non-cash transactions are often exploited by perpetrators to create complex layers of transactions with the aim of creating a distance between the funds and their source, making tracking by law enforcement more difficult.

3. The Authority of Law Enforcement Agencies in the Use of Financial Transaction Data in the Process of Proving Economic Crimes and Money Laundering

Law enforcement agencies (the Police, the Prosecutor's Office, and the Corruption Eradication Commission) are authorized to utilize financial transaction data from the Financial Transaction Reports (PPATK), such as Suspicious Financial Transaction Reports (LTKM), for investigations, inquiries, and evidence of economic crimes and money laundering (TPPU). PPATK acts as a financial intelligence unit that analyzes and submits intelligence findings to investigators to track assets derived from crime (Rahayuningsoh, 2013).

Law enforcement against perpetrators of money laundering (TPPU) requires a comprehensive approach, as this crime does not stand alone but is intertwined with predicate crimes. Indonesia's anti-money laundering regime, as stipulated in Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering, provides a firm legal framework for prosecuting perpetrators, both individuals and corporations, with a focus on tracing the flow of funds (follow the money) and confiscating assets resulting from crime (Ganarsih, 2017). Law enforcement in this context is not only about criminalization, but also serves to restore the integrity of the national financial system and provide a sense of justice for those who have been harmed.

Money laundering perpetrators can come from various backgrounds and have varying roles. They are not limited to perpetrators of the predicate offense, but can also include other parties who intentionally help disguise, conceal, or use the proceeds of crime.

1. Subject of Money Laundering Law

According to Article 2 and Article 3 of the TPPU Law, legal subjects in money laundering cases include: (Sofian, 2021)

a. Active perpetrator: A person who carries out the act of placing, transferring, diverting, spending, paying, granting, entrusting, taking abroad, exchanging, or other acts regarding assets which he knows originate from a criminal act.

b. Passive perpetrators (users/enjoyers) People who use the proceeds of crime without being directly involved in obtaining the assets.

c. Corporations are legal entities that can be subject to criminal liability based on Article 6 of the Money Laundering Law. Corporations as perpetrators of money laundering can be subject to criminal liability if proven to have committed, ordered to be committed, or allowed money laundering to occur. Law enforcement against these corporations is not only through criminal fines, but also through revocation of business licenses, dissolution, and confiscation of assets (Article 7 of Law Number 8 of 2010 concerning Money Laundering). "The practice of law enforcement against corporations in money laundering cases is still minimal, even though corporations are often used as legal vehicles to disguise the origin of funds."

Law enforcement against perpetrators of money laundering (TPPU) is carried out in a multidisciplinary and multinational manner, combining criminal law, administrative law, and financial intelligence approaches. This strategy includes: (Amrullah, 2020)

1. Preventive and Detective Approach

a. Preventive enforcement is carried out through monitoring suspicious financial transactions, establishing Know Your Customer (KYC) regulations, and reporting by Financial Services Providers (PJK).

b. The detective approach involves investigating and investigating transaction patterns that indicate money laundering. "Effective law enforcement requires integration between the early detection system through the Financial Transaction Reports and Analysis Center (PPATK) and repressive action by law enforcement officials."

2. Investigation and Prosecution Investigations in TPPU cases are special because they do not require proof of the predicate offense in its entirety (absolute conviction), but rather sufficient proof of the existence of a suspected predicate offense. PPATK plays a key role in providing analysis and examination results to investigators. Article 26A paragraph (1) of Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes states that "the investigation process, electronic evidence and suspicious transaction reports from PPATK are valid evidence according to criminal procedure law."

3. Reversal of the Burden of Proof One of the legal innovations in TPPU is the granting of authority to judges to ask defendants to prove that the assets they own do not originate from the proceeds of crime, as regulated in Article 77 of Law Number 8 of 2010 concerning the Prevention and Eradication of the Crime of Money Laundering.

To strengthen the effectiveness of law enforcement against perpetrators of money laundering (TPPU), several steps are needed: Increasing the capacity of law enforcement in the areas of financial forensics and cybercrime. Improving regulations on beneficial ownership and cross-sector reporting obligations. Optimizing the use of financial intelligence data from the Financial Transaction Reports and Analysis Center (PPATK) as legal and strategic evidence. Cross-border and regional cooperation through the Financial Action Task Force (FATF) and bilateral agreements.

CONCLUSIONS

Based on the research results, it can be concluded that regulations regarding the significance of financial transactions in the process of proving economic crimes and money laundering in Indonesia have been comprehensively regulated through various laws and regulations that prioritize the "follow the money" approach to trace the flow of funds from criminal acts. Through the suspicious financial transaction reporting mechanism (LTKM) and analysis conducted by the Financial Transaction Reports and Analysis Center (PPATK), law enforcement officers obtain information that can be used to identify the relationship between perpetrators, assets, and predicate crimes as part of the evidentiary process in court. In practice, the forms and patterns of financial transactions used in economic crimes and money laundering are increasingly complex because they are designed to disguise the origin of funds through stages of placement, layering, and integration, utilizing various financial instruments, shell companies, cross-border transactions, and developments in digital technology to obscure the transaction trail. Therefore, analysis of financial transaction patterns is a very important aspect in uncovering the link between assets and the crimes committed. In addition, the authority of law enforcement agencies to utilize financial transaction data also plays a strategic role in proving economic crimes and money laundering. The Indonesian National Police, the Indonesian Attorney General's Office, and the Corruption Eradication Commission (KPK) are authorized to use financial transaction data obtained from the Financial Transaction Reports (PPATK), including Suspicious Financial Transaction Reports (LTKM), as a basis for investigations, inquiries, prosecutions, and evidence in court. In this regard, the PPATK functions as a Financial Intelligence Unit that receives, processes, analyzes, and conveys the results of financial transaction analysis to law enforcement officials to support the tracing of assets derived from crime. The synergy between the PPATK and law enforcement agencies strengthens the effectiveness of law enforcement through evidence that is not only oriented towards punishing perpetrators, but also on the tracing, confiscation, and recovery of assets derived from criminal acts.

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