

RECONSTRUCTION OF LAW ON THE RETURN OF ASSETS TO VICTIMS OF INVESTMENT FRAUD IN MONEY LAUNDERING OFFENSES BASED ON THE PRINCIPLE OF JUSTICE

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Abstract:

The victim of investment fraud in a money laundering crime cannot reclaim their assets through criminal justice mechanisms because, in practice, utilizing criminal legal avenues would result in the state seizing those assets. To analyze this matter, a study will be conducted on two issues: Firstly, What is the urgency of reconstructing the law regarding the return of assets to victims of investment fraud in the context of money laundering offenses? And secondly, What is the ideal concept for regulating the return of assets to victims of investment fraud in money laundering laws based on principles of justice. The study on these two issues will employ the normative legal research method. The legal sources utilized consist of primary, secondary, and tertiary legal materials, employing the legislative approach method. Data analysis is conducted using qualitative descriptive data analysis by outlining relevant aspects of the study and subsequently drawing conclusions. The first conclusion emphasizes the urgency of enacting legal reconstruction concerning the restitution of assets for victims of investment fraud in the context of money laundering crimes. This urgency stems from the absence of explicit provisions in the Republic of Indonesia Law Number 8 of 2010 on the Prevention and Eradication of Money Laundering regarding this matter. Consequently, judicial decisions to confiscate the proceeds of crime to the state are deemed inappropriate, as they may lead to legal complications in the future. Such judicial rulings disregard both the principles of justice and legal certainty for victims of investment fraud. The two ideal concepts necessitate the regulation of asset return for victims of investment fraud within anti-money laundering laws explicitly to serve as a judicial foundation in decision-making. This is to ensure justice in the restitution of assets for victims of investment fraud.

Keywords: Legal Reconstruction - Asset Recovery - Victims of Criminal Acts - Investment Fraud.

I. Introduction

Investment fraud has become a serious challenge in the realm of the global economy. This phenomenon not only harms individuals financially but also has wide-ranging impacts on public trust in investment. In recent years, the increasing

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number of investment fraud cases in Indonesia has caused concern and financial losses for the public. Currently, resolving these cases is considered a criminal matter that results in losses for the victims.

Victims of investment fraud crimes will still feel unjust if their losses resulting from investment fraud cannot be recovered through criminal justice mechanisms. Therefore, this clearly needs to be realized in Indonesia's criminal justice system. This often occurs in money laundering crimes because, when using criminal law means, in practice, these assets will be seized by the state.

In Indonesia, the criminal act of money laundering has been criminalized since 2002, with the enactment of Republic of Indonesia Law Number 15 of 2002 concerning Money Laundering Crime on April 17, 2002. This law was amended by Republic of Indonesia Law Number 25 of 2003 concerning Amendments to Republic of Indonesia Law Number 15 of 2002 concerning Money Laundering Crime on October 13, 2003, and is currently replaced by Republic of Indonesia Law Number 8 of 2010 concerning Prevention and Eradication of Money Laundering Crimes on October 22, 2010.²

The Criminal Act of Money Laundering as regulated in the Republic of Indonesia Law Number 8 of 2010 indicates the criminalization of actions as stipulated in the law. One of these actions is mentioned in Article 3, which includes placing, transferring, diverting, spending, paying, donating, depositing, taking abroad, changing the form, exchanging with currency or securities, or other actions involving Wealth that is known or reasonably suspected to be the proceeds of a criminal act.³

The qualifications of these actions are structured in such a way to ensnare perpetrators of money laundering crimes, but there's also a crucial aspect to consider: the object, which is the wealth assets of the victims of such crimes. The articles in Republic of Indonesia Law Number 8 of 2010 have been effective in prosecuting perpetrators of money laundering crimes, but they do not provide guarantees for victims to recover their lost assets as a result of the perpetrators' actions.

In the general explanation of Law No. 8 of 2010 of the Republic of Indonesia, it is stated, among other things, that in the concept of anti-money laundering, perpetrators and proceeds of crime can be traced, and subsequently, these proceeds

² Budi Saiful Haris, "Strengthening Evidence of Money Laundering in Corruption Cases in Indonesia", *Integrity Journal*, Vol. 2 No. 1, 2016, pp. 91-122.

³ Article 3 of the Republic of Indonesia Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Criminal Acts, State Gazette of the Republic of Indonesia Year 2010 Number 122, Additional State Gazette of the Republic of Indonesia Number 5164.

of crime are confiscated for the state or returned to the rightful owners. Based on this general explanation, it is clear that the purpose of the Prevention and Eradication of Money Laundering Law is, among others, law enforcement to trace assets (wealth) which are then returned to the rightful owners or confiscated for the state.

However, in several court decisions, assets of victims of investment crimes were seized by the state, such as: Firstly, in Decision Number 195 K/PDT/2018 related to the recovery of assets of victims of money laundering crimes seized by the state.⁴ Second, the Decision of the Bandung High Court Number: 1/PID.SUS/2023/PT.BDG regarding the forex/binary option trading case involving Doni Salmanan. The issue in this decision arises when all assets resulting from Doni Salmanan's criminal activities are confiscated by the state. The third, perpetrators of illegal investment or investment fraud proven guilty of committing fraud in money laundering, Decision No.365PK/Pid.Sus/2022 states that the judge's decision on the proceeds of crime accumulated from illegal investment victims shall be confiscated for the state.

The Anti-Money Laundering Act can indeed serve as a tool for asset tracing through existing legal structures. However, the law does not specifically address how to return assets to victims of crimes who have suffered losses, especially when the victim's assets have become commingled with the legitimate assets of the perpetrator, as often occurs in cases of money laundering.

The mechanism for returning assets to victims of investment fraud in money laundering cases through the Indonesian legal system has not provided legal protection for the victims of crime. This is where the importance of the state in providing protection to crime victims lies, so that crime victims have a position in the criminal justice system in Indonesia in order to achieve a sense of justice for the general public and crime victims in particular.

The question is first, what is the urgency of the need for legal reconstruction of the return of assets of victims of criminal acts of investment fraud in money laundering crimes; And Second, what is the ideal concept for regulating the return of assets of victims of investment fraud in the money laundering crime law based on the value of justice. The two issues will be outlined in the following study.

⁴ Susanto, "Interpretation of the Principle of Benefit Regarding Asset Recovery for Victims of Money Laundering Crimes (Study of Decision Number 195 K/PDT/2018)," *Journal of Judicial Commission*.go.id E-ISSN: 2579-4868; P-ISSN: 1978-6506 Vol. 13 No. 1 April 2020, p. 104.

II. Legal Materials and Methods

This study will employ the normative legal research method, which will examine the urgency of reconstructing the law on the return of assets of victims of investment fraud in money laundering offenses and the ideal concept of regulating the return of assets of victims of investment fraud in anti-money laundering laws based on principles of justice. The primary legal sources used are the Criminal Code (Kitab Undang-Undang Hukum Pidana); Law of the Republic of Indonesia Number 8 Year 1981 Concerning Criminal Procedure Law; Law of the Republic of Indonesia Number 31 Year 1999 concerning the Eradication of Criminal Acts of Corruption; Law of the Republic of Indonesia Number 20 Year 2001 concerning the Eradication of Criminal Acts of Corruption; Law of the Republic of Indonesia Number 25 Year 2007 Concerning Investment; Law of the Republic of Indonesia Number 8 Year 2010 Concerning the Prevention and Eradication of Money Laundering. Secondary and tertiary legal materials are utilized. The method of approach employed is the statutory regulation approach. Data analysis is conducted through qualitative descriptive data analysis by delineating relevant aspects of the study and subsequently drawing conclusions.

III. Result and Discussion

1. The Urgency of the Need to Reconstruct the Law on Returning Assets of Victims of Investment Fraud Crimes in Money Laundering Crimes

Investment, as an activity undertaken by both individuals (natural persons) and legal entities (juridical persons), aims to enhance and/or maintain the value of their capital, whether in the form of cash money, equipment, real assets, intellectual property rights, or expertise.⁵ The pivotal role of investment in the economy, particularly in developing countries like Indonesia, is exceedingly strategic.⁶ Without adequate investment, it is difficult to expect high economic growth, which consequently leads to economic prosperity for developing countries.⁷

In society, the terms "investment" and "capital investment" are commonly known in everyday business activities as well as in legal language.

⁵ Keysi Veren Kumaat dkk, "Legal Review on Criminal Act of Online Fraud with Illegal Investment Scheme" *Journal of Law Faculty*, Sam Ratulangi University Lex Administratum, Vol. XII/No. 1/Sept/2023, p. 3.

⁶ "Sawidji Widodoatmodjo, Lie, Ricky Ferlianto, and Joni Rizal, *Forex Online Trading Current Investment Trends*, PT. Gramedia, Jakarta, 2007, p. 2."

⁷ Sufmi Dasco Ahmad, "The Role of the Financial Services Authority in Combating Illegal Investments in Indonesia", *Privat Law*, Vol. 6, No. 1, 2018, p. 2.

The term "investment" is popular in the business world, while "capital investment" is commonly used in legal contexts.

The two terms essentially have the same meaning. The Republic of Indonesia Law Number 25 of 2007 Concerning Investment actually distinguishes clearly between direct investment and indirect investment. This can be seen in the explanation of Article 2 of the law, which states, "investment in all sectors in the territory of the Republic of Indonesia is direct investment and does not include indirect investment."

According to Article 1 paragraph (1) of Law Number 25 of 2007 of the Republic of Indonesia, it is stated that "penanaman modal" (capital investment) is any form of activity of investing capital, whether by domestic investors or foreign investors, to conduct business within the territory of the Republic of Indonesia. According to Komaruddin, quoted by Pandji Anoraga, formulating investment from an economic perspective and viewing investment as a factor of production in addition to other production factors, the definition of investment can be divided into three, namely:⁸

- 1) An action to buy shares, bonds or other investment;
- 2) An act of giving capital goods;
- 3) Utilization of available funds for production with future income.

However, it is not uncommon for investments that thrive in society to harbor underlying criminal motives. In Indonesia, there are still many individuals engaging in investment fraud. They often target individuals with minimal investment knowledge. This makes them more susceptible to being lured by the large profits they offer. Investment scams typically promise substantial and tempting returns. Consequently, victims become more interested and invest without much hesitation.

In such circumstances, regulators are compelled to provide legal certainty in protecting the victims because the number of victims is mass-scale and the resulting losses are substantial, with significant repercussions for the victims' economies as well. The urgency of legal protection for victims of illegal investment crimes must be based on a sense of justice, as the victims are the ones who directly suffer the losses.

Criminal justice system is a crime control system consisting of subsystems of police criminal justice, prosecution, courts, and correctional

⁸ Muhamad Iqbal Ikhsani, Chitto Chumbadrika, "Legal Responsibilities of Perpetrators of Investment Fraud Crimes, *Citizenship Journal*, Vol. 6 No. 1 June 2022, p. 2208."

institutions for convicts.⁹ It can also be stated that the criminal justice system is a system within a society aimed at addressing crimes.¹⁰ In the criminal justice system, the position of the victim often does not receive fair treatment, and they may not be able to actively participate in the criminal justice system because their interests are entrusted to the state through the Public Prosecutor, where the victim's role is often reduced to being merely a witness in court proceedings.¹¹

Victim refers to anyone who experiences physical, mental, and/or economic suffering or loss resulting from a criminal act, as stipulated in Article 1, paragraph 3 of the Republic of Indonesia Law Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Witness and Victim Protection.

According to Rena Yulia, quoting van Boven, essentially states that a victim is an individual or group who has suffered losses, including physical or mental injury, emotional suffering, economic loss, or deprivation of their fundamental rights, either due to actions (by act) or negligence (by omission).¹²

The protection of crime victims has also been recommended by the UN through the UN Congress on the Prevention of Crime and the Treatment of Offenders from August 26 to September 6, 1985, in Milan, Italy, as stated in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, Article 6(b), which specifies that: Allowing the views and concerns of victims to be presented and considered at appropriate stages where their personal interests are affected, without prejudice to the accused and consistent with the relevant national criminal justice.¹³

In the perspective of the Republic of Indonesia Law Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Witness and Victim Protection, victims of illegal investment crimes can seek restitution and compensation through the Witness and Victim Protection Agency (LPSK).

⁹ Mardjono Reksodiputro, *The Criminal Justice System in Indonesia (Examining Crime and Law Enforcement Within Tolerance Limits)*, Jakarta: Faculty of Law, University of Indonesia, 1993, p. 1.

¹⁰ Romli Atmasasmita, *Criminal Justice System: Perspectives of Existentialism and Abolitionism*. Jakarta: Bina Cipta Publishers, 1996, p. 15.

¹¹ Satriawan Sulaksono, "Legal Protection in Asset Recovery for Victims of Money Laundering Offenses Mixed with Perpetrator Assets", *Postgraduate Law Journal UNS* Volume VII Number 1 January - June 2019, p. 109."

¹² Rena Yulia, *Victimology: Legal Protection for Crime Victims*, Yogyakarta: Graha Ilmu. 2010, p. 78."

¹³ Lilik Mulyadi, *Compilation of Criminal Law in Theoretical and Judicial Practice Perspectives, Victim Protection, Judicial System and Criminal Policy, Philosophy of Punishment, and Legal Review Efforts by Crime Victims*. Bandung: CV. Mandar Maju, 2012, p. 110.

Here, victims can request compensation for the loss of wealth or income, as well as for the suffering directly related to the criminal act. However, in the enforcement of law against illegal investment crimes, the Republic of Indonesia Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering is also applied. Consequently, the perpetrator's assets are subject to confiscation by the state and become state property. In this context, victims face uncertainty in seeking restitution for their losses because the perpetrator's assets have been depleted or confiscated by the state.

However, it turns out that the legal substance in the Law has not yet reached the point of returning assets to the rightful owners, or in this case, the victims of the crime. The return of criminal proceeds is not regulated at all in Law Number 8 of 2010, so regarding the return of ill-gotten gains, it clearly must revert to the provisions of the Indonesian Criminal Procedure Code (KUHAP) in Articles 98-101 regarding the consolidation of claims for damages. This consolidation can be pursued if an act underlying the indictment in a criminal case causes harm to others. This mechanism, in essence, attempts to consolidate the compensation suffered by the victim with the basis of the criminal indictment. However, this article still cannot fully address the issue of victim compensation in practice.

According to Article 67 of the Republic of Indonesia Law Number 8 Year 2010 concerning the Prevention and Eradication of Money Laundering Crimes, it grants authority to investigators to file a petition to the district court to decide on assets suspected to be the proceeds of a criminal act to be confiscated as state assets or returned to the rightful owner. This article states:¹⁴

- (1) In the event that no individual or third party raises objections within 20 (twenty) days from the temporary cessation of transactions, PPATK shall hand over the management of known or suspected criminal proceeds to investigators for further investigation.
- (2) If the suspected perpetrator of the criminal act is not found within 30 (thirty) days, the investigator may submit a request to the district court to decide whether the wealth should be declared as state assets or returned to the rightful owner.
- (3) The court referred to in paragraph (2) must make a decision within a maximum of 7 (seven) days.

¹⁴ Article 67 of the Republic of Indonesia Law Number 8 Year 2010 Concerning the Prevention and Eradication of the Crime of Money Laundering, State Gazette of the Republic of Indonesia Year 2010 Number 122, Supplement to the State Gazette of the Republic of Indonesia Number 5164.

In cases where private enterprises are involved in money laundering offenses, where the majority of assets within them belong to individuals in the form of investments, the automatic return of assets to these individuals as rightful parties, as stipulated in Article 67 paragraph (2) of the Money Laundering Act, is applicable. The Republic of Indonesia Law Number 8 Year 2010 concerning the Prevention and Eradication of Money Laundering is actually the gateway for asset return.

The law, however, is too minimalist, as it mostly focuses on criminalizing acts and providing tools for asset tracing, while not clearly addressing the return of assets to victims in the Republic of Indonesia Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering. This is because court rulings that confiscate criminal proceeds for the state are not appropriate, as they may lead to legal issues in the future and disregard justice and legal certainty. In cases of money laundering from illegal investments, the state is not directly harmed; it is individuals and private businesses that suffer losses.

The urgency of reconstructing the legal framework for the return of assets of victims of investment fraud in money laundering offenses lies in the need for comprehensive regulation that is integrated with other provisions to ensure the effectiveness of the forthcoming law and to provide legal certainty and protection to the public. The Republic of Indonesia Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering does not currently provide justice for the return of assets to victims of investment fraud.

2. The Ideal Concept For Regulating The Restitution Of Assets To Victims Of Investment Fraud Within The Anti-Money Laundering Act based On Principles Of Justice.

In general, the concept of returning evidence items is regulated in the Indonesian Code of Criminal Procedure, specifically in Article 215, which states that "The return of seized objects shall be made unconditionally to the rightful owner immediately after the verdict is issued if the convicted person has fulfilled the contents of the verdict." Regarding seized objects, Article 39 of the Indonesian Code of Criminal Procedure stipulates those that can be subject to seizure, is:¹⁵

¹⁵ Article 39 of the Republic of Indonesia Law Number 8 of 1981 Regarding Criminal Procedure Law, State Gazette of the Republic of Indonesia Year 2010 Number 76, Additional State Gazette of the Republic of Indonesia Number 3209.

- a. Property or bills owned by the suspect or defendant, wholly or partially suspected to have been obtained from criminal activities or as a result of criminal acts;
- b. Property that has been directly used to commit a criminal act or to prepare for it;
- c. Property used to obstruct criminal investigations;
- d. Property specifically made or used to commit a criminal act;
- e. Other property directly related to the committed criminal act.

In the Republic of Indonesia Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering, the regulation regarding seizure is stipulated in only one article, namely Article 81, which states that if sufficient evidence is obtained that there are still assets that have not been seized, the judge orders the public prosecutor to seize those assets.¹⁶

As described above, generally, seizure will also be associated with forfeiture, whether it is related to the proof of the case and must be ordered by the judge for the seizure of assets to be surrendered to the rightful owner (returned to the person or persons mentioned in the judgment, unless the property is seized for the state, to be destroyed until it cannot be used anymore or if the property is still needed as evidence for another case,¹⁷ or properties belonging to convicts obtained from criminal activities or intentionally used to commit crimes can be forfeited.¹⁸

If we refer to Article 39 of the Criminal Procedure Code, letter a, assets suspected to be acquired from criminal acts or as a result of investment fraud which are the subject of money laundering offenses should have been seized since the beginning of the investigation because this is the focus of Money Laundering offenses, namely following the proceeds of crime. So, the decision of confiscation depends heavily on the professionalism of the investigators, both in terms of seizure and blocking, although it can also be pursued with Article 81 of the Republic of Indonesia Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes, as explained earlier, namely seizure conducted during the trial process.

¹⁶ Article 81 of the Republic of Indonesia Law Number 8 Year 2010 concerning the Prevention and Eradication of Money Laundering, State Gazette of the Republic of Indonesia Year 2010 Number 122, Supplement to State Gazette of the Republic of Indonesia Number 5164.

¹⁷ Article 46 paragraph 2 of the Republic of Indonesia Law Number 8 of 1981 concerning Criminal Procedure Law, State Gazette of the Republic of Indonesia Year 2010 Number 76, Additional State Gazette of the Republic of Indonesia Number 3209.

¹⁸ Article 39, paragraph 1 of the Indonesian Criminal Code

However, in practice, the implementation remains very weak as several court decisions regarding the assets of victims of investment crimes being confiscated by the state are still lacking. Firstly, in Decision Number 195 K/PDT/2018 related to the recovery of assets from money laundering victims seized by the state.¹⁹ Secondly, in the High Court of Bandung Decision Number: 1/PID.SUS/2023/PT.BDG concerning the forex/binary option trading case involving Doni Salmanan. The issue arises in these rulings when all the proceeds of Doni Salmanan's criminal activities are confiscated by the state. Thirdly, in cases of illegal investments or investment fraud where individuals have been proven guilty of fraud and money laundering, such as Decision No.365PK/Pid.Sus/2022, where the judge ruled that the proceeds of the illegal investment collected from victims are confiscated by the state.

This is different from corruption offenses, as in corruption offenses, additional penalties in the form of restitution can be imposed, as stipulated in Article 18 of the Republic of Indonesia Law Number 31 Year 1999 jo Law Number 20 Year 2001 concerning the Eradication of Corruption. This involves seizing assets, which are then auctioned off, with the proceeds used to reimburse/restore the state's losses. Any remaining amount is naturally returned to the perpetrator as it constitutes legitimate funds/assets of the perpetrator.

Meanwhile, if the underlying criminal offense is investment fraud, the asset recovery process becomes more complicated as it often cannot be resolved. Consequently, victims may resort to civil litigation by filing a tort action under Article 1365 of the Civil Code or through Victim and Witness Protection Institutions. This indicates that our criminal law system still falls short in effectively and efficiently ensuring justice for victims of criminal acts.

The differential treatment of victims based on whether they are states or individuals is evident in the realm of money laundering offenses. This is because the legal framework for money laundering does not guarantee the restitution of losses to the original victims of the crime. The ideal concept of regulating the return of assets to victims of investment fraud within the framework of money laundering laws based on principles of justice actually exists in Indonesian Law No. 31 of 1999, as amended by Law No. 20 of 2001, concerning the Eradication of Corruption. Article 18 of Indonesian Law No. 31

¹⁹ Susanto, "Interpretation of the Principle of Benefit Regarding Asset Recovery for Victims of Money Laundering Criminal Acts (Study of Decision Number 195 K/PDT/2018)", *Journal of Judicial Commission.go.id* E-ISSN: 2579-4868; P-ISSN: 1978-6506 Vol. 13 No. 1 April 2020, pp. 104.

of 1999, as amended by Law No. 20 of 2001, addresses this issue by stipulating the confiscation and seizure of the perpetrator's assets, such as houses, cars, money, and other assets acquired through corruption. These assets can be seized and then auctioned off, with the proceeds being returned to the state as compensation for the financial losses incurred (referred to as "restitution"), while any remaining assets, if legally obtained by the defendant, would be returned to them. This provision ensures that the state is compensated for its losses, thereby achieving justice and fairness in the restitution of assets obtained through criminal activities.

The concept of asset recovery like that only exists in cases of criminal corruption, whereas in other cases such as investment fraud, there is no such concept. Thus, recovering assets for victims of investment fraud in the money laundering law faces difficulties due to the lack of existing legal substance within the Criminal Justice System.

According to the author, the ideal concept of asset recovery for victims of investment fraud in anti-money laundering legislation is based on principles of justice. The state should be able to provide equal justice for victims as it does when the state itself is a victim of corruption. The asset recovery model used in corruption cases is more effective in restoring state assets, so it can be applied to investment fraud cases with subsequent money laundering offenses. Therefore, the concept of asset recovery for victims of investment fraud should be incorporated into the provisions of the Anti-Money Laundering Act. The ideal concept of asset recovery from perpetrators of investment fraud should be designed with mechanisms that closely resemble those in the Anti-Corruption Act.

IV. Conclusion and Suggestion

1. Conclusion

- 1) There is an urgent need to reconstruct the law for the return of assets of victims of investment fraud in the crime of money laundering because Law of the Republic of Indonesia Number 8 of 2010 concerning Prevention and Eradication of the Crime of Money Laundering has not explicitly regulated it so that in the judge's decision the assets are the proceeds of the crime. confiscated to the state is not appropriate, because the resulting decision will give rise to legal problems in the future and the judge's decision ignores justice and legal certainty for victims of criminal acts of investment fraud.

- 2) The concept of the ideal necessity for regulating the return of assets to victims of investment fraud within anti-money laundering legislation explicitly is crucial to provide a foundation for judges in their decisions. This is aimed at ensuring justice in the return of assets to victims of investment fraud.

2. Suggestion

- 1) The need for legal reconstruction regarding the restitution of assets of victims of investment fraud in money laundering crimes involves incorporating the concept of asset recovery, particularly concerning the assets of victims of investment fraud that have become commingled with the perpetrator's assets through the imposition of additional penalties in the form of restitution payments. However, if the perpetrator fails to pay within a specified timeframe, the perpetrator's wealth will be auctioned off, and the proceeds will be returned to the victims of the investment fraud equal to the value of their lost assets, as stipulated in the forthcoming Prevention and Combating of Money Laundering Act.
- 2) In the future, it is hoped that the Prevention and Eradication of Money Laundering Act will regulate the return of assets of victims of investment fraud in the offense of money laundering.

Acknowledgement (optional)

That this study was supported entirely by private funds. No external financial support was received from other institutions or organizations in the implementation of this study.

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