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Recodification of corruption crime provisions in the National Criminal Code

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Abstract: Corruption crimes, as contained in the National Criminal Code, are controversially regulated. These have lower sanctions compared to the previous provisions in the Corruption Eradication Law. Indonesia's Corruption Perception Index has decreased since 2022, from a score of 38/100 to 34/100. Additionally, there have been several convictions wherein punishment involved imprisonment below the minimum timespan. This implies that the purpose of punishment, which is to eradicate corruption, has not been achieved. This research was conducted to determine the issue of light sanctions for defendants in corruption cases. It analyzes the Theory of Legal Truth and the Cost-Benefit Model Theory, as it pertains to the impact of recodifying corruption provisions into the National Criminal Code. This research employs prescriptive analysis, assessing what should be in the applicable legal regulations. It regards legal theory and the application of positive law to analyze a case study and address the research question. This research determines that light sentences allocated to corruption defendants reflect the low sanctions provisions, triggering increases in corruption cases. Moreover, the imposition of lower sanctions in the National Criminal Code risks encouraging an increase in corruption crimes in the future. This creates serious concerns regarding the effectiveness of law enforcement in deterring potential perpetrators against corruption.
Keywords: Recodification; National Criminal Code; Light Sanction; Theory of Legal Truth; Cost Benefit Model Theory

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Introduction

The field of legal science, which adheres to the classical legal paradigm is classical criminal law, as outlined in the Criminal Code (Hiariej, 2015). As a guideline for criminal law enforcement in Indonesia, the Criminal Code is not just a legal document, but also a symbol of the independent and sovereign nation's civilization. It is built by prioritizing the principle of nationalism, theoretically in appreciation of all community participation. Through the Criminal Code, civil society expects the maintenance of a fair and just legal system.

On December 6 2022, Indonesia's President Joko Widodo officially ratified the National Criminal Code. This was then promulgated on January 2 2023, in Law of the Republic of Indonesia No. 1 of 2023 concerning the Criminal Code (Tempo.co, 2023). As a form of the recodification system, this system is considered an effort to address discrepancies and overlaps between the criminal law system within the Criminal Code (KUHP) and laws outside the Criminal Code in its implementation (Mudzakkir, 2010). Concerning this research, the National Criminal Code integrates several articles of criminal acts that were previously regulated in separate laws. Indonesia's former Deputy Minister of Law and Human Rights Edward Omar Sharif Hiariej identified recodification as an effort by the government and the People's Representative Council which involves consolidating and synchronizing criminal law regulations both vertically and horizontally into an integrated Criminal Code (Kompas.com, 2021). One regulation that has attracted controversy concerns corruption, as contained in Articles 603 to 606 of the National Criminal Code. However, it should be noted that the sanctions stipulated in some of these articles tend to be lower compared to those contained in the Law on Criminal Acts of Corruption. This then gave rise to polemics about the effectiveness of punishment in eradicating corruption.

Referring to the Corruption Perception Index released by Indonesia Corruption Watch (ICW), efforts to eradicate corruption still require much refinement. 2021 to 2022 has seen a significant decrease, evidenced by the index's scale of 0 (high corruption) to 100 (low corruption) (Indonesia Corruption Watch, 2023). Indonesia's score of 38 in 2021 decreased to 34 in 2022, and has stagnated or not progressed since. The occurrence of stagnation indicates that, over the past year, the political and democratic sectors, especially in the context of general elections, are still at high risk of corruption (Suyatmiko, 2021). Meanwhile, according to Transparency International Indonesia (TII) records, Indonesia is among a third of the most corrupt countries in the world. Additionally, within Southeast Asia, it is far below singapore, which scored 83, Malaysia with a score of 50, Timor-Leste with a score of 43, and Vietnam with a score of 41 (Corruption Perception Index, 2023).

Additionally, there have been several rulings wherein punishments were below the minimum prison sentence. One of these was the gratification case committed by Defendant Sri Wahyumi Maria Manalip in Decision No. 270 PK/Pid.Sus/2020. In this case, *the judex jurist* sentenced the defendant to imprisonment for 2 years, with a fine of IDR 200,000,000.00 (two hundred million rupiah). Previously, at the cassation level, imprisonment was imposed for 4 years and 6 months, with a fine of IDR 200,000,000.00 (two hundred million rupiah). The minimum prison sentence in the Gratification Article was 4 years (Vide Article 12B (1) UU 31/1999 jo UU 20/2001).

One corruption issue in Indonesia is its light sanctions in the provisions of applicable criminal acts. This is in terms of imprisonment, fines, and additional penalties in the form of reimbursement; as well as controversies about perpetrators' deprivation of political rights. The weak effect of punishment on corruption perpetrators has implications on its ability to achieve the purpose of punishment, even by making related parties treat these actions with leniency. According to Kurnia, a researcher at ICW, light punishment against corruptors has two consequences. In this case, the deterrent effect is low, and the performance of law enforcement becomes futile (Ramadhan & Erdianto, 2020). Simply put: if the impact of corruption visibly disturbs people's lives, sanctions provisions in future corruption cases should be strengthened in their deterrent effects, and lead the public and officials away from unethical practices.

This issue of lenient sanctions creates opportunities for perpetrators of corruption to escape the appropriate consequences for their actions. As a consequence, corruption can run rampant and undermine the socio-economic and political fabric of a country. Thus, the focus of this study is to explore the relationship between low sanctions in three legal bodies for tackling corruption cases in Indonesia: the National Criminal Code; Law of the Republic of Indonesia No. 31 of 1999; and Law of the Republic of Indonesia No. 20 of 2001, on Amendments to Law of the Republic of Indonesia No. 31 of 1999, on the Eradication of Corruption.

Methods

This research uses a normative legal approach, which places law as a norm in system building. The normative system is built in relation to standards, legislation, court decisions, and doctrines (doctrin) doktrin (Irwansyah, 2020). Normative legal research examines legal regulations or provisions as a system of construction related to a legal event. This research was conducted with the aim of providing legal arguments as a basis for determining the right or wrong of an event, and how the event occurred according to legal provisions.

This research employs prescriptive analysis, describing the current regulations related to legal theory and the practice of positive law application regarding the above issues. This research expects to provide input on what should be implemented to overcome issues in a comprehensive and systematic manner. Then, based on the description and facts obtained through the review of documents, careful analysis is carried out to answer the research question. Two approaches were used by the researchers to obtain relevant data. The first is a statute approach, which reviews all laws and regulations related to the legal issues at hand, especially the above outlined three legal bodies. The second is the comparative approach, which is carried out by comparing the same regulations, and seeks the differences and similarities between these laws.

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Literature research is the technique used to collect research on legal materials, namely by collecting legal sources from several relevant materials, and taking data from applicable documents and legislation (Kadaruddin, 2021). Qualitative methods are used to process information for this writing, including literature studies with several sources of legal materials (such as journals, books, articles, and legal regulations) related to corruption offenses. The processing of legal materials is carried out qualitatively by collecting, identifying, and analyzing data and information relevant to the research problem.

Results and Discussion

The Relevance of Light Sanctions Provisions to Sentences for Corruption Defendants

In corruption convictions, several court decisions aroused conroversy in the community, with sentences given to perpetrators sometimes going below the predetermined minimum. This shows the legal uncertainty to which it aspires, in line with Fence's opinion that "law without the value of legal certainty will lose its meaning, because it can no longer be used as a guide for everyone" (Hambali et al, 2021).

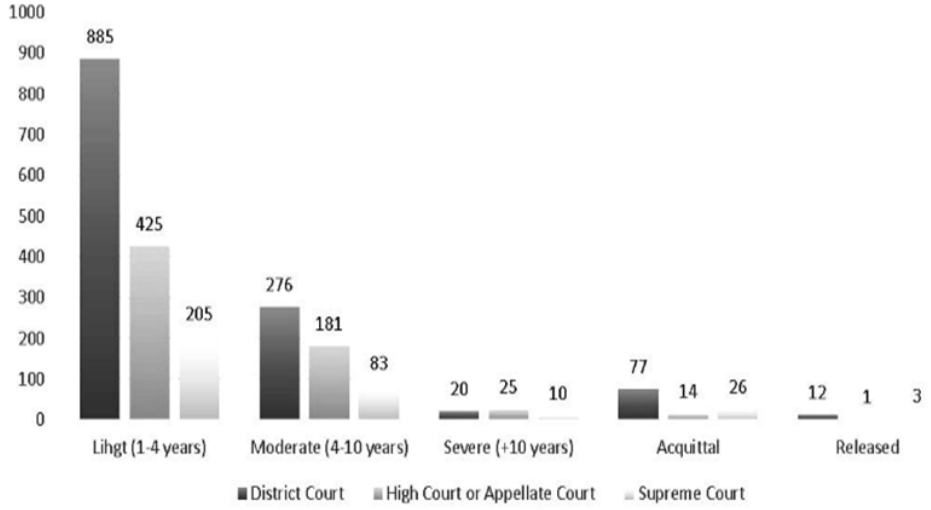

Figure 1. Categories of Verdicts by Court Level in 2022 (Indonesia Corruption Watch)

In 2022, based on the ICW monitoring report related to sentences for corruption defendants, light sentences dominated case decisions. Specifically, 885 defendants were sentenced to light imprisonment with a prison term of 1 to 4 years, 276 defendants in the moderate category were sentenced to imprisonment from 4 to 10 years, and 20 defendants in the heavy category with imprisonment sentences of over 10 years, 77 defendants acquitted, and 12 defendants released (Indonesia Corruption Watch, 2023). This is also seen at the level of appeal, cassation, and judicial review, which is dominated by low-category verdicts. Not much different from 2021, there were 929 defendants given light sentences, 319 defendants with moderate sentences, and 13 defendants sentenced to more than 10 years in prison, or in the severe category. In fact, the quantity of light sentences was the highest when compared to the previous four years. In addition, there are also several rulings pertaining to imprisonment under the minimum penalty of the Corruption Law, two of which are as follows:

1. Supreme Court Decision No. 270 PK/Pid.Sus/2020, in consideration of the judex jurist, that the convict did not receive and enjoy the gift of the goods he requested or promised, and even had not seen the goods requested or promised;
2. District Court Decision No.36/Pid.Sus/TPK/2014/PN.Jkt.Pst and High Court Decision No. 55/Pid/TPK/2014/PT. DKI, considering the judex factie that the Defendant is a tool used by other parties to commit corruption crimes, and how small the role of the Defendant in committing these corruption crimes (Vide Putusan No.36/Pid.Sus/TPK/2014/PN.Jkt.Pst & Putusan No. 55/Pid/TPK/2014/PT.DKI).

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The provisions of criminal sanctions in legislation play a crucial role when judges assert rulings. Provisions provide a legal framework that limits and directs judges in determining the type and severity of punishment imposed on defendants, and serve as the main guideline to ensure consistency and fairness in enforcing the law. When the criminal sanctions stipulated in the law are light, judges tend to impose lighter sentences as well (Hikmawati, 2017). Conversely, if the sanctions set are severe, the judge has a concrete foundation to give a more severe sentence, thus providing a more effective deterrent effect. Therefore, the provisions of criminal sanctions greatly affect the final outcome of the judicial process, and play an important role in law enforcement efforts, especially in combating corruption.

This raises questions about the extent to which harsher penalties are needed to provide a deterrent effect and prevent future corruption crimes. When the potential punishment given to perpetrators of corruption is not intimidating enough, then individuals who are tempted to engage in corruption crimes may feel more comfortable to do so.

Recovery of State Financial Losses in Corruption Cases

Issues related to additional criminal convictions in the form of reimbursement payments to defendants in corruption cases show unsatisfactory results. In 2022, the amount of reimbursement money reached IDR 3,821,667,556,202 (~7.83%), of the total state losses amounting to Rp48,786,368,945,194.70. This amount does not include bribes, gratuities, or extortion. In other words, the return of state financial losses through reimbursement has yet to reflect the total losses due to corruption that occurred (Indonesia Corruption Watch, 2023).

Table 1. Comparison of State Loss Gap with Reimbursement (Indonesia Corruption Watch)

Years of Monitoring	Number of Defendants	State Losses (IDR)	Reimbursement (IDR)	Percentage Comparison KN x UP
2018	1.162	9.290.790.689.756,73	838.547.394.511,34	9,03%
2019	1.125	12.002.548.977.762	748.163.509.005	6,23%
2020	1.298	56.739.425.557.246	19.696.446.686.630	34,71%
2021	1.404	62.931.124.623.511	1.441.329.479.066	2,29%
2022	2.249	48.786.368.945.194,70	3.821.667.556.202	7,83%

Although in 2020 there was a significant increase in the amount of reimbursement sanctions, namely IDR 19,696,446,686,630, this amount still did not reach half of the total state losses of IDR 56,739,425,557,246. This suggests that the law enforcement system related to corruption still has many weaknesses in the proportional return of state financial losses. If the amount of reimbursement paid is only a fraction of the country's losses, then an imbalance or disproportionate recovery of losses occurs. Conversely, if the replacement money paid covers most of the loss, then the recovery of losses is considered proportionate.

Analysis of Cost Benefit Model Theory on the Recodification of Corruption Crime Provisions in the National Criminal Code.

A person who engages in corrupt behavior is generally driven by financial motivators the belief that the benefits of the act will outweigh the consequences. This aligns with principles of *cost-benefit model theory,* wherein a perception of benefits greater than punishment encourages a person to do an act (Hastuti, 2017). From the perspective of criminology, a person or prospective perpetrator (who would be the offender) would calculate the benefits he will receive compared to the costs he will bear. It focuses on how decisions are taken, taking into account the possible impact. This thinking is further emboldened when there is a tendency for low sanction provisions in laws and regulations, especially in cases of corruption. The recodification of corruption provisions in the National Criminal Code can reduce public perception of the government's credibility in their efforts to eradicate corruption. It can additionally render the public less likely to report corruption cases, considering that the sanctions obtained by perpetrators are not proportionate to the actions taken. As a result, corruption has the opportunity to plague the government system, harming the state in the long run.

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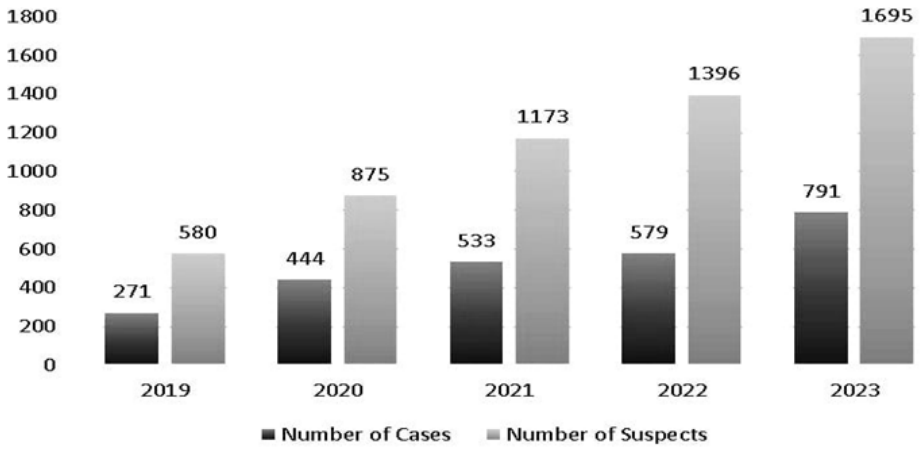

Figure 2. Number of Cases and Defendants 2019 - 2023 (Indonesia Corruption Watch)

As seen in Figure 2, corruption cases (from before the National Criminal Code's 2026 implementation) increased significantly from 2019 to 2023. The peak occurred in 2023, with 791 cases and 1,695 defendants (Indonesia Corruption Watch, 2024). Each year, the number of suspects was higher than the number of cases. This shows a complex pattern, because corruption cases often involve more than one suspect (Dwiputrianti, 2009). In turn, this can cause a challenge for law enforcement officials to conduct investigations and prosecutions, with an increased workload on the judiciary.

Analysis of the Theory of Legal Truth, for Recodifying the National Criminal Code's Corruption Crime Provisions

The standard understanding of the law applied in Indonesia is seen by comparing the new and the old regulation, by assessing the level of legal certainty to avoid ambiguous applications. Equalization is needed to determine which standards should be applied in certain situations. Additionally, legal values and principles should be adjusted to see which legal standards are feasible. Furthermore, the interpretation of judges and lawyers will be considered, to compare relevant legal norms and conclude the consistency of their applications. Finally, harmonization of laws between countries will be discussed through comparisons, to determine uniformity of international legal standards.

A comparison of legal norms is an important tool to ensure that the law is applied fairly, consistently, and in accordance with the legal values underlying the legal system. The Table 2 is a comparison table between the Corruption Law and the National Criminal Code.

Based on the comparison Table 2, the minimum sentence is much lower in the National Criminal Code compared to the Law on Corruption Crimes. One example of a case that occurred due to the conflict between the new general law and the older special law is in Poland and Italy, where a plaintiff used a special law, but later a change was made to the new general law, and the defendant responded by using the provisions of the new general law. As a result, the Polish Supreme Court, in its legal consideration, stated, 'In the context of the relationship between the new posterior generali general provisions and the prior specialis or older specific provisions, the standard precedence is given to the older specific provisions' (Monika et al., 2021), which in this context refers to the Law on Corruption Crimes. This is unless the new general law explicitly states that it repeals all provisions in the Law on Corruption Crimes, in which case the provisions in the National Criminal Code apply from that moment, and the principle of Lex posterior generalis non derogat legi priori speciali is also used. There are at least three theories of truth according to Jujun S. Suriasumantri (coherence, correspondence, and pragmatics) to measure normative truth (Putro, 2020).

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Table 2. Comparison of the Criminal Code with the National Criminal Code

Corruption Eradication Law	The Indonesian National Criminal Code
Article 2 (1): Sentenced to life imprisonment or imprisonment for a minimum of 4 years and a maximum of 20 years, with a fine of at least IDR 200,000,000 (two hundred million rupiah) and a maximum of IDR 1,000,000,000 (one billion rupiah).	Article 603: Sentenced to life imprisonment, or imprisonment for a minimum of 2 years and a maximum of 20 years, and a fine of at least category II IDR 10,000,000 (ten million rupiah) and a maximum of category VI IDR 2,000,000,000 (two billion rupiah).
Article 3: Sentenced to life imprisonment or imprisonment for a minimum of 1 year and a maximum of 20 years, or a fine of at least IDR 50,000,000 (fifty million rupiah) and a maximum of IDR 1,000,000,000 (one billion rupiah).	Article 604: Sentenced to life imprisonment, or imprisonment for a minimum of 2 years and a maximum of 20 years, and a fine of at least category II and a maximum of category VI
Article 5 (1): Sentenced to imprisonment for a minimum of 1 year, and a maximum of 5 years and/or a fine of at least IDR 50,000,000 (fifty million rupiah) and a maximum of IDR 250,000,000 (two hundred and fifty million rupiah).	Article 605 (1): Sentenced to imprisonment for a minimum of 1 year, and a maximum of 5 years and a fine of at least category III IDR 50,000,000 (fifty million rupiah) and a maximum of category V IDR 500,000,000 (five hundred million rupiah).
Article 5 (2): Convicted of the same crime as referred to in Paragraph 1.	Article 605 (2) shall be punished with imprisonment for a minimum of 1 year and a maximum of 6 years and a fine of at least category III and a maximum of category V.
Article 11: Sentenced to imprisonment for a minimum of 1 year and a maximum of 5 years, and a fine of at least IDR 50,000,000 (fifty million rupiah) and a maximum of IDR 250,000,000 (two hundred and fifty million rupiah).	Article 606 (2): Sentenced to a maximum imprisonment of 4 years, and a maximum fine of category IV IDR 200,000,000 (two hundred million rupiah).
Article 13: Sentenced to a maximum imprisonment of 3 years, and/or a maximum fine of IDR 150,000,000 (one hundred fifty million rupiah).	Article 606 (1): Sentenced to a maximum imprisonment of 3 years, and a maximum fine of category IV.

Coherence Truth

Coherence truth is a truth that focuses on the consistency and internal relationships between various elements in a legal system or in a particular legal statement (Jacob et.al, 2024). In theory, a statement is only recognized as valid or true if it is coherent, or aligned with previous statements considered true or logically provable. When examining the issue of the recodification of corruption crime provisions in the National Criminal Code, the rules for sanctions or criminal threats for corruption crime perpetrators are different from those in Law of the Republic of Indonesia No. 31 of 1999 and Law of the Republic of Indonesia No. 20 of 2001, on amendments to the Law on Corruption. When looking at the truth of the law against the laws and regulations, attention must be paid to the philosophical foundation for the idea of "truth". In the National Criminal Code, there exists a clear discrepancy in sanctions in laws and regulations, and a coherent truth is not fulfilled.

Correspondence Truth

Correspondence truth refers to the extent to which a legal statement or legal act conforms to the facts and realities that exist in the real world (Prasetyo, 2017). According to the view of correspondence, theorists consider a statement true if the material knowledge corresponds to the object intended in the statement. Correspondence theory is also useful in examining and testing the effectiveness of legal work in society. It can be seem that corruption cases occurring in Indonesia has increased significantly each year, as seen in Figure 2. Even though one criminal threat with a minimum sentence, often charged to corruption defendants, was 4 years ago, in the National Criminal Code it is rearranged with a reduction of 2 years. This shows the decline of the Indonesian state in fighting corruption cases. By reducing sentences without further rules, corruptors are less likely to commit corruption. Based on these facts, a correspondent truth is not fulfilled.

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Pragmatic Truth

A pragmatic truth refers to the view that a statement or legal action is considered true if it has a beneficial or effective effect on achieving a desired social or legal goal (Ishaq, 2017). William James, a philosopher of pragmatism, said that the function of thinking is not to grasp a certain reality, but to produce something that can meet human needs. It is clear that with a minimum sanction of 4 years in legal provisions (before the passing of the National Criminal Code), corruption remains a complex issue to be solved in Indonesia. With the reduction in sanctions: the further away the state is from its goal to guarantee its peoples' welfare, the less effective the applicable law is. Therefore, in this case, pragmatic truths are not fulfilled.

Given that Indonesia is a country wherein legal certainty is a basic principle, there must be legal certainty in the application of rules. This is because in a place where the law is uncertain, it is equivalent to there being no law. Departing from the elaboration of the three theories of truth, where the norms in the National Criminal Code do not meet a truth, when these norms are enforced without further philosophical elaboration, the consequences will affect legal uncertainty and injustice.

The Position of Corruption Provisions in the National Criminal Code

The existence of corruption provisions in the National Criminal Code evokes a mixed response from the public. Some parties worry that the inclusion of corruption provisions in the National Criminal Code will eliminate the specificity of the crime. However, the inclusion of these provisions in the National Criminal Code does not necessarily eliminate its specificity. Contrarily, it acts as a liaison between the new Criminal Code and other laws outside the National Criminal Code. The act of corruption is considered a special law (*lex specialis*) that requires a more general criminal law framework (*lex generalis*). Therefore, the Corruption Law remains in force, and the Corruption Eradication Commission (KPK) remains authorized to address corruption cases (as stated in Article 620 of the National Criminal Code) and make the corruption criminal law an integral part of the broader legal system (Zulfiani et.al, 2023).

Regarding legal dualism, due to the existence of two laws regulating it, this has been addressed by the National Criminal Code by including a transitional provision in Article 763 of the National Criminal Code. This article states, 'When this law comes into effect, laws outside of this law that regulate procedural law deviating from the Criminal Procedure Law shall remain in effect as long as they have not been amended or replaced by the new Criminal Procedure Law.' Thus, Law No. 19 of 2019 in conjunction with Law No. 30 of 2002 concerning the Corruption Eradication Commission (KPK) still grants the KPK the authority to examine the main issues and objects of corruption cases in both the public and private sectors. This simultaneously eliminates the impression of co-optation and dualism in corruption regulations within the criminal justice system, which would involve regulations on corruption formed under the National Criminal Code and those created under laws outside the Criminal Code, with differences in handling by law enforcement officers (in line with the criminal law's goal of unifying and codifying the law).

No Change in Delicts of Corruption Provisions in the National Criminal Code

In crimes of corruption, articles in the National Criminal Code and the Corruption Law both regulate similar offenses; in other words, they only transfer the old offenses and change the sanctions or criminal threats (Indonesia Corruption Watch, 2022). This can be considered ineffective action, because the applicable recodification only plagiarizes the elements of the offense without making innovations or changes in the elements of the delict. Thus, this does not provide any improvement in the enforcement of corruption cases in the future, and its purpose becomes unclear.

Analysis in legislative theory must explore the meaning of an article and understand the meaning of the article's formation. More specifically, it must be understood that the theory of expediency is still in development. Bentham, in his view, posited that the main purpose of law is to provide maximum benefits and happiness to all of society. Therefore, expediency is to be the main function of the law, which is measured based on the level of happiness given to society as a

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whole. Expediency, in Bentham's view, can be interpreted as happiness that should be felt by every individual in a nation; the happiness of every human being is considered equally, especially in providing protection (*to provide security).* This is all in accordance with utility theory. Which pays attention to the application of the principle of happiness as much as possible (*the greatest happiness principle*) (Ainullah, 2017). In this context, good or bad judgments, as well as the fairness or injustice of a law, depend on the extent to which the law is able to increase society's level of happiness. When there is an absence of renewal, the element of offense triggers a negative response from the public in eradicating corruption cases. At the very least, the government must provide criminal changes that can anticipate future changes in corruption crimes, to bring benefits to the community.

Reducing Sanctions for Corruption Provisions in the National Criminal Code

In addition to being ineffective, the inclusion of corruption articles in the National Criminal Code only reduces sanctions under the previous law. As shown in Table 2, this decrease has the potential to escalate corruption cases due to the weak sanctions given. It can thus become a problem in the future, as reducing sanctions is equal to weakening deterrent effects in the implementation of the law. In other words, corruption acticles can be considered to be misimplemented, because it disparages from the purpose of the punishment itself. This also contrasts the theory of legislation, which focuses on the meaning of an article itself. This decrease in punishment is inversely proportional to the purpose of forming the Act, which is to provide a deterrent effect to perpetrators.

In the context of corruption cases, there are a total of 1,396 individuals who have been made suspects in Indonesia. This figure has increased by around 19.01% compared to 2021, which recorded 1,173 corruption suspects. In terms of details, the Attorney General's Office was identified as the most active law enforcement agency in handling corruption cases in 2022, with a total of 405 cases. In addition, the Ministry of Justice also assigned the status of corruption suspects to 909 individuals that year (Indonesia Corruption Watch, 2023). From the data above, it shows an increase in cases that occur with sanctions that have not been reduced. As a result, it is possible for an increase in cases to occur, which is far from the goal of the regulation.

Conclusion

Based on the analysis of the research, the research problems are concluded to be as follows. First, the legal provisions for corruption sanctions greatly affect the sentences given by judges to defendants. This is because they are a reference, as well as a limiter, when a criminal act is legally enforced. Second, the tendency of corruption actors to see benefits that outweigh the burden they bear is an implication for increasing acts of corruption. Third, the consequences of recodifying the provisions of corruption in the National Criminal Code give birth to legal inconsistencies. Recodification also contradicts the reality of corruption, which is still rife and ineffective in achieving legal objectives to eradicate corruption. Fourth, recodification that only copies old offenses without any substantive changes illustrates the government's lack of efforts in enforcing corruption laws. The law cannot effectively deal with changes and developments in corruption crimes, and thus does not optimally benefit the community according to Bentham's principle of happiness. On the other hand, reducing sanctions in the provisions only weakens deterrent effects against corruption crimes.

As per the results of the study, the researchers make the following four recommendations. First, the panel of judges should carefully consider the severity of the corruption sentence imposed, and the imposition of additional crimes such as reimbursement must also be adjusted to the actual losses incurred by the perpetrators. Second, the government should assess the current situation so that perpetrators of corruption do not take corruption lightly. Therefore, there is a need for a philosophical resolution regarding the changes in sanctions within the National Criminal Code. Third, the role of the Inspectorate as the Government Internal Supervision Apparatus (APIP) in ministries and government institutions must be strengthened. This should happen by improving understanding of corruption hotspots, and supervision techniques for

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budget management (to preventively identify potential fraud). Fourth, the government should reconsider reducing the sanctions for corruption crimes in the National Criminal Code, to be able to adapt to future developments in corruption acts. On the other hand, while drafting laws, it is important to involve experts, stakeholders, and the public in periodic evaluations of law effectivity, to ensure that laws remain relevant to the times.

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