

WHY KPK IS STRONG & HOW TO MAKE IT EVEN STRONGER

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Corruptors
always
fight back!

The
anticorruption
agencies have
always been
killed.

HISTORY REPEATS ITSELF

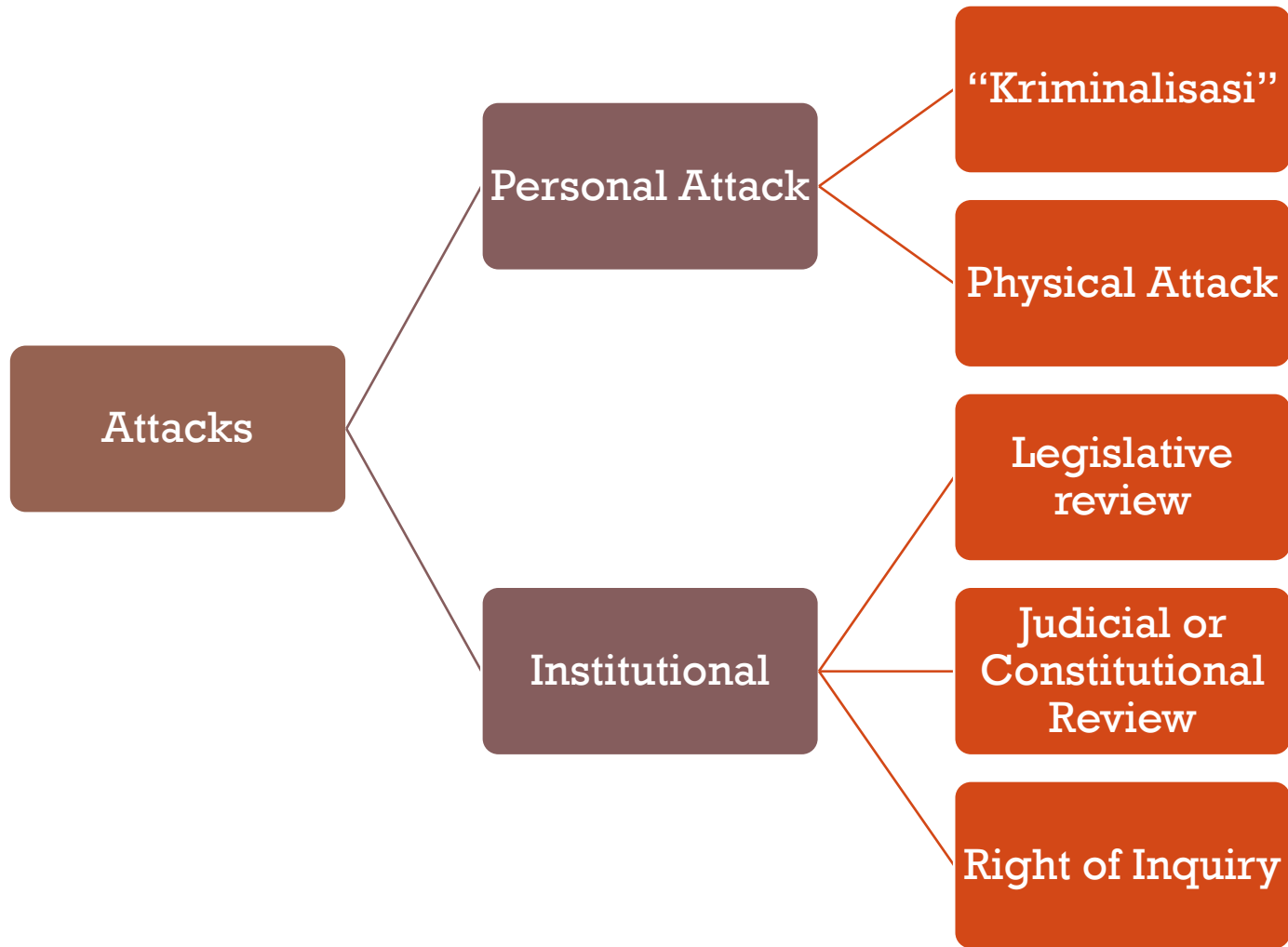


THE KILLING
NEVER STOP

- **KPK** is the strongest anticorruption agency in Indonesia's history (2002 – 2017)



(Kartun Majalah Tempo, 12-18 Oktober 2015)



**KPK IS ALWAYS
ATTACKED**

**“KRIMINALISASI”
GECKO VS CROCODILE**

■ **KPK vs Polisi**



CICAK VS BUAYA

Cicak Vs Buaya I

2009



2012

Cicak Vs Buaya II

Cicak Vs Buaya III

2015



Acid attack will not weaken Novel Baswedan or the KPK

April 19, 2017



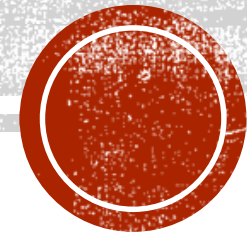
Author



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Denny Indrayana is the former

PHYSICAL ATTACK



1

**DPR's initiative to
amend the UU KPK**

2

**Proposal to classify
corruption into general
crime in the Criminal
Code Bill**

LEGISLATIVE REVIEW

MA annulled the Law of TGTPK

2001

2003–2017

**MK has been reviewing the Law of KPK
for almost 20 times.**

CONSTITUTIONAL REVIEW



JUDICIAL REVIEW

- **Law on correction centre is being reviewed by MK, but the truth is, the petitioners target the Government Regulation 99/2012.**
- **The PP 99 had been reviewed by the MA and declared as consistent with the laws on correction centre and human rights**

Balada Angkot Angket KPK

Oleh DENNY INDRAYANA

Apakah hubungan antara hak angket yang diangkat DPR atas KPK dan transportasi angkot yang mengangkut penumpang kota? Sejujur-nya, tak ada. Ini hanya susunan kata agar menarik menjadi judul dan enak dibaca. Lalu kenapa ang-

ket diangkat DPR? melihat sepotong ketentuan Pasal 79 Ayat 3 UU MD3 bahwa angket ditujukan untuk melakukan penyelidikan terhadap pelaksanaan suatu undang-undang, dalam hal ini UU KPK. Lebih jauh, para pendukung angket berpendapat pimpinan KPK sebagai pejabat negara tidak menjalankan rekomendasi hasil rapat kerja dengan Komisi Hukum DPR (Pasal 98 Ayat 7 UU MD3)

Penjelasan Pasal 3 mengatur: "Dalam ketentuan ini yang dimaksud dengan 'kekuasaan mana pun' adalah kekuatan yang dapat memengaruhi tugas dan wewenang Komisi Pemberantasan Korupsi atau anggota Komisi secara individual dari pihak eksekutif, yudikatif, legislatif, pihak-pihak lain yang terkait dengan perkara tindak pidana korupsi, atau keadaan dan situasi ataupun de-

dan/atau menyerahkan dokumen—termasuk BAP pemeriksaan Miryam Haryani. Pihak yang tidak memenuhi panggilan panitia angket dapat dikenai hukuman sandera meskipun paling lama hanya 15 hari. Berbeda dengan hak angket kepada kebijakan pemerintah yang dapat berujung dengan pemakzulan presiden, akhir dari angket DPR atas KPK ini tidak terlalu jelas

berantasan korupsi dan mengangkut angket DPR. Pertanyaannya, apa yang sebenarnya dibela dan dilindungi, atau lebih tepatnya, siapa dan mengapa?

DENNY INDRAYANA
Guru Besar Hukum Tata Negara UGM; Profesor Tamu di Melbourne Law School dan Faculty of Arts University of Melbourne, Australia



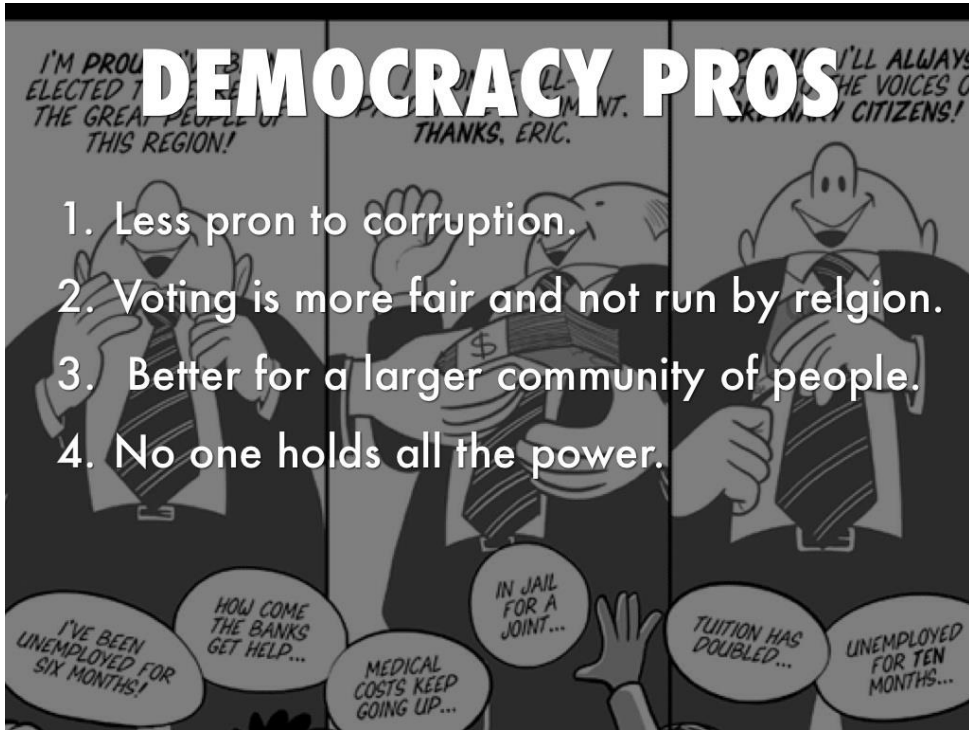
INQUIRY RIGHT: THE NEW M.O.

WHY IS KPK STRONGER?

1. *Reformasi* is the golden moment!

- **Thanks to the Orde Baru!**
- **Because it was so corrupt, all agreed that we needed a strong and effective anti-corruption agency:**

KPK



1. Less pron to corruption.
2. Voting is more fair and not run by religion.
3. Better for a larger community of people.
4. No one holds all the power.

- **Freedom House has consistently classified Indonesia as an ‘electoral democracy’ country.**
- **In its last report of 2017, the Freedom House still classifies Indonesia as ‘electoral democracy’ country with the score of 65, the highest among ASEAN countries.**

2. INDONESIA IS MORE DEMOCRATIC

MORE DEMOCRATIC

**Better anti-
corruption
regulations**

**Better anti-
corruption
institutions**

**Stronger support
from civil society:
NGOs, academicians,
students, public
figures**

Press freedom

3. THE SUPPORT FROM EARLIER MK



MK has strengthened the constitutionality of the KPK in its 17 decisions on the law of KPK.



We are waiting decisions on:

***** Angket**

***** Kriminalisasi - BW**

4. THE INTERNAL FACTOR

KPK's
Performance

Successful
institutional
Building

PROBLEMS

1

The attacks will never stop

2

Indonesia's democracy is being hijacked by the oligarchs

3

The support from society is weakening for political differences

4

The attack from within of KPK

5

The President has shown no clear support

WHERE IS THE PRESIDENT?



**The Presidents
are trapped in the
corrupt political
landscape.**

STRONGER KPK: FROM LEGAL PERSPECTIVE



1. Constitutional Organ
2. A Better commissioners' selection system
3. Limited Immunity for commissioners and staff
4. Independent staff, including investigative officer
5. More Budget
6. More Powers, or at least the same
7. Representative Office
8. A better supervision system

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**PREREQUISITES:
IS NOT ONLY
LEGAL ISSUES**

- 1. Better political education to the people**
- 2. Political Parties reform**
- 3. Judicial, especially police, reform**
- 4. Redistribution of assets**
- 5. Anti-corruption figures should win the elections**

FURTHER: DON'T KILL KPK

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MATURNUWUN

**Keep on fighting
for the better
Indonesia!**