PROSECUTOR’S OFFICE INTELLIGENCE ACTIONS IN SOLVING CORRUPTION CRIMES THROUGH TYPES OF INTELLIGENCE DIFFERENCE

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ABSTRACT

Purpose: To examine and explain the ideal authority of the prosecutor’s office in the field of law enforcement intelligence in resolving criminal acts of corruption.

Theoretical reference: three types of Intelligence-State Interaction that tend to occur. The three types of interaction are Political Intelligence, Intelligence Militarization, and Intelligence State.

Method: This type of research uses normative-empirical research, translated into legal research equipped with empirical data.

Result and Conclusion: That Prosecutor’s Intelligence is a state intelligence provider with certain differentiation in the field of law enforcement and prevention of criminal acts of corruption in accordance with the principles of national interest and security. The prosecutor’s office has intelligence functions, so the prosecutor’s office must be able to become a center for intelligence data in resolving criminal acts of corruption, especially at the investigation and prosecution stages, through differentiation types, practically the prosecutor’s intelligence actions in resolving criminal acts of corruption are through 5 (five) stages of activity namely planning and direction, collection, processing, analysis and production, dissemination).

Implications of research: To find the ideal prosecutor’s authority in the field of law enforcement intelligence as a means of resolving criminal acts of corruption.

Originality/value: enforcement of law enforcement intelligence by prosecutors using an intelligence differentiation type approach.

Keywords: prosecutor, intelligence, corruption.

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AÇÕES DE INTELIGÊNCIA DO MINISTÉRIO PÚBLICO NA RESOLUÇÃO DE CRIMES DE CORRUPÇÃO ATRAVÉS DE TIPOS DE DIFERENÇA DE INTELIGÊNCIA

RESUMO

Objetivo: Examinar e explicar a autoridade ideal do Ministério Público no campo da inteligência policial na resolução de atos criminosos de corrupção.

Referência teórica: três tipos de Interação Inteligência-Estado que tendem a ocorrer. Os três tipos de interação são Inteligência Política, Inteligência Militarização e Estado de Inteligência.

Método: Este tipo de pesquisa usa pesquisa normativo-empírica, traduzida em pesquisa legal equipada com dados empíricos.

Resultado e Conclusão: A Inteligência do Procurador é um provedor de inteligência estatal com certa diferenciação no campo da aplicação da lei e prevenção de atos criminosos de corrupção de acordo com os princípios de interesse e segurança nacional. O Ministério Público tem funções de inteligência, de modo que o Ministério Público deve ser capaz de se tornar um centro de dados de inteligência na resolução de atos criminosos de corrupção, especialmente nas fases de investigação e acusação, através de tipos de diferenciação, praticamente as ações de inteligência do Ministério Público na resolução de atos criminosos de corrupção são através de 5 (cinco) fases de atividade, ou seja, planejamento e direção, coleta, processamento, análise e produção, divulgação).

Implicações da pesquisa: Encontrar a autoridade ideal do procurador no campo da inteligência de aplicação da lei como meio de resolver atos criminosos de corrupção.

Originalidade/valor: aplicação de informações de aplicação da lei pelos procuradores utilizando uma abordagem do tipo de diferenciação de informações.

Palavras-chave: promotor, inteligência, corrupção.

1 INTRODUCTION

Efforts to enforce the law against criminal acts of corruption also experience many obstacles. Many efforts have been made for this, such as the Hand Arrest Operation (OTT) by the Corruption Eradication Commission (KPK).

Corruption finds its roots in the Latin words Corruptus and Corruption, which signify wickedness, moral decay, deviation from purity, or the use of dishonest and slanderous language.

Many rational reasons can be given for categorizing criminal acts of corruption as an extraordinary crime, so its eradication needs to be carried out using extraordinary

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measures, including methods carried out outside the Criminal Procedure Code using instruments. Extraordinary law, too (extraordinary instruments). 6

In the Preamble to the Law on the Eradication of Corruption Crimes, it is also stated that criminal acts of corruption have been widespread, so their eradication must also be carried out in a widespread and extraordinary manner. Because of its destructive nature, corruption must also be seen as a threat to state interests, so it is time for the role of state intelligence to be strengthened and prioritized to carry out early detection of acts of corruption by using the authority of the prosecutor's office in the field of law enforcement intelligence. As a consideration considering Law Number 17 of 2011 concerning state intelligence, it is stated that:

"To realize the national goals of the Country which protect the entire Indonesian nation and all of Indonesia's blood, promote general welfare, educate the life of the nation, and participate in implementing world order based on freedom, eternal peace and social justice as mandated in the Preamble to the Law "The Foundation of the Republic of Indonesia in 1945, it is essential to carry out early detection and early warning which can support efforts to ward off all forms of threats that endanger the existence and integrity of the Unitary State of the Republic of Indonesia." 7

The typology of criminal acts of corruption, which are carried out in secret and secret, as well as the various obstacles in the law enforcement process as against efforts explained above, cause law enforcement criminal acts of corruption to require the role of Intelligence, especially at the investigation and inquiry stages.

Based on Article 1 paragraph (1) of Law Number 17 of 2011 concerning State Intelligence (after this referred to as the State Intelligence Law), Intelligence is knowledge, organization, and activities related to policy formulation, national strategy, and decision-making based on analysis from information and facts collected through work methods for early detection and warning in the context of preventing, deterring and overcoming any threats to national security.

Meanwhile, the definition of role is a concept of what individuals can do in society as an organization. It includes norms related to a person's position or place in society. In this sense, a role is a series of rules that guide one in carrying out one's role. 8 Departing from the definition of this role, Article 4 of the State Intelligence Law explains that state intelligence has the role of carrying out efforts, work, activities, and actions for early

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7See Precautions Considering Law Number 17 of 2011 concerning State Intelligence
detection and early warning in the context of preventing, deterring, and overcoming any threat that may arise and threaten national security interests. The purpose of these intelligence roles is to detect, identify, assess, analyze, interpret, and present Intelligence to provide early warning to anticipate various possible forms and nature of potential and actual threats to the safety and existence of the nation and state as well as the opportunities that exist for national interests and security.

Departing from the two definitions above, it is hoped that law enforcement agencies with an intelligence role can carry out law enforcement against criminal acts of corruption. In Indonesia, the law enforcement agencies with an intelligence role are the police and prosecutors.

According to Evi⁹ stated that Intelligence in the law enforcement process in Indonesia is divided into two, namely Intelligence within the scope of the Indonesian National Police (Polri) and Intelligence within the scope of the Prosecutor's Office. There is also Intelligence that is expressly owned by the state, which has a special function for state defense and security, which can be used to carry out national politics. The intelligence function can also safeguard and defend national interests against coercion or intervention from other countries and Threats, Disruptions, Obstacles, and Challenges (AGHT) from within and outside the Country. The prosecutor's office protects the state against threats from within, one of which is the threat of criminal acts of corruption through its intelligence roles.

The authority of the prosecutor's office in the field of Intelligence is part of its duties and functions, which are derived from the State Intelligence Law, namely Article 9 letter d in conjunction with Article 13, which confirms that the prosecutor's office carries out law enforcement intelligence functions which refer to statutory provisions.

As a form of connection between the Intelligence Law and the prosecutor's office, the intelligence function is then included in the work of the prosecutor's office, namely in Article 30B of Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia (after this referred to as Prosecutor's Law), states concerning the authority of the prosecutor's office in the field of law enforcement intelligence, namely:

1. Carrying out investigative, security, and mobilization functions for law enforcement purposes;

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2. Creating conditions that support and secure development implementation;
3. Carrying out law enforcement intelligence cooperation with intelligence agencies and other state intelligence providers within and outside the Country;
4. Carry out prevention of corruption, collusion, and nepotism; And
5. multimedia supervision;

If it is related to Article 6 of the State Intelligence Law, the prosecutor's office in the intelligence sector has the same function: investigation, security, and mobilization. The difference is that the prosecutor's intelligence guards the Country against domestic threats, such as corruption, collusion, and nepotism (KKN).

The role of the prosecutor's office is very central because the prosecutor's office in the criminal justice system is the institution that determines whether a person should be examined by the court or not. The prosecutor's office as an institution and through the prosecutor as a representative of the prosecutor's office determines whether a person will be sentenced or not, through the quality of the indictment and prosecution made. The position of the prosecutor's office as an institution for the law enforcement process is so important that this institution must be filled by people who are professional and have high integrity. The existence of the prosecutor's office in Indonesia is regulated in Republic of Indonesia Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia, this law states that the authority to exercise state power in the field of prosecution is carried out by the prosecutor's office. Apart from playing a role in criminal justice, the prosecutor's office also has a role in the field of civil law and state administration, namely representing the state and government in civil and state administration cases.10

The function of the prosecutor's office in the field of Intelligence in the form of investigation, security, and mobilization is closely related to the function of the prosecutor's office as controller of the case process or dominus litis (procureer die de processvoering vasts-tels), controller of the case process which determines whether or not a person can be declared a defendant and brought to court based on the instrument—valid evidence according to law and as an executive agent implementing court decisions and decisions in criminal cases.11 The Prosecutor's Law strengthens the role and position

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of the prosecutor's office as a government institution that is independent and free from any party's influence/intervention of power when carrying out investigations or prosecutions.

Intelligence Investigation, or what is known as LID, is a series of efforts carried out in a planned and directed manner to seek information to become intelligence, and present it as input for policy formulation and decision making.\(^\text{12}\)

Through this intelligence sector, the prosecutor's office as a law enforcement agency is required to play a more significant role in upholding the supremacy of the law, protecting public interests, upholding human rights, and eradicating corruption, collusion, and nepotism. Therefore, it is necessary to reorganize the authority of the prosecutor's office to adapt to the abovementioned changes. The prosecutor's office must also be able to be fully involved in the development process, among other things, to help create conditions that support and secure the implementation of development to create a just and prosperous society based on Pancasila and is obliged to participate in maintaining and upholding the authority of the government and state and protecting the interests of the community.\(^\text{13}\)

Based on the brief description above, it can be concluded that the prosecutor's intelligence sector plays an essential role in resolving criminal acts of corruption. This fact makes the author conduct an in-depth theoretical and scientific discussion regarding the ideal concept of resolving criminal acts of corruption by optimizing the authority of the prosecutor's office in the intelligence sector. The author begins this study by first understanding the nature and responsibilities of prosecutors in law enforcement intelligence in resolving criminal acts of corruption.

2 THEORETICAL FRAMEWORK

Intelligence is understood as a national security system, thereby creating interaction between institutions and their intelligence functions. The interaction between intelligence and institutions/agencies is what creates the ideal concept of intelligence for an institution. When referring to the theoretical construction of developing ideal types of state intelligence, Gill and Bar Joseph divide 2 (two) ideal types of state intelligence,
namely the ideal type of state intelligence in an authoritarian regime and the ideal type of state intelligence in a democratic regime. As follows:

2.1 IDEAL TYPE OF STATE INTELLIGENCE AUTHORITARIAN REGIME

In countries that have authoritarian regimes, there are three types of Intelligence-State Interaction that tend to occur. The three types of interaction are Political Intelligence, Intelligence Militarization, and Intelligence State.

1. Political Intelligence

This type was developed to anticipate the emergence of internal threats which mainly come from political opposition groups in the country. Political Intelligence was formed when intelligence services were directed to carry out domestic intelligence functions aimed at obtaining information about the political activities of opposition groups, namely people or organizations that were political opponents of the ruling regime.

This Political Intelligence, for example, can be found in Brazil before the reign of President Cardosso. The Servico Nacional de Informacoes (SNI), which is Brazil's national intelligence agency, is involved in a series of political activities to maintain the stability of the political regime. President Cardoso's efforts in 1997-1999 to replace the military-dominated SNI with the Agencia Brasileira de Inteligencia (ABIN) met with strong resistance from SNI. SNI agents, without having legal political authority, continued to carry out a series of wiretapping operations to uncover political scandals that later rocked the Cardoso government.

2. Militarization of Intelligence

The second type is Intelligence Militarization. This construction is formed when an authoritarian regime devotes most of its national security resources to dealing with external threats. This mobilization was carried out by military institutions which co-opted all intelligence services.

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17 Ibid.
One example of Intelligence Militarization occurred in Russia during the Russo-Japanese War in 1904-1905. In this period, the Russian War Department co-opted all intelligence and strategic information services belonging to other departments including the Zagranichania Agentura foreign intelligence service and the Okharna domestic protection service headquartered in St. Petersburg. St. Petersburg. Section III of the Police Department which has intelligence functions is also placed under the coordination of the War Department. This militarization of intelligence was mainly carried out by Russia to monopolize all the strategic information needed to win the war against Japan.

Militaryization of Intelligence was also carried out by Vietnam in the decolonization process in the 1945-1950 period. At that time, the Communization and Information bureau (Cuc Thong Tin Lien Lac) and the Cryptography section (Ban Mat Ma) were taken over by the Strategic Intelligence Agency (Cuc Nghien Cuu) which was military intelligence under the Ministry of Defense. This militarization was carried out primarily to face external threats which at that time were perceived to originate from colonial France and the imperialist United States. In the late 1970s to the 1980s, intelligence militarization was repeated in Vietnam to anticipate external threats that were perceived to come from expansionist China.

3. Intelligence State

The third type is the Intelligence State where an authoritarian state perceives that threats to the continuity of the political regime will be internal and external. To face threats from these two directions, authoritarian regimes try to monopolize all existing strategic information and use this information to control all aspects of the political, economic and socio-cultural lives of their citizens. This method of information monopoly and public control is carried out by an intelligence service which tends to integrate all intelligence functions into the hands of one particular institution. This integration tends to create Intelligence State interactions that determine the life and death of an authoritarian political regime.

18 Alex Marshall, Russian Intelligence during the Russo-Japanese War, 190405, Intelligence and National Security, Vol.22, No.5 (October 2007), p. 682 - 698
21 Ibid. p. 20-21
This type of Intelligence State interaction can be found, among others, in Italy during Mussolini’s time. At that time, Cesare Ame was appointed by Mussolini to be Head of the Military Intelligence Service (Servizio Informazioni Militari) with the task of securing the objectives of the fascist government in Rome. In carrying out these duties, Ame established an intelligence network that effectively controlled Italy’s military, political and economic infrastructure. The formation began with the institutionalization of the strategic information analysis process involving Mussolini, Galeazzo Ciano (Mussolini’s son-in-law), Minister of Foreign Affairs King Victor Emmanuel III, Chief of Staff of the Army Marshal Badoglio, and Cesare Ame. It is these top Italian elites who control all intelligence operations. Intelligence State-type interactions were clearly visible when in September 1940 Cesare Ame staged a ‘Cultural Operation’ carried out through the Italian Ministry of Education. This operation was a form of repressive propaganda involving the OVRA Secret Police (Opera Volontaria di Repressione Antifascista or Organizzazione di Vigilanza e Repressione Antifascista) and aimed at eliminating all forms of political opposition to the fascist regime.

Another type of Intelligence State occurred in South Africa during the Apartheid regime. The Intelligence State was formed in 1986, when the Universal National Strategy Doctrine (Total National Strategy) was implemented in the form of a Universal Counter-Revolutionary Strategy (Total Counter-Revolutionary Strategy). This strategy provided strong political legitimacy for the State Security Council - also known as securocrats due to its infiltration of the state bureaucracy, to launch intelligence operations against the African National Congress (ANC), especially the ANC guerrilla militia (Umkhonto we Sizwe). The main pillar of the securocrats in carrying out intelligence operations was the Counter-Revolutionary Intelligence Task Force (Teen Revoluciónère Inligting Taakspan Trewits). In carrying out his duties, Trewits relied on a strategy of assassination (assassination) of political figures who were deemed to endanger the continuity of the Apartheid regime.

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22Manuela Williams, “Mussolini’s Secret War in the Mediterranean and the Middle East: Italian Intelligence and the British Response,” Intelligence and National Security, Vol.22, No. 6 (December 2007), pp. 881 – 904.
3 METHODOLOGY

This type of research uses normative-empirical research, translated into legal research equipped with empirical data. It is not empirical research, because it is still based on legal science, not social science disciplines. This is a type of research that uses secondary data (from the library) and is supported by primary data based on field research, namely through interview techniques. Basically, legal research falls within the scope of this type of normative-empirical research, especially that carried out by law enforcement institutions in studying and evaluating the effectiveness of a norm in the process of enacting and working of that norm in society. Between the two major currents of thought in legal research methods, namely between normative research and empirical research, normative-empirical legal research is seen as a middle way, namely legal research that is still normative with a strong influence from sociological jurisprudence, so it is concluded that normative research -empirical is a type of normative legal research that is supported and equipped with empirical data.  

4 RESULTS AND DISCUSSION

From the definition of law enforcement intelligence authority through the three pillars of investigation, security and mobilization mentioned above, it should be able to be strengthened not only by supporting the performance of the Special Crimes sector which carries out Investigation and Prosecution of Corruption Crimes, but can also directly take action to reduce AGHT in the State Finance sector. which has implications for criminal acts of corruption in terms of:

1. Strengthening the Intelligence Coordination function of the Prosecutor's Office with state financial auditor institutions (Inspectorate, BPKP and BPK RI) so that information resulting from audits on the use of state finances that are indicated to be detrimental to state finances can be immediately followed up through an intelligence investigation mechanism;

2. At the investigation stage, prosecutor's Intelligence, by its authority, collects data and information to analyze whether the legal incidents found qualify as criminal acts of corruption that are detrimental to state finances;

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3. At the gathering stage, the prosecutor's Intelligence immediately conveys the results of the analysis found in the investigation stage that the perpetrator's actions constitute a criminal act of corruption which is detrimental to state finances with an amount based on the results of the auditor's calculations. Volunteer to return the amount of state financial losses;

4. At the security stage, the prosecutor's intelligence can as soon as possible secure the return of state financial losses from the perpetrators by depositing them into the state treasury;

So far, the prosecutor's intelligence performance has yet to contribute. That doesn't mean it doesn't work because intelligence work is quiet and somewhat secretive. In fact, behind all these issues, the prosecutor's intelligence work has an impact. For example, at the national level, recently the Intelligence of the Southeast Sulawesi High Prosecutor's Office succeeded in securing and depositing Rp. 52,547,507,553,- (fifty-two billion five hundred forty-seven million five hundred seven thousand five hundred fifty-three rupiah) from mining companies that carry out production operations in forest areas.

![Figure 1: Press Conference of the Southeast Sulawesi Prosecutor's Office to Save State Finances](source: https://www.antarnews.co.m).

In law enforcement efforts, the examples above can be carried out. This is part of the prosecutor's assessment to assess the potential for criminal acts, which is legally justified. Article 34 A of the Prosecutor's Law states that prosecutors can carry out their own assessments while still paying attention to the laws and regulations and the code of ethics that apply in the prosecutor's office.

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25 Southeast Sulawesi Prosecutor's Office pays IDR 59.5 billion in PNBP from illegal mining case, https://www.antarnews.co.m.
In democratic countries there are three types of Intelligence-State Interaction that can develop, namely Security Intelligence, Strategic Intelligence, and Intelligence Differentiation.

a. Security Intelligence

The first type, namely Security Intelligence, occurs when a democratic state is forced to carry out intelligence operations to deal with internal threats which generally take the form of organized crime, communal conflict, terrorism and/or separatism. This level of intelligence operations is limited to efforts to restore security conditions in an area and is usually carried out side by side with conflict resolution or law enforcement efforts by other state institutions. This intelligence operation also receives effective political supervision from the executive and parliamentary institutions.\(^\text{26}\)

This Security Intelligence interaction, for example, was carried out by the UK in Northern Ireland. With political supervision from the Ministry of Home Affairs, the MI5 Secret Service collaborates with the Northern Ireland Police (Royal Ulster Constabulary) to carry out intelligence operations such as data collection, reconnaissance, interrogation, recruitment and propaganda.\(^\text{27}\) This intelligence operation was carried out by a Mobile Reconnaissance Force whose task was to collect three types of intelligence information, namely the dynamics of political movements, threats of armed operations, and criminal activities that might be carried out by opposing parties in Northern Ireland. This intelligence information was used to formulate policy regarding Northern Ireland as well as the transfer of intelligence operations to law enforcement operations by the Royal Ulster Constabulary.

b. Strategic Intelligence

The second type, Strategic Intelligence is created when democratic countries carry out preventive operations to prevent the escalation of military threats originating from other countries. This construction also appears when the state carries out infiltration operations into other countries to deal with political factions that pose threats to that country; and also when democratic countries carry out counter-intelligence operations to avoid strategic surprises from their opponents. For all intelligence operations, the

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\(^{26}\) Andi Widjajanto and Artanti Wardhani. Op.Cit., p. 25

authority of intelligence services tends to be limited solely to legitimate targets approved by political, executive and legislative authorities.  

This Strategic Intelligence construction was implemented by Japan to deal with North Korea in 1993-1997. In this period, the Cabinet Research and Information Service (Naikaku Joho Chosa Shitsu) attached to the Prime Minister’s Office built a cooperation mechanism with other intelligence services, such as: Public Security Investigation Service (Koan Chosa Cho) Ministry of Justice, Defense Intelligence Service (Joho Honbu), the Information and Analysis Bureau (Joho Chosa Kyoku) of the Department of Foreign Affairs, and the Security Bureau of the National Police (Keisatsu Cho). This collaboration was built to coordinate analysis and disseminate strategic information regarding the North Korean threat. Naikaku Joho Chosa Shitsu not only collaborates with intelligence services but also builds a strong network with the private sector to become sources of strategic information about North Korea. Among them, Research Council on World Politics and Economics (Sekai Seikei Chosa Kai), Kyodo News Service, Radio Press and Jiji Press. Japan's global trade network (SogoShosha), the Nomura Research Institute (Nomura Sogo Kenkyusho) which is known for its regional network, and the Japan External Trade Organization (JETRO) are also used effectively.

c. Intelligence Differentiation

The third type, Intelligence Differentiation, occurs when a democratic country forms various intelligence services that are specifically directed at dealing with a particular threat, whether originating from within or outside the country. From a political development perspective, this differentiation can be used as an indicator to reveal the degree of political institutionalization which is the foundation of macro system stability and continuity.  Structural differentiation also functions as an instrument of modern technocracy for supervisory functions. This technocratic instrument follows the principles of "small is beautiful"  and "dispersion of power" as a method for minimizing the tendency of corruption inherent in power and reducing the risk of abuse of power. Through this principle, each intelligence service should only have one specific function, following the line of Lord Acton's argument: "Too many missions being performed by a single intelligence service implies an accumulation of power".

29 Ibid. p. 27
32 Ibid
The differentiation of intelligence organizations into specific functions requires the existence of political regulations that provide technical guidance regarding operational authority for each intelligence service. Practically all stable democratic countries are equipped with laws that regulate the operational movements of intelligence services. The same trend is also seen in countries experiencing a democratic transition. Most countries that have gone through difficult times with the intelligence community will produce new regulatory systems through laws that regulate their respective intelligence communities in detail.

In simple terms, the ideal type of state intelligence in an authoritarian regime and the ideal type of state intelligence in a democratic regime constructed by Gill and Bar Joseph are depicted in the following chart:

![Figure 5: Construction Chart of the Ideal Type of State Intelligence Interaction](image)

Source: Andi Widjajanto and Artanti Wardhani

Adopting the ideal type of state intelligence described by Gill and Bar Joseph above, the ideal type applied to the Republic of Indonesia Prosecutor's Office in handling criminal acts of corruption is to use the intelligence differentiation type. The author chose this type because this type is very suitable for Indonesia, whose character is a democratic country. This is based on Article 1 Paragraph (2) of the 1945 Constitution which stipulates that "sovereignty is in the hands of the people and is implemented according to the constitution".

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33See for example, Law on the Intelligence and Security Agency of Bosnia and Herzegovina (2004); Hungarian Law on the National Security Services (1995); National Intelligence Law no. 25520 of Argentina; The Internal Security Agency and Foreign Intelligence Act of Poland (2002); Intelligence Services Control Act of the Republic of South Africa, (1994; 2002).

Of course, the character of the implementation of state intelligence which refers to the State Intelligence Law is different from the intelligence function in the Prosecutor's Law. However, the character or models or way of working are adopted from the State Intelligence Law. Because, in Article 8 in conjunction with Article 9 in conjunction with Article 13 of the State Intelligence Law it is expressly regulated that one of the organizers of state intelligence is the intelligence of the Republic of Indonesia's Prosecutor's Office in the context of law enforcement.

According to the results of an interview with the Southeast Sulawesi High Prosecutor's Intelligence Assistant on October 2 2023, referring to Law Number 11 of 2021, Prosecutor's Intelligence as the implementer of Law Enforcement Intelligence increasingly has a different scope of responsibility from state intelligence in general, namely in Article 30B of the Law. Law on the Prosecutor's Office which regulates the authority of prosecutors in the field of law enforcement intelligence, namely:

1) Carrying out investigative, security and mobilization functions for law enforcement purposes;
2) Creating conditions that support and secure development implementation;
3) Carrying out law enforcement intelligence cooperation with intelligence agencies and/or other state intelligence providers, within and outside the country;
4) Carry out prevention of corruption, collusion and nepotism; And
5) Carry out multimedia monitoring.

Furthermore, if it is related to resolving criminal acts of corruption, we can see the role of the prosecutor's office implicitly in Article 30A of the Prosecutor's Law that in asset recovery, the prosecutor's office has the authority to carry out tracing, confiscation and return of assets obtained by criminal acts and other assets to the state, victims or entitled. Implicitly, the intelligence role of law enforcement prosecutors lies in the phrase "search", where the search process is carried out through intelligence work, which ultimately aims to return assets to the state that have been lost due to criminal acts of corruption. In fact, through Article 30B letter d of the Prosecutor's Law, we can see that the prosecutor's office explicitly has the authority to prevent corruption, collusion and nepotism (KKN). This means that through "search" with intelligence work, the prosecutor's office not only resolves criminal acts of corruption, but also prevents criminal acts of corruption from occurring.

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35Results of Interview with, Southeast Sulawesi Prosecutor's Intelligence Assistant, on October 2 2023
Typologically, "tracing" criminal acts of corruption through the prosecutor's intelligence work is very important to do. Because, apart from being an *extraordinary crime*[^36], typologically, most corruption crimes are carried out in *secret*.[^37] Hidden acts of corruption that are carried out invisibly, the scale and significance of the corruption are systematic and large. This systematic act of corruption has gone deep into and has the potential to damage the operationalization of the state and plays an important role in the control of a handful of elites over the state where the policy formulation process is made only to benefit a select few elites.[^38]

From this typology, the authors can identify the characteristics of corruption as follows:

1) Done by one or more than one person, but mostly done in groups;
2) Motives that are hidden and carried out in secret are usually only known by themselves or their group;
3) There are large profits to be gained by stealing state finances, both in large and small amounts;
4) Taking advantage of one's own and/or other people's power/authority;
5) Taking cover behind legal justifications or by going against the rule of law;

From the typology above, the author assesses that the role of prosecutor's intelligence in the context of law enforcement against criminal acts of corruption has a very urgent role in resolving criminal acts that wipe out a lot of state finances.

According to the results of an interview with the Southeast Sulawesi High Prosecutor's Intelligence Assistant on October 2 2023, the role of prosecutorial intelligence is so important that the state included the prosecutor's intelligence function by revising Law Number 16 of 2004 concerning the Prosecutor's Office to become Law Number 11 of 2021 concerning the Prosecutor's Office, namely placing prosecutor's intelligence function in Articles 30A and 30B.[^39] He continued, with the existence of this latest law, the prosecutor's office as the implementer of Law Enforcement Intelligence increasingly has a broader scope of responsibility compared to the State Intelligence Law.

[^36]: With the benchmark that criminal acts of corruption are systemic, endemic and have a very broad impact (systematic and widespread) which not only harms state finances but also violates the social and economic rights of the wider community so that action against it requires comprehensive extra ordinary measures so that there are many regulations, institutions and commissions formed by the government to deal with it. (See Irfani. 2017. Corruption as an Extraordinary Crime. Al'Adl Journal, Vol. IX, No. 3, December 201, p. 321)


[^38]: Ibid. p. 262

[^39]: Results of Interview with the Southeast Sulawesi Prosecutor's Intelligence Assistant, on October 2 2023
However, the definition of Law Enforcement Intelligence has not been explained in detail and what constitutes differentiation from the authority of other state intelligence administrators. This is my input which is relevant to the title of the dissertation proposed by the researcher.

Because the prosecutor's office has intelligence functions, the prosecutor's office must be able to become a center for intelligence data in resolving criminal acts of corruption, especially at the investigation and prosecution stages. Arthur S. Hulnick emphasized that Intelligence (including prosecutorial intelligence), must be able to become a strategic intelligence data center capable of assessing, identifying, analyzing and providing information containing indications of the nature and form of threats, both potential and actual as well as providing early warning (early warning) for policy makers.

For this reason, by choosing the type of differentiation above, the author then practically reduces the prosecutor's intelligence actions in resolving criminal acts of corruption, namely through 5 (five) stages of activities, namely planning and direction, collection, processing, analysis and production, and dissemination.

a. Planning and Direction (Planning and Direction)

Identification of data required for intelligence activities is usually based on requests from decision makers. This stage is usually preceded by a request by the user/decision maker about the desired information context. For example, when a shooting case occurred which was allegedly carried out by the OPM separatist movement in Puncak Jaya, the President as the user ordered the Head of BIN as the leader of the intelligence organization to look for information related to the shooting case. The Head of BIN will order his members/team to search for information in the field. The team in charge will of course make plans regarding information search activities in the field such as the number of field officers, equipment used, networks that can help activities in the field and others.

If it is related to the prosecutor's intelligence regarding criminal acts of corruption, once suspected criminal acts of corruption are discovered during the investigation stage,
the prosecutor's intelligence through the intelligence section begins to carry out tiered activities starting with planning and directing. Also at this stage, the prosecutor's office carries out intelligence operations in the form of collecting initial data to ensure that a specific crime in the form of corruption has indeed occurred.

Based on Article 963 of the Indonesian Attorney General's Regulation Number PER-006/A/JA/07/2017 concerning the Organization and Work Procedures of the Indonesian Prosecutor's Office (Perja OTK Prosecutor's Office), the Intelligence Section's task is to carry out the preparation of the formulation of work plans and programs as well as reports on their implementation, planning, reviewing, implementing, administering, controlling, assessing and reporting technical policies, intelligence activities, intelligence operations, monitoring and securing government and development, intelligence administration, and providing intelligence technical support to other fields, planning, implementing and reporting mapping, planning, managing and reporting information technology, planning, implementing, administering and reporting activities in the field of legal information, preparing, presenting, administering, distributing and archiving periodic reports, incidental reports, estimates of the state of intelligence, results of implementing work plans and work programs, intelligence activities and intelligence operations, supervision and security of government and development of strategic projects, planning, management and reporting of intelligence data banks and information security, control of the administration of intelligence, maintenance of intelligence equipment, planning and implementation of coordination and/or cooperation with regional governments, Regional-Owned Enterprises, agencies and organizations, providing technical guidance and guidance on intelligence and intelligence administration, and preparing materials for evaluating Sandiman's functional performance relating to the fields of ideology, politics, defense, security, social, cultural, community, economic, finance, securing strategic development, intelligence technology, intelligence production, and legal information.

The above functional duties also apply to criminal acts of corruption as explicitly regulated in Article 964 letter d Perja OTK Prosecutor planning and implementing mapping of potential threats, disturbances, obstacles and challenges (AGHT) in the fields of ideology, politics and defense, security, social, cultural and social, economic and financial matters as well as securing strategic development based on data and information originating from work units within the District Attorney's Office and the District
Attorney's Branch in their jurisdiction. The phrase "economic and financial" can be attributed to criminal acts of corruption because criminal acts of corruption are criminal acts that can threaten, disrupt and hinder the progress of the state's economy and finances.

b. **Collection**

The *collection* referred to here is the collection of information or data, namely information or data needed to produce intelligence analysis. According to Indonesian intelligence rules, the person carrying out the *collection process* is an agent. In its activities, an agent is regulated by an *agent handler* or controller. The controller's duties include withdrawing an agent if it is assessed that an agent has experienced failure such as his or her identity is known or has deviated from established rules.

Information gathering refers to gathering raw information through espionage, technical means (photography, eavesdropping on electronic communications, and other methods involving technology), open sources *such* as publications and radio and television broadcasts. In this case, the intelligence service/agency may not carry out activities for the benefit of the intelligence service/agency itself, there must be instructions or orders from the highest authority to collect this information.43

Likewise with criminal acts of corruption, intelligence work can be carried out by carrying out espionage or wiretapping of suspected perpetrators of criminal acts of corruption, investigating the flow of funds taken and disbursed, including who the perpetrators collaborate with in carrying out the criminal act. everything is done in secret ways to prevent the perpetrator from eliminating evidence that supports his criminal acts of corruption. In intelligence work, confidentiality is very important.

For the work above, it was taken over by the Directorate of Information Technology and Intelligence Production, where Article 243 of the Prosecutor's Office OTK Regulation stipulates that the scope of the information technology and intelligence production sector includes the sectors of intelligence production, monitoring, information security and information technology resources, which consists of intelligence production, legally authorized wiretapping and signals intelligence, cyber intelligence, clandestine, digital forensics, coded news transmission, counter-sensing, audit and testing of information security systems, signal security, human and password development,

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resource development other human intelligence, technology development, procedure and application development.

c. Processing

In this phase, the data will be sorted as to which can be analyzed or which can just be stored. Data obtained by an agent may not necessarily be used for analysis, for example if the context and time are no longer appropriate to the context of the given operational target. Likewise with criminal acts of corruption, the information or data that has been collected is then identified which have a causal relationship with the criminal act of corruption. the intelligence section of the prosecutor's office in their respective regions, then sort and select information that is appropriate to the criminal act of corruption in question.

According to the author, in the process of gathering information up to the stage of sorting information by prosecutorial intelligence in resolving criminal acts of corruption, it is very possible to carry out counter-intelligence as is the case with state and foreign intelligence.

According to Amos A. Jordan, William J. Taylor, and Michael J. Mazarr as in American National Security, counterintelligence includes investigations and monitoring to detect and neutralize foreign intelligence forces, the collection of information about foreign intelligence communities, and various actions. to penetrate, damage, manipulate, foreign intelligence services, for national interests. So counter-intelligence is basically an effort to protect against foreign powers (foreign intelligence services, foreign governments, or terrorist organization networks) by placing them under intensive surveillance, which have the tendency and certainty to threaten national security and national interests, such as secret information, sabotage against public facilities, assassinations by foreign intelligence services, exploitation of resources, and activities that violate applicable laws.44

Based on the definition of counterintelligence above, there could be disappearance of evidence of criminal acts of corruption committed by friends of the perpetrators of criminal acts of corruption. Let's say, for example, that corruption occurs in the police or prosecutor's office, which incidentally also has an intelligence sector. It is not impossible for evidence of a criminal act to be hidden or even eliminated. In this condition, prosecutorial intelligence needs to carry out counter-intelligence, either between fellow

44 Ibid., p. 6 (See also Ali Abdullah Wibisono and Faisal Idris., p. 17)
sections or with other intelligence agencies such as police intelligence or the State Intelligence Agency (BIN).

d. **Analysis and Production (Analysis and Production)**

Analysis of available data into precise and accurate intelligence information. In this stage the activities are carried out by an analyst. The data/information obtained by an agent after being sorted will be analyzed according to the context of the operational target. The data processed must of course be accurate and precise so that it becomes user material for consideration in decision making. Some intelligence organizations, especially in Indonesia, still combine the processing stage with the analysis and production stage.

In this case, analytical activities are required to process data obtained from information collection activities into accurate information, which can be used by policymakers. According to Johnson, analysis is defined as the analysis stage as the process of evaluating data to obtain reliability, validity and relevance; synthesize and analyze data; and converting the results of the analysis into a product that includes an assessment of the events and implications of the information collected.\(^{45}\)

Regarding criminal acts of corruption, the prosecutor's intelligence section which is part of the Sandiman Functional Position Group carries out analysis and production of information/data as material for the leadership's final policy. This is expressly regulated in Article 265 Paragraph (4) of the Prosecutor's Office OTK Regulation that the Sandiman Functional Position Group in the Deputy Attorney General for Intelligence is the implementing element which has the task of carrying out investigative, security and mobilization activities and operations through communication intelligence facilities, analysis of intelligence products for obtain strategic components as material for leadership policies and secure, succeed and carry out other tasks in accordance with leadership instructions.

In this process, analysis and production are also carried out by prosecutorial intelligence in the field of information technology and intelligence production, including the collection and processing stages. This is as regulated in Article 819 Paragraph (7) of the Attorney General's OTK Regulation that the scope of the Attorney General's intelligence sector in the field of information technology and intelligence production includes the sectors of intelligence production, cyber intelligence, clandestine, digital forensics, coded news transmission, counter sensing, auditing and testing, information

\(^{45}\) Ibid., p. 6 (See also Ali Abdullah Wibisono and Faisal Idris., p. 17)
security systems, development of password human resources, development of other intelligence human resources, technology development, development of procedures and applications as well as mapping, data and reporting.

e. **Spread (Dissemination)**

Distribution of intelligence products to users/policy makers. This stage is the distribution of intelligence products to users/decision makers. Linear, for example in the planning and direction phase regarding the shooting case in Puncak Jaya, then when the data obtained in the field has been processed by analysts into an intelligence product that has been tested for accuracy and veracity, it will be submitted by the Head of BIN to the President as the user/decision maker. Based on information from this intelligence product, the President decided to handle the shooting in Puncak Jaya, for example, after it was discovered that the enemy had a team of OPM personnel, the President ordered the TNI Commander to send a strike team with sufficient strength. If it is correct, of course it will have an impact on the decisions given.46

Meanwhile, in criminal acts of corruption, this is the final stage where the leadership will determine what policies will be applied to the criminal act and the alleged perpetrator. If the information/data resulting from the analysis shows that the criminal act of corruption is clear, the material offense in the form of losses exists and the amount can be calculated, the perpetrator and his accomplices can be determined with a minimum of 2 (two) pieces of evidence, including what the flow of funds was used for, the perpetrator's motive, then prosecution will be followed up. The process will continue to be resolved in court.

f. **Early warning system**

In accordance with the ideal concept, state intelligence can be divided into two meanings:47

1. As a function: Intelligence as a function, is essentially centered on an early warning system (early warning system) where the task of intelligence is to collect, analyze and provide the necessary information to policy makers.

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2. As an organization: as an organization, intelligence institutions are not much different from other state institutions. Intelligence has a place within the state structure, complete with personnel and inter-institutional relations.

Meanwhile, if we put it in context with the Indonesian state, it adheres to 2 (two) meanings at once, namely as an organization (institution/body) and as a function. For example, the Indonesian Prosecutor's Office, to which intelligence functions are also attached. According to the results of an interview with the Southeast Sulawesi High Prosecutor's Intelligence Assistant on October 2 2023, the prosecutor's authority in the field of law enforcement intelligence is linked to the resolution of criminal cases of corruption which is obtained attributively through statutory regulations, which is delegatively through the delegation of authority of the attorney general to JAMINTEL, KAJATI, KAJARI and KACABJARI and mandatorily through an Investigation Order/Collection/Security. The attribution of the authority of the Prosecutor's Intelligence in resolving criminal cases of corruption is expressly stated in Article 30 B of Law Number 11 of 2021 which states that in the field of Law Enforcement Intelligence the Prosecutor's Office has the authority:

1) Carrying out investigative, security and mobilization functions for law enforcement purposes; And
2) Carry out prevention of corruption, collusion and nepotism.

Intelligence must be able to play a role in becoming an intelligence data center strategic in evaluate, identify, analyze, as well as provide information containing characteristic indications and potential forms of threats And actual and also warning early (early warning) to taker policy inin national security, so that it can be taken policy Which fast And accurate For avoid suddenness strategic sake safety inhabitant country, nation, And existence country. Likewise for prosecutorial intelligence, the prosecutor's office can be an institution that provides early warning (early warning system) to individuals and other state institutions to prevent criminal acts of corruption.

It's just that at this time, intelligence get challenge Which Serious, from role media massor electronic media that has the ability toget, evaluate And spread information

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48Results of Interview with the Southeast Sulawesi Prosecutor's Intelligence Assistant, on October 2 2023
49One of the historical lessons that needs to be drawn is when there was not yet an integrated intelligence system was built in the United States, the United States experienced a strategic suddenness originate from outside ie attack Which done by English on Year 1814 Which addressed to capital country namely; Washington DC, And attack Which done by force armed Kingdom Japan on year 1942 Which addressed on base force sea United States in Hawaii. (See Arthur S. Hulnick, Indications and Warnings for Homeland Security: Seeking a New Paradigm, Journal Intelligence and Counter-Intelligence, Volume: 18 No: 4, Routledge: Taylor&Francis Group, 31 October 2007, p. 592-593)
in a way fast, latest, and own accuracy approach perfect. For that intelligence must in a way as carefully as possible. Possible use source open. This so that capable process and distribute information which is rational, current, accurate and tested for policy makers. This condition also applies to prosecutorial intelligence, that matters which are confidential must be kept secret until they become public consumption.

*early warning system* is an initial reading or initial sensing for decision making. For the prosecutor's office intelligence itself, its intelligence function as an *early warning system* will be an initial observation for the prosecutor's office before deciding whether the alleged criminal act of corruption will continue for prosecution or not. So in this condition, prosecutorial intelligence must be dynamic, not static.

Previously the author explained that state intelligence is related to function and organization. United Nation ESCAP stated that as a function, whatever the type of situation and conditions, intelligence will continue to function as an initial sensing instrument for policy makers in making decisions. Meanwhile, as an organization, intelligence should develop according to certain situations and conditions, for example the structure of an intelligence organization in a democratic country should be different from the structure of an intelligence organization in a non-democratic country.

Intelligence is essentially part of the national security system which acts as an early warning system and strategic system to prevent strategic surprises and to protect the integrity and preservation of the state based on the principles of a democratic state. Intelligence exists to prevent violence or acts of terror or criminal acts based on political, economic, religious or whatever motivations so that lives and property can be protected.

This is in line with the role of intelligence in Law Number 17 of 2011 concerning State Intelligence, that intelligence has a role to carry out efforts, work, activities for early detection and early warning in the context of prevention, deterrence and response regarding any nature of threats that may arise and threaten/disrupt national interests and security. The role of state intelligence is vital in providing up-to-date, accurate, fast and comprehensive information related to security guarantees and law enforcement in a democratic rule of law country.

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50 Ibid., p. 593-607
51 http://www.unescap.org/huset/gg/governance.htm accessed 1 October 2023
result of criminal acts of corruption. State losses can be prevented by early detection carried out by the prosecutor's office through its law enforcement intelligence work.

In implementing an early warning system for criminal acts of corruption carried out by prosecutor's intelligence, there are at least 2 (two) things that need to be optimized, namely human intelligence (humint) and technological intelligence (techint).

g. Human Intelligence (Humint)

The first thing that supports the creation of an early warning system by prosecutorial intelligence in handling criminal acts of corruption is through human intelligence (humint). Humint referred to here is an activity that relies on human abilities.

In connection with state intelligence, humint plays an important role. Humint is a method of intelligence work that interacts with other information gathering methods such as signals (signint), electronics (elint), technology (techint), images (imint). The definition of humint is an intelligence work method that relies on the role of intelligence agents in the process of obtaining and collecting information in closed intelligence activities (covert). The most important part is the information that intelligence agents have managed to collect to find targets for intelligence operations. However, on the other hand, this humint role invites the highest risks and is very dangerous. One of the risk factors is that if the intelligence gathering agent's cover is revealed, this could have political consequences. 54This condition can be contextualized with the prosecutor's intelligence in handling corruption crimes. The role of the prosecutor's intelligence agent is very important in collecting information regarding criminal acts of corruption that have occurred, who the perpetrators are, how the perpetrators of corruption are carried out, the amount of state losses, the involvement of other parties, the existence of evidence, and where the money is used and channeled. According to the results of an interview with the Southeast Sulawesi High Prosecutor's Intelligence Assistant on October 2 2023, 55it was revealed that prosecutorial intelligence support in the context of handling corruption cases in other fields is a necessity, asset tracing activities, search and arrest of DPOs and also disclosure of crimes related to corruption such as Counterintelligence has often attempted to obstruct investigations by opposing parties and has been successful.

Human resource capabilities are very important in influencing the success of the prosecutor's intelligence performance. If we reflect on state intelligence, LV Scott and

55Results of Interview with the Southeast Sulawesi Prosecutor's Intelligence Assistant, on October 2 2023
Peter Jackson set out several factors that cause intelligence failure, namely: (1) the inability of intelligence officers to carry out their roles in an unfamiliar environment (*humint failure*); (2) failure to organize and coordinate information and analysis of information originating from various intelligence services; (3) limited resources to collect, translate and analyze information; (4) failure of political leaders to understand the meaning and limitations of intelligence; (5) politicization (engineering) of intelligence products, to suit the wishes of political leaders; (6) analysis is carried out based on belief in something that seems to be true (*wishful thinking as self-delusion*); (7) ego-centric; and (8) cooperative relations that do not work well between intelligence officers and policy makers.\(^{56}\)

The failure factors above can also occur in prosecutorial intelligence. The inability of the prosecutor's intelligence agent to understand the characteristics of criminal acts of corruption, the character of the perpetrator and the modus operandi of the perpetrator, the involvement of other parties who assist the perpetrator, etc. Weak coordination of the prosecutor's intelligence agency with other institutions such as the police, the Financial Transaction Reports and Analysis Agency (PPATK), the Financial Audit Agency (BPK), and other institutions related to resolving criminal acts of corruption. It is not yet the political conditions and wishes of political leaders that influence the actions of prosecutorial intelligence agents. For example, the case of the flow of 300 billion in funds which was discussed by Mahfud MD, the Coordinating Minister for Political, Legal and Security Affairs (Menko Polhukam), has yet to find any clarity due to various political interventions, especially at the legislative level. These things can be solved by strengthening capacity and human resources within the internal intelligence services of the prosecutor's office. Because they are the actors behind the scenes who help solve criminal acts of corruption, especially for criminal acts involving political elites.

Reflecting on state intelligence, there are at least several minimum principles that must be maintained so that operations can produce good information and do not violate the norms and rules of a democratic society. These minimum principles are as follows:

1. Knowing the options for effective ways to eradicate terrorists depends on the relationship between motivation, resources and what kind of situation the terrorist will take advantage of. \(^{57}\) The prosecutor's intelligence agent must be able

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to detect these three things early, namely motivation, resources and what kind of situation the perpetrator of a criminal act of corruption will take advantage of. What motivation do perpetrators of criminal acts of corruption use in committing corruption, because it may not only be to enrich themselves, it could be that the corruption funds are used to finance terrorism or practical political activities. Prosecutor's intelligence agents must also be able to detect early the resources used to carry out criminal acts of corruption. It could be using political elites or leaders who were in office at that time. Apart from that, the perpetrator took advantage of the situation to carry out his criminal act of corruption. It could be taking advantage of the country's unstable conditions, for example during Covid-19 or the country is focusing on the election of president and vice president or the election of legislative members and regional heads. There are many conditions that the prosecutor's intelligence agent must understand as humint.

2. The implementation of an early detection system cannot be used as a justification for intelligence agents (humint) to have judicial authority such as the authority to arrest individuals identified as terrorists, because the authority to arrest is only a monopoly of law enforcement officials. 58 In this condition, the prosecutor's intelligence agent must coordinate with related institutions such as the police. According to the results of an interview with the Southeast Sulawesi High Prosecutor's Intelligence Assistant on October 2 2023, 59 it was revealed that the coordination of the prosecutor's intelligence sector with other law enforcement agencies in handling cases of criminal acts of corruption is part of the implementation of the function of creating conditions (mobilization) to unite the vision of resolving criminal acts of corruption, measurable and does not cause noise. Apart from that, strengthening the Intelligence Coordination function of the Prosecutor's Office with state financial auditor institutions (Inspectorate, BPKP and BPK RI) so that information resulting from audits on the use of state finances that are indicated to be detrimental to state finances can be immediately followed up through an intelligence investigation mechanism.

59 Results of Interview with the Southeast Sulawesi Prosecutor's Intelligence Assistant, on October 2 2023
If the results of early detection have produced accurate information, a sting operation (OTT) or search can be carried out as an effort to prevent evidence being removed by the perpetrator.

h. Technological Intelligence (Techint)

The second thing that supports the creation of an early warning system by prosecutorial intelligence in handling criminal acts of corruption is through technological intelligence (techint). Techint referred to here is an activity that relies on technological advances.

In Indonesia, mastery of communications technology is still limited to tapping telephone conversations. Meanwhile, other technologies that can be used as supporting facilities for human intelligent operations, such as processing and storing information, are still weak. Indonesia still does not have an integrated population information system such as a Social Security Number or an integrated driving license system. Even though these two systems are very important as support for human intelligent operations.

Attorney General, BURHANUDDIN explained that developments in information technology had an impact on changing the modus operandi of crime. Crime often occurs by exploiting weaknesses in information technology. This has changed the pattern of disclosure and pattern of proof of crime. Therefore, law enforcement officers must be ready to confront and use evidence or digital evidence to uncover and prove a crime. He continued that the intelligence sector must of course be able to develop a digital forensic laboratory that meets international standards and qualifications, so that the presence of a digital forensic laboratory at the prosecutor's office is truly able to provide support, both in terms of equipment, human resources and legality.

Therefore, currently the Intelligence sector has started these steps of change, including implementing the E-Admintel Application to support the implementation of all Prosecutor's Intelligence activities and operations, the Adhyaksa Monitoring Center (AMC) plays a role in successfully completing the handling of criminal acts, including: assisting in the success of finding suspects, Defendant, Convict.

In the period from January to August 2021, there were 110 (one hundred and ten) people on the Wanted List (Fugitives) who were successfully arrested and currently, AMC is also being used to track assets resulting from crime, apart from that there is still

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60 Ibid. p. 138
the Adhyaksa Command System Center (SIACC), Security Operations Center (SOC) and there are still several information systems that are being developed in order to support the duties of the Prosecutor's Office, especially in the Intelligence sector.

The Deputy Attorney General for Intelligence asks that every Intelligence Officer who is part of the Attorney General's Law Enforcement System in carrying out their functions and duties as Law Enforcement Intelligence as regulated in Republic of Indonesia Law Number 17 of 2011 concerning State Intelligence, must not turn a blind eye to the progress and rapid development of digital information technology nowadays, but must be able to make it the main instrument to encourage the creation of modern, digital-based Adhyaksa Intelligence. If you don't want to adapt, I'm sure you will be crushed by change.62

i. Supervision

To ensure that the implementation of the early warning system for criminal acts of corruption carried out by the prosecutor's intelligence continues to run well, it is necessary to monitor the internal intelligence of the prosecutor's office. At a minimum, there are 3 (three) models of supervision that must be carried out, namely political supervision, legal supervision and financial supervision. These three are taken from the model of monitoring state intelligence.

1) Political Surveillance

First, intelligence supervision must be carried out politically. This means that there must be a monitoring mechanism for the decision-making process, authorization of intelligence activities and implementation of intelligence operations. This supervision can be carried out at at least four levels. The first level is internal, meaning that supervision is carried out by authorized superiors. The next level is the executive as the main user of intelligence. The next level is the parliament as the mandate giver to the executive, and the last is the public level as the main power holder in a democratic country.63 Meanwhile, for the prosecutor's office intelligence itself, political supervision is carried out by the Deputy Attorney General for Intelligence up to the Attorney General. This political supervision is important to maintain the rhythm of the prosecutor's intelligence agents in

62https://kaltengonline.com/2021/10/01/intelijen-kejaksaan-besar-mampu-mebuatan-technology/ accessed 1 October 2023
accordance with the corridors regulated in the Prosecutor's Regulations on Organization and Work Procedures.

2) Legal Supervision

Second, intelligence supervision must also be carried out in the legal field. This is mainly done because intelligence is a civil institution that must comply with the law as a consequence of the rule of law. Therefore, every procedure for using intelligence and carrying out intelligence operations must be based on applicable legal rules at both national and international levels. Likewise with the prosecutor's intelligence. In order to ensure legal certainty, prosecutorial intelligence must ensure that every intelligence step taken does not conflict with applicable law. The most important thing is to refer to the State Intelligence Law, the Prosecutor's Law and other technical regulations in the form of Attorney General Regulations, especially those relating to technical regulations for the implementation of intelligence work. Apart from that, it does not conflict with the rules that intersect with criminal procedural law, the prosecutor's office and intelligence.

3) Financial Monitoring

Third, intelligence supervision must be carried out for financial affairs. As a consequence of a democratic country, the financing of intelligence activities must be fully borne by the state budget. Therefore, audit systems and other forms of financial monitoring must also be implemented for intelligence organizations. This supervision is important to ensure that the prosecutor's intelligence agents do not commit criminal acts of corruption against the budget used to resolve the criminal act of corruption itself.

5 CONCLUSION

That Prosecutor's Intelligence is a state intelligence organizer with certain differentiation in the field of law enforcement and preventing criminal acts of corruption in accordance with the principles of national interest and security. The prosecutor's office has intelligence functions, so the prosecutor's office must be able to become a center for intelligence data in resolving criminal acts of corruption, especially at the investigation and prosecution stages. Intelligence (including prosecutorial intelligence) must be able to become a strategic intelligence data center capable of assessing, identifying, analyzing and providing information containing indications of the nature and form of threats, both

64 Ibid.
65 Ibid
potential and actual as well as serving as an early warning for policy makers. For this reason, through the differentiation type, practically the prosecutor's intelligence action in resolving criminal acts of corruption is through 5 (five) stages of activity, namely planning and direction, collection, processing, analysis and production, dissemination. The authority of the prosecutor's office in the field of law enforcement intelligence related to the resolution of criminal cases of corruption should be optimized through the issuance of norms related to guidelines for implementing the prevention of criminal acts of corruption with coordination, investigation, mobilization and security mechanisms based on the Principle of National Interest and Security and the Principle of Ultimum Remedy.
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