

Optimalisasi peran kejaksaan dalam pengembalian kerugian keuangan negara akibat tindak pidana korupsi / Derliana Sari

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Abstrak

ABSTRAK

Tesis ini membahas peran dan kendala yang dihadapi kejaksaan dalam pengembalian kerugian keuangan negara akibat Tindak Pidana Korupsi. Penelitian ini ialah penelitian hukum normatif dengan desain deskriptif. Hasil penelitian menunjukkan bahwa kejaksaan belum dapat mengoptimalkan perannya dalam mengembalikan kerugian keuangan negara karena menghadapi beberapa kendala diantaranya kendala dalam peraturan perundang-undangan, sarana dan fasilitas yang terbatas, rendahnya kemauan serta kemampuan para jaksa dalam melacak dan menemukan aset pelaku korupsi. Hasil penelitian menyarankan agar pemerintah RI segera mengesahkan UU Pemberantasan Tindak Pidana Korupsi serta UU Pengembalian Aset yang regulasinya diselaraskan dengan UNCAC 2003.

ABSTRACT

The focus of this study is the attorney role and the problem in recovering state financial loss caused by corruption criminal act. This research is a normative legal research and qualitative interpretive. The result of research shows that the role of the attorney have not been optimum in recovering state financial loss because facing several problems, among of them are the problem of law, the limited facility and infrastructure, the low of willing as well as the capability of district attorney in tracing and finding the suspect's assets. The researcher suggests that the government of the Republic of Indonesia ratifies the law of corruption criminal act combating immediately as well as the law of asset recovery which its regulation shall be based on UNCAC 2003.