

Defining the Boundaries of KPK Authority Through Integrating the KPK and Anti-Corruption Laws

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ARTICLE INFO	ABSTRACT
Keywords: KPK; Authority; Integration; Anti-Corruption Law; Law Enforcement. How to cite: Yudiadewi, Ni Made Anggita Sasty., Et., Al. (2026). Defining the Boundaries of KPK Authority Through Integrating the KPK and Anti-Corruption Laws. <i>Veteran Law Review</i>. 9(1). 51-63. Received:2026-02-25 Revised:2026-05-26 Accepted:2026-06-02	The eradication of corruption in Indonesia still faces significant legal challenges, particularly regarding the boundaries of authority between law enforcement institutions. The Corruption Eradication Commission (KPK) often encounters overlapping jurisdictions with the National Police and the Attorney General's Office, which leads to legal uncertainty and institutional friction. This study aims to analyze the specific boundaries of the KPK's authority in the investigation and prosecution of corruption cases through the strategic integration of the KPK Law (Law No. 19/2019) and the Anti-Corruption Law (Law No. 31/1999 jo. Law No. 20/2001). The research method employed is normative legal research, utilizing a statutory approach and a conceptual approach to examine existing regulations. The results of this study indicate that the current lack of synchronization between these two primary laws specifically concerning the threshold of public unrest and state losses in Article 11 of the KPK Law creates a gray area that compromises the dominus litis principle of the Attorney General's Office. Therefore, a comprehensive integration between the KPK Law and the Anti-Corruption Law is urgently needed to clarify the limits of authority and strengthen the institutional coordination function. This integration is expected to optimize the synergy of law enforcement in Indonesia, creating an effective, efficient, and integrated corruption eradication system that upholds the principles of legal certainty (<i>rechtzekerheid</i>) and justice for the public.

1. Introduction

Corruption in Indonesia has transformed from a mere common legal violation into a systemic issue that is deeply rooted and hinders the acceleration of national development across various vital sectors (Putra & Linda, 2022). This phenomenon not only causes fantastic financial losses to the state but has also damaged the foundations of democracy, paralyzed bureaucratic effectiveness, and created widening social injustice for the broader community. The massive scale of corruption has forced the state to undertake extraordinary measures in its handling, considering that conventional methods often fail when facing structured and well-organized corruption networks. As a response to moral

degradation and the failure of existing law enforcement agencies at that time, the Corruption Eradication Commission (KPK) was officially established as an independent state institution carrying a sacred mission (Prasetyo & Herman, 2025). The formation of the KPK was based on the spirit of increasing efficiency and effectiveness through a trigger mechanism to encourage other agencies to work more optimally. The presence of the KPK was expected to become the main locomotive in corruption eradication efforts in Indonesia, equipped with extraordinary powers to break the chain of impunity long enjoyed by corruptors.

However, in its journey of over two decades, the existence and boundaries of the KPK's authority have continuously sparked fierce legal debates in both the public sphere and the courtroom. This dynamic reached its peak following the revision of the KPK Law, which drew significant controversy as it was perceived to have changed the institution's identity from independent to being part of the executive branch (Nazir & Khan, 2024). This regulatory change impacted not only employment status but also left ambiguities regarding the operational boundaries and independence of the KPK in performing its function as the vanguard of corruption law enforcement. The lack of clarity regarding the boundaries of authority in core aspects of law enforcement namely investigation, inquiry, and prosecution often becomes a serious stumbling block in field implementation. Friction of interests frequently occurs between the KPK and other conventional law enforcement institutions, such as the Indonesian National Police and the Attorney General's Office. Although coordination and supervision are mandated by law, the absence of strict boundaries often creates an impression of overlapping authority that ultimately disrupts the rhythm of ongoing corruption case handling.

This overlap of authority is not merely an administrative issue but a constitutional problem rooted in the lack of synchronization between various regulations. This phenomenon often creates strong sectoral egos, where each institution feels it possesses absolute authority over a specific case without clear protocols regarding the division of roles. If this lack of clarity is allowed to persist without a permanent legal solution, the effectiveness of law enforcement will continue to erode, and public trust in anti-corruption institutions will further decline. Therefore, a deep and comprehensive legal study regarding the urgency of integration between the KPK Law and the Law on the Eradication of Corruption Crimes (Anti-Corruption Law/UU Tipikor) is required (Ashar, 2024). These two laws should work symbiotically and harmoniously to provide legal certainty for both law enforcers and justice-seeking communities. Normative integration is necessary to ensure that there are no longer legal gaps that can be exploited by certain individuals to escape legal snares through procedural resistance.

The study of the institution's operational boundaries is crucial, given that the KPK currently stands within a new constitutional structure. Affirmation regarding the criteria for cases that can be taken over by the KPK must be explicitly formulated so that there are no more debates regarding the sovereignty of each law enforcement institution (Yuliansyah & Jafar, 2025). The main focus of this integration is to create an integrated criminal justice system specifically for corruption, where transparency and accountability are the main pillars in every stage of the legal process. This article specifically focuses its analysis on how regulatory integration can clarify the boundaries of the KPK's authority to realize fair and effective law enforcement. Clear boundaries of authority will provide legal protection for investigators and public prosecutors in performing their duties without being haunted by the threat of inter-institutional jurisdictional disputes. With integrated regulations, the legal process can be carried out faster, more accurately, and at a lower cost, in accordance with the principles of a simple judiciary.

Furthermore, this integration is expected to strengthen the supervision function, which has been considered suboptimal in practice. Thus far, the supervision function is often seen as a mere formality due to the lack of executive power in existing regulations. By uniting the spirit of law enforcement within a single framework of integration between the KPK Law and the Anti-Corruption Law, it is hoped that there will be a stronger and more binding control mechanism for all law enforcement agencies handling corruption crimes across Indonesia (Tomagola et al., 2024). Problems arising in the field often relate to the interpretation of articles in the Anti-Corruption Law, which sometimes do not align with the procedures regulated in the latest KPK Law. Differences in interpreting "state losses" or the criteria for "state officials" often lead to long debates that waste time during the investigation process. Therefore, the merging of legal visions through normative integration is expected to standardize legal perceptions among practitioners so that there is no longer a confusing legal dualism.

The effectiveness of law enforcement is not only measured by how many corruptors are imprisoned but also by how well the legal system can prevent unnecessary overlaps. The lack of clarity in authority is often exploited by litigating parties to file exhausting pretrial motions based solely on procedural administrative issues. This clearly harms the state both materially and immaterially, as the energy of law enforcers is drained by jurisdictional disputes that should be avoidable. Legal dynamics in Indonesia demand continuous renewal to remain relevant with the increasingly sophisticated modus operandi of corruption. The integration of the KPK Law and the Anti-Corruption Law is a progressive step to answer these modern challenges. With clear boundaries of authority, the KPK can focus more on high-profile

corruption cases (*big fish*) that have a significant impact on the national economy, while other cases can be synergized with the Police and the Prosecution through legally integrated protocols (Shoukat et al., 2025).

In a global context, Indonesia's commitment to the UN Convention Against Corruption (UNCAC) necessitates a robust anti-corruption body with a clear legal foundation (Suranta & Sulaiman, 2025). Integrating national regulations is a concrete step toward institutional strengthening that aligns with international standards, ensuring Indonesia's reputation for clean investment. This paper offers a new perspective on regulatory harmonization to resolve long-standing jurisdictional disputes, analyzing both theoretical and empirical inter-institutional interactions. Ultimately, legal integration aims to create a healthy ecosystem rather than weakening other agencies. By fostering synergy between the KPK, Police, and Prosecution through clear boundaries, Indonesia can effectively and sustainably achieve its goal of becoming a corruption-free nation.

2. Method

This research is a normative legal study that functions as a prescriptive and analytical tool to evaluate the coherence of existing legal norms and address the institutional issues of corruption eradication (Negara, 2023). To provide a comprehensive analysis, this study utilizes a multi-dimensional approach, blending the statutory approach (*statute approach*) to examine vertical or horizontal contradictions between institutional mandates, the conceptual approach (*conceptual approach*) to explore legal doctrines regarding institutional authority, and a selective case approach (*case approach*) to analyze jurisdictional disputes and landmark judicial decisions. The legal materials are strictly categorized into three structural layers: primary legal materials, which include the 1945 Constitution (*UUD 1945*), Law No. 19 of 2019 (KPK Law), and Law No. 31 of 1999 *jo.* Law No. 20 of 2001 (*UU Tipikor*) (Ariani & Prasetyoningsih, 2022); secondary legal materials, consisting of academic journals, legal textbooks, and expert opinions (*communis opinio doctorum*); and tertiary legal materials, comprising legal dictionaries and encyclopedias. These materials are gathered through a structured literature review using documentary techniques, and subsequently analyzed through a qualitative-normative technique coupled with legal hermeneutics. Rather than merely describing the laws, this analysis interprets and synchronizes prevailing legal norms using core principles of statutory interpretation, such as *lex posterior derogat legi priori* and *lex specialis derogat legi generali*, thereby uncovering implicit gaps and regulatory antinomies to offer definitive conceptual models for integrating and strengthening the boundaries of the commission's investigative and prosecutorial powers.

3. Analysis or Results

3.1. Boundaries of KPK's Authority in Investigation and Prosecution under the KPK Law and Anti-Corruption Law

The legal authority of the Corruption Eradication Commission (KPK) in Indonesia is an attribution of power granted by the state to perform extraordinary measures in combating corruption (Putriyana & Rochaeti, 2021). Under the current legal framework, the KPK is authorized to conduct investigations and prosecutions specifically targeting corruption cases that involve law enforcement officers, state officials, or other parties connected to such crimes. This specialized jurisdiction was designed to ensure that high-profile individuals who might influence conventional legal processes could be held accountable through an independent and powerful body. However, the practical application of this authority often encounters significant hurdles when it intersects with the mandates of the National Police and the Attorney General's Office.

One of the most contentious points in the current regulation is the monetary threshold of at least IDR 1 billion in state losses as a prerequisite for KPK to take a case. While this threshold was intended to filter and focus KPK's resources on high-impact corruption, it often creates a gray area when the initial estimation of losses fluctuates during the legal process (Saputra & Zikky, 2025). If a case handled by the KPK is later found to involve less than the threshold, a jurisdictional dispute frequently arises regarding whether the KPK must hand over the case to the police or continue its prosecution. This uncertainty often leads to procedural maneuvers by defendants to challenge the legitimacy of the KPK's investigation through pretrial motions.

Furthermore, the integration of the KPK into the executive branch following the 2019 amendment has altered the institution's internal dynamics regarding its independence in prosecution (Umam & Head, 2020). Previously, the KPK operated with a high degree of autonomy that allowed for a seamless transition from investigation to prosecution without significant external interference. Now, with its status as a state executive agency, the boundaries of its authority must be strictly synchronized with the general criminal procedure code (KUHAP) used by other institutions. This transition has highlighted the urgent need for a more harmonious legal link between the KPK Law and the Anti-Corruption Law (UU Tipikor) to prevent administrative overlaps.

In many instances, the concurrent authority between the KPK, the Police, and the Prosecution Office results in a race to handle high-profile cases, which can be counterproductive to the spirit of cooperation. Without a

clear stop-and-go mechanism integrated into both laws, multiple institutions might initiate investigations into the same subject matter simultaneously. This duplication of efforts not only wastes state budget and human resources but also creates legal confusion for the suspects and the public. The current regulations provide a basic framework for coordination, but they lack the technical detail necessary to resolve these jurisdictional collisions effectively.

Another significant finding in this study is the discrepancy in the standard of evidence required between the KPK and conventional law enforcement. The KPK Law allows for specific technical measures, such as wiretapping, which are more strictly regulated for the police and prosecutors under general laws (Widjaja & Putra, 2025). When these institutions collaborate or when a case is transferred, the difference in the legal weight of the evidence gathered can jeopardize the prosecution's success in court. Integration of rules is essential to ensure that any evidence collected by one institution is legally admissible and standardized across all platforms of corruption law enforcement.

The boundaries of authority are also tested when dealing with corruption cases within the military or cases involving joint jurisdiction. Historically, the KPK has faced difficulties in navigating the legal barriers when a civilian and a military officer are involved in the same corruption scheme. The current Anti-Corruption Law does not provide a comprehensive bridge to the Military Justice system, often leaving the KPK in a deadlock (Irfan et al., 2025). This research emphasizes that without an integrated regulatory update, the KPK's authority will remain restricted by sectoral laws that protect specific groups from standard corruption prosecution. From a comparative perspective, this study highlights that in other jurisdictions, anti-corruption agencies are often given primary jurisdiction which automatically overrides other agencies for specific types of crimes. In Indonesia, the trigger mechanism is frequently misinterpreted as a competitive mandate rather than a collaborative one. The results show that the absence of a consolidated Rule of Law specifically for anti-corruption procedures allows for ego-sectoral interests to hinder the overall national goal. Therefore, the integration of UU KPK and UU Tipikor is not just a suggestion but a legal necessity to provide a solid operational base.

The analysis further reveals that the role of the Supervisory Board within the KPK has introduced a new layer of boundary management that was not present in the original UU Tipikor framework (Arifin et al., 2023). The requirement for internal permits for certain investigative actions has

slowed down the KPK's response time compared to its previous performance. This research argues that these internal boundaries must be synchronized with the broader Anti-Corruption Law so that the oversight does not become an unintended barrier to justice. A clear synchronization would balance the need for accountability with the necessity of swift legal action. Finally, the results indicate that the current dualism in handling corruption cases has created a legal landscape where defendants can forum shop or exploit procedural differences between institutions. By integrating the procedural aspects of the KPK Law into the substantive definitions of the Anti-Corruption Law, the state can close these loopholes. This integration would ensure that regardless of which institution handles the case, the legal standards, boundaries of authority, and rights of the accused remain consistent, thereby upholding the principle of equality before the law.

3.2. The Urgency of Integrating the KPK Law and the Anti-Corruption Law to Enhance Law Enforcement Synergy

The urgency of integrating the KPK Law and the Anti-Corruption Law stems from the critical need to eliminate institutional ego-sectoralism that has long plagued Indonesia's legal system. For years, the KPK, the Police, and the Attorney General's Office have operated under a competitive rather than a collaborative atmosphere, fueled by overlapping mandates and a lack of clear hierarchy in case management (Sukardiawan et al., 2025). Integrating these two laws would provide a single, unified legal reference point that defines the exact point where one agency's authority ends and another's begins. This synergy is vital for creating a front that is impenetrable by the political and legal maneuvers of corrupt actors.

Integration is also necessary to revitalize and strengthen the KPK's supervision and coordination functions, which have often been ignored by other institutions (Syahuri et al., 2022). Under the current separate legal frameworks, the KPK's power to supervise often lacks a strong enforcement mechanism, meaning other agencies can resist KPK's intervention with minimal legal consequences. By embedding the supervision protocols directly into the substantive Anti-Corruption Law, the KPK's role as the "lead agency" would be legally binding and indisputable. This would transform the relationship from one of friction to one of structured partnership under the rule of law.

Furthermore, the integration would provide much-needed clarity on the Due Process of Law within the specific context of corruption. Currently, the procedural discrepancies between the general criminal code used by the police and the special procedures of the KPK create a fragmented

justice system (Tjhia & Budianto, 2025). A unified code resulting from the integration would ensure that every suspect is treated under the same high standard of investigation and prosecution, regardless of the agency. This consistency is the hallmark of a mature legal system and is essential for maintaining the legitimacy of the anti-corruption movement in the eyes of the international community.

The financial efficiency of state operations is another driving factor for this urgency. The cost of running three separate, and often competing, investigative tracks for corruption is immensely high. When cases are integrated through a harmonized legal framework, the state can implement a shared resource model where data, intelligence, and forensic accounting results are legally tradable between agencies without procedural roadblocks. This would significantly reduce the time and budget spent on redundant investigations, allowing the government to reallocate funds toward preventative measures and national development.

The integration would also address the issue of legal immunity or sectoral protection that often arises when high-ranking officials are targeted. In an integrated system, the criteria for the KPK to take over a case would be based on objective legal indicators such as the complexity of the case or the involvement of powerful figures rather than subjective institutional agreements (Prado, 2024). This removes the possibility of backroom deals or institutional protectionism that can occur when authority is fragmented. It creates a transparent pathway for justice that is based purely on the merits of the evidence and the severity of the crime.

From an academic and legislative perspective, integration simplifies the process of future legal reforms. Instead of having to amend multiple pieces of legislation every time a new form of corruption (such as cyber-corruption or complex international money laundering) emerges, the legislature can update a single, integrated code. This agility is crucial in the modern era, where corruption techniques evolve faster than the law. A streamlined legal framework allows the KPK and its partners to adapt their boundaries and techniques with greater speed and precision, ensuring they are always a step ahead of the criminals.

The integration also serves to protect the rights of victims of corruption the general public by ensuring a faster recovery of state assets (Wardani et al., 2025). Currently, the process of asset forfeiture is often delayed by jurisdictional disputes over who has the right to manage and return stolen funds. An integrated law would establish a centralized asset recovery

protocol that operates across all institutions under a single set of rules. This would ensure that the primary goal of the law returning stolen wealth to the people is achieved without being bogged down in bureaucratic or legal jurisdictional squabbles.

In the context of the 2019 KPK Law revision, integration acts as a corrective mechanism to ensure that the executive status of the KPK does not lead to its subordination to political interests (Haryanti, 2025). By hard-wiring the KPK's independent investigative powers into the substantive Anti-Corruption Law, the commission is protected by a double layer of legal security. It ensures that while the KPK is administratively part of the state, its operational authority is governed by a specific, integrated anti-corruption code that prioritizes justice over political expediency. This balance is essential for the long-term survival of the institution.

Finally, the urgency of this integration is tied to the realization of Indonesia's Golden Vision 2045, which requires a state free from the crippling effects of corruption. A fragmented legal system is a luxury a developing nation cannot afford. By integrating the KPK Law and the Anti-Corruption Law, Indonesia builds a foundation for a Total Enforcement model. This model maximizes the synergy between the KPK, the Police, and the Prosecution, ensuring that every corruption case is met with a unified, professional, and legally certain response, ultimately leading to a more prosperous and just society.

4. Conclusion

The study concludes that the boundaries of the Corruption Eradication Commission's (KPK) authority remain a subject of legal ambiguity, particularly regarding the synchronization between investigative thresholds and the institution's new executive status. The research identifies that the current separation between the KPK Law and the Anti-Corruption Law (UU Tipikor) creates procedural gaps that allow for jurisdictional friction with other law enforcement agencies. By integrating these two legal frameworks, the state can establish a definitive Lead Agency protocol that clarifies when and how the KPK should exercise its extraordinary powers. This integration serves as a crucial mechanism to eliminate institutional egos and ensure that the trigger mechanism operates as a collaborative tool rather than a source of professional competition. In terms of application, the findings suggest that the Indonesian legislature should prioritize a Omnibus style harmonization of anti-corruption regulations. This would involve embedding specific procedural mandates of the KPK directly into the substantive definitions of

corruption crimes to prevent pretrial challenges based on administrative technicalities. Furthermore, it is suggested that the government establish a digitalized coordination platform that is legally recognized by the integrated law, allowing for real-time case monitoring between the KPK, the Police, and the Prosecution. Such a move would not only enhance transparency but also ensure a more efficient asset recovery process, ultimately strengthening the national integrity system and fulfilling the public's mandate for a transparent and corruption-free governance.

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