

## Lawyer Hotma Sitompoel Earns Doctorate from UGM

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Effective law enforcement in corruption cases should result in the conviction of the perpetrators of corruption and asset confiscation. However, it is rarely implemented so that losses due to criminal acts of corruption are growing. Thus, step has to be taken to strengthen the law enforcement for asset recovery in corruption cases for the recovery of state losses.

The opinion was delivered by Advocate Hotma PD Sitompoel, SH, L.L.M., in the open doctoral examination in the Faculty of Law UGM, Monday (5/9). Acting as the promoter, Prof. Dr. Nindyo Pramono, S.H, M.S., and co-promoter Prof. Dr. Edward OS Hiarej, SH, L, L.M. In front of the examiners led by Prof. Dr. Marsudi Triatmodjo, SH, LL.M., he submitted a dissertation entitled Implementation of Asset Recovery in Corruption Case According to the Criminal Law and Civil Law in Indonesia. According to the Hotma's study, the number of civil lawsuits that have to do with corruption cases is still very small compared with the number of cases for criminal prosecution for corruption. "The low number of civil lawsuits related to corruption cases is caused by legal barriers related to the filing of a civil lawsuit," said Hotma.

In fact, according to Hotma, execution of assets confiscation could be made before the perpetrators of corruption are sentenced. However, these provisions at this point is still a *constituendum ius* (expected law) not *ius constitutum* (current law).

According to Hotma, investigators, prosecutors and judges should note that the enforcement of



criminal law against perpetrators of corruption should be aimed to not only impose jail time but also to seize most of the assets of the perpetrators of corruption and assets of those people who have a close relations with the perpetrators of corruption, so that the looted assets can be utilized for the benefit of recovery state losses. "To maximize the confiscation of assets of those who have close ties with the perpetrators of corruption, investigators and prosecutors need to encourage prosecution to those who have assets with a high value, but do not have a source of income to allow them to own these assets," said Hotma who graduated *cum laude*.

In addition, close cooperation between agencies, law enforcement agencies, and non-law enforcement agencies, such as the Ministry of Foreign Affairs, should be strenghtened so that the perpetrator's passport can be withdrawn. It can be done as an anticipation so that perpetrators could not travel freely and seek protection abroad.

Professor of the Faculty of Law, Prof. Nindyo Pramono., said that as a doctorate in law, Hotma Sitompoel is expected to consistently fight and voice his thoughts on the implementation of asset recovery in law enforcement in Indonesia. "One day, your knowledge will be tested and awaited by community. You will be expected to speak," he said. (UGM / adelily)

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