



Legal Analysis of Savings and Loan Cooperatives with Money Laundering with the Origin of Fraud Together and Continues in Decision No. 2113 K / Pid.Sus/2023

Ariman Sitompul^{1*}
Master of Laws, Universitas Dharmawangsa, Indonesia
✉: ariman.sitompul@dharmawangsa.ac.id
Corresponding Author*

ARTICLE INFO

Keywords:

Corporate Criminal Liability,
Money Laundering,
Savings and Loan Cooperatives.

Date received : 10 Januari 2026
Revision date : 25 Februari 2026
Date published : 31 Maret 2026

ABSTRACT

Money laundering is a complex organized crime with a growing modus operandi and threatens the stability of the national financial system, particularly involving non-bank financial institutions such as poorly regulated savings and loan cooperatives. This study analyzed the Supreme Court Decision No. 2113 K/PID.SUS/2023 uses normative juridical methods with statute and case study approaches to assess the criminal responsibility of individuals and corporations in money laundering originating from continuing fraud, and identify the effectiveness of preventive legal mechanisms through supervision of savings and loan cooperatives in the context of criminal law enforcement. The results showed that the criminal liability of the perpetrator has met the theory of Identification and Strict Liability with evidence of systematic transactions, but the application of criminal sanctions by the panel of judges is still not in accordance with the maximum provisions of Article 7 of law no. 8 of 2010 and Article 121 of Law No. 1 year 2023. The Supervisory Mechanism of savings and loan cooperatives shows structural weaknesses in the implementation of Know Your Customer and Customer Due Diligence principles, as well as the absence of a mandatory and standardized Suspicious Transaction Reporting System. The study concluded that a comprehensive regulatory reform, strengthening the capacity of law enforcement officers, and strengthening surveillance systems are needed to improve the effectiveness of combating money laundering in the cooperative sector

INTRODUCTION

Money laundering is a systematic attempt to disguise the origin of illegal funds through formal financial mechanisms, including the institution of savings and loan cooperatives. Supreme Court decision number 2113 K / PID.SUS / 2023 shows the complexity of the interaction between criminal acts of fraud, money laundering and the use of cooperative instruments as a means to hide the proceeds of crime (Aksha, 2025). This case is relevant because it reveals the modus operandi of money laundering syndicates that take advantage of public trust in cooperative institutions to carry out structured financial transactions. Research shows that 67% of money laundering cases involve the informal sector, including poorly regulated savings and loan cooperatives. Previous research identified an important gap that the lack of literature analyzing in depth how fraud proceeds can be a predicate of money laundering in the context of cooperative institutions (Anggriawan, Rizaldy, 2024). The Novelty of this study lies in a comprehensive analysis of the causality between basic criminal acts (fraud) and money laundering with a focus on the role of savings and loan cooperatives as an instrument of organized crime (Andriyani, Fingky Ayu, 2025).

The formulation of the problem in this study covers two main aspects: first, how the juridical analysis of the criminal liability of individuals and corporations in cases of money laundering derived from fraud proceeds on the basis of Decision No. 2113 K / PID.SUS/2023? Second, what is the effectiveness of the legal mechanism to prevent money laundering through the supervision of savings and loan cooperatives according to the relevant laws? The purpose of the study was to analyze the construction of criminal law in the decision and identify regulatory gaps in the supervision of savings and loan cooperatives. The benefits of the research include the contribution of conceptual understanding for legal practitioners, policy evaluation materials for supervisory authorities, and recommendations for strengthening mechanisms for early detection of money laundering in the cooperative sector.

METHOD

This study uses a normative juridical approach with a focus on critical analysis of the Supreme Court Decision No. 2113 K / PID.SUS/2023 as an empirical case study. Primary Data was collected through in-depth analysis of court decision documents, while secondary data included legislation, academic literature, and legal materials related to money laundering and fraud. The analysis was conducted

using an analytical framework that combines normative juridical interpretation of the articles of money laundering and continuing fraud as stipulated in Law No. 8 of 2010 on the Prevention and Eradication of money laundering and Law No. 11 of 2008 on information and Electronic Transactions. This research method is descriptive analytical with a systematic approach to the causal relationship between the basic criminal acts of fraud and money laundering in the context of the use of savings and loan cooperatives as instruments of crime. Legal interpretation is carried out through juridical hermeneutics analysis to identify patterns, modus operandi, and regulatory gaps in the supervision of non-bank financial institutions.

RESULTS AND DISCUSSION

Analysis of the Supreme Court Decision No. 2113 K/PID.SUS/2023 revealed that criminal liability for money laundering committed by savings and loan Cooperatives has fulfilled the concept of corporate criminal responsibility through Identification and Strict Liability theories with concrete evidence in the form of systematic transactions. The revealed Modus operandi involves the systematic use of cooperative institutions as a means of disguising the origins of funds resulting from ongoing fraud to customers through structured and well-documented financial transactions in the cooperative's archives (Kusbianto, 2022). The application of Article 3 of Law No. 8 of 2010 on the Prevention and Eradication of money laundering indicates that any person who knows or should suspect that property is the result of a criminal offense and carries out activities to place, transfer, convert, or divert funds with the aim of hiding their origin can be qualified as a money launderer (Apriliansah, Lalu, 2025). Continuous fraud and money laundering form a mutually reinforcing criminal continuum in which funds from fraud are repeatedly channeled through cooperative mechanisms to hide their traces and appear to be legitimate funds from normal business activities (Febriyani, Emiliya, 2024).

The panel of judges in this decision applied a prison sentence of 18 years and a fine of Rp15, 000, 000, 000 to the main perpetrator based on consideration of strong evidence and consistent witness statements regarding the money laundering scheme. However, a fundamental problem was identified that the application of sanctions by the panel of judges was still not in accordance with the maximum criminal provisions stipulated in the TPPU law and Corporation Law Number 1 of 2023, where the perpetrator should be subject to an additional

fine of up to Rp100, 000, 000, 000 or imprisonment of up to 20 years. The effectiveness of legal mechanisms to prevent money laundering through supervision of savings and loan cooperatives shows significant structural weaknesses in Indonesia's current regulatory ecosystem (Lestari, Fadhila Kristi, 2024). Collaboration between the Center for Financial Transaction Reporting and analysis (PPATK), the Financial Services Authority (OJK), and Bank Indonesia has been running with a clear Foundation through cooperation and Memorandum of Understanding between institutions, but its implementation has not been optimal in preventing money laundering, especially in the cooperative sector that is less regulated. Supervision of customers includes the implementation of Know Your Customer (KYC) and Customer Due Diligence (CDD) principles, but the implementation of anti-money laundering principles in savings and loan cooperatives is still very weak and inconsistent compared to the banking sector which has advanced technology monitoring systems (Maswandi, 2024).

The most critical regulatory gap lies in the absence of a mandatory and standardized suspicious transaction reporting mechanism for savings and loan cooperatives equivalent to the obligations imposed on banks, so that PPATK as a Financial Intelligence Unit has significant difficulties in accessing data on potential money laundering transactions in this non-bank sector (Ariman Sitompul, 2023). Law No. 8 of 2010 normatively regulates the prevention and eradication of TPPU with a comprehensive investigation mechanism including the authority of PPATK to analyze suspicious transactions, but its implementation in cooperatives still requires strengthening the surveillance system and apparatus capacity (Nabiha, Naufal Wahyu, 2024). The case of Koperasi Simpan Pinjam Indosurya proves the lack of supervision and the opening of a wide gap for money laundering practices to continue undetected for a long period of time. Regulatory loopholes and recommendations for improving the Supervisory Mechanism of savings and loan cooperatives are the focus of critical analysis in the context of preventing money laundering in the future (Puanandini, Dewi, 2023). Research shows that Indonesian regulations have regulated the prevention and eradication of TPPU, but the supervision and application of KYC and CDD principles in savings and loan cooperatives still experience deficiencies that potentially open up opportunities for money laundering syndicates to operate with low detection risks .

Legal protection for victims of money laundering arising from fraud is carried out through the provision

of restitution or compensation provided by the perpetrators of the crime, but this mechanism is still not effective in practice due to limited assets that can be seized (Puanandini, Dewi Asri, 2023) . The importance of international cooperation between states in tackling money laundering is becoming increasingly urgent given the transnational nature of this crime which involves complex networks transcending multiple jurisdictions and requires effective interstate coordination (Pradana, Fajar Mulya, 2023). Stricter regulatory reforms are needed to integrate savings and loan cooperatives into the National anti-Money Laundering Reporting System with the same standards as the formal banking sector (Ariman Sitompul, 2024) . Strengthening the capacity of law enforcement officers and optimizing the role of PPATK through continuous training and the development of more sophisticated investigation techniques is the key to increasing the effectiveness of eradicating TPPU in all financial sectors including cooperatives.

CONCLUSION

This study concludes that criminal liability in the Supreme Court Decision No. 2113 K/PID.SUS/2023 has implemented appropriate legal constructs based on Identification and Strict Liability theories against money laundering originating from continued fraud through the institution of savings and loan cooperatives. However, the application of criminal sanctions by the panel of judges is still not maximal in accordance with the provisions of Article 7 of law no. 8 of 2010 and Article 121 of Law No. 1 of 2023, where the perpetrator should receive an additional fine of up to Rp100, 000, 000, 000 or imprisonment of up to 20 years. The legal mechanism for preventing money laundering through the supervision of savings and loan cooperatives shows significant deficiencies in the implementation of KYC and CDD principles, as well as the absence of a mandatory and standardized suspicious transaction reporting system equivalent to the banking sector. Therefore, a comprehensive regulatory reform, strengthening the capacity of law enforcement officers, optimizing the role of PPATKS, and integrating savings and loan cooperatives into the National anti-Money Laundering Reporting System are needed to improve the effectiveness of combating TPPU in the future.

REFERENCES

Aksa, Aksa, Alwan Hadiyanto, and Ciptono Ciptono. "Upaya Pemberantasan Tindak Pidana Pencucian Uang Oleh Pusat Pelaporan Dan

- Analisis Transaksi Keuangan Melalui Kerjasama Internasional Anti-Money-Laundering Efforts by the Financial Transaction Reporting and Analysis Centre Through International Cooperation" 7, no. 2 (2024): 1–3.
- Andriyani, Fingky Ayu, Wanodyo Sulistiyani, and Budi Arta Atmaja. "Dampak Hukum Penyidikan Polri Terhadap Tindak Pidana Di Sektor Jasa Keuangan" 8, no. 2 (2025): 865–81.
- Anggriawan, Rizaldy, and Muh Endriyo Susila. "Legal Frontiers in the War against Money Laundering : A Doctrinal Examination of Global Approaches" 15, no. 2 (2024): 230–47.
- Apriliansah, Lalu, and Hudi Yusuf. "Efektivitas Penegakan Hukum Dalam Tindak Pidana Ekonomi: Studi Pada Kasus Pencucian Uang Di Indonesia," 2025, 9922–37.
- Febriyani, Emiliya, Elza Syarif, Triana Dewi Seroja, Fakultas Hukum, and Universitas Internasional. "Pemanfaatan Artificial Intelligence Dalam Deteksi Dan Pencegahan Tindak Pidana Pencucian Uang: Potensi Dan Tantangan Hukum?," 2024, 877–98.
<https://doi.org/10.24843/JMHU.2024.v13.i0>.
- Jannah, Rohmatul, Kania Putri Riyandra, Najwa Aulia Widyaningrum, and Athalla Fikra. "Efektivitas Mekanisme Pencegahan Dan Pemberantasan Tindak Pidana Pencucian Uang Dalam Perspektif Hukum Positif Indonesia" 2, no. 5 (2025): 380–88.
- Kajian, Jurnal, Pendidikan Kewarganegaraan, Vol No, and April Juni. "Analisis Peran Artificial Intelligence Dalam Mendeteksi Pola Transaksi Mencurigakan Sebagai Upaya Pencegahan Pencucian Uang" 1, no. 3 (2025): 280–84.
- Kusbianto, K., Sitompul, A., Adiputra, A., & Miftahuddin, M. (2022). The Impact of Criminal Policy on Money Laundering Against the Resilience of the Law. *Substantive Justice International Journal of Law*, 5(2), 158-177.
- Maswandi, A. S. (2024). Metode Penelitian Hukum Normatif (Mekanisme Dalam Penulisan Ilmiah), Mazda Media, Malang.
- Lestari, Fadhila Kristi. "Kolaborasi Bank, Ppatk Dan Ojk Dalam Pencegahan Tindak Pidana Pencucian Uang Di Indonesia," 2024, 64–78.
- Nabiha, Naufal Wahyu. "Tindak Pidana Kejahatan Pencucian Uang (Money Laundering) Serta Perlindungan Hukum Bagi Korban" 3, no. 1 (2024).
- Pradana, Fajar Mulya Adhi. "Kedudukan Saksi Selaku Korban Dalam Tindak Pidana Pencucian Uang Kajian Putusan Nomor 2029 K/Pid.Sus/2023" 4, no. 2 (2024): 124–33.
- Puanandini, Dewi Asri, Muhammad Syahid Syidiq, and Jihan Pasha Noevera. "Efektivitas Undang-Undang Nomor 8 Tahun 2010 Tentang Pencegahan Dan Pemberantasan Tindak Pidana Pencucian Uang" 2, no. 2 (2023).
<https://doi.org/10.59818/jps.v3i3.1048>.
- Puanandini, Dewi Asri, Halena Taufiqurrahmawati, Ahmad Fauzy, and Nurazmy Azhari. "Strategi Pencegahan Dan Penanggulangan Tindak Pidana Pencucian Uang Dalam Perspektif Hukum Dan Kebijakan Nasional" 3, no. 2 (2024).
<https://doi.org/10.59818/jps.v3i3.1157>.
- "PUTUSAN Nomor 2113K/Pid.Sus/2023," 2023.
- "Sekelumit Mengenai Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Dan TransaUndang-Undang Republik Indonesia Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik Ksi Elektronik." *Jurnal Legislasi Indonesia* 5, no. 4 (2018): 42–52.
<https://doi.org/10.54629/jli.v5i4.305>.
- Sitompul, A. (2023). Kebijakan Kriminal Dalam Sistem Peradilan Serta Penanggulangan Kejahatan di Indonesia.
- Sitorus, N. T., & Sitompul, A. (2025). Maswandi Criminal Liability For Corruption By Public Officials: Analysis Of Decision No. 141/Pid. Sus-TPK/2024/PN Mdn: Criminal Liability For Corruption By Public Officials: Analysis Of Decision No. 141/Pid. Sus-TPK/2024/PN Mdn. *Pena Justisia: Media Komunikasi dan Kajian Hukum*, 24(1), 4416-4423.
- Sitompul, A. (2025). Cryptocurrency Based Money Laundering in Indonesia. *International Asia Of Law and Money Laundering (IAML)*, 4(1), 7-12.
- Sitompul, A. (2024). The Role Of The State In Conducting Civil Suits In The Results Of Corruption Controlled By The Heirs Of The Perpetrators Of Corruption. *Pena Justisia: Media Komunikasi dan Kajian Hukum*, 23(002), 1614-1623.
- Surnada, S., Kusbianto, K., & Sitompul, A. (2024). Proof Of Criminal Origin Related To Money Laundering In Mutual Fund Investment Activities In Supreme Court Decision Number 2937 K/Pid. Sus/2021. *Legalpreneur Journal*, 3(1), 314-327.
- Sitompul, A., & Aisyah, A. (2024). Fair Law in Money Laundering with the Origin of Corruption with the Concept of Asset Seizure. *International Asia Of Law and Money Laundering (IAML)*, 3(3), 156-162.

- Sitompul, A., & Hasibuan, E. S. (2023). Establishment of The Law On The Seizure of Assets Resulting From Money Laundering Based On Fair Law Enforcement In Indonesia. *SASI*, 29(3), 596-604.
- Sitompul, A. (2023). Eradication Of Corruption By Tracing Money Laundering As An Integral Legal System That Can Not Be Separated. *International Asia Of Law and Money Laundering (IAML)*, 2(3), 111-118.
- Sitompul, M. N., & Sitompul, A. (2023). Application of money laundering in corruption cases in maintaining state stability. *The International Journal of Politics and Sociology Research*, 11(1), 94-102
- Sitompul, A. (2023). *Eradication Of Corruption By Tracing Money Laundering As An Integral Legal System That Can Not Be Separated. International Asia Of Law and Money Laundering (IAML)*, 2 (3), 111–118.
- Sitompul, A., Kartika, A., Wahyuni, W. S., & Maswandi, M. (2022). Money Laundering Crime in the Perspective of Islamic Law in the System of Proof. *Justicia Islamica*, 19(2), 279-298.
- Sitompul, A., Kartika, A., Wahyuni, W. S., & Maswandi, M. (2022). *Money Laundering Crime in the Perspective of Islamic Law in the System of Proof. Justicia Islamica*, 19 (2), 279–298.
- Sitompul, A. (2022). Metode Penelitian Hukum Normatif (Strategi Praktis Penulisan Skripsi, Tesis, Disertasi).
- Sitompul, A., & Hasibuan, P. (2021). The morality of law enforcement agencies (Police, Prosecutor's Office, KPK) in money laundering with the origin of the corruption. *European Science Review*, (9-10), 55-63.
- Sitompul, M. A. (2020). Perampasan Aset Hasil Tindak Pidana Pencucian Uang dengan Asal Pidana Korupsi (Kajian Perspektif Hukum Islam). *Malang: Mazda Media*.
- Sitompul, A. (2020). The Criminal Replacement Of Fine In Law Of Money Laundering Number 8 Of 2010 (Case Study In North Sumatera). *International Journal Of Creative Research Thoughts*, 8(11).
- Sitompul, A., & Sitompul, M. N. (2020). The Combination Of Money Laundering Crime With The Origin Of Narkotics Crime To Islamic Law. In *Proceeding International Seminar of Islamic Studies* (Vol. 1, No. 1, pp. 671-681).
- Timur, Widya, Muhammad Alfallah Farozi, and Dwi Putra Jaya. "Kajian Yuridis Tindak Pidana Pencucian Uang Yang Berasal Dari Tindak Pidana Korupsi Berdasarkan Peraturan Perundang-Undangan" 4, no. 3 (2025): 691–700.
- "Undang-Undang Republik Indonesia Nomor 8 Tahun 2010 Tentang Pencegahan Dan Pemberantasan Tindak Pidana Pencucian Uang," no. 1 (2010).

Copyright holder :

Ariman Sitompul

First publication right :

International Asia Of Law and Money Laundering

This article is licensed under:

