KPK Deputy Chairman Bambang Widjojanto:

A scene that can often be seen at the Corruption Eradication Commission (KPK) office in South Jakarta, is the KPK deputy chairman, Bambang Widjojanto, his eyes transfixed at the computer's monitor, his hand on the mouse moving around the pad, while his guests wait patiently for him to revert his attention on them. For some months, two visitors who have taken much of his time are Angelina Sondakh and Mindo Rosalina Manullang, two ladies charged with corruption. Yet, for all their high profile in the media, to Bambang, they are just chips in a pile of cases he must deal with on a daily basis.

Bambang is no stranger to the world of law and legislation in Indonesia. After all, he founded a number of organizations linked to the monitoring of law enforcement, such as the Commission for Missing Persons and Victims of Violence (Kontras) and Indonesia Corruption Watch (ICW). Bambang is also involved in a number of government-initiated programs. In 2005, he took part in forming the Attorney General's Office (AGO) Commission, which led to his becoming an expert staff handling internal reforms in the AGO, a job he held in 2009.

Yet, for all his achievements he won the 1993 Kennedy Human Rights Award 52-year-old Bambang remains unchanged. He still rides the commuter train from his home at Depok, West Java to his office in South Jakarta. And despite his senior position, Bambang eschews any kind of sophisticated attire, preferring always to wear his simple, blue batik shirts.

Tempo reporters Andari Karina Anom, Setri Yasa, Bagdja Hidayat, Anton Aprianto and Anton Septian met Bambang at his office last week for an interview. It was sunset and he was just breaking the fast he undertook that day, by drinking sweet tea and snacking on dates before proceeding with the interview. Excerpts:

Was Angelina Sondakh's detention accelerated because of public pressure?

We did not accelerate or rev up the process. Right now we are still investigating (the Angeline Sondakh case). She is just a small part. Please don't magnify the issue.

But the details of the case and who are involved have been openly discussed in the media.

We have been getting much information. Some are credible, others are not and that is why we must go through this long process. We are expected to work fast and accurately, so don't keep pressuring us.

What is KPK's reason for offering Angelina to be a 'justice collaborator' or a whistle blower?

We never made that offer. That statement appeared in the media because I answered a reporter's question. I was asked whether a KPK detainee could become a justice collaborator. I replied that anyone could. He asked, 'including Angie?' I replied, Angie is anyone, right? Next day the news read: KPK offered Angie to become a justice collaborator.

So, she will not be one?

Angie is one entry point. After her investigation is completed, we will see who else is involved. But when we pry the layers loose, a picture emerges. Remember, a suspect has the right of denial. We must never rely solely on the information supplied by a suspect to prepare for an indictment. That would be disastrous. So, on this case, we not only listened to Angelina, but to others as well.

What other avenues are being pursued by KPK to resolve this case?

At this point, the KPK is looking at what is known as a gatekeeper. Lawyers and intermediaries can be penalized, as in developed countries. So far, the Law on Money Laundering only affects those who place (deposit) and layer (conceal) money from corruption. But there are people who seek protection behind their professions such as lawyers and intermediaries. We will keep chasing after them.

Will the KPK apply the Money Laundering Law on Angelina, as it was done to Wa Ode Nurhayati (the PAN legislator charged with involvement in the bribery case of the 2010 Funds for the Acceleration of Regional Infrastructure)?

All legal channels can be applied. There are three legislations which allow the KPK to handle money laundering cases. They are the Law No. 8/2010 on Money Laundering, Law No. 46/2009 on Anti-Corruption and Law No. 30/2002 on the KPK. The KPK was unable to be involved before this but we will start working on it this year.

Is the money laundering clause aimed at generating deterrence?

Until now, prisons have failed to have a deterrent effect. If people sent to jail can pick the cell of

their choice, where is the deterrent effect? With regards to money laundering, we apply the corruption law to follow the suspect and the money laundering law to follow the money, and combine the two. In this way, all those transferring and cashing in their money can be identified. The Anti-Corruption Law is the only legislation that can penalize and fine them.

What other difficulties does the KPK face in handling cases involving senior Democrat Party officials?

Don't say difficulties. Our team has no other choice. With the available material and resources, we must keep moving. We cannot think about lacking this or that. In fact, if no additional funds are forthcoming, personnel and other KPK resources must be optimized and exploited to the maximum, if necessary, beyond the limit.

How?

During the early days at the KPK, the external pressure was incredible. First, the public demanded that we resolve this case or that case. Secondly, many people came to the KPK. There would two or three protests a day. Receiving them also took time. Thirdly, the KPK became an international reference point. When our executives were busy building a solid team, we were accused of making empty promises.

Did the KPK lack cohesiveness at the beginning?

This is a common problem in any organization. We all come from different backgrounds. Abraham, Pak Zul and I never met before (joining the KPK). I knew only Pak Pandu because we were together at National Police Commission (Kompolnas). Abraham said we were all strikers. I wouldn't agree with that but it's a good metaphor. Rumors of a split emerged when there was some disagreement between the top executives, which had us banging on tables in anger. To be honest, the disagreement was nothing more than debates and discussions. Compared to my days at the LBH (Legal Aid Foundation), the debates here are extremely polite.

What did you debate on?

For instance, that pro justicia ruling must be carried out in an open forum attended by all the executives. In this forum, we would carry intensive discussions, including how orders to conduct investigations (Sprindik) should be carried out. With this document, we can legally summon anyone to the office. We debated a lot on this issue.

Yet the KPK reportedly did not issue such a letter before detaining Angelina.

I won't go into that, I want to be one step ahead. What happened in the past should be part of the process. Please look at this comprehensively. You cannot assess the KPK from the Angelina case alone. It's too narrow and rather demeaning for the KPK.

Why demeaning?

Because we have achieved a lot (besides the Angelina case). If you look at the data from January to March 2012, the number of questionings and investigations by the KPK is high, about 30. So the media and the public seem to focus only on specific cases, not the all the cases handled by the KPK. (Remember) the KPK not only covers corruption eradication, it is also building an integrity system.

The KPK has appealed against the five-year sentence given to Nazaruddin. What was the consideration for this move?

At the KPK, if the sentence is two-thirds of what the prosecutors called for, that's okay. But in Nazaruddin's case, the consideration for the ruling seemed to have been the perception that Nazaruddin was a passive party (in the crime). Not so according to the KPK. He is really the owner of the Grup Permai so he was very active (in opening opportunities for corruption). So he should be seen as active and thus liable for a maximum of 20 years imprisonment. By using the current legal clause (which regards him as a passive perpetrator), the maximum punishment is just three years.

A big problem for the KPK seems to be the judges' different application of the law.

This is because the law was made to facilitate the process of obtaining evidence, but there are law enforcers who refuse to use it.

What are the big problems in handling corruption in Indonesia?

We lack a sense of national interest. The United States' national interest is wheat and milk. Don't touch their wheat or milk because they would be strongly defended. Don't touch Singapore's banks and financial services because that's their national interest.

So, in that context, how would the KPK determine its priorities?

We prioritize sectors involving national interest, like agriculture and energy resources. So far, the KPK deals mostly with cases related to those sectors.

What about cases of corruption?

The priority of the KPK at the moment are tax revenues, because they have now reached 78 percent. Last year, our National Budget was Rp700 trillion, today it's Rp1,331 trillion. Although this does not come under the KPK's authorization, we can put pressure on the process.

Has the KPK been pressured for 'disrupting' the Democrat Party?

We regard it as a challenge not a pressure (laughing). We want to focus on handling cases. If we were summoned by the House of Representatives (DPR), it should not be about how we handle cases but on the policy of law enforcement. If we are summoned to be queried on our case-handling, that's called intervention. We want to put into the proper proportion the pattern of work relations between us and the DPR. They are not our enemy, but our partner in getting rid

of corruption.

Bambang Widjojanto
Place & Date of Birth:
Jakarta- October 18, 1959
Education:
MA-School of Oriental and African Studies (SOAS), University of London, 2000
Ph.D-in Criminal Law, Padjajaran Universitym, Bandung (2009)
Career:
Director, LBH Jayapura (1986-1993)
Director, YLBHI (1993-1995)
Executive Director, YLBHI (1995-2000)
Founder, National Legal Reform Consortium (KRHN), ICW, KONTRAS
KPK Deputy Chairman (2011-to date)

Tempo
No. 37/12, May 07-13, 2012