

Non-Conviction Based Asset Forfeiture sebagai alternatif memperoleh kembali kekayaan negara yang hilang karena tindak pidana yang berkaitan dengan perekonomian negara = Non-Conviction Based Asset Forfeiture as an alternative to getting back the lost wealth of the country due to criminal offenses relating to the country's economy

Porajow, David Fredriek Albert, author

Deskripsi Lengkap: <https://lib.ui.ac.id/detail?id=20329256&lokasi=lokal>

Abstrak

Kejahatan bermotif ekonomi telah mengakibatkan kerugian negara. Penindakannya sebatas pada penjatuhan pidana kepada pelaku (in personam) namun belum menyentuh hasil kejahatan itu. Perampasan pidana sulit dilaksanakan saat terdakwa meninggal dunia atau melarikan diri. Non-Conviction Based Asset Forfeiture merupakan perampasan secara perdata (in rem) yang ditujukan kepada aset pelaku tanpa melalui proses pidana.

Permasalahan penelitian ini adalah: apakah Non-Conviction Based Asset Forfeiture merupakan alternatif untuk memperoleh kembali kerugian negara karena tindak pidana yang berkaitan dengan perekonomian negara? Dengan menggunakan metode deskriptif normatif, peneliti menganalisis efektifitasnya dalam pengembalian kerugian Negara. Kesimpulan yang diperoleh sebagai hasil penelitian ini adalah Non-Conviction Based Asset Forfeiture dapat digunakan sebagai langkah alternatif pengembalian kerugian negara.

.....Economically motivated crimes have resulted in losses to the state. Limited to the imposition of criminal prosecution of the perpetrator (in personam) but has not touched the proceeds of the crime. Criminal Confiscation difficult to implement when the defendant died or fled. Non-Conviction Based Asset forfeiture is a deprivation of the civil (in rem) addressed to the assets of the perpetrators without going through the criminal process.

The problem of this study is: is Non-Conviction Based Asset forfeiture is an alternative to recover the losses due to criminal offenses relating to the economy of the country? By using descriptive normative method, researchers analyzed its effectiveness in recovering losses State. Conclusions made as a result of this study is Non-Conviction Based Asset forfeiture can be used as an alternative measure of return loss to the state.