

ABSTRACT

CRIMINAL RESPONSIBILITY OF PERPETRATORS OF CORRUPTION WHICH IS PERMANENT SICK

Prevention and eradication of corruption in Indonesia has been done using various approaches but there is one problem that until now has not received the attention of the legislator. Permanent sick is a real problem that must be faced in the prevention and eradication of corruption that has not been regulated in the PTPK Act. The legal consequences of permanent sick in the prevention and eradication of corruption is the obstruction of law enforcement process against perpetrators of corrupt acts that are permanently ill because the perpetrator in a state unfit to stand trial. Since the prosecution of a perpetrator of a permanently sick can't be done, the return of the state financial loss as one of the objectives of crime in the PTPK Act should be prioritized.

Perpetrators of corruption of permanent sick may be held criminally liable but such criminal responsibility can't be prosecuted because the perpetrator is in a permanent sick. Additional criminal sanction in the form of plundering the property of a permanently sick defendant is an alternative of criminal responsibility for perpetrators of corruption of permanent sick. The deprivation of corruption perpetrators who are suffering from permanent sick without a principal examination of the case is a new paradigm in the prevention and eradication of corruption and an extraordinary way to accelerate the state financial loss, legal certainty in the state financial loss and sense of justice given by the government to a society whose rights have been violated. The deprivation of the perpetrators of corruption of permanent sick by promoting the principle of presumption of guilt is a reflection of retaliation for the criminal act of corruption committed so as to provide a deterrent effect and balance between the perpetrators and the people who become victims of corruption.

Keywords: **Criminal Responsibility, Corruption, Permanent Sick**