



PPATK's PERSPECTIVE IN COMBATING TRANSNATIONAL CRIME

Presented in Mexico City, 20-22 November 2018

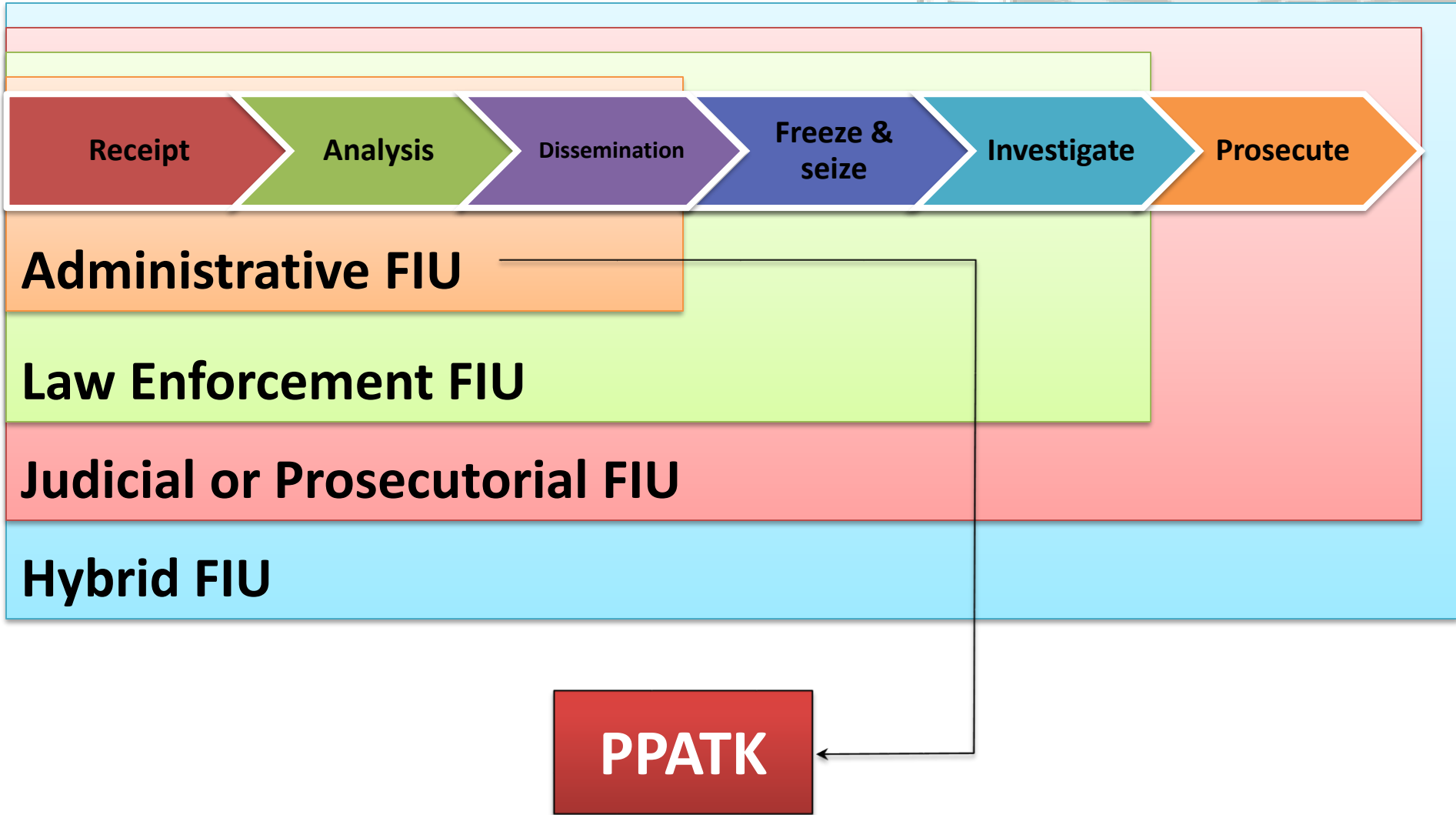
Regional Meeting on Measuring Illicit Financial Flows
related to criminal activities for SDG Indicator 16.4.1

Legal Basis

In 2002, Indonesia enacted the Law of Money Laundering Crime (Law No. 15 Year 2002, last amended by Law No. 8 Year 2010)

The Law imposes AML & CTF requirements on Financial Service Providers (FSPs).

Types Of Financial Intelligence Unit



Role of PPATK

- Collect, analyze or examine of reports and other information on financial transaction
- Disseminate financial transaction reports to law enforcement agencies to support the investigation of ML, predicate offences and TF
- Encourages cooperation with domestic and international agencies with regards to preventing and eradicating ML and TF.



Source of Data & Information

Reporting Parties

- Suspicious Transaction Report (STR)
- Cash Transaction Report (CTR)
- International Funds Transfer Instructions (IFTI)
- Cross Border Cash Carrying (CBCC)
- DNFBP's Transaction Reports

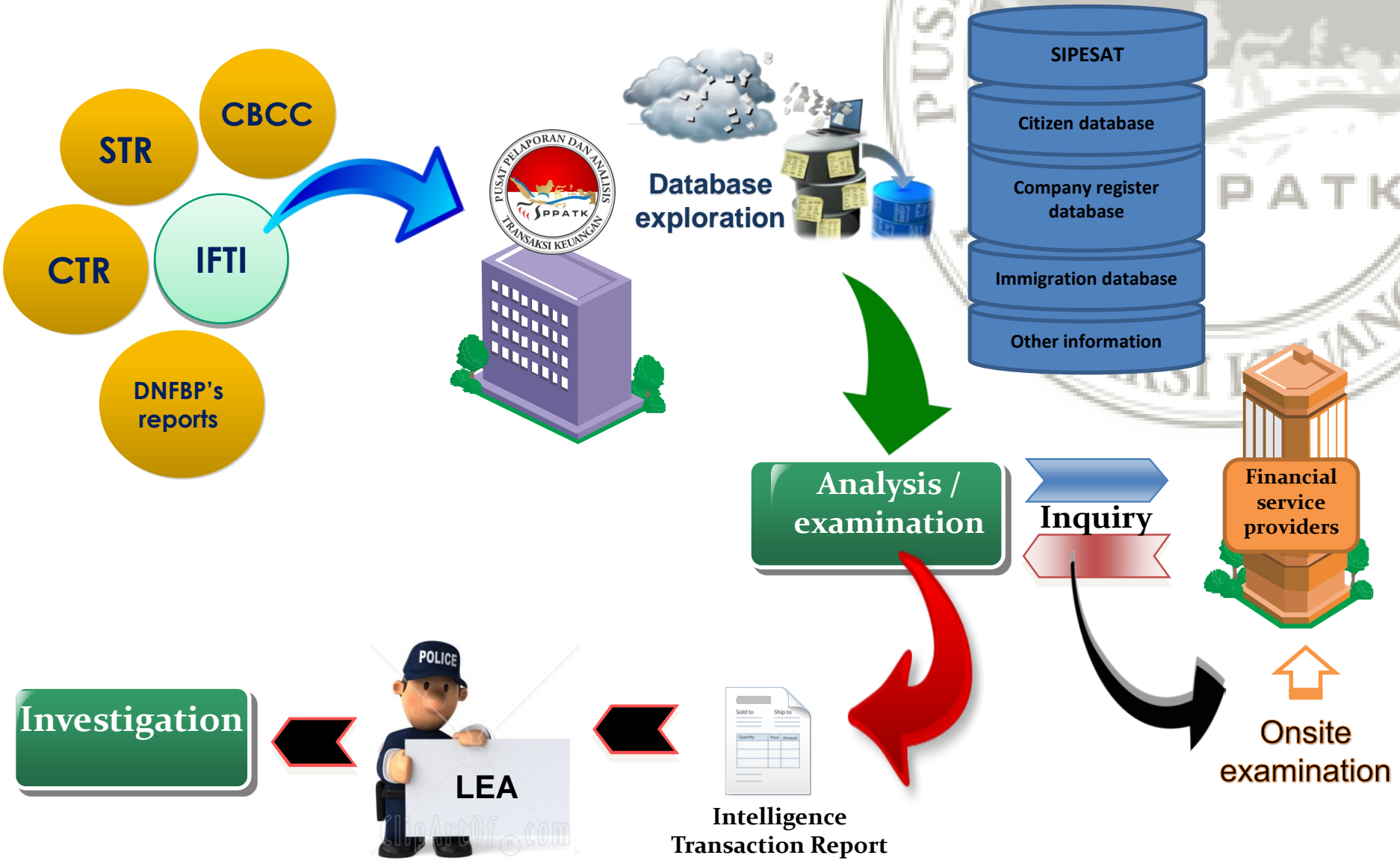
Database Exploration

- Integrated Customer Information System (SIPESAT)
- Citizen Database
- Company Register Database
- Immigration Database

Other Information

- Report of State Official Wealth
- Interpol
- FIU's Information Exchange
- etc.

PROCESS OF ANALYSIS & EXAMINATION



Tracing Flow of Funds through Financial Information

Possible Findings:

Information of account holders, such as names, DOB, ID, address, phone number, etc

Inter-personal relations

Someone at specific locations and time

Relevant parties

Persons who control the funds

Access to the funds

Assets

People movement or traveling records.

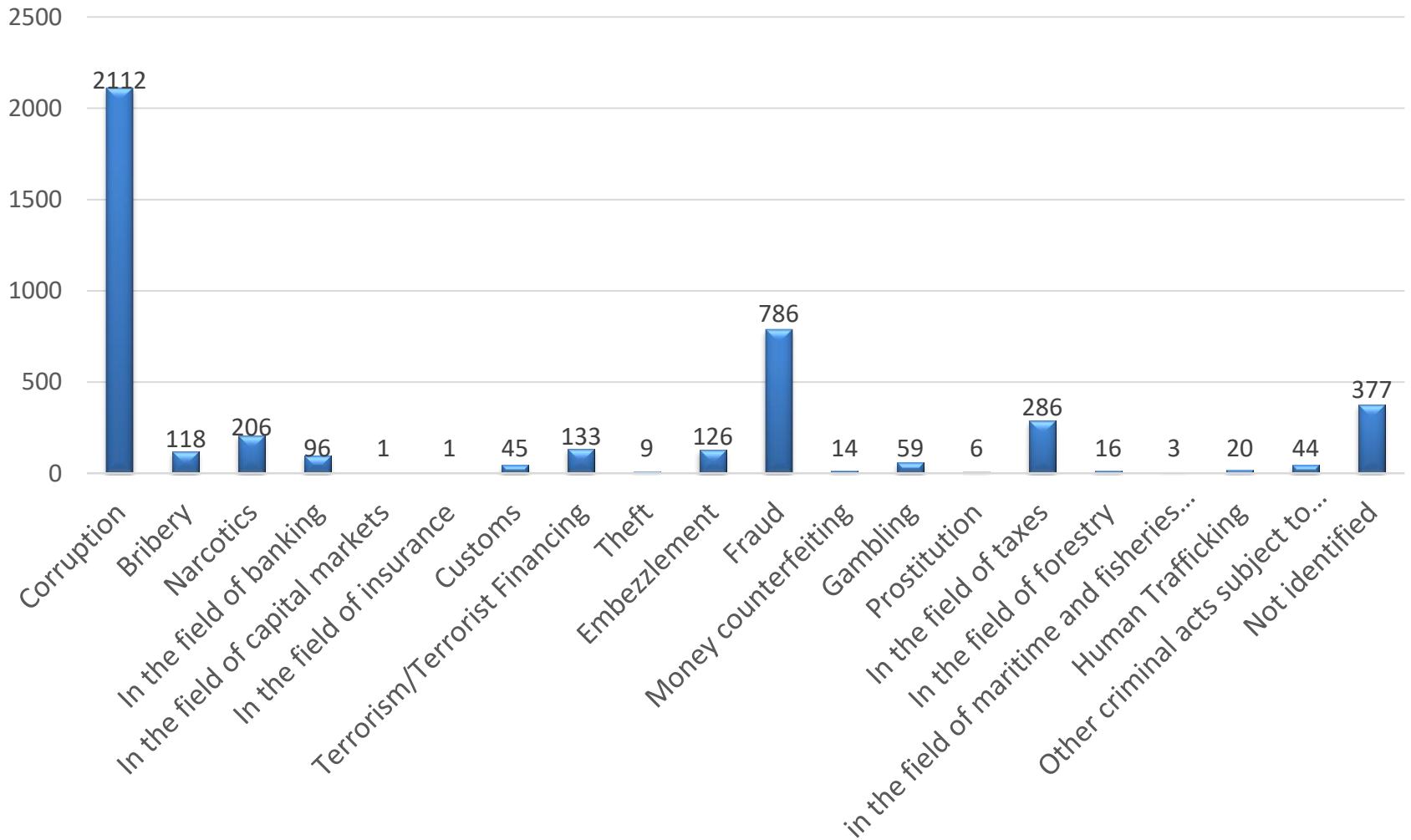
Action plan

Most used facilitators (banks) and facilities

Related business

Jurisdictions where the funds are sent to/from

Total Disseminated Financial Transaction Reports to LEA based on Alleged Predicate Crimes from Jan 2003 to Sep 2018





CASE STUDY 1

PEOPLE SMUGGLING

Mass Media Coverage

HOME » NATIONAL

FRIDAY, 05 JUNE, 2015 | 06:00 WIB

65 Asylum Seekers Evacuated to Kupang

+ Zoom Out - Zoom In A Normal

TEMPO.CO, Kupang – Sixty-five asylum seekers from Bangladesh, Sri Lanka, and Rohingyans were evacuated to Kupang, East Nusa Tenggara yesterday. Earlier, they were secured by the local police after being driven away by the Australian Navy when they wanted to seek asylum down under on Tuesday.

Among the refugees—one Burmese, 54 Sri Lankans and Bangladeshis 10—are three toddlers and four women. The immigrants were evacuated to Kupang using ferry boats escorted by dozens of police officers.

Rote Ndao police chief Adj. Sr. Comm. Hidayat yesterday said the refugees were found stranded as their boat ran out of fuel.

"They were rescued by local fishermen before the police got to them," he said.

Ad closed by Google

Kajuran, an immigrant from Sri Lanka, said he was seeking asylum in Australia because he wanted to look for a better life. He said he had spent US\$6,000 to get to Australia.

YOHANES SEO | RIYAN NOFITRA

Sri Lankan people smuggler sentenced to five and a half years

Friday, March 4, 2016 - 12:00

Law & Order

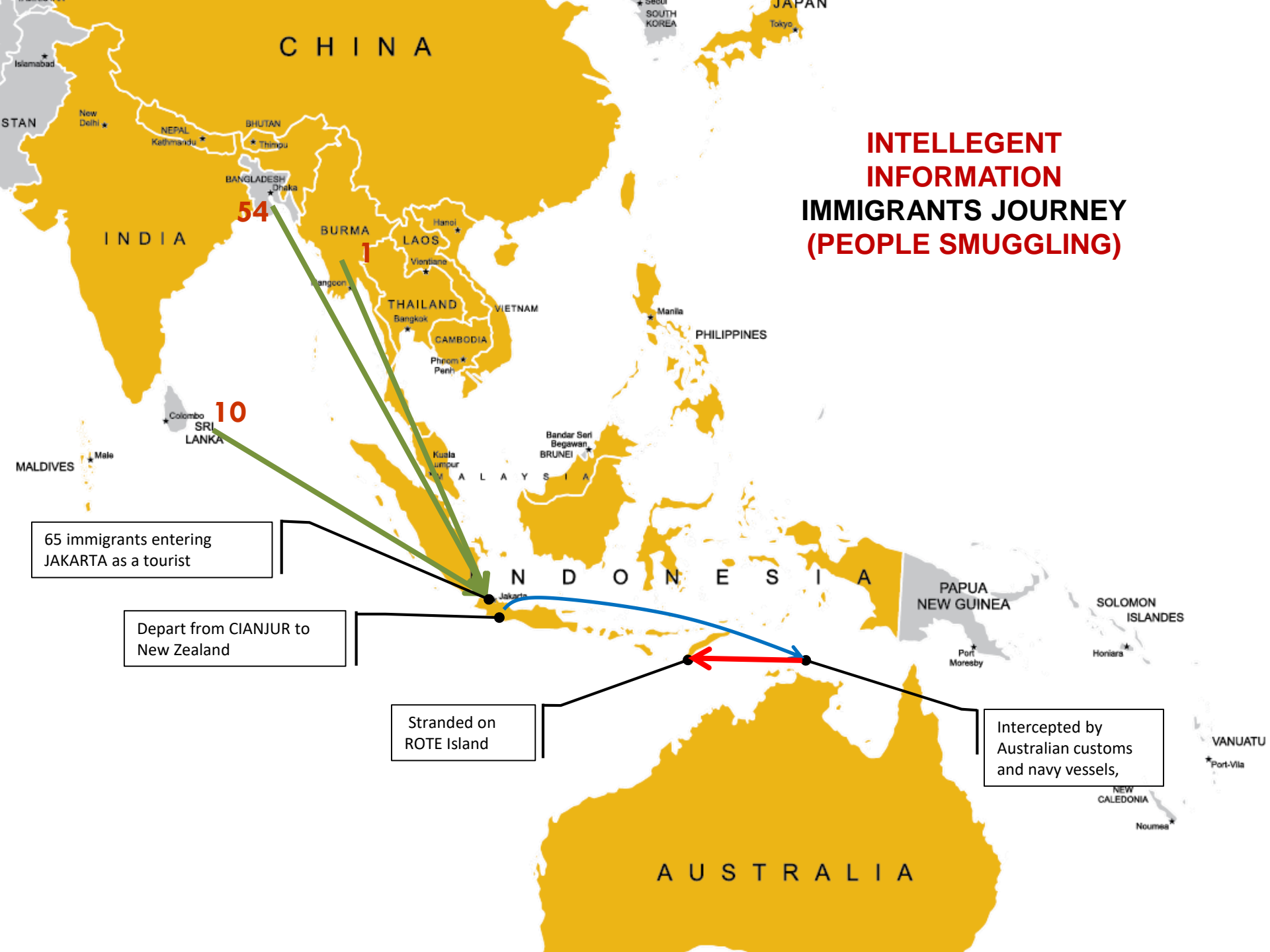


A Sri Lankan people smuggler who helped organize the boat on which Australian officials allegedly paid crew more than \$US30,000 (\$NZ44,576.52) to turn back from New Zealand has been sentenced to five and a half years.

Kugan, also known as Vishvanathan Thineshkumar, was described by prosecutors as the "mastermind" behind the failed journey on which 65 asylum seekers boarded a boat bound for New Zealand in May last year. During the voyage, the boat's crew claims they were intercepted by the Australian Border force who paid them cash to turn back.

In sentencing Kugan at Rote Ndao District Court in Indonesia this week, Chief Judge Ary Wahyu Irawan found he had been responsible for recruiting the immigrants and collecting money. "What the defendant did, as a Sri Lankan citizen, could encourage the act of recruiting immigrants as well as the smuggling of foreign people

INTELLENT INFORMATION IMMIGRANTS JOURNEY (PEOPLE SMUGGLING)



65 immigrants entering
JAKARTA as a tourist

Depart from CIANJUR to
New Zealand

Stranded on
ROTE Island

Intercepted by
Australian customs
and navy vessels,



Based on mass media, Mr. VT arrested by INP for allegedly smuggling 65 illegal immigrants

Mr. AB (Bangladesh)
Smuggler
Bangladesh Coordinator

Partner

Mr. VT (Sri Lanka)
Smuggler
Sri Lanka Coordinator



IFTI transactions affiliated in 28 countries (immigrants & smugglers).

married

Using the same address

Mrs. NUR (Indonesia)
Mr. AB's wife
Intermediaries

Fund Transfer

Mrs. EL (Indonesia)
Widow
Intermediaries



Fund Transfer

Fund Transfer



Money changer / remittance

Fund Transfer

Mrs. SU (Indonesia)
Mr. AR's wife
Intermediaries

Fund Transfer amounting billions rupiah

Mr. AL a.k.a Capt. Bram (Indonesia)
Coordinator / Boat provider

Capt. Bram was a fugitive for people smuggling crime, has been arrested by INP in Jakarta

married

Fund Transfer

Fund Transfer

Fund Transfer

Mr. AR (Afghanistan)
Smuggler
Afghanistan Coordinator

Mr. CB (Sri Lanka)
Smuggler
Sri Lanka Coordinator

Other parties

Mr. SS (Sri Lanka)
Smuggler
Sri Lanka Coordinator

People Smuggling Typologies in Indonesia

1

Using of third party's account (especially Indonesian Citizen) to conduct IFTI transaction on behalf of the foreigners who are part of people smuggling syndicate.

2

Transactions in vulnerable locations (located near to immigrant shelters)

3

Using of licensed remittance agents and/or unauthorized remittance agents

4

Immigration officers involvement. There are several transfer of funds to the immigration authorities, which is alleged to be a bribe for people smuggling efforts

5

Transactions with travel parties, owners of transportation and hotel/lodging services. These transactions are allegedly related to logistics from the parties that will be smuggled from Indonesia to destination country

6

Transactions with ship owners and fuel business owners. This transaction is allegedly related to the purchase or leasing of ships for the transportation of people smuggling from Indonesia to destination country

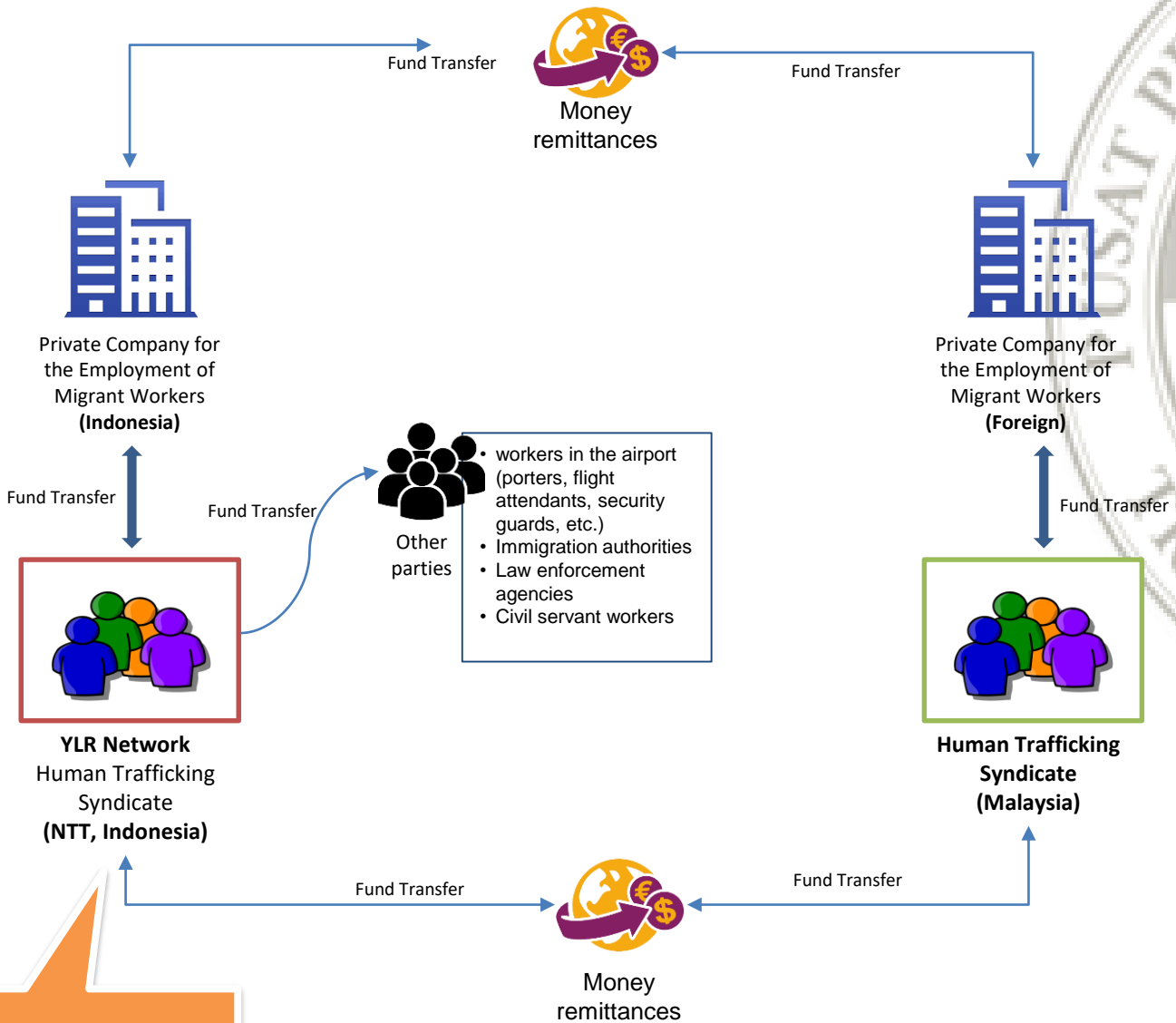


CASE STUDY 2

HUMAN TRAFFICKING

Background

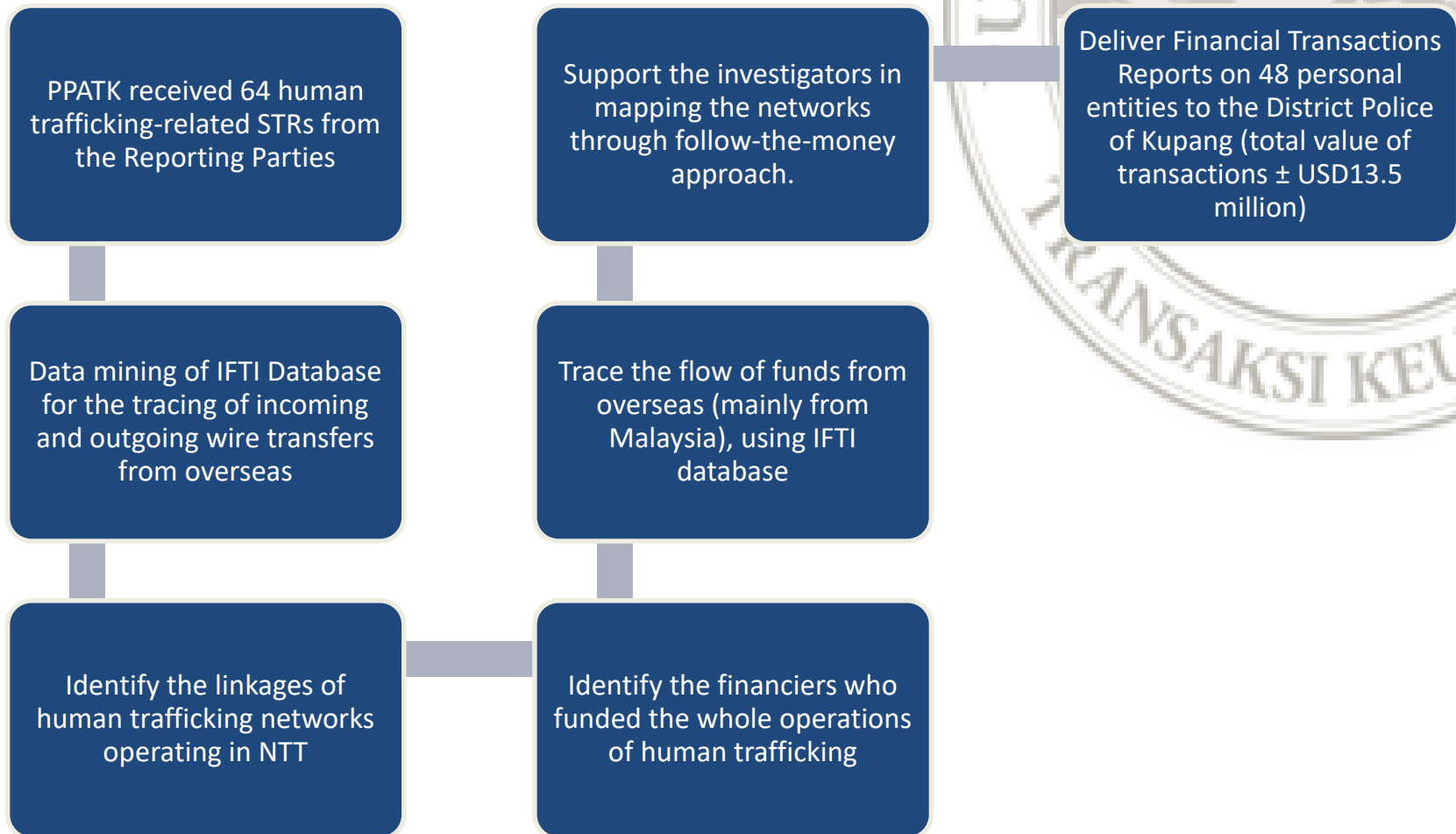
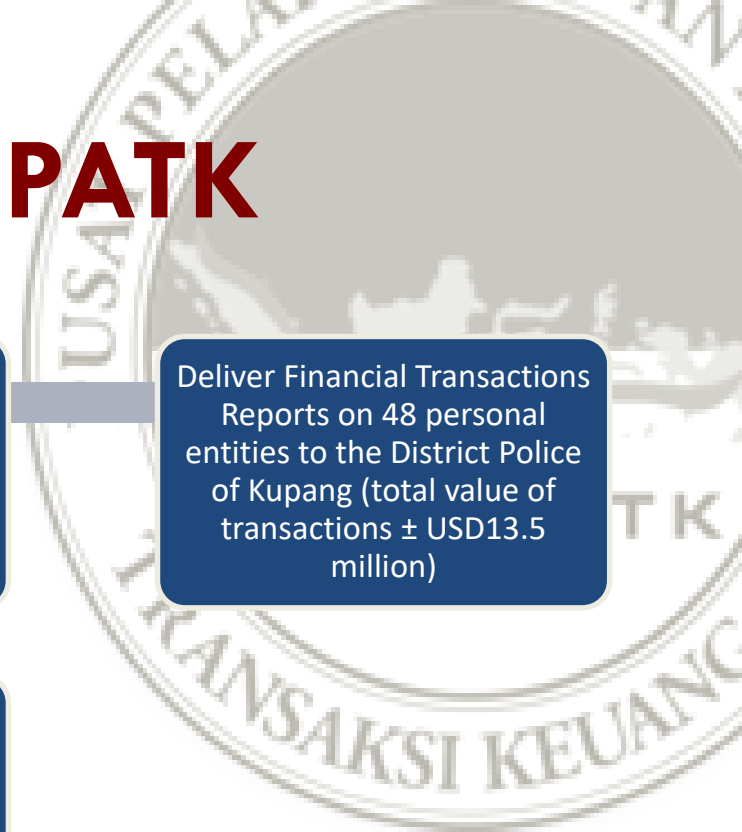
- East Nusa Tenggara (NTT) is the 9th largest province to send Overseas Workers and the highest human casualties in Indonesia.
- Based on BNP2TKI (National Agency for the Protection and Placement of International Migrant Workers) data from 2015 to 2016, 4,144 people have been sent abroad and there are still many unregistered (illegal) migrant workers.
- Based on the data from BP2TKI NTT, the number of migrant workers from NTT who have **died within the last 3 years are 99 people** with details of 28 people in 2015, 46 people in 2016, and 25 people in 2017.
- in August 2016 President Joko Widodo instructed the Indonesian National Police to investigate the problem of **human trafficking** and **the placement of non-procedural migrant workers** from NTT.
- The Chief of Regional Police of NTT followed up the order by establishing the Human Trafficking Task Force. Subsequently, the Chief of Regional Police of NTT ordered the Chief of District Police of Kupang to investigate the case.



During the period of January 2015 to August 2016, the network of YLR, et. al. had successfully dispatched **2,279 migrant workers** with destination Malaysia. The total transaction values obtained by the network from the departure of those people amounted to **USD563,446.15**. The dispatch of those migrant workers to Malaysia was not based on formal cooperation agreements with business partners abroad.

YRL network received USD345 to USD578 /person for domestic tariff and USD960 to USD1,154 /person for overseas tariff.

The Roles of PPATK



LESSONS LEARNED & CHALLENGES



A. LESSONS LEARNED

- The need to understand the context of transnational crime cases.
- Solid cooperation between FIU and LEA (exchange information, case building, sustainable coordination).
- The utilization of all available sources of data and/or information which are accessible to FIU.

B. CHALLENGES

- In terms analyzing and investigating transnational cases, one of the main challenges is the pursue of cross-jurisdictional transactions and transnational crime networks.
- Therefore, good regional and international cooperation is really needed, especially between Law Enforcement Agencies and among FIUs.



Terima Kasih

Thank You

"Think like a thief, Act like a detective or an investigator"

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