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Law Enforcement Against Corruption in the Charity of Water Supply Program in Bitung

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ABSTRACT

Corruption is a crime that not only causing financial losses to country, but also violating social and economic rights of the community. The unlawful act of corruption is not only committed by state officials and between states, but also by state officials and other parties such as families and businessmen. This research aims to identify the law enforcement against perpetrators of corruption in Bitung regarding charity of water supply program activities based on Decision Number 20/Pid.Sus-TPK/2022/PN.Mnd. The method used in this research is juridical sociological approach, that uses legal aspects (legislation and reality) concerning the research topic. This approach is related to examining the positive law of the research object and observing the practice directly in the field. The research findings revealed that regional financial losses of IDR 14,000,000,000 were caused as the results of the unlawful acts of corruption and abuse of authority comitted by Raymond Richard Jotham Luntungan and Mohammad Nurcholis Laminula, who both were in charge of Charity of Water Supply Program for Low-Income Communities at Bitung during 2017-2018.

Keywords: *Law Enforcement, Charity of Water Supply Program, Corruption*

INTRODUCTION

State Finance is the main focus of country's development and determines the sustainability of the economy both present and future. In addition, state finance includes all State rights and obligations that are assessed in money for the actualization of State development to realize the ideals of the State as stated in 1945 Constitution of Republic Indonesia. The realization of a country must be guided by good and accountable state financial management. Then, all policies adopted in the management of State finances have the potential to either increase or decrease a country's level of prosperity since they have such significant channels, advantages, and influences (Gale & Samwick, 2014).

This also applies to provincial, district and city levels. The pillar of regional autonomy is the regional authority to manage the finances owned by the region (Tjandra, 2013). The Provincial Government as the government administrator at provincial level are able to provide social assistance and charity based on Minister of Home Affairs Regulation No. 32/2011 concerning Guidelines for Providing Charity Grants and Social Assistance from Regional Revenue and Expenditure Budget (hereinafter referred to as Permendagri No. 32/2011). This Permendagri has been amended 2 (two) times with the issuance of Permendagri No. 39/2012 concerning Amendments to Regulation of Minister of Home Affairs No. 32/2011 regarding Guidelines for Granting Charity and Social Assistance from Regional Revenue and Expenditure Budget (Indonesia, 2012).

The charity that will be implemented must be specified in Perda, the legal consequences of regional legislation that governs the Regional Budget. The regional regulation on the regional revenue and expenditure budget used for governance, which was adopted in plenary session, specifies a budget for giving grants that is intended to fund initiatives and programs conducted by the government (Susanto, 2018).

Corruption is a crime that not only causes financial losses to the State, but is also a violation of the social and economic rights of the community (Pratama, 2019). In many nations, corruption has traditionally gotten more attention than other crimes. As a result, corruption is now considered an unusual crime rather than an ordinary criminal. This is due to the inability of the traditional approaches to address the issue of corruption in society. Therefore, unconventional measures must also be used to solve the corruption instances (Wachid, 2015).

The establishment of clean state administrators is important and indispensable to avoid corrupt practices that not only involve the officials concerned, but also by their families. The Indonesian people will be severely disadvantaged if this problem is not addressed. Corruption is not only committed by state officials and between states, but also by state officials and other parties such as families and businessmen (Edytya & Annisa, 2019). Additionally, corrupt acts harm society, the country, and state life while positioning the state's sustainability in danger (Pahlevi, 2022).

From these facts, the Indonesian government along with all law enforcement officials and the community should genuinely attempt to handle the dangers of corruption. Law enforcement actions related to criminal acts of corruption are conducted continuously, but the results are not really recognized by community. Additionally, there is shared blame and duty within the government when it comes to law enforcement on the ground. Moreover, there is inconsistency in law enforcement efforts to eradicate criminal acts of corruption in Indonesia (Setiadi, 2018).

In this research, researchers provide the case of corruption committed by a government/apparatus on behalf of the defendant, Raymond Richard Jotham Luntungan, ST, M.Si, as Director of PDAM duasudara Bitung. The defendant are guilty of abusing his position to materialize enrichment by misappropriating the charity funds in Charity of Water Supply Program for Low-Income Communities (MBR) TA. 2017 & TA. 2018 within PDAM Duasudara of Bitung. This case was decided by Manado District Court with Decision Number 20/Pid.Sus-TPK/2022/PN.Mnd. which stated that the Defendant Raymond Richard Jotham Luntungan, ST, M.Si, was legally and convincingly proven guilty of committing the crime of corruption jointly as in the primary charge. Then, the judge sentenced the defendant to imprisonment for 10 (ten) years and a penalty of IDR. 500,000,000 (five hundred million rupiah) that will be substituted by 4 (four) month jail sentence when the penalty is not paid.

The chronology is that there have been allegations of Corruption Crimes against the law and abuse of authority in Charity of Water Supply Program at PDAM duasudara Bitung both in 2017 and 2018 which were allegedly conducted by the suspect Raymond Richard Jotham Luntungan, ST, MSi. He has signed a Vocer for the disbursement of capital participation funds from Bitung Government APBD amounting to IDR 16,395,992,000 (sixteen billion three hundred ninety-five million nine hundred ninety-two thousand rupiah). Unfortunately, the budget is not beneficial for Charity of Water Supply Program both in 2017 and 2018. Moreover, the prospective beneficiaries have never get access to clean water since the PDAM duasudara Bitung does not have Idle Capacity. However, the suspect Raymond Richard Jotham Luntungan, ST made a statement letter regarding having an Idle Capacity of 50 liters/second. With this statement, Bitung government was determined as the recipient of Charity of Water Supply Program, then the grant funds from central government to Bitung Regional government could be disbursed in the amount of IDR. 14,000,000,000 (fourteen billion rupiah) to the government as reimbursement for Regional Government's investment through Regional Government Capital Participation (PMP) to PDAM duasudara Bitung. Moreover, grant funds received by Regional Government are expected to be reallocated for the development of water supply infrastructure and facilities stated in APBD. This can be conducted because the suspect Mohammad Nurcholis Laminula as Regional

Manager in 2017 signed the Minutes of Baseline Survey and Minutes of Verification.

For unlawful acts and abuse of authority committed by suspect Raymond Richard Jotham Luntungan, ST as director of PDAM duasudara Bitung City as well as coordinator of Charity of Water Supply Program and suspect Mohammad Nurcholis Laminula as Regional Manager in 2017. Based on the Audit Report in Calculating State Financial Losses for the activities of Charity of Water Supply Program in Bitung for low-income communities (MBR) TA 2017 and TA 2018 within PDAM duasudara Bitung by BPKP Representative of North Sulawesi Province has described irregularities that resulted in regional financial losses of IDR. 14 000,000,000 (fourteen billion rupiah).

Based on the explanation above, the researchers are interested in writing it in the research with the title: "Law Enforcement Against Perpetrators of Corruption in Bitung of Charity of Water Supply Program Activities Based on Decision Number 20/Pid.Sus-TPK/2022/PN.Mnd." Similar to the title of the research, the objective of this research is to identify the law enforcement against perpetrators of corruption in Bitung regarding charity of water supply program activities.

RESEARCH METHODOLOGY

This research is normative juridical research. Normative juridical research is a research which focuses on document studies, through using sources of legal material in the form of laws and regulations, court decisions/decrees, contracts/agreements, legal principles, legal theories, and opinions of experts or other sources that are still relevant to research subject (Setiawan & Haryadi, 2022). The type of research used in this research is sociological or empirical legal research since in this case, the researcher directly observes what is happening in society. In addition, this research is also supported by various literature sources obtained from various related literature. Moreover, empirical legal research is research that relates law to real human behavior (Amsori et al., 2023).

RESULT AND DISCUSSION

Law enforcement is the process of enforcing or functioning legal norms as a guide to conduct in traffic or legal relations in everyday life (Moho, 2019). Based on witness testimony, suspect testimony and evidence, the actions of suspect Raymond R.J Luntungan, ST are suspected of having committed the corruption, as stipulated in Article 2 Paragraph (1) and Article 3 Paragraph (1) of Law No. 31/1999 as supplemented and amended by Law No. 20/2001 concerning Eradication of Corruption Jo Article 55 Paragraph (1) to 1-e of the Criminal Code.

1. Article 2 Paragraph (1) of Law No. 31/1999 as supplemented and amended by Law No. 20/2001 on the Eradication of the Crime of Corruption

“Every person who unlawfully commits an act of enriching himself or herself or another person or a corporation that may harm the state finances or state economy, shall be punished with life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years and a minimum penalty of IDR. 200,000,000,000 (two hundred million rupiah) and a maximum of IDR. 1,000,000,000 (one billion rupiah).”

The elements are:

- a. Every people

Based on Article 1 Point 3 of Law No. 31/1999, every person means as an individual or includes a corporation. In this case, the profile of Raymond Richard Jonathan Luntungan, ST. is as follows:

- 1) In 2000 the suspect was recruited as a contract employee of BUMD PDAM Dua saudara Bitung
- 2) In 2016 the suspect was officially promoted to temporary director of PDAM Dua Saudara Bitung.
- 3) In 2017 the suspect was promoted as Director of PDAM Dua saudara Bitung. Until now, the suspect is still become the deventive director.

In this case, the suspect Raymond R.J Luntungan, ST is the Director of PDAM Duasaudara Bitung, as an official responsible for the use of capital participation provided by Bitung City government to PDAM duasaudara Bitung. He is responsible for all activities conducted by PDAM duasaudara Bitung, then the funds from central government can be disbursed to local government of Bitung.

Raymond Richard Jonathan Luntungan, ST is the subject as referred to in this element. Thus, the element of “every person” has been fulfilled.

- b. Against the Law

The definition of unlawful according to Article 2 of Law No. 31/1999 in the elucidation of Article 2 Paragraph (1) of Law No. 31/1999, unlawful includes actions in formal and material sense. Even though the action is not regulated in the legislation, but when the action is considered reprehensible because it is not in accordance with the sense of justice or the norms of social life of the community, “can” before the phrase “detrimental to state finances or economy” indicates that the corruption is sufficient with the formulated action, not with the occurrence of consequences. During the implementation

of Charity of Water Supply Program Activities for low-income communities both in 2017 and 2018, the suspect Raymond R.J Luntungan, ST, as the director of PDAM duasudara Bitung that this case, he has the official responsible for the use of capital participation provided by Bitung City government to PDAM duasudara Bitung. He is responsible for all activities conducted by PDAM duasudara Bitung, then the funds from central government can be disbursed to local government of Bitung. Unfortunately, the the funds from central government can not be disbursed to local government of Bitung since he committed several unlawful acts as follows:

- 1) In TA 2016, the PUPR ministry invited districts/cities throughout Indonesia who were willing to participate in Charity of Water Supply Program Activities, one of willing local governments was Bitung Government. The local governments that are willing to participate in the program are required to complete the criteria. Then, the Bitung government through the director of PDAM duasaudara Bitung issued a statement letter that PDAM duasaudara Bitung has an idle capacity of 50 liters/second and has a list of potential beneficiaries. The statement letter is one of the most basic requirements that can be designated as a recipient of the Charity of Water Supply Program. After an examination by a water expert from Manado State Polytechnic, it was found that PDAM Bitung does not have an Idle Capaticity of 50 liters/second. Moreover, the difference is less than the planned scheme (in the plan scheme = 285.00 liters/second while the available = 237.52 liters/second, then the difference is less 47.48 liters/second). Based on the examination result from the team of data collectors of prospective beneficiaries formed by Director of PDAM Duasudara Bitung, it is not known exactly the number of data on prospective beneficiaries recorded by the data collection team, while the data is used as a list of prospective beneficiaries is submitted to Director General of Human Settlements of Ministry of PUPR. This data also become one of criteria in determining the recipient of drinking water grant program.
- 2) The suspect, Raymond Richard Jotham Luntungan, ST as director of PDAM duasudara bitung instructed to print all customer payment accounts for the first two months. The account does not match the facts from the audit on 18th July 2020, that only 661 members (low-income community) for

2017 and 883 members (low-income community) for 2018 who have paid the installation fee, which means only 661 members in 2017. From 883 members in 2018 who have become official customers of PDAM duasudara bitung, it was found that not all customers have paid 2 months of water usage account bills, which is a requirement for sr connection eligibility to be accepted in verification process. The results of verification conducted by consultant in 2017 found that there were only 5 members who had paid the water usage bill account and in 2018, there are only 2 members who had paid the water usage bill account. Then PDAM sends proof of the customer account to pupr for the pupr can provide recommendations for the disbursement of funds from central government to the city government of Bitung. From the beginning of Charity of Water Supply Program Activities, Bitung PDAM has not provided the actual requirements, then Bitung Government is actually not worthy of being recipient of Charity of Water Supply Program Activities. In addition, the funds from central government should not be received by Bitung Government. However, the grant funds were still given because the PDAM had submitted all the conditions for disbursement of the grant funds which were not in accordance with the facts (as if these criteria existed).

- 3) signing the official reports of 2017 APBN-verification survey (no.1) by ignoring the criteria that have not been met, namely the customer has not paid for water usage for 2 months
- 4) sign the official reports of verification results number 069/ba-verifikasi-amk/sci/x/2018 with ignoring the criteria that have not been met, namely the customer has not paid for water usage for 2 months.

Thus, the element of “Against the Law” has been fulfilled.

c. Enrich oneself, others or a corporation

- 1) That the suspect Raymond R.J Luntungan, ST signed a voucher for payment of cost of installing house connections both in 2017 and 2018, which was paid to the Tirta Dharma cooperative. IDR. 3.215.276,659 (three billion two hundred fifteen million two hundred seventy-six thousand six hundred fifty-nine rupiahs).
- 2) That the suspect Raymond R.J Luntungan, ST signed a voucher for the payment of material procurement costs to PT TABGHA for both 2017 and 2018 of IDR. 6.661.428,250 (six

billion six hundred sixty-one million four hundred twenty-eight thousand two hundred fifty rupiah).

- 3) That the suspect Raymond R.J Luntungan, ST signed a voucher for payment of material procurement costs to CV.OMEGA STAR both of 2017 and 2018 IDR. 3.678.910,710 (three billion six hundred seventy eight million nine hundred ninety thousand seven hundred ten rupiah)
- 4) That the suspect Raymond R.J Luntungan, ST signed a voucher for the payment of pipes and accessories to CV. Gracia Berkat Usaha amounting to IDR. 675.038.100.00 (six hundred seventy-five million thirty-eight thousand rupiah)
- 5) That the suspect Raymond R.J Luntungan, ST signed a voucher for the payment of expenditure for the development of an online geographic information system to Tiza Solution in the amount of IDR. 118.668.000 (one hundred eighteen million six hundred sixty eight thousand rupiah).
- 6) That the suspect Raymond R.J Luntungan, ST signed a voucher for payment of miscellaneous expenditures (accessories, official travel, goods expenditures, etc.) in the amount of IDR. 814.229.471 (eight hundred fourteen million two hundred twenty-nine thousand four hundred seven pulluh one thousand rupiah)

Thus the element of “Enriching oneself, others or a corporation” has been fulfilled.

d. May Be Harmful to State Finances or State Economy

The result of unlawful acts committed by suspect Mr. Raymond R.J Luntungan, ST as director of PDAM duasudara Bitung and Coordinator of Charity of Water Supply Program, and based on Audit Report on the Calculation of State Financial Losses for Alleged Corruption of Charity of Water Supply Program in Bitung for Low-Income Communities (MBR) for Fiscal on 2017 and 2018 within PDAM Duasudara Bitung by BPKP Representative of North Sulawesi Province Number: LAPKKN-524/PW18/5/2021 dated December 27th, 2021 has described irregularities that resulted in regional financial losses of IDR 14.000,000,000.00 (Fourteen billion rupiah) which consist such following below:

- 1) Total Payment of Funds from State Treasury in 2017 Charity of Water Supply Program IDR. 5,375,000,000.00 (five billion three hundred seventy-five million rupiah).

- 2) Total Payment of Funds from State Treasury in 2018 Charity of Water Supply Program IDR. 8,625,000,000.00 (eight billion six hundred twenty five million rupiah).

Thus the element “May harm the state finances or state economy “ has been fulfilled.

e. Article 55 Paragraph (1) to Criminal Code

Those who commit, those who instruct to commit, and those who participate in committing shall be punished as perpetrators.

- 1) Person(s) Who Performed the Criminal Act

As referred to in the elements of this Article is the suspect Raymond Richard Jotham Luntungan, ST who has committed an unlawful act resulting in state financial losses that:

In planning, implementation and accountability process of Charity of Water Supply Program for low-income communities (MBR) 2017 and 2018 within PDAM duasudara Bitung, the suspect Raymond Richard Jotham Luntungan, ST made a statement that PDAM duasudara Bitung has an Idle Capacity of 50 liters/second and has a list of potential beneficiaries.

The statement letter is one of the most basic requirements that can be determined as a recipient of Charity of Water Supply Program, but after an examination by water expert from Manado State Polytechnic, it was found that PDAM duasudara Bitung does not have an Idle Capacity of 50 liters/second, but the difference is less than the planned scheme (in the plan scheme = 285.00 Liters/second while the available = 237.52 Liters/second. Then, the difference is less 47.48 Liters / second). Based on the examination results of data collection team of prospective recipients formed by PDAM director that he did not know the exact number of prospective recipient data recorded by data collection team, while the data was used as a list of prospective recipients which was submitted to Director General of Cipta Karya of PUPR ministry.

- 2) Person Who Instructed to Do

The suspect, Raymond Richard Jotham Luntungan, ST, Director of PDAM instructed to print two months of customer payment accounts which did not match with the facts that the customer could not be categorized as an MBR customer because the water never flowed to the customer. Then the PDAM sent the proof of customer account to PUPR as the requirements for the PUPR could provide recommendations

for the disbursement of Grant funds from central government to Bitung government.

3) Person Participation in the Crime

This article means that the suspect, Raymond Richard Jotham Luntungan, ST, has made a statement that PDAM Duasudara Bitung has an idle capacity of 50 liters/second and instructed to print two months of customer payment accounts which do not match with the facts that the customer cannot be categorized as an MBR customer since the water never flows to the customer. It indicates that disbursement process can be conducted both the capital participation funds from Bitung government to PDAM Duasudara Bitung worth IDR. 16.395,992,000.00 (sixteen billion three hundred ninety-five million nine hundred ninety-two thousand rupiah) and grant funds from central government to Bitung government worth IDR. 14,000,000,000 (fourteen billion rupiah).

Thus the suspect Raymond Richard Jotham Luntungan, ST as the person responsible for the activities of Charity of Water Supply Program and the disbursement of capital participation funds and grant funds has fulfilled the elements of 1) 2) 3). Then, the entire series of acts committed by suspect Raymond Richard Jotham Luntungan, ST and the suspect Mohammad Nurcholis Laminula fulfills the elements of Article 55 paragraph (1) to 1e of Criminal Code.

2. Article 3 of Law No. 31/1999 as supplemented and amended by Law No. 20/2001 on the Eradication of Corruption

“Every person with the aim of benefiting himself or herself or another person or a corporation, abuses the authority, opportunity or facility available to him or her because of his or her position which may harm state finances or state economy, shall be punished with life imprisonment or imprisonment for a minimum of 1 (one) year and a maximum of 20 (twenty) years and or a penalty of IDR. 50,000,000.00 (fifty million rupiah) and a maximum of IDR. 1,000,000,000.00 (one billion rupiah).” The elements of this article such following below:

a. Every Person

Based on Article 1 Point 3 of Law No. 31/1999, Every Person means an individual or includes a corporation. In this case, the suspect Raymond Richard Jotham Luntungan, ST is the director of PDAM Duasudara Bitung and the coordinator of Bitung government Charity of Water Supply Program. The element of every person has been discussed in the elements of article 2 paragraph (1). Thus, the element “Every Person” has been fulfilled.

- b. The aim of benefiting oneself or others or a corporation
- In the implementation of Charity of Water Supply Program, the suspect Raymond Richard Jotham Luntungan, ST as director of PDAM duasudara Bitung as well as the coordinator of Bitung fund program who has committed an acts to benefit himself or others or a corporation as follows:
- 1) The suspect Raymond Richard Jotham Luntungan, ST as the director of PDAM duasudara Bitung as well as the coordinator of Bitung grant program signed the minutes of Baseline survey and the minutes of 2017 Verification which did not based on the facts in the reality. The baseline consultant never conducted a Baseline survey and verified the connections that had been installed, but the consultant only taught the enumerator team appointed by Mr. Mohammad Nurcholis Laminula in using the application to send data on prospective customers in the baseline. The spending/expenditure of funds amounting to IDR. 6.500.000.000 (six billion liam hundred million rupiah) sourced from the equity participation of local government of Bitung to PDAM duasudara Bitung. This has no principle of benefit since the house connections installed have never flowed water (the community has never felt the water from the Charity of Water Supply Program) until now.
 - 2) The element of with the aim of benefiting oneself or others or a corporation has been discussed in the elements of Article 2 Paragraph (1).

Thus, the element “With the aim of benefiting oneself or others or a corporation” has been fulfilled.

- c. Abusing the authority, opportunity or facilities available to him because of his position

In the implementation of Charity of Water Supply Program at PDAM duasudara Bitung, the suspect Raymond Richard Jotham Luntungan, ST has abused his authority, as Director of PDAM duasudara Bitung and as the coordinator of Charity of Water Supply Program as follows:

- 1) The suspect Raymond Richard Jotham Luntungan, ST as director of PDAM duasudara Bitung as well as the coordinator of Bitung fund program signed the Baseline survey minutes and Verification minutes for 2017 which did not based on the facts, that the baseline consultant never conducted a Baseline survey and verified the connections that had been installed. The consultant only taught the Enumerator team appointed by

suspect's brother Mohammad Nurcholis Laminula in using the application to send prospective customer data for Baseline Survey and the Verification of installed customer data.

- 2) The spending/expenditure of funds amounting to IDR.16.395.992.000.00 (sixteen billion three hundred ninety-five million nine hundred ninety-two thousand rupiah) is from the equity participation of local government of Bitung to PDAM duasudara Bitung. This fund is used for the implementation of Charity of Water Supply Program, that central government transfers the capital participation fund amounting to IDR.14,000,000,000 (fourteen billion rupiah) as a reimbursement for the investment of Regional Government through regional government equity participation (PMP) to PDAM duasudara Bitung. Moreover, there is no principle of benefit since the community has never felt the water from Charity of Water Supply Program until now.
- 3) Issuing invalid idle capacity statements and lists of prospective beneficiaries for 2017 and 2018.
- 4) Instruct to print the first 2 months of customer accounts even if the customer has not paid to support the administrative verification process and recognize it as revenue.
- 5) Signed the Minutes of Baseline survey and Verification minutes for both 2017 and 2018.

Thus, the element of "Abusing the authority, opportunity or facility available to him because of his position" has been fulfilled.

d. May harm state finances or State economy

Based on witnesses' statements and associated with evidence related to the case, it can be concluded that there have been allegations of Corruption Crimes of unlawful acts and abuse of authority in connection with Charity of Water Supply Program at PDAM duasudara Bitung both in 2017 and 2018 which was allegedly conducted by the suspect Raymond Richard Jotham Luntungan, ST who signed the Vocer for disbursement of capital participation funds from Bitung Government APBD of IDR. 16,395,992,000.00 (sixteen billion three hundred ninety-five million nine hundred ninety-two thousand rupiah). The budget does not have the principle of benefits Charity of Water Supply Program both in 2017 and 2018, which the prospective beneficiaries have never had running water since the PDAM duasudara Bitung does not have Idle Capacity. In addition, the suspect Raymond Richard Jotham Luntungan, ST made a statement letter regarding having an Idle

Capacity of 50 liters/second in determining that Bitung government as the recipient of Charity of Water Supply Program. Then, the funds from central government to Bitung Regional government can be disbursed in the amount of IDR.14. 000,000,000 (fourteen billion rupiah) to the government as a reimbursement for the investment of Regional Government through Regional Government Capital Participation (PMP) to PDAM duasudara Bitung. The fund received by Regional Government are expected to be reallocated for the development of water supply infrastructure and facilities as stated in APBD. This can be conducted because the suspect Mohammad Nurcholis Laminula as Regional Manager in 2017 signed the Minutes of Baseline Survey and Minutes of Verification. For unlawful acts and abuse of authority committed by suspect Raymond Richard Jotham Luntungan, ST as director of PDAM duasudara Bitung as well as coordinator of Charity of Water Supply Program and suspect Mohammad Nurcholis Laminula as Regional Manager in 2017. Moreover, based on Audit Report in the Context of Calculating State Financial Losses for the activities of Charity of Water Supply Program for low-income communities (MBR) in 2017 and 2018 within PDAM duasudara Bitung by BPKP Representative of North Sulawesi Province has described the irregularities that resulted in regional financial losses of IDR. 14 000,000,000 (fourteen billion rupiah). Moreover, the alleged elements as referred above, the crime committed by Raymond Richard Jotham Luntungan, ST in the activities of Bitung Charity Water Supply Program for low-income communities (MBR) in 2017 and 2018 within PDAM duasudara Bitung, as referred to in Article 2 paragraph (1) and or Article 3 of Law No. 31/1999 as amended by Law No. 20/2001 concerning Eradication of Corruption Jo Article 55 paragraph (1) to 1-e of the Criminal Code, and is appropriate to be submitted to judicial process.

CONCLUSION

Corruption is a crime that not only causing financial losses to the country, but also violating social and economic rights of the community. The unlawful acts of corruption and abuse of authority were committed by Raymond Richard Jotham Luntungan, ST as director of PDAM duasudara Bitung as well as coordinator of Charity of Water Supply Program and suspect Mohammad Nurcholis Laminula as Regional Manager in 2017. Based on Audit Report in Calculating State Financial Losses for Charity of Water Supply Program for Low-Income Communities (MBR) at Bitung in 2017 and 2018 within PDAM duasudara Bitung City by BPKP

Representative of North Sulawesi Province has described irregularities that resulted in regional financial losses of IDR 14,000,000,000 (fourteen billion rupiah).

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