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Law Enforcement Against the Criminal Offense of Counterfeit Currency Circulation in the Indonesian Criminal Justice System

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ABSTRACT

The circulation of counterfeit money is a criminal offense that not only causes economic harm to society but also threatens the stability of the monetary system and public confidence in the rupiah as a symbol of national sovereignty. With the implementation of the National Criminal Code, the legal framework governing counterfeit currency offenses has evolved, requiring an assessment of law enforcement implementation and the consistency of judges' sentencing considerations. The study asks how law enforcement against counterfeit currency circulation is implemented in the Indonesian criminal justice system and how judges' considerations differ between Decision Number 75/Pid.Sus/2023/PN Cbn and Decision Number 99.Pid.B/2025/PN Sgm. The research employs normative or doctrinal legal research. The findings indicate that enforcement against counterfeit currency circulation has a strong legal foundation under Law Number 7 of 2011 concerning Currency and the National Criminal Code. Nevertheless, its implementation faces obstacles, including the need to improve interagency coordination, increase law enforcement capacity, optimize the multi-door approach, and expand public education on rupiah authenticity. A comparison of Decision Number 75/Pid.Sus/2023/PN Cbn and Decision Number 99/Pid.B/2025/PN Sgm further indicates that differences in judicial reasoning are influenced by the complexity of offender structures, types of charges, evidentiary constructions, and proof of intent. Both judgments nevertheless consistently treat Bank Indonesia expert testimony as essential evidence for establishing currency inauthenticity and apply the law in accordance with the facts established at trial.

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1. INTRODUCTION

Changes in social and economic conditions have contributed to an increase in various forms of crime. Economic instability, whether driven by global or domestic factors, often places pressure on people's ability to meet their basic needs. In such circumstances, some individuals are encouraged to seek financial gain through unlawful means. Money, as a primary instrument of economic activity, is particularly susceptible to abuse, including through counterfeiting and the circulation of counterfeit currency [1].

As legal tender, money performs a highly strategic function in human life. [2] It serves not only as a medium of exchange but also as a unit of account, a store of value, and

a legally recognized means of payment. [3] [3]In modern economies, almost all economic activities depend on money; consequently, monetary stability and public confidence in currency are crucial to maintaining a nation's economic continuity [4].

The evolution of money from barter systems to coins, banknotes, and digital currency demonstrates that money is an integral part of human civilization [5]. However, this development has also been accompanied by various offenses against currency. Historically, counterfeiting has existed for centuries, even during the use of coinage in antiquity. This indicates that currency-related crime continues to evolve alongside technological advances and increasing economic complexity.

One type of crime that continues to attract attention is the circulation of counterfeit currency. Counterfeit money resembles genuine currency but is produced without authorization from the competent authority. Conduct involving its production, possession, or distribution is unlawful and can cause widespread harm. Beyond causing losses to individuals, counterfeit currency circulation can disrupt economic stability and undermine public confidence in the national financial system [6].

In practice, counterfeit money may be circulated through various activities, including spending, exchanging, depositing it with financial institutions, or distributing it to others. The essential element is the transfer of control over counterfeit money from the offender to another person. The objects of this offense include coins and banknotes officially issued by the state or authorized institutions as legal tender [7].

The circulation of counterfeit money in recent years has shown concerning developments. Bank Indonesia data indicate that 575,327 counterfeit banknotes were circulated between January and October 2022, a significant increase of 154.38% compared with 226,170 notes during the same period in 2021. This was the highest figure in the preceding seven years. The increase demonstrates that counterfeit currency circulation remains a genuine threat to economic stability and the security of public transactions [8].

The perpetrators of these offenses have also developed increasingly sophisticated techniques and equipment. With modern technology, offenders can produce large quantities of counterfeit banknotes in a relatively short period, sometimes worth billions of rupiah and with an appearance similar to genuine money. These circumstances show that counterfeit currency crime cannot be treated as a minor problem; it requires serious and coordinated responses from the government, law enforcement agencies, and the public.

More recent developments, however, indicate a declining trend in counterfeit currency findings. In 2024, the counterfeit currency ratio was recorded at four pieces per million (ppm), down from five ppm in 2023. In the first quarter of 2025, it declined further to one ppm. This reduction indicates some effectiveness in countermeasures implemented by various stakeholders. Increased reporting of counterfeit currency cases also reflects more intensive enforcement by the authorities, particularly the Indonesian National Police [9].

Within the criminal justice system, judges play a central role in establishing whether a criminal offense has been proven and imposing sanctions on offenders. Judicial decisions are based on lawful evidence and judicial conviction, while considering factors such as culpability, motive, and the consequences of the defendant's conduct [10]. Ideally, judgments should balance justice, legal certainty, and utility. In practice, however, judges may reach different assessments in cases with similar characteristics, influenced by their evaluation of trial evidence, interpretation of legal norms, or views on sentencing objectives [11].

In counterfeit currency cases, these differences are illustrated by the two judgments examined in this study: Decision Number 75/Pid.Sus/2023/PN Cbn and Decision Number 99/Pid.B/2025/PN Sgm. Under the former decision, the defendant was found guilty of circulating and/or spending counterfeit rupiah and sentenced to one year

and six months' imprisonment and a fine of Rp100,000,000. Under the latter decision, the defendant was not proven guilty under the primary and subsidiary charges but was convicted under the further subsidiary charge of participating in the counterfeiting of rupiah, resulting in four years' imprisonment and a fine of Rp50,000,000. The differences in evidentiary construction and sentencing between these cases reveal variations in judicial reasoning and raise questions concerning the consistency of criminal law application in counterfeit currency cases.

Based on the foregoing, the author undertakes a study entitled "Law Enforcement Against the Criminal Offense of Counterfeit Currency Circulation in the Indonesian Criminal Justice System."

2. RESEARCH METHOD

This study employs normative legal research, which examines literature and secondary sources comprising legislation, legal theories, legal principles, and expert opinions relevant to the subject of investigation [12]. This method is appropriate because the study focuses on criminal law provisions governing counterfeit currency circulation within the Indonesian legal system. The research uses statutory and conceptual approaches. The statutory approach examines all laws and regulations relevant to counterfeit currency offenses, including the Criminal Code (KUHP), Criminal Procedure Code (KUHAP), and Law Number 7 of 2011 concerning Currency [13]. This approach enables the researcher to identify applicable legal provisions, the constituent elements of criminal offenses, and sanctions imposed on perpetrators of counterfeit currency circulation under Indonesian law.

3. DISCUSSION

3.1 Implementation of Law Enforcement Against Counterfeit Currency Circulation in the Indonesian Criminal Justice System Based on Decisions Number 75/Pid.Sus/2023/PN Cbn and Number 99.Pid.B/2025/PN Sgm

The implementation of law enforcement in practice is described as follows:

a. Preliminary Inquiry and Investigation Stage

As the institution authorized to conduct preliminary inquiries and criminal investigations, the Indonesian National Police plays a leading role in uncovering counterfeit currency networks. In practice, the discovery of counterfeit money offenses rarely ends with one perpetrator; investigations often uncover networks involving printers, distributors, and street-level circulators. Consequently, investigators must go beyond arresting individuals caught circulating counterfeit money and trace its origins to dismantle the entire production network.

At this stage, coordination between the Police and Bank Indonesia is crucial because Bank Indonesia has the authority and technical expertise to verify currency authenticity through its rupiah forensic laboratory and operates a dedicated cross-agency coordination forum for combating counterfeiting. This technical verification provides essential evidence for establishing whether an object legally qualifies as counterfeit rupiah under the Currency Law before the case proceeds to prosecution.

b. Prosecution and Evidentiary Proceedings at Trial

At the prosecution stage, public prosecutors face the challenge of drafting indictments that precisely specify the locus delicti, tempus delicti, and the offender's knowledge, based on admissible evidence as regulated by Article 184 of the Criminal Procedure Code. For example, in Cibinong District Court Decision Number 676/Pid.B/2020/PN Cbi, the defendant was found to have participated in counterfeit money transactions by introducing prospective buyers to counterfeit currency sellers. The defendant was sentenced on charges combining the Currency Law with the participation provisions of the Criminal Code. Such decisions demonstrate that courts generally treat the Currency Law as the principal legal basis because of its specific scope, while also relying on general Criminal Code provisions to establish participation, especially in cases involving multiple offenders.

c. Sentencing and Sanctions Stage

In sentencing practice, judges enjoy considerable discretion within the prescribed minimum and maximum penalties, considering aggravating and mitigating circumstances such as the offender's role in a distribution network, the face value of the counterfeit money circulated, and its impact on society. Judicial practice indicates that sentences are often substantially lower than the statutory maximum. Scholars frequently criticize this phenomenon as sentencing disparity that may weaken the deterrent effect of penalties that lawmakers have deliberately set at relatively severe levels.

Several structural and practical obstacles limit effective law enforcement against counterfeit currency circulation in Indonesia. First, proving the offender's knowledge (mens rea) is difficult, particularly among low-level distributors or retailers who frequently claim they did not know the money was counterfeit. Investigators and prosecutors must therefore work harder to gather circumstantial evidence capable of rebutting such claims.

Second, territorial and jurisdictional obstacles arise because counterfeit currency networks frequently operate across regional and even national borders, while investigative authority is generally territorial. Cross-regional and international cooperation mechanisms are therefore necessary, although their effectiveness is not always optimal.

Third, regulatory transition poses challenges because the National Criminal Code, effective from January 2, 2026, requires law enforcement officials to adapt quickly to changes in article numbering, definitions of offenses, and fine categories compared with the former Code. This transitional period is especially vulnerable to errors in legal application for offenses committed before the effective date but processed or tried afterward. Such cases require careful application of transitional principles and the legality principle under the National Criminal Code's transitional provisions.

Fourth, the multi-door approach combining counterfeit currency offenses with money laundering offenses remains underused. In principle, proceeds from large-scale counterfeit currency operations may be concealed through formal or informal financial channels. Cumulative application of Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering should therefore be optimized to break the economic chain of crime rather than merely prosecuting offenders for the predicate offense.

Based on the foregoing discussion, implementation of law enforcement against counterfeit currency circulation can be strengthened through several strategic measures. First, sustainable interinstitutional coordination should be reinforced among the Police, the Prosecutor's Office, Bank Indonesia, and the Financial Transaction Reports and Analysis Center, not merely as a reactive response to specific cases but also preventively through regular exchanges of data and financial intelligence.

Second, law enforcement personnel should receive intensive training and technical guidance on the comprehensive changes introduced by the National Criminal Code so that the regulatory transition does not create enforcement gaps or legal errors that undermine justice for victims or defendants.

Third, the multi-door approach should be optimized through integrated enforcement of the Currency Law, the National Criminal Code, and the Money Laundering Prevention and Eradication Law, enabling action against not only field-level offenders but also the masterminds and financial flows associated with counterfeit currency crime.

Fourth, public education on the security features of genuine rupiah should be strengthened as a community-based prevention strategy. Repressive law enforcement alone cannot be fully effective without collective public awareness and the willingness to recognize and reject transactions involving currency of doubtful authenticity.

From the perspective of the criminal justice system, law enforcement involves more than punishing offenders; it encompasses all enforcement subsystems, including police inquiries and investigations, prosecution by the Prosecutor's Office, judicial examination and sentencing, and sentence execution by correctional institutions. Effective enforcement against counterfeit currency crime depends on coordination among these subsystems so that legal certainty, justice, and utility can be achieved together.

This implementation can be analyzed through two decisions with different characteristics: Decision Number 75/Pid.Sus/2023/PN Cbn and Decision Number 99/Pid.B/2025/PN Sgm. Both concern counterfeit currency but differ in complexity, providing insight into the evolution of counterfeit currency offenses in Indonesia.

In Decision Number 75/Pid.Sus/2023/PN Cbn, an

individual committed the offense using digital technology readily available to the public. The defendant printed counterfeit Rp100,000 notes on a home printer after downloading images of genuine notes from the internet, editing them with a mobile phone application, and printing them on ordinary HVS paper. The counterfeit notes were then circulated in a cash-on-delivery (COD) transaction to purchase a vape product worth Rp3,300,000. Upon receiving the money, the victim became suspicious because the notes looked dull, were poorly printed, and had a different texture from genuine currency. The ensuing inspection of the defendant revealed another 260 counterfeit Rp100,000 notes, with a face value of Rp26,000,000, in the defendant's bag. A Bank Indonesia laboratory examination confirmed that all the notes were counterfeit.

Unlike the case in Cirebon, Decision Number 99/Pid.B/2025/PN Sgm concerned a much more organized operation. The defendant worked with several other people who had clearly assigned responsibilities. Production was conducted professionally using high-quality printers, screen printing, ultraviolet ink, watermark ink, magnetic ink, and other printing equipment. The offenders even constructed a special partitioned and soundproofed room in the library building of UIN Alauddin Makassar to conceal their printing activities from the public. Counterfeit currency was produced over several months using stages resembling genuine banknote production, including printing security lines, watermarks, the Bank Indonesia logo, serial numbers, and cutting the notes. The defendant received Rp16,000,000 in profits from the operation. Bank Indonesia's laboratory examination likewise confirmed that the notes were counterfeit rupiah.

The comparison shows that methods of committing counterfeit currency offenses have evolved significantly. Whereas the Cirebon case involved an individual using relatively simple technology, the Sungguminasa case involved organized counterfeiting with multiple offenders, assigned roles, modern equipment, and investment in production facilities. These differences influence law enforcement at every stage of the criminal justice system.

During preliminary inquiry and investigation, the Police uncovered the two cases through different mechanisms. In Decision Number 75/Pid.Sus/2023/PN Cbn, the case originated from a public report. After recognizing the counterfeit notes, the victim and hospital security officers secured the suspect before handing the matter to the Police. Police subsequently searched the defendant's home and discovered a printer, HVS paper, a mobile phone, and other counterfeit production equipment. This evidence enabled investigators to link circulation with counterfeiting, so the charges covered not only Article 36(3) of the Currency Law on circulating counterfeit

money but also Article 36(1) on counterfeiting rupiah.

In Decision Number 99/Pid.B/2025/PN Sgm, by contrast, the investigation was substantially more complex. Investigators needed to identify relationships among offenders, trace the production site, seize printing equipment, submit suspect notes for laboratory examination, and determine each individual's role. The investigation adopted a scientific investigation approach because the evidence was not limited to the defendant's confession; it also included Bank Indonesia's laboratory findings, printing equipment, electronic devices, printers, screen-printing tools, specialized inks, and mutually corroborating witness testimony.

From a criminal justice perspective, the investigations in both cases demonstrate increasing professionalism among law enforcement officials in uncovering counterfeit currency offenses. This is important because counterfeiting frequently overlaps with organized crime, money laundering, and other economic crimes.

The next stage is prosecution by the Public Prosecutor. Both cases demonstrate that prosecutors carefully drafted indictments based on legal constructions corresponding to each defendant's conduct.

In the Cirebon case, the indictment contained cumulative charges because the defendant not only circulated counterfeit notes but also manufactured them. This approach shows that the prosecutor sought to cover the entire sequence of criminal acts without overlooking any part of the offense.

Conversely, in the Sungguminasa case, alternative and layered charges were filed under Article 37(1), Article 37(2), and Article 36 of the Currency Law in conjunction with Article 55 of the Criminal Code. This charging strategy demonstrates the prosecutor's caution in addressing offenses involving participation (deelneming). Layered charges are significant because each offender contributed differently to counterfeit production, allowing the panel of judges to select the provision most consistent with the facts established at trial.

The court proceedings indicate that due process of law was implemented proportionately. Both defendants were represented by legal counsel, had opportunities to present a defense, and received the procedural rights provided by the Criminal Procedure Code. Thus, despite the seriousness of counterfeiting, enforcement continued to respect defendants' human rights as part of the right to a fair trial.

In evaluating evidence, the judges applied the standard set out in Article 183 of the Criminal Procedure Code: at least two forms of lawful evidence plus the judge's conviction. The evidence included witness testimony, expert testimony from Bank Indonesia, counterfeit notes and printing equipment, laboratory results, and the defendants' own statements. Accordingly, proof was based not merely on

confessions but on a combination of mutually reinforcing evidence.

3.2 Preventive Measures Against Counterfeit Currency Circulation, Enforcement Against Offenders, and Obstacles to Law Enforcement in Indonesia

Preventing counterfeit currency circulation in Indonesia involves a multi-stakeholder preventive approach. Bank Indonesia continues to improve rupiah security features to make counterfeiting more difficult and educates the public through the 3D method—look, feel, and hold up to the light—to identify genuine notes. Cross-agency coordination through the Counterfeit Rupiah Eradication Coordinating Agency (Botasupal) also strengthens information sharing, early detection, and responses to counterfeit money. Banks and retailers play an important role by using currency authentication devices and reporting suspected counterfeit notes to Bank Indonesia.

When preventive measures fail to stop counterfeit currency circulation, enforcement proceeds through preliminary inquiries and investigations by the Police, particularly the Special Economic Crimes Directorate of the National Police Criminal Investigation Department and regional police units. During the evidentiary process, investigators coordinate with Bank Indonesia as the currency authenticity expert and with prosecutors before transferring cases to court. Offenders are subject to criminal penalties under the Currency Law and the Criminal Code, and seized counterfeit currency is destroyed to prevent its recirculation.

Nevertheless, the enforcement of counterfeit currency offenses continues to encounter numerous obstacles. Legally, proving intent and possible overlaps between the Currency Law and the Criminal Code complicate evidentiary proceedings. Technically, advances in printing technology and distribution through digital channels make detection and offender tracing increasingly difficult, while limited availability of detection equipment in some regions remains an obstacle. Institutionally, interagency coordination, insufficient investigative resources, and transnational networks pose additional difficulties. Sociologically, low levels of public reporting and uneven understanding of genuine currency security features prevent anti-counterfeiting efforts from being fully effective. Overall, effective countermeasures require synergy among prevention, law enforcement, stronger institutional coordination, technology use, and greater public awareness.

4. CONCLUSION

Counterfeit currency circulation is a criminal offense that affects fundamental legal interests, namely public confidence in the monetary system and the authority of the state. Indonesia's legal framework has undergone a significant transformation from the colonial-era Criminal Code and the Currency Law to the National Criminal Code, effective January 2, 2026, followed by further adjustments under Law Number 1 of 2026 concerning Criminal Law Adjustments. Yet this progressive normative framework will be meaningful only if supported by solid law enforcement in practice, including interagency cooperation, rigorous proof of offenders' knowledge, institutional preparedness for regulatory transition, and an optimized multi-door approach to disrupting the economic networks behind the offense. Enforcement against counterfeit currency therefore serves not only a repressive function but also a crucial role in safeguarding economic stability and public confidence in the integrity of the rupiah as a symbol of national sovereignty.

Counterfeit currency crime in Indonesia has been addressed through a comprehensive approach encompassing prevention by strengthening banknote security features, public education, and

institutional cooperation through Botasupal; and repressive action through investigation, prosecution, and destruction of seized evidence, coordinated among the National Police, Bank Indonesia, and the Prosecutor's Office. This is reflected in a decline in the ratio of counterfeit currency findings from five ppm in 2023 to one ppm in April 2026. Nevertheless, the effectiveness of enforcement continues to face legal, technical, structural, and sociological obstacles that require ongoing improvements if counterfeiting is to be more effectively eradicated.

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