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The Attorney General of The Republic of Indonesia Wiretaps Corruption Crimes

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Abstract

Purpose: This study aims to analyze the legal basis and limitations of the prosecutor's authority to conduct wiretapping against parties potentially involved in corruption offenses, and to examine its implementation in the practice of corruption law enforcement.

Research Methodology: This study employs a juridical-empirical approach. The research was conducted at the Bandar Lampung District Prosecutor's Office. Data were collected through in-depth interviews with prosecutors and related law enforcement officers, supported by a review of laws and regulations, legal documents, and scholarly literature on prosecutorial authority, wiretapping, and corruption offenses.

Results: The findings indicate that prosecutors in Indonesia do not have general or independent authority to conduct wiretapping. The Prosecutor's Law does not explicitly regulate wiretapping authority for prosecutors. In practice, prosecutors do not carry out wiretapping directly, but only make use of wiretapping results lawfully obtained by authorized institutions, such as the Corruption Eradication Commission, in accordance with applicable legal procedures.

Conclusions: This study is limited to law enforcement practice at the Bandar Lampung District Prosecutor's Office and relies on interview data from a limited number of informants, so its findings do not fully represent the practice of wiretapping by prosecutors in other regions of Indonesia.

Contribution: This study contributes to the development of criminal law and criminal procedure law by clarifying the limits of prosecutorial authority in wiretapping practices, and provides insights for policymakers and law enforcement agencies to strengthen legal certainty and human rights protection in corruption law enforcement.

Keywords: *Corruption Crime, Human Rights, Law Enforcement, Prosecutorial Authority, Wiretapping*

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1. Introduction

Corruption is an act that can harm state finances and the national economy. The word "corruption" derives from the Latin *corruptio* or *corruptus*, meaning decay or moral deterioration. The term has entered the Indonesian vocabulary, and according to the General Dictionary of the Indonesian Language (KUBI), corruption refers to being corrupt, rotten, or depraved, being inclined to accept bribes, and using power for personal interest, among other meanings (Rachmadi & Dollu, 2024).

Corruption has long been classified as an extraordinary crime because of its significant impact on state stability, public trust, and the national development process. Its handling therefore requires an extraordinary approach within the law enforcement system (Charinda & Charinda, 2024).

Corruption systematically undermines the integrity of public institutions, weakens the rule of law, and disrupts the effective implementation of government policy. It diverts public resources that should be allocated to social welfare, infrastructure development, health, education, and other essential public services toward private interests, thereby widening social inequality and lowering the population's quality of life. The pervasive nature of corruption also erodes public trust in government institutions, law enforcement officers, and the judicial system, creating a culture of distrust that threatens democratic governance and accountability (Salsabila et al., 2024).

The development of information technology has changed the way society conducts transactions, with the growing use of online platforms for buying and selling goods and services. Rapidly advancing technology plays an important role in society, simplifying the management of everyday information (Pantow, 2025). Increasingly sophisticated methods used in corruption cases make law enforcement efforts more difficult. Perpetrators frequently exploit technological advances, encrypted communications, complex financial transactions, and networks involving multiple actors to conceal their criminal activities. As a result, conventional investigative techniques are often inadequate to uncover corruption schemes and obtain convincing evidence (Saputri & Hartanto, 2025)

Under these circumstances, law enforcement officers require more effective investigative measures, including the lawful use of special investigative techniques such as wiretapping. Driven by the desire for legal reform, awareness has grown around the need to uncover criminal offenses, including through legal policy on wiretapping. Wiretapping results intended for use as evidence in investigations addressing offenses that are difficult to prove such as organized and structured crimes like corruption and terrorism are essential in this regard (Daun et al., 2022). Strengthening the legal framework governing wiretapping authority is crucial to ensure the effectiveness of corruption eradication while still respecting constitutional rights, due process of law, and the protection of individual privacy (Putri et al., 2017). Comparative work on encryption regulation similarly shows that legal systems worldwide are still adjusting their evidentiary and procedural frameworks to keep pace with technologies that both facilitate and conceal criminal communication (Dizon & Upson, 2021).

Corruption in Indonesia has permeated nearly every aspect of public life and government administration, at both the central and regional levels. Corrupt practices not only cause financial losses to the state but also produce multidimensional impacts, including social inequality, declining public service quality, and the erosion of officials' moral legitimacy. Corruption offenses are often systematic, organized, and sustained, making them difficult to uncover using conventional evidence alone. Combating corruption therefore requires an extraordinary approach supported by strong legal instruments that can adapt to developments in information technology (Suraya & Afrijal, 2026). Beyond the immediate financial losses it causes, corruption also complicates efforts to recover state assets once a case has been decided, since asset-recovery mechanisms depend on evidence and legal instruments that are frequently contested during enforcement (Rukmono, Suwadi, & Islam, 2024).

The digital era has created bureaucratic efficiency while simultaneously opening new opportunities for system abuse. Corruption is no longer always carried out through cash handovers but can occur through layered transfers, e-wallets, cryptocurrency, e-procurement manipulation, the erasure of electronic document trails, and the use of falsified digital identities. The main characteristics of digital corruption are minimal physical contact, electronic traces that can be deleted or disguised, and the involvement of corporate and technology actors. This makes proving such offenses more difficult when law enforcement officers still rely on conventional investigative patterns. These technological developments also create new challenges for law enforcement in gathering reliable evidence and identifying the parties involved in organized corruption networks (Ramadhani & Oktaviani, 2026).

Comparable concerns have been raised in relation to online financial crime more broadly, where the criminal misuse of information technology and the leakage of personal data have prompted calls for a more responsive criminal law policy (Sabadina, 2021).

In response to these challenges, electronic evidence has become an inseparable component of modern criminal investigation. In this context, evidence is no longer limited to conventional forms such as witness testimony and documents, but also includes electronic evidence such as video recordings, digital communications, and electronic financial transactions, which often serve as important sources of evidence to prove the existence of criminal agreements, trace illegal fund flows, and identify the role of each party involved in corruption offenses (Supamdi & Yusuf, 2026) . Therefore, investigators' ability to lawfully obtain and analyze electronic evidence has become increasingly important to ensure effective prosecution and the successful conviction of corruption offenders Comparative research on the acquisition and presentation of digital evidence in Indonesian criminal trials likewise confirms that electronic evidence, once properly authenticated, now plays a decisive role in securing convictions that conventional evidence alone could not sustain (Santosa & Kamali, 2022).

Among the various investigative techniques available, wiretapping is regarded as one of the most effective legal instruments for uncovering corruption offenses. In practice, wiretapping has become a reliable tool in proving corruption cases, particularly because perpetrators often use closed communication channels to conceal criminal intent and plans. Through wiretapping, law enforcement can obtain information such as voice recordings, digital data, or other electronic communications that can legally serve as circumstantial evidence (Dolansyah, Zurnetti, & Yoserwan, 2025a).

Nevertheless, the use of wiretapping raises its own legal issues, particularly concerning the right to privacy and human rights (Dolansyah et al., 2025a). This principle reflects Indonesia's commitment to the rule of law, which requires that every exercise of state power be based on clear legal authority and carried out in accordance with the principles of legality, accountability, and the protection of fundamental human rights (Ratna et al., 2024). Wiretapping should therefore only be carried out through strict legal procedures, supported by effective oversight and accountability mechanisms, to prevent arbitrary interference with citizens' constitutional rights. Applying the principle of due process of law is therefore essential in regulating the use of wiretapping as a special investigative measure. Without adequate legal protection, judicial oversight, and transparent procedures, wiretapping carries a substantial risk of abuse and could become an instrument of excessive state intervention, undermining civil liberties and individual freedom. A democratic legal system requires that any interception of private communications be carried out solely for legitimate law enforcement purposes and within clear legal limits. Such protection is necessary to strike the right balance between the state's obligation to combat serious crime and its responsibility to protect human rights and constitutional freedoms (Sethiawanza, 2023)

In the context of combating corruption, Indonesian legislation explicitly grants wiretapping authority to the Corruption Eradication Commission (KPK), recognizing wiretapping as one of the most effective investigative techniques for uncovering organized and concealed corruption offenses (Sukmareni et al., 2020). This authority reflects the legislature's recognition that corruption is an extraordinary crime requiring extraordinary measures in its investigation and prosecution. Through wiretapping, investigators can obtain direct evidence of unlawful communications, identify criminal networks, trace illegal financial transactions, and uncover the involvement of public officials or private individuals who deliberately conceal their criminal activities. Wiretapping is thus conducted to obtain authentic evidence with strong evidentiary value, to be used in court proceedings particularly in corruption cases, which are generally difficult to prove through conventional means (Pakpahan et al., 2025)

However, the legal position of the Prosecutor's Office of the Republic of Indonesia presents a more complex and controversial issue. As one of Indonesia's principal law enforcement institutions, the Prosecutor's Office is statutorily authorized to conduct investigation and prosecution for certain categories of criminal offenses, including corruption, as regulated under Indonesia's anti-corruption legislation (Kaihena et al., 2023). Its prosecutorial function extends beyond filing criminal indictments in court to include investigative responsibility in cases involving state financial losses and other forms of corruption within its jurisdiction. This dual role places the Prosecutor's Office in a strategic position within Indonesia's criminal justice system and underscores its significant contribution to national anti-corruption efforts (Nuryono, 2024).

Furthermore, the enactment of Law Number 11 of 2021 on the Amendment to Law Number 16 of 2004 on the Prosecutor's Office of the Republic of Indonesia has significantly strengthened the institutional role of the Prosecutor's Office, particularly in the field of prosecutorial intelligence. The amended law expands the Prosecutor's Office's intelligence authority to support law enforcement activities through the collection of intelligence information, data gathering, surveillance, and other strategic functions aimed at preventing and addressing criminal offenses, including corruption (Hariwangsa et al., 2026). This authority reflects the government's intent to improve the Prosecutor's Office's effectiveness in responding to increasingly sophisticated forms of organized crime that frequently exploit digital communication technology and covert methods of operation. Despite this institutional expansion, the law does not explicitly or comprehensively regulate or define the Prosecutor's Office's authority to conduct wiretapping in corruption investigations.

Unlike the KPK, whose wiretapping authority is explicitly regulated by law along with its procedural requirements and legal safeguards, the Prosecutor's Office operates without a clear and specific legal framework governing the interception of communications. This absence of explicit statutory provisions has given rise to differing interpretations among legal scholars, practitioners, and law enforcement officers as to whether the Prosecutor's Office's intelligence function may legitimately extend to wiretapping activities. As a result, uncertainty persists regarding the legal basis, procedural limitations, the admissibility of wiretapping results as evidence, and the extent of the Prosecutor's Office's authority in carrying out such investigative measures (Munandar et al., 2023)

Based on the foregoing discussion, it can be understood that the prosecutor's authority to conduct wiretapping is a complex and sensitive legal issue. On one hand, wiretapping is needed as an effective instrument in combating hidden and organized corruption offenses. On the other hand, such action has the potential to violate privacy and human rights if not strictly regulated. Therefore, a study on the prosecutor's authority to conduct wiretapping, particularly in the practice of corruption law enforcement within urban communities, is important to provide clarity and ensure a balance between the effectiveness of law enforcement and the protection of human rights.

2. Literature Review

2.1 General Definition of Corruption Crime

Corruption is part of Indonesia's special criminal law (*ius singulare, ius speciale, or bijzonder strafrecht*) and positive law (*ius constitutum*) (Rahmatillah, 2024). It is regulated under Law of the Republic of Indonesia Number 31 of 1999 as amended by Law Number 20 of 2001 on the Eradication of Corruption Crimes. Etymologically, the term "corruption" derives from the Latin *corruptio* or *corruptus*, meaning moral decay or deterioration. In a legal context, corruption encompasses the abuse of power or position for personal or group interests that causes financial harm to the state (Prasetiya et al., 2026).

The word *corruptio* entered the English language as "corruption" and the Dutch language as *corruptie*, which was subsequently absorbed into Indonesian as *korupsi*. According to the General Dictionary of the Indonesian Language (KBBI), corruption is the misappropriation or misuse of state funds (of a company, organization, foundation, and so forth) for personal gain or the benefit of others. The Asian Development Bank (ADB) defines corruption as conduct involving improper and unlawful behavior by public and private sector employees to enrich themselves and those closest to them. Under Indonesian law, corruption can be categorized into seven types: losses to state finances, bribery, extortion, embezzlement in office, fraud, conflicts of interest in the procurement of goods and services, and gratification (Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 on the Eradication of Corruption Crimes, as set out in its 30 articles)(Toeweh, 2023).

Corruption is categorized as an extraordinary crime because of its highly detrimental impact on the state and society. Law enforcement against corruption has been carried out through the establishment of the Corruption Eradication Commission (KPK), the strengthening of regulations, and the establishment of anti-corruption courts (Radja, 2024). Addressing corruption also requires an extraordinary approach within the law enforcement system, as reflected in earlier legal provisions particularly Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 on the Eradication of Corruption Crimes which were specifically designed to handle corruption offenses through legal procedures distinct from general criminal law (Charinda & Charinda, 2024).

2.2 The Prosecutor's Wiretapping Authority in Combating Corruption Crime

Wiretapping is one of the investigative techniques frequently used in proving corruption offenses. Such crimes are often committed covertly and systematically, involving organized networks of perpetrators, making them difficult to prove through conventional methods such as witness testimony or documentary evidence. In this context, wiretapping becomes important because it can reveal communications between perpetrators that may serve as evidence of criminal intent, agreement, or the commission of the offense itself.

The House of Representatives of the Republic of Indonesia (DPR-RI) approved the Draft Law on the Prosecutor's Office (RUU Kejaksaan), which became Law Number 11 of 2021 on the Amendment to Law Number 16 of 2004 on the Prosecutor's Office of the Republic of Indonesia (the Prosecutor's Law). This law is highly significant for the Prosecutor's Office, particularly in relation to combating corruption. Law Number 16 of 2004 on the Prosecutor's Office of the Republic of Indonesia, in Article 30 Paragraph (1) letter d, describes the Prosecutor's Office's duties and authority in the criminal field as conducting investigations into certain criminal offenses as provided by law (Indiva et al., 2025). Following the amendment, this authority was supplemented by the provisions of Article 30B letter d of the Prosecutor's Law, which affirms that the Prosecutor's Office has the authority to prevent corruption, collusion, and nepotism (Wahab et al., 2026). Moreover, to strengthen this authority, the amended Prosecutor's Law granted the Prosecutor's Office the authority to conduct wiretapping under Article 30C letter i. This provision affirms that, in addition to carrying out the duties and authority referred to in Articles 30, 30A, and 30B, the Prosecutor's Office may also conduct wiretapping based on a special law governing wiretapping and may operate a monitoring center in the field of criminal offenses (Sofyan, 2024).

In addressing corruption offenses in Indonesia, investigations are conducted by three different institutions: the Police, the Prosecutor's Office, and the KPK. Of these three, only the KPK has a distinct subject-matter jurisdiction from the others; under Article 11 of the KPK Law, the KPK only investigates certain categories of corruption offenses. This is not the case for the Police and the Prosecutor's Office, which also hold investigative authority over corruption offenses without a clear division of jurisdiction between them. Both institutions may investigate corruption offenses that do not fall under the KPK's authority. As a result, the Prosecutor's Office holds a dual authority, since in addition to prosecution, it also holds investigative authority. This dual authority is prone to abuse due to the absence of adequate controls over the exercise of both functions. The duality arises because, alongside investigating corruption offenses, prosecutors continue to perform their primary function as public prosecutors-prosecution being the stage that follows the completion of an investigation in the criminal justice process (Latifah, 2016).

2.3 The Evidentiary Value of Wiretapping Results in Corruption Cases

Evidence plays a central role in court examination proceedings. Under the Indonesian Criminal Procedure Code (KUHAP), evidence is a critical part of the examination of criminal cases in court. Criminal proceedings under the KUHAP are, in principle, open to the public and attended by all parties, including the judge, the prosecutor, defense counsel, and the defendant (Hulu, 2022).

In order to prove the occurrence of corruption-such as unlawful bribery or gratification by government officials, for instance the distribution of fees for a procurement project or a policy that benefits certain business actors in government projects year after year-given the number of cases that occur, the amount of losses to state finances, and the structured and systematic nature of such offenses, wiretapping is needed to uncover bribery that is concealed or conducted covertly. Special measures by corruption investigators are therefore required to gather evidence through the interception of telephone communications of individuals reasonably suspected of committing corruption (Munandar et al., 2023).

Wiretapping enables state officials to covertly listen to, monitor, record, intercept, and analyze the communications of suspected offenders in real time. In many mega-corruption cases handled by the Corruption Eradication Commission (KPK), wiretapping operations have consistently proven to be a game-changer, producing irrefutable preliminary evidence. However, wiretapping carried out without a strong legal basis, without strict procedures, and without oversight from an independent judicial body will immediately risk descending into serious human rights violations and the abuse of authority by law enforcement officers (Rakanadi, 2026).

2.4 Research Gap
Previous studies have generally examined wiretapping in the eradication of corruption crimes in Indonesia with a focus on the authority of the Corruption Eradication Commission (KPK), while studies on the authority of the Prosecutor's Office of the Republic of Indonesia remain relatively limited, even though the Prosecutor's Office also holds a strategic role in the investigation and prosecution of corruption cases. However, studies analyzing the prosecutor's authority to conduct wiretapping against perpetrators of corruption crimes have not yet been widely discussed. This gap indicates the need for doctrinal and empirical analysis focusing on judges' legal reasoning in cases of this kind

2.5 Research Question
Based on the foregoing, this research addresses the following research question: How is the authority of prosecutors to conduct wiretapping on individuals suspected of potentially committing acts of corruption in Indonesia?

3. Research Methodology
This study employs an empirical (juridical-empirical) approach, examining the application of law in practice and assessing the extent to which positive legal norms concerning the prosecutor's authority to conduct wiretapping are implemented in the field. This approach not only examines normative provisions such as applicable laws and regulations but also observes empirical facts through interviews, observation, and documents on law enforcement practice at the Bandar Lampung District Prosecutor's Office. Through this approach, the researcher seeks to understand the relationship between the legal basis for wiretapping authority and the reality of its implementation in practice, particularly in the context of handling corruption cases. The findings of this study are thus expected to provide a concrete picture of the extent to which the prosecutor's wiretapping authority is applied and the obstacles encountered in the field.

The collected data were selected, classified, and systematized based on their relevance to the research focus. Field data were processed qualitatively, while legal data were compared against empirical practice to identify consistencies or inconsistencies between legal norms and their implementation.

4. Results and Discussions
4.1 Legal Basis For The Prosecutor's Authority To Conduct Wiretapping In Handling Corruption Crimes.
Based on an interview conducted by the author with Mr. Ricky Indra Gunawan, S.H., M.H., it was explained that prosecutors in Indonesia do not have general authority to conduct wiretapping against every person who potentially commits corruption. Wiretapping directly restricts the right to privacy and human rights, so under the principle of the rule of law it may only be carried out if explicitly regulated by law and implemented by an institution explicitly granted such authority. Law Number 11 of 2021 on the Prosecutor's Office of the Republic of Indonesia does expand the role and function of the Prosecutor's Office in law enforcement. One such strengthening is reflected in Article 30B, which regulates the Prosecutor's Office's authority in the field of law enforcement intelligence. This article

grants the Prosecutor's Office authority to collect data and information, map threats, and provide intelligence support for law enforcement purposes.

However, the norm in Article 30B does not explicitly mention wiretapping authority, and therefore cannot be interpreted as a direct legal basis for prosecutors to conduct wiretapping independently. Intelligence activities referred to in Article 30B must still be carried out within legal bounds and may not exceed the limits of authority determined by law. Therefore, although the Prosecutor's Office has an intelligence function, that function does not automatically include wiretapping, given that wiretapping is a special (extraordinary) measure requiring its own legal basis and strict oversight.

This is reinforced by Article 30K of the Prosecutor's Law, which affirms that in exercising its authority, the Prosecutor's Office must uphold the principles of human rights, the rule of law, and prudence. This article implicitly limits the exercise of the Prosecutor's Office's authority so that it does not contravene the principle of protecting citizens' basic rights, including the right to privacy. In the context of corruption offenses, Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 on the Eradication of Corruption Crimes likewise does not grant wiretapping authority to prosecutors. That law focuses more on regulating the elements of corruption offenses, the types of prohibited acts, and the mechanisms of law enforcement, without providing normative legitimacy for wiretapping authority for the Prosecutor's Office.

In contrast, wiretapping authority in corruption cases is explicitly granted to the Corruption Eradication Commission (KPK) through Law Number 19 of 2019 on the KPK. This law explicitly regulates the requirements, procedures, and mechanisms of wiretapping as part of the KPK's special authority in combating corruption. This shows that the legislature deliberately and consciously restricted such authority to the KPK.

In addition, Law Number 36 of 1999 on Telecommunications, along with various Constitutional Court rulings, restrict wiretapping authority to certain designated institutions only. The Constitution affirms that wiretapping constitutes a restriction on human rights that may only be carried out on the basis of statute and by officials explicitly granted such authority. This interpretation is consistent with Article 30K of the Prosecutor's Law, which requires that every exercise of the Prosecutor's Office's authority be carried out accountably and with respect for human rights.

Accordingly, if a prosecutor uses wiretapping results in a corruption prosecution, such results must originate from a legitimate institution, such as the KPK, and must have been obtained in accordance with applicable legal procedures. Prosecutors cannot rely on Article 30B as the legal basis for wiretapping authority, but may only make use of lawfully obtained wiretapping results for evidentiary purposes at trial. If wiretapping is carried out without a clear legal basis, or exceeds the limits of authority set out in Articles 30B and 30K of the Prosecutor's Law, such action potentially violates the principles of due process of law, legality, and human rights protection. Consequently, the evidence obtained from such wiretapping may be declared inadmissible, with the effect of invalidating the prosecution process.

4.2 The Implementation of Prosecutorial Authority to Conduct Wiretapping in the Enforcement of Corruption Crimes in Bandar Lampung

Based on an interview conducted by the author with Mr. Ricky Indra Gunawan, S.H., M.H., it is known that in the practice of corruption law enforcement in Bandar Lampung, prosecutors do not exercise wiretapping authority directly and independently in the way the Corruption Eradication Commission does. Prosecutors at the regional level, at both the District and High Prosecutor's Offices of Bandar Lampung, carry out corruption case handling while adhering to the principles of legality and the limits of authority set out in the applicable laws and regulations. Wiretapping is understood as a highly intrusive measure because it touches on the right to privacy and human rights, so in practice prosecutors exercise great caution and do not make wiretapping the primary instrument for proving corruption cases. This concern for privacy is consistent with broader human-rights scholarship on surveillance, which cautions that expanding the reach of interception technologies without adequate safeguards can undermine the very rights that criminal law is meant to protect (Sekalala, Dagron, Forman, & Meier, 2020).

This cautious approach is consistent with Article 31 Paragraph (1) of Law Number 11 of 2008 on Electronic Information and Transactions, as amended by Law Number 19 of 2016, which expressly prohibits any person from intercepting or wiretapping the electronic information and/or electronic documents of others. This provision affirms that wiretapping is fundamentally a prohibited act, except when carried out under conditions and by parties expressly permitted by law.

At the investigation and inquiry stages of corruption cases, prosecutors in Bandar Lampung prioritize the collection of conventional evidence as regulated under the KUHAP, namely witness testimony, expert testimony, documents, indications, and the defendant's statement. Where confidential communication information is needed, prosecutors generally do not conduct wiretapping themselves but instead coordinate with other law enforcement agencies that are explicitly authorized by law to conduct wiretapping, such as the KPK or the Police, within their respective authority. Wiretapping results obtained from such authorized institutions may then be used by prosecutors as supporting evidentiary material, provided the wiretapping was conducted lawfully and in accordance with legal procedure.

This practice aligns with Article 31 Paragraph (3) of the ITE Law, which states that the prohibition on wiretapping under Paragraph (1) may be excepted for law enforcement purposes at the request of the Police, the Prosecutor's Office, or other law enforcement institutions designated by law. However, the phrase “as provided by law” indicates that such authority is not automatic but must be supported by a specific regulation that explicitly grants wiretapping authority to the institution concerned. In the case of the Prosecutor's Office, such explicit provision has not yet been clearly established in law.

Furthermore, in the context of prosecutorial intelligence as regulated under the Prosecutor's Law, prosecutors do have authority to conduct law enforcement intelligence activities, including the collection of data and information. In practice in Bandar Lampung, however, this authority is applied mostly in the form of monitoring, open-source information gathering, data clarification, and preliminary analysis of suspected corruption offenses, rather than direct interception of a person's communications. This approach is taken to avoid violating Article 31 Paragraphs (1) and (2) of the ITE Law and to ensure that the evidence collected is not at risk of being declared inadmissible by the court.

At the prosecution stage, prosecutors in Bandar Lampung are also selective and careful in using wiretapping results. Where such results are presented as evidence, prosecutors must ensure that the wiretapping was carried out by an authorized institution, based on a lawful order or permit, and relevant to the case being handled. If these requirements are not met, prosecutors generally do not treat the wiretapping results as primary evidence, since doing so could violate the principle of due process of law and conflict with the privacy protections guaranteed under the ITE Law. This is consistent with prior analysis of the legality of electronic evidence obtained through wiretapping, which finds that such evidence retains its evidentiary value in court only when the interception itself was carried out through a lawful and properly authorized process (Sekarsari, 2019).

It can thus be concluded that the exercise of prosecutors' wiretapping authority in the practice of corruption law enforcement in Bandar Lampung is indirect, limited, and dependent on inter-agency cooperation among law enforcement institutions. Prosecutors act more as parties who make use of lawfully obtained wiretapping results from other institutions, rather than as the executors of the wiretapping itself. This pattern shows that the Prosecutor's Office seeks to balance the effectiveness of corruption eradication with respect for criminal procedure law and the protection of human rights, particularly the right to privacy in electronic communications as regulated under the ITE Law Number 11 of 2008 in conjunction with Law Number 19 of 2016.

5. Conclusions

5.1 Conclusion

Based on the research findings, it can be concluded that prosecutors in Indonesia do not have general or independent authority to conduct wiretapping in the enforcement of corruption law. Wiretapping restricts the right to privacy and human rights, and may therefore only be carried out by an institution explicitly granted such authority by law. The provisions of Article 30B of Law Number 11 of 2021 on the Prosecutor's Office of the Republic of Indonesia cannot serve as the legal basis for wiretapping, since they merely regulate an intelligence function consisting of data collection and analysis. In corruption cases, wiretapping authority is explicitly granted only to the Corruption Eradication Commission. Prosecutors may therefore only use wiretapping results lawfully obtained from an authorized institution as evidence in prosecution. Every use of wiretapping results by prosecutors must satisfy the principles of legality and due process of law, since wiretapping without a clear legal basis has the potential to violate human rights and result in evidence being declared inadmissible.

The handling of corruption cases places greater emphasis on the use of evidence in accordance with the KUHAP, while wiretapping information is obtained through cooperation with authorized institutions such as the KPK. The Prosecutor's Office's intelligence authority is not interpreted as wiretapping authority but is limited to the lawful collection of information. This pattern shows that the exercise of prosecutors' wiretapping-related authority is indirect and limited, reflecting a balance between the effectiveness of law enforcement and the protection of human rights.

5.2 Research Limitation

This study has several limitations. First, it was conducted only at the Bandar Lampung District Prosecutor's Office, so the findings reflect the practice of a single regional prosecutorial institution and may not fully represent how wiretapping authority is exercised or understood by prosecutors in other regions of Indonesia. Second, the empirical data were obtained through in-depth interviews with a limited number of informants, primarily prosecutors and related law enforcement officers, which limits the diversity of perspectives, including the views of the judiciary, legal counsel, and civil society organizations concerned with privacy and human rights issues. Third, this study uses a juridical-empirical approach that emphasizes qualitative description of legal norms and field practice within a specific period of time.

Finally, because the legal framework governing the Prosecutor's Office's authority including the Prosecutor's Law and other related regulations continues to develop, the conclusions of this study are bound to the legal conditions prevailing at the time the research was conducted and may need to be revisited as new regulations emerge or judicial interpretation evolves.

5.3 Suggestions and Directions for Future Research

Given these limitations, future research is recommended to employ a juridical-empirical approach to examine the practice of wiretapping cooperation between the Prosecutor's Office and other law enforcement institutions pending the establishment of a specific wiretapping law, as well as to conduct comparative legal studies on the wiretapping authority of anti-corruption institutions in other countries. To lawmakers, this study recommends that deliberation on the Draft Law on Wiretapping be accelerated, with meaningful participation from the Prosecutor's Office, academics, and civil society, so as to produce regulations that guarantee the effectiveness of corruption eradication while protecting citizens' right to privacy.

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