

The Role of Criminal Procedure Law in Banking Corruption Cases Handled by the KPK: Ensuring the Protection of Suspect Rights

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Abstract

The purpose of this study is to analyze the application of criminal procedural law by the Corruption Eradication Commission (KPK) in handling banking cases and to evaluate the extent to which criminal procedural law is able to protect the rights of suspects in the process. This study uses a normative legal method with a statutory, conceptual, and case approach, which is analyzed qualitatively to examine the conformity between criminal procedural law norms and law enforcement practices by the KPK in banking cases, and to assess the extent to which suspects' rights are protected in the process. The results of the study indicate that although the application of criminal procedural law by the KPK in handling banking cases is effective in eradicating corruption, serious problems remain regarding the protection of suspects' rights, especially in terms of investigation, detention, and media exposure. Although Indonesian criminal procedural law has normatively guaranteed the basic rights of suspects, its practice still faces implementation challenges, such as procedural violations in handling complex banking cases. Therefore, harmonization between the KPK's authority and the provisions of the Criminal Procedure Code (KUHP), strengthening regulations, and increasing the professionalism of law enforcement officers are needed to ensure a fair legal process and effectively protect suspects' rights.

I. Introduction

A democratic state of law places the law as the supreme commander in every aspect of national and state life. Within this framework, criminal law plays an important role in upholding justice, maintaining public order, and protecting human rights. One of the most important instruments in the criminal justice system is criminal procedure law, which regulates the procedures for law enforcement from the investigation, inquiry, prosecution, to the execution of court decisions. Criminal procedure law is not merely a technical judicial apparatus, but also a guarantee of the protection of individual rights, especially those in vulnerable positions such as suspects and defendants.(Kenedi, 2017)

In the Indonesian context, criminal procedure law is regulated by Law Number 8 of 1981 concerning the Criminal Procedure Code (KUHAP). Despite being more than four decades old, the KUHAP remains the primary basis for the implementation of criminal justice processes. The KUHAP states that the purpose of criminal procedure law is to legally and fairly seek and obtain material truth, and to ensure that no one is subjected to legal action except based on applicable law. Principles such as the presumption of innocence, the right to legal assistance, the right to remain silent, and protection from inhumane treatment form the foundation of Indonesian criminal procedure law.(Ashila et al., 2023)

However, the implementation of criminal procedure law in practice often faces various challenges, especially when applied in handling complex cases that involve broad public interests. One example is corruption cases in the banking sector handled by the Corruption Eradication Commission (KPK). The KPK, as a state institution specifically formed to eradicate corruption, has unique characteristics, both in terms of authority, work mechanisms, and social legitimacy. This institution has the authority to conduct investigations, inquiries, and prosecutions independently, without having to coordinate with other law enforcement institutions such as the police or the prosecutor's office.(Chandra, 2023)

On the one hand, the existence of the KPK has given great hope in uncovering large corruption cases that were previously difficult to touch by conventional law enforcement officials. However, on the other hand, the extraordinary power possessed by the KPK often causes problems, especially regarding the guarantee of the protection of suspects' rights. When someone is designated as a suspect by the KPK, they are immediately exposed to very significant public attention, with various heavy social and psychological consequences. The investigation process, accompanied by detention, asset seizure, and media exposure, can create enormous pressure on the suspect, even before there is a legally valid court decision.

This issue becomes even more sensitive when it concerns cases in the banking sector. Banking is a crucial pillar of the national economic system. Crimes in this sector not only have implications for state losses but can also trigger instability in the financial system. In recent years, the KPK has handled a number of corruption cases in banking involving major players, from state officials and businessmen to senior officials in state-owned financial institutions. Handling these cases often involves asset seizure, account freezing,

and examination of customer data, which under Banking Law is guaranteed as bank secrecy.(Sayangbati, 2022) This is where the potential conflict arises between the extraordinary powers of the KPK and the principles of legal protection regulated in other regulations, including criminal procedure law.

In the KUHAP, the rights of suspects are guaranteed normatively. However, in practice, procedural violations often occur that actually lead to injustice. For example, detention carried out quickly without in-depth argumentation, refusal of access to legal counsel in the initial stages of the investigation, and delays in providing information to the suspect's family. Such practices, although technically justified by loose legal provisions, are still contrary to the spirit of justice and the principles of human rights protection.(Tambir, 2019) In banking cases, these violations can have a wider impact because they affect the reputation of financial institutions, public interest, and the credibility of the legal system itself.

Research into the role of criminal procedure law in banking cases handled by the KPK is crucial because it can show the extent to which legal procedures are carried out in accordance with the principles of due process of law. A fair legal process not only demands that the law be upheld, but also that it be upheld correctly and with dignity.(Sriwidodo, 2020) This is crucial to ensure that anti-corruption efforts do not morph into a repressive tool that disregards the fundamental rights of citizens. Especially in Indonesia's legal system, the presumption of innocence is a universal principle that must be upheld, even against those suspected of being involved in criminal acts that severely harm the state.

Furthermore, in the realm of modern criminal law, strengthening the rights of suspects is part of a global effort to strengthen procedural justice and ensure that every individual has equal legal protection before the courts. International conventions such as the International Covenant on Civil and Political Rights (ICCPR), which has been ratified by Indonesia through Law Number 12 of 2005, emphasize that everyone has the right to effective legal protection, including the right to a fair trial, the right to legal assistance, and the right not to be subjected to misleading news coverage before a final legal decision is made.(Sugistiyoko, 2024) In practice, violations of these provisions can damage the credibility of the legal system and create public distrust in the judiciary.

The Corruption Eradication Commission (KPK), as a law enforcement agency, needs to carry out its duties and authorities within a strict legal framework and uphold constitutional principles. Although the KPK has a strong mandate and high public support, it remains obligated to abide by the principles of legality and the protection of human rights. No institution in a state of law is immune to legal control.(D. Y. A. Putri, 2024) Therefore, an analysis of the criminal procedure practices implemented by the KPK in handling banking cases becomes crucial to determine whether the principle of justice is truly upheld or whether there are structural biases that disadvantage suspects.

In banking corruption cases, law enforcement touches not only criminal aspects but also involves civil, administrative, and even political aspects. The legal process carried out against a banking official, for example, is often perceived as part of an economic or political conflict of interest. In this situation, it is important for criminal procedure law to function

as a guardian of neutrality and a protector of the rights of all parties, so that there is no abuse of legal processes for purposes outside the law itself. (Sagimo, 2023) Thus, criminal procedure law is not merely a technical tool for investigation and prosecution, but also a mechanism for overseeing the authority of law enforcement.

Given the background described above, this research has high urgency, both theoretically and practically. This study is not only beneficial for the development of legal science, especially criminal procedure law, but is also important for policymakers, legal practitioners, and the wider community who desire a just, transparent, and human rights-upholding legal system. Protection of suspects' rights is not a defense of criminals, but rather a guarantee that legal processes are carried out with dignity and fairness. Only with a legal system that guarantees procedural justice can the state build public trust in the law and its enforcement institutions.

Based on the background explanation above, the author is interested in conducting research entitled "The Role of Criminal Procedure Law in Banking Cases at the KPK: Protecting the Rights of Suspects". The research problems are:

1. How is criminal procedure law applied by the KPK in handling banking cases?
2. To what extent is criminal procedure law able to protect the rights of suspects in banking cases handled by the KPK?

II. Research Method

This research uses a normative legal research method, which is an approach that emphasizes the study of legal norms written in legislation, court decisions, and other legal documents. (Marzuki, 2021) Normative legal research is doctrinal because it focuses on the systematic analysis of legal principles, legal concepts, and applicable legal rules. In the context of this research, law is viewed as a prescriptive norm and oriented towards what should be (*das sollen*), not on empirical facts that occur in the field (*das sein*). Therefore, this approach is considered appropriate to thoroughly examine how criminal procedure law should be implemented within the framework of protecting the rights of suspects, especially in the handling of banking cases by the Corruption Eradication Commission (KPK).

In conducting this normative research, the author uses several types of approaches. The first is the statutory approach. (Ali, 2010) This approach is used to examine various relevant positive legal regulations, including the Criminal Procedure Code (KUHAP), Law Number 30 of 2002 concerning the Corruption Eradication Commission (and its amendments), the Banking Law, and various other implementing regulations. This approach aims to understand the normative limits and scope of the KPK's authority in applying criminal procedure law, as well as the legal guarantees available to suspects in the Indonesian criminal justice system.

The second approach used is the conceptual approach. Through this approach, the author examines various basic concepts in criminal law and criminal procedure law, such as the concept of suspect rights, the principle of due process of law, the presumption of innocence, and the principle of legality in law enforcement. This approach is important to

examine whether the application of legal norms in law enforcement practices by the KPK is in line with the ideal concepts developed in legal literature, both nationally and internationally. This approach also helps the author to build a strong argumentative framework in assessing the conformity between written norms and practices in the field.

The third approach used is the case approach, namely by examining court decisions in corruption cases in the banking sector handled by the KPK. Through this approach, the author can see how the court assesses the legal actions taken by the KPK, especially in the investigation and prosecution stages. Analysis of court decisions will provide an overview of how the implementation of criminal procedure law is interpreted by judges, and to what extent the rights of suspects are considered and protected in the judicial process. This case approach also allows the author to identify certain patterns in law enforcement practices relevant to the focus of this research.

The sources of legal materials used in this research consist of three types, namely primary legal materials, secondary legal materials, and tertiary legal materials.(Muhaimin, 2020) Primary legal materials encompass all applicable and relevant legislation, such as the Criminal Procedure Code (KUHAP), the KPK Law, the Banking Law, and decisions of the Constitutional Court and the Supreme Court related to the implementation of criminal procedure law and the protection of suspect rights. Secondary legal materials include legal literature, scientific journal articles, previous research results, and opinions from criminal law experts and legal practitioners who provide theoretical and practical analysis of the issues raised in this research. Meanwhile, tertiary legal materials are used as supporting and supplementary materials, such as legal dictionaries, legal encyclopedias, and directories of legislation and court decisions.

The data collection technique in this research is carried out through library research.(Sugiyono, 2019) The author collects and examines various legal documents and literature relevant to the research topic. This study includes an in-depth review of legal texts, minutes of legislative discussions, scientific articles, textbooks, and academic notes related to criminal procedure law, the KPK, and the protection of suspect rights. In addition, the author also traces and analyzes court decisions available online through the official websites of the Supreme Court and the Constitutional Court, as part of the case approach.

The data analysis technique used in this research is a normative-qualitative analysis technique. The data obtained from various sources of legal materials will be analyzed descriptively and argumentatively by prioritizing legal logic, legal principles, and principles of justice. The analysis is carried out by examining the conformity between applicable legal norms and law enforcement practices carried out by the KPK, and testing whether the rights of suspects are truly guaranteed and protected in the ongoing legal process. In the analysis process, the author also compares national legal norms with applicable international standards in the criminal justice system, to see if there are gaps between normative provisions and implementation in practice.

Through this systematic and comprehensive approach, it is hoped that this research will be able to provide a scientific contribution to the development of criminal procedure

law, while also providing input for the renewal of a more just legal system that upholds human rights. This research is also expected to be a normative basis for improving law enforcement governance in Indonesia, especially in handling complex corruption cases involving strategic sectors such as banking.

III. Results and Discussion

Application of Criminal Procedure Law by the Corruption Eradication Committee in Handling Banking Cases

The application of criminal procedure law is a crucial element in the process of fair and transparent criminal law enforcement. Criminal procedure law not only regulates the formal mechanisms in the handling of cases but also serves as a protector of the rights of the parties involved in the process, especially suspects and defendants. In the Indonesian context, criminal procedure law is regulated in the Criminal Procedure Code (KUHP) as the main legal umbrella, which regulates procedures from investigation, investigation, prosecution, to the execution of court decisions. (Dwi Putri Melati & Bagus Setiadi, 2024) However, when this criminal procedure law is applied by a special institution such as the Corruption Eradication Commission (KPK), in the context of highly complex cases involving strategic sectors such as banking, various challenges arise, both in terms of legal substance, implementation mechanisms, and human rights protection guarantees.

The KPK, as an independent institution established under Law Number 30 of 2002 concerning the Corruption Eradication Commission (which has been amended several times), has a special mandate to handle corruption crimes exceptionally. In carrying out its duties, the KPK is given the authority to conduct investigations, investigations, and prosecutions independently, without having to go through a process involving other institutions such as the police or the prosecutor's office. This authority is intended to break the chain of intervention and conflicts of interest that often occur in conventional law enforcement. (Abdulkarim, 2022) However, this special authority has also sparked debate about the extent to which the application of criminal procedure law is carried out consistently and accountably by the KPK, especially in handling banking cases that tend to be complex and sensitive.

Banking cases handled by the KPK generally relate to abuse of authority, gratuities, bribery, to money laundering involving bank officials, regulators, and other strategic actors. Such cases not only involve state losses in terms of finance but also have a direct impact on the stability of the national financial system and public trust in financial institutions. Therefore, the KPK is required to work quickly, firmly, and effectively. (Siregar, 2023) However, this effectiveness must not ignore the principle of due process of law and the protection of human rights as mandated in criminal procedure law. This is where it is important to examine how the KPK applies criminal procedure law in practice, and whether the implementation of these procedures is in line with the principles of procedural justice guaranteed by the Indonesian constitution and positive law.

In the investigation and investigation stages, the KPK has full authority to summon, examine, and detain someone suspected of committing corruption. The KUHP stipulates

that the detention of a suspect can only be carried out if there are objective and subjective reasons, namely the existence of sufficient initial evidence and the fear that the suspect will flee, repeat their actions, or destroy evidence.(Rimbawa, 2021) The KPK's swift detention of suspects after their designation often draws criticism. While legally permissible, this raises concerns about whether suspects' rights to legal counsel and defense preparation are adequately considered.

Moreover, KPK's practice of holding press conferences and widespread media announcements following suspect designations, intended to promote transparency, often violates the presumption of innocence. This creates a strong public perception of guilt before judicial determination. While the KUHAP lacks explicit regulations on case publicity, the internationally recognized principle of a fair trial emphasizes preserving judicial integrity and the suspect's right to fair and non-discriminatory treatment.(Komisi Yudisial RI, 2022) In this context, the KPK's application of criminal procedure law should be viewed not only in terms of procedural compliance but also in light of the constitutional spirit protecting fundamental human rights.

Another crucial aspect of the KPK's application of criminal procedure law involves the process of gathering evidence and seizing assets. In banking cases, seizures can involve transaction documents, customer accounts, and even the bank's financial information system. Banking Law declares customer data confidential and accessible only under strictly defined conditions. However, the KPK Law empowers the KPK to seize documents and assets during the investigation of corruption crimes. The conflict between the principle of bank confidentiality and the KPK's seizure authority often creates a grey area leading to legal uncertainty.(N. S. Putri & Tajudin, 2014) In this situation, the application of criminal procedure law should serve as a clear guide to balancing the need for evidence with the protection of individual and institutional rights.

During the examination process, the KPK employs intensive examination methods involving various investigative techniques, such as cross-examination, financial transaction analysis, and tracking of funds. This examination must, of course, be conducted within the framework of criminal procedure law, including guarantees for the right to legal counsel, the right to remain silent, and the right to humane treatment during the investigation process. However, reports from various parties, including legal counsel and human rights monitoring bodies, often indicate that the KPK's examination process in certain cases feels intimidating and psychologically oppressive. For example, the use of long examination hours, verbal pressure, and threats of detention if the suspect is not cooperative. Such practices contradict the principle of a fair trial and can be considered a form of human rights violation, even if carried out under the guise of investigative effectiveness.

The application of criminal procedure law in the prosecution stage also deserves critical examination. The KPK has its own prosecution unit that drafts indictments based on the results of the investigation. The indictment must meet the requirements of Article 143 of the KUHAP, which means it must contain a detailed, clear, and complete description of the alleged crime.(Khalid et al., 2024) However, in some cases, the indictments filed by

the KPK have been criticized for being too general or failing to specifically explain the role of each suspect. This can affect the suspect's right to a proportionate defense. If the indictment is not carefully drafted, the defense presented by the suspect's legal counsel will be ineffective. In this context, criminal procedure law should be an instrument that ensures that the prosecution process is objective and balanced, not merely a legal formality.

In court practice, the KPK's application of criminal procedure law continues through the presentation of evidence in court. The KPK is known for its high litigation capacity and high success rate in winning cases. However, winning cases should not be the sole measure of the success of law enforcement. The court must be an arena for the upholding of substantive justice, not just formal procedures. Therefore, it is important to see whether, in the trial process, the KPK provides sufficient space for the suspect to defend themselves, present witnesses and experts, and freely debate evidence. The application of criminal procedure law in the trial stage is an indicator of how far the criminal justice system in Indonesia upholds the principle of true justice.

Interestingly, in several court decisions, the panel of judges issued strong criticisms of the KPK's investigation. There are several cases where judges have stated that the process of designating suspects or seizing evidence was not in accordance with legal procedures, even though the substance of the case was proven.(Muryawan, 2023) This indicates that the KPK's application of criminal procedure law is not entirely free from procedural errors or violations. In such situations, it is crucial for the KPK to continuously conduct self-reflection and internal improvements so that the principle of procedural justice remains its primary guide. Criticism from judges in court decisions should be viewed as constructive feedback for institutional improvement, not as an attack on the institution's integrity.

From an academic perspective, the KPK's application of criminal procedure law in banking cases must be analyzed comprehensively, both normatively and practically. Normatively, the KPK must adhere to the provisions of the KUHAP, unless explicitly stated otherwise by its establishing law.(Ellion, 2018) Therefore, all legal actions taken by the KPK must be legally justifiable and in accordance with the principles of justice. Practically, the KPK's application of criminal procedure law must consider the objective conditions of the suspect, the complexity of the case, and the social impact of the legal process. Harmonizing the KPK's extraordinary powers with the principles of criminal procedure law is an urgent need in Indonesian legal reform.

In conclusion, the KPK's application of criminal procedure law in handling banking cases has demonstrated success in combating corruption, but issues remain regarding the protection of suspects' rights. The biggest challenge facing the KPK is how to maintain the effectiveness of law enforcement without sacrificing the principles of procedural justice. Therefore, continuous evaluation of the KPK's investigative, prosecutorial, and evidentiary practices in court is necessary to align with the spirit of democratic and human rights-based legal reform

To What Extent is Criminal Procedure Law Capable of Protecting the Rights of Suspects in Banking Cases Handled by the Corruption Eradication Committee?

The role of criminal procedure law in ensuring procedural justice within the criminal justice system cannot be underestimated, especially in cases involving economic crimes or corruption in the banking sector. Suspects in such cases are often individuals in strategic positions who interact directly with the national financial system, making their cases attract significant public and media attention. Amidst high social pressure and public expectations, criminal procedure law is expected to function as a balance between the state's efforts to uphold the law and the protection of the fundamental rights of the suspect as a legal subject with dignity and constitutional rights.(Tarigan, 2023)

Indonesian criminal procedure law, as enshrined in the Criminal Procedure Code (KUHP), fundamentally guarantees various rights inherent to suspects. These rights are not only procedural but also touch upon substantial aspects forming the crucial foundation of a fair trial. Among these rights are the presumption of innocence, the right not to be arbitrarily detained, the right to remain silent and not incriminate oneself, the right to legal counsel from the commencement of the investigation, and the right to a fair and impartial trial. Other regulations, such as Law Number 39 of 1999 concerning Human Rights and the ratification of the ICCPR (International Covenant on Civil and Political Rights), reinforce the legal position of criminal procedure law as an instrument protecting suspects' rights.(Amin, 2024)

The Corruption Eradication Commission (KPK), as an independent institution with special authority to eradicate corruption, is regulated by Law Number 19 of 2019 concerning the Second Amendment to Law No. 30 of 2002. In carrying out its duties, the KPK has the authority to investigate, prosecute, and prosecute corruption cases, including those occurring in the banking sector. This authority is strengthened by several unique features, such as the use of wiretapping without court permission, independent detention, and a one-stop system in its law enforcement process. On the one hand, this authority allows the KPK to work quickly and effectively.(Habibi, 2020) However, on the other hand, the potential for abuse of authority and violations of suspects' rights is a serious concern, especially when the principles of criminal procedure law are not the primary basis for handling cases.

In the context of banking cases, which generally involve white-collar crime, criminal procedure law often faces significant challenges. Banking crimes are usually committed systematically, involving complex fund flows, the use of complicated banking documents, and often hiding behind seemingly legitimate legal mechanisms. Suspects in these cases generally possess high intellectual capacity, strong connections within the system, and the ability to manipulate the law.(Muchtar, 2010) Therefore, investigations by the KPK tend to be intense, lengthy, and pressure-filled. Under such conditions, criminal procedure law must serve as a guide to ensure that the investigation process does not become a tool of psychological pressure that ignores the fundamental rights of the suspect.

The right to the presumption of innocence is the first aspect that deserves attention.

In the KUHAP and the constitution, everyone is presumed innocent until proven guilty by a final and binding court decision. However, in practice, especially by the KPK, the designation of a suspect is often immediately followed by a press conference, media exposure, and even detention. While this step is often intended to demonstrate transparency and accountability of the KPK, it also potentially violates the principle of the presumption of innocence. The suspect becomes a victim of "trial by the press," and public opinion is formed before the facts are tested in court.(Saroinsong et al., 2023) In this context, criminal procedure law should protect suspects from premature public judgment, especially in complex cases like banking, where evidence is not always direct and easy to obtain.

Next is the issue of detention, Criminal procedure law stipulates that detention must be carried out with legitimate reasons and accompanied by objective and subjective considerations, namely a strong suspicion that a crime has occurred, a serious threat of punishment, and concern that the suspect will flee, repeat the crime, or destroy evidence. (Walujan, 2024) The KPK's practice of often automatically detaining suspects after their designation is a cause for concern. In several banking cases, detention has been imposed despite suspects being cooperative, not exhibiting any risk of flight, and willingly participating in the legal process. This suggests that criminal procedure law has not been fully effective in safeguarding suspects' freedom from arbitrary actions. Detention should be a last resort (*ultimum remedium*), not an initial procedure implemented without considering the suspect's actual circumstances.

The right to legal representation is another critical issue. In Indonesia's legal system, every suspect is entitled to legal assistance from the investigation stage onward. In banking cases, which often involve technical language and complex documents, the role of legal counsel is paramount. Without legal counsel, suspects are vulnerable to misinterpreting investigators' questions and may even make incriminating statements unknowingly. While the KPK formally provides access to legal counsel, complaints from the defense regarding limited consultation time, insufficient access to the entire investigation file, and lack of transparency about crucial information are common. Criminal procedure law must ensure that legal assistance is not only available but also genuinely effective for suspects to mount a robust defense.(Sahanggamu, 2013)

The use of wiretaps and electronic evidence is another area needing attention. The KPK has the authority to conduct wiretaps without prior court approval. In banking cases, wiretap evidence often forms a strong basis for suspect designation. However, disproportionate or uncontrolled wiretapping can lead to privacy violations and abuses of power. Current criminal procedure law lacks an effective mechanism for judicial review of the legality of wiretaps before such evidence is used in court. Yet, a core principle of modern criminal law is that all evidence must be tested for admissibility through a fair process. Suspects have a right to know the source of evidence and to challenge its legality. This highlights the need for reform in criminal procedure law to address the challenges posed by technological advancements in law enforcement.(Rosandi & Astuti, 2016)

Furthermore, the procedures for examining and interrogating suspects require careful consideration. The KUHAP explicitly prohibits all forms of pressure, both physical and psychological, during the examination process. However, in practice, pressure can manifest in other ways, such as high-intensity interrogations, verbal intimidation, or restrictions on communication with the outside world. In banking cases, where suspects are often interrogated about complex transactions or technical terminology that is difficult to explain concisely, the interrogation process can become an unwitting tool of pressure. Criminal procedure law should provide protection by ensuring that all examination procedures are conducted fairly, professionally, and in a manner that guarantees human rights.(Doringin, 2014)

The right to access case information and documents is also a crucial part of suspect protection. Under criminal procedure law, suspects and their legal counsel have the right to access the case file and evidence used to accuse them. In banking cases, where documents are highly complex and technical, access to information is key to mounting an adequate defense. If the KPK limits or delays access to these documents, the suspect's rights are violated.(Asnatuti & Ibrahim, 2019) Therefore, there needs to be a standard operating procedure that ensures transparency of information to legal counsel without jeopardizing the investigation process.

Finally, it is important to highlight the existence of a mechanism for oversight of the KPK's law enforcement process. Criminal procedure law must be supported by a strong oversight system to provide corrective effects on procedural deviations. Internal oversight, such as the KPK Supervisory Board, and external oversight through the Ombudsman and the National Commission on Human Rights must be given a more active and authoritative role. In some cases, complaints from suspects or legal counsel regarding procedural violations often do not receive adequate follow-up. This is crucial to ensure that criminal procedure law truly functions as a protector of suspect rights, not just a formal document that is not adhered to in practice.

Overall, the extent to which criminal procedure law can protect the rights of suspects in banking cases handled by the KPK depends on the institutional commitment to consistently upholding procedural rules. The KUHAP and other regulations have provided a sufficiently strong normative basis. However, implementation in the field still leaves much room for improvement, particularly in aspects of transparency, proportionality of actions, access to legal assistance, and protection from excessive publicity. Efforts to revise the KUHAP to be more adaptable to the challenges of the times and to strengthen control mechanisms over investigators and prosecutors are essential to ensure that the rights of suspects are not sacrificed in the name of effective corruption eradication.

IV. Conclusion

In summary, the application of criminal procedure law by the Corruption Eradication Commission (KPK) in handling banking cases demonstrates high effectiveness in corruption eradication, but still leaves several serious issues regarding

the protection of suspects' rights. Although the KPK has special authority stipulated by law, investigations, detention, seizure, and prosecution must adhere to the principles of criminal procedure law upholding fair trial, presumption of innocence, and the right to defense. Practices that tend to be coercive, excessive media exposure, and a lack of transparency in the suspect designation process are challenges that need to be addressed to ensure that law enforcement does not deviate from the principles of procedural justice. Therefore, harmonizing the KPK's special authority with the provisions of the KUHP is crucial to guarantee a fair and balanced legal process that protects the constitutional rights of every citizen, including banking case suspects.

Based on the extensive discussion of the extent to which criminal procedure law protects the rights of suspects in banking cases handled by the KPK, it can be concluded that while Indonesian criminal procedure law normatively provides sufficient guarantees for the fundamental rights of suspects—such as the right to the presumption of innocence, the right to legal counsel, the right not to be arbitrarily detained, and the right to fair and humane treatment—various implementation challenges obscure this protective function in practice, particularly concerning the extraordinary authority held by the KPK. The complex handling of banking cases often creates opportunities for procedural violations, especially concerning wiretapping, detention, and access to case information. Therefore, for criminal procedure law to truly fulfill its substantial role in guaranteeing the rights of suspects, not only regulatory strengthening is needed but also an increase in the professionalism of law enforcement officers, strict oversight, and a commitment to the principle of procedural justice at every stage of the legal process.

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