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Legal analysis of the PPATK mechanism in blocking dormant accounts in money laundering (reviewed according to the theory of criminal liability)

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ABSTRACT

This study examines the mechanism for the temporary suspension of dormant accounts by the Financial Transaction Reports and Analysis Center (PPATK) from the perspective of criminal liability theory. The issues analyzed include the legal status of dormant account holders and the implications of temporary suspension measures in relation to criminal liability. This study employs a normative legal method using a statutory approach through the examination of Law No. 8 of 2010 and related regulations. The findings indicate that the authority of PPATK under Article 44(1)(i) of Law No. 8 of 2010 constitutes a preventive administrative measure based on financial intelligence and a risk-based approach. Therefore, it cannot be interpreted as the imposition of criminal liability or as a coercive measure under criminal procedure law. However, existing regulations do not specifically classify dormant accounts as a separate risk category, creating the potential for broad administrative discretion. Account holders whose accounts are temporarily suspended remain legal subjects protected by the presumption of innocence and the principle of no punishment without guilt, since dormant account status is merely an administrative condition and does not automatically establish *actus reus* or *mens rea*. From the perspective of criminal liability theory, temporary suspension is not a criminal sanction. Nevertheless, it may produce a quasi-punitive effect if not accompanied by proportionality, procedural fairness, and adequate access to legal remedies. Therefore, clearer regulations are required regarding dormant account criteria, risk assessment standards, and objection mechanisms to balance money laundering prevention with the protection of constitutional rights.

Keywords: account freezing; dormant accounts; PPATK; money laundering offenses; criminal liability

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RESEARCH & PUBLISHING



1. INTRODUCTION

Every country requires a government as a vital instrument to maintain order, realize justice, and provide services to the public. Those who carry out governmental functions do not, in essence, act based on free will, but are obligated to carry out the will of the law in accordance with the authority granted to them. Government authority derives from laws and regulations and serves as the primary instrument in the administration of government, particularly in maintaining national stability (Qamar & Rezah, 2023). In this context, state institutions play a strategic role not only in maintaining national stability but also in combating various forms of crime, one of which is money laundering.

Law No. 8 of 2010 defines the crime of money laundering as the act of concealing or disguising the origin of assets derived from criminal activities. Initially, money laundering was largely associated with proceeds from drug crimes, but over time it has come to encompass various other serious criminal offenses such as corruption, drug trafficking, and terrorist financing, which ultimately threaten social and political stability. Furthermore, as part of the international community and a member of the Financial Action Task Force (FATF), Indonesia is committed to complying with and implementing international standards in efforts to prevent and eradicate money laundering (Saptono et al., 2024). Essentially, money laundering consists of three main stages, each with its own distinct characteristics; however, in practice, they are often interrelated and carried out sequentially: placement, layering, and integration (Manab, 2025).

To prevent and combat money laundering, the government established the Financial Transaction Reporting and Analysis Center (PPATK), regulated under Law No. 8 of 2010 on the Prevention and Eradication of Money Laundering. The PPATK functions as a financial intelligence unit authorized to receive, analyze, and evaluate reports of suspicious financial transactions (Nurhalimah et al., 2024). Subsequently, this information is conveyed to law enforcement authorities and can be utilized as supporting evidence, a tool of proof, or physical evidence in criminal investigations (Geraldine et al., 2022).

The authority to temporarily suspend such transactions is regulated under Article 44(1)(i) of Law No. 8 of 2010, which states that the Financial Transaction Reports and Analysis Center (PPATK) has the authority to request Financial Service Providers to temporarily suspend all or part of transactions known or suspected to be proceeds of criminal offenses. In the exercise of this authority, the regulations are further elaborated through administrative mechanisms as stipulated in PPATK Regulation No. 18 of 2017. These provisions stipulate that a request for the temporary suspension of transactions is submitted by the PPATK to financial service providers if there are initial indications of money laundering and/or other criminal offenses, or the presence of assets suspected of being derived from criminal offenses.

The authority to temporarily suspend transactions is often linked to specific characteristics of accounts deemed risky, one of which is a dormant account. A dormant account is generally understood as an account that has shown no transaction activity for a certain period of time. However, there is no single definition in Indonesian laws and regulations regarding this timeframe, as in practice, the criteria for a dormant account may vary depending on each bank's policies, which generally range from several months to one year. The term "dormant account" refers to a savings or checking account that is not actively used, except for specific entries such as interest or margin, typically has a small balance, and continues to incur administrative fees, hence it is often called a "sleeping account" (Rahmawati, 2025). To date, there are no laws or regulations from the OJK or Bank Indonesia that explicitly define dormant accounts or uniformly establish a timeframe for inactivity.

In 2025, a new issue arose regarding the mechanism for temporarily freezing dormant accounts. The Financial Transaction Reports and Analysis Center (PPATK) temporarily froze a number of dormant accounts without prior notice to the account holders, which subsequently sparked controversy among the public. As cited from a Tempo article dated August 1, 2025, written by Setiawanty et al., criticism of this policy was voiced by Nailul Huda, an economist at the Center of Economic and Law Studies, who argued that the temporary suspension of accounts without consumer consent potentially conflicts with applicable legal provisions (Setiawanty et al., 2025). Furthermore, in a Tempo article dated August 2, 2025, written by Dyantoro & Rahayuningsih, similar criticism was also voiced by the public policy research and advocacy organization The Prakarsa through its researcher, Ari Wibowo. He stated that the unilateral temporary

suspension of accounts without clear indications of criminal activity is inconsistent with the principles of the rule of law and has the potential to erode public trust in financial institutions. Furthermore, Ari Wibowo emphasized that the status of a dormant account cannot automatically serve as a legal basis for temporary suspension, as such policies pertain to the protection of citizens' constitutional and financial rights (Dyantoro & Rahayuningsih, 2025).

Although, in principle, the temporary suspension of an account is part of the PPATK's administrative authority with a preventive nature, such action results in legal consequences in the form of direct restrictions on the account holder's rights to their assets. Under certain conditions, these legal consequences may resemble criminal sanctions, particularly when the temporary suspension is imposed on an account holder who has not yet been proven to have committed a money laundering offense

Criminal law requires that any restriction on a person's rights must be based on the principle of criminal liability, which places fault as the primary condition for punishment (Wati & Fatah, 2020), as affirmed by the principle of "no punishment without fault" (Muttaqin et al., 2023). Therefore, the temporary suspension of dormant accounts against account holders who are unaware of suspicious fund flows and have not yet been designated as suspects raises legal issues regarding the compatibility of such mechanisms with the theory of criminal liability as well as the boundary between preventive administrative actions and consequences with criminal overtones.

In this study, the term "blocking" is used operationally to refer to the temporary suspension of transactions or accounts by the Financial Transaction Reports and Analysis Center (PPATK) based on Law No. 8 of 2010 and its implementing regulations. This term is retained for consistency with the study's title; however, normatively, the action analyzed remains the temporary suspension of transactions within the administrative regime for the prevention of money laundering, not a "blocking" in the sense of coercive measures under criminal procedure law.

This study aims to analyze the legal basis for PPATK's authority in the temporary suspension of dormant accounts, the legal status of dormant account holders, and the implications of this mechanism from the perspectives of rights protection and criminal liability theory.

2. LITERATURE REVIEW

To gain an overview of studies related to the role and authority of the Financial Transaction Reports and Analysis Center (PPATK) in the prevention and eradication of money laundering, the author reviewed several previous studies relevant to the topic of this research.

Ramadhan & Alfath (2026) conducted a study titled, "Liability for Actions by the Financial Transaction Reports and Analysis Center (PPATK) in Blocking Dormant Bank Accounts". The results of this study indicate that the blocking of dormant accounts by the PPATK which is not based on strong initial indications of money laundering and is carried out disproportionately has the potential to give rise to legal liability, particularly through the mechanism of unlawful acts (PMH), and opens the possibility of administrative and criminal liability in the event of abuse of authority or negligence. Similarly, Rahmadan et al., (2025) conducted research titled "The Controversy Over PPATK's Policy on Freezing Dormant Accounts as an Effort to Prevent Online Gambling and Money Laundering". The results of this study indicate that although PPATK has a legal basis, there are no explicit provisions governing the freezing of dormant accounts, thereby potentially leading to overreach and violations of constitutional rights. Therefore, clearer regulations and procedures are needed to ensure legal protection. Additionally, research conducted by Nurhalimah et al., (2024) titled "SWOT Analysis of the PPATK's Role in Conducting Suspicious Financial Transaction Analysis and a Case Study." The results of this study indicate that the role of the PPATK is quite significant in assisting law enforcement agencies in uncovering the flow of funds derived from criminal activities, although there are still challenges such as limitations in reporting data and coordination with other law enforcement agencies. Additionally, a study conducted by Yofiza et al., (2025) examines "A Legal Analysis of the Role of PPATK in the Prevention and Eradication of Money Laundering Crimes Under Law No. 8 of 2010." This research discusses the expansion of PPATK's authority following the enactment of Law No. 8 of 2010, including the authority to temporarily suspend

transactions, national and international cooperation, and PPATK's role in providing financial intelligence for the tracing of criminal proceeds.

Although these four studies address interrelated aspects, each has a distinct focus. [Ramadhan & Alfath \(2026\)](#) emphasize the legal liability dimension, while [Rahmadan et al., \(2025\)](#) focus more on the potential for administrative overreach. [Nurhalimah et al., \(2024\)](#) examine the institutional effectiveness of PPATK, whereas [Yofiza et al., \(2025\)](#) emphasize the expansion of authority following [Law No. 8 of 2010](#). None of these studies specifically examined the mechanism for the temporary suspension of dormant accounts by the PPATK from the perspective of criminal liability theory, which remains limited. This gap serves as the starting point for this research.

This study aims to fill this gap through a normative legal analysis of the legal status of dormant account holders subject to temporary suspension by the PPATK from a criminal law perspective, particularly regarding the presumption of innocence, as well as the alignment of the PPATK's temporary suspension mechanism with criminal liability theory, especially the principle of "no punishment without guilt" and the potential for a *quasi-punitive effect*.

3. METHOD

The author employs a normative legal research method that conducts an in-depth analysis of various legal aspects, including legal regulations and court rulings, focusing on the inconsistency between the PPATK's mechanism for temporarily suspending transactions in dormant accounts and the provisions of applicable laws and regulations ([Widyastuti et al., 2024](#)). The approach used is the statutory approach, examining Law No. 8 of 2010 and related regulations to assess the compliance of the temporary transaction suspension procedures particularly regarding the failure to meet certain stages and their implications from the perspective of criminal liability theory and the principle of "no punishment without guilt." This analysis was conducted on legislation relevant to the legal issues under review ([Muhaimin, 2020](#)). The legal materials used consist of primary legal materials in the form of legislation. Secondary legal materials include books, scientific journals, and expert doctrines, as well as tertiary legal materials such as legal dictionaries, language dictionaries, and encyclopedias to support the analysis.

4. RESULT AND ANALYSIS

4.1. The Authority and Mechanisms for the Temporary Freezing of Accounts by the PPATK in the Prevention of Money Laundering

Law No. 8 of 2010 positions prevention as a central element in Indonesia's anti-money laundering regime. This law not only classifies money laundering as a criminal offense but also establishes a prevention system through reporting obligations, transaction analysis, and institutional cooperation, ensuring that the approach is not solely repressive through criminal prosecution but rather preventive or non-criminal. This preventive approach is considered more effective in preventing money laundering, given the complexity and evolution of financial crime methods, which are becoming increasingly sophisticated and difficult to detect through conventional law enforcement mechanisms. Therefore, the government has taken administrative and proactive steps involving interagency coordination as part of the implementation of a risk-based approach within the anti-money laundering regime ([Mahendra et al., 2022](#)).

Law No. 8 of 2010 grants administrative authority to the Financial Transaction Reports and Analysis Center (PPATK) within the framework of a preventive and non-criminal approach for the early detection and prevention of money laundering offenses. PPATK's authority to temporarily suspend financial transactions is regulated under Article 44(1)(i) of Law No. 8 of 2010, which states that PPATK has the authority to request financial service providers to temporarily suspend all or part of transactions known or suspected to be proceeds of crime. However, this authority should not be interpreted as direct authority to suspend accounts, as the PPATK is only authorized to make such requests based on analysis results and initial indications of criminal activity ([Ramadhan & Alfath, 2026](#)).

Technical provisions regarding the temporary suspension of transactions are further regulated in PPATK Regulation No. 18 of 2017, which permits suspension in the form of account activity. Additionally, the strengthening of PPATK's authority is evident in Article 12(2) of PPATK Regulation No. 18 of 2017 on the Implementation of Temporary Suspension and Delay of Transactions by Financial Service Providers. This provision states that the suspension of transactions or the temporary freezing of an account may only be carried out if there is strong suspicion that the assets in the account originate from criminal proceeds, are used to launder criminal proceeds, or were obtained using forged documents (Rahmadan et al., 2025).

To clarify the scope of these authorities, it is necessary to examine the role of PPATK as a financial intelligence unit (FIU) within the system for preventing money laundering. In its capacity as an FIU, PPATK is authorized to receive, analyze, and process reports of financial transactions suspected of being related to money laundering using a financial intelligence approach. The results of these analyses are subsequently submitted to law enforcement authorities as supporting material in the investigation and inquiry process, without the authority to determine criminal liability. PPATK also serves as a liaison between financial service providers and law enforcement agencies and engages in international cooperation for cross-border asset tracing. Therefore, PPATK's authority to request the temporary suspension of transactions must be understood as a preventive administrative measure aimed at preventing the misuse of the financial system, not as a form of punishment against account holders (Rumimpunu, 2025).

One form of the implementation of this administrative authority is evident in the temporary suspension of dormant accounts suspected of being linked to money laundering offenses. The mechanism for the temporary suspension of dormant accounts by the PPATK begins with the identification of accounts that have shown no transaction activity over a certain period. In practice, the account data is generally obtained from the bank for analysis by PPATK as part of an examination of financial transactions suspected of being suspicious. Based on the results of this analysis, PPATK may request the bank to temporarily suspend all or part of the transactions as stipulated in Article 44 paragraph (1) letter i and Article 65 of Law No. 8 of 2010. In principle, this suspension does not reduce the account balance but temporarily restricts the customer's access to transactions. Upon receiving a written request from PPATK, the bank is required to implement the temporary suspension and prepare a written record in accordance with PPATK Regulation No. 18 of 2017. The bank is also required to provide a copy of the written record to the customer no later than one business day after the suspension is implemented. During the suspension period, PPATK conducts examinations and verifications of the customer's profile and account transaction patterns. If the analysis results show no indications of money laundering offenses, the temporary suspension may be lifted or not extended, thereby reactivating the account. In the author's view, the absence of clearer and more uniform parameters for assessing the risk of dormant accounts, as well as mechanisms for restoring account access, may create legal uncertainty for customers.

Based on the above, it can be understood that PPATK's authority to temporarily suspend transactions is part of preventive efforts to combat money laundering through administrative and financial intelligence approaches. This authority is fundamentally not intended as a form of punishment, but rather as a temporary measure to prevent the misuse of the financial system while further analysis and verification are conducted on transactions showing suspicious indicators. However, the implementation of temporary suspensions on dormant accounts still requires clear, proportional, and uniform parameters to avoid creating legal uncertainty or an expansion of administrative discretion that could potentially harm customers. Therefore, striking a balance between the effectiveness of preventing money laundering and protecting customer rights is a critical aspect in the exercise of PPATK's authority.

4.2. The Legal Status of Owners of Dormant Accounts Suspended by PPATK from a Criminal Law Perspective

A dormant account status is considered an administrative condition from a criminal law perspective and does not automatically indicate the account holder's involvement in a criminal offense. A dormant account is a bank account that shows no transaction activity by the customer for a certain period of time; therefore, in accordance with banking system regulations, such an account is automatically

classified as inactive. This inactive status is administrative in nature and arises due to the lack of account usage, not because of any legal violation by the account holder (Hapsoro & Sukresna, 2022). Therefore, the existence of a dormant account cannot be interpreted as evidence or a mechanism that directly indicates the account holder's involvement in money laundering or other criminal offenses; consequently, the temporary suspension of such an account does not automatically make the account holder a subject of criminal liability (Ramadhan & Alfath, 2026).

The importance of classifying dormant accounts as an administrative status becomes clear when the temporary suspension of transactions is not based on a criminal conviction or investigation, but rather on an analysis of the potential risk of financial system abuse. In this context, several normative legal studies indicate that such actions, although grounded in Law No. 8 of 2010, may raise legal issues if widely applied to dormant accounts without strong indicators of criminal activity, as this risks blurring the legal boundaries between administrative actions and repressive restrictions on rights (Rahmadan et al., 2025).

From a criminal law perspective, it is emphasized that the temporary suspension of a dormant account does not automatically alter the legal status of the account holder into that of a criminal offender, because within Indonesia's criminal justice system, every person, prior to being designated as a suspect or found guilty through a final and binding court ruling, is still positioned as a legal subject presumed innocent, where the presumption of innocence as part of the due process of law principle ensures that any restriction of an individual's rights during the pre-adjudication stage must not be interpreted as an attribution of criminal guilt (Erfansyah & Mardijono, 2026).

Furthermore, this situation highlights a tension between two fundamental principles of the rule of law: the state's obligation to protect public interests and combat crime, and the state's obligation to ensure the protection of individual rights, including the right to property. Administrative actions such as the temporary suspension of dormant accounts have the potential to directly impact an individual's property rights; therefore, it must be ensured that such actions remain within the bounds of administrative authority and are proportionate (Erfansyah & Mardijono, 2026).

Article 28G paragraph (1) and Article 28H paragraph (4) of the 1945 Constitution affirm that every person has the right to protection of their person, family, honor, dignity, and property under the rule of law. This means that restrictions on citizens' property rights may only be imposed based on a clear legal basis, transparent procedures, and legally valid reasons. On the other hand, administrative actions carried out without due diligence and a proportionality test may be viewed as a form of state intervention that potentially violates citizens' rights to private property and economic freedom if not conducted in accordance with applicable legal procedures (Rezki & Miarsa, 2025). Therefore, if the temporary suspension of transactions is carried out without fulfilling the prescribed procedures, such action has the potential to infringe upon the right to property as a constitutional right guaranteed by the 1945 Constitution.

Based on the above discussion, the legal status of the owner of a dormant account subject to temporary suspension by the PPATK remains that of a legal subject whose guilt has not been proven; thus, they cannot be immediately burdened with consequences resembling criminal sanctions. This raises issues from the perspective of criminal liability theory, particularly regarding the principle of "no punishment without guilt," which requires the presence of fault as the basis for imposing liability.

4.3. Analysis of the Mechanism for the Temporary Suspension of Dormant Accounts by the PPATK from the Perspective of Criminal Liability Theory

The temporary suspension of dormant accounts by PPATK serves as an important preventive administrative measure in efforts to combat money laundering. However, its implementation still faces the issue of uncertainty regarding concrete legal norms, and there are no specific regulations governing the temporary suspension of dormant accounts, which has the potential to lead to broader interpretations of authority that could result in restrictions on customer rights (Rahmadan et al., 2025). This is reinforced by the arguments of Adnyana & Raditya (2025) who identify a legal gap resulting from the lack of transparent procedures ensuring the protection of account holders' rights during the temporary suspension process.

Without accountable technical mechanisms, such actions risk being categorized as arbitrary and disproportionate to customers' rights (Ramadhan & Alfath, 2026).

Administrative mechanisms as stipulated in Article 6(2) of PPATK Regulation No. 18 of 2017 include the obligation to prepare a written record and the obligation to notify the customer within a maximum of 1 business day after the transaction suspension is implemented to provide legal certainty and protect the rights of account holders. Failure to comply with these mechanisms risks undermining the principle of procedural transparency, thereby making temporary suspension measures prone to becoming substantive restrictions on rights without adequate administrative safeguards, even though the principle of legality in administrative procedures should be upheld. This risks violating the principle of due process of law, which requires that any restriction of rights be carried out fairly, transparently, and in accordance with procedures to prevent arbitrary state action (Turnip, 2026).

From the perspective of criminal liability theory, a form of criminal punishment fundamentally requires the presence of *actus reus* and *mens rea* as the basis for attributing guilt to an individual (Njoto, 2024). This principle functions not only in the context of criminal punishment but also as an instrument to protect individuals from repressive restrictions on their rights by the state. Therefore, in the context of administrative actions that result in significant restrictions on rights, it is relevant to conduct a review using the standards of protection found in the theory of criminal liability.

In the case of dormant accounts, such status does not automatically indicate that the account holder consciously committed a criminal act or intended to launder money. Therefore, formally, the temporary suspension of transactions by the PPATK cannot be categorized as a form of criminal liability, as it does not meet the element of fault (*mens rea*). However, when viewed from the resulting impact, restricting access to a customer's funds for a certain period can lead to consequences that factually resemble sanctions, thereby giving rise to a quasi-punitive character. This quasi-punitive character can be identified through several indicators, such as the duration of the restriction on access to funds, the lack of adequate notification to the customer, the limited appeal mechanisms, and the resulting economic impact. Thus, the analysis does not stop at the presence or absence of *mens rea*, but shifts to whether such a restriction of rights has met protection standards equivalent to the principles of criminal liability.

Legal criticism indicates that the implementation of the temporary suspension of dormant accounts has the potential to be less selective and does not yet fully meet procedural standards, thereby blurring the line between administrative actions and criminal sanctions. In the context of administrative law, the principle of legality requires that every action restricting citizens' rights must have a clear legal basis and a scope of application that is understandable. The issue is that Article 44(1)(i) of Law No. 8 of 2010 only mentions transactions known or suspected to be related to criminal acts as the basis for temporary suspension, without specifically regulating dormant accounts as a distinct risk category. This situation risks creating broad discretion in its implementation and opens the possibility of inconsistent application toward customers. Therefore, if a temporary suspension is carried out without clear parameters and without adequate procedural oversight, such action has the potential to conflict with the principle of legality, given that the PPATK's authority fundamentally only covers requests for the temporary suspension of transactions suspected of being related to criminal acts, not determining that a criminal act has occurred (Novrina, 2026).

With the development of criminal procedural law in Indonesia, the concept of asset freezing is no longer understood solely as an administrative measure within the financial system, but is also beginning to be positioned as one of the instruments in the criminal law enforcement process. This can be seen in the provisions of Law No. 20 of 2025 on the Criminal Procedure Code (KUHAP), which includes asset freezing as part of the coercive measures that may be taken by law enforcement officials. Article 1, point 14 of the 2025 KUHAP states that coercive measures are a series of actions that may be taken by investigators, prosecutors, or judges for the purposes of the criminal justice process, which include, among others, arrest, detention, search, seizure, wiretapping, and asset blocking.

The preservation of assets suspected of being linked to criminal offenses is crucial because, if law enforcement authorities do not take immediate action, this situation may provide perpetrators with an opportunity to conceal or transfer the proceeds of crime and reuse them to commit further crimes

(Widyatmoko, 2025). Therefore, the existence of asset freezing as part of coercive measures plays a strategic role in preserving the existence and integrity of assets suspected of being derived from criminal acts, ensuring they remain under legal control throughout the judicial process.

Thus, there is a fundamental difference between asset freezing in criminal procedure law which requires a strong legal basis and judicial oversight and the temporary suspension of transactions by the Financial Transaction Reports and Analysis Center (PPATK), which is of an administrative nature. This distinction is significant because it indicates that the standards of rights protection in these two mechanisms cannot be directly equated, though they can still be compared in terms of the impact of the resulting restrictions on rights

Furthermore, the temporary suspension of dormant accounts may give rise to factual consequences resembling a quasi-punitive effect, as it restricts the account holder's access to their own funds. Such restrictions have the potential to cause economic harm to account holders, particularly if not accompanied by a clear mechanism for establishing fault. From the perspective of modern criminal law, such restrictions on rights should be carried out through a fair legal process (due process of law) to ensure the protection of individual rights (Erfansyah & Mardijono, 2026).

Developments in modern law indicate a connection between the enforcement of administrative law and the enforcement of criminal law. In many regulations, administrative sanctions are positioned as the primary instrument to encourage compliance with rules, while criminal sanctions are used as a last resort (*ultimum remedium*) applied selectively based on the severity of the offense and the impact of the violation (Novita, 2025). Nevertheless, the implementation of the policy to temporarily suspend dormant accounts still requires clear and transparent parameters and procedures to avoid creating legal uncertainty for customers. Ambiguity regarding the determination of a dormant account's status or the appeal mechanisms available to customers could potentially lead to disproportionate restrictions on rights, particularly if the suspension is carried out without adequate explanation regarding the basis and purpose of its application. Therefore, more detailed regulations are needed regarding the criteria for designating dormant accounts and the mechanisms for restoring customers' rights, so that preventive policies in the fight against money laundering can be implemented proportionally and in harmony with the protection of individual rights.

To ensure that the temporary suspension of dormant accounts does not evolve into a quasi-punitive measure, the cumulative fulfillment of three protective principles is required. First, the principle of proportionality requires that the level of restriction on rights be commensurate with the magnitude of the identified threat or risk. Therefore, the blanket application of temporary suspension to all dormant accounts without prior individual risk assessment risks violating this principle (Rezki & Miarsa, 2025). Second, the principle of procedural fairness requires that customers be given proper notice before or as soon as possible after the action is taken, accompanied by an adequate explanation of the reasons and basis for the action (Turnip, 2026). Third, the principle of access to judicial review demands the availability of mechanisms for customers to file objections with an independent body, including the possibility of challenging PPATK actions through the Administrative Court (Novrina, 2026). Without these three safeguards, PPATK's administrative actions risk becoming restrictions on rights that cannot be challenged and are not legally accountable.

Nevertheless, in practice, the temporary suspension of dormant accounts may be considered lawful as long as it is carried out based on the principle of prudence and adequate risk analysis. The principle of prudence and the application of customer due diligence are crucial instruments in the anti-money laundering prevention system for identifying and monitoring the profiles and characteristics of customer transactions (Istiqomah, 2020). Thus, the implementation of the temporary suspension policy must continue to balance the preventive function of financial intelligence with guarantees of transparency and adequate procedural certainty, so that the PPATK's actions do not evolve into administrative measures resembling criminal sanctions.

Thus, legal analysis indicates that, normatively, the formal suspension of dormant accounts is an administrative measure of a preventive nature and not a criminal sanction. However, its substantive impact under certain conditions may result in restrictions on rights resembling the consequences of criminal

punishment (quasi-punitive), necessitating scrutiny against the principles of criminal liability theory as a standard for the protection of individual rights. Therefore, clarity regarding legal norms, standards of proof, and transparent and proportional objection mechanisms is required to ensure that such actions do not evolve into restrictions on rights resembling criminal sanctions without adequate due process, thereby maintaining a balance between the effectiveness of preventing money laundering crimes and the protection of customer rights.

5. CONCLUSION

The authority of the PPATK to temporarily suspend transactions, as stipulated in Article 44(1)(i) of Law No. 8 of 2010, is essentially a preventive administrative measure based on a financial intelligence and risk-based approach within the framework of preventing money laundering. This authority is not direct but takes the form of a request to financial service providers based on analysis results and initial indications of criminal activity; thus, normatively, it cannot be interpreted as a determination of criminal guilt against the account holder. However, current regulations do not specifically classify dormant accounts as a distinct risk category, which normatively risks creating broad administrative discretion and inconsistencies in implementation. In this context, temporary suspension by the PPATK must be distinguished from asset freezing mechanisms in criminal procedure law, which require a stronger legal basis and judicial oversight; thus, temporary suspension should be understood as a preventive administrative instrument and not part of criminal punishment or coercive criminal measures.

From a criminal law perspective, the owner of a dormant account subject to a temporary suspension by the PPATK retains the status of a legal subject protected by the presumption of innocence and the principle of “no punishment without guilt.” Dormant status is an administrative condition that does not automatically indicate the presence of *actus reus* or *mens rea*; therefore, the act of temporary suspension cannot be understood as an attribution of criminal guilt. Nevertheless, from the perspective of criminal liability theory, the impact of a temporary suspension in the form of restricted access to funds under certain conditions may give rise to consequences resembling sanctions (*quasi-punitive effects*), particularly if not accompanied by adequate procedural safeguards. Therefore, the implementation of temporary suspension must remain within the framework of due process of law through the fulfillment of the principles of proportionality, procedural justice, and access to judicial review as cumulative safeguards. These principles require that restrictions on rights be commensurate with the identified level of risk, that customers be provided with adequate notice and explanation, and that independent objection and review mechanisms be available. Thus, more detailed and accountable regulations are needed regarding the criteria for dormant accounts, risk analysis standards, temporary suspension procedures, and mechanisms for restoring customer rights so that preventive policies against money laundering are implemented proportionally without diminishing the protection of individual rights guaranteed by law.

Ethical Approval

Not applicable

Informed Consent Statement

Not applicable because this study did not involve human participants.

Authors' Contributions

T.B.P. and R.E.A.A.S. contributed to methodology and formal analysis. T.B.P. contributed to conceptualization, validation, and supervision. R.E.A.A.S. contributed to data curation and writing—original draft preparation. T.B.P., R.E.A.A.S., and M.H. contributed to resources. T.B.P. and M.H.

contributed to writing—review and editing. All authors have read and approved the final version of the manuscript.

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The author declares no potential conflict of interest.

Data Availability Statement

No primary dataset was generated for this study. All materials analyzed are available in the published sources cited in the reference list.

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