

## **Andreas Marbun**

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### **Short Profile**

Andreas Nathaniel Marbun (or usually goes by Marbun) is a criminal law policy researcher at IJRS. Marbun is a law graduate from the Faculty of Law of Universitas Indonesia (Concentration on Criminal Law) and finished his Master degree from the University of New South Wales (UNSW) with specialization on Criminal Justice and Criminology.

In his role at IJRS, Marbun has authored numerous publications covering criminal law policy and criminal justice, addressing issues such as anti-corruption, narcotics policy, and restorative justice. In addition, Marbun has conducted myriad researchers, both qualitative and quantitative, pertaining to issues on criminal law and criminal justice policy in Indonesia. Moreover, Marbun's research endeavors, whether internally or externally funded, have consistently yielded impactful publications that serve as foundational resources for the government's policy making process.

### **Current Position**

Researcher

### **Education**

1. Bachelor of Law, Faculty of Law, Universitas Indonesia
2. Master of Laws (Specialized in Criminal Justice and Criminology), University of New South Wales (UNSW)

## **Work Experiences**

### **Supreme Court**

1. Member of Working Group for Drafting Guideline for Adjudicating and Sentencing Narcotics Offenses (Decree of the Chief Justice of the Supreme Court Number 265/KMA/SK/VIII/2022)
2. Member of Working Group for Drafting Guideline for Handling Cases Using Restorative Justice Principle (Decree of the Chief Justice of the Supreme Court Number 238/KMA/SK/XI2021)
3. Member of Working Group for Resolution of Objections to Decisions on Seizure of Assets Not Owned by Defendants in Corruption Offense Cases (Decree of the Chief Justice of the Supreme Court Number 85/KMA/SK/V/2021)
4. Member of Working Group for Drafting Sentencing Guideline for Corruption Offense Cases (Decree of the Chief Justice of the Supreme Court Number 189/KMA/SK/IX/2018)
5. Member of Working Group for Development of Curricula, Modules, Certifications for Judges Handling Corruption Offenses and Supervisory Mechanisms on Research Outputs (Decree of the Chief Justice of the Supreme Court Number 169/KMA/SK/IX/2017)

### **Attorney General's Office**

6. Member of Working Group for Access to Justice at the Attorney General's Office of Republic of Indonesia (Decree of Attorney General of Republic of Indonesia Number 151 of 2023)
7. Member of Preparation Team of Regulation of the Government under Law on Prosecutor's Office on Penal Mediation and Discretion of Public Prosecutors (Order of Deputy Attorney General Number Prin-08/B/WJA/02/2022)
8. Member of Working Group for Access to Justice of the Prosecutor's Office of the Republic of Indonesia (Decree of the Attorney General of the Republic of Indonesia Number 166 of 2021)

### **Past IJRS's Programs**

1. Research on Evaluation of Corruption Offense Courts
2. Preparation of Modules, Curricula, and Learning Materials for Certification of Judges Handling Corruption Offenses
3. Research on Disparity in Decisions on Corruption Offenses in Indonesia
4. Drafting Regulation of the Supreme Court No. 1/2020 on Sentencing Guideline for Corruption Offense Cases
5. Research on Prosecution Guideline for Corruption Offense Cases by the Attorney General's Office
6. Drafting Guideline of the Attorney General's Office No. 11/2021 on Handling of Narcotics Offense and/or Narcotics Precursor Offense Cases
7. Research on Implementation of Restorative Justice Concept in Criminal Justice System in Indonesia
8. Research on Indexation of Capital Punishment Decisions in Indonesia

9. Research on Enforcement of Additional Sentences in the form of Environmental Restoration
10. Preparation of Draft Regulation of the Supreme Court on Procedures for Resolving Objections to Decisions on Seizure of Assets Not Owned by defendants in Corruption Offense Cases
11. Member of Assisting Team for Judicial Reform Team Office of the Supreme Court of the Republic of Indonesia

## Publications

### BOOKS & BOOK CHAPTERS

1. *Faktor-faktor Penentu Hukuman Mati di Indonesia: Sebuah Indikator*, (Jakarta: Yayasan TIFA, IJRS dan LBHM, 2022), available at <https://ijrs.or.id/faktor-faktor-penentu-hukuman-mati-di-indonesia-sebuah-indikator/>
2. *Peluang dan Tantangan Penerapan Restorative Justice dalam Sistem Peradilan Pidana di Indonesia*, ( Jakarta: Institute for Criminal Justice Reform, 2022) available at <http://ijrs.or.id/peluang-dan-tantangan-penerapan-restorative-justice-dalam-sistem-peradilan-pidana-di-indonesia/>
3. *Penelitian Disparitas dan Kebijakan Penanganan Perkara Tindak Pidana Narkotika di Indonesia*, (Jakarta: Indonesian Judicial Research Society, 2022) available at <https://ijrs.or.id/penelitian-disparitas-dan-kebijakan-penanganan-perkara-tindak-pidana-narkotika-di-indonesia/>
4. *Kejahatan Konservasi sebagai Kejahatan Terorganisasi Transnasional & Pemberantasannya Melalui Hukuman Finansial yang Efektif dan Efisien*, dalam Arah Baru Kebijakan Penegakan Hukum Konservasi Sumber Daya Alam Hayati dan Ekosistemnya (Jakarta: The Indonesian Center for Environmental Law, 2019) available at <https://icel.or.id/buku/arah-baru-kebijakan-penegakan-hukum-konservasi-sumber-daya-alam-hayati-dan-ekosistemnya/>
5. *Memaknai dan Mengukur Disparitas: Studi terhadap Praktik Pemidanaan pada Tindak Pidana Korupsi*, (Depok: Badan Penerbit Fakultas Hukum Universitas Indonesia, 2017) available at <https://mappifhui.org/memaknai-dan-mengukur-disparitas-studi-terhadap-praktik-pemidanaan-pada-tindak-pidana-korupsi>
6. *Kriminalisasi "Trading in Influence" melalui Ketentuan Suap, dalam Anotasi Putusan Tindak Pidana Korupsi*, Depok: Badan Penerbit Fakultas Hukum Universitas Indonesia and MaPPI-FHUI, 2015)

## Scientific Journal Articles

1. "Analisa Ekonomi terhadap Hukum dalam Pemidanaan Partai Politik melalui Pertanggungjawaban Korporasi dalam Perkara Tipikor", *Jurnal Integritas*, Vol. 5, No. 1, (June 2019) (published by Corruption Eradication Commission), available at <https://jurnal.kpk.go.id/index.php/integritas/article/view/384>
2. "Kepatuhan Indonesia Terhadap Konvensi Anti-Korupsi", *Jurnal Prisma*, Vol. 37, No. 3 (2018) (published by Lembaga Penelitian, Pendidikan, dan Penerangan Ekonomi dan Sosial /LP3ES) available at [https://perpustakaan.kpk.go.id/index.php?p=show\\_detail&id=10452&keywords](https://perpustakaan.kpk.go.id/index.php?p=show_detail&id=10452&keywords)
3. "Corporate Criminal Liability in Indonesia Anti-Corruption Law: Does it Work Properly?", *Asian Journal of Law and Economics*, Vol. 8, No.3, (December 2017) (published by De Gruyter) available at <https://www.degruyter.com/document/doi/10.1515/ajle-2017-0029/html>
4. "Suap di Sektor Privat: Dapatkah Dijerat?", *Jurnal Integritas*, Vol. 3, No. 1, Maret 2017 (published by Corruption Eradication Commission) available at <https://jurnal.kpk.go.id/index.php/integritas/article/view/140>

## OPINIONS (PRINT AND ONLINE MEDIA)

1. "Pejabat dengan kekayaan tak wajar tidak bisa dipidana: salah siapa?", (published by The Conversation) available at <https://theconversation.com/pejabat-dengan-kekayaan-tak-wajar-tidak-bisa-dipidana-salah-siapa-174158> 6 January 2022
2. "Pemenuhan Hak Ekonomi-Sosial dan Pengurangan Kejahatan" (published in Tempo Newspaper) available at <https://koran.tempo.co/read/opini/470209/papua-barat-hak-ekonomi-sosial-dan-pengurangan-kejahatan> 10 December 2021
3. "Pelapor Kasus Korupsi bisa Dapat Hadiah Hingga Rp200 Juta. Tapi Apakah Efektif?" (diterbitkan oleh The Conversation) available at <https://theconversation.com/pelapor-kasus-korupsi-bisa-dapat-hadiah-hingga-rp200-juta-tapi-apakah-efektif-105726> 30 October 2018
4. "Rancangan KUHP Rasa Kolonial" (published in Tempo Newspaper) available at <https://kolom.tempo.co/read/1071270/rancangan-kuhp-rasa-kolonial> 20 March 2018
5. "KPK Can Name Setya Novanto a Suspect, Again", (Published in Jakarta Post) available at <https://www.thejakartapost.com/academia/2017/10/04/kpk-can-name-setya-novanto-a-suspect-again.html> 4 October 2017
6. "Desperately Fighting Corporate Crimes" (published by Jakarta Post Newspaper) available at <https://www.thejakartapost.com/news/2017/03/27/desperately-fighting-corporate-crimes.html> 27 March 2017

7. “*Suap Swasta, Dapatkah Dijerat?*” (published by Tempo Newspaper) available at <https://www.indonesiana.id/read/102762/suap-swasta-dapatkah-dijeratandreas-nathaniel-marbun> 14 December 2016
8. “Thank the Media for Exposing Judiciary’s Flaws” (published by Jakarta Post Newspaper) available at <https://www.thejakartapost.com/news/2016/10/29/thank-media-exposing-judiciary-s-flaws.html> 29 October 2016
9. “Imam Gusman Case: Criminalizing the Trade in Influence” (published by Jakarta Post Newspaper) available at <https://www.thejakartapost.com/academia/2016/09/21/irman-gusman-criminalizing-the-trade-in-influence.html> 21 September 2016
10. “Win-win Solution to Criminalize Drug Users”, (published by Jakarta Post Newspaper) available at <https://www.thejakartapost.com/news/2016/06/25/win-win-solution-criminalize-drug-users.html> 25 June 2016