



## Legal Discourse on Legalizing Cryptocurrency as Legal Tender in Indonesia: Insights from Global Practices

Sandy Kurnia Christmas<sup>1\*</sup>, Aurellia Angelique<sup>2</sup>

<sup>1,2</sup> Faculty of Law, Universitas OSO, Indonesia

\*Corresponding email: [ch.sandykurnia@oso.ac.id](mailto:ch.sandykurnia@oso.ac.id)

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### Abstract

Cryptocurrency in Indonesia presents both advantages and challenges. The Indonesian government has not yet given legality to cryptocurrency as legal tender. However, even though it does not have specific regulations, this matter regarding crypto is described as a crypto asset in several legal regulations in Indonesia. This study aims to examine the potential for implementing cryptocurrency as legal tender in Indonesia and whether it can be regulated within the country's legal framework. It also compares Indonesia's situation with the legal systems of El Salvador and the Central African Republic, where cryptocurrency has been adopted as legal tender. This study was studied in a socio-legal research method review, which used several approaches from a legislative perspective, case studies, and a comparison of state laws. The findings reveal that while there is no specific law in Indonesia that regulates cryptocurrency as legal tender, there are existing regulations governing crypto assets, overseen by the country's futures supervisory agency. Crypto in Indonesia does not yet meet the standard requirements as legal tender, such as tability of value, divisibility, and uniformity. Based on a comparison of laws in El Salvador and the Central African Republic that have established crypto as legal tender, several comparisons can be seen starting from the structure, substance, and legal culture, where support for regulations and institutions as well as community support can maximize the legalization of crypto in Indonesia, but this requires several special considerations related to the impact and influence that will be faced if the legality of crypto is implemented. Therefore, based on the comparison of the law, it will be seen whether Indonesia.



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### A. INTRODUCTION

Cryptocurrency is a digital currency which produces and regulates currency units and verifies transactions using techniques and encryption that can operate without involvement from any authority or better known as a decentralized finance system (Rahmawan & Mafruhah, 2023). The primary purpose of cryptocurrency is to serve as a medium of exchange for online transactions (CIMB Niaga, 2020). Along with technological developments, cryptocurrency comes with further functions and can be converted into various currencies in the world which makes international trade activity traffic accessible

to anyone. The swift spread and rise of cryptocurrencies worldwide have the potential to significantly impact the global economy (Hasani, 2022).

The Indonesian Ministry of Trade assesses that cryptocurrency could have great potential and could become one of the contributors to Indonesia's state income in 2021. It is possible that over time this asset could contribute to the country's income. (Asmara, 2021). Cryptocurrency offers several benefits that have led some countries to adopt it as legal tender. These include low-cost asset transfers that take only seconds with the use of computers and the internet, the fact that no institution or government issues cryptocurrency, making it independent of any nation, and its guaranteed security and resistance to counterfeiting. (Rosyda, 2022). This digital currency also helps prevent the counterfeiting commonly associated with traditional transactions.

As cryptocurrency develops, several countries and international banking agencies provide various responses to the use of cryptocurrency (Otoritas Jasa Keuangan, 2022): The European Central Bank (ECB) views cryptocurrency as a speculative asset that has been linked to certain unethical businesses, as well as money laundering and other illegal activities. Globally, there must be agreed-upon and enforced regulations, as any loopholes could harm society. The Russian Central Bank (RCB) stated that cryptocurrencies are becoming popular, raising concerns about risks to financial stability. In 2022, the President of Russia declared his firm stance against allowing cryptocurrencies to be used as a means of payment in the country (Binekasri, 2022). The decision is the result of long discussions between The RCB and the government regarding the use of cryptocurrencies. According to the Bank of China (BoC), cryptocurrency is thought to potentially disrupt a country's economic and financial stability because of its illegal spread and its association with crimes such as gambling, illegal fundraising, fraud, pyramid schemes, and money laundering, which could jeopardize societal welfare. China began to stop cryptocurrency trading and banned digital token mining in May 2021 (Bestari, 2022a).

In contrast, on September 7, 2021, El Salvador became the first country globally to recognize cryptocurrency as legal tender through its Bitcoin Law. El Salvador's decision to adopt Bitcoin as legal tender is driven by significant economic motivations. Cryptocurrencies can be used to curb inflation due to pressure on their currency and reduce dependence on the US dollar (Sitepu, 2021a). The Central American nation has invested millions of dollars in Bitcoin, established it as legal tender, and promoted its use in everyday transactions. Almost everything in El Salvador such as knick-knacks, food, gasoline and even houses can be purchased with Bitcoin (Tidy, 2022). However, Central American University conducted a survey which found the heartbreaking fact, namely that nine out of 10 citizens in the country of El Salvador do not know what Bitcoin is. In fact, eight

out of 10 say they have little confidence in digital money (Arbar, 2022). As a result, many citizens exchange Bitcoin for cash after receiving it.

The Central American nation has invested millions of dollars in Bitcoin, established it as legal tender, and promoted its use in everyday transactions (Central Banking, 2023). President Faustin-Archange Touadéra of the Central African Republic approved the law establishing Bitcoin as legal tender, known as République Centrafricaine Cryptomonnaie Loi n°22,004 du 22 Avril 2022 (Central Banking, 2023). Economist Yann Daworo said the Central African Republic government's move to approve cryptocurrency as an official currency will make life easier. Because transactions can be done via smartphone and it is also easy to change Bitcoin to other currencies (Bestari, 2022b). Yet according to estimates in 2020, nine out of ten Central Africans do not have access to the internet which is a prerequisite for using Bitcoin. This is coupled with an uneven and unreliable electricity supply (BBC, 2022).

Looking at the problems that faced by El Salvador and the Central African Republic, cryptocurrency is still difficult to use due to inadequate facilities and lack of state preparation. Thus, cryptocurrency does not yet meet the requirements to become legal tender, such as having a value that tends to be stable so that people believe that storing cryptocurrency will not cause harm, nor will it fluctuate; and generally accepted so that its existence is guaranteed by the government in power (Dwicaksana & Pujiyono, 2020).

The presence of cryptocurrency in Indonesia has pros and cons, one of which is the result of not complying with several elements and criteria as a currency that is commonly used in general (Burhanuddin, 2022). The Indonesian government still has not provided legality for cryptocurrency as legal tender (Muntafiah, Bakri, & Rais, 2022). The Commodity Futures Trading Supervisory Agency (Bappebti) is still in the process of reviewing and issuing various regulations concerning cryptocurrency assets. The use of cryptocurrency as a tool for business transactions presents both advantages and disadvantages, as it does not yet fulfill the criteria necessary to function as a currency. Bank Indonesia, the central bank of the Republic of Indonesia, is responsible for maintaining the stability of the payment system, ensuring the stability of the rupiah's value, and contributing to the stability of the financial system to support sustainable economic growth (Bank Indonesia, 2020). Bank Indonesia is tasked with managing three areas, namely monetary, payment systems and financial system stability. Law Number 23 of 1999 on Bank Indonesia, as amended multiple times and most recently by Law Number 4 of 2023 on the Development and Strengthening of the Financial Sector, establishes Bank Indonesia as an independent state institution. This law ensures that Bank Indonesia performs its duties and exercises its powers without interference from the government or other parties, except as explicitly specified in the law. The problem formulation in this research discusses how

cryptocurrency is regulated in Indonesia and what are the implications of implementing cryptocurrency as legal tender in Indonesia based on a comparison of the laws of El Salvador and the Central African Republic.

Research on cryptocurrency as legal tender is unprecedented. However, previous studies like Renaldi Thosal's 2023 thesis on Bitcoin explore international economic law perspectives on Bitcoin usage policies and compare Bitcoin regulations in El Salvador with those in other countries (Thosal, 2023). Meanwhile, this research discusses the regulation of cryptocurrency in Indonesia and the implications of implementing cryptocurrency as legal tender in Indonesia based on a comparison of the laws of El Salvador and the Central African Republic. Billi Anidiatama Rahmawan's 2022 research examines the potential effects and influence of cryptocurrency, focusing on the innovations it introduces to the monetary and economic systems (Mafruhah, Rahmawan, & Robbani, 2022). Meanwhile, this research discusses the implications of implementing cryptocurrency as legal tender in Indonesia based on a comparison of the laws of El Salvador and the Central African Republic. Manas Divetia's 2023 research explores the implications a country might face if it adopts cryptocurrency as legal tender and a form of currency within its economy, including a case study of El Salvador's adoption of Bitcoin as legal tender (Divetia, 2023). Meanwhile, this research discusses the implications of implementing cryptocurrency as legal tender in Indonesia based on a comparison of the laws of El Salvador and the Central African Republic.

## B. RESEARCH METHOD

The cryptocurrency study employed a socio-legal research methodology, utilizing various approaches including legislative, case-based, and comparative analyses to inform the perspectives of the research. The data sources in this legal research were obtained from secondary data sources. The legal materials used consist of regulations from the countries of El Salvador, the Central African Republic and Indonesia. The legal regulations regarding cryptocurrencies are El Salvador's Bitcoin Law, while in the Central African Republic they are République Centrafricaine Cryptomonnaie Loi n°22,004 du 22 Avril 2022. In Indonesia, regulations governing cryptocurrency implementation include several laws and regulations, such as the Commodity Futures Trading Law, ministerial regulations on Commodity Futures Trading, Bank Indonesia regulations on electronic money and financial transactions, and various institutional regulations by Bappebti concerning crypto assets.

## C. RESULTS AND DISCUSSIONS

### Regulation and Implementation of Cryptocurrency Activities in Indonesia

In Indonesia, cryptocurrency is classified as a crypto asset. According to Article 1, Paragraph (7) of Bappebti Regulation Number 5 of 2019 on Technical Provisions for Organizing the Physical Market for Crypto Assets are defined as intangible commodities in the form of digital assets that use cryptography, peer-to-peer networks, and distributed ledgers to manage the creation of new units, verify transactions, and secure transactions without external interference."

In terms of legal policy, in Indonesia there is no law that officially regulates cryptocurrency activities specifically. Although cryptocurrency itself is not specifically regulated, various regulations govern crypto asset transactions. The implementation of crypto asset business activities in Indonesia is overseen and facilitated by Bappebti, as stipulated in Article 5, Paragraph (1) of Bappebti Regulation Number 5 of 2019 concerning Technical Provisions for Organizing Physical Crypto Asset Markets on Futures Exchanges.

Legal regulations governing crypto asset activities in Indonesia encompass several key documents, including Minister of Trade Regulation Number 99 of 2018, which outlines the general policy for implementing crypto asset futures trading. Additionally, Bappebti has issued regulations on the technical provisions for physical crypto asset markets on futures exchanges, specifically Regulations Number 5 of 2019, Number 9 of 2019, Number 2 of 2020, and Number 3 of 2020. There are also regulations addressing the determination of which crypto assets are eligible for trading on the physical crypto asset market.

Bappebti Regulation Number 5 of 2019 has included regulations that legalize cryptocurrency trading in Indonesia (Prasetyo & Latumahina, 2023). In its role on the futures exchange as a commodity, crypto activity is supported by an investment observer task force under the Financial Services Authority, which supervises and monitors suspicious activities within the cryptocurrency sector (Chang, 2019).

Bappebti Regulation Number 5 of 2019 states that cryptocurrencies that can be traded in Indonesia must meet the following criteria: "Utilizes distributed ledger technology; Consists of crypto assets with utility or those backed by assets; The crypto asset's market capitalization ranks within the top 500 globally; Engages in transactions on major international crypto exchanges; Provides economic benefits such as tax revenue, growth in the IT sector, and specialized digital expertise; Risk assessments have been conducted, including evaluations of money laundering, terrorism financing, and other risks."

Based on Bappebti Regulation Number 7 of 2020, there are 229 cryptocurrencies that are legally traded on the Indonesian physical crypto asset market, such as bitcoin, etherum, tether, bitcoin cash, lite coin, and so on. There is a reason why cryptocurrency is listed as a commodity on futures exchanges, namely, cryptocurrency is a product that is not intervened by the government, is volatile or fluctuates, and has quite significant supply and demand. (Bintarto, 2022).

According to the Coordinating Minister for Economic Affairs Letter Number S-302/M.EKON/09/2018 regarding the Follow-up on the Regulation of Crypto Assets as Commodities Traded on Futures Exchanges, crypto assets are prohibited as a means of payment but can be considered commodities for investment purposes on futures exchanges. The study defines crypto assets as Digital Commodities or Crypto Commodities from the blockchain system, which can be categorized as rights or interests, thus falling under the commodity category as outlined in Law Number 10 of 2011 (Bappebti, 2020).

### **Implications Legalizing of Cryptocurrency as Legal Tender in Indonesia Based on Global Practice in Comparison of the Laws of El-Salvador and the Central African Republic**

Legal Tender is a means of making payments that is legally recognized as legal tender in a country. The role of the Central Bank as a financial institution in a country has the role of issuing currency in each country. The currency issued is legally recognized as a legal means of payment and is recognized by the government, and is used by every citizen to carry out buying and selling transactions. (Thosal, 2023). Currency as a legal means of payment is not only in physical form, but there is also digital form, one of which is digital currency called cryptocurrency.

Several countries have legalized cryptocurrency as a digital currency to help expand the reach of information technology in the banking sector. These countries include Japan, Singapore, South Korea, Canada, Estonia and even Indonesia. Some of these countries only legalize the circulation of cryptocurrencies to help the reach of information technology in banking, and some of them also establish policies to provide protection for digital markets and certain restrictions on unfair trading practices in the virtual asset market. This is what makes several countries set policies to regulate cryptocurrency activities, but that does not mean legalizing them to become a legally valid means of payment. In practice, only two countries, El Salvador and the Central African Republic, have officially designated cryptocurrency as legal tender.

On September 7, 2021, El Salvador became the first country globally to designate cryptocurrency, specifically bitcoin, as legal tender by enacting the Bitcoin Law. This law regulates bitcoin not only as a means of paying taxes and

debts, but all business activities are also required to accept bitcoin as a medium of exchange for all transactions. (Alvarez, Argente, & Patten, 2022). El Salvador's Bitcoin Law was established to regulate the implementation of bitcoin law in El Salvador in order to encourage the nation's economy, increase national wealth and the interests of the largest population. In terms of legal substance, El Salvador's Bitcoin Law consists of 16 articles.

The legality of cryptocurrencies in the Central African Republic was established when President Faustin-Archange Touadéra approved a law designating bitcoin as legal tender on April 26, 2022 (Central Banking, 2022). The Parliament of the Central African Republic enacted the République Centrafricaine Cryptomonnaie Loi n°22.004 du 22 Avril 2022 into the law governing cryptocurrencies in the country. The Central African Republic became the second country in the world, and the first country in the African region to designate cryptocurrency as legal tender (Kabre, 2022). République Centrafricaine Cryptomonnaie Loi n°22.004 du 22 Avril 2022 is the law that regulates cryptocurrency in the Central African Republic, where this law consists of 7 chapters and 26 articles.

At the legislative level in Indonesia, there is no specific discussion on cryptocurrency. Both Law Number 32 of 1997 and Law Number 10 of 2011 address general aspects of commodity futures trading, where cryptocurrency is categorized as a digital commodity or crypto commodity. Even though Indonesia has made several regulations regarding cryptocurrency transaction activities, Indonesia has not yet designated it as legal tender in the payment and transaction system in Indonesia. Legally, cryptocurrency is not recognized as legal tender in Indonesia because it contradicts the provisions of Law Number 7 of 2011. Article 2 (1) states that "Rupiah" is the only legal payment method in Indonesia.

According to Bank Indonesia's Press Release Number 20/4/DK0m, Bank Indonesia asserts that virtual currencies, including bitcoin, are not recognized as legal payment instruments and are therefore prohibited from being used as a means of payment in Indonesia. Article 34, letter (a) of Bank Indonesia Regulation Number 18/40/PBI/2016 states that Payment System Providers are prohibited from processing payment transactions using virtual currency. Based on the explanation of this article, bitcoin is explicitly mentioned as a virtual currency that is prohibited from being used as a means of payment in Indonesia (Jati & Zulfikar, 2021). However, according to the Coordinating Minister for Economic Affairs Letter Number S-302/M.EKON/09/2018, cryptocurrency can be used as an investment and classified as a commodity eligible for trading on futures exchanges. (Bappebti, 2020).

Cryptocurrency can become legal tender if it meets several conditions, namely acceptability, stability of value, portability, divisibility, durability and uniformity. Based on the legal tender requirements, the relationship with

cryptocurrency is first, generally acceptable to the public (Acceptability). Based on Bappebti data, the total number of crypto investors in Indonesia reached 17.91 million by September 2023. This represents an increase of 12,000 people, or 0.67%, compared to August 2023, when the number was 17.79 million. This increase in the number of crypto investors reflects the interest and trust of the Indonesian people in the crypto asset market (Rajendra, 2023). This increase is the potential for cryptocurrency to be accepted by Indonesian society. Second, the value owned tends to be stable (Stability Of Value). The value of cryptocurrencies tends to be volatile and is based on speculation with no definite determining factors. Cryptocurrencies have value fluctuations that tend to be drastic and unpredictable. The value of a cryptocurrency can rise drastically at one time, and vice versa it can fall drastically depending on the news (Zain, 2018). As a result, cryptocurrency does not meet the Stability Of Value criteria. Third, it is light and easy to carry (Portability). Cryptocurrency meets the easy-to-carry category because it is intangible and has no physical form. However, it uses hardware connected to the internet network. It can be seen that in Indonesia as many as 63.51 million people out of a total of 278.8 million people in Indonesia do not have adequate internet access (Annur, 2023). Fourth, it is easy to divide without reducing value (Divisibility). Divisibility means that it is easy to divide without reducing the original value so that it can be used in the smooth buying and selling process and can be divided according to units with various nominal amounts. Meanwhile, cryptocurrency is virtual and has no physical form, making it difficult to break it down into smaller units. So cryptocurrency does not meet the requirements to be easily divided without reducing value. Fifth, durable or not easily damaged (Durability). The intangible nature causes cryptocurrencies to be durable and not easily damaged, as long as they can be accessed and persist within the existing blockchain. So that cryptocurrency meets the requirements of being durable or not easily damaged. Sixth, quality tends to be the same (Uniformity). Uniformity means that the quality of all cryptocurrencies must tend to be the same and have no differences. Cryptocurrencies of the same nominal amount with different qualities will remain in the same amount as the original or cannot be deducted (Ramadhan, 2021). However, cryptocurrencies tend to have different qualities because their value often changes or fluctuates.

Based on the requirements for making cryptocurrency legal tender, it can be said that several conditions fulfill the category of legal tender, but to make it truly implemented as legal tender, all the requirements mentioned must be met. It can be concluded that cryptocurrency in Indonesia has not met its standards as legal tender.

If you look at the comparison with the countries of El Salvador and the Central African Republic which have designated cryptocurrency as legal tender, these two countries have each established institutions that regulate and supervise



cryptocurrency transaction activities, the El Salvador government is assisted by The Central Reserve Bank and the Superintendency of the Financial System as issuing regulations regarding bitcoin, as well as the Banco de Desarrollo de El Salvador (BANDESAL) as a trust institution that will supervise bitcoin to USD conversion activities based on this law; and the Government of the Central African Republic is assisted by the National Agency for Transaction Regulation or Agence Nationale de Régulation de Transaction Électronique (ANTE) which is responsible for controlling and managing transaction activities at ATMs (Automatic Teller Machine) operated in the country's territory. As a legal structure that oversees cryptocurrency activities, BANDESAL is a government-owned institution that operates under the supervision of the Ministry of Finance of El Salvador with the aim of encouraging economic growth, reducing poverty, and creating jobs through the provision of financial services and programs (Cardona, 2023). The institution that oversees cryptocurrency in the Central African Republic, namely ANTE, is responsible for controlling and managing transaction activities at ATMs operated in the country's territory. All provision of virtual currency and official currency exchange services, as well as the provision of digital wallet services are subject to legal regulations. Judging from the comparison of the two countries that have established legal tender for cryptocurrency, in Indonesia there is also an institution that supervises cryptocurrency activities. In Indonesia several institutions have been set up to supervise, including:

- a) The Commodity Futures Trading Supervisory Agency (Bappebti) is a government agency responsible for fostering, regulating, developing, and supervising crypto asset trading activities (Art.1.(3) of Government Regulation Number 49 of 2014);
- b) The Futures Exchange is an institution that handles reporting, facilitates transactions, monitors the market in real-time, develops crypto products, and manages recommendations and membership systems (Head of Bappebti Regulation Number 01/BAPPEBTI/SP-BBAK/07/2023).
- c) The Clearing House is an institution designated to handle financial settlement, Delivery versus Payment (DvP) functions, and financial integrity assurance. It also manages suspension functions, as well as system and membership recommendations (Head of Bappebti Decision Number 01/BAPPEBTI/SP-LKBAK/07/2023).

As a country that has not yet designated cryptocurrency as legal tender, Indonesia legally has the ability to supervise cryptocurrency transaction activities, but only limited to supervision in crypto asset trading, which is different from BANDESAL and ANTE whose function is to supervise virtual currency and the official currency transactions of each country.

In terms of implications regarding cryptocurrency, in El Salvador it is known that El Salvador's Bitcoin Law is the law that is the foundation for carrying

out cryptocurrency transactions. In the Central African Republic there is also the République Centrafricaine Cryptomonnaie Loi n°22.004 du 22 Avril 2022 as the basis for cryptocurrency legislation in the country.

Both El Salvador's Bitcoin Law and the République Centrafricaine Cryptomonnaie Loi n°22.004 du 22 Avril 2022 are laws that establish cryptocurrency as legal tender, where the law regulates bitcoin as unlimited legal tender and is considered a reference currency. This law is established as a legal framework for carrying out and implementing cryptocurrency transactions, as well as ensuring security against legal violations that occur.

In Indonesia, several policies have been established for cryptocurrency transactions, including Minister of Trade Regulation Number 99 of 2018 on General Policies for Crypto Asset Futures Trading. Additionally, Bappebti has issued regulations on Technical Provisions for Physical Crypto Asset Markets on Futures Exchanges (Regulations Number 5/2019, 9/2019, 2/2020, and 3/2020), and Bappebti Regulation Number 7 of 2020 concerning the List of Crypto Assets Eligible for Trading on the Physical Crypto Asset Market. The thing that differentiates the substance of Indonesian law from the two countries that have designated cryptocurrency as legal tender is that cryptocurrency in Indonesia is generally used as an investment tool and for buying and selling or what is usually called crypto trading (CIMB Niaga, 2022). Crypto trading is the activity of buying and selling cryptocurrency with the aim of making a profit from the price difference. The application of cryptocurrency exchange rates in El Salvador and the Central African Republic are each determined by the market. This market is a financial market consisting of various crypto assets, such as Bitcoin, Ethereum, and others (Academy, 2023).

In the case of El Salvador, 9 out of 10 citizens in that country do not know what bitcoin is. In fact, 8 out of 10 say they don't have much confidence in digital money (Arbar, 2022). Against this, El Salvador in its law provides educational workshop programs and introduces Chivo Wallet as a digital wallet supported by the government to support bitcoin integration (Neti, 2022). Nayib Bukele teaches his people through YouTube broadcasts and explains how to use a special bitcoin wallet for transactions equipped with pictures (Sitepu, 2021b). El Salvador's Ministry of Education has begun implementing a curriculum that studies cryptocurrency, especially Bitcoin, in public schools in El Salvador (Tauzirie, 2023). The curriculum program, launched in partnership with My First Bitcoin experts, will teach 150 public school teachers about Bitcoin. Since launching in 2021, My First Bitcoin has taught 25,000 El Salvadoran students directly. The curriculum discussion is contained in a book containing 187 pages which displays economic education, the role of money, the dark side of money, and its evaluation.

This educational program has actually had a good impact on the economy of El Salvador society. As many as 3 million citizens have used bitcoin through

Chivo Wallet, which is almost 50% of the country's total population. Average remittance transactions are \$2,000,000 / day, with over 65 thousand transactions per second. The El Salvador government's commitment to promoting bitcoin to the public is also carried out by providing discounts for purchasing fuel if done using Chivo Wallet (Arslanian, Danovan, Blumenfeld, & Zamore, 2021). This proves that the El Salvador government is serious and committed to establishing cryptocurrency as their legal tender.

In contrast to the Central African Republic, in 2020, 9 out of 10 citizens in the Central African Republic did not have access to the internet which is a prerequisite for bitcoin transactions. This, coupled with an uneven and unreliable electricity supply (BBC, 2022). Electricity supply is almost non-existent in rural areas of the Central African Republic (Odeh, 2022). Bitcoin relies on reliability, speed and extensive internet service to operate. Internet penetration in the Central African Republic is 14%. In 2020, that means around 655,500 people, and only 14% of the population had access to electricity, mainly in the capital Bangui, and less than half had a mobile phone connection.

If we look at its implementation in the Central African Republic, inadequate accessibility of facilities and infrastructure is an obstacle to the successful implementation of bitcoin in that country. In addition, the country's economic condition is not yet strong, there is a lack of equal distribution of technology. Even though it can be considered a failure, the important thing that is learned from the case in the Central African Republic is that it highlights the importance of equitable accessibility and an advanced environment to be able to make the program of implementing cryptocurrency as legal tender a success for other countries.

If we look at the implications of legal culture in Indonesia regarding the readiness of facilities and infrastructure, both internet access and equal distribution of electricity supply in Indonesia are not yet completely equal and adequate. According to data from the Central Statistics Agency for 2022, 66.48% of Indonesia's population has access to the internet, and 67.88% have cell phones (Badan Pusat Statistik, 2022). The level of internet penetration is not evenly distributed nationally. In 2022 the level of internet access in Jakarta will reach 84.65%, while in Papua it will only be 26.32% (Ahdiat, 2023).

Based on data from the State Electricity Company, there are still more than 4,700 villages in Disadvantaged, Frontier and Outermost areas or regions of Indonesia that have geographical, social, economic and cultural conditions that are less developed than other areas on a national scale and do not yet enjoy electricity (CNN Indonesia, 2022). The ratio of villages with electricity sourced from PLN is 90.78%. Several provinces are still below 80%, namely West Kalimantan, North Kalimantan, East Kalimantan, Central Kalimantan and Maluku. Even worse, in Papua and West Papua, the ratio of villages with electricity is still below 50%.

Reflecting on the country of El Salvador, accessibility of infrastructure such as education that supports law enforcement and the implementation of the law itself in society in Indonesia is not yet fully distributed. The Ministry of Trade's Commodity Futures Trading Supervisory Agency synergized with the Indonesian Crypto Asset Trading Association (Aspakrindo) in February 2023 to hold the Crypto Asset Literacy Month program (Kementerian Komunikasi dan Informatika, 2023). The program aims to increase crypto asset trading literacy by providing correct and appropriate understanding among the community. As well as providing education for the public about the risks, benefits and potential of trading crypto assets. Thus, the implementation of physical market trading of crypto assets is in accordance with statutory regulations. However, this program is only held in several cities in Indonesia, namely Jakarta, Medan, Semarang, Surabaya and Makasar.

#### D. CONCLUSION

In terms of legal policy, in Indonesia there is no law that officially regulates cryptocurrency activities specifically. However, even though it has not been specifically regulated, there are several regulations that cover crypto asset transaction activities, the implementation of which crypto asset business activities in Indonesia are regulated and facilitated by the Commodity Futures Trading Supervisory Agency (Bappebti) and assisted by the Financial Services Authority (OJK).

Indonesia has made several regulations regarding cryptocurrency transaction activities, but Indonesia has not recognized the validity of cryptocurrency as legal tender in payment and transaction systems. Cryptocurrency in Indonesia does not yet meet the requirements for legal tender, namely stability of value, divisibility and uniformity. As a country that has not yet designated cryptocurrency as legal tender, Indonesia already has the legal structure to supervise cryptocurrency transaction activities. However, it is only limited to supervision in crypto asset trading, which is different from BANDESAL and ANTE whose function is to supervise virtual currency transactions and the official currencies of each country. Looking at the implications of legal culture in Indonesia regarding the readiness of facilities and infrastructure, both internet access, electricity supply and education about cryptocurrency in Indonesia are still not evenly distributed nationally. In terms of legal substance, Indonesia could determine cryptocurrency as legal tender, where to determine its implementation the main thing is to carry out legal reforms to its laws or regulations. The difference in the substance of Indonesian law with the two countries that have designated cryptocurrency as legal tender is that cryptocurrency in Indonesia is generally used as an investment tool and for buying and selling or what is usually called crypto trading.

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#### COMPETING INTEREST

We declare that there are no competing interests among the authors regarding this research article

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