

## REGIONAL GOVERNMENT STRATEGY FOR FACING CYBERCRIME AT BANK BSI SYARIAH TANJUNGPINANG

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### Abstract

*This study aims to analyze the role of local government in formulating public policies for handling cybercrime at BSI Syariah Bank in Tanjungpinang City. Cybercrime is a serious threat to the banking sector. Thus, local governments have a responsibility to protect the public and ensure security in transactions in this sector. This study uses qualitative research method using literature studies as a data source and this research is the empirical legal research<sup>1</sup>. Relevant literature sources such as journals, scientific articles, and related policy documents, are collected and analyzed qualitatively. The purpose of this study is to provide a better understanding of the role of local government in formulating effective public policies in handling cybercrime at BSI Syariah Bank in Tanjungpinang City. It is found that Bank BSI Syariah Tanjungpinang requires stronger prevention and control measures against cybercrime. This includes increasing internal awareness, implementing appropriate security technologies, and collaborating with law enforcement authorities. Meanwhile, the Tanjungpinang City government needs to increase its role in enforcing strict policies and law enforcement against cybercrime perpetrators, as well as strengthening cross-sector cooperation to deal with this threat effectively.*

**Keywords:** public policy, cybercrime handling, BSI syariah, Tanjungpinang

### A. Introduction

The development of information and communication technology has had a significant impact on the financial sector, including banking. However, along with this progress, new challenges have also emerged, one of which is cybercrime.<sup>2</sup> The Cybercrime phenomenon, as any manifestation of technology-based crime, poses serious risks to financial institutions, especially to Sharia Banks that operate in accordance with Sharia principles.<sup>3</sup> Cybercrime is a crime committed using information and communication technology facilities. This crime can take the form of fraud, hacking, data

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<sup>1</sup> Syaputra, D. (2020). Pembagian Harta Waris dalam Masyarakat Nagari Bayua. *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, 29-40.

<sup>2</sup> Agung, A. (2022). *Pencegahan Cybercrime di Wilayah Hukum Polda Jambi* (Doctoral Dissertation, Ilmu Hukum). Hlm 1

<sup>3</sup> Fadlian, A. (2021). Analisis Yuridis terhadap Ancaman Cyberporn Bagi Pengguna Aplikasi Twitter: 1. Ancaman Cyberporn Sebagai Tindak Pidana Dunia Maya Bagi Pengguna Aplikasi Twitter 2. Dampak Bagi Korban Kejahatan Cyberporn dan Peran Cyberlaw dalam Penanganan Tindak Pidana Dunia Maya Tersebut. *De Juncto Delicti: Journal of Law*, 1(2), 106-131.

theft, etc. To face this challenge, Indonesia uses the Law on Electronic Information and Transactions (ITE Law) as the main legal basis for minimizing the risks and consequences of cybercrime.<sup>4</sup> The ITE Law that was implemented has played a central role in regulating electronic transactions, data protection, and use of the internet and social media. However, the 2008 ITE Law (Act No. 11 of 2008 concerning Information and Electronic Transactions) has undergone two changes, namely, first, Act No. 19 of 2016 regarding Amendments to Act No. 11 of 2008 regarding Information and Transactions Electronic. The second amendment to the ITE Law is Act No. 1 of 2024 regarding the Second Amendment to Act No. 11 of 2008 concerning Information and Electronic Transactions. The existence of increasingly advanced information technology has had a major influence on the banking sector, but on the other hand, it has brought new challenges related to data security and financial transactions.<sup>5</sup> The cybercrime phenomenon, as any manifestation of technology-based crime, poses serious risks to financial institutions, especially to Sharia Banks that operate in accordance with Sharia principles.<sup>6</sup> Cybercrime is a crime committed using information and communication technology facilities. This crime can take the form of fraud, hacking, data theft, etc.<sup>7</sup>

The development and application of Sharia principles in Sharia bank operations is also subject to the DSN-MUI (The National Syariah Council – Indonesian Ulama Council) Fatwa. There are five names of DSN-MUI fatwas, namely DSN-MUI Fatwa No. 40/DSN-MUI/X/2003 regarding capital market, DSN-MUI Fatwa No. 80/DSN-MUI/III/2011 regarding the implementation of Sharia Principles, DSN-MUI Fatwa No. 124/DSN-MUI/XI/2018 regarding the implementation of Sharia Principles, DSN-MUI Fatwa No. 138/DSN-MUI/V/2020 regarding the implementation of Sharia Principles, and the DSN-MUI Fatwa No. 135/DSN-MUI/V/2020 regarding shares. These fatwas include guidelines to the prohibition of interest and business that are considered *haram* in the context of Sharia banking.<sup>8</sup> Despite of having an existing legal basis, there are often gaps on normative reality

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<sup>4</sup> Anshary, A. D. K., Susiatiningsih, H., & Farabi, N. (2016). 10. Peran International Tellecommunication Union dalam Mengatasi Cyber Crime di Indonesia Tahun 2011-2013. *Journal of International Relations Universitas Diponegoro*, 2(2), 91-103

<sup>5</sup> Darwis, N. (2019). Kriminology pada Bidang Kebijakan “Cyber Securty”. *Jurnal Ilmiah Hukum Dirgantara*, 9(2).

<sup>6</sup> Fadlian, A. (2021). Analisis Yuridis terhadap Ancaman Cyberporn Bagi Pengguna Aplikasi Twitter: 1. Ancaman Cyberporn Sebagai Tindak Pidana Dunia Maya Bagi Pengguna Aplikasi Twitter 2. Dampak Bagi Korban Kejahatan Cyberporn dan Peran Cyberlaw dalam Penanganan Tindak Pidana Dunia Maya Tersebut. *De Juncto Delicti: Journal of Law*, 1(2), 106-131.

<sup>7</sup> Buzan, B. (2008). *People, States & Fear: An Agenda for International Security Studies in the Post-Cold War Era*. ECPR Press.

<sup>8</sup> Ferrary, A. A. I., Hartini, S., & Purwaningsih, P. (2023). Kajian Hukum Terhadap Tindak Pidana Cyber Phising yang digunakan untuk Mengambil Data Pribadi pada Situs Digital Trading Dihubungkan Dengan Undang-Undang Nomor 19 Tahun 2016 Tentang Perubahan Atas Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Transaksi dan Elektronik: Universitas IBN Khaldun Bogor. *YUSTISI*, 10(2), 1-12.

(*das Sollen*) and concrete events in society (*das Sein*).<sup>9</sup> Despite the implementation of the ITE Law, cybercrime still poses a serious threat to financial institutions, especially the banking sector. The threats can take in the form such as economical threat in the form of loss of customers fund and can also lead to customer personal data breach.<sup>10</sup> Example of customer personal data breach at a Sharia Bank happened on May 13<sup>th</sup>, 2023 at street Basuki Rahmat No 3. The leaked data included customer name, bank number, phone number, e-mail address, number, and birth date.<sup>11</sup>

One of the Sharia Banks in Tanjungpinang City is the BSI Syariah Tanjungpinang City Bank. It is hoped that the incident occurred to BSI will not happen to Bank BSI Syariah Tanjungpinang City. Therefore, it is very necessary to evaluate potential incidents or cybercrime cases that may occur at BSI Syariah Tanjungpinang City. Thus, the aim of this research is to explain preventive steps to prevent cybercrime from occurring in the world of Sharia banking, especially BSI Syariah Tanjungpinang. BSI Syariah Tanjungpinang City was chosen as a sample to illustrate the potential for cybercrime in Sharia Banks. This selection is based on the existence and development of the bank in Tanjungpinang, making it a representative for identifying and analyzing gaps between desired policies and their implementation in dealing with potential cybercrime.

## B. Identified Problems

However, in facing the threat of cybercrime in the banking world, the government's role is very significant in formulating public policy. This is important in order to maintain the integrity and security of Sharia banking, especially in Tanjungpinang City, encouraging attention on efforts to prevent and handle cybercrime. In facing this complexity, a deep understanding of key concepts such as cybercrime, banking, and Sharia banking are keys to develop effective strategies. Therefore, in line with the research objectives, several problem formulations were created:

1. What are the anticipatory steps taken by BSI Syariah Tanjungpinang to prevent cybercrime?
2. What is the role of the Tanjungpinang City Government in anticipating and overcoming cybercrime in Sharia banking?

To answer this question, researchers used Philipus M. Hadjon's Legal Protection Theory. This theory states that legal protection is the protection of

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<sup>9</sup> Fitriana, W., & Harun, S. H. (2020). *Respon Hukum Indonesia Terhadap Transaksi Elektronik (E-Commerce)* (Doctoral dissertation, Universitas Muhammadiyah Surakarta).

<sup>10</sup> Kusuma, A. C., & Rahmani, A. D. (2022). Analisis Yuridis Kebocoran Data pada Sistem Perbankan di Indonesia (Studi Kasus Kebocoran Data pada Bank Indonesia). *SUPREMASI: Jurnal Hukum*, 5(1), 46-63.

<sup>11</sup> Fahmi Ahmad Burhan, "Ketika Bank Syariah Perkuat Keamanan Data Nasabah Di Tengah Ancaman Serangan Siber," *Bisnis.com*, 2023, <https://finansial.bisnis.com/read/20231002/90/1699916/ketika-bank-Syariah-perkuat-keamanan-data-nasabah-di-tengah-ancaman-serangan-siber>.

honor and dignity, as well as the recognition of human rights possessed by legal subjects based on legal provisions from arbitrariness.<sup>12</sup> Based on this theory, it is hoped that the efforts made by BSI Syariah Tanjungpinang, and the Tanjungpinang City Government can anticipate and overcome cybercrime in Sharia banking as a form of legal protection for customers and the public. These efforts aim to protect the dignity and human rights of customers and the community from the abuses of cyber criminals. However, there are still several challenges faced in these efforts, including the complexity of cyber security threats and a lack of public awareness. These challenges can hamper the effectiveness of legal protection efforts for customers and society.

### C. Research Methods

The research design used in this research is the empirical legal research involving analysis of public policies related to handling cybercrime at Bank BSI Syariah in Tanjungpinang City.<sup>13</sup> Relevant data and information will be collected through interviews.<sup>14</sup> Additionally, researchers will also conduct a literature review.<sup>15</sup> Related to the management of cybercrime in the banking sector.

The research location (research object) is the BSI Syariah Tanjungpinang City which is located on Jalan Basuki Rahmat No. 03, Tanjungpinang City. This research involves research subjects namely related parties such as representatives from BSI Syariah Bank with the total number of 3 people with the respective positions of Director and Customer Service and the City Government TanjungPinang. The data collection was carried out by in-depth interviews with the research subjects. Primary data from interviews and secondary data from library searches consisting of primary legal materials, namely the ITE Law, secondary legal materials, namely books, were analyzed qualitatively.<sup>16</sup>

### D. Research Findings and Discussions

#### 1. Anticipatory Steps Taken by BSI Syariah Tanjungpinang to Prevent Cyber Crime

##### a. Overview of BSI Syariah Tanjungpinang

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<sup>12</sup> Arwanto, B. (2016). Perlindungan Hukum Bagi Rakyat Akibat Tindakan Faktual Pemerintah. *Jurnal Yuridika*, 31(3).

<sup>13</sup> Syaputra, D. (2020). Pembagian Harta Waris dalam Masyarakat Nagari Bayua. *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, 29-40.

<sup>14</sup> Rahayu, S. S. (2020). *Students' Difficulties In English Speaking Lesson At the Twelfth Grade of Sma N 1 Jatimom In the Academic Year of 2020/2021* (Doctoral Dissertation, Iain Surakarta).

<sup>15</sup> Rahayu, D. (2018). Indonesia National Cybersecurity Review: Before and After Establishment National Cyber and Crypto Agency (BSSN). In *2018 6th International Conference on Cyber and IT Service Management (CITSM)* (pp. 1-6). IEEE.

<sup>16</sup> Ardiansyah, A. (2023). Analisis Penerapan Laporan Keuangan Berdasarkan Standar Akuntansi Keuangan Entitas Mikro, Kecil dan Menengah (EMKM) pada Bank Sampah Galang Panji. *Vokasi: Jurnal Riset Akuntansi*, 12(3), 69-79.

BSI Syariah Tanjungpinang as an integral part of the BSI Syariah Bank network, represents one of the Sharia financial entities that plays an active role in the Tanjungpinang area.<sup>17</sup> This bank provides a variety of Sharia-based financial services which aim to meet the needs of the community with the principles of justice and transparency in accordance with Sharia principles. Based on data from Bank Syariah Indonesia (BSI), the number of BSI Tanjungpinang Branch customers as of December 31st, 2023, was 15,000 customers. This number has increased by 20% compared to the previous year (2022). This increase is in line with the increasing awareness of the Tanjungpinang community towards Sharia banking.

BSI Tanjungpinang Branch offers a variety of complete Sharia banking product and service programs, ranging from savings options, financing products, to investment products.<sup>18</sup> The following are several Sharia banking products and service programs offered by BSI Tanjungpinang Branch.

**Table 1.** Tanjungpinang Sharia Bank Products

Savings Options	Financing Products	Investment Products
BSI iB Savings	BSI iB Consumption Payment	BSI Mutual Funds
BSI iB Haji Savings	BSI iB Multipurpose Payment	BSI Sharia Bonds
BSI iB Deposit	BSI iB Motorcycle Payment	BSI Sukuk
BSI iB Demand Deposit	BSI iB House Payment	

Source: Siagian, 2023

In an effort to build strong relationships with its customers, BSI Syariah Tanjungpinang is also actively involved in various social initiatives and educational programs in the local community. This reflects the bank's commitment to not only be a financial institution, but also a sustainable development partner. The existence of BSI Syariah Tanjungpinang not only reflects the evolution of the Sharia financial sector in Indonesia, but also a real contribution to economic development and inclusive finance in the region. By continuing to expand its service network and

<sup>17</sup> Santhi, N. N. P. P., & Nuarta, I. N. (2023). Penguatan Penegakan Hukum Polri dalam Rangka Optimalisasi Penanggulangan Cybercrime di Indonesia. *SCIENTIA: Journal of Multi Disciplinary Science*, 2(1), 15-27.

<sup>18</sup> Siagian, L., Budiarto, A., & Simatupang, S. (2018). Peran Keamanan Siber Dalam Mengatasi Konten Negatif Guna Mewujudkan Ketahanan Informasi Nasional. *Peperangan Asimetris (PA)*, 4(3).



improve its service quality, this bank plays an important role in strengthening the foundation of Sharia banking in Tanjungpinang and its surroundings.<sup>19</sup>

**b. Cyber Crime in Sharia Banking and BSI Syariah Tanjungpinang's Anticipation of Cyber Crime**

Based on an interview with the Director of BSI Tanjungpinang on December 8<sup>th</sup>, 2023 regarding how the Tanjungpinang regional government plans to increase cooperation with Sharia Banks such as Bank BSI to support economic growth and financial inclusion. The Director of BSI stated that the steps taken by the regional government to support the growth of the Sharia banking sector, including the incentives and policies implemented, play a role in Bank BSI Syariah Tanjungpinang in supporting economic and financial development programs initiated by the Tanjungpinang government.

According to the results of interviews with BSI Syariah Tanjungpinang Customer Service regarding matters or strategies for maintaining security. It was explained that the bank applies multiple layers of security for every transaction, including facial recognition in the online account opening process. Then there is an access code and M-pin for transactions on the BSI Syariah mobile bank. Communication is also carried out encrypted using a secure socket layer. This system will pay attention to suspicious transactions, for example customer transactions with unusually large amounts by using the system to detect replacement of devices.<sup>20</sup>

Based on the results of other Customer Service interviews regarding how the local government plans to integrate local economic development programs with initiatives run by the BSI Syariah Tanjungpinang bank. The answer was obtained that the regional government plans to integrate local economic development programs with the initiative carried out by the BSI Syariah Tanjungpinang bank through several strategic steps, namely consultation and collaboration, identification of gaps and opportunities, joint program development and community outreach and education.

The rise of cybercrime always correlates directly with the sophistication of technology. Thus, cybercrime will always be followed by new types of crime. Types of cybercrime include

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<sup>19</sup> Angelina, T. (2022). Faktor-Faktor yang Mempengaruhi Minat Nasabah dalam Menggunakan Mobile Banking Pada PT. Bank Syariah Indonesia, TBK KCP Stabat. *Al-Sharf: Jurnal Ekonomi Islam*, 3(2), 127-141.

<sup>20</sup> Burhan, "Ketika Bank Syariah Perkuat Keamanan Data Nasabah di Tengah Ancaman Serangan Siber."

hacking, cracking, carding and probes, scanning, compromising, root compromise, denial of service, and misuse of domain names are just some of the current forms of cybercrime.<sup>21</sup> Thus, the SOP or documents that must be filled in if you become a victim of cybercrime are to submit a report to the police, proof of transactions or activities, communication records, personal identity documents, financial documents, system security history, insurance documents, approval, and agreement with related parties.

In connection with the above, Legal Protection Theory can be used to analyze the cyber security context to tackle cyber-attack before it occurs (preventive) and when it occurs (repressive). Preventive efforts (before cyber-attack) as compiled from the results of interviews with Bank BSI Tanjungpinang took the form of a comprehensive balance of bank security policies and procedures to prevent the cyber-attack, including access restrictions, data encryption, and employee trainings. The contracts and agreements draft, contracts with third parties, and IT services or private security contractors must include clear and strict security protection intentions. Periodic security inspections involve carrying out routine security inspections and audits should be done to identify and address system security concerns before the bank, or its customers are exploited by cyber attackers. Education and training regarding information security practices should be given to employees, such as monitoring email phishing or maintaining the confidentiality of passwords.

Meanwhile, repressive efforts (after cyber-attack occurs) can be carried out by reporting to the Legal Authority, such as to the police or a cybercrime investigation unit for further investigation. Next, collect electronic evidence and documentation related to the cyber-attack to support the investigation and legal prosecution. Legal enforcement can be achieved through prosecution to prosecute the cybercriminal and seek compensation for the harm caused. The use of legal services involves a lawyer or law firm that specializes in civil security law to provide legal advice and assist in the law enforcement process. Legal enforcement can be carried out through the choice of legal action, whether the process of enforcement is outside the court (negotiation, mediation, conciliation) or through court proceedings, depending on the scale of the crime, the harm caused, and the jurisprudence of the applicable law. The use of Legal Protection Theory in a security context can help

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<sup>21</sup> Angelina, T. (2022). Faktor-Faktor yang Mempengaruhi Minat Nasabah dalam Menggunakan Mobile Banking pada PT. Bank Syariah Indonesia, TBK KCP Stabat. *Al-Sharf: Jurnal Ekonomi Islam*, 3(2), 127-141.

organizations to be more effective in preventing and responding to security measures.

**2. The Role of the Tanjungpinang City Government in Anticipating and Overcoming Cybercrime in Sharia Banking**

Based on the results of interviews with the Tanjungpinang City government, it is received that to increase cyber security and tackle cybercrime, the government has prepared series of policies and legal protection measures. One of the policies that has been prepared is the reinforcement of information security and customer data protection. This includes enforcing strict regulations on Sharia banks to protect sensitive customer information and prevent unauthorized access. In addition, the Tanjungpinang City Government has also collaborated with related institutions, such as the Ministry of Communication and Information Technology, to increase monitoring and law enforcement regarding cybercrimes. Preventive measures such as cyber security training for bank employees have also been implemented to increase awareness and skills in dealing with digital security threats.

In terms of law enforcement, the Tanjungpinang City Government implements strict penalties against cyber criminals, including criminals in Sharia banks. These penalties include fines and criminal sentence in accordance with the requirements of the applicable law. By implementing these policies and legal protection measures, it is hoped that a safer and more reliable Sharia banking environment can be created for customers, as well as preventing potential losses due to cybercrimes.

The results of interviews with the Tanjungpinang City Government revealed that the government had prepared a proactive and repressive strategy to overcome cyber-attack such as BSI (*Brute-Force Cyberattack Incident*). Below is a summary of the results of the interview:

**Table 2.** Strategy from the Tanjungpinang Government

Preventive Strategy	Repressive Strategy
Awareness Enhancement	Strict Law Emforcement
Appropriate Use of Security Technology	Increased Colllaboration Eith Related Authority
Development of Information Security Policy	Development of Crisis Team Response

Source: Results Interviews Officials Tanjungpinang

By implementing a preventive strategy before the incident occurs and a repressive strategy after the cyber-attack occurs, the Tanjungpinang City Government aims to protect information infrastructure and public interest from the threat of cybercrime activity, as well as effectively enforcing the law to face cyber-attack incident.

In this way, in the context of cybercrime control at Bank BSI Syariah Tanjungpinang City, the regional government has a role to



develop public policy. To achieve effectiveness in this task, several aspects need to be considered, including a deep understanding of the threat of cybercrime which is the main foundation for the regional government. Due to the strong awareness of the risks faced by Bank BSI Syariah and the local community, it is possible to take steps based on the strategies outlined previously in dealing with cybercrime in Bank BSI Syariah Tanjungpinang. The local characteristics of regional government strategies are also carried out through collaboration between various parties, adaptation to the latest security technology, strengthening local policies and compliance, and being responsive to local contexts.

#### **E. Conclusions**

It can be concluded that, from preventive efforts carried out by Bank BSI Syariah Tanjungpinang, the bank has conducted comprehensive and integrated cybercrime prevention and control measures which are important to protect the security of information and customer finances. The bank has also increased awareness and understanding of the threat of cybercrime among its employees and customers, as well as adopting the latest security technology and implementing strict information security policies. Meanwhile, if a cybercrime attack occurs, then the response effort is to guide the crisis response team to help the bank respond quickly and efficiently by coordinating with law enforcement.

Meanwhile, the role of Tanjung Pinang City Government is also very important in supporting the efforts of Bank BSI Syariah and protecting its people from the threat of cybercrime. In a preventive manner, the Tanjungpinang City Government has facilitated cooperation between related parties, such as police authorities and financial institutions, in sharing information and coordination in handling cybercrime. In addition, in a repressive manner, the Tanjungpinang City Government has implemented strict penalties against cybercrime criminals as an effort to give deterrent effects and prevent similar actions to happen in the future. As a result, collaboration between Bank BSI Syariah Tanjungpinang and the Tanjungpinang City Government is key in protecting information security and public finances.

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