

ABSTRACT

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Juridical Analysis Regarding Violence Committed by Investigators Against Terrorism Suspects
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Densus 88 AT is a specialized unit of the Indonesian National Police tasked with the authority to enforce anti-terrorism laws under the Republic of Indonesia Law Number 5 of 2018. In practice, Detachment 88 often engages in arbitrary actions during the apprehension of terrorism suspects, involving wrongful acts and violence that may lead to the death of terrorism suspects who may not necessarily have committed acts of terrorism. In this analysis, the author will examine the legal protection and justice for terrorism suspects who have experienced violence during the investigation process. Therefore, the author conducted a normative-empirical legal research to observe what is stipulated in the existing laws in Indonesia, as well as to see in practice how legal protection is provided for terrorism suspects who experience violence during the investigation, through secondary data such as books and journals. 1.) What Legal Protection is Afforded Regarding Violence Committed by Investigators Against Terrorism Suspects? 2.) What Criminal Accountability is There for Violence Committed by Investigators Against Terrorism Suspects?. The research findings then indicate that legal protection for victims of violence during investigations in Indonesia involves the authority of the District Court to conduct a Pretrial process. Victims of violence by Densus 88 are entitled to receive compensation and rehabilitation in accordance with Article 37 of Law No. 5 of 2018 on Terrorism in conjunction with Article 95 in conjunction with Article 97 of the Indonesian Code of Criminal Procedure (KUHAP), ensuring stronger protection for victims during the investigation process in Indonesia. In cases of violations by Densus 88, they must adhere to the ethical and professional hearing process as stipulated in Article 21 paragraph 1 of the Republic of Indonesia National Police Regulation Number 14 of 2011 concerning the Code of Ethics for the Republic of Indonesia National Police as well as Article 11 of Republic of Indonesia National Police Regulation Number 8 of 2009 which governs the Implementation of Human Rights Principles and Standards.

References : 94 (1995-2023)

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