

Penetapan Status Justice Collaborator Dalam Upaya Pengungkapan Kasus Tindak Pidana Umum di Indonesia (Analisis Putusan Pengadilan Negeri Jakarta Selatan Nomor:798/Pid.b/2022/PN.Jkt.Sel.) =  
Determination of Justice Collaborator Status in Efforts to Disclose General Crime Cases in Indonesia (Analysis of the Decision of the South Jakarta District Court Number: 798/Pid.b/2022/PN.Jkt.Sel.)

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Abstrak

Tulisan ini menganalisis bagaimana penerapan justice collaborator di dalam ketentuan hukum pidana di Indonesia, khususnya dalam penerapan status justice collaborator di dalam kasus pembunuhan Brigadir Yosua dalam Putusan Pengadilan Negeri Jakarta Selatan No.798/Pid.b/PN.Jkt.Sel. Tulisan ini disusun menggunakan metode penelitian doktrinal. Penerapan justice collaborator semula muncul dalam United Nations Convention Against Corruption 2003, di dalam UNCAC sebutan justice collaborator muncul untuk memerangi kasus-kasus pidana yang sulit dipecahkan hingga memerlukan orang dari dalam kasus tersebut yang bisa memberikan keterangan untuk membuka seterang-terangnya kasus tersebut, UNCAC 2003 ini kemudian di ratifikasi ke dalam Undang-Undang Nomor 7 Tahun 2006 tentang Konvensi PBB Anti Korupsi. Penerapan justice collaborator ini kemudian dijelaskan tentang bagaimana penerapan, batasan serta pengecualian di dalam Undang-Undang Nomor 7 Tahun 2006 tentang Konvensi PBB Anti Korupsi, Undang-Undang Nomor 31 Tahun 2014 tentang Perubahan Undang-Undang Nomor 13 Tahun 2006 tentang Perlindungan Saksi dan Korban, serta didukung peraturan mengatur teknis justice collaborator bari para penegak hukum seperti di dalam Surat Edaran Mahkamah Agung Nomor 4 Tahun 2011 tentang Perlakuan Bagi Pelapor Tindak Pidana (whistle blower) dan Saksi Pelaku yang Bekerjasama (justice collaborator) dan juga Peraturan Bersama Nomor: M.HH-11.HM.03.02.th.2011; Nomor: PER-045/A/JA/12/2011; Nomor: 1 Tahun 2011; Nomor: KEPB-02/01-55/12/2011; Nomor: 4 Tahun 2011. Dalam praktiknya penerapan justice collaborator di Indonesia bisa diterapkan di dalam kasus tindak pidana umum, penerapan ini membuka banyak kemungkinan penyelesaian masalah pidana yang sulit dipecahkan.

.....This article analyzes how justice collaborator is applied in criminal law provisions in Indonesia, especially in the application of justice collaborator status in the murder case of Brigadier Yosua in South Jakarta District Court Decision No.798/Pid.b/PN.Jkt.Sel. This article was prepared using doctrinal research methods. The application of justice collaborator originally appeared in the 2003 United Nations Convention Against Corruption, in UNCAC the term justice collaborator emerged to fight criminal cases that were difficult to solve and required people from within the case who could provide information to reveal the case as clearly as possible, UNCAC 2003 This was then ratified into Law Number 7 of 2006 concerning the UN Convention Against Corruption. The application of justice collaborator is then explained about how to apply, limitations and exceptions in Law Number 7 of 2006 concerning the UN Convention Anti-Corruption, Law Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Protection of Witnesses and Victims, and supported by regulations governing technical justice collaborators for law enforcers, such as in the Supreme Court Circular Letter Number 4 of 2011 concerning the Treatment of Criminal Whistleblowers and Cooperating Witnesses (justice collaborators) and also Joint Regulation

Number: M.HH- 11.HM.03.02.th.2011; Number: PER-045/A/JA/12/2011; Number: 1 of 2011; Number: KEPB-02/01-55/12/2011; Number: 4 of 2011. In practice, the application of justice collaborator in Indonesia can be applied in general criminal cases, this application opens up many possibilities for resolving criminal problems that are difficult to solve.