ABSTRACT

Dwi Herman Sucipta, NIM 3.13.1.1153 “JURIDICIAL STUDIES OF THE DEATH PENALTY FROM HUMAN RIGHTS PERSPECTIVE” under the

in criminal law, which aim to maintain safety, discipline, welfare and justice in society. To achieve those objectives is indispensable sanctions or strict penalties have the shape of punishment. In the Indonesian criminal law capital punishment is still listed in the book criminal code (KUHP). On one side human rights are protected or guaranteed by the laws and regulation in Indonesian. Point issue in this paper is wether the application of the death penalty is contrary to human rights? And how implementation the death penalty is contrary to human right? An the purpose is to determine the application of the death penalty is contrary to human rights and want to know the implementation of the death penalty in Indonesia. The research in this paper is normative. Types of legal materials use are the primary legal material, secondary law, and tertiary legal materials. Collection techniques legal materials in this paper is the techniques of collecting primary legal material in the form of laws and regulations and secondary legal material in the form legal literature relating to the study in this paper as well as tertiary legal materials in the form of legal dictionary. Technic analysis in this paper is a qualitative. Technique that legal material obtained and is described and analyzed so that it can be drawn a conclusion to the problem that I researched. Based on the findings that the application of the death penalty in indonesia does not conflict with the human right aspects because death row inmate has previously violated the human right of victims. The implementation of the death penalty in indonesian is not hanged on the gallows but by being shot to death.

Keywords: Death Penalty, Human Rights.