

## ABSTRACT

### STUDY OF HUMAN RIGHTS IMPLEMENTATION OF THE DEATH PENALTY

Capital punishment contained in the book of the law of criminal law (Criminal Code) inherited from the colonial government. Crime that threatened the death penalty in Indonesia is corruption, narcotics crimes, criminal acts of terrorism, crime combating subversive activities, psychotropic crime, and the Criminal Code (treason, encouraging or inciting others to attack the Republic of Indonesia, protecting the enemy or help enemies who fought against the Republic of Indonesia, killing the head of friendly countries, murder, theft with violence that caused the serious injury or death, piracy carried out at sea, seaside, or in the river so that there are people dying, and advocating insurrection or riot in workers against the company during the war of national defense).

Issues raised in this study is how the death penalty in law enforcement assessment of human rights since the onset of double punishment for perpetrators, and whether the sanction of capital punishment does not violate human rights. To find out the answer to the problems posed, the research conducted in the form of normative juridical approach to the method of legislation and conceptual approaches. The results showed that the implementation of capital punishment is in conformity with legal provisions and applicable laws, and carried out by considerations of morality, public order and security. However, since a very long span of time between sentencing judge who has had permanent legal force by the time of execution of death penalty goals and ultimately lead to criminal prosecution becomes difficult to achieve, and this can lead to a double suffering for death row inmates.

Keywords: Dead Criminal, Human Rights, the emergence of Suffering double.