

ASAS RETROAKTIF DALAM PEMBERANTASAN TINDAK PIDANA TERORISME

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PEMBIMBING : BAMBANG SUHERYADI,SH.,MHUM.

TERRORISM ACT ; CRIMINAL

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ABSTRACT

Application of principle of retroactivity in the eradication of terrorism effort, reap the pros and cons. In early July 2003, one of the accused Bali bombing October 12, 2002 apply for testing the constitutionality of Law No. 16 of 2003 *jo.* Government Regulation No. 2 of 2002 (Law PTPT II), which became the basis of the application of Law No. 15 of 2003 *jo.* Government Regulation No. 1 of 2002 on Combating Criminal Acts of Terrorism (Law PTPT I). In the end, the Constitutional Court constituted that the Law PTPT II contrasted with UUD 1945 and has no legal binding. However, Article 46 of Law PTPT I still remain valid. Retroactive principle in the Law PTPT I is applied because of the public sense of justice has offended. Research on how the enforceability of the retroactive principle in an effort to combat terrorism act is needed to answer the confusion.

Keywords: retroactive principle, justice, terrorism act