

ABSTRAK

Dalam rangka penanganan terorisme di Indonesia tentunya menemukan berbagai permasalahan. Salah satunya adalah penanganan terduga terorisme yang dilakukan oleh Densus 88 Anti teror terhadap terduga terorisme yang berakibat pada korban jiwa. Peristiwa tersebut menjadi polemik di masyarakat terkait masalah pertanggungjawaban pidananya. Apabila anggota Densus 88 dalam melaksanakan tugasnya sesuai dengan prosedur yang ada dalam Undang- Undang yang berlaku maka tidak dapat dimintai pertanggungjawaban karena adanya alasan pembenar sedangkan Pertanggungjawaban pidana atas kelalaian penanganan anggota Densus 88 Anti Teror jika terdapat melakukan kewenangannya dengan menyalahi prosedur yang ada, selain itu juga dianggap telah melanggar kode etik terduga terorisme yang berakibat korban nyawa maka anggota Densus 88 dapat dipertanggungjawabkan atas perbuatannya. Setiap anggota Densus 88 Anti Teror tunduk pada perundang-undangan yang berlaku bagi warga sipil sehingga diadili di peradilan umum. Anggota Densus 88 Anti Teror juga merupakan satuan dari Polri yang dapat diproses secara pidana melalui peradilan umum.

Kata Kunci: Anggota Densus 88 Anti Teror. Penanganan Teroris, Hukum Pidana.

ABSTRACT

In order to handle terrorism in Indonesia certainly find various problems. One of them is the arbitrary handling of terrorism perpetrated by the Anti Terrorism Detachment 88 against the alleged terrorism that resulted in the loss of life. The incident became a polemic in the community regarding the issue of criminal responsibility. If the members of Densus 88 in performing their duties in accordance with existing procedures in the applicable Law, can not be held accountable for justification while the criminal liability for the negligence of the handling of members of Densus 88 Anti-Terror if there is conducting its authority by violating the existing procedures, also considered to have violated the code of ethics suspected of terrorism which resulted in the victim's life so members of Densus 88 can be accountable for his actions. Every member of Densus 88 Anti Terror is subject to the laws applicable to civilians so that they are tried in public courts. Members of Densus 88 Anti-Terror are also units of the Police that can be criminally processed through public court

Keywords: Members of Densus 88 Anti Terror. Handling, Criminal Law.