

Fulfillment of The Right to Protection Guarantee for Witnesses and Victims of Crime in Indonesia

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Abstract:

Because the testimony of witnesses and victims is the primary evidence in criminal law, the rules and regulations control how witnesses and victims' rights are to be fulfilled. Victims-as-witnesses have rights guaranteed by law, but in practice, these rights are seldom honored by authorities, and many witnesses are subjected to threats and intimidation from the offender, my family, and even law enforcement officials. As a result, the protection of witnesses and victims' rights becomes a concern. Using the legal definition of a witness, as well as the rights and duties of victims who serve as witnesses, this paper examines how Indonesian courts ensure the rights of witnesses and victims are upheld. Qualitative research is utilized in the study of normative law. Legal documents of both major and secondary importance are used as the basis for this research. To be a witness, a person must fulfill the formal and material standards, and must have personal knowledge of the events they are reporting. Physical and psychological security from threats and intimidation as well as monthly pay for traveling expenses are among the rights given by the law against witnesses. In many laws and regulations, particular provisions are included for the protection of victim-witness rights.

Keywords: rights; witnesses; victims; criminal law

Abstrak:

Karena kesaksian saksi dan korban adalah bukti utama dalam hukum pidana, aturan dan peraturan mengontrol bagaimana hak-hak saksi dan korban harus dipenuhi. Korban-sebagai-saksi memiliki hak-hak yang dijamin oleh hukum, tetapi dalam praktiknya, hak-hak ini jarang dihormati oleh pihak berwenang, dan banyak saksi menjadi sasaran ancaman dan intimidasi dari pelaku, keluarga saya, dan bahkan petugas penegak hukum. Akibatnya, perlindungan saksi dan hak-hak korban menjadi perhatian. Dengan menggunakan definisi hukum seorang saksi, serta hak dan kewajiban korban yang bertugas sebagai saksi, makalah ini meneliti bagaimana pengadilan Indonesia memastikan hak-hak saksi dan korban ditegakkan. Penelitian kualitatif digunakan dalam studi hukum normatif. Dokumen hukum yang penting dan sekunder digunakan sebagai dasar untuk penelitian ini. Untuk menjadi saksi, seseorang harus memenuhi standar formal dan material, dan harus memiliki pengetahuan pribadi tentang peristiwa yang mereka laporkan. Keamanan fisik dan psikologis dari ancaman dan intimidasi serta pembayaran bulanan untuk biaya perjalanan adalah salah satu hak yang diberikan oleh hukum terhadap saksi. Dalam banyak undang-undang dan peraturan, ketentuan khusus disertakan untuk perlindungan hak-hak korban-saksi.

Kata Kunci: hak; saksi; korban; hukum pidana

INTRODUCTION

The presence of witnesses/victims in the criminal justice system is crucial, particularly for law enforcement officials seeking and gaining clarification regarding a crime (Sudrajat, 2022). In supplying information linked to a criminal case, witnesses/victims are subjected to all criminal justice exams, as well as the examination of a suspect or defendant. It is necessary to strive during the judicial process so that the witness/victim also needs security guarantees. It is not uncommon for him to be in his position as a witness/victim to threaten his life. In enforcing criminal Law, evidence, especially witness statements, is not easy to obtain. This is proven by the number of victims, such as those of sexual assault, domestic violence, and violence against children, who do not want to testify because they are terrified to do so (Mareta, 2016). In accordance with the Witness and Victim Protection Law, protection encompasses all measures made by LPSK or other institutions to secure the victims' rights and provide them with a feeling of safety.

Witnesses/victims and victims get protection beginning with the investigation, investigation, prosecution, and examination phases. The importance of witness/victim protection is motivated by a shifting perspective from retributive justice to restorative justice. This shift is a shift in the philosophy of justice from positive Law based on material legal principles in the criminal justice system (Mudakir, 2005). Protecting witnesses and victims is to avoid threats and intimidation from either the perpetrator, the perpetrator's family, or any party. Threats received by witnesses/victims may also vary, directed at themselves and directed at their families and relatives. It will significantly affect the information that will be given in court. In carrying out the criminal justice system, law enforcement officials must evaluate and weigh the evidential value with caution and attention (Taufik Makaro & Suharsil, 2004).

Law No. 31 of 2014 on Amendments to Law No. 13 of 2006 on Protection of Witnesses and Victims, often known as the Law on Protection of Witnesses and Victims. The law has established specific protection for witnesses/victims to offer each witness/victim a feeling of security while providing information in all criminal justice proceedings.

The state pays particular attention to the protection of witnesses and victims by creating the Witness and Victim Protection Agency (LPSK). Article 1, paragraph 5 of the Witness and Victim Protection Law states: "Witness and Victim Protection Agency starting now

abbreviated as LPSK is an institution tasked with providing protection and other rights to Witnesses and Victims as regulated in this Law."

Based on the Law's authority, LPSK is still unable to provide an optimal and complete sense of security. This is because many problems come along with the passage of a trial. In social reality, law enforcers do not want to hear, see, or feel that the witness/victim who is summoned feels safe or comfortable, including his family members. In addition, each test level, from inquiry to court examination, is fairly lengthy (Sunarso, 2012).

Legal protection for witnesses and victims is crucial, particularly in issues involving the fulfillment of their rights. The Law on the Protection of Witnesses and Victims outlines the rights of witnesses and victims. The witness/victim's rights have not been completely implemented, indicating that there are rights that should be provided to the witness/victim but are not. Implementation of the Law on the Protection of Witnesses and Victims is still often overlooked. This causes the witnesses/victims to be reluctant to provide valid information because the witnesses/victims feel that they are not guaranteed protection against themselves.

Not a few witnesses who want to provide information about a criminal act are threatened and terrorized by an individual. Usually, the terror that comes to the witness/victim comes from the perpetrator or the perpetrator's family. As stated by Evi Laila, the Head of Litigation and Non-Litigation Division of the KPK Legal Bureau, which was conveyed in the detiknews media, the KPK said that many witnesses in corruption cases were threatened with terror and intimidation (Medistiara, 2020). Not just witnesses in corruption offenses, but also witnesses and victims in other crimes when protection guarantees remain inadequate. Occasionally, threats and intimidation come not just from the culprit or the perpetrator's family, but also from law enforcement agents such as the police during the investigative phase. According to *Republika.co.id* media, the witness confirmed that Polri detectives had intimidated him (Kurnia, 2021). As law enforcement officials, they are prohibited from threatening or coercing witnesses or victims into providing information. Statutory restrictions require law enforcement agents to offer protection and safeguard witnesses and victims.

In light of this description, it might be worthwhile to examine Indonesia's protection of witnesses and victims of illegal activities. The focus of this study is the rights and duties of witnesses and victims in giving information on a criminal conduct, as well as the provision of assurances to meet the demands of witnesses and victims under Indonesian positive criminal law.

As for the results of tracing the previous research, it was found that several studies also examined the protection of Indonesian witnesses and victims. This research is a comparison with an analysis that will be studied later, and the investigation is as follows:

Josephin Mareta produced research titled "Analysis of the Policy for the Protection of Suspects and Victims." This research illustrates why rules regulating the protection of witnesses and victims are formulated and analyzed, demonstrating that witnesses and victims need legal protection. The emphasis of this study is on the procedures and goals of the policy to safeguard the rights of witnesses and victims. In the meanwhile, the study that will be studied examines how the rights of witnesses and victims are upheld (Mareta, 2016).

Pratiwi Eka Putri Tumian did research titled "Kedudukan Lembaga Perlindungan Saksi Dan Korban Dalam Sistem Peradilan Pidana." This paper examines the status and function of the agency charged with protecting witnesses and victims within the criminal justice system. Similar to the author's findings, this article explains the significance of providing witnesses and victims with safety from law enforcement. And the difference is because Pratiwi Eka Putri Tumian's study focuses more on the position and function of witnesses and victim protection organizations in particular. This research also addresses the fulfillment of the rights of witnesses and victims within the legal system (Eka Putri Tumian, 2018).

The study titled "Perlindungan Hukum Saksi Dan Korban Penganiayaan Oleh Lembaga Perlindungan Saksi Dan Korban" by Nadia Ayu Apriani and Maro Hadi Pura. This research examines the Witness and Victim Protection Agency's legal protection of witnesses and victims of abuse. Both include discussions and explanations addressing the legal protection of witnesses and victims. And the difference is that this study is more explicit in its description of the legal protection of witnesses and victims against LPSK's abuse instances. Concurrently, this research will examine the fulfillment of the rights of witnesses and victims in general (Ayu Apriani & Hadi Pura, 2020).

The study by Syamsul Fantoni titled "Urgenitas Perlindungan Saksi Dan Korban in Identifying Cases of Domestic Violence" This research examines the need of implementing witness and victim protection in incidents of domestic abuse that are often settled peacefully. Both studies address the need of developing witness and victim protection measures. In domestic violence situations, the inquiry is more precise when considering the safety of witnesses and victims. In contrast, this research investigates the realization of the rights of witnesses and victims (Fatoni, 2014).

This study seeks to analyze and determine the rights and obligations of witnesses and victims in providing information about a criminal act at every level of examination, as well as the arrangements regarding guarantees to fulfill the rights of witnesses and victims under Indonesian positive criminal law.

METHOD

The researcher used descriptive analysis for this paper. The kind of research is qualitative library research. Sources of resources include both main and secondary materials. Exploration and concentrated study are the two phases of data collecting strategies. The exploration stage is carried out by collecting data or documents related to this research, and the data can come from books, journal articles, the web, and other sources. While the focused study phase, the researcher focuses on determining what will be studied in this research (Ali, 2014).

RESULTS AND DISCUSSION

Witness Terms and Conditions as Legal Evidence

According to R. Atang Ranomiharjo, that (legitimate) evidence is a tool that deals with a criminal act. These tools can be used as evidence to create confidence for judges on the truth of a criminal act committed. Was committed by the defendant (Prints, 1989). Based on Article 184 paragraph (1) of the Criminal Procedure Code, which includes legal evidence: Witness testimony; Expert Statement; Letter; Instruction; Defendant's Statement. Of the five pieces of evidence mentioned above, witness statements are the primary evidence in determining a crime. Further details will be explained about the evidence of witness testimony and the procedure for giving witness testimony.

Article 1 number 26 of the Criminal Procedure Code defines witnesses as those who may contribute information for the investigation, prosecution, and trial of a criminal case that they have personally heard, seen, or experienced. In light of the provisions of Article 1 point 1 of the Law on the Protection of Witnesses and Victims, namely: "Witnesses are individuals who can provide information for investigation, investigation, prosecution, and examination in court about a criminal act that he has personally heard, seen, and experienced."

A witness is a person who knows that a crime has happened based on what he has personally seen, heard, and experienced. Witnesses/victims are one of the fundamental keys to attaining material truth in the criminal justice system. This is evident from the position of the witness/evidence victim's in Article 184 (1) of the Criminal Procedure Code.

Article 1 number 27 of the Criminal Procedure Code defines witness testimony as follows:

"Witness testimony is one of the evidence in a criminal case in the form of testimony from a witness regarding a criminal event that he heard himself, saw himself, and experienced himself by mentioning the source of his knowledge."

Even if witness comments are the strongest evidence, testimony from a single witness is insufficient. This is based on the *unus testis nullus testis* (one witness is not a witness). This concept is then established in Article 185, paragraph 2, of the Criminal Procedure Code, which states: "The evidence of a single witness is insufficient to show that the defendant is guilty of the conduct for which he is charged." Wirdjono Prodjodikoro states: "A witness is an average human being. He may intentionally lie and speak the truth as if the truth were not true. Depending on a person's recollection, a witness must describe events that occurred in the past" (Prodjodikoro, 2012).

A witness statement is considered valid evidence if it fulfills 2 (two) conditions, namely:

1. Formal Terms

Formally, a witness statement must be made under oath. Suppose that the witness evidence is not presented under oath. In such a scenario, the information may be disregarded by the panel of judges because it lacks evidentiary weight, or it may be utilized as a guide to discover the material truth of a criminal case under review.

2. Material Terms

Whereas the information given by one witness alone cannot be considered valid evidence because it does not meet the material requirements, the report has evidentiary value if provided by a minimum of 2 (two) witnesses.

The above conditions must be met for a witness statement to have value and strength of evidence. Regarding witness testimony which has weight and strength of evidence, experts have different opinions regarding this matter.

According to Yahya Harahap, not all witness statements have the value and weight of evidence, thus it is important to pay attention to the following requirements that must be satisfied by a witness (Harahap, 2005):

a. The witness takes an oath or promise.

According to Article 160, paragraph 3, of the Criminal Procedure Code, witnesses are required to swear an oath or pledge before testifying. The pledge or contract is executed in accordance with their respective faiths. The pronouncement of the oath or deposit specifies that the witness/victim will only disclose honest information.

b. Witness testimony is valuable as evidence.

Article 1, number 27 of the Criminal Procedure Code requires that credible witness evidence be based on what the witness saw, heard, and experienced personally, as well as the grounds for his knowledge.

c. Witness testimony must be given in court.

Article 185, paragraph 1 of the Criminal Procedure Code stipulates that the information must be "expressed" in court so that the testimony of the witness/victim may be evaluated as evidence. The material posted outside the courtroom is not evidence and cannot be used to establish the defendant's guilt.

d. The testimony of a witness alone is considered insufficient.

Article 183 of the Criminal Procedure Code states, "A court may not impose a punishment without at least two legitimate pieces of evidence..." Article 183 of this KUHAP emphasizes the "minimal proof principle." For the testimony of a witness to be adequate to show the guilt of a defendant, it must include at least two pieces of evidence.

Based on the provisions mentioned above regarding the value and strength of evidence from witness statements given before a court session, it is clear the role of witness testimony as one of the evidence in a criminal case, although witness/victim testimony is not the only

evidence in criminal cases. However, owing to its position as the principal evidence, it will be difficult for witness testimony to show that the defendant denies committing the alleged criminal conduct (A. Kawengian, 2016).

According to the requirements of Articles 184 and 185 of the Criminal Procedure Code, witnesses are an integral part of criminal law enforcement, thus it is only reasonable that witnesses or victims get protection while testifying in court, so that they feel physically and psychologically secure. And psychological against himself or his family. Because in giving his testimony, the witness must not hesitate to explain the events that occurred even though later his testimony will incriminate the perpetrator or the defendant (Sutoyo, 2017).

Rights and Obligations of Witnesses/Victims in Indonesian Criminal Courts

Seeing that the witness/victim's position is essential in the criminal justice process, the rights and obligations of the witness/victim are fundamental to be studied in more depth. This needs to be done so that a general understanding of the rights and obligations of witnesses/victims can be known in general by the public to reduce misunderstandings regarding the existence of witnesses/victims and their duties and responsibilities. The rights and obligations of the witness/victim itself have been embodied in the laws and regulations in Indonesia.

According to the provisions of Article 5 paragraph (1) of the Law on the Protection of Witnesses and Victims, witnesses/victims have the following rights: Obtain protection for personal, family, and property security, and be free from threats related to testimony that will be, is being, or has been given;

Participate in the process of choosing and establishing the kind of security protection and assistance; Provide information without coercion; Employ a translator; Free of complicated questions; Receive updates on the case's progress; Obtain information about judicial rulings; Receive notification if the prisoner is freed; Confidentiality of identity; Acquire a new identity; Obtain a temporary housing; Obtain a new residence; Obtain payment for necessary transportation expenses Consult a lawyer;

Obtain interim aid with living costs until the Protection deadline ends, and Get help. Considering that a witness/victim is a person who may offer information for the investigation, prosecution, and trial of a criminal case based on what he has personally heard, seen, and experienced, the testimony of a witness/victim is the evidence presented by the witness/victim. In a criminal case involving what he seen and heard firsthand, he explained the basis for his knowledge. The information here is not a made-up statement but based on what happened directly experienced by the witness/victim. To strengthen the report, there is an oath to the witness/victim for the testimony given. Therefore, the witness/victim must provide accurate information.

In the Criminal Procedure Code, it is unclear if the rights of a witness/victim represent the goal of justice rather than our law, given that witnesses/victims must disclose information about a criminal conduct without being provided rights against it. In other words, if the rights of the witness/victim are not outlined in the Criminal Procedure Code, the witness/position victim's will surely be weakened.

Suppose it pertains to Article 5 paragraph 2 of the Witness and Victim Protection Law. In this instance, it states: "The rights referred to in paragraph (1) are provided to Witnesses and Victims of criminal actions in specific situations by the LPSK Decree." In the explanation of Article 5 paragraph (2), however, it is stated that: "criminal acts in certain cases" include, among other things, crimes of serious human rights violations, criminal acts of corruption, criminal acts of money laundering, criminal acts of terrorism, criminal acts of trafficking in persons, narcotics crimes, psychotropic crimes, sexual crimes against children, and other crimes that place witnesses/victims in a position where they are confronted with danger.

Witnesses must provide accurate information. So that witnesses need a sense of security and freedom when examined, witnesses should not hesitate to describe the events. Therefore, Article 173 of the Criminal Procedure Code states that the Law gives the Panel of Judges the authority to allow a witness to be heard without the accused's presence. This article implies that the interests of the witness must be accommodated so that the witness can give his testimony and speak freely without worry, fear, or pressure (Dwiatmodjo, 2011).

The rights possessed by witnesses and victims in a good, balanced, and fair criminal justice are rights related to safety, security, and comfort when providing information on the cases they face. Witnesses and/or victims who provide information in a threatening condition, both physically and psychologically, will not be able to provide the correct information in the judicial process because the information given is in a situation where the comfort and safety of the person concerned are disturbed so that the court can cancel the testimony. Therefore, it is necessary to implement a protection function to provide protection rights for witnesses and victims who provide their statements (Eka Putri Tumian, 2018).

Respect for human dignity, a feeling of security, fairness, nondiscrimination, and legal certainty underpin the protection of witnesses and victims. This is consistent with the aim of witness and victim protection, which is to provide witnesses and victims a feeling of security while delivering testimonies in all criminal justice proceedings (Herawaty S, 2009).

LPSK is an entity tasked with supporting witnesses and victims in accordance with the responsibilities and authority of Law No. 31 of 2014 about Amendments to Law No. 13 of 2006 concerning Protection of Witnesses and Victims. The establishment of the Witness and Victim Protection Agency is a ray of hope for the law enforcement process, particularly in the enforcement of the criminal justice system, to obtain legal certainty and establish justice (Ayu Apriani & Hadi Pura, 2020).

It was discovered that there was a power struggle between the Witness and Victim Protection Agency and other law enforcement personnel (police, prosecutors, and the KPK), particularly over the execution of Article 10 of Law Number 13 of 2006. This has implications, thus it is vital to reassert the authority, powers, and obligations of institutions with the ability to safeguard witnesses and victims, as well as their coordination (Mulyadi, 2014).

The Witness and Victim Protection Agency is a necessary agency because the larger society recognizes that witnesses and victims need protection inside the legal system. Witnesses and victims play a significant part in every criminal case trial, since any information provided will influence and affect the judge's judgment. As an entity with the power and duty to protect witnesses and victims, the Witness and Victim Protection Agency has shown a strong track record and been praised by several parties (Ayu Karla, 2015).

Regulation and Fulfillment of Witness/victim's Rights

Prior to the enactment of Law Number 13 of 2006 concerning the Protection of Witnesses and Victims, the criminal court system lacked a designated location for processing witnesses/victims. The presence of witnesses/victims and victims are often positioned as outsiders in the ongoing legal process. The Legislation on the Protection of Witnesses and Victims (Law No. 13 of 2006 and its revision, Law No. 31 of 2014) should be positioned to complement the criminal process law outlined in the Criminal Procedure Code so that it binds all criminal justice subsystems (Haris Semendawai, 2017).

In Article 5 paragraph (2), it is stated that, in addition to witnesses/victims, witnesses/victims of perpetrators, reporters, and experts may be granted certain rights, as long as their information relates to a criminal act. In Article 28, paragraph (3), protection for the reporter and the expert is provided with the following conditions: the nature of the importance of reporting and expert information; threat level that endangers the reporter and the expert (Haris Semendawai, 2017).

The guarantee of witness and victim protection is valid for as long as the witness or victim is alive; this depends on the level of threat experienced by the witness; consequently, the rights of witnesses facilitated by LPSK, such as obtaining a new identity and a new residence, are listed in Law Number 13 2014 Concerning Amendments to Law Number 13 of 2006 Concerning the Protection of Witnesses and Victims. This guarantee, which is a guarantee with an extended duration, provides protection by taking into account the amount of danger that witnesses and victims faced while disclosing criminal activities with an ongoing effect (Julianto, 2020).

Various protections for the rights of witnesses and victims may be seen in the following instances:

Article 31 of the Law No. 31 of 1999 on the Eradication of Criminal Acts of Corruption provides procedural rights for witnesses/victims in the form of the right not to inform or mention the name or address of the complainant, or other matters that give the possibility of knowing the identity, and the right to refuse to be a witness/victim for the father, mother, grandfather, grandmother, sibling, wife or husband, children, and grandchildren of the defendant.

Law Number 26 of 2000 concerning the Human Rights Court regulates provisions regarding the protection of witnesses and victims of gross human rights violations, as outlined in Government Regulation Number 2 of 2002 regarding Procedures for the Protection of Witnesses and Victims in Serious Human Rights Violations. The government regulation regulates at least three procedural rights, including the right to privacy (Article 4 letter b), the right to disclose information during court exams without seeing the suspect (Article 4 letter c), and the right to obtain compensation and compensation. (Article 35 of Law No. 26 of 2000).

The Law No. 15 of 2003 on the Eradication of Criminal Acts of Terrorism also regulates procedural rights for witnesses/victims, such as the right to give information freely and without coercion (Article 34 paragraph 1), the right not to mention the name or address of the reporter or other matters (Article 34 paragraph 2), and the right to identity confidentiality (Article 34 paragraph 2)

The law number 21 of 2007 on the eradication of the crime of human trafficking provides rather thorough definitions of the rights of witnesses and victims. The Law's procedural rights include the reporter's right to anonymity (Article 33, paragraph 1), the right to disclose information remotely using audiovisual communication methods (Article 34), and the right to be accompanied by an advocate or mentor. Other requirements (Article 35) include the victim's right to be informed of the case's development, which may take the form of delivering a copy of the official report at each step of the investigation. (Article 36 paragraph (1), providing information without the presence of the accused (Article 3 paragraph (1)), the right for analysis at every stage without wearing a toga or official attire for child witnesses/victims (Article 38), the right to a closed trial for child witnesses/victims.

Several procedural rights, such as the restriction on disclosing the reporter's identify under Article 99 paragraph (1) of the 2009 Narcotics Law, are also mentioned. In addition, paragraph 2 of Article 99 specifies that before the trial begins, the parties are reminded not to reveal the reporter's identity/name/address.

Protection of witnesses and victims is governed by Law No. 8 of 2010 on the Prevention and Eradication of the Crime of Money Laundering. They are Regulated in Chapter IX concerning Protection for Whistleblowers and Witnesses. In general, there are three forms of protection: the protection of the reporter's identity and witness and special protection for the reporter and witness. They received threats/intimidation and legal protection from being criminally prosecuted and civilly sued for their report or testimony (Article 8 paragraph (1)). Article 83 paragraph (1) mandates authorities and staff of the Center for the Reporting and Analysis of Transactions/Financial Victims to keep the reporter's identity confidential. During

the trial, public prosecutors, judges, and other parties implicated in the crime of money laundering were examined.

Law 11 of 2012 pertaining to the Juvenile Criminal Justice System. Chapter VII of the Child Victims and Child Witnesses Act covers measures for the protection of child witnesses/victims and child victims. The procedural matters contained in this Law include Article 90 paragraph (1) letter c, namely the ease of obtaining information regarding the progress of the case, examination of the child of a witness or child of a victim without the presence of a child on the orders of a judge (Article 58 paragraph (1)), assistance during the examination of the child of the witness or child of the victim (Article 58 paragraph (2)), the witness/victim outside the court hearing through electronic recording (Article 58 paragraph (3) letter a), remote direct examination through audiovisual communication tools (Article 58 paragraph (3) letter b),

According to the preceding explanation, the regulation and enforcement of the rights of witnesses/victims are governed by several laws. It's just that in realizing these multiple rights, of course, there are considerations. In their implementation, some obstacles make the rights of witnesses/victims not entirely fulfilled. And it would be much better if the protection of witnesses and victims was also included into the Criminal Code, since the safety of witnesses and victims is always tied to the suspect/defendant in reporting the alleged crime committed by the suspect (Fatoni, 2014).

CONCLUSION

Witness testimony is one of the types of evidence governed by the Criminal Procedure Code. Witness testimony in law enforcement is crucial to clarify a criminal act. The requirement to be a witness is a person who must see, hear, and experience firsthand a criminal act. In addition, to be a witness, one must meet the formal and material requirements. Namely, the witness must be under oath and two witnesses because one witness cannot be called a witness. His rights and responsibilities as a witness are governed by the Law on the Protection of Witnesses and Victims. The right protected by the law is the protection of the witness's body and soul. A witness must be given protection and assistance when questioned. In addition, witnesses are also entitled to reimbursement of transportation costs based on the witness's needs. Law no. 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, Law no. 26 of 2000 concerning the Human Rights Court, Law no. 15 of 2003 concerning the eradication of criminal acts of terrorism, Law no. 21 of 2007 concerning the Eradication of the Crime of Trafficking in Persons, Law no. 35 of 2009 concerning Narcotics, Law no. 8 of 2010 concerning Narcotics, and Law no. 8 of 2010 concerning Narcotics.

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