

# Protection for Witnesses of Transnational Crimes

Adillah Fajar Siddiq<sup>1</sup>, Muhammad Irfan Faisal Barus<sup>2</sup>

<sup>1,2</sup>Program Study Ilmu Hukum, Fakultas Sosial Sains, Universitas Pembangunan Panca Budi

Email: <sup>1</sup>[adillahfajar17@gmail.com](mailto:adillahfajar17@gmail.com), <sup>2</sup>[mhd77904@gmail.com](mailto:mhd77904@gmail.com)

## Abstract

Protection for witness crime transnational must can given, in order witness feel safe and protected in give testimony in the inspection and also in the trial, because crime transnational is big crime and can defiling image country, then from that perpetrator crime transnational must tried and punished in accordance the articles that have been arranged in the constitution country because from on that presence witness very required for give testimony. The focus on challenges faced by witness in give testimony in case crime transnational and strategy for increase protection they. With analyze studies case and framework law international, journal this identify steps concrete that can be taken by government, institutions international, and public civil for ensure safety and safety of witnesses. This will possible identification differences, similarities, as well influencing factors its effectiveness. Population this study is witness crime transnational that has been get protection from governments in countries certain. Sample will chosen purposively, choose witnesses who have significant experience with system protection.

**Keywords:** Protection Witnesses, Transnational Crimes

## 1. INTRODUCTION

Protection witness and the victim should must done, because remember often his happen intimidation towards witnesses and victims. LPSK (Institution Protection Witnesses and Victims) become means for witnesses and victims to get it protection from threats their crimes watch or felt. LPSK can give protection in form physique and psychic give escort and put witness or the victim in a safe place. LPSK also give identity new what when felt very required for witnesses and victim, besides that witness and the victim will given help medical LPSK processing. LPSK itself already there is since 2006 is appropriate with uu no 13 of 2006 concerning protection witness and victim. Apart from from on that's LPSK itself is at under shade president Republic of Indonesia. For security witness and the victim to wake up until something case until at trial And witness or the victim can give testimony and also details of cases seen or experienced, witness or the victim can do request application to LPSK Agar get protection. However not all case can protection by LPSK because LPSK only give protection for case certain where already written in the LPSK regulations alone. Protection witness and the victim can covers form nature of protection no direct or direct. protection that is not direct on basically is form just protection can enjoyed or felt in a way emotional, such as satisfaction temporary that 's direct protection on basically is form possible protection enjoyed in a way real, like visible gift or nature material or non- material. gifts of a nature material. can form giving compensation or restitution , release cost life or education. Giving non material protection can form liberation from threat, of degrading news. Protection for witness crime transnational as part intact from system Justice criminal international. The focus on challenges faced by witness in give testimony in case crime transnational and strategy for increase protection they. With analyze studies case and framework law international, journal this identify steps concrete that can be taken by government, institutions international, and public civil for ensure safety and safety of witnesses. Protection for witness and victims of crime is aspect important in system justice fair punishment and effective . Witnesses and victims often become target intimidation , threats , and violence as consequence from involvement they in legal proceedings. In context crime transnational, challenges protection become more complex because witness and victims often have to face to face with network extensive crimes and dangerous. Protection for witness and the victim does not only is moral obligation, but also is precondition important for enforcement successful law.

Without the courage of the witnesses for give testimony and participation active victims in the judicial process, justice often not can achieved. In this journal, we will explore challenge protection for witness and victims of crime transnational, as well possible strategy implemented for increase protection they. Through analysis case and review literature, we will identify steps concrete that can be taken by government, institutions international, and public civil for ensure safety and security for witnesses and victims of crime transnational.

## **2. METHODOLOGY**

Case comparative will used for compare system protection for witness crime transnational in some country. This will possible identification differences, similarities, as well influencing factors its effectiveness. Population this study is witness crime transnational that has been get protection from governments in countries certain. Sample will chosen purposively, choose witnesses who have significant experience with system protection. (LPSK) has protect 15 witnesses from six case torture. "Out of those 15 people four of them status reporter, four victim witnesses and as many witnesses/families of victims seven people," said Deputy Chairperson of LPSK manager Nasution through information written statement received in Jakarta, Friday. Protection program provided ie protection physical, fulfillment right procedural , help medical, facilitation restitution, rehabilitation psychological nor psychosocial. Manager Nasution say from six case torture in that case, three victims died world and four suffer injuries. As for region incidents include Purwakarta, Balikpapan City, Makassar City, South Sulawesi and Regency Intan Jaya, Papua.

## **3. RESULTS AND DISCUSSION**

Protection witness and victims of crime transnational covers a number of points important : (1) Obligations Protection Protection for witness and the victim is something necessity, remember often happen intimidation to they consequence involvement in legal proceedings (2) Role of LPSK LPSK (Institution Protection Witness and Victim) to be means important for witness and victims for get protection physique And psychic. LPSK too give help medical and identity new If required (3) The basic LPSK law was formed based on Law no. 13 of 2006 concerning protection witness and victims and is under shade president Republic of Indonesia (4) Procedure application protection witness or the victim can submit application protection to LPSK for ensure security they during the legal process. However, no all case fulfil condition for protection by LPSK (5) Shape Protection Protection for witness and the victim can nature directly (eg escort physical) or not directly (eg support psychological). Form protection also can form help material or non- material (6) Protection in context international in context crime transnational , protection for witness and victims become more complex because they often have to face to face with network extensive crime and dangerous (7) Method study use method case comparative for compare system protection witness crime transnational in some country. Population study covers witness crime transnational that has been get protection from governments in countries certain (8) Results studies case studies case show that LPSK has succeed protect a number witness in a number of case torture, with give protection physical, fulfillment right procedural, help medical, restitution, and rehabilitation psychological. With thus, protection for witness and victims of crime transnational become aspect important in ensure success system Justice criminal international justice and effective.

## **4. CONCLUSION**

This journal conclude that protection for witness crime transnational is precondition important for success enforcement law international. Required cooperation between country, institution international, and public civil for create safe environment for witness for give testimony they without afraid will threat or represalias.

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