The Urgency of Witness and Victim Protection Institutions Against Organized Crime Eradication Through the Role of Whistleblowers

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Article Info

Received: 2023 – 03 - 21
Revised: 2023 – 11 - 29
Accepted: 2023 – 12 - 30

Keywords:
Urgency, Witness and Victim Protection Agency Organize Crime.

Abstract

The Witness and Victim Protection Agency is an independent institution established under the law. This institution's role is vital in uncovering organized criminal acts. This writing uses a research method, namely the normative legal method. The discussion in this study will contain, among others, the regulation of LPSK in Indonesia and the protection of LPSK in eradicating organized crime. In protecting witnesses and victims as stipulated in Law No. 13 of 2006, the Witness and Victim Protection Agency still found many weaknesses that hindered the performance of the LPSK. The protection strategy of the LPSK is the existence of forms of protection carried out by the LPSK to witnesses and victims as contained in the law. The protection of witnesses and victims in the criminal justice process in Indonesia has not received a particular role, so the existence of witnesses and victims is indispensable in receiving attention.

1. Introduction

Indonesia is one of the countries in the world with various kinds of cultures and patterns in people's lives and its government, without exception. It is also an influencing factor, namely the development of globalization, including the development of information and communication systems; the progress of this technology has also led to developments in the world of crime, one of which is organized crime. The challenge for the Indonesian State is to continuously adapt to the development of crime resulting from developments in information technology.

Crime is an act or behavior violating an applicable rule or legal norm. Crime occurs a lot in Indonesia. Several factors, including low education, high unemployment and others, cause the high crime rate.

Organized crime is related to the availability of illegal goods and services and to stealing, robbing, cheating and other crimes. This crime is also closely related to the organization carried out by criminal groups where these groups can know each other, socialize, cooperate and cause conflict with other criminal groups. According to von Lampe, crime has a solid relationship with the social environment, namely social action that can get closer in absolute terms; this is

significantly related to the government, a government which has a relationship in the form of an illegal business and the form of a group[1].

The psychology contained in the perpetrators of crimes can provide predictions for gains and losses. Organized crime perpetrators where the weaknesses in control carried out by the government/state will be exploited.

In preventing organized crime, it is necessary to carry out various measures, namely regulating and implementing the protection system for reporting a particular crime.

The criminalization that occurred in Indonesia was not spared from government organs that participated in this matter, so the government formed a vital institution that protects anyone who dares to reveal or report a crime that has occurred. The strategy for eradicating organized crime is the highest crime in Indonesia through the role of the Witness and Victim Protection Agency, which guarantees protection for reporters and perpetrators who provide information about a crime.

The formation of programs for the protection of witnesses and victims was carried out in the United States in the 1970s through several changes, primarily due to experiences that made the system more effective. The need for significant changes is urgently needed in new fields, including new crimes, the effects of globalization and advances in the issue of witness protection.

Organized crime or crime belonging to the mafia creates the need for programs that specifically protect witnesses. One example is the corruption crime with a modus operandi that continues to develop.

The basis for the existence of witness protection programs in several countries such as the UK, Japan, South Korea, the Philippines and others countries is due to the difficulties experienced by investigators and public prosecutors in disclosing, investigating and punishing the perpetrators of organized crime which has caused much harm, for the benefit of the State. Perpetrators of crimes often do not get legal proceedings due to the lack of evidence and testimony that can incriminate the perpetrator. No witnesses voluntarily or were willing to disclose or provide information because they knew and believed that several law enforcers were part of the crime[2].

In the United States, witness protection is proposed as a legal procedure that can be used in programs to uncover organized crime by several mafia groups. At that time, uncovering crimes committed by the mafia was challenging. Witnesses classified as essential witnesses cannot be persuaded to give their testimony or as critical witnesses targeted during prosecution. The United States carried out physical security for witnesses who were at greater risk, namely by providing a new place, withholding names and obtaining new

[1] Naseh, M., Ikhwanuddin, I., Ramadhani, F., Kusprabandaru, A., & Bathara, B. (2019). Karakteristik Pelaku Kejahatan Transnasional Terorganisasi di Indonesia dan Eropa. Jurnal Hubungan Internasional, 8(1), 48-60.

[2] Robert Klitgaard, 1998, Controlling Corruption, terjemahan Hermoyo, Yayasan Obor, Indonesia

identity details; even though at first there were many obstacles and obstacles, in 1984, it was at a level of perfection with the end of the Security Reform Law[3].

In 1983 in Australia, a commission in the kingdom paid attention to the need to use informants to fight for resistance in eradicating organized crime, and this was because the lower-level actors provided information about the top officials of the organization. The provision of witnesses and victims that were carried out previously received handling from each police station through a different approach. In 1988 a joint parliamentary commission carried out research on issues related to witness protection, and this research report got Australia interested in witness protection laws at the Commonwealth level[4].

Then in Hong Kong, efforts were made regarding police reform in 1944, so the police in that country created a program related to witness protection, namely ad-hoc witnesses. Although previously under an independent commission against corruption in 1998 and in 2000, the enactment of witness protection regulations provides a basis for granting witness protection and assistance to witnesses and those associated with witnesses.

From the background described above, the writer will analyze the urgency of the Witness and Victim Protection Agency in eradicating organized crime, one involving the role of reporting witnesses.

2. Research Methods

The author, in this case, uses a type of normative legal research, namely collecting or obtaining the truth to answer the problems under study. The preparation of this study uses primary legal materials, secondary legal materials and tertiary legal materials. Writing techniques for collecting legal materials are inventorying or tracing relevant legal materials, then classifying or grouping, recording, quoting, summarizing and reviewing as necessary using qualitative methods. Once the legal material is collected, it will be processed and reviewed by analyzing and using arguments based on legal logic.

3. Discussion

3.1 Regulation Of The Witness And Victims Protection Institution (Lpsk) In Indonesia

It has become the duty and responsibility of the State to protect human rights for everyone by the Indonesian constitution. The government must provide legal protection to provide a sense of security for all people. Important legal protection for everyone will be the reason for the issuance of Law No. 13 of 2006 concerning LPSK.

Duties and authorities in providing protection and assistance to witnesses and victims. The LPSK has protection with scope for all stages of the criminal

[3] Marwan Effendy, 2013, Korupsi dan Strategi Naisonal Pencegahan serta Pemberantasannya, Referensi, Jakarta

[4] Abdul Haris Semendawai,et,al, 2011, Memahami Whistleblower, LPSK, Jakarta

justice process with the aim that a witness and victim have a sense of security when they provide a statement related to the crime.

Arrangements in the protection of witnesses and victims in the criminal justice system, especially in Indonesia, have been regulated in Law No. 8 of 1981, which contains rules related to the protection of suspects and defendants to obtain protection from the possibility of things that violate human rights. So special rules are needed regarding protecting witnesses and victims in achieving specific goals.

The critical role of this institution with the view that it is time for witnesses and victims to be given some protection related to the criminal justice system. Witnesses and victims, in their role during the trial, are to provide information and statements so that it can be said that their role as revealers is vital and essential, which can later provide consideration to the judge in his decision. In severe cases, providing testimony by witnesses and victims contributes to law enforcement achieving justice[5].

The current laws and regulations regarding the duties and authorities of the LPSK have not explicitly been regulated. However, the regulations contain the responsibilities given by the LPSK, membership, and related to funding and have yet to regulate the supervision and protective measures carried out by the LPSK[6].

The currently popular term that has a significant role in eradicating organized crime in Indonesia is the role of reporting witnesses or commonly referred to as whistleblowers, who often arise from several criminal acts that have been committed by someone, especially in organized crime such as corruption, trafficking people, narcotics and others.

In the legal system that exists in Indonesia, the common perception that has given an overview of this whistleblower can also be drawn from several elements used in the formation and description of this reporting witness. The definition of *a whistleblower* is a person who discloses for the first time or someone who provides a report on the existence of a crime or action/action carried out illegally in a workplace environment and is carried out in good faith to reveal any crimes or irregularities that are known to him.

According to Mulyana Wirakusumah, it provides an understanding of reporting witnesses or whistleblowers, which are known in the criminal justice system and other environments. This reporting witness is not only someone who complains but also a sanction for crimes that have occurred[7].

[5] Natalia, S. (2013). Perlindungan Hukum Terhadap Saksi Dan Korban Oleh Lembaga Perlindungan Saksi Dan Korban (LPSK). Lex Crimen, 2(2). Vol. 2 No. 2 (2013): Lex Crimen

[6] Komariah, M. (2015). Perlindungan Hukum Saksi Dan Korban Oleh Lembaga Perlindungan Saksi Dan Korban (Lpsk). Jurnal Ilmiah Galuh Justisi, 3(2), 229-244.

[7] Gunawan, Y. (2019). Peran dan Perlindungan Whistleblower (Para Pengungkap Fakta) Dalam Rangka Memberantas Tindak Pidana Korupsi di Indonesia. Law Review, 18(3), 262-287

If translated, a reporting witness comes from organized crime or is contrary to the goals of an organization or behavior that can threaten the public interest[8].

The Witness and Victim Protection Agency protect witnesses and victims as regulated in Law No. 13 of 2006. Some of the requirements of the LPSK as a determinant of providing assistance and protection by considering matters relating to the importance level of the information that witnesses and victims will provide, the level of threat of danger that witnesses and victims will receive, based on analysis from the medical team and psychologists from witnesses and / victim, track record of crimes that the witness and victim have committed. Several steps that must be taken if you want to obtain protection from the LPSK have also been contained in the law[9].

Article 29 states if the procedures for obtaining protection include witnesses and victims who have the initiative or from requests from officials who have authority, submitting applications to the LPSK in writing, carrying out inspections by the LPSK regarding the application, decisions by the LPSK with the written method will be given no later than 7 (seven) days from the submission of the application for protection[10].

Another witness' rights are to obtain legal protection, one of which cannot be legally prosecuted either criminally or civilly. A person who is a witness and a suspect in the same case cannot obtain freedom from criminal prosecution if that person has been legally proven guilty. However, the judge can consider his testimony when imposing criminal relief that he can impose. Legal protection is also excluded for witnesses or perpetrators who do not have good faith[11].

From the explanation described above, laws and regulations which are implied provide acknowledgment of the existence of a whistleblower or justice collaborator. However, its existence only appears as stipulated in the SEMA. The rule states that a whistleblower is someone who already knows and reports on specific crimes and is not the perpetrator of the crime he committed. Certain criminal acts mentioned in this clause can also be categorized as organized crimes or criminal acts that cause problems and threaten societal stability and security. The SEMA explains that the role of reporting witnesses and perpetrator witnesses is to increase public participation in disclosing criminal acts. Similar regulations are also stipulated in article 26 of the United Nations Convention Against Transnational Organized Crime, which Indonesia later ratified and issued Law no. 5 of 2009. The guidelines, as in the SEMA, are also used within the scope of the Court of first instance and appellate level to protect

[8] Firmansyah, H. (2011). Upaya Penanggulangan Tindak Pidana Terorisme di Indonesia. Mimbar Hukum-Fakultas Hukum Universitas Gadjah Mada, 23(2), 376-393.
[9] Panjaitan, C. M. J., & Putri, A. (2013). Peran Dari Lembaga Perlindungan Saksi Dan Korban (Lpsk) Dalam Pemerkosaan. RECIDIVE, 2(1).
[10] Asmadi, E. (2020). Perlindungan Hukum Bagi Anak Sebagai Saksi dalam Pemeriksaan Perkara Pidana. Iuris Studia: Jurnal Kajian Hukum, 1(2), 51-60.
[11] Hikmawati, P. (2016). Upaya Perlindungan Whistleblower dan Justice Collaborator dalam Tindak Pidana Korupsi. Negara Hukum: Membangun Hukum untuk Keadilan dan Kesejahteraan, 4(1), 87-104.

whistleblowers and justice collaborators, even though the SEMA is not as binding as the law. Hence, its existence is a guideline for courts[12].

The Circular Letter of the Supreme Court (SEMA) is the highest Court with the task of providing supervision for the judiciary so that it is carried out jointly and that the law is implemented as it should, always giving consideration, direction and instructions to each Court under it for tasks related to justice. According to Oemar Seno Adji, if the law is adequate, it is easier to follow how society is developing regarding overall regulation and resolution of specific problems[13].

Implementing the procedure for applying for protection does not often confuse witnesses and victims because the process involved is very long and convoluted. The effect of these circumstances can cause a cancellation or not to apply for protection. Protection by the LPSK cannot be completely safe because of the many problems that occurred during the trial process. On the one hand, the LPSK certainly has shortcomings and weaknesses, including the absence of rules regarding procedures related to enforcing the law and ways of protecting because witnesses or victims still find it tricky to make themselves and their families feel safe[14].

3.2 Protection Of Witness And Victims Protection Institutions In The Eradication *Of Crime Organizes*

The protection provided by the LPSK constitutes all stages or processes of criminal justice so that witnesses and victims will have security when giving their testimony to law enforcement. From a formal juridical point of view, the LPSK is formed by law, but from a social perspective, it often becomes a common problem. The LPSK itself is a breakthrough for the government in protecting its citizens[15].

In Indonesia, LPSK, in carrying out cooperation, could have been more optimal in coordinating with other law enforcers who are more competent in providing legal protection. Law enforcers should jointly provide guarantees to protect witnesses.

The community increasingly needs LPSK. The recognition given to the LPSK has slowly created an existence that has begun to be acknowledged among the public. This is reflected in the emergence of various regulations in Indonesian legislation. The various problems that arise are questions that have raised applicants and agencies, and institutions related to the range of performance of

[12] Supriyadi Widodo Eddyono, 2014, Aspek-Aspek Perlindungan Saksi Dan Korban dalam RUU KUHAP, Institute for Criminal Justice Reform, Jakarta
[13] K.Wantjik Saleh, 1983, Tindak Pidana Korupsi dan Suap, Ghalia Pusaka, Jakarta
[14] Apriyani, M. N. (2021). Restitusi Sebagai Wujud Pemenuhan Hak Korban Tindak Pidana Kekerasan Seksual di Indonesia. Risalah Hukum, 1-10.
[15] Devytasari, S. (2018). PENERAPAN SANKSI PIDANA TERHADAP JUSTICE COLLABORATOR DALAM PERKARA PIDANA KORUPSI (Doctoral dissertation, UAJY).

the LPSK, including in the acceleration of the handling of witnesses and victims by LPSK.

Encouraging the public and law enforcement to uncover a crime is essential but complex. Legal protection and security for a witness and victim who has known, heard or experienced a crime himself and someone who dares to report a crime that has occurred or will occur. Protection for witnesses and victims who have a goal if later sanctions and victims do not have fear for themselves or their families[16].

In the Law on the Protection of Witnesses and Victims, it becomes an independent institution, which is one of the state institutions outside of the institutions of state power and has the duty and authority to provide protection and assistance to witnesses and victims. The protection provided by law through the LPSK follows the provisions for the severity of a threat or the level of damage suffered by witnesses and victims, which the LPSK then determines. The most important thing is the urgency of this institution as an institution that will provide guarantees for efforts to protect witnesses in providing information on specific crimes and the LPSK's efforts to restore the victim's position[17].

Protecting witnesses and victims in the criminal justice process in Indonesia has not yet received a unique role. T

he working criminal justice system contains influence in interaction, which means an administrative mechanism of criminal justice and the interaction of laws and regulations, practices in administration, attitudes and social behavior. Hence, witnesses and victims are indispensable in getting the public's and law enforcers' attention. Regarding increasing community participation in activities to protect witnesses and victims, it is felt that conducive conditions and vigorous law enforcement are needed. [18]

The provisions in SEMA Number 4 of 2011 have provided guidelines that must be adhered to regarding providing handling of cases with the involvement or role of reporting witnesses, namely, the person concerned is someone who already knows and has provided a report of a particular crime and is not part of the perpetrators in the crime and if someone who reports it is also reported by the complainant so that the handling of the case from the report that the complainant has given takes precedence[19].

[16] Hafid, Z. P. (2019). Justice Collaborator Ditinjau dari Undang-Undang Nomor 31 Tahun 2014 Perlindungan Saksi dan Korban. Jurnal Al-Qadau: Peradilan Dan Hukum Keluarga Islam, 6(1), 39-58.
[17] Satrio, N., & Toni, T. (2021). Independensi Pengawasan Anggota Lembaga Perlindungan Saksi Dan Korban. PROGRESIF: Jurnal Hukum, 15(2), 183-196.
[18] Pusparini, N. L. M. D., Dewi, A. S. L., & Widyantara, I. M. M. (2020). Urgensi Saksi Pelaku yang Bekerjasama (Justice Collaborator) dalam Tindak Pidana Korupsi. Jurnal Interpretasi Hukum, 1(1), 179-185.
[19] Mamahit, C. E. (2016). Kajian Surat Edaran Mahkamah Agung (Sema) Nomor 4 Tahun 2011 Tentang Saksi Pelaku Tindak Pidana Yang Bekerjasama (Justice Collaborator). Lex Crimen, 5(6). Vol. 5 No. 6 (2016): Lex Crimen

In terms of uncovering and dealing with an organized crime by using people in it, either having direct involvement or not having direct involvement, they know the crime that occurred or will occur. The testimony of those who have a role as reporters, witnesses who report or even witnesses from actors who cooperate has a significant role. It is essential for law enforcement to deal with organized crime[20].

In the aim of increasing participation in society as a revealer of criminal acts, it is necessary to create a conducive atmosphere in which one is the provision of legal protection and the provision of security for someone who already knows or finds things that can assist in disclosing a criminal act that has occurred and in submitting a report to law enforcement. Logically, due to legal protection, it is required to be a significant part of the policy in tackling organized crime so that its legal side can become a reality[21].

The procedure for protecting witnesses and victims in certain crimes based on a memorandum of understanding is to submit an application by the Prosecutor's Office to the LPSK and LPSK to protect themselves, their families and the property concerned terms of giving their testimony as stipulated in the law[22].

LPSK assists victims with full support from the prosecutor's office. If there is a request for compensation for a severe crime case or a request submitted by the victim through the LPSK, forward it to the prosecutor's office for follow-up. Activities towards protecting witnesses and victims in every legal process include the LPSK providing assistance to present and having an impartial attitude in providing the information given by witnesses and victims, which is essential in the evidence carried out by the prosecutor's office. This action will not provide obstacles in resolving cases handled by the prosecutor[23].

Handling carried out in dealing with legal protection for whistleblowers and justice collaborators in efforts to eradicate organized crime cannot be carried out using the principle of equality before the law and the principle of nonimpunity because the crime is organized, which is too complex, multi-dimensional and can also be a transnational crime and in uncovering the role of daris whistleblower and justice collaborators or it can be concluded if necessary that each person is different so that these differences open up the space and dimensions of a person. The principle of fair equality of law can be applied.

[20] Amin, R. (2020). Analisis Perlindungan Hukum Saksi Pelaku Yang Bekerjasama (Justice Collaborator) Perkara Tindak Pidana Narkotika Dalam Sistem Peradilan Pidana di Indonesia. Jurnal Hukum Sasana, 6(2).

[21] Lilik Mulyadi, 2013, Perlindungan Hukum Terhadap Whistleblower dan Justice Collaborator Dalam Upaya Penanggunalangan Organised Crime, Penelitian oleh Balitbangkumdil MA, Jakarta

[22] Sutanto, S. W. (2017). Upaya Lembaga Perlindungan Saksi Dan Korban Dalam Memberikan Perlindungan Hukum Terhadap Saksi Tindak Pidana Korupsi Di Daerah., 1-13.

[23] Misrun, S. (2016). Perlindungan Hukum Bagi Saksi Dalam Perkara Pidana di Tinjau Dari Undang-Undang Nomor 13 Tahun 2006 JO UU RI No. 31 Tahun 2014 Tentang Perlindungan Saksi dan Korban (Doctoral dissertation, Universitas Bhayangkara Jakarta Raya).

Restorative approach justice, which is based on inequality in obtaining justice so that contributions can be made to justice collaborators, is a disclosure of the case, which is the basis for differentiating the usual perpetrators[24].)

Reporters of crimes that have been described and regulated in the SEMA have 2 capacities, namely as a reporter with the limit that they only have to report a crime, and the second is as a witness in their report. From a technical point of view, reporters and witnesses need to be regulated in the SEMA regarding what kind of protection is given to them and how to handle the report from the reporter. This is closely related to the scope of the SEMA, which is only a guideline[25].

A person who becomes a whistleblower only has a role as a reporter, which can be interpreted if those involved are someone who indirectly hears, hears or knows that a crime has occurred or they only know information that has benefits in disclosing a fact of a crime by law enforcement. The reporters have the right to obtain legal protection regarding their legal status and the feeling of security. Protection against a sense of security in the future can have a sense of security if the reporter submits a request to law enforcement for his physical security and his family's safety[26].

The basis of witness protection has the primary objective of providing a sense of security for witnesses to provide an explanation or statement regarding each process in criminal justice, if a witness has rights, among others, to obtain protection and security for himself, his family and property. Objects, free from threats regarding testimony that will, is being or has occurred, have the right to participate in the process of choosing and determining in the form of protection and support for security, giving a statement without pressure from any party, getting an interpreter, free from the existence of a question that is ensnaring, obtaining information about the case at hand, obtaining information from court decisions, obtaining life assistance[27].

As for the forms of protection carried out by the LPSK to witnesses and victims in the Law on Witness and Victim Protection, namely First, physical and psychological protection is a form of security provided by the LPSK to escort, place in a safe place, provide a new identity, assisting both medically and giving the right not to testify by being present in person at a court hearing. Second, the form of legal protection is a light sentence so that witnesses and reporters cannot

[24] Yutirsa Yunus, 2013, Rekomendasi Kebijakan Perlindungan Hukum Justice Collaborator: Solusi Akselerasi Pelaporan Tindak Pidana Korupsi di Indonesia, Konferensi Kebijakan Perencanaan Pembangunan Nasional, Paper.Undang-Undang Nomor 13 tahun 2006 tentang Perlindungan Saksi dan Korban

[25] Zikron, M. (2022). PERLINDUNGAN HUKUM TERHADAP PELAPOR TINDAK PIDANA NARKOTIKA DI WILAYAH HUKUM KOTA JAMBI (Doctoral dissertation, Universitas Jambi).

[26] Nixson, N., Kalo, S., Kamello, T., & Mulyadi, M. (2013). Perlindungan Hukum Terhadap Whistleblower Dan Justice Collaborator Dalam Upaya Pemberantasan Tindak Pidana Korupsi. USU Law Journal, 1(2), 40-56.

[27] Djoko Prakoso,1987, Pembaharuan Hukum Pidana di Indonesia, Liberty,Yogyakarta.

be prosecuted legally and thirdly, the form of fulfilling the procedural rights of witnesses is in the form of accompanying, providing translators, providing information about the progress of the case, reimbursing costs related to transportation, receiving assistance from legal advisors. , receive assistance related to financing until the completion of the protection deadline.

The rise of the emergence of severe criminal cases where the perpetrators expand the attachment to one another within a certain period through a collection of professions. In a lawsuit, it is necessary to know the essential characteristics of an organized crime case so that the desire is more difficult to prove than in other criminal cases. Some of the things considered included difficulties in finding the main perpetrators of the crime, and in various cases, someone who already knew about the crime was also involved. The benefits he got in this action and, finally, reporting it to the authorities was impossible. The perpetrators of these crimes took advantage of the relationship between several vital actors and the nature of the relationship, which was later proved through assistance to the perpetrators involved in the crime. In some instances, there are difficulties in knowing where the crime occurred because of the forensic results. It is tough to identify the perpetrators. There is physical evidence of the results of the crime that can be destroyed and hidden, and the power possessed by the perpetrator can give the influence to interfere in the investigation, intimidate witnesses, can prevent witnesses from cooperating with law enforcement[28].

Realizing legal protection and security for witnesses and victims gives hope to create a situation that can give confidence to the public not to feel afraid or worried about giving statements and various information about a crime.

It should be realized together that some of the weaknesses of the existence of the LPSK are that there has been no grant of authority to act more proactively, the authority given to the LPSK is not apparent regarding implementation and assistance for protection, there are no regulations regarding the structure of the LPSK institution and HR management based on duties, lack of cooperation with law enforcement another law.

Efforts to disclose and handle criminal cases are the main pillars in implementing the duties and functions of the LPSK, which continuously protects witnesses and victims. The LPSK is a permanent institution assigned to protect witnesses and victims in exposing organized criminal acts.

4. Conclusions And Suggestions

4.1 Conclusion

From the explanation above, it can be concluded that arrangements for protecting witnesses and victims in the criminal justice system, especially in Indonesia, have been regulated in Law No. 8 of 1981, which contains rules related to protection for suspects and defendants in order to obtain protection.

[28] Eddyono Supriyadi Widodo, 2014, Aspek-Aspek Perlindungan Saksi dan Korban dalam RUU KUHAP, Jakarta, Institute for Criminal Justice Reform

The Witness and Victim Protection Agency protect witnesses and victims as regulated in Law No.13 of 2006. The provisions in SEMA Number 4 of 2011 have provided guidelines that must be obeyed regarding providing handling of cases with the involvement or role of reporting witnesses. Protection strategy from LPSK, namely, exists the forms of protection carried out by the LPSK to witnesses and or victims as loaded in law on the Protection of Witnesses and Victims. The procedure for protecting witnesses and victims in certain crimes based on a memorandum of understanding is to submit an application by the Prosecutor's Office to the LPSK and LPSK to protect themselves, their families and the property concerned terms of giving their testimony as stipulated in the law. Protecting witnesses and victims in the criminal justice process in Indonesia has not yet received a unique role. Hence, witnesses and victims are indispensable in getting the public's and law enforcers' attention. Some of the requirements of the LPSK as a determinant of providing assistance and protection by considering matters relating to the importance level of the information that witnesses and victims will provide, the level of threat of danger that witnesses and victims will receive, based on analysis from the medical team and psychologists from witnesses and / victim, track record of crimes that the witness and victim have committed. Regarding increasing community participation in activities to protect witnesses and victims, it is felt that conducive conditions and vigorous law enforcement are needed.

4.2 Advice

Based on the formulation of the problem and the conclusions that have been explained previously, the author, therefore, hopes that the government will provide special arrangements regarding the authority of the Witness and Victim Protection Agency for the eradication of organized crime where the LPSK can be said to be the main stronghold in protecting witnesses and victims in uncovering crimes. I hope the community will participate in supporting the performance of the LPSK and reporting crimes or crimes that occur around us.

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