

ABSTRACT

HAZMI. The Threat of Death Punishment to the Perpetrators of Narcotics Crimes Based on Law Number 35 Year 2009 on Narcotics. Dissertation is under the Guidance of Prof. Dr. Faisal Santiago, SH, MM as the Supervisor and Dr. Azis Budianto as Co-Supervisor.

Narcotics is a very serious problem in many countries including Indonesia. The threat of punishment given to the perpetrator is quite severe until the death penalty. The crimes of narcotics is not reduced, moreover it just increases days along. The National Narcotics Agency (BNN) said the application of the death penalty is evidence that the Government of Indonesia is serious in combating the crime of illicit goods.

The problems of the research for this dissertation are formulated as follows: (1) What activities are included in the scope of criminal acts of narcotics abuse according to the Law Number 35 Year 2009? (2) How is the regulation of the death penalty against the perpetrators of narcotic crime in Indonesia ?.

The research methodology for this dissertation uses normative legal approach; and, types of data under studies are of primary and secondary legal data. Normative legal research is performed using scientific steps based on theories of truth and of points of scientific views of the jurists.

The results of the research are stated as follows: (1) The narcotics crime every year is always increasing, the law changes are not effective, although it provides the threat of death punishment for narcotics crime. Narcotics crime from 2015 until 2017 performed by the users are mostly shabu; and some of them have been sentenced to the death penalty. In fact, the death penalty is still a controversy both in Indonesia and internationally. (2) The regulation of the death penalty against narcotics perpetrators in Indonesia has conformed to the prevailing laws and regulations in Indonesia.

Keywords: The death penalty against the perpetrators of narcotics crime