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Strength of Extraction of Decisions as Basis for Execution by Prosecutors Based on Supreme Court Circular Letter Number 1 of 2011

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Abstract

As a part of a criminal justice system, the prosecutor's office has the authority to implement court decisions against convicted convicts whose case has been terminated and there are no further legal remedies so that the decision has permanent legal force, which in the verdict contains punishment. The duties as executor of court decisions that are borne by prosecutors are regulated in article 1 point 1 of Law No. 16 of 2004 concerning the Prosecution that, "Prosecutors are functional officials who are authorized by law to act as public prosecutors and enforce court decisions that have gained power. permanent law and other powers based on law". Article 270 of the Criminal Procedure Code also states that "The prosecutor will continue to implement a court decision, for which the clerk will send a copy of the decision letter to him." Based on article 270 of the Criminal Procedure Code, which stipulates that the execution should be carried out by the prosecutor, after the clerk has sent a copy of the decision letter to him. In practice, the execution of decisions without showing a copy of the verdict often invites resistance from the convicted party. This study aims to determine the basis for the execution of the judge's decision by the prosecutor before and after the issuance of the Supreme Court Circular No. 1 of 2011, to determine the position and strength of the extracts of the decision as the basis for execution in the criminal justice system, to determine the efforts made by the prosecutor as executor of the judge's decision. which is legally binding in the future. This research is a type of normative legal research. The approach used by researchers is a normative juridical approach.

INTRODUCTION

According to Van Hamel, the punishment which in Dutch is called "straf" is a special affliction, imposed by the competent authority on behalf of the state as the person responsible for public law order for an offender, simply because the person has violated a regulation. laws that must be enforced by the state. Meanwhile, Simon argues that punishment is an affliction which by the criminal law has been linked to a violation of a norm, which with a judge's decision can be passed on to someone who violates it.¹

¹ PAF Lamintang and Theo Lamintang, *Indonesian Panintensier Criminal Law* (Jakarta: Sinar Grafika, 2010), 34-35.

Muladi argued that the criminal justice system is an judicial network that uses criminal law as material, and formal criminal law and criminal law enforcement. However, this institution must be seen in a social context. The nature that is too formal if it is based solely on legal certainty will bring disaster in the form of injustice.²

As a part of a criminal justice system, the prosecutor's office has the authority to implement court decisions against convicted convicts whose case has been terminated and there are no further legal remedies so that the decision has permanent legal force, which in the verdict contains the punishment. The duties as executor of court decisions that are borne by prosecutors are regulated in article 1 point 1 of Law No. 16 of 2004 concerning the Prosecution that, "Prosecutors are functional officials who are authorized by law to act as public prosecutors and enforce court decisions that have gained power. permanent law and other powers based on law".³

Article 270 of the Criminal Procedure Code also states that "The prosecutor will continue to implement a court decision, for which the clerk will send a copy of the decision letter to him." Based on Article 270 of the Criminal Procedure Code, which stipulates that the execution should be carried out by the prosecutor, after the clerk has sent a copy of the decision letter to him. In practice, the execution of decisions without showing a copy of the verdict often invites resistance from the convicted party.⁴

This is because the provisions of Article 21 paragraph 4 of the Criminal Procedure Code (hereinafter referred to as KUHAP), it can be concluded that if a crime committed is not listed in Article 21 paragraph 4 point b or the criminal action is under five years of threat, then a defendant cannot be detained as long as his examination process continues even until the verdict is read. So that the defendant could freely carry out his daily activities without restraint against himself because he had not previously been detained.⁵

There are several problems with the authority to execute prosecutors. The first problem is related to the execution time. Although Article 270 of the Criminal Procedure Code instructs the prosecutor to carry out a court decision that has permanent legal force, after

² Mukhlis R, "Optimizing the Role and Function of Advocates in the Criminal Justice System as an Effort to Improve Community Welfare", *Journal of Law* 2, no. 1 (2011): 226.

³ See Article 1 point 1 of Law No. 16 of 2004 concerning the Attorney General's Office.

⁴ Cicilia Abednedjo, "Implementation of Court Decisions in Corruption Crime Cases According to KUHAP", *Journal of Lex et Societatis* 4, no. 2 (2016): 14.

⁵ <http://hukum.studentjournal.ub.ac.id/index.php/hukum/article/viewFile/346/340>, accessed on 29 November 2019.

a copy of the letter is sent, there is no set time for the copy of the decision to be completed. The second problem, regarding what is meant by a copy of the decision in that article. The court has assumed that the prosecutor actually only needs to use the quotation of the verdict in implementing the verdict. This means that the slow completion of the verdict is not an obstacle for the prosecutor. The last problem arises in connection with protests over the slow implementation of decisions, who should be responsible, the court or the prosecutor?⁶

The Supreme Court of the Republic of Indonesia then answered this problem by issuing a Supreme Court Circular Letter Number 1 of 2011 concerning Amendments to the Circular of the Supreme Court Number 2 of 2010 concerning Submission of Copies and Extracts of Decisions. On the 2nd and 3rd point of the contents of this letter it is stated that:⁷

- 1) For criminal cases, the Waji Court submits a copy of the decision within 14 (fourteen) working days from the time the verdict is pronounced to the Defendant or his legal counsel, investigators and public prosecutors, except for cases quickly resolved in accordance with the provisions of the Criminal Procedure Code;
- 2) Excerpts of the verdict in a criminal case are given to the accused, public prosecutors and the state detention center or penitentiary immediately after the verdict is pronounced.

However, the regulations established by the Supreme Court certainly cannot be equated with regulations established by the legislative body. The Supreme Court can only form regulations if the Law is unclear or does not regulate. However, this is not absolutely necessary for the Supreme Court.

This is because not only the Law is annulled by a regulation made by the Supreme Court, but also because SEMA itself is a policy regulation for the first few reasons, seen from its form, the Supreme Court Circular does not have a formal form similar to statutory regulations in general. . Generally the Prevailing Laws have forming parts such as naming, opening, torso, and closing.⁸ We find these parts incomplete in the Circular of the Supreme Court so that from a formal point of view we can draw the assumption that SEMA is not a statutory regulation.

⁶ Ibid.

⁷ See Circular of the Supreme Court Number 1 of 2011.

⁸ Maria Farida, *Legislation Science* (Yogyakarta: Kanisius, 1998), 157.

Second, from the point of view of the naming "Circular", in the book *About the Law* by Prof. Jimly Asshidiqie Circular letters are classified in quasi legislation.⁹ Therefore, if we look at it from a naming point of view, ignoring the legal basis of each circular letter. So it can be assumed that the Supreme Court Circular is a policy regulation.

Judging from the object of norms, the Supreme Court Circular is indeed shown to judges, head of courts, clerks, or officials within the judiciary so that it is in accordance with the nature of the policy rules governing internally. In this case the norm objects are judges, head of courts, clerks and officials within the judiciary who are defined as administrative bodies or officials. So we can assume that the Supreme Court Circular is a policy regulation.

Then how exactly is the Supreme Court Circular Letter Number 1 of 2011 related to the authority to execute prosecutors only based on an excerpt from the court's decision? Although it has been stated earlier that with an excerpt from the court's decision the prosecutor has been able to carry out the execution of the convicted convict, many convicts and their legal advisers have questioned the application of Article 270 Jo. Article 21 paragraph (4) of the Criminal Procedure Code regarding the execution of prosecutors can only be carried out after receiving a copy of the decision from the court. For example in the case of Abdul Qohar. The Pekanbaru Public Prosecutor's Office (Kejari) is again executing the convict of corruption in the management of waste technology. The convict Abdul Qohar refused to be executed. The reason for rejection is because the person concerned questions the copy of the decision as a basis for being able to carry out the execution.

Suripto explained, this convict was executed based on the Supreme Court decision number 924K / PID SUS / 2014 dated February 25, 2015. This verdict rejected Abdul Qohar's appeal. The convict, Abdil Qohar, was involved in a corruption case in the development of waste technology at the Muara Fajar Rumbai TPA. When the corruption case occurred, the convicted person served as the technical activity executor (PPTK) in the Pekanbaru City Government project. "In the Supreme Court's decision the convict was sentenced to 1 year in prison, this verdict strengthens the verdict at the Pekanbaru PN Corruption Court," said Suripto.¹⁰

This corruption case occurred in the Pekanbaru City Government's APBD budget year 2009. The convict Abdul Qohar at that time served as Head of Garbage Storage at the

⁹ Jimly Asshiddiqie, *Concerning Law* (Jakarta: Rajawali Pers, 2010), 393.

¹⁰ "Again, convicted of corruption in waste management executed by prosecutors, November 29, 2019, <https://news.detik.com/berita/d-3842268/lagi-terpidana-corruption-management-waste-executed-prosecutor..>

Pekanbaru City Government Sanitation and Landscaping Service. This waste technology project costs Rp. 454 million. This fund was partly corrupted, which also involved the former Head of Sanitation and Gardening Office, Maiyulis Yahya, who had also been executed. In this congregational corruption case, there are still 3 more convicts who have not been executed.

Second, the inactive Bengkulu Governor Agusrin M. Najamuddin, the inactive Subang Regent Eep Hidayat, the East Lampung Regent Satono, and the inactive Bekasi Mayor Mochtar Mohammad. The four of them were acquitted in the court of first instance, but at the cassation level were convicted. Mochtar, through his attorney Sirra Prayuna, refused to be executed by the KPK prosecutor because he had not received a copy of the cassation decision from the clerk of the Bandung Corruption Court. A similar refusal came from Agusrin's attorney, Marthen Pongrekun.

The third is the case against the Law on Information and Electronic Transactions (ITE) by Buni Yani. Convicted lawyer Buni Yani, Aldwin Rahadia strongly objected if his client was executed only with an excerpt of the Supreme Court's cassation decision. According to him, the execution must wait for a copy of the Supreme Court's decision. "We want the same treatment. We still have to refer to the Criminal Procedure Code (KUHAP). According to the Criminal Procedure Code, the basis for execution is a copy, not an excerpt," said Aldwin, Thursday (29/11/2018).

He took an example from a case of religious blasphemy committed by former DKI Jakarta Governor Basuki Tjahaja Purnama (Ahok) and the accused of murdering Wayan Mirna Salihin, Jessica Kumala Wongso. Their executions have only been carried out until they receive a copy of the cassation decision. "Everyone is waiting for a copy, not an excerpt of the verdict. Because if just quotes for us are not enough," he said.¹¹

Aries Harianto, lecturer at the Faculty of Law, University of Jember said that if the summons of the convicted person are not heeded, then according to their authority, the prosecutor is obliged to make forced efforts. Aries added that in the legal system the principle of Res Judicata Pro Veritate Habetur is known. This means that every court decision is valid and must be considered true, unless it is overturned by a higher court. If there is already a Supreme Court decision, which in turn has the status of a convicted person, then the Supreme

¹¹<https://www.liputan6.com/news/read/3794241/ma-setelah-petikan-putusan-diterima-kejaksaan-bisa-eksekution-buni-yani>

Court decision is absolute because it is considered final and has permanent legal force. That is, it can be the basis for the convict to serve his sentence ..¹² Imposing punishment to lawbreakers is the harshest form of sanction because it actually violates human rights such as restriction of freedom in prison, confiscation of certain items, sometimes even having to pay with life if death penalty is imposed.¹³

THE BASIS OF THE EXECUTION OF THE PROSECUTOR BEFORE AND AFTER THE EXECUTION OF THE SUPREME COURT CIRCULAR NUMBER 1 OF 2011

Study 1 is made using Times New Roman letters, Font 12, and Space 1.5. Discussion 1 can be in the form of a literature review if needed, or it can be directly discussed to answer the first problem formulation.

In the context of Indonesian criminal law, decisions are intended more as judges' decisions or court decisions. According to Lilik, decisions in criminal law are decisions pronounced by judges because their positions in criminal proceedings are open to the public after carrying out criminal procedural law processes and procedures in general containing convictions or acquittals or waivers of all lawsuits made in written form with the aim of settlement. the case.¹⁴ Article 1 point 11 of the Criminal Procedure Code provides that a court decision is a judge's statement uttered in an open court session, which can be in the form of conviction or acquittal or exemption from all legal claims in matters and according to methods regulated in this Law.

A decision is made by a panel of judges after each of the judges who are members of the panel has expressed their opinion or consideration and conviction on a case and then deliberation is made to reach a consensus. The Chairperson of the Assembly shall endeavor to obtain unanimous agreement (Article 182 (2) of the Criminal Procedure Code). If unanimous agreement is not reached, the verdict is taken by majority vote. The judges will have different opinions or considerations so that even the most votes cannot be obtained. If this happens, the

¹²"Refusing to be executed, the prosecutor is obliged to summon Budi." November 29, 2019,[http:// www.rmoljakarta. com / read / 2019/09/04/58794 / Refusing-Executed,-Attorney-Mandatory-Calling-Forced-Budi-Pego-](http://www.rmoljakarta.com/read/2019/09/04/58794/Refusing-Executed,-Attorney-Mandatory-Calling-Forced-Budi-Pego-)

¹³Erdianto Effendi, "Combating Trafficking in Persons with Criminal Law Means", *Journal of Cita Hukum* 1, no. 1 (2013); 89.

¹⁴ Joenadi Efendi, *Reconstruction of Basic Legal Considerations for Judges* (Depok: Kencana, 2018), 80.

decision chosen will be the judge's opinion that is most favorable to the defendant (Article 182 paragraph (6) of the Criminal Procedure Code).¹⁵

If a decision is made, proof must be done beforehand. Evidence in criminal court proceedings is very important because the main task of criminal procedural law is to seek and find material truths. Evidence in court to be able to impose a sentence, at least there must be at least two pieces of evidence that are valid and supported by the conviction of the judge.¹⁶ This is stated in Article 183 of the Criminal Procedure Code, namely that a judge may not impose a sentence on a person unless with at least two valid evidences he is convinced that a criminal act actually occurred and that the defendant was guilty of committing it.

After all the examinations at the trial have been completed, the prosecutor and the defendant's defense have been carried out, the next step is for the judge to read out his decision after considering all the evidence presented by the public prosecutor at the trial which are related to the case. Based on the facts in the trial, the judge will issue a decision in the form of:¹⁷

1. Criminal decision (*verordeling*), namely this decision means that The panel of judges examining the case was of the opinion that the defendant was guilty of the act he was accused of (the act he was accused of in the indictment). This decision is based on the judgment of the panel of judges that there are at least two valid pieces of evidence and they are convinced that a criminal act actually occurred as stated in the indictment.
2. Free verdict (*vrijspraak / acquittal*), namely the panel of judges is of the opinion that from the results of the examination at court, the defendant's guilt for the act he is accused / accused of is not proven. The evidence presented in the trial was not sufficient to prove the defendant's guilt.
3. Decision on waiver of all lawsuits (*onslag van alle rechtsvervolging*). The panel of judges examining the case was of the opinion that the act accused of the defendant was proven in trial, but the act was not a criminal act. For example, the act is within the scope of civil, customary, commercial law or there are reasons for forgiveness and reasons of justification as stipulated in Article 44 paragraph (1) of the Criminal Code, Articles 48, 49, 50 and 51 of the Criminal Code.

¹⁵ Evi Hartanti, *Corruption* (Jakarta: Sinar Grafika, 2012), 54.

¹⁶ *Ibid*, P. 55.

¹⁷ Djisman Samosir, *A Handful of Criminal Procedure* (Bandung: Nuansa Aulia, 2013), 146-159.

Execution of a court decision is the implementation of a court decision it can no longer be changed, voluntarily obeyed by the party that is dispute. The meaning of the word execution implies that the loser wants to do not want to have to obey the decision voluntarily, so the decision must forced upon him by the help of general forces.¹⁸As for the execution of court decisions that have not been carried out by the prosecutor, namely decisions that do not have permanent law and there are still legal remedies for the accused to do so. Decisions that can only be executed are decisions that have permanent law because in the verdict, there is a legal bond between the parties caught in a legal case.

Execution of the power of court decisions the law must still be obeyed by all parties involved, both officials law enforcers, namely prosecutors and convicts. The meaning of execution, namely parties who have been convicted like it or not want to accept voluntarily and obey him, so that the verdict can be enforced on him by general power assistance.¹⁹ The following will be described the basis for the execution of the judge's decision by the prosecutor before and after the issuance of the Supreme Court Circular Letter Number 1 of 2011.

THE BASIS OF THE EXECUTION OF THE PROSECUTOR PRIOR TO THE EXECUTION OF THE SUPREME COURT CIRCULAR NUMBER 1 OF 2011

There are several provisions that become the legal basis for executing judges' decisions that have permanent legal force. These provisions include the following:

1. Article 1 number 6 letter a KUHAP

Article 1 number 6 Law Number 8 of 1981 concerning Criminal Procedure Law ("Criminal Procedure Code") which reads in full:

- a. The prosecutor is officials who are authorized by this law to act as public prosecutors and implement court decisions that have permanent legal force;
- b. The public prosecutor is a prosecutor who is authorized by this law to carry out prosecutions and carry out judges' orders.

2. article 1 number 11 KUHAP

In accordance with the provisions of Article 1 point 11 of the Criminal Procedure Code, what is meant by a court decision is a judge's statement uttered in an open court session,

¹⁸ Andi Hamzah. *Indonesian Criminal Procedure Law* (Jakarta: Sinar Grafika Offset, 2009), 1.

¹⁹ *Ibid*, P. 14.

which can be in the form of conviction or acquittal or acquittal of all legal claims, in matters and according to methods regulated in this law

PROVISIONS ARTICLE 270 UP TO ARTICLE 276 CRIMINAL PROCEDURE CODE KUHAP CHAPTER XIX CONCERNING THE IMPLEMENTATION OF COURT VICTIONS

Article 270

Prosecutors continue to carry out judicial decisions for which the clerk will send a copy of the decision letter to him. Furthermore, in the case of capital punishment, Article 271 of the Criminal Procedure Code also states that "In the case of a death penalty the execution shall be carried out not in public and according to the provisions. Constitution".

Article 272

If a convicted person has been sentenced to imprisonment or imprisonment and then sentenced to a similar sentence before he has served the previously imposed sentence, then the sentence shall be executed successively starting with the sentence which was imposed first.

Article 273

- 1) If the court decision imposes a fine, the convicted person is given a period of one month to pay the fine except in a speed examination decision which must be paid immediately.
- 2) In the event that there are strong reasons, the period as referred to in paragraph (1) can be extended for a maximum of one month.
- 3) If the court ruling also stipulates that evidence is confiscated for the state, other than the exception as stated in Article 46, the prosecutor shall authorize the said objects to the state auction office and within three months for sale for auction, the results of which are put into the state treasury for and on behalf of the prosecutor. The period referred to in paragraph (3) can be extended for a maximum of one month.

Article 274

In the event that the court also passes a judgment for compensation as referred to in Article 99, the implementation shall be carried out in accordance with the procedure for a civil judgment.

ARTICLE 54 VERSE (1) LAW NUMBER 48 YEAR 2009 CONCERNING JUDICIAL POWERS

(1) That the implementation of court decisions in criminal cases is carried out by prosecutors.

In accordance with the provisions of this article, it can be said that the official who is authorized to implement court decisions is the prosecutor. Therefore, in implementing the court's decision, the prosecutor must know and understand the procedure for implementing court decisions.

LAW NUMBER 2 / PNPS / YEAR 1964 CONCERNING PROCEDURES FOR THE IMPLEMENTATION OF DEATH CRIMINAL COMPLETED BY JURISDICTIONS IN THE PUBLIC AND MILITARY JURISDICTIONS

The execution of the death penalty is carried out based on Law Number 2 / Pnps / 1964 concerning "Procedures for the Execution of the Death Penalty Imposed by Courts in the Public and Military Environment". Article 1 of Law Number 2 / Pnps / 1964 provides that without prejudice to the existing provisions of the criminal procedure law regarding the implementation of court decisions, the execution of the death penalty, which is imposed by a court in the general court or military court is carried out by being shot to death. , according to the provisions in the following Articles.²⁰

In Indonesia, the execution of the death penalty is carried out based on Presidential Decree No. 2 of 1964 which was declared as one of the Presidential Decrees in accordance with the conscience of the people, and because of that it was declared still valid and became a law, under the name of Law Number 2 / PNPS / 1964.²¹ Here the code "PNPS" is used, the intention is to differentiate it from Law No. 2 of 1964, because it is possible that in 1964 there would have been Law number 2. Law Number 2 / PNPS / 1964 consists of 4 chapters and 19 articles with the following systematization:²²

Chapter I: General, Article 1

Chapter II: Procedures for the execution of the death penalty imposed by the court within the general court, Articles 2-16.

²⁰ R. Soesilo, *Position of judges, prosecutors, assistant prosecutors and investigators (in case settlement as law enforcers)*, (Bogor: Politea, 1978), 407.

²¹ Efryan RT Jacob, Implementation of the Death Penalty According to Law Number 2 / PNPS / 1964, Faculty of Law Unsrat, *Lex Crimen* 6, no. 1 (2017): 102.

²² *Ibid*, p. 102.

Chapter III: Procedures for the execution of the death penalty imposed by the Court within the military court, Article 17.

Chapter IV: Transitional and closing provisions, Article 19.

This Law Number: 2 / PNPS / 1964 was issued with the consideration that, the current provisions concerning the methods for the execution of the death penalty for people sentenced to death by a court within the general court, and good people. military or non-military who are sentenced to death by the court within the domain of military justice, no longer in accordance with the development of the situation and the spirit of the Indonesian revolution.

The execution of the death penalty imposed by a court within the general court or military court is carried out by being shot to death. This provision does not prejudice to the provisions in the criminal procedure law regarding the administration of court decisions. Based on the provisions of Law Number 2 / PNPS / 1964, the High Prosecutor / Attorney must prepare a report on the execution of the death penalty. The contents are copied into a decree which has permanent legal force.

REGULATION OF THE SUPREME PROSECUTOR OF THE REPUBLIC OF INDONESIA NUMBER: PER-036 / A / JA / 09/2011, DATE 21 SEPTEMBER 2011 CONCERNING SOP PIDUM.

In particular, Article 48 specifies the implementation of criminal court decisions / executions as follows:

- a. The implementation of court decisions that have obtained legal force will continue to be carried out by the prosecutor based on the order of the head of the district attorney who handles the case;
- b. A warrant regarding the implementation of a court decision that has obtained legal force is still issued no later than 3 (three) days after the court decision is received;
- c. In the event that the verdict is free from all charges or the defendant is detained, the prosecutor on the same day asks for a copy or excerpt of the court's decision and immediately releases the defendant from detention;
- d. In the event that the convicted person applies for clemency or extraordinary legal remedies in the form of reconsideration, the implementation of the court decision shall be based on more specific provisions concerning clemency and reconsideration;

- e. The implementation of court decisions can be carried out by a prosecutor or in the form of a team that is tailored to the needs and circumstances by involving Administrative / Administrative staff;
- f. In the event that the implementation of a court decision is carried out by a team, one team member is appointed as the team leader with due observance to the competence concerned;
- g. The appointment of prosecutors to implement court decisions prioritizes the Public Prosecutor who is appointed as the Prosecution Team and changes can be made in accordance with the policies of the Head of the Work Unit;
- h. The implementation of court decisions is carried out thoroughly (corporal punishment, fines, evidence, restitution and case fees) no later than 7 (seven) days after the receipt of the Order for the implementation of the court decision by making an Official Report;
- i. Administrative / Administrative Officers are administratively responsible for the implementation of court decisions;
- j. In the case of a death penalty decision, its implementation is based on statutory provisions.

Whereas based on Article 48 paragraph (8) PER-036 / A / JA / 09/2011 concerning Enforcement of General Criminal Cases, implementation of court decisions thoroughly (corporal punishment, fines, evidence, restitution, and case fee not later than 7 days after receipt of the letter of execution of the court decision order. based on Article 48 paragraph (2) PER / 036 / A / JA / 09/2011 concerning the handling of general criminal cases issued no later than 3 (three) days after the court's decision is received.

Therefore, the Attorney General's Office has a special rule regarding the handling of execution of both general crimes and special crimes that have been stipulated in the Regulation of the Attorney General of the Republic of Indonesia Number Per036 / A / JA / 09/2011 concerning Standard Operating Procedures for Criminal Case Handling. As stipulated in Article 1 Number 2, the definition of Standard Operating Procedure (SOP) is a guideline for governance and technical administration in handling a criminal case, be it a general crime or a special crime.

Observing in article 48 paragraph (2) of the Regulation of the Attorney General of the Republic of Indonesia Number Per036 / A / JA / 09/2011, it can be concluded that all actions taken by the Attorney as an institution authorized to carry out the execution of a court

decision that has permanent legal force, are based on a warrant and order are issued when a court decision has permanent legal force (inkracht).

CONCLUSION

The basis for the execution of the judge's decision by the prosecutor before and after the issuance of the Supreme Court Circular Letter Number 1 of 2011 has differences. The existence of Supreme Court Circular Letter Number 1 of 2011 has not been able to provide legal certainty for prosecutors to use excerpts of decisions in executing a court decision that has permanent legal force. The prosecutor experienced an internal problem carry out the execution against a court decision that has permanent legal force is especially late Submission of a copy of the decision and an excerpt of the judgment as a basis for execution cannot be executed.

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