

**SAKSI MAHKOTA DAN PERLINDUNGAN HAK ASASI MANUSIA
DALAM PEMBUKTIAN HUKUM PIDANA
(*The Crown Witness and Human Right Protection
In Criminal Law Verification*)**

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ABSTRACT

The crown witness in criminal verification, facing a psychical pressure, because implicitly prove the deed that doing by himself. In position as defendant, correct testimony men ace by a crime and cannot disobey or self-defence himself (bind by the oath when be witness). This is gelded human right. A defendant can not be force as witness in the same case or other in similar case in same assertion with himself. This metter based on a principle in prosedure of criminal law that a defendant can not be oath because disagreed the constraint to defendant to blame himself (non – self incrimination). Proffering a crown witness under oath is to prove a crime oppose against the procedure of criminal law which respect the human right values. Crown witness which on suspected to be involved with defendant, giving witness encumbering himself, so that can be expressed to interfere with the conscience and sense of justice. En cumbering someone to proving his own mistake represent the action which oppose against the principle of presume of innocent, it means someone can not be forced to confess its deed in an injustice crime. He free to give the unstressed boldness without constraint from wherever, even from the judge who check his case.

Keyword: Saksi Mahkota, HAM, Pembuktian Pidana

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A. PENDAHULUAN

Alat bukti yang sah menurut Pasal 184 ayat (1) Kitab Undang-undang

Hukum Acara Pidana Indonesia (KUHAP) adalah:

1. keterangan saksi;
2. keterangan ahli;