

Abstract

This research aims to evaluate the action taken by Indonesia in combating terrorism based on rule of law and human rights by using the case of Siyono. The methodology used in this research is normative legal research with statute and case approach. The result of research shows that Indonesia has enacted laws and set policies to combat terrorism action. Indonesia has enacted Law No. 15 Year 2003 about the Enactment the Government Regulation in Lieu of Law No. 1 Year 2002. Indonesian Government has also established National Counter Terrorism Agency (BNPT) and Special Force (Densus 88). Unfortunately, the implementation of Terrorism Law that executed by the Special Force Densus 88 is lack of monitoring and evaluation. Lacking of monitoring and evaluation have caused the practice of combating terrorism by Densus 88 violated the rule of law and ignored human rights which guaranteed in the 1945 Constitution. The research recomend monitoring and evaluation of the agendas of combating terrorism are needed in order to control the implementation of laws. The efforts on combating terrorism must be based on the rule of law without ignoring the human rights protection as guaranteed in the 1945 Constitution and applicable laws.

Keywords: 1945 Constitution, Terrorism, Human Rights, Special Force Densus 88 and Siyono case