

## ABSTRACT

**Darmadi Djufri**, Nomor Pokok: 16730123; "Accountability of States in Legal Protection Against Defendants That Are Not Proven Guilty in the Criminal Justice Process, This dissertation is under the guidance of Prof. Dr. Surya Jaya, SH. MH, as the Promoter and Dr. Petrus Setiawan SH. MH as Ko. Promoter.

In the era of reform, legal protection and respect for human rights are sometimes still faced with the fact that there is negligence of law enforcement especially in the implementation of the stages of the criminal justice system. So that it is not uncommon for wrongdoers to get caught by law enforcers, and not infrequently people who are considered to have committed an offense then are involved in the process of being found not guilty.

The issue of this dissertation *Why is the state responsible for providing legal protection against defendants who have not been proven guilty in criminal proceedings? And What is the form of the State's responsibility for the defendant who was adjudicated by the court not guilty in a criminal case?* In this study the emphasis of the research method is on normative and empirical legal research by reviewing the legal norms that apply to a particular situation and reviewing empirical analysis.

The results of his research, the responsibility of the state to provide legal protection for suspects who have not been proven guilty is because it is an order of the state constitution, intended to provide legal protection for human dignity and rights other rights related to law enforcement in Indonesia, which should be enforced by law enforcers who have relevant authority in the event of an alleged criminal act related to legal protection of suspected guilty suspects which must be considered, namely Article First Paragraph (1) Criminal Code. Protection of dignity and human dignity by implementing the principle of presumption of innocence and on the other hand is also an obligation that must be accounted for by law enforcement officials at all stages of the criminal law enforcement process, from the process of investigation, prosecution to the judicial process. The form of compensation for defendants who are not proven guilty is the state imposes Government Regulation Number 92 of 2015 concerning the Second Amendment to Government Regulation Number 27 of 1983 concerning the Implementation of the Criminal Procedure Code concerning the Implementation of the Criminal Procedure Code. The provision is a series of activities which are regulated based on the provisions of Law Number 8 of 1981 concerning Criminal Procedure Law, abbreviated as KUHAP, related to legal remedies regarding compensation and rehabilitation.

However, in fact the implementation of the provision of rehabilitation and the form of compensation has not been felt to obtain legal certainty that should have been obtained by the defendant who was proven innocent by law.

It is recommended, in order to guarantee legal protection against human dignity, it can be followed up with more real implementation regulations, and easily understood by law enforcers in accordance with their authority, and in order to provide legal certainty and legal protection against defendants who are not legally proven, as well as accountability wrong law enforcement process, should the Panel of Judges include in the decision of the party who must be responsible for rehabilitating and the value of compensation for the defendant who was not proven guilty.

**Keywords:** State responsibility for legal protection