ABSTRACT

Monang Siahaan, 2016, "ASAS REVERSAL LOAD OF EVIDENCE IN COMBATING CORRUPTION". This Dissertation under the Guidance of Prof. Dr. Surya Jaya, SH.MH as Advisor and Dr. Petrus Irwan Panjaitan, SH.MH. as Co-Advisor. (xvi + 317 terms).

The act of corruption has been detrimental to the State finances and classified extraordinary crime (extraordinary crime) thus be outstanding (Extra Ordinary measure). The difficulty of eradicating acts of corruption with a verification system negatively regulated in the Criminal Procedure Code (where the public prosecutor that prove the guilt of the accused), then applied Reversal of burden of proof (reversal of burden of proof / onus of proof or omkering van het bewijslast) that defendants prove the entire property assets held, his wife, his son, and the corporation is obtained in accordance with the rule of law, and if the reason is not rational judge sentenced him to seize the entire wealth derived from the proceeds of corruption.

The research method in doing that is a normative juridical research by studying literature with primary materials, secondary, and tertiary relating to the principle of reversal of the burden of proof. To support secondary data above with field data (field research), then conduct empirical research to obtain data from observations (observation) in the field and a series of interviews of public officials or officials of state officials in the institution normatively correlated with implementation by the application of reversal of the burden of proof in combating corruption.

Results of the research, that the principle of reversal of the burden of proof has been applied in the case of criminal offenses of corruption in combating corruption, with a heavy sentence to the defendant (the follow the suspect) and seizing assets of the accused result of acts of corruption (the follow the money).