

ABSTRAK

Penelitian ini bertujuan untuk mengetahui dan menganalisis kekuatan pembuktian keterangan saksi melalui *teleconference* sebagai alat bukti dalam pembuktian perkara pidana berdasarkan hukum acara pidana Indonesia, serta menganalisis kebijakan hukum pidana terhadap keterangan saksi melalui *teleconference* sebagai alat bukti dalam proses peradilan pidana. Metode penelitian yang digunakan yaitu Penelitian Yuridis Normatif yang dianalisis secara Kualitatif. Hasil penelitian menunjukkan setiap alat bukti dapat diajukan dalam persidangan sebagai alat bukti kecuali apabila undang-undang menentukan hal ini berbeda maka hakim berwenang untuk mempertimbangkannya. Penggunaan media *teleconference* menjadi salah satu cara penggunaan media di persidangan meskipun hal itu belum diatur dalam Kitab Undang-Undang Hukum Acara Pidana (KUHAP). Ia semacam itu bukan hal baru di Indonesia, untuk pertama kalinya Mahkamah Agung memberlakukan penggunaan media *teleconference* dalam kasus tindak pidana *non-budgeter Bulog* dimana BJ Habibie memberikan kesaksiannya. Dari hasil penelitian tersebut, diharapkan pemeriksaan keterangan saksi melalui media *teleconference* selama persidangan perkara pidana dapat diadakan kebijakan hukum pidana yang mengatur kedudukan kesaksian melalui *teleconference* dianggap sama dengan kesaksian langsung dipersidangan perkara pidana. Penting adanya kebijakan dalam KUHAP yang menjelaskan kedudukan tersebut. Karena pada dasarnya KUHAP merupakan peraturan fundamental dalam beracara pidana. Media *teleconference* dalam pemberian kesaksian termasuk cara yang efektif mengingat peradilan harus diselesaikan dalam waktu tertentu.

Kata Kunci: *Pembuktian, Keterangan Saksi, Teleconference.*

THE STRENGTH OF TELECONFERENCE WITNESS TESTIMONY IN CRIMINAL EVIDENCE

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ABSTRACT

This search aims to determine and analyze the strength of the evidence of witness statements via teleconference as evidence in criminal cases based on Indonesian criminal procedure law, as well as to analyze the criminal law policy on witness statements via teleconference as evidence in the criminal justice process. The research method used is Normative Juridical Research which is analyzed Qualitatively. The results of the study indicate that every piece of evidence can be submitted in court as evidence unless the law determines this differently, then the judge has the authority to consider it. The use of teleconference media is one way of using media in court even though it has not been regulated in the Criminal Procedure Code (KUHAP). This is not something new in Indonesia, for the first time the Supreme Court has enforced the use of teleconference media in the case of a non-budgetary criminal act by Bulog where BJ Habibie gave his testimony. From the results of this study, it is hoped that the examination of witness statements via teleconference media during the trial of a criminal case can be made a criminal law policy that regulates the position of testimony via teleconference is considered the same as direct testimony in a criminal trial. It is important to have a policy in the Criminal Procedure Code that explains this position. Because basically the Criminal Procedure Code is a fundamental regulation in criminal proceedings. Teleconference media in providing testimony is an effective method considering that trials must be completed within a certain time.

Keywords: *Evidence, Witness Testimony, Teleconference.*