THE MONITORING EFFECTIVITY OF PROSECUTION COMMISION TOWARDS PROSECUTOR'S BEHAVIOR CONNECTED TO UU NO 16/ 2004 ABOUT INDONESIAN PROSECUTION

By:
GustiAyuDarmawati
31608004

ABSTRACT

The constitution no 16 year 2004 about Indonesian prosecution is an institution that has public duty; the weak of prosecution's performance should be anticipated with existed internal monitoring instrument. Therefore the problem is which mechanism that be applied towards the role and work mechanism prosecution commission as a monitor and prosecutor's performance supervisor to solve a case.

To answer the problem it is conducted a normative study towards prosecution commission and the under based constitution rules. Beside that as complement it is used interview towards prosecution including prosecution's commission performance. The data analysis is conducted through descriptive analytic, and decision taking is conducted in juridical normative. According to analysis towards prosecution commission it is known that legal rule become a basic about Indonesian prosecution is article 38 constitution no 16 year 2004 says that Indonesian prosecution commission has purpose to improve prosecution's performance quality.

Prosecution is a part of government apparatus that has duty to serve public interest and society. The role of prosecution commission is as a monitoring, guide, and action taking in firm and justice towards prosecutor who misused their position and authority to solve a case. To implement their function, duty, and authority, the prosecution as a governmental institution that conduct governmental rules in running their duty should show the legal certainty and follow the religious norms, politeness, and attitude.