

# AGAINST LEGAL UNCERTAINTY: THE WAITING PERIOD FOR DEATH PENALTY EXECUTION AS A VIOLATION OF HUMAN RIGHTS

ALFIAN BOMBING <sup>1</sup>, IRWANSYAH <sup>2</sup>, ANDI MUHAMMAD SOFYAN <sup>3</sup> and  
WIWIE HERYANI <sup>4</sup>

<sup>1</sup> Graduate School, Faculty of Law, Hasanuddin University, Indonesia. E-mail: [alfianbombing@gmail.com](mailto:alfianbombing@gmail.com)

<sup>2,3,4</sup> Faculty of Law, Hasanuddin University, South Sulawesi, Indonesia.

## Abstract

Death penalty is one of the oldest and most controversial types of punishment, carried out by the authorities by eliminating the life of a criminal who has been found guilty by a court, and based on the applicable laws and regulations. This type of research is normative legal research with a statutory, conceptual, and historical approach. The results show that the legal arrangements related to the waiting period for death penalty in Indonesian legislation have not shown any legal certainty or in other words that there is no legal certainty for the waiting period for execution for death convicts in the current regulations. During the waiting period for execution, the fulfillment of the rights of death convicts can be seen in two ways: the first, temporary placement in a correctional institution with the status of not serving a sentence as a convict and not having to take part in a coaching program, and the second, the provision of opportunities to use the rights of death convicts. Regardless of the polemic on the number of applications for review, death convicts have the opportunity to have their sentences commuted through judicial review. Regarding clemency, since 2014, there has never been a request for clemency granted for a convict in a narcotics crime.

**Keywords:** Death Penalty; Execution; Human Rights; Narcotics; Waiting Period

## 1. INTRODUCTION

Serious violations of human rights, premeditated murder, narcotics, corruption and terrorism are types of crimes that causing death penalty. The more interesting is Act No. 22 of 1997 concerning narcotics (before it was amended by Act No. 35 of 2009 concerning narcotics), which also regulates death penalty sanctions has received special attention for a group of people who then carry out a judicial review. However, the Constitutional Court emphasized that the death penalty is not against the constitution. In fact, the crime of narcotics has become a frightening problem for the Indonesian people. Various anti-narcotics campaigns that have been carried out and countermeasures against those who want to recover from narcotics dependence are increasingly being echoed.

In Indonesia, deaths caused by narcotics, both directly and indirectly reach 37 to 40 people every day, while those contaminated with narcotics reach 2.2 percent of the entire Indonesian population, so that Indonesia is included as a country with a narcotics emergency.<sup>1</sup> If this is allowed to continue, one day there will be a loss generation or a situation where in this country there are no longer young people whose lives are normal, both physically and mentally, as successors to the leadership of this nation, because they have been damaged and become

victims of narcotics abuse and other illegal drugs, for which reason efforts to inform about the dangers of abusing narcotics and other similar substances must be carried out systematically and continuously.

Not only in Indonesia, narcotics crime has long been an enemy of many countries and has become an international issue.<sup>2</sup> the perpetrators of narcotics crimes seem unable to be stopped by the various moves made by law enforcement officials in various parts of the world who are so aggressive in fighting this crime. The joint commitment to eradicate narcotics by the whole world has been unceasingly carried out through various efforts, but in fact the illicit traffic of narcotics continues to run rampant. It is not surprising that this narcotics crime is categorized as a form of extraordinary crime. Development continues to be carried out by the Indonesian nation amidst various challenges of crime, especially crimes that are categorized as serious or extraordinary crimes such as the practice of abusing addictive substances such as narcotics and dangerous drugs (narcotics) and other prohibited substances. This group of narcotics abuses does not decrease from time to time, but instead shows a tendency to increase or expand, especially the network related to its circulation.<sup>3</sup>

At the international level, several countries have recognized that overcoming and eradicating the dangers of narcotics and other drugs is not an easy job. Many countries are having quite a hard time even almost being overwhelmed in dealing with this narcotics crime. Within the scope of Southeast Asia itself, the countries that are members of ASEAN (the Association of Southeast Asian Nations) have shown the same attitude in preventing and eradicating the abuse and illicit trafficking of narcotics, by formulating an agreement to accelerate making ASEAN free of narcotics. To achieve this, by ACCORD (ASEAN and China Cooperative Operations in Response to Dangerous Drugs).<sup>4</sup>

Death penalty is one of the oldest and most controversial types of punishment, carried out by the authorities by eliminating the life of a criminal who has been found guilty by a court, and based on the applicable laws and regulations. The application of death penalty is based on its aim to prevent other people in society from committing similar crimes for fear of a very severe punishment. The application of death penalty is still debatable, especially since the rise of the issue of human rights and since the establishment of the United Nations, the debate about death penalty in the context of human rights protection has resulted in around 172 countries having abolished death penalty, while 21 countries still maintain it such as India, Japan, Pakistan, China, Singapore, Malaysia, including Indonesia in their national law.

The idea of reforming criminal law relating to death penalty in the legal considerations of the Constitutional Court shows that the existence of death penalty is still very relevant to be maintained in positive law in Indonesia. The basis for his considerations is death penalty as a tool that absolutely must exist in society to protect the public interest against the threat of perpetrators of serious crimes.<sup>5</sup> The renewal of the national criminal law regarding death penalty is carried out by taking into account matters that are not only related to the formulation, application, but also its implementation.

The execution of death penalty is very urgent to be carried out by the Attorney General of the

Republic of Indonesia, bearing in mind that the Constitutional Court in its legal considerations recommends that all death penalty decisions that have permanent legal force (in kracht van gewijsde) be implemented as they should. The advice that has been given by the Constitutional Court, in essence aims to create legal certainty that is just and fair from a law enforcement process.

The use of the term “waiting period” for death penalty execution is not only related to the issue of the time period, but also related to the problem of treatment for convicts while awaiting execution in the correctional institutions, as well as the standards for fulfilling the process.<sup>6</sup> The waiting period for death penalty execution includes the phase of fulfilling the rights of death convicts to submit extraordinary legal remedies for review and requests for clemency, as well as the post-refusal phase of clemency.

The waiting period for the execution of death penalty which is not strictly and surely regulated has resulted in problems in practice. The problem occurs because of differences in the waiting period for execution between death convict and another. Data from the Directorate General of Corrections, Ministry of Law and Human Rights of the Republic of Indonesia<sup>7</sup> shows that until February 2016 there were 146 (one hundred and forty-six) death convicts placed in prisons throughout Indonesia. Data from the Ministry of State Secretariat shows that out of 146 (one hundred and forty-six) death convicts, there are 29 (twenty-nine) death convicts whose requests for clemency have been rejected by the President, including death convicts for Narcotics Crimes, Andrew Chan, Myuran, Sukumaran.

The waiting period for execution of death penalty is very long without legal certainty for its implementation, which will have a negative impact on death convicts. Death convicts are faced with the issue of double punishment that they must serve. The waiting period for execution of death penalty is very long causing death convicts to undergo 2 (two) main types of punishment, namely imprisonment for an indefinite period placed in prison until the death penalty is carried out, as well as the death penalty itself. Another negative impact is the psychological pressure experienced by death convicts. The National Commission of the Human Rights found that death convicts who waited too long experienced prolonged mental pressure and fear, because every day they imagined death without a clear time of execution.

It is the state’s obligation to carry out death penalty decisions that have permanent legal force. These firm steps need to be implemented in order to create justice and legal certainty for both victims, perpetrators, and for society in general. The existence of certainty and justice is expected to provide benefits, namely the emergence of a deterrent effect. The non-protracted implementation is a major factor for the implementation of law enforcement in Indonesia, because it is not only related to legal certainty but also concerns the authority of the legal system which has good indications.<sup>8</sup>

Based on the phenomena as described above, it has raised the issue that the laws and regulations in Indonesia have not regulated clearly and unequivocally regarding the waiting period for death penalty execution, so that the state is allegedly not yet optimally implementing human rights properly, even the state is considered failing to provide protection to death row convicts

so that death convicts feel they are carrying out two sentences (prison and death penalty), therefore further and in-depth research is needed which aims to find arrangements for the waiting period for death penalty execution in Indonesia, fulfillment of their rights rights of death convicts during the waiting period for execution, as well as discovering the concept of a waiting period for death penalty execution with legal certainty in order to realize criminal law reform.

## 2. RESULT AND DISCUSSION

### 2.1. The Fulfillment of Rights of Death Convicts for Execution: Dimensions of Substantive Justice and Human Rights

The arrangement for the waiting period for death penalty for convicts in narcotics crime cases has basically been regulated in various laws and regulations, namely that the death penalty for convicts in narcotics crime cases can be postponed (not cancelled) due to requests from death convicts and convicts while pregnant. The waiting period for execution of death penalty for narcotics criminals who have the status of death convicts is due to waiting for the rights owned and used by death convicts in narcotics crime cases and the Attorney General of the Republic of Indonesia, such as requests for review by death convicts in criminal cases narcotics to the Supreme Court of the Republic of Indonesia, and an appeal for cassation in the interest of law by the Attorney General of the Republic of Indonesia to the Supreme Court of the Republic of Indonesia, in addition, a request for clemency by a death convict in a narcotics crime case to the President of the Republic of Indonesia as the head of state.

As explained, the relevance to the constitutionality of the waiting period for execution for death convicts is that extraordinary legal remedies, one of which is known as cassation for the sake of law, is a factor that is constitutionally justified in delaying the execution process.<sup>19</sup> This is a form of caution in imposing death penalty. Cassation for the sake of law is one of the filters so that there are no mistakes in applying the law that can harm the accused or convict. The postponement of executions for death convicts in narcotics crime cases is due to an appeal for cassation in the interests of law by the Attorney General of the Republic of Indonesia to the Supreme Court of the Republic of Indonesia which has provided legal certainty regarding the waiting period for death penalty executions for death convicts in narcotics cases in Indonesia.

**Table 1: List of Last Requests for Death Convicts in Narcotics Cases**

No	Name	Citizen	Case	Last Request	Death execution
1.	Andrew Chan	Australia	Smuggling 8 kilograms of heroin	Married to his girlfriend in Surabaya, buried in Australia	28 April 2015
2.	Myuran Sukumaran	Australia	Smuggling 8 kilograms of heroin	Returned and buried in Australia	28 April 2015
3.	Martin Anderson	Ghana	Possession of 50 grams of heroin	Buried in Bekasi	28 April 2015
4.	Zainal	Indonesia	Possession of 58.7	Buried in Nusa	28 April

	Abidin		kilograms of marijuana	Kambangan	2015
5.	Raheem Agbaje Salami	Nigeria	Possession of 5 kilograms of heroin	Organs donated, and buried in Madiun	28 April 2015
6.	Sylvester Obiek	Nigeria	Smuggling 1.2 kilograms of heroin	Haven't filed yet	28 April 2015
7.	Okwudili Oyatanze	Nigeria	Smuggling 1.2 kilograms of heroin	Haven't filed yet	28 April 2015
8.	Rodrigo Gularte	Brazil	Smuggling 19 kilograms of cocaine on surfboards	Haven't filed yet	28 April 2015

Source: Secondary data, 2020 (edited).

Interestingly, there was 1 (one) death convict in narcotics case who should have also been executed by the Attorney General's Office on 28 April 2015 and had a last request, but the execution was postponed in the final minutes before the execution was due to a request from the President of the Philippines when that, Benigno Aquino. The postponement of the execution of the death convict Mary Jane Fiesta Veloso (Philippine citizen), in the case of smuggling 2.6 kilograms of heroin, while her last request was to be returned home and buried in the Philippines. The postponement of the execution was carried out after it was developed that someone claimed to have used Mary Jane Fiesta Veloso as a narcotics courier, and the Philippine government needed Mary Jane Fiesta Veloso's testimony after the suspected recruiter of Marry Jane Fiesta Veloso, namely Maria Kristina Sergio, surrendered to the police Philippines. Death convicts who are placed in the correctional institution as a place of isolation while awaiting execution in principle are not serving a sentence, this is because death convicts are sentenced by a court and have permanent legal force with death penalty, not life imprisonment, imprisonment for a certain time who will automatically have the status of a convict currently serving a sentence in a correctional institution.<sup>10</sup>

The death penalty is given because it makes people aware of the consequences of their actions. The death penalty is expected to stop the existence of the same act in society. In various cases, perpetrators who only received light sanctions would repeat their actions. There are cases of repeating his/her actions, so the death penalty is expected to give the result that there will be no similar crimes again.<sup>11</sup> According to Asandi,<sup>12</sup> there is a need for special guidance for death convicts so they don't make threats to anyone. In fact there are no regulations governing the placement or isolation of death convicts. There is no rule yet that stipulates that a death convict must be placed in a Correctional Institution, nor is there a prohibition that death convicts may not be placed in a Correctional Institution. In Regulation of the Chief of Police No. 12 of 2010 concerning Procedures for the Implementation of Death Penalties only implicitly explains that Correctional Institutions cooperate in the isolation process for death convicts.

Then, in Article 5 of the Presidential Decree No. 2 of 1964 concerning Procedures for Executing Death Penalty that Sentenced by Courts in the General Courts and Military Courts it explains that prison is only a place waiting for execution. The prison referred to in this case is a Correctional Institution. The high prosecutor or the prosecutor who is responsible for the



execution of death penalty. The high prosecutor or prosecutor is given the authority to appoint a prison or other special place for death convicts awaiting their execution. Death convicts in the process of waiting for execution certainly make convicts follow the rules of the correctional institution. In addition to following existing regulations, death convicts must also carry out their obligations and obtain appropriate rights.<sup>13</sup> The presence of death convicts in the Correctional Institution is only waiting for the time when the execution will be carried out. While waiting for death convicts to be treated like other convicts in terms of obtaining their rights in accordance with Article 14 of Act No. 12 of 1995 concerning Corrections by adjusting the statutory regulations governing death convicts. The death penalty released by the International Amnesty<sup>14</sup> recorded 96 death sentences from January to October 2020, 83 of them for the use and distribution of illegal drugs. The Indonesian government also in a press statement during the commemoration of World Anti-Death Penalty Day on 10 October 2020 stated that there were 538 death convicts awaiting execution. Regarding the trend of death sentences handed down by the Government of Indonesia from 2014 to October 2020 it tends to increase. Only in 2017 did it experience a decline. In fact, global death sentences in the world have decreased where in 2018 there were 2,531 death sentences and in 2019, the executions amounted to 2.307 death sentences, in 2018 there were 690 executions and while in 2019 there were 675 executions.<sup>15</sup>

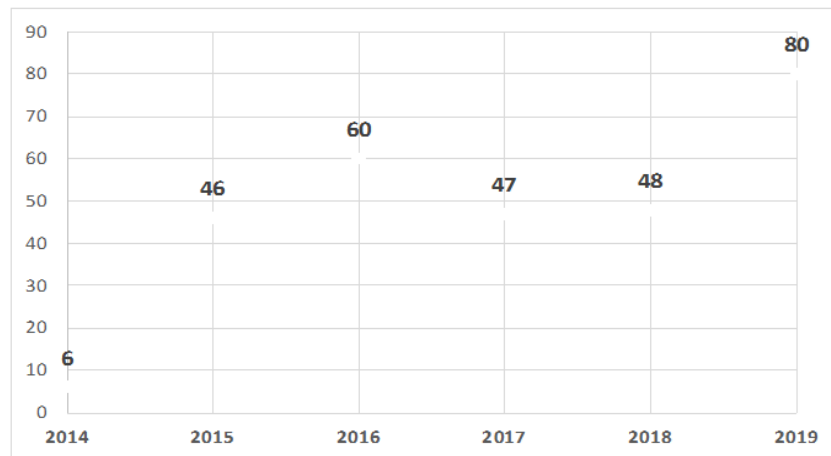
Napitupulu et al.<sup>16</sup> described that the Directorate General of Corrections of the Ministry of Law and Human Rights released data on the recapitulation of death convicts as of 9 October 2019 which contained 274 people. When compared to data from the Directorate General of Corrections, Ministry of Law and Human Rights with the Institute for Criminal Justice Reform (ICJR) database, there are several changes. The change in data on death convicts is due to death convicts whose sentences have been changed and death convicts who have died but their names are still listed in the recapitulation data issued by the Directorate General of Corrections of the Ministry of Law and Human Rights, then there are also death convicts whose names have not been included in the recapitulation data.

For example, 3 death convicts whose sentences have been annulled include:

- a. The convict Amiruddin Bin Amin whose sentence was changed to life imprisonment through the Supreme Court's Decision in the Judicial Review case No. 247 PK/Pid.Sus/2018 dated 15 January 2019.
- b. The convict Zulfadhli Bin Nursyam whose sentence was changed to 20 years in prison through the Supreme Court's Decision in the case of Judicial Review No. 300/PK/Pid.Sus/2018 dated 15 April 2019, and
- c. The convict Riki Fajar Santoso Bin Suryaman (Alm.) whose sentence was changed to life imprisonment through the High Court's Decision of Semarang No. 110/Pid/2016/PT SMG dated 18 May 2016.

There is also a death convict who is still recorded in the recapitulation data but has been declared dead on 14 October 2019, a death convict on behalf of Azhari. The death convict who has not been included in the recapitulation data on behalf of the death convict Aman

Abdurrahman, it is known that his case has been inkracht or permanent legal force after it is known that no legal remedies have been taken or the request for clemency has been filed by the death convict since the issuance of the first instance decision by the District Court of South Jakarta on 22 June 2018. However, during the waiting period for execution of the death penalty (because within the period in 2017 until now in 2022, Indonesia has never carried out a death execution). The following is data on death sentences in Indonesia for the period 2014 – 2019 which are currently being temporarily held in Correctional Institutions as isolation places as listed in Graphic 1.



**Graphic 1: Data on death penalty in Indonesia for 2014-2019**

Source: Data of International Amnesty Indonesia, 2020

The finding of research shows that there was a significant increase in death penalty sentences in Indonesia during 2019, even though in previous years the numbers fluctuated. The high number of death sentences especially for narcotics crimes is due to the large stigma attached to narcotics cases, especially since Indonesia is in a state of emergency on narcotics, so that the death penalty is still believed to have a deterrent effect on perpetrators of crimes. This also includes the interpretation of Article 6 paragraph (2) of the International Covenant on Civil and Political Rights which includes narcotics cases as extraordinary crimes so that it is very possible to be sentenced to death, especially in countries that have not abolished the death penalty as in Indonesia. Throughout 2020, the majority of death sentences for being caught in narcotics cases are currently being temporarily kept in prisons as a place of isolation, while waiting for execution (not currently serving sentences) the convicts are still among them still carrying out ordinary legal remedies (appeals). and cassation), as well as extraordinary legal remedies (request for reinstatement) and still have the right to apply for clemency to the President of the Republic of Indonesia.<sup>17</sup> The absence of clear guarantees while on the waiting periode is seen as a form of violation from a human rights perspective, particularly with regard to the fulfillment of basic rights while on the waiting list for execution. United Nations (UN) Special Rapporteur on Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (UNs Special Rapporteur) for the period 2010-2016, Juan Mendez, at the UN's

General Assembly, “Interim report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment’ 67<sup>th</sup> session 2012 (A/67/279) stated that death penalty can be a form of torture. Apart from the possibility that death row convicts may receive a commutation of their sentences, the mental and physical health situation in the execution waiting period itself is often judged to have a negative impact and can become a form of torture. The process of waiting for execution or the waiting lines for execution that do not arrive and are in a state of anxiety can lead to serious mental disturbances and serious physical deterioration.

Seeing these conditions, when a convict during the waiting period for execution of a death sentence is placed in a correctional institution as a place of isolation and is not required to take part in a coaching program, in fact, a death convict faces psychological pressure disorders as a result of the death sentence he has received, but instead the activities of the coaching program which should be a form of health service, is not required to be followed by death convicts. This condition has resulted in several death convicts falling into a depressed state, so that in principle it is important that the activities in the coaching program are mandatory for death convicts. Based on the author, it is not obligatory for death convicts to take part in the coaching program where they are placed (in a correctional institution), then this is contrary to the fulfillment of their rights as a human being. Even though death row convicts are actually given the opportunity to participate or not participate in the coaching program carried out in correctional institutions, because it is not obligatory, personally there is reluctance for death convicts to participate in the coaching program, even though the coaching program is very important for the personality of the death convict.

This shows that there is no legal certainty or in other words that there is no legal certainty regarding the waiting period for death convicts in the current regulations. This is in line with the theory of the fulfillment of human rights by the state which states that in order to fulfill human rights, the fulfillment of civil and political rights cannot be separated from the fulfillment of economic, social and cultural rights.<sup>18</sup> The scope of the two is mutually exclusive related, so that the state is obliged to respect, protect, and fulfill the basic rights of death convicts as long as they are entrusted in a correctional institution while waiting for their execution, namely obliging death convicts to take part in certain coaching programs aimed at providing psychological and health improvements, such as coaching to participate in religious activities according to their beliefs, sports, participating in education on awareness of the nation and state, and fostering legal awareness. Related to the many problems contained in the waiting period for death penalty execution, starting from regulations that have no legal certainty, there are differences in perceptions and polemics regarding the number of applications for judicial review, and the rights convicts who have been sentenced to death have not fulfilled during the period they are kept in correctional institutions, it is strengthened by Isandi Siregar,<sup>19</sup> in his research he revealed that the execution of death convicts still has polemics due to the absence of regulation regarding the maximum waiting period for death sentences to be carried out. In addition, there are several legal products in Indonesia that seek clemency and judicial review which hinder the execution of the death penalty, even in practice the convict does not get legal certainty regarding the waiting period for the execution of the death penalty. Thus, according



to the author, a concept of a waiting period for death penalty execution with legal certainty is needed in order to realize legal renewal. The concept must be comprehensive starting from the formulation, the application, and the execution, so that it is in line with the scope of criminal law policy which cannot be separated from the criminal law system. Criminal law policy is related to the overall (criminal) law enforcement process.

### 3. IMPLICATIONS AND RECOMMENDATIONS

Legal arrangements related to the waiting period for death penalty in Indonesian legislation have not shown any legal certainty or in other words that there is no legal certainty for the waiting period for execution for death convicts in the current regulations. During the waiting period for execution, the fulfillment of the rights of death convicts can be seen in two ways: the first, temporary placement in a correctional institution with the status of not serving a sentence as a convict and not having to take part in a coaching program, and the second, the provision of opportunities to use the rights of death convicts in the case of requests for review to the Supreme Court and requests for clemency from the President of the Republic of Indonesia. Regardless of the polemic on the number of applications for review, death convicts have the opportunity to have their sentences commuted through judicial review. Regarding clemency, since 2014, there has never been a request for clemency granted for a convict in a narcotics crime.

#### Acknowledgments

The authors acknowledge all contributors involved in this study. The authors declare no conflict of interest and no research funds or grants received.

#### Declaration of Interest

Authors declare there are no competing interests in this research and publication.

#### References

1. Budima, Adhigama Andre and Maidina Rahmawati, (2020). *Fenomena Deret Tunggu Terpidana Mati*, Jakarta: Institute for Criminal Justice Reform (ICJR), p. 20
2. Firdaus, Okky Chahyo Nugroho, and Oksimana Darmawan. "Alternatif Penanganan Deret Tunggu Terpidana Mati di Lembaga Pemasyarakatan dalam Konstruksi Hak Asasi Manusia." *Jurnal HAM* 12, no. 3 (2021): 503-520.
3. Ghany, Hamid A. "The death penalty, human rights and British law lords: judicial opinion on delay of execution in the Commonwealth Caribbean." *The International Journal of Human Rights* 4, no. 2 (2000): 30-43.
4. Johardi, Ali, Imam Santoso, Agus Budianto, and Firman Wijaya. (2022). "Phenomenon of Waiting Period for the Execution of Death Row Inmates of Narcotics Crime in Indonesia." *J. Legal Ethical & Regul.* Issue 25: 1.
5. Kasim, Adil, M. Said Karim, Syamsuddin Muchtar, Abdul Asis, S. Muliani, and Andi Tenri. "School Drug Education and Leadership Agility: Narcotics Crime Study in Children." *Asian Journal of University Education* 17, no. 4 (2021): 388-398.
6. Nashir, Fuad (2016). *Perkembangan Kejahatan Serius di Indonesia*, Yogyakarta: Lingkar Baru.

7. Purba, Nelvita and Sri Sulistyawati, 2015, Pelaksanaan Hukuman Mati, Yogyakarta: Graha Ilmu.
8. Purwanto, Agus. "Death penalty and human rights in Indonesia." *International Journal of Criminology and Sociology*9 (2020): 1356-1362.
9. Puslitbang Hukum dan Peradilan (2005), Naskah Akademis tentang Narkotika dan Psikotropika. Megamendung: Puslitbang Hukum dan Peradilan Mahkamah Agung RI.
10. Rukmono, Bambang Sugeng. (2012), Hakikat Pelaksanaan Hukuman Mati Ditinjau dari Perspektif Hak Asasi Manusia, Bandung: PT. Citra Aditya Bakti.
11. Siregar, Farriman Isandi. (2015). Masa Tunggu Pelaksanaan Hukuman Mati dalam Sistem Peradilan Pidana Indonesia, Tesis: Fakultas Hukum Universitas Airlangga, Surabaya.
12. Sitompul, Muhammad Nasir, and Ariman Sitompul. "Execution Of Death Penalty In Narcotics Crime In The Perspective Of National Law In Indonesia." *International Asia Of Law and Money Laundering* 1, no. 2 (2022): 107-112.
13. Sofyan, Andi Muhammad, Abd Asis, and Wiwie Heryani. "Law Enforcement against Narcotics Crime through Rehabilitation in a Restorative Justice Perspective." *Scholars International Journal of Law, Crime and Justice* (2021).
14. Suartha, I Dewa Made. "Criminal Policy Formulation on Regulation of Death Penalties for Criminal Actors." *Journal of Morality and Legal Culture* 1, no. 1 (2020): 12-17.
15. Tanjung, Willy, Teguh Prasetyo, Muhadar, and Lilik Mulyadi. "The Legal Certainty of Execution of the Death Penalty in Indonesian Criminal Justice System." *The Southeast Asia Law Journal* 1, no. 1 (2017): 33-44.
16. Tim Penyusun Modul Badan Diklat Kejaksaan Republik Indonesia. (2019). Modul Psikologi Hukum. Jakarta: Badan Pendidikan dan Pelatihan Kejaksaan Republik Indonesia.
17. Tim Penyusun Modul Badan Diklat Kejaksaan Republik Indonesia. (2019). Modul Psikologi Hukum. Jakarta: Badan Pendidikan dan Pelatihan Kejaksaan Republik Indonesia, p. 2
18. Nashir, Fuad (2016). Perkembangan Kejahatan Serius di Indonesia, Yogyakarta: Lingkar Baru, p. 15
19. Puslitbang Hukum dan Peradilan (2005), Naskah Akademis tentang Narkotika dan Psikotropika. Megamendung: Puslitbang Hukum dan Peradilan Mahkamah Agung RI. p. 2
20. Johardi, Ali, Imam Santoso, Agus Budiarto, and Firman Wijaya. (2022). "Phenomenon of Waiting Period for the Execution of Death Row Inmates of Narcotics Crime in Indonesia." *J. Legal Ethical & Regul. Issues* 25: 1.
21. <http://www.ditjenpas.go.id/>. Accessed on 24 September 2021.
22. Rukmono, Bambang Sugeng. (2012), Hakikat Pelaksanaan Hukuman Mati Ditinjau dari Perspektif Hak Asasi Manusia, Bandung: PT. Citra Aditya Bakti, p. 13
23. Purba, Nelvita and Sri Sulistyawati, 2015, Pelaksanaan Hukuman Mati, Yogyakarta: Graha Ilmu, p. 8
24. Edeltruda Lintang Asandi, Pembinaan Terhadap Terpidana Mati di Lembaga Pemasyarakatan, *Jurnal Ilmiah Fakultas Hukum Universitas Atmajaya Yogyakarta*, (2016), pp. 4-5
25. Usman Hamid, Vonis Mati Meningkatkan, Indonesia Melawan Arus Global, accessed on <https://Tirto.Id/Vonis-Mati-Meningkat-Indonesia-Melawan-Arus-Global-EPZC/>
26. Siregar, Farriman Isandi. (2015). Masa Tunggu Pelaksanaan Hukuman Mati dalam Sistem Peradilan Pidana Indonesia, Tesis: Fakultas Hukum Universitas Airlangga, Surabaya, pp. 62-64.