

## INTISARI

**PENERAPAN ALAT BUKTI ELEKTRONIK DALAM PERKARA PASAL 27 AYAT (1)  
UNDANG-UNDANG INFORMASI DAN TRANSAKSI ELEKTRONIK  
OLEH ANGGOTA TENTARA NASIONAL INDONESIA  
DI PENGADILAN MILITER II-11 YOGYAKARTA**  
Moralina Aweda Naresworo\*, Supriyadi\*\*

Penulisan hukum ini bertujuan untuk mengetahui dan menganalisis penerapan alat bukti elektronik terhadap perkara Pasal 27 ayat (1) Undang-Undang Informasi dan Transaksi Elektronik yang dilakukan oleh anggota Tentara Nasional Indonesia dalam putusan Pengadilan Militer II-11 Yogyakarta. Selain itu, penelitian hukum ini juga bertujuan untuk mengkaji dan merumuskan penerapan alat bukti elektronik dalam perkara Pasal 27 ayat (1) Undang-Undang Informasi dan Transaksi Elektronik yang dilakukan oleh anggota Tentara Nasional Indonesia di wilayah hukum Pengadilan Militer II-11 Yogyakarta pada masa mendatang.

Penelitian ini merupakan penelitian hukum normatif empiris. Sifat penelitian ini adalah deskriptif. Penelitian ini menggunakan data primer dan data sekunder. Dalam penelitian hukum ini dianalisis menggunakan metode kualitatif. Sedangkan kesimpulan ditarik menggunakan metode deduktif.

Berdasarkan hasil penelitian dan pembahasan, dapat ditarik dua kesimpulan. Pertama, Di Pengadilan Militer II-11 Yogyakarta, alat bukti elektronik dinyatakan sah jika teridentifikasi jelas dan diakui relevansinya oleh Terdakwa/Saksi melalui verifikasi langsung di persidangan. Jika ada sanggahan, hakim mengacu pada kesaksian lain yang membenarkan. Pemeriksaan forensik tambahan jarang dilakukan karena hakim umumnya yakin berdasarkan prinsip reliability (pembenaran pihak terkait), relevance (kaitan dengan perkara), dan necessity (kebutuhan pembuktian). Alat bukti elektronik tetap menjadi dasar putusan selama prinsip keadilan prosedural terpenuhi, meski tanpa verifikasi teknis mendalam. Kedua, Sinergi antara pembaruan regulasi, penguatan infrastruktur teknologi, dan peningkatan kompetensi SDM menjadi kunci untuk mengatasi tantangan penggunaan alat bukti elektronik di lingkungan peradilan militer. Tanpa langkah holistik ini, efektivitas penegakan hukum berbasis teknologi akan terus terhambat oleh disparitas interpretasi dan keterbatasan sumber daya.

**Kata Kunci:** Alat Bukti Elektronik, Anggota TNI, Pengadilan Militer, Autentikasi Forensik

---

\* Mahasiswa Departemen Hukum Pidana, Program Sarjana, Fakultas Hukum Universitas Gadjah Mada, Sleman, Daerah Istimewa Yogyakarta.

\*\* Dosen di Fakultas Hukum Universitas Gadjah Mada, Jl. Sosio Yustisia No. 1 Bulaksumur, Sleman, Daerah Istimewa Yogyakarta.

## ABSTRACT

### **APPLICATION OF ELECTRONIC EVIDENCE IN CASES UNDER ARTICLE 27 (1) OF THE ELECTRONIC INFORMATION AND TRANSACTIONS LAW INVOLVING MEMBERS OF THE INDONESIAN NATIONAL ARMED FORCES AT THE MILITARY COURT II-11 YOGYAKARTA**

**Moralina Aweda Naresworo\*, Supriyadi\*\***

This legal research aims to examine and analyze the application of electronic evidence in case of Article 27 Paragraph (1) of the Electronic Information and Transactions Law (ITE Law) involving members of the Indonesian National Armed Forces (TNI) at the Military Court II-11 Yogyakarta. In addition, this legal research also aims to examine and formulate the application of electronic evidence in the case of Article 27 paragraph (1) of the Electronic Information and Transactions Law committed involving members of the Indonesian National Army in the jurisdiction of the II-11 Yogyakarta Military Court in the future.

This research falls into the category of normative-empiric legal research. Based on the nature of the research itself, this research is considered to be descriptive legal research. Both primary data and secondary data were used in this research within its analysis. The data in this legal research was then analyzed using qualitative analysis method. Moreover, the conclusions will be drawn using the deductive method.

Based on the results of research and discussion, two conclusions can be drawn. First, in Military Court II-11 Yogyakarta, electronic evidence is declared valid if it is clearly identified and recognized as relevant by the defendant/witness through direct verification at trial. If there is a rebuttal, the judge refers to other testimony that confirms. Additional forensic examination is rarely carried out because judges are generally convinced based on the principles of reliability (justification of related parties), relevance (link to the case), and necessity (evidentiary needs). Electronic evidence remains the basis for decisions as long as the principles of procedural justice are met, even without in-depth technical verification. Second, the synergy between regulatory reform, strengthening technological infrastructure, and increasing human resource competence is the key to overcoming the challenges of using electronic evidence in the military justice environment. Without this holistic step, the effectiveness of technology-based law enforcement will continue to be hampered by disparities in interpretation and limited resources.

**Keywords:** Electronic Evidence, Indonesian National Armed Forces (TNI) Members, Military Court, Forensic Authentication

---

\* Student of the Department of Criminal Law, Undergraduate Program, Faculty of Law, Gadjah Mada University, Sleman, Special Region of Yogyakarta.

\*\* Lecturer at the Faculty of Law, Gadjah Mada University, Jl. Socio Justisia No. 1 Bulaksumur, Sleman, Special Region of Yogyakarta.