



ABSTRACT

The 'war on drugs' has been actively advocated by the Indonesian government for the last decade, in fighting the rise of drug offences cases in Indonesia. It is believed that by imposing death penalty on the perpetrators, the government can reach the objective of deterrent effect for others. This thesis believes that the significance of State sovereignty and the interpretation of international law should be assessed in deciding whether death penalty is just. The Bali Nine case that begin in 2005, from the Australian-drug trafficking group in Bali is one example which shows the importance of paying attention to practice of death penalty in legal proceedings. We also take the stance from Australia, in which the safety of their citizens was on the verge of being decided by foreign authority. How the main State actors responded to the case becomes the basis of this analysis. The thesis also found that the practice of death penalty can also depends on the head of State, whether or not they will see the imposition as an integral part in State's jurisdiction integrity. Such a conclusion is based on the assessment on the Presidency of Susilo Bambang Yudhoyono and Joko Widodo. Each of their presidential periods held a focal point in the turnout of the Bali Nine case. In addition, the universality of human rights will be assessed side-by-side to the perspective of international law and domestic jurisdiction.

Keywords: *Bali Nine, Death Penalty, Drug Trafficking, Human Rights, State Sovereignty, International Law.*