Jurnal IUS Kajian Hukum dan Keadilan
Volume 10, Issue 3, December 2022, E-ISSN 2477-815X, P-ISSN 2303-3827
Nationally Accredited Journal, Decree No. 158/E/KPT/2021
open access at : http://jurnalius.ac.id/

URGENCY OF EXTRADITION AGREEMENTS IN ERADICATING CORRUPTION CRIME IN INDONESIA

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Received: 2020-01-22; Reviewed: 2022-12-07; Accepted: 2022-12-14; Published: 2022-12-15

Abstract

Corruption is a special crime that is very detrimental to the country. Corruption management has been upheld by law enforcement in the framework of guaranteeing the state's stability. Changes to the regulation on corruption eradication does not reduce the number of corruption penalties and compensation for assistance that is free from the snares of the law. This is what drives the government to make an extradition treaty with Singapore and ensnare corruption protection that can be done in Indonesia. This study discusses and examines the level of urgency of the extradition treaty in efforts to commit corruption between Indonesia and Singapore. And, challenges and efforts in realizing the extradition agreement between Indonesia and Singapore in the approval of the implementation of corruption.

Keywords: Corruption; Extradition Agreement; Urgency

1. INTRODUCTION

Every country in the world has a legal system or positive law in place to ensure the security, order, and peace of its citizens and people. As a coercive measure, violations of the legal system are sanctioned so that the law can still be enforced. The perpetrator must be held accountable for his or her actions or crimes. If it is brought before a court and found guilty, it will be sentenced to the appropriate punishment. Not everyone, however, will be willing to accept accountability for their acts. As a result, we will attempt to avoid prosecution and punishment threats[1].

To avoid being prosecuted and threatened with penalty, a variety of legal and unlawful measures will be attempted. Fleeing into the territory of another country is one of the most efficient strategies to rescue oneself. A person who escapes into the territory of another nation in order to evade punishment in his or her own country while also jeopardizing the interests of both countries.

The subject of extradition has recently resurfaced and has been widely debated among the general public, particularly because an increasing number of criminals are escaping from one nation to another, or committing crimes that have ramifications in many countries. To put it another way, the criminal is a joint venture between two or

[1] Wayan Parthiana, *Hukum Pidana Internasional Dan Ekstradisi* (Bandung: Yrama Widya, 2004). Pg. 28

DOI: http://dx.doi.org/10.29303/ius.v10i3.732

more countries. These types of crimes are referred to as crimes having an international component, transnational crimes, or international crimes by some[2].

Extradition can be defined as a formal surrender by the country where he is located (requested country) to the country that has jurisdiction to try or punish him (requested country), either based on a pre-existing extradition agreement or on the principle of reciprocity or good relations, of a person accused of committing a crime (suspect, accused, accused) or someone who has been sentenced to a criminal sentence that already has definite binding power (convict, convict)[3].

The term extradition refers to a process in which a country submits a person accused or convicted of a crime committed against the law of the requesting country to another country at its request, based on a reciprocity treaty, and the requesting country has the authority to prosecute the accused perpetrators of the act. The alleged crime was generally committed on the territory of or aboard a ship flying the flag of the claimant nation, and the culprit was usually seeking protection in the territory of the submitting country. Extradition requests are often made public and responded to via diplomatic channels[4].

In certain respects it can no longer be maintained, especially in the current era of technology. Because countries that have jurisdiction over the perpetrators of the crime cannot arrest directly in the territory of the country where the perpetrators of the crime are located, these countries can take legal means to be able to prosecute and punish the perpetrators of the crime, countries that have jurisdiction over the perpetrators of the crime. having jurisdiction can request the country where the perpetrator is located, to arrest and surrender the person.

Corruption is in the list of offenses for which perpetrators can be extradited, according to the Attachment of Law Number 1 of 1979 concerning Extradition. Extradition of perpetrators of crimes such as corruption can therefore be carried out in line with applicable legal procedures through extradition agreements between the Indonesian state and other countries that have been created and mutually agreed upon[5].

According to Indonesian Corruption Watch (ICW) data published in Kompas daily, the number of offenders of corruption offences who have fled overseas and become wanted by law enforcement agents has increased to 43 since 2001. Singapore is one of the nearest locations[6].

For Indonesian Corruptors, Singapore is the safest haven. Because Indonesia and Singapore do not have an extradition treaty, Singapore is a popular destination. Some of

[2] Parthiana.

[3] I Wayah Parthiana, *Ekstradisi Dalam Hukum Internasional Dan Hukum Nasional* (Bandung: Mandar Maju, 1990). Pg. 12

[4] J.G. Starke, *An Introduction to International Law* (London: Butterwordhs, 2008). Pg. 469

[5] Hendrik B. Sompotan, "Ekstradisi Terhadap Pelaku Tindak Pidana Korupsi," *Lex et Societatis* IV, no. 5 (2016): 14–23, https://doi.org/10.35796/les.v4i5.11948.

[6] Maria Natalia, "Daftar 45 Pelarian Indonesia Ke Luar Negeri," *Kompas* (blog), 2011, https://nasional.kompas.com/read/2011/07/04/09464965/Daftar.45.Pelarian.Indonesia.ke.Luar.Negeri.

them then traveled to other nations from Singapore. 43 persons were registered under Indonesian law and fled the country; some of them were apprehended and sentenced to prison, while others had their charges dismissed[7].

Based on the preceding, it is regarded necessary to approve the Indonesia-Singapore extradition pact in order to handle corruption cases. Is there a link between Indonesia and Singapore in terms of corruption? What are the challenges and efforts involved in bringing the Indonesia-Singapore extradition agreement to fruition in respect to the prosecution of corruption cases?

The study method employed was normative research, which examines international conventions, legal synchrony, and legal comparability[8]. In addition, doctrinal legal study is employed in the formulation of this legal research. Researchers in doctrinal legal study do not need to hunt for data in the field. Normative legal research is secondary data library research.

2. ANALYSIS AND DISCUSSION

2.1. First The Urgency of the Extradition Agreement in Handling Corruption Crimes Between Indonesia and Singapore

In Dutch, law enforcement is referred to as *Rechtstoepassing* or *Rechtshandhaving*, while in English, the term encompasses both macro and micro connotations. In the macro sense, it encompasses all aspects of community, nation, and state life, whereas in the micro sense, it is limited to the courtroom examination process, which includes the process of investigation, investigation, prosecution, and the implementation of criminal decisions with permanent legal force[9].

Law enforcement, in general, is described as the act of using legal instruments to impose legal consequences in order to maintain the order of particular laws. "Law enforcement is a process of making legal aspirations come true," Satjipto Rahardjo says[10]. Law enforcement is defined as a procedure that involves the use of discretion in making choices that are not strictly governed by the rule of law but involve some element of human judgment[11].

Because of the law enforcement agents' impotence in this instance, it is becoming increasingly evident that corruption must be eradicated promptly. It is critical to restore public faith in law enforcement officers as soon as possible. A strong desire for law enforcement must be cultivated. The prevalence of such enormous corruption is unquestionably a hindrance to Indonesia's long-term growth. Corruption is a unique

[7] Anonimous Anonimous, "Inilah Alasan Mengapa Koruptor Indonesia Aman Di Singapura," *Bangka Pos* (blog), 2016, https://bangka.tribunnews.com/2016/04/23/inilah-alasan-mengapa-koruptor-indonesia-aman-di-singapura.

[8] Soejono Soejono and Abdurahman Abdurahman, *Metode Penelitian Hukum* (Jakarta: Rineka Cipta, 2003).

[9] Chaerudin Chaerudin, Syaiful Ahmad Dinar, and Syarif Fadillah, *Strategi Pencegahan Dan Penegakan Hukum Tindak Pidana Korupsi* (Bandung: Refika Editama, 2008). Pg. 87

[10] Satjipto Rahardjo, *Masalah Penegakan Hukum* (Bandung: Sinar Baru, 1983). Pg. 24

[11] Soerjono Soekanto, *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum* (Jakarta: Raja Grafindo, 2012). Pg. 5

criminal activity that jeopardizes the state's principles and necessitates a more serious judicial response[12].

If a country declares itself a legal state (rechtsstaat), the products of laws and regulations become the standards for the rule of law in people's lives, with the substance of norms mentioning prohibitions, orders, compliance, and consequences that bind. This implies making the law a commander who is impregnable to any circumstance or scenario[13].

The law includes standards that safeguard people's interests such as justice, freedom of choice, fair treatment, humane treatment, the right to access welfare, and the right to work in a good environment, as well as those that deal with law enforcement. If the organizers of power carry out the tasks described by this law in accordance with the law's intent, this implies achieving the ideal aims inherent in the rule of law, such as preserving and protecting human life from damage, then legal expectations have been realized.

Roscoe Pond mentions in his book that: "It is the duty of the rulers to supervise that people must carry out their work in positions achieved according to their abilities, including in implementing, enforcing legal problems as a system of positive regulations that are well structured to regulate the whole country"[14].

As a legal product, if the state passes rules and regulations, for instance, relating to the "prevention and eradication of criminal acts of corruption," it stands to reason that difficulties will arise that are not only immediate but also affect the welfare and the timely protection of public assets. relative duration[15].

It is the government's responsibility to carry out exceptional deeds to eradicate corruption when it has been proclaimed an extraordinary crime. The fight against corruption continues to be merely a political debate or a kind of populist entertainment. Because the judge's ruling that will satisfy the public's sense of justice has not yet been made, the topic of corruption eradication is still being considered at the level of law enforcement. The judge's ruling must take into account the consequences of a public official's behavior in addition to whether the Corruption Law's elements of corruption have been satisfied[16].

According to Soerjono Soekanto, who was cited by Denico Doly, law enforcement may function effectively provided several conditions are realized, including those about the law, law enforcement, facilities, community, and cultural aspects. First, is the legal

[12] Faisal Santiago, "Penegakan Hukum Tindak Pidana Korupsi Oleh Penegak Hukum Untuk Terciptanya Ketertiban Hukum," *Pagaruyuang Law Journal* 1, no. 1 (2017): 23–43, https://doi.org/10.31869/plj.v1i1.268.

[13] Faisal Santiago, *Memerangi Korupsi* (Jakarta: Cintya Press, 2006). Pg. 46

[14] Roscue Pound, *An Introduction to the Philosophy of Law* (New Haven: Yale University, 1954). Pg. 56

[15] Ismali Prabowo, *Memerangi Korupsi Dengan Pendekatan Sosiologis* (Surabaya: Dharmawangsa Media Press, 1998). Pg. 26-27

[16] Yakub Adi Krisanto, "Tindak Pidana Korupsi , (Usaha) Penegakan Hukum Di Republik Korup," *Academia* (blog), 2020, https://www.academia.edu/8094371/Tindak_Pidana_Korupsi_Usaha_Penegakan_Hukum_di_Republik_Korup.

consideration (law). Both Law Number 20 of 2001 about Amendments to Law Number 31 of 1999 concerning Eradication of Criminal Acts of Corruption and Law Number 28 of 1999 concerning the Implementation of a State that is Clean and Free from Corruption, Collusion, and Nepotism are now in effect in Indonesia.

The second aspect is law enforcement. According to the rules and regulations, three organizations, namely police investigators, prosecutors' investigators, and Corruption Eradication Commission investigators, may conduct investigations into criminal acts of corruption. The three institutions each have unique systems that are governed by different laws. The Corruption Eradication Commission is empowered to conduct inquiries into allegations of corruption and to bring cases before the Corruption Court for prosecution.

The infrastructural factor is the third. On the one hand, the Police and the Attorney general's Office, as among the three institutions with the jurisdiction to look into corruption cases, do not only not have the same authority as the Corruption Eradication Commission, but also do not have the same supporting infrastructure.

There are social and philosophical factors related to the significance of treaties in international law that influence whether or not nations accept signing treaties as a source of international law. Based on the reality of human life as a social creature, sociology is a discipline. All laws, including international law, are considered to have binding authority because of social truths, or "fait social." International law is vitally important to address the demands of nations to exist in society, which forms the basis of its binding authority.

According to Article 38, paragraph 1, of the Statute of the International Court of Justice, the following sources constitute international law: 1. International Conventions (International Conventions); 2. International Customs (International Customs); 3. General Principles of Law; 4. Judicial Decisions and Teachings of the Most Highly Qualified Publicist. Meanwhile, based on Article 2 of the 1969 Vienna Convention: "An agreement made between countries in written form and governed by international law, whether in a single instrument or in two or more related instruments and whatever name is given to it"[17].

In particular, Article 1 Point 3 of Law No. 37 of 1999 concerning Foreign Relations states that: International Agreements are agreements in any form and designation, governed by international law and made in writing by the Government of the Republic of Indonesia with one or more countries, international organizations, or subjects. other international law, as well as giving rise to rights and obligations.

In contrast, according to the provisions of Article 1 letter (a) of Law No. 24 of 2000 concerning International Agreements, agreements in specific forms and names that are

[17] Mochtar Kusumaatmadja, *Pengantar Hukum Internasional*, Cet. Keempat (Jakarta: Bina Cipta, 1982). Pg. 33

governed by international law, which are made in writing, and which give rise to rights and obligations in the area of public law, are considered international agreements.

Following the aforementioned criteria, there are several sorts of entities that can be considered international agreements, including 1. States (full capability); 2. International Organizations (not original and partial); and 3. National Liberation Movements (selective and limited).

The Republic of Indonesia's 1945 Constitution specifies the extent of the executive and legislative branches' power in relation to the approval of foreign agreements. When negotiating new or joining existing international accords with other nations, the government has a significant impact. The next step is to choose an agreement that has to be filed to the House of Representatives for approval because not all international treaties have been approved.

Article 11 of the 1945 Constitution lays forth the fundamental foundation for foreign agreements in Indonesia. It reads as follows: (1) The President, with the House of Representatives' permission, declares war, makes peace, and signs treaties with other nations. (2) The House of Representatives must provide its consent before the President may make any additional foreign agreements that have wide and fundamental effects on how people live their lives in relation to the responsibilities of the state, and/or that need revisions or the creation of laws. (3) Additional terms of international agreements are subject to legal regulation.

There are extradition treaties that fall under the purview of international agreements. An agreement between nations regarding the surrender of criminal suspects is known as the Extradition Treaty. The Extradition Treaty is a formal procedure by which a criminal suspect is held by the government of one nation and sent to another nation for a trial or other legal action in line with that nation's laws[18].

A criminal might either be tried and tried directly in his or her own country or tried in a court in another nation and subsequently serve a sentence there. When the two nations that have agreed to cooperate started to implement the Extradition Treaty. In contrast to deportation, which is done without a treaty, extradition allows for the return of criminal suspects to their nation of origin. When a suspect in a criminal case flees his home country to evade the legal system there, the Extradition Agreement is put into action[19].

Extradition treaties are referred to as bilateral (or "bipartite") treaties in international law, or as agreements involving two countries. An agreement formed by two parties is referred to as a bilateral agreement. Typically, bilateral agreements are created to protect the interests of two nations who wish to control or improve particular concerns. Bilateral agreements may eventually serve as evidence or references for generally

[18] Parthiana, *Hukum Pidana Internasional Dan Ekstradisi*.
[19] Parthiana.

applicable customary international law if several nations use bilateral agreements of the same kind and substance[20].

Since more and more criminals are escaping from one nation to another or are committing crimes that have repercussions in many nations, the question of extradition has recently come up again and is being widely discussed among the general public. In other words, at least two countries' businesses are responsible for the crime. These crimes are referred to as transnational crimes, crimes with an international component, or even international crimes.

Extradition can be understood as the formal surrender of a person accused of committing a crime (suspect, accused, accused) or who has already received a criminal sentence with definite binding authority (convict, convict) by the country where he is located (requested country) to the country with jurisdiction to try or punish him (requested country), based on an extradition agreement already in place or based on the principle of reciprocity or good relations[21].

The goal of extradition is to ensure that those who commit serious crimes cannot evade prosecution and punishment. This is because many times, when a criminal seeks refuge in another country, that country's legal system prevents it from prosecuting or sentencing the criminal due to technical legal issues or lack of jurisdiction. The nation housing the criminal must convict him, or else the criminal must be transferred to a nation that can and will convict him (aut punier aut dedere). Aside from that, the nation whose territory the crime was committed is the one that has the ability to prosecute offenders because it is there that evidence can be obtained more easily and because that nation has the greatest interest in convicting the offender and the best resources to get to the truth.

It will be challenging for the government in the future to find "corruptors" who have gone overseas given the high level of corruption in the nation and the absence of extradition agreements with ASEAN nations. Three of the ten ASEAN members—Malaysia, the Philippines, and Thailand—have extradition agreements with the Trump administration. Indonesia fully complies with the extradition cooperation agreement with all ASEAN states. Additionally, transnational crimes may occur in Indonesia[22].

Singapore has proven to be a safe haven for corrupt Indonesians thus far. The reason is that law enforcement officials are powerless to pursue corrupt individuals who have fled to the nation. Because of this, Indonesia and Singapore have not signed an extradition pact to date.

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[20] Sumaryo Suryokusumo, *Hukum Perjanjian Internasional* (Jakarta: PT. Tatanusa, 2008). Pg. 13

[21] Suryokusumo.

[22] Cholis Akbar, "Pemerintah RI Didorong Bangun Perjanjian Ekstradisi Dengan Semua Anggota ASEAN," Hidayatullah.Com (blog), 2015, https://hidayatullah.com/berita/nasional/read/2015/02/03/38023/pemerintah-ri-di-dorong-bangun-perjanjian-ekstradisi-dengan-semua-anggota-asean.html.

The Republic of Indonesia and Singapore Extradition Treaty is essentially an agreement wherein each party agrees to extradite to the other party any person found in its territory who has been requested and sought by the other party for the purpose of prosecution (which means an investigation) or punishment for a crime that party has committed. Crimes that can be extradited from the country of the requesting party.

The extradition agreement between Indonesia and Singapore is seen as essential for both sides to successfully address numerous situations of transnational crime. The signing of the extradition agreement is anticipated to allow Indonesia to repatriate corrupt individuals who reside freely in Singapore and retrieve corruptly obtained assets[23].

It is believed that the rules stemming from the extradition deal, which was signed in 2007, would allow them to be charged with not just corruption charges but also other forms of crime. Singapore enjoys the benefit of being able to conduct military drills in Indonesia since DCA consented to the extradition pact between Singapore and Indonesia (Defense Cooperation Agreement). However, as indicated by the numerous criminals from Indonesia who use Singapore as a haven to avoid legal entanglements, the two nations' extradition agreement has not yet been put into effect[24].

The House of Representatives of the Republic of Indonesia's Commission I, however, declined to ratify the deal when it reached the ratification stage, which led to an agreement to rewrite the agreement with Singapore. Using the Two Level Game Theory, which examines the dynamics of Indonesian and Singaporean negotiators in the negotiation process and takes into account the urgency and conditions of domestic politics for the agreement to be formed, the reasons for the refusal that resulted in the renegotiation of the agreement were discussed. It turned out that the defense pact was the primary deterrent to ratifying the extradition treaty[25].

Additionally, under the administration of President Soesilo Bambang Yudoyono, Indonesia and Singapore inked a Mutual Legal Assistance (MLA) agreement. Early in April 2008, the House of Representatives also approved it. However, the issue is that many people believe the agreement to be insufficient[26].

The execution of extradition might be reoriented to be carried out in light of the rise in exceptional category crimes that happened in Indonesia and the need to prevent the offenders from fleeing to other countries, particularly Singapore. This is due to the Indonesian state's urgent need for extradition to reduce crime in the country, particularly

[23] Jamin Ginting, "Roles of the Mutual Legal Assistances and Extradition Agreements in the Assets Recovery in Indonesia," *Indonesian Journal of International Law* 9, no. 4 (2012): 565–82, https://doi.org/10.17304/ijil.vol9.4.360.

[24] Ika Yuliana Susilawati, "Perampasan Aset Hasil Tindak Pidana Korupsi Di Luar Negeri Melalui Bantuan Timbal Balik (Mutual Legal Assistance)," *Jurnal Ius: Kajian Hukum Dan Keadilan* 4, no. 2 (2016): 138–151, http://dx.doi.org/10.12345/ius.v4i2.281.

[25] Dwi Melia Nirmalananda Dewi, I Made Sepud, and I Nyoman Sutama, "Ekstradisi Sebagai Upaya Pencegahan Dan Pemberantasan Kejahatan Internasional," *Jurnal Analogi Hukum* 2, no. 1 (2020): 17–21, https://doi.org/10.22225/ah.2.1.2020.17-21.

[26] J.S. Maringka, *Ekstradisi Dalam Sistem Peradilan Pidana* (Jakarta: Sinar Grafika, 2018). Pg. 61

in terms of recovering damaged state property and applying criminal penalties to offenders in line with domestic laws.

Given the difficulties of transnational crime brought on by globalization, the extradition treaty is crucial for Indonesia. To escape being pursued by security agencies, however, many offenders have emigrated to other nations. Singapore is one of the nations that Indonesian criminals frequently go to in order to avoid being apprehended by security personnel.

Making an extradition agreement is another tool for Indonesia to combat transnational crime and bring back corrupt officials, money launderers, and their assets from other nations for prosecution. An extradition treaty is a bilateral agreement that governs the procedure for apprehending, identifying, and extraditing criminals from one nation's territory to another one when that nation requests that the offenders be prosecuted there.

2.2. The Extradition Agreement Between Indonesia and Singapore Related to the Handling of Corruption Crimes: Challenges and Efforts

It is said that the goal of law enforcement is the same as the goal of the law, which is to achieve particular desired consequences. The goal of the law is to work toward establishing order and justice. And if the issues raised in this article are investigated, they are related to the use of extradition agreements by law enforcement to handle corruption offenses[27].

The extradition treaty is the most crucial tool for making it simpler for a nation to repatriate offenders who have fled to other nations. As a means of intergovernmental cooperation to deter and eliminate crime, nations frequently opt for extradition treaties. The extradition agreement is also a way for a nation to enforce its laws. Without an extradition agreement between nations, it will be more difficult to return the criminal to the country that requested him or her, which might be harmful to both the country that sought the criminal's return as well as the country that received the criminal.

The National Police and the Attorney General's Office have so far worked with Interpol to look for and apprehend offenders who have fled to foreign countries. If the fugitive is apprehended abroad, extradition proceedings must be followed before he may be brought back to Indonesia[28].

One of the government's top priorities is the fight against corruption. Indonesia thus welcomed Singapore's signing of the extradition deal with open arms. The extradition agreement covers 31 different criminal offenses, including bankruptcy, terrorism, corporate law violations, bribery, corruption, and counterfeiting. However, it is still possible that further offenses, particularly new kinds of crimes, will be introduced

[27] Ginting, "Roles of the Mutual Legal Assistances and Extradition Agreements in the Assets Recovery in Indonesia."

[28] Chaerudin, Dinar, and Fadillah, *Strategi Pencegahan Dan Penegakan Hukum Tindak Pidana Korupsi*.

in the future. The government thinks that the extradition agreement would make it easier for Singaporean and Indonesian law enforcement to find and pursue individuals, particularly those accused of involvement in corruption cases and the repatriation of illicit assets worth 1300 trillion rupiah[29].

A bilateral extradition treaty is an agreement that both nations have agreed to or signed in order to stop crimes from being committed that have not yet received the just penalty before they may do harm to the nation. There are other types of cooperative contacts that are more significant in creating agreements than only those formed by governments, both bilaterally and multilaterally. The agreement's goal is to help both nations that suffer from it.

The fact that the diplomatic ties between Indonesia and Singapore are still shaky presents a challenge for Indonesia in dealing with corruption associated with the extradition arrangement with Singapore. As a result, Indonesia did not comply with Singapore's requests in the earlier extradition agreement. The political significance of the previous extradition deal is taken into consideration in Indonesia's refusal to comply with Singapore's requests. It is well known that Singapore intends to use Indonesian territory as a military training facility as part of the arrangement.

The fact that Singapore considers there is absolutely no advantage or cost in agreeing to the arrangement in order to extradite the corrupt individuals who fled to Singapore presents another challenge for Indonesia in implementing the extradition agreement with Singapore. The culprit has never committed a crime within the borders of the state of Singapore, which is the reason.

It is known that Indonesia is still working to orient the extradition pact through political and diplomatic channels in reference to the two impediments listed above. Corrupt officials in Indonesia really fled to Singapore, appearing to be free of legal obligations as a result of the diplomatic process's glacial speed. The House of Representatives' own concerns tend to turn the extradition agreement into a political policy that is harmful to Indonesia itself, which hinders the government's intention to implement the agreement in a diplomatic and even family manner.

The aforesaid challenges can be addressed by switching from a diplomatic strategy that frequently has a political undertone to an institutional strategy involving Singaporeans and Indonesian law enforcement. "Police to police" is another name for this strategy. The Indonesian Police and the Singapore Police might use this strategy.

According to the rules and regulations governing the police, an investigation is a set of measures taken by an investigator in accordance with the law in order to discover the suspect and gather evidence that disproves the alleged illegal activity. An investigation is a sequence of steps taken by investigators to look for and locate an occurrence that

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[29] Nurlita Nurlita, "Dibalik Perjanjian Ekstradisi Indonesia Singapura," *Filzahazny* (blog), 2008, https://filzahazny.wordpress.com/2008/02/16/di-balik-perjanjian-ekstradisi-indonesia-singapura/.

is thought to be a criminal act in order to ascertain whether or not an inquiry may be conducted in accordance with the legal procedure.

This institutional strategy is seen to be quite successful in bringing back corrupt officials and other criminals. The repatriation of fugitive Adelin Lis on June 19, 2021, is one instance of the accomplishment achieved by the Indonesian authorities in repatriating fugitive offenders from Singapore with an institutional approach. The return of Hendra Subrata, alias Anyi, on June 25, 2021, is another instance. It has been legally and conclusively shown that Hendra Subrata alias Anyi alias Endang Rifai attempted to kill the victim, Herwanto Wibowo. Hendra Subrata was sentenced to four years in jail after being found guilty of breaking both Articles 338 and 53, paragraph 1, of the Criminal Code. In addition to Singapore, Indonesia was successful in bringing Maria Pauline Lumowa home from Serbia, despite the fact that neither country had an extradition agreement with Serbia. A total of 1.7 trillion rupiah was stolen by Maria Pauline Lumowa from Bank BNI.

Even if the institutionally persuasive strategy using the police to police technique is unsuccessful, the government has to strengthen an interactive approach by utilizing all of the nation's current human resources. One way to boost the number of security personnel at each airport is to boost the number of corruption offenders who have gone overseas.

As a result, the airport's facilities and infrastructure must be improved in order to meet the expectations of the government in locating corrupt criminals so that they may be apprehended when they attempt to exit the country through the airport. Naturally, the extradition process between Indonesia and Singapore will no longer be required if these efforts are made and deemed successful in combating corruption and preventing offenders from escaping abroad.

3. CONCLUSION

Recognizing the necessity of swift implementation of the extradition agreement between Indonesia and Singapore Given the large number of corrupt people who utilized Singapore as a sanctuary to escape Indonesian legal slavery This is undoubtedly very harmful for Indonesia because any contaminated state assets are also shipped to Singapore. Due to the absence of an extradition treaty, it is difficult for Indonesian law enforcement to compel the extradition of corrupt persons for prosecution.

Both governments disagree with the request, and the Singapore government believes that Indonesia's restrictions on entering into an extradition agreement with Singapore because the extradition is still being decided have not taken into account the political interests it has submitted as part of the extradition. In order for both countries to ratify the extradition treaty, the two countries should try to avoid introducing or imposing any additional restrictions that would burden one side.

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