

BIBLIOGRAPHY

Interviews

Andi Geman Sinaga, S.H., LL.M. Head of Sub-Directorate for *OPHI*/9 December 2024. Online

Babtista Varani Anggraeni K. Wardani, S.H., LL.M. Legal Analyst and Head of Extradition handling Working Team at *OPHI*. 9 December 2024. Offline

Fiyulia Hartini Putri, S.H., LL.M. Head of the Subdivision for Extradition, MLA, and Transferred Persons among States at *Biro Hukum dan Hubungan Luar Negri*. 19 February 2025. Offline

Julissa Pertiwi Hasan Mustafa, S.H., LL.M. First Expert Diplomat at *HPPolkam*. 17 December 2024. Offline

Lily Savitri, S.H., LL.M. Coordinator of the Legal Enforcement Cooperation Function at *HPPolkam*. 17 December 2024. Offline

Laws and Regulations

“Bill of Academic Manuscript of the Ratification of a Treaty between Indonesia and the UAE on Extradition”, Indonesian Ministry of Justice and Human Rights.

“Bill of Academic Manuscript on the Amendment of Law No.1 of 1979”, BPHN.

“General Principles Related to Obtaining Fugitives from Abroad”, United States’ Attorney Manual. U.S. Department Justice.

Indonesian Criminal Procedural Law

Indonesian Extradition Law No.1 of 1979

European Arrest Warrant Act (2003)

Module 11: International Cooperation to Combat Transnational Organized Crime

(2018)

United Nations Convention Against Transnational Organized Crime and the Protocols

Thereto (2000)

“Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984”. United Nations.

“International Covenant on Civil and Political Rights, 1966”. United Nations.

“Universal Declaration of Human Rights, 1948”. United Nations.

“Model Treaty on Extradition. A/RES/45/116 1990”. United Nations.

“United Nations Standard Minimum Rules for the Treatment of Prisoners (The Nelson Mandela Rules). 2015”United Nations Office on Drugs and Crime.

Case Laws

Collins v. Loisel, 259 U.S. 309 (1922)

Collins v. Miller, 252 U.S. 364 (1920)

Escobedo v. United States, 623 F.2d 1098, 1101 (5th Cir.), cert. denied, 449 U.S. 1036
(1980)

Gallina v. Fraser 278 F.2nd 77 (2nd Cir 1960)

High Court of DKI Jakarta Raya Decision Number 16/PID/Plw/2014/PT.DKI

Indonesian Ministry of Law and Human Rights, Chronology and Case Summary of

Ahmad Zia Alizadah (Jakarta: Ditjen AHU Sub-Direktorat OPHI, 2025).

document not publicized

Indonesian Ministry of Law and Human Rights, Chronology and Case Summary of

Lee Gyu Min (Jakarta: Ditjen AHU Sub-Direktorat OPHI, 2025). document not

publicized

Indonesian Ministry of Law and Human Rights, Chronology and Case Summary of

Sayeed Abbas Azad (Jakarta: Ditjen AHU Sub-Direktorat OPHI, 2025).

document not publicized

Jimenez v. Aristeguieta, 311 F.2d 574 (5th Cir. 1962)

Kapoor v. DeMarco, 58 F.4th 611 (2d Cir. 2023)

Kin.Hong v. United States, 957 F.Supp 1280 (1977)

Matter of Extradition of Sindona, 619 F.2d 167 (2d Cir. 1980)

Mironescu v. Costner, 480 F.3d 664, 667 (4th Cir. 2007)

Ornelaz v. Ruiz, 161 U.S. 502 (1896)

Peroff v. Hylton, 563 F.2d 1099 (4th Cir. 1977)

Peroff v. Hylton, 542 F.2d 1247 (4th Cir. 1976)

The South Jakarta District Court Stipulation Number

01/Pid.C/Eks/2013/PN.JKT.SEL

The South Jakarta District Court Stipulation Number

104/Pid.C/Eks/2020/PN.JKT.SEL

Trinidad y Garcia v. Thomas, 683 F.3d 952, 956 (9th Cir. 2012) (en banc)

Wright v. Henkel, 190 U.S. 40 (1930)

Books

Boister, Neil. *Introduction to Transnational Criminal Law : What is Transnational Crime?*. Oxford : European Journal of International Law, 2003.

Bantekas, Ilias and Nash, Susan. *International Criminal Law*. Great Britain : Cavendish, 2009.

Bassiouni, M. Cherif. *International extradition: United States law and practice*. Oxford : Oxford University Press, 2014.

Bassiouni, M. Cherif. *Introduction to International Criminal Law*. Leiden : Brill Njihoff, 2013.

Bantekas, Ilias, and Nash, Susan. *International Criminal Law*. Great Britain: Cavendish, 2009.

Carty, James E. “*Habeas Corpus in Extradition Proceedings*”, *Duke Bar Journal* 1 (1988)

Curr, Thomas. “*Habeas Corpus, Its Versatility in Both Sides of the “Pond”, and When Right against Remedy Becomes Quixotic*”, *Global Journal on Comparative Law* 9 (2020)

Spear, Samuel T. *The Law of Extradition, International and Inter-state: With an Appendix, Containing the Extradition Treaties and Laws of the United States, the Extradition Laws of the States, Several Sections of the English Extradition Act of 1870, and the Opinion of Governor Cullom*. London : Forgotten Books, 2018.

Soerjono Soekanto, “*Tata Cara Penyusunan Karya Tulis Ilmiah Bidang Hukum Jakarta : Ghalia Indonesia*”. (2014)

Vladeck, Stephen I. *National Security and the Courts: The Evolution of Judicial Review in U.S. Habeas Corpus Cases*. New York: Oxford University Press. (2020)

Van Der Wilt, Harmen, *On the Hierarchy between Extradition and Human Rights* (Oxford : Oxford University Press, 2012),

Journal Articles

Abakare, Chris O., “Human Rights: Nature, Concept, and Development”, *Pinisi Journal of Art, Humanity, and Social Studies* 1, no.1 (2021)

- Anderson, Leslie., “Protecting the Rights of the Requested Person in Extradition Proceedings: An Argument for a Humanitarian Exception”, *Michigan Journal of International Law* 4, no.1 (1983)
- Dugard & Wyngaert, “Reconciling Extradition with Human Rights”, *The American Journal of International Law* 92, issue. 2 (1998)
- Efrat & Newman, “Defending Core Values: Human Rights and the Extradition of Fugitives”, *Journal of Peace Research* 57, issue.4 (2020)
- Fijnaut, C. “Transnational Crime and the role of the United Nations”, *European Journal of Criminal Law and Criminal Justice* 8, (2000)
- Gubbay, Anthony R. “ The Protection and Enforcement of Fundamental Human Rights: The Zimbabwean Experience”, *Human Rights Quarterly* 19, no. 2 (1997).
- Gilbert, Geoff. “The Abolition of the Death Penalty and the Administration of Justice,” *Netherlands Quarterly of Human Rights* 20, no. 4 (2002)
- Hamdi, Muhammad A. “Prevention of the Transnational Criminal in Indonesia”, *Jurnal Ilmiah kajian Keimigrasian* 1, no.1 (2018)
- Haryana, I Gde Eka. “Examination of Extradition Applications in Criminal Law Enforcement Efforts in Indonesia” , *University Veteran Jakarta* 6, no.6 (2022)
- Krivokapich, B. D. “Human Rights: Term, Concept, Legal and Other Aspects,” *Juridical Journal of Samara University* 9, no. 3 (2023)
- Maringka, Jan S. “Extradition in Criminal Justice System Related To Foreign Jurisdiction”, *Pattimura Law Journal* 1, no. 2 (2017)

Martin, Francisco Forrest.et.al. “International Human Rights and Humanitarian Law”,

Cambridge University Press (2012)

Mushkat, Roda. “Fair Trial As a Precondition to Rendition”, *University of Hong Kong*

Press, (2002)

Parry, John T. “International Extradition, the Rule of Non-Inquiry, and the Problem of

Sovereignty”, *Boston University Law Review* 90, (2010)

Pratama, et.al., “Cybercrime : The Phenomenon of Crime Through the Internet in

Indonesia”, *University of Surakarta* 1, no.1 (2022)

Rabasa, et al., “Southeast Asian Programs : Singapore. In Deradicalizing Islamist

Extremists”, *Rand National Security Research Division*, (2010)

Rogers, Henry W. “Supreme Court of the United States. United States v. Rauscher.”

The American Law Register 35, no. 4 (1887)

Sardjono,et al., “Legal Review in Handling FBI Fugitives who Fled to Indonesia : Russ

Medlin Case Study”, *Budapest International Research and Critics Institute-*

Journal (BIRCI-Journal) 4, no.3 (2021)

Semmelman, Jacques., “Federal Courts the Constitution and the Rule of Non-Inquiry

in International Extradition Proceedings”, *Cornell Law Review* 76, no.1198

(1991).

Semmelman, Jacques. “United States v. Alvarez-Machain.” *The American Journal of*

International Law 86, no.4 (1992) .

Sharfstein, Daniel J., “Human Rights Beyond the War on Terrorism: Extradition Defenses Based on Prison Conditions”, *Santa Clara Law Review* 42, no.4 (2002).

Sullivan, David B. “Abandoning the Rule of Non-Inquiry in International Extradition”, *Hastings University of International and Comparative Law Review* 15, no.1 (1991)

Shearer, I. A. “*Extradition in International Law*”, *Manchester University Press*, no.3 (1971)

Thotakura, Sowmya. "Crime: A Conceptual Understanding," *Indian Journal of Applied Research* 4, no.3 (2011)

Wilson, Richard J. “Toward the Enforcement of Universal Human Rights through Abrogation of the Rule of Non-Inquiry in Extradition”, *American University Washington College of Law* 3, no.751 (1997)

Papers

Bukhari, S. A. H. , “What is Comparative Study?”, *SSRN* (2011)

McNabb, Douglas. “International Extradition White Paper”, *McNabb Associate. P.C* (2012)

Miri & Shahrokh, “A Short Introduction to Comparative Research”, *Conference Paper*, (2019)

Wijayath, Aruni H. “Extradition Under International Law: Overview of Basic Principles, Applications and Challenges in Extradition Law”, *SSRN* (2018)

Institutional Reports

Garcia, Michael J. "Extradition to and from the United States: Overview of the law and recent treaties." *Congressional Research Service*, (2010).

Global Organized Crime Index, "*Crime Index Indonesia*" (2023).

Global Organized Crime Index, "*Crime Index North America*" (2023).

Dictionaries / Encyclopedias

"Crime". *The Britannica Dictionary*. Chicago : Encyclopedia Britannica, 1998.



“Cybercrime”. *The Britannica Dictionary*. Chicago : Encyclopedia Britannica, 1998.

“Extradition”. *The Britannica Dictionary*. Chicago : Encyclopedia Britannica, 1998.

“Extradition”. *International Bridges to Justice (IBJ)*. Geneva : Criminal Defense Wiki,
2010.

“Human Rights”. *United Nations*.