

INTISARI

Penulisan Hukum ini membahas tentang perjanjian kerjasama tentang pemindahan narapidana (*transfer of sentenced persons*) antara Republik Indonesia dan Republik Perancis. Potensi dan prospek perjanjian dikaji dan dipelajari secara keseluruhan sehingga Republik Indonesia dapat memetakan posisinya secara strategis dalam pembentukan perjanjian. Penulisan hukum ini disusun dengan menggunakan penelitian hukum yang bersifat normatif – empiris yaitu penelitian hukum berdasarkan penelitian kepustakaan dan penelitian lapangan. Hasil penelitian dalam Penulisan Hukum ini menunjukkan bahwa potensi dari perjanjian bilateral antara Republik Indonesia dan Republik Perancis tentang pemindahan narapidana memberikan manfaat timbal balik bagi kedua negara. Namun masih terdapat beberapa bagian dari perjanjian yang berstatus *pending matters* sehingga tetap membutuhkan tahap perundingan yang lebih lanjut agar dapat menyelesaikan hambatan yang ada dan mewujudkan segera perjanjian yang akan melindungi hak-hak narapidana Indonesia dan Perancis yang terdapat di kedua negara yang berkepentingan.

Kata kunci: Pemindahan narapidana, kerjasama hukum pidana, perjanjian bilateral

ABSTRACT

This legal research discusses about a cooperation treaty on the transfer of sentenced persons between the Republic of Indonesia and the Republic of France. The potential and prospect of the treaty are reviewed and studied overall so that the Republic of Indonesia could engage a strategic mapping on its position during the treaty formation. This legal research uses a normative and empirical research method which is a legal research based on literature and field research. The research findings shows that the potential of a bilateral treaty on the transfer of sentenced persons between the Republic of Indonesia and the Republic of France would give mutual advantages and benefits between the two states. However, there are some parts of the treaty that are still considered as pending matters thus still require further negotiations in order to resolve the existing barriers and form immediately a treaty that would protect the rights of Indonesian and French prisoners who are sentenced and serving penalties in the two concerned states.

Key words : Transfer of sentenced persons, legal cooperation in criminal matters, bilateral treaty.