

## ABSTRAK

### **Mekanisme Pengajuan dan Pencabutan *Red Notice* ke *International Criminal Police Organization (INTERPOL)* (Studi Kasus Djoko Tjandra)**

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*Red notice* merupakan dokumen himbauan yang diterbitkan oleh Sekretariat Jenderal Interpol, *red notice* diterbitkan berdasarkan permohonan dari negara anggota Interpol, untuk mencari orang yang masuk daftar pencarian orang. Indonesia pernah mengajukan permohonan *red notice* atas nama Djoko Tjandra, namun pada penerbitan *red notice* muncul masalah baru, karena nama Djoko Tjandra terhapus dari sistem data yang termasuk dalam data Interpol. Penelitian ini mengkaji tentang mekanisme pengajuan dan pencabutan *red notice* ke Interpol dan mengkaji mengenai penerapan *mutual legal assistance (MLA)* dalam pemulangan Djoko Tjandra ke Indonesia.

Jenis penelitian yang digunakan adalah penelitian hukum normatif, yaitu penelitian hukum yang bersumber kepada ketentuan perundang-undangan (*statute approach*) dengan metode pengumpulan data studi kepustakaan dan bahan hukum yang digunakan dalam penelitian ini adalah konvensi, *international guidelines*, undang-undang, artikel jurnal, buku, internet dan literatur lainnya yang menunjang topik penelitian ini.

Hasil penelitian ini adalah mekanisme pengajuan *red notice* terhadap Djoko Tjandra dilaksanakan berdasarkan ketentuan nasional yang bersumber pada ketentuan Peraturan Kepala Badan Reserse Kriminal Indonesia Nomor 3 Tahun 2014 Tentang Prosedur Pelaksanaan Penyidikan Tindak Pidana Lampiran “R” dan ketentuan Pasal 76,77,78,79,82,83 *Interpol rule on the processing of data* (RPD), mekanisme pencabutan *red notice* didasarkan pada ketentuan Pasal 10 RPD Interpol, penerapan MLA dalam upaya pemulangan Djoko Tjandra ke Indonesia dilaksanakan berdasarkan ketentuan Undang-Undang Nomor 1 Tahun 2006 Tentang Bantuan Timbal Balik Dalam Masalah Pidana, *United Nations Conventions Against Corruption 2003*, *Asean Treaty on Mutual Legal Assistance in Criminal Assistance (MLAT)*.

**Kata Kunci :** *red notice*, pengajuan, pencabutan, Interpol

## **ABSTRACT**

### **Mechanism for Submitting and Revoking a Red Notice to the International Criminal Police Organization (INTERPOL) (Djoko Tjandra Case Study)**

**Rinaldy Franzen**

A red notice is an appeal document issued by the Secretariat General of Interpol, a red notice is issued based on a request from an Interpol member country, a red notice is issued to search for people on the wanted list, Indonesia once submitted a request for a red notice in the name of Djoko Tjandra, but when the red notice was issued A new problem arose, because Djoko Tjandra's name was deleted from the data system included in Interpol data. This research examines the mechanism for submitting and revoking red notices to Interpol and examines the application of mutual legal assistance (MLA) in the return of Djoko Tjandra to Indonesia.

The type of research used is normative legal research, namely legal research that is based on statutory provisions (statute approach) with library study data collection methods and the legal materials used in this research are conventions, international guidelines, laws, journal articles, books, internet and other literature that supports this research topic.

The results of this research are that the mechanism for submitting a red notice against Djoko Tjandra is carried out based on national provisions which originate from the provisions of the Regulation of the Head of the Indonesian Criminal Investigation Agency Number 3 of 2014 concerning Procedures for Implementing Criminal Investigations Attachment "R" and the provisions of Articles 76,77,78,79 ,82,83 Interpol rule's on the processing of data (RPD), the mechanism for revoking red notices is based on the provisions of Article 10 of the Interpol RPD, the application of MLA in efforts to repatriate Djoko Tjandra to Indonesia is carried out based on the provisions of Law Number 1 of 2006 concerning Mutual Assistance In Criminal Matters, United Nations Conventions Against Corruption 2003, ASEAN Treaty on Mutual Legal Assistance in Criminal Assistance (MLAT).

**Keywords:** red notice, application, revocation, Interpol.