

International Cooperation Between Indonesia and Russia in The Eradication of Corruption (Transnational Crime)

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Abstract

Since the start of the era of globalization, many countries have opened their borders in order to facilitate the exchange of information and the movement of people and goods, creating a borderless situation. The ease of interaction and activities on the one hand has a positive impact including creating a conducive economic situation, but at the same time

on the other hand it also brings the threat of increasing crimes that are transnational in nature. The perpetrators of these crimes take advantage of differences in the structure and interpretation of law between countries and state sovereignty to avoid being chased by law enforcement officials. For Indonesia, participation in an MLA collaboration is a manifestation of Indonesia's role in international relations to overcome international problems that can threaten economic, political and legal stability. So far, Indonesia has been active in initiating MLA agreements with other countries to assist domestic law enforcement. As of August 2020, Indonesia has ratified ten MLA agreements with law. In addition to the agreement, Indonesia is also currently completing the process for the ratification of one other agreement, namely with Russia. Using a normative juridical method through a literature study that examines primary and secondary legal materials, this paper will discuss the implementation of Treaty between the Republic of Indonesia and the Russian Federation on Mutual Legal Assistance in Criminal Matters, especially in the crime of corruption.

Keywords: International Cooperation, Criminal Matters, Corruption Eradication

A. Introduction

Corruption has become an international issue that must be eradicated. To prevent and overcome the impact caused by corruption, it is not only the responsibility of a country, but more than that, it requires the commitment of the international community to cooperate with each other in preventing and

eradicating it. The problem of corruption exists in almost all countries, but the most common is in developing countries. Due to the legacy of colonialism, government institutions in developing countries tend to be weaker, civil society is less involved in public decision-making, and bureaucratic and political processes are less open and accountable (Marus and Putra 2020).

Since the start of the era of globalization, many countries have opened their borders in order to facilitate the exchange of information and the movement of people and goods, creating a borderless situation. The occurrence of a situation without boundaries is marked by the free movement of goods, free movement of capital, free movement of services and free movement of persons. The existence of this borderless situation is getting more real because of the support of information technology which is currently developing very advanced and fast. People between countries interact and carry out activities with each other easily without moving from their domicile area.

The ease of interaction and activities on the one hand has a positive impact including creating a conducive economic situation, but at the same time on the other hand it also brings the threat of increasing crimes that are transnational in nature. Criminals have the freedom to expand their activities abroad. An example is the electronic network crime which apparently involved perpetrators and victims from several countries. Several other types of crimes that also cross-national borders are corruption, human trafficking, immigrant smuggling, money laundering, terrorism, and narcotics.

The development of transnational crimes and international crimes is a characteristic of the development of criminal law today. The development of these crimes has had a broad and fundamental impact, in addition to human life, but also on legal principles, norms and institutions related to the application of criminal law in tackling these crimes. Judging from the development and origin of international crimes, international crimes can be divided into 3 (three) groups, namely:

1. International crimes stemming from customs that develop in the practice of international law.
2. International crimes stemming from international conventions.

3. International crimes that were born out of the historical development of conventions on human rights (Sindhu Gautama 2019).

The authority to make international treaties specifically in the United Nations charter, there are no provisions governing it (Indriati 2009).

Indonesia is very interested in the ratification of UNCAC in the framework of eradicating corruption and the return of assets resulting from criminal acts of corruption that are suspected of being transported abroad, such as the BLBI case with the convict Hendra Rahardja, whose assets were allegedly taken to Australia, as well as the corruption case ECW Neloe as president director of Bank Mandiri whose assets were transferred to Switzerland. Ironically, several countries directly or indirectly provide protection because the money brought in by corruptors can increase foreign exchange and be invested either through direct or indirect foreign investment in their country (Tompodung 2019).

The perpetrators of these crimes take advantage of differences in the structure and interpretation of law (gaps) between countries and state sovereignty (the law only applies in jurisdictions) to avoid being chased by law enforcement officials. Currently, the modus operandi of criminals is increasingly complex, neat and organized. Therefore, efforts to overcome and eradicate transnational criminal acts need to be carried out by more than one country, one of which is through the Mutual Legal Assistance in Criminal Matters (MLA) instrument.

For Indonesia, participation in an MLA collaboration is a manifestation of Indonesia's role in international relations to overcome international problems that can threaten economic, political and legal stability. At the same time the realization of the state's obligation to maintain sovereignty, and ensure justice and people's security. This is the mandate of the Preamble to the 1945 Constitution of the Republic of Indonesia which confirms that the Government of the State of Indonesia was formed to protect the entire Indonesian nation and all of Indonesia's bloodshed and to promote general welfare, educate the nation's life, and participate in implementing world order based on freedom, lasting peace and social justice.

The more advanced technology, of course, requires a handling mechanism that is able to prioritize cross-jurisdictional handling. This is because every country has a legal sovereignty area that must be respected. The existence of mutual assistance cooperation will be an instrument capable of bridging the need so that citizens who commit crimes punishable by punishment according to the prevailing laws and regulations can still be held accountable even though the person concerned is not under Indonesian jurisdiction.

The form of MLA cooperation can be done through a good relationship based on the principle of reciprocity or through an agreement. It's just that cooperation through good relations is relatively not considered effective enough because there is no certainty of success in its fulfillment, so many countries decide to make mutual assistance agreements in criminal matters, both bilateral and multilateral.

So far, Indonesia has been active in initiating MLA agreements with other countries to assist domestic law enforcement. As of August 2020, Indonesia has ratified 10 (ten) MLA agreements with law. In addition to the agreement, Indonesia is also currently completing the process for the ratification of 1 (one) other agreement, namely with Russia.

The making of the MLA agreement with Russia was based on the consideration that Russia is one of Indonesia's strategic partners. In 2019, Russian investment in Indonesia tripled from 2016 which was USD 18.4 million spread over 92 projects. Russia and Indonesia also have good relations in the defense sector, namely Russia is the largest arms exporting country with the value of arms trade between countries recorded in 2017 with a total value of 788.78 million USD (11.493 trillion rupiah).

The good relations between the two countries simultaneously increase the space for interaction between citizens of the two countries. This interaction is also supported by the policies of each country that provide various facilities to enter their country, one example of which is the visa-free policy from Indonesia to Russian citizens. Data on people's crossings in 2019 showed the

number of Russian visits to Indonesia was 40,420 people. This number increased 6 times from the previous year.

The increasing number of traffic of people or goods between Russia and Indonesia certainly has the potential to increase the number of crimes, both cross-border and non-border. Especially for crimes of a transnational nature, between Russia and Indonesia there are several factors that have the potential to encourage crime, including both Russia and Indonesia, which are countries where Organized Criminal Crimes originate from China which are involved in various crimes such as human trafficking and drug smuggling and there are also several citizens of both countries involved in terrorist networks.

In an effort to overcome the potential for various crimes involving elements from the two countries, the two countries participate in various cooperation instruments. The two countries participated in various agreements aimed at tackling transnational crimes such as the United Nations Convention Against Illicit Practice in Narcotic Drugs and Psychotropic Substances (1988), the United Nations Convention against Transnational Organized Crime (UNTOC), and the United Nations Convention against Corruption (UNCAC) (2003). Indonesia and Russia have also had a political commitment since 2016 as stated in the Joint Statement between the Coordinating Ministry for Political, Legal and Security Affairs of the Republic of Indonesia and the Secretariat of the Security Council of the Russian Federation on Cooperation in Security Affairs. In the joint statement, the two countries agreed on cooperative measures that cover several aspects in the security sector, such as maritime security, terrorism (including terrorist financing and misuse of cyberspace for terrorist purposes), cyber security, defense, transnational crimes, intelligence, narcotics, to natural disaster management.

Both parties also recognize the need to have a stronger and more robust legal framework to address security and legal issues more effectively. Furthermore, the two countries agreed to form a bilateral agreement regarding MLA. The agreement was formulated in a Treaty between The Republic of Indonesia and The Russian Federation on Mutual Legal Assistance in Criminal Matters which was approved and signed on December 13, 2019 in Moscow by

Yasonna H. Laoly (Minister of Law and Human Rights of the Republic of Indonesia) and Aleksandr Kononov (Minister of Justice of the Russian Federation). After being signed by the two countries, in order for the agreement to take effect immediately, the two countries must comply with the provisions stipulated in Article 23 paragraph (2) of the agreement, namely:

This cooperation agreement will only take effect 30 days after the last date the parties have notified each other that the requirements of their respective national laws are for the enforcement of the agreement.

The provisions of the agreement that require notification of the fulfillment of domestic conditions from one state party to another, in the context of Indonesia, have the consequence that the government needs to take legal action needed to issue an instrument of notification of the completion of the national procedure. As for the Indonesian legal system, the mechanism for national procedures is carried out based on Article 10 of Law Number 24 of 2000 concerning International Agreements (International Treaty Law) which states that international agreements are ratified by law if the substance relates to one of them political affairs, peace, defense, and national security. This MLA agreement is included in one of these types of affairs. The Treaty between The Republic of Indonesia and The Russian Federation on Mutual Legal Assistance in Criminal Matters itself is substantially related to state security issues because it relates to the enforcement of sovereignty, human rights and the impacts. Based on the considerations referred to, this agreement is ratified by law (Kementerian Hukum dan Hak Asasi Manusia 2020b).

The problems that will be described in the paper entitled International Cooperation Between Indonesia and Russia in The Eradication of Corruption (Transnational Crime) regarding the Treaty between the Republic of Indonesia and the Russian Federation on Mutual Legal Assistance in Criminal Matters include:

1. how can the Treaty between the Republic of Indonesia and the Russian Federation on Mutual Legal Assistance in Criminal Matters help eradicate transnational crimes, especially corruption?

2. how is the strategy or pattern of cooperation between ministries or agencies of both parties to be implemented in the context of eradicating transnational crimes, especially corruption?
3. what problems are encountered in the implementation of mutual assistance in criminal matters between Indonesia and Russia and how can these problems be overcome?

In accordance with the scope of problem identification, the purpose of this paper is as follows:

1. to determine the effectiveness of the implementation of the Treaty between the Republic of Indonesia and the Russian Federation on Mutual Legal Assistance in Criminal Matters in eradicating transnational crimes, particularly corruption
2. formulate the strategy or pattern of cooperation between ministries or agencies of both parties to be implemented in the context of eradicating transnational crimes, especially corruption, for resolving the problem of implementing mutual assistance in criminal matters between the two countries.
3. formulate the problems faced in the implementation of mutual assistance in criminal matters between Indonesia and Russia as well as ways to overcome these problems.

The writing of this paper uses a normative juridical method through a literature study that examines primary and secondary legal materials. Primary legal materials are in the form of laws and regulations, international conventions or agreements. Secondary legal materials are in the form of library books, research results, studies, magazines, and so on. The legal materials that have been collected are classified for later analysis, namely descriptive data analysis based on theories, principles, teachings in legal science, especially in international agreements.

B. Literature Review

1. International Treaty Theory

An international agreement essentially has a very important relationship in diplomatic relations or international law. And in an international law, it consists of international treaties that are binding in it. So that it can be said that international law is a set of binding international agreements between two or more countries, based on mutual agreements which are then used on a wider scale, namely the global scale. Or in other words, international law can be interpreted as a whole law which mostly consists of a collection of principles and rules of behavior that can make countries that are in it feel bound to obey.

According to Mochtar Kusumaatmadja, international law is defined as the overall rules and legal principles governing relations or issues that cross state borders that are civil in nature, with other legal subjects who are not countries or legal subjects who are not each other's country (Kurnia 2008). Rebecca Wallace has an opinion regarding international law itself, namely the rules and norms which regulate the conduct of states and other entities which at any time are recognized as being endowed with international personality, for example international organizations and individuals, in their relations with each other (Kurnia 2008). The American Law Institute defines international law as the conduct of states and of international organizations, and with their relations, as well as some of their relations with persons, whether natural or personal (Kurnia 2008).

However, the International Treaty Theory itself originated from the Vienna Convention on Treaty Law 1969 / Vienna Convention on Law Treaties which in Article 11 regulates an agreement to bind oneself to an agreement can be stated in various ways, including through signature, exchange of instruments forming a treaty, ratification, acceptance, approval and accession or through other means agreed by both parties and do not violate existing norms or laws (Kementerian Hukum dan Hak Asasi Manusia 2020a).

In this provision, it is clearly explained that in a process the government's engagement in international agreements does not only become the monopoly of the president as the executive, but also the authority of the legislature in the

form of the approval of the House of Representatives to be bound by international treaty instruments (Kementrian Hukum dan Hak Asasi Manusia 2020a).

2. State Sovereignty Theory

Before digesting more deeply about the sovereignty of a country, it would be nice to examine the meaning of sovereignty itself. According to James J. Sheehan, sovereignty is a political concept, however, unlike the concept of democracy or monarchy; Sovereignty is not just about where the power is. With a simpler meaning, sovereignty cannot be equated with parliament or a bureaucracy, because a sovereignty is not an institution that can exercise power and also cannot be equated with the rule of law or justice. Sovereignty is one thing and includes many things (Riyanto 2012).

The existence of various variations on the meaning and use of the concept of state sovereignty, does not reduce the importance of this concept in the international legal system and international relations theory. Sovereignty is one of the fundamental concepts in international law. In the framework of relations between countries, sovereignty also refers to the notion of independence and vice versa. An independent state is a sovereign state. A sovereign state is an independent state and is not under the rule of another country.

In international law, state sovereignty and equality between countries are concepts that are recognized and form the basis for the operation of the international legal system. International law has traditionally recognized that a state is an independent and sovereign entity, meaning that it is not subject to any other authority. State sovereignty and equality are attributes inherent in an independent state as a subject of international law. Recognition of state sovereignty and equality between states is also the basis for state personality in the international legal system (Riyanto 2012).

Sovereignty is a very important concept in the domestic and international legal order, and is the point of intersection between the two systems of legal order. State sovereignty is one of the foundational norms in the international legal system. Consequently, the concept of a sovereign state as a unitary

authority that is not subject to any party is a buffer for the international legal system that upholds the principle of non-intervention and state consent. However, in current discourse and practice the concept of state sovereignty has undergone changes; so that state sovereignty in an absolute sense can no longer be defended (Riyanto 2012).

3. History of the Establishment of Mutual Legal Assistance Treaties (MLAT)

The history of the formation of cooperation in the form of Mutual Legal Assistance Treaties (MLATs) is the longest history that has ever occurred in the practice of international law. The agreement begins with an agreement between the United States government and the Swiss government. Negotiations between representatives of the governments of the two countries have been conducted since 1972, signed in 1973, and became effective in 1977 (after 50 years). As a follow-up to the agreement, on November 10, 1987, a Memorandum of Understanding (MoU) was signed between the governments of the two countries to add/complete the provisions contained in the 1973 MLATs between the two countries. The MoU is called the MoU on Mutual Assistance in Criminal matters and Ancillary Administrative proceedings.

Various international agreements, both bilateral and multilateral agreements, have been agreed as one of the most necessary means in the internationally coordinated efforts to combat international crimes. Forms of international cooperation, such as Mutual Legal Assistance Treaties (MLATs) have been increasingly agreed upon, for example those regulated quite comprehensively in the United Nations Convention Against Corruption in 2003, United Nations Conventions Against Transnational Organized Crime in 2000. Meanwhile at the ASEAN Regional level, it has the Treaty of Mutual Legal Assistance in Criminal Matters was agreed in 2004. The agreements as mentioned above, of course, highly respect the jurisdiction and rely on the national legal provisions of the participating countries. However, actions and rules are needed to coordinate these national activities so that they will increase in line with the growth and development of international crimes.

In addition, enforcement can be carried out through international cooperation or a mutual legal assistance treaty or judicial assistance treaty between two or more countries, as has been implemented, especially among ASEAN countries and between the governments of the United States of America and Switzerland, Germany, the Netherlands, Mexico, Panama, Nicaragua and Italy. As another example, the efforts of the international community or countries in preventing and eradicating transnational crimes can be carried out by physical cooperation or by setting out their arrangements in international conventions that have long been in effect (Rotinsulu, Aling, and Lengkong 2021).

From several conventions made by countries in tackling international crimes, it shows that international cooperation is felt by countries to be more effective. Therefore, countries in the world tend to prevent and eradicate it through international cooperation and regulate it in international conventions. There are conventions that specifically regulate transnational crimes, while others regulate it together with other broader issues.

4. Diplomatic Relations between Indonesia and Russia

In practice, a country cannot stand on its own feet, but a country must and requires assistance from other countries in the form of logistics, economy, defense, and many others. To establish a relationship between one country and another requires a reciprocal relationship, where in this reciprocal relationship there is an agreement to cooperate bilaterally, regionally, and multilaterally. (Kementerian Hukum dan Hak Asasi Manusia 2020a). Based on the brief description previously described, Indonesia is also in need of assistance from other countries.

Indonesia has a relationship with another country called Russia. Relations between these countries began in 1950 when Russia was still called the Soviet Union. The diplomatic relations are harmonious because until 2019 Indonesia and Russia have agreed or signed as many as 32 cooperation agreements (Kementerian Hukum dan Hak Asasi

Manusia 2020a). The two countries have a need for cooperation which is increasingly showing a fairly intense increase, due to the intensive interaction and cooperative relations in various fields between the two countries. Intensive interaction will have an impact on increasing the flow of movement and interaction between people. This condition is also increasingly supported by the development of information technology which currently greatly facilitates financial traffic or information and data from each citizen (Kementerian Hukum dan Hak Asasi Manusia 2020a).

According to a statement from the Ministry of Foreign Affairs, there was a fraud committed by a Russian citizen in Bali. In its development, the person concerned was released because it could not be executed. Another case is related to the trafficking of a woman at a nightclub in Jakarta. The crime committed by the person concerned is narcotics, which is then subject to deportation by the Indonesian authorities.

C. Result & Discussion

1. The Effectiveness of The Implementation of The Treaty Between The Republic of Indonesia and The Russian Federation

The period before the 1980s, the world was almost immersed in war using sophisticated weapons, especially gun battles by the two world giants in the field of weapons between the United States and the Soviet Union, both countries were called "the Super Power". Since the end of the cold war or post-cold war, the world is no longer at war with weapons, especially after the collapse of The Super Power from the East, the Soviet Union, the world is at war with economic difficulties. (Budyatmojo 2013). Procedures for law enforcement against international crimes include the development of bilateral and multilateral cooperation in preventing and eradicating international crimes. One of the oldest

examples of cooperative law enforcement in the practice of international law is extradition.

Law Number 1 of 1979 concerning Extradition contains the principle of reciprocity, which includes three things, namely:

- a. There is a mutual political interest;
- b. There are mutual advantages;
- c. There are mutual goals and respect for the principle of "state sovereignty".

The implementation of the principle of reciprocity does not require an agreement (treaty), but it is enough with an "arrangement" which only applies on an "on case by case basis". For the smooth implementation of the "arrangement" it is necessary to provide provisions that confirm that "non-treaty based" procedures are allowed and included in the law.

Extradition can be defined as a formal surrender, either based on a pre-existing extradition agreement or based on the principle of reciprocity or good relations, on a person accused of committing a crime (suspect, defendant, accused) or someone who has been sentenced to a criminal sentence who has had definite binding force (the convict), by his place of residence (the requested country) to the country that has jurisdiction to try or punish him (the requesting country), at the request of the requesting country, with the aim of trying and or implementing the sentence (Rotinsulu, Aling, and Lengkong 2021).

The Government of the Republic of Indonesia together with Commission III of the House of Representatives of the Republic of Indonesia officially agreed to discuss the Draft Law on Ratification of the Treaty between the Republic of Indonesia and the Russian Federation on Mutual Legal Assistance / MLA in Criminal Matters. This bill is a continuation of the cooperation agreement which was signed almost two years ago.

Previously on December 13, 2019 in Moscow, Russia, the Minister of Law and Human Rights, Yasonna H. Laoly and the Russian Minister of Justice, Aleksandr Kononov, signed the MLA cooperation. In the

future, it is hoped that the existence of the bill that will be discussed will further strengthen existing cooperation and be able to overcome the differences in the legal systems of the two countries (Biro Humas 2021).

"Cooperation in law enforcement across countries is increasingly important, along with increasing relations and cooperation between countries in various fields, such as investment, trade, cooperation in the banking sector which is supported by the development of very fast and sophisticated information technology," Yasonna said in a statement. Working Meeting to deliver the presidential explanation on the Bill on Ratification of Agreements between the Republic of Indonesia and the Russian Federation concerning Mutual Legal Aid in Criminal Matters between Commission III of the Indonesian House of Representatives and the government.

The government views the importance of establishing a bilateral agreement between the Republic of Indonesia and the Russian Federation to support the strategic partnership of the two countries which is expected to be signed by the two heads of state soon. Moreover, diplomatic relations between the two countries have existed since 1950.

"The establishment of mutual legal assistance agreements in criminal matters with strategic countries will support the government's efforts to become members of the Financial Action Task Force (FATF)," Yasonna said in the Commission III Meeting Room of the Indonesian House of Representatives, Wednesday (01/09/2021) (Biro Humas 2021).

As is well known, FATF is the world's intergovernmental organization to set standards and ensure effective implementation of efforts to eradicate Money Laundering, Terrorism Financing, and other related threats to the integrity of the international financial system. Meanwhile, the Chairman of Commission III of the Indonesian House of Representatives, Herman Hery said that 9 factions in Commission III of the Indonesian House of Representatives had agreed to continue the discussion to level I, and immediately followed up in accordance with the applicable laws and regulations.

"Furthermore, on September 6, 2021, the working meeting will make level I decisions, making decisions to continue at level II talks or plenary meetings," said Herman. "Then on September 7, 2021, there will be discussions on level II decision making in a plenary meeting on the bill," said the politician from the Indonesian Democratic Party of Struggle from the East Nusa Tenggara II electoral district.

Of the 9 factions that agreed, only the United Development Party Faction agreed with a note. Arsul Sani explained from what has been conveyed by the government, the entire agreement has fulfilled the principle of reciprocity. "Secondly, there have been 30 agreements in the form of agreements and MoUs between Indonesia and Russia that need to be strengthened by this MLA agreement," said Arsul. "Finally, to explain the mechanism (MLA), especially from the Russian side, of course from the Republic of Indonesia side we understand." (Biro Humas 2021).

Diplomatic relations between the Republic of Indonesia and the Russian Federation have been established since 1950. Russia is an important friendly country for Indonesia. Russia is one of the G20 member countries that has an important influence in the fields of geopolitics, geopolitics, geoeconomics, as well as Indonesia's largest trading partner in Eastern Europe. The establishment of a bilateral agreement between the Republic of Indonesia and the Russian Federation in the field of mutual legal assistance in criminal matters is important to support the strategic partnership of the two countries concerned (Nanyun and Nasiri 2020).

In addition, the Mutual Legal Assistance (MLA) Agreement between Indonesia and strategic countries such as Russia will support Indonesia's efforts to become a member of the Financial Action Task Force (FATF). FATF is the world's intergovernmental organization for setting standards and ensuring effective implementation of efforts to combat Money Laundering, the Financing of Terrorism, and other related threats to the integrity of the international financial system. One of the

FATF Recommendations is to ensure that countries have treaties, arrangements and mechanisms to enhance cooperation in the field of mutual legal assistance (Nance 2018).

Indonesia also cooperates in the framework of good relations with many countries, one of which is Russia. Diplomatic relations between Russia and Indonesia began in 1950 when Russia was still called the Soviet Union. The good diplomatic relations are shown by the existence of various cooperation agreements between the two countries. As of 2019, Russia and Indonesia have signed 32 cooperation agreements between the two countries. Based on the Ministry of Foreign Affairs of The Republic of Indonesia Directorate General of Legal Affairs and International Treaties Treaty Room List of Treaties Concluded by Indonesia, the 32 agreements referred to are as follows:

1. Memorandum of Understanding on Cooperation between the Audit Board of the Republic of Indonesia and the Accounts Chamber of the Russian Federation (2019);
2. Memorandum of Understanding between the Nuclear Energy Regulatory Agency (the Republic of Indonesia) and the Federal Environmental, Industrial and Nuclear Supervision Service (the Russian Federation) on Co-operation in the Field of Nuclear and Radiation Safety Regulation and Supervision (2017);
3. Joint Communique between the Ministry of Marine Affairs and Fisheries of the Republic of Indonesia and the Federal Agency for Fisheries (the Russian Federation) on Mutual Understanding and Cooperation in Combating Illegal, Unreported and Unregulated Fishing of Living Marine Resources and Promoting of Sustainable Fisheries Management (2016);
4. Memorandum on Cooperation in the Field of Archives Matters between National Archives of the Republic of Indonesia and the Federal Archival Agency (Russian Federation) (2016);

5. Memorandum of Understanding between the Ministry of Foreign Affairs of the Republic of Indonesia and the Ministry of Foreign Affairs of the Russian Federation concerning Cooperation in the Field of Archives (2016);
6. Joint Statement between the Coordinating Ministry of Political, Legal and Security Affairs of the Republic of Indonesia and the Staff of the Security Council of the Russian Federation on the Cooperation in Security Matters (2016);
7. Memorandum of Understanding between the Coordinating Ministry of Political, Legal, and Security Affairs of the Republic of Indonesia and the Staff of the Security Council of the Russian Federation on Bilateral Consultation on Security Matters (2015);
8. Memorandum of Understanding between the Regional Representatives Council of the Republic of Indonesia and the Council of the Federation of the Federal Assembly of the Russian Federation on Enhancing Inter-Parliamentary Bilateral Relations (2014);
9. Memorandum of Understanding between the Ministry of Energy and Mineral Resources of the Republic of Indonesia and the Ministry of Energy of the Russian Federation on Energy Cooperation (2014);
10. Joint Statement between the Republic of Indonesia and the Russian Federation (2013);
11. Memorandum of Understanding between BPS-Statistics Indonesia of the Republic of Indonesia and the Federal Customs Service (the Russian Federation) on Exchange of International Trade Statistics Data (2012);
12. Statement of Intent between the Provincial Government of the Yogyakarta Special Region, Republic of Indonesia and the Government of Saint Petersburg, Russian Federation (2010);
13. Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on the

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- Promotion and Protection of Investment (ratified in Indonesia by Presidential Regulation of the Republic of Indonesia Number 7 of 2009 concerning Ratification of the Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on the Promotion and Protection of Investment);
14. Program on Cultural Cooperation between the Ministry of Culture and Tourism of the Republic of Indonesia and the Federal Agency for Culture and Cinematography Russian Federation for the Years 2008-2010 (signed in 2007);
 15. Technical Arrangement between the Ministry of Finance of the Republic of Indonesia and the State Corporation "The Bank for Development and Foreign Economic Affairs Vnesheconombank" on the Technical Procedure of Disbursement, Settlements and Keeping Accounts under the State Loan Extended by the Government of the Russian Federation to the Government of the Republic of Indonesia (extended by the Russian Government and signed in 2007);
 16. Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on Visa Exemption for Short-Term Visits of the Holders Diplomatic and Service Passports (ratified in Indonesia by Presidential Regulation Number 6 of 2008 concerning Ratification of the Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on Visa Exemption for Short-Term Visits of the Holders Diplomatic and Service Passports);
 17. Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on Cooperation in the field of the Exploration and Use of Outer Space for Peaceful Purposes (ratified in Indonesia by Presidential Regulation Number 1 of 2010 concerning

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- Ratification of the Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on Cooperation in the field of the Exploration and Use of Outer Space for Peaceful Purposes);
18. Memorandum of Understanding between the Government of the Republic of Indonesia and the Government of the Russian Federation on Assistance in Implementation of the Program of the Indonesia-Russian Military-Technical Cooperation for 2006-2010 (signed in 2006);
 19. Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on Mutual Protection of Rights to the Results of Intellectual Activity Applied and Obtained in the Course of Bilateral Military-Technical Cooperation (signed in 2006);
 20. Memorandum of Understanding between the Center for Education and Training of the Department of Foreign Affairs of the Republic of Indonesia and the Diplomatic Academy of the Ministry of Foreign Affairs of the Russian Federation (signed in 2006);
 21. Memorandum of Understanding on Co-operation between the Office of the Attorney General of the Republic of Indonesia and the Office of the Prosecutor General of the Russian Federation (signed in 2006);
 22. Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on the Cooperation in the Peaceful Uses of Atomic Energy (ratified in Indonesia by Presidential Regulation Number 44 of 2011 concerning Ratification of the Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on the Cooperation in the Peaceful Uses of Atomic Energy);

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23. Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on Mutual Protection of Classified Information (signed in 2004);
 24. Memorandum of Intent between the National Institute of Aeronautics and Space of the Republic of Indonesia and the Russian Aviation and Space Agency on Cooperation in the field of Space Technology and Their Application (signed in 2003);
 25. Declaration of the Framework of Friendly and Partnership Relations between the Republic of Indonesia and the Russian Federation in the 21st Century (signed in 2003);
 26. Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on Military-Technical Cooperation (ratified in Indonesia by Presidential Regulation Number 46 of 2012 concerning Ratification of the Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on Military-Technical Cooperation);
 27. Memorandum of Understanding between the Department of Foreign Affairs of the Republic of Indonesia and the Ministry of Foreign Affairs of the Russian Federation on Bilateral Consultations (signed 2002);
 28. Trade Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation
 29. Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on Economic and Technical Cooperation (ratified by Presidential Decree Number 113 of 1999 concerning Ratification of the Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on Economic and Technical Cooperation);
 30. Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation for

- the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income (ratified in Indonesia by Presidential Decree Number 148 of 1999 concerning Ratification of the Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income);
31. Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation on Cultural Cooperation (ratified in Indonesia by Presidential Decree Number 32 of 2000 concerning Ratification of the Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation concerning Cultural Cooperation); dan
 32. Arrangement between the Bank of Indonesia and the Central Bank of the Russian Federation on Payment Transactions relating to Foreign Trade (signed in 1994).

After seeing the 32 agreements, it shows that the cooperation between the Republic of Indonesia and the Russian Federation is very effective and proves that diplomatic relations between the two countries are very close (Yuzardhi 2021).

2. Strategy or Pattern of Cooperation of the Ministries / Institutions of the Two Parties Implemented in the Context of Eradicating Transnational Crime

In eradicating corruption cases, cooperation between countries is needed, especially for cross-border corruption cases. Cooperation can be carried out bilaterally (two countries), regionally (countries in one region) or multilaterally (many countries). Cooperation will be more solid if these countries have the same commitment in eradicating corruption, one of which is realized by ratifying the MLA, then aligning

the laws and regulations in their countries so that they can implement anti-corruption guidelines properly (Hiariej 2019).

The head of the Corruption Eradication Commission, Laode Muhammad Syarif, admitted that the Corruption Eradication Commission has weaknesses in dealing with increasingly sophisticated corruption cases. Laode said that the relationship between the Corruption Eradication Commission and other law enforcers such as the police and prosecutors was still lacking. This has an impact on the length of time the case is resolved. The main reason it needs to be improved is because the Corruption Eradication Commission has carried out its supervisory and coordinating functions, but not everything that has been coordinated has been completed immediately. Another weakness is in terms of prevention related to system development. Laode explained that each ministry had made its own system and would regret it if the command did not come out of one door (Syarif 2019).

As explained in Article 5 letter e of Law Number 30 of 2002 concerning the Corruption Eradication Commission ("Corruption Eradication Commission Law"), cooperation in preventing corruption, one of which is carried out through the design of coordination activities and supervision of the eradication of corruption in order to improve the accountability and institutional integrity of the Parties in accordance with the provisions of laws and regulations. In Article 6 letter a, it is necessary to understand that one of the ways in which cooperation in handling corruption crimes is carried out is coordination. The implementation of cross-ministerial and institutional cooperation in Indonesia in handling corruption cases has often been carried out, even involving international organizations and the central authorities of other countries. The following are various forms of cooperation in the context of eradicating corruption both nationally and internationally (Ismail and Hapsoro 2020).

In the international context, the MLA should institutionalize its instruments for countries that have bound themselves in it. The

institutionalization process can be carried out through the inculcation of norms, the existence of information disclosure between members, a high level of reciprocity, and the existence of mechanisms that run within it. Within the MLA framework, one of them is through specific meetings and work carried out by the working group (Osula 2015).

In the case of the MLA convention, the Indonesian government succeeded in passing a law and this was followed up by the establishment of several new institutions to strengthen the effectiveness of the implementation of the law. But of course this has to be linked with the country concerned. The government's efforts to establish MLA cooperation with several countries are a form of the government's commitment to continue fighting corruption. For example, if Indonesia and Russia have different understandings regarding the technical implementation of the MLA, including who should act first in the issue of returning money-laundered assets, and what agency should act, of course, this MLA agreement cannot run optimally (Citrawan and Fedian 2020).

Based on the description above, the existence of ministries or state institutions that have separate rules or norms is prone to creating ego-sectoral which leads to independence and objectivity in handling corruption in handling cases related to the original institution. The author's opinion states that Corruption will continue to occur as long as the eradication of corruption is still sectoral and institutional egocentrism is still high between the Police, the Prosecutor's Office and the Corruption Eradication Commission. The fragmentation of the corruption investigation agency creates a tendency for agency centrality or fragmentation. So that it affects the course of the case handling process from the results of the investigation carried out by police investigators to the Public Prosecutor. The absence of integration and harmony of ideas, values, norms and regulations that form the basis of the professional code of ethics, causes the existing output to not be in the form of an alignment of the results of corruption investigations (Kemlu RI 2021).

D. Conclusion

The conclusion drawn from this paper is that the relationship between the Republic of Indonesia and the Russian Federation is very harmonious. This can be seen from the agreements signed by the two countries. The ease of interaction and activities on the one hand has a positive impact, including creating a conducive economic situation, but on the other hand it also brings the threat of increasing transnational crimes. The perpetrators of these crimes take advantage of differences in the structure and interpretation of law between countries and state sovereignty so as not to be pursued by law enforcement officials. For Indonesia, participation in MLA cooperation is a manifestation of Indonesia's role in international relations to overcome international problems that can threaten economic, political and legal stability.

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F. Declaration of Conflicting Interests

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H. References

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