

"CRIMINAL" LAW POLITICS REGARDING THE LEGALIZATION OF CITIZENSHIP DOCUMENTS (APOSTILLE) IN INDONESIA

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Abstract

The legalization of citizenship documents is not only an administrative matter in countries whose administrative systems exist throughout the world. Philosophically, the purpose of legalization is to protect and create legal certainty for every user. Therefore it is necessary to analyze the political role of criminal law about the apostille and which citizenship documents are part of the apostille. Because Indonesia's international interaction policy resulted in the ratification of many national conventions, including the Congress on the Elimination of Legalization of Foreign Public Documents. The use of all documents is the right and obligation of each person to comply with all applicable regulations in different countries. The use of documents and their evidentiary system regulated in the Decree of the Minister of Law and Human Rights Number 6 of 2022 is a national policy that provides legal protection and certainty to all users and those who have the authority to legalize citizen documents. The practices offered are administrative and public (criminal) rights. The emergence of a criminal justice policy regarding the authentication of citizenship documents that applies in 121 countries is urgently needed to protect, for example, parties or bodies authorized to carry out authentication. One of the state institutions authorized to legalize civil documents is a notary. Based on the Notary Law, the position of Notary is called an official who has the authority to handle special requests from the public related to Notaries. It should be noted that documents that can be used both domestically and abroad must be legalized by 5 (five) authorities, namely the Document Authority, the Indonesian Ministry of Law and Human Rights, the Ministry of Foreign Affairs and the Consulate. Ministry of Foreign Affairs of the destination country and Ministry of Foreign Affairs of the destination country.

Keyword : Political Law, Criminal, Document Legalization, Citizenship (Apostille)

INTRODUCTION

Indonesian national legal politics has a philosophical basis consisting of reasoning or reasoning which shows that the determination made takes into account the view of life, awareness and legal ideals which include the inner atmosphere and philosophy of the Indonesian nation which originates from Pancasila and its introduction. regarding the constitution of the Republic of Indonesia. The role of the philosophical foundation guides what and how the policy should be implemented. These signs are based on the principles of metaphysics, epistemology and axiology because politics applies nationally (Adi Mansar, 2022).

National political law applies, is and is the basic policy of state administration in the field of law, which arises from dominant values in society to achieve state goals (Garrett, 1995). Madson, 2007). There are several components included in the realm of national legal policy, including state institutions that form legal policy, the location of legal policy, and internal and external factors that influence the formation of the legal system (Goetz & Hix, 2012; Dellapenna, & Gupta, 2009 PS et al., 2022). The legal policy

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