

**THESIS**

**THE STATUS OF COOPERATION OF INTERNATIONAL AGREEMENT  
BY REGION BASED ON VIENNA CONVENTION ON THE LAW OF  
TREATIES AND LAW NO.24 YEAR 2000**

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By:

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**The Status of Cooperation of International Agreement by Region  
Based on Vienna Convention on the Law of Treaties and Law No.24 Year 2000.**

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**ABSTRACT**

Advancement of technology and communication already pushed inter-states interdependence globalization and between problems progressively sliver. In line with such globalization, the actors of international relation also extend like International Organization, NGO, MNC, Media, Region, Minority Groups, even Individual. In order to supporting execution of international relation and cooperation which more directional, inwrought, and base on the rule of law have stronger, the Government of Republic of Indonesia have gone into effect Law Number 37 Year 1999 on Foreign Relation and Law Number 24 Year 2000 on International Agreement. Then as executor order of the legislation made common guidance on procedures international relation and cooperation by local government which arranged in the Minister Decree of Foreign Affairs Year 2006. Although Indonesia did not ratify the Vienna Convention on the Law of Treaties 1969, but some existing principle and international customaries in practice making of international agreement confessed and run by Indonesia. According to both law regime will determine status of that's cooperation, Herewith will facilitate determination of authorities to do anything which related to making, ratification, and application of international agreement by region and also the optimize cooperation in framework to minimize the barriers which be related to it.

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## CHAPTER I

### INTRODUCTION

#### 1.1 Background

Today, international law more and more regulates the matters between nations or states with international agreement. In foreign relation the role of state is very important in making the international agreement because the role of international agreement was related to with the role of state in executing of foreign politic from that's state.

Generally the international cooperation is preceded with made international agreement which agreed by both parties.<sup>1</sup>

In international community, international agreement has taking important part in regulation system and international relation between one party to other right now. With agreement each states making line as basic of their cooperation, regulates many activities, and finishing the problems for sake of their need.<sup>2</sup>

No-one of the state has not international agreement with other now. International agreements as the one main instrument of source of international law (based on Statute of International Court of Justice article 38) being the base for parties to consent to be bound concerning the clauses which have deal.

Developing advancement of science, technology, and trend globalization include communication are factor in increasing of international cooperation by parties. Intensity for the making international agreement more increase since

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<sup>1</sup> See, Firman Hasan, Najmi, and Jean Elvardi, *Diklat Kemahiran Hukum Internasional*, Fakultas Hukum Universitas Andalas, Padang, 2005, p.1

<sup>2</sup> See, Boer Mauna, *Hukum Internasional, dan Fungsi Dalam Era Dinamika Global*, Alumni, Bandung, 2003, p.82.



many problems which have done and ought to regulated in one regulation which submissive by parties.

As result created a borderless world which impressing had formed a global village to world society.

In line with such globalization, the actors of international relation also extend, not only embosoming just State, but have extended actors beside State like International Organization, Non-Governmental Organization (NGO), Multinational Corporation (MNC), Media, Region, Minority Groups, even Individual.

And they can act as actors in international relation like making an international agreement. International agreement is one 'agreement' which made by the subject of international law and regulated by international law of which binding consequences to the subjects which become the parties.<sup>3</sup>

The international agreement said as the main international law can be seen by the statement of Rebecca M.M. Wallace as one expert of international law which states that "the international law particularly made by one of two ways namely pass through the international customaries and international agreement which run by states".<sup>4</sup>

And in the practice now, there are many terminologies for 'international agreement' such as, Treaty, Convention, Agreement, Letter of Intent, Arrangement, Memorandum of Understanding, and many others. Differences in using the term based on the material and the goal for that. For Convention and Agreement, it dedicate for the main substance and created by many parties, like

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<sup>3</sup> Ibid, p.82

<sup>4</sup> See, Rebecca M.M. Wallace, International Law, Sweet & Maxwell Limited, London, 1986, p.9

## CHAPTER IV

### CLOSING REMARKS

#### 4.1 Summaries

Indonesia is the archipelago state where having many islands, and between one islands to other in spite of narrows or the seas. It has 33 provinces and one province consist of one more Municipalities and/or Cities. Today, some local government in Indonesia has been creating many international agreements with the other subject of international law, since 1980 that's thing have being done.

Local governances have opportunities to make an international agreement concerning with their respective need. Until there are international agreements which created by central governance and local governance be related to region, and there are some possibilities of kinds of international agreements, they are:

- a. International Agreement which made and signed inter-local governances in different country;
- b. International Agreement which made by Central Government of which be related to regions need;
- c. International Agreement which made and signed by Local Governance with foreign Non-Governmental Organization;
- d. Memorandum of Understanding between local governance and foreign investors.

Regions which have been concluded an international agreement (sister city model) are Jakarta, Surabaya, Medan, Yogyakarta, Bandung, Semarang, Bogor, Palembang, Denpasar, Padang, Bukittinggi, and many others. However only some

## REFERENCES

### I. Books

- Aust, Anthony. 2006. *Handbook of International Law*. London: Cambridge University Press.
- \_\_\_\_\_. 2000. *Modern Treaty Law and Practice*. London: Cambridge University Press.
- Departemen Luar Negeri Republik Indonesia. 2006. *Pedoman Teknis dan Referensi tentang Pembuatan Perjanjian Internasional*. Jakarta: Departemen Luar Negeri Republik Indonesia.
- \_\_\_\_\_. 2006. *Panduan Umum Tata Cara Hubungan dan Kerjasama Luar Negeri oleh Pemerintahan Daerah*. Jakarta: Departemen Luar Negeri Republik Indonesia.
- Hasan, Firman, Najmi, and Jean Elvardi. 2005. *Diklat Kemahiran Hukum Internasional*. Dictats, Padang: Fakultas Hukum Universitas Andalas.
- Kaczorowska, Alina. 2005. *Public of International Law*. 3<sup>rd</sup> Edition. London: Old Bailey Press.
- Mauna, Boer. 2000. *Hukum Internasional Pengertian, Peranan, dan Fungsi dalam Era Dinamika Global*. Bandung: Alumni.
- Narzif. 2006. *Hukum Organisasi Internasional*. Revision Edition. Padang: Fakultas Hukum Universitas Andalas.
- Noormann, J.Math. 2005. *The Basics of Public International Law*. Dictats.
- Parthiana, I Wayan. 1990. *Pengantar Hukum Internasional*. Bandung: Mandar Maju.
- Sekretariat Daerah. 1986. *Latar Belakang Kota Bersaudara (Sister Cities) Bukittinggi-Saremban*. Bukittinggi: Cv.Trigrati.
- Shaw, Malcolm N. 2006. *International Law*. 5<sup>th</sup> Edition. London: Cambridge University Press.
- Soekanto, Soerjono. 2005. *Pengantar Penelitian Hukum*. Jakarta: University of Indonesia Press.