

ABSTRACT

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COMPARATIVE STUDY OF LEGAL ANALYSIS ON RATIFICATION OF INTERNATIONAL TREATIES IN INDONESIA AND FRANCE

(xv + 82 pages – 5 figures, 2 table)

Every country has the responsibility to protect the rights of its people as a form of their internal sovereignty, and also external sovereignty as an international entity which is embodied in making international treaties with other countries. In Indonesia, the practice of international treaties is regulated in Law Number 24 of 2000, which has never been revised since its publication. However, the position of international treaties has not been clarified in the hierarchy of laws. This is due to the submission of judicial review to the Constitutional Court of the Republic of Indonesia, with the understanding that ratification law is equivalent to domestic law. Therefore, we need to clarify the position of international treaties in Indonesia through the amendment of the regulation. Researcher selected one country, namely the Republic of France, which will be used as a comparative study in the procedure of ratification of international treaties. Normative juridical research will be used with statutes, comparative, and conceptual approaches. From this thesis, it is found that France has regulated the ratification of international treaties comprehensively than in Indonesia. The position of international treaties is superior to the country's national law as stated in the 1958 French Constitution. The constitution also authorizes the *Conseil Constitutionnel*, a constitutional court similar to the Constitutional Court of the Republic of Indonesia, to conduct a judicial preview of the draft law on ratification. This comparative study is expected to provide an analysis that supports the development of the procedure of ratification of international treaties in Indonesia.

References: 32 books, 4 journals, 1 research paper (37, 1946-2020)

Keywords: International Treaties, Ratification, Sovereignty