

THE URGENCY OF DEVELOPING A REGULATION'S DATABASE RELATED TO PRIVATE INTERNATIONAL LAW

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ABSTRACT

Regulatory organization is one of the items in the Second Legal Reform initiative under Jokowi's administration. There are 3 (three) priorities in this area, namely: (1) quality lawmaking; (2) evaluating all problematic laws and regulations; and (3) developing an integrated legal repository. The latter is important for 2 (two) reasons: First, to meet legal provisions. Second, to provide easy information access of laws and regulations to the public. As one of the countries competing to attract investment as a means to grow its national economy, it is time for Indonesia to have its own legal framework that addresses issues surrounding Private International Law (PIL). Indonesia currently still refers to Dutch-legacy PIL, namely Articles 16, 17, and 18 A.B, with most of other provisions dispersed under different laws and regulations. Indonesia is yet to have a single PIL codification. A bill and law would take longer time to develop; at the same time, there is growing demand for the access of PIL information. A development of PIL database is therefore seen as an urgency in Indonesia. Legal problem in this article are what is the correlation between PIL and the development of foreign investment in Indonesia, and how is the development of PIL database. This study employs normative jurisdiction approach and uses empirical data on PIL database development as an initiative undertaken by the Directorate General of Legal Administrative Affairs (Ditjen AHU) of the Ministry of Law and Human Rights of the Republic of Indonesia. The study finds that a PIL database has never been developed by any institution/agency, resulting in the public's difficulty in accessing PIL-related information. This study concludes that having an accurate PIL database could make business process and other legal relations involving foreign elements easier and quicker to solve as well as having the potential to boosting investment. At a higher level, a quality database provides greater access of information to public, allowing public participation in controlling the government's actions and policies especially in lawmaking.

Keywords: regulatory database, private international law, public information, foreign investment

A. INTRODUCTION

The national development in Indonesia envisions a just and prosperous society as enshrined in the the nation's philosophy *Pancasila* and the 1945

Constitution. To that end, the Government of the Republic of Indonesia seeks to build and strengthen its economic system, including by unlocking investment potentials as much as

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