

ABSTRACT

The usage and/or abuse of power with realm of possibility is able to be coincided inevitably in every aspect of structured bodies or even life. One of the facets that to all intents occurred in diplomatic sphere feasibly rooted from the existence of diplomatic immunity, particularly for the family members of diplomats. The granting of immunities and privileges is sometimes being maltreated by diplomats' family members. Being reviewed from the 1961 Vienna Convention on Diplomatic Relations, it emphasizes the diplomatic mission towards the receiving state. While granting diplomatic immunity, it is vital to balance the need to protect victims and the requirement to discourage criminal offenses.

It is hoped that this research will be able to provide scientific knowledge about the importance of maintaining diplomatic relations between sending and receiving countries by not abusing diplomatic immunity. Through normative juridical research methods through existing legal instruments as the sources of data consists of primary, secondary and tertiary sources such as the 1961 Vienna Convention on Diplomatic Relation, and other correlated sources. The data collection method being used is library research method.

The research results shows that the 1961 Vienna Convention on Diplomatic Relations remains the foundation for diplomatic immunity, but its effectiveness can be situational and depends on various factors, such as the nature of the criminal offense, the consent of the sending state, negotiations between countries, and international conventions. Therefore, concrete legal efforts are required to strengthen the use of immunity rights by diplomats' families so that they are not misused for criminal offenses.

Keyword : Abuse, Diplomatic Immunity, Family Members of Diplomats and Criminal Offenses.