

# **ANALISIS PELANGGARAN SPIONASE DALAM HUBUNGAN DIPLOMATIK MENURUT KONVENSI WINA 1961 TERHADAP ANCAMAN PERKEMBANGAN KOMUNIKASI DIGITAL**

## **ABSTRAK**

Tindakan spionase yang dilakukan oleh perwakilan diplomatik negara pengirim terhadap negara penerima merupakan bentuk pelanggaran dari hak keistimewaan dan kekebalan diplomatik. Perkembangan teknologi yang cepat, terutama di ranah Kecerdasan Buatan (*Artificial Intelligence* atau AI), telah memudahkan pengawasan yang digunakan oleh negara-negara. Kemampuan AI menimbulkan pertanyaan etis dan hukum tentang batas-batas praktik pengawasan dan potensi tindakan rahasia yang mungkin melanggar norma dan hukum internasional. Penelitian ini akan menganalisis mengenai pengaturan spionase yang diatur oleh Konvensi Wina 1961 dan relevansinya dalam menghadapi perkembangan komunikasi digital seperti AI. Metode penulisan yang digunakan dalam penulisan ini adalah penelitian hukum normatif dengan pendekatan perundang-undangan (*statue approach*). Setelah melakukan penelitian, Penulis menemukan bahwa konsekuensi dari spionase adalah negara penerima dapat menyatakan diplomat *persona non grata* yang diatur dalam Pasal 9 Konvensi Wina 1961 dan *Waiver of immunity* yang diatur dalam Pasal 32 Konvensi Wina 1961. Kebaharuan teknologi seperti AI dapat mendukung adanya kebaharuan sistem diplomatik. Namun, perkembangan teknologi ini memudahkan terjadinya kegiatan spionase. Beberapa ketentuan dalam Konvensi Wina 1961 perlu interpretasi baru untuk mengatur perkembangan teknologi dalam hubungan diplomasi. Negara-negara dan Organisasi Internasional perlu membentuk kerangka hukum dan peraturan yang kuat untuk mengatur AI dalam hubungan diplomatik antar negara dan perkembangan sistem diplomasi.

**Kata kunci :** Spionase, Konvensi Wina 1961, *Artificial Intelligence*

# **VIOLATION OF ESPIONAGE IN DIPLOMATIC RELATIONS IN THE 1961 VIENNA CONVENTION AGAINST THE THREAT OF DIGITAL COMMUNICATIONS DEVELOPMENT**

## **ABSTRACT**

*Acts of espionage committed by diplomatic representatives of the sending state towards the receiving state are a form of violation of diplomatic privileges and immunities. Rapid technological developments, particularly in the domain of Artificial Intelligence (AI), have made it easier for states to conduct surveillance. AI capabilities raise ethical and legal questions about the limits of surveillance practices and potential covert actions that may violate international norms and laws. This study will analyze the regulation of espionage regulated by the Vienna Convention on Diplomatic Relation 1961 and its relevance in the face of developments in digital communications such as AI. The writing method used in this study is normative legal research with a statue approach. After conducting research, the author discovered that the consequence of espionage is that the receiving state can declare the diplomat persona non grata as stipulated in Article 9 of the Vienna Convention on Diplomatic Relation 1961 and Waiver of immunity as stipulated in Article 32 of the Vienna Convention on Diplomatic Relation 1961. Technological advances such as AI can support the development of a new diplomatic system. However, this technological development eases the occurrence of espionage activities. Some provisions in the Vienna Convention on Diplomatic Relation 1961 need new interpretation to regulate technological developments in diplomatic relations. States and International Organizations need to establish a strong legal and regulatory framework to regulate AI in diplomatic relations between states and the development of diplomatic systems.*

**Keywords:** *Espionage, Vienna Convention on Diplomatic Relation 1961, Artificial Intelligence*