

Analisa hukum ekonomi terhadap peluang dan tantangan pelaksanaan Undang-undang No.6 Tahun 2011 tentang keimigrasian terkait warga negara asing yang terlibat perkawinan campuran : An analysis of economic law on opportunities and challenges in the implementation of law No.6/2011 on immigration for foreign citizens in a mixed marriage

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Abstrak

Negara asing yang terlibat perkawinan campuran yang terdapat dalam Undang-undang No.6 Tahun 2011 Tentang Keimigrasian (UU Keimigrasian), dilihat dari aspek ekonomi. Oleh karena itulah dalam penelitian ini akan dirumuskan beberapa masalah tentang pengaturan WNA yang terlibat Perkawinan Campuran sebelum dan sesudah lahirnya UU Keimigrasian. Serta akan dipaparkan juga peluang dan tantangan dalam penerapan UU Keimigrasian, khususnya mengenai ketentuan Izin Tinggal dan melakukan pekerjaan dan/atau usaha bagi WNA yang terlibat Perkawinan Campuran, dilihat dari aspek hukum ekonomi. Hasil penelitian menunjukkan bahwa sebelum adanya UU Keimigrasian, keberadaan warga negara asing yang terlibat perkawinan campuran hampir tidak pernah diatur sama sekali dalam undang-undang manapun, kecuali Undang-undang Perkawinan. Dengan adanya UU Keimigrasian ini, selain diakui keberadaannya, WNA perkawinan campuran juga diberi kemudahan dalam hal izin tinggal dan izin melakukan pekerjaan/usaha. Hal ini menimbulkan peluang dibidang usaha dan investasi, namun sekaligus juga tantangan terhadap persaingan tenaga kerja di Indonesia.

.....This thesis discusses the opportunities and challenges in implementation of provisions regarding the legal status of foreign citizens in a mixed marriage as explicitly written on law no.6/2011 on immigration (The Immigration Law), from the economic point of view. Therefore, the research will emphasize on problems arose in the regulation of foreign citizens in a mixed marriage before and after the enactment of immigration law. It will also discloses the opportunities and challenges in the implementation of the law, particularly on provisions of residential permit and laws should the foreigners have jobs or running bussiness in Indonesia, from the economic point of view.

This researh indicates that before the enactment of the law was implemented, the legal status of foreign citizens have hardly been regulated at all in any laws, except in the marriage law. By the enactment of immigration law, not only their rights lawfully recognized, the foreign citizens in a mixed marriage are also provided more comfortable condition on residential permit and the permit for having a job or running business. This new development, eventually will create the better opportunities and challenges in the investment, business and labor affairs in Indonesia.