

Analisis penyelesaian sengketa pemutusan hubungan kerja antara utusan diplomatik asing di Indonesia dengan lokal staf locally engaged staff ditinjau dari penerapan hukum diplomatik = The Analysis of settlement of dispute over work termination between diplomatic representatives in Indonesia and locally engaged staff examined through the application of diplomatic law framework

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Abstrak

ABSTRAK

Skripsi ini membahas mengenai analisis penyelesaian sengketa pemutusan hubungan kerja antara utusan diplomatik di Indonesia dengan warga negara Indonesia yang dalam praktiknya memunculkan persoalan-persoalan hukum seperti bagaimana praktik pelaksanaan imunitas diplomatik dan hak-hak istimewa utusan diplomatik di Indonesia, bagaimana kewajiban utusan diplomatik asing di Indonesia dan pemerintah negara Indonesia dalam rangka perlindungan terhadap hak warga negara Indonesia dalam hal hubungan perburuhan serta bagaimana praktek penyelesaian sengketa pemutusan hubungan kerja antara utusan diplomatik dengan lokal staf (locally engaged staff) di negara penerima ditinjau dari penerapan hukum diplomatik. Semua persoalan-persoalan hukum tersebut ditarik dari perkara dengan nomor register 64/PHI.G/2014/PN.JKT. PST Erna Amiarsih melawan Kedutaan Besar India untuk Indonesia. Skripsi ini akan menjawab persoalan-persoalan tersebut dengan memaparkan dan menganalisa teori-teori hukum diplomatik, praktik negara-negara lain dan teori-teori hukum internasional yang relevan.

ABSTRACT

This undergraduate thesis analyzes the settlement of dispute over work termination between diplomatic representatives in Indonesia and Indonesian citizens. In practice, such a dispute triggers a wide range of legal issues as to the implementation of diplomatic immunity and privileges accessible to diplomatic representatives in Indonesia, the obligations to which foreign diplomatic representatives in Indonesia and the Indonesian Government are bound in protecting the rights of Indonesian citizens with regards to labor force, as well as the settlement of dispute over work termination between diplomatic representatives and locally engaged staff in the receiving country which is examined through the framework of diplomatic law practice. These legal issues are observed from the case under the registration number 64/PHI.G/2014/PN.JKT. PST Erna Amiarsih against the Embassy of India to Indonesia. This undergraduate thesis seeks to answer those issues by way of elaboration and analysis using the theories of diplomatic law, state practice, and any other relevant public international law theories.