

Hak asasi manusia dan perdagangan internasional: studi terhadap penerapan hukum hak asasi manusia internasional dalam hukum perdagangan internasional di World Trade Organization = Human rights and international trade a study on the implementation of international human rights law in international trade law in World Trade Organization

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Abstrak

Tesis ini membahas tentang sejauhmana hak asasi manusia internasional diperhitungkan dalam hukum perdagangan internasional di World Trade Organization (WTO). Penelitian ini adalah penelitian yuridis-kualitatif. Perjanjian multilateral di WTO dikaji kesesuaiannya dengan hukum hak asasi manusia dan pasal-pasal pengecualian umum sistem hukum perdagangan internasional serta perlakuan berbeda dan khusus bagi negara berkembang ditimbang sejauhmana telah memanifestasikan hak asasi manusia. Penelitian ini menyimpulkan hukum perdagangan internasional di WTO belum memberi perhatian yang serius kepada nilai hak asasi manusia. Penelitian ini merekomendasikan nilai hak asasi manusia dijadikan rambu-rambu untuk mencapai keadilan global dalam liberalisasi perdagangan betapapun kompleks dan sulitnya hal tersebut terwujud

.....The current thesis discusses the extent of international human rights law being accounted within the international trade law of World Trade Organization (WTO). The current study takes on a juridical qualitative research approach: multilateral agreements at WTO are analyzed in their consistency with the human rights law as well as articles on general exemptions within the international trade law system additionally, special and differential treatments to developing countries are also assessed on the extent of their manifestation on human rights. Current findings concluded that international trade law of WTO has not provided sufficient attention towards human rights values. Therefore, the study recommends for the value of human rights law to be established as guidelines toward global justice within trade liberalization despite of the complex and intricate-natured challenges that may arise.