

SKRIPSI

IMPLEMENTASI *ASEAN COMPREHENSIVE INVESTMENT AGREEMENT* TENTANG PENANAMAN MODAL ASING SEKTOR MANUFAKTUR DI INDONESIA DAN VIETNAM

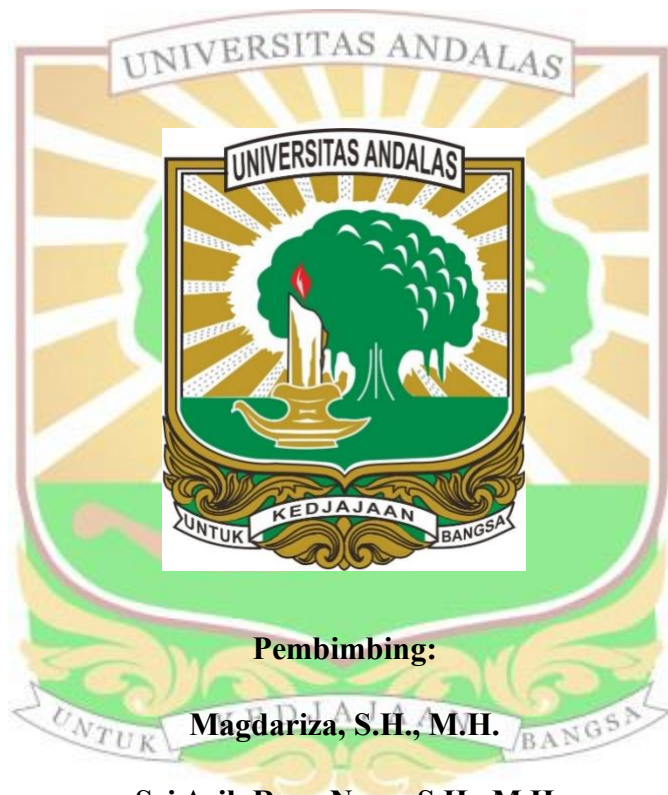
*Diajukan Sebagai Salah Satu Syarat Untuk Memperoleh Gelar Sarjana Hukum
Pada Fakultas Hukum Universitas Andalas*

Oleh :

Daryl Quinn Azzahra Hasnelson

2210113163

Program Kekhususan : Hukum Internasional (PK VI)



Pembimbing:

Magdariza, S.H., M.H.

Sri Asih Roza Nova, S.H., M.H

**FAKULTAS HUKUM
UNIVERSITAS ANDALAS
PADANG
2026**

	No. Alumni Universitas	Daryl Quinn Azzahra Hasnelson	No. Alumni Fakultas
	a. Tempat/Tgl Lahir : Jakarta /02 Juni 2003 b. Nama Orangtua : Hasnelson & Rien Natalia c. Fakultas : Hukum d. PK : Hukum Internasional e. No. BP : 2210113163	f. Tanggal Lulus : 29 Juli 2026 g. Predikat Lulus : Dengan Pujian h. Lama Studi : 4 Tahun i. IPK : 3,64 j. Alamat : Jl. Baru Andalas no 16 A, Kec. Simpang Haru, Kota Padang	

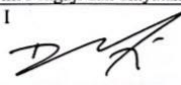
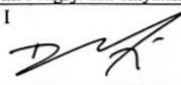
**IMPLEMENTASI ASEAN COMPREHENSIVE INVESTMENT AGREEMENT TENTANG
PENANAMAN MODAL ASING SEKTOR MANUFAKTUR DI INDONESIA DAN VIETNAM**
(Daryl Quinn Azzahra Hasnelson, 2210113163, Fakultas Hukum Universitas Andalas, 130 Halaman, 2026)

ABSTRAK

Penanaman Modal Asing (PMA) sektor manufaktur memiliki urgensi tersendiri bagi kawasan ASEAN sebagai wujud penguatan jaringan produksi kawasan. Indonesia dan Vietnam sama-sama terikat pada ACIA dan membuka sektor manufaktur bagi PMA, namun menunjukkan struktur pengaturan berbeda, menimbulkan persoalan mengenai kepastian hukum investasi tersebut. Penelitian ini merupakan penelitian hukum normatif dengan sifat deskriptif, menggunakan pendekatan perundang-undangan, konseptual, dan komparatif, dianalisis secara kualitatif. Permasalahan hukum yang diteliti meliputi pertama, urgensi PMA sektor manufaktur di kawasan ASEAN ditinjau dari ACIA, kedua, implementasi ACIA terhadap PMA sektor manufaktur di Indonesia dan Vietnam. Hasil penelitian menunjukkan manufaktur memiliki urgensi bagi ASEAN sebagai sarana alih teknologi, penciptaan lapangan kerja, dan penguatan rantai pasok, dijawab ACIA melalui Pasal 3 ayat (3) sebagai sektor pertama liberalisasi investasi. Pengaturan PMA sektor manufaktur di Indonesia tersebar dalam empat instrument UUPM (UU 25/2007 jo. UU 6/2023), UU Perindustrian (UU 3/2014), Perpres Bidang Usaha (Perpres 10/2021 jo. 49/2021), dan PP 28/2025 tanpa norma penghubung yang jelas serta belum memuat larangan umum *performance requirements*. Vietnam memusatkan pengaturannya pada satu undang-undang, *Law on Investment* No. 143/2025/QH15, yang secara eksplisit mengatur hierarki norma, bidang usaha terlarang dan bersyarat, akses pasar, serta larangan *performance requirements*. Perbedaan tersebut menunjukkan persoalan investasi manufaktur Indonesia bukan pada keterbukaan sektornya, melainkan banyaknya instrumen yang harus ditelusuri investor, sehingga diperlukan penyederhanaan pengaturan PMA sektor manufaktur di Indonesia.

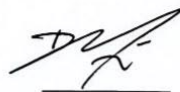
Kata kunci: Implementasi, Penanaman Modal Asing, Sektor Manufaktur, ASEAN Comprehensive Investment Agreement, Indonesia, Vietnam.

Sketsa ini telah dipertahankan di depan Tim Penguji dan dinyatakan lulus pada 29 Juli 2026.

Tanda Tangan	Penguji I	Penguji II
		
Daryl Quinn Azzahra Hasnelson	Dr. Delfiyanti, S.H., M.H.	Dewi Enggriyeni, S.H., M.H.

Mengetahui,

Ketua Departemen Hukum Internasional: Dr. Delfiyanti, S.H., M.H.


Tanda Tangan

Dipindai dengan
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Alumnus telah mendaftar ke Fakultas/Universitas dan mendapat nomor alumnus:

	Petugas Fakultas/Universitas	
No. Alumni Fakultas	Nama:	Tanda Tangan:
No. Alumni Universitas	Nama:	Tanda Tangan:

	No. University Alumni	Daryl Quinn Azzahra Hasnelson	No. Faculty Alumni
	a. Place/Date of Birth : Jakarta /02 nd June 2003 b. Parent's Name : Hasnelson & Rieni Natalia c. Faculty : Law d. Concentration : International Law e. Student ID : 2210113163		f. Graduation Date: July 29 th 2026 g. Pass Predicate : Cumlaude h. Length of Study : 4 years i. GPA : 3,64 j. Address : Jl. Baru Andalas no 16 A, Kec. Simpang Haru, Kota Padang

IMPLEMENTATION OF THE ASEAN COMPREHENSIVE INVESTMENT AGREEMENT ON FOREIGN DIRECT INVESTMENT IN THE MANUFACTURING SECTOR IN INDONESIA AND VIETNAM

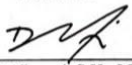
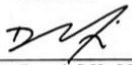
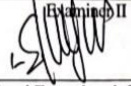
(Daryl Quinn Azzahra Hasnelson, 2210113163, International law, Faculty of Law, Andalas University, 130 Pages, 2026)

ABSTRACT

Foreign Direct Investment (FDI) in the manufacturing sector holds particular urgency for the ASEAN region as a manifestation of strengthening regional production networks. Indonesia and Vietnam are both bound by ACIA and have opened their manufacturing sectors to FDI, yet exhibit different regulatory structures, raising questions about the legal certainty of such investment. This research is a normative legal study of a descriptive nature, employing statutory, conceptual, and comparative approaches, analysed qualitatively. The legal issues examined include, first, the urgency of FDI in the manufacturing sector within ASEAN as viewed through ACIA; second, the implementation of ACIA concerning FDI in the manufacturing sector in Indonesia and Vietnam. The results show that manufacturing holds urgency for ASEAN as a means of technology transfer, job creation, and strengthening supply chains, addressed by ACIA through Article 3(3) as the first sector within the scope of investment liberalisation. Indonesia's regulation of FDI in manufacturing is scattered across four legal instruments Law 25/2007 jo. Law 6/2023 (Investment Law), Law 3/2014 (Industry Law), Presidential Regulation 10/2021 jo. 49/2021 (Business Lines), and Government Regulation 28/2025 without a clear connecting norm, and lacks a general prohibition on performance requirements. Vietnam centralises its regulation in a single law, Law on Investment No. 143/2025/QH15, which explicitly governs the hierarchy of norms, prohibited and conditional business lines, market access, and the prohibition of performance requirements. This difference shows that the issue facing manufacturing investment in Indonesia lies not in sectoral openness, but in the number of instruments investors must navigate, indicating the need to simplify Indonesia's regulation of foreign investment in manufacturing.

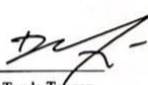
Keywords: Implementation, Foreign Direct Investment, Manufacturing Sector, ASEAN Comprehensive Investment Agreement, Indonesia, Vietnam.

This minor thesis has defended in front of the examiner team at July 29th 2026.

Signature	Examiner I	Examiner II
		
Daryl Quinn Azzahra Hasnelson	Dr. Delfiyanti, S.H., M.H.	Dewi Enggriyeni, S.H., M.H.

Acquainted,

Head of Departement of International Law: Dr. Delfiyanti, S.H., M.H.


Tanda Tangan

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