



LENTERA HUKUM

Volume 5 | Issue 1 | April 2018

Published under auspices of the Faculty of Law and
the Centre for Human Rights, Multiculturalism, and Migration

LENTERA HUKUM is a triannual peer-reviewed open access academic journal which publishes works on all disciplines of law, including cross-disciplinary legal studies. The Journal is published under auspices of the Faculty of Law and the Centre for Human Rights, Multiculturalism, and Migration (CHRM2) at the University of Jember, Indonesia. The objective of the Journal is to provide a leading forum for enhancement of communication between researchers and policymakers on the recent development of law and promote the development of the newly cultivated research fields related to legal issues. The publication in the Journal lays an emphasis on works at the cutting edge of legal conversation which have not been published everywhere. Articles discuss contemporary legal conversations in theoretical, empirical, socio-legal, doctrinal, and comparative studies which are not limited to Indonesian law, but international law and comparative law.

University of Jember Faculty of Law

Established in 1964, it is one of the premier law schools in Indonesia. Its purpose is to be the leading law school in Southeast Asian region in teaching and research. To this end, it extends international partnerships and exchange programmes to bring together the best expertise with many other law schools abroad and has made agreements with law schools in Thailand, Germany, Vietnam, and Malaysia. The Faculty pursues its objectives through publication and cooperation with other institutions and other means.

The Centre for Human Rights, Multiculturalism, and Migration

The Centre for Human Rights, Multiculturalism, and Migration (CHRM2) is a research centre established in 2016 with the ultimate aim to develop multidisciplinary studies at the University of Jember. The vision is to boost the strength of the University of Jember to become a leading global university centred in Southeast Asia through a rigorous research and collaboration. To that end, it organises the Annual International Conference of Human Rights in Southeast Asia and publishes journals, annual books, and reports. For further information, visit chr2.unej.ac.id.

LENTERA HUKUM

Editor-in-Chief

Al Khanif, S.H., M.A., LL.M., Ph.D.
University of Jember

Editors

Dina Tsalist Wildana, SHI, LL.M.
University of Jember

Mirza Satria Buana, S.H., M.H., Ph.D.
Universitas Lambung Mangkurat

Muhammad Bahrul Ulum, S.H., LL.M.
University of Jember

Rosita Indrayati, S.H., M.H.
University of Jember

Associate Editors

Dr. Dyah Octorina Susanti, S.H., M.Hum.
University of Jember

Prisca Listiningrum, S.H., LL.M.
Universitas Brawijaya

Assistant Editors

Misbahul Ilham
University of Jember

Moch. Irfan Dwi Syahroni
University of Jember

Layouter/Design

Noril Camelia
University of Jember

Table of Contents

ARTICLES

- 1 - 15 Solusi Perselisihan Konsulat Jenderal dan Kedutaan Besar Amerika Serikat di Indonesia dengan Staf Warga Negara Indonesia
Eunike Giovani Fernanda, Ida Bagus Oka Ana
- 16 - 26 *Responsibility to Protect* sebagai Bentuk Perlindungan Hak Asasi Manusia di ASEAN
Norilla, Eddy Mulyono
- 27 - 42 Dinamika Sikap Tiongkok Atas Putusan Mahkamah Arbitrase Tetap Internasional Nomor 2013-19 dan Pengaruhnya terhadap Indonesia
Ayu Megawati, Gautama Budi Arundhati
- 43 - 58 Pembentukan Perda Syari'ah dalam Perspektif Hukum Tata Negara Pascareformasi
Erfina Fuadatul Khilmi
- 59 - 70 Pemenuhan Hak atas Informasi Publik sebagai Tanggung Jawab Negara dalam Mewujudkan *Good Governance*
Adam Muhshi
- 71 - 88 Peran Pemerintah Banyuwangi terhadap Bangunan Pinggir Pantai
Khairinisa Nur Firdausyah, Warah Atikah
- 89 - 104 Keterangan Ahli Warga Negara Asing dalam Peradilan Pidana di Indonesia
Vika Ayu Wandari
- 105 - 116 Konsolidasi Komunal sebagai Mitigasi Konflik Agama di Jawa Timur
Abdul Fatah

CASE NOTES

- 117 - 131 Hak dan Kewajiban Suami Istri Akibat Putusan Mahkamah Konstitusi tentang Pembuatan Perjanjian Perkawinan Setelah Perkawinan Berlangsung
Muhamad Lufti Juniarto Ahmad
- 132 - 143 Analisis Pasal 43 Undang-Undang Pengadilan Hak Asasi Manusia dalam Kasus Penghilangan Orang secara Paksa Tahun 1997/1998
Satya Kumarajati
- 144 - 155 Penguasaan Tanah Reklamasi tanpa Alas Hak atas Tanah: Studi Kasus di Desa Taddan Kecamatan Camplong Kabupaten Sampang
Amri Ubaidillah
- 156 - 173 Tanggung Jawab Perdata Notaris terhadap Akta yang Dibacakan oleh Staf Notaris Dihadapan Penghadap
Muhammad Tiantanik Citra Mido, I Nyoman Nurjaya, Rachmad Safa'at