

**PENGATURAN PERUSAHAAN INTERNASIONAL MENURUT HUKUM
INTERNASIONAL DAN HUKUM NASIONAL INDONESIA**

**(Studi Implementasi *Corporate Social Responsibility* di PT Toyota Astra
Motor)**

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ABSTRAK

Kegiatan perusahaan transnasional di negara tuan rumah (*host country*) bisa memberikan dampak langsung pada lingkungan sekitar. Masalah yang masih sering terjadi akibat kegiatan perusahaan transnasional adalah pencemaran lingkungan. Seluruh perusahaan di Indonesia dituntut memberikan informasi yang relevan dan transparan mengenai aktivitas sosialnya kepada publik sesuai dengan hasil pencapaian perusahaan melalui pengungkapan tanggung jawab sosial dan lingkungan atau *Corporate Social Responsibility* (CSR).

Tujuan penelitian ini adalah untuk mengetahui pengaturan perusahaan transnasional dalam hukum internasional dan hukum nasional Indonesia dan untuk menganalisis implementasi *corporate social responsibility* pada PT Toyota Astra Motor sebagai perusahaan transnasional menurut hukum nasional Indonesia. Tipe penelitian yang digunakan adalah hukum normatif dengan metode pendekatan kasus dan pendekatan perundang-undangan. Data yang digunakan yaitu data sekunder dengan pengumpulan data berdasarkan studi kepustakaan dan disajikan dalam bentuk teks naratif dengan metode analisis normatif kualitatif.

Hasil penelitian dalam penulisan ini menunjukkan bahwa pengaturan mengenai *corporate social responsibility* untuk perusahaan asing berdasarkan hukum internasional dapat ditemukan di dalam Norms on the Responsibilities of Transnational Corporations and Other Business Enterprise with Regard to Human Rights 2003, Konvensi Washington 1965, International Covenant on Economic, Social, and Cultural Rights 1966, Draft United Nations Code of Conduct on Transnational Corporations 1983, The Coalition for Environmentally Responsible Economies 1989, International Court of Justice, serta berdasarkan Doktrin Calvo dan Doktrin Hull, sedangkan menurut hukum nasional Indonesia dapat ditemukan antara lain dalam Undang-Undang No. 25 Tahun 2007 tentang Penanaman Modal, Undang-Undang No. 40 Tahun 2007 tentang Perseroan Terbatas, Peraturan Pemerintah No. 47 Tahun 2012 tentang Tanggung Jawab Sosial dan Lingkungan Perseroan Terbatas, serta Peraturan Presiden No. 10 Tahun 2021 tentang Bidang Usaha Penanaman Modal. Kegiatan *corporate social responsibility* PT Toyota Astra Motor meliputi empat aspek yaitu, lingkungan, pendidikan, keselamatan lalu lintas, pengembangan masyarakat dan kontribusi langsung.

Kata Kunci: perusahaan transnasional, tanggung jawab sosial dan lingkungan, negara tuan rumah

**REGULATION OF TRANSNATIONAL CORPORATIONS UNDER
INTERNATIONAL LAW AND INDONESIAN NATIONAL LAW
(Study Implementation of Corporate Social Responsibility in PT Toyota
Astra Motor)**

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ABSTRACT

The activities of transnational corporations in the host country can have a direct impact on the surrounding environment. The problem that still often occurs due to the activities of transnational corporations is environmental pollution. All companies in Indonesia are required to provide relevant and transparent information regarding their social activities to the public in accordance with the company's achievements through the disclosure of Corporate Social Responsibility (CSR).

The purpose of this study is to find out the regulation of transnational corporations in international law and Indonesia national law and to analyze the implementation of corporate social responsibility at PT Toyota Astra Motor as a transnational corporations according to Indonesia national law. The type of research used normative law with the approach method is case approach and statute approach. The data is taken from secondary data with data collection based on a literature study and presented in the form of narrative text with qualitative normative analysis methods.

The result of this research showing that the regulation regarding corporate social responsibility for transnational corporations based on international law can be found in the Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights, the 1965 Washington Convention, International Covenant on Economic, Social, and Cultural Rights 1966, Draft United Nations Code of Conduct on Transnational Corporations 1983, The Coalition for Environmentally Responsible Economies 1989, International Court of Justice, and based on the Calvo Doctrine and the Hull Doctrine, while according to Indonesian national law it can be found, among others, in the Law No. 25 of 2007 concerning Investment, Law No. 40 of 2007 concerning Limited Liability Companies, Government Regulation No. 47 of 2012 concerning Social and Environmental Responsibility of Limited Liability Companies, as well as Presidential Regulation No. 10 of 2021 concerning Investment Business Sector. PT Toyota Astra Motor's corporate social responsibility activities cover four aspects, namely, environment, education, traffic safety, community development and direct contribution.

Keywords: transnational corporations, corporate social responsibility, host country