Legal Preservation for Ship Crew members based on National and International Law (Case Study: Dalian Ocean Fishing Crew)

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Abstract

Crew members are workers on the ship, in their duties and functions in operating and controlling cargo loads in their duties often get a lot of difficulties and which can result in several problems. Such as physical violence, sexual violence so that it can result in many violations that lead to human rights violations. The presence of crew members in the middle of the sea occasionally gets difficulties from the Indonesian government authorities in controlling their work to the safety of the crew members. The research that has been made is aimed at analyzing the protection and rule of law in the scope of national law and international law. This research is very aimed at making a contribution to the State of Indonesia so that it can provide protection in accordance with the provisions of laws that apply nationally and internationally. In international legal conventions, there are various arrangements that should provide legal protection for workers or crew members, which in principle have the context of international legal standards.

Keywords: Preservation, Law, National, International, Crew (ABK).

How to cite:

A. Introduction

Indonesia is an archipelago-based country. With the largest population in the entire country with an area of 3: 1 million km².¹ The potential in the marine sector in fishing is as much as 6.4 million tons per year, so that Indonesian people want to become workers at sea by working on foreign ships. In the ASEAN region, Indonesia's competitors also have competitors in terms of fisheries and marine affairs, which are profitable commodities at sea. With a large area of Indonesia and this is an advantage for Indonesia. With this, other countries have also opened companies that are involved in the territorial sea of their respective territories, regarding fisheries, it is only natural to have workers who are professional and strong in carrying out a job at sea.

According to the International Organization, statistical data on the greatest risk in fisheries work in the sea, especially, are very large, the highest mortality rate in the whole world, apart from aviation and other transportation. The problem with the risk of working on foreign / foreign ships is that most of the victims have received acts of violence on board, as well as being forced to work corrosive in the fisheries sector. There are also those who experience exploitation and victims of human rights violations. Indonesian crew members are among the most abused who experience sexual harassment and exploitation on foreign ships and the pattern is in the form of severance pay that is not in accordance with the work contract agreement as a crew member.

Most of the Indonesian fisheries crew who work on foreign ships long-distance and near the DWF (Distantwater fleet) are mostly owned by foreign countries Taiwan, China and Korea. Based on the results of 2019 data, shipments of crew members reached a total of 7000. In this sector, most of the Indonesian sailors also do not have reliable personnel and professional skills in determining the crew

themselves as workers on board.² A lot of data that mentions the qualification of the assessment through this standardized a system called LG / letter of guaratae. Such as problems in placement that are not in accordance with the contents of the contract Concrete example: A should be placed in the Korean area on the data and the fact is that workers are not placed based on the contract that has been agreed upon, this is an incomplete issue in the legal process so it is difficult to provide assistance to Indonesian crew members who have experienced acts of violence and abuse, exploitation and human rights violations.

Weak legal protection in work contract agreements in marine fisheries and the lack of control function by relevant government agencies regarding companies that are involved in the provision of foreign workers. Many cases found in the weak control function by the Indonesian government are regarding the health of crew members, documents and manipulation of workers' passports by irresponsible elements. The Indonesian government should not immediately send the crew members to work, workers who do not have complete requirements. A protection for the crew of the ship should be a legal basis for the State to provide protection in accordance with the provisions of the applicable regulations. In Law No. 39 of 2004 concerning the placement and protection of workers abroad, this is stated in the preconceived notions. That the majority of Indonesian workers experience violence from foreign ships as well as a lot of human trafficking.³ In fact, the Law contains regulations regarding the protection of Indonesian workers. In accordance with the rules that have been specifically regulated regarding the provision and protection of the crew.

The problem sequence began at the time of the recruitment of crew members of the Long Xing 629 ship from Chinese nationality. The results of the investigation by the Criminal Investigation Unit of the Criminal Investigation Unit of the National Police, that 14 crew members were initially recruited through sponsors to be sent abroad later. The sponsors will connect them to the employment agency. Then it will be sent to Busan, South Korea because the Chinese ship has several branches, including in South Korea. The crew are hired through individual sponsors, after entering they are sent and then the crew are placed to catch fish which will be explained below. A total of 14 Indonesian nationals as crew members in this case were examined on Saturday 9/5 2020 at the Trauma Center (RPTC) shelter in Jakarta. In the statement of the head of the sub-directorate III for General Crimes at the National Police's Criminal and Investigation Agency, Kombes Jhon Weynart Hutagalung, said that he was under investigation when examining the witness's testimony. ABK in the examination. The confirmation of the video was obtained through the Korean language television news, MBC, on Tuesday 5/5 in this information notifying the alleged human rights violations of a number of crew members with Indonesian citizenship on the Long Xing 629 Ship.

In this information, many Indonesian crew members have received acts of violence and treatment that is not taught in national and international law. In the video there is an inhuman act, namely the crew throwing the dead body into the sea in the high seas (burial at sea). The Chinese government has responded to the case against the Indonesian crew members of the Chinese foreign ministry Zhao Lijian. In the information and coordination, the Chinese Government is conducting a deepening based on legal facts. According to Retno, of the 14 Indonesian crew members, they have not received a salary in accordance with the initial contract and working hours that are not in accordance with the agreed standard. Meanwhile the Indonesian government through the Ministry of Foreign Affairs is coordinating with the Chinese authorities to investigate the rules so that the rights of crew members can be fulfilled with the provisions in the initial agreement.⁴ International Organization (ILO) Conventions⁵ No. 188 of

² Sumber Data: Kementraian Kelautan dan Perikanan Republik Indonesia
³ Undang-Undang Republik Indonesia Nomor 39 Tahun 2004 Penempatan Dan Perlindungan Kepada Tenaga Kerja Indonesia Dalam Dan Luar Negeri
⁴ Republika.co.id, available online Oktober, 28 (2020)
⁵ ILO,” Cought at Sea: Forced Labour and trafficking in Fisheries”2013
2007 concerning work and fishing, which in the convention rules have been regulated regarding the feasibility and protection of the crew members themselves.

The chronology of the crew working at Dalian Ocean Fishing Co. Ltd., Zhongson District is the parent of the large port city of China, Lioning Province in the fleet known as tuna fishing, there are 7 vessels:

1. Long Xing 629,
2. Long Xing 806,
3. Long Sing 805,
4. Long Xing 802
5. Tian Yu 8.

The incident of the crew of Indonesian ships being moved by the ship when all were enslaved at first the ship which was the work area of Long Xing 629 when sailing since February 15, 2019, according to information, the ship they boarded went to sea improperly where the time they worked with the crew was not in accordance with the initial agreement where the crew members are employed 1x24 hours for 3 months without rest on the mainland. At that time, the natural conditions were not good (waves) when an accident occurred when Indonesian crew members died, the cause and effect in the explanation were not informed of the causes that resulted in the crew members dying. Sepri is 24 years old, Muhamad alfatah, 19 years old, the two crew members were not allowed to receive medical treatment in the mainland area, as a result, the pain he experienced was up to 1 month long. Various types of diseases, swelling of the face, chest pain and shortness of breath. In a critical situation, alfatah was transferred to the Long Xing 802 ship while the theme remained on the 629 ship.

Here are the names of Victims of violence on foreign ships (Chinese):

**1st victim**
**Name**: Sepri
**Age**: 24 years
**Province**: South Sumatera
**Address**: Ogan Komerling Ilir South Sumatra
**Status**: died on the Long Xing 629 ship on December 21, 2019.

**Second victim**
**Name**: M muhammad Alfatah
**Status**: Died in Long Xing 802

Also died with the disease listed above around December 27, the two Indonesian crew members were thrown into the sea (burial at sea). Then 2 Indonesian crew members died again. At that time all the crew of Long Xing 629 continued their journey to China. All crew members were transferred again to Tian Yu 8 and Long Xing 605 to Busan, South Korea in March 2020.

**Victim 3**
**Name**: Ari
**Age**: 24 years
**Address**: South Sumatra from Ogan Komerling

**Disease**: experiencing serious illness for about 17 days. After there was no medical action, Ari's brother died on March 30, the process was still the same, namely the corpse was thrown into the sea.

Of the crew members who were dumped into the sea, only 1 was taken to Indonesia:

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The 4th victim (returned to Indonesia)

Name: Effendi Pasaribu
Address: North Sumatra burial process in Paheimi II village, West Sorkam sub-district, Tapanuli tengan Regency, North Sumatra. Death date 27 April
Diseases: physical symptoms of shortness of breath and swelling, pain in the body caused by unhygienic food served on the Long Xing ship.

Meanwhile, ship captains and seniors on foreign ships consume hygienic food and drinks. Reports that are mostly related are the physical violence experienced by Indonesian crew members while on a foreign ship working 18 hours or even 48 hours a day.

In an effort to prevent acts of violence against crew members, in this case government policies, there are 2 things that need to be the right steps for the government in overcoming violence against victims of violence, namely: "What are the forms of protection for the rights of crew members who are victims of violence in foreign ships?" 2nd element is as follows: How is the settlement related to violence against Indonesian crew members working on foreign ships?

As an effort to formulate the problem, the writer focuses the problem on things, including: Constraints in the protection process for crew members who work abroad, statutory provisions regarding the protection of crew members or crew members are regulated in national and international laws and government strategic steps to implement comprehensively to improve the quality of protection for cases of crew members. who are victims of the Crime of Human Trafficking.

This study uses a qualitative analysis that adapts to empirical realities and combines with several prevailing theories so that it can be done in order to know more about the collective awareness of the Indonesian government and related government instruments. In this study the authors used a descriptive method. In this discussion, it is to study and describe matters related to the subject matter listed above. First, in studying the author will provide an overview of regulations including national law and international law. In this study the authors focus on the dynamics and conditions that occur. Next in this study the author looks at various problems or cases related to crew members in the fisheries sector. In accordance with the identification results regarding this matter, the focus point will provide studies and contributions to strategies in an effort to provide protection and rights of crew members who work abroad in the fisheries sector.

B. Discussion

1. Legal Protection for Indonesian Ship Crew members based on National Law

   a. Based on 1982 UNCLOS

   The United Nations Convention on the Law of the Sea (UNCLOS) 1982 gave birth to a regulation on the law of the sea:

   1) Inland (International Waters)
   2) Archipelagic Waters in which there are international voyages in its scope.
   3) Territorial
   4) Contiguous Waters
   5) EEZ
   6) Continental Shelf
   7) High Seas
   8) International Sea Bed Area

   Regarding the interior or (internal waters) is a part of the waters in the territorial territory of a State. Like the interior in the State of Indonesia which is regulated through the regulation of Law No. 6 of

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1996 on Indonesian waters. Haka as well as an obligation for the status of the interior rests entirely with the State of Indonesia. In this case, the State of Indonesia has not fully regulated the territorial waters and hinterlands with identification. Indonesia should be obliged to provide security and safety to shipping which includes international International Ship and port Facility security (ISPS) Code that must be adopted is the International Maritime Organization (IMO) dated 12 December 2002 The convention is contained in chapter II of the 1982 maritime law entitled Territorial sea and Contiguous zone "in articles 2 to 32. The rights and obligations of Indonesia and the current territorial sea.

In accordance with the decision to issue Law No. 35, the DFW National Coordinating Body classifies factors that cause weakness in legal protection as well as obstacles that the regulation is still partial, so the regulatory process is not well structured. From the actual data, Indonesian workers who work on foreign ships, the State should be obliged to provide protection to its citizens, the compilation of government instruments is still not synchronized in the issue of the division of authority of the relevant institutions authorized in managing. In order to be in accordance with the mechanisms in each of the relevant authorities. In the issuance of Law No. 40 of 2007 concerning the company Law No. 17 of 2008 concerning shipping Law No. 18 of 2017 concerning the protection of migrant workers to date the derivative of this Law still makes the relevant authorities (institutions) have not provided the suitability of rights and authorities each institution, so that the mismatch cannot run effectively.

b. Employment agency

The weak control function of the government regarding agencies that have a forum for recruiting manning agencies in various regions in Indonesia is based on the establishment of these agencies. There are regulations that underlie Law No. 40 of 2007 on limited liability companies. Law No. 84 of 2003 concerning recruitment. The law as an agency relies on the implementation of the law which becomes the legal basis. The basis of the rules for the protection of crew members is not in accordance with the provisions of the law, namely regarding the implementation of interests so that the government's control function is weak against crew members who work on foreign ships.

There needs to be a synchronization of the rules that refer to the protection of Indonesian crew members who work on foreign ships. This should be a measure for the government to implement it in the field. There should be an adjustment to the administrative and technical standards of this issue, as well as an obligation so that workers get optimal protection from the government. With the existence of an optimal legal umbrella, if it can provide full protection to ABK, even though Permen No. 35/2015 on human rights certification. In the case that the Indonesian government regulation should prioritize domestic fisheries, so that the protection function for foreign ships and crew members has not been prepared until now.

According to the statutory provisions against human trafficking, slavery is a form of exploitation of humans. This is stated in Article 1 Number 7 as follows: Exploitation is an act without the consent of the victim which includes but is not limited to prostitution, forced service or similar practices or illegally removing or transplanting human beings, reproduction / other body tissues or utilizing physical person to get material and immaterial benefits. Article 2 of Law Number 2007 confirms that; Anyone who requests the recruitment, delivery, threat of violence, abuse of power and exploits people in the State of Indonesia, shall be sentenced to a minimum of 3 years, a maximum of 15 years in prison and a fine of Rp. 600,000,000.- (six hundred million rupiah).

2. Legal protection for crew members based on international law

International legal provisions governing slavery are regulated in general conventions of international organizations, among others; Article 1; That every member of International labor is obliged to abolish any form of compulsory forced labor. Section 2; Each member is obliged to ratify in accordance with the applicable provisions above. Article 3; Ratification of the convention is conveyed
in accordance with the director of the International Labor General Office. Article 4; (1) The Convention may be binding on members of international workers' organizations; (2) The Convention may enter into force in accordance with 12 months after completion of ratification; (3) Enter into force in accordance with 12 months after ratification. Then Article 5 through Article 10.

The issue regarding the fulfillment of restriction rights has not been clearly regulated, and there are several problems regarding the regulatory mechanism in fact there is no guarantee of confiscation, only in the form of imposing a sentence and improper administration related to restitution regarding victims of the Crime of Trafficking in Persons. To provide efforts to fulfill the government's rights through a presidential regulation issuing Law No. 69 of 2008 concerning the Crime of Trafficking in Persons, the implementation in article 58 paragraph (7) concerning the Eradication of the Crime of Trafficking in Persons.

The first regulation is Law No. 39 of 2004 concerning the Placement and Protection of Indonesian Domestic and Foreign Workers, based on the regulations made in the provisions of the Legislations that have not been able to provide the rights of ABK in an effort to prevent it, including; Strategies in the Crime of Trafficking in Persons, Socialization, Monitoring of victims, namely rehabilitation, Law Enforcement and Control Functions. In obtaining a protection in accordance with international regulatory standards it is necessary to be based on the existence of a binding agreement between the crew and the owner of the ship. So that with the many problems that occur to the crew, the Indonesian government makes a special rule in which every Indonesian citizen who wants to become a crew or crew is required to have a human rights certificate, in essence to provide protection in accordance with the provisions for the safety of the crew ship.

The second (second) regulation is the driving motto in increasing the specifications of each industry to carry out certification from the ministry related to marine and fisheries. Law No. 2 of 2017 concerning procedural human rights certification in fisheries in the regulation in Permen No. 42 of 2016 concerning Sea Work Agreements for Boat Crew and Fisheries. Provisions and rights and rules, government institutions also regulate welfare as well as provisions which in principle are outlined in the form of Law No.17 of 2008 in Article 151, namely, "crew members have the right to receive their rights in accordance with applicable provisions, including; Salary, health insurance, food and beverages, and insurance. Government Regulation No.7 of 2000 Article 21 stipulates that ABK are given 8 (eight) hours of working time as well as Sundays and holidays, rest time is at least 10 hours from 24 hours. The age limit of 18.19 years does not work more than the standard provision of 8 hours.

The cases of slavery that often occur on foreign ships against ship crew members, ironically, in the contract they are paid USD 120, equivalent to IDR 1.7 million while those who do not receive wages properly under contract agreements with foreign ships are paid and some are not pay. In their respective jobs, there are 13 months and 14 months of work. During 1 month the work process, the rights of ABK in receiving wages were not given by the Kepten on the grounds of administrative deductions. Based on the provisions as well as the obligations of the ABK are not charged with any deductions. The fact found in the investigation that before the departure of the crew members, at least they have to give money to brokers / agencies varying from Rp. 800 to 5 million rupiah. This is a criminal offense in recruiting crew members as migrant workers. This is where the control function of weak government institutions.

The provisions of 28G of the 1945 Constitution, are:

1) "Everyone has the right to protection of personal, family, honor, dignity and property under his control, and the right to a sense of security and protection from the threat of fear to do or not do something that is a human right."

2) "Everyone has the right to be free from torture or other degrading treatment and is entitled to political asylum from other countries."
Article 28I of the 1945 Constitution reads: (1) “Right to life, right not to be tortured, right to freedom of thought and conscience, right to religion. The right not to be enslaved, the right to be recognized as a person before the law, and the right not to be prosecuted on the basis of retroactive law are human rights that cannot be reduced under any circumstances.” Paragraph (1) of Article 28I, provides an illustration that there are human rights that cannot be distorted or cannot be derogated. The right not to be enslaved becomes a right that cannot be deviated, in contrast to the right to express an opinion that can still be derogated. The government as the captain in state administration is obliged to be responsible for the protection, advancement, enforcement and fulfillment of human rights.

A convention governing slavery on foreign ships:
1) Slavery Convention (1926): International agreement, the elimination of slavery
2) ILO Convention (No. 29) concerning Forced or Compulsory Labor (1930): The slavery convention 1926 covers forced labor.
3) Universal Declaration of Human Rights (1948) (article 4)
4) The International Covenant on Economic, Social, and Cultural Rights.
5) Protocol amending the Slavery Convention signed at Geneva on September 25, 1926 (1953)
6) Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956)

Among other forms of slavery in the fisheries sector:
1) Do not have a binding agreement between the crew and ship owners
2) The terms of severance pay do not match the contents of the contract
3) The working time provisions are not in accordance with the regulations
4) Torture
5) The provisions of the crime procedure
6) The function of controlling the safety of air workers from the government
7) Children are not of age enough to be employed

The provisions of the slavery law violated human rights seriously. In provision I of the Preamble of the 1945 Constitution, Article 4, Article 20 of Law No. 39 of 1999 concerning Human Rights Article 2 of Law No. 2 of 2007 on human trafficking, Law No. 13 of 2003 concerning Manpower, and the Fisheries Law. The establishment of FAO since 2007 ILO Convention 188 of 2007 concerning Work in Fishing, which has led to new regulations, namely the terms of service to crew members; accommodation and food; health and work safety protection.

3. Law Enforcement for Dalian Ocean Fishing crew members based on National Law and International Law

The international cooperation relationship related to the protection and handling of cases of crew members in the fisheries sector, the Indonesian government actually monitors the ratification process of the ILO 188, facilitates the strengthening of internal and international memoranda of understanding organizations, strengthens cooperation with other countries to monitor Indonesian crew members working in Indonesia, foreign ships, law enforcement networks in international organizations, optimize the contents of shipments in the national and international level of crew members through like-minded countries. Like trans-border crimes ... within this framework there is a need for strengthening (MCN) and mutual legal assistance (MLA). As well as on a regional scale encouraging the contents of TPPO ABK in the fisheries sector as a transnational crime.

In addition, it is necessary to improve regulations in the Indonesian government regarding the management and process of law enforcement. More and more cases are happening that the Indonesian government will immediately issue a PP according to the mandate of article 64 of Law No. 18 of 2017 concerning the protection of Indonesian Migrants. The government should ratify ILO C-188 concerning
work in fishing conventions to regulate all forms of protection for every crew member working on foreign ships.

Conventions governing slavery that occurred on foreign ships, among others:

1) Slavery Convention (1926): International agreement, the elimination of slavery
2) ILO Convention (No. 29) concerning Forced or Compulsory Labor (1930): The slavery convention 1926 covers forced labor.
3) Universal Declaration of Human Rights (1948) (article4)
4) The International Covenant on Economic, Social, and Cultural Rights.
5) Protocol amending the Slavery Convention signed at Geneva on September 25, 1926 (1953)
6) Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956)
7) The forms of slavery in the fisheries sector that have occurred include:
8) Do not have a binding agreement between the crew and ship owners
9) The terms of severance pay do not match the contents of the contract
10) The working time provisions are not in accordance with regulations
11) torture
12) the provisions of the crime procedure
13) the function of controlling the safety of air workers from the government
14) Children are not of age enough to be employed

The provisions of the slavery law violated human rights seriously. In provision I of the Preamble of the 1945 Constitution, Article 4, Article 20 of Law No. 39 of 1999 concerning Human Rights Article 2 of Law No. 2 of 2007 on human trafficking, Law No. 13 of 2003 concerning Manpower, and the Fisheries Law. The establishment of FAO since 2007 ILO Convention 188 of 2007 concerning Work in Fishing, which has led to new regulations, namely the terms of service to crew members; accommodation and food; health protection and work safety. International law contains several international rules and treaties. The contents of the agreement are known as several conventions that govern the rights and protection of ship crew. The United Nations (UN) has 3 specific arrangements for human trafficking, including; Activities, Means and Objectives. 8

The ILO convention was formed as an organization that is against human rights violations, and provides an effective impact and protects and provides health insurance for workers on foreign ships. ILO No. 188 Year 2007 was created in order to minimize violence that occurs on board, especially for crew members. According to the convention, there are regulations concerning the health and safety sector for workers and it is mandatory for a ship captain. In article 8, paragraph 2, the implementation of various things happened. The case of the Gorontalo crew, Arlan Mobilango, who was treated inhumanely by the captain of the foreign boat, causing damage to the crew's ear. Recommendations for work in fishing Convention in 2007, in principle, it is mandatory for State members participating as members to obey regulations in particular regarding the safety of technical feasibility through vessels and the stability of fishing vessels.

Protection of crew members is the responsibility of the Indonesian government in accordance with Law No. 21 of 2007 concerning the Crime of Trafficking in Persons, seen from various aspects of the protection of the State for Indonesian crew members in article 1 states that the Crime of Trafficking in Persons is regulated under the Law. Therefore, there are constructive steps in eradicating the Crime of Trafficking in Persons, emphasizing the regulation of the agreement:

1) Ratification of the United Nations Transnational Funding Convention (UNTOC) Law No. 5 of 2009

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2) Ratification of protocols to minimize TIP through Law No. 14 of 2009
3) Human trafficking across transnational
4) ASEAN region through forums.

According to 2014 data, there were 142 Indonesian citizens overseas who were victims of the crime of trafficking in persons abroad, totaling 4,227,383 people. People who are exploited so that they become victims of violence are indicated by several things:
1) Legal recruitment
2) Sexual violence
3) Dangerous work
4) Physical violence due to psychological impact
5) Discrimination
6) Marginalization
7) Economy

Based on data from the Ministry of Foreign Affairs for the Asian region, there were 3,363,220 people. Several factors that cause indications to befall victims of violence are problems of destination, difficulty in adapting, domestic workers. The sub-directorate in supervision includes overseeing and handling public services in areas that have been divided according to overseas work areas to provide protection in accordance with applicable regulations. These services include health facilities, providing general information and other accessories as well as picking up human trafficking victims and other transnational crimes. Meanwhile, the Government Constraints faced by the government are the inadequate coordination between related agencies and the inadequate law enforcement in the country as well as inadequate control functions in supervision.

C. Conclusion

Political will and the strong will of the government to improve governance and good legal certainty in protecting Indonesian crew members who work on foreign ships. As well as establishing and improving databases for Indonesian migrant workers, namely crew members, so that the database can be used as a reference for coordination with related institutions and the supervisory function runs constructively. Procedures based on good protection for crew members must be transparent through a one-door mechanism, under the supervision of the Ministry of Manpower as the licensing agency.

Strengthening, providing legal protection to ship crews in accordance with Government Regulations, the Minister in Law 18 of 2007 and the ratification of international instruments through (ILO) by the Ministry of Manpower as the main regulator. To be able to maximize the need for the government to carry out rapid investigations into cases of slavery and torture involving all related institutions. As well as encouraging ASEAN Institutions. In this case, institutional institutions related to the Ministry of Foreign Affairs and Home Affairs need to provide a control function over security for crew members through regulation. Law No. 39 of 2004 and Law No. 13 of 2003 concerning Manpower. Meanwhile, in international regulations, there is the ILO Convention No. 188 of 2007

For this reason, proper action is needed in handling by the government in the marine sector, the existence of a cooperative relationship and implementing a control system in every company that recruits workers in the maritime sector of these crew members which is a problem of weak control function, weak law enforcement by the Indonesian government so that the case slavery, torture are never separated from the Indonesian State.

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