

## **PERTANGGUNGJAWABAN KORPORASI TERHADAP ANAK BUAH KAPAL INDONESIA DI KAPAL IKAN ASING BERDASARKAN *THE ILO WORK IN FISHING CONVENTION 188***

### **INTISARI**

Oleh

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Penelitian ini bertujuan untuk mengetahui dan menganalisis pertanggungjawaban korporasi terhadap anak buah kapal Indonesia di kapal ikan asing berdasarkan *the ILO Work in Fishing Convention 188*, dan juga bertujuan untuk menganalisis perlindungan hukum terhadap ABK Indonesia yang bekerja di kapal ikan asing.

Penelitian ini merupakan penelitian hukum normatif, yang menggunakan data sekunder. Data sekunder yang digunakan terdiri dari bahan hukum primer, sekunder dan tersier. Penelitian ini mengkaji peraturan perundang-undangan Indonesia terkait dengan perlindungan dan pertanggungjawaban korporasi terhadap ABK Indonesia di kapal ikan asing berdasarkan *the ILO Work in Fishing Convention 188*.

Penelitian ini memiliki dua kesimpulan, kesimpulan pertama memperlihatkan bahwa perlindungan terhadap ABK Indonesia yang bekerja di kapal ikan asing masih lemah. Kerangka hukum nasional yang ada belum mengatur secara komperhensif terkait tata kelola penempatan dan perlindungan ABK Indonesia di kapal ikan asing. Indonesia perlu meratifikasi *the ILO Work in Fishing Convention 188* dan mengakomodir ketentuan konvensi tersebut ke dalam peraturan perundang-undangan. Selanjutnya, kesimpulan kedua menunjukkan bahwa, berdasarkan *the ILO Work in Fishing Convention 188*, korporasi bertanggungjawab atas pemenuhan hak ABK, repatriasi, keselamatan dan kondisi kerja yang layak di atas kapal. Konvensi ini membebankan tanggung jawab besar kepada negara bendera untuk membentuk regulasi, pengawasan, dan penegakan hukum.

**Kata Kunci:** Pertanggungjawaban Korporasi, ABK Indonesia di Kapal Asing, *the ILO Work in Fishing Convention 188*.

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## **CORPORATE RESPONSIBILITY TOWARDS INDONESIAN CREWS ON FOREIGN FISHING VESSELS BASED ON ILO WORK IN FISHING CONVENTION 188**

### **ABSTRACT**

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This research aims to analyze corporate responsibility and legal protection towards Indonesian crews on foreign fishing vessels based on ILO Work in Fishing Convention 188.

This research is a normative legal research, which uses secondary data. Secondary data consist of primary, secondary, and tertiary legal materials. This research examine laws and regulations related to the corporate responsibility and legal protection towards Indonesian crews on foreign fishing vessels.

This research has two conclusions. First, it is shows that protection towards Indonesian crews on foreign fishing vessels is still weak. Indonesian legal framework has not regulated the placement and protection towards Indonesian crews on foreign fishing vessels yet. The ratify the ILO Work in Fishing Convention 188 is required by Indonesia. Second, based on ILO Work in Fishing Convention 188, corporations are bound to fulfill the rights of fishing crew members, repatriation, and to create safety and decent working conditions toward fishing vessel crew members. ILO Work in Fishing Convention 188 provide heavy responsibility on states to form national regulations, supervision, and enforcement. Corporate responsibility for labor and human rights violation towards Indonesian fishing vessel crew member only in the form of restitution and administrative sanctions.

**Keywords:** Corporate Responsibility, Fishing vessel crew member, The ILO Work in Fishing Convention 188.

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