

**DETERMINAN OKI: PROSPEK RESOLUSI KETENAGAKERJAAN
AZERBAIJAN BAGI PERLINDUNGAN PEKERJA MIGRAN
INDONESIA DI NEGARA ANGGOTA OKI
(Saudi Arabia, Malaysia, Qatar)**

INTISARI

Melisa Towadi¹ Agustinus Supriyanto²

Penelitian ini bertujuan, pertama, untuk mengkaji sejauh mana peran, kecenderungan, pengaruh Organisasi Kerjasama Islam (OKI) dalam melindungi pekerja migran Indonesia di negara-negara anggotanya. Kedua, menganalisis implementasi peraturan Hukum Internasional dalam hal ini Resolusi Ketenagakerjaan Azerbaijan OKI dan prospeknya bagi pekerja migran Indonesia yang berada di Saudi Arabia, Malaysia dan Qatar.

Penelitian ini merupakan penelitian yuridis normatif, yaitu penelitian yang pokok kajiannya adalah hukum yang dikonsepkan sebagai norma atau kaidah yang berlaku, baik yang terdapat dalam peraturan perundang-undangan nasional dan internasional dengan menggunakan alat kepustakaan. Selanjutnya bahan hukum yang terkumpul dalam proses penelitian dianalisis berdasarkan pendekatan kualitatif (*qualitative approach*) dan pendekatan undang-undang (*statute approach*).

Hasil penelitian menunjukkan bahwa pertama, Determinasi OKI terhadap perlindungan pekerja migran Indonesia ditegaskan pada kapasitas OKI tidak hanya mengeluarkan “Resolusi Ketenagakerjaan Azerbaijan” melainkan OKI telah menerbitkan *Cairo Declaration* (Deklarasi HAM Kairo) hingga membentuk komisi IPHRC (*Independent Permanent Human Rights Commission*) sebagai peraturan baku perlindungan pekerja migran di negara anggotanya. Kedua, implementasi resolusi ketenagakerjaan Azerbaijan di Saudi Arabia, Malaysia dan Qatar adalah berupa upaya pemberdayaan sumber daya (*empowerment resources*) pekerja migran dengan cara *indirect protection* (melalui pendidikan, pelatihan, sosialisasi, penelitian dan pengembangan) yang memiliki prospek cukup baik bagi Indonesia dalam melindungi pekerja migrannya meskipun tidak signifikan.

Kata kunci: OKI, resolusi ketenagakerjaan Azerbaijan, pekerja migran, negara anggota

¹ Mahasiswa Magister Ilmu Hukum angkatan 2013 Fakultas Hukum Universitas Gadjah Mada (UGM) Yogyakarta.

² Dosen Fakultas Hukum Universitas Gadjah Mada (UGM), bidang keilmuan Hukum Internasional.

**DETERMINANT OF THE OIC: PROSPECTS OF THE AZERBAIJAN
EMPLOYMENT RESOLUTION FOR PROTECTION OF INDONESIAN
MIGRANT WORKERS IN THE OIC MEMBER STATES
(Saudi Arabia, Malaysia dan Qatar)**

ABSTRACT

Melisa Towadi³ Agustinus Supriyanto⁴

This research aims, firstly, to examine the extent to which the role, the tendency, the influence of the Organization of Islamic Cooperation (OIC) to protect Indonesian migrant workers in that member states. Second, to analyze the implementation of the rules of international law in this regard the OIC's Azerbaijan Employment Resolution and its prospects for Indonesian migrant workers in Saudi Arabia, Malaysia and Qatar.

This research is normative juridical, which is basic research study is conceived as legal norms or rules applicable, both contained in national legislation and international by using literature. Further legal materials collected in the research process is analyzed based on qualitative approach and approaches the law (*statute approach*).

The results showed that the first, Determination of the OIC to the protection of Indonesian migrant workers confirmed the capacity of the OIC not only issued a "the Azerbaijan Employment Resolution" but the OIC has issued the Cairo Declaration to establish a commission IPHRC (*Independent Permanent Human Rights Commission*) as a regulatory standard protection of migrant workers in the member states. Second, the implementation of the resolution of labor Azerbaijan in Saudi Arabia, Malaysia and Qatar is a form of empowerment resources migrant workers by means of indirect protection (through education, training, dissemination, research and development) that has prospects good enough for Indonesia to protect migrant workers although not significant.

Keywords: the OIC, the Azerbaijan employment resolution, migrant workers, member states

³ Postgraduate Student of Master of Law class of 2013, the Faculty of Law, Gadjah Mada University in Yogyakarta.

⁴ Lecturer of the Faculty of Law, Gadjah Mada University scientific field of International Law.