

Pengaturan mengenai penumpang indisipliner (unruly/disruptive passenger) dalam penerbangan sipil internasional dalam hukum internasional dan penerapannya di beberapa negara = Regulation on unruly/disruptive passenger in international civil aviation in international law and its implementation in some countries

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Abstrak

Skripsi ini membahas pengaturan mengenai penumpang indisipliner di dalam tiga instrumen hukum internasional, yaitu Konvensi Tokyo 1963, Annex 17 Konvensi Chicago 1944, dan peraturan yang dikeluarkan oleh ICAO, ICAO Guidance Material on the Legal Aspects of Unruly/Disruptive Passengers, serta penerapannya di dalam praktik legislasi nasional negara Amerika Serikat, Inggris, dan Indonesia dengan mengambil beberapa studi kasus. Melalui perbandingan penerapan hukum terhadap beberapa studi kasus penumpang indisipliner di ketiga negara tersebut, diharapkan dapat ditemukan praktik terbaik (best practices) dalam hal penanganan penumpang indisipliner dalam penerbangan sipil internasional. Penelitian dalam skripsi ini dilaksanakan dalam bentuk penelitian hukum yuridis-normatif. Hasil penelitian menyarankan agar otoritas penyelenggara penerbangan sipil, dalam hal ini Direktorat Jenderal Kementerian Perhubungan Republik Indonesia dapat menyusun suatu prosedur khusus untuk menangani penumpang indisipliner dalam dunia penerbangan sipil di Indonesia.

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This thesis discusses the regulation on unruly/disruptive passengers in three instruments of international law, namely the Tokyo Convention 1963, Annex 17 of the Chicago Convention of 1944, and the regulations issued by ICAO, ICAO Guidance Material on the Legal Aspects of Unruly/Disruptive Passengers, as well as its application in national legislation practices in three countries, United States, United Kingdom, and Indonesia, by comparing several case studies. Through the comparison of the application of the law to the unruly/disruptive passengers based on the case studies in those three countries, it's expected to find best practices in terms of handling the unruly/disruptive passengers in the international civil aviation. This thesis research method is conducted in the form of juridicalnormative legal research. The result of this thesis suggests the Indonesia national civil aviation authority, in this case the Directorate General of Civil Aviation of the Ministry of Transport of the Republic of Indonesia, establish a special procedure in terms of handling the unruly/disruptive passengers in Indonesia.