

Implementasi international convention on the protection of the rights of all migrant workers and members of their families 1990 dalam perlindungan hak-hak buruh asing dalam perundang-undangan di Indonesia = Implementation of international convention on the protection of the rights of all migrant workers and members of their families 1990 in the protection of foreign worker in Indonesia law

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Abstrak

Skripsi ini memberikan penjelasan yang komprehensif mengenai bagaimana peraturan yang diatur dalam International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families mengenai pekerja migran di suatu negara, dan memberikan penjelasan bagaimana pengaturan tenaga kerja asing berdasarkan ketentuan perundang-undangan yang berlaku di Indonesia (UU Ketenagakerjaan), berikut dengan penerapan dari kedua instrumen tersebut terhadap studi beberapa kasus tenaga kerja asing yang terjadi di Indonesia. Dalam melakukan penelitian ini, Penulis melakukan studi literatur dan wawancara ke beberapa pihak diantaranya yaitu Kementerian Tenaga Kerja dan Transmigrasi, dan Kantor Imigrasi.

Hasil penelitian ini mengungkapkan bahwa International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families belum diimplementasikan secara maksimal dalam ketentuan mengenai ketenagakerjaan di Indonesia (UU Ketenagakerjaan). Hal ini dikarenakan masih ada beberapa isi Konvensi yang belum diterapkan, dan belum dilakukan pengawasan terhadap penerapannya. Oleh karena itu diperlukan kajian lebih lanjut mengenai implementasi Konvensi dalam UU Ketenagakerjaan di Indonesia.

.....This mini-thesis is to give a comprehensive explanation on how the rules set out in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in the country, and provides information about how foreign workers is set up based on statutory provisions that apply in Indonesia (Law of Workers), as well as the application of both instruments on studying of foreign worker cases that happens in Indonesia. In conducting this research, the author do some literature review and interviews were held with representatives from the Indonesian Ministry of Manpower and Transmigration, and Immigration Office.

The results of the study have shown that International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families has not been implemented to the statutory provisions of employment in Indonesia (Law of workers). This is because there are still some of the Convention that have not implemented, and has not performed oversight of its implementation. The results recommend in-depth review is needed to make sure that the Convention is well- implemented on Law of Workers Indonesia.