

SUMMARY

Widad Muhammad Khaitam, International Law, Faculty of Law, University of Brawijaya, November 2014, Review of Law on Agreement The Placement And Protection of Indonesian Domestic Workers Between Republik of Indonesia With Saudi Arabian in The Legal Protection of Indonesian Migran Workers In Saudi Arabia, Iknangtyas, SH. LLM, Dr. Patricia Audrey, SH. Mkn.

In this thesis, the author raises the issue of legal review of the agreement the placement and protection of Indonesian domestic workers between the Republic of Indonesia and Saudi Arabia. The choice of the theme based by made agreement the placement and protection of Indonesian domestic workers between Indonesia and Saudi Arabia on 19 February 2014. after the agreement made, the number of Indonesian migrant workers in Saudi Arabia who have problems in August 2014 to 630 cases. With the establishment the agreement should have been Indonesian migrant workers in Saudi Arabia are protected rights.

Based on the above, this thesis raised the formulation of the problem: (1) why agreement the placement and protection of Indonesian Domestic have binding force based the International Treaty Law? (2) what form the legal protection of Indonesian migrant workers in Saudi Arabia based on Agreement the Placement and Protection of Indonesian Domestic Workers between the Government of Indonesia with Saudi Arabia has been opimized?

Then the writing of this thesis uses with method of the normative juridical approach legislation (statue approach) and comparison (comparative approach). Primary legal materials, secondary and tertiary obtained by the author will be analyzed by using the comparative interpretation is to compare the laws in force in some countries or national law as well as international conventions and the opinions of legal experts, which is used as a reference in resolving legal issues that become the object of study.

From the results of research to the above method, the authors obtained answers to existing problems that agreement the placement and protection of Indonesian domestic workers have binding legal force. Because the making process until with entry into force in accordance with arrangements contained in the Vienna Convention of 1969 on international treaties and Law No. 24 of 2000 on International Treaties. While in terms of legal protection of migrant workers in Saudi Arabia, agreement the placement and protection of Indonesian domestic workers to provide protection in the recruitment, employment contract standards, control, consular assistance, document storage, insurance, and transportation facilities. However, the agreement still has flaws in providing legal protection for workers. Drawbacks include the lack of a guarantee of Indonesian migran workers on physical violence or torture, slavery, health, the right to organize and handle overstayers and die. therefore the agreement is not given legal protection to the maximum by the presence of Indonesian migrant workers in trouble until the Month in August 2014 as many as 630 cases.