



UKI
UNIVERSITAS KRISTEN INDONESIA

Master of Law Students

Class of 2023

Coordinator: Dr. Manotar Tampubolon

International
Conference

Report

Foreword

This report contains International Conferences attended by Master of Law Students of Universitas Kristen Indonesia Jakarta, class of 2023. The conference is part of the research methods course where students are required to make abstracts, submit to the conference committee, present each paper at the conference and submit full papers for international proceedings. It is expected that the following new students contribute to international conferences to increase and share knowledge with academics from other countries.

Jakarta, June 14, 2023

Class of 2023

International Conference Coordinator: Dr. Manotar Tampubolon

Students Class of 2023

| | | | |
|----|------------|------------------------------------|-------------------------------------|
| 1 | 2202190079 | PARAMESHEILA THALIA | <input checked="" type="checkbox"/> |
| 2 | 2202190081 | BENYAMIN PURBA | <input checked="" type="checkbox"/> |
| 3 | 2202190082 | NATALIS NIBENAMA | <input checked="" type="checkbox"/> |
| 4 | 2202190083 | DIAN ANGGRAINI | <input checked="" type="checkbox"/> |
| 5 | 2202190084 | DIAN APRILIA RYETANTY | <input checked="" type="checkbox"/> |
| 6 | 2202190085 | PARLINDUNGAN SURYANTO | <input checked="" type="checkbox"/> |
| 7 | 2202190087 | WEBI ACHMAD RIVALDI | <input checked="" type="checkbox"/> |
| 8 | 2202190088 | LAWRENCE AVERINO MAGISTRATE TORANG | <input checked="" type="checkbox"/> |
| 9 | 2202190089 | PRICILIA DWI ANGGRENI PUTRI | <input checked="" type="checkbox"/> |
| 10 | 2202190090 | ROBBIN MATHESTA | <input checked="" type="checkbox"/> |
| 11 | 2202190091 | ALITISON | <input checked="" type="checkbox"/> |
| 12 | 2202190092 | ACHMAD REZKI MARDANI | <input checked="" type="checkbox"/> |
| 13 | 2202190093 | YIMMY OCTAVIAN YAPRI | <input checked="" type="checkbox"/> |
| 14 | 2202190094 | IDUL FITRI KUENGSIRAIT | <input checked="" type="checkbox"/> |
| 15 | 2202190095 | LAMGOK HERYANTO | <input checked="" type="checkbox"/> |
| 16 | 2202190096 | M. HIDAYAT BUDIARTO | <input checked="" type="checkbox"/> |
| 17 | 2202190097 | SURURI | <input checked="" type="checkbox"/> |
| 18 | 2202190099 | PATRICIA | <input checked="" type="checkbox"/> |
| 19 | 2202190101 | SAIBUN MANURUNG | <input checked="" type="checkbox"/> |
| 20 | 2202190102 | CHRISTIA ELITA TARAUDU | <input checked="" type="checkbox"/> |
| 21 | 2202190104 | OKKY SAPUTRA | <input checked="" type="checkbox"/> |
| 22 | 2202190106 | JESICA CHRISTI | <input checked="" type="checkbox"/> |
| 23 | 2202190108 | NERO MIKA HASAKI | <input checked="" type="checkbox"/> |
| 24 | 2202190110 | MARIA PATRICIA | <input checked="" type="checkbox"/> |
| 25 | 2202190605 | YOHANES PELEALU | <input type="checkbox"/> |

CONFERENCES

- VII th - SUMMIT INTERNATIONAL SYMPOSIUM OF TURKIC WORLD SOCIAL SCIENCE CONFERENCE, JUNE 2-4, 2023 PRAGUE – CZECH REPUBLIC.
- ANKARA INTERNATIONAL CONGRESS ON SCIENTIFIC RESEARCH, JUNE 9-11, 2023, ANKARA – TURKIYE.

Abstract Conference

THE EFFECTIVENESS OF CRIMINAL SANCTION AGAINST ILLEGAL TIN COLLECTOR COMPANIES IN SOUTH BANGKA REGENCY INDONESIA

Parlindungan Suryanto^{1*}, Saibun Manurung², Achmad Rezki Mardani³, Christia Elita⁴, Pricilia Dwi Anggaraeni Putri⁵

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Abstract

*According to Article 1 paragraph (3) of the 1945 Constitution, Indonesia is a constitutional state. All society lives based on rules and regulations, both written and unwritten rules. All These rules must be strictly adhered to. Mining without a permit (MWP) is basically a crime against state property in the form of theft of minerals due to ignoring mining provisions and other related provisions. The existence of MWP activities has almost spread to all potential mineral and coal areas in Indonesia. As a result of the activities of unconventional miners or unlicensed illegal miners, the Government of Indonesia lost potential revenues of up to IDR 58 trillion. the mining sector is one sector that is majorly effect by SBR. The contribution of the mining sector Tins Mining in SBR reached 24.37%. On the field practice it's a common very "Illegal practice" of tin mining that does not have an IUP (Mining business permit. The effectiveness of criminal sanctions against illegal mining actors in the SBR so that the investment and industrial climate can be protected along with the continuity of the mining environment to avoid the impact of massive environmental damage in the future. **The theory** used in this study is the theory of justice and **the method** used in this research is empirical/sociolegal, with an approach to the main legal materials such as laws, theories, concepts, and legal principles related to this writing. In purpose to create future legal produce an appropriate Criminal law study for Illegal Mining Perpetrators*

Keywords: *Criminal Sanctions, Illegal Mining, Investment in South Bangka, Environmental Damage*

LEGAL CONSEQUENCES OF FAILURE TO IMPLEMENT PEACE PROPOSAL IN SUSPENSION OF DEBT PAYMENT OBLIGATIONS

Webi Achmad Rivaldi¹, Nero Mika Hasaki², Idul Fitri Kuengsi Sirait^{3^}, Yohanes
Ferdinand Pelealu⁴, Patricia⁵

¹²³⁴⁵Master of Law program, Universitas Kristen Indonesia, Jakarta

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Abstract

Along with the rapid development of the global economy, many business actors compete to develop their business. So that debt problems are rife in Indonesia. Many business actors make loans, both loans without collateral and by guaranteeing their assets to expand their business in order to increase working capital (opex) and capital expenditure (capex). However, not a few business actors failed to develop their businesses, thus making them unable to pay off loans. In this case, the business actor or lender can take legal action by submitting a postponement of debt payment Obligations through the Commercial Court. In this legal effort, business actors can make a peace proposal to ease the repayment of their loans, If approved by the lender, then the proposal will be ratified by the commercial court and is binding. In its implementation, business actors sometimes do not comply with the peace proposals they have made, so that they are considered negligent and have failed in carrying out their obligations, and cause legal consequences for business actors and for lenders. The purpose of this writing is to know and understand about: procedures for carrying out efforts to postpone debt payment obligations, regulations related to cancellation of peace agreements, and the legal consequences of failing to implement peace proposals. The method used in this study is normative juridical, with an approach to the main legal materials such as laws, theories concepts, and legal principles related to this writing. So that it can produce a conclusion related to the legal consequences of the failed implementation of the reconciliation proposal, and make business actors and lenders more careful in making and approving peace proposals.

Keywords: Peace Proposal, Legal Debt, Payment Obligation, Consequences Delay

JURIDICAL REVIEW OF UNILATERAL TERMINATION OF EMPLOYMENT FOR WORKERS WHO ARE NOT PROVEN TO HAVE COMPANY VIOLATIONS AND WITHOUT RECEIVING RIGHTS (COMPENS).

Dian Anggraini^{1*}, Benyamin Purba², Jessica Christi³, Alitison⁴, Okky Saputra⁵

¹²³⁴⁵Master of Law Program, Universitas Kristen Indonesia

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ABSTRACT

In the context of legal protection for workers, legal remedies against unilateral layoffs are very important to do. This legal effort is carried out by workers with the aim of obtaining rights that should be received by workers and demanding justice in the world of work. In this case, legal protection for workers is very important to guarantee workers' rights and promote prosperity in the world of work. Then how about a Juridical Review of Unilateral Termination of Employment for workers who have not proven to have committed company violations without receiving rights (Compensation). The research methodology used by the author is normative legal research, namely the approach to the subject matter with applicable legal norms or rules by using library research, namely, books, laws and regulations, research results, opinions of legal experts, newspapers, related to the main problem under study. Legal protection for workers is the fulfillment of basic rights that are inherent and protected by the constitution as stipulated in Article 27 paragraph (2) of the 1945 Constitution "Every citizen has the right to work and a living that is worthy of humanity", and Article 33 paragraph (1) UUD 1945 which states that "The economy is structured as a joint effort on kinship". Violation of basic rights protected by the constitution is a violation of human rights. Legal remedies against unilateral layoffs can be carried out using various legal instruments, such as work agreements, labor laws, and company policies. In addition, it is important to pay attention to the conditions and cases faced by workers and companies so that appropriate legal instruments can be used.

Keywords: Unilateral Termination of Employment, Workers' Rights.

JURIDICAL REVIEW OF LAW NUMBER 8 OF 1999 CONCERNING CONSUMER PROTECTION AGAINST CONSUMERS OF GOODS DELIVERY SERVICES

Yimmy Octavian¹, Robbin Mathesta², Lawrence Averino Magistrate Torang³,
Dian Aprilia Ryetanty⁴, Natalis Nibenama Zega⁵

¹²³⁴⁵Master of Law Study Program, Universitas Kristen Indonesia, Jakarta.

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ABSTRACT

This research focuses on the increasing use of goods delivery services by the public, and there are often problems with clear information disclosure by service providers. Legal protection of consumers for users of goods delivery service transactions needs special attention. The purpose of this research is to provide legal certainty to consumers by providing clear and adequate legal protection so that consumers get a good experience in using goods delivery services. This research is a normative juridical research, namely by approaching the legislation. This research uses secondary data and uses secondary legal materials in the form of laws and regulations, books, and journals. This research is processed qualitatively. The results of the first research are aspects of legal protection for consumers of goods delivery service users located in consumer rights, with the existence of contracts, and service requirements between service users and entrepreneurs in accordance with laws and regulations and other related rules. The second research result from the author, is that the Law provides guarantees to consumers in the event of a dispute, either through the judiciary or outside the judiciary, such as mediation, arbitration, or conciliation. The Consumer Protection Law provides a strong foundation for consumers to protect their rights and encourages business actors to act responsibly and create a balanced relationship between consumers and business actors in transactions using goods delivery services.

Keywords: Protection, Consumer, Goods Delivery, Rights, Rules.

ENFORCEMENT OF PERSONAL DATA PROTECTION IN INDONESIA: LAW NO. 27/2022 REGARDING PERSONAL DATA PROTECTION AS PREVENTIVE EFFORT AGAINST DATA THEFT

Lamgok. H Silalahi¹, Paramesheila Thalia², Sururi³, Maria Patricia⁴, M. Hidayat B⁵

¹²³⁴⁵**Master of Law Program, University Kristen Indonesia, Jakarta Indonesia**

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Abstract

This research focuses on the Indonesian Government's efforts to protect the rights of its citizens to protect personal data, especially in the current digitization era, where Indonesian citizens are increasingly uploading/sharing personal data as a condition for carrying out digital activities such as social media, online shopping, online transportation and online bank activities. There are several cases of personal data theft in Indonesia such as the leaking of 91 million user account personal data on one of the biggest marketplace in Indonesia, namely "Tokopedia" which occurred in May 2020. The research method used in this study is a normative approach by reviewing the relevant statutory provisions. One of the Government's efforts in terms of Personal Data Protection is by enforcing regulations, namely Law Number 27 of 2022 Concerning Personal Data Protection (PDP Law). PDP Law has several weaknesses in addition to its enforcement that considered too late, namely: the socialization of the implementation of the PDP Law which will requires a very long time; the penalties for the offenders are relatively low compared to the impacts; there is no precise regulation and/or rules regarding which agency or institution performs the oversight and enforcement functions in the event of misappropriation of personal data; the knowledge of enforcement officer such the investigators in the countryside area against the latest technology; and the lack guidelines for the implementation. With all its weaknesses, as the enforcement of personal data protection from the government, the PDP Law has become the only and special regulation that expected to protect the personal data of Indonesian citizens. The authors believe that it is necessary to carry out massive socialization of the PDP Law and immediately form an independent institution that can act on the misappropriation of personal data so that the PDP Law can impact personal data theft. In addition, the government needs to establish an implementing regulation or a derivative regulation of the PDP Law for legal certainty.

Keywords: Personal Data Protection, law, Indonesia, preventive measure, data theft

Conference Invitation



Sayın Lawrence Averino Magistrate Torang,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz "***Juridical Review of Law Number 8 of 1999 Concerning Consumer Protection Against Consumers of Goods Delivery Services***" başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Yimmy Octavian,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz "***Juridical Review of Law Number 8 Of 1999 Concerning Consumer Protection Against Consumers of Goods Delivery Services***" başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL

Sempozyum Düzenleme Kurulu Başkanı



Sayın Robbin Mathesta,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz "*Juridical Review of Law Number 8 of 1999 Concerning Consumer Protection Against Consumers of Goods Delivery Services*" başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Dian Aprilia Ryetanty,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz "***Juridical Review of Law Number 8 of 1999 Concerning Consumer Protection Agaunts Consumers of Goods Delivery Services***" başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL

Sempozyum Düzenleme Kurulu Başkanı



Sayın Natalis Nibenama Zega,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz "**Juridical Review of Law Number 8 of 1999 Concerning Consumer Protection Against Consumers of Goods Delivery Services**" başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Nero Mika Hasaki,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz "*Legal Consequences of Failure to Implement Peace Proposal in Suspension of Debt Payment Obligations*" başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL

Sempozyum Düzenleme Kurulu Başkanı



Sayın Patricia,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz "*Legal Consequences of Failure to Implement Peace Proposal in Suspension of Debt Payment Obligations*" başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Idul Fitri Kuengsi Sirait,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz "**Legal Consequences of Failure to Implement Peace Proposal in Suspension of Debt Payment Obligations**" başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Yohanes Ferdinand Pelealu,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz "**Legal Consequences of Failure to Implement Peace Proposal in Suspension of Debt Payment Obligations**" başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Webi Achmad Rivaldi,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz "*Legal Consequences of Failure to Implement Peace Proposal in Suspension of Debt Payment Obligations*" başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Parlindungan Suryanto,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz ***"The Effectiveness of Criminal Sanction Against Illegal Tin Collector Companies in South Bangka Regency Indonesia"*** başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Saibun Manurung,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz ***"The Effectiveness of Criminal Sanction Against Illegal Tin Collector Companies in South Bangka Regency Indonesia"*** başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Achmad Rezki Mardani,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz ***"The Effectiveness of Criminal Sanction Against Illegal Tin Collector Companies in South Bangka Regency Indonesia"*** başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Christia Elita,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz ***"The Effectiveness of Criminal Sanction Against Illegal Tin Collector Companies in South Bangka Regency Indonesia"*** başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Pricilia Dwi Anggaraeni Putri,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz ***"The Effectiveness of Criminal Sanction Against Illegal Tin Collector Companies in South Bangka Regency Indonesia"*** başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL
Sempozyum Düzenleme Kurulu Başkanı



Sayın Lamgok. H Silalahi,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz **"ENFORCEMENT OF PERSONAL DATA PROTECTION IN INDONESIA: LAW NO. 27/2022 REGARDING PERSONAL DATA PROTECTION AS PREVENTIVE EFFORT AGAINST DATA THEFT"** başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL

Sempozyum Düzenleme Kurulu Başkanı



Sayın Sururi,

2-4 Haziran 2023 tarihleri arasında ekya'nın Prag kentinde dzenlenecek olan VII. Uluslararası Trklerin Dnyası Sosyal Bilimler Sempozyumu'na gndermiř olduėunuz ***"ENFORCEMENT OF PERSONAL DATA PROTECTION IN INDONESIA: LAW NO. 27/2022 REGARDING PERSONAL DATA PROTECTION AS PREVENTIVE EFFORT AGAINST DATA THEFT"*** bařlıklı bildiri zetiniz hakem kurulu deėerlendirme srecinden geerek szl bildiri olarak sunulmak zere kabul edilmiřtir.

Bařarılarınızın devamını dileriz.

Do. Dr. Osman Kubilay GL

Sempozyum Dzenleme Kurulu Bařkanı



Sayın Paramesheila Thalia,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz **"ENFORCEMENT OF PERSONAL DATA PROTECTION IN INDONESIA: LAW NO. 27/2022 REGARDING PERSONAL DATA PROTECTION AS PREVENTIVE EFFORT AGAINST DATA THEFT"** başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL

Sempozyum Düzenleme Kurulu Başkanı



Sayın Maria Patricia,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz **"ENFORCEMENT OF PERSONAL DATA PROTECTION IN INDONESIA: LAW NO. 27/2022 REGARDING PERSONAL DATA PROTECTION AS PREVENTIVE EFFORT AGAINST DATA THEFT"** başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL

Sempozyum Düzenleme Kurulu Başkanı



Sayın M. Hidayat,

2-4 Haziran 2023 tarihleri arasında Çekya'nın Prag kentinde düzenlenecek olan VII. Uluslararası Türklerin Dünyası Sosyal Bilimler Sempozyumu'na göndermiş olduğunuz **"ENFORCEMENT OF PERSONAL DATA PROTECTION IN INDONESIA: LAW NO. 27/2022 REGARDING PERSONAL DATA PROTECTION AS PREVENTIVE EFFORT AGAINST DATA THEFT"** başlıklı bildiri özetiniz hakem kurulu değerlendirme sürecinden geçerek sözlü bildiri olarak sunulmak üzere kabul edilmiştir.

Başarılarınızın devamını dileriz.

Doç. Dr. Osman Kubilay GÜL

Sempozyum Düzenleme Kurulu Başkanı

Presentation Schedule

VII. ULUSLARARASI TÜRKLERİN DÜNYASI
SOSYAL BİLİMLER SEMPOZYUMU
VII. INTERNATIONAL WORLD OF TURKS
SYMPOSIUM OF SOCIAL SCIENCES

02-04 Haziran / June 2023

Prag-ÇEKYA



PROGRAM

(Yüz Yüze oturumlar Çeyka saatine göre çevrim içi oturumlar
Türkiye saatine göre düzenlenmiştir.)
(Face-to-face sessions are organized according to
Czechia time and online sessions are organized according to
Turkey time)

Zoom Toplantı Kimliği ve Parolası

Toplantı Kimliği: 859 6944 6380

Parola: 787745

(Önemli Hatırlatma: Zoom oturumunda kullanıcı adı
olarak kendi adınızı ve soyadınızı kullanınız.)

VII. ULUSLARARASI TÜRKLERİN DÜNYASI SOSYAL BİLİMLER SEMPOZYUMU
PROGRAMI



| 2. OTURUM | Salon 1 (Oturum Başkanı: Harun SAHİN) | Salon 2 (Oturum Başkanı: Feruza Bobojonova) | Salon 3 (Oturum Başkanı: Sevil ABBASOVA ATILLA) | Salon 4 (Oturum Başkanı: Mesut KESKİN) |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10.30-10.45 | Harun Şahin, Nilgün Azeken, Cemile Balık, Muhammed Ali Özkan - <i>Yabancı Uyruklu Öğrencilerin Devam Ettiği Okullarda İlköğretim (1- 8. Sınıflar) Programının Uygulanmasında Karşılaşılan Sorunlar: Antalya İli Örneği</i> | Farogat KURBANOVA - <i>TIL TA'LIMIDA TEZALURUS MODELLARIDAN FOYDALANISH</i> | Lamgok. H Silalahi, Paramesheila Thalia ,Sururi, Maria Patricia, M. Hidayat - <i>Enforcement Of Personal Data Protection In Indonesia: Law No. 27/2022 Regarding Personal Data Protection Preventive Effort Against Data Theft</i> | Simge ÜNLÜ, Lütfiye YAŞAR, Erdal BİLİCİ, Feyza KARABOĞA - <i>The Celebrations Of Librananship Week In The Scope Of Event Management: Analysis Of The Turkish Librarianship Association</i> |
| 10.45-11.00 | Harun Şahin, Muhammed Ali Özkan, Nilgün Azeken - <i>Üstün Yetenekli Öğrencilerin Öğrenme Stilleri Bağlamında Öğrenme Stratejileri ile Öğrenmeye Karşı Tutumlarının İncelenmesi</i> | Feruza Bobojonova - <i>BUXORO AMIRLIGIDA MADRASA QURDIRGAN AYOLLAR</i> | Ristina Siti Sundari, Lies Sulistyowati, Iwan Setiawan, Trisna Insan Noor, Farhan Ahmad - <i>EMPOWERING WOMAN ROLES IN URBAN FARMING IN INDONESIA</i> | Simge ÜNLÜ, Lütfiye YAŞAR, Erdal BİLİCİ Feyza KARABOĞA - <i>The Relationship Between The Throne And Respect: Personal Public Relationship Analysis In The Perspective of The Kuş Uçuşu/ As The Crow Flies Series</i> |
| 11.00-11.15 | Sadık Ahmet ÇETİN - <i>Yeni İstanbul Uluslararası Öğrenciler İçin Türkçe Ders Kitaplarının Kültürel Unsurlar Kapsamında Değerlendirilmesi</i> | Gulbaxor KABLUNOVA - <i>ЎЗБЕК ВА ҚИРҒИЗ ТИЛЛАРИДА ҚЎЛЛАНУВЧИ МУШТ АРАҚ МАҚОЛЛАР ХУСУСИДА</i> | Yimmy Octavian, Robbin Mathesta Lawrence Averino Magistrate Torang, Dian Aprilia Ryetanty Natalis Nibenama Zega - <i>JURIDICAL REVIEW OF LAW NUMBER 8 Of1999 CONCERNING CONSUMER PROTECTION AGAINTS CONSUMERS OF GOODS DELIVERY SERVICES</i> | Eren LEHİMLER - <i>Ortaokul ve Lise Müzik Derslerinde Sınıf Çalgısı Olarak Türk Müziği Çalgılarının Yeri</i> |
| 11.15-11.30 | Emine BALCI Ayşe ÇELİK - <i>Akran Eğitim ile Verilen İlk Okuma Yazma Öğretiminin Yabancı Uyruklu Birinci Sınıf Öğrencilerinin Okuma Becerisine Etkisi</i> | Gültakin ƏLİYEVƏ - <i>SADƏ CÜMLƏNİN DETERMİNANT ÜZVLƏRİ</i> | Parlindungan Suryanto Saibun Manurung Achmad Rezki Mardani Christia Elita, Pricilia Dwi Anggaraeni Putri - <i>THE EFFECTIVENESS OF CRIMINAL SANCTION AGAINST ILLEGAL TIN COLLECTOR COMPANIES IN SOUTH BANGKA REGENCY INDONESIA</i> | Mesut KESKİN - <i>Çince Ayrılabilen Kelimelerin Kullanım Şekilleri Yönünden İncelenmesi</i> |
| 11.45-12.00 | H. Çiğdem Yıldırım, Merve Uzun Gökaya - <i>"Türkçenin Yabancı Dil Olarak Öğretiminde Dinleme Stratejilerine Dayalı Etkinliklerin Öğrenci Görüşlerine Göre Değerlendirilmesi"</i> | Kamolə RİXSİYEVƏ - <i>TURKIY TILLAR O'Z QATLAM LEKSİKASINING STRUKTUR-SEMANTİK XUSUSIYATLARI</i> | Webi Achmad Rivaldi, Nero Mika Hasaki, Idul Fitri Kuengsi Sirait, Yohanes Ferdinand Pelealu, Patricia - <i>LEGAL CONSEQUENCES OF FAILURE TO IMPLEMENT PEACE PROPOSAL IN SUSPENSION OF DEBT PAYMENT OBLIGATIONS</i> | Özdilek ÖZCAN - |
| 12.00-12.15 | | Шухрат ҲАЙИТОВ- <i>ТУРКИЙ ХАЛҚЛАР АДАБИЁТИДА БОБУРШУНОСЛИК</i> | Sevil ABBASOVA ATILLA - <i>İki Savaş Arasında Estonya ve Finlandiya'da Türkçenin Yazılışı ve Eğitimi Hakkında</i> | |

ANKARA INTERNATIONAL CONGRESS ON SCIENTIFIC RESEARCH-VIII

June 9-11, 2023 / Ankara - TÜRKİYE



Meeting ID: 874 2715 2210

Passcode: 091011

<https://us02web.zoom.us/j/87427152210?pwd=U0k5SEMwL1FGa3hJV3VOS2ovbVgvZz09>

Participant Countries: 19 countries

Türkiye, Albania, Algeria, Azerbaijan, Benin, Canada, Ethiopia, Georgia, India, Indonesia, Iran, Italy, Malaysia, Morocco, Nigeria, Pakistan, Romania, Serbia, Ukraine

Session -1 / Hall-5
10.06.2023 / 10:00-12:00 (Ankara Local Time)

Moderator: Prof. Dr. Ketevan Jincharadze

Zoom Meeting ID: 874 2715 2210 / Zoom Passcode: 091011

| AUTHOR(S) | AFFILIATION | TITLE |
|-------------------------------------------------------------------------------------------------------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Karima HOCINE | Mouloud MAMMERI University | GENDER AND DISCOURSE IN THE PRISON CONTEXT |
| Vegh Mark Hausz Frigyes | University of Pannonia | PRESENTATION TITLE: FACTORS INFLUENCING THE SUCCESS OF OPEN INNOVATION: A RESEARCH OVERVIEW |
| Kalsoom Yasin Hafiz Muhammad Adnan Assoc. Prof. Dr. Prof Ayesha Sheraz | Riphah International University | THE QUALITY OF FAMILY RELATIONSHIPS, SENSATION SEEKING AND HEALTH RISK BEHAVIOR IN COLLEGE AND UNIVERSITIES STUDENTS |
| Miguel Reyes Contreras | Universidad de Ixtlahuaca CUI | SO AM I NOT ME, ANYMORE? IDENTITY CONFLICT DUE TO MULTI-NAMING IN THE STATE OF MEXICO, MEXICO |
| Nurshahira Ibrahim Mohd Lokman Bin Sapiee Tengku Maaidah Tengku A. Razak Md Hamzaini Azrol Md. Baharudin | Universiti Teknologi MARA | EMOTIONAL INTELLIGENCE AND HAPPINESS GIVING IMPACT ON PSYCHOLOGICAL WELL-BEING IN MALAYSIA |
| Abu Bakar Jaafar Nurshahira Ibrahim Wan Azmi Wan Ahmad | University Teknologi MARA | PERSONALITY AFFECT THE ENVIRONMENTAL AWARENESS OF COASTAL RESIDENTS IN MALAYSIA |
| Mohammad Hafeez Md Raml Mohd Lokman Sapiee Nurshahira Ibrahim Nur Izzaty Mohamad | University Teknologi MARA | PERSONALITY AFFECTS THE DECISION-MAKING AMONG UNIVERSITY STUDENTS |
| Dr. Prof. Mariam Jikia Dr. Maka Abuladze | Georgian Technical University | LEGAL AND POLITICAL DIMENSIONS OF SELF-DETERMINATION IN CASE OF SLOVENIA |
| Dr. Prof. Mariam Jikia Prof. Dr. Ketevan Jincharadze | Georgian Technical University | SECESSION IN THEORY AND PRACTICE – CASE STUDY OF MONTENEGRO |
| Assoc. Prof. Dr. Kamal Kouhi jamal karamavan | University of Tabriz | SOCIAL CAPITAL, THE KEY TO EMPOWERING COOPERATIVES COMPANIES |
| Dian Anggraini Benyamin Purba Jessica Christl Allison Okky Saputra | UNIVERSITAS KRISTEN | JURIDICAL REVIEW OF UNILATERAL TERMINATION OF EMPLOYMENT FOR WORKERS WHO ARE NOT PROVEN TO HAVE COMPANY VIOLATIONS AND WITHOUT RECEIVING RIGHTS (COMPENS) |

Letter of Assignment (LoA)



Universitas Kristen Indonesia Program Pascasarjana

LETTER OF ASSIGNMENT

Number: 0174/UKI.MH/SDM.01.01/2023

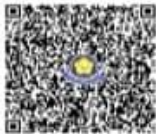
The Master of Law Program at Universitas Kristen Indonesia hereby assigns our students, as follows:

| No | Name | NIM | Information |
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| 1 | YIMMY OCTAVIAN YAPRI | 2202190093 | The Master of Law Student |
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To attend the VIIth - SUMMIT INTERNATIONAL SYMPOSIUM OF TURKIC WORLD SOCIAL SCIENCE and present their abstract titled 'JURIDICAL REVIEW OF LAW NUMBER 8 OF 1999 CONCERNING CONSUMER PROTECTION AGAINST CONSUMERS OF GOODS DELIVERY SERVICES' which will be held in PRAGUE, CZECH REPUBLIC, on JUNE 2-4, 2023.

Thus we convey this Letter of Assignment. Hopefully, the conference can be carried out properly. Thank You.

Ketua Prodi Magister Hukum



Dr. Wiwik Sri Widiarty, SH., MH.

Mengetahui,
Direktur Program Pascasarjana



Prof. Dr. dr. Bernadetha Nadeak, M.Pd., PA.

Tembusan :

1. Wakil Direktur Program Pascasarjana



Universitas Kristen Indonesia Program Pascasarjana

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| 5 | M. HIDAYAT B | 2202190096 | The Master of Law Student |

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Ketua Prodi Magister Hukum



Dr. Wiwik Sri Widiarty, SH., MH.

Mengetahui,

Direktur Program Pascasarjana



Prof. Dr. dr. Bernadetha Nadeak, M.Pd., PA.

Tembusan :

1. **Wakil Direktur Program Pascasarjana**



Universitas Kristen Indonesia Program Pascasarjana

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Number: 0178/UKI.MH/SDM.01.01/2023

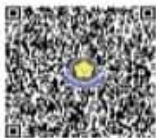
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Dr. Wiwik Sri Widiarty, SH., MH.

Mengetahui,

Direktur Program Pascasarjana



Prof. Dr. dr. Bernadetha Nadeak, M.Pd., PA.

Tembusan :

1. Wakil Direktur Program Pascasarjana



Universitas Kristen Indonesia Program Pascasarjana

LETTER OF ASSIGNMENT

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| 3 | IDUL FITRI KUENGI SIRAIT | 2202190094 | The Master of Law Student |
| 4 | YOHANES FERDINAND PELEALU | 2202190605 | The Master of Law Student |
| 5 | PATRICIA | 2202190099 | The Master of Law Student |

To attend the VIIth - SUMMIT INTERNATIONAL SYMPOSIUM OF TURKIC WORLD SOCIAL SCIENCE and present their abstract titled 'LEGAL CONSEQUENCES FOR CREDITORS AND DEBTORS FROM THE FAILURE TO IMPLEMENT PEACE PROPOSALS IN POSTPONEMENT OF DEBT PAYMENT OBLIGATIONS AND BANKRUPTCY', which will be held in PRAGUE, CZECH REPUBLIC, on JUNE 2-4, 2023.

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Ketua Prodi Magister Hukum



Dr. Wiwik Sri Widiarty, SH., MH.

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Direktur Program Pascasarjana



Prof. Dr. dr. Bernadetha Nadeak, M.Pd., PA.

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Universitas Kristen Indonesia Program Pascasarjana

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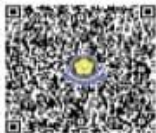
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To attend the **ANKARA INTERNATIONAL CONGRESS ON SCIENTIFIC RESEARCH - VIII** and present their abstract titled **'JURIDICAL REVIEW OF UNILATERAL TERMINATION OF EMPLOYMENT FOR WORKERS WHO ARE NOT PROVEN TO HAVE COMPANY VIOLATIONS AND WITHOUT RECEIVING RIGHTS (COMPENS)'** which will be held in **ANKARA, TURKIYE, on JUNE 9-11, 2023.**

Thus we convey this Letter of Assignment. Hopefully, the conference can be carried out properly. Thank You.

Ketua Prodi Magister Hukum



Dr. Wiwik Sri Widiarty, SH., MH.

Mengetahui,

Direktur Program Pascasarjana



Prof. Dr. dr. Bernadetha Nadeak, M.Pd., PA.

Tembusan :

1. **Wakil Direktur Program Pascasarjana**

Conference Presentation

**VII - SUMMIT
INTERNATIONAL SYMPOSIUM OF TURKIC
WORLD SOCIAL SCIENCE**

Prague, Czech Republic, 2-4 June 2023

**ENFORCEMENT OF PERSONAL DATA PROTECTION IN INDONESIA: LAW NO. 27/2022 REGARDING
PERSONAL DATA PROTECTION AS PREVENTIVE EFFORT AGAINST DATA THEFT**

LAMGOK H. SILALAH
PARAMESHEILA THALIA
SURURI
MARIA PATRICIA
M. HIDAYAT B

MASTER OF LAW PROGRAM
UNIVERSITAS KRISTEN INDONESIA
JAKARTA, 2023

CONTENT

**BACKGROUND
PROBLEM
METHODS
ANALYSIS
CONCLUSION
REFERENCES**



BACKGROUND



Before the PDP Law (Law No. 27/2022), there were no specific rules related to personal data theft, while in today's digital era, internet activists, both online shopping and social media, the number continues to grow rapidly where to carry out their activities they need to upload personal data to related platforms



This causes the potential for theft of citizens' personal data by the cyber-attacks to be increasingly wide open, let's say the last time there was an allegation of theft of personal data as much as 91 million user data accounts of one of the largest marketplaces in Indonesia called "Tokopedia". Not only that, in Indonesia, there are very widespread offers in the form of online loans / credits whose data is obtained not from the consent of the data owner



The PDP Law is expected to be a regulation that can solve and/or prevent theft of personal data

PROBLEMS



Whether the PDP Law that is considered too late can be effective?



How to addressed the weaknesses of the PDP Law?

Methodology



Normative approach by reviewing the relevant regulation.



Data Seconder.



ANALYSIS

There are several weaknesses of PDP Law as Law enforcement of Personal Data Protection:

- ✓ the socialization of the implementation of the PDP Law which will requires a very long time;
- ✓ the penalties for the offenders are relatively low compared to the impacts;
- ✓ there is no precise regulation and/or rules regarding which agency or institution performs the oversight and enforcement functions in the event of misappropriation of personal data;
- ✓ the knowledge of enforcement officer such the investigators in the countryside area against the latest technology; and
- ✓ the lack guidelines for the implementation



- PDP Law as the enforcement of personal data protection from the government, the PDP Law has become the only and special regulation that expected to protect the personal data of Indonesian citizens
- The authors believe that it is necessary to carry out massive socialization of the PDP Law and immediately form an independent institution that can act on the misappropriation of personal data so that the PDP Law can impact personal data theft
- In addition, the government needs to establish an implementing regulation or a derivative regulation of the PDP Law for legal certainty for the effectiveness of PDP Law

CONCLUSION

REFERENCES



- ❑ Law of the Republic of Indonesia Number 27 of 2022 Regarding Personal Data Protection
- ❑ Law of the Republic of Indonesia Number 19 of 2016 Regarding Amendments to Law of the Republic of Indonesia Number 11 of 2008 Regarding Electronic Information and Transactions
- ❑ Government Regulation of the Republic of Indonesia Number 82 of 2012 Regarding the Implementation of Electronic Systems and Transactions



- ❑ P.S. Lokhande and B.B. Meshram, *Digital Forensics Analysis for Data Theft*, The International Journal of Forensic Computer Science, 2015
- ❑ Razieh Nokhbeh Zaeem, *Personal Data Early Warning System: Machine Learning Models Extract Identity Theft and Fraud Trends from News*, UTCID Report #21-04 University of Texas in Austin, 2021

VIII – SUMMIT
INTERNATIONAL SYMPOSIUM OF TURKIC
WORLD SOCIAL SCIENCE
JUNE 2-4, 2023.
PRAGUE, CZECH REPUBLIC.

**JURIDICAL REVIEW OF LAW NUMBER 8 OF
1999 CONCERNING CONSUMER
PROTECTION AGAINST CONSUMERS OF
GOODS DELIVERY SERVICES**

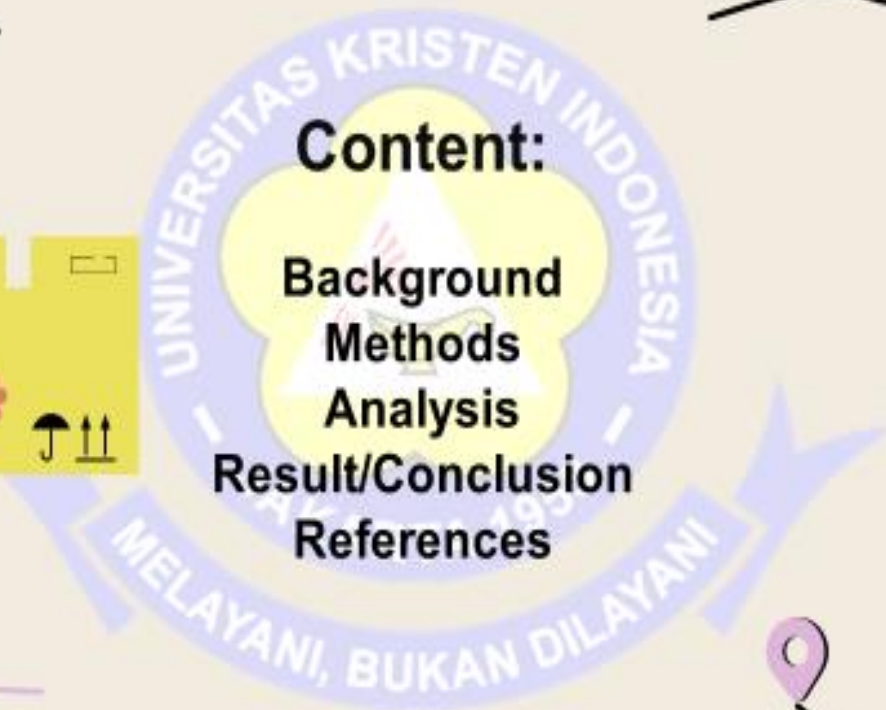
PRESENT BY:
YIMMY OCTAVIAN YAPRI
ROBBIN MATHESTA
LAWRENCE AVERINO MAGISTRATE TORANG
DIAN APRILIA RYETANTY
NATALIS NIBENAMA ZEGA

MASTER OF LAW PROGRAM
UNIVERSITAS KRISTEN INDONESIA
JAKARTA, 2023



Content:

**Background
Methods
Analysis
Result/Conclusion
References**

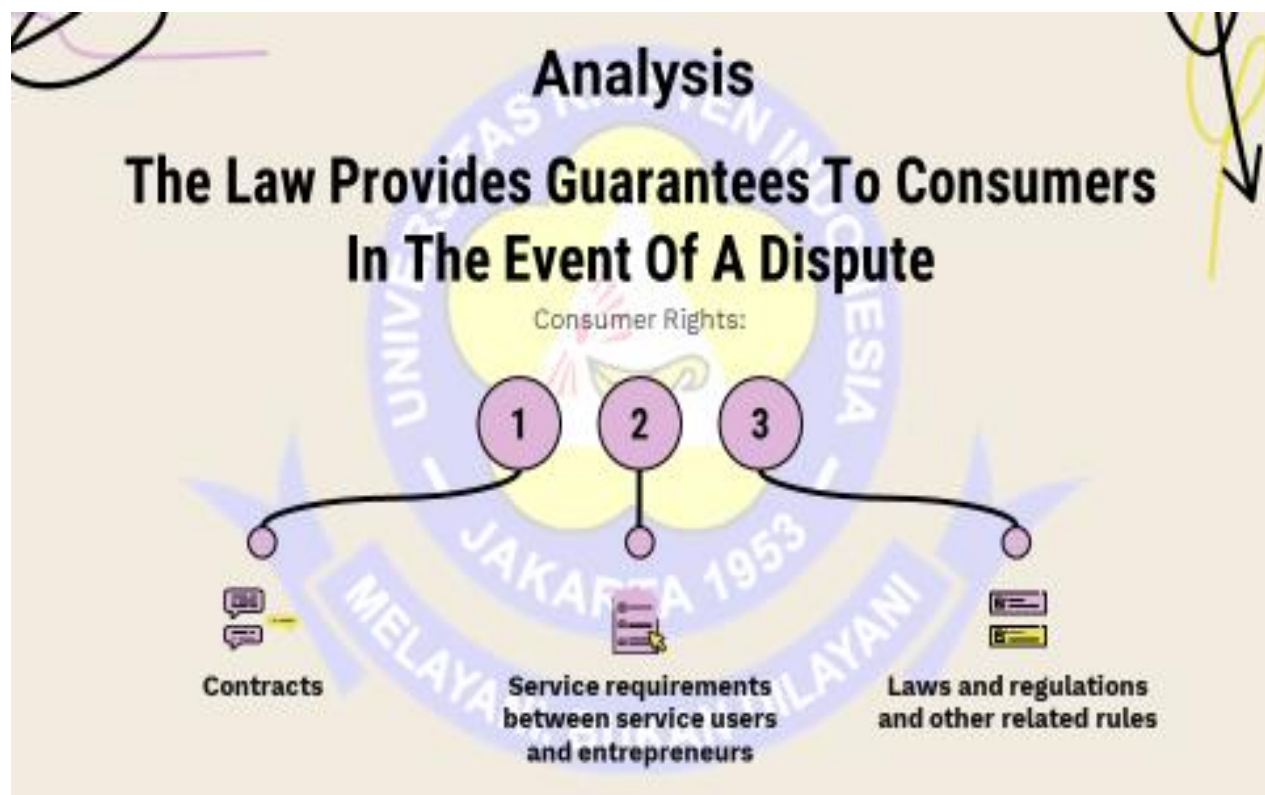
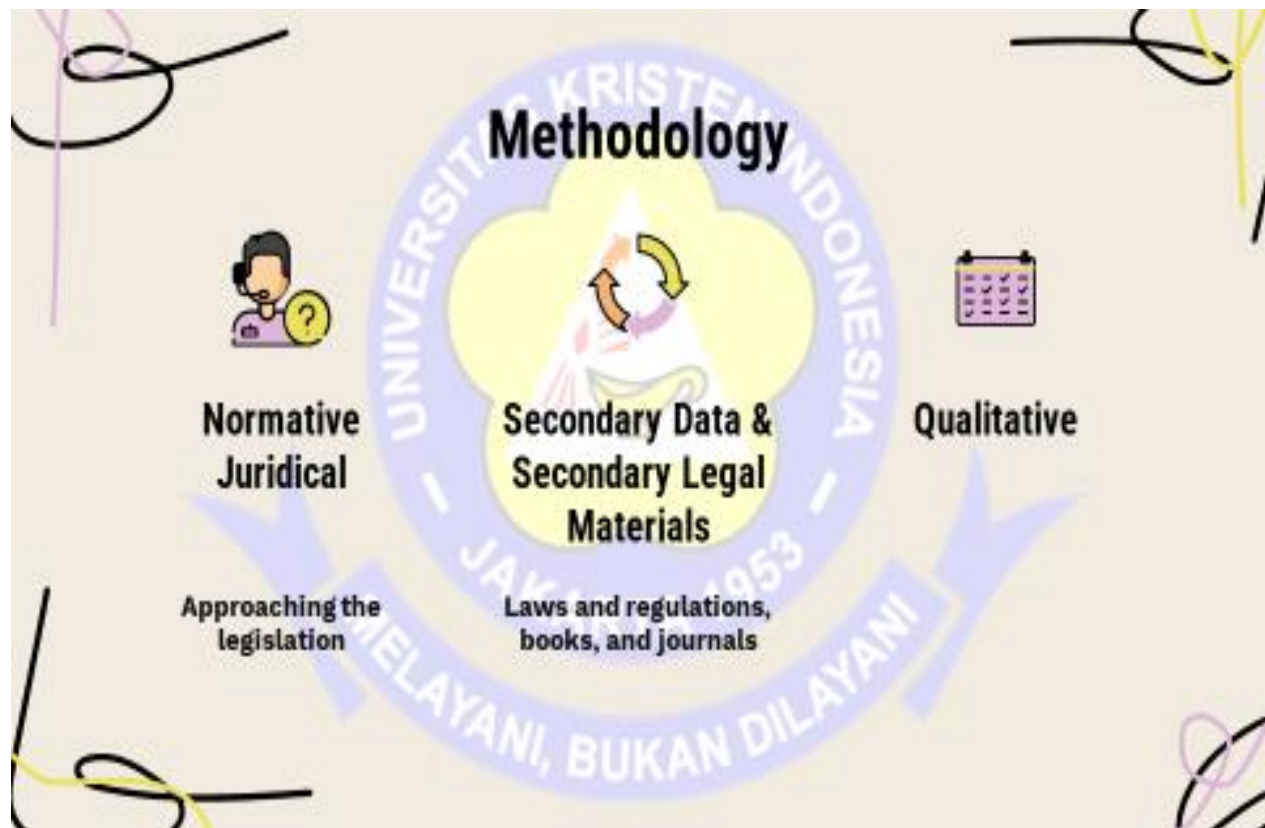


Background



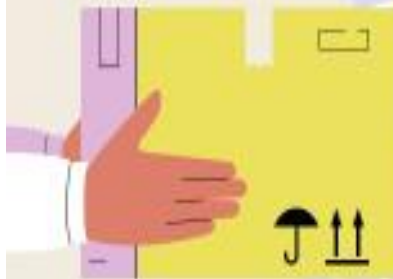
Purpose





Analysis

The Law Provides Guarantees To Consumers In The Event Of A Dispute



01

By The Judiciary/
The Court

02

By Outside The
Judiciary/The Court

- Mediation
- Arbitration, or
- Conciliation

Result/Conclusion

The Consumer Protection Law



Protect consumer
rights



Encourages
business actors to
act responsibly



Create a balanced
relationship
between
consumers and
business actors

References



Law of The Republik Indonesia Number 8 of 1999 Concerning Consumer Protection



Indonesia's Civil Code of 1847



Shidarta, Hukum Perlindungan Konsumen Indonesia, Grasindo, Jakarta, 2006, pg. 62.



Ahmadi Miru dan Sutarman Yudo, Hukum Perlindungan Konsumen, Rajawali Pers, Jakarta, 2004, pg 26.



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Ade Maman Suherman, Aspek Hukum Dalam Ekonomi Global, Ghalla Indonesia, Jakarta, 2002, pg. 68.

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Aisyah Ayu Musyafah etc., "Perlindungan Konsumen Jasa Pengiriman Barang Dalam Hal Terjadi Keterlambatan Barang". *Journal Law Reform*, Vol.14 No. 2, Tahun 2018, pg. 3.



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Desrizza Ratman. "Mediasi Non-Litigasi Terhadap Sengketa Medik dengan Konsep Win-Win Solution", Jakarta: Elex Media Komputindo, 2012, pg. 133



Siregar and Ade Rizki Syahputra., "Tinjauan Yuridis Terhadap Penyelesaian Sengketa Melalui Arbitrase Dalam Perjanjian Pemakaian Arus Listrik Antara Perusahaan Listrik Negara Dengan Pelanggan Akibat Wanprestasi", 2016

Thanks!

Do you have any questions?

Regards,
Yimmy Octavian Yapri
Robbin Mathesta
Lawrence Averino Magistrate Torang
Dian Aprilia Ryetanty
Natalis Nibenama Zega





VII-SUMMIT INTERNATIONAL SYMPOSIUM OF TURKIC WORLD SOCIAL SCIENCE Prague, Czech Republic, 2-4 June 2023



ACHMAD REZKI MARDANI
CHRISTIA ELITA
PARLINDUNGAN SURYANTO
PRICILLIA DWI ANGGRAENI PUTRI
SAIBUN MANURUNG
MAGISTER PROGRAM LAW FACULTY
UNIVERSITAS KRISTEN INDONESIA

RESEARCH OUTLINE

1. BACKGROUND

2. METHODS

3. ANALYSIS




4. CONCLUSION

5. REFERENCES

Background

Indonesia is a constitutional state according to Article 1 paragraph (3) of the 1945 Constitution. All the society living based one rules and regulation, both written and unwritten rules. All These rules must be strictly adhered. Mining without a permit (MWP) is basically a crime against state property in the form of theft of minerals due to ignoring mining provisions and other related provisions. the Government of Republic of Indonesia lost potential revenues up to IDR 58.080 trillion. On the field practice its common very "Illegal practice" of tin mining that does not have an IUP (Mining business permit) which is certainly not in accordance with procedures and violates the law which of course is very detrimental from an economic and environmental standpoint.

METHOD



Research is basically a scientific activity that aims to study one or more certain menaning on legal phenomena by analyzing them using certain methods, systematics and ideas. In addition, these legal facts are thoroughly reviewed in order to find solutions to the problems associated with these symptoms (Abdulkadir, 2004). The word "research" comes from the words "re" (back) and "to search", so "research" is a translation from English. Therefore, research can be understood as looking back (Ali, 2021).

This type of examination uses empirical juridical. Empirical juridical research, especially with regard to the identification of unwritten laws, aims to identify unwritten laws based on applicable community law. Normative and empirical juridical approaches are the approaches used in this paper to analyze the problem. A concept of norms or rules that apply in society, such as legal norms that apply in the form of laws or positive laws, is called normative legal research. The empirical method, on the other hand, requires conducting fieldwork and interviews in addition to separating consistent information from facts.

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ANALYSIS

CONCLUSION

In the South Bangka region, apart from the logged-over land, there is also a large dug hole filled with water and known by the local people as a kolong (small lake). These holes become a breeding ground for malaria mosquitoes. But besides that, it is near the sea which spoils the beauty of the sea side which was originally clean white sand and clear water, it becomes dirty and the sea water becomes cloudy due to the content of mining waste deposits carried by the river flow into the sea. All tin mining regulations, including national and regional laws, must be strictly enforced by local governments. Reclamation and post-mining activities can proceed according to regulations, and tin exploitation activities can be properly controlled.

The absence of recidivists in this case of illegal tin mining shows that criminal law enforcement in South Bangka Province is still effective in eradicating tin mining. Despite facing many challenges, criminal law enforcement remains highly effective as long as the sentences imposed are commensurate actions taken by those who commit crimes, thereby providing a deterrent effect for those who commit crimes and those who will commit them.

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LEGAL CONSEQUENCES FOR CREDITORS AND DEBTORS FROM THE FAILURE TO
IMPLEMENT PEACE PROPOSALS IN POSTPONEMENT OF DEBT PAYMENT
OBLIGATIONS (PKPU- PENUNDAAN KEWAJIBAN PEMBAYARAN UTANG)

7TH CONFERENCE
June 3, 2023.
Istanbul, Turkey

NERO MIKA HASAKI
WEBI ACHMAD RIVALDI
IDUL FITRI KUENGI SIRAIT
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JAKARTA
2023

CONTENT

1. BACKGROUND
2. METHODS
3. ANALYSIS
4. RESULT/CONCLUSION
5. REFERENCES

Background

Along with the rapid development of the global economy, many business actors compete to develop their businesses. So that the problem of debt is rampant in Indonesia. Many business people take out loans, both loans without collateral and by pledging their assets to develop their business to increase working capital (opex) and capital expenditure (capex). However, not a few business actors failed to develop their business, making them unable to repay the loan. In this case, business actors or lenders can take legal action by filing a Debt Payment Obligation Postponement through the Commercial Court. In this legal effort, business actors can make peace proposals to ease their loan repayments, if approved by the lender, then the proposal will be ratified by the Commercial Court and is binding. In practice, sometimes business actors do not comply with the peace proposals they have made, so they are considered negligent and fail to carry out their obligations, and cause legal consequences for business actors and lenders.

Methods

Methodology



Normative

Analysis

If the debtor is no longer able to repay the loan, then the debtor or 2 or more creditors can take legal action as explained in Article 222 of the Bankruptcy and PKPU Law if one party considers that the debtor is no longer able to repay the loan that has fallen due. Furthermore, if the PKPU application has been granted by the Commercial Court, the debtor and creditors are given 270 days based on Article 228 of the Bankruptcy and PKPU Law. In this case, the debtor and creditors can verify debts and discuss the peace proposal submitted by the debtor. In discussing the peace proposal, all creditors must know their rights, and debtors in making peace proposals must also know their abilities, then the creditors will vote on whether the proposal is approved or not approved by the creditors, if approved, the proposal will be ratified by the Commercial Court.

However, if after the ratification of the peace proposal, the debtor fails to implement it, then the creditors can submit a peace annulment based on Article 170 paragraph (1) of the Bankruptcy and PKPU Law which reads: "Creditors may demand an annulment of the ratified peace if the debtor fails to fulfill the contents of the peace".



continued

This annulment of peace has legal consequences for the debtor and creditors. In Article 24 paragraph (1) of the Bankruptcy and PKPU Law, since the bankruptcy verdict, the debtor by law loses his right to control and manage his property, and the right to control and manage the whole will be taken over by the curator for administration and management under the supervision of the supervisory judge at the commercial court. And the legal effect on creditors is that if the debtor's assets are not enough to pay off the loan, then the rest of the assets will be paid to pay off the creditors.



Conclusion

So it can be concluded that in making a peace proposal, the debtor must be able to measure the debtor's own abilities, in order to avoid the failure of the implementation of the peace proposal which results in the debtor being considered insolvent and bankrupt. And creditors, apart from knowing their rights, are also obliged to discuss the peace proposal again and ask whether the debtor is sure and capable of the proposal he has made, in order to avoid the debtor being declared insolvent and bankrupt.

If the debtor can implement the peace proposal in accordance with what is stated, then the creditors will get their rights according to what they are entitled to, but if the debtor fails, then the creditors only get rights according to the remaining assets of the debtor where the remaining assets are not necessarily sufficient to pay off the supposed debt value.

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JURIDICAL REVIEW OF UNILATERAL TERMINATION OF EMPLOYMENT FOR WORKERS
WHO ARE NOT PROVEN TO HAVE COMPANY VIOLATIONS AND WITHOUT RECEIVING
RIGHTS (COMPENS).

Dian Anggraini
Benyamin Purba
Jessica Christi
Alitison
Okky Saputra

Master of Law Program
Universitas Kristen Indonesia
Jakarta
2023



CONTENT

- 1 BACKGROUND
- 2 LITERATUR REVIEW
- 3 METHOD
- 4 ANALYSIS
- 5 CONCLUSIONS
- 6 REFERENCES



BACKGROUND



According to Article 1 number 25 of Law 13 of 2003 states that: "Termination of employment is the termination of an employment relationship due to a certain matter which results at the end of the rights and obligations between the worker/laborer and the entrepreneur".

BACKGROUND (cont.)



- According to Law No. 13 of 2003, which regulates employment, the termination of employment is discussed in Chapter XII. The law explains that employers can carry out layoffs if there are particular reasons, such as disciplinary violations or poor performance. However, releases carried out unilaterally and for no apparent reason can cause harm to workers, such as losing a job for no apparent reason and without getting the rights they should be given.
- Legal remedies against unilateral layoffs can be carried out using various legal instruments, such as work agreements, labor laws, and company policies. In addition, it is essential to pay attention to the conditions and cases faced by workers and companies so that appropriate legal instruments can be used.

BACKGROUND (cont.)



- In the context of an increasingly developing world of work, it is important to pay attention to legal remedies against labor practices and rights in general. This is done to ensure justice and prosperity for all parties involved in the world of work. Therefore, legal protection for workers must always be considered and maintained to support welfare and progress in the world of work.
- In Article 154 of Law 13 of 2003, states that:
 - a. Worker on probation, if it has been required in writing beforehand;
 - b. The worker submits a written complaint of his own free will without any indication of pressure/intimidation from the employer, terminating the employment relationship according to the work agreement for a certain time for the first time;
 - c. Workers reach retirement age by the provisions in the work agreement, company regulations, collective labor agreements, invitational regulations; or
 - d. Worker died.

The issues to be discussed in this study are
"What is the Juridical Review of Unilateral Termination of Employment for workers who are not proven to have committed company violations and without receiving rights (Compensation)"

Literature Review

Labor Law (arbeidrecht) is part of the applicable law regulating the relationship between workers, employers, and workers and authorities. (Senjun Manullang: 1990)



Giving everyone what they deserve in proportion to their abilities and achievements is proportional equality. (Hyronimus Rhiti: 2015)

Each scale of justice is defined and determined entirely by the community by the general wishes of the community and varies significantly from place to place (M. Agus Santoso, 2014).




METHOD

- The type of research in this writing is normative, solely used to obtain complete data as a basis for writing scientific papers.
- The primary source of law forms the basis of this research strategy. It is practiced by studying relevant legal theories and principles, developing concepts, and evaluating applicable laws and regulations. As a result, we hope to learn more about Attribution, Delegation, and the Mandate itself in the future.
- Research conducted using qualitative methods will use literature studies or literacy studies related to the problems and research topics being studied. (Sugiyono, 2013)

ANALYSIS

- **Juridical Review of Unilateral Termination of Employment**
- **Analysis of Cases of Employees Who Have Not Been Proven to Have Committed Company Violations**
- **Relation to Legal Theory**
The theory of legal protection according to Philipus M. Hadjon



CONCLUSIONS

Indonesian labor regulations have several important issues. One of them is the unilateral termination of business relations for employees who are not proven to have committed an organizational violation and are not entitled to compensation.



Legal action is essential to protect workers from unilateral termination of employment.



Workers can fight against unfair termination by using various legal instruments, such as employment agreements, labor laws and company policies.



Although Indonesian work guidelines state that employees must be compensated, there are situations where employees who are not proven to have committed an offense are at risk of not getting the compensation they should receive. This raises doubts about the fairness of unilateral termination of employment and the legal protection workers receive.



In this particular situation, it is crucial to provide a good understanding of the unilateral termination of employment for workers in Indonesia that is not proven to have ignored the organization's strategy and needs to be corrected. Lawful standards of fairness and safety for workers must be observed, and significant employment guidelines and court options in such cases must be considered.



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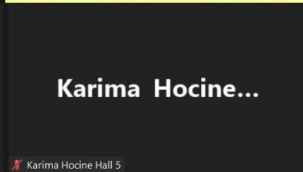
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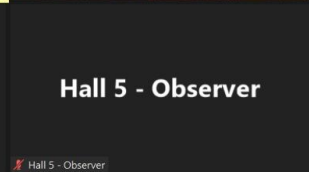
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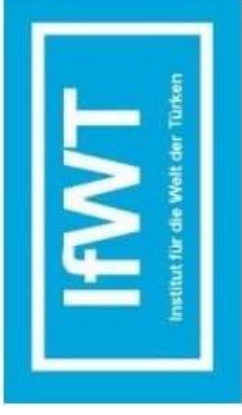
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FOR WORKERS WHO ARE NOT PROVEN TO HAVE COMPANY VIOLATIONS
AND WITHOUT RECEIVING RIGHTS (COMPENS)



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AND WITHOUT RECEIVING RIGHTS (COMPENS)



Prof. Dr. Salih Örtürk

HEAD OF SCIENTIFIC COMMITTEE

Certificate

OF PARTICIPATION

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