

Proposing an integrative-progressive model in handling troubled Indonesian overseas workers in the transit area (a socio-legal research in Tanjung Pinang city, Kepulauan Riau province) / Rina Shahriyani Shahrullah, Elza Syarief

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Abstrak

Tanjung Pinang City is a transit area for troubled Indonesian overseas workers from Singapore and Malaysia. Previous research revealed that citizens of Tanjung Pinang City criticized the treatments given by the local government to the deported workers by reason that they were not the citizens of the Riau Islands Province, yet the local government has to provide shelters and funds prior to returning them to their home towns. The treatments for the deported workers in the transit area have also raised pros and cons among the stakeholders who are in charge of handling the deported workers. This circumstance may not occur if a special regional regulation of the Riau Islands Province has been issued to govern the troubled Indonesian overseas workers in the transit area. Due to this vacuum of law, this research aims to establish a mechanism in handling the deported workers in the transit area by designing an integrative-progressive model which can be adopted by the stakeholders. The model is to link the legal and non- legal issues and as well as to provide the collaborative mechanisms for the stakeholders based on the approaches of the integrative and progressive legal theory.

Kota Tanjung Pinang merupakan salah satu daerah transit bagi Tenaga Kerja Indonesia Bermasalah/TKIB yang dideportasi dari Malaysia dan Singapura. Pada penelitian sebelumnya menyatakan bahwa penduduk Tanjung Pinang mengkritisi layanan yang diberikan pemerintah kota kepada warga deportasi pada dasarnya bukan warga Provinsi Kepulauan Riau. Pro dan kontra pendapat mengenai kebijakan Pemerintah dalam menangani TKIB termasuk menyediakan rumah penampungan dan pendanaan untuk memulangkan mereka ke kampung halamannya. Hal ini tidak akan terjadi seandainya Pemerintah Kepulauan Riau menerbitkan Peraturan Daerah terkait penanganan TKIB di daerah transit. Sehubungan dengan kekosongan hukum tersebut, penelitian ini bertujuan merumuskan mekanisme penanganan TKIB di daerah transit dengan merancang model integratif-progresif yang dapat diadopsi oleh pihak terkait. Model tersebut menghubungkan persoalan hukum dan non hukum serta mekanisme kolaborasi bagi pihak terkait berdasarkan pendekatan teori hukum integratif dan progresif.