

SKRIPSI

PENERAPAN PENGATURAN INTERNASIONAL KESELAMATAN AWAK

KAPAL PESIAR PADA MASA PANDEMI COVID-19

(Studi Kasus: Kematian Awak Kapal Symphony of The Seas

Akibat COVID-19)

*Diajukan Untuk Memenuhi Persyaratan Guna
Memperoleh Gelar Sarjana Hukum*

Oleh :

DESRI RAHAYU

2010112004

PROGRAM KEKHUSUSAN HUKUM INTERNASIONAL (PK VI)



Pembimbing :

Prof Dr. Zainul Daulay, S.H., M.H
Zimtya Zora, S.H., M.H

FAKULTAS HUKUM

UNIVERSITAS ANDALAS

PADANG

2025

	No. Alumni Universitas	Desri Rahayu	No. Alumni Fakultas
	a. Tempat/Tgl Lahir : Kota Payakumbuh/ 11 Desember 2000 b. Nama Orang Tua : Editia Warman c. Fakultas : Hukum d. PK : Hukum Internasional e. NIM : 2010112004	f. Tanggal Lulus : 23 Juli 2025 g. Predikat Lulus : Sangat Memuaskan h. Lama Studi : 4 Tahun 11 Bulan i. IPK : 3.8 j. Alamat : Jl. Moh. Hatta No.6A, Padang, Sumatera Barat	

PENERAPAN PENGATURAN INTERNASIONAL KESELAMATAN AWAK KAPAL PESIAR PADA MASA PANDEMI COVID-19

(Studi Kasus: Kematian Awak Kapal Symphony of The Seas Akibat COVID-19)

(Desri Rahayu, 2010112004, Program Kekhususan Hukum Internasional (PK VI), Fakultas Hukum, Universitas Andalas, 115 halaman, 2025)

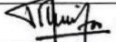
ABSTRAK

Pandemi COVID-19 yang ditetapkan oleh *World Health Organization* (WHO) sebagai pandemi global pada Maret 2020 membawa dampak besar terhadap industri pelayaran dunia. Kebijakan lockdown dan pembatasan wilayah mengakibatkan terhambatnya proses pergantian dan repatriasi awak kapal serta menimbulkan permasalahan serius terhadap keselamatan dan kesehatan kerja di atas kapal, khususnya pada kapal pesiar. Penelitian ini bertujuan untuk mengkaji pengaturan perlindungan keselamatan awak kapal pesiar menurut hukum internasional dan hukum nasional Amerika Serikat serta menganalisis penerapannya pada masa pandemi, dengan studi kasus kematian awak kapal asal Indonesia di kapal *Symphony of the Seas*. Metode penelitian yang digunakan adalah yuridis normatif dengan pendekatan perundang-undangan *statute approach* dan pendekatan kasus *case approach*. Sumber data yang digunakan meliputi bahan hukum primer berupa konvensi internasional seperti *Maritime Labour Convention 2006* (MLC 2006), *Standards of Training, Certification and Watchkeeping (STCW)*, *International Convention for the Safety of Life at Sea (SOLAS)*, IMO Circular Letter No. 4204/Add.5/Rev.1 dan No. 4204/Add.14/Rev.1, serta regulasi nasional Amerika Serikat seperti *Seaman's Protection Act* dan *Conditional Sailing Order (CSO)* yang dikeluarkan oleh *Centers for Disease Control and Prevention (CDC)*. Analisis dilakukan dengan menghubungkan instrumen hukum tersebut terhadap fakta empiris selama pandemi, khususnya dalam kasus gugatan keluarga Pujiyoko terhadap Royal Caribbean Ltd. Hasil penelitian menunjukkan bahwa secara normatif, instrumen hukum internasional telah memberikan standar komprehensif terkait perlindungan keselamatan, kesehatan, dan kesejahteraan awak kapal. Namun, penerapannya di masa pandemi sangat terbatas akibat perbedaan kebijakan antarnegara, keterlambatan koordinasi, serta lemahnya mekanisme penegakan hukum internasional. Kasus Pujiyoko memperlihatkan kelalaian perusahaan dalam menerapkan protokol kesehatan yang direkomendasikan WHO dan IMO, serta menegaskan adanya kesenjangan antara norma hukum dan praktik di lapangan yang berimplikasi pada hilangnya nyawa awak kapal. Kesimpulan penelitian ini menegaskan bahwa perlindungan keselamatan awak kapal selama pandemi COVID-19 masih belum terlaksana secara efektif meskipun terdapat instrumen hukum internasional yang relevan. Kondisi ini menggarisbawahi perlunya pembentukan mekanisme internasional yang lebih mengikat dan responsif terhadap keadaan darurat global, sehingga hak-hak awak kapal dapat terlindungi.

Kata kunci: keselamatan awak kapal, hukum maritim internasional, COVID-19, repatriasi, IMO Circular Letter.

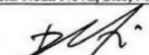
Skripsi ini telah dipertahankan di depan Tim Penguji dan dinyatakan lulus pada 23 Juli 2025.

Penguji,

Tanda Tangan	1. 	2. 
Nama	Magdariza, S.H., M.H.	Sri Asih Roza Nova, S.H., M.H.

Mengetahui,

Ketua Departemen Hukum Internasional: Dr. Delfiyanti, S.H., M.H.


Tanda Tangan

Alumnus telah mendaftar ke Fakultas/Universitas dan mendapat nomor alumnus:

	Petugas Fakultas/Universitas
No. Alumni Fakultas	Nama: Tanda Tangan:
No. Alumni Universitas	Nama: Tanda Tangan:

	No. Alumni University	Desri Rahayu	No. Alumni Faculty
	a. Place/Date of Birth : Kota Payakumbuh/ Desember 11, 2000 b. Parent Name : Editia Warman c. Faculty : Law d. Concentration : International Law e. NIM : 2010112004	f. Graduation Date : July 23, 2025 g. Pass Predicate : Very Satisfactory h. Length Of Study : 4 Years 11 Months i. GPA : 3.8 j. Address : Moh. Hatta Street No. 47, Padang City, West Sumatra	

IMPLEMENTATION OF INTERNATIONAL LEGAL FRAMEWORK ON CRUISE SHIP CREW SAFETY DURING COVID-19 PANDEMIC

(Case Study: Wrongful Death of a Crew Member on Board the Symphony of The Seas Due to Covid-19)

(Desri Rahayu, 2010112004, International Law Specialization Program (PK VI), Faculty of Law,
University of Andalas, 115 pages, 2025)

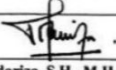
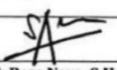
ABSTRACT

The COVID-19 pandemic, declared by the World Health Organization (WHO) in March 2020 as a global health emergency, has had a significant impact on the international shipping industry. Lockdown measures and port restrictions disrupted crew changes and repatriation processes, thereby creating serious concerns regarding the safety, health, and welfare of seafarers, particularly those serving on cruise ships. This research aims to examine the regulation of seafarers' safety under international maritime law and United States national law, as well as to analyze its implementation during the pandemic, with a specific case study on the death of an Indonesian seafarer on board the Symphony of the Seas. The method employed is normative juridical research using a statute approach and case approach. Primary legal sources include international conventions such as the Maritime Labour Convention 2006 (MLC 2006), the Standards of Training, Certification and Watchkeeping (STCW), the International Convention for the Safety of Life at Sea (SOLAS), and the IMO Circular Letters No. 4204/Add.5/Rev.1 and No. 4204/Add.14/Rev.1, in addition to national regulations of the United States such as the Seaman's Protection Act and the Conditional Sailing Order (CSO) issued by the Centers for Disease Control and Prevention (CDC). The analysis is conducted by correlating these instruments with empirical facts during the pandemic, particularly the lawsuit filed by the family of Pujiyoko against Royal Caribbean Ltd. The findings indicate that, normatively, international instruments provide a comprehensive framework for ensuring seafarers' rights to safety, health protection, and welfare. However, their implementation proved ineffective during the pandemic due to inconsistent national measures, limited coordination, and weak enforcement mechanisms under international law. The Symphony of the Seas case exemplifies corporate negligence in adhering to WHO and IMO protocols, thereby exposing the gap between legal norms and actual practice at sea. This research concludes that the protection of seafarers during the COVID-19 pandemic has not been effectively realized, underscoring the urgent need for a binding and responsive international mechanism to safeguard seafarers' rights in future global emergencies.

Key word: cruise ship crew safety, international maritime law, COVID-19. Repatriation. IMO Circular Letter/

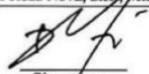
This Minor Thesis has been successfully defended and regarded to graduate by July 23, 2025.

Examiner,

Signature	1. 	2. 
Name	Magdariza, S.H., M.H.	Sri Asih Roza Nova, S.H., M.H.

Acquainted,

Head of the Department of International Law: Dr. Delfiyanti, S.H., M.H.


Signature

Alumni has been registered in the Faculty/University under the number:

	Faculty/University:
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