

The Disposal of Indonesian Crew Members of Long Xing 629 Vessel in the Pacific Ocean

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Abstract

Modern slavery in fishing industries is still a problem in maritime-based countries such as Indonesia. One of the recent cases is the disposal of Indonesian crew members in the Pacific Ocean by China fishing vessel Long Xing 629 in 2020. As a result, Indonesian crew members once again become modern slavery victims in the fishing industry. This article analyzes how Indonesian crew members became the victims of modern slavery in Long Xing 629. This paper will use descriptive qualitative research within the data collected from books, journals, articles, and news. In addition, the Eleven Categories of Forced Labor by ILO and Modern Slavery Theory by Andrew Crane will use to help analyze the case. The research shows that Indonesian crew members of Long Xing 629 become the victims of modern slavery due to their socio-economic conditions, such as poverty and low education. This condition is also supported by weak state regulation, such as weak government protection and lack of government attention, which conditions tend to lure and trap them in modern slavery. This paper believes that it will contribute to the modern slavery study in the fishing industry research field to help reduce and resolve a similar case in the future.

Keywords: Indonesian ship crew, Long Xing 629, modern slavery

Abstrak

Perbudakan modern di industri perikanan masih menjadi masalah bagi negara-negara berbasis maritim, tidak terkecuali Indonesia. Salah satu kasus yang terjadi adalah pembuangan awak kapal Indonesia di Samudera Pasifik oleh kapal ikan China, Long Xing 629 pada tahun 2020. Awak kapal Indonesia sekali lagi menjadi

korban perbudakan modern di Industri perikanan. Artikel ini bertujuan untuk menganalisis bagaimana awak kapal Indonesia menjadi korban perbudakan modern di kapal Long Xing 629. Jenis penelitian yang akan digunakan adalah deskriptif kualitatif. Data dikumpulkan dari buku, jurnal, artikel, dan berita terkait sebagai referensi. Sebelas Kategori Kerja Paksa dari ILO dan teori Modern Slavery dari Andrew Crane akan digunakan untuk membantu menganalisis kasus. Hasil penelitian menunjukkan bahwa awak kapal Long Xing 629 Indonesia menjadi korban perbudakan modern karena kondisi sosial ekonomi mereka seperti kemiskinan dan pendidikan yang rendah serta lemahnya regulasi negara seperti lemahnya perlindungan pemerintah dan kurangnya perhatian pemerintah. Kondisi tersebut cenderung memikat dan menjebak mereka dalam perbudakan modern. Artikel ini akan berkontribusi dalam studi yang lebih luas mengenai perbudakan modern di industri perikanan dengan harapan dapat mengurangi dan mengatasi permasalahan-permasalahan serupa di masa yang akan datang.

Kata kunci: ABK WNI, Long Xing 629, perbudakan modern

INTRODUCTION

Slavery is a problem that deeply affected nations and is often seen as something that occurred in the past. However, according to Anti-Slavery International, until now, tens of millions of people are still trapped in modern slavery (Anti Slavery, 2022). The United Nations has defined modern slavery as a term that refers to a situation in which a person forcibly exploits without being able to refuse or leave because that person has received threats, violence, coercion, fraud, and abuse of power (United Nations, n.d).

Modern slavery happens due to poverty and no (or few) adequate laws to protect the victims, making them vulnerable to being deceived, trapped, and exploited (Anti Slavery, 2022). Modern slavery occurs in nearly every country across ethnic, cultural, and religious lines. It is found not only in the country with low-level incomes but also in upper-middle and higher incomes (ILO, 2022). Since there is no exact number, ILO estimates that fifty million people will trap in modern slavery by 2021, of which 28 million will trap in forced labor and 22 million in forced marriages. This number has increased in the last five years. In 2021, the global estimate of people trapped in modern slavery was about 10 million more than the estimate for 2016 (ILO, 2022).

Furthermore, despite the advance of technology in the fishing industry today, modern slavery ironically is still a typical case on fishing vessels. Many fishing vessels' crews are enslaved or victims of modern slavery. The number of ship crews trapped in modern slavery was high, especially in maritime countries. Since there is significant potential for marine resources, the number of workers needed to work as fishing vessel crews was also huge (Lisandro & Olii, 2017, p. 39). If the recruiters do not meet these demands of workers, the risk of forced labor and exploitation (of the current labor) will be even higher (Lisandro & Olii, 2017, p. 39). Job seekers with economic deficiencies and low education will be the most vulnerable to being trapped in modern slavery as a fishing vessel crew.

The Long Xing 629 Tragedy in 2020

One of the recent cases was the disposal of Indonesian crew members' bodies from the China fishing vessel Long Xing 629. The fishing vessel registers as a longline tuna vessel with the original function of catching tuna. However, this fishing vessel did illegal acts by catching sharks and taking the fins of endangered species using special tools (Damarjati, 2020). This illegal act leaves the vessel with a large cargo of shark fins, which can result

in heavy penalties if it gets caught (Muhamad, 2012, 62). So to avoid these problems, the shark fins are transferred to another vessel so that the main fishing vessel does not lean into the port for fear of getting an inspection from the vessel's port bureau (MBCNews, 2020). Unfortunately, the situation keeps crew members and allows slavery on the ship because of their long time there.

In the case of the disposal of Indonesian crew members in the Pacific Ocean by the Chinese fishing vessel Long Xing 629, it was found that there were cases of modern slavery, indicated by the presence of a coffin on board wrapped in red cloth. Inside the coffin was the body of an Indonesian crew member, Ari, who was 24 years old, and a third Indonesian crew member who died, whose bodies were thrown into the Pacific Ocean (MBCNews, 2020).

Ari had been a crew member for over a year and died on the fishing vessel. Before being thrown into the Pacific Ocean, the other crew members held a simple funeral ceremony by shaking burnt incense and sprinkling alcohol (MBCNews, 2020). The same case happened before, where there were two people, namely Al Fatah (19 years old) and Sepri (24 years old), whose bodies were also thrown into the Pacific Ocean on the day of his death after being exploited and abused (Saputra, 2020).

According to witnesses, the fishing vessel was exploiting and abusing workers. The witness admitted being physically abused by the senior crew and the vice-captain (BBC News Indonesia, 2020). The other crew members also testified that the crew's condition who died before had been complaining about experiencing pain for almost a month with symptoms of experiencing numbness or cramps in the legs, which then progressed to swelling in

the legs and body until they experienced shortness of breath over time (Mangihot, 2020). Their health also worsened after being forced to drink filtered seawater while the Chinese crew could drink mineral water from the mainland. It resulted in Indonesian crew members experiencing headaches and phlegm from the throat and being unable to drink the filtered seawater (Sebayang, 2020). They also exploit by being forced to work 18 hours daily, and some have to stand for 30 hours without being allowed to sit down. They only get to rest for 6 hours, until then continue the long shift of 30 hours (Saputra, 2020).

Kim Jang-Cheol, a Lawyer from the Legal Center, said that public exploitation and arrangement had bound Indonesian crew members. Lawyer Kim explained that the Indonesian crew members could not escape the work environment of enslavement. As we can see, some devices bind them to stay at sea, which is closely related to exploitation (MBCNews, 2020). The Indonesian crew members' passports were confiscated, and shipping costs were very high, including a security deposit to get off the fishing vessel. Five Indonesian crew members worked at sea for 13 months but only received US\$120, equivalent to 140.000 Won or around Rp1.700.000 (Sugiharto, 2020). If calculated, they only get 11.000 Won per month or around Rp136.000. The Indonesian crew members, who could not stand it, moved to another fishing vessel. Once they arrived at Busan Harbor on April 14, 2020, they had to wait for ten days on the coast of Busan Port. While waiting, one of the Indonesian crew members complained of chest pain, and they rushed him to a hospital in Busan. However, the Indonesian crew members died of pneumonia on April 27, 2020.

The Responses

The Long Xing 629 case was reported to the Coastal Police, South Korean Coast Guard (KCG), by the Human Rights Institute, which investigated the case of the death of four crew members on board the fishing vessel. They urged an immediate investigation, supported by the Korean agreement in 2015, whereby an examination or an investigation related to such cases can be carried out directly (MBCNews, 2020). South Korea has ratified international treaties to prevent the trafficking of persons, including forced labor and sexual exploitation. However, this agreement applies to Universal Jurisdiction, so investigations must occur in Korea.

Two days later, a notification reported that the China fishing vessels had gone out to sea, and the coast police could no longer investigate. However, other Indonesian crew members still live in Busan. They can reveal the human rights violations and their feelings while working on the China fishing vessel Long Xing 629 (MBCNews, 2020). They want their case to be reported and appealed to by the Korean government to conduct a thorough investigation into this case (Sebayang, 2020).

The occurrence of the disposal of the crew who died at sea or the confinement itself was not the same as written in the contract letter. The contract letter, which the crew had approved before, stated that if something terrible happened and the crew died at sea, the crew's body would cremate, and the ash would ship back to his home country. Thus, they will insure with 10.000 US dollars before departing abroad, and any further problems will not take into Indonesian custody (MBCNews, 2020). However, the fact that those Indonesian

crew members' bodies died on the fishing vessel thrown into the Pacific Ocean shocked the other Indonesian crew members.

The slavery incidents still occurring today make some researchers believe that it is essential to raise the issue of how Indonesian crew members became victims of modern slavery in Long Xing 629. This article organizes into four sections. The first section is the introduction which discusses modern slavery and provides a brief overview of the case. The second section is the theories or conceptual framework. This article uses the Modern Slavery Theory by Andrew Crane to explain the enabling conditions that underlie modern slavery from the socio-economic and regulatory context. Subsequently, the third part elaborates on the research method of descriptive qualitative. Furthermore, the results and analysis section discusses how Indonesian crew members became the victims of modern slavery. The last part, the conclusion, is a quick overview of the findings and some suggestions for the future.

Modern Slavery: Overview and Characteristic

Modern slavery sees as a relic, an obvious wrongdoing that belonged in the past. In the United States, the slavery abolishment can even trace back to the 13th Amendment of the US Constitution in 1865 (National Archives, 2022), which marks one of the most critical steps in abolishing slavery legally. In today's institutions, much laws have been made to prevent the emergence of modern slavery, such as the legal age for children to be able to work or get married, laws of prostitution, and so forth.

Joel Quirk, in his book, pointed out that these institutions have not been able to

abolish the practice of slavery entirely. It instead reduces the scope and severity so that there is still a hole for some practice of slavery that lies in a grey area where it is not highly regulated, or it can still question whether it is a type of slavery. This practice was known as a contemporary form of slavery or modern slavery in today's context (Quirk, 2006, p. 565-598).

Without simplifying the problem, the United Nations has mentioned many forms of modern slavery, such as sexual exploitation, child labor, forced marriage, forced labor, and many more. In fishing industries, some cases indicate modern slavery in the form of forced labor, such as the case of the Thai Modern Slavery Crisis in 2015 (Wilhelm et al., 2020), abuse of workers, and an indication of modern slavery in New Zealand Fishing Industries (Stringer & Simmons, 2014, p. 253-263), and many more. Moreover, many of these cases have some categories in common with the eleven categories of forced labor issued by the International Labour Organization (ILO), such as abuse of vulnerability, deception, restriction of movement, isolation, physical and sexual violence, intimidation and threats, retention of identity documents, withholding of wages, debt bondage, abusive working and living condition, and excessive overtime (International Labour Organization, 2012). Thus, using these categories, we would also analyze the case of the disposal of Indonesian crew members Long Xing 629 in the Pacific Ocean in 2020.

Modern Slavery Theory

This article will use the Modern Slavery theory by Andrew Crane because it explains the enabling conditions of modern slavery related to industry context, practically in poorly regulated industries.

Crane explains that modern slavery tends to thrive in the agriculture industries, in which the fishing industry is one of the sectors (Crane, 2013, p. 53). Meanwhile, the cases raised occurred in the fishing industry, where the state regulation on this industry is still weak.

Andrew Crane, in his book, explains modern slavery theory with five enabling slavery conditions in management practice. In comparison, this research will focus on two contexts such as the socio-economic context and the regulatory context (Crane, 2013, p. 55-58). The author chooses both contexts because they can explain how Indonesian crew members of Long Xing 629 became the modern slavery victim. The main reason is their socio-economic conditions, such as poverty and low education. Also, the regulatory conditions of the state, such as weak government protection and lack of government attention, tend to lure them with large salaries and trap them in modern slavery.

Likewise, Crane's socio-economic context explains that high or relatively high poverty, high structural unemployment, low education, and awareness are crucial driving conditions leading to slavery. Poverty provided opportunities for prospective recruiters of enslaved people. Many facts prove that the roots of slavery are people who are vulnerable to being victims of trafficking, such as those who live in poverty and migrants with poor socio-economic backgrounds who come from third-world countries and have low education. Furthermore, structural unemployment leads to a lack of workers' skills, employment, and poverty. It causes illegal jobs with the lure of false promises from recruiters appears to be a family's hope for economic survival. In addition, low education conditions make victims easily deceived about the conditions of the

working arrangement they are entering. Moreover, low education limits the awareness of slavery victims to report incidents, especially in several areas targeted as modern slave recruitment (Crane, 2013, p. 55-56).

The second context is the regulatory context which explains national laws and international human rights treaties prohibiting slavery, manifested as effective coercive sanctions. The key to regulatory context is the government's strength, consisting of government effectiveness, regulation quality, political stability, the rule of law, control of corruption, aspirations, and citizen accountability. If there is a deficiency in this, slavery is likely to occur. In addition, the government's lack of attention to the slavery issue also leads to law enforcement institutions' ineffectiveness in preventing slavery (Crane, 2013, p. 57-58).

This article will use two contexts of the Modern Slavery Theory by Andrew Crane: the socio-economic and regulatory contexts. It is to explain how Indonesian crew members of Long Xing 629 conditions enabled them to trap in modern slavery, precisely maritime slavery, in the case of the disposal of Indonesian crew members in the Pacific Ocean in 2020.

Research Methods

This article uses descriptive qualitative methods. The descriptive qualitative method is a research methodology based on post-positivist philosophy that explores natural objects' conditions, in which the researcher becomes an essential instrument. Data collection techniques are triangulating from the latest books, journals, news, official websites, and literature related to the case. Data analysis is qualitative, and the results emphasize meaning rather than

generalization. Qualitative descriptive research aims to describe, explain, and answer research problems in more detail by studying an individual, a group, or an event as thoroughly as possible (Sugiyono, 2014).

First, it is essential to understand the reason this case portrays a form of modern slavery. This article will review some literature and study cases of similar events to address the question problem. For the demonstration, the article will analyze this case using the eleven categories of forced labor by the International Labour Organization 2012.

This article will also use the Modern Slavery Theory by Andrew Crane to analyze how the Indonesian crew members of Long Xing 629 became the modern slavery victim using two of the five contexts and believes that two contexts can explain this case adequately. Furthermore, this article will try to provide analysis based on the perspective of victims and living witnesses who work on the same fishing vessel and the Indonesian government.

RESULTS AND DISCUSSION

ILO's Eleven Categories of Modern Slavery

As previously mentioned, the Indonesian crew members who worked on the China fishing vessel Long Xing 629 were exploited and experienced various physical and mental abuse, an indicator of forced labor (ILO, 2012). According to the ILO, eleven indicators can verify whether a case can include forced labor, a form of modern slavery. Those eleven indicators are the abuse of vulnerability, deception, restriction of movement, isolation, physical and sexual violence, intimidation and threats, retention of identity documents, withholding of wages, debt bondage,

abusive working, living conditions, and excessive overtime.

The first category was an abuse of vulnerability. These Indonesian crew members are accessible to exploitation since they were a minority in the first place who had entrusted their money and identity to the fishing vessel owner and even their life to the captain. Being killed and thrown into the ocean was a life threat that haunted these Indonesian crew members every time they disobeyed.

Second, regarding deception and withholding of wages. In this case, the practice was varied, from the difference between the fees and amount stated in the contract to the fact that Indonesian crew members who died on the fishing vessel did not cremate, and their families got different insurance amounts from the contract. They also must pay a hefty amount for recruitment fees (Mongabay dan Tansa & Environmental Reporting Collective, 2021).

Next, regarding restriction of movement, isolation, and retention of identity documents, Indonesian crew members could not leave the fishing vessel because they were prohibited, and the captain confiscated their identity documents. Only Chinese crew members can rest at the port (Mongabay dan Tansa & Environmental Reporting Collective, 2021). On the other hand, fishing vessels are also rarely docked. Sometimes, the crew members must be at sea for more than two years; such a usual condition since these vessels are mostly related to illegal business such as trawling, fish thievery, and even smuggling. The catch will only be given to the collecting vessel to continue its distribution. This strategy is called transshipment, in which cargo transfers from one vessel to another (Environmental Justice Foundation, 2007).

Subsequently, regarding debt bondage, Indonesian crew members still burden with the recruitment costs they must bear and pay with their salaries. Apart from not carrying money, they are also chased by debt, besides not getting paid accordingly. Several crew members revealed that this made them choose to live and work on the fishing vessel. The workers struggle to survive because they trap in debt bondage.

The living conditions on the China fishing vessel, Long Xing 629, were also very rough for Indonesian crew members. The food, water, and living quarters were below standard. Apart from rice and noodles, they only get bait fish to catch tuna with hooks as their daily meal. In addition, they got wilted vegetables and small chicken pieces, often slimy and discolored. Meanwhile, senior Chinese crew members receive better food quality in appropriate quantities. Indonesian crew members also drink filtered seawater, often yellowish, smells of rust, and is salty.

In contrast, the workers on the deck drank distilled water. According to Dr. James Allen, an American doctor with 21 years of experience, the drinking water's character was likely due to damage to the desalination unit or storage tank (Mongabay dan Tansa & Environmental Reporting Collective, 2021). In addition, physical (or sexual) violence, intimidation and threats, abusive working and living conditions, and excessive overtime had also become regular events for Indonesian crew members. As stated earlier, they force to work 18 to 20 hours a day, seven days a week. From the facts above, it is clear that the crew members of this fishing vessel are victims of modern slavery, or in this case, forced labor in the fishing industry.

The Rising Chance of Modern Slavery: Poverty and Low Education

In Modern Slavery Theory by Andrew Crane, socio-economic conditions such as poverty and low education are one context that impacted the enslavement. Poverty is a condition of the inability of income to meet basic needs and other needs that can guarantee the fulfillment of life standards quality (Jacobus et al., 2018, p. 89). Meanwhile, low education can cause poverty because it affects a person's opportunity to get a better job and income (Islami & Anis, 2019, p. 942). With limited opportunities to get a job, someone who is experiencing poverty will easily be trapped in modern slavery because they force to do the job in order to improve their economic condition (Knudsen, 2016, 343).

The same goes for this case, where the Indonesian crew members working on Long Xing 629 have economic deficiencies and low education background (Chapsos & Hamilton, 2019). Rika Andri Pratama, Sepri's older sister, a modern slavery victim and corpses disposed of in the Pacific Ocean, said that she ordered Sepri to work because their family was economically disadvantaged (Wijaya, 2020). Sepri, who only graduated from junior high school, decided to work as a crew member on China fishing vessels with his friends because it offered a large salary (Wijaya, 2020). Sepri said they could get a salary of up to 5 million rupiahs, so they were interested in working there to improve their family's economic conditions (Wijaya, 2020). However, they experienced slavery on the China fishing vessels and ended with the disposal of Sepri's body in the Pacific Ocean, who died on the fishing vessel.

Lack of education and inadequate living necessities due to poverty experienced by Indonesian crew members

also make them vulnerable to being trapped in modern slavery. To overcome this problem, the Indonesian government should provide debriefing, clear, detailed, and accurate information about their work, improve prospective Indonesian crew members' competencies, and check the company profiles that employ Indonesian crew member candidates. In the case of modern slavery, precisely the disposal of the bodies of crew members, the victims did not have sufficient knowledge and competency to know the work system and the company that employed them. Therefore, the Indonesian government should be able to tighten and improve the rules and debriefing process that Indonesian crew members must go through so that similar incidents do not happen again.

Weak Government Protection and Lack of Government Attention

In Modern Slavery Theory by Andrew Crane, regulatory context is also a condition that influences modern slavery. Every country, in general, has a fundamental responsibility to protect its citizens, likewise Indonesia. As an independent and sovereign legal State, Indonesia is also obliged and responsible for providing complete protection for every citizen in any situation, both at home and abroad, through its national law. It is as mandated in the 1945 Constitution Article 28 d Paragraph (1) (Dewan Perwakilan Rakyat Republik Indonesia, n.d.). In addition, concerning work, Indonesia also ensures the fulfillment of citizens' rights to receive wages and fair and decent treatment as mandated in the 1945 Constitution Article 28 d Paragraph (2) (Dewan Perwakilan Rakyat Republik Indonesia, n.d.).

Furthermore, concerning Human Rights, Human Rights are seen as a universal value and have been contained in the Constitution of the Indonesian Republic. Indonesia has Law No. 39 of 1999 on Human Rights, ratified by the United Nations Universal Declaration on Human Rights (UDHR) in 1948, which contains a ban on slavery. Indonesia has also ratified eight of the nine principal international human rights instruments in the form of conventions ratified in law. Moreover, Indonesia has an independent national human rights institution, namely the National Human Rights Commission, which has a National Human Rights Action Plan involving the central and regional governments and is active in human rights diplomacy (Kementerian Luar Negeri Republik Indonesia, 2019). This regulation overview is enough to explain Indonesia's attention to human rights and how human rights have become a severe issue for Indonesia.

Departing from the state's responsibility and human rights, it becomes a question then, why do Indonesian crew members still become victims of repeated human rights violations and modern slavery in China fishing vessels? Of course, the problem will not arise if there is no root cause. It shows that there is still a regulatory context that the government must address. It can explain through the regulatory context of Crane's Modern Slavery Theory, namely government strength (government effectiveness, regulations quality) and government attention on slavery cases.

First, government strength, the practice of modern slavery, and the exploitation of Indonesian crew members in China fishing vessels repeatedly show the government's weak protection, control, and supervision against them, ranging from

the domestic recruitment process to placement abroad (Santosa, 2020). It then encourages the rights violations of Indonesian crew members. For this reason, the government needs to improve the recruitment process through Indonesian crew members and manning agencies (Vrancken et al., 2019, p. 117). Then, supervise them until the work placement with an easy, cheap, safe, fast, open, and one-door placement process under BP2MI and the Ministry of Manpower as agency licensors and regulators (Rahadian, 2020). The government also needs to set minimum wages, work contract rules, and rights that must be protected as implemented by Taiwan and Hong Kong (Santosa, 2020).

Regarding the government's strength concerning government effectiveness, the Indonesian government's authority in crew governance has yet to be effective because the existing authorities are cross-cutting and overlapping (Rahadian, 2020). Head of BP2MI, Benny Ramdhani, stated that there needs to be more clarity and firmness in the arrangement of the authority division and the parties entitled to manage the placement. For example, the Ministry of Trade or the Department of Trade may issue a Trade Business License (SIUP) for the Indonesian crew member's placement by the manning agency. The Ministry of Transportation issued a Business License Recruitment and Placement of Crew (SIUPPAK). Likewise, the Ministry of Manpower issued a permit for the Indonesian Migrant Workers placement company (SIP3MI) to the Indonesian Migrant Workers placement company (P3MI) (Halim, 2020). In its implementation, the unclear role of the institution confused Indonesian crew members, the manning agency, and law enforcement, which resulted in repeated

mistreatment and slavery of them on China fishing vessels. Thus, it becomes an essential agenda for the government to improve coordination between government institutions.

Further, regarding supervision, the government still needs an integrated database related to the manning agency, agency company abroad, Indonesian crew members placed, and agent users. That statement was expressed by the Head of BP2MI, Benny Ramdhani, and the Director of the Protection of Indonesian Citizens and Legal Entities Ministry of Foreign Affairs, Judha Nugraha (Halim, 2020). The absence of an integrated database caused by the government has not entirely eradicated illegal migrant departures and migrant workers who depart through illegal procedures, so their data is not recorded in the country and not received by Indonesian representatives in the placement country. At the same time, the database is an essential basis for supervision to prevent rights violations and accelerate handling issues when violations happen.

In this case, the government must improve the integrated database of Indonesian migrant workers, especially Indonesian crew members on foreign fishing vessels. The government can improve through the coordination between institutions such as BP2MI as the placement agency for migrant workers, the Ministry of Foreign Affairs as the assistance provider for Indonesian migrant workers in the placement country, the Ministry of Law and Human Rights as the immigration administrator and the Ministry of Manpower and Transportation as the agency's licensor (Rahadian, 2020).

Likewise, to create effectiveness in handling cases of human rights violations and slavery, the government also needs to optimize synergies with law enforcement

agencies at home and abroad. The agencies could be BP2MI, the Ministry of Manpower, the Ministry of Transportation and the Indonesian National Police, and the National Central Bureau of INTERPOL. Legal handling is carried out according to the framework of international cooperation, either bilaterally or with international organizations, using corporate criminal law and administrative law. Optimization of this synergy expects to avoid authority struggles between institutions and provide a deterrent effect for perpetrators (Rahadian, 2020).

Furthermore, regarding government strength concerning regulation quality, Indonesia does not have legal instruments yet to protect Indonesian crew members working on foreign fishing vessels (Rahadian, 2020). For example, government regulations and Ministerial regulations governing derivative regulations regarding the protection of seafarers' crew and fisheries seafarers mandated by Article 67 of Law Number 18 of 2017 on the protection of migrant workers have yet to be published. The absence of regulations and ineffectiveness of the existing regulation lead to weak law enforcement, raising the vulnerability of Indonesian crew members becoming modern slavery victims (Halim, 2020).

As Chairman of the Indonesian Migrant Workers Union (SBMI), Hariyanto Suwarno stated that Indonesian law enforcement is still weak in deterring placement perpetrators. As a result, the vulnerability of Indonesian crew members doubles when working on foreign fishing vessels because they are seen as business subjects, not human beings, turning them into slavery objects (Halim, 2020). Thus, with the emergence of this modern slavery case, the government is expected to accelerate the issuance of these two

regulations and ratify the international law of the ILO Work in Fishing Convention (C188) to ensure adequate protection for the rights of Indonesian fishers and crew members on a global scale (Rahadian, 2020).

Second, the lack of Indonesian Government attention. The Indonesian government has made various efforts to handle cases of modern slavery in the maritime area. Even in the era of Susi Pudjiastuti while serving as Minister of Maritime Affairs and Fisheries. However, efforts are still focused on slavery in Indonesian maritime areas and have not extended to the fate of Indonesian crew members on foreign fishing vessels (Setiyanto, 2020).

The lack of government attention to the slavery issue can be seen in the case of the disposal of Indonesian crew members in the Pacific Ocean in 2020 by China fishing vessels Long Xing 629. The government once again handled it after the current modern slavery issue of Indonesian crew members on foreign fishing vessels became viral, not before the cases even emerged as a preventive measure. It caused this phenomenon repeatedly occurs, which can be explained by Andrew Crane's Modern Slavery Theory in the regulatory context that the government's lack of attention to the slavery issue also leads to the ineffectiveness of law enforcement institutions to prevent slavery.

Therefore, more attention is needed from the government before the same case arises again. However, as stated by the Indonesian Ministry of Foreign Affairs spokesperson Teuku Faizasya, his party will continue to improve the protection and handling of Indonesian crew members on foreign fishing vessels worldwide.

From the explanation above, we can see that there are still several things on the

government's agenda that they must address so that modern slavery cases of Indonesian crew members on foreign fishing vessels can reduce significantly or even disappear in the future. According to Andrew Crane's Modern Slavery theory, weak protection from the government and lack of government attention are two conditions of regulatory context that encourage the adoption of modern slavery. Therefore, the government must strengthen political will and leadership to improve governance and law enforcement in protecting Indonesian crew members on foreign fishing vessels.

CONCLUSION

The analysis results prove that Indonesian crew members became the victims of modern slavery in Long Xing 629 due to their socio-economic conditions and weak state regulation. Socio-economic conditions, such as poverty and low education, make them tempted to work in Long Xing 629 by the lure of large salaries from China fishing vessels. In addition, weak state regulation, such as weak government protection and lack of government attention, underlies Indonesian crew members becoming victims of modern slavery. Therefore, this case includes the category of forced labor, which is a form of modern slavery.

These repeated modern slavery cases should make Indonesia aware of improving itself in anticipation of it, starting with improving the causal conditions and creating security for every human being in working and looking for work. In addition, this kind of case should concern countries worldwide. Also, bringing this case to regional or even international discussions is not impossible.

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