

ABSTRAK

MEKANISME PENYELESAIAN SENGKETA KONTRAK ANTARA KLUB SEPAK BOLA DENGAN PEMAIN SEPAK BOLA MELALUI *NATIONAL DISPUTE RESOLUTION CHAMBER* (NDRC) INDONESIA

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Sengketa adalah pertentangan atau konflik yang terjadi karena adanya pertentangan antar individu, kelompok, atau organisasi terkait satu objek permasalahan. Dalam konteks sepak bola, ketika klub tidak memenuhi kewajibannya terhadap pemain, *National Dispute Resolution Chamber* Indonesia hadir sebagai lembaga arbitrase yang berwenang menangani sengketa ketenagakerjaan antara klub dan pemain sepak bola di Indonesia. Permasalahan penelitian ini bertujuan untuk mengidentifikasi para pihak yang terlibat dalam penyelesaian sengketa melalui NDRC Indonesia serta menganalisis syarat dan mekanisme penyelesaian sengketa melalui NDRC Indonesia.

Jenis penelitian ini adalah penelitian hukum normatif dengan tipe penelitian deskriptif. Pendekatan masalah yang digunakan adalah pendekatan perundang-undangan (*statute approach*). Pengumpulan data dilakukan melalui studi kepustakaan (*bibliography study*). Selanjutnya data diolah dengan cara pemeriksaan data, rekonstruksi data, sistematis data dan dianalisis secara kualitatif.

Hasil penelitian dan pembahasan menyatakan bahwa para pihak yang menyelesaikan sengketanya melalui NDRC Indonesia umumnya adalah pemain sepak bola dan klub sepak bola Indonesia. Sengketa mereka berkaitan dengan hubungan kerja dan stabilitas kontrak. Syarat penyelesaian sengketa melalui NDRC Indonesia meliputi: sengketa harus berada dalam wewenang NDRC Indonesia, para pihak yang terlibat wajib terdaftar sebagai anggota PSSI, serta para pihak wajib mencantumkan klausula arbitrase NDRC Indonesia dalam kontrak mereka. Mekanisme penyelesaian sengketa melalui NDRC Indonesia meliputi: permohonan arbitrase, penunjukan arbiter pada tingkat pertama, jawaban termohon, proses arbitrase, putusan arbitrase, serta banding dan penunjukan arbiter pada tingkat banding. Meskipun demikian, regulasi NDRC Indonesia masih memiliki kelemahan, yaitu tidak adanya aturan mengenai tata cara eksekutorial pada putusan NDRC Indonesia. Hal ini dapat mengurangi efektivitas dan optimalitas putusan tersebut.

Kata Kunci: Arbitrase, *National Dispute Resolution Chamber* Indonesia, Penyelesaian Sengketa Sepak Bola

ABSTRACT

THE DISPUTE RESOLUTION MECHANISM FOR CONTRACT DISPUTES BETWEEN FOOTBALL CLUBS AND FOOTBALL PLAYERS THROUGH THE NATIONAL DISPUTE RESOLUTION CHAMBER (NDRC) INDONESIA

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A dispute is a disagreement or conflict that arises due to a clash between individuals, groups, or organizations regarding a particular issue. In the context of football, when a club fails to fulfill its obligations to a player, the National Dispute Resolution Chamber Indonesia serves as the arbitration body authorized to handle employment disputes between football clubs and players in Indonesia. The aim of this research is to identify the parties involved in the dispute resolution process through the NDRC Indonesia and to analyze the requirements and mechanisms for dispute resolution through the NDRC Indonesia.

This research is normative legal research with a descriptive type of study. The problem approach used is a statutory approach. Data collection is conducted through a literature study. Subsequently, the data is processed through data examination, data reconstruction, data systematization, and qualitative analysis.

The research findings and discussion indicate that the parties resolving their disputes through NDRC Indonesia are generally Indonesian football players and football clubs. Their disputes are related to employment relationships and contract stability. The conditions for resolving disputes through NDRC Indonesia include: the dispute must fall within the jurisdiction of NDRC Indonesia, the involved parties must be registered members of PSSI, and the parties must include an NDRC Indonesia arbitration clause in their contract. The dispute resolution mechanism through NDRC Indonesia includes: arbitration application, appointment of an arbitrator at the first level, respondent's answer, arbitration process, arbitration decision, as well as appeal and appointment of an arbitrator at the appeal level. However, the NDRC Indonesia regulations still have weaknesses, namely the absence of rules regarding the execution procedure of NDRC Indonesia decisions. This can reduce the effectiveness and optimality of these decisions.

Keywords: Arbitration, National Dispute Resolution Chamber Indonesia, Football Dispute Resolution