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THE URGENCY OF REGULATING THE RIGHT TO

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THE URGENCY OF REGULATING THE RIGHT TO DISCONNECT FOR WORKERS' RIGHTS IN INDONESIA

Maria Julia Albertino
University of 17 August 1945 Surabaya, Indonesia
Email: mariajuliaalbertino08@gmail.com

Keywords:
Right to Disconnect, Worker Rights, Labor Law, Digital Work.

Abstrak
The developmentmof informationmand communication ptechnology has brought signficant changes in employment patterns, particularly through the use of digital devices that allow work to be carried out without limitations of space and time. This condition has given rise to a tendency for workers to be constantly connected to work, even outside of formal working hours, thus blurring the boundarieg between work time and personal time. This phenomenon has the potential to disrupt workers' rights to rest, health, and work-life balance. This study aims to analyze the urgency of regulating the Right to Disconnect as a form of protection for workers' rights in Indonesia and examine the concept of its regulation within the national labor law system. The French experience shows that regulating the Right to Disconnect can provide legal certainty and clearer protection for workers without reducing work flexibility. Regulation of the Right to Disconnect in Indonesia is important as an effort to adapt labor law to technological developments and to strengthen the protection of workers' rights in modern employment relations.

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INTRODUCTION

Digital transformation has brought significant changes to employment relations, particularly through the use of communication technology that allows work to be performed without spatial and temporal boundaries. This technology-based work pattern encourages intensified work communication outside formal working hours, causing the boundary between work time and workers' personal time to become increasingly blurred. This situation raises new legal issues regarding the protection of workers' rights, especially the right to rest, health, and balance in life.

Within Indonesia's labor law system, regulations on working hours, overtime, and rest time are provided in existing laws and regulations. However, these provisions remain oriented toward conventional work patterns and do not explicitly accommodate

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digital work practices that demand continuous worker connectivity through electronic communication facilities. As a result, workloads outside working hours are often not recorded as overtime and are not followed by adequate legal protection, potentially harming workers.

These developments indicate a mismatch between applicable legal norms and the reality of modern employment relations. Workers are vulnerable to work pressure that exceeds working-hour limits without clear protective mechanisms. This condition reduces workers' rights to rest and health, contradicting the principle of worker protection and the right to decent work. Workers are a crucial element in a country's economic and social development. Without workers, the production and distribution of

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LEGAL PROTECTION FOR VICTIMS OF ILLEGAL ONLINE INVESTMENT FRAUD WHOSE ASSETS ARE CONFISCATED BY THE STATE

Bintang Arienda Putra
University of 17 August 1945 Surabaya, Indonesia
Email: bintangarienda9@gmail.com

Keywords:
Illegal Online Investment, Victims' Legal Position, Legal Protection, Criminal Law, Victim Recovery.

Abstrak
The rapid growth of illegal online investment practices in Indonesia has caused significant losses to the public, both materially and immaterially. Within the framework of criminal law, the protection of victims of illegal online investment has not yet been implemented optimally, as law enforcement tends to prioritize the punishment of offenders rather than the restoration of victims' rights. This study aims to examine the legal position of victims of illegal online investment within the Indonesian criminal law system and to analyze the forms of legal protection afforded to them. This research employs a normative legal research method using a statutory approach and a conceptual approach. The findings indicate that, normatively, victims of illegal online investment have not been fully recognized as legal subjects entitled to effective protection and recovery. In judicial practice, victims are generally positioned merely as reporters and witnesses, resulting in limited participation in the criminal justice process. Although legal provisions concerning victim protection exist, their implementation still faces various obstacles, including normative, procedural, and institutional constraints, particularly in relation to the recovery of victims' losses. Therefore, strengthening victim-oriented legal protection is necessary to ensure that the criminal law system can deliver more comprehensive justice for victims of illegal online investment.

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INTRODUCTION

The transformation of information technology advancement has brought fundamental changes in the pattern of the public's economic activities, including in the field of investment. The digitalization of investment systems provides easy access and efficiency in financial transactions. However, such development has also given rise to

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various forms of misuse, one of which is the increasing practice of online fraud under the guise of illegal investment. This practice is generally carried out through electronic means by offering unreasonable profits without being supported by legitimate business activities. Illegal financial transactions conducted online have caused broad consequences for our culture. In addition to financial losses, public trust in digital-based investment is also affected. To make it more difficult to trace the origin of funds, perpetrators often use complex digital transactions, fake accounts, and third-party identities. Perpetrators may be able to maintain control over crime and gain profit from its proceeds if they are not prosecuted adequately.

Confiscation is an important part of the formal procedure of the Indonesian

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