AUTHENTICITY DECLARATION OF RESEARCH



I hereby declare that the undergraduate thesis under the title "The Urgency of the Establishment of the National Dispute Resolution Chamber (NDRC) in Indonesian Football", its content is truly the work of my own and I did not do plagiarism or quotation in ways that are inconsistent with the prevailing ethic in the scientific community. On this statement, I am ready to bear the risk/any sanction imposed to me in accordance with applicable regulations, if the future found a breach of scientific ethics, I am willing to accept the sanctions.

Written by:

Name : Haris Chaebar

Student Number : 20130610409

Faculty : Law

Major : International Program for Law and Sharia

(IPOLS)

University : Universitas Muhammadiyah Yogyakarta

Yogyakarta, December, 20th 2017

Haris Chaebar

MOTTO PAGE

"MAN JADDA WA JADDA"

"ADILAH SEJAK DALAM PIKIRAN" (Pramoedya Ananta Toer)

"I'M GONNA START A REVOLUTION FROM MY BED" (Liam Gallagher from Oasis)

"SUCCES IS NOT AN ACCIDENTAL, IT IS HARD WORK, PERSERVANCE, LEARNING, STUDYING, SACRIFICE AND MOST OF ALL; LOVE WHAT YOU ARE DOING OR LEARNING TO DO" (Pelé, legendary footballer from Brazil)

"SEK PENTING DEKE WATON YAKIN WAE" (Haris Chaebar)

DEDICATION PAGE

I Dedicate this Undergraduate Thesis to:

My Almighty God, Allah SWT

Prophet Muhammad SAW

My Amazing Parents:

Rusman

Bariyah

My Beloved Sisters:

Saras Eshanti

Hestri Ramadhani

Istanahati

FOREWORD

Alhamdulillahirabbil'alamiin, all the praises to be Allah, the The Most Merciful and Most Gracious, the almighty, who has given His blessing, and guidance. Finally, I have completed my undergraduate thesis under the title "The Urgency of the Establishment of the National Dispute Resolution Chamber (NDRC) in Indonesian Football" then I should be ready to take responsibility for all that is written therein.

Extraordinary thanks for both advisors, Ibu Dr. Hj. Fadia Fitriyanti, S.H., M.Hum. M.Kn and Bapak Yordan Gunawan, S.H., Int. MBA. M.H. who guided me in patient, wisdom, and compassion, and also allow me to express my deepest gratitude for all lecturers at the Faculty of Law UMY who inspired me to reach my future. I also thanks to thanks to Bapak H. Nasrullah, S.H., S.Ag., MCL. as a lecturer who always give me support to doing my undergraduate thesis.

My sincere thanks are addressed to my beloved parents Bapak Rusman and Ibu Bariyah and my sisters Saras Eshanti and family in Wonosoobo, Hestri Ramadhani and family in Yogyakarta, Istanahati and family in Cilacap. Also for my aunty Mugiyati and family in Yogyakarta. And all of my brotherhood related. Thanks for all members in my organization, Ikatan Mahasiswa Wonosobo (Ikamawon) - Yogyakarta for their support, also thanks for Hokya boarding house mates; Bili, Tomi, Andi and Fandi. Finally, thanks to my friends in Ipols, Novian Fahreza, Banu Arutala, Alifian Ferianto, Marudut Pakpahan, Hikmah Fajar, Yuliani Sitompul, Dania

Amareza and all my friend who can't mention one by one especially IPOLians in Batch 2013 who give me motivation and also become family and competing friends. I do expect this Undergraduate Thesis will give benefit for reader and their future research.

Haris Chaebar

TABLE OF CONTENTS

ABSTRACT	•••••••••••	I
COVER		Ii
APPROVAL PAG	GE	Iii
ENDORSEMENT	Г PAGE	Iv
DECLARATION	PAGE	V
MOTTO PAGE		Vi
DEDICATION PA	AGE	Vii
FOREWORD		Vii
TABLE OF CON	TENT	Ix
LIST OF ABREV	TATION	Xii
CHAPTER I. INT	TRODUCTION	1
A. Backgroun	ıd	1
B. Problem Fo	ormulation	5
C. Objective of	of the Research	5
D. Benefits of	Research	5
CHAPTER II. LIT	TERATURE REVIEW	(
A. The Disput	te and Settlement	6
1. Dispu	ıte in General	6

2.	Dispute in Football
B. Lega	l Principles
1.	<i>Lex Sportiva</i>
2.	<i>Lex Ludica</i> 17
C. Foot	ball Dispute Settlement
1.	National Dimension
2.	International Dimension
3.	The Court of Arbitration for Sports
CHAPTER	III. RESEARCH METHODS
A. Type	e of Research
В. Туре	e of Data
C. Data	Collection
D. Data	Analysis
CHAPTER	IV. FINDING AND ANALYSIS
A. Foot	ball Dispute in Indonesia
1.	Salary
2.	Compensation
3.	Unilateral Contract Termination
4.	Management of Football Competition

B. Football Dispute Settlement in Indonesia	32
1. Football Federation	33
2. Sports Arbitration	34
3. National Court	36
C. The Urgency of the Establishment of the National Dispute Resolut	ion
Chamber (NDRC)	36
1. Jurisdiction of the NDRC	38
2. Applicable Law	39
3. Composition of the NDRC	40
4. Impartiality and Independency	42
5. Cost of proceedings	44
6. The Urgency of the Establishment in Indonesia	45
CHAPTER V. CONCLUSION AND RECOMMENDATION	50
A. Conclusion	50
B. Recommendation	51

BIBLIOGRAPHY

LIST OF ABBREVIATION

PSSI Indonesian Football Association

FIFA Federation International of Football Association

FIFPro Federation International Professionals Footballers

BAORI Sports Arbitrations Body of Republic Indonesia

BAKI Indonesian Sporting Arbitration Body

APPI Indonesian Professionals Footballers Union

DRC Dispute Resolution Chamber

NDRC National Dispute Resolution Chamber

CAS Court of Arbitration for Sports