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Dual-Track Model for Resolving Disputes Over Late Payment of Soccer Players' Salaries (Study of Labor Law and FIFA Regulations)

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<i>Article</i>	<i>Abstrak</i>
Article History <i>Received: Jun 23, 2025;</i> <i>Reviewed: Jul 8, 2025;</i> <i>Jul 12, 2025</i> <i>Accepted: Jul 28, 2025;</i> <i>Published: Aug 28, 2025:</i> DOI: 10.33474/yur.v8i2.23829	<i>Penyelesaian pelanggaran keterlambatan pembayaran gaji oleh klub sepak bola kepada pemain sepak bola profesional sering memunculkan kebingungan mengenai forum hukum yang harus dipilih, yaitu apakah penyelesaian harus ditempuh dengan hukum ketenagakerjaan atau regulasi FIFA. Penelitian ini bertujuan merumuskan model dual-track penyelesaian sengketa keterlambatan gaji melalui perspektif hukum ketenagakerjaan nasional dan regulasi FIFA. Metode yang digunakan adalah yuridis normatif dengan pendekatan perundang-undangan dan pendekatan kasus. Pembaharuan penelitian ini menawarkan model penyelesaian sengketa gaji pemain sepak bola melalui pendekatan jalur ganda (dual-track) yang menggabungkan mekanisme nasional (hukum ketenagakerjaan dan PHI) dan internasional (regulasi FIFA dan DRC). Hasil penelitian menunjukkan bahwa penyelesaian sengketa melalui PHI cenderung lambat, sedangkan DRC FIFA lebih cepat namun kurang terjangkau bagi pemain lokal. Penelitian ini menawarkan model dual-track yang harmonis dengan mengintegrasikan mekanisme nasional dan internasional.</i> Kata Kunci: <i>Keterlambatan Gaji; Pemain Sepak Bola; Penyelesaian Sengketa</i>
	Abstract Cases of late payment of salaries by football clubs to professional football players often raise confusion regarding the legal forum that should be chosen, namely whether the dispute should be resolved through labor law or FIFA regulations. This study aims

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to formulate a dual-track model for resolving wage payment disputes through the perspective of national labor law and FIFA regulations. The method used is a normative legal approach combining the statute approach and case approach. This study's innovation offers a dual-track dispute resolution model for football players' wages, combining national mechanisms (labor law and Resolution of Industrial Relations) and international mechanisms (FIFA regulations and DRC). The research findings indicate that dispute resolution through Resolution of Industrial Relations tends to be slow, while FIFA's DRC is faster but less accessible for local players. This study proposes a harmonious dual-track model by integrating national and international.

Keywords: Late Salaries; Football Players; Dispute Resolution

INTRODUCTION

Soccer is a popular sport among the public, as stipulated in Article 14 paragraph (2) of the 2019 Indonesia Football Association Statute, which explains that clubs are legal entities, while players and clubs have an employment relationship as referred to in Article 1 point 15 of Law Number 13 of 2003 concerning Manpower. This relationship is contractual, meaning that players have an obligation to work and the right to receive wages in accordance with their employment agreement.¹ In practice, these working relationships often involve violations of wage rights by clubs in the form of late or non-payment of salaries, which has a serious impact on the financial and psychological well-being of players.² The

philosophical basis of this issue is rooted in the values of justice, legal certainty, and the protection of human rights, while sociologically it reveals the imbalance in the relationship between players and club management, as well as the weak enforcement of the law in the world of sports.

Previous research that has discussed dispute resolution between players and clubs is Hatami, R. F., who analyzed the legal arrangements between soccer players and soccer clubs with Lex Sportiva and labor laws.³ The research emphasized the differences in jurisdiction and authority between dispute resolution institutions, but did not provide an in-depth analysis of the effectiveness of each channel in practice in

¹ Nandhika Fajar Fajar dan Elan Jaelani, "Perlindungan Hukum Pembayaran Tunggakan Gaji Atlet Sepak Bola Profesional Di Indonesia," *Hukum dan Dinamika Masyarakat* 21, no. 1 (2023): 20.

² Abimanyu Yanutama, "Perlindungan Hukum Terhadap Tunggakan Gaji Pemain Sepak Bola Profesional Dalam Kontrak Kerja Dengan Klub Sepak Bola Berdasarkan Asas Lex Sportiva," *Law Research Review Quarterly* 10, no. 3 (2024): 601, <https://doi.org/10.15294/llrq.v10i3.3464>.

³ Raka Fauzan Hatami, "Perjanjian Kerja Antara Pemain Sepak Bola Dan Klub Sepak Bola Indonesia Dengan Lex Sportiva Dan Undang-Undang Ketenagakerjaan," *Jurnal Wawasan Yuridika* 3, no. 1 (2019): 93, 1, <https://doi.org/10.25072/jwy.v3i1.218>.

Indonesia. Meanwhile, another study written by Nugroho et al. focuses on the novelty of Law No. 11 of 2022 on Sports, but has not examined the extent to which national regulations are harmonized with FIFA's international regulations.⁴ This study aims to fill the gap left by previous research by offering an analysis of the dual-track dispute resolution model, identifying the legal uncertainties it creates at the national and international levels, and proposing an ideal resolution model that is more fair and implementable.

The urgency of this research lies in resolving disputes in accordance with the principle of legal certainty for professional soccer players who experience delays in wage payments.⁵ A dispute resolution model is needed that can harmoniously integrate national and international legal forces. The dual-track model proposed in this research is expected to serve as a conceptual breakthrough that not only strengthens legal protection for players but also drives reforms in labor law systems to address the global

evolution of *lex sportiva*. This research is crucial for addressing systemic needs in resolving labor disputes within the increasingly complex and transnational professional sports sector.⁶

The focus of this research is the formulation of a dual-track model for resolving disputes over late payment of professional soccer players' salaries, with an emphasis on the integration of national labor law and FIFA regulations (*lex sportiva*). This research examines the legal position of players as workers in the national legal system, as well as dispute resolution procedures through the FIFA Dispute Resolution Chamber (DRC). Furthermore, this research also seeks to develop a harmonious, adaptive, and implementable dispute resolution model for the Indonesian football context.

This study uses a normative legal method,⁷ which involves examining legal materials such as legislation, legal principles, and legal doctrines to answer questions based on labor law regulations, namely the Civil

⁴ Arinto Nugroho dkk., "Dispute Resolution between Players and Clubs after the Enactment of Law Number 11 Year 2022 Concerning Sports," *Technium Social Sciences Journal* 50 (November 2023): 33, <https://doi.org/10.47577/tssj.v50i1.9863>.

⁵ Hana Febrianti Pertiwi dkk., "Pemotongan Sepihak Upah Pekerja Industri Padat Karya Yang Terdampak Perubahan Ekonomi Global Berdasarkan Hukum Ketenagakerjaan," *Yurispruden: Jurnal Fakultas Hukum Universitas Islam Malang* 8, no. 1 (2024): 8, <https://doi.org/10.33474/yur.v8i1.21715>.

⁶ Alffian Andhika Fahlefi dan Riky Rustam, "Perlindungan Hukum Terhadap Pemain Sepak Bola Yang Dicederai Oleh Pemain Lawan Secara Sengaja Dalam Pertandingan Sepak Bola," *Prosiding Seminar Hukum Aktual Fakultas Hukum Universitas Islam Indonesia*, 2024, 160.

⁷ Irwansyah Irwansyah, *Penelitian Hukum: Pilihan Metode dan Praktik Penulisan Artikel (Edisi Revisi)*, 5 (Mira Buana Media, 2022), 3:93.

Code, Law No. 13 of 2003 on Labor, Law No. 2 of 2004 on the Settlement of Industrial Relations Disputes, and the 2009 Indonesia Football Association Statute, Ministry of Manpower Regulation No. 1 of 2017 on Wage Structure and Scale, Law No. 11 of 2022 on Sports, Law of the Republic of Indonesia No. 6 of 2023 on the Enactment of Government Regulation in Lieu of Law No. 2 of 2022 on Job Creation into Law, Government Regulation No. 36/2021 on Wages. This study uses a statutory approach and a case approach, employing descriptive analytical techniques.

This study aims to analyze the resolution of disputes involving professional soccer players who experience delays in salary payments based on national labor laws and FIFA regulations. In addition, this study also aims to provide a model for resolving salary delay disputes by integrating labor laws with FIFA regulations. This study seeks to identify the normative and procedural obstacles faced by players in accessing justice through both systems. Thus, this study can formulate a harmonious and applicable dual-track dispute resolution model to strengthen legal protection and guarantee wage rights for professional soccer players in Indonesia.

RESULT AND DISCUSSION

The Status of Professional Soccer Players as Workers: Convergence between Labor Laws and FIFA Regulations

Wages or salaries are a fundamental right, as stipulated in Article 1 of Law No. 13 of 2003 on Labor, as amended by Law No. 6 of 2023 of the Republic of Indonesia on the Enactment of Government Regulation in Lieu of Law No. 2 of 2022 on Job Creation into Law. In the context of professional football, players are workers, while clubs are employers, and when wages, which are a right, are violated, it has a significant impact on the welfare of players. This case of violation shows that Indonesian football clubs have not fully fulfilled their obligations as employers, thereby causing conflict between clubs and professional football players.⁸ An example of a soccer case in Indonesia due to delays in player salaries is in December 2023 showing that PSM Makassar is again in arrears of salaries for a number of players and coaching staff in the 22nd week of Liga1 2023/2024.⁹ The condition of players who do

⁸ Bambang Sugeng Irianto, "Tinjauan Yuridis Tindak Pidana Penganiayaan Oleh Pemain Sepakbola Di Dalam Kompetisi Regional Pssi Ditinjau Dari KUHP," *Jurnal Justiciabelen* 2, no. 2 (2019): 1, 2, <https://doi.org/10.30587/justiciabelen.v2i2.1631>.

⁹ CNN Indonesia, "LIB Buka Suara Soal Kasus Tunggakan Gaji Pemain di PSM Makassar," *Olahraga-Sepak Bola*, diakses 14 Juli 2025, <https://www.cnnindonesia.com/olahraga/20231215212727-142-1037964/lib-buka-suara-soal-kasus-tunggakan-gaji-pemain-di-psm-makassar>.

not get salary rights certainly requires money for living expenses.¹⁰

Article 55 of Government Regulation of the Republic of Indonesia No. 36/2021 concerning Wages explicitly states that employers who are late in paying wages are subject to fines, without eliminating the obligation to pay the wages themselves. This provision actually provides protection to soccer players as workers, but its implementation in the professional sports industry often experiences obstacles, especially because the status of employment relationships in football is often positioned outside the framework of formal labor law.

Based on the provisions of civil law, the employment agreement between the player and the club is a binding employment contract, in accordance with Article 1338 of the Civil Code, as the contents of the contract, including the method of dispute resolution, must be respected and carried out by both parties. In general, employment agreements insert dispute resolution clauses, either through national legal channels or through FIFA forums such as the DRC, this is what is

referred to as a dual-track of two channels that can be chosen. Even though it has been agreed in the contract, the dispute resolution clause must not eliminate the basic rights of players as workers. Labor laws still apply, for example Government Regulation of the Republic of Indonesia No. 36 of 2021 concerning Wages which requires clubs to pay salaries on time. So, the contract is indeed binding, but it must not conflict with the law that protects the rights of players.

Legal protection includes procedures for resolving conflicts between players and clubs as well as guarantees of players' rights in labor contracts, which play an important role in supporting synergies between national and international legal systems, particularly in FIFA's decision-making process.¹¹ One of the legal systems used in the international sporting community is *Lex Sportiva*,¹² which in principle stands apart and often overrides the application of a country's domestic law. Therefore, *Lex Sportiva* is applied independently by international sports organizations, including FIFA, without

¹⁰ Muhammad Aulia Rahman dkk., "Analisis Hukum Islam Terhadap Kecurangan Dalam Permainan Sepak Bola: Perspektif Etika Dan Hukum Syariah," *Religion : Jurnal Agama, Sosial, Dan Budaya* 3, no. 3 (2024): 78, <https://doi.org/10.55606/religion.v3i3.988>.

¹¹ Abdul Basir Donny Polanunu dan Yusril Ihza Mahendra, "Advokasi Asosiasi Pesepak Bola Profesional Indonesia Sebagai Upaya Pemenuhan Hak Pemain Sepak Bola Profesional Di Indonesia," *Keluwih: Jurnal Sosial Dan Humaniora* 2, no. 2 (2021): 78–80, 2, <https://doi.org/10.24123/soshum.v2i2.4039>.

¹² Irfan Ariyanto dkk., "Perlindungan Hukum Terhadap Pemain Sepakbola Atas Sengketa Antara Pemain Sepakbola Dengan Klub Sepakbola," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 3, no. 3 (2025): 2511, <https://doi.org/10.62976/ijijel.v3i3.1315>.

relying on national legal systems or formal international law.¹³

Legal protection of players can be done by referring to labor law, namely by making complaints to the Manpower Office, mediation, to the Industrial Relations Court in accordance with the provisions of Law Number 2 of 2004 concerning Industrial Relations Dispute Resolution. Football players when their rights are violated can also report to the Indonesian Professional Footballers Association, but unfortunately this protection is constrained because the international sports world is subject to *Lex Sportiva* which is an autonomous legal system managed by international sports organizations such as FIFA, which resolves disputes through the Dispute Resolution Chamber (DRC) and prohibits the intervention of national laws.

Professional soccer players fulfill the elements of labor relations according to the Manpower Law,¹⁴ but their employment contracts often contain *Lex Sportiva* clauses and adopt FIFA regulations, which prohibit complaints to public courts. Article 71 of the Indonesia Football Association Status states that disputes between players and clubs

cannot be submitted to state bodies / public courts, while the Law of the Republic of Indonesia Number 13 Year 2003 recognizes the right of workers (including players) to resolve disputes through national employment channels (Resolution of Industrial Relations) as a result of which players' jurisdictional conflicts are at the intersection between labor law and FIFA regulations.¹⁵

Based on Article 102 of the Law of the Republic of Indonesia Number 11 of 2022 concerning Sports Disputes states that disputes in the field of sports are resolved first through a dispute resolution mechanism in the field of sports before going through legal channels, including Article 71 of the Indonesia Football Association Statute expressly prohibits the general court route and requires settlement only through sports institutions.

This condition shows the potential for legal uncertainty and potential conflict. Therefore, there is a need for harmonization between the national legal system and international dispute resolution

¹³ Khairul Amar dan Ridwan Ridwan, "Pelaksanaan Prinsip *Lex Sportiva* Dalam Penyelesaian Kasus Tindak Pidana Pada Sepakbola Di Bima NTB," *Prosiding Seminar Nasional Pascasarjana* 2, no. 1 (2019): 1116, 1.

¹⁴ Nisa Robbiatul Adawiyah dan E. Rakhmat Jazuli, "Implementasi Hak Upah dan Kewajiban KITAS Pesepak Bola Kewargenaraan Asing di Indonesia," *Beleid* 3, no. 1 (2025): 80, <https://doi.org/10.51825/beleid.v3i1.26751>.

¹⁵ Nina Silvana dkk., "Building a Framework for Sports Dispute Settlement: Legal Mechanism and Alternative Approaches in Indonesia," *Journal Evidence Of Law* 4, no. 1 (2025): 89–94, <https://doi.org/10.59066/jel.v4i1.969>; Bagir Manan, *Dasar-Dasar Perundang-Undangan Indonesia* (Ind-Hill, 1992).

mechanisms.¹⁶ The Indonesian government needs to strengthen regulations that bind football clubs to comply with national labor provisions. This includes the application of administrative sanctions against clubs that violate wage payment obligations, as stipulated in Article 12 of the Regulation of the Minister of Manpower of the Republic of Indonesia Number 1 of 2017 concerning Wage Structure and Scale. Strengthening these regulations and supervision is important to ensure the protection of soccer players' rights as workers.

Dual Track Salary Dispute Resolution Mechanism: Labor Law vs FIFA Regulations

Contract law states that the parties to an employment agreement are obliged to carry out their rights and obligations in accordance with the terms of the agreement, as they comply with the law, an employment agreement between a soccer player and his club signifies that a legal event has occurred. Late payment of salaries by the club is a violation of the employer's obligations, as

stipulated in Article 93 and Article 95 of the Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower.

In practice, when there is a violation of the obligation to pay wages by the club, the player has the right to take the industrial relations dispute resolution mechanism as stipulated in the Law of the Republic of Indonesia Number 2 of 2004 concerning Industrial Relations Dispute Resolution. Settlement can be done gradually through bipartite, mediation at the Manpower Office, conciliation, arbitration, or if no agreement is reached, it can be submitted to the Industrial Relations Court.¹⁷ This pathway is a constitutional right of workers that cannot be abolished.¹⁸ Disputes may also be brought to court in accordance with its jurisdiction if alternative dispute resolution is unsuccessful.¹⁹

On the other hand, the Law of the Republic of Indonesia Number 11 of 2022 concerning Sports also regulates that professional athletes are entitled to receive awards, income, and legal protection, as well

¹⁶ Eko Noer Kristiyanto, "Peranan Hukum Nasional Dalam Penyelenggaraan Kompetisi Sepak Bola Profesional Di Indonesia," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 5, no. 3 (2016): 443, <https://doi.org/10.33331/rechtsvinding.v5i3.154>.

¹⁷ Nurharsya Khaer Hanafie dkk., "Prinsip Dalam Berkontrak Pelaku Olahraga Sepakbola Profesional Di Indonesia," *Jurnal Yustika: Media Hukum dan Keadilan* 24, no. 02 (2021): 120, 02, <https://doi.org/10.24123/yustika.v24i02.4775>.

¹⁸ Rena Putri Nirwana dan Ratih Damayanti, "Kontrak Kerja Serta Perlindungan Hukum Hak Dan Kewajiban Pekerja Dalam Sistem Ketenagakerjaan Di Indonesia," *Media Hukum Indonesia (MHI)* 2, no. 4 (2024): 524, 4, <https://doi.org/10.5281/zenodo.14232864>.

¹⁹ Azli Azhari dkk., "Pertimbangan Hukum Arbitrase National Dispute Resolution Chamber (NDRC) dalam Memutuskan Sengketa Keolahragaan di Bidang Sepak Bola (Studi Kasus Nomor 042/NDRC/VI/2020)," *UNES Law Review* 6, no. 4 (2024): 12486, 4, <https://doi.org/10.31933/unesrev.v6i4.2224>.

as guaranteed welfare by the sports organization to which they belong (Article 21 and Article 70 of the Law of the Republic of Indonesia Number 11 of 2022 concerning Sports). This strengthens the legal position of professional soccer players as legal subjects who are entitled to fair treatment and prosperity in the national sports system. How to resolve conflicts in sports is also explained in Law Number 11 of 2022 concerning Sports. Disputes in sport are initially resolved through consensus building, negotiation, or consultation. If an agreement cannot be reached, arbitration or alternative dispute resolution is used to resolve the dispute in accordance with the applicable rules and regulations,²⁰ to avoid a trial and instead resolve disputes through the judicial organizations designated in the Articles of Association of FIFA and the Indonesian Football Association.²¹

A concrete case example, Rivaldi Bawuo is a Liga 1 player of Madura United, he revealed that during the 2020-2021 pandemic, he only received 25% of the total salary promised by the club, he had tried

mediation with the club and made a complaint to Indonesian Football Association. However, because settlement forums such as the Indonesian Football Association NDRC at that time were not effective, and he did not understand the Resolution of Industrial Relations legal channels, finally this case was not resolved formally.²² This has led to Industrial Relations Settlements that are considered not accommodating to soccer contract disputes, resulting in legal uncertainty.

Another case example, Michael Essien filed a lawsuit to FIFA DRC after his contract was unilaterally terminated by Persib Bandung in 2018, Michael Essien sued for salary payments that had not been completed according to the duration of the contract. FIFA DRC won the lawsuit, and obliged Persib to pay the remaining salaries and FIFA DRC imposed administrative sanctions if the Persib Bandung Club did not make payments.²³ Despite the effectiveness of resolving disputes in FIFA DRC,²⁴ it is unfortunate that local players generally find it difficult to access this forum due to limited

²⁰ Yola Zulva Janika dan Mashudi Mashudi, "Perjanjian Kerja Antara Atlet Sepakbola Profesional Dengan Klub Sepakbola," *Jurnal Pro Hukum* 8, no. 2 (2019): 263, <https://doi.org/10.55129/jph.v8i2.955>.

²¹ I. Ketut Satria Wiradharma Sumertajaya dkk., "Penyelesaian Sengketa Upah Pemain Sepakbola Profesional Pasca Berlakunya Undang-Undang Nomor 11 Tahun 2022 Tentang Keolahragaan," *Jurnal Yustitia* 17, no. 2 (2023): 81, 2, <https://doi.org/10.62279/yustitia.v17i2.1128>.

²² CNN Indonesia, "Gaji Pemain Terlambat, Erwin Aksa Berani Rombak Pengurus PSM," *Olahraga-Sepak Bola*, diakses 14 Juli 2025, <https://www.cnnindonesia.com/olahraga/20231209192132-142-1035159/gaji-pemain-terlambat-erwin-aksa-berani-rombak-pengurus-psm>.

²³ CNN Indonesia, "Gaji Pemain Terlambat, Erwin Aksa Berani Rombak Pengurus PSM."

²⁴ mediaindonesia.com developer, "Gugatan Simic Dimenangkan FIFA, Persija Wajib Bayar Rp25 Miliar," diakses 5 Agustus 2025, <https://mediaindonesia.com/sepak-bola/566320/gugatan-simic-dimenangkan-fifa-persija-wajib-bayar-rp25-miliar>.

costs, legal agents, and understanding of the system.

Based on the above case example, salary delay disputes can be resolved through two channels: Indonesia's Industrial Relations Court and the FIFA Dispute Resolution Chamber. The research shows that the national channel often faces bureaucratic obstacles, lengthy timelines, and judges' lack of understanding of the specificities of the football industry. In contrast, FIFA's DRC offers a faster and more technical mechanism, but is difficult for local players to access due to limited costs, information, and legal representation.²⁵ This inequality in access to justice shows that each channel has advantages and disadvantages that need to be bridged.

Dual-Track Model in Procedural Harmonization: An Ideal Formulation of Football Player Salary Dispute Settlement

Professional soccer players in Indonesia establish legal relationships with clubs through employment agreements in accordance with the Law of the Republic of Indonesia No. 13 of 2003 concerning Manpower, their employment contracts have special characteristics. This is because the

relationship between players and clubs is more coordinative and based on special skills, not subordinate as the working relationship between laborers and employers.

Article 1 point 3 of Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower states that every person who does a job must receive wages or compensation in other forms. The relationship that occurs certainly has legal consequences between the worker and the employer, where the employer is obliged to provide wages for the work done by the worker.²⁶ The contractual relationship that occurs is civil in nature because it is based on an agreement or agreement made by the soccer player with the soccer club.

The work agreement in question is made by accommodating the entire agreement of the parties, which in it regulates the terms of employment and the rights and obligations of the parties.²⁷ This work agreement must fulfill the legal requirements of the agreement in Article 1320 of the Civil Code, namely that there is a lawful cause, there is an agreement, those who make the agreement are legally capable, and it does not

²⁵ Nugroho dkk., "Dispute Resolution between Players and Clubs after the Enactment of Law Number 11 Year 2022 Concerning Sports," 34.

²⁶ Susilo Andi Darma, "Kedudukan Hubungan Kerja: Berdasarkan Sudut Pandang Ilmu Kaidah Hukum Ketenagakerjaan dan Sifat Hukum Publik dan Privat," *OLD WEBSITE OF JURNAL MIMBAR HUKUM* 29, no. 2 (2017): 226, <https://doi.org/10.22146/jmh.25047>.

²⁷ Eva Noviana dkk., "Asas Keseimbangan Dalam Perjanjian Kerja Antara Pekerja Dan Pengusaha Dalam Rangka Mewujudkan Keadilan Bagi Para Pihak," *Jurnal Wawasan Yuridika* 6, no. 1 (2022): 86, <https://doi.org/10.25072/jwy.v6i1.533>.

conflict with public interest, morality, and others.²⁸

Based on the Indonesia Football Association Statute 2019 and the principle of *lex sportiva* which is usually adopted in the 2025 edition), the following reads Article 7 paragraph (3): “Indonesia Football Association must provide the necessary institutions to resolve any disputes that may arise between Members, Confederations, Clubs, Officials and Players.” The football club in carrying out its work does not give orders regarding how to play football, but the football club is only a management that contracts football players with the aim of realizing achievements so that the element of a coordinative relationship has been fulfilled.

For Indonesian professional soccer players, the problem of late salary payments has become an annual event. FIFA and Indonesia Football Association play an important role in this situation as they are responsible for protecting all their members. Every sports federation in the world is free to make their own rules for every aspect of the sport they manage, and these rules cannot be changed, in accordance with the *Lex Sportiva* principle explained above. Similarly, FIFA has its own regulations to manage the sport as

a protection for its members. One such regulation deals with disputes between a football team and its players, in this case the club's failure to pay players' salaries on time.²⁹

The FIFA and Indonesia Football Association Statutes clearly state that all FIFA members, including the Indonesia Football Association, clubs, players, officials, and other football-related parties such as player agents and match agents, are prohibited from using the National Courts or General Courts to resolve disputes; instead, they must use the dispute resolution forums established by the statutes. Football players and clubs in Indonesia are required to comply with this rule when competing in FIFA-sanctioned competitions organized by the Indonesia Football Association, which is a member of FIFA.³⁰

FIFA is the only football organization in the world that oversees and coordinates the football associations of different countries and has the authority to directly sanction its members who break the rules, FIFA regulations have priority over national laws when there is a dispute involving clubs and players in the game of football. The concept of “*lex specialis derogate legi generalis*”

²⁸ Emil Radhiansyah Radhiansyah dkk., “Analisis Kewenangan FIFA atas Pencabutan Status Indonesia sebagai Tuan Rumah Piala Dunia Sepak Bola U-20 2023,” *Journal of Political Issues* 5, no. 1 (2023): 226, <https://doi.org/10.33019/jpi.v5i1.118>.

²⁹ Polanunu dan Mahendra, “Advokasi Asosiasi Pesepak Bola Profesional Indonesia Sebagai Upaya Pemenuhan Hak Pemain Sepak Bola Profesional Di Indonesia,” 80.

³⁰ Mochammad Erga Firmansyah dan Tomy Michael, “Legal Status of PSSI Statute in Indonesian Legislation,” *Innovative: Journal Of Social Science Research* 3, no. 5 (2023): 1735, 5.

applies in this situation, meaning that when issues relating to football arise, the more specific FIFA and Persatuan Sepak Bola Indonesia regulations supersede national laws and regulations.

FIFA has also changed and updated the rules for each team playing in matches that impact the players. Under Article 12b of FIFA Regulations 1-4 on Player Status and Transfers (also known as FIFA RSTP) explains that FIFA sincerely provides protection, assistance, and fines to players, as well as various activities related to player transfers and, possibly, various player transfers from one to two periods to clubs that help players become more competent.³¹

This research identifies that the disharmony between national labor law and FIFA's *lex sportiva* is one of the causes of weak legal protection for professional football players in cases of delayed salary payments.³² The formulated dual-track model aims to combine the strengths of both systems:

1. The national channel through the Industrial Relations Court is based on the

Law of the Republic of Indonesia No. 13 of 2003 concerning Manpower, which gives workers (in this case soccer players) the right to resolve labor relations disputes through the Industrial Relations Court and is related to wages salaries are normative rights of workers, and delays in payment can be disputed through the Industrial Relations Court.

2. International route through the FIFA Dispute Resolution Chamber under the Regulations on the Status and Transfer of Players. Provides a resolution channel for contractual disputes between players and clubs across countries or when national systems are deemed ineffective.
3. The DRC regulates the obligation of clubs to pay salaries on time, and provides for administrative sanctions in case of default (including a ban on the transfer of new players).³³

The Industrial Relations Settlement System provides state legal legitimacy, but is ineffective and lacks understanding of the characteristics of professional athlete contracts.³⁴ In addition, the Chambe's FIFA

³¹ Abdusyahid Naufal Fathullah Fathullah, "Tiga Mekanisme Kepatuhan Hukum Dalam Konteks Regulasi Fifa: Kajian Sosiologi Hukum," *Realism: Law Review* 2, no. 2 (2024): 128, <https://doi.org/10.71250/rlr.v2i2.39>.

³² Abdusyahid Naufal Fathullah Fathullah, "Tiga Mekanisme Kepatuhan Hukum Dalam Konteks Regulasi FIFA : Kajian Sosiologi Hukum," *Realism: Law Review* 2, no. 2 (2024): 128, <https://doi.org/10.71250/rlr.v2i2.39>.

³³ Constitution of Brazil, "Constitution of the Federative Republic of Brazil, 1988," Refworld, diakses 2 November 2024, <https://www.refworld.org/legal/legislation/natlegbod/1988/en/103855>.

³⁴ Antoine Duval, "The FIFA Regulations on the Status and Transfer of Players: Transnational Law-Making in the Shadow of Bosman," SSRN Scholarly Paper no. 2760263 (Social Science Research Network, 1 April 2016), 244, <https://papers.ssrn.com/abstract=2760263>.

Dispute Resolution system is faster and has substantive competence, but its procedures are less familiar to local players and difficult to access due to cost, language, and legal representation barriers.³⁵

To that end, the dual-track model offered includes two key components:

1. Normative Harmonization Model
 - a. Encourage the revision and strengthening of norms in national labor law to explicitly recognize the profession of athletes as special workers
 - b. Drafting a standard soccer player employment agreement that includes a dual access clause (national and international) in dispute resolution.
2. Procedural Harmonization Model
 - a. Establishment of a national sports alternative dispute resolution forum (e.g., national sports arbitration) that follows the principles and rulings of FIFA
 - b. Increased legal literacy for players and agents through cooperation with the Indonesian Football Association, the Ministry of Manpower, and player professional organizations such as the Indonesian Finance Company Association.
 - c. Integration of an online complaint system that bridges the Industrial

Relations Settlement and FIFA DRC systems to allow players to choose the most appropriate and effective path according to the circumstances of their case.

This model emphasizes the need for institutional synergy between national labor institutions, football federations, and FIFA's international legal instruments, thereby guaranteeing players' financial rights in a concrete and responsive manner.

CONCLUSION

Cases of late salary payments show that Indonesian football clubs have not fully fulfilled their obligations as employers, such delays cause conflict between clubs and professional football players. The mechanism for resolving player salary disputes can be pursued through two channels: the national channel through the Industrial Relations Court, and the international channel through the FIFA Dispute Resolution Chamber (DRC). Each pathway has advantages and disadvantages. The Industrial Relations Court has a strong legal basis nationally but is procedurally slow and lacks understanding of the football context, while the FIFA Dispute Resolution Chamber (DRC) is faster and more technical, but difficult for local players to access. This research offers a Dual-Track Model as a solution to salary dispute

³⁵ Yanutama, "Perlindungan Hukum Terhadap Tunggakan Gaji Pemain Sepak Bola Profesional Dalam Kontrak Kerja Dengan Klub Sepak Bola Berdasarkan Asas Lex Sportiva," 601.

resolution that combines the advantages of national and international systems, namely the Normative Harmonization Model by encouraging the revision and strengthening of norms in national labor law to explicitly recognize the athlete profession as a special worker and the preparation of a standard soccer player employment agreement that includes a dual access clause (national and international) in dispute resolution. Second, the Procedural Harmonization Model by establishing a national sports dispute resolution alternative forum that follows FIFA principles and decisions and with the integration of an online complaint system that bridges the Industrial Relations Court and the FIFA Dispute Resolution Chamber (DRC) system to allow players to choose the most appropriate and effective path according to the conditions of their case.

BIBLIOGRAPHY

- Adawiyah, Nisa Robbiatul, dan E. Rakhmat Jazuli. "Implementasi Hak Upah dan Kewajiban KITAS Pesepak Bola Kewarganegaraan Asing di Indonesia." *Beleid* 3, no. 1 (2025): 75–90. <https://doi.org/10.51825/beleid.v3i1.26751>.
- Amar, Khairul, dan Ridwan Ridwan. "Pelaksanaan Prinsip Lex Sportiva Dalam Penyelesaian Kasus Tindak Pidana Pada Sepakbola Di Bima NTB." *Prosiding Seminar Nasional Pascasarjana* 2, no. 1 (2019): 1.
- Ariyanto, Irfan, Supriyono Supriyono, dan Fatma Ayu Jati Putri. "Perlindungan Hukum Terhadap Pemain Sepakbola Atas Sengketa Antara Pemain Sepakbola Dengan Klub Sepakbola." *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 3, no. 3 (2025): 2510–22. <https://doi.org/10.62976/ijijel.v3i3.1315>.
- Azhari, Azli, Dahlil Marjon, dan Yussy Adelina Manas. "Pertimbangan Hukum Arbitrase National Dispute Resolution Chamber (NDRC) dalam Memutuskan Sengketa Keolahragaan di Bidang Sepak Bola (Studi Kasus Nomor 042/NDRC/VI/2020)." *UNES Law Review* 6, no. 4 (2024): 4. <https://doi.org/10.31933/unesrev.v6i4.2224>.
- CNN Indonesia. "Gaji Pemain Terlambat, Erwin Aksa Berani Rombak Pengurus PSM." *Olahraga-Sepak Bola*. Diakses 14 Juli 2025. <https://www.cnnindonesia.com/olahraga/20231209192132-142-1035159/gaji-pemain-terlambat-erwin-aksa-berani-rombak-pengurus-psm>.
- CNN Indonesia. "LIB Buka Suara Soal Kasus Tunggakan Gaji Pemain di PSM Makassar." *Olahraga-Sepak Bola*. Diakses 14 Juli 2025. <https://www.cnnindonesia.com/olahraga/20231215212727-142-1037964/lib-buka-suara-soal-kasus-tunggakan-gaji-pemain-di-psm-makassar>.
- Constitution of Brazil. "Constitution of the Federative Republic of Brazil, 1988." Refworld. Diakses 2 November 2024. <https://www.refworld.org/legal/legislation/natlegbod/1988/en/103855>.
- Darma, Susilo Andi. "Kedudukan Hubungan Kerja: Berdasarkan Sudut Pandang Ilmu Kaidah Hukum Ketenagakerjaan dan Sifat Hukum Publik dan Privat." *Old Website Of Jurnal Mimbar Hukum* 29, no. 2 (2017): 221–34. <https://doi.org/10.22146/jmh.25047>.

- developer, mediaindonesia.com. "Gugatan Simic Dimenangkan FIFA, Persija Wajib Bayar Rp25 Miliar." Diakses 5 Agustus 2025. <https://mediaindonesia.com/sepak-bola/566320/gugatan-simic-dimenangkan-fifa-persija-wajib-bayar-rp25-miliar>.
- Duval, Antoine. "The FIFA Regulations on the Status and Transfer of Players: Transnational Law-Making in the Shadow of Bosman." SSRN Scholarly Paper No. 2760263. Social Science Research Network, 1 April 2016. <https://papers.ssrn.com/abstract=2760263>.
- Fahlefi, Alffian Andhika, dan Riky Rustam. "Perlindungan Hukum Terhadap Pemain Sepak Bola Yang Dicederai Oleh Pemain Lawan Secara Sengaja Dalam Pertandingan Sepak Bola." *Prosiding Seminar Hukum Aktual Fakultas Hukum Universitas Islam Indonesia*, 2024, 152–64.
- Fajar, Nandhika Fajar, dan Elan Jaelani. "Perlindungan Hukum Pembayaran Tunggakkan Gaji Atlet Sepak Bola Profesional Di Indonesia." *Hukum dan Dinamika Masyarakat* 21, no. 1 (2023): 17–23.
- Fathullah, Abdusyahid Naufal Fathullah. "Tiga Mekanisme Kepatuhan Hukum Dalam Konteks Regulasi Fifa: Kajian Sosiologi Hukum." *Realism: Law Review* 2, no. 2 (2024): 119–41. <https://doi.org/10.71250/rlr.v2i2.39>.
- Fathullah, Abdusyahid Naufal Fathullah. "Tiga Mekanisme Kepatuhan Hukum Dalam Konteks Regulasi FIFA : Kajian Sosiologi Hukum." *Realism: Law Review* 2, no. 2 (2024): 119–41. <https://doi.org/10.71250/rlr.v2i2.39>.
- Firmansyah, Mochammad Erga, dan Tomy Michael. "Legal Status of PSSI Statute in Indonesian Legislation." *Innovative: Journal Of Social Science Research* 3, no. 5 (2023): 5.
- Hanafie, Nurharsya Khaer, Fatimah Hidayahni Amin, dan Ririn N. "Prinsip Dalam Berkontrak Pelaku Olahraga Sepakbola Profesional Di Indonesia." *Jurnal Yustika: Media Hukum Dan Keadilan* 24, no. 02 (2021): 02. <https://doi.org/10.24123/yustika.v24i02.4775>.
- Hatami, Raka Fauzan. "Perjanjian Kerja Antara Pemain Sepak Bola Dan Klub Sepak Bola Indonesia Dengan Lex Sportiva Dan Undang-Undang Ketenagakerjaan." *Jurnal Wawasan Yuridika* 3, no. 1 (2019): 1. <https://doi.org/10.25072/jwy.v3i1.218>.
- Irianto, Bambang Sugeng. "Tinjauan Yuridis Tindak Pidana Penganiayaan Oleh Pemain Sepakbola Di Dalam Kompetisi Regional Pssi Ditinjau Dari KUHP." *Jurnal Justiciabelen* 2, no. 2 (2019): 2. <https://doi.org/10.30587/justiciabelen.v2i2.1631>.
- Irwansyah, Irwansyah. *Penelitian Hukum: Pilihan Metode dan Praktik Penulisan Artikel (Edisi Revisi)*. Vol. 3. 5. Mira Buana Media, 2022.
- Janika, Yola Zulva, dan Mashudi Mashudi. "Perjanjian Kerja Antara Atlet Sepakbola Profesional Dengan Klub Sepakbola." *Jurnal Pro Hukum* 8, no. 2 (2019): 262–75. <https://doi.org/10.55129/jph.v8i2.955>.
- Kristiyanto, Eko Noer. "Peranan Hukum Nasional Dalam Penyelenggaraan Kompetisi Sepak Bola Profesional Di Indonesia." *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 5, no. 3 (2016): 439–53. <https://doi.org/10.33331/rechtsvinding.v5i3.154>.
- Manan, Bagir. *Dasar-Dasar Perundang-Undangan Indonesia*. Ind-Hill, 1992.
- Nirwana, Rena Putri, dan Ratih Damayanti. "Kontrak Kerja Serta Perlindungan Hukum Hak Dan Kewajiban Pekerja Dalam Sistem Ketenagakerjaan Di Indonesia." *Media Hukum Indonesia*

- (MHI) 2, no. 4 (2024): 4.
<https://doi.org/10.5281/zenodo.1423286>
- Noviana, Eva, Toto Tohir Suriaatmadja, dan Rini Irianti Sundary. “Asas Keseimbangan Dalam Perjanjian Kerja Antara Pekerja Dan Pengusaha Dalam Rangka Mewujudkan Keadilan Bagi Para Pihak.” *Jurnal Wawasan Yuridika* 6, no. 1 (2022): 84–100.
<https://doi.org/10.25072/jwy.v6i1.533>.
- Nugroho, Arinto, Eny Sulistyowati, Emmilia Rusdiana, dkk. “Dispute Resolution between Players and Clubs after the Enactment of Law Number 11 Year 2022 Concerning Sports.” *Technium Social Sciences Journal* 50 (November 2023): 32–35.
<https://doi.org/10.47577/tssj.v50i1.9863>.
- Pertiwi, Hana Febrianti, Agus Mulya Karsona, dan Holyness N. Singadimedja. “Pemotongan Sepihak Upah Pekerja Industri Padat Karya Yang Terdampak Perubahan Ekonomi Global Berdasarkan Hukum Ketenagakerjaan.” *Yurispruden: Jurnal Fakultas Hukum Universitas Islam Malang* 8, no. 1 (2024): 1–16.
<https://doi.org/10.33474/yur.v8i1.21715>.
- Polanunu, Abdul Basir Donny, dan Yusril Ihza Mahendra. “Advokasi Asosiasi Pesepak Bola Profesional Indonesia Sebagai Upaya Pemenuhan Hak Pemain Sepak Bola Profesional Di Indonesia.” *Keluwih: Jurnal Sosial Dan Humaniora* 2, no. 2 (2021): 2.
<https://doi.org/10.24123/soshum.v2i2.4039>.
- Radhiansyah, Emil Radhiansyah, Danar Jovian, dan Salsabilla Zafira Leonita. “Analisis Kewenangan FIFA atas Pencabutan Status Indonesia sebagai Tuan Rumah Piala Dunia Sepak Bola U-20 2023.” *Journal of Political Issues* 5, no. 1 (2023): 16–34.
<https://doi.org/10.33019/jpi.v5i1.118>.
- Rahman, Muhammad Aulia, Nida Athiya Mahfudz, Kanza Azahra Istiani, dan Muhammad Ichsan. “Analisis Hukum Islam Terhadap Kecurangan Dalam Permainan Sepak Bola: Perspektif Etika Dan Hukum Syariah.” *Religion : Jurnal Agama, Sosial, Dan Budaya* 3, no. 3 (2024): 78–85.
<https://doi.org/10.55606/religion.v3i3.988>.
- Silvana, Nina, Agus Surono, dan Adnan Hamid. “Building a Framework for Sports Dispute Settlement: Legal Mechanism and Alternative Approaches in Indonesia.” *Journal Evidence Of Law* 4, no. 1 (2025): 89–94.
<https://doi.org/10.59066/jel.v4i1.969>.
- Sumertajaya, I. Ketut Satria Wiradharma, Kadek Ary Purnama Dewi, dan Ni Putu Ari Setyaningsih. “Penyelesaian Sengketa Upah Pemain Sepakbola Profesional Pasca Berlakunya Undang-Undan14 Julig Nomor 11 Tahun 2022 Tentang Keolahragaan.” *Jurnal Yustitia* 17, no. 2 (2023): 2.
<https://doi.org/10.62279/yustitia.v17i2.1128>.
- Yanutama, Abimanyu. “Perlindungan Hukum Terhadap Tunggakan Gaji Pemain Sepak Bola Profesional Dalam Kontrak Kerja Dengan Klub Sepak Bola Berdasarkan Asas Lex Sportiva.” *Law Research Review Quarterly* 10, no. 3 (2024): 598–610.
<https://doi.org/10.15294/llrq.v10i3.3464>.