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Industrial Accidents as Corporate Crimes: An Analysis of PT ASL Shipyard Batam's Liability under Indonesia's National Criminal Code

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Abstract: Industrial accidents resulting in worker fatalities continue to be a substantial concern in Indonesia's labour sector. Notwithstanding the enactment of various occupational safety and health regulations, the attribution of criminal guilt in cases of fatal workplace accidents continues to be contentious, especially regarding the classification of enterprises as entities subject to criminal law. This circumstance creates a discrepancy between the occupational safety obligations imposed on companies and the penalties enforced when violations of these obligations lead to worker fatalities. This study aims to assess the legal qualifications of the explosion incident at PT ASL Shipyard Batam, evaluate the adequacy of Law Number 1 of 1970 concerning Occupational Safety in determining corporate criminal liability, and examine the framework of corporate criminal liability and management in accordance with the National Criminal Code. The research utilises a normative legal technique, incorporating both legislation and case analyses. The study's findings suggest that the explosion at the MT Federal II PT ASL Shipyard Batam, which led to worker fatalities, could be deemed a criminal offence if negligence in safety compliance is proven. Law Number 1 of 1970 remains relevant as the basis for regulating occupational safety responsibilities; however, it is inadequate for establishing corporate criminal liability, as it does not recognise corporations as entities under criminal law or provide a framework for attributing corporate culpability. In contrast, the National Criminal Code, through Articles 45 to 49, delineates a normative framework that allows for the imposition of criminal liability on both corporations as entities and on administrators in functional roles, order issuers, control holders, and beneficial owners of corporations. This study established that worker fatalities from industrial accidents are not exclusively due to the company's operational hazards; instead, they may constitute a basis for corporate criminal liability if systemic negligence in enforcing and overseeing occupational safety standards is demonstrated.

Keyword: Corporate Criminal Liability, Industrial Accidents, Work Safety, Worker Deaths, The National Criminal Code.

INTRODUCTION

Labour law is a legal field that regulates the interactions between employees, employers, and the government concerning employment relationships. (Duncan, 2017). The safeguarding of workers is constitutionally grounded in Article 27, paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which asserts that every citizen has the right to employment and a humane standard of living. The constitutional guarantee establishes labour protection as a state commitment that must be fulfilled by effective policies, oversight, and law enforcement. (Jemadur, 2026). Occupational safety and health are essential components of this protection, as they pertain directly to workers' rights to operate in safe, healthy, and dignified environments. (Diamond & Sulistiyono, 2025).

Occupational Health and Safety (K3) holds a pivotal role in the national labour framework as it pertains to the sustainability of production processes, the safeguarding of human resources, and the enhancement of corporate productivity. (Darmayanti, 2018). Regulations about K3 in Indonesia are explicitly governed by Law Number 1 of 1970 on Occupational Safety. The existence of the law signifies the nation's recognition that industrialisation, technical progress, and the intricacies of manufacturing processes elevate the risks to worker safety. Occupational safety protection is now regarded not merely as a moral duty of the organization, but as a legal requirement that must be met consistently and sustainably. (Djarmiko & Pudyastiwi, 2024).

The notion of K3 from a global standpoint has garnered significant interest. The International Labour Organization (ILO) and the World Health Organization (WHO) regard occupational safety as a crucial mechanism for safeguarding worker welfare, preventing work-related illnesses, and mitigating the risk of accidents that may result in social and economic detriment. (Alfani & Sunarno, 2024). The neglect of occupational safety standards results in detriment to workers and their families, while also affecting business stability, public confidence, and the sustainability of industrial operations. (Fadillah et al., 2025).

Current conditions indicate that occupational accidents remain a significant issue in Indonesia's industrial sector. Workplace accidents cause damage to firm assets, including fires, explosions, machinery impairment, production interruptions, environmental contamination, and harm to industrial facilities, while also resulting in the far graver consequence of loss of workers' lives. The risk of fatality from workplace accidents elevates occupational safety from a mere administrative concern to a legal matter that intersects with human rights protection and corporate legal obligations.

Data from the Ministry of Manpower (Kemenaker RI) and the Employment Social Security Administration Agency (BPJS) indicate a considerable upward trend in workplace accidents in Indonesia from 2021 to 2025. In 2021, there were 234,370 cases; in 2022, this figure jumped to 298,000 cases; in 2023, it increased further to 370,747 cases; in 2024, it reached 462,241 cases; and at the end of 2025, there were 319,382 reported cases (Ministry of Manpower of the Republic of Indonesia, 2025). In Batam City, the location of the researcher's study, there were 3,735 workplace accidents in 2021; about 2,000 incidents in 2023; a projected 570 occurrences in 2024; and an expected 4,610 cases in 2025. Data from the Employment Supervision Unit of the Riau Islands Provincial Manpower and Transmigration Office reveals a notable occurrence of fatalities due to occupational accidents, especially in the shipyard sector. In 2024, five workers will die, and in 2025, up to 26 workers will perish, excluding the fatalities from the incident at PT ASL, which attracted considerable attention from various stakeholders, including the public, due to its recurrence at the same site, resulting in the deaths

of numerous workers from a catastrophic explosion. Thirteen individuals died at the MT Federal II PT. ASL Shipyard in October 2025. Between January and March, three individuals drowned in the waters next to PT. ASL Shipyard.

A concerning issue is seen in the elevated mortality rate of workers resulting from occupational accidents. Data from the Manpower Supervision Unit of the Riau Island Provincial Manpower and Transmigration Office indicates that in 2024, five workers would perish due to occupational accidents, and in 2025, the death toll will escalate to twenty-six individuals. The shipbuilding industry is among the sectors with the highest degree of risk. Public scrutiny is directed at a succession of lethal incidents that transpired at PT ASL Shipyard Batam. The explosion aboard the MT Federal II vessel in October 2025 led to the fatalities of thirteen people. The interval from January to March of the subsequent year was once more characterised by the fatalities of three workers in the aquatic zone adjacent to PT ASL Shipyard. The recurrence of occurrences at the same site prompts significant enquiries on the efficacy of the occupational safety system and the legal accountability of the corporation.

The elevated mortality rate of workers resulting from industrial accidents necessitates rigorous legal enforcement against the culpable entities. Law enforcement procedures indicate a basic issue in identifying individuals who should be held criminally liable. The investigation, prosecution, and court examination processes typically concentrate on particular individuals, while businesses, as entities profiting from business activity, are seldom regarded as perpetrators of criminal offences. This circumstance establishes a disparity between the elevated mortality and the absence of corporate criminal accountability in industrial accident incidents.

The evolution of national criminal law has effectively expanded the scope for corporate criminalisation. Corporations are now regarded not just as entities of civil law but also as subjects of criminal law, capable of being held accountable for actions undertaken in the course of their corporate operations. (Syatha, 2026a). The issue at hand pertains to the classification of industrial accidents resulting in worker fatalities as corporate crimes and the establishment of appropriate responsibility measures for the organization and its management. This legal framework is significant as work accidents are frequently perceived as operational risks of a company, despite the fact that, under specific circumstances, they may result from systemic negligence, disregard for occupational safety standards, or deficiencies in risk management that fall within corporate oversight.

The lack of research explicitly connecting fatal industrial accidents to corporate criminal culpability within the framework of the national Criminal Code is a significant rationale for this study. The explosion incident at PT ASL Shipyard Batam, which resulted in multiple fatalities among workers, raises legal questions concerning the classification of the incident as a criminal act, the sufficiency of Law Number 1 of 1970 regarding Occupational Safety in establishing corporate criminal liability, and the framework of criminal liability applicable to corporations and their management under the national Criminal Code. The examination of these issues is crucial due to the significant incidence of industrial accidents resulting in worker fatalities, which has not been accompanied by a clear understanding of the imposition of criminal liability on companies as commercial entities. This research aims to contribute theoretically to the evolution of corporate criminal responsibility doctrine and to establish a conceptual foundation for enhancing law enforcement regarding industrial accidents that lead to fatalities.

METHOD

This study employs a normative juridical methodology augmented by empirical data, which complements the investigation of legal application in specific circumstances. (Jonaedi Efendi & Johnny Ibrahim, 2018). The normative juridical method was selected due to the

research's emphasis on evaluating the legal norms governing corporate criminal culpability in industrial accidents leading to worker fatalities. The methodology employed encompasses a statutory approach and a case law approach. The legal and regulatory approach involves examining various regulations pertaining to occupational safety, corporate criminal liability, and national criminal law, while the case approach analyses the explosion incident at PT ASL Shipyard Batam as a specific research subject.

The data utilised is secondary, comprising main legal documents, secondary legal materials, and tertiary legal elements. Primary legal materials encompass Law Number 1 of 1970 regarding workplace Safety, the National Criminal Code, employment rules and regulations, and additional statutes pertinent to workplace safety and health. Secondary legal materials encompass legal texts, scholarly journal articles, prior research findings, judicial rulings, and expert views pertinent to the subject of corporate criminal liability. Tertiary legal publications, including legal dictionaries, encyclopedias, and supplementary sources, are utilised to elucidate legal concepts and terminology.

The compilation of legal resources is conducted via library research by identifying, cataloguing, and analysing diverse legal sources pertinent to research enquiries. (Ali, 2021). Empirical data were gathered from news articles, official papers, and information pertaining to workplace accidents at PT ASL Shipyard Batam to enhance the examination of the practical application of legal norms. All gathered legal documents are subsequently categorised according to the study problem's topic matter and analysed methodically.

The analysis was conducted qualitatively employing legal interpretative approaches and legal reasoning. The gathered legal materials are analysed to evaluate the legal qualifications of the explosion incident at PT ASL Shipyard Batam, assess the sufficiency of Law Number 1 of 1970 in establishing corporate criminal liability, and develop a framework for corporate criminal liability and its management in accordance with the national Criminal Code provisions. The research results were then formulated to generate legal arguments concerning the foundation of corporate criminal culpability in industrial accidents leading to worker fatalities.

RESULTS AND DISCUSSION

Legal Qualification of The Explosion Incident At PT ASL Shipyard Batam As A Criminal Offense

Criminal acts are actions for which the offender may be prosecuted for breaching relevant legal statutes. Wirjono Prodjodikoro asserted that criminal conduct is an action for which the offender may receive a penal sentence, rendering the offender the subject of a criminal act. (Wirjono, 2003). Criminal law governs illicit actions and imposes penalties on those who contravene its statutes. Criminal liability can only be assigned to the individual who perpetrates a criminal act, possesses the capacity for accountability, exhibits an element of culpability, and lacks any justification that negates criminal liability. (Minow, 2015).

Work accident regulations in Indonesia are primarily governed by Law Number 1 of 1970 on Occupational Safety and the Regulation of the Minister of Manpower Number Per. 03/MEN/1998 on Procedures for the Reporting and Inspection of Accidents. According to Article 2, paragraph (2) of the Permenaker, work-related accidents encompass occupational injuries, fires or explosions, hazardous waste disposal, and other perilous situations. The explosion occurrence at the Federal Ship II PT ASL Shipyard Batam is classified as a work accident that has been clearly anticipated within the national occupational safety framework.

Law Number 1 of 1970 explicitly mandates the need to avert the risk of explosion. Article 2, paragraph (1), letter a stipulates that occupational safety regulations pertain to establishments utilising machines, tools, installations, or equipment capable of causing accidents, fires, or explosions. Article 3, paragraph (1) c mandates that a prerequisite for

workplace safety is the prevention and mitigation of explosion hazards. Article 9, paragraph (4) reiterates this commitment by mandating that managers adhere to all relevant workplace safety regulations in their jurisdiction.

The evidence revealed after the explosion indicates that the occurrence should not be regarded only as an isolated technological failure. An audit performed by the Ministry of Manpower revealed seven infractions of occupational safety regulations at PT ASL Shipyard Batam, with five of these problems being unresolved during the examination. These findings suggest possible inadequacies in the enforcement and oversight of occupational safety standards inside the organization. The Ministry of Manpower indicated that the explosion on Federal Ship II, which caused several fatalities, may reveal deficiencies in the company's occupational safety management system (Yassierli, personal communication, 24 February 2026). The Ombudsman Representative of the Riau Islands described the occurrence as indicative of a persistent pattern of workplace safety issues. Although these findings do not independently establish criminal responsibility, they offer pertinent factual indicators for evaluating whether the situation may fulfil the legal criteria for criminal negligence under Indonesian criminal law. The repetition of analogous workplace incidents within the same organization may bolster an investigation into the foreseeability of the risks and the adequacy of the preventive measures enacted. (Representative of the Riau Plumber, 2025).

Fatal industrial accidents are not inherently designated as criminal crimes just due to the occurrence of injury or death. In criminal law, liability necessitates the demonstration of particular legal characteristics, encompassing carelessness, causation, foreseeability of harm, and culpability. Therefore, a differentiation must be upheld between breaches of workplace safety regulations and criminal liability. Regulatory non-compliance may indicate that a corporation has violated statutory safety requirements; nevertheless, criminal culpability occurs only when such violations can be demonstrated to have significantly contributed to a foreseeable danger that subsequently led to death or serious harm (March, 2020). Workplace accidents leading to worker fatalities are not inherently classified as criminal offences. Criminal qualification occurs when death results from negligence that may have been averted by adhering to legal responsibilities (Aji Sugiyanto & Djauhari, 2018). In the context of PT ASL Shipyard Batam, the findings of unresolved safety violations and recurrent workplace incidents may act as pertinent indicators for this assessment. Nonetheless, whether these conditions finally meet the criteria for criminal negligence must be determined through judicial proceedings and evidence analysis.

Article 474, paragraph (3) of the National Criminal Code stipulates that an individual whose negligence results in another's death may face imprisonment for a maximum of five years or a Category V fine. The implementation of this provision necessitates evidence that the fatality was caused by legally pertinent carelessness and that a causal link exists between the failure to fulfil safety requirements and the resultant fatalities. The material on the MT Federal II explosion at PT ASL Shipyard Batam does not independently confirm criminal liability. Instead, it signifies the presence of factual conditions that may need an evaluation of whether the legal criteria for criminal negligence are met. The incident should not be regarded merely as an operational risk or a violation of occupational safety; rather, it may represent a criminal offence if subsequent legal proceedings reveal that foreseeable risks were disregarded, mandatory safety obligations were violated, and these violations directly contributed to the fatalities of the workers.

The Adequacy of Law Number 1 of 1970 in Reaching Corporate Criminal Liability

Law Number 1 of 1970 serves as the primary tool for regulating workplace safety in Indonesia. Nonetheless, the legal framework embedded in the statute is primarily focused on the avoidance of workplace accidents rather than the creation of a corporate criminal

responsibility system. The majority of the regulations concentrate on ensuring occupational safety standards, managerial responsibilities, oversight of the workplace, and preventive strategies against many possible risks that may lead to accidents. This attitude indicates that Law Number 1 of 1970 aims to avert work accidents rather than to establish a complete framework for corporate criminal culpability in the event of fatalities resulting from such accidents.

The absence of rules explicitly designating companies as subjects of criminal law illustrates these restrictions. Law Number 1 of 1970 governs the responsibilities of administrators and criminal penalties for breaches of occupational safety regulations; however, it lacks a framework for determining when a corporation may be deemed a perpetrator of a criminal offence, the evidentiary standards for corporate misconduct, or the individuals within the corporate hierarchy who may be held criminally liable. The lack of such procedures creates issues when workplace accidents escalate beyond administrative infractions, culminating in incidents that lead to the fatalities of numerous people.

The absence of these regulations is further highlighted when juxtaposed with Law Number 32 of 2009 regarding Environmental Protection and Management. The statute expressly acknowledges business entities as subject to criminal law by defining "everyone" to encompass both legal and unincorporated commercial enterprises. Article 116 explicitly states that if a criminal conduct is perpetrated by, for, or on behalf of a business entity, charges and penalties may be levied against the business entity or the individual who issues the order or leads the activity. This construction is absent in Law Number 1 of 1970. The disparities indicate that the environmental law framework has progressed towards corporate criminal culpability, whilst the occupational safety framework continues to depend on the principle of individual accountability.

The ramifications of this condition are seen in the execution of laws regarding workplace accidents in Indonesia. In instances where a workplace accident leads to a worker's fatality, law enforcement typically invokes Article 359 of the former penal Code concerning negligent homicide, rather than the penal stipulations outlined in Law Number 1 of 1970. This decision indicates that the penal provisions in Law Number 1 of 1970 are insufficient to address the intricacies of deadly workplace accidents. Article 359 of the previous Criminal Code fails to acknowledge corporations as subjects of criminal law, so directing liability primarily towards specific people deemed culpable. Consequently, the law enforcement procedure predominantly focuses on identifying individual offenders, whereas businesses, which govern labour processes, establish operational standards and reap economic advantages from corporate activities, frequently evade criminal accountability.

The explosion incident involving the Federal Ship II at PT ASL Shipyard Batam exemplifies these constraints. The incidents leading to the fatalities of several workers are not solely attributable to the conduct of specific individuals, but also prompt enquiries regarding the efficacy of the company's occupational safety system. The Ministry of Manpower's findings concerning various unaddressed violations indicate that the issues are not exclusively linked to implementation errors in the field, but may also stem from deficiencies in supervision, risk management, and occupational safety governance within the corporate setting. Law Number 1 of 1970 fails to offer a sufficient normative framework for attributing criminal culpability to companies as entities or parties with decision-making capacity within the corporation.

The primary deficiency of Law Number 1 of 1970, as delineated, resides not in its role as a preventive measure against workplace accidents, but in its failure to address corporate criminal liability when such accidents escalate into criminal incidents leading to worker fatalities. This scenario indicates a normative disparity between the workplace safety framework and the evolution of contemporary criminal law, which has acknowledged

companies as subjects of criminal liability. This vacuum was subsequently addressed through the regulation of corporate criminal responsibility in the national Criminal Code.

Construction of Corporate Criminal Liability and Management of PT ASL Shipyard Batam Based on the National Criminal Code

The explosion of the MT Federal II PT ASL Shipyard Batam should not be regarded as an isolated event or attributed entirely to a mere technical malfunction. The traits of fatal incidents in high-risk sectors like shipyards need an examination of the occupational safety system established by the company. An analysis of work-related accidents at PT ASL Shipyard reveals deficiencies in risk management, oversight of hazardous tasks, and the consistent and ongoing application of occupational safety and health systems. The execution of occupational safety and health encompasses not merely the provision of personal protective equipment or the satisfaction of administrative duties, but also the comprehensive risk management system, which entails planning, executing, monitoring, and assessing work activities that may pose hazards. An examination of the PT ASL Shipyard case indicates that the work-related incidents are purportedly linked to the suboptimal execution of safety protocols and inadequate oversight of high-risk operations. This criterion indicates that the adoption of K3 should not be perceived as a mere administrative formality, but must be executed as an effective control mechanism to avert workplace accidents. (Rhemrev, 2026).

The facts disclosed post-explosion indicate that the issues encountered were not only attributable to the conduct of certain persons. The Ministry of Manpower's findings about numerous unaddressed infractions and the recurrence of workplace accidents at PT ASL Shipyard Batam indicate systemic issues in the enforcement of occupational safety measures. This condition suggests that the accident's cause lies not just with field implementers but also pertains to the supervisory system, risk management, and occupational safety policies established by the organization. In this context, the examination of criminal responsibility must extend beyond specific individuals present at the incident to encompass the correlation between the occurrence and the overall operational framework of the organization.

Corporate criminal liability is intrinsically linked to the evolution of contemporary criminal law doctrines that position corporations as subjects of criminal law. This acknowledgement arises from the understanding that several legal infractions in business operations are frequently not solely attributable to human conduct, but rather emerge from policies, operational frameworks, oversight practices, and managerial decisions implemented inside the corporate context. In this perspective, businesses are perceived as capable of committing illegal crimes via representatives acting on their behalf. Consequently, the evolution of contemporary criminal law extends criminal culpability beyond natural persons to encompass legal organisations that benefit from their economic operations. (Syatha, 2026b). The acknowledgement subsequently acquired a normative foundation under the national Criminal Code. Article 45 paragraph (2) underscores that corporations encompass limited liability firms, foundations, cooperatives, state-owned businesses, regional-owned enterprises, and other commercial entities acknowledged by laws and regulations. According to these regulations, PT ASL Shipyard Batam, as a limited liability company, falls within the group of corporations subject to criminal culpability.

Criminal liability requires the ability to be held accountable, the presence of culpability, and the absence of exculpatory justification. Moeljatno posited that accountability embodies a form of responsibility for an individual's transgressions. (Moeljatno, 2008), Whilst Sudarto elucidated that criminal liability serves as a framework to ascertain whether an individual can be punished based on an error (Sudarto, 1986).

PT ASL Shipyard Batam is a limited liability business with legal entity status, an incorporation deed, and operational licenses granted by the government. Consequently, it

qualifies as a legal entity that can incur criminal liability under Indonesian law. The Ministry of Manpower's findings reveal unresolved occupational safety issues and imply possible deficiencies in the enforcement of workplace safety duties outlined in Article 2 paragraph (1) letter a, Article 3 paragraph (1) letter c, and Article 9 paragraph (4) of Law Number 1 of 1970. These results are significant in evaluating whether the corporation met its legal duty of care and whether any omissions may have contributed to the explosion's occurrence.

However, administrative findings alone are inadequate to definitively determine criminal culpability. Establishing culpability necessitates a legal evaluation of whether the purported omissions meet the criteria for criminal negligence, encompassing the presence of a duty of care, foreseeability of harm, causal link, and the extent of fault assigned to the corporation or its executives. The presence or lack of grounds for eliminating criminal liability can only be conclusively shown via judicial review and evidence processes. Consequently, instead of proving that the criteria for criminal responsibility have been met, the existing evidence offers a foundation for assessing the possible relevance of criminal culpability to PT ASL Shipyard Batam within the context of Indonesia's National Criminal Code.

The assessment of the nature of corporate criminal culpability in this instance can be examined via Identification Theory. This idea posits that the acts and intentions of managers or senior officials in strategic positions inside the organization are seen as the actions and intentions of the corporation itself. (Saputro et al., 2021). This approach is reinforced by the Identification Theory, which emphasises the state of mind. This argument emerged from the necessity to elucidate how a legal entity that is physically incapable of action or lacks volition can be deemed criminally liable. Consequently, the law attributes the acts and mental state of the corporation to specific individuals who execute control and decision-making duties within the organization's structure. This view is reinforced by Identification Theory, which attributes the corporation's inner state to the entity that serves as its directing mind, will, ego center, or control center. (Saipudin et al., 2025). This formulation renders judgments, policies, neglects, or supervision failures by individuals in critical positions as corporate actions rather than isolated individual acts.

The corporation is inseparable from the acts of its management, who possess decision-making authority, as their actions and mindset are regarded as those of the corporation itself. (Hikmawati, 2017). Thus, establishing corporate criminal liability requires not only identifying the individuals present at the incident but also focusing on those with the authority to formulate policies, oversee operations, and regulate the company's activities. At PT ASL Shipyard Batam, the responsibility to adhere to occupational safety regulations, ensure compliance with safety protocols, oversee high-risk operations, and mitigate potential explosive dangers falls under the purview of the company's management. The responsibility resides not with the executing worker, but with the entity possessing the capacity to establish operational standards, furnish safety provisions, assign resources, and guarantee the proper implementation of all safety protocols.

From this viewpoint, liability for failing to avert an explosion cannot be indiscriminately assigned to field workers. If it is demonstrated that the accident resulted from insufficient supervision, weak enforcement of safety protocols, or disregard for previously acknowledged occupational safety infractions, then the error might be classified as corporate liability. In essence, when management in a functional role is aware of potential hazards yet neglects to implement necessary preventive measures, or when it fails to enforce adequate occupational safety standards, the negligence is attributed not only to specific individuals but also to the corporation as a legal entity conducting business activities.

The examination of corporate criminal liability in this instance can also be assessed under the doctrine of vicarious liability. This doctrine asserts that corporations may be held liable for actions undertaken by workers or subordinates, if these actions occur within the scope

of their employment and serve the interests of the corporation. (Kurniawan & Hapsari, 2022). This idea is founded on the relationship between the employee and the corporation, wherein the employee's actions performed within the scope of employment are regarded as integral to the organization's activities. Consequently, companies cannot evade accountability solely because the activities resulting in repercussions are executed by employees or field operatives.

The explosion of the MT Federal II Ship transpired during the execution of PT ASL Shipyard Batam's operations in shipbuilding and repairs. These activities constitute the company's operational functions, which are governed, managed, and accountable to the corporation. All labour performed by employees is fundamentally executed for the advantage of the organization and to attain corporate objectives. Consequently, if it is established that the explosion is attributable to negligence in enforcing occupational safety standards, inadequate oversight of high-risk operations, or a failure to manage risks that the company is obligated to address, then criminal liability extends beyond the workers directly involved. In the context of vicarious liability, a corporation that reaps economic benefits from commercial activities may also be held accountable when an accident transpires within the scope of those activities conducted for its interests.

The significance of corporate criminal responsibility can also be assessed through the lens of model corporate culture. This philosophy posits that a company's culture, supervisory structures, work routines, and ingrained behaviours can serve as a foundation for evaluating the presence of corporate misconduct. (Mahmud, 2022). The identification of unaddressed infractions and the persistence of workplace accidents indicate that the issues are not solely attributable to individual acts, but also to the efficacy of the company's established occupational safety system. From this viewpoint, recurring patterns of infractions may signify that occupational safety has not been established as a continuously upheld organisational value.

The establishment of corporate criminal liability in the national Criminal Code is explicitly grounded in Articles 46 to 49. Articles 46 and 47 broaden the definition of corporate criminal offenders to include not only corporations as entities but also individuals in functional roles, those who issue directives, holders of control, and beneficial owners of businesses. Article 48 specifies that a corporation may incur criminal liability if a criminal act occurs within the purview of its business operations, is endorsed as corporate policy, the corporation fails to implement requisite preventive measures, or the corporation permits a criminal act to transpire. The recurrence of workplace accidents, unaddressed infractions, and evidence of deficiencies in the occupational safety system underscore the significance of these regulations in relation to PT ASL Shipyard Batam. Article 49 underscores that criminal culpability may be assigned not only to corporations as entities but also to administrators in functional roles, order issuers, control holders, and/or beneficial owners of corporations. Consequently, the establishment of criminal liability in the instance of the MT Federal II ship explosion extends beyond the field operatives to encompass businesses and entities with the authority to formulate policies, oversee, and regulate the company's business operations.

CONCLUSION

The explosion of the MT Federal II vessel at PT ASL Shipyard Batam, which resulted in multiple fatalities among workers, cannot be classified as a mere workplace accident; rather, it exhibits the attributes of a criminal offence when linked to negligence in adhering to occupational safety obligations as outlined in Law Number 1 of 1970 regarding Occupational Safety. The discovery of unaddressed work safety violations, the persistence of workplace accidents, and evidence of deficiencies in risk management and occupational safety oversight suggest that worker fatalities are not merely a result of operational hazards, but are linked to breaches of legal responsibilities intended to avert workplace accidents.

Law Number 1 of 1970 remains pertinent as the foundation for governing occupational safety responsibilities and accident prevention in the workplace; nonetheless, it is inadequate for establishing corporate criminal liability in instances of industrial accidents that lead to fatalities. The restrictions are evident in the lack of regulations explicitly designating corporations as subjects of criminal law, the absence of a definition of corporate misconduct, and the absence of rules concerning which individuals within the corporate structure may be held criminally accountable. This circumstance establishes a normative deficiency in law enforcement regarding fatal workplace accidents involving commercial entities engaged in industrial activity.

Articles 45 to 49 of the National Criminal Code establish a more extensive legal framework for corporate criminal liability. PT ASL Shipyard Batam, being a limited liability entity, is classified as a corporation capable of incurring criminal culpability. The evidence of occupational safety infractions, signs of supervisory deficiencies, and the repetition of workplace accidents suggest a foundation for evaluating the fulfilment of corporate negligence criteria. According to the framework of corporate criminal liability in the national criminal code, liability may be assigned not only to corporations as entities but also to managers in functional roles, order issuers, control holders, and/or beneficial owners of corporations, provided they are demonstrated to be involved in decision-making, negligence, or supervisory failures that lead to workplace accidents resulting in worker fatalities. Consequently, the National Criminal Code has established a normative framework that enables a more extensive enforcement of laws regarding industrial accidents than the prior occupational safety legal regime.

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