

Garuda Indonesia's Rejection of Passengers Caused by Placement of *Hand Bags* on the Airplane Floor (Case Study of the Supreme Court's Decision Number 2733 K/Pdt/2018)

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ABSTRACT

In aviation activities, sometimes disputes occur due to misunderstandings between passengers and cabin crew, and even lead to lawsuits in court. The problem faced is how the attitude of airplane passengers should be according to Law Number 1 of 2009 concerning Aviation and what actions can be taken by the Garuda Indonesia airline against passengers who violate the provisions of air transportation. The results show that the attitude of airplane passengers according to Law Number 1 of 2009 concerning Aviation (Case Study of Supreme Court Decision Number 2733 K/Pdt/2018) refers to Article 54 of Law Number 1 of 2009 concerning Aviation. Passengers are prohibited from violating the rules that have been implemented by the flight service provider, and disrupting the flight, and the captain of the aircraft has the authority to take action such as lowering the passenger. Actions that can be taken by Garuda Indonesia against passengers who violate the provisions of air carriage are that Garuda Indonesia must notify that the rules are so. Garuda Indonesia's obligation is to announce the conditions of carriage, and others. The terms of carriage are in the announcement. the conditions of carriage at Garuda Indonesia are regulated in Article 1 to Article 18 regarding the conditions of carriage regarding passengers and baggage. To prevent disturbance of order and comfort while using air flight services, of course, awareness of all stakeholders is needed in complying with all applicable legal regulations.

Keywords: Rejection, Garuda Indonesia, Passenger, Hand Bag.

1. INTRODUCTION

Air transportation is the prima donna of modern transportation today. In the last 10 years, air transportation has been able to have a positive influence on flight service users who have various classes, both economy class, business class and *first class*. In addition, the flight is able to create a competitive climate or able to compete with the airline, which in essence is able to give birth to cheap tickets and hunted people spacious enthusiastically. Competition on aspects other raising fears that the cheap ticket prices will have an impact on quality services / services, especially services on *maintenance* aircraft. Such concerns arise because of the frequent occurrence of airplane accidents. [1] Basically in commercial air transportation activities there are two parties, namely the carrier in this case is the company or airline and the service user or consumer. The parties are bound by an agreement, namely a carriage

agreement. As befits an agreement which is a manifestation of a civil legal relationship, it contains rights and obligations that must be carried out and fulfilled, the carrier provides good and excellent service and passengers are polite and always maintain ethical norms, and other provisions specified by airlines and several regulations regulated in the provisions of Law Number 1 of 2009 concerning Aviation. [2]

Ethics are values, norms and quality of moral standards that become a reference for individuals and groups in behaving in social life. Ethics is needed to avoid things that are not desirable. Often things that seem trivial to the unconscious actually disturb public order and the comfort of others. There may also be some flight service users who do not know the case of flight ethics. To anticipate the ignorance of it and overcome various actions unethical done not on purpose by myself as a passenger or user of air transport services.

Talking about ethics on board, perhaps “it refers more to attitudes and behavior towards cabin crew, onboard facilities, and other passengers. Ethics here is not only behavior, but also style of speech and language that must be considered even more. Don’t do silly things that can harm yourself, even if it’s just a joke. These are as follows:.[3]

1. Must be polite
Being polite must be applicable to other passengers. The reason, other passengers also have the same rights. Maintain behavior and do not do strange things that can disturb the comfort of others.
2. Controlling other people's privacy
Everyone has their own privacy. Even though the distance between the seats is so narrow, you must still be able to maintain the privacy of other passengers next to it.
3. Controlling luggage
Each passenger does have the right to carry goods and be placed in the cabin. However, one thing to keep in mind is that cabin baggage belongs to all passengers on the plane. Therefore, before leaving, make sure the items you carry do not exceed the capacity so that they do not take up the entire baggage space that should be filled by other passengers. In addition, there are rules that have been set by all airlines regarding the amount of weight of goods that can be carried into the aircraft cabin. In order not to get into trouble, of course, it must be ensured that the ethics of the passengers on this plane are strictly adhered to.
4. Be courteous to cabin crew
Cabin crew are professionals who help passengers feel comfortable during the flight. Be polite, respectful and kind to cabin crew so they can make their job easier.
5. Listening and obeying the rules on the plane.
6. Respect the rights of fellow passengers.
7. Not breaking the law.”

Based on Article 54 of Law Number 1 of 2009 concerning Aviation, it is stated that:

Everyone on board the aircraft during the flight is prohibited from:

- a. actions that can endanger the security and safety of aviation;
- b. violation of the rules of the flight;
- c. taking or destroying aircraft equipment that may endanger safety;
- d. immoral acts;
- e. actions that disturb the peace; or
- f. operation of electronic equipment that interferes with flight navigation.

This means that as airplane users, many passengers do not heed a number of flight rules. In fact, if implemented, these procedural provisions can maintain the comfort of each other, passengers and all related parties during the flight.

In this study, the author raised the case of the Supreme Court’s Decision Number: 2733K/Pdt/2018. This case began when the Plaintiff/passenger with his entourage

arrived or arrived at Praya transit with Garuda Indonesia Flight Number Flight/ *Flight* GA 435 with *Boarding Pass* /Ticket Number: 126248356651202 SEQ 0070 Seat Number/Seat 34 B on behalf of the Plaintiff with the route Praya- Jakarta.

In the position on the plane, the plaintiff was tidying up his *hand bag* containing important documents and other valuables in the form of a DPR Badge made of Gold (23 carats) weighing 10 (ten) grams and Rp. 20.000.000, - (twenty million) and Plaintiffs intended to put or put a *hand bag* into the cargo plane parallel to the above *seat* / seat plaintiff, but it turns out cargo in question has been filled by the other passenger items, so that the *hand the bag* by the plaintiff was placed or placed on the floor of the plane close to or adjacent to seat number 34 B (the plaintiff’s seat).

Apparently the placement/ placement of the *hand bag* by the Plaintiff on the floor of the plane was noticed and became a problem for an officer/stewardess of a Garuda Indonesia flight with Flight Number/ *Flight* GA 435 Praya Lombok-Jakarta. The attitude of the officer/stewardess is in accordance with standard operating procedures, so that other passengers feel comfortable and not disturbed. Given that every passenger does have the right to carry goods and be placed in the cabin. However, one thing to keep in mind is that cabin baggage belongs to all passengers on the plane. Therefore, the goods carried do not exceed the capacity so that they do not take up the entire baggage space that should be filled by other passengers. In addition, there are rules that have been set by all airlines regarding the amount of weight of goods that can be carried into the aircraft cabin and must be strictly adhered to.

As explained above, the reason why Garuda Indonesia did not allow passengers to fly was only due to the improper placement of *hand bags* , and the plaintiff had realized this because the luggage compartment had been used by someone else. The plaintiff’s lawsuit won in the court of first instance, then Garuda Indonesia filed an appeal and won, then filed an cassation to the Supreme Court and the plaintiff lost and the verdict was in accordance with the prevailing laws and regulations. Based on the description of the background above, the problems in this study are; what should be the attitude of airplane passengers according to Law No. 1 of 2009 concerning Aviation? and what actions can Garuda Indonesia take against passengers who violate the provisions of air transportation?

2. METHOD

The type of research used in writing this thesis uses juridical-normative legal research methods, namely examining laws that are conceptualized as norms or rules that apply in society, and become a reference for everyone’s behavior.[4]

The type of data used is secondary data. The secondary data has a very broad scope, including official documents,

books, research results in the form of reports, diaries and so on. In this research, the data collection tool used is *library research*. Of course, a legal research (for example, normative law can be limited to the use of document studies or library materials only) namely on secondary legal data, is data collection by studying data on matters in the form of notes, transcripts, newspapers and views that relevant to the subject matter and general reference sources (literature books) as well as specific references (documents) that are directly adapted to the issues discussed.

The data analysis technique used is qualitative analysis, which describes and interprets data in the form of good and correct sentences to obtain short answers that are formulated deductively. Based on qualitative data analysis, the results of this study will be described in the form of sentences arranged in a systematic, clear, and detailed manner so that they can be interpreted to obtain a deductive conclusion to answer the existing subject.

3. DISCUSSION

3.1. Attitudes of Airplane Passengers According to Law Number 1 Year 2009 concerning Aviation (Case Study of Supreme Court Decision Number 2733 K/Pdt/2018)

Basically, every mode of transportation has rules, norms, and regulations that must be obeyed and are fairly similar to one another. For example, maintaining cleanliness on the plane, not saying rude things, maintaining the privacy of other passengers, etiquette when on the plane and so on. That is a basic rule that must be followed wherever you are.

Referring to Hans Kelsen's theory of legal norms, it is stated that legal norms are rules, patterns or standards that need to be followed. Then it is further explained that the function of legal norms is to rule, prohibit, authorize, allow and save from provisions. This means that legal norms are always created through the will. These norms will become binding on the community, if these norms are desired to become law and must be stated in written form, issued by an authorized institution and contain orders.

In relation to the rules, the norms of passengers on the plane, may be more directed to attitudes and behavior towards cabin crew, facilities on board, to other passengers. These rules are not only behavior, but also style of speech and language that must be paid more attention to. Don't do useless things that can harm yourself, even if it's just a joke. Therefore, in order to use the aircraft safely and avoid any problems, passengers must comply with all passenger rules on board.

On the other hand, passengers also have passenger rights that have been regulated in such a way in air transportation. A passenger in an air transportation agreement certainly has the right to be transported to the destination by an aircraft that has been designated or intended in the relevant air transportation agreement.^[5] In

addition, passengers or their heirs have the right to claim compensation for losses suffered as a result of a flight accident on the aircraft concerned. In addition, the rights of other passengers are to receive documents that certify them as passengers, get good service, obtain security and safety during the transportation process and others.

In the theory of air transportation, especially in Article 1 number 13 of Law Number 1 of 2009 concerning Aviation, where air transportation is any activity using aircraft to transport cargo and postal passengers for one trip or more from one airport to another airport. Others, while commercial air transportation is air transportation for the public by charging a fee. Air transportation in general is commercial air transportation, commercial public transportation is air transportation for the public at a fee. Commercial air transportation activities can be carried out by national commercial air transportation business entities on a scheduled basis. In air transportation, of course, involves elements of the transport company, passengers and third parties.

In relation to passengers when using an airplane or when on an airplane, of course there are ethics or norms that apply in it. Ethics is closely related to the norm of decency and it cannot be separated from everyday life. Even when you want to get on a plane, there are unwritten rules that must be followed. Here are some of them:

1. When Boarding

Almost all passengers carry a bag when they want to travel by plane, the purpose is to store all the necessities. When entering the plane, as much as possible avoid the aircraft baggage at the top. If the luggage is not too much, just put it under the seat. Why? Loading bags and belongings into the top trunk takes a long time. If you want to get out more quickly and comfortably when landing, place your luggage near you.

2. While on the plane

The most important thing while on the plane is not to create and make noise with other people. All passengers have the same rights because each has purchased a ticket. Sit in your chair. Feet, hands, luggage must be in the seat itself, do not pass through other people's seats.

3. When landing

Be organized and exit the plane in line. If you sit in the back, then be patient to wait. If you sit in the front, grab your luggage and get off quickly. Don't fill airplane aisles and keep people waiting. If you store your luggage in the upper trunk, lower it slowly so it doesn't fall and fall on other people. Do not open bags or suitcases before exiting the plane. If something is left behind, don't fight the flow of people out. Let everything out first, then take the item. And don't turn on the phone before everyone gets off the plane.

Every person on board an aircraft during a flight is prohibited from:

- a. actions that can endanger the security and safety of aviation;
- b. violation of the rules of the flight;

- c. taking or destroying aircraft equipment that may endanger safety;
- d. immoral acts;
- e. actions that disturb the peace; or
- f. operation of electronic equipment that interferes with flight navigation.

Regarding the safety and security of passengers, the airline ensures the safety and comfort of all passengers. Therefore, it may be time to review the unwritten rules for passengers traveling the world by plane, including:

1. Don't store too many things in the cabin baggage
Baggage provisions for airline passengers have now changed a lot. Many airlines charge additional fees for aircraft baggage and limit carry-on to the cabin based on weight and size. Many people try to carry a lot of luggage into the cabin, fill cabin baggage and force others to keep things under their seats. You should avoid this if you don't want to make it difficult for other people.
2. Courtesy to cabin crew Cabin crew are professionals who help passengers feel comfortable during the flight. Be polite, respectful and kind to cabin crew so they can make their job easier.

Based on the provisions of the articles in Law Number 1 of 2009 concerning Aviation, in particular Article 54, Article 55, Article 56 and Article 57, namely:

Article 54

Every person on board an aircraft during a flight is prohibited from:

- a. Actions that can endanger the security and safety of aviation;
- b. Violation of the rules of the flight;
- c. Taking or destroying aircraft equipment that may endanger safety;
- d. Immoral acts;
- e. Acts that disturb the peace; or
- f. Operation of electronic equipment that interferes with flight navigation."

Article 55

During the flight, the pilot of the aircraft concerned has the authority to take action to ensure flight safety, order and security."

Article 56

- (1) In flight, it is prohibited to place passengers who are unable to take emergency action on the emergency doors and windows of the aircraft.
- (2) Anyone who violates the provisions as referred to in paragraph (1) shall be subject to administrative sanctions in the form of:
 - a. Warning;
 - b. Freezing of certificates; and/or
 - c. Certificate revocation.

Article 57

Further provisions regarding safety and security in aircraft, the authority of the flight captain during the flight, and the

imposition of administrative sanctions are regulated by a Ministerial Regulation.

In the case of Supreme Court Decision Number: 2733K/Pdt/2018, where in the position on the plane the plaintiff was tidying up his *hand bag* /tote bag containing important documents and other valuables in the form of a DPR Badge made of Gold (23 carats) with a weight 10 (ten) grams and cash amounting to Rp.20.000.000, - (twenty million) and Plaintiffs intended to put or put a *hand bag* into the cargo plane parallel to the above *seat* / seat plaintiff, but it turns out cargo in question has been filled by the other passenger items, so that the *hand the bag* by the plaintiff was placed or placed on the floor of the plane close to or adjacent to seat number 34 B (the plaintiff's seat).

The placement/placement of the *hand bag* by the Plaintiff on the floor of the aircraft was noticed and became a problem for an officer/stewardess of a Garuda Indonesia flight with Flight Number/ *Flight* GA 435 Praya Lombok-Jakarta. The attitude of the officer/stewardess is in accordance with standard operating procedures, so that other passengers feel comfortable and not disturbed. Given that every passenger does have the right to carry goods and be placed in the cabin. However, one thing to keep in mind is that cabin baggage belongs to all passengers on the plane. The plaintiff's lawsuit won in the court of first instance, then Garuda Indonesia filed an appeal and won, then the cassation in the Supreme Court the plaintiff lost and the decision was in accordance with the prevailing laws and regulations.

Based on this, Dr. Susanti Adi Nugroho, SH, MH is of the opinion that the attitude of airplane passengers is regulated in Article 54 of Law Number 1 of 2009 concerning Aviation. All provisions in Article 54 above have rules. Likewise regarding the aspect of the carrier's responsibility in this case Garuda Indonesia, where in Article 1 number 22 of Law Number 1 of 2009 concerning Aviation states that the carrier's responsibility is the obligation of the air transportation company to compensate for the losses suffered by passengers and/or passengers. Shippers and third parties. The attitude of the passengers of an airline is prohibited from taking the attitudes/actions described above to avoid things that are not desirable.

Based on the theory of the carrier's responsibility to passengers, as explained in Article 1 number 22 of Law Number 1 of 2009 concerning Aviation, it is stated that the responsibility of the carrier is the obligation of the air transportation company to compensate for the losses suffered by passengers and/or shippers as well as third parties. Thus, it can be interpreted that *liability* is the obligation to pay compensation for losses suffered by other parties, for example in an air carriage agreement, an airline is responsible for the safety of passengers and/or goods transported to their destination.

In this sense it is clear that passengers are protected in Law Number 1 of 2009 concerning Aviation if they are in accordance with their actions or actions when they are within the scope of the airport, on planes and others that are related to aviation and do not violate ethics, legal

norms that apply in positive law in Indonesia passengers are protected.

Meanwhile, in the opinion of Peter Canisius Smith Fernandez, s IKAP passengers should in accordance with Article 54 of Chapter 4 of Safety and Security of Aircraft In-Flight, in Law No. 1 of 2009 concerning Aviation, that it is prohibited to violate the rules that have been implemented by the flight service provider, and this interferes with the flight, and the captain of the aircraft may have the authority to take actions such as the disembarkation of the passenger.

Based on the Decree of the Director General of Civil Aviation Number SKEP/40/II/95. All the passengers of the aircraft, special passengers, air crew, prospective pilgrims, document passenger planes air, checked baggage (*checked baggage*), baggage (*cabin baggage*), cargo and mail must be inspected by security personnel (*security personnel*) to ensure flight safety and security. In addition, *security personnel* must also supervise the path from the *check-in counter* to the waiting room and the *air side*, the path to the aircraft and vice versa:^[6]

Every prospective airplane passenger must be checked by airport security personnel, both physically and/or using inspection tools. The examination can use a tool that is interspersed with a physical examination in a randomized manner. Every suspected aircraft passenger must be physically examined more intensively. Airport security officers have the right to prohibit the flight of prospective passengers who refuse and who do not want to be examined physically or by using assistive devices. If the airport *security personnel* notify the airline company that the prospective passenger does not want to be checked, the airline company as the carrier must refuse the departure of the prospective passenger who does not want to be checked by the flight security officer.

The airline company as the carrier is obliged to notify the reason for the refusal of departure to the prospective passenger concerned. The airline company as the carrier is required to provide an identity form containing the name, address of the owner to be filled in and installed by the passenger in his cabin baggage. Airline companies as carriers must place *security personnel* (*security personnel*) and cooperate with airport security personnel (security personnel) to carry out passenger inspections. The airline company that carries the prospective passenger must place an authorized officer in the waiting room to check the *boarding pass* of the prospective passenger who will board the aircraft according to their respective destinations.

Prospective airplane passengers, especially children under the age of 8 years, must be accompanied by an introduction or person in charge, either the flight crew or the person in charge, whether the prospective passenger is 8 months pregnant, must be accompanied by a doctor's certificate. Sick people who cannot walk alone must be accompanied by a doctor's certificate and accompanied by an introduction, while the carriage of the corpse must be accompanied by a certificate from the health agency. The transportation of insane persons, detainees or deportees must be escorted by authorized personnel. The airline that

carries the passenger must reject the prospective child passengers who are not accompanied by a doctor's certificate, sick people who cannot walk on their own without a doctor's certificate and introduction, corpses that are not accompanied by a certificate from the competent authority, crazy people who are not escorted, detainees or deportees who are not escorted by authorized officers. Likewise, the airline that will transport the candidate can also reject the candidate. This is intended to provide legal validity and legal certainty for the implementation of Law Number 1 Year 2009 concerning Aviation.

3.2. Actions That Can Be Taken By Garuda Airlines Against Passengers Who Violate Air Carriage Conditions.

Aviation safety according to Article 1 number 48 of Law Number 1 of 2009 concerning Aviation is a condition of meeting safety requirements in the use of airspace, aircraft, airports, air transportation, flight navigation, as well as supporting facilities and other public facilities. Meanwhile, aviation security according to Article 1 number 49 of Law Number 1 of 2009 concerning Aviation is a condition that provides protection to aviation from unlawful acts through the integrated use of human resources, facilities, and procedures.

In this case, airplane passengers must continue to obey the existing regulations at the airport, on the way to the plane and on the flight. The purpose of complying with this regulation is for flight safety. As passengers we must comply with aviation safety regulations, because this is also for our safety and that of many people. Second, don't forget ethics, airplanes are public places and the most important thing is that passengers are expected to also pay attention to the ethical side.

Improved aviation safety not only " affair airline or the Government as a regulator. But also the public, especially airplane passengers. Therefore, according to Law Number 1 of 2009 concerning Aviation, airplane passengers must support the Government's efforts to improve flight safety and security. At least do not create problems that could endanger the safety of the aircraft and all its passengers.

There are several prohibitions for airplane passengers as regulated in Article 54 of Law Number 1 concerning Aviation which are intended as support efforts to improve flight safety in Indonesia.

Airplane passengers must obey the instructions of the cabin crew, secondly, don't use cellphones, and don't joke about bombs, don't open emergency doors without the cabin crew's orders and others. Passengers who refuse to comply with these rules will not be allowed to board the aircraft. The bad habit that passengers do is when they put their suitcases in the cabin baggage which is located above their heads. This is because airlines are not covered by insurance or anything if there are flight attendants who hurt themselves during the flight. In addition, heavy passenger bags or suitcases can cause serious injuries to staff.

Referring to the opinion of Prof. Dr. HK Martono, SH, LL.M regarding actions that can be taken by the Garuda Indonesia airline against passengers who violate the provisions of air transportation in the Supreme Court's Decision Number 2733 K/Pdt/2018 is that Garuda Indonesia must notify that the rules are so. Garuda Indonesia's obligation is to announce the conditions of carriage, and others.

The terms of carriage are contained in the announcement. the conditions of carriage at Garuda Indonesia are regulated in Article 1 to Article 18 regarding the conditions of carriage regarding passengers and baggage. "Cabin baggage only includes items that are suitable for carrying in the aircraft cabin. Garuda Indonesia enforces strict regulations. The weight of each item/object included in this type of baggage does not exceed 32 kg. So if you have a baggage allowance of 33 kg, of course you have to divide the items so that each item/pc .

Meanwhile, according to Petrus Kanisius Dedi Fernandez, Garuda Indonesia's actions were against the law. He is of the opinion that the actions taken by Garuda Airlines do not violate the law because in the Supreme Court Decision Number 2733 K/Pdt/2018 that Garuda has not been proven to have violated the law, and the drop in passengers who violate the law has already obtained approval from the security and left the passengers. Garuda was also not proven guilty for carrying out activities as stated in Article 54 of Law no. 1 of 2009 concerning Aviation.

Based on the description above, "of course an action must have conformity or harmony with applicable norms. The specialty of the legal norm lies in its coercive nature with sanctions in the form of threats of punishment. A tool of state power that strives for legal regulations to be obeyed and implemented Each norm has at least several elements, namely:

- a. Source, namely where the norm comes from;
- b. Nature, namely the conditions when the norm applies;
- c. Purpose, namely for what the norm was made;
- d. Sanctions, namely what reaction (coercive tool) will be imposed on people who violate or do not comply with the norm.

Law Number 1 of 2009 concerning Aviation, states in Article 412 paragraph:

- (1) Every person on board an aircraft during a flight commits an act that may endanger the security and safety of the flight as referred to in Article 54 letter a shall be punished with imprisonment for a maximum of 2 (two) years or a fine of a maximum of Rp. hundred million rupiah).
- (2) Every person on an airplane during a flight commits an act that violates the rules of flight, as referred to in Article 54 letter b, shall be punished with imprisonment for a maximum of 1 (one) year or a fine of a maximum of Rp. 100,000,000.00 (one hundred million). rupiah).
- (3) Every person on board an aircraft during a flight takes or damages aircraft equipment that endangers safety,

as referred to in Article 54 letter c, shall be sentenced to a maximum imprisonment of 2 (two) years or a maximum fine of Rp. 200,000,000.00 (two hundred million rupiah).

- (4) Everyone on an airplane during a flight disturbing the peace, as referred to in Article 54 letter e, shall be punished with imprisonment for a maximum of 1 (one) year or a fine of a maximum of Rp. 100,000,000.00 (one hundred million rupiah).
- (5) Every person on board an aircraft during flight operates electronic equipment that interferes with flight navigation, as referred to in Article 54 letter f, shall be sentenced to a maximum imprisonment of 2 (two) years or a maximum fine of Rp. 200,000,000.00 (two hundred million rupiah).
- (6) In the event that the criminal act as referred to in paragraph (1), paragraph (2), paragraph (3), paragraph (4) or paragraph (5) results in damage or an aircraft accident and loss of property, the punishment shall be imprisonment for a maximum of 5 (five) years and a maximum fine of Rp.2,500,000,000.00 (two billion five hundred million rupiah).
- (7) In the event that the criminal act as referred to in paragraph (1), paragraph (2), paragraph (3), paragraph (4), or paragraph (5) results in permanent disability or death, the person shall be sentenced to a maximum imprisonment of 15 (five) years. twelve years."

In this connection, of course, "flight safety and security, especially for passengers during flights, can only be implemented effectively if the safety requirements for use during flights are met and control and supervision of unlawful acts through the integrated use of human resources, facilities, and flight procedures that need to be considered by the -parties related to security protection efforts for passengers and goods on board the aircraft during flight.

Referring to the theory of legal certainty, which is a general rule that makes individuals know what actions may or may not be carried out, and second, in the form of legal security for individuals from government arbitrariness because with the existence of general rules, individuals can know what is required. may be imposed or carried out by the state against individuals. Actions that can be taken by Garuda Airlines against Passengers who violate the provisions of air carriage are to notify that the rules are so. Garuda Indonesia's obligation is to announce the conditions of carriage, and others. This is intended to provide legal certainty in relation to aspects of security and comfort in flights, especially passengers."

Aviation safety is "an absolute thing that must be considered by all stakeholders (stakeholders) in air transportation activities, both passengers and goods. To realize flight safety, it is necessary to have full legal awareness from all related parties to comply with all requirements that support flight safety as regulated both in Law Number 1 of 2009 concerning Aviation and its implementing regulations as well as international conventions in the field of aviation, especially those related regarding security and aviation safety.

4. CONCLUSION

Based on the descriptions of the previous chapters, the following conclusions can be drawn:

1. The attitude of airplane passengers according to Law Number 1 of 2009 concerning Aviation (Case Study of Supreme Court Decision Number 2733 K/Pdt/2018) refers to Article 54 of Law Number 1 of 2009 concerning Aviation. This means that passengers are prohibited from violating the rules that have been applied by the flight service provider, and this interferes with the flight, and the captain of the aircraft has the authority to take actions such as the disembarkation of the passenger.
2. Actions that can be taken by Garuda Airlines against passengers who violate the provisions of air transportation. In this case, the Garuda Indonesia Airline must notify that the rules are so. Garuda Indonesia's obligation is to announce the conditions of carriage, and others. The terms of carriage are in the announcement. The conditions of carriage at Garuda Indonesia are regulated in Article 1 to Article 18 regarding the conditions of carriage regarding passengers and baggage. Cabin baggage only includes items suitable for carrying in the aircraft cabin.

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