ABSTRAK

Penelitian ini dilakukan untuk menganalisis akibat hukum wanprestasi pekerja migran dalam program pemagangan teknis di Jepang serta menilai kekuatan hukum penggunaan surat kuasa oleh LPK dalam menanggulanginya. Metode yang dimanfaatkan merupakan penelitian hukum non-doktrinal pada analisisi ini dengan menelaah segala perundang-undangan dan regulasi yang bersangkutan, didukung data empiris melalui wawancara.

Hasil penelitian menyiratkan bahwa wanprestasi berupa tindakan mangkir menimbulkan akibat hukum seperti pemutusan kontrak dan kerugian materil dan imateril bagi LPK, Penggunaan surat kuasa dinilai tidak efektif secara yuridis karena hanya bersifat pemberian kewenangan, sehingga lebih tepat dikualifikasikan sebagai perjanjian penanggungan (*borgtocht*). Dalam penyelesaian sengketa, melalui non-litigasi lebih efektif daripada litigasi, yang hanya tepat digunakan sebagai *ultimum remedium*.

Kata Kunci : wanprestasi, pekerja migran, surat kuasa, borgtouch, non-litigasi

ABSTRACT

This study aims to analyze the legal consequences of breach of contract by migrant workers in the technical intern training program in Japan and to assess the legal force of the use of a power of attorney by LPK (Job Training Institute) in addressing it. The method used is normative legal research with statutory and conceptual approaches, supported by empirical data obtained through interviews.

The results of the research show that the breach of contract, specifically in the form of absenteeism, leads to legal consequences such as contract termination and losses for the LPK, The use of a power of attorney is deemed legally ineffective because it merely grants authority; therefore, it is more appropriately qualified as a surety agreement (borgtocht). In dispute resolution, non-litigation channels are more effective than litigation, which is only appropriate as an ultimum remedium.

Keywords: *breach of contract, migrant workers, power of attorney, borgtocht, non-litigatio*