



Protection of Indonesian Citizens by the Indonesian Consulate General in Jeddah Through Consular Functions Under the 1963 Vienna Convention: The 2017 Bomb Joke Case

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Abstract

Protection of nationals abroad constitutes a fundamental consular function regulated under the Vienna Convention on Consular Relations 1963 (VCCR 1963) and represents a key pillar of contemporary consular diplomacy. This article analyzes the implementation of consular functions by the Consulate General of the Republic of Indonesia (KJRI) in Jeddah in providing consular protection to Indonesian nationals involved in a bomb joke incident at King Abdulaziz International Airport in 2017, based on Articles 5 and 36 of VCCR 1963. Employing a qualitative single-case study design based on in-depth interviews and document analysis, the study finds that KJRI Jeddah implemented its consular duties through a prompt emergency response by the Citizen Protection Task Force, legal assistance through a retainer lawyer and certified interpreters, consular visitations, and repatriation facilitation. These measures were largely consistent with Articles 5 and 36 of VCCR 1963. However, the effectiveness of consular diplomacy faced structural limitations, including the rigidity of Saudi Arabian criminal law toward aviation security offenses, restricted initial consular access during the early investigation in Riyadh, and the absence of a bilateral Mandatory Consular Notification (MCN) agreement between Indonesia and Saudi Arabia.

Keywords: *Consular Diplomacy; Consular Protection; VCCR 1963; KJRI Jeddah; Bomb Joke*

INTRODUCTION

Protection of nationals abroad is both a constitutional obligation and a core function of the state in international relations (Melissen, 2005). Indonesia carries out this responsibility through its diplomatic and consular missions, the Embassy of the Republic of Indonesia



(KBRI) and the Consulate General of the Republic of Indonesia (KJRI). The Consulate General of the Republic of Indonesia in Jeddah (KJRI Jeddah) occupies a particularly strategic position: it sits at the primary gateway for Hajj and Umrah pilgrims and serves the largest concentration of Indonesian citizens in the western region of the Kingdom of Saudi Arabia (Hutagalung, 2019; Ramadhani, 2025). Indonesia has sent over one million Umrah pilgrims to Saudi Arabia in several recent years, a volume that is directly proportional to the growing potential for transnational legal issues (Kusumaningdyah, 2023). One of the most sensitive of these issues involves violations of international aviation security standards, particularly bomb jokes or bomb-related remarks made in airports or aboard aircraft.

The International Civil Aviation Organization (ICAO) adopted Annex 17 to the Chicago Convention in 1974 to safeguard international civil aviation against acts of unlawful interference. Following the September 11, 2001 attacks, ICAO substantially strengthened this framework and entrenched a zero-tolerance posture toward all forms of aviation threats, including false or non-genuine bomb threats (ICAO, 2017; Putri, 2020). Saudi Arabia enforces this posture strictly through its Civil Aviation Law and its Law on Combating Crimes of Terrorism and its Financing, an approach that parallels Article 344 of Indonesia's Law No. 1 of 2009 on Aviation, which likewise criminalizes the communication of false information that endangers flight safety (Illahi, 2022; Sumardina, 2019).

In early 2017, two Indonesian Umrah pilgrims from Pasuruan, East Java, identified by the initials UWD and TKW, made a bomb joke while boarding a Royal Brunei Airlines flight operating the Jeddah–Bandar Seri Begawan route at King Abdulaziz International Airport, Jeddah (Tribunstyle, 2017). The remark triggered emergency security procedures: the flight was delayed for up to 15 hours, all passengers and baggage underwent rescreening, and Saudi security authorities detained the two Indonesian citizens. The incident placed both individuals in a highly vulnerable position, given the differences between the Indonesian and Saudi legal systems, language barriers, and the strictness of Saudi Arabia's counterterrorism regime.

This case required KJRI Jeddah to conduct consular diplomacy that would safeguard the legal rights of the two Indonesian citizens while fully respecting the sovereignty of the host state's legal system. This study therefore analyzes how KJRI Jeddah implemented its consular functions in protecting the Indonesian citizens involved in the 2017 bomb joke incident, using

Articles 5 and 36 of the Vienna Convention on Consular Relations (VCCR) 1963 as the analytical framework.

ANALYSIS FRAMEWORK

Consular diplomacy operates at the intersection of state sovereignty and the protection of individuals abroad: consular officers represent the sending state while operating under the jurisdiction of the receiving state, a dual position that shapes both the reach and the limits of the protection they can offer (Hocking, 2011). This study uses VCCR 1963 as the primary normative framework because it codifies the specific consular functions and access rights that determine what a mission such as KJRI Jeddah may lawfully do on behalf of a detained national.

Article 5 of VCCR 1963 enumerates the functions a consular post performs on behalf of the sending state and its nationals. Four subparagraphs are directly relevant to this case. Article 5(a) obliges consular officers to protect the interests of the sending state's nationals within the limits permitted by international law. Article 5(d) covers the issuance of passports, travel documents, and related immigration matters. Article 5(e) covers the general function of helping and assisting nationals of the sending state. Article 5(i), read together with the receiving state's practices and procedures, allows consular officers to represent or arrange representation for nationals before local tribunals so that their rights and interests are preserved when they are unable to defend themselves. This study uses these four subparagraphs as the operational benchmarks against which KJRI Jeddah's assistance to the detained pilgrims is evaluated.

Article 36 of VCCR 1963 governs communication and contact between consular officers and detained nationals. Article 36(1)(b) requires the receiving state's authorities to inform the consular post of the sending state without delay when one of its nationals is arrested, detained, or held in custody, and to inform the detained person of this right. Article 36(1)(a) and (c) guarantee consular officers freedom to communicate with, and to visit, a detained national, and the right to arrange legal representation for that person. The International Court of Justice has treated these obligations as substantive rather than procedural: in *LaGrand* (Germany v. United States, 2001) and *Avena* (Mexico v. United States, 2004), the Court held that a receiving state's failure to notify a detained foreign national of Article 36 rights without delay constitutes an internationally wrongful act, regardless of whether the omission affected the outcome of the underlying criminal proceedings. Both judgments frame notification and access not as courtesies extended at the receiving state's discretion, but as binding treaty

obligations, and this reading informs how the present study evaluates the timeliness of Saudi Arabia's notification to KJRI Jeddah.

Indonesian consular practice literature offers a further point of reference. Manurung and Sa'adah (2020) document how Indonesian diplomatic and consular missions have applied international law to protect Indonesian migrant workers abroad, while Annisa (2025) examines the specific role of Indonesian consular missions in Saudi Arabia in handling cases involving Indonesian nationals. Read together with VCCR 1963 and the LaGrand/Avena jurisprudence, this literature situates the 2017 bomb joke case within a broader, recurring pattern: Indonesian consular missions in Saudi Arabia routinely operate under the same structural constraints of host-state sovereignty, restricted access during security-sensitive investigations, and the absence of bilateral notification agreements. This study accordingly treats Articles 5 and 36 not only as descriptive categories but as the standard against which the adequacy and the limits of KJRI Jeddah's response can be assessed in Section 4.

RESEARCH METHOD

This study employs a qualitative approach using a single-case study design, following the methodological frameworks of Creswell (2013) and Yin (2018). This design allows an in-depth exploration of the dynamics, mechanisms, and processes of the consular diplomacy that KJRI Jeddah conducted in a sensitive, real-world case involving transnational legal issues.

The study draws on both primary and secondary data. Primary data come from an in-depth interview with Rahmat Aming Lasim, a diplomat who served at KJRI Jeddah from 2015 to 2019 and who was directly involved in handling cases concerning the protection of Indonesian citizens. Secondary data come from documentary analysis of international legal instruments, including VCCR 1963, regulations issued by the Indonesian Ministry of Foreign Affairs, Indonesian aviation legislation, and relevant academic literature. The study analyzes the data through data reduction, thematic categorization and presentation, and conclusion drawing, and applies source triangulation to establish the validity and credibility of the findings.

RESULTS AND DISCUSSIONS

Case Chronology and KJRI Jeddah's Initial Response

The case began in early 2017 when two Indonesian Umrah pilgrims, identified as UWD and TKW, made a bomb joke while boarding a Royal Brunei flight at King Abdulaziz International Airport, Jeddah. The airline and the Saudi General Authority of Civil Aviation (GACA) immediately activated emergency counterterrorism protocols in response. Airport authorities isolated the aircraft, subjected all passengers and baggage to additional security screening, and the airport police (Al-Syurthah) detained the two Indonesian nationals before transferring them to the Mabahith (Saudi State Security Investigation Directorate) in Riyadh for further investigation.

Upon receiving notification of the incident, KJRI Jeddah's Citizen Protection Task Force promptly initiated consular protection measures. The Task Force dispatched a consular assistance team to verify the detainees' identities, physical condition, and legal status; appointed a licensed retainer lawyer and a certified Indonesian–Arabic interpreter to secure fair legal proceedings and prevent language misinterpretation; and facilitated communication with the detainees' families in Indonesia and with the licensed Umrah travel agency to keep them accurately informed of the detainees' condition.

Implementation of Consular Functions under Article 5 of VCCR 1963

KJRI Jeddah's actions show substantial compliance with the four functions identified in the analytical framework above.

Under Article 5(a), KJRI effectively protected the interests of both Indonesian citizens: it shielded them from physical intimidation, secured their basic rights during detention, and pressed for treatment consistent with the principle of due process.

Under Article 5(d), KJRI fulfilled its travel-documentation function once the legal proceedings concluded. After the detainees were cleared of terrorism-related charges, KJRI facilitated the issuance of exit permits and the travel documents needed for their return to Indonesia.

Under Article 5(e), KJRI fully implemented its assistance function, providing logistical support, clothing, meals, and psychological assistance, and maintaining continuous communication with the detainees' families throughout the detention period.

Under Article 5(i), KJRI only partially fulfilled its representation function. It appointed a licensed local retainer lawyer to represent the detainees, but the Saudi judicial system

restricted direct intervention by Indonesian consular officials during criminal court proceedings, which limited the scope of diplomatic advocacy available to KJRI.

Implementation of Consular Notification and Access under Article 36 of VCCR 1963

The implementation of Article 36 illustrates the interaction between international legal obligations and the sovereign authority of the receiving state.

On notification under Article 36(1)(b), Saudi authorities formally informed KJRI Jeddah of the detention, but not always “without delay” as the Convention requires; depending on the sensitivity of the Mabahith investigation, notification took anywhere from several hours to several days. Under the LaGrand and Avena standard discussed in Section 2, this variability itself constitutes a departure from the Convention's notification obligation, independent of whether it changed the eventual outcome for the detainees.

On communication and access under Article 36(1)(a) and (c), Saudi authorities granted KJRI officials permission to visit the detainees and to maintain regular communication in order to monitor their health and confirm that their legal rights were respected. When the investigation moved to Mabahith headquarters in Riyadh, however, consular access was temporarily restricted because of the intelligence-sensitive nature of Saudi Arabia's counterterrorism investigations.

Structural Challenges in the Implementation of Consular Protection

Several structural challenges shaped the effectiveness of KJRI Jeddah's consular protection.

First, Indonesia and Saudi Arabia have not concluded a Mandatory Consular Notification (MCN) agreement. Notification of detention therefore relies solely on the general obligations in VCCR 1963 and on the goodwill of Saudi authorities, rather than on a binding bilateral timetable.

Second, the Saudi criminal justice system rests on uncoded Islamic law and royal regulations that impose stringent measures on terrorism-related offenses. Within this framework, the absence of criminal intent (*mens rea*) does not necessarily eliminate criminal liability for bomb-related verbal statements made in sensitive aviation facilities.

Third, many Indonesian pilgrims have limited awareness of international aviation security regulations and of the strict zero-tolerance policy Saudi airports apply, which leaves them vulnerable to unintentionally violating local law.

Taken together, the findings show that KJRI Jeddah substantially implemented its consular functions in accordance with Articles 5 and 36 of VCCR 1963. The provision of legal assistance, consular communication, and citizen protection generally met international legal standards, but structural factors, including the absence of an MCN agreement, the character of the Saudi legal system, and operational restrictions tied to national security investigations, continued to constrain their effectiveness.

CONCLUSION

KJRI Jeddah carried out consular protection for the Indonesian citizens involved in the 2017 bomb joke incident effectively and in accordance with Articles 5 and 36 of VCCR 1963. This protection rested on four operational pillars: the rapid response of the Indonesian Citizen Protection Task Force; formal legal assistance through a licensed retainer lawyer and a certified interpreter; consular communication and regular detention visits; and immigration assistance, including the facilitation of exit permits and repatriation.

The study also finds that several structural constraints significantly shaped the effectiveness of this consular diplomacy: the strict application of Saudi Arabia's criminal justice system to aviation security cases, temporary restrictions on consular access during the initial Mabahith investigation, and the absence of a bilateral MCN agreement between Indonesia and Saudi Arabia. These findings point to two practical priorities: strengthening bilateral cooperation through an MCN agreement, and expanding public awareness of international aviation security regulations among prospective Indonesian Umrah pilgrims before they travel abroad.

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