



Pursuit of Fairness: Human Rights and Social Justice in Indonesia's Legal Landscape

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Abstract

This study thoroughly examines how human rights protection and the pursuit of justice intersect within the framework of Indonesia. Considering the nature of society, this research critically analyzes the complex challenges that hinder equal rights for all citizens. The focus is on exploring the mechanisms embedded in the Indonesian system that aim to safeguard and advocate for fairness. This study delves deeply into addressing and rectifying social justice issues within this context. Using a methodology that combines analysis with empirical research, this research uncovers the intricate complexities and contradictions in the legal landscape. Tracing the evolution of jurisprudence and legislative efforts sheds light on milestones and obstacles toward fairness and equity. The objective of this research is to contribute insights to discussions regarding human rights and social justice offering a nuanced understanding of both challenges faced and advancements made within Indonesia's legal system. Ultimately it aspires to provide recommendations to policymakers, legal professionals, and stakeholders to create an environment that unwaveringly upholds human rights while fostering social justice for all segments of Indonesian society.

Keywords: human right protection, Indonesia, legal system, pursuit of justice, social justice

Introduction

In Indonesia, the legal system and the defence of human rights are closely related to the goal of equity and social justice. Significant progress has been made in the nation's legal defence of human rights, especially in reaction to historical violations. In Indonesia, the topic of human rights (HAM) has taken centre stage in conversations about the state and daily life. Since the New Order was in power, human rights have been ingrained in Indonesia. Presidential Decree Number 50 of 1993 concerning the National Commission on Human Rights, dated June 7, 1993, was issued by President Suharto in 1993. Since its founding, Komnas HAM has ventured to accomplish several remarkable firsts (Hafiz, 2021). A number of international conventions, including the Convention on the Elimination of Discrimination Against Women,

the Convention on Civil and Political Rights, the Convention on the Rights of the Child, the Convention on Economic Rights, and others, have also been ratified by Indonesia. Human rights are also starting to be introduced at the local level through community organisations, educational institutions, and the media, among other channels. The Indonesian constitutional system now recognises human rights as a new regime as a result of these efforts (Hafiz, 2021).

Following Soeharto's downfall, Indonesia ratified international human rights treaties, created national human rights commissions, and enacted domestic laws. Examples of these commissions are Komnas HAM, the Child Protection Commission, and the National Commission on Violence Against Women (KOMNAS Perempuan) (Butt & Lindsey, 2018). However, obstacles continue to exist, as demonstrated by the predominantly ineffective permanent and ad hoc human rights courts. The disintegration of justice policies has made it necessary to investigate significant laws pertaining to social justice and human rights in Indonesia in a more appropriate and consistent manner (Pramesti, A.S., Putri, M.E., Sufa, 2021).

The protection of fundamental rights, such as the freedom of expression, belief, and peaceful assembly, has come under scrutiny in light of recent political and legal developments, such as Indonesia's new criminal code (Rights et al., n.d.). Amnesty International's briefing for the newly elected president and vice president emphasised how the government has failed to uphold the rights to freedom of expression and peaceful assembly, despite these being guaranteed by the Indonesian Constitution. The People's Representative Council passed a new criminal code that goes against international trends in recognising fundamental rights, such as the freedoms of expression, belief, and peaceful assembly.

For example, following the Covid-19 pandemic, there is an increasing need to restore social justice through digital ethics and legal literacy, especially to guarantee the impoverished and marginalised populations have access to the legal system (Hidayat et al., 2022). Restoring social justice must be the top priority in the post-pandemic socioeconomic recovery, which calls for a multifaceted strategy. The state and local governments should work together in a synergistic manner, and there should be balance between the state and alternative justice systems as well as oversight, transparency, and monitoring. Prioritising changes in the legal development paradigm and the function of legal education in Indonesia, as well as acknowledging and assisting legal aid and paralegal development initiatives, as well as achieving social justice for all members of Indonesian society, should also be done (Hidayat et al., 2022). The idea of social justice has evolved in tandem with human rights, particularly since the International Covenant on Economic, Social, and Cultural Rights was established (Staggs Kelsall et al., n.d.).

As a result, it is imperative to keep examining how social justice, human rights, and the legal system interact in Indonesia in order to guarantee that the nation's legal system steadfastly promotes social justice for all facets of Indonesian society. This inquiry will explore the impact of law, legal practice and policy implementation on respecting human rights and creating social justice. The equitable distribution of opportunities and resources in society is, however, promoted by the constitutional principle of social justice. Three significant issues facing Indonesia are access to health care, education, and economic inequality. The disintegration of

justice policies has made it necessary to investigate significant laws pertaining to social justice and human rights in Indonesia in a more appropriate and consistent manner (Pramesti, A.S., Putri, M.E., Sufa, 2021).

Researcher uses the human rights conflicts in Wasior, Papua as an example, five Brimob members and one civilian were killed at the Vatika Papuana Perkasa Companies base camp at the start of this incident. While some members of the Brimob were sent to find the culprits, violent crimes against defenceless bystanders, including rape, murder, forced disappearances, and more than thirty cases of torture, were committed in the process. This is a flagrant violation of Papua's human rights, but there is still no clarity despite numerous legal actions being taken to solve the problem (Chandra et al., 2022).

In addition according to Mathius, the Chief of Police in Papua, several possible conflicts are anticipated to still arise in 2023, based on the security situation's trend in 2022. The KKB (Armed Criminal Group) is one of them; they operate in a number of areas, particularly Puncak, Intan Jaya, Nduga, Pegunungan Bintang, Mimika, and Yahukimo (Costa, 2022).

In this context, this study will detail the extent to which the Indonesian legal system considers and protects human rights, as well as the extent to which the implementation of these policies and legal regulations reflects human rights aspirations social balance. Research focuses not only on the formal legal framework but also on the practical aspects of law enforcement in society.

This study intends to advance the awareness of the way of Indonesian law simultaneously protects and advances human rights in laying the groundwork for social justice by examining the relationship between social justice and human rights. It is envisaged that this search will reveal possible areas for reform or improvement to increase the efficiency of the Indonesian legal system in accomplishing these admirable objectives.

Literature Review

Human Rights

Human rights are a set of values or capacities that belong to every person just by virtue of their humanity, or as a result of their inherent vulnerability. These rights are universal, which means that no matter where there are boundaries, people of different racial or ethnic backgrounds, skin tones, sexual orientations, languages, religions, or social classes, they should be respected (Freeman, 2011). The requirement that everyone have the chance to grow in accordance with their abilities and ideals forms the basis of all human rights. Human rights are a set of rights that are innate to man as a creature of God Almighty and are His gifts that, in order to uphold and preserve human dignity, the state, the government, and any non-governmental organisation must respect Article 1, No. 1, Human Rights Law No. 39 of 1999 (Sulisworo et al., 2012).

Various Form of Human Rights

Conceptual human rights, specifically the country of Indonesia's founding, currently back to the declaration of independence:

1) Proclamation

It contains freedom for its people as a declaration of the nation of Indonesia's independence. These freedoms and independence are essential components of human rights (Del et al., 1948).

2) Preamble to The 1945 Constitution

All nations have the right to independence, as stated in the opening paragraph. Professor Notonagoro declares that every nation is an individual with the natural and moral right to become a human being or to live in freedom as a group of united people. It goes against human nature for there to be a country without freedom. The fourth paragraph goes into further detail about this, describing Pancasila as the moral cornerstone of the state. Human rights are based on justice and humanity, and a just and civilised humanity possesses these qualities (Susanto, 2021).

3) Pancasila

Through other precepts combined, the second precept of just and civilised humanity serves as the foundation for the concept of human rights in Pancasila. When interpreted in a philosophical order, the notion of Pancasila human rights will become more fundamental. Beginning with the fact that people are both social and individual creatures, Pancasila is best understood as a philosophy. In addition to emphasising social responsibilities within society, the Pancasila concept of human rights is founded on individual freedom. In Pancasila, freedom is seen as existing in the harmony between the body and the soul, between the rights and responsibilities of individuals and society, and between humans as independent creatures and God's creatures (Wilujeng, 2004).

Human Rights within the National Legal Framework, specifically the Declaration of Human Rights, which has numerous articles on both human rights during times of peace and armed conflict. The right to self-determination, the right to use natural resources, and the right to mission are among the human rights that are not included in the Universal Declaration of Human Rights.

A number of the Human Rights listed in the 1945 Constitution are the following (Haryanto et al., 2013):

- 1) The right to be treated equally before the government and the law (Article 1, Article 2).
- 2) The right to a respectable and honourable life (paragraph 2 of Article 27).
- 3) The freedom of assembly and association (Article 28).
- 4) The guarantees of the freedom of expression (Article 28)
- 5) The rights to private property. The rights to life, liberty from torture, freedom of conscience and thought, the right to practise one's religion, and the immunity from slavery, as well as the right to be treated fairly by the law and to be acknowledged as a human being (Article 28 I, Paragraph 1).

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- 6) The freedom of religion (Paragraph 2 of article 29).
- 7) The right to education (Article 31) (Sari, 2023).

Because of the law's provisions are binding on the state and its citizens, it is anticipated that incorporating human rights into positive law will reduce human rights violations within the nation.

Primary Characteristics of Nature in Human Rights (Apriyanti, 2016):

- 1) Human Rights are not things that have to be acquired, purchased, sold, or passed down.
- 2) Being human automatically entails having Human Rights.
- 3) All people are entitled to the protection of Human Rights, regardless of their gender, race, religion, ethnicity, political beliefs, or social or national origin.
- 4) Human Rights are inalienable.

Nobody has the authority to limit or infringe upon the rights of others. Even in nations where human rights are either not protected or are violated by law, people nevertheless have rights.

National Human Rights of The Republic of Indonesia

Human rights represent social, cultural, and economic rights like the freedom to engage in cultural activities, the right to food, the right to employment, and the right to both work and education, in addition to civil and political rights like the right to life, liberty, and freedom of expression. The National Human Rights Commission is the organisation in Indonesia that oversees human rights regulations (Wilujeng, 2004).

The National Commission on Human Rights is an independent organisation that carries out monitoring, research, and mediation related to human rights in Indonesia. In 1993, Komnas HAM was founded according to Presidential Decree Number 50 of 1993, which dealt with the National Commission on Human Rights. Law Number 39 of 1999, which governs Komnas HAM's goals, operations, structure, tenets, completeness, responsibilities, and powers, has served as the organization's foundation since 1999. The following are the duties performed by National Human Rights (Komnas HAM Republik Indonesia, 2020):

1. Human rights research and studies.
2. Engage in initiatives to increase public awareness of human rights.
3. Monitor human rights.
4. Conduct conciliation for human rights.

The National Human Rights Commission has various goals in performing its duties, some of which are providing the framework for the realisation of human rights based on Pancasila, the Universal Declaration of Human Rights, the 1945 Constitution, and the Concili of Charter. And enhancing the defence and observance of human rights in order to promote human development (Laurensius Arliman S, 2017).

Social Justice in Law in Indonesia

The primary and essential component of State Law is the realisation of social justice, which is also the most intricate, extensive, organised, and abstract component. The concept of social justice, which includes the meanings of equality of status and protection of rights before the law, general happiness, and the symmetry of individual, social, and state interests, is the foundation of this condition. In addition to being shaped by reason, social atmosphere and the norms and values of other societies also play a role in determining social justice (Yang et al., 2018).

Wahiduddin asserts that the ideal of Indonesian law is social justice. The idea of "Social Justice" in relation to the provisions of "national economy and social protection" in that chapter, which has a higher and broader meaning than property in the concept of civil law, is the foundation of the 1945 Constitution's methodical approach. State control is a public law notion that is linked to the people's sovereignty principle that was enshrined in the 1945 Constitution in the domains of politics (political democracy) and economy (economic democracy). Wahiduddin also emphasised that the people in a collectivity built under the 1945 Constitution give authority to the State to carry out policies (beleid) and administrative activities (bestuursdaad), regulation (regelendaad), management (beheersdaad), and supervision (toezichthoudensdaad). The term "state control" should be understood to include the definition of state control in a broad sense, which arises and comes from the concept of sovereignty of the Indonesian nation over all sources of wealth with an eye towards enhancing human welfare (Adams, 2022).

A fundamental aspect of social justice is guaranteeing equal rights to live together peacefully in this nation for all Indonesian nationals. It encompasses equitable legal treatment for all, without distinction between affluent and less privileged groups. Following the principles outlined in the 1945 Constitution, social justice in Indonesia thus encompasses economic considerations, social protection, and equitable treatment under the law for all citizens (Hayat, 2015). Benefits of social justice for Indonesians include (Susanto, 2021):

1. Resource equity, which tries to achieve equitable resource distribution in order to lessen social and economic disparities in society.
2. Citizens can live more dignified lives if social protection is implemented based on social justice principles.
3. In addition to guaranteeing equality and the right to appear in court, social justice also contributes to the protection of each person's rights.
4. Equality, or the provision of fair treatment and equality to all Indonesians without distinction, is a necessary component of realising social justice.
5. Respect for democratic principles, such as equal rights and freedom of speech, can be strengthened by social justice.

This justice can be attained when social structures economic, political, social, cultural, and ideological ensure that all citizens receive what is rightfully theirs and distribute society's wealth fairly (Santoso, 2014). The Republic of Indonesia's social justice system may also

collapse for a number of reasons, including the following (Yang et al., 2018):

1. In Indonesia, patronage culture poses a threat to social justice by stifling social behaviour and cultural differences that lead to social divisions.
2. The persistence of corrupt practices, which can jeopardise Indonesia's social justice, involves the use of coercive tactics and profit-extortion by powerful individuals.
3. Cultural nepotism is a practice that can jeopardise social justice in Indonesia by involving decision-making in the division and arrangement process based on personal relationships, such as family or ongoing relationships.
4. Because some people in Indonesia have greater wealth and infrastructure than those in disadvantaged communities, economic inequality poses a threat to social justice in that country.
5. Injustice in the legal system refers to how the absence of fair laws and ambiguity in law enforcement in Indonesia's legal system can jeopardise social justice.
6. Adverse differences in rights and abilities bestowed upon people based on unequal dependencies, such as family, ethnicity, or religion, are known as social discrimination.

Therefore, in order to achieve social justice in Indonesia, efforts must be made to strengthen the legal system, lessen economic inequality, and end social discrimination.

Research Method

Researchers use normative legal research, which is a type of study that tries to characterise the norms that are applicable in a specific legal system (Tan, 2021). The researcher makes recommendations based on the legal perspective of a specific legal system. This study used both a conceptual and statutory approach. The focus and main idea of the study are different legal provisions, which are examined using the legislative approach. Conversely, legal concepts that include regulations are linked to the conceptual approach. The conceptual approach seeks to interpret legal terms by analysing legal documents. Basic, secondary, and tertiary legal documents are among the secondary data that were used. Researchers employ a data collection method developed from literature reviews to gather the information required for their studies.

Results

Social justice is a concept of moral of duties that unite all members of society, such as kindness, mercy, and truth. To attain justice itself, a society's members must agree upon the value of justice (Johan Nasution, 2014). In Indonesia, social justice is still not equally distributed, and some areas particularly in Eastern Indonesia, where Papua, West Papua, and East Nusa Tenggara are located remain behind in this regard (Taum, 2015).

Law Number 12 of 2005 ratifies Indonesia's ratification of the United Nations Convention on Civil and Political Rights (ICCPR). In order for the Indonesian national human rights system to report on a regular basis, both in multilateral forums like the UN Human Rights Council session and within the framework of the Comprehensive Periodic Review, it is automatically required by virtue of ratifying the Council of Convention to promote progress

and conduct human rights examinations. Review of the Universal Periodic Review occurs every four years. In addition to human rights violations in other parts of Indonesia, attention is paid to civil and political rights violations in Papua (Pigai, 2014).

Human Rights violations in Wasior, Papua in 2001

In the background of the Wasior case on June 13, 2001, there had been shootings against communities, Brimob employees, and company employees, as well as a dispute between communities seeking compensation for their customary rights that had been taken from companies that owned logging rights. Officers from the Mobile Brigade (Korps Brimob) are accused of attacking ordinary people in Wondiboi Village, Wasior, Manokwari, Papua. The West Papua National Liberation Army (TPNPB-OPM) killed five Brimob members and one civilian at the Vatika Papuana Perkasa Company (VPP) headquarters, setting off the raid. Many members of the Brimob were sent to find the culprits, but in the process, violence against defenceless bystanders was committed, including arbitrary arrests. This event resulted in four fatalities, one sexual assault victim, five persons going missing, and 39 torture victims (Chandra et al., 2022).

In 2003, the Attorney General's Office received the findings of the pro-justice investigation conducted by the National Human Rights Commission. On the other hand, the Attorney General's Office and Komnas HAM returned the case and the file was exchanged three times, citing unresolved issues with the case, procedure, and formalities related to material requirements. The Indonesian government declared on May 3, 2017, during the council of Universal Periodic Review (UPR) session in Geneva, that the Attorney General's Office was getting ready to file legal charges in the Wasior and Wamena cases.

However, in actuality, Wasior's case has not advanced to the Human Rights Court. The Wasior-Wamena case was not resolved as the government had promised. Using the framework of Law No. 26 of 2000, the government has failed to deliver justice to those who have been the victims of egregious human rights violations in Wasior Bloody. The reason is the government has not provided clear guarantees to victims of egregious human rights violations regarding their right to justice. Furthermore, a variety of victims and degrees of complexity are involved in cases of egregious human rights violations in Wasior Bloody, such as abuse, deportation, and mistreatment of minors (LBH Papua, 2021).

Steps that could be implemented by The Republic of Indonesia

Based on Law Number 26 of 2000 categorises flagrant violations of human rights into two categories (UU RI Nomor 26 Tahun 2000 Tentang Pengadilan HAM, 2000):

1. The Crime of Genocide

The Crime of Genocide committed with the purpose to completely or partially eradicate a specific group of people, such as national, racial, ethnic, or religious groups. The 1948 Genocide Convention and the 1998 Rome Statute both list this crime as an international offence that violates human rights. Here is explanation of The 1948

Genocide Convention and the 1998 Rome Statute:

The 1948 Genocide Convention

Article 1 of the 1948 Genocide Convention describes the specifics of the crime of genocide under the convention. It makes it very evident that torturing members of a community because of their race, ethnicity, origin, nationality, religion, or gender constitutes mass murder under the crime of genocide. The 1948 Genocide Convention contains the following important details about the crime of genocide (Elsam, 1948):

- 1) Premeditated mass murder of a race or nation is called genocide.
- 2) Genocide is defined as attacks on entire communities and encompasses many types of destruction, including enslavement, torture, murder, deportation, forced population relocation, denying someone their freedom, and severely torturing a group of people physically or mentally.
- 3) Additionally, genocide occurs during times of war and when force is applied, according to the 1948 Genocide Convention.

Genocide encompasses acts of mass murder, forced relocation, torture, and other actions intended to wipe out the group. *Actus* (evil act) and *mens rea* (malicious intent) are the two elements that must be taken into account in order to define the crime of genocide (Prasetyo, 2020).

The 1998 Rome Statute

Article 6 of the Rome Statute of 1998 is the reference for the content of the crime of genocide. It specifically states that the following acts, carried out with the intent to completely or partially eradicate a country, nation, tribe, race, or religion, constitute "genocide" and are classified as crimes (I. Rome Statute of the International Criminal Court, 2021):

- 1) Murdering one of the gang members.
- 2) Cause grave harm to individuals within the group.
- 3) Causing the group's members great pain, either mentally or physically.
- 4) Take steps to eliminate a group entirely or in part.
- 5) Put policies in place to move kids forcibly between groups.

The Rome Statute of 1998's Article 6 further states that attempts at genocide, conspiracies to commit genocide, and assistance with genocide are all considered forms of "genocide."

The criminal penalties for genocide are explained in Article 8 of Law Number 26 of 2000. This law stipulates that anyone found guilty of genocide crimes faces a maximum sentence of 20 years in prison or life imprisonment, as well as a fine (UU RI Nomor 26 Tahun 2000 Tentang Pengadilan HAM, 2000).

2. Crimes against Humanity

Crimes against Humanity includes the extermination, rape, murder, enslavement, deportation, population displacement, deprivation of liberty, and severe physical and mental torture inflicted upon members of a group, among other forms of destruction (Suhaeb, 2020).

According to Article 9 of Law Number 26 of 2000 concerning Human Rights Courts, attacks on civilian groups by individuals or groups whether civilian, military, or police that they personally cause, even if they do so in response to orders from higher-ups may be prosecuted as crimes. We can discuss crimes against humanity because this is a systematic occurrence.

Crimes against humanity and criminal threats are governed by Law Number 26 of 2000, Article 9. Any individual who commits crimes against humanity faces life in prison or a minimum of 10 years and a maximum of 20 years in prison, according to this provision (UU RI Nomor 26 Tahun 2000 Tentang Pengadilan HAM, 2000).

The Republic of Indonesia could do the following in the context of the tragedy in Wasior, Papua, in order to protect justice and compensate victims of egregious human rights violations (Darwis, 2014):

1. In compliance with Law No. 21 of 2001, the President shall have the authority to create a human rights court in Papua. Furthermore, the Wasior tragedy perpetrators must be tried right away using the human rights justice system outlined in Law No. 26 of 2000.
2. In compliance with the Human Rights Court's procedure, the Attorney General must investigate and follow up on the case right away.
3. The right of victims and their families to rehabilitation and compensation should be guaranteed by the government.

The legislation known as Law Number 26 of 2000 concerning Human Rights Courts governs the rights of victims of violence to rehabilitation and compensation. The right to trial, the right to information, and the right to compensation and guarantees that the violation of human rights will not occur again are the three components of this law's right to compensation for victims of egregious human rights violations (UU RI Nomor 26 Tahun 2000 Tentang Pengadilan HAM, 2000):

1. The human right to justice is the guarantee of each person's rights being respected, upheld, and realised in front of the law.
2. Right to know, the victim has the right to know the whole story of the offence they were the victim of, including the identity of the offender, the context of the violation, and the pertinent legal procedures.
3. The right to compensation, restitution, rehabilitation, satisfaction, and guarantees against the recurrence of human rights violations is encompassed in the right to reparation and guarantee of non-recurrence.

Human Rights violations by Armed Criminal Group (KKB) in Papua

Terrorist organisation operating in Papua is the Armed Criminal Group (KKB). The government formally classified the Papuan KKB as a terrorist organisation in April 2021. The government claims that the term terrorism is justified by the fact that the KKB frequently claims civilian lives in a number of its crimes. The KKB's designation as a terrorist organisation appears to stem from the government's belief that the organization's status as an armed criminal organisation is insufficient on its own. KKB atrocities took place in a number of cities, such as the killing of two elementary and secondary school teachers in Juguloma city, Omukia region; burning of a helicopter; and stabbing of a woman with a sharp knife, which was followed by a gunfight between Paskhas and KBB at Amingganu airport. In addition, 118 family members of the barbaric act perpetrators in Papua over the past ten years have committed the crimes, as opposed to 15 TNI cases and 13 National Police cases. 356 individuals lost their lives as a result of the atrocities; 93% of these were TNI and Polri members, 7% were KBB members, and the remaining victims were civilians (Septiadi, 2013).

According to Republic of Indonesia Law Number 8 of 1948 concerning Firearms, any individual who does not belong to the TNI or Polri and possesses a firearm must have the local police chief register it. This demonstrates that it is illegal for civilians to possess firearms without authorization from the government. Furthermore, the chief of police in Papua stressed that it is illegal for civilians to possess or use firearms (Republik Indonesia, 1948). And there is no evidence that the Indonesian National Police (Polri) has granted KKB in Papua formal authorization to possess firearms. On the other hand, there were reports that the National Police declared the arms transfer to the KKB in Papua to be unlawful since the weapons were not listed in the police weapons database (CNN Indonesia, 2020).

The law pertaining to Armed Criminal Groups (KKB) in Papua is Law Number 5 of 2018 concerning the eradication of terrorist crimes, specifically Article 1 paragraph (2). The sanctions imposed on the KKB in Papua are based on this article, which defines their actions as acts of terrorism. As a result of the decision, the Indonesian government declared the KKB in Papua to be in a state of terrorism and issued a five-year maximum prison sentence (DPR RI, 2018).

The State can implement the following measures, among others, to defend the justice of the Papuan people against KKB attacks in Papua (Soesatyo, 2021):

1. Preserving human rights, The State is required to shield the Papuan people's human rights from abuses, violence, and discrimination carried out by KKB.
2. Remove criminal barriers, The State is required to remove criminal barriers that affect KKB, such as obstructing court access, destroying livelihoods, and putting KKB under persecution.
3. Information disclosure on a regular basis, States are required to disclose information on human rights violations, ongoing legal proceedings, and actions taken to protect the rule of law.
4. Legal Recognition, in order to maintain justice against KKB, the state must abide by the

laws currently in effect, including the Rome Statute and Law Number 26 of 2000 concerning Human Rights Courts.

5. Improving transparency, The State should to be more forthcoming in disclosing information about cases, lessons learned, and legal proceedings when dealing with human rights breaches.
6. Encouraging public support, in order to address serious human rights violations in Papua, the State should foster the confidence and support of the Papuan people. This can be achieved, among other things, by routinely sharing information about cases, trial experiences, and justice-protecting measures.

Based on the cases, the preservation of social justice in Indonesia is necessary to guarantee the defence of human rights (HAM) and the well being of all Indonesians. Enhancing Indonesia's legal and constitutional civilization through legislation, raising the standard of law enforcement, creating a legal culture, and enhancing the infrastructure of legal foundations and foundations are a few examples of specific actions that could be taken. Furthermore, ensuring the application of safety principles and fostering a greater awareness and socialisation of human rights in Indonesia, including through raising awareness of these rights in diverse societal sectors. Without distinctions for nationality, religion, age, political opinions, social status, skin colour, or sex, all Indonesians receive equal social security (Manan, 2019).

Conclusions

Papuans also experience social injustices, such as inadequate welfare and inadequate protection of human rights. In order to tackle this issue, human rights courts must be established in the province of Papua as well as the consistent application of full autonomy and dignity. The dialogue between Jakarta and Papua is also necessary to demand the welfare and right to justice for the Papuan people.

The following actions must be taken in order to forge a strong commitment to social justice and human rights for all facets of Indonesian society:

1. Creating laws and enhancing their quality will strengthen Indonesia's legal and constitutional civilization. system, as well as create culture, legislation, and better physical and legal infrastructure.
2. Improve understanding of and socialisation to human rights in Indonesia, including expanding knowledge of these rights across societal domains.
3. Without discrimination on the basis of race, gender, nationality, religion, age, political opinions, social class, or regional tongue, make sure that the principles of social justice are applied to all Indonesians.
4. Expand legal protections against child abuse and bolster law enforcement's efforts to combat human rights violations like domestic abuse.

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