

Jurnal HAM merupakan sebuah platform ilmiah yang bertujuan untuk mendiseminasikan dan mengembangkan hasil-hasil riset hak asasi manusia baik pada tingkat lokal, nasional, maupun internasional. Mengingat studi hak asasi manusia banyak melibatkan elemen-elemen keilmuan yang bersifat interdisipliner, Jurnal HAM menerima submisi artikel ilmiah yang membahas hak asasi manusia dari lensa, namun tidak terbatas pada ilmu hukum, ilmu sosial, politik, bahasa, hubungan internasional, hingga komunikasi. Berdasarkan Surat Keputusan Direktur Jenderal Penguatan Riset dan Pengembangan Kementerian Riset, Teknologi, dan Pendidikan Tinggi Republik Indonesia Nomor 36/E/KPT/2019 tentang Peringkat Akreditasi Jurnal Ilmiah Periode VII Tahun 2019 tanggal 13 Desember 2019, menetapkan bahwa Jurnal HAM mendapatkan peringkat Akreditasi Jurnal Ilmiah Peringkat 2 (dua) atau Sinta-2 (S2).

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Kementerian Hukum dan Hak Asasi Manusia Republik Indonesia  
Jl. HR Rasuna Said Kav. 4-5 Kuningan, Jakarta Selatan (12940)  
Telepon (021) 2525015 (ext. 514); (021) 2522952; Faksimile (021) 2522952  
E-mail: [ejournalham@gmail.com](mailto:ejournalham@gmail.com) / [pusbangdatin@gmail.com](mailto:pusbangdatin@gmail.com)

#### Percetakan

PT. Pohon Cahaya Jl. Mandala Raya Selatan No. 20 A-B  
Jakarta Barat, Kelurahan Tomang, Kecamatan Grogol Petamburan 11440  
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## PENGANTAR REDAKSI

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Kategori tulisan reguler, dibuka dengan tulisan yang mengulas tentang Detensi Imigrasi Berkepanjangan yang Bertentangan dengan HAM pada Fasilitas Detensi Imigrasi di Jepang: Tinjauan Perspektif Institusional. Tulisan selanjutnya membahas Realitas Masyarakat Papua dalam Distorsi Representasi Media: Analisis Media Baru, Urgensi Tata Ruang Berbasis Mitigasi Bencana Likuifaksi: Hak Asasi Masyarakat Kabupaten Jember, Pemenuhan Hak Warga Negara Eks Timor Timur untuk Mendapatkan Kehidupan yang Layak, Komisi Kebenaran dan Rekonsiliasi dalam Era Nontransisional: Implementasi di Korea Selatan dan Kanada, Revitalisasi *Voice* sebagai Hak Politik Warga Kota di Indonesia: Suatu Kajian Konseptual, Urgensi Penghormatan Otonomi dan Hak Menerima Informasi Vaksinasi Covid-19 dalam Konteks Kewajiban Vaksinasi.

Kategori khusus, diawali dengan tulisan berjudul *The Regulatory Status Analysis for Updating the Public Legal Awareness on Human Rights in Indonesia* yang mengulas tentang Analisis Status Peraturan dengan menggunakan metode empiris legal kuantitatif. Dilanjutkan dengan tulisan yang berjudul *SIPKUMHAM and the Rise of Digitalization in The Ministry of Law and Human Rights; Freedom of Speech and Human Rights: What Can Civic Education Do?, Human Rights and Persons with Disabilities: Design of Buk-Smart-Logi Learning Media (Technology Smart Books) as an Islamic Education Learning Media Innovation, Human Rights in Post-Reformasi; A Case Study of Indonesia Ranham 1998-2020, Regulation Model of Religious Rights and Freedoms for Local Religious Believers in the Majapahit Constitution; Revisiting Legal and Ethical Challenges in Fulfilling Human Rights to Clean Air in Indonesia, Pornography in Universalism Perspective: A Freedom Expression?, Bureaucracy Reformation in Human Rights Perspective in Improving The Quality of Public Services, Ar-B (Augmented Reality and Braille) Module Innovation of Learning Media in The Fulfillment of Human Rights Field of Education for Visually Impaired Person, Protection of Human Rights Victims of Sexual Violence Through Maqâsid Al-Shari'ah: a Case In Batu City Indonesia, Legal Protection for Disabilities Persons with Language Limitations in Law Enforcement.*

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Universitas Atma Jaya
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Fakultas Hukum  
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Fakultas Hukum  
Universitas Islam Indonesia
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Pusat Riset Masyarakat dan Budaya,  
Badan Riset dan Inovasi Nasional
7. Vu Cong Giao, Ph.D.  
Institute of Public Policy and Law  
Vietnam National University
8. Yanuar Sumarlan, Ph.D.  
Institute of Human Rights and Peace Studies Mahidol  
University Thailand
9. Sri Lestari Wahyuningroem, Ph.D.  
Fakultas Ilmu Sosial dan Ilmu Politik  
Universitas Pembangunan Nasional Veteran Jakarta
10. Dr. Aprilina Pawestri, S.H., M.H.  
Fakultas Hukum  
Universitas Trunojoyo

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Fakultas Hukum  
Universitas Sriwijaya
12. Dr. Margaretha Hanita, S.H., M.Si.  
Sekolah Kajian Strategik dan Global  
Universitas Indonesia
13. Nurhidayatulloh, S.HI., Sp.PD., LL.M., M.H., MHI.  
Faculty of Law  
Maastricht University, Netherlands
14. Saru Arifin, S.H., LL.M.  
Constitutional Law and Legislation Study  
University of Pecs, Hungary
15. Eko Riyadi, S.H., M.H.  
Fakultas Hukum  
Universitas Islam Indonesia
16. Chloryne Trie Isana Dewi, S.H., LL.M.  
Fakultas Hukum  
Universitas Padjadjaran
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Pusat Riset Kebijakan, Organisasi Riset Tata Kelola Pemerintahan,  
Ekonomi dan Kesejahteraan Masyarakat  
Badan Riset dan Inovasi Nasional
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Badan Riset dan Inovasi Nasional
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Universitas Muhammadiyah Sidoarjo
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Fakultas Syari'ah  
Universitas Islam Negeri Maulana Malik Ibrahim Malang

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**Sari Anggaini; Kurniawaty Iskandar (Japanese Regional Studies, School of Strategic and Global Studies, University of Indonesia)**

***(Prolonged Immigration Detention That Violates Human Rights in Japan Immigration Detention Facilities: An Institutional Approach)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 347-368*

*The prolonged detentions in a number of immigration detention facilities spread across Japan have attracted worldwide attention. United Nations expressing an opinion through the United Nations Working Group on Arbitrary Detention regarding cases of human rights violations that occurred as a result of prolonged immigration detention in Japan. This study found that ingrained ideologies of homogeneity in Japanese society give rise to immigration policies that tend to hinder the integration of immigrants into Japanese society. This article looks at three main areas: first, how the ideology of homogeneity led to prolonged immigration detention in Japan; second, whether immigration detention in Japan violates international human rights law; and, finally, how the guarantee of human rights protection for detainees in Japan works. A qualitative research method using a literature review to describe how ethnic homogeneity causes prolonged immigration detention in Japan so that it is against international law through an institutional frame.*

**Keywords: deportation; detention; ethnic homogeneity; human rights; institutional approach.**

**Logan Gunadi Wirawan; Muhamad Fauzan Farendra; Yoas Lintang (Department of Criminology, University of Indonesia)**

***(Papuan Social Reality Through Distorted Media Representation: A New Media Analysis)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 369-382*

*Media portrayals towards minorities result in implications towards how society as a whole comprehends them. This paper questions how the media representation of Papua reflects the reality of socio-political situation of Papuan people and what the implications of said representations are. Based on secondary data analysis towards Indonesian media's portrayals of Papua, including but not limited to its' constituents and environment, this paper seeks to understand based on new media theories of social reality how the media portrayals of Papua have impacts towards the socio-political experience of Papuans in Indonesians, and Indonesians towards Papuans. The results obtained by the analysis indicate that media employs stereotypical and surface level portrayals of Papua in a way that dismisses the structural issues Papuans are facing. The conclusion of the analysis of this article indicates that the media representation about the experience of the Papuan people hides and ignores the structural problems experienced by the Papuan people by the treatment of the state. This finding shows that media reflection plays a very important role in generating discrimination towards Papuans, leading towards this paper's recommendations that encourage the state to take responsibility for controlling the representation of the Papuan people.*

**Keywords: new media social reality; media distortion; Papuan conflict.**

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**M. Kava Zulfikri; Eddy Mulyono; Muhammad Bahrul Ulum (Faculty of Law, University of Jember)**

***(The Urgency of Liquefaction Disaster Risk Mitigation Based Spatial Plan: Human Right of the Society of Jember Regency)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 383-400*

*The potential for high liquefaction in Jember Regency has the potential to take its toll and losses that will interfere with aspects of life as experienced by the Central Sulawesi in 2018. Disaster mitigation efforts are needed that look at the extent to which spatial planning and development in Jember Regency pay attention to liquefaction vulnerabilities. Because the vulnerability of the region itself is a consideration of spatial planning and development. This article aims to discuss the extent of the importance of liquefaction mitigation-based spatial planning in Jember in terms of regulations, impacts, and their relation to the fulfillment of the human rights of the people of Jember. The method used is socio-legal. This paper confirms that the regulation of decent and safe housing from liquefaction disasters in Jember is still minimal. In addition, the RTRW and RPJMD Regional Regulations have also not made liquefaction part of the disaster in Jember. However, the urgency of this liquefaction regulation is actually not only about disaster mitigation-based spatial planning but also the fulfillment of the human rights of liquefaction victims, so the government is obliged to regulate it even if there are no specific regulations at the national or local level.*

**Keywords: spatial planning; liquefaction disaster mitigation; human rights.**

**Irfan Fachrudin (Faculty of Sharia and Law, Sunan Kalijaga State Islamic University)**

***(Fulfillment The Rights of Citizens of Ex East Timor to Get a Good Life)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 401-412*

*East Timor is one of the provinces in Indonesia which separated itself as a result of the referendum in 1999 and became a country named Republik Demokratik Timor Leste (RDTL). The referendum was conducted by opinion poll in which the majority of East Timorese voted to secede from Indonesia. As a result of the referendum, residents who wished to remain Indonesian citizens had to leave and then flee to the nearest area, one of which was in the Belu district, East Nusa Tenggara which is directly adjacent to East Timor. This research finds data that there are fulfilled and unfulfilled rights of ex-East Timorese citizens and solutions so that their rights can be fulfilled. The purpose of the research is to find out what rights have been received and aims to provide solutions so that their rights can be fulfilled. Collecting data by interviewing sources and then analyzing it. There are rights of ex-East Timorese that not have been fulfilled, namely the right to have a proper place and environment to live, the right to get a job, the right for children. The government must pay more attention to the conditions of the residents so that their rights are fulfilled. These problems can be handled by providing training and opening up job opportunities so that they can be independent and no longer live in refugee camps.*

**Keywords: pandemic; human rights; ex-East Timor; referendum**

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**Anggarani Utami Dewi; Mustafa Fakhri (Master of Law, University of Indonesia)**

***(Truth and Reconciliation Commission in Non-transisional Era: Implementation in South Korea and Canada)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 413-428*

*This article aims to explain the practice of Truth and Reconciliation Commission (TRC) in non-transitional era. The TRC in non-transitional era was formed by democratic country to reveal the truth of gross human rights violations that occurred decades ago. This research uses comparative method that compares the practice of TRC in South Korea (Commission on Clearing up Past Incidents for Truth and Reconciliation/TRCK) and Canada (Truth and Reconciliation Commission of Canada/TRCC). The results of the study indicate that the TRCK and TRCC were formed as an effort by the state to improve previous efforts in dealing with gross human rights violations; the number of staff members had a more significant impact on the success of the TRC than the number of commissioners; the norms governing the protection, prohibition, and sanctions for commissioners and staff, witnesses, the persons named in the testimony and for individual and community in general; TRCK and TRCC gathered facts within two years; and the reconciliation process was carried out by the commission through the rehabilitation of reputations and holding memorial services. This article recommends that the practice of TRC in South Korea and Canada can be adopted in the preparation of policies for the establishment of TRCs in Indonesia.*

**Keywords: truth commission; reconciliation; gross human rights violations.**

**Wasisto Raharjo Jati (Research Center for Politics, National Research and Innovation Agency)**

***(Revitalisation of Voice as Political Rights for Citizen in Indonesia: A Conceptual Analysis)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 429-444*

*The idea of "voice" has been long existing within society. When it comes to current urban environment, it seems that voice has been declining due to firm influence of individualism in urban areas. This makes the inclusive dialogue space between inter citizens group & government and society relationship faded away. Concerning on this issue, this paper would like to highlight the possibility of "voice" to be the main drive to rebuild political rights for citizens. Utilizing a mixed method that consists of in-depth interviews and critical literature review, this paper shows the need of "voice" that recently has been institutionalised into two ways: formal through e-government and informal through community radio broadcasting. Both ways are able to deliver grass root aspiration to be policymaking issues. The finding of this research suggests the need of active citizen participation to voice their aspiration through different platforms rather than formal ways.*

**Keywords: "voice"; urban participation; inclusive dialogue; political rights.**

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**Ervin Dyah Ayu Masita Dewi (Faculty of Medicine, University of Surabaya)**

***(Urgency of Respect for Autonomy and Rights to Receive Covid-19 Vaccination Information in the Context of Vaccination Obligations)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 445-458*

*Currently, the Covid-19 vaccination coverage is quite high, reaching 62%. Ironically, there are many rejections of vaccines and inappropriate motivation in receiving vaccines. Enthusiasm for vaccination did not represent the proper motivation and understanding regarding vaccination. Lack of understanding can be caused by limited or ineffective information. To describe the provision of information during the Covid-19 vaccination, a descriptive qualitative study was conducted with in-depth interviews with ten respondents. The data was analyzed by making coding and themes and compared with adequate references and theory. The results showed that four out of ten respondents didn't receive information prior to the application of Covid-19 vaccination. It was also found that the motivation to receive vaccines was only as an obligation and requirement for using public facilities. On the other hand, vaccinators had limitations in providing information and only prioritize vaccination coverage. Without adequate information, application of vaccine would be a mere compulsion. Respect for autonomy of vaccine recipients and rights to receive information as parts of human rights did not work. The obligation to apply the Covid-19 vaccination in the context of a pandemic must respect the rights and autonomy of the community. Collaboration from the government and local leaders and structured coordination are needed so that the Covid-19 vaccination is accordance with ethical standards.*

***Keywords: Covid-19 vaccination; autonomy; rights to receive information.***

**Kata Kunci Bersumber dari Artikel****Lembar Abstrak ini Dickey Tanpa Izin dan Biaya**

**Sari Anggani; Kurniawaty Iskandar (Kajian Wilayah Jepang, Sekolah Kajian Strategik dan Global, Universitas Indonesia)**

***Detensi Imigrasi Berkepanjangan yang Bertentangan dengan HAM Pada Fasilitas Detensi Imigrasi di Jepang: Tinjauan Perspektif Institusional***

*Jurnal HAM, Volume 13, Nomor 3, Desember 2022, hal 347-368*

Detensi berkepanjangan di sejumlah fasilitas detensi imigrasi yang tersebar di seluruh Jepang telah menarik perhatian dunia, PBB melalui United Nations Working Group on Arbitrary Detention menyampaikan opini terhadap kasus-kasus pelanggaran Hak Asasi Manusia yang terjadi akibat detensi berkepanjangan di Jepang. Penelitian ini menemukan bahwa ideologi homogenitas etnis yang mengakar kuat dalam masyarakat Jepang menghasilkan kebijakan imigrasi yang cenderung menghambat integrasi imigran ke dalam masyarakat Jepang menyebabkan detensi berkepanjangan yang bertentangan dengan HAM. Artikel ini akan membahas tentang tiga masalah yaitu pertama bagaimana homogenitas etnis dapat menyebabkan detensi berkepanjangan di Jepang, kedua apakah detensi imigrasi di Jepang bertentangan dengan hukum Internasional dan ketiga bagaimana jaminan perlindungan HAM bagi deteni. Metode penelitian kualitatif dengan menggunakan kajian literatur dan untuk mendeskripsikan bagaimana homogenitas etnis menyebabkan detensi berkepanjangan di Jepang sehingga bertentangan dengan hukum internasional melalui perspektif institusional.

**Kata Kunci: deportasi; detensi; homogenitas etnis; hak asasi; pendekatan insitusional.**

**Logan Gunadi Wirawan; Muhamad Fauzan Farendra; Yoas Lintang (Departemen Kriminologi Universitas Indonesia)**

***Realitas Masyarakat Papua dalam Distorsi Representasi Media: Analisis Media Baru***

*Jurnal HAM, Volume 13, Nomor 3, Desember 2022, hal 369-382*

Pemberitaan kelompok minoritas dalam media menghasilkan implikasi terhadap bagaimana suatu masyarakat memahami kelompok tersebut. Paper ini mempertanyakan bagaimana representasi media terhadap Papua merefleksikan kenyataan kondisi sosio-politik dari masyarakat Papua dan implikasi dari pemberitaan tersebut. Menggunakan teori media baru, paper ini melakukan analisis berbasis data sekunder terhadap pemberitaan masyarakat dan lingkungan Papua. Hasil yang diperoleh dari analisa ini adalah media menggunakan penggambaran Papua secara stereotipikal dengan cara mengabaikan masalah struktural yang dihadapi orang Papua. Kesimpulan analisis artikel ini mengindikasikan bahwa pemberitaan pengalaman masyarakat Papua menyembunyikan dan mengabaikan permasalahan struktural yang dialami masyarakat Papua oleh perlakuan negara. Penemuan ini menunjukkan bahwa refleksi media sangat berperan dalam menghasilkan diskriminasi terhadap masyarakat Papua. Penelitian ini menunjukkan bahwa media merefleksikan peran penting dalam membangun diskriminasi terhadap Masyarakat Papua, berdasarkan penemuan tersebut, rekomendasi dari paper ini mendorong negara untuk bertanggung jawab dalam mengendalikan representasi masyarakat Papua.

**Kata Kunci: realita sosial media baru; distorsi media; konflik Papua.**

### **Kata Kunci Bersumber dari Artikel Lembar Abstrak ini Dickey Tanpa Izin dan Biaya**

**M. Kava Zulfikri; Eddy Mulyono; Muhammad Bahrul Ulum (Fakultas Hukum Universitas Jember)**

***Urgensi Tata Ruang Berbasis Mitigasi Bencana Likuifaksi: Hak Asasi Masyarakat Kabupaten Jember***

*Jurnal HAM, Volume 13, Nomor 3, Desember 2022, hal 383-400*

Potensi likuifaksi tinggi di Kabupaten Jember berpotensi memakan korban dan kerugian yang akan mengganggu aspek kehidupan sebagaimana yang dialami Provinsi Sulawesi Tengah 2018. Perlu upaya mitigasi bencana yang melihat ulang sejauhmana penataan ruang dan pembangunan di Kabupaten Jember memperhatikan kerentanan likuifaksi. Sebab kerentanan wilayah sendiri merupakan pertimbangan penataan ruang dan pembangunan. Artikel ini bertujuan membahas sejauh mana pentingnya penataan ruang berbasis mitigasi likuifaksi di Jember ditinjau dari segi regulasi, dampak, dan kaitannya dengan pemenuhan hak asasi masyarakat Jember. Metode yang digunakan adalah sosio-legal. Tulisan ini menegaskan bahwa regulasi atas tempat tinggal yang layak dan aman dari bencana likuifaksi di Jember masih minim. Disamping itu, Perda RTRW dan RPJMD juga belum menjadikan likuifaksi bagian dari bencana di Jember. Namun, urgensi pengaturan likuifaksi ini sebetulnya tidak hanya mengenai penataan ruang berbasis mitigasi bencana tetapi juga pemenuhan HAM korban likuifaksi, sehingga pemerintah wajib mengaturnya sekalipun tidak ada peraturan khusus di tingkat nasional ataupun lokal.

**Kata Kunci: penataan ruang; mitigasi bencana likuifaksi; hak asasi manusia.**

**Irfan Fachrudin (Fakultas Syari'ah dan Hukum Universitas Islam Negeri Sunan Kalijaga)**

***Pemenuhan Hak Warga Negara Eks Timor Timur untuk Mendapatkan Kehidupan yang Layak***

*Jurnal HAM, Volume 13, Nomor 3, Desember 2022, hal 401-412*

Timor Timur merupakan salah satu provinsi di Indonesia yang memisahkan diri akibat dari adanya referendum pada tahun 1999 dan menjadi negara bernama Republik Demokratik Timor Leste (RDTL). Referendum tersebut dilakukan dengan cara jajak pendapat di mana mayoritas warga Timor Timur memilih untuk memisahkan diri dari Indonesia. Akibat dari referendum tersebut warga yang menginginkan tetap menjadi warga negara Indonesia harus keluar dan kemudian mengungsi ke daerah terdekat salah satunya di wilayah Kabupaten Belu, Nusa Tenggara Timur yang berbatasan langsung dengan Timor Timur. Penelitian ini menemukan data bahwa terdapat hak warga eks Timor Timur yang sudah terpenuhi dan belum terpenuhi serta solusi agar hak mereka dapat terpenuhi. Tujuan penelitian untuk menganalisis hak-hak yang sudah diterima dan bertujuan untuk memberikan solusi agar hak-hak mereka dapat terpenuhi. Pengumpulan data dengan wawancara secara langsung dengan pengungsi kemudian menganalisisnya. Terdapat hak-hak warga eks Timor Timur di pengungsian belum terpenuhi yaitu hak mempunyai tempat tinggal dan lingkungan yang layak, hak untuk mendapatkan pekerjaan, hak bagi anak-anak. Pemerintah harus lebih memperhatikan kondisi warga di pengungsian agar hak-hak mereka terpenuhi. Permasalahan tersebut dapat ditangani dengan cara memberikan pelatihan serta pembukaan lapangan pekerjaan agar mereka dapat mandiri dan tidak lagi tinggal di pengungsian.

**Kata Kunci: HAM; eks Timor Timur; referendum.**

### **Kata Kunci Bersumber dari Artikel Lembar Abstrak ini Dicopy Tanpa Izin dan Biaya**

**Anggarani Utami Dewi; Mustafa Fakhri (Magister Hukum Universitas Indonesia)**

***Komisi Kebenaran dan Rekonsiliasi dalam Era Nontransisional: Implementasi di Korea Selatan dan Kanada***

*Jurnal HAM, Volume 13, Nomor 3, Desember 2022, hal 413-428*

Artikel ini bertujuan untuk menjelaskan praktik Komisi Kebenaran Rekonsiliasi (KKR) dalam era nontransisional. KKR dalam era nontransisional dibentuk oleh negara demokrasi untuk mengungkapkan kebenaran atas peristiwa pelanggaran hak asasi manusia (HAM) berat yang terjadi puluhan tahun yang lalu. Penelitian ini menggunakan metode penelitian perbandingan yang membandingkan praktik KKR di Korea Selatan (Commission on Clearing up Past Incidents for Truth and Reconciliation/TRCK) dan Kanada (Truth and Reconciliation Commission of Canada/TRCC). Hasil penelitian menunjukkan beberapa hal, yakni bahwa TRCK dan TRCC dibentuk sebagai upaya negara menyempurnakan berbagai upaya terdahulu dalam menangani pelanggaran HAM berat di masa lalu; jumlah keanggotaan staf lebih memberikan dampak yang signifikan terhadap kesuksesan KKR dibandingkan jumlah komisioner; adanya norma yang mengatur mengenai perlindungan, larangan, dan sanksi bagi komisioner dan staf, pemberi kesaksian, orang-orang yang tersebut namanya dalam kesaksian serta masyarakat secara umum; TRCK dan TRCC mengumpulkan fakta dalam waktu dua tahun; dan proses rekonsiliasi dilakukan oleh komisi melalui rehabilitasi nama baik dan melakukan berbagai upacara peringatan. Artikel ini merekomendasikan agar praktik KKR di Korea Selatan dan Kanada dapat diadopsi dalam penyiapan kebijakan pembentukan KKR di Indonesia.

**Kata Kunci: komisi kebenaran; rekonsiliasi; pelanggaran HAM berat.**

**Wasisto Raharjo Jati (Pusat Riset Politik, Badan Riset dan Inovasi Nasional)**

***Revitalisasi Voice sebagai Hak Politik Warga Kota di Indonesia: Suatu Kajian Konseptual***

*Jurnal HAM, Volume 13, Nomor 3, Desember 2022, hal 429-444*

Gagasan “voice” telah lama eksis dalam masyarakat. Ketika itu berusaha untuk diterapkan dalam lingkungan perkotaan, seperti “voice” menurun seiring dengan menguatnya individualisme di kota. Hal itu membuat ruang dialog inklusif antar kelompok warga kota dan juga relasi negara dan masyarakat kota mengalami pengikisan. Adanya fenomena tersebut, tulisan ini berusaha untuk mengulas kembali kemungkinan “voice” sebagai faktor pendorong utama dalam membangun kembali hak politik warga kota. Dengan menggunakan metode penelitian campuran berbasis wawancara mendalam dan juga analisa literatur kritis, temuan tulisan ini menunjukkan adanya kebutuhan akan “voice” yang terinstitusionalisasikan dalam dua cara yakni: formal lewat e-government dan informal lewat siaran radio komunitas. Kedua cara tersebut dinilai bisa dalam mengantarkan isu-isu yang berkembang di akar rumput menjadi bahan pembuatan kebijakan publik. Temuan penelitian ini juga menyarankan adanya partisipasi aktif warga kota dalam menyuarakan aspirasinya melalui berbagai kanal daripada lewat proses formal.

**Kata Kunci: “voice”; partisipasi warga kota; dialog inklusif; hak-hak politik.**

**Kata Kunci Bersumber dari Artikel**  
**Lembar Abstrak ini Dickey Tanpa Izin dan Biaya**

**Ervin Dyah Ayu Masita Dewi (Fakultas Kedokteran Universitas Surabaya)**

***Urgensi Penghormatan Otonomi dan Hak Menerima Informasi Vaksinasi Covid-19 dalam Konteks Kewajiban Vaksinasi***

*Jurnal HAM, Volume 13, Nomor 3, Desember 2022, hal 445-458*

Saat ini cakupan vaksinasi Covid-19 cukup tinggi, yaitu mencapai 62%. Ironisnya, penolakan terhadap vaksin dan motivasi yang kurang tepat dalam menerima vaksin masih banyak ditemukan. Antusiasme vaksinasi tidak berarti menggambarkan motivasi dan pemahaman yang benar terkait vaksinasi. Kurangnya pemahaman dapat disebabkan karena terbatasnya informasi yang benar atau penyampaian informasi tidak efektif. Untuk mengetahui gambaran pemberian informasi saat vaksinasi Covid-19 dilakukan penelitian kualitatif deskriptif dengan wawancara mendalam terhadap sepuluh orang responden. Data dianalisa dengan membuat koding dan tema lalu dibandingkan dengan referensi dan teori yang memadai. Hasil penelitian menunjukkan empat dari sepuluh responden tidak menerima informasi sebelum vaksinasi Covid-19. Ditemukan juga motivasi menerima vaksin hanya sebagai kewajiban dan syarat menggunakan fasilitas publik. Di sisi lain, vaksinator memiliki keterbatasan untuk memberikan informasi dan hanya mengutamakan tercapainya cakupan vaksinasi. Tanpa informasi tentang vaksinasi yang memadai, menerima vaksin akan menjadi keterpaksaan belaka. Penghormatan otonomi dan hak menerima informasi medis sebagai bagian dari hak asasi manusia tidak berjalan. Kewajiban menerima vaksinasi Covid-19 dalam konteks pandemi harus tetap menghormati hak dan otonomi masyarakat. Diperlukan kolaborasi dari pemerintah dan pemimpin setempat serta koordinasi terstruktur sehingga pelaksanaan vaksinasi Covid-19 tetap sesuai standar etika.

**Kata Kunci: vaksinasi Covid-19; otonomi; hak menerima informasi.**

*The Keywords noted here are the words which represent the concept applied in writing.  
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**Andreas Tedy Mulyono; Rudy Pramono (Pelita Harapan University, Jakarta)**

***(The Regulatory Status Analysis for Updating The Public Legal Awareness on Human Rights in Indonesia)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 459-478*

*In this study, it is argued that quantitative empirical legal research can support understanding public legal awareness of the implementation of human rights protection in Indonesia. The public legal awareness is analyzed using the Partial Least Square-Structural Equation Modelling to provide flexibility for exploring the link of the ideals of human rights law with elements of the legal system as research variables. This research is a literature study on the importance and use of empirical quantitative research methods through the establishment of a path model called Regulatory Status Analysis. The model positions legal ideals (justice, certainty, and expediency) as an independent variable; while the two elements of the legal system: substantive law and legal structure, are mediating variables. Based on the trial run, the path model can picture the relationship between ideal law and legal culture as the dependent variable in the form of public awareness to comply with legal norms that protect human rights. Substantive law also has a positive influence on awareness to obey the law. However, the legal structure has no influence, either directly or indirectly. It might be because respondents consider law enforcement against human rights violations less than optimal. The test result determines what kind of human rights legal system should be developed for national and global legal scholarship.*

**Keywords:** *empirical legal research; public legal awareness; legal ideals; legal system; path model.*

**Nur Rahmawati Waji (Southeast Sulawesi Regional Office of the Ministry of Law and Human Rights)**

***(SIPKUMHAM and The Rise of Digitalization in The Ministry of Law and Human Rights)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 479-494*

*The use of digital has accelerated after Covid-19 Pandemic which now has turned to the third year. The implementation of digital development is the emergence of digital system in government administrations which is known as Electronic Government. The situation encourages the use of digital government, or more specifically the use of digital system in government administration system or known as E-Government. Digitalization occurs in many areas including in law and human rights. However, the impact of digital acceleration on working procedures at the Ministry of Law and Human Rights becomes the main focus, currently. This article aims to unfold the process of digital acceleration procedures at the Ministry of Law and Human Rights, handling law and human rights affairs. In particular this article will discuss the SIPKUMHAM application. In fact, the attachment of digitalization, has been stated by Law and Human Rights Research and Development Agency within the SIPKUMHAM which contains databases regarding to the issues and its control. This study uses empirical juridical research of qualitative approach. We found that databases are needed to make evidence-based policy. The SIPKUMHAM application becomes a research information system that is able to provide factual data in terms of policy recommendations and tangible forms of performance to the Republic of Indonesia.*

**Keywords:** *digitalization; database issues; policy.*

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**Fatimatuz Zahrah, Siti Maizul Habibah (Universitas Pendidikan Indonesia, Bandung, Jawa Barat)**

***(Freedom of Speech and Human Rights: What Can Civic Education Do?)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 495-508*

*Pancasila and Citizenship Education can be considered as a way to improve citizens' opinions. This research is a critical literature review of 40 articles from 2017 to 2022 and focuses on research progress on freedom of expression. The formulation and findings of this study indicated that the practice of freedom of expression in Indonesia has been regulated by law, but in some aspects, it is subject to restrictions. People are often act uncontrollably and abuse their freedom of speech. The impact of the existence of freedom of expression is that people can express themselves but must remain in the corridor of respecting the rights of others and actively participate in providing constructive suggestions for the state. Thus, this study concludes that freedom of expression must be balanced with good delivery procedures, citizenship and civility in expressing opinions is a cultural challenge that must be resolved to build healthy freedom of speech. Citizens' civility for opinion and expression is recommended as one of the crucial issues that should be discussed and developed in Pancasila and Citizenship Education and as well as for inclusive education program.*

***Keywords: human rights; freedom of speech; civic education.***

**Ican Mandala (The Qur'an and Tafsir Studies, IAIN Kerinci)**

***(Human Rights and Persons with Disabilities: Design of Buk-Smart-Logi Learning Media (Technology Smart Books) As An Islamic Education Learning Media Innovation)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 509-518*

*The success of a teaching and learning process, especially in religious learning, is largely determined by the learning media used. However, a problem arises, which is namely the lack of inclusive system learning media in learning. Therefore, the equality of human rights to education has not been implemented. This is based on the author's observations regarding the analysis of inclusive learning media in schools in Indonesia. Thus, educational institutions need to have learning media that can be used for people with disabilities. Hence, children without disabilities can study together with those with disabilities in one educational institution. Therefore, it is necessary to innovate a new learning media Buk-Smart-Logi (Book Smart Technology) to improve student learning outcomes and to be utilized by all children in Indonesia. Considering that education is the right of every citizen, including people with disabilities. This research is research and development using the simplified Borg and Gall model. The purpose of this study was to determine the level of validity of the Buk-Smart-Logi media and to find out what the role of the media is in supporting inclusive learning in Islamic Religious Education subjects, as well as being a human-friendly media.*

***Keywords: Buk-Smart-Logi; learning media; Islamic religious education; persons with disabilities.***

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**Majda El Muhtaj (Fakultas Ilmu Sosial Universitas Negeri Medan)**

***(A Critical Analysis of The Indonesian Human Rights Action Plan 1998-2020)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 519-538*

*This article analyzes the emergence and development of the National Human Rights Action Plan (NHRAP) or Rencana Aksi Nasional Hak Asasi Manusia (Ranham) during Indonesian Reform era, 1998-2020. Ranham is recognized as a national strategic policy document that describes and explains; 1) how the state incorporates human rights principles and norms into its policies, and 2) how to measure its remarkable achievements. All Indonesian governments have adopted and implemented Ranham, which was enacted by Presidential Regulations during five phases in the two decades of the Reform era. Ranham was derived and mandated by the Vienna Declaration and Program of Action (VDPA) 1993. Up until recently, more than 70 states have formulated the Ranham, including Indonesia. This article discovers that the policy of Ranham during the Reform era reflects the national commitment to the human rights agenda. However, the lack of the conceptualization of human rights still impedes the development and reinforcement of the national human rights system.*

**Keywords: human rights; Ranham; VDPA.**

**Muwaffiq Jufri (Faculty of Law, University of Trunojoyo Madura)**

***(Regulation Model of Religious Rights and Freedoms for Local Religious Believers in The Majapahit Constitution)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 539-556*

*This article unfolds that the Majapahit Kingdom of Indonesian history has accommodated religious rights and freedom for local religious believers/adherents in its constitution. The kingdom was known in history as tolerant, harmonious, and had reasonable regulations to avoid faith-based conflicts. This finding is significant amid the rising concern over respect and protection of local indigenous religious beliefs in contemporary Indonesia. This research used normative legal methods with statutory, historical, and case approaches. The results and discussions were: first, the weakness of the Indonesian constitution's model of regulating religious rights and freedoms was that it closed access for local religious believers to adhere to and carry out their religious teachings; second, the model regulating the right to religious freedom for local religious believers needed to distinguish the status of religions in Majapahit. Local religions retain an equal position in the constitution. In addition, this constitution also guided religious believers in Majapahit as part of the regulations in the field of religious rights and freedoms. This research concluded that equalizing positions and concepts of spiritual development allows regulating religious rights and freedoms in its constitution to make Majapahit a tolerant, harmonious country that avoids faith-based conflicts.*

**Keywords: local religion; freedom of religion; constitution; Majapahit.**

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**Detania Sukarja; Barran Hamzah Nasution (Universitas Sumatera Utara)**

***(Revisiting Legal and Ethical Challenges in Fulfilling Human Right To Clean Air in Indonesia)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 557-580*

*Pro-investment and development government policies to achieve people's welfare can potentially violate human right to clean air through business activities that contribute to air pollution. In Jakarta, this condition led to a public lawsuit against the central and regional governments, who were considered liable for the air pollution and harm suffered by the community. This study reviews the concept of the right to clean air as a human right and analyzes the legal and ethical challenges in fulfilling human right to clean air in Indonesia. The discussion includes the relationship between business and human rights, the concept of clean air as a human right and a review of the legal framework to enforce liability and accommodate legal remedies and the private initiatives to drive and implement more responsible choices to reduce air pollution. The method used in this study was a literature study with data analyzed qualitatively. The paper concludes that people's right to clean air is a fundamental human right. The fulfillment of human right to clean air can be driven by state's power to impose regulation and the implementation of ethical and responsible business activities by corporations. The government needs to strengthen regulations related to air pollution control and business legal compliance, notably strengthening applicable air quality standards in accordance with evidence-based, internationally recognized standards to protect public health. Similarly, corporations should act as "moral agents" who apply ethical behaviors in their business activities to minimize air pollution.*

***Keywords: clean air; air quality standard; human rights; right to clean air.***

**Eka N.A.M Sihombing, Cynthia Hadita (Faculty of Law, Universitas Muhammadiyah Sumatera Utara)**

***(Pornography in Universalism Perspective: A Freedom Expression?)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 581-588*

*The issue of the right to freedom of expression and pornography needs to be studied from a human rights perspective in terms of universalism and particularism. Pornography has the potential to have different standards depending on the time and place of a person's use of clothing and the extent to which the law restricts pornographic behavior. This study aims to unravel pornography and freedom of expression in the digital space from the Perspective of Human Rights Particularism. The research method used is normative legal research. The results reveal that freedom of expression in Indonesia is intertwined with the dimension of human rights particularism, especially Pancasila so all forms of protests that contain pornography disseminated through the digital space are contrast to the value of Indonesian human rights particularism.*

***Keywords: pornography; freedom of expression; particularism.***

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**Riri Tasi (Faculty of Social, Padang National University)**

***(Improving The Quality of Public Services Through Bureaucratic Reformation: Human Right Perspectives)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 589-602*

*This article discusses Bureaucratic Reform from the Perspective of Human Rights in improving the quality of public services. Bureaucratic Reform is a process of change that is carried out in stages, systematically, and continuously. It aims to create clean governance, improving public services, capacity, and accountability of bureaucratic performance and professionalism of Human Resource Apparatus. This process can be seen as a change from the current condition to the targeted condition within the scope of Bureaucratic Reform. There are several problems faced in improving maximum public services, including 1) transactions leadership, 2) adaptive organizational structure, 3) weak policy implementation, 4) inefficient organizational structure and management, 5) unclear service systems and strategies, 6) corrupt organizational behavior; 7) lack of transparency. In order to solve problems in the government bureaucracy, it is necessary to reform its structure and work culture. If bureaucratic reform in services is successfully implemented, public service bureaucratic reformation will achieve the expected goals, including: an increase in public respect for government performance as a service provider; a decrease or even elimination of public authority abuse by officials in the agencies concerned; realization of a country that has the most-improved bureaucracy and improves the quality of each service sector to the public.*

**Keywords: bureaucracy; reformation; human rights; public services.**

**Vegia Oviensy (Islamic Religious Education, Post Graduate of the Kerinci State Islamic Institute)**

***(AR-B (Augmented Reality and Braille) Module Innovation of Learning Media in The Fulfillment of Human Rights Field of Education for Visually Impaired Person)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 603-612*

*In Indonesia alone there are 3 million more people with visual impairments and there are only 10% of media available, and during the covid19 pandemic 99% of students actively use social media during the pandemic especially social media Tiktok which is about 78% of students using Tiktok longer. Even Tiktok's social media users are increasing by around 14.3 million per month. Seeing these problems, the researchers made a new innovation, namely the Ar-B (Augmented Reality and Braille) Tiktok-based Learning Media Innovation which is used for normal and visually impaired students in an effort to fulfill human rights in the field of education for the community. with disabilities. This research uses the R&D type with the Borg and Gall development model. Data collection techniques were carried out through observation, questionnaires, literature studies, documentation and trials and then analyzed using media expert validation analysis techniques, material expert validation analysis techniques and trial analysis techniques. The specific purpose of making this media is to find out whether the Ar-B Module is valid to use and how the student learning outcomes after using this module. The results of this study indicate that the module Ar-B has a validity level of 92% and can improve student learning outcomes.*

**Keywords: Ar-B Module; learning media; human rights; visually impaired person.**

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**Miftahudin Azmi (State Islamic University Maulana Malik Ibrahim, Malang)**

***(Regulation Model of Religious Rights and Freedoms for Local Religious Believers in The Majapahit Constitution)***

*Human Rights Journal, Volume 13, Number 3, December 2022, page 613-630*

*Sexual violence can happen anywhere, and some perpetrators are usually related to the victim. A case of sexual violence occurred at Selamat Pagi Indonesia School in Batu city. The schoolmaster threatened the victim to comply with his wishes. A school environment, which should be a place to learn about science and ethics, has become a scene for sexual assault. This article aims to provide prevention and settlement alternatives for sexual violence through maqâsid al-sharî'ah methods. The data show that sexual violence at the school has occurred since 2009. This article includes empirical research using qualitative methods by describing and analyzing the data which is presented in descriptive text. The result of the research shows that the victims are incapable of fighting back due to manipulation in order to always be obedient and repay the perpetrators. The intimidation practice is in contrast to human rights and religious purposes, while the perpetrators exploit the power relation and manipulate religious narratives to commit the crime. Understanding religious purposes (maqasid al-sharî'ah) provides essential tools to minimize human rights violations in the form of sexual violence. One is allowed to make prejudices and refuse to engage in an activity that may lead to sexual violence. The resistance corresponds with maqâsid al-sharî'ah which consists of safeguarding the soul, progeny, mind, religion, and wealth.*

***Keywords: maqâsid al-sharî'ah; human rights; sexual violence.***

**Vera Bararah Barid; Dewi Analis Indriyani; Yeni Yulianti; Sri Gilang Muhammad Sultan Rahma Putra; Penny Naluria Utami (National Research and Innovation Agency (BRIN))**

***(Legal Protection for Disabilities Persons with Language Limitations in Law Enforcement)***

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*The State of Indonesia has protected people with disability through several regulations. Unfortunately, there is a huge gap in this implementation. Many people with disabilities are discriminated in several aspects, one of which is in legal cases. When they require assistance during an inquiry, an investigation, or even a trial, people with disabilities who have language impairments nevertheless find it to be difficult. This study uses a socio-legal approach with a focus on discussing legal protection for disabled persons with language limitations, consist of: existing regulations on disability protection; disability cases on the court decision; handling of legal cases; constraints of parties in legal cases experienced; and the effect of limitations on sign language and knowledge of the law. Our finding is that people with hearing impairment, in legal cases, cannot fulfill their rights to assistance from sign language interpreters. This is due to the fact that various stakeholders still do not comprehend the needs of people with hearing impairment. The efficiency of the law enforcement process for people with disabilities is hampered by regional variations in sign language, the existence of informal/non-formal sign language, and the restricted capabilities of law enforcement.*

***Keywords: legal cases; disabilities persons; language limitations; justice.***