

Penerapan hukum internasional dalam kasus pelanggaran hak asasi manusia berat di Indonesia

Abdul Hakim Garuda Nusantara, author

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Abstrak

Since the end of World War II, international law of human rights has had a rapid and significant improvement so that it has become the primary source of law for the state, international organization, and individual. Human rights problems exist all over the world. Efforts from the world community to improve the system of human rights protection have reached their culmination point when the UN diplomatic conference agreed the Rome Statute on International Criminal Court. Indonesia has not ratified that convention because it already has the law of human rights in the Law Number 26 of 2000. This regulation has been applied to several cases of human rights violations in Indonesia such as the Abilio Jose Osorio Soares case, the Soedjarwo case, and the G. M. Timbul Sitaen case. In these cases, the definition of "a systematic and widespread attack" has become the main discussion. The Rome Statute applies the principle of "non-retroactive" while the Indonesian human rights law applies the principle of "retroactive".