

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

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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 does not ratify that convention because Indonesia already has the law of human rights that is in the Law Number 26 Year 2000. This regulation is applied to several cases of human rights violation in Indonesia such as Abilio Jose Osorio Soares case, Soedjarwo case, and G. M. Timbul Sitaen. In those cases, the definition of "a systematic and widespread attack" becomes the main discussion. The Rome Statute applies the principle of "non-retroactive" while the Indonesian human rights law applies the principle of "retroactive".