

CHAPTER I

INTRODUCTION

In this chapter, the author will provide a discussion in the form of background issues related to the formulation of the problem. Also, the conceptual framework will be used to answer the formulation of the problem that has been asked. So in this chapter will be formed a hypothesis based on analysis theory or a concept applied. In order to understand this final paper the author will also mention about the writing systematics, methodology and the scope of the research.

1.1 Background

Amnesty International emerged because of the displeasure of lawyer Peter Benenson who was disquieted at the imprisonment of two Portuguese students who were speaking out for freedom. Peter Benenson expressed his displeasure through writing articles in *The Observer* newspaper and campaigning for its rejection. What Peter Benenson did received an amazing response from various parts of the world. The article written by Peter Benenson succeeded in fostering a sense of caring that created international solidarity in upholding justice and freedom. This incident was not only the forerunner to the birth of an international organization but also the beginning of world social change.

Amnesty International was founded by members or people who care about human rights. Their activities do not depend on political ideology, economic interests or religion. Amnesty International's activities are not under the supervision of a country's government, but rather operate in accordance with the same values carried by each individual, thus making Amnesty International an example of a Non-Governmental Organization. Human rights are one of the focus issues that Amnesty International raises in the international world. This is because human rights are rights that humans have since birth, not because they are given by society or the state. Human rights cannot be eliminated or declared invalid by the state. These human rights include: the right to life, liberty, the right to private property, the right to security, the right to resist oppression, and the right to achieve happiness (Marbun, 2005).

After the end of World War II, the order of world society began to change. The emergence of non-traditional issues such as human rights and democracy are becoming a new concern in the international community. Human rights and democracy are interrelated, democracy can be realized if human rights can be properly enforced and vice versa, by

protecting human rights it can strengthen democracy. The first step in upholding human rights in the world was the establishment of the Commission on Human Rights which was established by United Nations (PBB). Indonesia is developing into a democratic country, this does not deny the possibility of upholding human rights in Indonesia. Based on history, Indonesia under the leadership of Soekarno brought Indonesia to become a country that cared about human rights. During negotiations on human rights contained in the 1945 Constitution, Soekarno and Moh. Hatta tried to provide a framework for human rights in 1945. This shows how state leaders tried to provide protection and guarantee the rights of their citizens. In the 1945 Constitution, it is clearly stated that every citizen is given their own rights, such as national rights, economic rights, the right to adequate protection, social and cultural rights, and political rights to freedom of association. (Budiardjo, 2010).

Amnesty International has a long history of working on human rights issues in Papua, Indonesia. The organization has documented human rights abuses committed by both state and non-state actors in the region, including extrajudicial killings, arbitrary arrests and detentions, torture, and discrimination. Amnesty International has also called for the Indonesian government to respect the right of self-determination for the Papuan people.

Amnesty International plays an important role in human rights advocacy in Indonesia. As a country that adheres to democratic principles and has a legal framework that recognizes human rights, Indonesia faces challenges in protecting and promoting the basic rights of every individual. This is where Amnesty International act as a complement and supervisor of the government in ensuring the effective protection of human rights.

Given Amnesty International's commitment to advocating for human rights and justice globally, it can be hypothesized that the organization would condemn instances of murder and impunity in Papua, actively calling for investigations, accountability, and legal action against perpetrators. The hypothesis might further suggest that Amnesty International would likely engage in campaigns to raise awareness about human rights abuses in Papua, collaborating with local and international stakeholders to address the root causes of violence and promote respect for human rights in the region.

Amnesty International Indonesia urges Indonesian President Joko Widodo (Jokowi) to order the police to stop prosecuting Papuan activities as suspects using the treason article in the Criminal Code. Amnesty made this request in an open letter to Jokowi. "The activists were named as suspects and detained under Articles 106 and 110 of the Criminal Code (KUHP), which are part of the Crimes Against State Security Chapter which carries a maximum sentence of life imprisonment," said Amnesty's open letter to Jokowi dated 2 October 2019 as quoted from the organization's website. The institution admitted that it was concerned about the increasing number of activists charged with treason. Specifically for Papuan activism, at least 22 people have been charged with two articles in the Criminal Code.

Thus, according to Amnesty International's view, Indonesia actually does not fully uphold human rights. Based on history, Indonesia is still in the process of ups and downs in upholding human rights. On the website, it is stated that this continues to happen in Papua. Amnesty International noted that security forces repeatedly used excessive force to break up protests, including against local communities opposing mining operations. The crackdown on political dissent in Papua and West Papua Provinces continues. Dozens of Indigenous Papuans (OAP) were arrested and some face charges carrying long prison sentences.

Based on the description above, the author will write about "**Amnesty International Intervention in Impunity in Papua from 2018 - 2023.**"

1.2 Problem Formulation

Based on the information explained above, we may assume that Amnesty International has the rights to investigate and be involved in the issue in Papua. Hence, the researcher formulates the question: **How did Amnesty International intervene in addressing impunity in Papua?**

1.3 Conceptual Framework

1.3.1 International Organization

An international organization is a pattern of cooperation that crosses national boundaries, based on a clear and complete organizational structure and is expected to carry out its functions in a sustainable and institutional manner in order to achieve the necessary and mutually agreed goals, both between the government and the government and between non-governmental groups. in different countries (Rudy, 2005).

Meanwhile, according to Clive Archer, the role of international organizations is:

1. As an instrument that can be used by its members to achieve certain goals.
2. As an arena, where international organizations are a forum or forum for their members to dialogue, debate, or foster cooperation.
3. As an independent actor, where international organizations can make their own decisions and carry out necessary activities (one of which is assistance for environmental conservation) without being influenced by power or coercion from outside the organization (Rudy, 2005).

The classification of international organizations can be classified in terms of scope, function, authority, and so on. The classification of international organizations based on their administrative activities can be distinguished, namely:

1. International government organizations (Inter-Governmental Organizations) which are commonly abbreviated as IGOs. Its members are the government, or agencies that officially represent the government of a country. Administrative activities are regulated based on public law.
2. International Non-Governmental Organization (Non-Governmental Organization), which is commonly abbreviated as NGO or INGO (International Non-Governmental Organization) to differentiate between international NGOs and NGOs with a domestic scope (within one country). INGOs are generally organizations in the sports, social, religious, cultural and arts fields. Administrative activities are regulated based on civil law (Rudy, 2005).

In the realm of world politics, NGOs have at least 3 important roles, namely:

1. As a source of information collected by individuals in the world. The information collected is often related to an issue or world problem.
2. As a liaison between the world community and the government or a country and IGOs. Here NGOs act as actors that help world agendas involving states, IGOs or other actors.
3. As an actor who connects each individual, because NGOs have their own interactions without any state interference inside it. Therefore, with the existence of NGOs, every individual or free groups play a role in world politics (Rudy, 2009)

In this discussion, Amnesty International is a non-governmental international organization, namely an independent actor in carrying out its activities that is free from the influence of the government or agencies that officially represent the government of a country. Apart from that, Amnesty International is also a means used by its members to share information related to human rights issues and building awareness among the world community to jointly care about the state of human rights. The INGO title is closely attached to the name Amnesty International because all forms of its activities and administration are not influenced by the government of a country.

1.3.2 Transnational Advocacy Networks (TAN)

In the Transnational Advocacy Networks concept owned by Margaret E. Keck & Kathryn Sikkink. It was explained that Transnational Advocacy Networks are a network of international actors working on an issue, with a connection to shared values and common discourse, and have a high intensity in exchanging information and services (Keck, 1998). In a situation, the conditions that make this Transnational Advocacy Networks emerge are because:

1. Obstruction or discontinuance of a structure that connects local groups and the government, where the existence of a poor connecting structure creates a situation that is less effective in solving problems, resulting in a boomerang pattern situation that affects the characteristics of the network.

2. Activists or political entrepreneurs who believe that existing networks can advance their missions and campaigns, and actively promote them.

3. There are international conferences and various forms of international interaction which provide a forum for forming and strengthening networks.

The Boomerang Pattern is an advocacy strategy where a local group with capabilities at the national level forms a transnational network to gain support from the international community. The international support that arises will be given to local groups and then used as a tool to realize their goals or interests by putting pressure on the country from outside. The pressure given can be related to the country's policies or behavior on a particular issue.

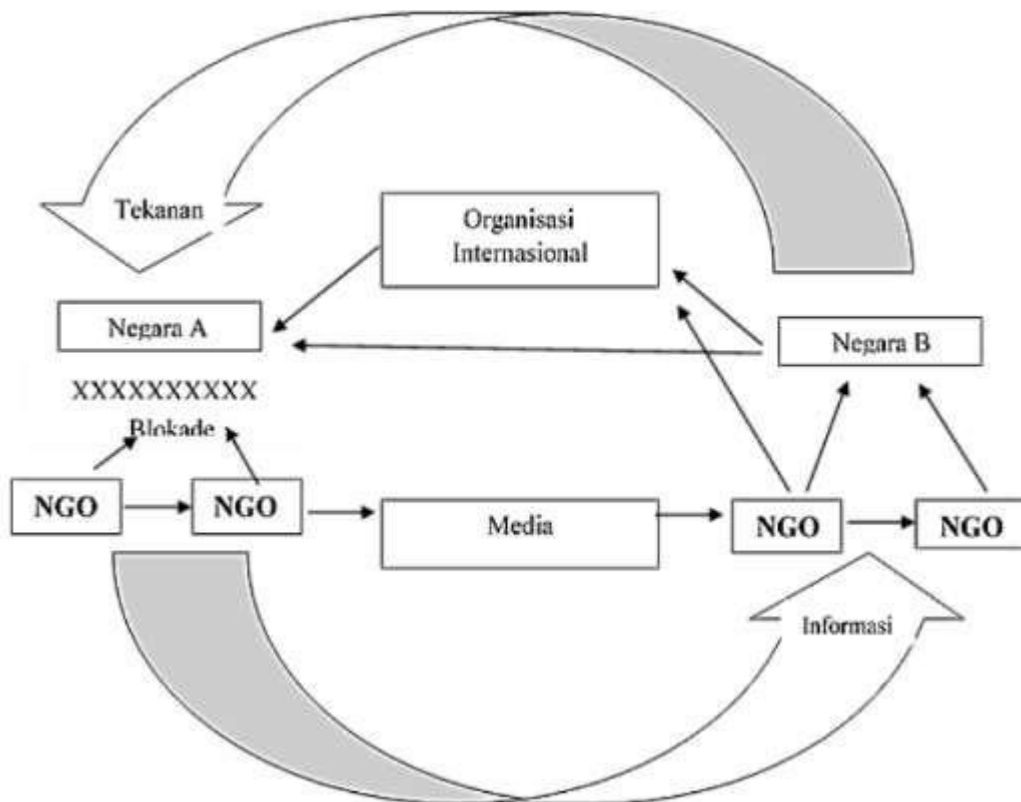
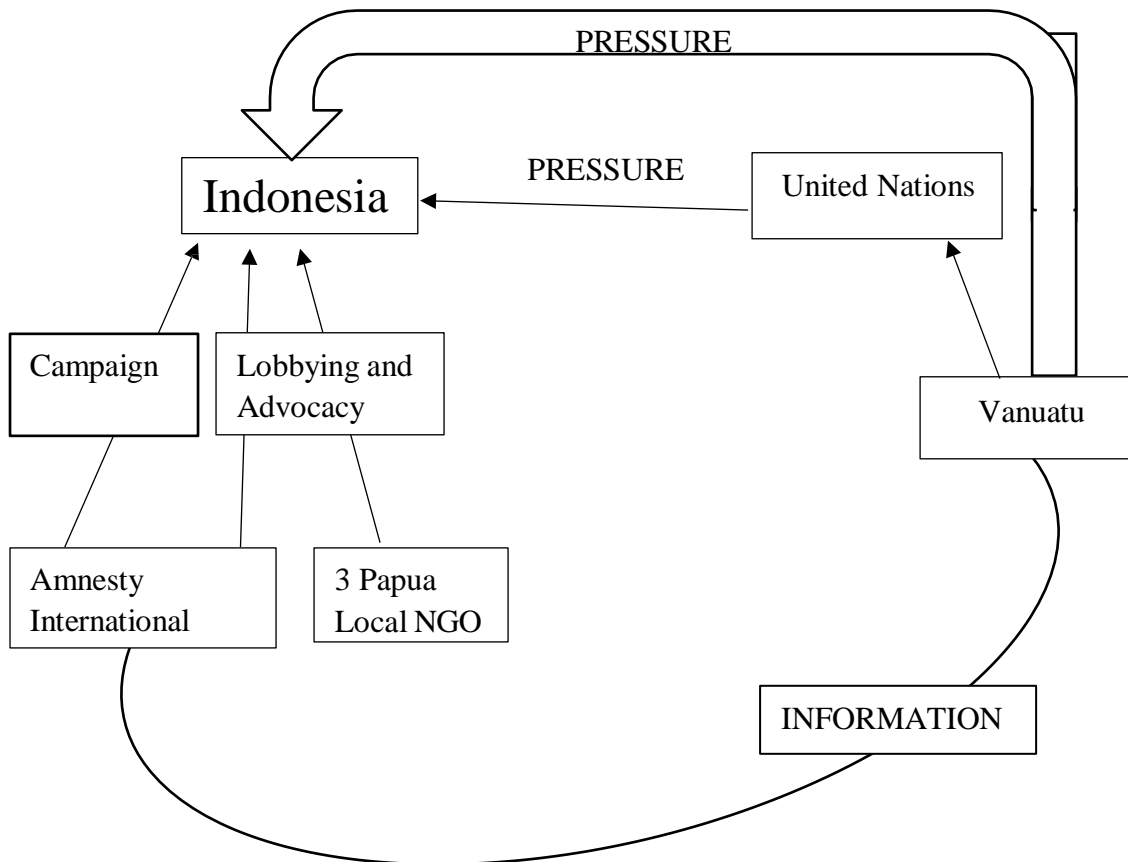


Figure 1 Boomerang Pattern in Transnational Advocacy Network

Referring to Figure 1, the boomerang pattern tends to occur due to obstacles between groups and domestic governments, which should be the guarantor of rights, so that there are limitations (blockages) in efforts to resolve conflicts. Therefore, domestic groups will utilize international contacts to 'strengthen' their demands so that they can form an open space for new issues and echo their demands back to the domestic realm.

In an effort to eradicate the practice of impunity in Papua, the boomerang pattern that was formed began with advocacy carried out by 3 local NGOs against Non-Governmental

Organizations at the international level, namely Amnesty International, in order to gain stronger influence at the international level so that it can be responded to by countries that have concerns about human rights violations. In this case, the country is Vanuatu, which continues to raise the issue in the international space so that it can echo its demands back to the domestic realm. As explained in the diagram below.



To run a transnational advocacy network, there are methods that can be applied so as to achieve the goals of the movement (Keck, 1998), namely :

1. *Information Politics*

The ability to quickly transfer useful and credible political information to places where it will have the strongest influence. Many exchange information through media such as telephone calls, e-mail, fax communications, newspapers, pamphlets and bulletins. They provide information that has never been published before and from sources that may not have been heard of. With the aim of making the public understand and make sense of a situation that

is occurring and create public opinion based on geographic location or even outside geography. Information in advocacy networks provides not only facts, but also testimonials so that activists can persuade people and encourage the public to take action.

The persuasion process occurs deliberately, in an advocacy network activist groups identify parties related to the issue and then provide a reasonable solution according to the issue. In identifying an issue and party, a message is needed that is strong, clear and usually has an impact on a policy. The activities of non-governmental actors are very dependent on information. The presence of this information makes non-governmental actors legitimate actors in the international world. The information obtained is necessary for their activities, expands their legitimacy, and helps to mobilize specific policy targets. The media is an important partner in information politics, namely to attract wider press attention. With media, information can be conveyed in a timely and dramatic manner. In addition, the media can interpret facts and testimony so that the goal of persuading people and encouraging them to take action can be realized.

2. *Symbolic Politics*

Symbolic Politics is the ability to give a strong impression through symbols, actions, or stories that will describe a situation or demand, even though the target is at a distance. This is part of the persuasion process where networks create awareness and expand constituencies. In raising awareness of an issue, advocacy networks use symbolic events to reshape public understanding of the issue being raised (Brysk, 1994)

3. *Leverage Politics*

It is the ability to describe situations where actors who have power can control the situation and have influence, while actors who do not have power do not appear to have much influence. Activists in advocacy networks often engage in policy change targeting governments, but perhaps also international, or private actors such as transnational corporations. In order to effect policy change, advocacy networks must both persuade and pressure actors more strongly. To gain strong influence the advocacy network must look for stronger advocacy organizations/actors. By leveraging stronger actors, weaker groups will gain influence far beyond their ability to influence the state directly. In democracies, the potential to influence actors gives advocacy groups a great advantage in lobbying for policy changes.

4. *Accountability Politics*

It is an effort used to help actors who have the power to act or act within established policies or principles. In accountability politics, advocacy networks working on an issue try to influence important actors in a country. Where in a government there are policies and principles implemented by the government. When these policies and principles are implemented and the country's situation worsens or these policies and principles are not implemented, then this is the opportunity for advocacy networks to play a role. The advocacy network here provides demands related to these principles and policies. This demand is in the form of opposition to government policies and principles.

With the concept of Transnational Advocacy Networks, it can explain how an advocacy network acts in responding to an issue. Amnesty International, which acts as an NGO, has one of its duties, namely providing advocacy for parties who are victims of existing human rights violations. Amnesty International in defending victims of existing human rights violations will reflect 4 ways of realizing advocacy goals according to Keck & Sikkink, namely *Information politics*, *Symbolic politics*, *Leverage politics* and *Accountability Politics*.

In implementing the Boomerang Pattern, Amnesty International's activities can be seen more specifically. One of Amnesty International's ways of upholding human rights is by providing or providing information about how to oppose the impunity. With this information, Amnesty International aims to create links between advocacy networks that are related to each other and hopefully help in realizing Amnesty International's own goals, such as urging the abolition of impunity. With support from other advocacy networks, this makes it easier for Amnesty International to realize its goals. This can also affect where the advocacy network is located, for example the advocacy network that provides support is located in a different country from where Amnesty International operates. In this way, the advocacy network can also influence their governments to oppose the impunity in countries where Amnesty International is active, so that countries can put pressure on other countries. In this way, interactions occur between countries and countries, there could be interactions between international government organizations and countries. This can happen if a country that has supported the advocacy network's activities brings up the issue as a problem in an international government organization. Thus, it is not only the state that exerts pressure, but pressure can also be formed from an international government organization. Apart from applying pressure from outside the government, Amnesty International can also put pressure from within the country, for example Amnesty International gives its rejection by mobilizing the masses of none other than the

country's own citizens. Amnesty International's rejection can take the form of activities such as campaigns or mass movements in front of the public.

1.4 Hypothesis

Based on explanation in the background, the author has made the following hypothesis:

1. Amnesty International has made an investigation and accountability campaign regarding impunity in Papua.
2. Amnesty International advocates human rights and public policies in Papua.

1.5 Research Methodology

This research using qualitative methods is an approach used to understand and explain phenomena in a deep and descriptive way. Qualitative methods focus on understanding social context, perception and meaning. Qualitative methods provide flexibility in understanding and explaining the complexity of social and human phenomena. In research with this approach, it is important to gain deeper insights and richer contextual understanding of the topic under study. The research method used in this study is a qualitative method. In collecting data, the researcher conducted a literature study and online search and used purposive techniques to determine sources and interviews. As for data analysis techniques, researcher used data reduction. The results of this study indicate that Amnesty International has a significant role because basically Amnesty International has a significant influence on Indonesia. Amnesty International made a report on human rights violations committed by the government and Indonesia which the report was widely distributed.

A. Literature Review

In this writing, the author has previously conducted a study of several literatures that are relevant to the topic that the author has determined. From the research conducted there are several studies that are almost similar and often discuss human rights. Previous research was conducted by Abdul Wahid Subangun with the title "The Existence of Human Rights Courts in Indonesia". This research written by Abdul Wahid Subangun explains how human rights occur in East Timor. The Indonesian government is advised to immediately prosecute perpetrators of crimes against fellow humans. Indonesia needs to fulfill its international obligations and maximize national legal mechanisms to address domestic human rights violations (local solutions are running out). This research, entitled Human Rights, is located very close to Papua. Human rights have been in the spotlight in the region for decades.

The issue of human rights cannot be separated from the view of the international community, because many organizations or countries pay attention to the existence of human rights. By connecting perspectives between non-governmental organizations and the government, this research explores how non-governmental parties can work together with the government to solve a problem through several methods or theories. With so many concerns occurring in society, several organizations have made themselves a forum for the community to express their aspirations so that we can see problems from various points of view (Asrullah, Arafat Juanda, and Novitasari 2020).

A research paper written by Julia Hernida entitled "The Role of the State in Protecting Human Rights in Indonesia from an Islamic Perspective" which explains the Role of the State in Protecting Human Rights including basic rights such as freedom of religion, politics and opinion. The state must ensure that every citizen has the same opportunity to enjoy these rights. In this research, it is also written that Indonesia, whose majority population is Muslim, has demonstrated its commitment to respecting and protecting human rights since the beginning of independence, as shown by the 1945 Constitution which is clearly stated (Julia Hernida 2019).

1.6 Writing Systematic

My content has included and presented everything we have been looking for and it has been organized into sections. Very easy to understand with an organized sequence. In short, the structure that I present includes:

Chapter I: in this chapter explains how the general description and background of this writing which make the author get a more comprehensive answer in the next chapter.

Chapter I itself contains several sub-chapters, including:

1. Background
2. Problem Formulation
3. Conceptual Framework
4. Hypothesis
5. Research Methodology
6. Writing Systematic

Chapter II: in chapter two, it will be an elaboration of the background research explaining in detail about Impunity, International Organization, and Advocacy Network.

Chapter III: in this third chapter is the chapter where an analysis of the Transnational Advocacy Network to prove hypothesis through Theoretical Framework.

Chapter IV: will be the last chapter where conclusion contain.