

CHAPTER ONE INTRODUCTION

A. Background

The issues of human rights is still the most frequently raised today. Themes were debated across the globe. Almost every day the media report about the people who are being discriminated, tortured, killed, or enforced disappearance of political opponents. The 1948 Universal Declaration of Human Rights (UDHR) is the modern international framework that covered the human rights issue. Since then, all countries in the world have international code and principle or a parameter on how to deal with human right in domestic or regional.¹

Nowadays, the problem of violence against civil society, student organizations, and state institutions in charge with eradicating corruption are increasingly rampant. There are many people who try to eliminate all kinds of corruption cases. Therefore, "it is urgent and important to protect anti-corruption employees in any part of the world, including the future for those who are victims of the corruption of corruptors," said the Chairman of the Malaysia Anti-Corruption Commission (MACC), Tan Sri Abu Kasim Mohammed in a special discussion session at the conference of the countries that are parties to the UN Convention against Corruption (COSP-UNCAC) in Abu Dhabi, United Arab Emirates, Monday (16/12).

¹ Martinus Sardi, 2016, "The Promotion and Protection of Human Rights For International Justice", *Proceedings International Conference on Social Politics, January 26 – 28, 2016, The Challenges of Social Sciences in a Changing World*, Yogyakarta, p. 864.

The year 2017 is a dark era for investigators of the Corruption Eradication Commission Novel Baswedan. On April 11, returning from the morning prayer from a mosque near his house in Kelapa Gading, North Jakarta, he was attacked by two unknown people. Using a motorcycle, the two men splashed acid on Novel's face. Investigators in the corruption case of the Electronic Identity Card project must also be rushed to Singapore to undergo healing in the face and eyes. Until the end of 2017, the wounds on the Novel's face have begun to heal. However, the police did not succeed in finding the perpetrators of the attack.

Various methods had been taken by the police to investigate this case. The police had established a team of hundreds of personnel from the police station, the regional police assisted by the National Police Headquarters. Police also called for help from the Australian Federal Police (AFP) to study CCTV footage. The former Corruption Eradication Commission leaders, anti-corruption activists, media, and human rights activists even urged President Joko Widodo to form a Joint Fact Finding Team (TGPF) to uncover Novel's sprinklers.² The National Human Rights Commission has found sufficient initial evidence for violations of a number of rights in the case of the Novel. Rights that are violated include the right to security, the right to be treated

² Ihsanuddin, 2017, "2017, Tahun Kelam untuk Novel Baswedan dan Pemberantas Korupsi". Retrieved from <https://nasional.kompas.com/read/2017/12/31/20294381/2017-tahun-kelam-untuk-novel-baswedan-dan-pemberantasan-korupsi>, accessed on April 8th 2019.

equally before the law, and the right to protection of human rights. and basic freedoms without discrimination as guaranteed in the constitution and laws.³

³ Guruh Nuary, 2018, “Komnas HAM: Teror Air Keras Novel Baswedan Terencana dan Sistematis” Retrived From <https://news.detik.com/berita/4354291/komnas-ham-teror-air-keras-novel-baswedan-terencana-dan-sistematis>, accessed on April 8th 2019.

B. Statement of Problems

Considering the research background above, the author formulated two questions to be researched, namely:

1. What are the indicators of Human Right Violation in the Case of Novel Baswedan?
2. How the possibility of Novel Baswedan's Case to be adjudicated in The Court of Human Right?

C. Objectives of Research

Based on the research questions above, there are three objectives to be achieved, namely:

1. To know and understand the Violation of Human Right, especially in the case of Novel Baswedan.
2. To understand and elaborate the possibility of Novel Baswedan's Case to be tried in the Court of Human Right.

D. Benefit of Research

There are two advantages that could be reached from this research namely:

1. Theoretically

This research is beneficial in order to educate the society regarding the awareness of Human Rights Violation.

2. Practically

This research provides a better understanding of the law regarding the Violation of Human Rights, especially in the case of Novel Baswedan.
