

POSTDOCTORAL

FELLOWSHIP

October 2021-December 2022

HOST INSTITUTIONS

- University of La Laguna, Tenerife, Spain
- University of Catania, Italy
- Roma Tre University, Italy
- D'Annunzio University of Chieti-Pescara, Italy
- Daugavpils University, Latvia
- AMBIS University, Czech Republic
- College of Economics and Computer Science (WSEI), Krakow, Poland
- Saint Joseph University (USJ), Macao, China
- Grigol Robakidze University, Georgia
- Sai University, India
- Universitas Atma Jaya Yogyakarta, Indonesia
- Simon Bolivar University, Ecuador
- University of Ciego de Avila, Cuba

Manotar Tampubolon
Postdoctoral Fellow 2021-2022

Introduction

As an expert in the field of Indonesian human rights, I hope my research will contribute significantly to the understanding of human rights in the post-New Era of Indonesia. My research during the Postdoctoral Fellowship at the University of Catania, supervised by Georgia Constanzo, PhD, has provided valuable insights into the challenges and opportunities for human rights in Indonesia. With a focus on the post-New Era, my work sheds light on the evolving landscape of human rights in the country and the implications for policy and practice.

Catania, January 4th, 2023

Dr. Manotar Tampubolon

ESI-University of Catania Postdoctoral Fellow 2021/2022



ESI POST-DOCTORAL PROGRAM
“SOCIAL SCIENCES AND HUMANITIES IN A POST CRISIS PERIOD”

Application 2021/22

Name/Surname: Manotar Tampubolon

University affiliation: Faculty of Law, Christian University of Indonesia, Jakarta, Indonesia

Email/Phone number: justitie234@gmail.com, 6281210725234

Country of origin (passport holder): Indonesia

Title of Research Project: Exploring Human Rights Violations in Post of New Era in Indonesia

Basic Bibliographical References (max. 10) Attached

General Objective (max. 1 page): Attached

Specific Objectives (max. 1 page): Attached

Host University you would like to make the research visit in May 2022: (University of Almeria, University of La Laguna, University of Catania, D'Annunzio University of Chieti–Pescara

or Daugavpils University): University of Catania

Research Methodology This qualitative study applies law, social studies and human rights approaches to solve research questions

Program Language: English/~~Spanish~~ (select one)



I would like to apply for (select one):

- Roberto Kertesz full scholarship
- ☒ Partial scholarship (Candidate participates with 1.650 EUR fee plus travel and accommodation costs)
- Regular (Candidate participates with 3.650 EUR fee plus travel and accommodation costs)

If I am not selected for the option I applied for I would like to continue with the next option:

- ~~Yes~~/No

Additional Documents

- ✓ - Copy of PhD diploma or certificate which confirms thesis defense
- ✓ - Short CV
- ✓ - List of publications
- ✓ -Language certificates (optional)

Please fill this application and send it to postdoc@euintitute.net or contact@eujournal.org



ESI Postdoctoral Training 2021/22

“Social Sciences and Humanities in a post-crisis period”

website: <https://euinstitute.net/postdoc/>

Full Package (3,650 EUR per candidate in total).

- Tuition fee fully covered.
- Accommodation and meals provided (14 days).
- Free publication in the ESI journals (2 years).
- Free participation at the ESI conferences (2 years).
- Free proofreading and editing (4 papers).
- Social Events during the research visit.



European Scientific Institute, ESI
Letter of Agreement for
Postdoctoral Training “Social Sciences and Humanities in a Post-crisis period”
2021/22

1. Training Commitment

- Duration: 1st of October 2021 – 1st of December 2022.
- Online meetings with the research advisor(s) (at least 4 within the period 1st of October 2021 – 1st of December 2022).
- Online meeting with the research group (at least 4 within the period 1st of October 2021 – 1st of December 2022).
- Attending the ESI online lectures.
- Completing the working paper.
- The candidate will participate to all of the above listed activities.

2. Research Visit

- The candidate will conduct a research visit at the University of Catania, Italy.
- The research visit will be organized in May 2022. However, the organizer retains the right to propose new dates for the research visit.
- The candidate will provide travel insurance for himself/herself during the research visit.
- The Host University or the organizer does not have any financial obligations and payments towards the candidates.

3. Fee/Scholarship

Partial scholarship is approved for the candidate.
The candidate will pay the total sum of 1,650 EUR as tuition fee.
The tuition fee does not cover the accommodation or travel costs of the candidate nor the living expenses during the research visit.
The amount for the tuition fee will be paid before October 30, 2021. In addition, the candidate can opt to split the payment by paying in installment.

4. Period of this Agreement

This agreement could be considered legally binding.
This agreement applies for the period of 1st October 2021 to 1st December 2022.



5. The signing of this agreement attests that:

- The candidate has carefully read the detailed program announced on the following website: <https://euinstitute.net/postdoc/>
- The candidate accepts the program structure, activities, and fees.

Signature

Candidate: MANOTAR TAMPUBOLON

University/Company: UNIVERSITAS KRISTEN INDONESIA

Country: INDONESIA

Date: 14 SEPTEMBER 2021

Signature: MANOTAR

ESI Fellows (October 2021-December 2022)



Dr. Jorge Balladares
Universidad Andina Simón Bolívar, Ecuador



Dr. Andrej Semenov
University of Pristina



Dr. Cenay Babaoglu
Gazi Husreviye University



Dr. Enkelelda Cenaj
Alexander Moisiu University, Albania



Dr. [Name] Telles
Universitat de Valencia



Dr. Paul Kwame Butakor
University of Ghana



POSTDOCTORAL PROGRAM

(<https://euinstitute.net/postdoc/>)



Dr. Syed Mir Muhammad Shah
Sukkur IBA University, Pakistan

PROGRAM STRUCTURE

RESEARCH VISIT

SCHOLARSHIP/PARTICIPATION FEE

CONTACT



Dr. Miodraga Stefanovska – Petkovska
American College Skopje, Republic of Macedonia



Dr. Alexise Veronique Ikossie Kouakou
Ivory Coast



Dr. Dorothy Ebere Adimora
University of Nigeria, Nsukka



Dr. Favio Farinella
National University of Mar del Plata, Argentina



Dr. Hamzo Khan Tagar
University of Karachi, Sindh-Pakistan



Dr. Ilija Stojanovic
Ajlunair University, Dubai



Dr. Julijana Papazova
Independent researcher (Bulgaria/Macedonia)



Dr. Manotar Tampubolon
Christian University of Indonesia



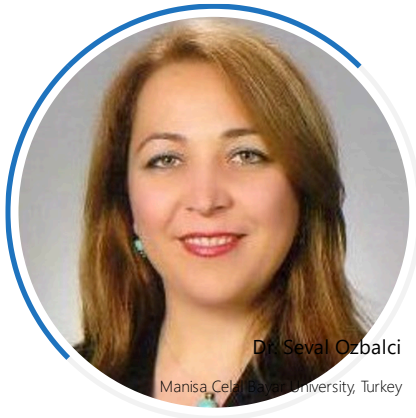
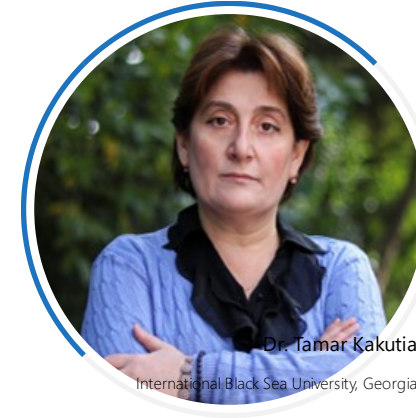
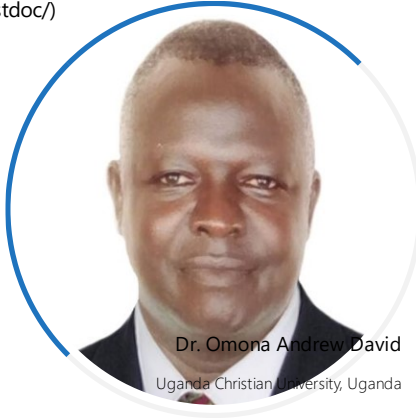
(<https://euinstitute.net/postdoc/>)

PROGRAM STRUCTURE

RESEARCH VISIT

SCHOLARSHIP/PARTICIPATION FEE

CONTACT





UNIVERSITÀ
degli STUDI
di CATANIA

DIPARTIMENTO di SCIENZE della FORMAZIONE

UFFICIO ERASMUS

Catania, 29 March 2022

To the attention of
Dr. Manotar Tampubolon

Subject: Letter of invitation

Dear Colleague,

on behalf of the Head of Department that coordinates the Bilateral Agreement for Joint Post-Doctoral Programme “Social Sciences and Humanities in a Post-crisis Period”, signed between the University of Catania and the European Scientific Institute (ESI),

I am delighted to invite you to participate in a postdoctoral research mobility period from June 1st to June 15th, 2022.

As proposed, you will collaborate closely with your tutors Profs. Giorgia Costanzo (gcostanz@unict.it; gcostanzo.unict@gmail.com) and Matteo Negro (matteo.negro@unict.it; negro.unict@gmail.com; mnegro@unict.it) and hold seminar and research activities.

During your stay here, we will be able to provide you with secretarial support (Re: Dr. Tiziana Caruso tcaruso@unict.it), computer, and Internet access.

We look forward to welcoming you to the University of Catania for a productive and rewarding experience.

Yours sincerely,

Prof. Paola Clara Leotta
Head Delegate for Internationalisation



LEOTTA PAOLA
CLARA
29.03.2022
10:05:08
GMT+00:00

Via Teatro Greco, 84 - 95123 CATANIA tel. 095-7466310
email: tcaruso@unict.it



Research Visit, University of Catania, 1-15 June 2022

Schedule:

1 June 2022

Central Administration, *Piazza Università 2*

10,00/12,00 - Visit at the Research Division

12,30/13,30 - Visit at the University Museum offered by UniCT

2 and 3 June 2022: holiday

6 June 2022

DISFOR, *via Casa Nutrizione, angolo Piazza Dante*

10,00/12,00 - Welcome gathering with all the tutors and buddies, research topics presentation from each candidate (15 minutes per presentation + debate)

7 June 2022

Convitto Cutelli, *Via Vittorio Emanuele II, 56*

9,00/14,00 – Lectures/debate for High School Students at the Convitto Cutelli

14.00 - Lunch offered by the Rector of the Convitto

8 June 2022

DSPS, *Via Vittorio Emanuele II, 49*

9,30/12,30 - Lectures and debate

9 June 2022

DISFOR/DSPS/DEI

Individual meetings with the tutors at the departments (morning or afternoon)

10 June 2022

UniCT radio

10,00/12,00 - Interview with Radio Zammu, *Piazza Università 2*

11 June 2022: Free time

13 June 2022

DEI, *Corso Italia, 55*

9,30/12,30 - Lectures and debate

14 June 2022

DISFOR

9,30/12,30 Lectures and debate for the DISFOR PhD students

15,30/17,30 Visit at the Benedictine Monastery

15 June 2022

DISFOR

10,00/12,00 - Farewell meeting (meeting with the Rector and final brainstorming with all the tutors)



Additional meetings can be organized individually on request

Social Events:

The Benedictine Monastery and the UniCT Museum visits are free of charge.

Accommodation Offer:

Rooms can be booked at the Residenza Toscano-Scuderi (Via Etnea, 440): 100 Euros per person per 15 days in double room; 130 Euros per 15 days in single room. If interested in this reservation, please send an email to Dr Tiziana Caruso tcaruso@unict.it

Before booking and/or buying flight tickets, please check the COVID-19 international regulations for travelling to Italy

<https://www.salute.gov.it/portale/nuovocoronavirus/homeNuovoCoronavirus.jsp?lingua=english>

University of Catania and European Scientific Institute
Bilateral Agreement for Joint Post-Doctoral Program

8 June 2022, 9.30 am-12.30 pm

Department of Political and Social Sciences (DPSS)

The Conversation

Research presentation and discussion with ESI visiting scholars

9.30 Welcome address

Prof. Pinella Di Gregorio, DPSS Chair
Prof. Fabrizio Sciacca, Coordinator of the PhD Programme in Political Sciences
Prof. Simona Gozzo, DPSS Research Officer
Prof. Daniela Fisichella, DPSS Delegate to Internationalisation

10.15 David Andrew Omona, *The efficacy of Peacebuilding from below in healing Uganda's wounded history*

Tutor: Daniela Irrera and Daniela Melfa

10.45 Andrej Semenov, *Enlargement in smaller steps: Can the mini-Schengen be a remedy to EU enlargement fatigue?*

Tutor: Francesca Longo

11.15 Manotar Tampubolon, *Exploring human rights violations in post-New Era Indonesia*

Tutor: Giorgia Costanzo

11.45 Cenay Babaoglu, *COVID-19 Pandemic's Effects on Digital Government: The Case of Italy*

Tutor: Francesca Longo

12.15 Conclusions

Prof. Francesca Longo, Vice Chancellor of the University of Catania

Room L (Third Floor)
Palazzo Pedagaggi
Dipartimento di Scienze politiche e sociali
Via Vittorio Emanuele II 49
95131 – Catania

Teams Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_MzY0ZGQzMGI0MDViZS00ZDlkLTg4NmYtMzEwODI4YmZiY2U0%40thread.v2/0?context=%7b%22Tid%22%3a%22baefbc8-3c8b-4382-9126-e86bfef46ce6%22%2c%22Oid%22%3a%22d8af5f02-7f92-40cc-9b0a-28e42f71954c%22%7d

EXPLORING HUMAN RIGHTS VIOLATIONS IN NEW ERA OF INDONESIA

Manotar Tampubolon

**Faculty of Law, Universitas Kristen Indonesia, Jakarta
(ESI Postdoctoral Fellow)**

Supervisor:

Prof. Giorgia Costanzo (University of Catania, Italy)

Content

- Background
- Objective
- Research Problems
- Methodology
- Results & Discussion
- Conclusion
- References

Background

- Economic growth

4-6%
(annually)



- Ignorance of Universal Human rights system

- National Sovereignty & Non-Interference

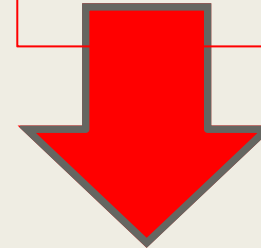
- National Action Plan

- Signatory of 8 human rights conventions

- ASEAN Charter, the Association is committed to promoting and safeguarding human rights and basic freedoms, as well as advancing democracy and good governance

- Suharto did not always accept Western liberal-democratic values (Hasan, 2018).

Human Rights & Transitional justice was failed



- Torture & disappearance continue (Ruland, 2017).

OBJECTIVE

To know why the perpetuation of human rights violations in Post New Era of Indonesia still exist.

Research Problems

- *Why* Indonesia failed to enforce human rights?
- *How* to effectively enforce human rights in Indonesia.

Methodology

- Qualitative
- Secondary Data
- Content & Comparative Analysis

Findings & Discussion



Conclusion

1. The regime ignore International human Rights law (UN Human Rights system);
2. Human rights are only seen as democratization tools;
3. None held responsible for human rights violations.

References

1. Ahdanisa, D., & Rothman, S. (2020). Revisiting international human rights treaties: comparing Asian and Western efforts to improve human rights. *SN Social Sciences*, 1(1). doi: 10.1007/s43545-020-00018-0
2. Andrews, K. (2018). Myanmar-market opportunity or messy risk? A perspective on how an Australian university responds to the need for the kind of education that enables adecent living'in Myanmar (*Doctoral dissertation*, RMIT University).
3. Aspinall, E., Fossati, D., Muhtadi, B., & Warburton, E. (2020). Elites, masses, and democratic decline in Indonesia. *Democratization*, 27(4).
4. Bagir, Z., & Mubarak, H. (2022). Religious freedom, harmony or moderation? Government attempts to manage diversity - *Indonesia at Melbourne*. Retrieved 24 May 2022, from <https://indonesiaatmelbourne.unimelb.edu.au/religious-freedom-harmony-or-moderation-government-attempts-to-manage-diversity/>
5. Bland, B. (2020). Historical tensions and contemporary governance challenges in Southeast Asia: the case of Indonesia.
6. Bunnell, T. (2019). International schooling and education in the 'new era': Emerging issues. Emerald Group Publishing.
7. Butcher, T. J. (2021). Developing Identity: Exploring the History of Indonesian Nationalism. The University of Vermont and State Agricultural College.
8. Deasy Simandjuntak, (2021). Disciplining the Accepted and Amputating the Deviants: Religious Nationalism and Segregated Citizenship in Indonesia . *Asian Journal of Law and Society*, (), -. doi:10.1017/als.2020.49
9. Dharmawan, N. K. S., Kasih, D. P. D., Kurniawan, I. G. A., & Samsithawrati, P. A. (2018). The guiding principles on business and human rights: National action plans toward corporation responsibility. *Hasanuddin Law Review*, 4(2).
10. Gooding, P. (2017). A new era for mental health law and policy: supported decision-making and the UN Convention on the Rights of Persons with Disabilities. Cambridge University Press.
11. Hasan, N. (2018). Laskar jihad. In *Laskar Jihad*. Cornell University Press.
12. Irmansyah, I. & Minas, H. (2009). Human rights of persons with mental illness in Indonesia: more than legislation is needed. *International Journal Of Mental Health Systems*, 3(1). doi: 10.1186/1752-4458-3-14

References

1. Johnson, D., & Johnson, S. (2001). Teaching heterogeneous students using cooperative learning: Teacher and student effects by gender. *Journal of Research in Science Teaching*, 38(1), 44-51. DOI: 10.1002/jrs.1004
2. Johnson, D. (2008). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
3. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
4. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
5. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
6. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
7. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
8. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
9. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
10. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
11. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
12. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
13. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
14. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
15. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
16. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
17. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
18. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
19. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.
20. Johnson, D., Johnson, S., & Johnson, S. (2000). *Cooperative learning: Research and practice*. New York: Pearson Education, Inc.



- ### References
1. Alim, S. & Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.
 2. Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.
 3. Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.
 4. Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.
 5. Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.
 6. Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.
 7. Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.
 8. Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.
 9. Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.
 10. Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.
 11. Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.
 12. Alim, S. (2021). The role of religious education in the development of religious freedom in Indonesia. *Journal of Religious Education*, 1(1), 1-10.

Exploring human rights violations in post new era Indonesia

Manotar Tampubolon

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Faculty of Political Science, University of Catania, Italy

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Abstract:

Although human rights have been officially recognized in Indonesia, human rights violations have persisted since Suharto's authoritarian regime. The purpose of this article is to examine why human rights violations that have occurred in Indonesia since the New Order era, when the Suharto regime was in power, but have yet to be resolved. With a human rights perspective, the author employs qualitative research methods in conjunction with secondary data from credible sources. Human rights violations committed during the New Order regime went unpunished, and impunity reigned. To this day, there are challenges to impunity for human rights violations in Indonesia, where the government does not have good faith to fulfil the rights of victims of human rights violations, and civil society organizations both on the national and international levels are powerless to support the resolution of these human rights violations. This situation will have an impact on Indonesia's international standing as one of the largest democratic countries that recognizes, protects, and fulfils human rights.

Keywords: Human rights violation, Suharto, Indonesia, Authoritarianism..

Background

Indonesia has been dealing with both a political transition and an economic crisis. The reliance on foreign assistance on both fronts has sparked strong nationalist sentiments, which have been exacerbated by the loss of East Timor and have perceived Western sympathies for separatist movements within the Aceh and Papua regions. The elements were loyal to Suharto and were accused of inflaming and even starting various conflicts by exploiting such emotions. Economic inequality, lifestyle, religion, national stability, and other aspects all had a substantial impact on Indonesia's political transformation and convergence mechanisms (McGregor & Setiawan, 2019). While there is no clear link between authoritarian or democratic regimes and economic success, widespread economic hardship will undoubtedly erode support for administrations of all stripes. Regional economic crises in 1997-98, which prompted Suharto's resignation in May 1998, continue to stymie reforms of political, legal, judicial, and administrative

institutions and procedures by undermining their popular legitimacy. Religious and ethnic violence in Maluku, Kalimantan, and Central Sulawesi, as well as separatists in Aceh and Irian Jaya, tend to exacerbate political and economic unrest (Van Klinken, 2007).

Both Presidents Sukarno (1945-1965) and Suharto (1965-1998) were staunch opponents of the western-style liberal democracy that Indonesia witnessed in the 1950s. Instead, they resorted to Pancasila's five principles in the form of national philosophy and the 1945 Constitution, which they deemed more acceptable to Indonesian cultural values. This affirms the existence of a single God, national unity, civilized humanitarianism or internationalism, representative government, and social justice. Decisions and disagreements must be made and addressed through debate or *musyawarah* and consensus or *mufakat*, rather than competitive voting and the associated conflicts between majority and minority groups (Eldridge, 2002). Certain cooperative ideals must be applied in all economic and social sectors. While Pancasila can be built in reasonable liberal and pluralistic ways, it is also vulnerable to corporatist and authoritarian interpretations. Integralist beliefs presuppose the oneness of government and people by opposing individual or group rights toward the state, which appears to be envisioned as a large family. The key actors have recognized the parallels with fascist conceptions of the organic state in Europe and Japan. Despite their initial opposition, this was incorporated into New Order doctrine and practice. As a result, the 1985 Law on Social Groups required organizations to explain their goals using Pancasila as their sole foundation (Eldridge, 2002).

Incremental transformational leadership and movement beginning in small civil society groups as well as modest reforms launched from within the government, have created a greater popular foundation from which the change in momentum can be sustained in the face of residually powerful New Order structures and preferences. Concerns about civil and political rights have been traditionally associated with the middle class, and they were seen to have gained popularity by being linked to issues affecting people's daily lives such as land, wages, and working conditions, as well as the environment, violence and harassment against women, and corruption at all levels (Sugiharti et al, 2022).

Specific initiatives appear to span from the lower communities within the development of among the underprivileged populations to major mobilization for demand rights, with advocacy networks connecting at the local, national, and global levels. Suharto's civil society opponents did not always accept Western liberal-democratic values (Hadiz & Robison, 2013). Many people focused on the socioeconomic and political aspects of human rights. However, broad cross-group discussions about goals and techniques, as well as experience with internal self-management, contributed to the improvement of popular democratic ability (Jaffrey, 2020).

The Suharto regime largely ignored the UN human rights system, reacting to foreign criticism with broad defenses based on Indonesia's national sovereignty and its non-interference in domestic affairs. Nonetheless, it ratified the Conventions on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Rights of the Child in 1984 and 1990, respectively. In January 1998, Alatas, the foreign minister, issued a National Plan of Action on Human Rights for the years 1998 to 2003, and the MPR included a broad statement indicating future legal action in the State Policy Guidelines. In the aftermath of Suharto's demise, the torture and disappearances continued

unabated (Walton, 1998; Grzywacz, 2020). The Plan placed a special emphasis on integrating United Nations human rights treaties into national laws, which appears to be a necessary step before ratification. In November 1998, Indonesia appeared to ratify the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatments or Punishments, also known as the CAT, and the Convention on the Elimination of All Forms of Racial Discrimination, also known as the CERD. The timing of each marked significant declarations of intent immediately following Suharto's demise, as well as outbreaks of anti-Chinese sentiment, most likely arranged by members of the armed forces and also some Islamic groups (Rüland, 2022).

The upheaval surrounding President Wahid's resignation and the substitute of President Megawati Sukarnoputri with the optimistic Attorney General Marzuki Darusman, in addition to a designee from the poorly respected Department, appears to have hampered the Plan's execution (Rubenstein, 2017). Indonesia appears unequipped to ratify the International Covenant on Civil and Political Rights with only one year until the Plan's expiration date (ICCPR). Institutional initiative for developing policies and promoting human rights appears to be primarily in the hands of the Foreign Affairs Ministry, with President Wahid's Human Rights Ministry playing an unknown role (Eldridge, 2002).

Around a decade and a half just after fall of President Suharto and the New Order dictatorship, Indonesia has been widely cited as a model of democratic transformation—especially for Muslim majority governments. The nation has a lucrative party political system and has held three successful general elections since 1999, with such a fourth scheduled for 2014. The legislature also passed constitutional amendments, including key provisions to safeguard fundamental human rights such as individual liberties, religious freedom, and women's rights. These changes have resulted in rapid economic growth (Schwarz, 2018). As of 1999, the Indonesian economy had also grown at an annual rate of 4 to 6%. Despite these advancements, Indonesian transitional justice has been largely ineffective. While precise definitions vary, transitional justice here refers to the righting of wrongs committed in the past by holding criminals accountable for their actions. Neither Suharto nor any high-ranking officials or perpetrators have ever been tried or held accountable for human rights violations in Indonesia during the thirty-two years of authoritarian rule and after the democratic era (Liddle, 2002; Eldridge, 2002; Ehito, 2015). Tables 1–3 show the human rights violations and processes that occurred during the New Era and the era of democracy.

Table-1. Human Rights Violations in the New Era

| No | Tragedy/Year | Number of Victims (Estimated) | Process |
|----|---|----------------------------------|---------------------|
| 1. | Military Operations Area (DOM) Papua (1963-2003) | 200.000 | Under Investigation |
| 2. | The tragedy of September 30, 1965 PKI (1965-1966) | 500-000-3.000.000 | Under Investigation |
| 3. | The Buru Island Case (1965-1966). | 250.000 | Under Investigation |
| 4. | The Mysterious Shooting (1982-1986) | 10.000 | Under Investigation |
| 5. | Tanjung Priok Tragedy (1984-1987) | 700 | Prosecuted/punished |
| 6. | Talangsari Tragedy (1989) | 300 | Under Investigation |

| | | | |
|-----|--|-------|---------------------|
| 7. | Santa Cruz Massacre, East Timor (1991) | 273 | Prosecuted/punished |
| 8. | The Tragedy of Rumoh Geudong in Aceh (1989-1998) | 3.068 | Under Investigation |
| 9. | Trisakti Tragedy (1998) | 4 | Under Investigation |
| 10. | Activist Kidnapping 97/98 (1997-1998) | 23 | Under Investigation |
| 11. | The Semanggi Tragedy I & II (1998-1999) | 229 | Under Investigation |
| 12. | The Murder of Witchcraft Shamans in Banyuwangi (1998-1999) | 115 | Under Investigation |
| 13. | May riots (1998) | 1.308 | Under Investigation |

Source: Commission for Missing Persons and Victims of Violence (KONTRAS), 2020.

Table-2. Human Rights Violations Following the New Era (Era of Democracy)

| No | Tragedy/Year | Number of victims (Estimated) | Process |
|----|--|-------------------------------|---------------------|
| 1. | Abepura Incident (2000) | 105 | Prosecuted/Punished |
| 2. | Wasior and Wamena Incidents (2001) | 51 | Under Investigation |
| 3. | The incident of Guava Keupok Aceh (2003) | 16 | Under Investigation |
| 4. | Paniai Incident (2014). | 25 | Under Investigation |

Source: Commission for Missing Persons and Victims of Violence (KONTRAS), 2020

Table-3. Religious freedom violations after the New Era (2010-2021)

| No | Tragedy/Year | Number of Incident | Process |
|-----|--|--------------------|------------|
| 1. | Violations of religious freedom (2010) | 216 | No Process |
| 2. | Violations of religious freedom (2011) | 244 | No Process |
| 3. | Violations of religious freedom (2012) | 264 | No Process |
| 4. | Violations of religious freedom (2013) | 222 | No Process |
| | Violations of religious freedom (2014) | 134 | No Process |
| 5. | Violations of religious freedom (2015) | 197 | No Process |
| 6. | Violations of religious freedom (2016) | 208 | No Process |
| 7. | Violations of religious freedom (2017) | 201 | No Process |
| 8. | Violations of religious freedom (2018) | 160 | No Process |
| 9. | Violations of religious freedom of minority religions (2019) | 200 | No Process |
| 10. | Violations of religious freedom of minority religions (2020) | 180 | No Process |
| 11. | Violations of religious freedom of minority religions (2021) | 171 | No Process |

Source: SETARA Institute for Democracy and Peace (2010-2021)

Tables 1–3 show that from the Suharto regime to the democratic era, only several perpetrators have indeed been held accountable, and impunity reigns.

Method

The data appears to specifically reference the facts and has no numerical restrictions. All secondary sources were used to conduct the research for this study. The study is theoretical in terms of research methods. One of the primary goals of the research is to provide a clear identification of the difficulties, challenges, and consequences of Human Rights Violations in Indonesia after the New Era.

As a result, the study investigates the issues through a review and analysis of the published literature, with a focus on all secondary information on the subject. In this case, the authors use recent major research work on the subject as an example. A researcher appears to create a detailed and complete examination of human rights standards found in primary sources, including cases, statutes, and regulations, using this method. This empirical study is based on relevant peer-reviewed journals published by an authorized publisher, as well as laws, enactments, online portals, websites, committee reports, legal, history, commentary, and the international convention. The method will be based on the author's research findings, and the author will bear full responsibility for conducting the research with academic integrity. A variety of research approaches, tools, and techniques, including content analysis, were used to examine the collected data. The choice of this method was deemed necessary as it provides a unique and valuable approach to understanding the reality of human rights (Caporale, 2019).

Literature Review

Throughout Indonesia's history, there have been numerous demonstrations, conflicts, and wars in the name of liberty and freedom. The ability to freely express oneself is defined as freedom (Trager & Dickerson, 1999; Kim & Sherman, 2007). However, the distinction between liberty and freedom has frequently been erroneous (Berlin, 2002; Cookson, 2022). They may have the same meaning, but there are significant differences. The situation in which a person has the freedom to act according to his or her will is referred to as liberty. Liberty also denotes freedom from oppression, and it is worth noting that liberty has a symbolic meaning (Berlin 2002). The absence of constraints or obstacles, or the right or immunity enjoyed by the prescription or the grant, appears to refer to liberty (Meyers, 1903; Kolnai, 1949; Carter, 2022). Negative liberty has been defined in modern politics as the state of being free within society from the authority's control or oppressive constraints on an individual's way of life, conduct, or political opinions (Carter, 2022). Possessing the ability and resources to act in an environment that overcomes disparities is regarded as positive liberty (Carter, 2022).

The right to life is one of the most fundamental human rights. Several international legal treaties have acknowledged and established this. Article 3 of the Universal Declaration of Human Rights (UDHR) states, for example, that "everyone has the right to life, liberty, and personal security." The right to life has also been guaranteed by the Indonesian Constitution. According to Article 28A, "every person shall have the right to defend his/her life and living." However, as supreme commander, Suharto has issued repressive attitudes, statements, and policies in order to eliminate various public responses to the New Order's single principle policy of Pancasila. In dealing with this

issue, KontraS (2020) assessed Suharto as frequently making statements and policies that allowed violence to control the people's response to the rulers' policies at the time. Suharto, as president and commander of the Operational Command for the Restoration of Security and Order (KOPKAMTIB), is said to have obligated the Indonesian Armed Forces (ABRI) to take repressive measures against Islamic groups which are considered extremist groups that must be prevented and crushed.

The right to religious freedom is also guaranteed by the state, though the law limits its application in a variety of ways, including criminal penalties for defamation, hate speech, blasphemy, obscenity, and spreading false information. The law had been used to keep political criticism of the administration (Hamid, 2019). The law is seen to criminalize communication that is deemed to be defamatory of a person's character or reputation, either through Libel or Slander Laws. By disseminating hate speech and providing false information, obscenity, or encouraging separatism, this tends to insult the religion. Hate speech or the dissemination of false information is punishable by up to a year in prison. Such legislative language also governs pornography, which has been liberally used to limit the content and is thought to be offensive to local morality (Komisi Nasional Hak Asasi Manusia Republik Indonesia, 2020).

Pancasila's ideology and constitutional provisions emphasize the importance of religious and belief freedom for citizens. The founding fathers (founders of the nation) of Indonesia agreed, as a result of their deep thought, not to make one religion the foundation of the nation and state. This demonstrates how freedom of religion and belief is an inalienable right for every individual in Indonesia. The violation of the right to freedom of religion or belief is in violation of Human Rights Law Number 39 of 1999, which states in section considering letter b, "that human rights are basic rights that are naturally inherent in human beings, are universal and lasting, and must be protected, respected, maintained, and must not be ignored, reduced, or taken away by anyone;" The Indonesian nation, as a member of the United Nations, has a moral and legal responsibility to uphold and implement the Universal Declaration of Human Rights, as well as various other international instruments concerning human rights that the Republic of Indonesia has accepted.

Individual freedom has been defined as the ability to act or change without restriction, as well as the power and resources to achieve one's goals (Carter, 2003; Manzi, 2013). Freedom has been associated with the liberty and autonomy to make one's own laws and have certain rights and civil liberties to exercise them without excessive state intervention. In Indonesia, the government also implemented measures that deprive individuals of basic rights, such as restricting press freedom, simplifying political parties, suppressing voters, and allowing the use of torture and other forms of violence against dissenters (European Union, 2022). Under the political-state logic, human rights are only viewed as a requirement for democratizing the state, with no intention of fighting for further legal changes to defend or strengthen human rights practices (Eldridge, 2002; Punia, 2020). As a result, despite the fact that Reformation (*Reformasi*) has restored democratic rules and prompted the establishment of a national human rights framework, human rights issues such as human rights abuses, inaccessible health care, restrictions on freedom of expression, and persecution of minorities have persisted (Harsono, 2020; Freedom House, 2021).

Analysis

In a number of ways, the fall of Suharto on May 21, 1998, marked the beginning of the transition process in Indonesia. This is referred to as the "democratic transition" in general. This transition is an attempt to change the bleak situation that existed during the Suharto era, when the role of the community was diminished. Society is only used as an object, is thought to only require price stability for economic needs, and is forced to be satisfied with the fulfilment of the economy (McCawley, 2013). The desired transition is one toward a more participatory society in state processes, but human rights violations were rampant both before and after the New Order. As seen from table-1, some of these cases are still being investigated, but they cannot be resolved properly because, even though the case has been around for a long time, the masterminds behind the case may still be present and free to roam. And there were many more human rights violations in Indonesia during the New Order era and in the current Reformation period. Of course, there have been many changes to the laws governing human rights themselves during the reform period, but even though there have been laws that regulate human rights, violations of human rights that occurred during the reform period.

The role of Islam in state and society is always of interest in Indonesia, the world's largest Muslim-majority country, which is frequently positioned as a "model Muslim democracy." Although analysis of Islam and the dangers of extremism can be reductionist at times, this compilation does not misrepresent or attempt to oversimplify the impact of Islam in Indonesia. For example, in the political sector, the authors show how, in addition to differing perspectives on decentralization and center-regional relations, engagement with Islam is a key topic that divides political parties (Fossati, 2017; Fossati, 2019). While acknowledging the importance of religion and center-regional ties, the authors do not exaggerate their significance, stating that political opinions on these issues "should not be understood as absolute," but rather as part of a larger picture. This is demonstrated by the fact that openly Islamic parties in Indonesian elections have historically performed poorly when compared to non-Islamic parties that strategically incorporate elements of an Islamic platform. As evidenced by the A Hok trial and the 2019 elections, the relationship between religion and politics remains a hot topic. However, due to its introductory nature, the collection avoids a thorough examination of the role and nature of Islam in Indonesia, as well as the complexities of decentralization (Peterson, 2020).

Not all Islamic organizations in Indonesia appear to be conservative. Indonesia has a diverse range of Islamic activism, ranging from moderate groups like the Muhammadiyah, which appear to be generally supportive of religious harmony. Certain researchers have pointed out that these groups have minority segments that lean toward conservatism and nonviolence while groups like Hizbut Tahrir Indonesia (HTI) seek the establishment of a caliphate, dakwah movements like Jemaah Islamiah, and political parties like the Prosperous Justice Party (Munabari *et al*, 2020). The FPI is also known as an Islamic political group founded in 1998 by Muhammad Rizieq Shihab, an Indonesian of Arab descent, who hoped for the assistance of the military, police, and political elites in mobilizing against the reform movement led by students. The document titled Historical Treaty and the Line of Struggle of the FPI details are: First, the suffering of Indonesian Muslims as a result of government human rights violations. Second, every Muslim is obligated to defend and uphold the dignity of Islam. The third point is that

every Muslim has an obligation to uphold the principles of commanding the good and forbidding the bad (Irawan, 2017)

Changing the nature of human rights violations

Since Indonesia's independence, ideas about religious and belief freedom have been prevalent. The 1945 Constitution guaranteed everyone the right to practice their religions or beliefs and worship as they saw fit (Article 29). Following 1998, the Law on Human Rights (Law No. 39 of 1999) and constitutional amendments legalized this concept (Article 28 E). However, in the post-new order or democratic era, violations of the right to expression and the right to life that occurred during the new order era changed significantly. As seen from table-3, actions that interfere with a person's or group's religious freedom, whether carried out by the state or by non-state actors, occur as a result of restrictions on the right to freedom of religion. Unconstitutional regulations or legal norms that violate human rights, lax law enforcement, and intolerance movements One of the consequences of the democratic changes enacted after 1998 has been the creation of space for religious groups with widely divergent viewpoints (Bourchier, 2019; Diprose, McRae & Hadiz, 2019).

In practice, the government could be a source of contention. When officials refuse to follow the law in order to protect minorities, they are frequently disadvantaged. Other policies, however, which the government continues to support, actually encourage hatred of minority groups. The Religious Affairs Ministry's book *Moderasi Beragama* discusses this topic. Many religious policies, it should be admitted, have neither strengthened moderate attitudes in religious practice nor avoided conflict. However, removing these religious rules would exacerbate religious strife. The lack of a solid foundation for guaranteeing human rights raises concerns about the variety of human rights violations that could emerge in the future; there is no guarantee that a solid foundation for upholding human rights will eliminate violations. This statement is certainly consistent with the findings of the SETARA Institute for Democracy and Peace from 2010 to 2021, which state that one of the conditions for declaring human rights violations is that the state sided with the majority while discriminating against the minority.

Furthermore, Indonesia was viewed as being under disunity, or a lack of agreement among ASEAN member states on the UNGPs, which has hampered the possibility of combining business and human rights within the ASEAN Economic Community (Nandyatama & Rum, 2020). According to ASEAN Charter Article 1(7), the Association is committed to promoting and protecting human rights and fundamental freedoms, as well as advancing democracy and good governance. This article holds ASEAN accountable for upholding and internalizing human rights ideals. Nonetheless, the ASEAN Charter supports the approaches to human rights of individual member governments. As a result, member countries now have a lot of leeway in deciding how to handle human rights issues.

National reactions to the UNDP have been diverse, as have broader concerns about business and the environment. Myanmar, the Philippines, and Indonesia appear to be merging a draught NAP developed by the National Human Rights Commission rather than developing a NAP on business and human rights (United Nations Development Program, 2018). The Human Rights Commission (KOMNAS HAM) collaborated with the human rights civil society group ELSAM to develop, finalize, and implement the

National Strategy in tandem with the current NAP on human rights (National Actions Plans on Business and Human Rights, 2017). It is argued that combining two national action plans is the most straightforward way to gain government approval. President Joko Widodo is widely regarded as a supporter of commercial sector deregulation in Indonesia, as well as the imposition of a new and mandatory tax. The government expects that regulating corporate sectors will be difficult.

Continuing Human Rights Violations

Indonesia bears direct and indirect international legal responsibility for violations of human rights committed by its police and military, even when operating for economic gain. The discovery of low corporate social responsibility (CSR) compliance had been operating in Indonesia's natural resource sectors involving agricultural commodities (Gunawan, 2021). This is also true of more developed legal regimes applicable to private security actors, not to mention current business and human rights standards. It was investigated whether access to justice had been provided to address such violations. According to the data, neither the state, in terms of recognizing state accountability or ensuring the prosecution of security actors who commit human rights violations while working for the business sector, nor the corporate actors themselves, have provided adequate remedies (United States Department of State, 2021).

During Suharto's reign, inequality improved, but not as much as poverty reduction. However, inequality began to rise in the late 1980s, as Suharto's developmentalism was gradually supplanted by the emergence of his family businesses and crony capitalism. During the period of economic recovery from the Asian financial crisis and political democratization, this rising trend did not reverse (Gellert, 2010). In 1999, the Gini coefficient fell to the same level as in the late 1980s, but then began to steadily rise. Inequality rose from 31 points in 1999 to 41 points in 2011 and has since remained stable. During this time period, only China experienced greater growth in the Gini coefficient. Indonesia's growing inequality is notable because inequality in neighbouring countries such as Malaysia, Thailand, and Vietnam remained stable or decreased during the same time period. Given the persistence of poverty and the rise in inequality, the government has a variety of options. The government should redistribute the economic benefits of the commodities boom to the lower classes while also developing pro-poor policies in areas such as social security, health care, and education.

Regardless of that perhaps the Indonesian government has set in place poverty eradication measures, the actual fact of severe poverty as well as growing inequality clearly demonstrates that these efforts have failed to address social needs. The question here is what the democratic government of Indonesia has taken to address societal economic disparities. The government has put in place to reduce poverty and how much growth has been shifted away from the wealthy, who benefit the most (Hill, 2021).

Indonesia has also seen its fairness in human rights fluctuations as a result of successive administrations. Following the September 30th coup, the Army of Indonesia and civilian vigilantes killed approximately three million people while President Sukarno was in power, as a result of the conflict with the Communist Party of Indonesia. In addition to the killings, the individuals were tortured and imprisoned without a trial. Furthermore, since the invasion of Indonesian territory in 1975, the Indonesian military has committed human rights violations such as torture, mass arrests, sexual assaults, and

long-term incarceration within East Timor under the government of the succeeding president Suharto (Frederic, 2011). Pluralism, fundamental freedoms, and a vibrant civil society have been critical components of Indonesia's positive human rights record in recent years (Ministry of Foreign Affairs of the Republic of Indonesia. (2022).

Despite serving on the United Nations Security Council from 2019 to 2020 and the United Nations Human Rights Council from 2020 to 2022, Indonesia has demonstrated one of the strongest commitments to global human rights improvement. However, the Indonesian government's lack of seriousness is reflected in the Indonesian government's continued disregard for various progressive international human rights conventions (KONTRAS, 2021).

Indonesia appears to be attempting to improve the lives of West Papuans as a result of Jokowi's current administration, who have been frequently overlooked by administrations in the past due to economic growth. Despite the continued presence of military forces, which may or may not impede the process, the Jokowi administration has made special efforts to address Indonesia's past human rights violations by establishing a non-judicial special agency to ensure such a process, which appears to be more peaceful and reconciliatory (Latif & Koswaraputra, 2022). To maintain national unity and integrity, as well as security and public order, human rights restrictions remain in place. As a result, human rights violations continue to occur across generations because the Indonesian government refuses to recognize that human rights violations are human rights issues that must be recognized as such and corrected.

The persistence of cases of human rights violations until the democratic era was due to the lack of commitment of state administrators, particularly the security forces, to upholding human rights principles in carrying out their duties and responsibilities. Cases of extrajudicial killings and enforced disappearance, for example, demonstrate how the government and security forces are unclear about how human rights principles and standards should be prioritized in problem solving. The shootings, arrests, torture, and extrajudicial killings demonstrate how the security forces continue to prioritize repression over persuasion and fair law enforcement. Meanwhile, cases of monotheism intimidation, persecution, and prohibition of religious activities demonstrate how the security forces and the government are often negligent in ensuring every citizen's right to security.

The strength of legal impunity

With the passage of Law (UU) No. 26 of 2000 establishing the Human Rights Court, Indonesia has completed its legal system and national institution of human rights (HAM). The Act "adopted" the International Criminal Court's (ICC) jurisdiction as defined in Section 2 of the Rome Statute, specifically Articles 5 to 8. Despite being "imperfect," the law was initially welcomed because it was hoped that it would provide a legal framework for resolving cases of past gross human rights violations through the courts. However, this is far from the case. As seen from table-1 to 3, no serious human rights violation in the past has been fully disclosed, unless the perpetrators are rewarded with decisions that satisfy a sense of justice.

The formation of a Non-Judicial Settlement Team for Past Serious Human Rights Violations (PAHAM) was only an initiative to boost immunity from prosecution and redress past human rights violations that the state had not fully resolved (Insiyah, 2020). Moreover, there are some perpetrators of heinous human rights violations who are

policymakers or serve in present government (Wicaksana, 2022). The actions of the government demonstrate that the state is unable and unwilling to resolve cases of human rights violations, including those investigated by the National Human Rights Commission (KOMNAS HAM RI).

The main obstacles to completing cases of human rights violations are a lack of commitment from certain parties to resolving cases, a legal system in some countries that is inadequate to prosecute perpetrators, and a political process riddled with competing interests. The power relations of the parties in power are frequently stronger, putting political interests ahead of humanity, while human rights violations continue to occur and more victims suffer. The back-and-forth between Komnas HAM (investigators) and the Attorney General (investigators and prosecutors) in Indonesia has become an impediment to resolving cases of serious human rights violations. The Attorney General's Office frequently cites a lack of evidence in investigations, as well as the loss of investigative documents, as factors impeding the resolution of cases involving grave human rights violations. Furthermore, some of the alleged perpetrators of heinous human rights violations have risen to positions of power in the government. In fact, perpetrators or suspected perpetrators should not be actively involved in policymaking. For example, if they manipulate law enforcement to their advantage or to avoid punishment, they are difficult to punish (Amnesty International, 2021).

Conclusion

The reliance on foreign assistance has sparked strong nationalist sentiments, which have been exacerbated by the loss of East Timor and perceived Western sympathies for separatist movements in Aceh and Papua. The regional economic crises that prompted Suharto's resignation in 1997-98 continue to stymie reforms of political, legal, judicial, and administrative institutions and procedures. Concerns about civil and political rights have long been associated with the middle class. They were thought to have gained popularity by being associated with issues that affected people's daily lives. Suharto's civil society opponents did not always accept Western liberal-democratic values.

The Suharto regime largely ignored the UN human rights system. It ratified the Conventions on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Rights of the Child in 1984 and 1990, respectively. Following his demise, the torture and disappearances continued unabated. The International Covenant on Civil and Political Rights appears to be unprepared for ratification by Indonesia. President Wahid's Human Rights Ministry's role remains unknown. Since 1999, the Indonesian economy has grown at an annual rate of 4 to 6%. Despite these advances, transitional justice has largely failed.

Finally, under the political-state logic, human rights are only seen as a requirement for democratizing the state, with no desire to fight for further legal changes to protect human rights. *Reformasi* has restored democratic rules and prompted the creation of a national human rights framework. In terms of religious freedom, human rights violations, and relevance, Indonesia has faced numerous challenges. Freedom of religion is a human right that is protected by international, regional, and national legal frameworks. Religious minorities would be unable to profess their religion and belief as a result of a lack of access to religious freedom. Indonesia is the world's most populous Muslim-majority country. The role of Islam in state and society has long been a source of debate, with

Indonesia frequently positioned as a "model Muslim democracy."

Conflicts of Interest

The authors have no conflicts of interest to disclose.

References:

- Amnesty International. (2021). Apa itu Pelanggaran HAM Berat?. <https://www.amnesty.id/apa-itu-pelanggaran-ham-berat/>
- Berlin, I. (2002). Two Concepts of Liberty in Edited by Henry Hardy (ed.), *Liberty*, 2nd ed Oxford Academic. <https://doi.org/10.1093/019924989X.003.0004>
- Cookson, M. D. (2022). The two modern liberties of Constant and Berlin, *History of European Ideas*, 48(3), 229-245, <https://doi.org/10.1080/01916599.2022.2056336>
- Caporale, L. (2019). Introduction: Qualitative Methods in Human Rights Research." *Societies Without Borders* 13 (1). Available at: <https://scholarlycommons.law.case.edu/swb/vol13/iss1/2>
- Diprose, R., McRae D & Hadiz, V., R. (2019) Two Decades of Reformasi in Indonesia: Its Illiberal Turn, *Journal of Contemporary Asia*, 49:5, 691-712. <https://doi.org/10.1080/00472336.2019.1637922>
- Ehito, K. (2015). The Struggle for Justice and Reconciliation in Post-Suharto Indonesia. *Southeast Asian Studies*, 4(1), 73-93. <http://englishkyoto-seas.org/2015/04/vol-4-no-1-kimura/>
- Eldridge, P. (2002). Human Rights in Post-Suharto Indonesia. *The Brown Journal of World Affairs*, 9(1), 127–139. <http://www.jstor.org/stable/24590278>
- European Union. (2022). EU Annual Report on Human Rights and Democracy in the World 2021 Country Updates. <https://www.eeas.europa.eu/sites/default/files/documents/2021%20EU%20Annual%20Human%20Rights%20and%20Democracy%20Country%20Reports.pdf>
- Fossati, D. (2017). Support for Decentralization and Political Islam Go Together in Indonesia. *Perspective*, Issue 2017 No. 69. ISEAS Yusof Ishak Institute. https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2017_69.pdf
- Fossati, D. (2019). The Resurgence of Ideology in Indonesia: Political Islam, Aliran and Political Behaviour. *Journal of Current Southeast Asian Affairs*, 38(2), 119–148. <https://doi.org/10.1177/1868103419868400>
- Frederic, D. (2011). Three centuries of violence and struggle in East Timor (1726-2008). *SciencesPo*, October 14. <https://www.sciencespo.fr/mass-violence-war-massacre-resistance/en/document/three-centuries-violence-and-struggle-east-timor-1726-2008.html>
- Freedom House. (2021). Indonesia: Freedom on the Net 2021. <https://freedomhouse.org/country/indonesia/freedom-net/2021>
- Gellert, P., K. (2010). Rival Transnational Networks, Domestic Politics, and Indonesian Timber. *Journal of Contemporary Asia* 40(4). <https://doi.org/10.1080/00472336.2010.507041>
- Grzywacz, A. (2020). Democracy in Indonesian Strategic Narratives. *A New Framework of Coherence Analysis*, *Journal of Current Southeast Asian Affairs* 39(2), 250-269. <https://doi.org/10.1177/1868103420903594>
- Gunawan, J. (2021). Corporate Social Responsibility in Indonesia. In: Idowu, S.O. (eds) *Current Global Practices of Corporate Social Responsibility. CSR, Sustainability, Ethics*

- & Governance. Springer, Cham. https://doi.org/10.1007/978-3-030-68386-3_34
- Hamid, U. (2019). Indonesia's Information Law has threatened free speech for more than a decade. This must stop. The Conversation, November 25. <https://theconversation.com/indonesias-information-law-has-threatened-free-speech-for-more-than-a-decade-this-must-stop-127446>
- Harsono, A. (2020). Religious Minorities in Indonesia Face Discrimination, Human Rights Watch, December 24. <https://www.hrw.org/news/2020/12/24/religious-minorities-indonesia-face-discrimination>
- Hill, H. (2021). What's Happened to Poverty and Inequality in Indonesia over Half a Century? Asian Development Review, 38(1), 68–97. https://doi.org/10.1162/adev_a_00158
- Insiyah, S. (2020). KEPPRES Penyelesaian Pelanggaran HAM Masa Lalu Jokowi Kukuhkan Impunitas dan Putihkan Pelaku Pelanggaran HAM. SETARA Institute for Democracy and Peace, August 16. <https://setara-institute.org/keppres-penyelesaian-pelanggaran-ham-masa-lalu-jokowi-kukuhkan-impunitas-dan-putihkan-pelaku-pelanggaran-ham/>
- Irawan, I., A. (2017). Komnas HAM dan FPI: Satu Ironi. Kumparan May 16. <https://kumparan.com/erucakra-garuda-nusantara/komnas-ham-dan-fpi-suatu-ironi>
- Jaffrey, S. (2020). Is Indonesia becoming a Two-Tier Democracy? Carnegie Endowment for International Peace. <https://carnegieendowment.org/2020/01/23/is-indonesia-becoming-two-tier-democracy-pub-80876>
- Kim, H. S., & Sherman, D. K. (2007). "Express Yourself": Culture and the Effect of Self-Expression on Choice. Journal of Personality and Social Psychology, 92(1), 1–11. <https://doi.org/10.1037/0022-3514.92.1.1>
- Komisi Nasional Hak Asasi Manusia Republik Indonesia (2020). Kompilasi Standard Norma dan Pengaturan. [https://www.komnasham.go.id/files/20220111-kompilasi-standar-norma-dan-pengaturan-\\$EJ7.pdf](https://www.komnasham.go.id/files/20220111-kompilasi-standar-norma-dan-pengaturan-$EJ7.pdf)
- Komisi Untuk Orang Hilang dan Korban Tindak Kekerasan “KONTRAS”, (2021). Catatan Hari HAM 2021: HAM dikikis Habis. <https://kontras.org/wp-content/uploads/2022/01/KontraS-Catatan-Harian-HAM-English-Indonesia.pdf>
- Latif, N. & Koswaraputra, D. (2022). Activists: Indonesia's attempt to address past rights abuses risks perpetuating impunity, Benar News August 18. <https://www.benarnews.org/english/news/indonesian/rights-team-08182022160956.html>
- Liddle, R. W. (2002). Indonesia's Democratic Transition: Playing by the Rules in Andrew Reynolds (ed.) The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy, Oxford Studies in Democratization Oxford, <https://doi.org/10.1093/0199246467.003.0014>,
- Manzi, Y. (2013). Jean-Paul Sartre: Existential “Freedom” and the Political. E-International Relations. <https://www.e-ir.info/pdf/32613>
- McCawley, P. (2013). The Indonesian Economy During the Suharto Era: A Review. Jurnal Masyarakat Indonesia, 39(2): 269-287. <http://jmi.ipsk.lipi.go.id/index.php/jmiipsk/article/view/591>
- McGregor, K., & Setiawan, K. (2019). Shifting from international to “Indonesian” justice measures: Two decades of addressing past human rights violations. Journal of Contemporary Asia, 49(5), 837-861. <https://doi.org/10.1080/00472336.2019.1584636>
- Ministry of Foreign Affairs of the Republic of Indonesia. (2022). Indonesia Stands Ready

- to Present Its Human Rights Achievements to The Human Rights Council. <https://kemlu.go.id/portal/en/read/3969/berita/indonesia-stands-ready-to-present-its-human-rights-achievements-to-the-human-rights-council>
- Munabari, F., Larasati, N., Ihsan, R., & Nurhadiyanto, L. (2020). Islamic Revivalism in Indonesia: The Caliphate, Sharia, NKRI, Democracy, and the Nation-State. *Jurnal Politik*, 5(2), 281-312. <https://doi.org/10.7454/jp.v5i2.263>
- Nandyatama, R., W. & Rum, M. (2020). Is ASEAN Doing Enough to Address Business and Human Rights? *Melbourne Asia Review*, Edition 3, 2020. <https://melbourneasiareview.edu.au/is-asean-doing-enough-to-address-business-and-human-rights/?print=pdf>
- National Actions Plans on Business and Human Rights. (2017). Indonesia: NAP Development Process. <https://globalnaps.org/country/indonesia/>
- Nelson, E. (2005). Liberty: One Concept Too Many? *Political Theory*, 33(1), 58–78. <http://www.jstor.org/stable/30038395>
- Peterson, D. (2020). The Ahok Show Trial and Indonesia's Politicisation of Religion. *Asialink*, The University of Melbourne, Australia. <https://asialink.unimelb.edu.au/insights/the-ahok-show-trial-and-indonesias-politicisation-of-religion>
- Punia, I. N. (2020). Implementation of Human Rights (HAM) in Indonesia, Udayana Networking, June 30. <https://udayananetworking.unud.ac.id/lecturer/scientific/1630-i-nengah-punia/implementation-of-human-rights-ham-in-indonesia-1231>
- Rubenstein, C. (Ed.). (2017). *Islam in Asia: Changing Political Realities*. Routledge Taylor & Francis Group.
- Rüland, A. (2022). *Norms in Conflict: Southeast Asia's Response to Human Rights Violations in Myanmar*. University Press of Kentucky.
- Schwarz, A. (2018). *A nation in waiting: Indonesia's search for stability*. Routledge Taylor & Francis Group.
- Sugiharti, L., Esquivias, M. A., Shaari, M. S., Agustin, L., & Rohmawati, H. (2022). Criminality and Income Inequality in Indonesia. *Social Sciences*, 11(3), 142. MDPI AG. Retrieved from <http://dx.doi.org/10.3390/socsci11030142>
- Trager, R., & Dickerson, D. L. (1999). Whose expression should and should not be protected?. In *Freedom of expression in the 21st century* (pp. 143-164). SAGE Publications, Inc., <https://dx.doi.org/10.4135/9781452233376.n7>
- United Nations Development Program. (2018). *Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia) Set-up Period Report (August-December 2018)*. [https://info.undp.org/docs/pdc/Documents/BRC/B+HR%20Asia%20-%20Set%20Up%20Phase%20Report%20\(incl.%20A-U%20annexes\).pdf](https://info.undp.org/docs/pdc/Documents/BRC/B+HR%20Asia%20-%20Set%20Up%20Phase%20Report%20(incl.%20A-U%20annexes).pdf)
- United States Department of State. (2021). *2021 Country Reports on Human Rights Practices: Indonesia*. <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/indonesia/>
- Van Klinken G. (2007). *Communal violence democratization in Indonesia: small town wars*. London: Routledge.
- Vedi R. Hadiz, & Richard Robison. (2013). The Political Economy of Oligarchy and the Reorganization of Power in Indonesia. *Indonesia*, 96, 35–57. <https://doi.org/10.5728/indonesia.96.0033>

Walton, A. A. (1998). Indonesia After Suharto. Foreign Policy in Focus.
https://fpif.org/indonesia_after_suharto/

Russia's Invasion of Ukraine and its Impact on Global Geopolitics

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Abstract

On February 24, 2022, Russia attacked Ukraine. Here as consequence, Russia was subjected to a slew of international sanctions aimed at pressuring it to de-escalate the issue. Even though the economic sanctions issued against Russia were designed to harm this country, all of them had unintended consequences on the economic system of the world, essentially due to global supply chains disruptions. Power, commodities, as well as commerce flow disruptions emerged from the military attacks. Such issue resulted in energy costs got much higher, commodity prices, as well as food prices, all of which contributed to greater inflation on a worldwide scale in several nations. Despite the fact that many attempts of negotiation were created in resolving the conflict between Ukraine and Russia, its political, social, and economic impacts lasted in numerous countries of Europe and other regions around the world.

Keywords: Russia, Ukraine, Invasion, Geopolitics, International relations

Introduction

Russian military forces invaded Ukraine on February 24, 2022, in violation of international law. The current crisis in Ukraine has far-reaching implications for the country's energy sector. The example of natural energy distribution is arguably the most well-known, and it has given a lot of attention in terms of the media and press. Ukraine has been reliant on domestic gas

supplies for years, yet Russia has regularly cut off supplies, such as throughout the 2009 Russia-Ukrainian gas conflict.

The invasion of Russia has ramifications for the natural power infrastructure in Europe and Ukraine. Historically, the majority of Ukraine's electrical grid was synchronized with the Community of Independent States' (CIS) linked network, including Russia being the biggest nation. Opportunities for integration with Continental European power networks were assessed between 2017 and 2021 due to continued disputes. Tensions between Moldova and Russia, whose grid was also synchronized with the CIS linked networks, were building at the same period (Averre, 2016). As a result, transmission and distribution controllers have been working for years to integrate with the Continental Europe power grid. An emergency synchronization was carried out on the 16th of March, barely 20 days after the invasion. While years of planning had gone into this, the last steps were completed rapidly, and it is still questionable how these synchronizations will affect the Continental European energy system (Hoffmann & Neuenkirch, 2017).

The globe has been following developments in Ukraine with trepidation, dismay, and horror, and the attack has shattered the pillars of our international security and stability system. This has triggered a major humanitarian catastrophe and is causing havoc on the already frail global economy, that were only recently recovering from the pandemic's damage (Bluszcz, & Valente, 2019). The security of individuals immediately touched and a fast restoration to stability and peace are the shared wish and essential commitment. However, because a diplomatic breakthrough or considerable military de-escalation is unlikely in the near future, sanctions are likely to endure - and extend. While the crisis in Ukraine isn't the only security threat the globe is experiencing, it has a significant influence because to its far-reaching implications for global security and economy.

Methods

The research article is attempting to quantify an issue and answer the "what" and "how many" impacts on the geopolitical aspect of Russian invasion on Ukraine. Therefore, quantitative data is employed. It's information that can be tallied or compared numerically. Qualitative data is a sort of data that describes qualities or attributes. It's usually obtained through surveys, interviews, or observation and presented as a tale. It might be challenging to accurately assess and evaluate qualitative data. The data might come in the form of descriptive words that can be examined for trends. Derived data is formed by utilizing mathematical formulae or aggregation to change existing data points, which are often from various data sources, into new data.

This research article utilized all the data set above with the aim of finding out how many types of impacts does the invasion cause on the global

scale. Also, qualitative data is used to determine the degree of impact as well as explain and analyze how such impacts can affect the world in whole.

Several empirical studies have been conducted to evaluate the economic impacts of conflicts. From 1960 to 1989, Koubi (2005) looked examined the effects of interstate warfare on economic growth in a wide range of nations. The study discovered that economic development variations across countries are systematically connected to the incidence and nature of conflict. According to the findings, post-war economic success is linked to the severity and duration of the conflict. However, the benefits of growth-enhancing factors are adversely correlated with a country's degree of economic development. From 1960 to 2002, Kang and Meernik (2005) looked at the consequences of civil conflicts on a variety of economies. They discover that conflicts have a detrimental impact on economic fundamentals and that the international community's response to civil wars has a significant impact on economic growth. Collier (1999) created a methodology to evaluate the economic consequences of all civil conflicts since 1960. According to Collier (1999), the economy rebounds quickly after protracted civil wars, whereas the economy continues to weaken after brief conflicts. According to Nordhaus (2002), wars are extremely expensive, with the cost of the Iraq war to the US ranging from \$100 billion to \$1.9 trillion over the course of a decade. Glick and Taylor (2010) used data dating back to 1870 to investigate the impact of war on bilateral commerce. They utilized the gravity model to evaluate the impact of wars on international commerce while adjusting for other trade factors and probable reverse causality effects. They discover that conflicts have a significant and long-lasting influence on commerce, national revenue, and global economic prosperity. From 1995 to 2017, Bluszcz and Valente (2019) calculated the short-term causal impacts of the Donbass war on Ukraine's GDP. They discovered that between 2013 and 2017, the war reduced Ukraine's per capita GDP by 15.1 percent. According to Ganegodage and Rambaldi (2014), the Sri Lankan civil war had a negative and considerable impact on GDP. They also show that large profits on physical capital investment do not translate into significant positive externalities. Kesternich et al. (2014) look at the long-term impacts of WWII on the socioeconomic level and health of Europe's elderly. They examine data from SHARELIFE, a retrospective survey performed throughout Europe in 2009 as part of SHARE (Heydemann, 2018). For approximately 20,000 people in thirteen European nations, SHARELIFE gives extensive information on their childhood experiences during and after the war. They design many war exposure tactics, including dispossession, persecution, local conflict, and famine intervals. They discover that war exposure, as well as individual-level shocks induced by the conflict, predicts economic and health consequences in later life (Jirušek & Kuchyňková, 2018).

What is Geopolitics?

The study of the influence of geography on power dynamics in international affairs is known as geopolitics. “The word geopolitics was coined by Swedish political scientist Rudolf Kjellén at the turn of the twentieth century, and it spread across Europe in the years between World Wars I & II (from 1918 to 1939), finally becoming extensively used throughout the latter” (Sharples, 2016). In contemporary disputes, geopolitics has been employed as a euphemism for international politics. It includes the practice of analysis, preconditions, estimates, and the use of political power over a region.

Particularly, the idea of geopolitics could be a strategy of remote approach investigation that seeks to get it, clarify, and predict international political behavior in geographic factors. Within the execution of this geopolitics, specifically, the usage arrangement in deciding the goals implies, and how to use these opportunities to realize national objectives by utilizing the topographical star grouping of a nation by utilizing geo-strategy. Every nation, on the off chance that it needs to exist, must be able to use its topographical star grouping ideally to attain its national interface within the setting of achieving national objectives. Hence, the geological star grouping must be utilized as a critical thought for defining national legislative issues and the method of a country within the setting of accomplishing national objectives.

The roots of conflicts between Ukraine and Russia

The catastrophic occurrences in Ukraine between 2013 and 2014 were heavily impacted by actions occurring from outside Ukraine's boundaries. Domestic factors were, obviously, crucial, and political players from all parts of the political range in Ukraine must accept responsibility for what occurred. Nevertheless, Ukraine's ambiguous geopolitical status, combined with the reckless activities of hostile foreign forces pursuing their own self-serving objectives, has pushed the nation's stagnated domestic politics to the brink of civil conflict. Russia, the US, and the European Union were the 3 main protagonists, in roughly decreasing order of importance.

Since 1991, Russia and Ukraine's relations have indeed evolved. Since the two nations broke out in 1991 from the Soviet Union, Moscow has had tense ties with Ukraine. As a result of the Soviet Union's dissolution, Russian's problematic relationship with the rest of the world is a subset of the country's overall problematic connection with the rest of the world. With disastrous repercussions, Ukraine turned into the focal point of two decades of Russian rage and insecurity in 2014.

Both Boris Yeltsin and before that, Mikhail Gorbachev, desired the United States to recognize them as partners in equal position. However, the end of the Soviet Union caused Russia to lose half of its people, one third of

Russian's land, as well as all of its client republics and ideological allies. Throughout the 1990s, Russia had a major identity crisis as a result of its loss of "economic collapse, ideological vacuum, and superpower status" (Casier, 2011). Yeltsin's reliance on Western financing and decisions of NATO to extend the alliance to include former Warsaw Pact members embarrassed him. The bombardment of Yugoslavia by NATO in 1999, in an attempt to curb human rights violations in Kosovo, marked a turning point (Chassang & Miquel, 2009). It highlighted Russia's geopolitical marginalization, with the country unable to protect Serbia, a historically. Vladimir Putin constructed a new Russian identity in the 2000s, based on a booming economy (due to rising international oil prices), capable of standing up to the depredations of the US, the world's sole superpower. Its image of Russia as a significant and ultimate power was popular among Russians, and it had deep roots in Soviet and Russian history (Mankoff, 2011).

Ukraine served as a litmus test for Russia's comeback. With 46 million people, Ukraine was quite far the greatest of the republics that had become independent from Moscow's domination in 1991, and it was strategically located between Russia and the West. "Russia ceased to be a Eurasian empire without Ukraine", Zbigniew Brzezinski famously declared (Brzezinski, 1997). "Even those who spoke Russian and hailed from eastern Ukraine, such as Leonid Kuchma, president from 1994 to 2005, were eager to construct a sovereign, independent country" (Collier, 1999). Ukraine entered the Commonwealth of Independent States, which is an informal organization of 11 former Soviet republics, although it remained wary of Russia's military and political relations. Ukraine has long claimed that Russia has never fully recognized their country as a sovereign entity. Putin is said to have told George W. Bush (the President of USA) in 2008 that Ukraine "isn't even a nation" (Bohm, 2013). The people of Ukraine despised Soviet initiatives aimed at destroying Ukrainian culture, particularly the Holodomor famine of 1932, which followed Stalin's collectivization push. Ukrainians have always been viewed as a "younger brother", with a language and culture rooted in the countryside and only a weak ghost of Russian civilization. Also, Russia took issue with Kiev's attempts to encourage Russia's Russian-speakers, who make up half of the country's population, to embrace the Ukrainian language, as well as its failure to officially guarantee speakers of Russian's rights.

The two nations' commercial ties, on the other hand, remained robust. Russia maintained the position of Ukraine's most significant commercial partnership, accounting for the majority of the country's exports (centered on chemicals and steel) relied on Russian energy supplies (primarily gas) (Balmaceda, 2013). Russia, for its part, was reliant on Ukraine for the passage of 50% of its exports of natural gas to Europe, and the defense sector

of Russia's relied on Ukrainian manufacturing for several critical components (engines for ballistic missiles, for example).

In the period of 1990s, Ukraine and Russia entered into a *modus vivendi*. The US-brokered Budapest Memorandum of 1994 recognized Ukraine's territorial and sovereignty integrity in exchange for Kiev relinquishing every claims to former Soviet nuclear weapons still stationed on Ukrainian soil. In 1997, Kiev leased the Sevastopol naval facility in Crimea, which houses Russia's Black Sea Fleet, to Russia for 20 years. In the mid-1990s, Russian nationalists pushed for the return of Crimea to Russia, which had been given to Ukraine in 1954 to honor the 300th anniversary of Ukraine's union with Russia. However, because Yeltsin declined to back this initiative, it faded away.

Over the following two decades, Russia position itself embroiled in tense horse-trading with Ukrainian politicians. Whether Ukraine's leaders were 'pro-Russian,' like Presidents Kuchma and Yanukovich, or “pro-Western”, like Viktor Yushchenko (the President) and Yulia Tymoshenko (its Prime Minister), the concerns remained the same – most notably, “hard negotiation over the price Ukraine paid for Russian gas”. The precarious balance between Moscow and Kiev was jeopardized by the 2004 Orange Revolution, which saw Viktor Yanukovich, Kuchma's chosen successor and Russia's preferred candidate, lose his election to Viktor Yushchenko of West Ukraine. In “Georgia (2003), Ukraine (2004), and Kyrgyzstan (2005), autocratic presidents were deposed by mass uprisings demanding free and fair elections” (Dreyer et al, 2010). Putin regarded this as a well-coordinated effort by the West to spread democracy – and pro-Western governments – throughout the post-Soviet sphere, and he took dramatic efforts to prevent it from reaching Moscow, tightening opposition restrictions and fostering pro-Kremlin popular movements.

The color revolutions took place against the backdrop of the European Union and NATO's eastern enlargement. Putin grew concerned that the US was pursuing an encirclement and containment strategy against Russia. Following the 2003 invasion of Iraq, which Putin passionately condemned, Russia's ties with the US worsened (Dreyer et al, 2010). He was even more enraged by the West's acknowledgment of Kosovo's independence in February 2008. Everything to a head in August 2008, when Georgian President Mikhail Saakashvili launched troops into South Ossetia's separatist province, killing many Russian soldiers in the procedures. Russia replied with a full-scale invasion, compelling Georgian troops to flee and recognizing Abkhazia and South Ossetia subsequently. In retrospect, Russia's 2008 activities in Georgia might be considered as a foreshadowing of what occurred in Crimea in 2014, in which Moscow used military group to redraw universally established frontiers.

President Barack Obama, in 2009, attempted to rekindle the relationship with Russia's new president, Dmitry Medvedev, by initiating a “reset” of relations with Moscow. The event yielded some beneficial results: in 2010, the US ratified the New Strategic Arms Reduction Treaty, and the US began utilizing Russia's Northern Distribution Network to transport soldiers and equipment into Afghanistan. However, after the Arab Spring of 2011, which Russia perceived as additional great instance of aggressive democracy promotion of America, ties worsened once again. Moscow was enraged by Muammar Gaddafi's overthrow in Libya as a result of NATO air attacks, and blocked planned UN intervention to end the civil war of Syrian in 2012. “In September 2013, Russia pulled off a diplomatic coup by persuading Syrian President Bashar Assad to decommission the country's chemical weapons, allowing Obama to back off his threat to attack Syria if the deadly assaults persisted” (Dreger et al, 2016). This demonstrated that Russia and the United States might still work together in sectors of mutual interests.

The Position of the United State

Russia was viewed as a rising democracy, a friend and partner of the United States during the Clinton presidency. Russia decided to join the G7 club of sophisticated industrialized nation state in 1998, and Yeltsin was promised financial assistance to aid in the difficult transformation to a business economic system (which became the G8). However, in the aftermath of the Soviet collapse, Washington recognized a security vacuum in Eastern Europe. It appeared rational to bridge the gap by inviting newly democratic Central and East European nations to join the North Atlantic Treaty Organization (NATO), a defensive alliance. “The nationalist party of Vladimir Zhirinovsky's win in the 1993 State Duma election served as a wake-up signal that Russia may “go bad” and return to its colonial ways” (Högselius & Kaijser, 2019). President Clinton explicitly backed NATO membership expansion as early as 1994 (European Parliament, 2018). In order to join the alliance, candidates must be democracies ready to place their militaries under NATO command (which meant “learning English, buying compatible weapon systems, accepting NATO bases on their territory, and so on”). In exchange, NATO vowed to defend any member state that was attacked under Article V of the alliance charter. In 1999, “Poland, Hungary, and the Czech Republic joined NATO, followed by seven more nations in 2004 (Estonia, Latvia, Lithuania, Bulgaria, Romania, Slovakia, and Slovenia). In 2009, Croatia and Albania joined as well” (European Union, 2011).

Russia objected to NATO expansion, citing the 1991 dissolution of the Soviet-led Warsaw Pact alliance. Although Western officials emphasized that this was not the case, it meant that Russia was still considered as a possible adversary with the NATO's expansion. There have been certain initiatives

taken to establish a unique partnership between Russia and NATO. In 1997, a Permanent Joint Council in Brussels was created by the NATO-Russia Founding Act, as well as the NATO-Russia Council was founded during the Rome Summit in 2002. President George W. Bush wants to extend NATO further east as part of his post-9/11 "Freedom" policy (Havlik, 2014). At the Bucharest Summit in April 2008, nevertheless, NATO's European members objected to Bush's desire to award Georgia and Ukraine a membership plan of action. (Pages 165-74 in Stent, 2014). They were reassured that future NATO membership was still conceivable, which only increased Russia's resolve to reject such a progression.

“Following the 1994 Budapest Memorandum, which resulted in Ukraine's de-nuclearization, US policy toward Ukraine was largely secondary to US policy against Russia. The development of a wealthy oligarch class that restricted competition while conspiring with a severely corrupt political elite plagued Ukraine's transition to democracy and a market economy, just as it did Russia's (Ganegodage & Rambaldi, 2014). After the Orange Revolution in 2004, there was a burst of hope, but it quickly faded as the Yushchenko government succumbed to the same corruption and infighting that plagued its predecessor. With Yanukovich's pro-Russian victory in mostly free elections in 2010, US policy appeared to have struck a stalemate. In effect, Washington subcontracted Western policy toward Ukraine to its Brussels allies.”

The Position of European Union

“The fall of communism in Eastern Europe surprised both the European Union and the rest of the world. Under the 1992 Maastricht Treaty, which renamed the European Community the European Union” (Gower & Timmins, 2011), the EU was in the process of expanding social and economic union. Border restrictions between participating nations were abolished under the 1995 Schengen accord, and a unified currency, the Euro, was established in 1999. Brussels launched membership negotiations with Central and East European candidate nations in 1998 (Glick & Taylor, 2010). Applicants had to be functional democracies ('Copenhagen criterion') with domestic legislation that was in line with EU law (the *acquis communautaire's* 108,000 papers). Central-East Europeans began joining NATO five to ten years before entering the EU since these conditions were more stringent than those for NATO membership.

The choice to expand the EU was divisive. The former communist nations' living standards were less than half of those in the EU, and enormous investment would be required to bring their infrastructure up to EU standards. Established EU members expected a swarm of cheap labor from the new countries, as well as a shift of all regional development financing to the East. Despite this, there was a political consensus in support of expansion. Germany

pushed for enlargement to help secure its relationship with Poland, which accounted for 40 million people in the new republics. Britain and Denmark favored expansion over 'deepening' EU integration, reasoning that "it would be more difficult to agree on the construction of stronger federal institutions if there were 28 members rather than 15" (Gretsky et al., 2014). Despite the fact that several EU states, particularly Poland, agreed that a plan of action for admittance should be on the table, Ukraine was insufficiently large and politically unpredictable to be a viable contender for EU membership in the foreseeable future.

Russian invasion

"Putin declared a "special military operation" to "demilitarize and denazify" Ukraine on the morning of February 24. Minutes thereafter, missiles and aircraft attacked Ukraine's capital, Kyiv, and were quickly followed by a massive ground invasion from various directions. As a result, Ukrainian President Volodymyr Zelenskyy imposed martial law and ordered the mobilization of all male Ukrainian nationals aged 18 to 60, who were prohibited from leaving the country."

The northern front was launched out of Belarus on February 24th, aiming Kyiv, with a northeastern front targeting Kharkiv; With a southern front (beginning in Crimea) and a distinct probative southeastern front, the southeastern frontline was handled as two independent arrowhead fronts (launched at the cities of Donbas and Luhansk). The Russian Ministry of Defense announced on April 8 that all of its ground forces and groupings in southeastern Ukraine would be consolidated under General Alexander Dvornikov, "who will be in control of combined military operations, which included the reassigned probative fronts, which had been assigned to the northern and north-eastern fronts but were later withdrawn and reassigned to the southeastern front in phase 2" (Welt, 2022). By the 17th of April, residual forces in abandoned industries in Mariupol looked to be impeding progress on the southeastern front. On April 19, Russia started a new invasion front, dubbed the "eastern assault," that stretched 300 miles launching simultaneous missile attacks on Kyiv in the north and Lviv in western Ukraine, from Kharkiv to Luhansk and Donetsk.

Results and Discussion

Overall of the impacts on global geopolitics

Russia is certain that Ukraine should not join NATO when it comes to national positions in the Ukrainian war (Oualaalou, 2020). This is due to Russia's belief that the US and its allies would use Ukraine to set up weaponry and military bases that might be used to strike Russia (Oualaalou, 2020). As a

result, Russia is certain that Ukraine should not be allowed to join NATO in order to protect its sovereignty, peace, and independence (Oualaalou, 2020).

On the other side, the US and its allies, as well as NATO, want Ukraine to join the alliance. They say that because Ukraine is an independent country, it should be allowed to make its own decisions (Oualaalou, 2020). They believe that allowing Ukraine to join NATO is the wisest course of action (Oualaalou, 2020). They think Ukraine is a sovereign country with the authority to pick which organizations it wishes to associate with (Oualaalou, 2020).

Other countries, such as China, Saudi Arabia, and the United Arab Emirates, appear to be on the fence about this. They don't want to officially support Russia, and they don't want to openly support NATO, either, since they have important economic partners on both sides. They do not want to participate in Russian and Ukrainian politics since siding with one authority over the other might have long-term consequences for their economic growth.

First, Russia is one of the largest oil producers (Oualaalou, 2020). Therefore, their invasion of Ukraine forced the United States and its allies to place trade embargoes on Russia. With Russia being unable to trade with most nations globally, it means that they are also unable to sell their oil to other countries (Welt, 2022). Therefore, there seems to be an oil shortage globally caused by the sanctions placed on Russia.

Second, with the rise in oil prices, transportation costs are bound to increase (Welt, 2022). When the price of oil goes up, shipping companies increase their prices because they want to make a profit. Therefore, after the invasion of Ukraine by Russia, the shipping costs have significantly increased, making it hard for goods and people to move from one place to another (Welt, 2022). In addition, the rise in shipping costs has an overall impact on the prices of other commodities globally (Welt, 2022).

Third, the war increased tensions between NATO, the United States, and Russia (Welt, 2022). Right now, Russia views NATO as an alliance that is meant to weaken its dominance (Oualaalou, 2020). Therefore, Russia, NATO, and the United States do not see eye to eye because they believe they do not share any common ideals, which makes the whole situation tense because one wrong move by either of the players could easily create a global war (Oualaalou, 2020).

Impacts on the oil market

Due to a multitude of factors, notably that of the COVID pandemic, limited energy supplies, and escalating tensions between Ukraine and Russia, energy costs have been increasing prior to Russia's invasion of Ukraine. Price of oil were stable in the "US\$80 to US\$95" range before the invasion. Oil prices reached \$100 per barrel after the invasion. Because Russia is the world's

second-largest producer of oil and sends the bulk of its petroleum to European processors, the attack would render it extremely impossible for European oil merchants and corporations to get Russian energy supplies. Russia is also Europe's largest natural gas supplier, supplying over two-fifths of the region's natural gas (Poitiers, et al, 2022). Owing to Russia's substantial share of exporting oil, the Russian invasion of Ukraine is expected to generate energy supplies disruptions and a long-term surge in prices of energy. This damage might intensify if Russia implements a retaliatory export ban on fuel supplies to Europe as well as the remainder of the world. The retaliatory energy export ban imposed by Russia would result in a significant interruption in global energy supply, raising energy prices. Oil prices might rise over 140 dollars per barrel as a result of the Russia-Ukraine war, decreasing global growth estimates and throwing some European and non-European countries into depression. Price of gas for household use might likely rise as a result of anticipation of a worldwide energy supply disruption. Even though the United States can unleash its energy reserves to alleviate world energy constraints, growing energy demand will take a long time to satisfy due to ongoing energy trade negotiations as global energy prices rise.

The EU's including, implicitly, the UK's dependence on Russian gas supplies has expanded over the last decades. During that period, natural gas utilization in the UK and EU has stayed unchanged, but output has declined by a third. Imports had made up for the shortfall. In 2021, Russian gas will account for 32 percentage of European consumption, up from 25 percent in 2009. Conversely, the construction of new transit routes, including such Nord Stream, that would deliver Russian gas to the UK and the EU, has reduced Ukraine's position as a transit point. "In 2009, Ukraine received more than 60% of Russia's pipeline deliveries to the EU and the UK. By 2021, they had dropped to 25% of the population" (Poitiers et al, 2022).

"Russia can fund its present conflict in Ukraine primarily through earnings from the extraction and sale of oil, coal, and natural gas, as one of the writers pointed out in 2017 (Polak, 2017). The issue is that the EU's restrictive (sanctions) actions against Russia have yet to reach the energy industry. Russia's worldwide petroleum sales were almost \$250 billion last year. According to William Jackson, an economist at Capital Economics, almost two-fifths of that amount came from exports to Europe. More over a third of Europe's gas comes from Russia. According to official figures, Russia's military spending in 2020 will be \$61.7 billion (Poitiers et al, 2022). In other words, the money paid every year for energy commodities by practically all EU nations has allowed Russia, under Vladimir Putin's leadership, to fund the murdering of civilians in locations like Ukraine and Syria."

In addition, once Gazprom ceased supplying the spot market in the fall of 2021, the EU unwittingly contributed to finance Russia's invasion of

Ukraine. Gas prices soared as a result of its tactics. In the third quarter of 2021, the average price for Gazprom's gas in Europe and other countries jumped to \$313.4 per 1000 m³ from \$117.2 a year earlier, and the price rose even more in November 2021. These rises happened because, for the past ten years, Gazprom has connected all long-term contracts to the spot market rather than the current oil price. Gazprom artificially raised the price by withholding supplies from the spot market, then reaping the benefits of its long-term contracts.

Politicians and corporate leaders in Germany have persistently misjudged the dangers of their reliance on Russian energy supplies while obscuring their role in Russia's war machine. When Germany decided to construct the Nord Stream 2 gas pipeline with Russia, circumventing conventional supply routes through Ukraine, they contributed even more to Russia's military expansion. It was no coincidence that Russia held off on striking Ukraine until Nord Stream 2 was completed. Thankfully, Germany has already closed down Nord Stream 2, but the fate of Nord Stream 1 is still unknown.

Impacts on the supply chain and finance market

“Military actions during Russia's invasion of Ukraine will disrupt global supply chains, affecting operations in a variety of sectors. The embargo on Russian exports, as well as Russia's retaliatory embargo on foreign imports, as well as Russia's reluctance to allow foreign goods to travel through its waterways and airspace during the conflict, might disrupt the global supply chain. It has the potential to generate scarcity and raise the price of imported items. Companies have predicted that the disruption created by cross-border blockades and trade prohibitions will result in supply hoarding, resulting in higher pricing. Additionally, commercial flight limitations along the Ukraine-Russian border (Siddi, 2020), as well as intensified security inspections at refugee camps in neighboring countries, may hamper freight flow and border operations, as border authorities process refugees before responding to cross-border products. This will exacerbate the global supply chain disruption and drive up import prices.

Russia's invasion of Ukraine has had a little impact on the global banking system. Foreign banks with significant operations in Russia are the only banking segments that have been badly impacted by the invasion. After various nations implemented financial restrictions on Russian institutions and rich individuals, several international banks were impacted. Austria's Raiffeisenbank, Italy's Unicredit, and France's Société Générale are the most affected banks. However, if pro-Russian organizations respond against Western financial sanctions by launching a major cyber-attack on the global payment system, the war might have an indirect impact on the worldwide

banking system. The potential worldwide damages from a cyber-attack on the global payment system might be as high as US\$1.8 billion per day.

As a result of the West's meddling in Russia's war for regional dominance, Russia may be pressured to impose an oil export restriction as retaliation for the sanctions placed on it. This might result in increased energy prices, which would have an impact on economic development. This is due to the fact that firms will have to spend more money on importing raw materials as well as producing goods and services. This will result in increased input and output prices, and individuals may be unable to afford high-priced goods and services. This will result in fewer consumer purchases, as well as a reduction in the supply of products and services, resulting in a drop in economic output. Households will pay more on oil and gas for cooking and heating their houses, affecting consumption spending. This will result in a decrease in after-tax disposable income for households, which would depress consumer purchasing. This will have an impact on GDP's consumer spending component.

Following Russia's invasion of Ukraine, financial markets throughout the world saw a drop in value. When Russia's invasion of Ukraine was announced, investors fled for safety. The lowest price at which stocks were traded on major stock exchanges during the invasion timeframe is shown in Table 1. It demonstrates that the lowest dip in share prices during a 5-day period (February 18 to February 25) occurred on February 24, 2022, the day of the invasion. The Dow Jones industrial average dropped by almost 100 points. The S&P 500 index dropped almost 250 points. The Europe Next 100 index has dropped by around 400 points. As indicated in table 1, the Shanghai composite index dropped by more than 150 points. However, with the imposition of heavy penalties against Russia by a number of nations the day after the invasion, stocks rose.

| Table 1. Global stock markets (the lowest price at which stocks were traded during the time period) | | | | | | | |
|--|------------------------------|-------------------------|----------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| | United States | United States | Australia | Europe | United Kingdom | South Africa | China |
| | Dow Jones Industrial Average | S&P 500 Index | S&P/ASX 200 Index | Europe Next 100 Index | FTSE 100 Index | JSE | SSE Composite Index |
| | Lowest price | Lowest price | Lowest price | Lowest price | Lowest price | Lowest price | Lowest price |
| Year | % change (Basis points) | % change (Basis points) | % change (Basis points) | % change (Basis points) | % change (Basis points) | % change (Basis points) | % change (Basis points) |
| 2022 | | | | | | | |
| Feb 25 | 3.11 (311) | 4.18 (418) | 2.242 (224.2) | 1.12 (112) | 1.12 (112) | 1.27 (127) | 1.20 (120) |
| <i>Feb 24</i> | <i>-1.08 (108)</i> | <i>-2.53 (-253)</i> | <i>-2.604 (-260.4)</i> | <i>-4.27 (-427)</i> | <i>-4.45 (-445)</i> | <i>-1.69 (-169)</i> | <i>-1.68 (-168)</i> |
| Feb 23 | -0.84 (-84) | -1.07 (-107) | 0.515 (51.5) | 1.93 (193) | 2.42 (242) | 1.74 (174) | 0.597 (59.7) |
| Feb 22 | -1.80 (-180) | -1.38 (-138) | -0.664 (-66.4) | -1.55 (-155) | -1.73 (-173) | -0.403 (-40.3) | -0.979 (-97.9) |
| Feb 21 | - | - | -0.633 (-63.3) | -2.19 (-219) | -2.15 (-215) | -1.63 (-163) | 0.715 (71.5) |
| Feb 18 | -0.79 (-79) | -1.07 (-107) | -1.104 (-110.4) | -0.63 (63) | -1.70 (-170) | 0.817 (81.7) | -0.209 (-20.9) |

Impacts on global food resources

Ukraine produces enough food to feed 400 million people throughout the world, including 50 percent of the world's sunflower oil, 10% of the world's grain, and 13% of the world's corn. As of present, the Russian onslaught would prevent up to 30% of agriculture fields in Ukraine from being planted or harvested this year. Furthermore, due of the blockade of the Black Sea ports and the limited capacity to transfer commodities across the Western border, supply lines from Ukraine have been affected.

Farmers are trying to continue planting because of the conflict, which has resulted in city blockades, a scarcity of seeds, and fertilizer shortages. There will be disastrous consequences in the fall if farmers do not begin planting crops now. The markets have already responded to the situation. Wheat prices have risen by nearly 25% in the last year. This will cause a supply problem, affecting food availability for people all around the world.

Ukraine is experiencing a food crisis in various cities, including Mariupol, as a result of the present scenario, with little to no options for bringing in more supplies. This food crisis is part of a larger economic battle precipitated by the invasion of Ukraine. The crisis will not just affect Ukraine, but will also have a significant impact on other Eastern European nations, since prices will rise in the short term and shortages will worsen in the long run.

This is why small farmers require immediate assistance in order to raise food this season and meet the country's domestic demands. Green, sustainable farming techniques must be maintained for the long run.

Impacts on the tension between NATO, the United States, and Russia

Putin has purposefully shattered the possibility for diplomatic solutions, as well as the Paris-based cooperative European security system, by Moscow's invasion of Ukraine. The NATO-Russia Founding Act, the European Security Charter, and the Minsk Agreement are all out-of-date documents. Putin's new narrative of a non-existent Ukrainian nation and its historic desire to return to Russia the territory of a former empire now appears to trump security considerations as a justification for using force for domestic consumption.

The Russian president, on the other hand, has clearly miscalculated Ukraine's will to resist and the West's commitment. He will now accomplish what he hoped to avoid: a more united Ukrainian country, a more united and stronger NATO and EU, and unparalleled military power on NATO's eastern frontier. He will also suffer substantial economic, financial, and political isolation, all of which will have long-term consequences. If Russian soldiers become mired in ugly and time-consuming street combat in Ukraine's cities, their losses will grow, and Putin's internal reputation will suffer, with unforeseeable consequences.

There appears to be little possibility for fresh accords at the outset of a new era. The outlines of a future inclusive European security system, its principles, borders, and areas of influence will not materialize as long as Ukraine's destiny remains uncertain. A fresh military conflict between Russia and the West along a hardened contact line, on the other hand, would be fraught with military mishaps, miscalculations, and escalation. As a result, stabilizing measures such as direct communication between military headquarters, strong incident avoidance procedures, as well as de-escalation, transparency, and military movement limits, would be required even more rapidly to avoid the worst. Once the fog of war has lifted, fresh negotiations and security arrangements will be required.

Impacts on Northeast Asia's Geopolitics

The invasion's consequences are just now beginning to be felt in China, Mongolia, and Japan. The long-term ramifications are still unknown. Russia's invasion of Ukraine is upsetting the post-Cold War established order, with implications for European security and ties between Russia and NATO. While the geopolitical pressure is mostly directed at Russia's west, Northeast Asia is already experiencing the economic and security consequences.

Western sanctions on Russia have taken impact in a variety of ways, wreaking havoc on the country's financial stability and disrupting foreign business operations in the country. While these sanctions, which include import and export limitations, are directed only at Russia, its eastern neighbors

— Mongolia, China, and Japan – are also affected in a variety of areas, including food supply, energy, and military.

The United States authorized a sanctions package addressing Russia's Central Bank on February 28. The European Union quickly followed suit. Energy sanctions against Russia, as well as the disruption of the global supply chain, are expected to cause economic recessions in Northeast Asia, as nations begin to rely on local replacements – if they have that choice – and energy costs continue to rise.

The Foreign Direct Product Rule, one of several Western sanctions mechanisms, and other strong steps to disrupt Russia's import-export commerce are causing a food security concern in China. Despite Xi Jinping's ambitious objectives for China to become self-sufficient in grain production, China has long been dependant on other nations for wheat and other consumer goods, notably Russia, Ukraine, and Japan. Now that wheat supplies from Ukraine have been halted due to the conflict, China will be among the numerous countries seeking to find other suppliers.

China has imported more food from Japan than it has ever before since the COVID-19 outbreak began. "Exports of food, agriculture, forestry, and marine items to mainland China increased 35.2 percent to 222.4 billion yen (\$1.93 billion) in 2021," according to Nikkei.

On the other hand, Mongolia has already seen an increase in the cost of electricity. For example, in Ulaanbaatar, the most widely used gasoline, AI-92, currently costs 2,390 Mongolian tugrik, up from 1,434 tugrik in April last year. Mongolia is also being pressured by inflation and the energy shift since its diesel fuel use is entirely reliant on Russia.

Simultaneously, in this period, if commodity prices continue to rise and Mongolia exports natural resources like coal, the Economic Revival Policy may gain from the shift. External forces, however, are preventing Mongolia from seizing such a tremendous chance. Mongolia's exports to China are on hold as the Chinese government continues to close towns and border posts owing to COVID-19, a reoccurring concern during the epidemic.

A reduction in Mongolia-Russia commerce might potentially affect Mongolia's economy. Air-based trade is likely to be harmed if Russia's economy and banking system are devastated. Mongolians living overseas have already reported being unable to use credit cards issued by Mongolian banks owing to Russia's loss of SWIFT connectivity. However, because Mongolia and Russia are connected by train infrastructure, some trade is likely to continue as usual, although shipments of commodities from Europe are expected to be reduced.

Aside from the economic implications, Russia's recent actions have altered the geopolitical landscape in Northeast Asia. Countries who do not

have a high level of trust and confidence in Russia, such as Japan, are afraid of unanticipated security difficulties.

A Russian helicopter allegedly breached Japanese airspace near Hokkaido Island on March 2, according to the Japanese defense ministry. Japan retaliated by dispatching fighter planes to intercept. To avoid escalation, the two parties have agreed to exercise greater caution in the region. Any tiny misunderstanding or action might exacerbate the existing mistrust.

In light of these rapidly changing geopolitical circumstances, Russia's invasion of Ukraine compelled regional governments to rethink their security strategy while attempting to maintain the status quo. The Asia-Pacific military industry was already growing significantly before 2022, according to Mordor Intelligence, and the present circumstances would further add gasoline to the fire.

Furthermore, Russia's geopolitical drive to hinder NATO's dominance in Eastern Europe poses many concerns for neighboring nations such as Mongolia and China.

Western sanctions on Russia have swiftly evolved into a double-edged sword for China, with US officials threatening to penalize China if it protects Russia financially. China is attempting, at least in the near term, to maintain amicable ties with Russia while avoiding antagonizing Europe and the United States, as seen by its recent abstention from a United Nations General Assembly vote.

Furthermore, the last ten years have been regarded as the pinnacle of China-Russia, Russia-Mongolia, and Mongolia-China ties. "A triangle, Russia, Mongolia, and China, is a specific, relatively independent sub-region of Northeast Asia as well as East Asia," noted Vladimir Graivoronsky of the Russian Academic of Sciences in 2014. These countries' people are from three distinct civilizations: Russian, Mongolian, and Chinese. They have a long history of peaceful and wartime inter-civilizational political, trading, economic, cultural, and military connections." Although Russia's new move may not immediately jeopardize these trilateral ties, it may sow the seeds of distrust over time.

While there are currently a number of unresolved historical and contemporary security challenges in Northeast Asia, Russia's recent invasion of Ukraine may exacerbate future tensions. Governments will aim to prepare for severe security instability by boosting defense spending and investing in technology-based cyber and air defense systems, all while relying on diplomacy to avoid escalation. As the ramifications become clearer, all of Northeast Asia's countries will be highly watchful and observant.

International responses to the invasion

Many Western countries were opposed to Russia's invasion of Ukraine. Many governments have publicly condemned Russia's invasion of Ukraine. Several countries replied by imposing sanctions on Russia, notably the United States, the European Union, France, and the United Kingdom. The Asia-Pacific region includes Australia, Japan, Canada, Taiwan, and New Zealand. Some of the sanctions imposed on Russia during the invasion in 2022 are listed here:

1. Trying to restrict some Russian institutions' usage of the SWIFT international payment network. "SWIFT is a high-security network that allows payments to be made between 200 countries' 11,000 financial institutions".
2. The certification of Russia's Nord Stream 2 gas pipeline, which would bring energy to Europe, has been halted by Germany.
3. As a result of Russia's invasion of Ukraine, New Zealand has prohibited the shipping of goods to Russian military and security personnel.
4. The US has prohibited the supply of war technology to Russia, significantly limiting Russia's capacity to develop its military and aerospace industries. The embargo will prevent the United States from exporting semiconductors, telecommunications, encryption security, lasers, sensors, navigation, avionics, and marine technology to Russia. Russian financial institutions and the Russian Central Bank were also denied access to their dollar foreign reserves held in the US by the US. This implies that neither Russian financial institutions nor the Russian Central Bank may conduct business in US currency. All Russian oil and gas imports were likewise prohibited by the US."
5. The European Union slapped financial sanctions on Russia, targeting 70% of the Russian banking market and important state-owned firms. It outlawed deposits of more than €100,000 in EU banks, Russian accounts held by EU securities market storage facilities, and the marketing of euro-denominated commodities to Russian customers. Russian governmentally-owned enterprises' shares are no longer allowed to be traded on EU markets, according to the EU. The purchase, distribution, transmission, or sale of oil refinery technology to Russia is forbidden by the EU. "The EU has banned all aircraft, spare parts, and equipment from being exported to Russian airlines, as well as the Russian space sector. The EU has put a halt to visa accords with prominent Russians. Diplomats, Russian officials, and entrepreneurs will no longer be able to take advantage of visa-easing measures that grant them preferential access to the EU. 3. The EU barred Russia from participating in all cultural and athletic events,

including the Eurovision Song Contest and the UEFA Champions League.”

6. All valid Russian export licences were revoked by Canada.
7. The assets of some Russian people housed in Swiss and Japanese institutions have been frozen by Switzerland and Japan.
8. Australia has slapped travel restrictions and financial sanctions on eight Russian Federation Security Council members.
9. Visas for citizens of the "Donetsk People's Republic" and the "Luhansk People's Republic" have been suspended in Japan. Japan has also made it illegal to issue and trade new Russian government debt in the primary and secondary markets.
10. Since 2009, Switzerland has largely halted a visa deal that made it simpler for Russians, especially diplomats, to visit the country. It also imposed travel bans on five unidentified oligarchs with links to Switzerland who are close to Putin.
11. The UK placed financial penalties on Russian banks by freezing Russian billionaires' assets held in UK institutions. Russia's largest bank, 'Sberbank,' was likewise blocked from clearing payments in Pound Sterling by the UK. By the end of 2022, the United Kingdom will have phased out Russian oil. The Russian airline 'Aeroflot' has been barred from flying in UK airspace.
12. Russian jets are also prohibited from flying into the airspace of Finland, Belgium, Latvia, Ireland, Estonia, Lithuania, Poland, Bulgaria, Moldova, Romania, Slovenia, and the Czech Republic.

Conclusion

The impact of Russia's invasion of Ukraine on the global economy was investigated in this research. The invasion's global economic consequence, according to the paper, was a global supply chain disruption. This expressed itself in the form of energy and trade supply shocks. It resulted in increased energy prices, commodity prices, and food prices, all of which contributed to a surge in worldwide inflation in many nations. The consequence is that geopolitical disputes have economic spillover effects on other nations, rather than having isolated impacts on the sanctioned country. The Russian-Ukraine conflict has demonstrated that imposing sanctions on a warring nation is not the best answer since it has spillover effects on non-conflict countries, particularly when the warring countries are trading partners of non-conflict countries. Political leaders should make an effort to avoid confrontations like the one between Ukraine and Russia, and should utilize dialogue as a mechanism for conflict resolution. Future research will be able to determine whether conflict resolution through talks is extremely effective in pacifying countries who go to war to safeguard regional power.

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References:

1. Averre, D. (2016). The Ukraine conflict: Russia's challenge to European security governance. *Europe-Asia Studies*, 68(4), 699-725.
2. Bluszcz, J., & Valente, M. (2019). The war in Europe: Economic costs of the Ukrainian conflict.
3. Casier, T. (2011). The Rise of Energy to the Top of the EU-Russia Agenda: From Interdependence to Dependence? *Geopolitics*, 16(3), 536–552. <https://doi.org/10.1080/14650045.2011.520862>
4. Chassang, S., & i Miquel, G. P. (2009). Economic shocks and civil war. *Quarterly Journal of Political Science*, 4(3), 211-28.
5. Collier, P. (1999). On the economic consequences of civil war. *Oxford economic papers*, 51(1), 168-183.
6. Dreger, C., Kholodilin, K. A., Ulbricht, D., & Fidrmuc, J. (2016). Between the hammer and the anvil: The impact of economic sanctions and oil prices on Russia's ruble. *Journal of Comparative Economics*, 44(2), 295-308.
7. Dreyer, I., Erixon, F., & Winkler, R. (2010). The quest for gas market competition fighting Europe's dependency on Russian gas more effectively (Research Report No. 1/2010). *ECIPE Occasional Paper*. <https://www.econstor.eu/handle/10419/174707>.
8. European Parliament, Directorate-General for External Policies of the Union, Korteweg, R. (2018). Energy as a tool of foreign policy of authoritarian states, in particular Russia. *European Parliament*. <https://data.europa.eu/doi/10.2861/219796>
9. European Union (2011) A New Response to a Changing Neighborhood. Brussels: European Union. Available at: http://eeas.europa.eu/enp/pdf/pdf/com_11_303_en.pdf.
10. Ganegodage, K. R., & Rambaldi, A. N. (2014). Economic consequences of war: Evidence from Sri Lanka. *Journal of Asian Economics*, 30, 42-53.
11. Glick, R., & Taylor, A. M. (2010). Collateral damage: Trade disruption and the economic impact of war. *The Review of Economics and Statistics*, 92(1), 102-127.
12. Gower, J. and Timmins G. (eds) (2011) *The European Union, Russia and the Shared Neighbourhood*. London: Routledge. Also a special issue of *Europe-Asia Studies* (2009) 61(10).

13. Gretskey, I. et al. (2014) 'Russia's perceptions and misperceptions of the EU Eastern Partnership,' *Journal of Communist and Post-Communist Studies*, 47 (3-4), pp. 375-383.
14. Havlik, P. (2014). Economic consequences of the Ukraine conflict (No. 14). Policy Notes and Reports.
15. Heydemann, S. (2018). Civil war, economic governance & state reconstruction in the Arab Middle East. *Dædalus*, 147(1), 48-63.
16. Högselius, P., & Kaijser, A. (2019). Energy dependence in historical perspective: The geopolitics of smaller nations. *Energy Policy*, 127, 438–444. <https://doi.org/10.1016/j.enpol.2018.12.025>
17. Hoffmann, M., & Neuenkirch, M. (2017). The pro-Russian conflict and its impact on stock returns in Russia and the Ukraine. *International Economics and Economic Policy*, 14(1), 61-73.
18. Jirušek, M., & Kuchyňková, P. (2018). The Conduct of Gazprom in Central and Eastern Europe: A Tool of the Kremlin, or Just an Adaptable Player? *East European Politics and Societies*, 32(4), 818–844. <https://doi.org/10.1177/0888325417745128>
19. Kang, S., & Meernik, J. (2005). Civil war destruction and the prospects for economic growth. *The Journal of Politics*, 67(1), 88-109.
20. Kesternich, I., Siflinger, B., Smith, J. P., & Winter, J. K. (2014). The effects of World War II on economic and health outcomes across Europe. *Review of Economics and Statistics*, 96(1), 103-118.
21. Korosteleva, E.(ed.) (2012) *Eastern Partnership: A New Opportunity for the Neighbours?* London: Routledge. Also a special issue of *The Journal of Communist Studies and Transition Politics*, (2011) 27(1)
22. Korosteleva, E. et al. (eds) (2014) *EU Policies in the Eastern Neighbourhood: The Practices Perspective*. London: Routledge. Also a special issue of *East European Politics*, (2013) 29(3).
23. Koubi, V. (2005). War and economic performance. *Journal of Peace Research*, 42(1), 67-82.
24. Lough, J. (2014) 'Ukraine crisis prompts a sea change in Germany's Russia policy,' Chatham House, 24 November. Available at: http://www.chathamhouse.org/expert/comment/16320?dm_i=1TYG,30AET,BLOMTE,ATMQX,1#sthas h.IWFC1y0J.dpuf.
25. Liefert, W. M., Liefert, O., Seeley, R., & Lee, T. (2019). The effect of Russia's economic crisis and import ban on its agricultural and food sector. *Journal of Eurasian Studies*, 10(2), 119-135.
26. Mankoff, J.(2011) *Russia: The Return of Great Power Politics*. Lanham, MD: Rowman and Littlefield
27. Malyarenko, T., & Wolff, S. (2018). The logic of competitive influence-seeking: Russia, Ukraine, and the conflict in Donbas. *Post-Soviet Affairs*, 34(4), 191-212.

- Mankoff, J. (2014). Russia's latest land grab: How Putin won Crimea and lost Ukraine. *Foreign Affairs.*, 93, 60.
28. Mazower, M. (1991). *Greece and the inter-war economic crisis*. OUP Catalogue.
29. Nordhaus, W. D. (2002). The economic consequences of a war in Iraq. <https://econpapers.repec.org/paper/nbrnberwo/9361.htm>
30. Oualaalou, D., 2020. *The Dynamics of Russia's Geopolitics: Remaking the Global Order*. Cham: Springer International Publishing AG.
31. Ozili, P. K., & Arun, T. (2020). Spillover of COVID-19: impact on the Global Economy. Available at SSRN 3562570.
32. Poitiers, N., Tagliapietra, S., Wolff, G., & Zachmann, G. (2022). The Kremlin's Gas Wars. <https://www.foreignaffairs.com/articles/russian-federation/2022-02-27/kremlins-gas-wars>.
33. Polak, P. (2015). Europe's Low Energy. <https://www.foreignaffairs.com/articles/western-europe/2015-09-09/europes-low-energy>. Accessed 4 March 2022
34. Polak, P. (2017). The Trouble with Nord Stream 2. <https://www.foreignaffairs.com/articles/europe/2017-08-23/trouble-nord-stream-2>.
35. Pop, V. (2009) 'EU expanding its 'sphere of influence,' Russia says,' *EU Observer*, March 21. Available at: <http://euobserver.com/foreign/27827>.
36. Samokhvalov, V. (2015). Ukraine between Russia and the European Union: triangle revisited. *Europe-Asia Studies*, 67(9), 1371-1393.
37. Simes, D. (2014) 'An interview with Sergei Glazyev,' *The National Interest*, 24 March. Available at: <http://nationalinterest.org/commentary/interview-sergey-glazyev-10106>.
38. Sharples, J. D. (2016). The Shifting Geopolitics of Russia's Natural Gas Exports and Their Impact on EU-Russia Gas Relations. *Geopolitics*, 21(4), 880–912. <https://doi.org/10.1080/14650045.2016.1148690>
39. Siddi, M. (2018). The Role of Power in EU–Russia Energy Relations: The Interplay between Markets and Geopolitics. *Europe-Asia Studies*, 70(10), 1552–1571. <https://doi.org/10.1080/09668136.2018.1536925>
40. Siddi, M. (2020). EU-Russia Energy Relations. https://doi.org/10.1007/978-3-319-73526-9_54-1
41. Shelest, H. (2015). After the Ukrainian crisis: Is there a place for Russia? *Southeast European and Black Sea Studies*, 15(2), 191-201.
42. Stent, A. E. (2014) *The Limits of Partnership. US-Russian Relations in the 21st Century*. Princeton University Press.

43. Stukalo, N., & Simakhova, A. (2018). Social and economic effects of the war conflict in Ukraine for Europe. *Geopolitics under Globalization*, 2(1), 11-18.
44. Trenin, D. (2014) 'Russia's breakout from the post-cold war system,' Carnegie Endowment, 22 December. Available at: <http://carnegie.ru/2014/12/22/russia-s-breakout-from-post-cold-war-system-drivers-of-putin-s-course/hxsm>
45. Wang, W. (2015). Impact of Western Sanctions on Russia in the Ukraine Crisis. *Journal of Politics and Law*, 8, 1.
46. Welt, C., (2022). *Recent developments in the Russia-Ukraine conflict*. Washington, D.C: Congressional Research Service.
47. Wilson, A. (2014) 'Ukraine's 2014: a belated 1989 or another failed 2004?' *Open Democracy*, 18 February. Available at: <https://www.opendemocracy.net/od-russia/andrew-wilson/ukraine%E2%80%99s-2014-belated-1989-or-anotherfailed-2004>.

RESEARCH REPORT

Exploring Human Rights Violations in Post of New Era in Indonesia

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Abstract:

Human Rights have been completely acknowledged in Indonesia since the authoritarian administration of Suharto fell in 1998 by the law and the Constitution of Indonesia. The civil society within the nation seems to have managed to transcend its fear of authoritarianism and has remained active and lively, along with the media. There had been challenges of impunity for the violations of human rights within contemporary Indonesia, followed by the role of organizations of the civil society at the national and international levels in order to resist the perpetuation of the abuses of human rights, and tends to reflect on the role of Indonesia in the international scenario as the emergence of the authority and their means for the protection of human rights on such grounds.

Key Words: Human Rights, Violation, Suharto, Indonesia, Civil Society, Authoritarianism.

Background:

Indonesia has confronted both political transition and an economic crisis at the same time. The reliance on foreign help on both fronts has sparked strong nationalist sentiments, which have been exacerbated by East Timor's loss and have perceived the Western sympathies for separatist movements within the regions of Aceh and Papua. The elements were loyal to Suharto and were accused to inflame and even star various disputes by capitalizing on such emotions. Poverty, culture, religion, national stability, and other elements have put a significant impact on the democratic transition and consolidation processes in Indonesia (McGregor & Setiawan, 2019). While there is no apparent relationship between authoritarian or democratic regimes and economic success, widespread economic hardship may undoubtedly diminish support for administrations of any political hue. The regional economic crises of 1997-98 that prompted the departure of Suharto in May 1998, continue to deadlock reforms of the political, legal, judicial, and administrative institutions and procedures, by undermining their popular credibility. The political and economic unrest tends to rise in the religious and ethnic violence in Maluku, Kalimantan, and Central Sulawesi, and separatists in Aceh and Irian Jaya (Bunnell, 2019).

Both Presidents Sukarno (1945-65) and Suharto (1965-present) fiercely opposed the liberal democracy of the western-style that Indonesia witnessed in the 1950s. Instead, they resorted to Pancasila the five principles in form of national philosophy and the 1945 Constitution, which they believed were more acceptable to the cultural values of Indonesia. This asserts the

existence of a single God, unity within the nation, civilized humanitarianism or internationalism, representative governance, and social fairness. The decisions and disagreements are required to be made and addressed through the debate or *musyawarah* and the consensus or *mufakat*, rather than through competitive voting and the associated conflicts between the majority and minority groups (Butcher, 2021). Certain cooperative ideals need to be used across all economic and social sectors. While there can be the construction of Pancasila in reasonable liberal and pluralistic ways, it is also susceptible to corporatist and authoritarian interpretations. The beliefs of Integralists postulate the oneness between government and people, by opposing the conceptions of an individual or the rights of the group toward the state, which seems to be envisioned as a huge family. The key actors have recognized the connections with the conceptions of the fascist of the organic state within Europe and Japan. Despite their initial rejection, this had been integrated into the New Order doctrine and practice. As a result, the Law on Social Groups of 1985 obliged organizations to explain their goals in terms of Pancasila as their sole foundation. The Christians and Muslims felt challenges to essential religious beliefs, although the government denied any such intention (McGregor & Setiawan, 2019).

Gradual empowerment and mobilization starting in tiny organizations in civil society, as well as modest reforms launched from within the government, have created a strengthened popular foundation from which the change in momentum might be sustained in the face of residually powerful New Order structures and interests. The concerns about the civil and political rights have been traditionally associated with the middle class and were seen to have gained popularity by being linked to the issues that affected the daily lives of people like land, wages, and the working conditions, along with the environment, violence, and harassment against women, and corruption of all levels (Wahid, 2018). Certain approaches are seen to range from the lower communities within the development of among the disadvantaged communities towards major mobilization for the demand rights, with the networks of advocacy that connect at the local, national, and worldwide levels. The Civil society rivals of Suharto did not always accept Western liberal-democratic values (Hasan, 2018). Many people concentrated on both the socioeconomic and political dimensions of human rights. However, broad dialogues across groups about aims and techniques, as well as experience with internal self-management, contributed to enhancing popular democratic ability (Bland, 2020).

The Suharto regime primarily ignored the system of UN human rights, responding to foreign criticism with broad defenses on the basis of the national sovereignty and non-interference in the domestic matters of Indonesia. Nonetheless, in 1984 and 1990, it ratified the *Conventions on the Elimination of All Forms of Discrimination Against Women* (CEDAW) and the Rights of the Child. Alatas the foreign minister published a National Plan of Action on Human Rights for the year 1998 to 2003 in January 1998, and the MPR put a broad statement indicating future legal action into the State Policy Guidelines. The torture and disappearances continued unabated in the aftermath of Suharto's downfall (Rüland, 2017). The Plan put special emphasis on incorporating the treaties of United Nations human rights into the national laws, which seems to be an essential step prior to the ratification. In November 1998, Indonesia seemed to ratify the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatments or Punishments or CAT and further ratified the Convention on the Elimination of All Forms of Racial Discrimination or CERD. The timing of each marked significant pronouncements of purpose immediately after Suharto's collapse, as well as outbreaks of anti-Chinese sentiment, which were most likely organized by members of the military and some Islamic groups (Rüland, 2022).

The turmoil surrounding President Wahid's departure and the replacement of President Megawati Sukarnoputri with the enthusiastic Attorney General Marzuki Darusman, along with an appointee from within the poorly respected Department appears to have hindered the momentum for the execution of the Plan (Rubenstein, 2017). With only one year until the Plan's expiration date, Indonesia looks unprepared to ratify the International Covenant on Civil and Political Rights (ICCPR). Administrative initiative for developing policies and the promotion of human rights appears to be mostly in the hands of the Foreign Affairs Ministry, while the role of President Wahid's Human Rights Ministry remains unclear (Gooding, 2017).

Indonesia is widely been an example of democratic transition, particularly for Muslim majority governments, about a decade and a half after the fall of President Suharto and the New Order dictatorship. The country has a competitive party system and has successfully staged three countrywide elections since 1999, with a fourth anticipated for 2014. The legislature also enacted constitutional revisions, including essential clauses to preserve human rights such as individual liberties, religious freedom, and women's rights. These changes have resulted in strong economic development (Schwarz, 2018). Since 1999, the Indonesian economy has risen at a robust 4 to 6% annual rate. Despite these improvements, Indonesian transitional justice has generally failed. While precise definitions differ,

transitional justice here refers to the redress of past wrongs by making criminals accountable for their acts. During the thirty-two years of authoritarian leadership in Indonesia, neither Suharto nor any of the New Order era's high-ranking officials have ever been tried or held responsible for human rights violations (Aspinall, et. Al. 2020).

METHOD:

The Data here seems to specifically reference the facts and has no restriction on numbers. The research for this study has been gathered from all secondary sources. In terms of research methods, the study is theoretical. One of the primary goals of the research is to put clear identification of the difficulties, challenges, and consequences in terms of the Human Rights Violations in the Post of New Era in Indonesia.

As a result, the research investigates the issues by reviewing and analyzing the published literature, with a focus on all secondary information on the subject. In this case, I'll use major research work done on the subject in recent years as an example. Using this method, a researcher seems to create a detailed and complete examination of legal standards found in primary sources inclusive of cases, statutes, and regulations. This doctrinal research is based on relevant peer-reviewed journals published by an authorized publisher, laws, enactments, online portals, websites, committee reports, legal, history, commentary, and the international convention. The method will be founded on the findings of the author's research, and the author will bear full responsibility for carrying out the research with academic integrity. The collected data was examined by using a variety of research approaches, tools, and techniques, including content analysis and comparative analysis.

Literature Review:

Throughout the history of Indonesia, there have been numerous demonstrations, conflicts, and wars in the name of freedom and liberty. Freedom is defined as the ability to freely express oneself. But the distinction between liberty and freedom has been frequently mistaken. They might be identical meanings, yet there are significant variances. The circumstance in which a person has the right to act according to his or her will is characterized as liberty. Liberty also implies freedom from oppression and has been worth noting that liberty has a symbolic connotation. The power to combine pleasures, or the right or immunity enjoyed by the prescription or the grant is inclusive of privilege, seems to refer to as the liberty (Steilen, 2018). Negative liberty has been defined within modern politics as the

state of being free within the society from control or oppressive constraints of the authority on the way of life, conduct, or political opinions of an individual (Miller, 2017). Positive liberty is considered to be the possession of the ability and resources to act in an environment that overcomes the division of disparities. One of the most essential human rights is religious liberty. This has been acknowledged and established in several international legal treaties. For instance, Article 18 of the UNHRDC states that every individual is in possession of the right to freedom of thought, conscience, and religion. Such right is considered to be inclusive of the freedom to change the religion or the beliefs, along with the freedom for the manifestation of their religion or the belief to teach, practice, worship, and observance, whether in the community with others or in public or private." There has been a guarantee by the constitution of the freedom of expression to every citizen, inclusive of the members of the press and other media. The law restricts its application in a variety of ways, inclusive of the criminal sanctions for defamation, hate speech, blasphemy, obscenity, and the distribution of false information. There have been numerous reports that indicated that the law had been used to prevent the political criticism of the administration. The law is seen to criminalize such communication that is deemed to be defamatory of the character or reputation of the person, either in form of Libel or Slander Laws. This tends to insult the religion by disseminating hate speech and providing false information, obscenity, or encouraging separatism. The hate speech or spread of false information leads to a penalty of imprisonment up to in jail. Such language of legislation also governs pornography that has been liberally used to limit the content and is believed to be offensive to local morality (Leslie and Wild, 2018).

Freedom has been defined as the ability to act or change without the restriction or the power and resources to achieve the goals of an individual. Freedom has been related to liberty and autonomy to make one's own laws, and have certain rights and civil liberties for exercising them without the excessive intervention from the state. Political freedoms that are frequently addressed include freedom of assembly, freedom of association, freedom of choice, and freedom of expression (Wrong, 2017). In the context of Indonesia, the government also implemented measures that deprived individuals of basic rights, such as restricting press freedom, simplifying political parties, suppressing voters, as well as permitting the use of torture and other forms of violence against dissenters. Human rights are only viewed as a requirement for democratizing the state under the political-state logic, with no ambition to fight for further law change to defend human rights or to strengthen human rights practices

(Lamchek, 2019). As such consequence, irrespective of the fact that Reformasi has reinstated the rules of democracy and has prompted the national human rights framework's creation, the problems of human rights such as abuses of human rights, health services that are inaccessible, restrictions on the freedom of expression, and persecution of minorities that have shown persistence (Olivia, 2019). Sutarjo Kartohadikusumo was known as a civil servant from the moderate faction, submitted a petition in 1936 that demanded the colonial authority offer Indonesia partial freedom (autonomy without separation from the Netherlands). His concept was inspired by the Philippines' connection with the United States, which granted its colony autonomy with the establishment of the Philippine Commonwealth government in 1933. Other civil employees and minority groups from the moderate group backed the petition, but nationalists rejected it because they considered Kartohadikusumo's concept still handed the colonial administration control. Only because of the backing of European political parties seeking freedom did the petition pass the Council in the final vote (Olivia, 2019).

ANALYSIS:

From the above research, it was seen that Indonesia has been through various challenges in terms of education, violation of rights, and relevance. The right to education is a human right that is protected by international, regional, and national legal frameworks. Human dignity is the essential notion of human rights, which states that every woman, man, and child is granted a set of rights that are inherent in their existence due to the principle of humanity. According to the naturalistic viewpoint, every human being possesses human rights due to the inherent nature of being human. The evolution of human rights began with the creation of civil and political rights as the first generation of human rights, followed by the formulation of economic, social, and cultural rights as the following formulation of the human rights idea (Juwita, 2017). All human rights are interrelated and indivisible; each human right is linked to the rights of others. As demonstrated in this tale, in order to ensure full enjoyment of the right to education, the government must prioritize the achievement of the right to health. If children were unwell as a result of a lack of access to adequate primary health care, they would never be able to study properly or make the best use of the educational resources that the State Party has invested in them. Human rights are protected in international law by the Universal Declaration of Human Rights, and then by the twin Covenants, the International

Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) (Juwita, 2017).

As the world's biggest Muslim-majority country, the role of Islam in state and society is always of interest, with Indonesia frequently positioned as a "model Muslim democracy." Analysis of Islam and the perils of extremism can be reductionist at times; nevertheless, this compilation does not misrepresent or aim to oversimplify the effect of Islam in Indonesia. In the political sector, for example, the authors demonstrate how, in addition to diverse perspectives on decentralization and center–regional relations, engagement with Islam is a key topic that separates political parties (Setiawan & Tomsa, 2022). While admitting the importance of religion and center–regional connections, the writers do not exaggerate their importance, stating that political opinions on these matters "should not be understood as absolute," but rather as part of a greater picture. This is demonstrated by the fact that openly Islamic parties have historically performed badly in Indonesian elections when contrasted to non-Islamic parties that strategically incorporate elements of an Islamic platform. The link between religion and politics is still a hot topic, as seen by the Ahok trial and the 2019 elections. However, due to its introductory character, the collection avoids in-depth consideration of the role and nature of Islam in Indonesia, as well as the complications of decentralization (Jones, 2021).

It is not that every Islamic organization in Indonesia seems to be conservative. Indonesia is in possession of a diverse range of activism of Islam that ranged from moderate groups like that of the Muhammadiyah that seem to be generally supportive of the religious harmony. Certain researchers have pointed out that these groups have the segments of the minority that lean towards conservatism, non-violence yet groups like that of Hizbut Tahrir Indonesia (HTI), seek the establishment of a caliphate, dakwah movements like that of Jemaah Tarbiyah, and the political parties such as the Prosperous Justice (Larson, 2019). The FPI is also known as a political group of Islam established in 1998 by Muhammad Rizieq Shihab, an Indonesian of Arab heritage, which looked forward to the assistance of the military, police, and political elites towards the mobilization against the reform movement that was led by students. The document titled Historical Treaty and the Line of Struggle of the FPI contains the suffering of Indonesian Muslims as a result of human rights violations committed by the government. Secondly, every Muslim has an obligation to protect and maintain the dignity of Islam and Muslims. This is followed by the third, that every Muslim has an obligation to maintain the principles of commanding the good and forbidding the bad (Simandjuntak, 2021).

Ideas regarding religious and belief freedom have been prevalent since Indonesia's independence. The 1945 Constitution guaranteed the right of all people to practice their religions or beliefs and to worship as they saw fit (Article 29). After 1998, the Law on Human Rights (Law No. 39 of 1999) and constitutional amendments expanded this notion legally (Article 28 E). However, one of the consequences of the democratic changes implemented after 1998 has been the creation of space for religious groups with widely disparate perspectives (Lukito, 2018). In the real context, the government might be a source of contention. Minority groups are frequently disadvantaged when officials refuse to follow the law in order to protect them. However, there are other policies – which the government continues to support – that actually encourage hatred of minority groups. The book *Moderasi Beragama* from the Religious Affairs Ministry talks on this subject. It should be admitted that the advent of many religious policies has neither strengthened moderate attitudes in religious practice nor averted conflict. However, if these religious rules were repealed, religious strife would worsen (Bagir & Mubarak, 2022).

Furthermore, Indonesia was seen to be under Disunity or the lack of agreement among ASEAN member states on the UNGPs has also impeded possibilities for merging business and human rights within the ASEAN Economic Community. According to Article 1(7) of the ASEAN Charter, the Association is committed to promoting and safeguarding human rights and basic freedoms, as well as advancing democracy and good governance. This article charges ASEAN with upholding and internalizing human rights ideals (Andrews, 2018). Nonetheless, the ASEAN Charter supports individual member governments' approaches to human rights. As a result, member nations now have a lot of leeway in deciding how to deal with human rights concerns. The result has been a wide range of national reactions to the UNGPs and, more broadly, concerns concerning business and the environment. Myanmar, the Philippines, and Indonesia are located somewhere in the middle. For example, Indonesia does not appear to be building a NAP on business and human rights but rather is planning to merge a draught NAP created by the National Human Rights Commission (Dharmawan et. Al., 2018). The KomnasHAM Human Rights Commission and the human rights civil society group ELSAM in conjunction with the current NAP on human rights. Some claim that combining the easiest strategy to win the government's approval is to create two national action plans. The UN Global Goals President Joko Widodo is often regarded as a supporter of Indonesia's commercial sector being deregulated, and a new and mandatory tax is being

imposed. The Government believes that regulating corporate sectors will be controversial (Nandyatama & Rum, 2020).

The international legal responsibility of Indonesia for the breach of human rights breaches in direct and indirect terms has been for the activities of its police and military, even while operating for economic advantage. The discovery of small compliance with the corporate social responsibility (CSR) norms by the corporate sector had been operating in Indonesia's natural resource sectors involving agricultural commodities (White, et. Al., 2018). This is also when it comes to the more developed legal regimes applicable to private security actors, let alone prevailing business and human rights standards. It was examined if access to justice had been offered to address such violations. The data suggest that neither the state in terms of recognizing state accountability or securing the prosecution of security actors committing human rights violations while working for the business sector and nor the corporate actors themselves have provided adequate remedies (White & Footer, 2018).

During Suharto's reign, inequality improved, albeit not to the same extent as poverty reduction. However, from the late 1980s, when Suharto's developmentalism was progressively swamped by the emergence of his family firms and crony capitalism, inequality began to soar. This rising tendency did not reverse during the time of economic recovery from the Asian financial crisis and political democratization (Rakhmani & Abu-Lughod, 2017). The Gini coefficient fell to the same level as in the late 1980s in 1999 but then began to rise steadily. Inequality increased from 31 points in 1999 to 41 points in 2011 and has been stable since then. Only China had greater growth in the Gini coefficient during this time period. Indonesia's growing inequality is especially notable because inequality in nearby nations such as Malaysia, Thailand, and Vietnam remained steady or reduced during the same period. Given the persistence of poverty and the increase in inequality, the government has numerous options. The government should shift the economic gains of the commodities boom to the lower classes, as well as develop pro-poor measures in areas like social security, health care, and education (Wade, 2020). Despite the fact that the Indonesian government has established various poverty-relief initiatives, the reality of chronic poverty and growing inequality demonstrates that such efforts have not addressed social requirements. The question here is what Indonesia's democratic government has done to address societal economic inequities. In the next part, we will look at what initiatives the government has put in place to reduce poverty and how much growth gains have been shifted from the affluent, which benefit the most (Kawamura, 2019).

The current status of people with mental illnesses in Indonesia is still far from ideal in terms of human rights. In many regions of the country, even basic mental health care is unavailable. Many persons suffering from mental illnesses do not have access to therapy. Primary health care does not prioritize mental health, and primary health practitioners' abilities are insufficient to assure the identification and adequate treatment of mental disorders. Some people with mental illnesses are inhumanely detained and restricted in the community (Rafael, 2021). In general, the quality of mental health care in hospitals is inadequate, and patient rights are poorly protected. In mental facilities, incarceration is the norm. Even though there is no legal basis for involuntary admittance, involuntary treatment is prevalent. Anyone who is concerned about a person's behavior can bring him or her to the hospital without his or her consent. There are no guardianship rules or arrangements, and no judicial examination of the necessity for forced hospitalization and treatment is required. As in many impoverished nations, treatment standards are low, and failing to safeguard persons with mental illnesses' basic human rights is prevalent (Irmansyah & Minas, 2009).

Indonesia has likewise seen its fairness in the fluctuations of human rights as under successive administrations. Following the 30th September coup de etat, the Army of Indonesia and the civilian vigilantes killed approximately 5 lakh individuals under the governance of President Sukarno, along with the precipitation by the struggle with the Communist Party of Indonesia. In addition to the killings, the individuals had been tortured and imprisoned without any occurrence of trial. Furthermore, from the invasion of 1975 and during occupation of the territory of Indonesia, the military of Indonesia has perpetrated the crimes in human rights like that of torture, mass arrests, sexual assaults, and incarceration in a long-term basis within East Timor under the government of the succeeding president Suharto (Ahdanisa and Rothman, 2020). The essential aspects of Indonesia's positive human rights track record during the previous few years have been the pluralism, fundamental freedoms, and a dynamic civil society (European Union 2019). Indonesia has been demonstrated as one of the strengthened commitments for the improvement of the human rights on a global scale by serving the United Nations Security Council for 2019 to 2020 and the United Nations Human Rights Council from 2020 to 2022. As under the current governance of Jokowi, Indonesia is seen to attempt in improving the lives of inhabitants of West Papua, who had been frequently overlooked by administrations in the past through the growth in economy. In the recent time, despite of the continuance of presence of military, that might or may not lead to the process's impede, the administration of Jokowi has also taken special attempts to

address the past human rights of Indonesia by the breaches of establishing a non-judicial special agency for ensuring such process which seems to be more peaceful and reconciliatory (Ahdanisa & Rothman, 2020).

Conclusion:

The reliance on foreign help has sparked strong nationalist sentiments, which have been exacerbated by East Timor's loss and perceived Western sympathies for separatist movements within the regions of Aceh and Papua. The regional economic crises of 1997-98 that prompted Suharto's departure continue to deadlock reforms of the political, legal, judicial, and administrative institutions and procedures. Concerns about civil and political rights have been traditionally in association with the middle class. They were seen to have gained popularity by being linked to the issues that affected people's daily lives. Civil society rivals of Suharto did not always accept Western liberal-democratic values.

The Suharto regime primarily ignored the system of UN human rights. In 1984 and 1990, it ratified the Conventions on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Rights of the Child. The torture and disappearances continued unabated in the aftermath of his downfall. Indonesia looks unprepared to ratify the International Covenant on Civil and Political Rights. The role of President Wahid's Human Rights Ministry remains unclear. Since 1999, the Indonesian economy has risen at a robust 4 to 6% annual rate. Despite these improvements, transitional justice has generally failed.

Liberty is defined as the ability to freely express oneself. The circumstance in which a person has the right to act according to his or her will is characterized as liberty. Positive liberty is considered to be the possession of the ability and resources to act in an environment that overcomes disparities. Human rights are only viewed as a requirement for democratizing the state under the political-state logic, with no ambition to fight for further law change to defend human rights. Reformasi has reinstated the rules of democracy and prompted the national human rights framework. Indonesia has been through various challenges in terms of education, violation of rights, and relevance. The right to education is a human right protected by international, regional, and national legal frameworks. If children were unwell as a result of a lack of access to adequate primary health care, they would never be able to study properly. Indonesia is the world's biggest Muslim-majority country. The role of Islam

in state and society is always of interest, with Indonesia frequently positioned as a "model Muslim democracy".

References

- Ahdanisa, D., & Rothman, S. (2020). Revisiting international human rights treaties: comparing Asian and Western efforts to improve human rights. *SN Social Sciences*, 1(1). doi: 10.1007/s43545-020-00018-0
- Andrews, K. (2018). *Myanmar-market opportunity or messy risk? A perspective on how an Australian university responds to the need for the kind of education that enables a decent living in Myanmar* (Doctoral dissertation, RMIT University).
- Aspinall, E., Fossati, D., Muhtadi, B., & Warburton, E. (2020). Elites, masses, and democratic decline in Indonesia. *Democratization*, 27(4).
- Bagir, Z., & Mubarak, H. (2022). Religious freedom, harmony or moderation? Government attempts to manage diversity - Indonesia at Melbourne. Retrieved 24 May 2022, from <https://indonesiaatmelbourne.unimelb.edu.au/religious-freedom-harmony-or-moderation-government-attempts-to-manage-diversity/>
- Bland, B. (2020). Historical tensions and contemporary governance challenges in Southeast Asia: the case of Indonesia.
- Bunnell, T. (2019). *International schooling and education in the 'new era': Emerging issues*. Emerald Group Publishing.
- Butcher, T. J. (2021). *Developing Identity: Exploring the History of Indonesian Nationalism*. The University of Vermont and State Agricultural College.
- Deasy Simandjuntak, (2021). *Disciplining the Accepted and Amputating the Deviants: Religious Nationalism and Segregated Citizenship in Indonesia*. *Asian Journal of Law and Society*, (), -. doi:10.1017/als.2020.49
- Dharmawan, N. K. S., Kasih, D. P. D., Kurniawan, I. G. A., & Samsithawrati, P. A. (2018). The guiding principles on business and human rights: National action plans toward corporation responsibility. *Hasanuddin Law Review*, 4(2).
- Gooding, P. (2017). *A new era for mental health law and policy: supported decision-making and the UN Convention on the Rights of Persons with Disabilities*. Cambridge University Press.
- Hasan, N. (2018). Laskar jihad. In *Laskar Jihad*. Cornell University Press.
- Irmansyah, I. & Minas, H. (2009). Human rights of persons with mental illness in Indonesia: more than legislation is needed. *International Journal Of Mental Health Systems*, 3(1). doi: 10.1186/1752-4458-3-14

- Jones, B. (2021). Book Review: Indonesia: State and Society in Transition. *Journal Of Current Southeast Asian Affairs*, 41(1). doi: 10.1177/1868103421998002
- Juwita, R. (2017). Corruption as A Violation of the Right to Education in Indonesia. Retrieved 24 May 2022, from <https://scite.ai/reports/corruption-as-a-violation-of-W8IEPkQ>
- Kawamura, K. (2019). Politics of Inequality in Indonesia: Does Democracy Matter?. In: Tsunekawa, K., Todo, Y. (eds) *Emerging States at Crossroads. Emerging-Economy State and International Policy Studies*. Springer, Singapore. https://doi.org/10.1007/978-981-13-2859-6_11
- Lamchek, J. S. (2019). *Human rights-compliant counterterrorism: Myth-making and reality in the Philippines and Indonesia*. Cambridge University Press.
- Larson, E. M. (2019). *Civic and Religious Education in Manado, Indonesia: Ethical Deliberation about Plural Coexistence* (Doctoral dissertation, Boston University).
- Leslie, H., & Wild, K. (2018). Post-hegemonic regionalism in Oceania: examining the development potential of the new framework for Pacific regionalism. *The Pacific Review*, 31(1).
- Lukito, R. (2018). State and Religion Continuum in Indonesia The Trajectory of Religious Establishment and Religious Freedom in the Constitution. *Indon. J. Int'l & Comp. L.*, 5.
- McGregor, K., & Setiawan, K. (2019). Shifting from international to “Indonesian” justice measures: Two decades of addressing past human rights violations. *Journal of Contemporary Asia*, 49(5), 837-861.
- McGregor, K., & Setiawan, K. (2019). Shifting from international to “Indonesian” justice measures: Two decades of addressing past human rights violations. *Journal of Contemporary Asia*, 49(5), 837-861.
- Miller, D. (2017). *Liberty Reader*. Routledge.
- Nandyatama, R., & Rum, M. (2020). Is ASEAN doing enough to address business and human rights?. *Melbourne Asia Review*, 3. doi: 10.37839/mar2652-550x3.7
- Olivia, (2019) The Politics of Human Rights in Indonesia: The Failure to Adopt the Rome Statute of the International Criminal Court (ICC). Retrieved 24 May 2022, from <https://flex.flinders.edu.au/file/49326e71-e08b-4255-81b1-3300fa6d9351/1/ThesisOlivia2019OA.pdf>

- Olivia, Y. (2019). *The Politics of Human Rights in Indonesia: The Failure to Adopt the Rome Statute of the International Criminal Court (ICC)* (Doctoral dissertation, Flinders University, College of Business, Government and Law.).
- Rafael, V. L. (2021). *The Sovereign Trickster: Death and Laughter in the Age of Duterte*. Duke University Press.
- Rakhmani, I., & Abu-Lughod, L. (2017). *Mainstreaming Islam in Indonesia*. London: Palgrave Macmillan.
- Rubenstein, C. (Ed.). (2017). *Islam in Asia: Changing Political Realities*. Routledge.
- Rüland, A. (2022). *Norms in Conflict: Southeast Asia's Response to Human Rights Violations in Myanmar*. University Press of Kentucky.
- Rüland, J. (2017). Democratizing foreign-policy making in Indonesia and the democratization of ASEAN: a role theory analysis. *TRaNS: Trans-Regional and National Studies of Southeast Asia*, 5(1).
- Schwarz, A. (2018). *A nation in waiting: Indonesia's search for stability*. Routledge.
- Setiawan, K. M., & Tomsa, D. (2022). *Politics in Contemporary Indonesia: Institutional Change, Policy Challenges and Democratic Decline*. Routledge.
- Steilen, M. (2018). How to Think Constitutionally About Prerogative: A Study of Early American Usage. *Buff. L. Rev.*, 66, 557. *Universal Declaration of Human Rights, 1948*
- Wade, M. (2020). *Island City: Urban Development, Planning, and Real Estate in Jakarta*. University of California, Berkeley.
- Wahid, A. (2018). Campus on Fire: Indonesian Universities During the Political Turmoil of 1950s-1960s. *Archipel. Études interdisciplinaires sur le monde insulindien*, (95). `
- White, N. D., Footer, M. E., Senior, K., van Dorp, M., Kiezebrink, V., Puraka, Y., & Anzas, A. F. (2018). Blurring public and private security in Indonesia: corporate interests and human rights in a fragile environment. *Netherlands International Law Review*, 65(2)
- White, N., & Footer, M. (2018). Blurring Public and Private Security in Indonesia: Corporate Interests and Human Rights in a Fragile Environment. *Netherlands International Law Review*, 65(2). doi: 10.1007/s40802-018-0107-8
- Wrong, D. H. (2017). *Power: Its forms, bases, and uses*. Routledge.



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SURAT TUGAS

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Pimpinan Program Studi Hukum Program Magister Program Pascasarjana
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Mengikuti Post-Doctoral Programme “Social Sciences and Humanities in a Post-crisis Period” pada 1 – 15 Juni 2022 di University of Catania and the European Scientific Institute (ESI).

Demikian surat tugas ini diberikan untuk dilaksanakan sebaik-baiknya.

Jakarta, 10 Mei 2022
Kaprosdi Magister Hukum,



Dr. Gindo L. Tobing, S.H., M.H

Tembusan:

1. Direktur PPs
2. Wadir PPs



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Jakarta, 10 September 2021

Direktur Program Pascasarjana UKI,

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Tembusan:
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ESI Postdoctoral Program
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October 2021 - December 2022



Certificate

awarded to

Manotar Tampubolon

Christian University of Indonesia, Indonesia

In recognition of program completion





This is to certify that

Manotar Tampubolon

Has participated as visiting post-doc researcher to the ESI visit organized by the University of Catania from the 06th June 2022 to the 15th June 2022 discussing his post-doc research project with his scientific tutor and presenting it in various meeting to professors, staff and students of the host institution.

Catania 15/06/2022



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