

CHAPTER I

INTRODUCTION

1.1 Background

In daily life and in the state some rights must be respected by all humans without exception, namely human rights. Human rights are rights inherent in every individual and these rights cannot be contested by anyone and must be respected. In its implementation, there are often violations of human rights that occur, carried out by individuals or groups.

Examples of human rights violations that are currently unresolved starting from the new order, namely :

1. The kidnapping of activists in 1998. The kidnapping of activists in 1998 is a violation of human rights in the form of enforced disappearances.
2. The murder of Munir, an activist who actively fought for human rights. Munir died while traveling by plane to Amsterdam, the Netherlands.
3. The Trisakti Tragedy. The Trisakti tragedy occurred on May 12, 1998. In this tragedy, four students died as a result of being shot, including Hafidin Royan, Elang Mulia Lesmana, Hertanto, and Hendriawan Sie. (Source : <https://www.kompas.com/skola/read/2020/11/01/155130269/pelang-garan-ham-jenis-dan-contoh-kasus?page=all> accessed on 4 November 2020, at 16.00).

Human rights violations that occurred in the past and have not been resolved until now, will become a problem if it is not resolved.

YLBHI as a Legal Aid Institute that also handles various human rights issues continues to oversee the fulfillment of rights for everyone without exception in realizing justice for the community. The Indonesian Legal Aid Foundation (YLBHI) noted that there were 16 cases of expropriation of community land by unscrupulous companies involving security forces. From 2 March to 2 May 2020, YLBHI recorded 16 cases of community land grabbing. The sectors affected are still around plantations, forestry,

infrastructure, mining, and tourism. As a result of the confiscation, currently, at least 70 families have lost their land and more than 900 families will lose their land in the current pandemic situation. (Source : <https://nasional.kompas.com/> Access on 4 November 2020, at 17.10).

Legal aid offices in Indonesia received reports of complaints of agrarian conflict cases which reached 300 cases in 16 provinces with an area of conflict land reaching 488,404.77 hectares. In all cases of this agrarian conflict, there were 367 human rights violations committed by various actors.



Picture 1.1

Number of conflicts handled by Indonesian Legal Aid Foundation in 2018

Based on the annual report released by the Indonesian Legal Aid Foundation (YLBHI), agrarian conflicts that occurred in 16 provinces in Indonesia recorded that West Java was in the second-highest position.



Picture 1.2

Distribution of agrarian conflict cases in 16 regions of Indonesia

(source : <https://ylbhi.or.id/bibliografi/laporan-hukum-dan-ham-ylbhi-2018-derita-rakyat-ketika-negara-di-bawah-kuasa-modal/> Access on 10 August 2021 at 14.00)

The number of Legal Aid Institutions in Indonesia under the auspices of the Indonesian Legal Aid Foundation (YLBHI) is 17 institutions spread across several regions in Indonesia. Banda Aceh Legal Aid Institute, Medan Legal Aid Institute, Padang Legal Aid Institute, Pekanbaru Legal Aid Institute, Palembang Legal Aid Institute, Bandar Lampung Legal Aid Institute, Jakarta Legal Aid Institute, Bandung Legal Aid Institute, Semarang Legal Aid Institute, Legal Aid Institute Yogyakarta, the Surabaya Legal Aid Institute, the Denpasar Legal Aid Institute, the Makassar Legal Aid Institute, the Manado Legal Aid Institute, the Papua Legal Aid Institute, and most recently the Palangkaraya Legal Aid Institute, the Samarinda Legal Aid Institute. (Source <https://ylbhi.or.id/> accessed 31 July 2021 at 20.30)

One of the legal issues that often causes conflict is related to human rights violations, namely cases related to land disputes. Land disputes that occur often lead to conflicts between individuals and individuals or individuals and groups. In the process of settlement in court often do not get satisfactory results. The Ministry of Agrarian Affairs and Spatial

Planning/Indonesian State Land Agency recorded 9000 cases related to land disputes that occurred until October 2020. (Source: <https://www.kompas.com/properti/read/2020/11/04/185030121/konflik-pertanahan-9000-kasus-pengamat-sarankan-pemerintah-bagi-bagi?page=all> Accessed on 20 June 2021 at 14.20).

Based on data from the website of the National Human Rights Commission, the highest number of complaints regarding defense-related human rights violations was in 2020 with a total of 208 complaints, compared to 30 other criteria. Violation of human rights cannot be justified for any reason because it is a form of violation of the law and can be processed and prosecuted. (Source: <https://ham.go.id/data-pengaduan-masyarakat-2020/> Accessed on 20 June 2021 at 16.00)

The author chose to take the city of Bandung because on December 11, 2020 the city of Bandung received an award from the Ministry of law and human rights of the Republic of Indonesia as a city that cares about human rights, but on 12 December 2020, the eviction that occurred in Tamansari Bandung was suspected of violating human rights. in the eviction process, this is in contrast to the award that was won by the City of Bandung as a City that Cares for Human Rights.



Picture 1.3 Evictions of Tamansari and Alleged Human Rights Violations
(Source:<https://nasional.kompas.com/read/2020/01/15/07080911/pengurusan-tamansari-dan-dugaan-pelanggaran-ham?page=all> Accessed on 20 June 2021 at 16.10)

The police and satpol PP unit were suspected of committing violence that violated human rights against residents during the evictions. The Bandung Legal Aid Institute revealed that there were 37 victims of violence during the eviction in Tamansari, Bandung, West Java, Thursday, December 12, 2020. The victims consisted of residents and volunteers in solidarity with the eviction of Tamansari. In the process of eviction Tamansari carried out by the Police and Satpol PP, there are many potentials related to human rights violations. Commissioner of the National Human Rights Commission, Mohammad Choirul Anam, said that there were violations of human rights during the evictions in Tamansari, Bandung, West Java. (Source: <https://nasional.kompas.com/read/2020/01/15/07080911/penggusuran-tamansari-dan-dugaan-pelanggaran-ham?page=all> Accessed on 4 November 2020 at 10.15)

The conflict that occurred between the residents of Tamansari and the Bandung City Government began with a program made by the Bandung City Government to organize slum settlements for the better with the 2019 slum-free Bandung program, the program is planned to be built with row houses. However, the development process to be carried out by the Bandung city government was rejected by the residents of Tamansari because the compensation system mechanism which was considered by the residents was not in favor of the residents affected by the evictions in Tamansari so that the residents refused the construction of row houses. On the other hand, the Bandung City government provides cash compensation of 25% of the NJOP. (Tax Object Sales Value) is the estimated price of houses and buildings which is calculated based on the area and zone of the house and its building. however, the people of Tamansari negotiated to increase the compensation by 70% from the NJOP. In the negotiation process that took a long time so that some residents gave in to accept the compensation provided by the Bandung city government and some residents were still struggling to demand an increase in compensation which they felt was fairer. Tamansari residents continue to make efforts to resist starting from getting legal assistance from the Bandung Legal Aid Institute to achieve the desired results. (Ridho & Ishartono, 2019:128)

The city of Bandung was awarded the City Cares for Human Rights by the Director-General of Human Rights at the Indonesian Ministry of Law and Human Rights, Mualimin Abdi, in commemoration of World Human Rights Day which was held at Merdeka Building, Asia Afrika street Bandung Tuesday, December 11, 2019.



Picture 1.4 Ministry of Law and Human Rights Gives Bandung City the Label of City Cares for Human Rights

(Source <https://www.pikiran-rakyat.com/bandung-raya/pr-01325191/kemenkumham-berikan-kota-bandung-label-kota-peduli-ham?page=2> Accessed on 4 October 2020 at 16.00)

12 December 2019 the award is contrary to the eviction action against residents living in Tamansari Bandung Wetan District Bandung. This eviction was carried out by Satpol PP Bandung city by not according to procedure and violating human rights while the court process is still ongoing. On 11 December 2019, the Bandung City Government through Satpol PP Bandung City went to the Chairman of RW 11 and handed over a letter emptying the house that has been life for many years. The letter only contains those residents immediately vacate their homes voluntarily. But on 12 December 2019, 100 person satpol PP Bandung went to the location where residents lived to carry out evictions. Satpol PP Bandung force his way into the surrounding house. Satpol PP also dragged and hit the children of residents until his hands were in pain and removed people's belongings from the house. When the solidarity tried to stop the demolition, they were confronted and

beaten by police. About three solidarity protesters were caught but returned free. Then the escalator has started to move and dismantle people homes.



Picture 1.5 Bandung is not human rights friendly: Tamansari eviction is not according to procedure and is accompanied by violence

(Source <https://www.lbhbandung.or.id/> Accessed on 4 october 2020 at 16.40).

Human rights violations that occurred in Tamansari during the eviction process are a social problem that occurs in Indonesia. The issue of land disputes in Indonesia is a problem that always exists from year to year and always causes prolonged conflict and often human rights violations in the process of land dispute execution. This happens because of excessive actions carried out by the security forces in the execution process, causing acts of brutalism carried out by the security forces to communities experiencing conflict and, in the process, arise human rights violations that occur. Bandung Legal Aid Institute as a non-governmental organization is present to provide legal assistance for those who are need legal assistance for free. Bandung Legal Aid Institute also held a program called KALABAHU. Held in 2018 and 2019 for students to raise public concern about the importance of human rights in society.

Researchers chose to conduct research on the communication strategies of Bandung Legal Aid Institute because the communication strategy carried out by Bandung Legal Aid Institute was interesting because many steps were taken such as the dissemination of information through

social media and through offline in the time before the Covid-19 pandemic. This can be proven by the active publications conducted by legal aid agencies in providing understanding about human rights and helping to solve legal problems experienced by the community. The research method used is qualitative descriptive with the paradigm of constructivism because researchers want to get in-depth and comprehensive information to get the facts of reality that occur.

Based on the background described above, the author conducted a study with the title **Communication Strategy of Bandung Legal Aid Istitute (LBH) to Resolve Case of Human Right Violation in Tamansari Bandung.**

1.2 Research Focus

Based on the above learning background, I have the focus of research on, Communication Strategy of Bandung Legal Aid Istitute (LBH) to Resolve Case of Human Right Violation in Tamansari Bandung.

1.3 Research Identification

Based on the background and research focus above, the writer formulate the following research questions “How Communication Strategy of Bandung Legal Aid Istitute (LBH) to Resolve Case of Human Right Violation in Tamansari Bandung ?

1.4 Research Objectives

Based on the background that the authors have presented, the focus of the research and identification of problems, from that the objectives of this study are, “How Communication Strategy of Bandung Legal Aid Istitute (LBH) to Resolve Case of Human Right Violation in Tamansari Bandung.

1.5 Research Benefits

The benefits of this research include 2 aspects, namely:

1.5.1 Academic Aspects

The benefits of this research academically are expected to be a reference in the development of communication science, especially in the study of communication strategy theory.

1.5.2 Practical Aspects

It is hoped that this research can provide new thinking for legal aid institutions to develop Communication Strategy of Bandung Legal Aid Institute (LBH) to Resolve Case of Human Right Violation in Tamansari Bandung.

1.6 Location and Time of Research

Table 1.1 Research Period

No	Activity	2020												2021															
		Week/Month																											
		Septem ber				October				Novemb er				June				July				august				septem ber			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1	Desk Evaluation	■	■	■	■	■	■	■	■	■	■	■	■																
2	Data Collection														■	■													
3	Data Analysis																		■	■									
4	Arrange Chapter IV and Chapter V																						■	■	■	■	■	■	■
5	Thesis Defence																												

Source : Processed by Researchers 2021