

Position of Resolving Human Rights Violations through The Truth and Reconciliation Commission (TRC) Mechanism in Indonesia

Nora Liana^{1*}, Ricky Rosiwa¹, Ahmad Mulia Sembiring¹,
Dona Popou Saragih¹, Ade Ira Octa Femi¹, Malahayati²

¹ Master of Law Student, Faculty of Law, Universitas Malikussaleh, Aceh, Indonesia

² Lecturer of Law, Faculty of Law, Universitas Malikussaleh, Aceh, Indonesia

Submitted: 06 January 2025

Revised: 02 July 2025

Published: 09 July 2025

Abstract:

Resolving human rights violations in Indonesia is a complex issue, considering the many cases of violations that occurred during the conflict, especially during the New Order period. One of the mechanisms proposed to resolve the issue of human rights violations is through the establishment of a Truth and Reconciliation Commission (TRC). The TRC functions to reveal the truth about past human rights violations, provide an opportunity for victims to obtain justice, and encourage the process of social reconciliation. The aim is to examine the position of the TRC in the context of resolving human rights violations in Indonesia, both in terms of law, its role in victim recovery, and the challenges faced in its implementation. This study also highlights the differences between resolution through the judicial route and resolution through the TRC, and the extent to which the TRC can create restorative justice without ignoring applicable legal principles. Through the analysis, it is hoped that a deeper understanding can be obtained regarding the potential and limitations of the TRC mechanism in realizing the resolution of human rights violations in Indonesia.

Keywords: Truth and Reconciliation Commission (TRC), Resolution, Human Rights Violations, Indonesia

INTRODUCTION

Human rights violations in Indonesia have been an inseparable part of the country's long history, especially those that occurred during the New Order Era. Cases of human rights violations involving violence, enforced disappearances, torture, and discrimination against various groups have caused deep trauma to victims and their families (Juwana, 2016). Although many cases of human rights violations have come to the surface, efforts to seek justice for victims often reach a dead end in failure. The inability of the national justice system to resolve these cases effectively, coupled with the limitations of state institutions in providing substantive justice, necessitates the consideration of alternative solutions (Fitriana, 2021).

In this context, the Truth and Reconciliation Commission (TRC) mechanism emerged as one option to address this issue. The TRC does not aim to replace the criminal justice process but rather focuses on revealing the truth about human rights violations that occurred in the past, with the hope of providing

*Corresponding Author : Nora Liana, Faculty of Law, Universitas Malikussaleh, Aceh, Indonesia,
ORCID ID: 0009-0009-8990-4527, E-mail:
nora.237410101021@mhs.unimal.ac.id

a clearer understanding of the events, providing space for victims to be heard, and creating social reconciliation between the parties involved (Hatta, 2019). The TRC also prioritizes the principle of restorative justice, namely, approaching problem-solving with more emphasis on restoring relationships, reparation for victims, and preventing the same violations from happening again in the future (Taum, 2015).

However, the implementation of the TRC in Indonesia has not been without challenges. In addition to political and legal issues involving state actors, there is resistance from various parties who feel disadvantaged by the disclosure of the truth or its potential impact on social and political stability. However, the concept of the TRC is considered important to maintain the continuity of a democratic and just state and to avoid repeating the same dark history (Miko, 2020).

The long history of human rights violations in Indonesia, especially during the New Order period, shows that resolution through ordinary court channels often fails to achieve substantial justice. Existing courts are often hampered by political factors and the inability of the legal system to handle human rights violation cases involving state officials. Therefore, the TRC is expected to provide a more effective alternative solution in seeking the truth and providing justice to victims without waiting for a long and potentially hampered judicial process (Marzuki, 2010).

The mechanism of the TRC in Indonesia cannot be separated from the historical context of human rights violations involving the state, especially during the New Order. One example of human rights violations is the 1965-1966 Tragedy, which involved the killing of members or sympathizers of the Indonesian Communist Party (PKI) and groups considered affiliated with communism, both those directly involved in the incident and those who were only the target of slander (Chandra, 2017). According to records, approximately 500,000 to 1 million people died in this massacre, while many victims were imprisoned without a clear legal process (Heidhues, 2021). To date, many families of the victims are still seeking justice and recognition of the suffering experienced by those closest to them.

Another incident that involved human rights violations was the 1998 incident, which occurred before the fall of the New Order regime. During this period, there were massive student protests that culminated in the Trisakti Tragedy (1998), which resulted in the deaths of several students due to gunfire from the security forces (Hatta, 2019). During the same period, there were a number of kidnappings of pro-democracy activists allegedly carried out by the military, which have not been fully revealed to this day. In many of these cases, the victims' families and the wider community want justice, but most existing judicial processes have failed to comprehensively reveal the truth (Sari and Hanifah, 2024).

Although some cases of human rights violations have been brought to court, such as the East Timor Case (1999), where several Indonesian officials were prosecuted at the International Human Rights Court and several military figures were tried for their roles in the violence, these efforts have not fully met the public's expectations for broader justice (Putra & Irwansyah, 2019). Many argue that resolution through formal judicial channels only provides a small part of the overall picture of the truth regarding human rights violations. In this context, the emergence of the Truth and Reconciliation Commission (TRC) as an alternative resolution to human rights violations aims to fill the gap in resolving cases of violations that cannot be resolved formally.

Based on the experience of other countries, such as South Africa with the Truth and Reconciliation Commission (TRC) mechanism, the TRC can function as a means to explore historical truth, listen to victim testimonies, and provide an opportunity for perpetrators to reveal their roles in a way that does not punish but provides restitution to victims (Stanley, 2021). However, in Indonesia, the TRC has not been maximized to date, although it has been proposed several times as a solution to past human rights violations. One example that can be used as a reference is the Truth and Reconciliation Commission Bill, which was first discussed in the early 2000s. Although it received support from several groups, including civil society organizations and victims of human rights violations, this bill faced significant political obstacles at the legislative level, given the disapproval of parties directly involved in the violations (Nasution, 2018).

Some of the major obstacles faced in implementing the TRC in Indonesia are issues of political will. The TRC is still considered a more inclusive and restorative solution than relying solely on formal courts, which are often hampered by various factors. The TRC focuses on revealing the truth and reconciliation and provides space for victims to express their suffering, while perpetrators can admit their roles without fear of punishment. This restorative justice aims to improve social and political relations and rebuild public trust in the state and legal institutions (Tenriawaru et al., 2022).

However, it can face challenges of legality and legitimacy because the TRC does not have the authority to prosecute or impose penalties, unlike the judicial mechanism. In this context, the role of the government and related institutions is crucial in providing support to ensure the effective functioning of the TRC. The experience of countries that have established TRCs, such as Chile and Canada, shows that a strong commitment from the government is very important in determining the success of this mechanism in achieving its ultimate goal, namely, reconciliation and broader social justice. By considering various historical facts and unresolved cases of human rights violations, the TRC in Indonesia is an important choice to encourage the disclosure of the truth and provide alternative solutions for victims who have long been waiting for justice to be served. This can pave the way for the restoration of healthier social relations, while ensuring that similar violations do not recur in the future (Adhyanti, 2012).

The main objective of this study is to examine the TRC's position in resolving human rights violations in Indonesia. Focusing on how this mechanism works in the context of restorative justice, this article discusses the relevance of the TRC in the Indonesian legal system, its role in providing reparations for victims, and the challenges and obstacles faced in its implementation. In addition, this article compares the role of the TRC with formal justice mechanisms in resolving human rights violations and the extent to which the TRC can contribute to the creation of sustainable national reconciliation. Amidst the existing challenges, the existence of the TRC has the potential to be an effective instrument in fostering collective awareness of the importance of respecting human rights and strengthening the state's position in restoring public trust through the objective and fair disclosure of the truth.

METHODS

The research method used in this study was normative legal research, which aims to explore and analyze the resolution of human rights violations (HAM) in Indonesia through the TRC mechanism (Christiani, 2016). This approach was chosen because the focus of the research is on an in-depth understanding of the role, challenges, and impacts of the TRC in the context of resolving human rights violations in Indonesia, which requires a comprehensive analysis of various social, political, and legal factors. For data collection, the study relied on document studies and related literature covering laws, regulations, and cases related to the TRC. To analyze the data, this study used analytical techniques to examine and interpret information obtained from various sources (Soekanto, 2006).

This technique allows for exploring the main themes, patterns, and issues that emerge related to the implementation of the TRC, as well as identifying the factors that influence its success or failure. In addition, this study will compare the implementation of the TRC with the experiences of other countries that have similar mechanisms, such as South Africa and Chile, to gain a broader perspective on the potential and challenges of implementing the TRC in Indonesia (Setiyanta, 2023). This research methodology was designed to offer an in-depth analysis of the TRC's position and effectiveness in addressing human-rights violations in Indonesia. It aims to identify the challenges and opportunities that can enhance the optimal implementation of this mechanism.

RESULTS

The TRC in Indonesia plays an important role in efforts to resolve past human rights violations, particularly in the context of achieving restorative justice. In this case, the TRC does not aim to replace the criminal justice process but rather focuses on revealing the truth, restoring social relations,

and providing space for victims to express their suffering (Herlinda Safira et al., 2022). Thus, the TRC has a strategic position in efforts to create more holistic justice, where not only the perpetrators are examined but also the victims are given space to gain recognition of the suffering they have experienced.

Theoretically, the TRC is non-judicial in the Indonesian legal system, which means that it does not have the authority to try or sentence perpetrators of human rights violations. Therefore, the role of the TRC is more focused on the process of revealing the truth about the violations that occurred and providing opportunities for victims to obtain justice in the form of reparations, both material and non-material. In this context, the TRC functions as a mechanism that complements the formal judicial process, which is often hampered by various obstacles in terms of law, politics, and power. Many human rights violations that occurred in the past could not be resolved formally through the court system, especially if they involved state actors or military personnel (Komisi Nasional Hak Asasi Manusia, 2021).

Therefore, the TRC was established to fill this gap, providing an opportunity for victims to get justice, even though the perpetrators cannot be directly punished (Tumbo, 2020). In addition, the existence of the TRC is very relevant in the context of restorative justice, which is an approach that emphasizes restoring relations between parties involved in human rights violations, both between victims and perpetrators. In this case, the TRC provides an opportunity for perpetrators to be responsible for their actions, but with a more forgiving approach, where acknowledging mistakes becomes part of the reconciliation process. This is different from the formal justice process, which prioritizes imposing sanctions on perpetrators (Judge, 2014).

The TRC's role is also seen in its efforts to reduce social tensions caused by past human rights violations. This reconciliation is not only limited to the relationship between victims and perpetrators but also includes efforts to improve social and political relations at a broader level. In this case, the TRC serves as an instrument to reduce social polarization and help society move forward without being trapped in prolonged resentment or hostility. However, although the TRC has great potential to achieve restorative justice, its biggest challenge is political resistance, especially from parties directly involved in the violations. For example, in cases of violations involving state officials or the military, resistance from these parties is a significant obstacle to the effective implementation of the TRC (Akmal, 2019).

Revealing the truth and providing space for victims to obtain reparation, there are concerns that the TRC may not be able to directly provide legal justice to victims or impose sanctions on perpetrators. This is because the TRC operates within a framework that does not have the authority to formally prosecute, meaning that even if the truth can be revealed, perpetrators still cannot face an adequate legal process. This can cause dissatisfaction for some parties who want further justice through the courts. Nevertheless, the existence of the TRC as an alternative to resolving human rights violations in Indonesia remains crucial. The TRC offers a middle ground that allows the process of revealing the truth to be carried out openly without having to go through a judicial process that is sometimes hampered by political or legal issues. In this context, the TRC is an effective tool for encouraging the reconciliation process and creating more inclusive social justice based on the recognition of victims' rights (Akmal, 2019).

Overall, the TRC plays an important role in resolving human rights violations in Indonesia, especially in achieving restorative justice. Although there are obstacles to its implementation, the TRC remains a mechanism that has the potential to create more comprehensive justice and repair social relations damaged by past human rights violations. The TRC can provide solutions for Indonesian society to face its dark history and move towards a more just and peaceful future. The Truth and Reconciliation Commission (TRC) in Indonesia plays a crucial role in efforts to resolve past human rights violations (Pasha, 2017). Facts show that several major human rights violations have occurred in Indonesia.

Legally, the TRC's position is regulated by several laws related to the resolution of human rights violations. Law Number 26 of 2000 concerning the Human Rights Court states that a human rights court can be established to try serious human rights violations such as mass murder and enforced disappearances. However, this court has limitations in handling cases involving state power or events

that occurred long ago, which are often difficult to prove through formal evidence (Rahmah, 2023). Therefore, the existence of the TRC is seen as an important mechanism to complement the existing judicial process by prioritizing the disclosure of truth and social reconciliation. Article 43 of the Human Rights Court Law provides a legal basis for the establishment of the TRC, which is tasked with revealing the truth and providing recommendations regarding reparations for victims (Main, 2016).

In 2004, Indonesia passed Law Number 27 of 2004 concerning the Truth and Reconciliation Commission. The articles in this law specifically regulate the establishment of the TRC as a body with the authority to investigate human rights violations that have occurred, reveal the truth, and provide an opportunity for perpetrators to admit their mistakes to facilitate reconciliation. For example, Article 10 of the TRC Law explains the purpose of establishing the TRC, which focuses on investigating gross human rights violations, revealing the truth, and providing victims with an opportunity to receive reparation. This article emphasizes that the TRC is not only a tool to seek justice for victims but also a means to repair social relations damaged by violations.

However, although the law provided a legal basis for the TRC, its implementation has not been smooth. One of the biggest challenges is political resistance from various parties, especially those who feel threatened by the disclosure of the truth regarding major events involving state actors. For example, in cases such as the 1965 incident or the 1998 tragedy, the disclosure of the truth through the TRC can give rise to political tensions involving parties who do not want to see their past exposed. This makes it difficult to implement the TRC optimally (Asy'ari et al., 2013). This is based on the Constitutional Court Decision Number 006/PUU-IV/2006. This TRC Law was submitted for Judicial Review at the Constitutional Court in relation to Article 1, Paragraph 9, Articles 24, and 27. The Judge's Decision stated that the application could not be accepted against the articles submitted, meaning that the application by the applicant did not have a permanent legal force (Syuib & Hasnawati, 2022).

The TRC also faces limited authority in imposing legal sanctions on perpetrators of human rights violations. Although the TRC can reveal the truth and provide recommendations regarding reparations for victims, it does not have the authority to prosecute perpetrators in court or to impose criminal penalties. This makes the TRC focus more on restorative justice, which prioritizes the restoration of social relations and recognition of the suffering of victims rather than simply punishing perpetrators. In this case, the TRC functions as an instrument to create reconciliation between the parties involved, even without a formal judicial process.

The existence of the TRC in the Indonesian legal system has a strategic role in resolving human rights violations, but it still faces various challenges from political, legal, and social aspects. The articles regulating the TRC, as stated in Law Number 27 of 2004 and Law Number 26 of 2000, provide an important legal basis for resolving human rights violations through truth disclosure and social reconciliation. However, for the TRC to function effectively, political commitment and the readiness of state institutions are needed to fully support this process (Firdiansyah, 2016). Thus, although the TRC has a very important position in realizing restorative justice, the implementation process requires serious attention from all parties, including the government, state institutions, and the public in general.

DISCUSSION

The implementation of TRC in Indonesia faces various political, legal, and social obstacles. Political obstacles are one of the biggest challenges in implementing the TRC. One of the main factors is the resistance from political and military elites who feel threatened by the disclosure of the truth regarding past human rights violations. This causes discomfort among those directly involved in the events, and they tend to reject or slow down the process of establishing the TRC (Nasution, 2018).

However, revealing the truth can impact Indonesia's international relations. Some countries may have interests related to human rights violations in Indonesia, and reopening these cases could damage the diplomatic relations that have been built. Therefore, these political obstacles focus more on how

political elites manage sensitive issues related to the country's history and their positions in current politics. In addition, the legislative process related to the formation of the TRC. Legal obstacles in the implementation of the TRC are related to the limited authority of the TRC itself, which does not have the legal power to prosecute, although it has an important role in revealing the truth and providing recommendations for sentencing perpetrators of human rights violations. The TRC focuses more on seeking truth and restoring social relations than on imposing legal sanctions. This has caused dissatisfaction among many victims who feel that justice will not be achieved by simply acknowledging the events that have occurred.

They want a clearer process for prosecuting perpetrators of violations, either through the courts or other judicial processes that can provide more concrete sanctions. Without strong legal authority, the TRC's recommendations are often not fulfilled, giving the impression that justice is not fully implemented (Maringka, 2022). In addition, although there are laws governing the TRC, such as Law Number 27 of 2004, which provides a legal basis for the establishment of the TRC, its implementation remains limited. Another legal obstacle is the lack of clarity and uncertainty regarding the implementation of existing regulations. Several recommendations from the TRC, such as compensation or reparations for victims, are often not implemented optimally due to a lack of support or inconsistent implementation at the government level or related institutions. This shows that although there are regulations, their implementation is inadequate, especially in terms of fulfilling victims' rights.

Social barriers also pose significant challenges to the implementation of the TRC. Indonesian society, particularly those directly involved in or closely connected to past human rights violations, tends to have highly polarized views on truth and reconciliation. On the one hand, victims of human rights violations want recognition and justice for their suffering, while on the other hand, there are certain parties who refuse to acknowledge the violations or feel that reopening old events will lead to social divisions. In many cases, communities involved in the violations prefer to forget or cover up the truth rather than face it openly because they are afraid or unprepared for the social consequences that could arise from such disclosure (Yunanto and Damayanti, 2021).

In addition, there is also resistance to the restorative justice approach promoted by the TRC. Many victims and community groups feel that restorative justice, which emphasizes reconciliation and restoration of relationships between parties, is insufficient to provide the justice they expect. For them, retributive justice, in which perpetrators are punished according to their actions, is a fairer and more appropriate step. This creates tension between those who want social recovery through truth-telling and reconciliation and those who feel that perpetrators lack understanding and community support for the importance of the disclosure process and must be punished as a form of stricter justice enforcement. In addition, truth and reconciliation hinder the implementation of the TRC. Many people do not fully understand the benefits of the TRC and how this process can positively impact the future of the nation, such as restoring damaged social relationships and preventing the recurrence of similar violations in the future. Without a broad understanding and support from the community, this reconciliation process is difficult to run effectively because the community tends to doubt the goals and results to be achieved through the TRC.

To overcome these obstacles, joint efforts are needed from all elements of society, government, and related institutions to create awareness about the importance of reconciliation and provide support for a more effective implementation of the TRC. Article 10 of Law Number 27 of 2004, for example, states that one of the objectives of establishing the TRC is to "submit recommendations to state institutions and related agencies regarding efforts to restore victims' rights." However, the lack of authority to prosecute perpetrators through the courts is one of the reasons why some political and military elites delay or hinder the disclosure of the truth that could harm their positions. This shows that even though the TRC is regulated by law, the reluctance to open old wounds involving certain parties in political power is often a major obstacle (Amin et al, 2019).

Furthermore, in the legislative context, although Article 12 of the TRC Law states that this commission can work independently and without interference from any party, in reality, there is often disagreement from institutions involved in the historical event. The establishment of the TRC also

depends heavily on the political commitment of the government and the ruling party. If the government does not fully support the TRC, either in terms of budget, resources, or policy implementation, then the recommendations or work results of the TRC will be difficult to accept or implement, as reflected in the inability to implement the recommendations issued by the TRC in several previous cases.

Regarding legal obstacles, although the TRC is regulated by Law Number 27 of 2004 concerning the Truth and Reconciliation Commission, which authorizes the TRC to investigate and reveal the truth regarding human rights violations, the existing articles do not provide sufficient legal authority for the TRC to impose sanctions on perpetrators. Article 11 of the TRC Law states that the TRC's recommendations focus on restoring victims' rights and social reconciliation but does not explicitly state that perpetrators of human rights violations must be punished or tried by the judiciary. This is a major obstacle because many victims of human rights violations feel that revealing the truth through the TRC is not enough without stricter legal action. The TRC, in essence, prioritizes restorative justice, which aims to restore social relations and provide an opportunity for perpetrators to admit their actions. However, Article 43 of the Human Rights Court Law states that if evidence of gross human rights violations is found, it can be brought to court, but this is a long process often hampered by evidence that is difficult to obtain after a long time. This indecisiveness becomes an obstacle because victims feel that justice is not realized only through recognition or social reconciliation.

In addition, although Article 8 of Law Number 26 of 2000 concerning the Human Rights Court states that the Human Rights Court can try human rights violations that occurred in the past, the process of proof in court is often hampered by the long time that has passed and the lack of physical evidence or living witnesses. This affects the effectiveness of the law in ensuring justice for victims. The TRC also faced similar difficulties because, although they could reveal the truth, they did not have the authority to take further legal action against the perpetrators, which was one of the dissatisfactions among victims and the community.

Social barriers related to public acceptance of the TRC can be seen in articles that state the purpose of the TRC in exploring truth and reconciliation. Article 10 of the TRC Law states that one of the main objectives of the TRC is to "reveal the truth completely and accurately about the events of gross human rights violations." However, social acceptance of this truth is not easy, considering the many parties involved in the violations, including the military, government, and other groups that have great influence in social and political life. Tensions between these groups often affect the readiness of the community to accept the results of the TRC investigation (Faisal, 2019).

In some cases, people who feel directly involved in the events, such as the families of victims or those who feel they are part of the group accused of being the perpetrators, will feel threatened if the truth is revealed. Article 11 of the TRC Law states that the recommendations of the TRC are non-binding, but the social impact of revealing the truth can be very large. Some groups in society may feel unprepared to accept the truth that has been hidden for so long, especially if the confession damages their view of the past or their families. This social tension further exacerbates the reconciliation process. Although the articles in the TRC Law want the restoration of social relations between parties involved in the violations, this is often hampered by the deep trauma experienced by victims and groups in society directly involved.

Communities that are not fully prepared to face it often refuse to reconcile. In addition, there is also resistance to the restorative justice approach promoted by the TRC. Many victims and community groups feel that restorative justice, which emphasizes reconciliation and restoration of relationships between parties, is not enough to provide the justice they expect. For them, retributive justice, in which perpetrators of violations are punished according to their actions, is a fairer and more appropriate step. This creates tension between those who want social healing through truth-telling and reconciliation and those who feel that perpetrators must be punished as a form of stricter enforcement of justice (Muhammad, 2024).

In addition, the lack of public understanding and support for the importance of the truth-telling and reconciliation process hampers the implementation of the TRC. Many people do not fully understand the benefits of the TRC and how this process can positively impact the future of the nation, such as

restoring damaged social relations and preventing the recurrence of similar violations in the future. Without a broad understanding and support from the public, this reconciliation process is difficult to run effectively because the public tends to doubt the goals and results to be achieved through the TRC.

Overall, based on the articles contained in the laws related to the TRC, both Law Number 27 of 2004 and Law Number 26 of 2000, we can see that although the law provides a sufficient basis for the implementation of the TRC, political, legal, and social obstacles remain. Political obstacles relate to resistance from parties that feel threatened by the disclosure of the truth. Legal obstacles relate to the TRC's limited authority to prosecute perpetrators or implement recommendations. Meanwhile, social obstacles arise due to tensions between groups involved in violations and the unpreparedness of the public to accept the truth. The implementation of the TRC requires further commitment from all parties, both at the political, legal, and social levels, to overcome these obstacles and ensure that restorative justice can be achieved properly.

CONCLUSION

The implementation of the TRC in Indonesia to resolve past human rights violations faces various complex challenges from political, legal, and social aspects. Although laws such as Law Number 27 of 2004 provide a clear legal basis for the existence of the TRC, political obstacles are one of the biggest obstacles, especially related to resistance from political and military elites who are worried that revealing the truth will damage political stability and harm their positions in power. In addition, in terms of law, although TRC have the authority to investigate and reveal the truth, they do not have the authority to prosecute or impose sanctions on perpetrators of human rights violations.

This makes many victims feel that the justice they hope for cannot be fully realized through the TRC's recognition and recommendations of the TRC. From a social perspective, Indonesian society is still divided in its views on reconciliation and truth-telling, with some groups feeling that reopening past events will only deepen divisions. Some victims want more concrete retributive justice, while others favor a restorative justice approach that emphasizes reconciliation. This tension suggests that public acceptance of the TRC is highly dependent on a shared understanding of the importance of reconciliation and healing social wounds caused by past human rights violations.

Overall, although the TRC has great potential to reconcile and reveal the truth, the existing challenges show that its implementation requires greater effort to overcome existing political, legal, and social obstacles. To achieve the desired goals, a strong commitment is needed from all parties, including the government, legislature, and community, to support the reconciliation process. If these obstacles can be overcome, the TRC can be an effective instrument for achieving restorative justice that brings healing to victims and improves social relations in Indonesia.

Conflict of Interest

All the authors declare that there are no conflicts of interest.

Funding

This study received no external funding.

How to Cite:

Liana, N., Rosiwa, R., Sembiring, A.M., Saragih, D.P., Femi, A.I.O. (2025). Position of Resolving Human Rights Violations Through the Truth and Reconciliation Commission (TRC) Mechanism in Indonesia. *International Journal of Law, Social Science, and Humanities (IJLSH)*, 2(2), 222-231. <https://doi.org/10.70193/ijlsh.v2i2.193>.

REFERENCES

- Adhyanti, H. (2012). Criminalization Policy Against Child Pornography in Legislation. *Amanna Gappa Journal of Law*, 20(3), 259-376.
- Amin, S. (2019). *Citizenship in Indonesia: Struggle for Rights, Identity, and Participation*. Jakarta: Yayasan Pustaka Obor Indonesia.
- Asy'ari, S., Hilipito, M.R., Ali, M.M. (2013). Model and Implementation of Constitutional Court Decisions in the Testing of Laws (Study of Decisions 2003-2012). *Constitutional Journal* 10(4), 675-708.
- Chandra, S. (2017). New Findings on the Indonesian Killings of 1965-66. *The Journal of Asian Studies*, 76(4), 1059–1086.
- Christiani, T. A. (2016). Normative and Empirical Research Methods: Their Usefulness and Relevance in the Study of Law as an Object. *Procedia-Social and Behavioral Sciences*, 219, 201–207. <https://doi.org/http://dx.doi.org/10.1016/j.sbspro.2016.05.006>
- Fitriana, I. (2021). Perlindungan Terhadap Hak-Hak Kelompok Minoritas Di Indonesia Dalam Mewujudkan Equality Before the Law. *Al Yasini: Jurnal Keislaman, Sosial, Hukum Dan Pendidikan*, 6(2), 232–238.
- Faisal, F. (2019). The Existence of Human Rights Courts in the Enforcement of Human Rights in the Justice System. *Gorontalo Law Review*, 2(1), 33-48. <https://doi.org/10.32662/golrev.v2i1.559>.
- Firdiansyah. (2016). The Role and Expectations of Victims for the Resolution of Past Gross Human Rights Violations. *Journal of Human Rights*, 16(2), 1-36.
- Hakim, Abdul Aziz. (2014). The Concept of Transitional Justice in Islamic Perspective. *Journal of Comparative Law*, 2(1), 191-213.
- Hatta, M. (2019). Kejahatan Luar Biasa: Extra Ordinary Crime. In *Unimal Press* (Vol. 1, Issue). <https://doi.org/10.1017/CBO9781107415324.004>
- Heidhues, M. S. (2021). The 1965-66 Elimination of Indonesian Communists: Two Recent Readings. *Archipel*, 101, 255–258. <https://doi.org/https://doi.org/10.4000/archipel.2460>
- Herlinda Safira, Ulfah Sakinah SP, & Almas Rioga Pasca P. (2022). Rekonstruksi KKR Sebagai Bentuk Pertanggungjawaban Negara Terhadap Korban Pelanggaran HAM Berat. *Jurnal Studia Legalia*, 1(1), 29–53. <https://doi.org/10.61084/jsl.v1i1.16>
- Juwana, H. (2016). *Human Rights in Asia: A Comparative Legal Study of 12 Asians Jurisdictions, France, and the USA*. Routledge.
- Komisi Nasional Hak Asasi Manusia. (2021). *Pembentukan KKR Mencuat, Harapan Penyelesaian Kasus Pelanggaran HAM yang Berat*. Komnas HAM. <https://www.komnasham.go.id/index.php/news/2021/12/22/2037/pembentukan-kkr-mencuat->

- Miko, A. J. (2020). The Role of The Aceh Truth and Reconciliation Commission (TRC) In The Development of Positive Peace In Aceh. *Jurnal Damai Dan Resolusi Konflik*, 6(2), 168–188.
- Mainur, R.A. (2016). Mechanism for Resolving Past Gross Human Rights Violations in Indonesia. *PhD Thesis*. Islamic University of Indonesia.
- Marzuki, S. (2010). Human Rights (HAM) Legal Politics in Indonesia in the Reformation Era Study of Human Rights Law Enforcement in Resolving Past Human Rights Violations. *Dissertation*. <https://dspace.uui.ac.id/handle/123456789/9424>.
- Maringka, JS. (2022). *Prosecutorial Reform in the National Legal System*. Jakarta: Sinar Grafika.
- Muhammad, HA. (2024). *Religion and Social Conflict: A Study of Indonesian Experience*. Bandung: Marja.
- Nasution, A.R. (2018). Resolving Serious Human Rights Violations Cases Through National and International Courts and Truth and Reconciliation Commissions. *Mercatoria Journal*, 11(1), 0-126. [10.31289/mercatoria.v11i1.1509](https://doi.org/10.31289/mercatoria.v11i1.1509).
- Pasha, Z. (2017). Problematika Independensi Komisi Kebenaran Dan Rekonsiliasi Aceh. *Justitia et Pax*, 33(1). <https://doi.org/10.24002/jep.v33i1.1373>
- Permatasari, A. cahyani, Sari, J. A., Winanda, T., Saputra, R. I., Silvi, Annisa, P., & Fitriani, E. (2023). Analisis Kesulitan Belajar Matematika Dalam Menyelesaikan Soal. *Jurnal Pendidikan Dasar Flobamorata*, 4(1), 421–423. <https://doi.org/10.51494/jpdf.v4i1.845>
- Putra, M. Y., & Irwansyah, I. (2019). Penyelesaian Non-Yudisial Terhadap Pelanggaran Ham Berat Masa Lalu: Tinjauan Sosiologi Peradilan. *Tanjungpura Law Journal*, 2(1), 43. <https://doi.org/10.26418/tlj.v2i1.25602>
- Rahmah, A. (2023). Pertanggungjawaban Pidana Terhadap Kejahatan Kemanusiaan Berdasarkan Undang–Undang Nomor 26 Tahun 2000 Tentang Pengadilan Hak Asasi Manusia. *Cendekia : Jurnal Hukum, Sosial Dan Humaniora*, 1(4), 315–324. <https://doi.org/10.5281/zenodo.8422382>
- Soekanto, S. (2006). *Penelitian Hukum Normatif, Suatu tinjauan singkat*. Raja Grafindo Persada.
- Stanley, E. (2021). Evaluating the Truth and Reconciliation Commission. *The Journal of Modern African Studies*, 39(3), 525–546.
- Syuib, M., & Hasnawati, D. (2022). Implementasi Qanun Aceh Nomor 17 Tahun 2013 tentang Komisi Kebenaran dan Rekonsiliasi Aceh Pasca 15 Tahun MoU Helsinki. *Legitimasi: Jurnal Hukum Pidana Dan Politik Hukum*, 11(1), 117. <https://doi.org/10.22373/legitimasi.v11i1.13463>
- Sari, S.R., Hanifah, S.B. (2024). Resolving Human Rights Violations: An Effort to Uphold Human Rights, *Journal of Law and Citizenship*, 6(6), 31-40. <https://doi.org/10.3783/causa.v6i6.6292>.
- Setiyanta, Pentadi Teguh. 2023. "Reconstruction of Medical Dispute Resolution Regulations Based on Restorative Justice Values". Sultan Agung Islamic University.
- Taum, YP 2015. "Violence and Conflict in Papua: Root Causes and Strategies to Overcome Them." *Journal of Education* 19 (1): 1-13.
- Tenriawaru, W., Murtopo, I., Muhammad, N., Nugroho, Y. A., Sinaga, B.M., Pranowo, D. (2022). *Truth and Reconciliation Commission in Efforts to Enforce Gross Human Rights Violations in Law No. 27 of 2004*. Indramayu: CV. Adanu Abimata.
- Tumbo, A. (2020). The Concept of Transitional Justice in Handling Gross Human Rights Violations in Indonesia. *Paulus Law Journal*, 1(2), 72-87. <https://ojs.ukipaulus.ac.id/index.php/plj/article/view/473>.
- Yunanto, S., Damayanti, A. (2021). *Towards a Safe, Peaceful and Democratic Indonesia: Challenges, Policy and Institutional Design*. Jakarta: UM Jakarta Press.