

PERAN PERLINDUNGAN HAM INTERNASIONAL DALAM MENYIKAPI DISKRIMINASI TERHADAP KAUM MINORITAS LGBTQ DI JAKARTA, INDONESIA 2018 - 2020

ABDAN HANIFAN PRATAMA PUTRA

ABSTRAK

Penelitian ini membahas peran negara Indonesia dalam menjamin perlindungan hak-hak kelompok LGBTQ melalui kerangka hukum HAM internasional, khususnya setelah ratifikasi International Covenant on Civil and Political Rights (ICCPR). Dengan menggunakan pendekatan kualitatif dan teori liberalisme dalam hubungan internasional, penelitian ini menganalisis bagaimana negara menjalankan (atau gagal menjalankan) mandatnya sebagai duty bearer. Data dikumpulkan melalui studi literatur, dokumen hukum, laporan LSM dan wawancara mendalam dengan anggota komunitas LGBTQ di Jakarta. Hasilnya menunjukkan bahwa perlindungan terhadap LGBTQ di Indonesia masih bersifat simbolik dan belum didukung oleh regulasi nasional yang inklusif. Negara cenderung bersikap netral pasif akibat tekanan politik domestik, serta belum mengadopsi prinsip-prinsip HAM ke dalam kebijakan publik. Di sisi lain, LSM dan aktor transnasional berperan penting dalam mengisi kekosongan peran negara melalui advokasi dan tekanan internasional, meskipun peran tersebut terbatas tanpa dukungan struktural dari negara. Penelitian ini menegaskan bahwa perlindungan hak LGBTQ di Indonesia bukan hanya persoalan hukum, tetapi juga berkaitan erat dengan budaya, politik identitas, dan resistensi sosial. Dengan demikian, dibutuhkan reformasi menyeluruh berbasis HAM untuk mewujudkan keadilan dan kesetaraan bagi kelompok minoritas seksual.

Kata Kunci: LGBTQ, ICCPR, hak asasi manusia, liberalisme, Indonesia, diskriminasi, duty bearer, hubungan internasional.

The Role of International Human Rights Protection in Addressing Discrimination against LGBTQ Minorities in Jakarta, Indonesia (2018–2020)

ABDAN HANIFAN PRATAMA PUTRA

ABSTRACT

This study examines the role of the Indonesian state in ensuring the protection of LGBTQ rights through the framework of international human rights law, particularly after the ratification of the International Covenant on Civil and Political Rights (ICCPR). Using a qualitative approach and liberal theory in international relations, the research analyzes how the state fulfills (or fails to fulfill) its mandate as a duty bearer. Data were collected through literature review, legal documents, NGO reports, and in-depth interviews with LGBTQ individuals in Jakarta. The findings reveal that protection for LGBTQ individuals in Indonesia remains largely symbolic, lacking concrete national regulations and inclusive policies. The state maintains a passive-neutral stance due to domestic political pressures and has yet to fully integrate human rights principles into public policy. Meanwhile, civil society organizations and transnational actors play a crucial role in filling the gap through advocacy and international pressure, although their efforts are limited without structural support from the state. This research concludes that the protection of LGBTQ rights in Indonesia is not merely a legal issue but is deeply rooted in cultural, political, and social resistance. Therefore, a comprehensive human rights-based reform is essential to achieve justice and equality for sexual minorities.

Key Notes: LGBTQ, ICCPR, human rights, liberalism, Indonesia, discrimination, duty bearer, international relations.