

**PENGATURAN HUKUM INTERNASIONAL MENGENAI HAK ASASI  
MANUSIA DAN PENERAPAN TERHADAP PERLINDUNGAN SUKU  
ABORIGIN DI AUSTRALIA**

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**ABSTRAK**

Prinsip-prinsip umum terkait hak asasi manusia dikenal dengan *Universal Declaration of Human Rights*, Setiap pelanggaran hak asasi manusia, baik dalam kategori berat atau bukan, menerbitkan kewajiban bagi negara untuk mengupayakan penyelesaiannya. Salah satu pelanggaran hak asasi manusia yang terjadi adalah pelanggaran hak asasi manusia terhadap suku Aborigin di Australia. Suku Aborigin merupakan suku asli Australia yang mengalami diskriminasi sejak dahulu kala. Rumusan masalah : Bagaimanakah aturan hukum internasional mengenai hak asasi manusia (HAM) khususnya terhadap perlindungan penduduk asli minoritas dalam suatu Negara? Bagaimanakah penerapan aturan mengenai hak asasi manusia (HAM) terhadap perlindungan suku aborigin di Australia? Dalam penelitian ini, penulis menggunakan jenis penelitian hukum yuridis normatif, sumber data yang digunakan adalah bahan hukum primer dan sekunder. Simpulan hasil penelitian : 1. Hukum International sudah mengatur masalah hak asasi manusia, khususnya masyarakat minoritas dan/atau masyarakat adat dalam *United Nation Declaration on The Rights of Indiegenous Peoples* (Deklarasi Perserikatan Bangsa-Bangsa Tentang Hak-Hak Masyarakat Adat). 2 Deklarasi ini menegaskan hak-hak kaum minoritas dan/atau masyarakat adat suatu negara. Terdapat 49 pasal dalam deklarasi ini yang menjamin hak-hak mereka. 2. Dengan adanya Referendum Australia yang menyangkut isu Aborigin, hal ini membuka jalan bagi masyarakat Aborigin untuk dapat meraih hak-hak mereka. Dengan adanya Referendum 1967 masyarakat suku Aborigin terhitung dalam sensus penduduk Australia menjadi bagian dari warga negara Australia. Tahun-tahun berikutnya, sedikit demi sedikit diskriminasi mulai dihapuskan dan pada 2013 dinyatakan dalam Konstitusi Australia bahwa mereka mengakui warga Aborigin sebagai warga mereka.

Kata Kunci : *Penerapan, Hak Asasi Manusia, Hukum Internasional*

# **INTERNATIONAL LEGAL ARRANGEMENT ON HUMAN RIGHTS AND THE APPLICATION OF PROTECTION OF ABORIGINAL PEOPLE IN AUSTRALIA**

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## **ABSTRACT**

Common principles relating to human rights are known as the Universal Declaration of Human Rights, any violations of human rights, whether in the weight category or not, to publish obligations for the State to seek settlement. One violation of human rights that occurred is violations of human rights against Aboriginal people in Australia. Aboriginal people are an original Australian tribe that has been discriminated from long ago. The problem formulation: what are the rules of international law on his or her particular human rights against the protection of indigenous minority populations in a country? How is the application of human rights Rules (RIGHTS) to Aboriginal protection in Australia? In this research, authors use normative juridical legal research type, the data source used is primary and secondary legal material. Summary of research results: 1. International Law has set human rights issues, particularly minority communities and/or indigenous peoples in the United Nation Declaration on The Rights of Indiegenous Peoples (United Nations Declaration on The Rights of indigenous peoples). 2. This exlaration confirms the rights of minority people and/or indigenous peoples of the country. There are 49 chapters in this declaration that warrant their rights. With the Australian Referendum on aboriginal issues, it opened the way for Aboriginal people to reach their rights. With the Referendum 1967 Aboriginal people counted in the Australian census, it became part of an Australian citizen. The following years, little by little discrimination began to be abolished and in 2013 it was stated in the Australian constitution that they acknowledged Aboriginal people as their citizens.

*Keywords : Application, Human Rights, International Law*