



MINISTRY OF LAW AND HUMAN RIGHTS REPUBLIC OF INDONESIA
RESEARCH AND DEVELOPMENT AGENCY FOR LAW AND HUMAN RIGHTS

Jalan H.R. Rasuna Said Kavling 4-5, Kuningan, Jakarta Selatan 12940

Phone (021) 2525015, Facsimile (021) 2526438

Webpage : www.balitbangham.go.id

April 26th, 2021

Ref. No : PPH.2-LT.01.03-424
Category : Important
Attachment : 2 (two) pieces
Subject : Announcement of Abstract
Acceptance International
Conference on Law and Human
Rights 2021

Dear all of the participants

Thank you for submitting your abstract for the International Conference on Law and Human Rights 2021, "Restructuring Law and Human Rights in New-Normal Society," to be held virtually on May 3rd-6th, 2021.

Congratulations on the acceptance of your Abstract for an Oral presentation subjected to a double-blind peer-reviewing process conducted by the scientific reviewing committee of the International Conference on Law and Human Rights 2021. We would announce the enlisted abstracts in the attachment to this announcement.

For the selected presenter and their co-authors, we would like to inform you about your scheduled date and time for giving presentation in the rundown we attach below. Please ensure that your power point presentation be ready on the scheduled date and time.

We would also like to remind you that Selected presenter must fill the confirmation sheet attached to this mail before April 28, 2021, at 16.00 (GMT+7) WIB, please notify us immediately once you done filling the sheet. Unreturned response is considered resigned. For the full paper submission, we remind you that the deadline is on May 30th, 2021.

We are looking forward to hearing from you.

Jakarta, April 26th, 2021

Respectfully Yours,
On behalf of the Head of Law and Human Rights
Research and Development Agency,
Head of Committee International Conference on Law and
Human Rights 2021



Ditandatangani secara elektronik oleh :
Ceno Hersusetiokartiko

Acknowledging:

Head of Law and Human Rights Research and Development Agency.

48.	The Relation Between Omnibus Law With The Act Number 7 About Trade	Deky Paryadi
49.	Health Services Controversy In Emergency Conditions Through The Approach Zaakwaarneming	Anita Kamilah
50.	Invoking Compulsory Licensing Amidst The COVID-19 Pandemic: Increasing Accessibility Of Vaccines In Indonesia	Dyah Ayu Saraswati
51.	Debating Emergency Law To Handle Covid-19 Pandemic : How States Regulate In Time Of Crisis	Mery Christian Putri
52.	Quo Vadis The Policy On Prisoners Release In The Health Disaster Situation In Indonesia With The Rights To Health Perspective	Asmin Fransiska
53.	Bale Mediasi As A Mediation Implementation Institution Based On Local Wisdom In Dispute Resolution In West Nusa Tenggara	Lelisari Lelisari
54.	The Development Of Restorative Justice In Economic Crimes	Muhammad Fatahillah Akbar
55.	Human Rights Approach In The Disparity Of Terrorism Criminal Decisions	Aghia Khumaesi Suud
56.	Human Rights Amidst Covid-19: Study Case Of Refugees And Asylum Seekers At Makassar City	Zulfikar Dilahwangsa
57.	Human Rights Reading In International Trade Instruments: What Can Indonesia Learn?	Satria Muhammad Nur Lase
58.	Fulfillment The Right To Health Through Services Prevention Vaccines For Covid-19	Kasim Aminuddin
59.	Patterns of Law Enforcement Violations of The Health Protocol in The Time of Covid 19 in Indoensia	Harisman Harisman
60.	Legal Harmonization in ASEAN : Toward a Harmonized Commercial Law in Support of The Implementation of The ASEAN Economic Community	Subianta Mandala
61.	The Legal Framework For Contingency Planning And Multi-Hazard Early Warning Systems In Indonesia	Mujiburrahman Thontowi
62.	Insomnia And Burnout Among Prison Officers. Experiences From Indonesia And Poland.	Andrzej Piotrowski
63.	Refugee During The Covid-19 Pandemic Crisis: Understanding Indonesia's Policy In Accepting Rohingya Refugees	B. Lora Christyanti
64.	Improving Access To Legal Assistance Services For Prisoners	Hakki Fajriando
65.	Entry Regulation And Travel Ban Policy Under International Law: State Practice And Indonesia Practice In Handling Covid-19 Outbreak	Ari Wiryadinata

Attachment 1.**Attachment to Announcement of Abstract Acceptance
International Conference on Law and Human Rights 2021**

No.	Title	Principal Author
1.	Intellectual Property Law Perspective On Commercialization Of Foreign Animation Voiceover Parody (Case Study Of Parodi_Barbie Endorsement On Instagram)	Agung Dwi Prabowo
2.	Intellectual Property And Public Health Emergency: Bolar Provision And Parallel Import	Lily Evelina Sitorus
3.	The Role Of Intellectual Property In The Development Of Digital Health System: Lesson Learned From The Pandemic	Tisni Santika
4.	Personal Data Protection In Relation With The Exchange Of Data For Withdrawal, Collection And Distribution Of Economic Rights Of The Copyright Of Indonesian Songs In Digital Worldwide	Diana Silfiani
5.	The Trade Off Between Intellectual Property Rights And Business Orientation: The Obligation Of Pharmaceutical MNC On Public Health Emergency In The Context Of Covid-19	Larassita Damayanti
6.	Law In The New Era Of Emerging Technologies: Can Creation Made By An Artificial Intelligence Be Protected By Copyright?	Joy Febe Ismikesasta Sinaga
7.	The Relationship Of Intellectual Property Protection On Innovation Of Creative Economy In Realizing Creative Cities To Support Tourism In The Of The Fourth Industrial Revolution	Madyastha Pradhana
8.	The Implementation Of Copyright Protections And Free Access To Information In Indonesia Settings	Gani Fuad
9.	The Analysis Of Application Of Virtual Money In Prison	Ejo Imandeka
10.	Cross Border Settlement Disputes Through Hybrid Mediation To Maintain Business Continuity In Covid-19 Pandemic Era	Andre Purba
11.	Study On The Application Of The Concept Of Substantial Similarity For The Protection Of Architectural Works Towards Renewal Of The Copyright Law In Indonesia	Taufik H Simatupang
12.	The Role Of The Indonesian Constitutional Court In Developing Inclusive Legal System Through A Judicial Review In The Economic Sector	Titis Anindyajati

13.	Settlement Of The Spreading Of Counterfeit Goods And The Infringement Of The Intellectual Property Rights In Indonesia	Charles Christian
14.	Tackling Intellectual Property Infringement In E-Commerce Through Digital Intellectual Property Education	Hosiana Daniel Adrian Gultom
15.	Intellectual Property Rights Perspective : The Effort In Providing Medicines And Vaccines In The Fulfillment Of World Public Health Rights Due To Covid-19 Entering The New Normal Era	Tri Rusti Maydrawati
16.	The Urgency Of Legal Protection For Online Loan Service Users	Fathul Hamdani
17.	The Roles Of Government And Case Settlement Of Geographical Indication In Indonesia Listed As Trademark In Other Countries	Dewi Analis Indriyani
18.	Protection Of Ownership Rights And Economic Value Of Confiscated Assets And Spoils Of The State In Criminal Cases	Insan Firdaus
19.	Individual Company Regulations For Micro And Small Business In Omnibus Law On Job Creation	Nevey Varida Ariani
20.	Settlement Of Legal Disputes As An Obstacles In Increasing Investment	Henry Donald Lbn Toruan
21.	Privacy On Personal Data Collection: Surveillance During New Normal In Indonesia	Reggy Dio Geo Fanny
22.	Access For Justice For All People	Dandy Muhammad Irzani
23.	Disparity Of PSBB's Sanction In Local Government Regulation In Indonesia	Sadam Afian Richwanudin
24.	States Responsibility V. Domestic Control Measures Of The Covid-19 Pandemic: An Analysis Of The Current International Health Regulation (IHR) Regime	Erna Dyah Kusumawati
25.	Implementation Of Strict Liability On The Product Of Covid-19 Vaccine As A Form Of Human Rights Protection From The State To The Consumer	Rizky Arjuna T. Girsang
26.	The Fulfillment, Protection, And Enforcement Of Human Rights In Indonesia In Times Of Covid-19 Pandemic : Study Of The National Human Rights Action Plan By Indonesian Government.	Lesza Leonardo Lombok
27.	Highest Attainable Standard Of Health In The Context Of Covid-19 Pandemic In Indonesia	Christou Imanuel
28.	The Effect Of Pandemic On Loneliness In The New Normal Life: A Mini Review	Rizki Setiaji Mutaqin
29.	Legal Protection Of Health Services On Vaccine Administration As A Countermeasure Against The Coronavirus Disease 2019 (Covid-19) Pandemic	Dewi Iriani

30.	Urgency Of The Truth And Reconciliation Commission (KKR): Vis-A-Vis A Problem Solving Of Human Rights And Legal Stagnation In Indonesia	Saivol Virdaus
31.	The Impact Of The Covid-19 Pandemic For Law, Investment And Public Health	Ni Luh Gede Astariyani
32.	The Role Of Constitutional Courts In Protecting The Rights To Health Security	Mery Christian Putri
33.	State Responsibility For Human Rights Fulfillment During The Covid-19 Pandemic	Waode Mustika
34.	Legal Policy And Constitutionality Of Control The Covid-19 Pandemic In Indonesia	Ulya Fajri Amriyeny
35.	Fulfillment Of Health Rights For Elderly Inmates In Class Iia Cibinong Prison During The Covid 19 Pandemic	Okky Chahyo Nugroho
36.	Analysis Of Indonesian Legal Construction And Surveillance Models Of Personal Data Protection	Antonio Rajoli Ginting
37.	Sirakusa Principles And Public Health Rights During The Covid 19 Pandemic In A Human Rights Perspective	Ahmad Jazuli
38.	E-Government Analysis On The Online Passport Queue Application System At The Immigration Office	Trisapto Wahyudi Agung Nugroho
39.	The Urgency Of Insolvency Test: Saving Companies From Bankruptcy During Financial Crisis In Indonesia	Sandi Ersya Arrasid
40.	Revitalization Of The Application Of Sharia Principles And The ITE Law In Business Development In The Era Of Digital Transformation	Aris Toni
41.	The Law In Emergency Situation : Application Of Principles Audi Et Alteram Partem Compatibility In E-Court And E-Litigation In State And Religious Court	Vincentius Patria Setiawan
42.	Menstrual Health And Hygiene; Indonesian Experience	Sayuti Sayuti
43.	Legal Certainty Between COVID-19 Vaccine Patents And Right To Health	Raphael Haganta
44.	Optimization Of Technology Use In New Normal Parole Program: A Comparative Study Of Indonesia, United States And United Kingdom	Argo Suhartono
45.	Mandatory Vaccination Program In Indonesia Under International Human Rights Law: A Legitimate Limitation?	Yosua Putra Iskandar
46.	Government Liability To Adverse Event Following COVID-19 Vaccine Immunization In Indonesia: The Right Form Of Access To Justice?	Alexander Harryandi
47.	The Highest Health Standards For Female Workers In The Pandemic From Human Rights Perspective	Linda Fatmawati

66.	Disharmony Of Legal Provisions Regarding The Electronic Identity Card (E-KTP) For Foreigners: Immigration Perspective	Bagas Hidayat Putra
67.	Implementation Of The Provision Of Protection For Victims Of Terrorism Crimes	Jeanne Darc Noviayanti Manik
68.	Extending Reach Of Access To Justice: Optimization Of E-Court To Support The Synergy Of Legal Aid Services	Muh Ridha Hakim
69.	Dispensation Of Immigration Administrative Action For Victims Of Transnational Crime In Indonesian Immigration Law	Gelora Nusantara
70.	The Effectiveness Of Task Force For Preventing Sexual Exploitation: Evidence From Human Trafficking (Women And Children) In East Nusa Tenggara, Indonesia	Ike Dwi Ambarwati
71.	Enforcing Death Penalty To The Corruption Case During Covid-19 Pandemic	Muhammad Reza Winata
72.	The Effectiveness Of Online Trials And Online Visits For Prisoners With Disabilities In State Prison Class IIB Sanggau	Yustika Irianita Fanty
73.	Indonesian Perspective On The Protection Of The Right Of Health For Migrant Domestic Workers During The Covid-19 Pandemic	Arini Azka Muthia
74.	Implementation Of Ultimum Remedium Principles For Children In Balai Pemasarakatan Kelas II Pekalongan	Royyan Mahmuda Al'arisyi Daulay
75.	Covid 19 Pandemic Impact On The Use Of Artificial Intelligence In Handling Refugees And Asylum Seekers Migration	Rohmad Yulianto
76.	Human Rights In Protracted Refugee Situation; Law And Practice In Indonesia	Finahliyah Hasan
77.	The Understanding Of Indonesian Passport Holders In Tackling Emergency Situation While Overseas (Case Study: The Usage Of Safe Travel Application)	Sri Mawarni
78.	Bailout Policy In The Minerals And Coal Act Ecological Justice Perspective	Eka Nam Sihombing
79.	Human Rights Based Litigation For Implementation Disaster Preparedness: Prospects And Challenges	Muchammad Chanif Chamdani
80.	Assuring The Legal Supports For Public Rights During The Covid-19 Pandemic And After	Erza Lasoturia Anansih Mendrofa
81.	Access To Justice For Transgender People In The Perspective Of The State Law Of Pancasila Through Legal Empowerment	Monica Tampubolon
82.	Anticipating Human Rights Risks Post Pandemic	Ekawestri Prajwalita Widiati

83.	Protection Of Economic, Social And Cultural Rights Of Traditional Fishermen In Indonesia Due To The Hit Of Pandemic Covid 19	Erlies Septiana Nurbani
84.	Virtual Legal Aid Post (Posbakum) In The New Normal Era	Muhamad Zaky Albana
85.	Vaccine Policy As An Effort To Protect Citizen Health	Farid Wajdi Farid Wajdi
86.	Potential Violations Of The Right To Mobility In Government Policies Related To The Covid-19 Pandemic Outbreak	Ahmad Gelora Mahardika
87.	Reviewing The Principle Of The Benefits Of Land Acquisition Without Land Rights By People On The South Coast Of Madura: Legal Sociological Perspective	Sabariman Hoiril
88.	The Concept Of Welfare State For Indonesia In The International Trade Sector Of Palm Oil Plantation	Alfariz Maulana Reza
89.	Legal Certainty In Restorative Justice As Law Enforcement For Criminal Acts In The New Normal Period	Retno Dewi Pulung Sari
90.	The Elimination Of Sexual Violence Bill: Prevention Efforts And Access To Justice For Victims	Atikah Rahmi
91.	The Gap Between Law And Justice Related To Social Security Traffic Accident Victims	Miqdad Azizta Pugara
92.	Legal Protection For Lecturers	Apriani Sijabat
93.	Tele-Counseling Services For Clients During Covid19 Pandemic	Muhammad Ali Equatora
94.	Feminism Paradigm For Women Child Refugee On Indonesia Recently In New-Normal Era	Muhammad Riadhussyah
95.	The Influence Of Mass Media Reporting On The Rescue And Formulation Of Environmental Laws In Kediri	Zainal Arifin
96.	Efforts To Protect Violence In The Households	Reynaldi Putra Rosihan
97.	Justice Value On Implementation Of Visa And Stay Permit In A Period Of Adaptation To New Habits	Reza Riansyah Abdullah
98.	Re-Thinking Indonesian Visa Policy: An Onshore Visa As A Tool To Anticipate Non-Traditional Security Threats	Anita Herlina
99.	Criminal Liability For B3 Waste Dumping Companies In East Java From The Perspective Of Ecological Justice	Emy Rosnawati
100.	The Role Of Detention Center Security Units In Preventing The Covid-19 Pandemic As A Form Of Fulfilling Human Rights	Landra Fikri Dzaky
101.	Criminalization Of Covid-19 Vaccine Repellent Associated With Siracusa Principles (Study On	Eka NAM Sihombing

	Provincial Regulation Of DKI Jakarta Number 2 Year 2020 On Corona Virus Disease Prevention 2019)	
102.	Death Penalty For Social Assistance Corruptors During The Coronavirus Disease 2019 Pandemic In Indonesia: Regulations And Challenges	Nurfaika Ishak
103.	Sentencing Amid Pandemic: The Impact Of Virtual Criminal Trial Implementation Towards Judge's Sentencing Decision In West Jakarta District Court	Fitra Wityanto
104.	Justice And Legal Empowerment: Ratio Legis The Implementation Of Obstruction Of Justice Regulations Towards Advocates In Criminal Acts Of Corruption Based On The Principles Of Justice	Beni Illahi
105.	Violation Of Human Rights By Criminal Acts Of Social Assistance Fund	Wilma Silalahi
106.	Formal Social Control Of Miscarriages Of Justice In Indonesia Targeting Marginalized People	Erni Rahmawati
107.	Legal Development Through The Implementation Of Non-Conviction Based Concepts In Money Laundering Asset Recovery Practices In Indonesia	Ana Fauzia
108.	Spatialising The Anti-Corruption: Public Satisfaction Survey And The Space Of Contentious Legal And Bureaucratic Reform Agenda	Harison Citrawan
109.	Whose Grievances? Legal Performativity Of Law And Punishment Against LGBT In Indonesia	Eldes Natalya
110.	Revitalization Local Wisdom In Preventing Intolerance And Radicalism In Indonesia	Oksimana Darmawan
111.	Rights At The Vernacular: Public Intimacy, Power, And Constitutionality Of LGBT Identity In Indonesia	Amin Salasa
112.	The Vaccination Policy Dilemma, Between Government Responsibility And Rights Of Citizens	Nur Fitriah
113.	Power Over Life: Dealing With Populism In The Time Of Pandemic	Ganesh Cintika Putri
114.	Factors Influencing Abuse / Circulation Of Narcotics In The Correctional Institution And Detention Centers In Indonesia	Edward James Sinaga
115.	Urgency Of Human Rights Material Content In The Establishment Of Legislation In Indonesia	Tony Yuri Rahmanto
116.	Feeding Prisoners According To Islamic Law And National Law	Muhaimin Muhaimin
117.	The Adaptation Of Public Service Management During The Covid-19 Pandemic (Case Study Of "Obrolan Peneliti" Management Through Research And Development Agency For Law And Human Rights)	Jody Rafsanjani

118.	The Optimization Of Law Enforcement Towards COVID-19 Patients Who Committed An Offense During Self-Isolation	Yuliyanto Yuliyanto
119.	Managing Cyber Bullying Impacts Of The Digital Ecosystem Era: Lesson Learn And Evidence From Jakarta	Desi Setiana
120.	No Way Back (?): The Impact Of The COVID-19 Pandemic On Children's Right To Private And Family Life	Agnieszka Wedeł-Domaradzka
121.	Workplace Bullying And Job Satisfaction Among Employees	DHYANESH REVI
122.	Protecting The Indonesian Digital Civic Space In The New Normal Through Rights-Based Approach Of Cyber Regulations	Annida Aqilla Putri
123.	Restrictions On The Right To Freedom Of Movement Of Citizens In The Large-Scale Social Restrictions In Jakarta	Fauziah Rasad
124.	Critical Thinking To The Restrictions On Registration Of Divorce Lawsuits At The Islamic Courts During The Pandemic In Indonesia/Menyoal Pembatasan Pendaftaran Gugatan Cerai Di Pengadilan Agama Pada Masa Pandemi Di Indonesia2	Selamat Widodo
125.	What Can Be Learned From Pound's Theory: Analyzing Several Governments' Policy Response During The Pandemic COVID-19	Sapto Hermawan
126.	Empowerment Of Awig-Awig Pakraman Customary Village As An Effort To Build Health Protocol Obedience In Treating Pandemic Covid-19.	Mohammad Jamin
127.	Paradoxical Personal Space During The Pandemic: Study In Adolescence Group With Law Violation Risk	Siti Sa'adah
128.	The Effect Of Religiosity On Society's Law Awareness In Complying With Health Protocol In Dki Jakarta Province	Galih Yantho
129.	Legal Politics Of Regional Head Candidate Replacement With Suspected Status	Satria Putra
130.	Integrative Negotiation Approach By The Indonesian Constitutional Court In Simultaneous Elections Policy	Tri Sulistianing Astuti
131.	The Role Of The Constitutional Court In Resolving The Dispute Over The Authority Of The State Institution	Luthfi Eddyono
132.	Law, Human Rights, And Public Morality: Quo Vadis Blasphemy Law Amidst Of Public Service Performance In Pandemic Era	Vina Ainin Salfi Yanti
133.	Policy Analysis Of Using Communication Technology During Pandemic Towards Prisoners Psycho-Emotional Condition	Antok Kurniyawan

134.	The Urgency Of Formulating New Government Regulation On The Mental Rehabilitation Of Child Victims Of Sexual Crimes After The Adaption To The New-Normal	Laurenzia Luna
135.	Mandatory Covid-19 Vaccination In Human Rights And Utilitarianism Perspective	Zaid Zaid
136.	Online Visit Implementation In Prisons In The Pandemic Covid-19	Ejo Imandeka
137.	Online Civic Space And Democracy: Redefining Online Hate-Speech Under UU ITE	Agustian Budi Prasetya
138.	Local Election Implementation And Equilibrium Between Right To Vote And Right To Health During Covid-19 Pandemic	Irfan Nur Rachman
139.	The Universality Of Human Rights And People Mandate In Indonesia.	Andreas Tedy Mulyono
140.	Human Right Protection In Online Court Proceedings	Yudha Pradana
141.	Human Rights Limitation in The State of Public Emergency : Reflection from the Government Response to the Covid-19 Pandemic in Vietnam	Prof. Vu Cong Giao
142.	Indonesia's Disposition to Intellectual Law as Restraining and Enabling Force of National Development : History, Current Challenges and Prospects	Aloysius Selwas Taborat, S.H., LL.M.

Attachment 2.

CONFERENCE AGENDA*
The 2nd International Conference on Law and Human Rights
'Restructuring Law and Human Rights in New-Normal Society'

Monday, May 3rd 2021

Time	Event	PIC	Duration	
08.00 - 09.00	Conference Registration	Committee	60'	
09.00 - 09.10	Opening	Fristian Griec (MC)	10'	
09.10 - 09.15	Cultural and Traditional Dance "Bumi Gayatri"	Jakarta Women's Correctional Institution	5'	
09.15 - 09.20	Introduction to ICLHR and Video Testimonial	Committee	5'	
09.20 - 09.30	Singing Indonesian National Anthem – "Indonesia Raya"	Natalia Imas Kristi Nugraheni	10'	
09.30 - 09.40	Reading Prayer	Ahmad Jazuli	10'	
09.40 - 09.50	Awards "OPini Terbaik"	Committee	10'	
09.50 - 10.10	Welcome Speech Minister of Law and Human Rights	Prof. Yasona H.Laoly S.H.,M.Sc.,Ph.D	20'	
10.10 - 10.40	Keynote Speech Coordinating Minister for Political, Legal and Security Affairs	Prof. Dr. Mohammad Mahfud MD., S.H., S.U., M.I.P.	30'	
PLENARY SESSION I Law, Human Rights & Development Moderator: Muhammad Nofrizal				
10.40 - 11.00	Blucer Wellington Rajagukguk	Law, Human Rights, and Development	20'	
11.00 - 11.20	David Kinley	International Law to the Rescue? Human Rights and Development during a Pandemic	20'	
11.20 - 11.40	Andrew Mitchell	Legal regime between investment and public health	20'	
11.40 - 12.00	Wahyudi Kumorotomo	Economic Development and Inclusive Justice System	20'	
12.00 - 12.40	Questions and Answers		40'	
12.40 - 13.00	BREAK		20'	
	PANEL 1. A	PANEL 1. B	PANEL 1. C	PANEL 1. D
13.00 - 13.05	Moderator: Metha Ramadita	Moderator: Conrad	Moderator: Natalya Eldes	Moderator: Andana Wiyaka P.
13.05 - 13.20	Presenter 1.A.1 Agung Dwi Prabowo	Presenter 1.B.1 Joy Febe Ismikesasta Sinaga	Presenter 1.C.1 Taufik H Simatupang	Presenter 1.D.1 Fathul Hamdani
13.20 - 13.35	Presenter 1.A.2 Lily Evelina Sitorus	Presenter 1.B.2 Madyastha Pradhana	Presenter 1.C.2 Titis Anindyajati	Presenter 1.D.2 Dewi Analis Indriyani
13.35 - 13.50	Presenter 1.A.3 Tisni Santika	Presenter 1.B.3 Gani Fuad	Presenter 1.C.3 Charles Christian	Presenter 1.D.3 Insan Firdaus
13.50 - 14.05	Presenter 1.A.4 Diana Silfiani	Presenter 1.B.4 Prof. Vu cong Giao	Presenter 1.C.4 Hosiana Daniel Adrian Gultom	Presenter 1.D.4 Nevey Varida Ariani
14.05 - 14.20	Presenter 1.A.5 Larassita Damayanti	Presenter 1.B.5 Andre Purba	Presenter 1.C.5 Tri Rusti Maydrawati	Presenter 1.D.5 Henry Donald Lbn Toruan
14.20 - 15.00	Questions and Answers	Questions and Answers	Questions and Answers	Questions and Answers
Tuesday, May 4th 2021				
Time	Event	PIC	Duration	
PLENARY SESSION II Law, Structure & Health Ecosystem Moderator: Arie Afiransyah				
08.00 - 08.20	Prof. Roger Magnusson	Balancing People's rights to make their own medical decisions versus mandating public immunity	20'	
08.20 - 08.40	Diah Saminarsih	Role of women and Youth in Healthcare	20'	
08.40 - 09.00	Kementerian Kesehatan	Indonesia's effort to eradicate Covid-19	20'	
09.00 - 09.20	Dr. Ayelet Berman	Reshaping Global Governance in addressing Covid-19	20'	
09.20 - 10.00	Questions and Answers		40'	
	PANEL 2. A	PANEL 2. B	PANEL 2. C	PANEL 2. D
10.00 - 10.05	Moderator: Muhammad Fedian	Moderator: Shafira Elnanda Y.	Moderator: Rizky Banyu A	Moderator: Djarot
10.05 - 10.20	Presenter 2.A.1 Aloysius Selwas Taborat, S.H., L.LM	Presenter 2.B.1 Lesza Leonardo Lombok	Presenter 2.C.1 Ni Luh Gede Astariyani	Presenter 2.D.1 Antonio Rajoli Ginting
10.20 - 10.35	Presenter 2.A.2 Dandy Muhammad Irzani	Presenter 2.B.2 Christou Imanuel	Presenter 2.C.2 Mery Christian Putri	Presenter 2.D.2 Ahmad Jazuli

10.35 – 10.50	Presenter 2.A.3 Sadam Afian Richwanudin	Presenter 2.B.3 Rizki Setiaji Mutaqin	Presenter 2.C.3 Waode Mustika	Presenter 2.D.3 Trisapto Wahyudi Agung Nugroho	15'
10.50 – 11.05	Presenter 2.A.4 Erna Dyah Kusumawati	Presenter 2.B.4 Dewi Iriani	Presenter 2.C.4 Ulya Fajri Amriyeny	Presenter 2.D.4 Sandi Ersya Arrasid	15'
11.05 – 11.20	Presenter 2.A.5 Rizky Arjuna T. Girsang	Presenter 2.B.5 Saivol Virdaus	Presenter 2.C.5 Okky Chahyo Nugroho	Presenter 2.D.5 Aris Toni	15'
11.20 – 11.35				Presenter 2.D.5 Reggy Dio Geo Fanny	15'
11.35– 12.05	Questions and Answers	Questions and Answers	Questions and Answers	Questions and Answers	30'
12.05 – 12.30	BREAK				25'
PLENARY SESSION III					
Law, Structure & Health Ecosystem					
Moderator: Heni Marlina					
12.30 – 12.50	Antje Missbach		Governance and Spatial Justice in a Time of Pandemic		20'
12.50 – 13.10	Brigit Toebes		The role of law in securing the access to vaccines for all to achieve the highest attainable standard of health		20'
13.10 – 13.30	Brian Amy Prastyo		Intellectual Property Rights Protection on Healthcare and Medicinal Inventions in Times of Crisis		20'
13.30 – 13.50	Honesti Basir		Pharmaceutical Industry Research & Development in Times of Crisis		20'
13.50 – 14.00	Questions and Answers				10'
	PANEL 3. A	PANEL 3. B	PANEL 3. C	PANEL 3. D	
14.00 – 14.05	Moderator: Angga	Moderator: Metha Ramadita	Moderator: Sabrina Nadilla	Moderator: Hakki Fajriando	5'
14.05 – 14.20	Presenter 3.A.1 Vincentius Patria Setiawan	Presenter 3.B.1 Alexander Harryandi	Presenter 3.C.1 Mery Christian Putri	Presenter 3.D.1 Zulfikar Dilahwangsa	15'
14.20 – 14.35	Presenter 3.A.2 Sayuti Sayuti	Presenter 3.B.2 Linda Fatmawati	Presenter 3.C.2 Asmin Fransiska	Presenter 3.D.2 Satria Muhammad Nur Lase	15'
14.35 – 14.50	Presenter 3.A.3 Raphael Haganta	Presenter 3.B.3 Deky Paryadi	Presenter 3.C.3 Lelisari Lelisari	Presenter 3.D.3 Kasim Aminuddin	15'
14.50 – 15.05	Presenter 3.A.4 Argo Suhartono	Presenter 3.B.4 Anita Kamilah	Presenter 3.C.4 Muhammad Fatahillah Akbar	Presenter 3.D.4 Harisman Harisman	15'
15.05 – 15.20	Presenter 3.A.5 Yosua Putra Iskandar	Presenter 3.B.5 Dyah Ayu Saraswati	Presenter 3.C.5 Aghia Khumaesi Suud	Presenter 3.D.5 Subianta Mandala	15'
15.20 – 16.00	Questions and Answers	Questions and Answers	Questions and Answers	Questions and Answers	40'
SPECIAL PLENARY SESSION					
Environmental Law and Human Rights					
Moderator: Conrad					
16.10-16.25	Margarethe Wewerinke		Pandemics, Our Planet and Human Rights: Rethinking the Duty to Cooperate in the Face of Compound Crises		15'
16.25-16.40	Andri G. Wibisana		Environmental Law and Right to a Healthy Environment: An Indonesian Perspective		15'
16.40-16.55	Catherine Higham		Climate Change Litigation and Right to a Healthy Environment		15'
16.55 – 17.05	Questions and Answers				10'

Wednesday, May 5th 2021

Time	Event		PIC		Duration
PLENARY SESSION IV					
Justice and Legal Empowerment					
Moderator: Harison Citrawan					
08.00 – 08.20	Prof. Topo Santoso		Access to Justice During the Time of Pandemic		20'
08.20 – 08.40	Hannah Lim		Technological Improvement and Its Impact on Democracy and Governance in Developing Countries		20'
08.40 – 09.00	Susi Dwi Harijanti		Law and Justice in Governance during a Time of Pandemic: The public service perspective		20'
09.00 – 09.20	Edmon Makarim		Exploring the Potential of Law and Technology in Responding to Covid-19 Pandemic		20'
09.20 – 10.00	Questions and Answers				40'
	PANEL 4. A	PANEL 4. B	PANEL 4. C	PANEL 4. D	
10.00 – 10.05	Moderator: Ahmad Khozi	Moderator: Amin Salasa	Moderator: Hilmi Ardani	Moderator: Sabrina Nadilla	5'
10.05 – 10.20	Presenter 4.A.1 Mujiburrahman Thontowi	Presenter 4.B.1 Bagas Hidayat Putra	Presenter 4.C.1 Muhammad Reza Winata	Presenter 4.D.1 Finahliyah Hasan	15'
10.20 – 10.35	Presenter 4.A.2 Wajdi Farid Wajdi	Presenter 4.B.2 Jeanne Darc Noviyanti Manik	Presenter 4.C.2 Yustika Irianita Fanty	Presenter 4.D.2 Sri Mawarni	15'
10.35 – 10.50	Presenter 4.A.3 Eka Nam Sihombing	Presenter 4.B.3 Muh Ridha Hakim	Presenter 4.C.3 Arini Azka Muthia	Presenter 4.D.3 B. Lora Christyanti	15'
10.50 – 11.05	Presenter 4.A.4 Hakki Fajriando	Presenter 4.B.4 Gelora Nusantara	Presenter 4.C.4 Royyan Mahmuda Al'arisyi Daulay	Presenter 4.D.4 Muchammad Chanif Chamdani	15'
11.05 – 11.20	Presenter 4.A.5 Ari Wirya Dinata	Presenter 4.B.5 Ike Dwi Ambarwati	Presenter 4.C.5 Rohmad Yulianto	Presenter 4.D.5 Erza Lasoturia Anansih Mendrofa	15'
11.20 – 12.00	Questions and Answers	Questions and Answers	Questions and Answers	Questions and Answers	40'
12.00 – 12.30	BREAK				30'
PLENARY SESSION V					
Law, Human Rights & Empowerment					
Moderator: Joel Mark					
12.30 – 12.50	Sriprapha Petcharamesree		Migration, Refugees and Stateless in South East Asia during the Pandemic		20'
12.50 – 13.10	Yasmine M.S. Soraya		The Protection of Migrant Workers during the Pandemic		20'
13.10 – 13.30	Lorna Q. Israel		The Protection of Women during the Pandemic		20'
13.30 – 13.50	Prof. Harkristuti Hakrisnowo		The Protection of Child during the Pandemic		20'
13.50 – 14.00	Questions and Answers				10'
	PANEL 5. A	PANEL 5. B	PANEL 5. C	PANEL 5. D	
	Moderator: Abi Marutama	Moderator: Hakki Fajriando	Moderator: Joel Mark B	Moderator: Widya Nasefa T	
14.05 – 14.20	Presenter 5.A.1 Monica Tampubolon	Presenter 5.B.1 Ahmad Gelora Mahardika	Presenter 5.C.1 Miqdad Azizta Pugara	Presenter 5.D.1 Reynaldi Putra Rosihan	15'
14.20 – 14.35	Presenter 5.A.2 Ekawestri Prajwalita Widiati	Presenter 5.B.2 Sabariman Hoiril	Presenter 5.C.2 Apriani Sijabat	Presenter 5.D.2 Reza Riansyah Abdullah	15'
14.35 – 14.50	Presenter 5.A.3 Erles Septiana Nurbani	Presenter 5.B.3 Alfariz Maulana Reza	Presenter 5.C.3 Muhammad Ali Equatora	Presenter 5.D.3 Anita Herlina	15'
14.50 – 15.05	Presenter 5.A.4 Muhamad Zaky Albana	Presenter 5.B.4 Retno Dewi Pulung Sari	Presenter 5.C.4 Muhammad Riadhussyah	Presenter 5.D.4 Emy Rosnawati	15'
15.05 – 15.20	Presenter 5.A.5 Andrzej Piotrowski Farid	Presenter 5.B.5 Atikah Rahmi	Presenter 5.C.5 Zainal Arifin	Presenter 5.D.5 Landra Fikri Dzaky	15'
15.20 – 16.00	Questions and Answers	Questions and Answers	Questions and Answers	Questions and Answers	40'

Thursday, May 6th 2021

Time	Event		PIC		Duration
PLENARY SESSION VI					
Law, Culture & Identity					
Moderator: Amin Salasa					
08.00 – 08.20	Prof. Kamarulzaman Askandar		Law in Times of Emergency		20'
08.20 – 08.40	Prof. Dr. Edward Omar Sharif Hiariej		Criminal Sanctioning and Disciplining Measures in Times of Emergency: Perspectives from Criminal Law & Justice		20'
08.40 – 09.00	Hyder Gulam		Cancel Culture		20'
09.00 – 09.20	Ying Hooi		Democracy in time of pandemic emergency		20'
09.20 – 10.00	Questions and Answers				40'
	PANEL 6. A	PANEL 6. B	PANEL 6. C	PANEL 6. D	
10.00 – 10.05	Moderator: Farah Annisa Harahap	Moderator: Harison Citrawan	Moderator: Andana Wiyaka Putra	Moderator: Ahmad Ghazi	5'
10.05 – 10.20	Presenter 6.A.1 Erni Rahmawati	Presenter 6.B.1 Eka Nam Sihombing	Presenter 6.C.1 Vina Ainin Salfi Yanti	Presenter 6.D.1 Muhaimin Muhaimin	15'
10.20 – 10.35	Presenter 6.A.2 Nurfaika Ishak	Presenter 6.B.2 Ana Fauzia	Presenter 6.C.2 Nur Fitriah	Presenter 6.D.2 Jody Rafsanjani	15'
10.35 – 10.50	Presenter 6.A.3 Fitra Wityanto	Presenter 6.B.3 Ganesh Cintika Putri	Presenter 6.C.3 Ejo Imandeka	Presenter 6.D.3 Yuliyanto	15'
10.50 – 11.05	Presenter 6.A.4 Beni Illahi	Presenter 6.B.4 Wilma Silalahi	Presenter 6.C.4 Edward James Sinaga	Presenter 6.D.4 Desi Setiana	15'
11.05 – 11.20	Presenter 6.A.5 Eldes Natalya	Presenter 6.B.5 Oksimana Darmawan	Presenter 6.C.5 Tony Yuri Rahmanto	Presenter 6.D.5 Yudha Pradana	15'
11.20 – 12.00	Questions and Answers	Questions and Answers	Questions and Answers	Questions and Answers	40'
12.00 – 12.30	BREAK				30'
	PANEL 6. E	PANEL 6. F	PANEL 6. G	PANEL 6. H	
12.30 – 12.35	Moderator: Muhammad Fedian	Moderator: Abi Marutama	Moderator: Natalya Eldes	Moderator: Natalia Imas	5'
12.35 – 12.50	Presenter 6.E.1 Amin Salasa	Presenter 6.F.1 Mohammad Jamin	Presenter 6.G.1 Luthfi Eddyono	Presenter 6.H.1 Harison Citrawan	15'
12.50 – 13.05	Presenter 6.E.2 Annida Aqila Putri	Presenter 6.F.2 Siti Sa'adah	Presenter 6.G.2 Sapto Hermawan	Presenter 6.H.2 Agustian Budi Prasetya	15'
13.05 – 13.20	Presenter 6.E.3 Fauziah Rasad	Presenter 6.F.3 Galih Yantho	Presenter 6.G.3 Antok Kurniyawan	Presenter 6.H.3 Irfan Nur Rachman	15'
13.20 – 13.35	Presenter 6.E.4 Selamat Widodo	Presenter 6.F.4 Satria Putra	Presenter 6.G.4 Laurenzia Luna	Presenter 6.H.4 Andreas Tedy Mulyono	15'
13.35 – 13.50	Presenter 6.E.5 Dhyanesh revy	Presenter 6.F.5 Tri Sulistianing Astuti	Presenter 6.G.5 Zaid Zaid	Presenter 6.H.5 Agnieszka Wedel-Domaradzka	15'
13.50 – 14.30	Questions and Answers	Questions and Answers	Questions and Answers	Questions and Answers	40'
14.30 – 14.45	BREAK				15'
14.45 – 15.25	Closing Report Head of Law and Human Rights Research and Development Agency		Sri Puguh Budi Utami		40'
15.25 – 15.45	Closing Remark Vice Minister of Law and Human Rights		Prof. Edward Omar Sharif Hiariej		20'
15.45-15.55	Singing Indonesian National Song – "Bagimu Negeri"		Natalia Imas Kristi Nugraheni		10'

* The schedule may be subject to change under certain circumstances.



In Commemoration of Indonesian National Education Day

RESEARCH AND DEVELOPMENT AGENCY FOR LAW AND HUMAN RIGHTS
MINISTRY OF LAW AND HUMAN RIGHTS REPUBLIC OF INDONESIA

CERTIFICATE

of Appreciation

No. PPH-KP.12.46-1101

For: Lelisari

as a presenter in

The 2nd INTERNATIONAL CONFERENCE ON LAW AND HUMAN RIGHTS

**'Restructuring Law and Human Rights in
New-Normal Society' on 3-6 May 2021**

Jakarta, 6 May 2021

Dean Faculty of Law
University of Indonesia


Dr. EDMON MAKARIM, S.Kom., S.H., LL.M.
NIP. 197005101998021002



Head of Research and Development
Agency for Law and Human Rights


Dr. SRI PUGUH BUDI UTAMI
NIP. 19620702 198703 2 0001



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Bale Mediation as a Mediation Implementation Institution Based on Local Wisdom in Dispute Resolution in West Nusa Tenggara

Lelisari Lelisari

Faculty of Law, Universitas Muhammadiyah Mataram, West Nusa Tenggara, Indonesia
Corresponding author. Email: slelisari@gmail.com

ABSTRACT

The existence of challenges and obstacles regarding the implementation of Indonesia's positive legal system resulted in legal dysfunction. For this reason, it is necessary to prepare policies by the government in order to regulate the behavior of its citizens. Policy-making strategies are carried out by accommodating the values of local wisdom, which includes citizen mechanisms in the resolution of disputes (conflicts). These values are adopted into positive law in the form of local regulations, for example, where the existence of Bale Mediation of West Nusa Tenggara has been established in accordance with Provincial Regulation No. 9 of 2018, which has a legal basis and is the first nationally. Bale Mediation is an institution that carries out the functions of mediation, coaching, and coordination in the implementation of mediation in the community in accordance with local wisdom. One of the important points of the establishment of Bale Mediation is the recognition of non-certified mediators, reviving the role of community leaders/indigenous leaders through customary institutions in each village and village to take part in helping to resolve disputes that occur in the community, namely by reimposing the function of indigenous institutions "*krama desa*." The cases that can be resolved at Bale Mediation are civil and criminal cases.

Keyword: *Bale Mediation, local wisdom, dispute resolution.*

1. INTRODUCTION

The number of cases entered in the West Nusa Tenggara High Court Law area in 2018 was 4,466 cases, while the one that broke up was 3,899 cases, while there were still 698 cases last year. The number of cases in court becomes a picture that it takes a long and long process to get justice for the community.

Currently, we face a condition of challenges and obstacles related to the implementation of Indonesia's positive legal system. There is a positive legal dysfunction because the law does not favor the poor and marginalized. Therefore, it is necessary to prepare policies by the government to regulate its citizens' behavior. The policy-making strategy is carried out by accommodating the values of local wisdom, which includes citizen mechanisms in resolving disputes (conflicts). These values are adopted into positivistic laws in the form of local regulations, for example, where Bale Mediation West Nusa Tenggara's existence is by provincial regulation No. 9 of 2018.

West Nusa Tenggara Provincial Regulation No. 9 of 2018 concerning Bale Mediasi has a legal, national basis. Supreme Court Regulation established this by its Decision No. 1 of 2016 concerning Mediation Procedures in the Court. West Nusa Tenggara Provincial Regulation No. 9 of 2018 concerning Bale Mediation is an example of how regional values are accommodated into positive laws,

which indeed can be elaborated into local wisdom for dispute resolution.

Bale Mediation area is in every district/city, sub-district level, village, and village. The number of Bale Mediation in West Nusa Tenggara is as many as 1,162. Bale Mediation is expected to be a bridge that knits many differences in the middle of the community so that small communities can be helped, where existing legal issues can be resolved without having to end up in court. [1]

One of the essential points of Supreme Court Regulation No. 1 of 2016 concerning Mediation Procedures in the Court, especially for the continuity of community mediation, is the accommodation or the recognition of the existence of uncertified mediators (Article 36).[2] This is undoubtedly a momentum to revive the role of community leaders / indigenous leaders through traditional institutions in each village and village to take part in helping to resolve disputes that occur in the community. This can be done by re-enacting the function of the customary institution "*krama desa*," which was previously accommodated by Emergency Law No. 1 of 1951 concerning Temporary Measures for Organizing the Unity of Power Arrangements and Events of Civil Courts that carry out the function of accompanying the village head to carry out the peaceful resolution of certain disputes as a village peace judge (*dorf justitie*). But on the other hand, removing the judiciary, *swapraja*, and customary judiciary (*Lombok raad Sasak and raad Kerta*), but the enactment of Law No. 5 of 1979 on

Village Government eliminates the existence of village institutions, homogenizes the village government system throughout Indonesia.

Each village and hamlet also have a customary dispute resolution institution in the West Nusa Tenggara community, consisting of the Sasak tribe in Lombok, Samawa, and Mbojo on Sumbawa Island. Here, dispute resolution is often done outside the formal channels employing consensus deliberation and refers to traditional and religious law values (local wisdom). Therefore, the dispute resolution process generally involves religious leaders (master teachers), indigenous leaders, and village heads.

Based on the description above, the focus of the problem is how the role of Bale Mediation as a mediation implementing institution based on local wisdom in West Nusa Tenggara, as well as any disputes that Bale Mediation can resolve.

2. RESEARCH METHOD

The type of legal research in this study is normative juridical law research, based on the consideration that this research starts from the analysis of NTB Provincial Regulation No. 9 of 2018 on Bale Mediation, which explains the institution of mediation implementation based on local wisdom in dispute resolution. The approach methods used in this research are the statutory approach (statue approach) and concept approach (conceptual approach). The legal/data material used is the primary legal/data material consisting of Regional Regulation No. 9 of 2018 on Bale Mediation and Supreme Court Regulation No. 1 of 2016 concerning Mediation Procedures in Court. Secondary legal/data material consists of research results or the opinions of legal experts. In addition, secondary legal/data materials may include books, references, papers, research results, and others related to the issues studied. Analysis of legal materials is done qualitatively, meaning that the legal material of literature is analyzed in depth. The qualitative analysis method is used based on the consideration: the legal materials analyzed are obtained from various sources, and the basic nature of the legal materials analyzed is thorough and requires in-depth information. Furthermore, to answer the problems in this study, the method or way of concluding legal materials is done by deductive means, namely by drawing a conclusion from data that is general to specifically to get clarity on a truth.

3. FINDINGS AND DISCUSSION

A. Bale Mediation as a Mediation Implementation Institution Based on Local Wisdom

Bale Mediation is an institution that carries out the functions of mediation, coaching, and coordination in the implementation of mediation in the community in accordance with local wisdom (Article 1 No. 5). [3] Since

the last decade of the 20th century, the issue of local wisdom began to color the discourse of development in the third world. The potential for locality is again looked at, explored, and appreciated after being abandoned during the green revolution and eroded by growth-centered development policies. Local wisdom was flattened as a lost pearl, and efforts began to be made to rediscover it. [4]

This concept was first expressed by Quaritch Wales (1948-1949). If Quaritch Wales (QW) view is associated with the law, then the local wisdom will approach the concept of the law in force or living law, covering the values of law and the sense of justice that lives in the community. Its form can be an unwritten law or a customary law. [5]

Ajip Rosidi uses another terminology, namely local genius, for the same concept; he defines it as "the ability of local culture in the face of foreign cultural influences when the two cultures are related." Therefore, local values can be explained as a manifestation of the local community's personality and cultural identity, from values, norms, ethics, beliefs, customs, and special rules (policies). That has been tested inability to survive for generations as an actualization of the attitudes and behaviors of the local community in interacting with a sense of wisdom. These values can be accommodated as rules or policies that can be enforced as positive laws because they are considered to have the ability to survive and interact with changes. [6]

Indonesia has much local wisdom that is still growing axis in some regions in Indonesia. The local wisdom has been born and developed from generation to generation as if it survived and developed by itself. The wisdom has been maintained and grown from the community itself from the eyes of the human heart or the conscience of members of the social unit, the community itself.

In The People of West Nusa Tenggara, where kinship and group relations are still strong and still uphold customs such as Sasak Lombok community, Mbojo, Samawa on Sumbawa island, the choice of dispute resolution or conflict is directed at non-formal means through a cultural approach of deliberation or consensus (mediation). This is done because dispute resolution is interpreted as an effort to maintain the regularity and implementation of spiritual values that exist in the community.

In the people of West Nusa Tenggara, dispute resolution is often done outside the formal channels utilizing consensus deliberation and refers to the values of customary and religious law. The choice of dispute resolution through non-formal means by the community is due to several factors, namely: the settlement of disputes through the courts often raises new problems, the time it takes to litigate can be many years, costs are expensive and immeasurable, fear of being mistreated where the

decision of the judge tend sided. Furthermore, settlement of disputes outside the formal channels by means of consensus deliberation refers to the values of customary and religious law. Therefore, the dispute resolution process generally involves religious leaders, indigenous leaders, and village heads. Meanwhile, a very prominent advantage of the mechanism of resolving alternative disputes or through non-formal channels is the ease of access to the community, is fast and light cost, and relatively restore harmonization in the community ((Explanation of [3]).

For an example of the local wisdom of the Sasak tribe in Lombok, peace and harmony are actually the dominant cultures of the Sasak people. Several idioms known in the Sasak community are very close to the orientation of peace. The concept of *ajinin* literally means mutual respect; then there are *reme*, *rapah*, *regen*, which means giving, choosing a peaceful, safe situation, and supporting tolerance. They are the treasures of the local wisdom of the Lombok people in undergoing social relations. Since time immemorial, the Sasak ethnic has known the parent container in their community life that governs the guidelines of the lives of citizens and where they seek referrals to establish sanctions for violations in the social system of their communities. The container is known as *krama*. This conception has been actualized or described in the daily life of Sasak people since the past so that the implementation of the cultural conception has been transformed into various elements or elements that are inseparable.[7]

Conceptually, *krama* is a customary institution founded on local wisdom consisting of two institutions: *krama* as an indigenous institution and *krama* as a social association rule. *Krama* is an indigenous institution consisting of several parts: a) *krama banjar urip*, an indigenous group or association of indigenous peoples whose members consist of residents in a village/hamlet (*dasan*) or several *dasan*, whose membership is based on a common purpose. *Krama banjar* is more related to the affairs of the living and the dead. The types include *krama banjar subak*, *krama banjar merariq*, *krama banjar mate*, and *krama banjar Haji*; b) *Krama gubuk*, which is a form of traditional *krama* that consists of the entire community in a *gubuk* (*dasan*, hamlet, village) without exception. *Krama* membership does not discriminate as long as the person concerned is a legal resident in the *gubuk*; c) *Krama Desa*, which is the village-level customary assembly, consists of the settlement (Head of Customary Village), directions (Assistant Village Head), *lang-lang* (Village Security Head), the prosecutor (Village Judge), escape (Village Welfare Coordinator). Then *krama* as a social association consists of several parts, namely: a) *Titi Krama* is a custom arrangement of *awig-awig*, a customary agreement of all indigenous peoples that, if violated, is subject to social sanctions or moral sanctions such as *bejiran* (neighborly) or *adat nyangkok* (staying at the girlfriend's house). b) *Krama bahasa* is ethics, manners, or customary order stipulated in customary

awig-awig that must be done with spoken language and through polite and orderly body language, carried out with full *tata-tapsila*. In the language of *krama*, there are several rules and grammar contained in the local wisdom of the *Sasak* community, among others: grammar, *indit language*, *rangin language*, proverbs. c) *Aji Krama* is the customary value of the community or the degree of one's social status or the value of one's kinship related to customary rights in the community, both in the family environment and in the environment of indigenous peoples in general. *Aji krama* reflects the recognition of the social status of a person in society.[7]

The values of local wisdom in the Sasak community have the significance of values and are very suitable to be applied in life today and in the future. The values of language expression are firmly held in daily association in proverbs and proverbs, as the glue of association of Sasak people, which in the Sasak community is termed with a delinquent. *Sesenggak* is a language expression (traditional) in the form of proverbs and proverbs as the glue of association in the Sasak society. These proverbs contained the teachings and values of traditional wisdom, such as teaching about deity, education, morals, law, and so on. Some examples include: [7]

- a. *Adeqte tao jauq aiq* (so that we can bring water), meaning that in a dispute or quarrel that is going on and heating up, a mediator should cool down the tension
- b. *Besual/besiq cara anak kemidi*, (quarreling like the playwright's way) means that we may disagree but must not hold grudges.
- c. *Aiq meneng, tunjung tilah, empaq bau*. (The water remains clear, the lotus remains intact, the fish can be caught), the meaning is that in overcoming a dispute, it is attempted to keep the atmosphere calm, the community from panic, the community environment from being disturbed, problems or conflicts should be resolved peacefully.
- d. *Banteng belage jerami rebaq*, (the bullfighting in the middle of the rice fields will trample the straws), the dispute between two leaders would cause misery and suffering for the people. This is likened to an event of bulls, cows, or buffaloes competing against each other in the middle of the rice fields that have just been harvested. The fighting would trample the straw. Such is the parable of warring leaders and the consequences for the people. This proverb is directed at people of rank, both in small and large spheres.

B. Things that can be resolved in Bale Mediation

Bale Mediation is a non-structural institution within the National Political Unity Agency of West Nusa Tenggara Province which is located in the provincial capital and is responsible to the Governor. Bale Mediation is not part of the state judiciary but rather an institution that resolves disputes out of the court.

The establishment of Bale Mediation in accordance with the customs and culture of the Indonesian nation and

contained in the 4th precept of Pancasila, which prioritizes deliberation and consensus in solving problems. This is also in line with government programs that prioritize restorative justice and reduce overcapacity in correctional institutions and detention houses. The Bale Mediation is expected to respect and recognize the existence of customary institutions in carrying out mediation functions to create a harmonious, orderly, and congenial atmosphere.

The duties of Bale Mediation are: (Article 11 of [3]) :

- a. create a certified or uncertified database mediator;
- b. facilitate socialization, education, research, training, seminars, workshops, workshops on mediation;
- c. develop and establish standard operating procedures (SOP) Bale Mediation;
- d. submit a report on the implementation of its duties and authorities;
- e. assistance in the implementation of dispute resolution conducted by institutions carrying out mediation functions;
- f. coordinate with institutions and institutions related to the implementation of their duties.

Meanwhile, the authority of Bale Mediation is (Article 12 of [3])

- a. strengthen the capacity of institutions that carry out mediation functions in the community;
- b. increase the capacity of mediators;
- c. coordinate with institutions that carry out mediation functions; and resolve disputes through mediation.

Regarding the dispute resolution procedures in Bale Mediation are as follows:

1. Submission of mediation request:
 - a. Any person and/or society harmed by civil rights by others and/or other communities may apply to Bale Mediation for mediation.
 - b. Any person and/or community who is the victim of a criminal offense/criminal act can apply to Bale Mediation for mediation.
 - c. The application shall clearly state the desire to resolve the dispute by means of mediation in Bale Mediation.
2. After the submission of the mediation application is made, Bale Mediation registers on each application that goes into the case register book. At most 3 (three) days from the date the application was registered, Bale Mediation submitted an answer to the application to the applicant.
3. Results of peace agreements
 - a) The mediator formulates a peace agreement in writing.
 - b) The peace agreement does not contain provisions that:
 - (1) contrary to the law, public order, and customs of society;
 - (2) harming third parties; or
 - (3) cannot be done.

c) The results of the peace agreement are poured into the Peace Act signed by the parties, mediators, and known by the Chairman of Bale Mediation which is final and binding.

d) The Peace Act may be registered with the local District Court for an executory decision.

The types of disputes that Bale Mediation can handle are:

- a. Civil disputes
The referred civil disputes include all customary civil disputes, general civil and religious civil.
- b. Criminal acts.

Bale Mediation can resolve criminal cases as long as it is not contrary to the legislation based on the spirit of restorative justice and diversion in Law No. 11 of 2012 as well as the values of local arbitrage and case handling through consensus deliberation procedures reached an agreement of the parties as referred to in Law No. 30 of 1999 concerning Arbitration and Alternative Dispute Resolution (*ADR*). If the parties do not reach a disputed agreement, then the settlement of the dispute continues in accordance with the legal procedures in force professionally and proportionately. Criminal matters referred to are contained in the following articles:

1. Article 364 of the Criminal Code (minor theft)
Light theft in this case in accordance with Supreme Court Regulation No. 2 of 2012 concerning Adjustment of The Limit of Minor Criminal Acts and The Amount of Fines in the Criminal Code, If previously the so-called act of petty theft whose value is less than Rp 250 is now changed to Rp 2,500,000
2. Article 373 of the Criminal Code (mild embezzlement)

What includes the act of embezzlement is the act of taking goods that are wholly or partially belonging to others where the control of the goods is in the perpetrator without going through unlawful acts. If the darkened is not an animal and the price is not more than Rp, 250,-, punished, for light embezzlement, with a prison sentence of three months or a maximum fine of Rp. 900. In accordance with The Supreme Court Regulation No. 2 of 2012 concerning Adjustment of The Limit of Minor Crimes and The Amount of Fines in the Criminal Code, where the amount of the fine in Article 373, which was originally Rp 250, was changed to Rp 2,500,000.

3. Article 379 of the Criminal Code of Mild Fraud
Mild fraud in this case in accordance with Supreme Court Regulation No. 2 of 2012 concerning Adjustment of The Limit of Minor Crimes and The Amount of Fines in the Criminal Code, If previously called a misdemeanor fraud if the goods provided were not animals and the price of goods, debts, and receivables were not more than Rp. 250 was changed to Rp 2,500,000.

4. Article 482 of the Criminal Code of Light Submission

Light imprisonment is threatened with imprisonment for three months or a maximum fine of Rp 900 if the item is obtained for one of the crimes described in articles 364, 373, and 379 of the Criminal Code. Where in articles 364, 373, and 379, in accordance with Supreme Court Regulation No. 2 of 2012 concerning Adjustment of The Limit of Minor Criminal Acts and The Amount of Fines in the Criminal Code, the face value of the criminal act was originally Rp 250 to Rp 2,500.00.

5. Article 302 of the Criminal Code of Mild Mistreatment of animals

Punishable by imprisonment for three months or with a maximum fine of four thousand five hundred rupiahs for being guilty of misdemeanor abuse of animals, namely: 1. Whoever without a purpose or by exceeds the limit, intentionally harms or injures animals or harms their health; 2. intentionally harm or injure an animal or harm its health; (2) If the act results in an illness of more than a week, or disability or suffers other severe injuries, or death, the guilty is threatened with imprisonment of a maximum of nine months, or a maximum fine of three hundred rupiahs, for animal abuse. 3 If the animal belongs to the guilty, it can be taken away. (4) Attempt to commit the crime is not punishable

6. Article 315 of the Criminal Code of Mild Contempt

Insults are expressions or statements (or sometimes behavior) that are disrespectful or derisive. Insults may be intentional or unintentional. Mild insults may be factual, but at the same time, condescending, such as the word "innate" regarding insults, is set out in article 315 of the Criminal Code. Article 315 of the Criminal Code governing light insults is as follows: Any intentional insult that is not defamatory or written dishonor committed against a person, either in public by mouth or writing, or in the face of the person himself by oral or deed, or by a letter sent or received to him, threatened with minor contempt with a maximum imprisonment of four months and two weeks or a maximum fine of four thousand five hundred rupiahs."

7. Article 352 of the Criminal Code of Mild Persecution

Mild persecution (*lichte mishandeling*) is stipulated in article 352 of the Penal Code, whose formulation is as follows: (1)- Except as mentioned in articles 353 and 356, then persecution that does not cause illness or obstruction to carry out office or livelihood work, is punishable by minor persecution, with a maximum penalty of three months or a maximum fine of Rp4,500,- - The criminal can be added a third for the person who committed the crime against the person working on the crime. Or be his subordinate.

8. Domestic violence crimes

This is in line with Law No. 23 of 2004 on the Elimination of Domestic Violence.

9. Customary Crimes / Delik Adat in the Criminal Code
10. Criminal acts committed by children who are the threat of a maximum penalty of 7 years
11. Early marriage includes the institution of customary marriage "*Merariq*" in Sasak customary Law that both bridegrooms and their women are minors
12. Article 49 of the Domestic Violence Law on The Crime of Abandonment junto Article 51 and Article 52 as a complaint delik victims of criminal acts can revoke the report to the authorities if among them has achieved a peace within three months after the complaint is filed (Article 75 criminal code).

Thus Bale Mediation can resolve disputes or civil and criminal cases. The basic reference of the Law of "Mediation" in the court and the reference for Bale Mediation are as follows:[8]

1. Pancasila and the 1945 Constitution – The Principle of Consensus Deliberation.
2. Law No. 30 of 1999 on Arbitration and Alternative dispute resolution
3. Article 130 HIR, Article 154 Rbg, concerning the institution of peace, where the judge must first reconcile the parties who litigate before the case is examined.
4. Circular letter of the Supreme Court No. 1 of 2002 concerning the Empowerment of Peace Institutions.
5. Circular letter of the Supreme Court No. 2 of 2003 concerning Mediation Procedures in the Court.
6. Supreme Court Regulation No. 1 of 2008 concerning Mediation Procedures in the Court.
7. Supreme Court Regulation No. 01 of 2016 concerning mediation procedures in the court.

More specifically, as an additional reference to bale's legal basis for mediation handling criminal cases are; Law No. 11 of 2012 on the Justice System of Children's Crimes, which regulates the provisions on restorative justice and diversion institutions.

- a. That against criminal cases where the perpetrator (*dader*), witnesses, and victims are children must be pursued settlement of the case through a peaceful process.
- b. In addition to the above law, used as a reference by Bale Mediation, are policies that the Indonesian National Police have carried out in handling criminal cases by means of or through the process of Consensus Deliberation, among the parties in cases that are considered small material losses. When a win-win solution is achieved, then the dispute process is completed. But if it is not, then the legal process continues.
- c. The Indonesian National Police has been conducting mediation practices for quite a long

time, seen from the policy of the head of the NATIONAL POLICE as seen in:

- 1) Police Telegram Letter No. Pol B./3022/XII/ 2009/S DOPS dated December 14, 2009, concerning The Handling of Criminal Cases through ADR (Alternative Dispute Resolution) as a form of problem-solving in the community by applying the concept of ADR that is the payment of the handling of criminal cases whose material losses are small, but must be agreed by both parties. If not achieved, it is only completed in accordance with the applicable legal procedures proportionally and professionally. The principle of consensus deliberation is known by the community.
 - 2) Decree of the Chief of Police No. 433 / VII / 2006, which contains a penalty for minor crimes of 3 months of confinement and minor crimes, in the Criminal Code article; 302, 352, 364, 373, 379, 482, and 315 (records in accordance with Supreme Court Regulation No. 02 of 2012 concerning the adjustment of limitations on minor crimes and the number of fines in the Criminal Code. Another reference is jurisprudence/Decision of the Supreme Court of The Republic of Indonesia in criminal cases. The decision of Case No. 1644.K/Pid/1988, dated May 15, 1991, confirms that the decision of the Customary Judiciary that is not carried out by the accused has the same legal force as the decision of the General Court. Therefore if case 7 is filed again by the prosecutor to the court, then it is the same as *ne bis in idem*.
- d. The jurisprudence of the verdict of customary criminal delik cassation in Aceh where the accused whom the head of Adat has sanctioned can no longer be filed as a defendant for the second time in the District Court. If it is still filed, then the prosecution of the accused should be declared "*Niet Ontvankelijke Verklaard*" (NO).
 - e. By paying attention to the reference and reference above, both law, law enforcement/police, and jurisprudence of the Supreme Court, as well as the provisions of unwritten law, local wisdom on the island of Lombok and Sumbawa Island, then the Regional Government of West Nusa Tenggara Province in Local Regulation No. 9 of 2016 contains and lists the authority of The Mediation Bale West Nusa Tenggara conduct "Mediation" on criminal matters, in addition to resolving the mediation of civil cases as mentioned and listed in Article 17 jo explanation of the disputed article, not contrary to the above legislation.
- f. It means penal Mediation in Indonesia exists and is already underway.
 - g. The containment of the provisions of Penal Mediation in Local Regulation No. 9 of 2016 cannot be interpreted as taking over the authority of law enforcement officials to help all in endeavors that, if not achieved, the legal process continues.

The cases that Bale Mediation has resolved are horizontal conflicts in the community of Karang Genteng, Pagutan Village, Mataram District, Mataram City with the people of Bajur Village, Labuapi Subdistrict, West Lombok Regency: The case of its position is briefly described as follows; On December 15, 2018, at 23.00 WITA, located around the public square of Karang Genteng, Soejono Lingkar Selatan street, Mataram City with residents from Bajur Village, Labuapi District, West Lombok Regency. As a result of the fight, there were victims from both sides, suffered wounds and slashes; the chronological events are as follows:

- a. At 23.00 WITA, a group of youths who allegedly came from Bajur Labuapi District West Lombok Regency by flocking three using motorcycles shouting and swearing, challenging residents from the Karang Genteng neighborhood; the incident was repeated up to several times, this invited the attention of the youths of Karang Genteng neighborhood who were hanging around the public square of Karang Genteng.
- b. On Sunday, December 16, 2018, around 00.30 WITA, residents from Karang Genteng neighborhood chased the youths who allegedly came from Bajur Village, Labuapi District, West Lombok Regency by motorcycle to the Lombok International Airport Bypass Line in Jempong Subdistrict Sekarbela Mataram City.
- c. At 00.40 WITA, youths from the neighborhood of Karang Genteng Pagutan Village intercepted by youths who are suspected of coming from Jempong District Sekarbela Bajur and Labuapi Downsizing West Lombok District blocked residents from the Karang Genteng neighborhood who intended to pursue three people who are suspected of coming from Labuapi who challenged the residents of Karang Genteng and there was a fight.
- d. As a result of brawl 2 (two), young men from the Karang Genteng environment suffered wounds and slashes due to sharp objects.
- e. At 01.00 WITA, Karang Genteng Youth leaders (Members of FKDM Mataram City) Fathurrahman brothers and some residents of Karang Genteng and the families of the injured took the victims to the IGD and in intensive care in the public hospital area of Mataram City.

- f. At 01.10 WITA, Mataram Resort Police Officers using patrol cars arrived and calmed the citizens down.
- g. At 01.20 WITA, a conducive situation has been attained, and the perpetrators of the brawl have been secured in the Mataram Resort Police headquarters. The case is under investigation by the Mataram resort police.

Note:

- 1) The brawl involving youths from Karang Genteng and youths from Bajur village has happened several times. The brawl (Tawuran) started from the challenge from youths, allegedly coming from Bajur Labuapi West Lombok regency, who had previously been in a fight with students from Karang Genteng who attended the State Junior High School 19 Mataram. The aftermath of the incident occurred a fight that resulted in Karang Genteng youths' injury. The two victims from Karang Genteng Pagutan Village were treated at a public hospital in Mataram City.
- 2) Need to anticipate a counterattack from the residents of Karang Genteng to Bajur Labuapi Area, West Lombok Regency, where Karang Genteng area is only separated by Terong Tawah Labuapi with Bajur, and Karang Genteng residents are famously involved in the conflict.
- 3) The aftermath of the brawl that began with the fight between the children extended into the conflict between parents and the extended family of the brawling children.

Driven by an emotional sense of solidarity, each defends and justifies their children's behaviors. The conflict even spread to all community residents, namely the residents of Karang Genteng Village and the residents of Bajur Village. The two groups fought over the neighborhood where they live because of the expansion of the Karang Genteng area into the Mataram city government area, and Bajur village area (which was once a Mataram city area) became part of West Lombok Regency. The two areas are separated only by a highway. And among them, some have a family relationship by marriage in the other area.

Daily social relations are no longer harmonious; the situation and conditions are horrifying, resulting in tension and an atmosphere of disharmony. Moreover, both sides have children who were detained by the police. The tense and disharmonious atmosphere above lasted long enough for an entire month. This situation is unproductive, detrimental to all parties. The people admitted that their daily lives became uncomfortable, uneasy, and they were afraid to go out to work for a living, and they were concerned for safety and security for their children going to school.

In the end, they agreed to end the conflict by mediation on "Bale Mediation" West Nusa Tenggara. After going through the mediation process, they agreed to make peace. The mediation was followed by the signing of the "Peace Agreement" on Wednesday, January 16, 2019, by 5 (five) representatives, one each from Karang Genteng, Pagutan Village, Mataram District, Mataram City, and from Bajur Villagers, Labuapi Subdistrict, West Lombok Regency and the mediators (Bale Mediation). It ended with a happy ending. The mediation took place in the Main Meeting Room of the Governor's Office of West Nusa Tenggara Province.

4. CONCLUSION

Bale's role as an institution carries out the functions of mediation, coaching, and coordination in the implementation of mediation in the community according to local wisdom. The establishment of Bale Mediation in accordance with the customs and culture of the Indonesian nation and contained in the 4th precept of Pancasila, which prioritizes deliberation and consensus in solving problems. This is also in line with government programs that prioritize restorative justice and reduce overcapacity in correctional institutions and detention houses. The cases that can be resolved in Bale Mediation are civil and criminal.

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