

ABSTRAK

Kasus *jugun ianfu* merupakan salah satu kasus kekerasan seksual besar yang pernah terjadi pada sejarah konflik bersenjata dan merupakan pelanggaran terhadap hukum humaniter. Kasus kekerasan seksual *jugun ianfu* terjadi di banyak negara jajahan Jepang selama Perang Dunia II salah satunya Indonesia namun seakan tidak pernah muncul dan dilupakan oleh dunia dan pemerintah Jepang pun kabur dari tanggung jawab atas kasus *jugun ianfu* selama Perang Dunia II. Kasus *jugun ianfu* menunjukkan betapa rentannya posisi wanita sebagai penduduk sipil dalam konflik bersenjata, dan meskipun telah terdapat peraturan mengenai perlindungan wanita selama konflik bersenjata namun belum dilaksanakan oleh seluruh pihak.

Terdapat hambatan dalam penegakan hukum humaniter internasional salah satunya adalah politik dan kebijakan nasional dari tiap negara. Namun, bukan berarti tidak ada jalan yang dapat ditempuh dalam upaya penegakan hukum humaniter dan pengembalian hak para korban *jugun ianfu*, mereka dapat mengajukan tuntutan melalui pengadilan nasional, pengadilan Hak Asasi Manusia, melalui *International Court of Justice*, dan mekanisme penyelesaian sengketa internasional non-litigasi.

Kata Kunci: Penegakan Hukum Humaniter, Jugun Ianfu, Kekerasan Seksual, Perlindungan Wanita, Hukum Internasional.

ABSTRACT

The Jugun ianfu is one of the biggest sexual violation case that ever happened in armed conflict history and a breach of international humanitarian law. Jugun ianfu took place in many Japan occupied country including Indonesia in World War II but never really heard and forgotten by the world and Japanese government never really want to take responsibility of it in the World War II. The survivor of jugun ianfu had done a lot of efforts to sought justice and to restore their rights. Jugun ianfu case shows just how vulnerable are women as civilian in an armed conflict and even though there's rules about protection of women during war-time/ armed conflict its rarely applied by the parties.

There are obstacles to the enforcer of humanitarian law one of that being politics and national policy of each countries. However, that doesn't necessarily means there is no other way to enforce humanitarian law and the restoration of jugun ianfu victim's right, there are ways to, they could file a lawsuit via national judiciary, human rights court, and International Court of Justice, and other international dispute settlement.

Keyword: Enforcement of Humanitarian Law, Jugun Ianfu, Sexual Violence, Women Protection, International Law.