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## Cooperative Study: Implementation of Human Rights In Indonesia and Finland

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**Abstract:** This study explores the implementation of human rights in Indonesia and Finland through a comparative perspective. The research focuses on identifying the factors that influence the effectiveness of human rights enforcement in both countries, including institutional strength, law enforcement practices, human resources, legal socio-culture, and cultural environment. Although both countries possess comprehensive legal frameworks, their implementation differs significantly. In Indonesia, challenges such as inconsistent law enforcement, limitations in human resources, and cultural environment that may conflict with human rights principles contribute to weaker implementation. In contrast, Finland establishes a more stable system supported by strong institutions, high levels of public trust, and social values that reinforce legal compliance, despite facing challenges related to minority protection and law enforcement practices. This study aims to provide a deeper understanding of how structural and societal factors shape the realization of human rights in different national contexts.

**Keyword:** Human Rights, Law Enforcement, Indonesia, Finland, Comparative Analysis, Legal Socio-Culture

### INTRODUCTION

Human rights are inherent entitlements that belong to every individual without exception and form a crucial foundation for democratic governance and the rule of law. These rights are not only acknowledged in moral terms but are also formally safeguarded through national legal systems. In Indonesia, such guarantees are clearly embedded in the Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, which outlines a wide range of civil, political, economic, social, and cultural rights for its citizens. This constitution affirms that the protection of human rights is an integral element of state administration. A similar commitment can be observed in Finland, where the Constitution of Finland strongly emphasizes the protection of individual liberties, equality, and respect for human dignity as fundamental principles of the state.

Despite the existence of comprehensive legal frameworks in both countries, the practical realization of human rights continues to encounter various obstacles. In Indonesia,

challenges such as inconsistent law enforcement, the need to strengthen institutional capacity, and limitations in both the quality and quantity of human resources often hinder the effective protection of these rights. This situation illustrates that well-crafted regulations alone are insufficient to ensure ideal practices in society. The implementation of human rights requires not only solid legal provisions but also reliable systems, professional law enforcement officials, and a well-developed legal culture within the community.

On the other hand, Finland is frequently regarded as a country with a relatively stable and effective system for ensuring the enforcement of human rights. Strong state institutions, a high level of professionalism among public officials, and significant public trust in the government contribute to a supportive environment for the respect of individual rights. Nevertheless, Finland is not entirely free from challenges. Issues still arise, particularly in relation to the protection of minority groups, certain law enforcement practices, and the evolving dynamics of freedom of expression in the modern era. This demonstrates that even countries with advanced systems continue to face complexities in the application of human rights.

Previous research has extensively examined human rights from legal and theoretical perspectives, highlighting how structural and social factors influence their application in different national contexts. Such studies often emphasize that variations in legal traditions, cultural backgrounds, and social conditions significantly affect the effectiveness of human rights protection. In this regard, a comparison between Indonesia and Finland becomes particularly interesting because the two countries differ considerably in terms of institutional strength, legal traditions, human capital, and socio-cultural environments.

Indonesia, as a developing nation with vast cultural diversity and complex social structures, faces challenges that differ from those encountered by Finland, which has a more homogeneous society and a relatively high level of social welfare. Historical experiences, legal traditions, and political dynamics have shaped how each country addresses human rights issues. Therefore, a comparative approach is highly relevant to understanding how these factors contribute to the success or limitations of human rights implementation.

Based on this background, this study seeks to examine the implementation of human rights in Indonesia and Finland through a comparative lens. The primary focus is on identifying the key factors that influence the effectiveness of human rights protection in both countries. By analyzing institutional, legal, and socio-cultural dimensions, this research aims to provide deeper insight into the challenges faced and the opportunities available to strengthen the realization of human rights.

Through a comprehensive analysis of both contexts, it is expected that valuable lessons can be drawn to enhance the quality of human rights protection. This comparison is not intended to determine which country performs better, but rather to explore effective practices and understand the contributing factors behind both achievements and obstacles in human rights implementation. Ultimately, the findings of this study are expected to offer academic contributions as well as practical recommendations for strengthening human rights protection systems in the future..

## **METHOD**

This study employs a normative juridical research method with a qualitative approach. This research focuses on the analysis of the norms and principles of law related to human rights, as defined within the national legal framework. A comparative approach is applied to examine the differences and similarities in the implementation of human rights between Indonesia and Finland.

The data used in this research are secondary data, consisting of primary legal materials and secondary legal materials. The primary legal materials include constitutional provisions

such as the Undang-Undang Dasar 1945 and the Constitution of Finland. The secondary legal materials include academic literature, journal articles, and international reports published by organizations such as the United Nations.

The data are analyzed using a qualitative descriptive method aimed at interpreting and comparing the effectiveness of human rights implementation in the two countries based on institutional, legal, and socio-cultural factors.

## **RESULTS AND DISCUSSION**

### **Implementation of Human Rights in Indonesia**

The implementation of human rights in Indonesia is constitutionally guaranteed under the Undang-Undang Dasar 1945, particularly in Articles 28A to 28J, which regulate fundamental rights such as the right to life, freedom of expression, and equality before the law. Furthermore, Article 27 emphasizes the principle of equality before the law and the obligation of citizens to respect legal norms, while Article 29 emphasizes freedom of religion. These provisions demonstrate that Indonesia has a comprehensive legal framework for the protection of human rights.

However, the realization of human rights in practice remains incoherent despite this solid constitutional foundation. Various factors contribute to this situation, including weak institutional capacity, inconsistent application of the law, and limited human resources in legal institutions. In many cases, legal procedures are not implemented efficiently, leading to delays and unequal treatment.

Furthermore, socio-cultural factors also play an important role in influencing the implementation of human rights. Social norms, traditional values, and community pressure can sometimes conflict with the principles of universal human rights, leading to discrimination or restrictions on freedom. This is proven with reports from several countries issuing restrictions to freedom of religion, gender-based violence, and discriminations towards ethnicity according to the Universal Human Rights Index in The Report of the Working Group on the Universal Periodic Review Indonesia that had been reported in the year of 2023. In addition, low legal awareness of the public weakens the effectiveness of law enforcement and reduces the protection of human rights in practice.

### **Implementation of Human Rights in Finland**

In Finland, human rights are strongly protected under the Constitution of Finland in Chapter 2: Basic Rights and Liberties, which guarantees fundamental rights such as equality, personal freedom, and freedom of expression. The Constitution also emphasizes the protection of social rights, including access to education and welfare, reflecting a comprehensive approach to human rights protection.

The implementation of human rights in Finland is generally more coherent, supported by a solid institutional structure, effective law enforcement, and a high level of public trust. The legal procedures are relatively well-structured and are implemented with transparency and accountability, contributing to a more stable system for the protection of human rights.

However, Finland is not without its challenges. According to the Universal Human Rights Index in The Report of the Working Group on the Universal Periodic Review Finland that had been reported in 2023, many countries had expressed concerns towards indigenous and marginalized groups due to discriminations and unequal treatments. Aside from that, issues such as low reporting of hate crimes, limitations in law enforcement training, and concerns regarding the treatment of migrants and asylum seekers indicate that the enforcement of human rights is not entirely free from weaknesses. In addition, the debate on freedom of expression highlights the ongoing tension between individual rights and legal restrictions.

## Comparative Analysis of Human Rights Implementation

A comparative analysis between Indonesia and Finland shows that the differences in the implementation of human rights are not primarily due to the lack of a legal framework, as both countries have comprehensive constitutional protection. In Indonesia, human rights are clearly regulated by Undang-Undang Dasar 1945, particularly in Articles 28A to 28J as well as Articles 27 and 29, which emphasize equality before the law and freedom of religion. Similarly, Finland guarantees fundamental rights through the Constitution of Finland, which reflects a strong legal commitment to the protection of human rights. Therefore, the main difference is not in the existence of legal norms, but in the way these norms are applied in practice.

One of the main distinguishing factors is institutional capacity. In Indonesia, legal institutions often face challenges regarding coordination, independence, and efficiency, which can lead to inconsistent application of human rights protection. In contrast, Finland benefits from well-established and independent institutions that operate with a high degree of transparency and accountability. The strength of these institutions enables a more coherent application of legal norms and strengthens public trust in the justice system.

Another important factor is the quality and consistency of the application of the law. In Indonesia, the application of legal procedures can be influenced by delays, unequal treatment, or external influences, leading to a gap between legal provisions and actual practice. Meanwhile, Finland demonstrates a relatively more coherent application of the law, supported by clear procedural standards and professional practices. However, issues such as the low reporting of hate crimes and the limitations in the training of law enforcement agencies indicate that challenges remain, particularly in handling sensitive cases involving minority groups.

The role of the human resources also significantly influences the effectiveness of the implementation of human rights. In Indonesia, the limitations regarding education, training, and professional development among law enforcement personnel may affect their ability to address complex human rights issues. On the other hand, Finland places great emphasis on education and professional standards, contributing to a more competent and reliable enforcement of the law. However, some gaps in handling discrimination cases and issues related to minorities show that even a very advanced system is not completely free from weaknesses.

Furthermore, legal socio-culture and socio-cultural factors play an important role in how human rights are understood and practiced. In Indonesia, social norms, traditional values, and communal dynamics can sometimes conflict with the universal human rights principles, leading to discriminatory practices or restrictions on individual freedoms. In contrast, the Finland's socio-cultural environment tends to support individual rights, equality, and the respect for legal norms, which overall strengthens the implementation of human rights. However, there are challenges in ensuring equal treatment of migrants and minority groups, which underscores the complexity of balancing cultural diversity and the protection of human rights.

Overall, the comparison shows that the effectiveness of the implementation of human rights is influenced by a combination of institutional, legal, personnel, and socio-cultural factors. While Finland has a more stable and coherent system, it is not without its limits. Similarly, the challenges faced by Indonesia are not due to a lack of legal provisions, but rather the need to strengthen the performance of institutions, improve law enforcement, and raise public awareness. Therefore, the implementation of human rights must be understood as a multidimensional process that requires not only a solid legal framework but also effective institutions and supportive societal values.

## CONCLUSION

Based on the comparative analysis, it can be concluded that both Indonesia and Finland have a comprehensive legal framework for the protection of human rights, as expressed in their respective constitutions, namely the Undang-Undang Dasar 1945 and the Constitution of Finland. However, the effectiveness of the human rights in these two countries differs significantly.

The findings of this study show that the gap in implementation is not due to the lack of legal provisions, but rather to differences in institutional capacity, the coherence of law enforcement, the quality of human resources, and the influence of socio-cultural factors. In Indonesia, challenges such as weak institutional performance, inconsistent application of the law, and socio-cultural constraints contribute to less effective protection of human rights. In contrast, Finland has a more stable and coherent system, supported by solid institutions, a high level of legal awareness, and social values that promote respect for the law, although some challenges remain, particularly regarding the protection of minorities and law enforcement practices.

Therefore, it is understandable that the successful implementation of human rights requires not only strong legal frameworks but also effective institutions, competent human resources, and supportive socio-cultural conditions. Strengthening these aspects is very important to improve the realization of human rights in practice, especially in countries where their implementation remains incoherent.

## REFERENCE

- United State of America, Bureau of Democracy of Human Right and Labor. (2021). *2021 Country Reports on Human Rights Practices: Finland*.
- Ramonan, P. D., Sassi, K. (2024). Studi Komparatif Sistem Pendidikan Dasar di Finlandia dan Indonesia: Penguatan Learning Community. *Jurnal Pendidikan, Sosial dan Humaniora*, 4(01).
- Bina Nusantara University. (2011). Pelaksanaan dan Penegakkan Hak Asasi Manusia dan Demokrasi di Indonesia.
- Putra, I. E. D., Rusdinal, Ananda, A., Gistituati, N. (2023) Perbandingan Kurikulum Pendidikan Indonesia dan Finland. *Journal on Education*, 06(1).
- United Nation. (2023). *Report of the Working Group on the Universal Periodic Review (Indonesia)*
- United Nation. (2023). *Report of the Working Group on the Universal Periodic Review (Finland)*