

**FENOMENA *HOSTAGE DIPLOMACY*: PERAN ASEAN
INTERGOVERNMENTAL COMMISSION ON HUMAN RIGHTS
(AICHR) DALAM MITIGASI TERJADINYA DI ASEAN**

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INTISARI

Penelitian ini bertujuan untuk menganalisis potensi terjadinya *hostage diplomacy* di level ASEAN dan mengidentifikasi peran serta upaya mitigasi AICHR dalam mengatasi potensi terjadinya *hostage diplomacy* di ASEAN. Penelitian ini merupakan penelitian hukum normatif dengan menggunakan data sekunder. Bahan hukum yang digunakan dalam penelitian ini terdiri dari bahan hukum primer dan sekunder yang diperoleh dari pengumpulan data kepustakaan. Metode pendekatan masalah yang digunakan yaitu pendekatan perundang-undangan, pendekatan kasus, dan pendekatan konseptual. Analisis data menggunakan metode kualitatif, disajikan secara deskriptif analitis, dan penarikan kesimpulan dilakukan dengan metode deduktif.

Penelitian ini memiliki kesimpulan: Pertama, potensi *hostage diplomacy* di kawasan ASEAN tinggi akibat berbagai sengketa teritorial, seperti konflik Kuil Preah Vihear antara Thailand dan Kamboja, krisis kudeta militer di Myanmar, serta perselisihan Laut China Selatan dengan China. Kedua, AICHR tidak memiliki cukup peran dalam mencegah potensi *hostage diplomacy* di ASEAN, mengingat keterbatasan mekanisme AICHR dan perbedaan kemauan politik antar negara anggota ASEAN. Meskipun usulan memasukkan isu *hostage diplomacy* dalam FWYP dan meninjau TOR dinilai akan menjadi upaya efektif dalam mitigasi potensi *hostage diplomacy*, tetapi peluang implementasinya masih rendah. Oleh karena itu, ASEAN perlu mencari pendekatan lain dan tidak mengandalkan AICHR dalam mitigasi potensi *hostage diplomacy*.

Kata kunci:

Hostage Diplomacy, AICHR, ASEAN

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***THE PHENOMENON OF HOSTAGE DIPLOMACY: THE ROLE OF
THE ASEAN INTERGOVERNMENTAL COMMISSION ON HUMAN
RIGHTS (AICHR) IN MITIGATING ITS OCCURRENCE IN ASEAN***

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ABSTRACT

This research aims to analyze the potential occurrence of hostage diplomacy at the ASEAN level and to identify the role and mitigation efforts of the AICHR in addressing the potential occurrence of hostage diplomacy within ASEAN. This study is normative legal research utilizing secondary data. The legal materials used in this research consist of primary and secondary sources obtained through library data collection. The problem-solving methods employed include the statute approach, case approach, and conceptual approach. Data analysis is conducted using qualitative methods, presented descriptively and analytically, and conclusions are drawn using the deductive method.

The research concludes that, firstly, the potential for hostage diplomacy in the ASEAN region is high due to various territorial disputes, such as the Preah Vihear Temple conflict between Thailand and Cambodia, the military coup crisis in Myanmar, and the South China Sea disputes with China. Secondly, AICHR does not have a significant role in preventing potential hostage diplomacy in ASEAN due to the limitations of its mechanisms and the differing political will among ASEAN member states. Although the proposal to include the issue of hostage diplomacy in the FWYP and to review the TOR is considered an effective effort in mitigating the potential for hostage diplomacy, the likelihood of its implementation remains low. Therefore, ASEAN needs to seek alternative approaches and not rely solely on AICHR in mitigating the potential for hostage diplomacy.

Keywords:

Hostage Diplomacy, AICHR, ASEAN

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