

ABSTRAK

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IMPLEMENTASI INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (ICERD) DI AMERIKA SERIKAT: ANTI-ASIA SEMASA COVID-19 (ix + 93 halaman: 2 lampiran)

Kata Kunci: ICERD, Rasisme, Anti-Asia, Hukum Internasional

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) menetapkan norma universal untuk menghapus diskriminasi rasial secara global. Konvensi ini bertujuan melindungi hak asasi manusia tanpa membedakan ras, warna kulit, atau asal kebangsaan, dengan cakupan komprehensif, sifat mengikat secara hukum, serta langkah pelaksanaan yang terintegrasi. Oleh karena itu, penelitian ini mengevaluasi implementasi International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) di Amerika Serikat dalam menangani diskriminasi rasial terhadap komunitas Asia selama pandemi COVID-19 (2020–2022). Penelitian ini menggunakan teori neoliberalisme dengan konsep hak asasi manusia, hukum internasional dan analisis tingkat negara. Penelitian ini bersifat kualitatif dengan metode deskriptif untuk menganalisis efektivitas ICERD sebagai kerangka hukum internasional dalam memerangi diskriminasi rasial yang dipicu oleh stigma COVID-19, yang diperburuk oleh retorika politik seperti istilah “Virus Cina.” Data sekunder dikumpulkan dari berbagai sumber, termasuk laporan statistik, jurnal ilmiah, dan dokumen resmi. Hasil penelitian menunjukkan bahwa meskipun Amerika Serikat telah meratifikasi ICERD, implementasinya masih menghadapi hambatan, seperti kurangnya penegakan hukum yang konsisten dan bias institusional. Lonjakan kejahatan kebencian anti-Asia sebesar 149% di kota-kota besar di Amerika Serikat menggarisbawahi kegagalan kebijakan domestik dalam melindungi minoritas. Studi ini menyoroti pentingnya adaptasi hukum internasional terhadap situasi modern, serta perlunya kerja sama global dan tindakan proaktif untuk mencegah diskriminasi rasial. Penelitian ini memberikan rekomendasi bagi pengambil kebijakan untuk meningkatkan pengawasan dan advokasi terhadap hak asasi manusia demi menciptakan masyarakat yang inklusif dan toleran.

Referensi: 37 buku (1986–2023) + 49 artikel jurnal + 22 sumber daring

ABSTRACT

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THE IMPLEMENTATION OF INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (ICERD) IN THE UNITED STATES: ANTI-ASIAN SENTIMENT DURING COVID-19

(ix + 93 pages: 2 appendices)

Keywords: ICERD, Racism, Anti-Asia, International Law

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) establishes universal norms to eradicate racial discrimination globally. This convention aims to protect human rights regardless of race, skin color, or national origin, with comprehensive coverage, a legally binding nature, and integrated implementation measures. This research evaluates the implementation of ICERD in the United States in addressing racial discrimination against Asian communities during the COVID-19 pandemic (2020–2022). The research employs neoliberalism theory with the concepts of human rights, international law, and state-level analysis. The study adopts a qualitative approach using descriptive methods to analyze ICERD's effectiveness as an international legal framework in combating racial discrimination exacerbated by COVID-19-related stigma and political rhetoric such as the term “China Virus.” Secondary data were collected from various sources, including statistical reports, scholarly journals, and official documents. The findings reveal that despite the United States ratification of ICERD, its implementation faces challenges such as inconsistent law enforcement and institutional bias. A 149% surge in anti-Asian hate crimes in major American cities underscores the failure of domestic policies to protect minorities effectively. This study highlights the importance of adapting international legal frameworks to modern contexts and emphasizes the need for global cooperation and proactive measures to prevent racial discrimination. Recommendations include enhancing oversight and advocacy for human rights, ultimately fostering a more inclusive and tolerant society.

References: 37 books (1986–2023) + 49 journal articles + 22 online sources