



The right to learn



The right to an education is also stipulated in Article 12 of the 1999 Human Rights Law and the 2002 Child Protection Law. Article 12 of Law No. 39/1999 states as follows: "Everyone has the right to the protection of their self-development, to obtain an education, and to improve the quality of their life to become responsible, content, and prosperous, in accordance with their human rights."

Then Article 9 paragraph (1) of Law No. 23/2002 says this: "Every child is entitled to an education in order to develop their personality and intelligence according to their interest and talent."

And Article 49 of Law No. 23/2002: "The state, the government, families, and parents are obligated to provide as many opportunities as possible for children to obtain education."

In an international context, the acknowledgement and protection of the right to an education is also stipulated in Article 26 paragraph (1) of the Universal Declaration of Human Rights and Article 13 paragraph (1) of the International Covenant on Economic, Social and Cultural Rights, which have been ratified into Indonesian law.

Then there is Article 26 paragraph (1) of the Universal Declaration of Human Rights: "Everyone has the right to education," and Article 13 paragraph (1) of the International Covenant on Economic, Social and Cultural Rights reads as follows:

"The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding,

National daily *Kompas* recently reported some shocking news, especially for the education community.

An article published on 28 September detailed a civil dispute over rented land between the North Jakarta International School (NJIS) and PT Summarecon Agung Tbk.

As reported, the parties have been unable to reach an agreement over the sale of the land, owned by Summarecon and leased by NJIS. The international school wants to buy the land after renting it for 20 years, but after two years of negotiations no agreement has been reached.

As a result, Summarecon has issued three formal warning letters stating that NJIS immediately vacate the land

and NJIS responded by canceling all classes from Monday 27 September to 1 October. The government should not pay attention to the civil dispute, but to the disruption and harm to the education of NJIS students.

They will suffer not only the financial losses of tuition fees which have already been paid, but something much bigger: their right to obtain an education as stipulated in the Constitution. Article 28C paragraph (1) of the Constitution reads as follows:

"Every person shall have the right to develop him/herself through the fulfillment of their basic needs, the right to obtain education and to benefit from science and technology, arts and culture, for the purpose of improving the quality of their life and for the welfare of the human race."

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tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.”

Therefore, based on the above provisions, the land dispute between Summarecon and NJIS is harming the basic human rights of the students enrolled at the school. In fact, the incident may even be traumatic for some NJIS students and eventually inhibit their psychological development because their school is surrounded by security guards on a daily basis.

There is also a banner around NJIS stating that the rental period has expired, which could be potentially harmful as it gives the impression that the school is in a tenuous and frightening situation.

Basic foundation of life

As a formal institution, a school plays a very significant role in the development of a child's education. At school, children follow the curriculum to advance their knowledge, but they receive more than just a formal education, students also develop and improve their ability to communicate, interact and adapt.

This incident and the temporary closure of the school will certainly inhibit the development of NJIS students and leaves their human rights in this regard unprotected.

This is another test for the administration of Susilo Bambang Yudhoyono. The issue is no less important than the issue of the right of the HKBP Christians to worship in Ciketing, Bekasi. The government needs to act immediately because if this situation is allowed to continue, it will ruin the image of the enforcement of human rights in Indonesia.

Moreover, considering that some NJIS students are children of diplomats from friendly countries, this incident may become a topic of discussion in

their countries. If that was the case, it would seem as though there were no protection of and respect for human rights and the right to obtain an education in Indonesia.

The long-term effects of this tarnished image could result in a decrease in trust from foreign investors, which could inhibit the recovery of Indonesia's economy from a prolonged crisis.

Therefore, it is time for us to respect human rights, especially in this reform era. Human rights and children's rights to obtain an education cannot be restricted, prevented, reduced, taken away and eliminated by anyone, much less commercial interests and land ownership.

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Commercial interests must give way to national education in order for education to be reformed. Without a labor force that is strong, educated and qualified, it will be difficult for us to compete with other nations. The state must intervene to maintain order so that the students of NJIS can study in peace.

The police as an arm of the state, whose task is to protect and to serve the public, are responsible for protecting the education process of NJIS students. Their education must continue because it is their basic human right.

This incident warrants serious attention from the parliament, the Regional House of Representatives,

the Minister of National Education, the Coordinating Minister for People's Welfare, the National Commission for Human Rights, the Commission for Indonesian Child Protection and other related institutions.

It cannot be disputed that Summarecon has played a big part in developing Kelapa Gading, to the extent that Kelapa Gading is now known as the Singapore of Asia. In 30 years, Summarecon has developed the area and made it an attractive location for investors.

In addition, Summarecon is also known as a developer with an environmentally friendly and community-based focus. This is reflected in the fact that it has established medical, lifestyle, entertainment, culinary and education facilities in the area.

In fact, the establishment of NJIS in 1990 is an example of Summarecon's appreciation of the importance of education. The concern is also in line with Article 6 of Law No. 5 of 1960 on Basic Provisions concerning the Fundamentals of Agrarian Affairs: "All land rights have a social function."

The wisdom in the steps already taken by the company confirms its good reputation, but

the complexities of the current conflict show that the case is not only a civil dispute, but one that involves the human rights of students at NJIS.

The dispute over civil matters between NJIS and Summarecon should not result in unprotected human rights. It is my hope that it can be settled peacefully and humanely, so that the education process at NJIS can return to normal without any trauma or harm caused to NJIS students.

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