

Evaluation of The Program For The Fulfillment of The Rights of Victims of Human Rights Violations in Indonesia

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Abstract

The Victim Recovery and Prevention of Gross Human Rights Violations Program (PKPHAM) is a policy of the Indonesian government launched to respond to the demands for justice for victims of gross human rights violations in the past, as well as to strengthen national reconciliation based on justice and humanity. This study aims to evaluate the results of the implementation and monitoring of the PKPHAM program through a qualitative approach using William N. Dunn's public policy evaluation theory which includes six main indicators: (1) Effectiveness, (2) Efficiency, (3) Adequacy, (4) Equity, (5) Responsiveness, and (6) Accuracy. The findings of this study show that the implementation of the program still faces a number of obstacles, including; limited validated victim data, lack of coordination between implementing agencies, and there are several forms of assistance that are not suitable for the concrete needs of victims. On the monitoring side, the approach used is still administrative, with no clear impact indicators and adequate victim participation. Evaluations show that most programs are still symbolic and have not substantially fulfilled the victims' rights to truth, justice, reparation, and guarantees of non-recurrence. Thus, in order for PKPHAM to become an effective and sustainable program, fundamental improvements are needed in the design and implementation of policies that are oriented towards the fulfillment of victims' rights as a whole. The state needs to strengthen political commitments, improve the victim-based monitoring system, and adopt a participatory, accountable, and fair approach in realizing transitional justice in Indonesia.

Keywords: Fulfillment of Victims' Rights, Human Rights Violations, Policy Evaluation, PKPHAM, Transitional Justice

1. Introduction

The victim rights fulfillment program, which was launched in 2023, is known as the Victim Recovery and Prevention of Gross Human Rights Violations Program (PKPHAM) (Suhendarto, 2021). This program not only aims to provide material and moral recovery to the victims, but also as a form of



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national reconciliation that is just and respects human rights (Veranita, Lengkong and Londa, 2022). The implementation of recovery has begun in several regions such as Aceh, Jakarta, Central Sulawesi, to victim groups abroad such as in the Netherlands and the Czech Republic (Rewa, 2023). The forms of recovery provided include social assistance, health insurance, education, housing, and various other forms of support according to the needs of each victim. The implementation of this program faces significant challenges, including limited verified victim data, inequality in implementation in various regions, and the unfulfilled of all forms of victim requests (Hasballah and Zulfatmi, 2024). Therefore, it is important to conduct an in-depth scientific study to evaluate the extent to which the PKPHAM program has been implemented effectively and to identify the obstacles that are still faced in the process of fulfilling the rights of victims of gross human rights violations in Indonesia.

The lack of specific regional regulations or policies in regulating the protection of women and children has led to weak program implementation, so discussions have been held with relevant agencies and policy formulation teams that are in the revision stage of the merger of the Ranperda on the protection of women and children (Oktaviani & Mulyadi, 2023). The implementation of the women's protection and fulfillment program at the Palembang City DP3APM is considered quite good, especially in the aspect of strengthening regulatory/policy capacity, such as the process of drafting and revising the draft Regional Regulation on the Protection of Women and Children (Riadi, Lionardo and Wulandari, 2022). The initiative to revise and consolidate the Ranperda shows the intention to improve the governance of human rights protection at the local level. In accordance with the principle of progressive realization in human rights law, namely the state's obligation to continue to improve human rights protection standards, including through regulations. However, a thorough evaluation of the program is very necessary because success in the regulatory process is not necessarily in line with the success of field implementers.

The implementation of national and international human rights laws in the context of handling gross human rights violations is still not optimal, making it difficult for the legal process and the fulfillment of victims' rights to be implemented effectively. Cases of gross human rights violations that have not been resolved, including during authoritarian regimes, show the need for more serious and comprehensive handling efforts so that justice can be upheld (Rasidi and Boediningsih, 2023). There are challenges in ensuring that all forms of victims' rights, namely the right to truth, justice, reparation, and non-repeated guarantees, can be fulfilled comprehensively and effectively (Hairi and Latifa, 2023). To realize effective justice, a stronger commitment from the state is needed in law enforcement, legal reform, and a framework that is able to support recovery (Suhendarto, 2021). Indonesia has ratified a number of international human rights instruments (such as ICCPR, CAT, CEDAW), and has Law No.

26 of 2000 concerning Human Rights Courts (Rampen, Paseki and Muaja, 2022). Indicators of the success of fulfilling victims' human rights become low when the legal process stops at the point of "symbolic reconciliation" without clear accountability. Evaluation must be based on the four main rights of victims (truth, justice, reparation, non-recurrence) and carried out by involving victims as subjects, not objects, in the process of formulating and implementing programs (Anwari, Supardi and Harefa, 2024).

The process of resolving gross human rights violations, including genocide, in Indonesia follows the legal mechanism regulated in Law No. 26 of 2000 and is supported by implementing regulations such as Government Regulations Number 2 and 3 of 2002 (Hairi and Latifa, 2023). Settlement can be carried out through human rights judicial institutions, Komnas HAM, or alternative mechanisms such as the Truth and Reconciliation Commission (Ticoalu, Massie and Pinori, 2023). The rights of victims of gross human rights violations are guaranteed and protected by law, including the protection of security and identity, the right to provide information without direct contact with the suspect, and the right to compensation, restitution, and rehabilitation (Widayanti, 2017). Indonesia already has an adequate legal framework on paper, but in the context of evaluating the program for the fulfillment of victims' rights, what needs to be criticized is the gap between the legal framework and programmatic realization (Audina, 2020). The rights of victims that are legally guaranteed have not been fulfilled comprehensively, justly, and sustainably (Djamaludin and Arrasyid, 2024). Therefore, the evaluation must measure not only the existence of the rules, but the effectiveness of access, direct impact, and victim participation in the entire process of fulfilling rights.

Indonesia has established institutions such as the Human Rights Court and the National Commission on Human Rights, the implementation and enforcement of human rights still faces obstacles, especially related to the resolution of gross human rights violations that occurred in the past, such as the May 1998 riots and other cases of human rights violations. Indonesia has established various laws, such as Law No. 39 of 1999 on Human Rights and Law No. 26 of 2000 on Human Rights Courts, as the legal basis for upholding human rights and resolving their violations (Muhlizar, 2020). Program evaluation must see whether these legal norms really guarantee the four rights of victims, namely the right to truth, justice, reparation and non-recurrence guarantees (Toweula, Maramis and Rompas, 2022). The fulfillment of victims' rights is also not only a matter of policies and budgets, but also of the moral and political recognition of the suffering of victims. The importance is not only to build legal institutions and products, but to ensure that these institutions work effectively and on the side of victims. In the framework of the evaluation program for the fulfillment of the rights of victims of human rights violations, this requires the following: (1) Evaluation indicators based on the impact on victims, (2)

Victims' access to justice and real redress, (3) Transparency, victim participation, and accountability of state institutions.

2. Method

The victim rights fulfillment program, which was launched in 2023, is known as the Victim Recovery and Prevention of Gross Human Rights Violations Program (PKPHAM) (Suhendarto, 2021). This program not only aims to provide material and moral recovery to the victims, but also as a form of national reconciliation that is just and respects human rights (Veranita, Lengkong and Londa, 2022). The implementation of recovery has begun in several regions such as Aceh, Jakarta, Central Sulawesi, to victim groups abroad such as in the Netherlands and the Czech Republic (Rewa, 2023). The forms of recovery provided include social assistance, health insurance, education, housing, and various other forms of support according to the needs of each victim. The implementation of this program faces significant challenges, including limited verified victim data, inequality in implementation in various regions, and the unfulfilled of all forms of victim requests (Hasballah and Zulfatmi, 2024). Therefore, it is important to conduct an in-depth scientific study to evaluate the extent to which the PKPHAM program has been implemented effectively and to identify the obstacles that are still faced in the process of fulfilling the rights of victims of gross human rights violations in Indonesia.

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3. Result and Discussion

Implementation of the Program for the Fulfillment of the Rights of Victims of Human Rights Violations

The Victim Recovery and Prevention of Gross Human Rights Violations (PKPHAM) Program was launched by the Indonesian government as a form of state responsibility for victims of gross human rights violations. The implementation of this program has reached several regions such as Aceh, Jakarta, Central Sulawesi, and even diaspora groups abroad such as the Netherlands and the Czech Republic. The forms of fulfillment of rights carried out include social assistance, access to health, education, and housing. The implementation in the

field shows that there is inequality between regions. Most of the victims have not been thoroughly recorded due to the limitations of the verification system and the victim data that has not been integrated. This causes the program not to fully target all eligible victims. The implementation of public policies has obstacles that arise from communication and resource factors. Policy socialization is not evenly distributed, and program implementers often do not have sufficient technical guidance. On the other hand, budget and personnel constraints slow down the overall recovery process. The disposition of the implementers is also a challenge, as can be seen from the low sensitivity to the trauma of the victims and the lack of maximizing the role of local governments in following up on the central mandate. Coordination between agencies is still partial, causing overlapping responsibilities between Komnas HAM, LPSK, and other implementing agencies. Although there have been legal umbrellas such as Law No. 26 of 2000 and the Presidential Decree on the Monitoring Team, the implementation has not fully met the principles of transitional justice. The restoration of rights has not been able to touch the aspects of truth, justice, reparation, and guarantee of non-recurrence as affirmed by the United Nations Basic Principles and Guidelines on the Right to Restitution.

The implementation of kick off in Aceh Province at the KKA, Rumoh Geudong and Jambo Keupok Intersections on June 27, 2023 was attended by President Jokowi and his entourage. The Kick Off activity provides an opportunity for each ministry and institution to have the opportunity to explain various ministry and institution programs that have been and will be given to victims and their heirs. The victim rights restoration program has been mandated by Presidential Instruction No. 20 of 2023 by realizing various recovery programs, including priority Health Insurance (JKP), Education Scholarships, employment opportunities, Family Hope Program (PKH), Social Food Program, Contribution Recovery Recipients (PBI) and many more programs that have been provided by the government to victims. The implementation of the fulfillment of the rights of victims of gross human rights violations in Jakarta was also carried out on December 11, 2023 in Jakarta. The implementation of the fulfillment of victims' rights ran smoothly and was attended by Officials of the Coordinating Ministry for Political, Legal and Legal Affairs, PPHUMAN Rights Monitoring Team, Ministries/Institutions, DKI Jakarta Forkopimda, and DKI Jakarta Provincial Government Officials. The program to fulfill victims' rights to 51 victims of gross human rights violations

in 5 (five) cases, namely the Trisakti incident, Semanggi I, Semanggi II, the May 1998 riots, and Forced Disappearances have been realized in the form of Priority Healthy Indonesia Card Guarantee, home care services, Atensi Program and many more programs that have been provided by the government to victims.

The implementation of the fulfillment of victims' rights for the 1965 incident in Central Sulawesi Province was held on December 13, 2023 at the Pogombo Building and was attended by 146 victims. The selection of Central Sulawesi (Central Sulawesi) as the place to fulfill the rights of victims of the 1965-1966 Incident was motivated by the Governor of Central Sulawesi's audience with the Coordinating Minister for Political Affairs and Legal Affairs as the Chairman of the Steering Team of the PPHAM Monitoring Team. At the time of the hearing, the Governor of Central Sulawesi specifically requested that the victim rights fulfillment program be implemented in Central Sulawesi, because the average victim is old and there is comprehensive data support owned by the Regional Government and the Central Sulawesi SK-PHAM so that it will facilitate the process of verifying victim data. The fulfillment of victims' rights given directly includes; Priority Healthy Indonesia Card (KISP), Family Hope Program, Basic Food Packages, annual gifts of Rp.1,000,000 and many more programs that have been given by the government to victims.

The explanation of the implementation of the program implemented in three regions, namely Aceh, Central Sulawesi and Jakarta according to the indicators according to William N Dunn's theory, namely:

- a. Effectiveness: The implementation of the program in Aceh was carried out by symbolically handing over to the representatives of the victims of 3 events, namely Jambo Keupok, Rumah Geudong and Pos Satris, and Simpang KKA managed to reach 90 direct victims and many heirs. The victims' rights that have been distributed include social assistance, health, housing, education, livestock, and business capital. In addition, symbolic fulfillment of rights was also given to former Indonesian students with service ties (ex-Mahid) from the Czech Republic and Russia. The Kick Off activity was also carried out virtually and was attended by the Victims at 9 (nine) other events. The implementation of the program carried out in Jakarta as many as 51 victims of the Trisakti incident, Semanggi I-II, the May 1998 Riots, and Forced Disappearances

received relevant assistance, including PKH, basic necessities, and health services. The implementation of the program in Central Sulawesi has 146 victims and 448 beneficiaries (including families) who have received social, health, and scholarship assistance. The effectiveness is relatively high, especially in the initial implementation of symbolic and operational rights restoration in the three regions.

- b. Efficiency: Assess the relationship between inputs and outputs (cost and output). The distribution of basic necessities worth IDR 1,100,000/month and compassion from SOEs/President IDR 1,000,000/victim shows that there is a direct financing that is quite efficient. Activities such as providing livestock, sewing machines, and house construction were also monitored on target despite administrative constraints (NIK verification, land ownership). Efficiency still needs to be improved, especially in land acquisition (e.g. in Aceh) and inter-agency coordination for data verification.
- c. Adequacy: The program has not been able to answer all the needs of the victims. The forms of social assistance and access to public services provided are often symbolic and do not touch on long-term needs, such as psychological recovery, legal status, and political recognition. Thus, the program is considered not enough to meet the substantial dimension of victim recovery. Sufficiency is still low. Many victims have not yet accepted their rights fully and comprehensively.
- d. Equity: The distribution of program benefits is uneven. Victims in areas that are symbolic locations of the program receive services early, while other areas are delayed or even untouched. Vulnerable groups such as women, children, and diaspora victims also tend to be marginalized in the implementation scheme. Aceh received top priority and greater beneficiary coverage. Jakarta and Palu are still in the early stages of symbolic recovery. Events such as Talangsari, Wasior and Wamena have not been touched operationally in 2023. Equity is not optimal. There are inequalities between regions and the types of events that are handled.
- e. Responsiveness: The government's response to the needs and voices of victims has not reflected high responsiveness. Their aspirations and experiences have not been systematically incorporated into the design of the program, even though victim participation is a key principle in a human rights-based approach. The victim's

involvement in the verification and symbolization forum shows the process of listening to the victim's aspirations. The components of assistance provided such as scholarships, basic necessities, and health insurance reflect the response to the victim's request.

- f. Appropriateness: The type of assistance provided is not always on target. For example, the provision of housing assistance to victims who no longer live at the scene of the incident or health services to victims who are more in need of recognition and legal rehabilitation. The preparation of programs based on concrete data and presidential directives makes this program relevant and directed. However, there has been no recovery in some areas with verified data (e.g. Banyuwangi and Lampung) showing implementation gaps. Strategic accuracy is good nationally, but there is a mismatch between policy and the reality of needs on the ground.

Table 1 Program Implementation

Indicator	Valuation	Note
Effectiveness	Quite High	The program was successfully started in 3 main areas and targeted victims directly.
Efficiency	Pretty Good	Cross-ministry coordination is good, but data verification is still slow.
Adequacy	Low	Assistance is still limited and does not cover all victims.
Equitable	Low	Only Aceh, Jakarta, and Palu have received realization.
Responsiveness	Tall	Assistance according to the needs of the victims and direct verification results.
Accuracy	Quite High	The program is tailored to local context and factual data.

Monitoring the Implementation of the Program for the Fulfillment of the Rights of Victims of Human Rights Violations

Monitoring program implementation still faces serious challenges, especially in terms of victim participation and policy transparency. The PKPHAM Monitoring Team formed by the government has visited several locations, but it is still limited to administrative monitoring, not to the aspect of impact on victims. Based on field data and the 2023 Monitoring Team report, there are no clear indicators to assess the effectiveness of rights restoration. Victims have not been heavily involved in the preparation of the program, and the accountability of the

implementing agency is still low. This is contrary to the principle of "victim as subject" which should be the spirit of the human rights approach. Monitoring is also hampered by the absence of a reporting mechanism that is easily accessible to victims. The evaluation of the program carried out is technocratic and does not take into account the direct experience of the victim. In addition, the role of external monitoring institutions such as Komnas HAM and civil society organizations has not been optimally empowered. Monitoring should be a corrective means to ensure non-recurrence. However, the weak guarantee of non-recurrence can be seen from the absence of institutional reforms that touch on the root of the problem of human rights violations. The victim feels that he has not received full moral and political recognition from the state, even though there has been a symbolism of providing assistance.

The entire monitoring process is more administrative than substantive. A transformation is needed in the monitoring approach, from just reporting activities to impact-based monitoring that measures real changes in the lives of victims. The explanation of monitoring the implementation of the program implemented in three regions, namely Aceh, Central Sulawesi and Jakarta according to the indicators according to William N Dunn's theory, namely:

- a. Effectiveness: Monitoring carried out by the PPHAM Team and other institutions is still administrative and not yet based on the real impact on victims. Monitoring activities did not result in substantive corrections to implementation. This shows that monitoring has not been effective in encouraging policy improvements and field practices.

Table 2 Monitoring of Programs by Effectiveness

Area	Victim	Achievements
Aceh	90	• Residential Houses (16 Units) • Child Victim Education Scholarship • Livestock Assistance (camping, cows, ducks) • Production Tools (hand tractor, sewing machine, viar motor) • Basic Food Business Capital
Jakarta	51	• Cord of Love • Priority Healthy Indonesia Card • PKH • Home Care
Sulawesi Tengah	146	• Social Security

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- Groceries
 - Health
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- b. Efficiency: The monitoring process is often carried out with a large allocation of resources (travel costs, documentation, forums), but the results do not reflect systemic changes or improvements in victim services. The time and resources used have not yielded optimal results for policy improvement. The achievements that have been implemented in this program are (1) The program uses funds from 19 ministries/institutions without duplication of the budget, (2) Assistance is distributed directly according to the needs of the victims (for example, livestock and children's scholarships). However, there are still administrative obstacles such as the status of the land that has not been cleaned (Geudong's house) and data verification (by NIK, by Address) that slow down the execution. The efficiency of the program is quite good but faces obstacles in verifying land acquisition, especially in Aceh.
- c. Adequacy: The monitoring system is inadequate to address the complexity of human rights issues. The absence of standard indicators to assess the success of the program from the victim's perspective, as well as the weak complaint mechanism, make monitoring lose its corrective function. Therefore, the fulfillment of rights is still limited and partial, not enough to solve all needs.
- d. Equity: Monitoring is still focused on specific areas and has not yet reached all victim groups. Areas far from the center of power tend to be overlooked, while victims abroad or from minority groups experience invisibility in the monitoring process. Equality has not been achieved nationally; most of the recovery is still concentrated in Aceh.
- e. Responsiveness: Assistance is adjusted to the victim's demands: from economic needs (business capital), education (scholarships), to health (JKN-KIS). Verification is carried out directly in the field by the Monitoring Team to tailor assistance to the specific conditions of the victim. The program shows a good response to the real needs of the victims.
- f. Accuracy: The purpose of monitoring activities should be to evaluate the success of the program from the victim's point of view. Active involvement of local governments in

supporting non-judicial case resolution. The program is relatively on target, but it has not touched all events and casualties in the entire region.

The evaluation of the PKPHAM program based on Dunn's indicators shows that both the implementation and monitoring of the program still face weaknesses in almost all evaluation dimensions. There are still some programs that are not effective. Meanwhile, monitoring is still ongoing until there is a substantive policy change because it is too bureaucratic and not based on the real needs of the victims. Serious improvements are needed, especially in involving victims as the center of every policy process, as well as structural reforms to the existing monitoring and evaluation system.

The data table of evaluation of the program for the fulfillment of the rights of victims of human rights violations in Indonesia based on six indicators of public policy evaluation according to William N. Dunn, was prepared for two main aspects, namely program implementation and program monitoring:

Table 3 Evaluation of the PKPHAM Program Based on William N. Dunn Indicators

Yes	Evaluation Indicators (Dunn)	Implementation of the PKPHAM Program	Monitoring of the PKPHAM Program
1	Effectiveness	The program was successfully started in 3 main areas and was targeted directly at the victims.	Monitoring is administrative and has not impacted policy or service changes.
2	Efficiency	The efficiency of the PKPHAM implementation program is quite good, but there are several obstacles that must be further actioned.	The monitoring process is limited to areas with initial implementation, verification increases if the verification of victim data is faster in the area.
3	Adequacy	The form of assistance has not answered all the needs of victims (psychosocial, legal, political recognition).	The adequacy of monitoring is still low because it covers a small part of the area.
4	Equity	The implementation of the program is not evenly distributed, and victims in remote areas receive less attention.	Monitoring focuses on symbolic locations, not reaching all groups or areas of victims.
5	Responsiveness	The involvement of victims in the preparation and implementation of the program is still minimal, aspirations have not been well accommodated.	The program shows a good response to the real needs of the victims.

6	Accuracy	Assistance is often not in line with the real needs of the victim (e.g., irrelevant housing assistance).	Monitoring focuses on the substance of the impact, not just on reporting administrative activities.
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Source: Researcher 2025

Based on the evaluation table using six indicators from William N. Dunn's theory of effectiveness, efficiency, adequacy, leveling, responsiveness, and accuracy, it can be concluded that both the implementation and monitoring of the Human Rights Violation Victims Fulfillment Program (PKPHAM) in Indonesia have not been running optimally. The implementation of the program is still hampered by limited data, inefficient resources, and a lack of sensitivity to the needs and experiences of victims. The assistance provided is not comprehensive and on target, and does not reach all victim groups equally. In addition, the involvement of victims as the main subject is still very limited, showing the low responsiveness and accuracy of the program in responding to the reality on the ground.

Table 4 Monitoring Program Implementation

Indicator	Valuation	Note
Effectiveness	Keep	Effective only in Aceh, it has not reached other regions.
Efficiency	Pretty Good	Teams are divided by region; Data constraints are still an obstacle.
Adequacy	Low	Only 1 region was thoroughly monitored out of 3 that implemented the program.
Equitable	Low	Monitoring has not yet reached all priority areas.
Responsiveness	Tall	Respond to the additional needs of victims identified in the field.
Accuracy	Tall	Focus on areas with full recovery.

Source: Researcher 2025

Meanwhile, program monitoring is more administrative than substantive, not based on impact evaluations or indicators of success that are relevant to victims. The absence of a victim involvement mechanism and weak policy reforms as a result of monitoring also show that the monitoring process does not have adequate corrective power. Therefore, this program requires a reformulation of rights-based approaches, strengthening data and participatory monitoring systems, as well as institutional commitments to ensure the fulfillment of victims' rights in a comprehensive, just, and sustainable manner.

Conclusion

The Victim Recovery and Prevention of Gross Human Rights Violations (PKPHAM) Program is an important initiative of the Indonesian government in responding to past gross human rights violations. This program is intended as a comprehensive recovery effort for victims through various forms of assistance, both material and non-material. However, its implementation still faces various obstacles that are quite serious. The implementation of the program in the field has not been fully effective. Although some areas such as Aceh, Jakarta, and Central Sulawesi have become the main locations of the implementation, there are still many areas and groups of victims that have not been touched. Inequality between regions is a real challenge in ensuring equitable access to aid. This is exacerbated by the lack of complete and nationally validated victim data, making it difficult to verify and distribute aid in a targeted manner.

The assistance provided has also not fully answered the real needs of the victims. Assistance such as basic necessities, health services, and scholarships has indeed been realized, but it has not touched other important aspects such as psychological recovery, legal recognition, and certainty of justice. This suggests that substantial dimensions of victims' rights, such as truth, justice, reparation, and guarantees of non-reciprocity, have not been fully met. Monitoring of the implementation of the program is still administrative. Reports and visits carried out tend to record activities, but have not been able to assess the real impact on victims' lives. As a result, the evaluation carried out did not encourage substantial policy improvement. The involvement of victims in the process of formulating and evaluating the program is also still very limited, even though they should be the main actors in the recovery process.

The efficiency of resource use still needs to be improved. Some activities show that there is waste or delay in implementation due to administrative constraints, such as document verification and land status. Coordination between government agencies has not been optimal, causing overlapping roles and lack of synergy in the implementation of programs. In conclusion, the implementation and monitoring of the PKPHAM program in Indonesia is still far from expectations as an instrument of complete transitional justice. This program is still predominantly symbolic and procedural, not touching the roots of justice and restoration that are actually needed by victims. For this reason, more inclusive policy reforms, strengthening the victim-based monitoring system, and increasing the country's political commitment so that

the fulfillment of victims' rights can be realized in a fair, comprehensive, and sustainable manner.

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