

Rohingya Refugees: A Study of Indonesian Government Policies

Ikram A. Taha^{1*}, Muhammad Syaroni Rofii², Stanislaus Riyanta³

^{1,2,3}Universitas Indonesia, Depok, DKI Jakarta, Indonesia.

Email: ikelvis85@gmail.com^{1*}, Muhammadsyaroni@ui.ac.id², stanislaus@ui.ac.id³

ABSTRACT

The Rohingya refugee crisis is a complex and pressing humanitarian issue in the Southeast Asia region. Conflict in Myanmar has forced thousands of Rohingya to flee seeking protection in neighboring countries. This research aims to evaluate the Indonesian government's policy in handling the Rohingya refugee crisis and provide recommendations for future policy improvements. The research method used is a qualitative approach with descriptive and comparative analysis. The analysis results indicate that Indonesia's policy towards Rohingya refugee flows reflects a commitment to humanitarian principles and national security. However, evaluating the implemented policies is necessary to understand their effectiveness. The implications of the Rohingya refugee flow for Indonesia's national security include risks of regional and global instability as well as threats to the security of individuals and groups. Indonesia's strategies for preventing and mitigating the impact of Rohingya refugees involve strengthening border surveillance, regional cooperation, refugee status organization, and social integration. Recommendations from this research include improving coordination between agencies, enhancing government capacity in managing refugee crises, and increasing protection and assistance to Rohingya refugees. This research is expected to contribute to understanding Indonesia's government policies towards the Rohingya refugee crisis and provide recommendations to enhance policy effectiveness.

Keywords: Rohingya Refugees; Indonesian; Security; Strategy; Evaluation; Policy.

INTRODUCTION

Since mid-November 2023, Aceh has become a destination for 1,543 Rohingya refugees with a total of 9 boats arriving. Most of the refugees were accommodated in the former Lhokseumawe immigration office (514 people) and in Pidie County (755 people) (Santika, 2023). Other refugees are scattered in several other locations such as CT 1 BPKS Sabang Pier (139 people), Balee Meuseuraya Aceh Building in Banda Aceh (135 people), and old refugees in Pidie (140 people). Sadly, half of the total refugees are children. Data as of December 10, 2023, also records the arrival of refugees from a number of boats with a number of variants, showing the magnitude of the challenges faced by the government and local communities in dealing with this refugee crisis (CNN-Indonesia, 2023). The Rohingya refugee crisis in Indonesia, especially in Aceh Province, is in the international spotlight (Hasnat & Hasna, 2023). The influx of Rohingya refugees

fleeing the conflict in Myanmar poses complex issues, including national security and resilience challenges.

Databoks show that there are 1,094,198 Rohingya refugees and asylum seekers without citizenship from Myanmar. The majority of refugees are in Bangladesh (965,467), followed by Malaysia (105,762) and India (22,110). Indonesia is the country that hosts the least Rohingya refugees, which is 859 people. These refugees do not have citizenship status from Myanmar and are counted as Myanmar refugees and asylum seekers by UNHCR. This humanitarian situation has worsened since February 2021 due to conflict and political upheaval in Myanmar. In Aceh, the fate of Rohingya refugees is increasingly unclear due to resistance from unscrupulous students, among whom some intimidate by forcibly dismantling refugee tents, officials tasked with anticipating risks by moving refugees across the Sabang mayor's office.

Indonesia, according to Nst. (2018), although it has shown engagement that reflects its commitment to the principles of international law (Manan, 2008). The Indonesian government gave UNHCR a mandate to address the protection of Rohingya refugees and sought international cooperation. Indonesia accepts Rohingya refugees openly, citing humanity as enshrined in Pancasila and the 1945 Constitution (Siregar, 2024). Indonesia's positive laws, including Article 3 of Presidential Regulation 125/2016, regulate the handling of refugees, while national laws, such as Article 26 of Law 37/1999, provide policies for asylum seekers and refugees, including the application of the principle of non-refoulement.

The tragedy of Rohingya refugees is a complex and urgent humanitarian issue, especially in the Southeast Asian region. The conflict in Myanmar has prompted thousands of Rohingya to flee violence and destruction, seeking refuge in neighboring countries. As a country with high humanitarian principles, Indonesia has taken steps to respond to this crisis. However, an evaluation of the policies that have been implemented is necessary to understand their effectiveness and provide better recommendations. In this context, this study aims to evaluate the Indonesian government's policy in handling the Rohingya refugee crisis. Some of the main questions that will be answered through this research include: how is the analysis of the Indonesian government's policy on the flow of Rohingya refugees? What are the implications of the Rohingya refugee flow for Indonesia's national security? What is the Indonesian government's strategy for preventing and mitigating the impact of Rohingya refugees on national security?

This study aims to evaluate the Indonesian government's policies in addressing the Rohingya refugee crisis and provide recommendations for future policy improvements. The results of this study are expected to contribute to the understanding of the Indonesian government's policy on the Rohingya refugee crisis, as well as provide recommendations that can be used to improve the effectiveness of the policy. This research will focus on the Indonesian government's policy in handling the Rohingya refugee crisis, taking into account aspects of

national security and its implications. This research will also use a qualitative approach with descriptive and comparative analysis methods.

RESEARCH METHODS

This research method uses a qualitative approach with descriptive and comparative analysis (Baumgartner & Thiem, 2020; Moleong, 2019). A qualitative approach was used to deeply understand the Indonesian government's policy in addressing the Rohingya refugee crisis. Descriptive analysis is used to provide a clear picture of the policies that have been implemented. In contrast, comparative analysis is used to compare Indonesia's policies with other countries' policies in dealing with similar crises.

The data sources used in this study include secondary data from a variety of sources, including government reports (Yusuf, 2016), reports from international agencies such as UNHCR, and related academic studies. The data collection technique used is the study of documentation and content analysis of these documents. The data analysis technique used is descriptive analysis to explain the Indonesian government's policy in handling the Rohingya refugee crisis. In addition, comparative analysis is used to compare Indonesia's policies with those of other countries in dealing with similar crises.

Using this approach, the study is expected to understand better the Indonesian government's policies in addressing the Rohingya refugee crisis and better recommendations for future policy improvements.

RESULTS AND DISCUSSION

Analysis of Indonesian Government Policy on Rohingya Refugee Flows

The Indonesian government's policy towards the Rohingya refugee influx reflects its commitment to humanitarian principles and national security (Siregar, 2024). Although Indonesia has not ratified the 1951 Refugee Convention and its 1967 Protocol, the government has shown engagement that reflects its commitment to the principles of international law (Siregar, 2024). The government gave UNHCR a mandate to address the protection of Rohingya refugees and sought international cooperation in addressing the crisis (Hanif, 2023).

Indonesia accepts Rohingya refugees openly, citing humanity as enshrined in Pancasila and the 1945 Constitution. Although the number of Rohingya refugees Indonesia receives is relatively small compared to neighboring countries such as Bangladesh and Malaysia (CNN-Indonesia, 2023), the government continues to provide protection and humanitarian assistance to refugees arriving in Indonesia.

In dealing with Rohingya refugees, the government also prioritizes economic and social empowerment and integrating refugees into local communities (Praditya & Martono Wibowo, 2023). This is done through economic and social empowerment programs as well as education to

the community about refugee conditions to reduce stigma and build an environment that supports integration.

Government Policy Evaluation

The handling of the Rohingya refugee crisis in terms of Indonesian government policy still has several evaluation records referring to several important aspects. First, an evaluation can be made of the effectiveness of the policy in providing protection and humanitarian assistance to Rohingya refugees. This includes assessments of refugees' access to health, education, and employment and perceived minimal and limited success in integrating them into local communities. On the other hand, evaluations can also be made of government responses to refugees' security and welfare risks. This includes an assessment of the measures the government has taken to prevent discrimination, violence, or exploitation against Rohingya refugees, as well as success in raising public awareness of refugee conditions and human rights; in this case, many of the Indonesian Armed Forces (TNI) (Prabowo et al., 2022).

The consistency of government policy in addressing the Rohingya refugee crisis involves assessing the conformity of policies with humanitarian and national security principles, as well as the government's ability to maintain policy sustainability and adaptability in the face of the changing dynamics of the situation. It needs to be continuously evaluated in collaboration with non-governmental organizations and UNHCR (Sutiarnoto et al., 2020; UNHCR, 2024; Widiarti, 2024).

Conducting general policy evaluations involving various relevant parties, including local governments, non-governmental organizations, and international institutions such as UNHCR, is important. A comprehensive and collaborative evaluation can assist the government in identifying successes, weaknesses, and potential improvements in its Rohingya crisis response policies.

Regulatory Evaluation

As explained earlier, the current handling of refugees in Indonesia refers to Law Number 37 of 1999 concerning Foreign Relations and Presidential Regulation Number 125 of 2016 concerning Handling of Overseas Refugees. There are positive consequences of the regulation, which is to provide a legal basis for the government in dealing with refugees. The regulation also demonstrates the Indonesian government's commitment to protecting the rights of refugees. However, there are negative aspects that need to be overcome because the existing regulations are not fully comprehensive, including the handling of refugees based on the implementation of related agencies regulated in Presidential Regulation 125 of 2016 the regulation confirms that refugee shelter is the authority of the Regional Government, but often the community demands the Immigration Agency in the region to shelter and place refugees in Immigration Detention Centers, while in terms of regulations, there is no provision in Law Number 6 of 2011 Immigration and Implementing Regulations which states that refugees are to be placed in Immigration

Detention Centers. Therefore, various perspectives and inputs from various parties are needed to revise regulations related to refugees.

Rohingya Refugee Flow for National Security

The flow of Rohingya refugees can have various risks to Indonesia's national security, which can be outlined by referring to relevant theories. First, from the perspective of structural realism, increasing the number of refugees could pose a risk of regional and global instability due to potential conflict and competition over resources. The theory highlights that refugee flows can be a destabilizing factor that governments need to be wary of.

Secondly, resource conflict theory is also relevant in this context. The arrival of Rohingya refugees can trigger economic and social competition with local communities, especially in terms of access to resources and employment opportunities. This rivalry can increase group tensions and potentially disrupt national stability (Widjajanti, 2011).

From a human security standpoint, the arrival of Rohingya refugees can also threaten the security of individuals and groups. Refugees who do not receive adequate protection can be vulnerable to discrimination, violence, or exploitation. Therefore, governments must ensure that refugees' human rights are respected and protected to prevent threats to human security.

In managing the implications of the Rohingya refugee flow for national security, the government can apply a balanced approach between national security and humanity. Governments also need to work with neighboring countries and international institutions to manage refugee flows in a way that respects human rights and minimizes their negative impact on national stability.

Implication Analysis

The implications of the Rohingya refugee flow for Indonesia's national security involve a number of important aspects. From the standpoint of resource conflict theory, the arrival of refugees can create intense economic competition with local populations, especially in terms of access to jobs and other economic resources. Human security theory is also relevant, given that Rohingya refugees are vulnerable to violence, exploitation, and discrimination, which can threaten the security of individuals and groups. In addition, the theory of structural realism highlights the potential for regional and global instability due to the increasing number of refugees, as this can create conflict between countries and competition over resources. In the face of such implications, it is important for the Indonesian government to pursue a balanced policy, taking into account national security interests while respecting human rights and humanitarian principles. Collaboration with neighboring countries and international institutions is also important to effectively manage refugee flows and mitigate their negative impact on regional security and stability.

Government of Indonesia's Strategy to Prevent/Mitigate the Impact of Rohingya Refugees on National Security

The Indonesian government's strategy to prevent and mitigate the impact of Rohingya refugees on national security involves a comprehensive set of measures. First, strengthening border controls is a top priority (Prawoto, 2012). Indonesia continues to increase surveillance of its maritime borders to prevent illegal entry of refugees and identify and apprehend people smugglers taking advantage of the situation.

Second, regional cooperation is key. Indonesia needs to garner support from neighboring countries, especially Bangladesh and Myanmar, as well as through ASEAN to address the root causes of Rohingya refugees. This cooperation is important to address the regional impact of this crisis and find long-term solutions (Frost, 1980).

In addition, the implementation of refugee status is another important step. Indonesia needs to establish a refugee status determination process in a transparent manner and in accordance with international standards to ensure that those who qualify receive protection in accordance with international law (Fisher, 1965; Fukuyama, 2000; Kammerhofer, 2010).

Finally, suppose there is a rejection from the public about the arrival of refugees to Indonesian territory or refugees who are already in Indonesian territory. In that case, the Government of Indonesia can formulate policies clearly realized by the formulation of regulations that affirm whether Indonesia can accept refugees into Indonesian territory or carry out a politics of refusing refugees at the first opportunity when refugees are known to be entering Indonesian territorial waters.

Comparative Analysis of Refugee Management by the Government of Indonesia with ASEAN Countries

The Indonesian government faces challenges similar to those of other Southeast Asian countries in handling refugees, as revealed in several studies. Indonesia, like Malaysia and Thailand, has different local policies for managing forced migration, thus requiring attention to best practices from neighboring countries to improve the effectiveness of refugee policies (Nurdin et al., 2020). According to Davies (2006), countries in the region, including Indonesia, tend to reject international refugee law because they believe these policies favor Western countries (Parekh, 2020; Yusoff et al., 2022). The Indonesian government may reconsider this approach and pay more attention to the protection of refugees' human rights. Related to UNHCR's involvement, research also shows that UNHCR's presence is crucial in protecting the rights of refugees in countries lacking adequate national legal frameworks, as in Malaysia (Yusoff et al., 2022). The government of Indonesia can work with UNHCR further to improve the protection of refugees residing in its territory. Moreover, although Indonesia is not a signatory to the 1951 Refugee Convention, this country, like Bangladesh seeks to protect the rights of refugees, especially in the case of the Rohingya (Parnini et al., 2013). The Indonesian government can strengthen regional cooperation with ASEAN countries and international institutions to fight for protection for

Rohingya refugees and others while continuing to pay attention to best practices in handling refugees in the Southeast Asian region.

CONCLUSION

The Indonesian government's approach to the Rohingya refugee influx reveals a dual commitment to humanitarian principles and national security interests. Despite not ratifying the 1951 Refugee Convention and its 1967 Protocol, Indonesia has demonstrated adherence to international legal principles by openly accepting Rohingya refugees, emphasizing humanity as outlined in Pancasila and the 1945 Constitution, and prioritizing their economic and social integration. However, the influx poses multifaceted security risks, including potential conflicts and resource competition from a structural realist perspective, as well as threats to human security. Addressing these challenges necessitates a revision of existing regulations to clarify the roles of various ministries and institutions, ensuring refugees' rights are protected and preventing security threats. To mitigate these risks, Indonesia must strengthen border controls, enhance regional cooperation, and formulate clear policies regarding the acceptance or rejection of refugees entering its territory.

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