

Implementation of the Principle of Non-Refugee in Handling Rohingya Refugees in Indonesia



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Article Info	Abstrak
<p><i>Article history:</i> <i>Received:</i> 14-02-22025 <i>Revised:</i> 21-04-2025 <i>Accepted:</i> 21-04-2025</p> <p>Kata Kunci: Indonesia Non-refoulement Prinsip Pengungsi Rohingya</p>	<p>Pengungsi Rohingya menghadapi ketidakpastian hukum yang signifikan terkait status mereka di Indonesia. Salah satu isu utama yang dihadapi adalah penerapan prinsip non-refoulement, yang merupakan prinsip internasional yang melarang suatu negara mengembalikan pengungsi ke negara asal mereka jika mereka berisiko mengalami penyiksaan, perlakuan tidak manusiawi, atau hukuman mati. Prinsip ini dinyatakan dalam Konvensi Pengungsi 1951 dan Protokol 1967, yang melindungi pengungsi di seluruh dunia. Metodologi penelitian ini didasarkan pada pendekatan penelitian hukum normatif. Penelitian ini juga akan mengeksplorasi hambatan dan kendala penerapan Prinsip Non-Refoulement bagi Pengungsi Rohingya di Indonesia dan peran lembaga internasional dalam mendukung penerapan Prinsip Non-Refoulement di Indonesia. Indonesia memiliki implementasi prinsip non-refoulement yang relatif lemah karena hingga saat ini, Indonesia belum meratifikasi Konvensi Pengungsi 1951 dan Protokol Tambahan 1967. Di sisi lain, Indonesia belum menjadikan masalah pengungsi sebagai prioritas utama dalam kebijakan negara. Dukungan lembaga internasional dalam mendukung penerapan prinsip non-refoulement di Indonesia sangat penting. Meskipun Indonesia belum memiliki peraturan perundang-undangan yang komprehensif mengenai pengungsi, lembaga global seperti UNHCR, IOM, dan lembaga swadaya masyarakat lainnya memegang peranan penting sebagai mitra dalam membantu pemerintah Indonesia menerapkan kebijakan perlindungan pengungsi yang lebih baik. Dengan bantuan teknis, advokasi, dan pendanaan, lembaga internasional dapat membantu Indonesia memenuhi kewajiban internasionalnya secara lebih efektif dan memastikan bahwa pengungsi di Indonesia memperoleh perlindungan berdasarkan prinsip non-refoulement.</p>

Keywords:	Abstract
<p><i>Indonesia</i> <i>non-refoulement</i> <i>Principles</i> <i>Rohingya Refugees</i></p>	<p>Rohingya refugees face significant legal uncertainty regarding their status in Indonesia. One of the main issues faced is the implementation of the principle of non-refoulement, which is an international principle that prohibits a country from returning refugees to their home country if they are at risk of torture, inhumane treatment, or the death penalty. This principle is stated in the 1951 Refugee Convention and its 1967 Protocol, which protects refugees worldwide. The methodology of this research is based on a normative legal research approach. This research will also explore the obstacles and constraints to implementing the Principle of Non-Refoulement for Rohingya Refugees in Indonesia and the role of international institutions in supporting the implementation of the Principle of Non-Refoulement in Indonesia. Indonesia has a relatively weak implementation of the principle of non-refoulement because until now, Indonesia has not ratified the 1951 Refugee Convention and its 1967 Additional Protocol. On the other hand, Indonesia has not made the refugee issue a top priority in state policy. The support of international institutions in supporting the implementation of the non-refoulement principle in Indonesia is vital. Although Indonesia does not yet have comprehensive legal regulations on refugees, global institutions such as UNHCR, IOM, and other non-governmental organizations play an essential role as partners in helping the Indonesian government implement better policies on refugee protection. With technical assistance, advocacy, and</p>

Introduction

The issue of refugees is very complex, involving various social, political, and legal elements. In addition to being related to human rights, this issue also touches on the relationship between the destination countries of refugees and existing international protection mechanisms. One of the basic principles recognized in international law to protect refugees is the principle of non-refoulement. This principle requires countries not to return or deport refugees to countries that threaten their safety, including the risk of torture, ill-treatment, or persecution. Indonesia, although not a party to the 1951 Refugee Convention or the 1967 Protocol that regulates the rights of refugees, continues to support the principle of protecting human rights, including for refugees, especially the Rohingya. Rohingya refugees are one of the most vulnerable groups in the world (Ahmad Fikri et.al, 2024, p.52). Indonesia has played an essential role in global humanitarian protection, although there are various challenges in implementing this principle in this country.

Rohingya refugees come from Myanmar, a country where they have been victims of ethnic and religious discrimination. The ongoing conflict, especially in Rakhine State, has forced thousands of Rohingya to flee to neighboring countries, including Indonesia. The situation in Myanmar is full of violence and persecution, forcing many Rohingya to leave their homes for safety. However, even though they seek protection, not all countries are protected by international law. Several Southeast Asian countries, for example, often face a dilemma between giving protection or considering their political and economic interests. In Indonesia, although this country has not ratified the 1951 Refugee Convention and its 1967 Protocol, the Indonesian government remains committed to protecting refugees, including the Rohingya. Despite the challenges in implementing the principle of non-refoulement to the fullest, Indonesia strives to provide protection.

Non-refoulement is a fundamental principle contained in various international legal instruments. This principle was first regulated in Article 33 of the 1951 Refugee Convention, which requires countries receiving refugees not to return them to countries that threaten their safety. In addition, this principle is also reinforced by other instruments, such as the International Covenant on Civil and Political Rights (ICCPR), which requires countries to protect individuals from persecution and cruel treatment. The application of the principle of non-refoulement can vary from country to country. Some countries that have ratified the 1951 Convention and the 1967 Protocol have more explicit legal obligations to protect refugees. Meanwhile, countries that have not ratified it, such as Indonesia, must find ways to integrate this principle into their domestic policies.

Although Indonesia is committed to respecting the principle of non-refoulement, several obstacles hinder its effective implementation. One is that Indonesia has not ratified the 1951 Refugee Convention and its 1967 Protocol, so it is not bound to provide complete protection to refugees under international law. In addition, Indonesia also faces several domestic challenges that affect the country's capacity to handle refugees, especially Rohingya refugees (Sefrika Marni, 2019, p.73). With a large population and existing social, economic, and political difficulties, Indonesia often struggles to provide essential services such as health care, education, and other social assistance to refugees.

Another challenge is the legal and administrative system limitations that slow the refugee protection process. Although several regulations, such as Law No. 37 of 1999 on Foreign Relations and Presidential Regulation No. 125 of 2016 on the Handling of Refugees from Abroad, must be improved to align with international standards. The lack of coordination between related agencies also worsens handling refugees, who often face legal uncertainty. In facing these challenges, global institutions such as UNHCR (United Nations High Commissioner for Refugees) play an essential role. Although Indonesia is not a party to the 1951 Refugee Convention, international institutions can assist in resources, coordination, and technical support to ensure the effective implementation of the principle of non-refoulement. These institutions also assist the Indonesian government by providing training on handling refugees according to international standards. In addition, they help in the asylum-granting process and ensure that refugees receive adequate protection, including fundamental rights such as the right to work, education, and life safely. Although open to refugees, Indonesia must face domestic political challenges that affect its refugee policies. With a complex political system and diverse social dynamics, political and economic considerations often influence the decision to accept refugees. Therefore, although the principle of non-refoulement is internationally recognized, its implementation in Indonesian policy does not always run smoothly.

In addition, social tensions arising from accepting refugees, especially vulnerable groups such as the Rohingya, are often a hindering factor. Refugee issues can trigger public debate that influences government policies in dealing with them. Overall, although Indonesia faces various challenges in implementing the principle of non-refoulement for Rohingya refugees, the country remains committed to respecting human rights and providing protection to refugees in need. Although Indonesia has not ratified the 1951 Refugee Convention and the 1967 Protocol, existing policies reflect efforts to protect refugees, although there is still room for improvement. The role of international institutions is crucial in supporting Indonesia in overcoming these challenges (Fuad Albayumi et.al, 2018, p.122). It is hoped that in the future, there will be more steps to improve the legal and policy framework in Indonesia so that refugees, especially the Rohingya, can receive better and more consistent protection.

The humanitarian crisis affecting Rohingya refugees has become a very complex global problem, with significant impacts not only for the Southeast Asian region but also for many countries around the world. Since 2017, more than 700,000 Rohingya have fled Myanmar due to violence carried out by the Myanmar military, including killings, rape, displacement, and destruction of their villages. Many have sought refuge in neighboring countries such as Bangladesh, Malaysia, Thailand, and Indonesia. Although Indonesia has not ratified the 1951 Refugee Convention or the 1967 Protocol that forms the basis for protection for international refugees, Indonesia remains one of the countries that provides temporary shelter for Rohingya refugees fleeing the violence.

Despite Indonesia's temporary refuge, many Rohingya refugees face significant legal uncertainty regarding their status in Indonesia. One of the key issues is the application of the principle of non-refoulement. This international principle prohibits a country from returning refugees to their home country if they are at risk of torture, inhumane treatment, or the death penalty. This principle is enshrined in the 1951 Refugee Convention and its 1967 Protocol, which protects refugees worldwide. It is also recognized in other international human rights instruments, such as the International Covenant on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights (UDHR). In the case of Rohingya refugees, the application of this principle is critical to ensure they are not forced back to Myanmar, where they would face further violence that could put their lives at risk.

However, implementing the principle of non-refoulement in Indonesia is not without significant challenges. Indonesia, as a country that does not yet have a transparent refugee protection system, is often confused about providing a definite legal status to refugees. Without a specific law on refugees, many Rohingya refugees live in Indonesia in a state of uncertainty, without adequate access to essential services such as education, health, and employment. In addition, Indonesia's inconsistent policies regarding refugees further complicate the proper implementation of the principle of non-refoulement. Many Rohingya refugees are threatened with deportation, which contradicts the principle of non-refoulement because if they are forced to return to Myanmar, it will endanger their safety.

Thus, this study is critical to understanding the implementation of the principle of non-refoulement in handling Rohingya refugees in Indonesia. This study will explore the extent to which Indonesia implements the principle in existing refugee policies, as well as identify the various challenges faced by the Indonesian government in dealing with legal, political, and humanitarian issues related to Rohingya refugees. In addition, this study will also discuss the role of international institutions such as UNHCR and IOM in helping Indonesia overcome these challenges. Although Indonesia has not ratified the 1951 Refugee Convention, the country remains bound by international obligations to respect human rights and provide protection to refugees based on the principle of non-refoulement (E.N. Domloboy NST, 2017,p.76).

This study will also explore the obstacles and constraints to implementing the Non-Refoulement Principle for Rohingya Refugees in Indonesia and the role of international institutions in supporting the implementation of the Non-Refoulement Principle in Indonesia. With the increasing number of Rohingya refugees coming to Indonesia, the country needs to have a more structured and transparent policy to provide better protection and ensure that the rights of refugees are respected during their stay in Indonesia. The implementation of the non-refoulement principle is critical to ensure that Rohingya refugees are not forced to return to countries that could endanger their lives. One of Indonesia's biggest challenges is the lack of clear regulations related to refugees. Therefore, Indonesia needs to work more closely with international institutions and organizations competent in refugee protection to build a stronger and more efficient protection system. This cooperation will be beneficial in training law enforcement officers and improving Indonesia's capacity to handle refugees. With a better understanding of the implementation of the non-refoulement principle in Indonesia, this study is expected to provide deeper insights into how the country can be more effective in protecting Rohingya refugees. In addition, this study also aims to provide policy recommendations that can improve the protection of refugee rights and ensure that Indonesia fulfills its obligations to protect refugees by international humanitarian standards.

Method

The methodology of this research is based on a normative legal research approach. The research process is carried out by reviewing library materials or secondary data as the primary source to explore regulations and literature relevant to the topic discussed. This research is descriptive-analytical, which means that this research aims to present information about humans, conditions, or other phenomena as accurately as possible (Lay Yang Moy et.al, 2016, p.61). The data sources used consist of several types of materials, namely: 1) Primary legal materials, namely materials that have binding legal force, such as norms or fundamental principles, laws and regulations, court decisions, and international agreements. 2) Secondary legal materials, which explain primary legal materials, can be laws and regulations, reports, books, articles, journals, papers, and interview results.

Result and Discussion

a. Obstacles and Constraints in the Implementation of the Principle of Non-Refugee for Rohingya Refugees in Indonesia

The principle of non-refoulement is closely related to the principle of protection, which is part of the rule of law on human rights, particularly the protection of individuals from torture or cruel, inhuman, or degrading treatment or punishment. This principle is also related to the policies implemented by each country, which, although not legally binding or in principle, are very much related to countries that are not parties to the 1951

Refugee Convention. The country receiving refugees seeking protection is responsible for preventing deportation that the refugee's country of origin could carry out. Countries, often experiencing internal problems and failing to respect human rights, usually send individuals with unclear backgrounds to other countries that do not meet these standards of protection or to countries that are potentially abusive or violent towards the individual.

Although Indonesia is not a party to the 1951 Refugee Convention and its 1967 Additional Protocol, Indonesia continues to uphold the principle of refugee protection by the general guidelines followed by countries that respect human rights. The Indonesian government refers to the Second Principle of Pancasila as the basis for participating in assisting refugees. Indonesia continues to accept refugees and provide access to education for those in need of protection. Indonesia respects the principle of non-refoulement as part of *jus cogens* and does not prevent Rohingya refugees from entering the country. The country also has regulations related to international refugees, such as Law No. 37 of 1999 concerning Foreign Relations and Presidential Regulation No. 125 of 2016 concerning Handling of Refugees from Abroad (Melina Tri Asmara et.al, 2019,p.76). With this legal basis, Indonesia can be seen as a country that significantly contributes to providing humanitarian protection at the national level.

Indonesia has a relatively weak implementation of the non-refoulement principle because until now, Indonesia has not ratified the 1951 Refugee Convention and its Additional Protocol of 1967. On the other hand, Indonesia has also not made the refugee issue a top priority in state policy. As a developing country, Indonesia still faces significant challenges, such as high unemployment rates and relatively low per capita income. Despite not ratifying the convention, Indonesia continues to accept refugees and tries to protect them by the principle of non-refoulement.

However, Indonesia finds it difficult to ratify the 1951 Convention and the 1967 Protocol because the country is still developing and must prioritize the needs of its people facing economic difficulties. The country's current priority is to improve the welfare of the Indonesian people first, especially considering the large number of citizens who need assistance to improve their standard of living. If Indonesia ratifies the 1951 Convention and the 1967 Protocol, the country will be obliged to implement the provisions in the two international agreements, which the international community has recognized (Maria Elsa Karina,2020,p.159). However, the fact that Indonesia has not ratified the two instruments means that the country does not have the same authority as countries that have ratified the agreements.

However, to comply with the principle of non-refoulement, Indonesia has issued various regulations dealing with refugees, such as Law No. 37 of 1999, specifically Article 25 Paragraph (1), which regulates the granting of asylum for foreigners, as well as Regulation of the Directorate General of Immigration No. IMI-1489. UM.08.05 of

2010 concerning Handling of Illegal Immigrants. This regulation was issued to address the problem of illegal immigrants who claim to be refugees or asylum seekers. In addition, Articles 206, 221, and 223 concerning Immigration in Government Regulation No. 31 of 2013 also emphasize the detention procedures for illegal immigrants and refugees. Indonesia, through Law No. 29 of 1999, has also ratified the International Convention on the Elimination of All Forms of Racial Discrimination, which states that Indonesia bears the responsibility to protect refugees, including Rohingya refugees. The country is obliged to ensure that the rights of refugees, including those from the Rohingya, are protected based on the principle of *jus cogens*, which affirms the protection of human rights.

The implementation of the principle of non-refoulement in handling Rohingya refugees in Indonesia faces various complex and diverse challenges. As a country that has not ratified the 1951 Refugee Convention and its 1967 Protocol concerning the protection of refugees globally, Indonesia does not have a specific law that regulates in detail the status and safety of refugees, including Rohingya refugees. However, Indonesia still has international obligations reflected in various other human rights instruments, such as the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). This creates uncertainty regarding the legal status of refugees and worsens their situation, which is often left without clear protection. One of the main obstacles in the implementation of the principle of non-refoulement is the irregularity or lack of clarity in national laws governing refugee issues. Without a law that explicitly explains the rights of refugees and the procedures the state must carry out, Indonesia has difficulty providing adequate protection. Without a clear legal basis, refugees, including Rohingya, could be at risk of being forcibly returned to their home country, Myanmar, where they would face the threat of persecution, torture, and violence (Juliana Simbolon et.al, 2021,p.34). In other words, without a precise regulation, Indonesia may be forced to repatriate refugees even though, internationally, it could be considered a violation of their right not to be returned to a place where their lives are in danger.

In addition to domestic legal issues, international political factors also influence Indonesia's policy towards Rohingya refugees. Indonesia, although known as a country that, in principle, supports human rights and voices international solidarity, has a very complex political relationship with Myanmar, the country of origin of the Rohingya refugees. Since the refugee crisis in 2017, Indonesia has sought various diplomatic solutions to overcome this crisis. Still, at the same time, it must maintain good relations with Myanmar, which is a neighboring country. Indonesia is faced with a dilemma in formulating a policy that not only protects Rohingya refugees but also does not damage diplomatic relations with the Myanmar government. In this context, refugee policy can be significantly influenced by broader political interests, so the principle of nonrefoulement, which should be implemented to protect refugees, often becomes the

subject of political compromise. One major obstacle to implementing the principle of non-refoulement is the Indonesian people's view of refugees. Although Indonesia has a long history of helping refugees from various countries, such as refugees from Timor Leste and Afghanistan, the public's attitude towards refugees is not always positive. Many citizens believe that the arrival of refugees can add to the social and economic burden and risk affecting social stability. This is often driven by a lack of understanding of the rights of refugees and the context in which they are displaced. As a result, many communities reject the presence of refugees, perhaps even seeing them as a threat to their lives. This negative attitude can worsen the situation of refugees, who face not only threats from their home countries but also from social tensions in the countries where they seek refuge. Often, the lack of understanding of refugees' rights, as well as the fear that arises from negative perceptions of them, can hinder state policies from providing the protection they deserve.

In addition to social and political issues, Indonesia faces significant challenges related to limited resources in dealing with refugees. Existing infrastructure is not always sufficient to accommodate the number of refugees coming to Indonesia, especially when the number of refugees continues to increase. The lack of funding allocation to support refugees also exacerbates this problem. Many refugees, including the Rohingya, live in temporary shelters with limited facilities and often do not have adequate access to essential services such as health, education, and proper housing. These limitations indeed hamper the implementation of the principle of non-refoulement because refugees living in inadequate conditions are more vulnerable to the threat of deportation or forced repatriation. In addition, Indonesia's inability to provide adequate facilities also contributes to the uncertainty of refugees getting the protection they need.

Another problem is related to coordination between government agencies tasked with handling refugees. Indonesia has several ministries and institutions that should work together to protect refugees, such as the Ministry of Law and Human Rights, the Ministry of Foreign Affairs, and the National Disaster Management Agency (BNPB). However, the lack of coordination between these institutions has resulted in unclear and often overlapping policies. Refugees are usually not sufficiently informed about the procedures they must undergo or are trapped in a lengthy bureaucracy. Inefficient administrative processes and the lack of well-coordinated policies worsen the plight of refugees and hinder the implementation of the principle of non-refoulement that they should receive.

The monitoring mechanism is also a significant obstacle in the implementation of the principle of non-refoulement. In practice, the administrative process for determining legitimate refugee status often takes a long time. In addition, procedures that are not always transparent and lack adequate monitoring usually cause refugees to face difficulties obtaining clear status. Ultimately, they are trapped in legal uncertainty, which can affect the government's decision to protect or even return them to their dangerous

home countries. This long and unclear process often causes refugees to be forgotten or neglected in the Indonesian legal system (Mohammad Rosyid, 2019,p.617).The absence of an effective mechanism to protect refugees also worsens their situation because, without clear protection, refugees tend to be more vulnerable to abuse of their rights, including the risk of forced repatriation.

On the other hand, although Indonesia is committed to fulfilling its international obligations on human rights, the country has to face various internal challenges that slow down or even stop the implementation of the principles of refugee protection. Rohingya refugees in Indonesia are often forced to live in highly uncertain situations, with no guarantee of legal protection or long-term assistance. Therefore, Indonesia needs to formulate a more transparent and systematic refugee policy that considers various dimensions that influence the implementation of the principle of non-refoulement, such as legal, political, and social factors and existing resources. Therefore, there needs to be a more integrated approach between the government, society, and international institutions to create a comprehensive policy that can provide optimal protection for Rohingya refugees.

In conclusion, the implementation of the principle of non-refoulement towards Rohingya refugees in Indonesia faces many interrelated challenges, both in legal, political, social, and resource aspects. Indonesia must strengthen the legal system regulating refugees and improve coordination between related institutions to implement refugee protection policies effectively. In addition, it is also essential to enhance public understanding of refugee rights to create a more supportive attitude towards refugee protection. With better policies, Indonesia can be more effective in carrying out its obligations as a country that respects human rights, especially in protecting Rohingya refugees by the principle of non-refoulement.

b. The Role of International Institutions in Supporting the Implementation of the Principle of Non-Refugee in Indonesia

Indonesia is a country with a strategic geographical position, making it one of the central transit countries for refugees from all over the world, including the Rohingya, who are fleeing violence in Myanmar. Although Indonesia is not a signatory to the 1951 Refugee Convention and its 1967 Protocol, it is still bound by international obligations to protect human rights, including refugees entering its territory. One of the basic principles that must be respected in refugee protection is the principle of non-refoulement, which prohibits countries from returning refugees to places that could endanger their lives or rights. International institutions have a significant role in helping Indonesia implement this principle properly and effectively. As a country with a large population and high levels of ethnic diversity, Indonesia faces substantial challenges in dealing with refugee issues comprehensively. The lack of clear regulations regarding refugees in Indonesia is

a significant obstacle to ensuring that refugees are not forcibly returned to their dangerous countries of origin (Hardi Alunaza et.al, 2017,p.14). Although Indonesia does not have a specific law to regulate refugee status, international institutions, such as UNHCR and IOM, have an essential role in supporting Indonesia in ensuring that international standards protect refugees.

UNHCR (United Nations High Commissioner for Refugees) is an international agency that focuses on protecting refugees worldwide, including in Indonesia. UNHCR plays a vital role in ensuring that the principle of non-refoulement is implemented correctly. Although Indonesia is not a country that has ratified the International Convention on Refugees, this agency continues to work with the Indonesian government to develop better policies for refugee protection. One way UNHCR supports Indonesia is by providing technical support in the preparation of policies and administrative procedures to ensure that refugees who come to Indonesia are not returned to dangerous places. In addition, UNHCR also provides training to the Indonesian government, security forces, and other related institutions on handling refugees using human rights principles recognized by the international community. In addition to assisting in policy, UNHCR also plays a vital role in providing direct assistance to refugees. They support refugees who come to Indonesia in various aspects of life, starting from providing safe shelter, access to health services, education, and other essential assistance. UNHCR also acts as an intermediary between refugees and the Indonesian government, ensuring their rights are fulfilled in this country (Dzikiara Pesona Dewa et.al, 2019,p.93). In some cases, the agency works with non-governmental organizations (NGOs) and local partners to ensure that refugees' basic needs are met and to provide information on legal procedures and their rights.

IOM (International Organization for Migration) is another international institution that deals with refugee and migration issues. IOM focuses on managing safe and orderly migration and works holistically with the Indonesian government to address refugee issues. They also support resettlement for refugees who cannot be processed in Indonesia, especially those who need further protection in a third country. IOM also plays a vital role in providing logistical and humanitarian assistance to refugees, including health recovery, sanitation, and access to education and skills that are helpful in their integration process into their new country. On the other hand, other international institutions such as Amnesty International, Human Rights Watch, and various international non-governmental organizations also play an essential role in advocating and monitoring the implementation of refugee rights in Indonesia (Dewiyanti et.al, 2017,p.56). Through public campaigns and annual reports, these institutions pressure the Indonesian government to ensure that refugees receive proper protection. They are also responsible for raising awareness among the international community about the conditions of refugees, which can increase attention and assistance from broader parties to support the implementation of the principle of non-refoulement in Indonesia.

Although international institutions play a vital role, the main challenge in implementing the principle of non-refoulement in Indonesia is the lack of clarity in domestic law. Indonesia does not yet have a national law that explicitly regulates refugees. This results in refugee policies that are still ad hoc, depending on government policies that can change over time. This lack of clarity causes the implementation of the principle of non-refoulement to be inconsistent and not based on clear and definite procedures. Without a clear legal basis, refugees are often trapped in a lengthy bureaucratic process and are at risk of being returned to an unsafe country.

The slow administrative process for recognizing refugee status in Indonesia is also a significant problem. Many refugees, including Rohingya, have to wait months or even years to obtain official refugee status from the UNHCR or a third country willing to accept them. While waiting, they are often forced to live in uncertain and vulnerable conditions and sometimes face the threat of refoulement that can move them to return to places that endanger their lives. In addition, political factors that influence Indonesia's relations with the refugees' countries of origin, such as Myanmar in the case of the Rohingya, often become obstacles in implementing the principle of non-refoulement. As a country with diplomatic relations with the countries of origin of refugees, Indonesia usually has to consider political aspects in refugee policy (Tirza Listiarani, 2020,p.73). The relationship between Indonesia and Myanmar, for example, can influence Indonesia's policy decisions regarding Rohingya refugees, even though Indonesia has an obligation not to return them to dangerous places. This creates a dilemma for Indonesia between maintaining diplomatic relations with the refugees' countries of origin and fulfilling its international obligations to protect the rights of refugees.

Coordination between government agencies in Indonesia is also a challenge that needs to be overcome. Several agencies related to refugees, such as the Ministry of Law and Human Rights, the Ministry of Foreign Affairs, and the National Disaster Management Agency (BNPB), have their respective authorities in handling refugee issues. However, without good coordination between these agencies, handling refugees becomes uncoordinated and can cause confusion. Policy decisions can sometimes be delayed, or administrative procedures can run slowly due to a lack of good communication between these agencies. For this reason, international institutions provide a platform for dialogue between agencies to make the policies implemented more comprehensive and systematic. In addition to technical support and direct assistance, international institutions also have an essential role in advocacy to increase understanding of the global community and the Indonesian people about refugee rights. Amnesty International, Human Rights Watch, and other organizations work hard to influence public opinion and encourage the government to pay more attention to refugee issues and implement policies based on human rights. This is very important considering the tendency of the public, who sometimes do not understand the conditions of refugees and consider them a burden on the state. To address this, international agencies are working

with local organizations and the media to provide more precise information about the status of refugees and the importance of protecting them.

International institutions' support for implementing the principle of non-refoulement in Indonesia is vital. Although Indonesia does not yet have comprehensive legal regulations regarding refugees, international institutions such as UNHCR, IOM, and other non-governmental organizations play an essential role as partners in helping the Indonesian government implement better policies regarding refugee protection. With technical assistance, advocacy, and funding, international institutions can help Indonesia fulfill its international obligations more effectively and ensure that refugees in Indonesia receive protection by the principle of non-refoulement. However, the challenges faced remain significant, ranging from unclear domestic laws to coordination problems between government institutions (Komnas HAM, 2018,p.28). Therefore, closer collaboration between Indonesia and international institutions and strong political commitment are needed to ensure that refugees receive protection by international standards.

Conclusion

Indonesia has a relatively weak implementation of the non-refoulement principle because until now, Indonesia has not ratified the 1951 Refugee Convention and its Additional Protocol of 1967. On the other hand, Indonesia has also not made the refugee issue a top priority in state policy. International institutions' support for implementing the non-refoulement principle in Indonesia is vital. Although Indonesia does not yet have comprehensive legal regulations regarding refugees, global institutions such as UNHCR, IOM, and other non-governmental organizations play an essential role as partners in helping the Indonesian government implement better policies regarding refugee protection. With technical, advocacy, and funding assistance, international institutions can help Indonesia fulfill its international obligations more effectively and ensure that refugees in Indonesia receive protection by the non-refoulement principle.

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