

“REFUGEE CRISIS”: RE-THINKING THE INDONESIA’S PERSPECTIVE

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ABSTRACT

Initiated by latest critical circumstances with Rohingyas, this study attempts to investigate the existing domestic policy and legal provision concerning refugees and asylum seekers in Indonesia. In this regard, qualitative and literature study has conducted, as well certain observation from empirical cases which also be adopted during this research. Whilst this research has found disadvantages over the refugee management in Indonesia and suggested the need for a better policy, rational decision-making model in this study offers a problem-solving focusing on objectivity and logic instead of subjectivity and intuition to achieve an intended and more appropriate arrangement to deal with the refugee crisis.

Looking into the discursive refugee management of crises in Indonesia is important to understand their effects, at present and in the future. More than that, when it comes to policy, it is about capacity of the official policy on addressing issues to gain fruitful advantages for the country without violating human rights principles. Insight from maritime security is also being added to enrich the discussion on account that maritime is considered as crucial theatre regarding law enforcement at sea related to the main issue.

Keywords: refugee, maritime security, regulation, policy

A. Introduction

Since the beginning of 2000, Indonesia have been experienced considerable number of people from South Asia and Middle Eastern and African countries (MENA) region fleeing from humanitarian crisis such as armed or political conflict, repression regime, persecution, genocide, and poverty — traversing the border – mostly through sea - for mere transiting in Indonesia and/or for their journey to the actual destination. Asylum seekers transit to Indonesia to gain supplies and boats, arranged by people smugglers, to take them across the Timor Sea down to Australia which made people smuggling become a perennial issue in Indonesia and Australia relations (Supriyanto, 2014). In this regard, this study argue that Australia is most likely to be the final scene of the trip for those fleeing from these regions.

In fact, the crisis has turned refugees, asylum seekers and irregular migrants intertwined with immigration, border control and state sovereignty, making them not only political and security issue but also state responsibility to deal with. For instance, Indonesia’s laws often