

International Legal Implications for Indonesia's Policy Concerning Rohingya Refugees: A Juridical Analysis Under The 1951 Convention Relating to The Status of Refugees

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ABSTRACT: The handling of Rohingya refugees by Indonesia raises various legal issues, considering that Indonesia is not a party to the 1951 Convention Relating to the Status of Refugees nor the 1967 Protocol. Nevertheless, Indonesia continues to serve as a transit country for refugees, which necessitates that its national policies take into account the principles of international law. This study aims to analyze the implications of international law, particularly the 1951 Convention, on Indonesia's policies in dealing with Rohingya refugees. The research method employed is normative juridical, using statutory and conceptual approaches. Data were obtained through literature study of international legal instruments, national regulations, and official documents issued by the United Nations and UNHCR. The findings show that although Indonesia has not ratified the 1951 Convention, its core principles—such as non-refoulement, the protection of human rights, and the notion of international burden-sharing—have become part of customary international law and consequently influence national policy direction. Therefore, Indonesia continues to bear both a moral and legal responsibility to ensure humane treatment of refugees in accordance with international standards.

KEYWORDS: Rohingya Refugees; 1951 Convention; Non-Refoulement; International Law; Indonesian Policy

I. INTRODUCTION

Rohingya refugees originating from Myanmar have become the subject of international concern in recent years. The deteriorating humanitarian situation in that State has compelled thousands of Rohingya persons to flee to neighboring countries, including the Republic of Indonesia. According to data released by the United Nations High Commissioner for Refugees (UNHCR), since November 2023, Rohingya refugees arriving in Indonesia have been accommodated in ten designated shelters located across the provinces of Aceh and North Sumatra. (Patrycia, 2023) Pietro Verri, a distinguished scholar of international law, refers to Article 1 of the 1951 Convention in defining a refugee as an individual who departs from his or her country of origin to avoid the risk of persecution or a serious threat to personal safety. According to Verri, a refugee may consist of an individual or a collective group who is compelled to abandon their homeland due to a well-founded fear of repressive treatment or torture. This conception of refugeehood is closely intertwined with the notion of asylum, which generally denotes the protection afforded to persons who are forced to leave their country because the State is unable or unwilling to provide adequate security and protection. (Abdul, 2024) The 1951 Convention Relating to the Status of Refugees defines a refugee as a person who is outside the country of his or her nationality owing to a well-founded fear of persecution on grounds of race, religion, nationality, membership of a particular social group, or political opinion, and who is therefore unable or unwilling to avail himself or herself of the protection of that country. In the process of displacement, such persons are compelled to abandon their livelihood, residence, property, and even family members. Since they can no longer rely upon the protection of their State of origin, the responsibility to safeguard and assist them rests with the international community. In this regard, the United Nations High Commissioner for Refugees (UNHCR), together with its partners, plays a pivotal role in implementing protection measures and delivering humanitarian assistance to address the basic needs of refugees and asylum seekers while they await a durable solution. (Arianta, 2020)

Indonesia has, to date, not ratified the 1951 Refugee Convention nor its 1967 Protocol, taking into account considerations relating to economic constraints, security concerns, and the dynamics of the international situation. (Coplin, 2020) As a Member State of the United Nations (UN), Indonesia has demonstrated respect for the fundamental principles of the 1951 Refugee Convention, including the principle of non-refoulement (Article 33) and the principle of non-discrimination (Article 3), notwithstanding its status as a non-party to the Convention. The admission of refugees has been carried out on humanitarian grounds. However, the application of such principles may give rise to challenges when compliance with international refugee protection law intersects with national interests. One implication concerns the potential for social tensions within host communities, particularly in light of the increasing

International Legal Implications for Indonesia's Policy Concerning Rohingya Refugees: A Juridical Analysis Under The 1951 Convention Relating to The Status of Refugees

influx of Rohingya refugees into Indonesian territory. This situation has raised concerns regarding the limited capacity of local resources, the uncertainty of integration processes, and long-term consequences such as economic strain and perceptions of inequality in the distribution of aid. (Patrycia, 2023)

In examining the international legal implications of Indonesia's policy concerning Rohingya refugees, a number of relevant legal theories are employed as the conceptual framework. One of the approaches adopted in this study is the natural law approach, which bears resemblance to sociological jurisprudence, in that it evaluates the validity of a norm by reference to the realities prevailing in society. The objective of this approach is to assess the extent to which the legal interpretation of a given issue corresponds with existing empirical conditions. The theory of natural law (natural law/natural right) was first articulated by Aristotle, who distinguished between particular law (positive law) applicable within a given State system, and universal law (natural law), which embodies unwritten principles acknowledged by humankind as a whole. This conception was later advanced by thinkers such as the Stoics, Thomas Aquinas, Cicero, and Hugo Grotius. Within the realm of international law, natural law theory has frequently served as the moral and philosophical foundation for addressing diverse issues, including the rights of refugees and the correlative obligations of States towards them. (Arif Lutvi, 2008)

One prevailing view concerning the binding force of international law upon States is that such force is largely contingent upon the consent of the State concerned to accept the principles and provisions embodied therein. A rule of conduct acquires the status of law once it has been recognized and accepted as a binding norm by the parties. Accordingly, no substantial obstacle exists to the application of formal international treaties or conventions, since the participating States have expressed their willingness to submit to and be bound by the provisions contained in such instruments of international law. (Rizal, 2014)

Scholarly inquiries into the situation of Rohingya refugees in Indonesia have been conducted from both normative and empirical perspectives, and they reflect a growing body of thought relevant to the international legal implications for national policy. Aling (2024), for instance, emphasizes in her research the crucial role of UNHCR and the national legal basis provided by Presidential Regulation No. 125 of 2016 on the Handling of Refugees from Abroad, as the primary instrument governing the management of Rohingya refugees in Aceh. Although Indonesia has not acceded to the 1951 Convention, the existence of this Presidential Regulation indicates a form of normative recognition of humanitarian principles and international cooperation. Meanwhile, Arief and Islam (2024) examine the issue from the perspective of Indonesia's compliance with international legal norms. Their analysis reveals that Indonesia's actions toward Rohingya refugees, though responsive and humanitarian in character, do not fully reflect a normative commitment to international legal principles such as non-refoulement. This underscores the tension between domestic needs, political considerations, and pressure from the international community. These findings reinforce the argument that Indonesia, in practice, adheres to international norms, yet lacks a binding legal foundation. Furthermore, Bangun (2022) provides a regional perspective by examining ASEAN's limitations in addressing the Rohingya refugee crisis. He highlights the entrenched principle of non-intervention among ASEAN member States, which has resulted in the absence of a collective and systematic mechanism to respond to the crisis. Reliance on national initiatives and weak regional solidarity have consequently placed a disproportionate burden on States such as Indonesia in managing cross-border refugee flows.

Based on the foregoing background, the research problem is formulated as follows: first, how international human rights law regulates refugees arising from armed conflict; and second, what role Indonesia, as a receiving State, assumes with respect to conflict-induced refugees under the 1951 Refugee Convention. This study is significant in that it addresses a gap in the literature, which has yet to comprehensively examine how international legal norms particularly those embodied in the 1951 Convention generate legal implications for non-party States such as Indonesia. In contrast to previous studies that have primarily emphasized humanitarian and administrative aspects, this research highlights the tension between State sovereignty and the pressure exerted by international norms that, while not legally binding, exert substantial political and policy influence. The objective of this study is to provide a conceptual and normative analysis of the manner in which international legal implications affect Indonesia's policy toward Rohingya refugees.

II. RESEARCH METHOD

The research approach employed in this study is the Normative/Dogmatic Concept. This method emphasizes the conception of law as a system of legal rules and regulations arranged systematically in a hierarchical pyramid, the apex of which is the *grundnorm* (basic norm) serving as the ultimate source and foundation of validity for the entire body of legislation. (Marzuki, 2005) The research in this writing is qualitative in nature, in which the data are not presented in numerical form but rather in verbal expressions. Suteki, quoting Syaodih Sukmadinata, defines qualitative research as a type of research aimed at describing and analyzing phenomena, events, social activities, attitudes, beliefs, perceptions, and the thoughts of individuals as well as groups. (Noor, 2011)

The legal materials were collected through documentary research and literature study. The data analysis was conducted qualitatively by employing deductive reasoning. The collected legal materials, obtained through the process of legal inventory, were subsequently classified and subjected to an in-depth analysis by examining the underlying principles, values, and fundamental norms

International Legal Implications for Indonesia's Policy Concerning Rohingya Refugees: A Juridical Analysis Under The 1951 Convention Relating to The Status of Refugees

contained therein. This analysis was then cross-checked with other statutory regulations in order to identify the level of synchronization as well as any inconsistencies among the relevant laws and regulations. (Satjipto Rahardjo, 2004)

III. RESULTS AND ANALYSIS

A. The Regulation of Refugees Arising from Armed Conflict under Human Rights Law

The Universal Declaration of Human Rights (UDHR) emphasizes that the protection of human rights must be guaranteed through legal provisions, so that every individual may enjoy their rights and freedoms without fear of oppression or arbitrary power. Such legal protection plays a vital role in ensuring that these rights are recognized, upheld, and implemented by the state as well as all levels of society, thereby preventing the emergence of despair that could drive individuals to resist injustice. (Abdul, 2024) This reflects the UDHR's commitment to ensuring that every individual has the right to live a dignified and free life, without being subjected to any form of violation of their fundamental rights.

Article 14 of the Universal Declaration of Human Rights (UDHR) grants every individual the right to seek and to enjoy asylum in another country as protection from persecution. Paragraph (1) affirms this fundamental right as a safeguard against serious threats or dangers. However, Paragraph (2) provides an exception to this right, stipulating that asylum shall not be granted to individuals prosecuted for non-political crimes or acts contrary to the purposes and principles of the United Nations. Thus, this article ensures protection for those genuinely in need, while preventing the misuse of the right to asylum by individuals who violate international law or engage in unethical conduct. (Juliyanti, 2013) Refugees constitute one of the most vulnerable groups in the world. The 1951 Refugee Convention and its 1967 Protocol were designed to protect them, serving as the only global legal instruments encompassing the essential aspects of refugee life. Under these provisions, refugees are entitled to treatment equivalent to that accorded to other foreign nationals in a host country, and in many instances, equal to that of citizens. The 1951 Convention regulates both the rights of refugees and their obligations toward the host state, with the core principle of *non-refoulement*, which prohibits returning refugees to a country where they would face serious threats to their life or freedom. Nevertheless, this protection does not extend to refugees deemed to endanger national security or those convicted of serious crimes that threaten the community. (Tendean, 2023)

According to the Universal Declaration of Human Rights (UDHR), everyone has the right to seek and to enjoy asylum in another country from persecution. International protection for refugees encompasses the principle of non-expulsion, which prohibits the expulsion or return of refugees to a place where their life or freedom would be threatened. States bear the responsibility of determining refugee status, with procedures varying according to their legal traditions, local conditions, and national resources. In addition, the UNHCR is also mandated to determine refugee status. The general principles of asylum include granting asylum as a peaceful and humanitarian act, not based on reciprocity, and with due respect for the principle of non-expulsion and the prohibition of forcible return. The granting of asylum should not be regarded as an unfriendly act toward the country of origin of the asylum seeker and must seek to avoid inter-state tensions. The recognition of refugee status is intended to safeguard human rights and to prevent refugee issues from becoming a source of international conflict. (Notoprayitno, 2020)

Human Rights embody a number of fundamental principles that underline the importance of respecting human dignity and safeguarding individuals from violations of their basic rights. The principle of equality affirms that all individuals are born free and equal in human rights, where similar situations must be treated alike while different circumstances may require differentiated treatment. Affirmative action serves as a means of addressing inequality by providing special measures for those in need in order to achieve genuine equality. The principle of non-discrimination prohibits both direct and indirect unfair treatment based on particular characteristics. Furthermore, the principle of interdependence emphasizes that the realization of one human right often depends, in whole or in part, on the realization of others. Inalienability ensures that human rights cannot be revoked, transferred, or exchanged, while indivisibility establishes that civil, political, social, cultural, and economic rights are inherent and cannot be separated from one another, as the denial of one right may lead to the denial of others. Universality affirms that human rights apply absolutely to all individuals worldwide, without exception. Finally, the principle of human dignity stresses the necessity of respecting the inherent worth of every individual, thereby promoting peace, diversity, and tolerance within humanity. (Zuhriyah, 2023)

At present, Indonesia faces obstacles in protecting refugees due to its non-ratification of the 1951 Convention and the 1967 New York Protocol, which places the authority to determine refugee status under the UNHCR. Currently, Presidential Regulation No. 125 of 2016 only regulates the technical aspects of refugee management. It is crucial for Indonesia to acquire such authority in order to effectively address the flow of international refugees that may threaten national stability and security, as well as to enable cooperation with other states that have ratified the relevant international legal instruments. (Royyan, 2018) The Government of Indonesia has taken a progressive step compared to other Southeast Asian countries by issuing Presidential Regulation No. 125 of 2016 concerning the Management of Refugees from Abroad. Although this regulation reflects Indonesia's initiative to regulate and safeguard national interests in refugee management, the complexities in practice such as discovery, shelter, security, and immigration supervision indicate that the regulation remains insufficient. Particularly in the context of global human rights, more detailed provisions are required to ensure the fulfillment of refugees' fundamental rights in line with Indonesia's international commitments. With the ongoing discussions on revising Presidential Regulation No. 125 of 2016, there exists a significant

International Legal Implications for Indonesia's Policy Concerning Rohingya Refugees: A Juridical Analysis Under The 1951 Convention Relating to The Status of Refugees

opportunity to strengthen the role of the Indonesian government in managing refugee issues more effectively, including by developing policies that place greater focus on the protection of refugees' fundamental rights. Nevertheless, the main challenge lies in shifting the entrenched paradigm that has shaped previous practices in refugee management. (Pujiastuti, 2020)

When analyzed through the lens of natural law theory, human rights law governing refugees arising from conflict aligns with the principles of natural law, which emphasize the existence of fundamental rights inherent in every human being universally, regardless of recognition by the state. In this context, the protection of refugees including the right to life, freedom from torture, and the right to seek asylum constitutes moral and justice-based principles that are widely acknowledged by humanity, as affirmed by natural law thinkers such as Thomas Aquinas and Hugo Grotius. Accordingly, even if a state has not ratified international instruments such as the 1951 Convention, the moral obligation to protect refugees remains binding under the universal and unwritten norms of natural law.

In conclusion, although Indonesia has not ratified the 1951 Convention and the 1967 New York Protocol, which comprehensively regulate the protection and rights of refugees, the country nevertheless accepts and manages refugees. This measure is taken more on humanitarian grounds rather than out of strict adherence to the core principles of the Convention. Indonesia has demonstrated its humanitarian commitment through the issuance of Presidential Regulation No. 125 of 2016 on the Management of Refugees from Abroad. While this regulation reflects an effort to organize refugee management and safeguard national interests, it primarily addresses technical and practical aspects rather than adhering to the rigorous international standards concerning refugee rights. These efforts, though significant, indicate that Indonesia's acceptance and protection of refugees are driven largely by humanitarian considerations rather than full commitment to the principles enshrined in the 1951 Convention. This suggests the need for further strengthening of national policies to achieve greater alignment with international standards of refugee protection.

B. Indonesia's Role as a Host Country for Refugees Resulting from the Rohingya Conflict under the 1951 Refugee Convention

Every day, the number of international refugees arriving in Indonesia continues to increase. Although their presence is generally temporary, the figures grow from year to year. Indonesia is a state that highly values humanitarian principles, including the right to life, the right to be free from torture, and the right to seek asylum. Refugees are regarded by Indonesia as victims of human rights violations and, therefore, are entitled to protection. (Sakharina, 2020) In 2016, Indonesia issued Presidential Regulation No. 125 of 2016 on the Handling of Refugees from Abroad as part of its effort to address refugee issues in a more structured manner and in accordance with the law of foreign relations. This regulation was designed to provide a clear legal framework and operational procedures for refugee management, covering discovery, shelter, security, and immigration supervision. However, the regulation has also raised several challenges due to its inconsistency with the Immigration Law, which continues to categorize refugees as illegal immigrants. This has resulted in overlapping policies and a lack of clarity regarding the responsibilities of relevant institutions in handling refugee matters. (Novianti, 2019)

Refugees constitute an international issue that requires special attention in terms of protection as part of the principles of human rights. Pursuant to Article 14 of the Universal Declaration of Human Rights, every individual has the right to seek and to enjoy asylum in another country in order to protect themselves from persecution or torture. The 1951 Convention was established as a legal framework providing protection and assistance to refugees, offering various forms of safeguard. Indonesia has implemented cooperation with the UNHCR as a manifestation of its commitment to addressing the flow of refugees. (Abdul, 2024) The efforts of the Government of Indonesia in managing the influx of refugees, including its cooperation with the United Nations High Commissioner for Refugees (UNHCR), demonstrate a clear commitment to providing protection for Rohingya refugees. One concrete manifestation of such cooperation is the establishment of the Joint Verification which functions to grant refugee status as recognized by UNHCR.

The cooperation between the Government of Indonesia and the United Nations High Commissioner for Refugees (UNHCR) in addressing the Rohingya refugee crisis constitutes a strategic response that underscores Indonesia's position as a state upholding humanitarian value, notwithstanding its non-accession to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol. Within the framework of international law, such cooperation reflects a form of voluntary compliance with international norms, particularly the principle of non-refoulement, which has widely evolved into a rule of customary international law, despite the absence of its explicit incorporation into Indonesia's domestic legal framework. An analysis of this cooperation demonstrates that UNHCR's presence in Indonesia provides both legitimacy and additional capacity in addressing transnational refugee issues. UNHCR, vested with an international mandate, undertakes refugee registration, status determination, and protection, thereby filling the legal vacuum within the national system that does not yet specifically regulate refugee protection and integration procedures. In practice, UNHCR also serves as a technical partner to the Government of Indonesia in managing temporary accommodation facilities, distributing humanitarian assistance, and advocating for durable solutions such as voluntary repatriation, limited local integration, or third-country resettlement. (Tambunan, 2019)

International Legal Implications for Indonesia's Policy Concerning Rohingya Refugees: A Juridical Analysis Under The 1951 Convention Relating to The Status of Refugees

Nevertheless, such cooperation is not without challenges. On the one hand, Indonesia's reliance on UNHCR underscores the absence of a comprehensive national legal framework governing the presence and legal status of refugees. Presidential Regulation No. 125 of 2016 on the Handling of Refugees from Abroad indeed provides an important normative basis; however, it remains largely administrative in nature and does not comprehensively regulate refugees' rights and obligations, their legal status, or long-term integration mechanisms. This legal lacuna results in uncertainty both for the refugees themselves and for law enforcement authorities as well as local governments that serve as the frontline actors in policy implementation. On the other hand, UNHCR's involvement affords Indonesia the opportunity to preserve the boundaries of its sovereignty in managing refugee issues. In this regard, Indonesia is able to maintain control over the influx of refugees while simultaneously demonstrating its humanitarian commitment in accordance with the principles of international soft law. Accordingly, this cooperation may be regarded as a compromise between state sovereignty and international moral imperatives, reflecting the flexibility of law in the practice of international relations. Although not legally binding, the international norms advocated by UNHCR continue to exert significant moral and political influence in shaping national policy directions. (Ferdiyansyah Putra, 2019)

Accordingly, it is imperative to strengthen the national legal framework in a more substantive manner through the enactment of a specific law on refugees, which would comprehensively regulate their rights, obligations, legal status, and protection mechanisms in line with international standards. In this way, cooperation with UNHCR would not merely serve as an administrative measure or a temporary response, but rather as an integral part of establishing a refugee governance system that is legally grounded, equitable, and sustainable. Such a framework would further reflect Indonesia's position as a responsible member of the international legal order.

Subsequently, cooperation with the International Organization for Migration (IOM) plays a pivotal role. As the United Nations agency for migration, IOM has been instrumental in safeguarding the protection and welfare of refugees and asylum seekers in Indonesia through a rights-based approach. It provides essential services such as medical care, language assistance, and other basic support at interception points, while also implementing the Community Housing program that accommodates approximately 8,000 refugees and asylum seekers. In addition, IOM facilitates access to education, vocational training, and recreational activities for both children and adults under its care. Although IOM is not involved in refugee status determination or in the process of resettlement to third countries, it strives to ensure that refugees may live with dignity in Indonesia, notwithstanding the absence of legal authorization to work under the prevailing national legislation.

The cooperation between Indonesia and the International Organization for Migration (IOM) in addressing migration and refugee issues encompasses various aspects, including operational assistance, immigration facilitation, support in local integration processes, and voluntary repatriation. IOM has been actively engaged in providing training for Indonesian security and immigration officials to strengthen their capacity in managing migration challenges, particularly in preventing human smuggling and safeguarding human rights. This cooperation extends beyond mere technical and operational aspects; it is also aimed at fostering a safe and sustainable environment for refugees in Indonesia. (Royyan, 2018)

From the perspective of international law, this cooperation illustrates that Indonesia, although not a State Party to the 1951 Convention Relating to the Status of Refugees, nevertheless undertakes concrete measures in addressing refugee issues based on humanitarian principles and multilateral cooperation. Unlike UNHCR, IOM does not possess a direct mandate to determine refugee status; however, it plays a significant role in facilitating voluntary repatriation, temporary integration, and logistical arrangements for relocation or resettlement in third countries. Such functions indirectly support the implementation of the principles of burden sharing and responsibility sharing, which underpin the international refugee protection regime. Nevertheless, reliance on international organizations such as IOM also reflects the weakness of Indonesia's national framework in dealing with refugees and undocumented migrants. To date, Indonesia has yet to establish a specific legislative instrument governing the legal status and protection of refugees and migrants within its domestic legal system. Presidential Regulation No. 125 of 2016 merely provides an administrative framework without guaranteeing legal certainty regarding status, long-term integration, or the protection of fundamental civil rights. In this context, IOM's role temporarily fills the gap left by the State; however, in the long term, such dependency risks creating institutional reliance and shifting the locus of legitimacy from state authority to an international organization. (Domloboy, 2017)

On the other hand, this cooperation also represents a form of Indonesia's humanitarian diplomacy on the global stage. It demonstrates that, although not legally bound by certain international conventions, Indonesia remains actively engaged in the international regime through a collaborative and partnership-based approach. This becomes particularly significant in maintaining a balance between state sovereignty and the commitment to universal principles of international law, especially in matters concerning the protection of human rights. Accordingly, the cooperation between Indonesia and IOM in addressing the Rohingya refugee situation is not only relevant in the humanitarian context but also reflects the broader dynamics between international law and domestic policy. To strengthen this cooperation, Indonesia needs to establish a more robust national legal framework governing the status, protection, and fulfillment of the fundamental rights of refugees and migrants, so that the collaboration with IOM becomes an integral part of a sustainable national system rather than a temporary or ad hoc response. (Salsabila, 2023)

International Legal Implications for Indonesia's Policy Concerning Rohingya Refugees: A Juridical Analysis Under The 1951 Convention Relating to The Status of Refugees

Furthermore, the cooperation with IOM illustrates Indonesia's adoption of a non-binding cooperation approach in international migration matters namely, a form of collaboration not grounded in legal obligation but based on normative agreements and the spirit of humanitarian solidarity. This approach provides the State with flexibility to align its migration policies with domestic needs without being formally bound by international legal frameworks. In the context of the Rohingya refugees, such flexibility is crucial, as many cannot be strictly categorized as "refugees" under the narrow definition of the 1951 Convention, but rather as irregular migrants or undocumented asylum seekers, thereby necessitating a broader approach beyond the UNHCR's status determination mechanisms. However, the absence of a substantive national legal framework governing refugees and migrants often confines the Indonesia IOM cooperation to an emergency response framework, lacking systemic continuity. This results in unclear responsibilities between central and local governments and weak protection of fundamental rights, including access to education, employment, and legal remedies. Accordingly, the Indonesia IOM cooperation should not remain confined to technical implementation alone; it must also serve as a catalyst for the establishment of a comprehensive national policy framework. Such a framework would ensure that refugee management transcends a mere international humanitarian agenda and becomes an integral part of a rule of law governance system that guarantees legal certainty, justice, and protection for all individuals, including those with undocumented status. (Wibisono, 2024)

Indonesia's role as a host state for Rohingya refugees can be analyzed through the lens of natural law theory, which emphasizes that the protection of fellow human beings constitutes a universal moral obligation, regardless of the existence of formal legal duties. Although Indonesia is not a State Party to the 1951 Convention, the fundamental principles enshrined therein such as *non-refoulement* and the protection of refugees' rights reflect natural law values that uphold human dignity and fundamental human rights. Consequently, Indonesia's actions in providing temporary protection to Rohingya refugees embody the application of natural law principles, where humanitarian concern serves as the moral foundation for addressing cross-border refugee crises.

IV. CONCLUSIONS

1. Protection of refugees arising from conflict constitutes an essential component of the international human rights legal system, as stipulated in the Universal Declaration of Human Rights (UDHR), the 1951 Convention, and the 1967 Protocol. Principles such as *non-refoulement* and the right to seek asylum reaffirm the significance of such protection. Although Indonesia has not ratified these instruments, through Presidential Regulation No. 125 of 2016, Indonesia has nonetheless demonstrated its humanitarian commitment. However, since this regulation remains technical in nature and does not comprehensively ensure the fulfillment of refugees' human rights, policy reinforcement is required in order to achieve greater alignment with international standards.
2. Indonesia's role as a host country for Rohingya refugees reflects a strong commitment to humanitarian principles, despite not being legally bound by the 1951 Convention and the 1967 Protocol. Through cooperation with UNHCR and IOM, Indonesia seeks to address refugee issues operationally and administratively, ranging from temporary shelter to facilitating repatriation or resettlement in third countries. Nevertheless, Presidential Regulation No. 125 of 2016 remains procedural in nature and fails to adequately address the need for long-term guarantees of rights and legal status for refugees. Reliance on international organizations further highlights the limitations of the national protection system, resulting in legal uncertainty and weak inter-agency coordination. Accordingly, the establishment of a comprehensive national law is imperative to regulate the status, rights, and protection of refugees in a sustainable manner, while simultaneously strengthening Indonesia's position in international law and diplomacy concerning refugee issues.

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International Legal Implications for Indonesia's Policy Concerning Rohingya Refugees: A Juridical Analysis Under The 1951 Convention Relating to The Status of Refugees

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