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Indonesian Government Policy on Rohingya Refugees

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ABSTRACT

The migration wave of Rohingya refugees has come unstoppable from Aceh waters since late 2015. The violence that engulfs Rohingyas ethnic in Myanmar, such as homicide and arson, had forced some Rohingyas to evacuate. They tried to survive by moving to new areas that they assume safe and the people in new areas can give some protection. With less decent boats, some Rohingyas migrated to the coast of Thailand, Malaysia, up to Indonesia. The Indonesian Armed Forces had tried to close the access of refugee into Indonesian territory in order to safeguard the security from foreign infiltration. Nevertheless, the Indonesian Armed Forces kept trying to help Rohingya by sending food and water to the boat. However, the insistence of local and international community finally made Indonesian government opened the territory for Rohingya refugees. Why was the Indonesian government willing to accept Rohingya refugees? What was Indonesian policy towards Rohingya refugees? This article will describe Indonesian government policy on handling the migration wave of Rohingya refugees by the end of 2015.

ABSTRAK

Gelombang migrasi pengungsi Rohingya dari perairan Aceh menjadi tidak terhentikan sejak akhir tahun 2015. Kekerasan yang meliputi etnis Rohingnya di Myanmar seperti pembunuhan dan pembakaran rumah memaksa mereka untuk melakukan evakuasi. Mereka mencoba bertahan dengan pindah ke area baru yang mereka asumsi aman dan masyarakat di wilayah tersebut dinilai bisa memberikan perlindungan. Dengan perahu yang kurang layak, orang Rohingnya bermigrasi ke pesisir Thailand, Malaysia hingga ke Indonesia. Tentara Nasional Indonesia telah mencoba untuk menutup akses pengungsi ke wilayah Indonesia dengan tujuan untuk menjaga keamanan dari penyusup asing. Namun, TNI tetap mencoba untuk membantu orang Rohingnya dengan mengirimkan makanan dan air ke perahu. Bagaimanapun desakan dari komunitas lokal dan internasional akhirnya membuat pemerintah Indonesia membuka wilayahnya untuk pengungsi dari Rohingnya. Mengapa pemerintah Indonesia bersedia untuk menerima pengungsi Rohingnya? Apa kebijakan pemerintah Indonesia terhadap pengungsi Rohingnya? Artikel ini akan menjelaskan kebijakan pemerintah Indonesia dalam menangani gelombang migrasi pengungsi Rohingnya di akhir tahun 2015.

Introduction

By the end of 2015, the migration Wave of Rohingya refugees was unstoppable in Aceh. Previously, in 2009 and 2012, due to the outbreak of conflict in Rakhine, Myanmar, Rohingya refugees had come to Indonesia. Under the *Burmese Citizenship Act 1982*, Rohingya ethnic forfeited their citizenship, rights over land, right to get proper education and employment.¹ Due to differences in racial, linguistic and religious origins, the Rohingyas were marginalized in the law as well as the social interaction of humanity.

Migration as a choice of some ethnic Rohingyas seems not a good choice. The option to run out of Rakhine make them stuck on human trafficking. For example, a Thai agent that promised some Rohingya a comfortable boat and escort to Malacca waters had lied. In the middle of the ocean, Rohingyas were moved on to a larger ship. But on that ship, there were Bangladeshi people. Those Bangladeshi was not refugee. They were some people that want to seek a more viable livelihood and some employment in new areas. As a result, on the boat, there were frequent disputes between Rohingyas and Bangladeshi. Even worse, a murder case occurred.

When refugees ships arrived in Thai waters, the Thai Government refused the presence of Rohingya and Bangladesh. The reason for rejection is an inability of Thai government funds to accommodate refugees. Beside that Thai Government have a fear that if they allowed the refugees so in the next day there will be other refugees that enter Thailand. However, the Thai government kept helping the refugee by providing food aid that delivered to the ship. Similarly, with the Malaysian Government,

they refused the presence of Rohingya refugees in Malaysia because in Malaysia territory there had been so many Rohingya live as refugees. For new Rohingya refugees that wishing enter to Malaysia, the Malaysian Government cannot allow it. However, as a commitment for humanity, Malaysian government sent food and water aid that had been delivered to the ship.

The first response of Indonesian Government toward Rohingya refugees was same like Thailand and Malaysia Government, that was 'Refused'. The Indonesian Army Force Commander gave orders to help the Rohingya refugees by sending food and water to the ship that has been floating for a long time in the waters of Malacca Straits. However, he didn't give permits for refugee ships for docking to Indonesian beaches. For maintaining the Indonesian territory, especially in the case of Rohingya Refugees, the General deployed army personnel to maintain Indonesia beaches in order to remain sterile from foreign infiltrations.

Even though the Indonesian Army Forces who standing guard in Aceh Waters have reminded Aceh peoples, especially some fishermen, in order did not help Rohingya refugees by taking their ships to the beach, unfortunately, Aceh fishermen did not follow that instruction. Leading by Custom Sea Commander or Laksamana, Aceh fishermen directed and taking refugee ship to enter Aceh Beach. After arriving at the beach, Rohingya refugees had been given some food and drinks, and also they can settle for a while in 'Surau' (a little and traditional mosque).

Perceiving what has been done by fisherman, Aceh Local Government finally decided to accompany Laksamana and fishermen to help and handle Rohingya Refugees. Moreover, when the national or transnational NGOs began arriving in Aceh to provide some assistance for refugees, necessarily, it should have one coordinator

¹ Aye Chan, "The Development of a Muslim Enclave in Arakan (Rakhine) State of Burma (Myanmar)" in U Shw Zan and Aye Chan's *Influx Viruses, The Illegal Muslims in Arakan*. New York: Arakanese in the United States, Planetarium Station 2005), 14-33.

that can unite and manage some program of assistance.

Rohingya refugees are human beings who have the needs, either primary, secondary, or tertiary. The decision for receiving refugees in great numbers, certainly, should be considered many things. A simple item, like funding for refugees. How about to fulfill foods? Or clothes? How about some places for they sleep or take a bath? Although Indonesian government, on a local or national level, have allocation funds for force major cases, if that allocation was spent just for Rohingya refugees, it will take a lot of risks. Especially, Indonesia is not a state that ratified UNHCR 1951 Convention about refugees, with the result that Indonesia government do not have any obligations for relocating refugees. However in the name of humanity, The Laksamana and Fishermans had done, and also international insistence from United Nations, finally Indonesian government gave a permit to open access Indonesia territory for Rohingya.

Why was Indonesian Government pleased admit Rohingya refugees? How Indonesia policy on Rohingya refugees? This article will describe Indonesia Government policy in dealing with Rohingya migration waves at the end of 2015.

The Migration of Rohingya Refugees

Is the Rohingya ethnic who enter Aceh waters can be categorized as refugees? Or they can be seen as illegal migrants? If they are illegal migrants, of course, Indonesia has a right to protect its territory from infiltration of illegal migrants. This effort is intended to maintain the stability of national security, as well as, the influx of criminal actions of international networks.

Refer to Betts and Loescher, "Refugees are people who cross international borders in order to flee human rights abuses and conflict. Refugees are prima facie evidence of human

rights violations and vulnerability.² People who are persecuted and deprived of their homes and communities and means of livelihood are frequently forced to flee across the borders of their home countries and seek safety abroad. Historically, wherever states have persecuted their own populations or there have been wars, people have left their country of origin. From the Holocaust to the proxy conflicts of the Cold War, to the internal conflicts in the aftermath of the Cold War, to the occupations in Iraq and Afghanistan in the context of the ' War on Terror ', refugees have emerged from just about every significant historical conflict or despotic regime. Because refugees find themselves in a situation in which their own government is unable or unwilling to ensure their physical safety and most fundamental human rights, they are forced to seek protection from the international community. Ensuring that refugees receive safety and access to their rights, livelihoods, and the possibility to be reintegrated into their country of origin or another state is, therefore, an important human rights issue."

According to the 1951 Convention, UNHCR Article 1A (2), the term of refugees is

"... any person who: "As a result of events occurring before 1 January 1951 and owing to wellfounded fear of being persecuted for reason of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a

² Alexander Betts dan Gil Loescher (eds), *Refugees in International Relations*, NY; Oxford University Press, 2011, 1)

result of such events, is unable or, owing to such fear, is unwilling to return it.

According to Indonesian Presidential Decree No. 125 the year 2016, refugees are foreigners who reside in the territory of a unitary State of Republic Indonesia due to fear of persecution will be absent by reason of race, tribe, religion, nationality, membership of a group certain social and political opinions that are different and do not want protection of their home country and/or have obtained the status of an asylum seeker or refugee status from the United Nations through High Komisariat Refugees in Indonesian. Before determining the status of Rohingya ethnic who come to Indonesia, first of all, authors will lay out the chronology of Rohingya arrival to Indonesia.

Some Rohingya ethnic came to Indonesia in several waves. In 2009, there were two waves of Rohingya arrivals to Aceh as many as 391 people. First, as many as 193 persons of Rohingya entered from Sabang, Malaysia in January 2009. They were placed tentatively in refugee camps of Indonesia Navy. Then, in February 2009, stranded 198 Rohingya refugees to Indirayo, East Aceh. They came directly from Myanmar and was found stranded on the high seas.

This second refugee wave was placed tentatively in Head Office of Idi Rayeuk. At the time, the handling of Rohingya refugees conducted jointly between the Aceh people, Aceh's local government, Indonesia Central Government, as well as UNHCR and the International Organization for Migration (IOM) for documenting refugees. The Indonesia Government brought Rohingya refugees issue to the ASEAN Summit that responded well to Myanmar's Prime Minister. He stated that Myanmar Government, in essence, was ready to accept Rohingya refugees in Myanmar if they can show a proof that they are Myanmar citizen. Unfortunately, from 391 Rohingya people,

only one person was able to show the identity of Myanmar citizen. Other refugees were unable to show Myanmar citizen identify because as long as Rohingya is live on Myanmar, they are not considered as Myanmar citizens under the *Burmese Citizenship Act 1982*. With the result of that Act, Rohingya do not get an identity card.

In 2012, conflict broke out. Starting from a case of rape which continued until the killings of Muslim Rohingya minority and Buddhist Arakan majority. Post-conflict, Rohingya Ethnic lived in camps in some areas in Rakhine State. They lived in a surveillance regional apparatus. They have problems of poverty and their citizen status do not be acknowledged. In May 2013, there was violence against Muslims in Lashio, Shan State. In that event, a group of Buddhists was destroying mosques, orphanages, and shops belonging to Muslims, which led to at least 14,000 Muslims flee their homes. In August 2013, re-occurring Buddhist groups burned dozens of Muslim houses and shops belonging in Kanbalu, Sagaing Division.

In May 2015, about 1,800 people of Rohingya and Bangladeshi were gradually getting into Indonesia waters of through Aceh. Some were stranded in Langsa, there were also up to the Blang Adoe. Their condition, especially women and children, were already weak because of the long-time adrift at the sea. The Aceh fishermen brought refugees to the beach. Some Aceh people gave food to refugees and put them on Surau (small mosque). After police and local governments came, the refugees were placed in temporary shelters such as Blang Adoe and there were also placed in Head Office, Langsa Subdistrict.

At the beginner, Rohingya refugee rescue efforts were prohibited. Indonesia armed forces (TNI) whose stand guard Aceh waters covering did not allow incoming Rohingya refugees if they don't have an official document. This procedure was done in order to prevent the entry of illegal immigrants into Indonesia territory. The

Aceh fishermen had already been alerted by TNI to help the refugees just by providing food and drinks to the boat, without bringing refugees to the beach and enter into Indonesia territory. However, the Aceh fishermen under the direction of laksamana remain inviting and ordering Rohingya refugee admission when they heard cries of 'Allahu Akbar' by refugees on a boat. An instruction of Laksamana as Aceh Indigenous Custom has a strong power for Aceh people beside the power of Aceh local government.

Refer to refugee definition in article 1A, paragraph 2 of the Convention 1951 Rohingya ethnic who got to Aceh-Indonesia, can be categorized as refugees due to meet the requirements set forth in the Convention. The reasons of Rohingya ethnic migrated due to acts of violence that were lead to genocide in the form of combustion hometown and mass murder. Those violence acts were caused by no acknowledgment of ethnic Rohingya as citizens of Myanmar. Hatred of Rohingya ethnic peppered with religious differences is their personal religious beliefs, i.e. Islam, while the majority of the population of Burma embraced Buddhism. Then, from the legal aspect, the violence to Rohingya ethnic cannot be solved because their citizenship is not acknowledged by the *Burmese Citizenship Act 1982*.

Myanmar's Government considers the Rohingya as the illegal migrants from Bengal, Bangladesh. The entry of Rohingya Ethnic to Arakan, Rakhine State, Myanmar was already underway since the reign of King Naramaikhya (1430-1434), in the Mrauk U dynasty. When United Kingdom colonization, the number of Rohingya migrants increasingly grow in line with the needs of United Kingdom colonial for employment in the agricultural sector. From language aspect, the Rohingya language can be categorized in the Indo-European language, especially the Indo-Arya. Meanwhile, language Myanmar belongs to

Tai Kadal Austroasiatic or Sino-Tibetan. Because of the difference in origin and also religion aspects, in the Citizenship Regulation in 1982, Myanmar Government does not recognize Rohingya as citizens. As a result, the State facilities such as education, health, and other public facilities cannot be enjoyed by Rohingya.³

Rohingya Refugee Reception: A National Policy on Humanity Solidarity

In the International Relation Study, Foreign Policy is the entire external relations official who directed by independent actors (usually a country) in international relations.⁴ According to Carlsnaes, the root of foreign policy is Public Policy.⁵ Public policy in the realm of national or international is essentially connected each other and a series of State policy. When the Rohingya refugees come and were rescued by Aceh people, the Indonesia Government should take an attitude of accepting or rejecting the refugees. When such attitudes are implemented in an action, then there should be a basic regulation to decide the action. In national level, the Indonesia Government should organize some technical policy on the handling of the Rohingya refugee policy in Indonesia territory. In the regional and international level, the Indonesia Government issued a foreign policy handling the case of the Rohingya, bilaterally, regionally as well as establishing cooperation with international institutions.

The concept of the foreign policy of Rosenau gives three units of analysis: ⁶ i)

³Tri Joko Waluyo.. "Konflik Tak Seimbang Etnis Rohingya dan Etnis Rakhine di Myanmar." *Transnasional* 4, 2013 (3): 838-852.

⁴ Christopher Hill, Michael smith, "International Relations and the European Union", Oxford University Press, 2011, 2)

⁵ Walter Carlsnaes, Thomas Risse-Kappen, et al, *Handbook of International relations*, SAGE, 2002. 332-334

⁶ James N. Rosenau, Kenneth W, et al, "World Politics: an Introduction, Free Press, 1976, 16

foreign policy as a set of orientations, ii) foreign policy as a set of commitments to and plans for action, and iii) foreign policy as a form of behavior. Orientation is a general trend that leads the State in the conduct of international relations. The orientation includes attitudes, perceptions, and values that are derived from historical experience and the strategic environment of the society of the country. Commitment and plan of action is the real plan in responding to a situation beyond certain based on consistency with basic orientation, including strategies, decisions, and policies. Lastly, the behavior is the real step activities pertaining to the official State events and certain situations, things to do and not to do something in interacting with other actors (individuals, groups, countries, and other). Units of analysis, then, be divided into the levels of analysis.

Level analysis of foreign policy according to Rosenau there are three stages, namely: national, regional and global.⁷ At the national level, political accountability, government structure, and the personality of the leaders (including values, talents, and experience) were going to affect foreign policy. Geographic size will affect the global and regional level. On a regional level, things that affect the regional level include culture, history, social structure, the internal situation, and regional economic development. While in the system, in addition to the size of the geography, the structure of the Alliance countries superpowers and external situation (such as issues and crisis areas) greatly influenced the foreign policy of a country.

Indonesia's foreign policy orientation in national level regarding the existence of the Rohingya refugees in Indonesia is humanity. Humanity is something that has to do with good intentions. Humanity can be categorized into three things. First, humanity is the power to draw up a goal or make a choice-i.e. This power is owned by all

rational beings. Second, it is equivalent to a certain group of traits or abilities, which all minimally rational beings necessarily possess, and so all minimally rational beings must be treated as ends in themselves. Third, humanity is the capacity to act morally. his capacity for morality must be distinguished from possessing an actual commitment to u.s. demands morality act (otherwise, the 'capacity' reading of 'humanity' would be the same as the goodwill of reading), but many commentators fail to specify exactly what they think constitutes a capacity for morality. To accept the moral principles as a determinant of one's actions requires the ability to choose among actions.⁸

The presence of Rohingya refugees in Aceh waters in a sad condition after a long adrift in the ocean was a fact. On the basis of humanity, closing the Indonesia area for Rohingya refugees was a difficult thing. Consideration of maintaining the national security from the infiltration of illegal migrants was also difficult to be said to Aceh Fishermen who decided to bring Rohingya refugees to Aceh beach. However, humanitarian orientation versus national security become a discourse in Indonesian government policy of Indonesia for receiving Rohingya refugees.

This discourse leads to the conception of Indonesian national interests that exist in the Preamble of Indonesian Constitution 1945, fourth paragraph, namely protecting Indonesia Nations and all the spilled blood of Indonesia. The consideration of the Government to close the area for illegal immigrants was aimed to protect the Indonesia nation itself. Illegal immigrants from different cultures were perceived as a threat to Indonesia people. There is no guarantee that the Rohingya refugees who entry to Indonesia, were truly refugee or they were victims of human trafficking. And in fact, in the ship that had displaced by

⁸ Richard Dean. 2006. *The Value of Humanity: in Kant's Moral Theory*. Oxford: Clarendon Press.

⁷ *Ibid*, 8

Rohingya, there were also Bangladeshi. After the logging, Bangladeshi waded through a sea of pure to seek livelihood to other areas through human trafficking agents. So, they could not be categorized as a refugee. However, the importance of protecting all of Indonesia nation and all the spilled blood of Indonesia also faced with consideration of other national interests, i.e. join the world order carry out based on freedom, eternal peace, and justice social. Was it fair for Rohingya refugees who had been adrift for several months at sea, then they did not welcome into Aceh waters, and then told to return to Myanmar? The hearts of Aceh people, especially the Aceh fishermen, tend to prefer for helping Rohingya refugees by assisting them to Aceh beach. Essentially, helping Rohingya refugees in accordance with Indonesia's foreign policy orientation, i.e. join the world order carry out on the basis of independence, eternal peace, and social justice. However, in order for this orientation is not incompatible with the orientation of protecting all Indonesia Nations, then it should be arranged a good plan of action on handling the Rohingya refugees as a form of orientation and commitment to humanity.

Seeing the enthusiastic of Aceh people for Rohingya refugees, Aceh local government in Aceh finally have decided to accept Rohingya refugees with the help of a potluck. Similarly, with the Central Government in Jakarta, finally provides relief by sending some Ministers to coordinate to help to handle the Rohingya refugees. The Indonesia Government, officially, issued a policy of opening up the region for Rohingya refugees to Indonesia. But surely, there was a need for a strategy or policy of tactical field associated with the limited sources of funds from Indonesia Government to handle the Rohingya refugees in large quantities. This decision was a commitment of Aceh Government together with Aceh people based on the principle of humanity. After obtaining permission and directives by the Central Government in

Jakarta, the Aceh local Government later became a Coordinator of Rohingya refugee on handling and drawing up programmes as action plan on the handling of refugees.

The Aceh people are not rich living societies. Receiving Rohingya refugees in Aceh region did not mean the Aceh people is a rich society and able to guarantee the life of the Rohingya refugees in large quantities. The Aceh Government, as well as Indonesia Government, do not have the funds to guarantee the lives of refugees. But, the Aceh people remain to help Rohingya with confidence over the fate of the sky that if Aceh people help some people that on musibah (a bad condition) like Rohingya refugees, so Aceh people will live in a blessing of Allah.

Rohingya refugees were placed temporarily in shelters. Since reported in the mass media the presence of Rohingya refugees in Aceh, the national and international NGOs were being poured in to help. Acehnese believe the presence of NGOs helped was a form of Allah that gives sustenance to the creatures. Long queues were created from Aceh people who want to provide relief from what they have like rice, vegetables, side dishes, nor cooked or raw food materials to be given to Rohingya refugees.

Volunteers from some NGOs coordinating each other to help the Rohingya refugee lives in Aceh. Aksi Cepat Tanggap (ACT), for example, initiated development of Integrated Shelter Community as refugee shelters with the principle of humanizing refugees. Refugees are not a criminal. They may live at the shelter as a human activity as a normal human, such as eating, bathing, sleeping, worship, learn, and socialize. This view is indeed appropriate. However, in order to keep growing the seeds of horizontal conflicts between refugees with the indigenous population, the Aceh Government was designated by Central Government as the Coordinator task force on handling the Rohingya refugees, continue to impose restrictions for the community to

enter into the shelter area, as well as to refugees who want to go out of the shelter. Only volunteers or those who had identity cards that could go into and out the shelter.

Enthusiastic about Aceh people and NGOs both local and transnational in helping displaced Rohingya were not dismissed the Indonesia Government's awareness to keep Indonesia's territory from a foreign infiltration. The Indonesia Government was assisted by NGOs, did the logging for a refugee. There were different treatment for Rohingya and Bangladeshi after the logging. For Bangladesh, they were sent home to Bangladesh after the Indonesia Government ensure that Bangladesh was come to another area with the motive for seeking economic life. That decision was decided after commensurate assurance from the Bangladesh Government that there were no acts of violence which took place in Bangladesh as the country of migrant origin. While for Rohingya refugees, they could live in Aceh for temporarily in shelters and then wait for a decision from the IOM and UNHCR about the Rohingya refugee status.

The existence of Rohingya refugees in Aceh then pulls some NGOs to participate as well as help, as PKPU Humanitarian Foundation, SEAHUM, Dompot Dhuafa, SUAKA, Al-Imdaad, Aksi Cepat Tanggap (ACT), and of course the IOM and UNHCR as the international institutions that focus on handling migrants and refugees NGOs played a role in helping the Government of funding. NGOs have the freedom in managing source of funds starting from the disbursement of funds from the various parties and, then, can withdraw funds at any time. In contrast with a government that cannot be free for giving funds and must be waiting for the date of those funds can be disbursed. The allocation of the use of funds, for example, was used to make a shelter as a place of temporary stay and fund some activities for refugee accompaniments NGOs, also, have a lot of

human resources role to run some activities. The NGOs volunteers were given access to go to shelters. There were volunteers who came from the Aceh people or from outside of Aceh. They manage, make the schedule of activities, what and who's working on shelters. Some activities were various, like the logging of refugees to be identified and given a refugee card by UNHCR or IOM, coaching skills to the refugees, teaching how to write and to read Latin or Arabic writing, practicing how to behave and also speak the Indonesia language. Despite being given access, the volunteers were not allowed to stay in the shelters, they must return when the curfew came into force. The behavior of Indonesia's foreign policy on handling Refugees Rohingya at the national level, structurally, was the giving mandate on Aceh local governments to be the Coordinator of the task force handling on Rohingya refugees in Aceh. This mandate was carried out by the Aceh local Government who work closely with the Aceh Custom leader, the non-governmental organizations both national and international, as well as international bodies. First, provide temporary humane shelter for Rohingya refugees. The Central Government, as well as the areas, do not have big enough tactical funds to build a decent shelter for the refugees. The cost for Rohingya refugee handling was taken from the Disaster post funds in the form of the allocation of State Budget funds that can be used due to force major. Under the initiation of the ACT, NGOs with funding joint ventures had built Integrated Community shelters, i.e. dwellings made with a rather large space to live in some groups. There was a shelter for men and also for women differently. These shelters were reserved for those whose families are an incomplete member. For complete families, there was a special shelter. A shelter can consist of multiple families. The most numerous are the shelters for women that inhabited both by adult women,

adolescents, or young children. Second, perform logging Rohingya refugees with guidelines adapted to the regulation of IOM and UNHCR. The goal was to record so that the Rohingya refugees could be put in the category of international refugees so that they could get help living cost monthly as refugees from UNHCR or IOM. Logging was performed by volunteers. The results were collected and reported collectively to the IOM and UNHCR. In the process of logging, the volunteers faced some difficulties, especially in matters of language. For example, Some of Rohingya refugees did not know their age, moreover their kids' age. Third, providing education, such as writing, reading, learning the Indonesian and English language, and also reading and writing Quran. Though the Rohingya is Muslim, most of them can not read Al-Quran. Learning the Quran is done by Rohingya Muslims by the oral way. They remembered Al-Quran from their parents. So that, even though, Rohingya Muslim cannot read the Quran, they can be still remembering The Ayat of AL-Quran. In Aceh, Volunteer taught Rohingya refugees to read Quran with Iqro method. Fourth, provide education on lifestyle. Perhaps, due to the violence experienced in their hometown and also poverty factors, Rohingya refugees lifestyle is different from the ordinary standard of our life. For example, they do not know what the function of 'chair'. They dump lightly so that the shelter be uncomfortable.

Aceh Local government facilitated NGOs, nor local and outside Indonesia, who did some assistance activities toward daily activities for Rohingya refugees, as well as in the development of means of shelters. The Central Government declared that the existence of Rohingya refugees in Aceh just for maximum one year. In one year, the logging was done toward the refugees status until it becomes clear the status of international refugee, in accordance with the rules of IOM and UNHCR. After the Rohingya refugee status

clearly, they will be moved to rudenim in Medan, while waiting for their fate under the coordination of IOM and UNHCR, whether it be returned to Myanmar or directed to occupy to the destination country.

The Policy on Handling Rohingya Refugee at Regional Level

The Indonesia Government, at first, was not willing to accept Rohingya refugee in Indonesia territory. Under the direction of the Commander of TNI, TNI would help the refugees adrift in the Strait of Malacca but did not allow the Rohingya refugees to enter Indonesia waters. The Aids was provided in the form of allotment of food and water into the boat. This action was backed by the fact that the Rohingya refugees exploited by syndicates trafficking migrants. The Rohingya whose adrift on a boat where those who are able to pay their syndicate trafficking to deliver them to Malaysia or Indonesia.

Toward this attitude, the Indonesia Government got a warning from United Nations, such as Thailand and Malaysia as well. The Indonesia Government saw that Thailand had refused Rohingya refugees and have denied deliberately directing them to Indonesia. That claim was rejected by Thailand. They informed that when having given assistance at sea, the Thailand Government learned that the goal of the refugees was not Thailand, but Malaysia and Indonesia. The reason was very weak while Thailand already has long been a transit route for Rohingya who fled Rakhine State across the Andaman Sea. Thailand Prime Minister rejected Rohingya refugees due to concerns about the cost and the increasing number of Rohingya refugees whose coming into Thailand later if Thailand government allowed them entry. Malaysia also has the same attitude. Malaysia government refused Rohingya refugees although they also kept helping by

delivering relief food and drinks on the Rohingya refugees floating on the sea.

After receiving the warning, President Joko Widodo sent Indonesia's Foreign Minister to discuss Rohingya refugee problem on a regional level through ASEAN, as well as make a meeting bilaterally with Thailand and Malaysia governments. Rohingya refugees, certainly, is not the only incumbent for Indonesia to receive them. But also the obligation for the Member States of ASEAN to address the problems of refugees in Southeast Asia accompanied the perception that Southeast Asia is facing refugee crisis, either, as well as refugees from the Rohingya or other areas such as the Middle East. The result of that discussion was Indonesia was willing to accept the Rohingya refugees, so did with Thailand and Malaysia government. But, the cost for refugee will become the responsibility of United Nations.⁹ The migration waves of Rohingya, due to acts of violence experienced in Myanmar, was being the migration issue in Southeast Asia. Thailand, Malaysia, Indonesia, and also Bangladesh even had to accept the migrant wave in large numbers. On the basis of humanity, the Indonesia Government, basically, has no obligation to receive refugees because Indonesia did not ratify the UNHCR Convention 1951, but Indonesia remained to assist Rohingya refugees. It's just, the problems of Rohingya refugees must be solved from its roots, that is Myanmar.

As a concern the humanitarian disaster that hit Rohingya ethnic, Indonesia Government did diplomatic visit to Myanmar in bilaterally. In this mission, Indonesia delegation met with Myanmar leaders, Aung San Suu Kyi and General Min Aung Hlaing, to discuss conflict

resolutions and to ask an access for the delivery of humanitarian aid, and the construction of a hospital in Mrauk U area, Rakhine State.

In addition to conducting bilateral diplomacy, Indonesia brought Rohingya issue to regional fora in ASEAN. Indonesia realized that the pressure on Myanmar to stop the violent acts could not be carried out by a state. Especially, when the pressure was only delivered from the affected states of Rohingya migration like Indonesia, Thailand, and Malaysia, as well as Bangladesh. On 20 May 2015, ASEAN hold an emergency meeting in Putra Jaya, Malaysia to discuss Rohingya refugee issue. This meeting was attended by Malaysia as Chairman of ASEAN, Thailand, and Indonesia. While Myanmar did not attend because of a fear that the meeting will discuss just the existence of Rohingya who is not recognized as Myanmar citizens. One agreement of that meeting was Malaysia and Indonesia had a good will to accommodate about 7,000 Rohingya refugees just in one year. The duration of that time would be used to help UNHCR on doing data collection of refugees and waiting for UNHCR to find a third country as a destination country for refugees, or return the Rohingya refugees to Rakhine State, Myanmar. Malaysia's Foreign Minister, on that occasion, affirmed that the Rohingya issue refugees were not the only ASEAN concern, but it had been an international problem because it related with the humanitarian crisis.

Myanmar's absence in Putra Jaya meeting was certainly very regrettable. However, ASEAN as a regional organization in Southeast Asia has a non-intervention principle. With this principle, an ASEAN member can refuse the ASEAN initiation in order to resolve conflicts that take place within national scope. With this principle, Thailand, Indonesia, and Malaysia could not do more pressure against Myanmar Government through

⁹ Ikhwaniul Habibi, 2015. *Detik*. 25 Mei. Accessed by November 10, 2017.
<https://news.detik.com/berita/2923826/kisah-imigran-rohingya-4-bulan-di-laut-saling-bunuh-dan-sampai-indonesia>.

ASEAN. This right is intended to maintain the balance and harmonization of regional relations order in Southeast Asia. However, in the case of Rohingya refugees, the principle of ASEAN non-intervention was seen at odds with the spirit of humanity as an effort to stop the violent acts against Rohingya ethnic.

From the exposure above, the Indonesia Government orientation that brings Rohingya Refugee issue into ASEAN was a kind of humanity principle. On the other hand, however, Indonesia also has a commitment to the principle of ASEAN non-intervention. Holding steadfast of non-intervention commitment was intended to honor the Myanmar sovereignty. Some Muslim communities in Indonesia urged the Indonesia Government to sever diplomatic relations with Myanmar on the case of a humanitarian crisis that overwrites the Rohingya. However, the Indonesia Government did not respond to that urgings and had a perception that maintenance the diplomatic relationship with Myanmar is much better on running the foreign policy of “Bebas Aktif”.

Conclusion

The presence of the Rohingya refugees in Aceh Waters by the end of 2015 was inevitable. Humanity, that is the right word to describe the foreign policy orientation of Indonesian Government when accepted the Rohingya refugees. An effort to refuse the existence Rohingya refugee in Indonesia area had been done. However, the empathy over Rohingya had touched the heart of Aceh people to help Rohingya. The Indonesia Government, finally, allowed displaced Rohingya temporary in Indonesia area. This policy was based on a sense of humanity as a kind of Indonesia orientation and commitment to help Rohingya refugees. Receiving a large number of refugees was not an easy job. The Indonesia Government then drew up an action plan and run a Rohingya refugee

handling with the help of local, national or transnational NGOs. NGOs had enough funds and human resources for handling Rohingya refugees. The Aceh people also had helped Rohingya refugees by providing foods that they can share to Rohingya daily. The development of Integrated Shelter Community, the logging of Rohingya refugees, and the setting up daily activities for Rohingya Refugees were a behavior of Indonesia foreign policy on handling Rohingya refugees by working together with NGOs. The joint performance coordination with some NGOs demonstrated the openness of Indonesia as a state against the non-state actor's performance in terms of humanitarian solidarity.

Handling the Rohingya refugees was just one aspect of the humanitarian problems of Rohingya ethnic. Indonesia was aware the need for the completion problem from the upstream side, i.e. the violent acts in Myanmar. The bilateral diplomacy for conflict resolution, accompanied by the granting of humanitarian aid for the Rohingya in Myanmar, as well as the construction of a hospital in Rakhine State were some bilateral efforts of Indonesia toward the Myanmar Government. While upholding the non-intervention principle, Indonesia urged ASEAN to move real in combating violent conflict in Myanmar.

In international fora, Indonesia supported the activities of UNHCR and IOM on providing temporary shelter for Rohingya refugees. Together with NGOs volunteers, Indonesia did the logging of Rohingya Refugees as an effort to help UNHCR and IOM while the existence of Rohingya refugees in Indonesia, and also awaiting the placement decisions for Rohingya refugees, whether they would be placed in the destination country or returned to Myanmar.

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