

Pengungsi dalam kerangka kebijakan keimigrasian Indonesia kini dan yang akan datang

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Abstrak

Being a transitory destination, Indonesian has been drawn into the problem of refugees. Since 1979, when Vietnam was tormented by war, up to the recent times, when turmoil and instability erupted in the Middle East and South East, thousands of refugees have fled their countries and Indonesia has received the causative predicaments of their being illegally stranded in Indonesian territory.

Indonesia as not a party to the 1951 UN Convention relating to the Status of Refugees and its Protocol of 1967. Thai being the case, Indonesia is no! the legal obligations of the convention. However, Indonesia has established a strong legal basis concerning human rights (including the aspect of asylum and refugees) Decision of the People's Consultative Assembly TAP MPR XVtl/MPR/1997 on Human Rights, Law no.37/1999 on Foreign Relations and Law no.39/1999 on Human Rights. Indonesia's handling of refugees problems is a testimony of Indonesia's determination in upholding human rights. Therefore, an administrative circular nose issued set by the Director General of Immigration on 20 September, 2002 on the Directions to Procedure of Handling the Self-claimed Asylum Seekers and Refugees.

Indonesian immigration authority allows UNtiCR and IOM to give temporary protection and facilitation by U\HCR protection officer. The two international organizations managed to resolve the refugee problems, namely by managing voluntary return or resettlement to third countries. Meanwhile, operational regulations to execute refugees and asylum seekers handling in Indonesia as prescribed in the above mentioned laws are still pending. In the future, alternatively, immigration law shall include hitman rights values without abandoning the immigration selective policy.