



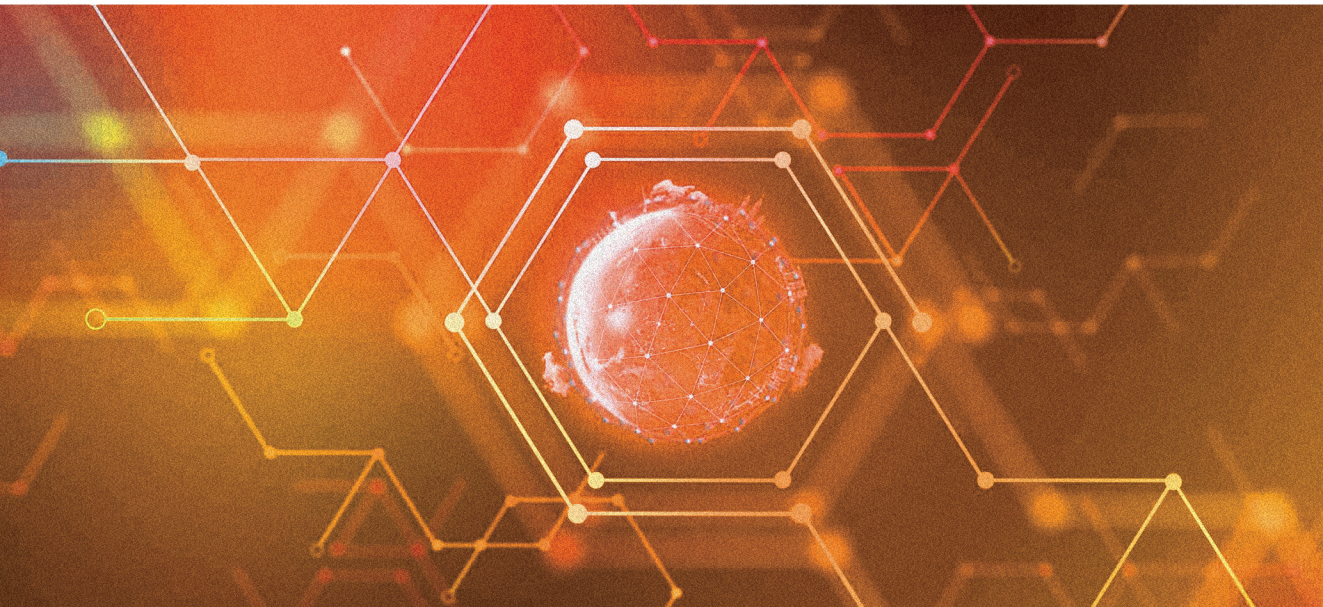
PROCEEDING

ICFPSH 2020

The 1st International Conference on Political, Social & Humanities Sciences

NAVIGATING GLOBAL SOCIETY *in the Disruptive Era*

November, 25th-26th, 2020



Editor:

Dr. Slamet Rosyadi (Universitas Jenderal Soedirman)

Prof. Dr. Rozasman Hussin (Universiti Malaysia Sabah)

Assoc. Prof. Dr. Thanawat Pimoljinda (Burapha University)

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The First International Conference on Political, Social and Humanities Sciences (ICPSH 2020)

Navigating Global Society in the Disruptive Era

November 25th-26th, 2020, Purwokerto, Central Java, Indonesia

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Universitas Jenderal Soedirman, Indonesia

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Foreword

Navigating Global Society in the Disruptive Era is the main theme of the first International Conference on Political, Social and Humanities Sciences (ICPSH). This theme is adopted since we live in an age of transformation in which strong global forces change the way we live and function. The rise of new emerging economies such as China, India, and other countries in the global south; the rapid proliferation of digital technologies; the rising challenges of globalization; and the global pandemic; all that issues above have impacted global society. Simultaneously, the resurfacing of old international rivalries, the breaking of conventional alignments, and the emergence of new powers are changing the international structure of the 21st century, if not the methodology and analytical methods used by scholars to understand it.

Although power politics is shifting, non-traditional challenges are also on the rise: seemingly never-ending wars in Africa and the Middle East, global migration, environmental problems, and the possibility of transnational terrorism are unavoidable factors that must be taken into account in any possible future scenario. Industrial Revolution 4.0 has had transformative impacts on all lines of society, and the global society must be prepared to face up to new developments that are evolving to the core. Such and other global developments bring substantial new opportunities to global society, nations, industries, businesses, and individuals that have successfully adopted them— but the risk for those who can not keep up has also risen dramatically.

In responding strategic issues relevant to the main theme, the conference has three main topics to be discussed: First, the conference discusses the challenge of current global transformations towards global society, states, market, international engagement, and foreign relations. With the advent of a disruptive era, there is a change in the system of interaction between state actors and non-state actors in the global stage. Second, it discusses the impacts and effects of the disruptive era on international relations and diplomacy at large. Third, it discusses the response of local society, local government, and public administration to the challenge and opportunities brought by the new transformation.

This proceedings explores and develops the central theme from a range of perspectives and backgrounds, school of thought, and interdisciplinary fields of intellectual discourses. Papers in this proceeding are based on theoretical or

observational case studies from any country and area of the world. Some of the problems addressed include the following subtopics: Global Society and emerging technologies, International Relations & Foreign Policy in the Disruptive Era, Peace, human right and security in the era of digital technology, Global health, environmental issues, and global disaster management, Politics, governance, and democracy in the disruptive era, New challenge and opportunity for social movement and global justice, People mobility and international migration, Political communication and new media in the era of Industry 4.0, Challenge to public administration in the disruptive era, Building a resilient society in the disruptive era, New transformation in the global economy, A challenge to the sustainable development goals in the disruptive era, and A challenge and opportunities for education and culture in the era of Industry 4.0. The first ICPSH was trully international perspective and thought.

Report From Organizing Committee

Assalamualaikum Warohmatullohi Wabarokatuh,

On behalf of the organizing committee, it gives me an immense pleasure to welcome all participants and presenters to the 1st International Conference on Political, Social and Humanities Sciences (ICPSH) that will be held on 25th – 26th November 2020 in Universitas Jenderal Soedirman, with the main theme is “Navigating Global Society in Disruptive Era”.

It is my pleasure to welcome all the eminent and honorable speakers, Prof Christian Reus-Smit from University of Queensland, Australia; Prof Mohtar Mas’oed from Universitas Gadjah Mada, Prof Miriam Estrada-Castillo from Universidad Casa Grande, Ecuador, Prof Zhang Zhenjiang from Jinan University, China and Luthfi Makhasin, Ph.D from Universitas Jenderal Soedirman. It’s an honor for us that you can join our conference, and able to share your knowledge and vast experience with the scholars and students in Indonesia, especially in Universitas Jenderal Soedirman.

This event is the first virtual conference in the history of our faculty which is completely conducted on a digital platform in line with the social distancing norms due to COVID-19 pandemic, and organized by Faculty of Social and Political Sciences, Universitas Jenderal Soedirman. I believe that this conference will provide excellent opportunity to discuss and learn about recent issues and research related with the main theme of the conference.

As a chairperson of organizing committee, I would like to end this welcome with a round of thanks for everyone who has made ICPSH 2020 possible. I would like to start by thanking my fellow members of the Organizing Committee, fellow colleagues in the Faculty, and administration staff that made what initially seemed like the daunting task of organizing a major international conference appear simple.

I would specially like to extend our gratitude to our University and Faculty management; Rector of Universitas Jenderal Soedirman, Dean of Faculty of Social & Political Sciences, and all head of departments in this Faculty for support this conference. Also for all presenters and participants that willing to join and share their thoughts and research.

Thank you. *Wassalamualaikum Warohmarullahi Wabarokatuh*

Arif Darmawan

ICPSH 2020 Conference Chair

Welcoming Remark from Dean of Faculty of Social and Political Sciences

Assalamualaikum Warohmatullohi Wabarokatuh,

On Behalf of the Faculty of Social and Political Sciences, Jenderal Soedirman University, I would like to say Welcome or “Selamat Datang “ to the Faculty of Social and Political Sciences, Jenderal Soedirman University. It is a true pleasure for me to welcome you all to the first “International Conference on Political, Social & Humanities Sciences” or ICPSH 2020.

The Faculty of Social and Political Sciences, Jenderal Soedirman University or FISIP UNSOED, was founded on May 17, 1984. Currently, the Faculty of Social and Political Sciences, Jenderal Soedirman University, has five departments for undergraduate programs, namely Sociology, Public Administration, Communication Studies, Political Science and International Relations. The Faculty of Social and Political Sciences also has three master’s programs; they are Masters in Public Administration, Masters in Sociology, and Masters in Communication Sciences.

Following the university’s vision, which is “recognized by the world as a center for developing rural resources and local wisdom,” the curriculum currently implemented and developed is directed towards achieving that vision. To achieve this vision, the Faculty of Social and Political Sciences also continues to improve adequate infrastructure and facilities in accordance with the National Higher Education Standards and is preparing to become a world-class campus through cooperation with foreign partners.

Since its establishment in 1984, the Faculty of Social and Political Sciences has produced graduates with excellent character and has contributed professionally in many government and private institutions, both on a national and international level in the social and political fields. We continue to be committed to creating graduates who have analytical and innovative abilities, offering out of the box solutions, thinking critically, and having emotional intelligence. With these abilities, graduates of the Faculty of Social and Political Sciences are expected to be able to answer the challenges of today’s globalization and develop a curriculum based on local wisdom.

To improve the quality and academic atmosphere in the faculty of social and political science, we hold an international conference this year with the theme “Navigating Global Society in the Disruptive Era.”

On behalf of the social and political sciences faculty, I would like to thank all speakers, committee members, presenters, and participants who have participated in the first “International Conference on Political, Social & Humanities Sciences 2020.” We hope that similar academic activities will be held again in the coming years with various topics in the field of social and political sciences.

Wassalamualaikum Warohmarullahi Wabarokatuh

Dr. Jarot Santoso, MS
Dean of Faculty of Social and Political Sciences
Universitas Jenderal Soedirman

Welcoming Remark from Rector of Universitas Jenderal Soedirman

The honorable,

- Dean of the Faculty of Social and Political Sciences, Jenderal Soedirman University
- Keynote Speakers,
 - Prof. Mochtar Mas'oe'd (Gadjah Mada University)
 - Luthfi Makhasin, Ph.D. (Jenderal Soedirman University)
 - Prof. Miriam Estrada-Castillo (Universidad Casa Grande)
 - Prof. Zhenjiang Zhang (Jinan University)
- Participants
- Distinguished guests, ladies, and gentlemen

Assalamualaikum warrahmatullahi wabarakatuh

Best wishes to all of us

On behalf of Universitas Jenderal Soedirman, I would like to welcome all of the keynote speakers, invited speakers and all participants who attend the The 1st “International Conference on Political, Social & Humanities Sciences” (ICPSH 2020) organized by the Faculty of Social and Political Sciences, Universitas Jenderal Soedirman.

Now we are facing a new disruption era that occurred pushed by the Industrial Revolution 4.0. The world community will begin to recognize that a human-centered society and technology will change the way humans live, work and communicate, which is called Society 5.0.

The concept of a human-centered and technology-based society brings enormous changes in the education system, health services, commerce, government systems, and every aspect of life.

This era requires disruptive regulation, disruptive culture, disruptive mindset, and disruptive marketing that revolutionizes the old lifestyle. Disruption is continuous innovation. Then, the question is, what about our education model, which will later be disruptive to replace the entire old learning system with new ways.

The academic community's task is to provide solutions in organizing life and its harmony with other humans to achieve society's welfare. Therefore, this conference will bridge the scientific role and become an interdisciplinary dialectical study of

social, political, and humanities. We hope that ideas, plans, and actions will emerge in this forum to overcome problems in this disruptive era.

Therefore, we appreciate the Faculty of Social and Political Sciences, Universitas Jenderal Soedirman, for this beneficial program. I expect this conference to produce useful outputs.

Last but not least, I congratulate all delegates on participating in this online international conference.

With the name of Allah swt “**Bismillahirrahman nirrahim**”, The 1st “International Conference on Political, Social & Humanities Sciences 2020” officially open.

Wassalammualaikum Warrahmatullah Wabarakatuh

Prof. Dr. Ir. Suwanto, M.S
Rector

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Problems in Humanitarian Collaboration? (The Case Study of the Collaboration between RUDENIM UNHCR and IOM in Balikpapan Indonesia)

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Abstract

The unprecedented growing wave of Illegal immigrants around the world due to the violence conflict and civil wars has without question become the problem concerned by the international society and amongst them is Indonesia. Especially in Balikpapan, East Kalimantan province, the management of illegal Immigrant are in the RUDENIM (Rumah Detensi Migrasi) Balikpapan that is in accordance with Indonesian high commissioner of Immigration, UNHCR and IOM. This research aims to cast light on how the collaboration between those institution is undergone. By using the theory of Interdependence and phenomenology approach, this research highlights on the use of systematical observation on the efficiency of collaboration between RUDENIM, UNHCR and IOM as the manifestation between Indonesia and International commitment on combating immigration problem. This research finds that there were two main problems faced by these authorities, namely: (1) there was the lack of Lack of Facilities of Detention House for the Refugees and (2) there was only few legal instruments that are adequate for the immigrants to reside in Indonesia.

Keywords: *Illegal immigrants, RUDENIM, UNHCR, IOM, Humanitarian Collaboration*

1 INTRODUCTION

In accordance with the increasing intensity of armed conflicts and civil wars in several countries in the world,

as what happened in Afghanistan, Pakistan, Myanmar, and Syria, the issue of a wave of illegal refugees seeking security protection and political asylum

become one of major problems seizing the attention of the international community. This humanitarian crisis motivated by several factors such as political pressure, racial and religious sentiments, as well as armed conflict and war forces groups of people to leave their home countries and seek new life in other countries by becoming illegal refugees.

The growing wave of illegal refugee is an inevitable issue faced by Indonesia due to the geographical position on the crossing of the world that places Indonesia's territory as a vital path for the movement of worldly goods and services, including a global scale of illegal crime activities. The lack of supervision in the border of the outer islands also increases the chances of illegal crime activities to enter Indonesia's territory such as narcotics trade, arms trade, piracy, terrorism, and human trafficking. In the context of illegal refugees, as a country of a strategic geographical position, especially with the characteristics of the island nation of Indonesia, Indonesia is one of the transit destinations for illegal refugees from the Asia and Middle East seeking political asylum and security protection to Australia (Supriadi, 2017). The Indonesian government, with the potential social problems and national security threats they have, cannot ignore this matter. If there is no effort to tackle it seriously, the existence

of illegal refugees will be very vulnerable and lead to a more serious problem for Indonesian security, such as the rise of syndicates of the human trafficking network entering Indonesia, the illegal arms trafficking, as well as the expansion of terrorist networks in the Southeast Asia.

Indonesia is not amongst nations that ratified the 1951 and 1967 protocols on refugee status. Still, Indonesia have a commitment to humanitarian issues especially in dealing with the problem of illegal refugees. This effort is immediately apparent from the signing of Presidential Regulation (Perpres) No. 125 concerning the handling of refugees from abroad under the administration of President Joko Widodo at the end of 2016 even though it was not a compulsory action for Indonesia. However, as a country that has a tradition of upholding human values, as well as the insistence of various institutions that support humanitarian activist groups, Indonesia decided to participate to combat this problem. Through the Perpres, Indonesia sought to provide a legal protection in handling the problem of illegal refugees. The Perpres is also a symbol of Indonesia's commitment in addressing the issue through the role of Rumah Detensi Migrasi Indonesia (the Detention Migration House (RUDENIM)). It is also an Indonesian government's mandate to international

agencies authorized to handle refugee services, namely the UNHCR (United Nations High Commission for Refugees) or IOM (International Migration Organization) to collaborate with the government to deal with illegal refugees in Indonesia.

This article is based on the research we had that aims to determine the work of the Directorate General of Immigration's work unit, namely the Immigration Detention Center (Rumah Detensi Migrasi) (RUDENIM) in Balikpapan and its cooperation and the coordination with two international institutions namely UNHCR and IOM to deal with the problem of illegal refugees in Indonesia. The subject of this study, RUDENIM Balikpapan was chosen because this unit represents the reality of the detention of illegal refugees in Indonesia. However, this collaborative action to handle refugees RUDENIM Balikpapan did not necessarily going well. There are some problems in this collaboration because of various causes. In general, the humanitarian collaboration problems in Rudenim Balikpapan will be elaborated in the discussion paragraphs.

2 LITERATURE REVIEW

2.1. Complex Interdependence Theory: Reading the Role of State in Handling the Wave of Illegal Refugees

The Interdependence theory is a very well-known concept of Robert Keohane and Joseph Nye. This theory is their most famous contribution that leading to a new approach to see the international relations called International Political Economy. It is famous because it challenged the dominant hegemonic approach of Realism perspective (Moravcsik, 2009: 257). As mentioned in a book entitled *Power and Interdependence* in 1977, citing by Kal Hosti, this book become one of the most significant works in the theoretical realm of International Relations in the last twenty years. This book also changed the way writers see international phenomena (Walker TC: 2013: 148).

The interdependence theory come from the philosophy of Liberalism that opposes the basic assumption of realism saying that the international relations is conflictual spectrum because each country pursues its own interests. Realism also argued that the State is the only actor in international politics (Mudzalifah, 2016: 365). Reversely the liberalism perspective sees the complexity of the relationships which exist between countries, international non-state actors and interrelated societies in international politics. This relationship base is on a strong motivation to cooperate with each other because of the stakeholders' awareness

of the inability of states to solve all state problems by themselves.

The complex Interdependence Theory summarizes the various relations between countries. Then, Kohane and Nye put the accentuation on three things; (1) the state is no longer a dominant actor in international relations (2) there are new non-state actors such as NGOs and IGOs (3) the military instruments such as hard power are no longer the dominant instrument, but still the welfare can be created by the states through the existence of cooperation mechanisms by using international institutions (Nye & Koehane, 2003). The reduced role of countries that they previously had in the international landscape is due to the massive role of non-state actors who are more flexible in resolving international problems. Non-state actors interact with the state with a cooperation mechanism and they are legal due to the agreement they had with the stakeholders. By these agreements, they are able to help each other in solving a specific problem on which the interest parties have an attention in it. With this agreement, the non-state international actors will have the access to deal with various problems. Moreover, the actors can interact directly with problems that often involve the community to create interconnected interactions with country, people and international actors. This paper summarized the relations in the picture below:

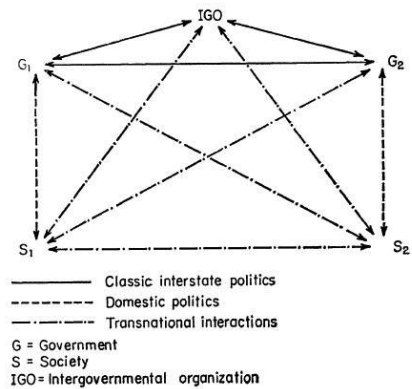


Figure 1. Transnational and interstate interactions

Source: Nye & Koehane, 1971: 334

UNHCR is one of the organizations operating under the administration of the United Nations while IOM is an International Non-Governmental Organization (NGO) of which manifested in the human rights enforcement, especially in the handling of refugees and immigrants. UNHCR and IOM are until now working together within Indonesia territory through the signing agreements to help Indonesia deal with refugee issues in Indonesia which signed in 1979. When we look at the table of classic Interstate Politics above, the signing agreement is the opportunity for UNHCR and IOM to enter Indonesia and interact directly with immigrants in society to deal with their problems, and vice versa, Indonesia get the hand to solve the immigrant issue. Thus, in

this case RUDENIM has a position as a representative of Government so that they interact together to solve refugees' problems in the detention center. In other words, RUDENIM, UNHCR, and IOM interact in coordination to deal with immigrant problems.

2.2 The Humanitarian Collaboration of Indonesian Government, UNHCR and IOM

The humanitarian collaboration between the Indonesian government and UNHCR and IOM to deal with the problem of migration in Indonesia has actually been widely discussed in various research journals. The journals generally discuss the role of NGOs and IGOs in working with countries to overcome various problems. Researches on the role of NGOs and IGOs in international politics are currently increasing. In general, the research sees at the role of these two international organizations in the world politics. Historically, there has been a significant increase in this activity by these non-state agencies in the past three decades. This was what makes them to be one of the most significant actors in world politics. Agreed with this, Kim D Reimann. In his journal, *A view from the top: International Politics, Norms and the Worldwide Growth of NGOs*, explained that there is an increase in the number of activities of NGOs and IGOs in their efforts to cooperate

with the state in contributing to specific problems in various fields. The existence of policies carries out opportunities for cooperation, founding, and political access provided by the state to these institutions into one, citing the Reimann, *structural environment of the growing role of NGOs and IGOs*. The existence of this cooperation is one of the results of the effects of globalization at the level of international politics where there were problems that the states cannot resolve by themselves. Besides, globalization also provided the opportunity for the state to be able to work with other countries as well as other non-state actors to build joint commitments to solve problems (Reimann, 2006: 45).

Another related research came from Louise Aubin (2009) with her contribution entitled *UNHCR and Human Security*. Theoretically, His writing talks about the role of UNHCR in the context of *Human Security*. It is a specific concept in the International relations study, mainly discuss about the Security. In classical international relations, the state as the dominant actor tended to care about the security of state entities as a priority rather than the individual. So that many adverse state policies more often than not jeopardize human life in the country. In its development, the notion of state security was questionable. Due to the existence of the state, in essence it was a

deliberation from humans in the country. So the concept of Human security tried to review how the security concepts and threats are formulated. It have the concern to save and protect humans from threats, more than the concern of state security. Refugees, for example, are a human entity that expelled from their country due to their life threat caused by conflict. Whereas the destination country is a state entity that considers refugees to be a potential threat if they enter the territory of the country. Here, there is a gap between the concept of threats and security from state security (traditional security) and Human security. In his work, it explained how far UNHCR has contributed practically related to the handling of refugees in their efforts to fill the gap. The first contribution of the UNCHR was to protect Human security by establishing refugee status as a Refugee and Internally displace people in-ex Yugoslavia and Afghanistan and Promoting Rights that should be obtained by human security by cooperating with countries and communities to provide temporary detention houses, management and coordinating the return of refugees, and still giving their rights as human beings and they will do so as long as they can.

An article from Maja Smrkolj (2009) specifically sees the technical implementation of the awarding of immigrant status by UNHCR. This

article entitled *International Institution and Individualized Decision Making: An example of UNHCR's refugee status determination* described the aspects that IGOs need to deal with refugees and provide immigrant status to refugees procedurally. This duty was taken from the legal basis that underlies the actions of UNHCR such as International Refugee law in the Convention relating to the status of refugees in 1951 and additional protocols in 1967. (Smrkolj, 2009: 170) The implementation of a status called the Refugee Status Determination (RDS) of which in 2006 alone has reached 80,000 people worldwide. As well as a special UN mandate for UNHCR to work with countries that have not / have not signed the convention to create a joint procedure to deal with refugees in the country (Smrkolj, 2009: 171).

The handling of refugees in Indonesia involves various parties, both Indonesia as State, UNHCR and IOM as IGOs and refugees and the community as a society. In general, these various institutions interacted and shared coordination to resolve refugee problems. The various processes, procedures and mechanisms listed in the above researches have various challenges and their own problems to be solved together. In this case, the author tried to look at the coordination built by Indonesia, the IGO, which has a special mandate and society in handling

refugee cases, which are specifically located in the Balikpapan Rudenim as well as the problems they faced in their collaboration.

Several aspects generally cause the problems of refugees faced by the Indonesian government, first, Indonesia's geographical position lies in the crossing of the world which is passed as a vital route for transportation. Moreover, Indonesia is very close to Australia, which is known as a destination for asylum seekers other than Europe. Second, the lack of supervision in the border areas and outermost islands increases the risk of illegal activities such as drug trafficking, the sale of rare animals, and the entry of illegal immigrants. Third, the increasing intensity of the conflict caused by soaring radicalism and terrorism in many regions of the world as happened in the Middle East and Myanmar has created a wave of diaspora refugees in the scale that hitherto undreamt of. Related to that, some countries providing asylum reduce the number of immigrant families who can enter their countries due to concerns about national security threats, including the threat of radicalism and terrorism that spread along with the entry of immigrants into the country.

In general, illegal immigrants in Indonesia come from many countries, such as Syria, Myanmar, Afghanistan

and Bangladesh. As evidence, based on statistical data at the Balikpapan Detention Center, there are 315 refugees, the majority of whom are from Afghanistan. They came from Afghanistan and transit through Malaysia and then headed for Indonesia. Actually, Indonesia is not their main destination to evacuate, but countries that so-called as "third country", which refers to countries that open asylum to immigrants and stateless people such as Australia and Canada. They use Indonesia as a transit point for them to be able to wait for their status to be determined by UNHCR.

3 METHOD

This research is a qualitative research. Methodologically, qualitative research methods can be understood as a type of research that seeks to reconstruct reality and understand its meaning. So, this type of research will really consider a chronological process, a series of events, and the authenticity of the object under study (Somantri, 2005). In addition, qualitative research is focused on individual interpretation in understanding the complexity of the problem. Therefore, the involvement of researchers in the reality of the problem under study is inseparable. In other words, the involvement of researchers' values in this study becomes very explicit even in limited situations. Thus,

what is commonly done in this research is a thematic analysis.

This study will use open interviews as a basis for understanding the reality that occurs. Of course, the analysis based on the conversation of the subjects that have been selected based on competencies that meet the requirements is part of the researcher's involvement in the observation process and qualitative research orientation to obtain the authenticity of the reality being researched (Somantri, 2005). The method in this study consists of two methods, Library Research and Interview with Purposive Sampling.

The library research method is a research method that aims to find secondary data that has been generated through previous quantitative reports. The technique of collecting data through interviews is intended so that researchers get in-depth information on the problems studied even though only with limited subjects or respondents. The interview technique used was unstructured interviews. This aims to identify more clearly what core problems or variables should be studied based on information obtained through respondents (Sugiyono, 2008).

The technique used in determining primary informants is purposive sampling through key persons. Purposive sampling technique is in accordance with qualitative research with deep

characteristics and avoids generalization (Sugiyono, 2008: 124). Selection of informants who have the capacity and capability according to the needs of research data will have implications for the more complete and valid data obtained. To facilitate the determination of informants in the field, researchers targeted key informants. This study will interview various stakeholders such as Rudenim Representative, Immigrants, and many other related informants.

4 RESULT AND DISCUSSION

4.1 Problem 1 : Lack of Facilities of Detention House for the Refugees

Based on the data from the UNHCR Indonesia, there are at least 13,800 refugees resides in Indonesia, of which 25% of them are children whom some of them are separated from their parents. This data also find that most of the refugees entering Indonesia dominated by Afghan refugees with a percentage reaching 55%, followed by Somalia 11%, and Iraq 6%. (UNHCR, 2019). The immigration offices and the immigration detention centers throughout Indonesia accommodated most of the refugees in Indonesia. Another data from the Directorate General of Immigration at the Ministry of Law and Human Rights in 2018, there are at least 3,200 refugees resided in

the detention centers and immigration offices in 13 cities throughout Indonesia (Tobing, 2019). These thirteen detention centers are the Immigration Detention Centers of Tanjung Pinang, Balikpapan, Denpasar, DKI Jakarta, Kupang, Makassar, Manado, Medan, Pekanbaru, Pontianak, Semarang, Surabaya, and Jayapura (Directorate General of Immigration Kemenkumham). As a consequence of the increasing number of refugees, several Rudenim are overwhelmed and cannot fully isolate refugees. Accordingly, many of the refugees felt uncomfortable and fled away.

RUDENIM Balikpapan, is one of those detention centers that overwhelmed in terms of capacity. Ideally, the capacity of the Balikpapan inhabitation can only accommodate 150 refugees. However, the refugees living in the inhabitation have reached 187 people (Alidona, 2017). As a result, many of the Balikpapan Rudenim residents fled away and were outside the supervision of Immigration officers. In fact, due to the demands of those who did not immediately get a response from the Rudenim, the refugees often carried out anarchic actions, vandalism, and destruction of the Rudenim facilities as a form of protest so that their guidance was immediately accommodated. (Ramadani, 2019)

If observed, the anarchic actions taken by the residents of the detention center are due to the length of the process of arranging new citizenship status, which UNHCR and IOM strive for as two international institutions responsible for processing the placement of refugees in third world countries. In addition, protective policies adopted by several countries which have even signed the 1951 and 1967 conventions, such as the United States, Australia and several other European countries, have reduced the chances of refugees getting new citizenship. This is in line with the statement of the head of the UNHCR mission for Indonesia; Thomas Vargas stated that there was a drastic decline in the success rate of the placement of refugees towards third world countries who were willing to accept them. In fact, in 2017, the UNHCR Indonesia only managed to place around 322 refugees, which is far below the figure achieved in previous years, which is around 800 refugees each year (Marhaenjati & Yasmin, 2019).

Considering that the presence of thousands of foreign aliens illegally scattered in several regions of Indonesia, one of them in the East Kalimantan region, it cannot solely be seen as the the consequences of humanitarian disasters that occur in the region. Moreover, looking from the perspective of sovereignty and security, the presence

of illegal refugees considered as a form of threat to sovereignty and national security for Indonesia. Especially in the East Kalimantan region, as the area located near one of the 'hot spots' in the Southeast Asia region, namely the Sulu Strait, known as the largest terrorist network activity traffic in Southeast Asia, the presence of thousands of foreign nationals from countries that being hit by conflict, such as Afghanistan, Myanmar, Iraq, to Syria, has opened the potential for the entry of security threats for Indonesia. (Yulizar, S.H, Personal Interview, November 01, 2018)

4.2 Problems 2 : The Lack of Legal Binding

Regarding the handling of refugees, Indonesia is actually legally not yet joined by countries that have ratified the 1951 and 1967 conventions on refugee status. However, Indonesia remains committed to contributing to this humanitarian issue by participating in signing the Perpes No. 125 of 2016 concerning the handling of refugees from abroad. With this legal shade, the government can help deal with the problem of illegal refugees. The manifestation of moral responsibility as a country that concerns about humanitarian issues is evidently seen by looking to the function of RUDENIM in several regions in Indonesia, as well as cooperation built with the local government to create a

community house for refugees involving collaboration from three institutions. Rudenim also collaborate with regional governments to provide refugees shelters and they play a role supervisors and implementers and the police are responsible for security. Furthermore, the Perpres is also a symbol of Indonesia's commitment in addressing the issue, as well as the Indonesian government's mandate to international agencies authorized to handle refugee services, namely UNHCR (United Nations High Commission for Refugees) or IOM (International Migration Organization) to collaborate with government to deal with illegal refugees in Indonesia. (Rosmawati, 2015)

However, the promulgation of Presidential Regulation (Perpres) as a sole legal standard is in fact not enough. There is no a strong and sufficient legal force to resolve the problem of illegal refugees in Indonesia such as the signing or the ratification of convention. The weak legal tool available ultimately affects the effectiveness of the performance of state units carried out immigration functions, one of which is the Immigration Detention House or the so-called (Rumah Detensi Migrasi) Rudenim. As a technical implementation unit functioning as a temporary shelter for people involved in violating immigration laws, the movement of the detention center in taking strict policies

against violators permits entry into the Indonesian territory is limited, both in the quarantine process of repatriation or deportation. It relates to the efforts of cooperation and coordination of Detention Centers with international institutions in pursuing policies and accommodating the demands of illegal refugees. As a result, various problems arise due to the absence of, for example, a shelter deadline or clarity of new citizenship status or the lack capacity of the Detention house which cannot afford the the increasing number of illegal refugees. (Supriyadi, 2017)

This condition is illustrated by the recent riots in RUDENIM Balikpapan, East Kalimantan at the beginning of 2018, there were so many administrative problems there. Such as there was no clarity in isolation deadlines, the lack of spaces for refugees or the authorities could not accommodate their demands well. These results a various protests by the illegal refugees and it will potentially disrupt security (Wibisono, 2018). In addition, with the large number of refugees dwelling within the Indonesian territory, the government's discourse to seek policies dealing with illegal refugees is also an immediate issue needed an ultimate realization in order to provide legitimacy and legal basis for the Directorate General of Immigration work units. (Yulizar, S.H, Personal Interview, November 01, 2018)

4.3 The role of the Rudenim as an implementation unit in handling refugees

There is a limit in handling illegal refugees have been unoptimal and of course need to involve various parties and an adequate legal shade. However, as an institution that is only an integrated implementer in the field under the ministry of law and human rights, the Rudenim has done almost everything what can be done. According to the Chairman of the Balikpapan Rudenim, the handling of refugees in Rudemin is based on a high sense of moral responsibility. Balikpapan Rudenim in collaboration with IOM facilitates daily needs from 315 immigrants from various countries with a majority from Afghanistan. However, there are still obstacles faced by Rudenim in dealing with refugees in Balikpapan that will be elaborated more in the following paragraphs

Firstly, the function of the Balikpapan detention center as a place to shelter immigrants is actually not its actual function. Before the issuance of Presidential Regulation No. 125 regarding the handling of refugees, RUDENIM is only an office that carried out the reports of migration violation done by foreigners in Indonesia. Secondly, there are limited resources and facilities. When there were 315 refugees in 2014, the detainees took the initiative

to make the Rudenim office a safe haven for them while they are waiting for the coordination process with IOM and UNHCR. However, the lack of existing facilities, especially regarding the detention capacity of the detention center that can only accommodate around 115 people, make refugees feel uncomfortable. On the other hand, factors related to security and lack of community acceptance requires refugees to always been in detention centers. For example, the differences in religious beliefs between Muslim Balikpapan residents and Shiite Afghan immigrants make them reluctant to accept their presence in society. Thus, retaining immigrants at detention centers is the only option held by the detention center. (Wijay Kumar, S.H., Personal Interview, October 16, 2018)

In an effort to deal with this problem, the Balikpapan Rudenim has done several things, they are ; Firstly, coordinating with various agencies both International and regional to be able to collaborate in dealing with this problem. For example, in 2014, when Afghan refugees flocked to the Balikpapan immigration office, the Rudenim overcame this problem by gathering several institutions such as the Immigration Office, Angkasa pura and the police to discuss the causes and the best solutions for them. These refugees were finally accommodated at

the detention center, arguing that the refugees could not directly occupy the detention center before completing the detention, data collection and licensing process at the Immigration Office. (Wijay Kumar, S.H., Personal Interview, October 16, 2018)

Secondly, the Balikpapan Rudenim also opened a space for refugees who refused to seek asylum and were interested in returning to their home countries. The detainees work with IOM and the immigration office to facilitate some refugees who are interested in returning to their countries. According to our interview with the head of the Rudenim, some refugees usually intermittently want to go home voluntarily, and they can go home facilitated by IOM and the Immigration Office. Reducing the motivation to get a new citizenship status in their destination country due to uncertainty about their status, besides they have to wait years without clarity from the process carried out by UNHCR that is the only institution that has the mandate to determine their status. (Yulizar, S.H, Personal Interview, November 01, 2018)

Thirdly, Rudenim Balikpapan also seeks the best facilities for refugees amid the lack of available facilities. Several things to illustrate this: the detention center and related agencies has done several coordinations with the local government to be able to create

a community house to accommodate refugees in Balikpapan, but there has been no positive response obtained. Do not stop there, in order to think about the mental and psychological conditions of immigrants, the Balikpapan Rudenim took the initiative to coordinate with the Rudenim in other regions to facilitate the transfer of refugees to more suitable places in other parts of Indonesia that have community houses. Based on the latest developments regarding efforts to establish community houses in each region, the Rudenim clearly cannot accept refugees anymore. Whereas, if they have to be accommodated in a community house, there are only a few regions that have these facilities. (Yulizar, S.H, Personal Interview, November 01, 2018)

Fourthly, the detention center also provides structured activities for detainees to occasionally leave the detention center and socialize with the community while remaining under the supervision of the detention center and police. They were given several times the opportunity to do activities outside such as cleaning the beach, teaching their various skills in schools, making improvements to public facilities such as health centers and so on. The detention center also provides health facilities for sick immigrants to consult with doctors, although it still must be considered by the authorities that the limited resources,

consul process and control to the doctor are usually time-consuming and not costly. (Yulizar, S.H, Personal Interview, November 01, 2018)

4.3 Rudenim Balikpapan: Efforts to coordinate with UNHCR and IOM

The coordination of the detention centre with UNHCR and IOM is one of the most vital progress when dealing with refugees. The detention centre routinely coordinates with the UNCHR to monitor the extent to which the progress of the process of determining refugee status. This coordination turns out to require a short amount of time; this is due to the difficulty of communicating with authorities in third countries to provide immigrants with an asylum immediately. This situation somehow exacerbated by the fact that there was no UNHCR office in Kalimantan. The nearest office is in Makassar in addition to Yogyakarta and Jakarta. Even though this status determination involves a tiring process such as interviewing for 17 hours per refugee, even more so if the number of refugees is very large. After the interview took place and the data was recapitulated, the next process was to wait for whether the third country allowed the immigrants to enter the country. If they refuse, then there is no chance for the immigrants to enter the country. They are among the choices to

go home or look for a new country. This will have implications for the length of their stay in Indonesia. Some technical matters in this field have exacerbated the conditions on the field in terms of coordination between the Rudenim and the UNCHR. (Wijay Kumar, S.H., Personal Interview, October 16, 2018)

No less important coordination is coordination with IOM. IOM is an institution that deals with immigrant needs in general. Starting from the cost of living immigrants, consumption, and health are all the responsibility of this institution. IOM even visited the Balikpapan Rudenim office almost every day to control and monitor the situation of immigrants there. IOM also routinely communicates with immigrants to ensure that they are fine. (Suastha, 2018).

If the coordination carried out by UNHCR and Rudenim related to the completeness of the immigrant administration to get their asylum is constrained, coordination conducted by the Rudenim and IOM regarding the fulfillment of the needs of illegal refugees will not go well. Therefore, it cannot be denied that the problems related to the handling of illegal refugees in Indonesia are increasingly long and complex.

5. CONCLUSION

As the country that still has not ratified the 1961 convention and the

1967 protocol relating to the handling of illegal refugees, Indonesia has not been able to take a clear stance and policy regarding the problems they currently faced. The wave of illegal refugees that entered massively into several countries, including Indonesia, as a consequence of armed conflict and civil war in several regions of the world, has undeniably raised new problems for third world countries. Indonesia as the favorite transit destination country for asylum seekers who will cross to Australia does not have enough capability and a sufficient legal umbrella to help deal with the problem. Therefore, the Indonesian government authorities, in this case the Directorate General of Immigration through the Detention House as the implementing unit authorized to handle all issues relating to immigration violations, are unable to resolve this problem. The absence of adequate policies and legal umbrella, overlapping authority of the work units under the Directorate General of Immigration, to the limited coordination involving IOM and UNHCR in responding to the problem of illegal refugees in Indonesia, are several key factors in the ineffective handling of illegal refugees. This research shows how complex the problems faced by the Indonesian government are in dealing with the problem of illegal refugees. The moral responsibility that Indonesia carries out as a country that

upholds humanity values, in the end, is still unable to be realized in the form of adequate policies and laws.

This is evidenced by not accommodating the aspirations of asylum seekers by the Indonesian government. Furthermore, the absence of an adequate policy and legal umbrella also has implications for the limited scope of movement of the Immigration Detention Center in coordinating with the institution that handles illegal refugees from the UNHCR and IOM. This has resulted in increasingly complex and complex handling of illegal refugees in Indonesia.

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