

Implementation of the ASEAN Political-Security Community (APSC) Blueprint by Indonesia in Handling Rohi Ngya Refugees in Aceh (Community Security Perspective)

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ABSTRACT

The ongoing humanitarian crisis faced by Rohingya refugees has drawn significant attention across Southeast Asia, particularly regarding Indonesia's response under the ASEAN Political-Security Community (APSC) Blueprint. This study aims to analyze Indonesia's implementation of APSC policies in handling Rohingya refugees in Aceh, focusing on the balance between community security and humanitarian obligations. Using a qualitative approach, this research employs a case study method, analyzing data from policy reports, official documents, and community feedback. The findings indicate that while Indonesia has made efforts to assist refugees, challenges persist due to limited legal frameworks and mixed local reception. The study reveals that community security concerns, alongside the lack of comprehensive refugee policies, have led to social tensions in Aceh, impacting both the refugee population and the host community. The research concludes that to enhance the effectiveness of APSC policies, Indonesia must foster greater community engagement and optimize resource allocation, thus promoting a more stable environment for both refugees and local residents.

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Introduction

The development of the case or humanitarian crisis that is still being experienced by the Rohingya people has not yet found a bright spot, with the latest news related to the wave of Rohingya ethnic arrivals to Aceh in large numbers at the end of last year, causing this issue to become a concern again, both nationally and internationally. It also received various responses from every community in Indonesia itself.

Before we look at what is happening in Indonesia, let us first remember what actually happened in the humanitarian crisis that happened to the Rohingya people by the Myanmar government. The Rohingya ethnicity is one of the ethnicities that played a big role in the early independence of Myanmar, although only as a minority and not fully recognized by the Myanmar government at that time. Even in 1940 to 1950, there was a Rohingya who became a minister in the government. Conflicts that often occurred in 1991 until now, funds occur due to friction between ethnicities.

Jealousy and economic aspects are also at the root of the sectarian conflict that befalls the Rohingya in Rakhine (Nuriyatur, 2023).

This was caused by retaliatory attacks carried out by the Myanmar military as a result of the (Arakan Rohingya Salvation Army) attack in August 2017. This led to the flight of Rohingya refugees to refugee camps in the Bangladesh area on September 5, 2017. The conflict experienced by the Rohingya also has a quite complex beginning. It was influenced by the non-recognition of the Rohingya by the Myanmar government as part of them. It is stated by the Myanmar government in their 1947 Constitution, that those included as part of Myanmar or the "indigenous race" are having a grandmother from the "indigenous race are children of citizens, or lived in Myanmar (British Burma) before 1942. According to this law, citizens are required to obtain a National Registration Card, while non-citizens are issued a Foreign Registration Card.

Until 1962, when the Burma Socialist Program Party and General Ne Win seized power from U Nu's hands, the Myanmar military government began to dissolve Rohingya social and political organizations. In 1947, General Ni We's government stripped the Rohingya of their citizenship, based on several criteria in The Pyithu Hluttaw Law No. 4 of 1982 or Burma Citizenship Law, October 15, 1982. Another factor influencing the conflict was not only the state's interference, but the sectarian conflict that emerged. There was social jealousy by Buddhist extremists towards the Rohingya Muslims in Arakan, it can be said that at that time the social and economic conditions of the Muslims there were quite good. However, due to this jealousy, Buddhist extremists are increasingly spreading the issue of provocation and propaganda that the existence of Islam in Myanmar threatens the existence of Buddhism. This does not only affect the Rohingya Muslims but also the whole of Myanmar. This is evidenced by the 969 movement, which is led by a monk named Wirathu. The provocation by this extremist group ignited anger and cynicism towards Islam in Meikhtila, which led to the riots on March 25, 2013.

The government's unwillingness to include the Rohingya as part of Myanmar's citizens is believed to be the main factor in the protracted Rohingya issue. Because their existence is not recognized, Rohingya people lose many basic rights as citizens, such as the right to get or have a place to live, work, and welfare. The lives of the Rohingyas are severely restricted. Due to their condition, the World Refugee Agency (UNHCR) categorizes Rohingya as the most persecuted ethnic minority in the world (Nurrachman, 2023).

As a result of the conflict, the Rohingya have been forced to flee to other countries, including Bangladesh, Malaysia, Indonesia, Thailand and Australia, with Bangladesh being the main destination since 2017. In Cox's Bazar, the largest refugee camp in Bangladesh, refugees face serious problems such as poor sanitation, overcrowding, and criminal threats, leading them to seek refuge elsewhere. Countries such as Thailand, Malaysia, and Indonesia, while not ratifying the 1951 UN Convention on Refugees, have welcomed Rohingya refugees, but face negative impacts such as conflicts with local communities and lawlessness. In Indonesia, the reception to Rohingya refugees has been mixed, with some communities showing sympathy, while others have protested against the refugees' perceived disrespect for the assistance provided, as seen in a viral video showing their dissatisfaction with the portion of food received.

In this paper, of course, the author wants to see how the implementation of the ASEAN Political Security Community Blueprint by Indonesia in helping to resolve the Rohingya conflict in Aceh but also while maintaining sovereignty and also avoiding social conflicts that have occurred in Myanmar

and also occurred in Malaysia, where there is a conflict between indigenous people and Rohingya people as migrants by looking from a community security point of view.

The ongoing Rohingya refugee crisis has placed unprecedented social and political strain on ASEAN countries, especially Indonesia. While prior research has documented the humanitarian challenges faced by the Rohingya people, this study uniquely focuses on Indonesia's application of the ASEAN Political-Security Community (APSC) Blueprint from a community security perspective. Unlike earlier works, which have mainly analyzed ASEAN's role in promoting regional security broadly or Myanmar's local political landscape, this research explores the specific contributions and limitations of Indonesia's policies within the APSC framework, particularly in managing Rohingya refugees in Aceh and mitigating local conflicts.

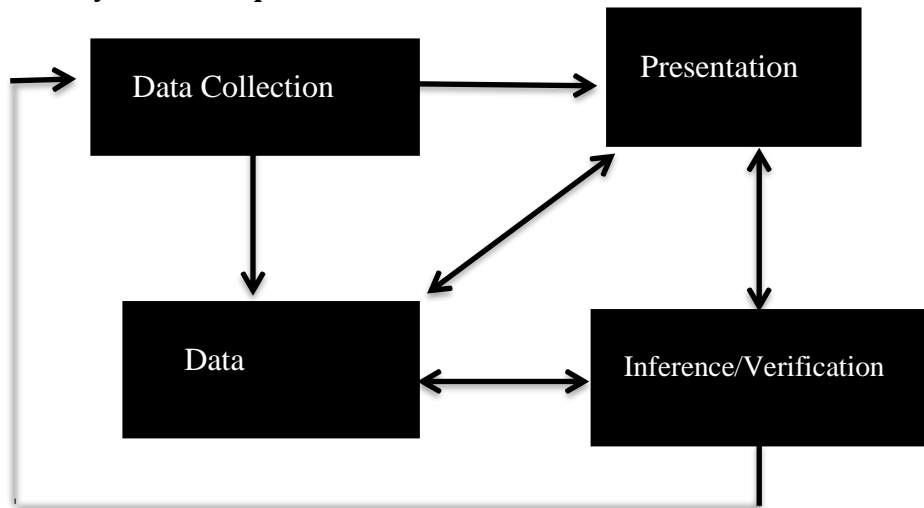
Previous studies have often concentrated on the legal and humanitarian aid aspects of refugee assistance within ASEAN, such as the work by Idris et al. (2016), who discussed ASEAN's delayed intervention and its traditional emphasis on non-interference. In contrast, this study provides a policy-oriented analysis that assesses Indonesia's practical application of APSC's community security components and aims to highlight gaps in local implementation, especially concerning social integration challenges in Aceh. Additionally, while past research touched on broad diplomatic efforts and collective regional initiatives, this study is distinctive in examining how Indonesia balances its humanitarian obligations with national security concerns, responding to both international expectations and local public sentiment.

This research aims to describe the implementation of the ASEAN Political Security Community (APSC) Blueprint through the Indonesian Government's efforts in dealing with the Rohingya refugee issue in Aceh from the perspective of Community Security. This research has theoretical benefits in the hope that it can become a reference source that provides insight to readers related to case studies, concepts, and theories used, so that readers can gain a better understanding of the topic. Practically, this research is also expected to be a useful study and reference material in contributing thoughts related to the same topic or discussion, and relevant to the case study, study material, theory, or concept used.

Materials and Methods

This research uses a qualitative method based on the philosophy of postpositivism, with the researcher as the main instrument and data collection is done by triangulation. The type of research chosen is a descriptive case study, which aims to provide a systematic and accurate description of the Rohingya refugee crisis in Aceh and the Indonesian government's response in implementing the ASEAN Political Security Community Blueprint from a community security perspective. The research unit of observation includes reports related to refugee issues and policies from ASEAN and Indonesia, while the unit of analysis is the role of ASEAN and Indonesia's policies in dealing with this issue. The data used is secondary data derived from official reports, news, and related documents. The method of data collection is through literature study and document analysis, which includes various forms of records and works relevant to this research.

Data Analysis Technique



The data analysis technique in this study used the Miles and Huberman (1984) interactive analysis model, which involves four main steps: data collection, data reduction, data presentation, and conclusion drawing or verification. Data were collected during and after the research, then summarized and focused on important information in the reduction stage. The reduced data is presented to facilitate understanding and planning of next steps, usually in narrative form. Initial conclusions are drawn, but will be verified and adjusted based on evidence obtained in further data collection to ensure the credibility of the research results. This process is done iteratively to reach a valid conclusion.

Results and Discussions

History of the Rohingya Ethnic Conflict in Myanmar

The Rohingya are a Muslim ethnic group living in the Rakhine state of Myanmar. They have been in Rakhine since the 7th century AD. The region was once an administrative area of the Arakan kingdom, precisely in 1428-1782. A British geographer doctor, Francis Buchanan-Hamilton, stated in his report that Mohammedans had long settled in Arakan, and called themselves Rohingya or what is known today as Rohingya. When the British occupied since 1823, the British preferred Muslims to Burmese Buddhists. When the Japanese succeeded in expelling the British from Burma, the Burmese Buddhists were pro-Japanese and fought the British. Rohingya Muslims were also armed by the British in the conflict. So that in 1948 at the time of independence of Burma (Myanmar), the Burmese Buddhists did not recognize the Rohingya Muslims as part of them, most of the Rohingya were forced to leave Rakhine, some fled to join Pakistan at that time (Faaizah, 2024).

The Rohingya ethnicity is one of the ethnicities that played a major role in the early independence of Myanmar, although only as a minority and not fully recognized by the Myanmar government at that time. Even in 1940 to 1950, there was a Rohingya who became a minister in the government. The conflicts that often occurred in 1991 until now were due to inter-ethnic friction. Jealousy and economic aspects are also at the root of the sectarian conflict that befalls the Rohingya in Rakhine (Nuriyatur, 2023).

In 1982, with General Ne Win at the helm, the Burmese government passed a law identifying 135 indigenous ethnicities. Each ethnicity included is said to have lived before the British occupation in 1823. Rohingya Muslims are therefore not recognized because Myanmar considers that Rohingya Muslims are present in Myanmar because they were brought by the British in 1823. . With this law, every Myanmar citizen must have a national registration card, it must also be proven that the resident has lived for a long time before 1948 and is fluent in one of their national languages. As a result of the law, every basic right of Rohingya Muslims in Myanmar continues to be restricted.

Sectarian conflict erupted in Myanmar in 2012. The conflict was between Arakanese Buddhists and Rohingya Muslims. The conflict began when news spread that on May 28, an Arakanese woman was raped and killed by three Muslim men in Ramri township. As a result of the news, on June 3, Arakanese in Toungtop stopped a bus and killed 10 Muslims on the spot. According to a Human Rights Watch report, security forces just watched it happen and did nothing (Smith & Hassan, 2012).

The conflict has caused hostility and social tension between Arakanese Buddhists and Rohingya Muslims ever since. At least 76 people were killed during the conflict, and as a result, the Arakanese Buddhist community began ordering the expulsion of Rohingya Muslims from Sittwe and banning anyone who wanted to deal with them (Smith & Hassan, 2012).

Even in 2014, the Rohingya were not recognized in Myanmar's population census. The UN Population Agency (UNFPA) expressed concern over the Myanmar government's decision to prohibit Muslims from referring to themselves as Rohingya in the country's first population census. Previously, the Myanmar government had agreed to conduct a census according to international standards and allow people to declare their ethnic origin (Kompas, 2014).

However, the day before the census, a change was made by the Myanmar government in which they banned the use of the word "Rohingya" in the census, and if anyone still uses it then the officer will not recognize the existence of that individual. Meanwhile, in 2014 alone, there were 140,000 people in refugee camps in the Rakhine capital of Sittwe. However, officials still did not conduct a census of the Rohingya ethnic group (Kompas, 2014). It is known that, the census was the first census conducted by Myanmar since 1983 and in preparation, the Myanmar government received a lot of assistance from various parties such as UNFPA and 9 countries in the world, including Australia, Germany and also Norway for 45 million US dollars while the Myanmar government only spent 15 million US dollars. The preparation was carried out for 18 months (Kompas, 2014).

The Rohingya people have been displaced since the 1970s, until now. The conflict exploded in 2017, in August to be precise. It was reported that the conflict broke out due to attacks by a Rohingya militant group called the Arakan Rohingya Salvation Army (ARSA) on dozens of police posts in Rakhine state. The Myanmar military then retaliated with the aim of driving out the rebel group, which left at least 1,000 people dead within two weeks of the conflict and the Rohingya claimed that most of the victims were civilians (Welle, 2022).

The conflict resulted in an exodus of Rohingya people on September 05, 2017. More than 120,000 Rohingya fled to Bangladesh, and filled the refugee camps there, as a result of the refugee flow there was overpopulation, because before this refugee flow, there had been at least 200,000 Rohingya are living in these refugee camps due to the violence they have faced in Myanmar (Welle, 2022).

After the incident, there were several efforts made to resolve this conflict. Aung San Suu Kyi as the leader of Myanmar at the time, promised to resolve this conflict and hold the perpetrators of

human rights violations accountable while not blaming the Myanmar army. Also, Bangladesh and Myanmar agreed to start repatriating Rohingya refugees back to their homes but the United Nations High Commissioner for Refugees (UNHCR) said that it was not possible to do so because there was no guarantee of safety for Rohingya refugees when they returned to Myanmar. As a result of this conflict, UN human rights official Zeid Ra'ad Al Hussein has called for an investigation into possible indications of "genocide" (Welle, 2022).

On August 25, 2018, Rohingya refugees in Bangladesh rallied to mark the one-year anniversary of the conflict and their flight from Rakhine state, which resulted in the killing of thousands of people and forced hundreds of thousands of Rohingya to flee their homes. They are demanding justice and the rule of law for the conflict that took place in 2017. It is said that the total death toll from the conflict is unclear, but it is said that at least 6,700 people died and hundreds of thousands were displaced. . In November, efforts to return refugees to Myanmar were again unsuccessful, with 2,260 Rohingya failing to return because they feared for their safety upon arrival (Welle, 2022).

In his efforts, there was also some support that emerged. One of them was from the Gambia, which helped file a lawsuit at the International Court of Justice. For this effort, the ICJ also gave permission for a full investigation into allegations of genocide and ethnic cleansing. In the presentation of the case, Gambia appointed Aung San Suu Kyi as responsible for Myanmar's defense department. However, the allegations were again denied by Aung San Suu Kyi but she again added that there was a possibility that the army could be said to be a little excessive in handling the conflict at that time (Welle, 2022).

During the investigation of the sectarian conflict in Rakhine, there was a military coup carried out by the Myanmar military against Aung San Suu Kyi and their party NLD or National League for Democracy cheating in the 2020 Myanmar elections so the Myanmar military carried out a coup and appointed Commander Min Aung Hlang as president and also subsequently, appointed 11 other members to the new ministerial-level government appointed simultaneously after the coup was implemented (Idrus, 2022). Aung San Suu Kyi was also given house arrest. As a result of the coup, the stability of democracy in Myanmar began to collapse. This was evidenced by the massive demonstrations against the military junta in Myanmar. In their action the demonstrators blocked the road and not only the road but some also blocked the railroad tracks. The day was commemorated as "Road Block Day". As a result of the coup and the demonstrations, in March 2021, at least 247 people died and 2,345 people were arrested. 15 of them have been convicted, 88 are under indictment and 351 were acquitted. While the rest are still in detention. This coup certainly affects efforts to resolve the Rohingya refugee issue because the stability of democracy is certainly one of the main determinants in resolving the Rohingya issue.

The status of Myanmar's sectarian conflict in Rakhine state in 2017 was declared by the International Court of Justice as a crime of genocide after several years of investigation. In July 2022, the ICJ ruled that the case filed by Gambia regarding the sectarian conflict in Myanmar could proceed. But at the same time, Myanmar's military junta executed four prisoners. The executions were the country's first death penalty executions (Welle, 2022).

As a result of sectarian conflict and oppression by the Myanmar government and Myanmar Buddhists, they had to leave and flee their homes in Rakhine State. The destination countries of the Rohingya refugees are quite diverse, such as Bangladesh which is the first destination, then Thailand, India, Malaysia and also Indonesia.

The impact of the conflict on the refugees themselves is that they are homeless, not being recognized as citizens makes it difficult for them to get the basic rights of citizens. Life in the camps is far from prosperous and adequate. One of the main problems faced is sanitation and also the economy that supports their livelihood, one example is what happened in the refugee camp in Cox's Bazaar.

According to UNHCR standards, one toilet should not be shared by 20 people. So for long-term accommodation a family should have at least one toilet, but of the 33 camps in Cox's Bazaar, 19 are not operating according to UNHCR standards.

Another problem, of course, is the lack of citizenship and thus the absence of legal protection under a country's constitution, and as stateless individuals or groups, their existence is regulated by the 1956 UN Convention on the Status of Stateless Persons and the 1961 UN Convention on Efforts to Reduce the Number of Stateless Persons. An extension of the UN through UNHCR is also a tool in handling issues like this.

Rohingya Refugee Flows in Asia and Southeast Asia Region

As a result of this conflict, the Rohingya are seeking asylum in other countries, including Malaysia, Indonesia, Bangladesh, Thailand, and even India and Australia. Bangladesh is the first destination for Rohingya refugees to seek refuge, especially since 2017. The port city of Cox's Bazar is their destination. More than 742,000 Rohingya fled to Bangladesh when the conflict erupted in 2017, until today, there are said to be at least 1.2 million Rohingya people who have fled Rakhine and at least 900,000 living in Cox's Bazar (Sakti, 2023). But Cox's Bazar itself has other problems. Especially sanitation and security. The density of the population there also makes life there far from decent. The number of criminal groups and clean water problems also make refugees feel uncomfortable so they try to seek asylum elsewhere (Arum, 2023). However, just like in Bangladesh, there are also many problems that occur due to the arrival of Rohingya refugees in other countries. The majority of them occur in ASEAN such as Thailand, Malaysia and Indonesia. In Thailand itself, although it is among the few countries that have not ratified the UN Refugee Convention of 1951, so Thailand has no responsibility or obligation to accept Rohingya refugees, the same applies to Malaysia and Indonesia.

The existence of the Rohingya in Thailand, Malaysia and Indonesia, of course, has a certain impact on the country of acceptance, many cases of violations committed by the Rohingya, such as conflicts with local communities, as well as cases of harassment and rape cases committed by irresponsible Rohingya elements, which suddenly received criticism from local communities, such as in Malaysia and Indonesia. Another issue that occurred was that in 2023 the Rohingya had demonstrated in Malaysia to demand land to be given to their people, this also became something that other countries such as Indonesia were worried about.

Based on data released by UNHCR (2023), the number of Rohingya refugees in Malaysia is calculated to be around 184,220 thousand people until October 2023, although the country has no obligation to accept asylum seekers but Malaysia has received Rohingya refugees since 2013. Although Malaysia has accepted Rohingya refugees to be in Malaysia, the behavior of the refugees themselves can be said to be disturbing and also disturbing local residents. As happened in 2023, a gang or criminal syndicate consisting of several Rohingya people was uncovered, which resulted in a shootout with Malaysian police that left as many as three Rohingya people dead. They were allegedly members of the Rantau Fiesta gang who were involved in robberies in six states. In Selangor alone,

the peacock is estimated to have committed 27 robberies that caused a loss of 4.34 billion rupiah (US\$1.6 billion). Although in 2020 Malaysia has begun to reject the arrival of Rohingya refugees, it is also not without reason but due to the large number of refugees and also due to the crisis caused by the COVID-19 pandemic at that time.

However, there are issues that say that it is also due to the spread of hoaxes and hate speech aimed at Rohingya refugees, so that many people reject their arrival and there are reports of the emergence of several anti-Rohingya groups such as the Anti Rohingya Club and Foreigner March Malaysia's Image". As a result of the spread of this hate speech, it is not uncommon for Rohingya refugees to become victims of acts of violence, harassment and discrimination, this is also influenced by the absence of Malaysian policies or regulations legislatively governing asylum seekers and refugees. Then the lack of Malaysian government regulations regarding refugees results in less space given to Rohingya refugees and also articles in the constitution. non-citizens such as Rohingya refugees.

According to a report issued by Human Rights Watch in 2000, it explains that Malaysia's position on the issue of asylum seekers and refugees has been quite clear, that they do not recognize the existence of refugees and asylum seekers, but they do not refuse to be accommodated in their country with a time limit. Although constitutionally and legally Malaysia has no obligation to accept refugees, they still provide temporary shelter to refugees because of the principle of non-refoulment. The principle of non-refoulment means that a country is prohibited from repatriating refugees to their home country or region if it threatens their very existence. So because they cannot be repatriated to Myanmar, refugees who come through the Thai border are often sent back to Thailand after a specified time limit.

In addition, to control the refugees, the Malaysian government also enforced border controls and also established the Malaysia Control Order or MCO policy. This policy, although effective, only benefits Malaysian citizens rather than refugees who are labeled, under the Malaysian Immigration Act as illegal immigrants so that when they enter Malaysia, they are immediately secured and detained. Thus, due to the absence of a policy on asylum seekers and refugees, exploitation, violence and discrimination can occur against Rohingya Refugees without any legal protection for citizens.

Like Indonesia and Malaysia, Thailand is also one of the countries that accept Rohingya refugees even though they have not ratified the 1951 Convention and 1967 Protocol so that they as a country do not recognize asylum seekers in their constitution. Thailand is one of the ASEAN countries that Rohingya refugees have been heading to since they fled in 2012, 2014 and 2017 until now. Until 2023, there were at least 5000 refugees registered in Thailand. Although in 2015, as reported by NET Media, the Thai government said that they would not accept the refugees, they are willing until there is a solution to the refugee crisis. Just like Malaysia, until now Thailand still considers the refugees who come as illegal immigrants, and many of the refugee boats that come are only given supplies by the local navy and pushed back into the sea.

In 2023, the UNHCR, Filippo Grandi, finally managed to have a dialog with the Thai government. They requested that the Thai government enforce the principle of non-refoulment and open the border and allow refugees to enter Thailand without rejection. Grandi also took the time to visit one of the Myanmar refugee camps in Thailand, Tham Hin Temporary Shelter in Ratchburi Province. It is known that the shelter accommodates 90,801 refugees from Myanmar.

Apart from ASEAN countries, other countries that have also accommodated Rohingya refugees include Pakistan, where there are at least 450,000 refugees since 2019 and the number continues to grow to this day. India and the United Arab Emirates are also hosting Rohingya refugees with each country having almost 50,000 Rohingya people (Jo, 2023).

The Role of International and Regional Organizations in Handling Refugees in Aceh

The humanitarian issue experienced by the Rohingya people has certainly long been a concern of the world and of course many efforts have been designed and proposed in solving this problem. ASEAN, as the regional organization where this conflict occurred, has also been looking for ways to resolve the humanitarian crisis that occurred due to the sectarian conflict that occurred in Myanmar. But of course there are obstacles that often arise that hinder the resolution of this case.

The handling by ASEAN can be said to be a little late. This is evidenced by the statement issued by ASEAN in August 2012 which basically stated and expected that each member country did not intervene in this issue and only appealed and encouraged Myanmar to find a way out of this issue and at that time it was seen that out of 11 countries only 3 countries cared and played an active role in providing assistance such as Thailand, Indonesia and Malaysia (Idris et al., 2016). It was only in 2015 that ASEAN tried to play an active role in resolving this crisis, with the formation of the Refugee Handling Task Force in the ASEAN Region and also held joint cooperation with UNHCR. This policy was issued to help resolve the humanitarian crisis that occurred against the Rohingya Ethnicity (Idris et al., 2016).

Even in these efforts, there have not been the expected results. This is also influenced by the approach used by ASEAN in the settlement effort, namely the ASEAN Way's approach (Idris et al., 2016). The principle of non-intervention guarantees the sovereignty of each ASEAN member state so that there is no intervention from other countries in the internal affairs of other members while the principle of consensus is present so that each country can respect the decisions and opinions of each country to avoid conflicts that can occur. This is evidenced in the formation of the ASEAN task force to deal with the Rohingya issue, member countries are very careful not to blame Myanmar or blame Myanmar so that the proposals to be given can be accepted and approved (Idris et al., 2016).

Indonesia as one of the countries that provides protection and assistance to Rohingya refugees certainly faces problems in resolving this ethnic Rohingya issue. One of the hindering factors is that Indonesia is one of the countries in Southeast Asia that has not ratified the 1951 UN Convention on Refugees so that Indonesia has no obligation to accept refugees or asylum seekers who will come to Indonesia (CNN, 2023). As for the reason why Indonesia has not yet ratified the convention despite the pressure and encouragement from several parties such as NGOs and also parties who have the same concerns regarding the Rohingya issue, the Director of Human Rights and Humanitarian Affairs of the Indonesian Ministry of Foreign Affairs Achsanul Habib said that the ratification of the Convention must be discussed in a national consensus. To become a country that approves the convention, there must also be several conditions and prerequisites that must be determined such as priority and urgency. Habib explained that as a country involved in the consensus, Indonesia must be prepared with all the obligations that will be obtained from the convention with its main mandate being social integration (Nadira, 2023). So as a signatory of the 1951 Convention, a country must be ready to accept anyone who comes as a refugee or asylum seeker and must be accepted into their national system. So if Indonesia signed the 1951 Convention and ratified it, Indonesia must be ready

to accept as many refugees as possible and make them legal and constitutional citizens of Indonesia and also give them the same rights as Indonesian citizens in general.

So the first step taken by the government was to enact Presidential Regulation (Perpres) Number 125 of 2016 concerning the handling of foreign refugees in this issue. The Perpres stipulates that the handling of refugees lies with UN agencies such as the United Nations Commissioner for Refugees or UNHCR and also the International Immigration Agency or IOM.

Through Presidential Regulation No.125 of 2016, full responsibility for the Rohingya was given to the relevant UN commissioner, UNHCR or United Nations High Commissioner for Refugee, so that UNHCR acts as a provider of facilities and also the needs of refugees while they are in Indonesia. However, in practice, there are many rejections that occur against the existence of the Rohingya facilitated by UNHCR (UNHCR, 2023). The rejection occurred due to the local community who thought that the negative impact brought by the Rohingya ethnic group was more than the positive impact on Indonesia. One of the crimes committed by the Rohingyas in this case is the case of TPPO or People Smuggling Crime, as happened in December 2023, where two people with the initials MAH (22) Bangladeshi citizen and HB (53) Myanmar nationality were named as suspects in the TPPO case. The two suspects claimed to have been paid 70,000 Bangladeshi Taka or 9.8 million rupiah. Another case that was revealed also occurred on April 02, where this case involved 8 suspects and some of them were Acehnese. The eight individuals were promised 5 million rupiah each for their part in this case. In addition, the attitude and behavior of Rohingya ethnic refugees is also considered troubling, this is judged by their attitude and behavior which is considered not to appreciate the assistance they get and also often disturbs and often harasses local residents and fellow refugees such as in Indonesia and Malaysia.

Another thing that is considered most troubling is that if there is social integration between Rohingya people who come in large numbers into a small area in Indonesia, there can be social friction between the refugees and the local community. This is also the case in Malaysia, which is one of the countries that accepted Rohingya refugees into their country. However, it is known that Malaysia also often rejects their arrival for several reasons. Apart from the pretext of not signing the 1951 UN Convention and also the reason for preventing the spread of COVID-19, Malaysia also considers that the number of Rohingya refugees entering Malaysia is too large so that the Malaysian Government cannot continue to accept them to enter Malaysia. Social jealousy also occurs where the Indonesian people themselves feel that the Indonesian government pays more attention to the Rohingyas who come to Indonesia than to their own people whose economy is still far from prosperous.

The Indonesian government, although it does not have a government policy regarding Rohingya refugees, through the Coordinating Minister for Political, Legal and Human Rights, Mahfud MD, said that although the Indonesian government does not have an obligation to provide asylum for Rohingya, the Indonesian government is willing to temporarily shelter Rohingya for the sake of humanitarian values. Due to the many rejections from various countries in Southeast Asia and also the Myanmar government that does not recognize the Rohingya as part of them, the fate of the Rohingya is said to be adrift until now and may not necessarily get citizenship and also the right as a "human being" if they do not get their rights.

Through the findings above, of course, the Indonesian Government must be able to review the regulations used in handling and trying to resolve the Rohingya refugee issue that occurred in

Indonesia. The Indonesian government must also be proactive in involving various related parties that could help in resolving this refugee crisis.

ASEAN certainly has a policy that is used to resolve issues like this. The policy that became known as the ASEAN Political Security Community Blueprint. This blueprint is one of the 3 pillars of the ASEAN Community. The APSC Blueprint is intended to accelerate political security cooperation in ASEAN to realize peace in the Southeast Asian region. The concept of this blueprint was prepared based on the agreement of the 13th ASEAN Summit in 2007 in Singapore which was included in the Vientiane Action Plan and then later changed to the ASEAN Political-Security Community (APSC). The blueprint was ratified at the 14th ASEAN Summit in Thailand in 2009, and was outlined in the Cha-am, Hua Hin Declaration on the Roadmap for the ASEAN Community.

The APSC Blueprint has 3 main characteristics namely;

- a. A Rule-Based Community with Shared Values and Norms
- b. An Integrated, Peaceful and Resilient Region with Shared Responsibility for Overall Security
- c. A Dynamic and Outward-looking Region in an Increasingly Integrated and Interdependent World (MoFA, 2015).

The cooperation covered by the APSC, as noted in its blueprint, is more specifically described in terms of cooperation in the areas of politics, security and law covering a broad context of traditional and non-traditional issues from efforts to promote good governance, address terrorism, cope with natural disasters and fight corruption.

In the issue of Rohingya refugees due to sectarian conflict in Myanmar, as explained in the background, ASEAN has certainly made efforts to help resolve the Rohingya issue. Based on the ASEAN Political and Security Pillar Meeting on the Implementation of the APSC Blueprint on September 04, 2023, the agenda also mentioned about encouraging the progress of human rights in the Southeast Asian region. Indonesia is considered to play a very active role in efforts to handle the Rohingya issue itself. One of the policies used is through a proposal from Indonesia. The proposal is known as the Five-Point Consensus. The Five-Point Consensus is a policy that contains sending aid, stopping violence, holding inclusive dialogue and proposing ASEAN to facilitate mediation and envoy visits to Myanmar (Wardah, 2023). The Five-Point Consensus has also been agreed by ASEAN since 2021, and this consensus was also mentioned at the 43rd ASEAN Summit in Labuan Bajo, Indonesia in September 2023. And from the discussion, it is known that there has been no specific progress in the implementation of the Five-Point Consensus. During the summit, issues related to Rohingya and Myanmar became a very important agenda and ASEAN strongly condemned the acts and acts of violence that were still taking place in Myanmar and emphasized that the Five Point Consensus remained the main reference in helping to resolve the ongoing political crisis in Myanmar (C. Purwowitz, 2023).

According to the explanation of the Minister of Foreign Affairs, Retno Marsudi, also emphasized that at the 43rd ASEAN Summit, one of the main factors that greatly affect the Myanmar conflict and also the fate of the Rohingya themselves is the attitude of Myanmar itself and ASEAN must be firm in dealing with this issue. So that until now, Indonesia together with ASEAN still refers to the Five Points of Consensus that have been formulated so that Myanmar can act in accordance with these five points and as an ASEAN member state that agreed on the ASEAN Charter, Myanmar must also respect the principles of democracy and human rights (Wardah, 2023).

The resolution of the Rohingya issue certainly requires great attention from political actors related to this issue, not only the state but also ASEAN as a political actor in the Southeast Asia region. It takes an active war and also direct intervention from ASEAN so that this issue can get a bright spot. As explained through the view of institutional liberalism which states that ASEAN as an international institution certainly has an important role in forming cooperation and also resolving an issue or conflict. ASEAN must also be able to act as an axis of decision-making and policy-making in resolving the ongoing Rohingya issue and of course the refugee problems that occur in several countries in ASEAN affected by this issue.

The APSC Blueprint is expected to be a policy formation tool that countries such as Indonesia, Malaysia, Bangladesh and Myanmar can use in handling the Rohingya issue. In the blueprint, there are at least 4 points related to this issue (Ministry of Foreign Affairs, 2015);

- **Conflict Resolution and Management**

The Rohingya issue that has been going on since 2012 and of course has roots that have existed long before that certainly requires the right solution in its resolution and also a direct approach is also certainly needed, given that the non-intervention approach is considered less effective in resolving this issue. This is evidenced by Myanmar not recognizing the Rohingya as part of them.

- **Protection of Human Rights**

Since the onset of this humanitarian crisis, the Rohingya have been categorized as stateless, denying them basic rights such as employment, education and health care because they have no identity as citizens of a country. They also do not have a proper place to live and cannot return to Myanmar due to the sectarian conflict in Myanmar.

- **Protection Against Human Trafficking and Smuggling**

One of the rampant crimes caused by the Rohingya refugee issue is the alleged practice of human trafficking and smuggling in Southeast Asia. This is evidenced by several cases revealed, such as those that occurred in Indonesia in late 2023 and also early 2024

- **Disaster Relief**

The crisis that befell the Rohingya people, which was caused by the sectarian conflict that occurred in Myanmar since 2012, 2017 until now, can be classified as a social disaster. This is due to the humanitarian disaster caused by the oppression received by the Rohingya and how they are not recognized by the Myanmar government as part of them (Ministry of Foreign Affairs, 2015).

Looking at some of the above criteria that have been displayed in the implementation of the ASEAN Political Security Community Blueprint, the level of problems that have arisen from the Rohingya Refugee issue that has been caused by sectarian conflict in Myanmar has reached a critical and complex level. As an issue that has been going on for a long time, of course, the issue of Rohingya refugees is a complicated issue to be resolved. The main thing that affects this is of course due to the non-recognition of the Rohingya as indigenous people or people from Myanmar itself. This is based on the Myanmar government's claim that the Rohingya are workers who were brought in illegally during British colonialism and do not have the same ancestors as the recognized Myanmar people (Herawati, 2023).

Looking at the classification related to the implementation of the APSC blueprint itself, there are several links that we can conclude and analyze. First, the Rohingya issue has certainly been a long-standing issue and has claimed many Rohingya lives due to sectarian conflict in the form of

oppression, massacres and also expulsion from their place in Rakhine where the conflict exploded in 2017. Through data released by the UNHCR's Operational Data Portal, there are currently 976,507 Rohingya refugees in Cox's Bazaar (February 2024) and according to UNHCR data in 2023, there are said to be at least 1.29 million Rohingya refugees spread across several countries such as Indonesia, Malaysia and Thailand (Kominfo, 2024).

The poor condition of the Rohingya community and their large numbers have caused a crisis in their basic needs, such as in the economic aspect and education, which they cannot get and fulfill. This is influenced by the lack of identity as citizens by the Rohingya due to their rights and citizen status that has been revoked by the Government of Myanmar by not recognizing the Rohingya as part of Myanmar. Of course, with the current attitude, the resolution of political conflicts and also the issue of human rights and refugees of the Rohingya will not get a bright spot because the resolution of this issue is still fully given to Myanmar, and ASEAN member countries that are temporary stopovers, both legal and illegal, by Rohingya refugees such as Bangladesh, Indonesia, Malaysia and Thailand certainly cannot do much other than accommodate refugees for some time ahead until the conflict in Myanmar can be resolved and it is hoped that the repatriation of Rohingya to Myanmar will be fine.

ASEAN as a regional institution in Southeast Asia has great concerns about what is happening in Myanmar and of course also about the fate of Rohingya refugees who have long been "displaced" without citizenship and also without basic rights due to this conflict. But until now, ASEAN certainly cannot do much and can only build dialog between the parties to the conflict and give warnings and responsibilities to Myanmar in order to resolve this conflict as soon as possible and restore political stability and democracy in Myanmar, so that it can have a good impact on resolving the Rohingya refugee crisis. It is known that until now, the largest Rohingya ethnic group in several countries in ASEAN, especially in Indonesia, is still facilitated by the UN through UNHCR. Because Indonesia has not ratified the 1951 Convention and 1967 Protocol, so Indonesia has no international legal obligation to accept Rohingya refugees legally, but assistance is still provided by Indonesia by referring to Presidential Regulation (Perpres) number 125 of 2016 which explains the Handling of Refugees from Abroad.

One of the legal experts from the University of Indonesia and also a Lecturer in Law and Human Rights at the Faculty of Law, University of Indonesia and the founder of the Arakan Rohingya Information and Advocacy Center (PIARA), Heru Susetyo, S.H., LL.M., Ph.D., stated that there are at least four solutions that can be given to the issue of the Rohingya refugee crisis (Humas FHUI, 2021);

- **First:** Resolving the upstream or root causes of the problem in Myanmar.

Although it will be difficult and challenging, according to Susetyo himself, a root cause solution is necessary so that clarity can be gained and each side can give their opinion and a solution can be declared. The intervention of ASEAN and other relevant countries is needed in this solution.

- **Second:** Refurbishment and updating of Shelters in Bangladesh

Bangladesh is the first country that Rohingya refugees have fled to, especially since the conflict erupted in 2017. The refugee camp known as Cox Bazaar was calculated to have accommodated as many as 1.24 million people by the end of 2023, which resulted in the camp being overcrowded. The conditions in the refugee camp are quite poor, it is influenced by the excessive number of refugees so that there is often a scarcity and also sanitation problems such as the difficulty of clean water and also the lack of awareness about the use of toilets so that diseases such as skin

infections and others arise. As a result, more attention is needed from ASEAN and its member states to improve and facilitate the camp, of course also in collaboration with the UN and UNHCR.

- **Third:** Handling in Indonesia.

In Indonesia alone, there are three things that can be done. First, repatriation to the country of origin. This means that refugees are returned to their country of origin. Second, transfer or evacuation to a third country that can accommodate them. And lastly, the acceptance of the refugees to Indonesia, but it is feared that the lack of acceptance of the Rohingya refugees by the Indonesian people due to the public perception of the Rohingya, making it difficult for acceptance at the social level. The repatriation process is also difficult because Myanmar does not recognize the Rohingya as part of their own and there are still sectarian conflicts targeting the Rohingya in Myanmar.

- **Fourth:** Given an island to live on for the refugees.

ASEAN and member countries can form a policy to provide an empty island for refugees to stay temporarily during the process of forming regulations and policies. This is done to minimize the adverse impacts that may occur if they do not get a temporary residence. In his article, Susetyo lists Galang Island as one of the candidates (Susetyo, 2023).

The analysis that can be given from the four ideas above, these ideas can be done but there are several things that must be considered. First, of course solving the refugee issue from the root of the problem in Myanmar is one of the main ways to do it, especially seeing how ASEAN acts as a regional organization without directly intervening in the country involved describes giving the responsibility of resolving this conflict to Myanmar so that it can help the Rohingya Refugee issue, this is evidenced by the ASEAN Statement in 2012 regarding this issue that each ASEAN member country is prohibited from intervening in Myanmar and not blaming the Myanmar state for human rights violations that occurred to the Rohingya at that time (Idris et al., 2016). And the ASEAN Way approach is still a tool used by ASEAN, even today, with the proposed Five Points of Consensus by ASEAN together with Indonesia hoping that these five points can be a reference for resolving the ongoing conflict in Myanmar and can also have a good impact on resolving the refugee crisis that occurred against the Rohingya (C. Purwowidhu, 2023).

Secondly, one of the things that must be considered is the camps where the Rohingya refugees are currently staying, one of which is Cox's Bazaar. Cox's Bazaar itself is a refugee camp and not only the Rohingya, but after the outbreak of conflict in Myanmar and the massive escape from Rakhine, most of the refugees in Cox's Bazaar are Rohingya, there are nearly 1 million Rohingya people in Cox's Bazaar. As a result of the large number of refugees in the camp, there are many crises and scarcities. The lack of sanitation facilities and clean water leads to diseases. Due to overcrowding and economic problems in the camps, criminal groups have emerged and crimes have been committed. So if camps like Cox's Bazaar are to be reused, more attention is needed from the UNHCR and Bangladesh who are trying to help.

The third is the handling in Indonesia. In Indonesia itself, one of the things that can be done is repatriation but this is not possible, knowing that the political conflict in Myanmar still continues and also sectarian conflicts still exist. Myanmar also does not recognize the Rohingya as part of them, so repatriation is not the right choice for now. Then social integration, in theory, can be done, but due to social media coverage and also the public image of the Rohingya themselves, which seems to have been bad in the eyes of the Indonesian people, so social integration can cause social friction between local communities and refugees. Another thing that affects is that Indonesia is one of the countries

that has not ratified the 1951 Convention and 1967 Protocol so that Indonesia has no international legal obligation to become a receiving country for asylum seekers or refugees.

Finally, an island was given to the refugees on a temporary basis. The proposal has actually been realized first by Bangladesh, where they gave a small island called Bhasan Char to be a place to live for Rohingya refugees. This was done because of the escalating conflict in Cox's Bazaar that led to the relocation to the island. It is said that the island has been filled with ready-to-occupy houses and complete facilities. However, the Rohingya refused to live on the island and said that the shelters looked like a prison to them. This is due to the island's remote location and distance from other settlements, and even due to the lack of medical facilities, it is said that a Rohingya woman had to give birth without medical assistance and medical equipment (Brilian, 2023). ASEAN as a regional organization certainly plays an important role. The institutional liberalism that the author uses states that international institutions not only act as instruments of power but also as shapers of norms, procedures, and security mechanisms that shape the behavior of states in the international system (Keohane & Martin, 1995). ASEAN is present as a political entity that uses soft power in its approach, namely in the form of cooperation and also multilateral diplomacy, so that it does not only focus on military power in resolving issues and crises and conflicts. ASEAN has attempted as an institution and regional organization of Southeast Asia in providing space for Myanmar in resolving the refugee crisis. and also the current political conflict in Myanmar.

The soft power approach used by ASEAN and member states through the principles of non-intervention and consensus Idris et al. (2016) aims to avoid conflicts that might occur if there is direct intervention from ASEAN member states against Myanmar. The APSC Blueprint is certainly a policy in underlying every action or policy making and also their approach regarding Myanmar and also the Rohingya. By using the APSC Blueprint, ASEAN should be able to facilitate each country in working together to address and overcome security issues in the Southeast Asian region including issues related to Myanmar and Rohingya.

Handling Refugees from a Security Community Perspective

Looking at the classification that has been given by the view of the security community, ASEAN in this case is included in the plural security community or pluralistic security community. A plural security community is a security community in which there is a political and security agreement in which political units or actors (states) participate to maintain their independence, ASEAN as a regional organization has members of Southeast Asian countries, all of which are independent countries. ASEAN member states together form a regional organization as a forum for political, security and other cooperation. But in practice, there is no action of each country that threatens other member countries, this is evidenced by the existence of the Asean Way. In this concept, two principles are known, namely non-intervention, which prevents the intervention of other countries against each other to avoid conflict and division within the ASEAN frame and also the principle of consensus, where the principle of consensus is present to respect each member country and also avoid conflict between ASEAN member countries (Idris et al., 2016).

This is evidenced in a paper on ASEAN's role in handling asylum-seeking refugees in Indonesia (Idris et al., 2016). In the initial handling in August 2012, ASEAN fully delegated the handling to Myanmar, and prohibited each ASEAN member country from intervening in Myanmar. Another thing that was done was to issue a consensus which prohibited each ASEAN member country from blaming

Myanmar for what happened in Myanmar. Even when this conflict became ASEAN's concern, there were several member countries that could be said to be inactive in helping to resolve it such as Vietnam, Laos and Cambodia. Meanwhile, countries that are active in providing assistance and input for this issue are Indonesia, Malaysia, and Thailand. In 2015, ASEAN also tried to help resolve this issue by forming a Refugee Handling Task Force in the ASEAN Region and also building cooperation with UNHCR on this issue.

It can be seen that 10 years later, ASEAN's approach to resolving this humanitarian crisis has yet to produce satisfactory results. Myanmar's political condition is also one of the main reasons why the conflict and crisis have not been resolved until now. The non-recognition of the Rohingya ethnicity by the Myanmar government is one of the main reasons for the sectarian conflict in Myanmar. Even until now, ASEAN is still trying to dialogue with Myanmar on this issue without any significant results regarding the political conflict and the Rohingya refugee crisis. However, ASEAN cannot impose their position as an international organization in this case, because we can see that like the view of institutional liberalism which says that one of the steps that can be taken is that every hope that an institution has is achieved through rules, but considering ASEAN which prioritizes the principle of non-intervention and consensus, so ASEAN can only issue a statement of attitude and try to prepare the flow of information as well as opportunities or space to negotiate.

Meanwhile, due to the large number of refugees fleeing from refugee camps in Bangladesh and Myanmar, they are trying to come to other countries in Southeast Asia such as Indonesia, Malaysia and Thailand, hoping for social integration where these countries can accept the Rohingya to live in their countries, One of the countries that has done this is Malaysia, although it does not have a legal obligation to open asylum for ethnic Rohingya refugees, but they have first provided shelter to ethnic Rohingya who came. While Indonesia, although it has provided assistance and temporary shelter for refugees, there is no social integration and will not necessarily be, the consideration is also due to fears of social friction and also Indonesia has no obligation to accept Rohingya refugees as part of the Indonesian state as an asylum recipient. So that Indonesia still accommodates Rohingya refugees, but the responsibility for refugees is given to the UN agency, UNHCR.

Social integration between two different communities will always have two different sides, on the other hand, such integration will greatly help both parties but on the other hand, the vulnerability of conflict between two different parties can occur at any time so that in responding to such things there must be the right approach and cannot be realized in a hurry.

ASEAN as a regional organization, should be able to formulate other efforts related to handling human rights issues and also the issue of Rohingya refugees that have occurred since 2017. ASEAN is certainly an active participant in the declaration related to human rights, of course, it seems to be listed in the ASEAN Charter, but the declaration says that human rights will be considered in the "regional and national context". This means that the practice of fulfilling human rights is carried out depending on the boundaries of ASEAN collectively and by ASEAN member states independently, so it seems to limit human rights with the principle of ASEAN non-intervention (Putri, 2013). Of course, in practice it is quite difficult, especially regarding the issue of the Rohingya where Myanmar as a country does not recognize the existence of the Rohingya on Myanmar's land and there is a lot of social and legal discrimination.

The ASEAN Political Security Community Blueprint should be able to become the basis for the formation of policies of member countries and also common policies that can be formed within

ASEAN itself. Although independently the member countries stand as independent countries, but within the ASEAN frame, of course there must be mutual relations and also good relations that can be maintained through cooperation and also joint policies that can be formed, in this context is the international security of the Southeast Asian region. In a plural community, of course, there are many points of view that are very different from one another, but through joint policies, of course, an agreement and harmony can be realized, which is what ASEAN wants to achieve through the use of this APSC Blueprint. The use of the ASPC Blueprint and also the birth of the Five Points of Consensus proposed for the Myanmar issue is a form and also an effort from ASEAN together with other ASEAN member countries, to jointly realize conduciveness in the Southeast Asian region and also to address the political conflicts that occur in Myanmar and also try to find solutions related to the Rohingya ethnic refugee crisis.

Conclusion

The resolution of the Rohingya refugee crisis still requires a long time and more effective efforts from ASEAN, especially through direct policies and cooperation from all relevant parties. Myanmar is key, but the country's political instability has hindered the resolution of the issue, despite ASEAN's proposed Five-Point Consensus. Welfare issues in refugee camps such as Cox Bazaar and the exploitation of Rohingya without citizenship status also need to be addressed. While the UNHCR plays an important role in protecting refugees, some ASEAN countries such as Malaysia and Thailand, which did not ratify the 1951 Convention and 1967 Protocol, have no legal obligation to recognize asylum seekers, although the principle of non-refoulement requires them to temporarily host refugees. ASEAN's direct approach and cooperation is needed as well as root cause solutions in Myanmar, including providing temporary shelter for refugees and improving conditions in refugee camps in Bangladesh.

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