

CHAPTER THREE

RESEARCH METHODS

A. Type of Research

In this research the author used a normative legal research method. This means that the research is based on the library research and focused on reading and analysis of the primary and secondary materials.¹ The research used statute approach, because the research elaborated and studied several regulations such as international human rights law and conventions with regard to the issue.

B. Type of Data

This legal research used data sources taken from literatures that consisted of primary legal sources, secondary legal sources and tertiary legal sources.

1. Primary legal source

The primary legal sources consist of legally binding materials bound to all elements and referred to the several legislations related to refugees that consisted of:

- a. Universal Declaration of Human Rights
- b. The 1951 Convention Relating to the Status of Refugees
- c. The 1967 Protocol Relating to the Status of Refugees; and

¹Johnny Ibrahim, 2006, *Teori dan Metodologi Penelitian Hukum Normatif*, Second Edition, Malang, Bayu Media, p. 46.

d. Asylum Directive Procedure

2. Secondary material

Secondary materials consist of several documents related to the primary legal materials such as:

- a. Scientific journals;
- b. Books related to the issue;
- c. Seminars papers related to the issue;
- d. Others related document;
- e. Trusted internet sites and;
- f. Other non-legal documents related to this research.

3. Tertiary legal materials:

- a. English dictionary.
- b. Indonesian dictionary.

C. Technique of Collecting Data

Research method employed for data collection was done by literature learning. The research used libraries as the main source. In addition, the ways to collect data or information was done by reading, analyzing, and making conclusion from related documents namely convention, laws books, legal journals, materials available in the library of publications and others sources relating to the issues concerning the objective of the research. To complete the information for the research, interview was conducted with Prof Dr. Madhu Naiker (International Expert on Refugee in Australia).

D. Data Analysis

The data were analyzed systematically through juridical qualitative. It means the researcher analyzed the data based on international law, especially the international humanitarian law and human rights law. It was connected with the principle of law, conventions, and other related regulations.² Hence, this research will be explained by descriptive method.

²*Ibid*, p. 303.