

The Urgency of Republic Indonesia to Ratify 1951 Refugee Convention as a Legal Basis on the Protection of Asylum Seekers and Refugee in Indonesia

Abstract

Nowadays, the asylum seekers and refugee issues are becoming serious problem to the international community. For one minutes, more than 15 people are becoming asylum seekers. To protect human rights of refugee, in 1951 UN agreed to establish Refugee Convention and in 1967 it was established into addition protocol. Indonesia has not yet ratified both of them until today. Since 1975 Indonesia has received a large number of refugees that make Indonesia as transit country before arriving to their destination country. Indonesia has become a transit country without any regulation to handle it. Since Indonesia becomes nonparty to the 1951 Refugee Convention, for handling of refugees, Indonesia only used Law No. 6 of 2011 about Immigration. This regulation however cannot cover all the problems of asylum seekers and refugee who enter into Indonesia territory. A plan or a promise to ratify the 1951 refugee convention has been initiated, but until now it has not officially signed yet. Violence especially human rights violations, discrimination and the other negligence were received by refugees in Indonesia. This study is normative legal research with Statute and Case approaches. This study analyzes the condition of Indonesia in terms of giving basic legal protection for asylum seekers and refugees. The results show that the issues of asylum seekers and refugees in Indonesia now are categorized as Urgency situation to ratify the Convention.

Keywords: *1951 Refugee Convention, Ratify, Human Right, Refugee*