

## CHAPTER I. INTRODUCTION

### A. Research Background

The increasing number of refugee populations has become a phenomenon globally in which states and the United Nations Agency for Refugees face limitations in responses to the challenges. As shown in Table 1.1 below, the population of the refugee has increased to 19.9 million in 2017, where Europe and Asia and Pacific regions have been identified as the second and third largest refugee populations after the African region (UNHCR, 2018a). In Europe, Turkey alone hosted more than three million refugees who are largely from Syria to avoid conflict and war while in Asia and the Pacific, the number of refugees is originally from one Myanmar ethnic group, known as Rohingya in avoidance of persecution. This phenomenon has underestimated the importance of humanity and livelihood opportunities for refugees to seek protection for their future life. Indeed, refugees are obliged for international protection and universal human rights that need to be protected and fulfilled according to international laws (Costello, 2019).

Table 1. 1 Refugee Population under UNHCR mandate (UNHCR, 2018a)

UNHCR regions	2016	2017	Change	%
Africa	5.135.100	6.268.200	1.133.100	22.1
America	682.700	644.200	- 38.500	- 5.6
Asia and Pacific	3.477.800	4.209.700	731.900	21.0
Europe	5.200.200	6.114.300	914.100	17.6
Turkey	2.869.400	3.480.300	610.900	21.3
Middle East	2.679.500	2.704.900	25.400	0.9
Total	17.175.300	19.941.000	2.766.00	16.1

The phenomenon of refugees should not be separated from the history of the early movement of people in migration. In the past, the migration journey of countries happened through marriage, conquers, and religious matters. People tend to move from one place to another place as well as through war or conflict to conquer the intended new place. Those people also move from country to country to change their living places and houses and usually departed together in groups.

After a steamship was readily available in 1800, the movement becomes more intense to find a new place for economic and political stability (Watch and Vol, 1995).

Currently, the movement of international migrants has still happened although they still moved in groups. These groups include professionals who can come and leave different countries due to skills and knowledge contributing to the development of destination countries; legal workers and family repatriation which are limited to temporary living in destination countries; and international migrants due to conflict in their countries or having no citizenship resulting them to seek for protection in other states (Warshall, 2002; Silve & Verdier, 2018).

The movement of migrants has also affected the increasing number of those populations worldwide. In 2015, the total number of international migrants reached 244 million, which had an increase of nearly 100 million compared to those in 25 years ago. As shown in figure 1.1 below, the proportion of migrant population globally was 3.3% in 2015 from the global population, which showed an increase from 2.9% in 1990 (IOM, 2018). The number is predicted to keep increasing since the conflict, and different prosperity among states have still existed nowadays.

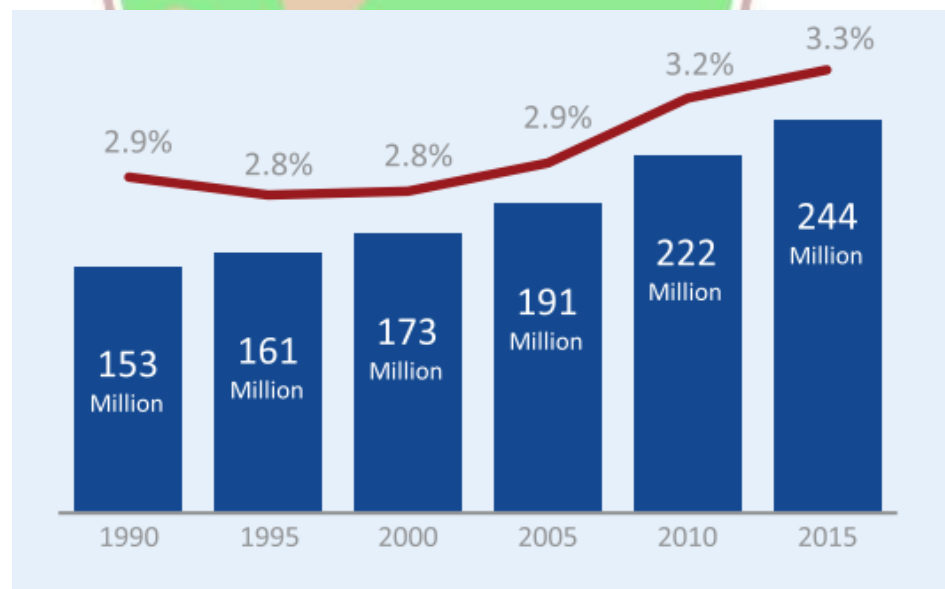


Figure 1. 1 World Migrant Population (IOM, 2018)

Considering the large number of the migrant population, it is compulsory to know which types of migrants include in the population. While the number of migrants increased steadily, the perception of those who arrived in some states is various. It is because migrants are treated differently in practice, including refugees and other types of migrants who are not recognized as unidentified people. There are two groups of migrant population, namely migrant and forcibly displaced people.

Generally, migrant people include those departing from their own countries to different states without feeling afraid of war, persecution, or conflict in the origin countries. This type of migrant is generally assumed as migrant workers leaving their own countries to seek a better life which is based on the economic perspective. The UN International Convention on Migrant Workers has defined a term as any persons who are about to search for, engaged, involved in, and have been in part of economic activities in a state in which they are not a citizen of that particular state (UN General Assembly, 1990). Furthermore, economic and livelihood certainty in destination countries is believed as a pull factor for international migrants to migrate for their betterment of life in the future (Williamson, 2006).

The second group of migrants includes people who are displaced forcibly due to persecution, conflict, natural disaster, and other generalized violence in their states. This group consists of three specific groups to differ from the migrant workers. They are refugees, internally displaced persons, and asylum seekers. The refugees are those who are in conditions of leaving their own homes due to persecution or war or conflict that could not be avoided. They are managed by two UN-specific agencies, namely the United Nations Relief and Work Agency (UNRWA) for Palestinian refugees and the United Nations High Commission of Refugees (UNHCR) for other types of refugees. This research will be focused only on the refugee issue under the mandate of the UNHCR.

Meanwhile, the internally displaced persons are those who fled away from their own homes but are still inside their own country due to natural disasters or other generalized violence, which forced them to leave their homes. These people are the most significant number of the three specific groups which constitute a large proportion of forcibly displaced people. In addition to those two groups, the asylum

seekers are people who arrived in destination countries looking for refugee status and are still waiting for the status determination to be decided as refugees. After having been decided as refugees, UNHCR will place them with local people through the integration process. In general, the total population of refugees and other types of forcibly displaced people globally is shown in figure 1.2 below.

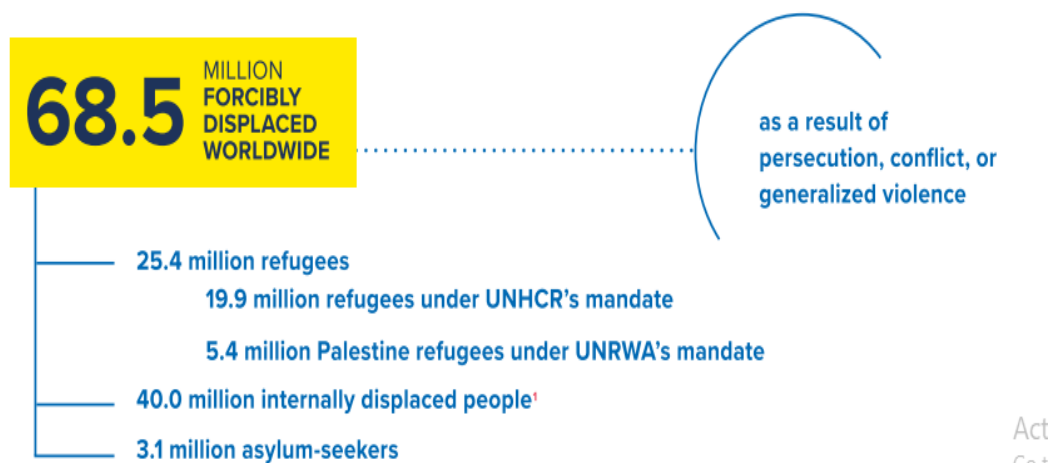


Figure 1. 2 Total number of people displaced forcibly (UNHCR, 2019b)

In regards to the refugee issue, according to the Refugee Convention in 1951 and Its Protocols in 1967, states have the authority to manage the arrivals of refugees into their territory. Nevertheless, with the increasing number of refugees, many states tend to refuse to accept the newcomers of refugees. Rather, the management of refugees by states was focused on the security issue and border tightening. Particularly in the European Union (EU) Countries, all states who have ratified their Convention on Refugees in 1951 find difficulty in dealing with the arrivals of refugees who are trying to enter their territories. A similar condition is also practiced by countries in the Association of Southeast Asian Nations (ASEAN) region, although most of those countries are not part of a signatory to the Refugee Convention in 1951 and Its Protocol in 1967.

Having management of refugee difficulties of states, the management of refugees in the non-signatory Convention is then carried out by the UNHCR, which plays a key role in repatriation, local integration, and resettlement process to third countries (Susetyo, Fitria and Asyhari, 2016). One possible solution for the refugee

is likely through resettlement process to third countries since repatriation and integration are unlikely in those countries. In addition, a large number of refugees have been transited to developing countries, including Indonesia. UNHCR has worked collaboratively with the Indonesian government to address the refugee problem and the possibility to transfer them to third countries. Unfortunately, resettlement takes a length of time, and this resulted in refugees staying longer in Indonesia without certainty for their future resettlement.

Staying for a longer time in the country often creates social problems locally and nationally. In the case of Aceh Province, for example, the arrivals of Rohingya refugees to some extent affected social tension and conflict between local people and refugees. While refugees are provided protection and live with international standards, their counterparts are less paid attention to, particularly in terms of social benefits and welfares. People smuggling and human trafficking become apparent in the Province since Indonesia is not the destination for Rohingya refugees. Similarly, at the national level, the government has limited power to push the existence of refugees to be transferred to third countries. It is because Indonesia is not a party to the Refugee Convention and UNHCR takes years to resettle refugees to third countries.

Considering the limitation faced by states and the UNHCR in dealing with social problems created by the arrivals and existence of refugees, it seems necessary to search for an innovative social approach to addressing the problem. This includes for example initiating a new collaborative approach through a partnership with other stakeholders, including the private sector. The role of the private sector could provide an alternative approach in regards to the humanistic dimension and certainty for the future of refugees. Private sectors along with Non-Governmental Organizations have become institutions to be involved in the Convention of Refugees together with governments. Indeed, the issuance of the Refugee convention should not be considered a state favouration, yet it should be followed by other non-state actors, including private involvement (Weis, 1990).

The UNHCR has acknowledged the private sector collaboration to deal with the issue of refugees. The first recognition of the involvement of private sector was carried out in the acceptance of funding from the Ford Foundation, followed by

other massive contributions from other private actors in early 2000 (Loescher and Long, 2014). Indeed, the complexity of refugee problems requires international cooperation to solve the problem, including liaisons with other stakeholders to be part of the refugee management. The Refugee Convention also addressed the involvement of other stakeholders rather than states and UNHCR to involve the international collaboration to deal with the issue of refugees (UNHCR Indonesia, no date).

One alternative approach through the involvement of private sectors is to have the state and the UNCHR collaborate with the Transnational Corporations (TNCs). TNCs' could play an important role since they are multinational enterprises and beyond jurisdiction with supply chains available globally. TNCs' tend to hire refugees as labor workers in large numbers rather than local workers due to having operations in different states as well as a diversity of operations as part of their competitive advantages (Wang, 2014). The United Nations Conference on Trade and Development (UNCTAD) defines TNCs' as legal organizations which consist of head companies and their foreign associations in which the parent companies will control assets in foreign countries (UNCTAD, 2010).

In relation to refugee management, TNCs' could be involved in providing an alternative approach in the humanistic dimension as well as providing market expansion and employment opportunities through capacity building and training for refugee certainty in the future. In doing so, it is necessarily important to equip refugees through skillful and relevant training. In executing the programs, states in collaboration with UNHCR and TNCs' might provide skill development in one specific place, as a place of technical training for refugees. This might be carried out through the establishment of a center of excellence. The center would benefit both, refugees and local people to gain a competitive environment for their future job market particularly in destination countries through the channel of resettlement or supply chains availability across the globe.

Furthermore, collaboration has become a global issue in dealing with any problems in the country. Sustainable Development Goals (SDGs) have particularly stated the collaboration in goal 17, Partnership for the goals, which can be achieved if all elements work together to strengthen implementation for sustainable

development. In the case of the refugee issue, a partnership between government and private sectors has become noticeable in Turkey, where the Government worked cooperatively with the EU Companies, under the EU Turkey Agreement, to train refugees through an internship in TNCs' and place some of them in their supply chains in Turkey. In Germany, TNCs' have also contributed to the skill development of refugees through Corporate Social Responsibility (CSR) funding to allocate to providing non-formal training to refugees. Some of them were also placed refugees into an internship in their home offices.

This article will try to give an additional discourse on transforming the management of refugees through a partnership with TNCs. The structure of this article will be started by providing a problem statement and research questions, followed by analyzing current practices of refugee management by states particularly in the EU and ASEAN region. In the next section, the experience of the UNHCR in dealing with the resettlement process to a third country will be deeply discussed followed by the opportunities to have TNCs' involvement in refugee management. The mechanism for capacity building for refugees carried out by TNCs' will also be explored to have certainty and livelihood for the future of refugees. In the conclusion, the article will give strengths to the refugee management in regards to the humanistic dimension and certainty for refugees with further research needed.

## **B. Problem Statement**

Refugee management has become the main attention on the global agenda after the mass movement of people through a dangerous journey, particularly from sea routes. These groups of refugees come from different regions including those from the Middle East and Asian region. More than 7.000 migrants were found missing or dead in the Sea in 2016. The Mediterranean Sea was recorded as the highest number of people missing reaching up to 5.143 migrants while in the South East Asia region 181 were found dead (IOM, 2018). The number of refugees crossing those regions has also increased with Syrian refugees occupying the highest number (6,3 billion) and Myanmar refugees of Rohingya have placed the fourth biggest population of 1,2 billion (UNHCR, 2019c).

States have originally been given authority to deal with a refugee issue to manage the arrivals of refugees in their territories. The role of states in managing refugees has been started decades ago after the establishment of the 1951 Convention, to have the protection of refugees from Europe in fleeing away from war. The refugee convention is a necessity to provide standard treatment for refugees after World War (WW) II when a large number of refugees, particularly in Europe have challenged international communities (Weis, 1990). However, the need for refugee management continued after WW II and include states other than European countries. To deal with this situation, there was an issuance of Refugee Protocols in 1967 where states who are not in the EU could also have a role in managing refugees. The Protocol has authorized states to implement the 1951 Convention but to exclude temporal and geographical areas, meaning that refugees before and after January 1, 1951 and outside Europe are also considered refugees and need protection from states (Weis, 1990).

Unfortunately, the management of refugees by states seems to have its peak by not allowing refugees into their areas, particularly after the war and conflict in different countries resulting in a mass movement of people. States tend to tighten their borders not to allow the influx of refugees and proceed to diplomacy to solve the problem. In the EU for example, many EU Countries tended to refuse the influx of refugees in 2015 by tightening their immigration procedures and border controls to prevent refugees from Syria to enter the states. Dealing with the mass movement of people into the region, compounded by a high number of people missing during the journey, the EU create cooperation with Turkey Government to place all refugees willing to enter Europe before allowing them to enter the region. This cooperation was initiated through the EU-Turkey Statement in 2016 and it was viewed as a successful solution to prevent refugees from entering the EU countries, although it then created a large refugee population in Turkey alone.

Similarly, in the ASEAN region, many countries had to deal with Rohingya refugees from Rakhine Province due to persecution and conflict in Myanmar. They were crossing their borders by sea to reach neighboring countries including Bangladesh, Malaysia, Thailand, and Indonesia to seek protection. Unfortunately, those countries were not parties to Refugee Convention and they were unable to



have refugees integrated with their local people. As a result, refugees were prevented to enter those countries and their boats were stranded off the sea. Many of them were found missing or dead reaching the transition country and it was likely impossible for Rohingyas to return to their origin countries due to persecution still existing that could endanger their life. This uncertain situation creates a possibility of human rights violations for refugees. It is also a fact that those transition countries were also having difficulty managing the current refugee issue in their territories.

As a non-party of the Convention, UNHCR establishes its office in those states and is responsible to handle the refugee problems. The most prominent option offered by the UNHCR was to transfer refugees in transiting countries to third states. Nevertheless, the limited quota for resettlement in destination countries has also challenged the capability of the UNHCR to resettle refugees in third countries. In 2018 for instance, the UNHCR has resettled around 75.000 refugees to third countries, while in 2019, around 90.000 refugees were being resettled to third countries (UNHCR, 2019c). With less than 0.1 % of refugees resettled successfully each year, it is difficult for UNHCR to resettle all refugees in a short period of time, which means that a large number of refugees will have to stay longer in a host or transiting countries until they are finally resettled. This condition creates uncertainty and livelihood difficulty for refugees in the future.

At the global level, the management of refugees has been stated recently under the initiation of the Global Compact for Refugees which was declared in 2018. The indicator used in this sustainability context is the free movement of refugees and the opportunity for the labor market (UNHCR, 2019d, p. 10). Unfortunately, the Compact has not yet been well implemented and labor opportunity, in particular, has not yet been formalized especially in developing countries to assist transiting refugees to enhance their self of reliance. Likewise, the Sustainable Development Goals (SDGs) have also acknowledged the importance of collaborative action to solve the refugee issue, particularly in Goal 17, Partnership for Goals. Although refugee has not become specific agenda in SDGs, their humanity and protection have become apparent, particularly in future migration agenda.

Indonesia as the non-signatory to the Convention also faces difficulty particularly in dealing with the refugee issue. The arrival of Rohingya refugees in the Western Province of Aceh in Indonesia for example has resulted in social problems for the country. The most notable social problem faced by the government is the inability to manage refugees through integration with local people. The country has no authority to place refugees within local communities. It is partly due to the fact that Indonesia is neither a party to Refugee Convention 1951 nor its Protocol 1967. However, the country is expected to work collaboratively with relevant stakeholders, particularly the UNHCR to maximize support for the handling of refugees in the country.

At the local level, the government has also faced a social challenge, particularly in being not allowed to allocate local funding for refugee management. This is because illegal foreigners entering the country's border are the main responsibility of the central government. Hence, the influx of Rohingya refugees in the province has become a local burden in providing support and temporary accommodation as well as other basic services. Furthermore, while refugees received international attention through protection and standard living, the local community received less attention due to the issue of welfare. This condition might lead to social tension between refugees and the local community.

To some extent, the management of Rohingya refugees in the region was particularly paid attention to the human issues by saving lives and providing temporary accommodation while at the global level, resettlement was viewed as a durable solution for refugees as part of certainty. Since the refugee issue has been debatable since the arrival of refugees, the politics of refugees tend to focus on a state-to-state relationship, but the discussion and roundtable meetings do not fully solve the core problem of refugees and require them to stay longer in Indonesia.

In this research, the theoretical concept of humanity and certainty has been expanded to include different types of humanistic dimensions as a novelty. These include partnership, resettlement, labor opportunity, self-reliance, skill development and regulation. Rather than focusing on protection and resettlement as part of humanity, this research tries to show the importance of the humanistic dimension at the local level to extend the concept of humanity in future research.

In addition, the practical novelty of certainty was also described towards the possibility of establishing the Center of Excellence to train and develop skills of refugees and the local community through the policy recommendation to get involved in private sectors towards collaboration on CSR activities.

### **C. Research questions**

Based on the problem statement above, it is clear that relying only on saving lives and providing temporary accommodation as a humanity approach was viewed as insufficient in managing Rohingyas in the region. It requires other humanity perspectives in finding a durable solution for the future livelihood of Rohingya refugees. Therefore, the main question of this research is “How could humanity and certainty provide an opportunity for partnership with relevant stakeholders in managing Rohingya refugees in Aceh?” In addressing the main question, there are four specific questions needed to be addressed:

1. What is the importance of the humanistic dimension in refugee management of Rohingyas in the Aceh Province of Indonesia?
2. How is certainty related to the state’s responsibilities and UNHCR authorities in refugee management in the Aceh Province?
3. How are global issues supporting certainty aspects towards sustainable refugee management?
4. How is partnership implemented towards best practices of the The EU-Turkey Agreement and TNCs' collaboration in the management of refugees?

### **D. Research objectives**

The main objective of this study is to seek an alternative refugee durable solution towards partnership with relevant stakeholders in managing Rohingya refugees in the western province of Indonesia. In addition, the purpose of this research is also to answer the specific research questions as explained below

1. To explore the importance of the humanistic dimension in Rohingya refugee management in the Province of Aceh

2. To explore the certainty context of states and UNHCR authorities regarding the refugee management in the Province of Aceh
3. To seek the global issue of dealing with certainty aspect towards the management of refugees globally
4. To explore best practices of The EU-Turkey Statement in refugee management and the TNCs' involvement through possibilities of CSR funding in managing refugees.

#### **E. Research outcomes and significance**

There seems a growing number of refugee problems in the future because the problem of refugees will keep a debatable issue globally since the situation in origin countries is not solved permanently, particularly for those who are in fear of war, persecution, conflict, and other generalized violence. Furthermore, the existence of refugees nowadays has become more apparent than before, particularly those waiting for future resettlement in transiting countries, including Indonesia. Referring to the limitation of the UNHCR to the resettlement process, there will be likely refugees transiting to developing countries will stay for a longer period of times and it will create another burden for states to deal with the issue of human rights of refugees.

In relation to the above existing condition, it seems necessary to have a different approach to managing refugees in the future, particularly through the involvement of the private sector. In this research, examples of private sectors will be focused on TNCs' for the opportunities for capacity building of refugees and market expansion through supply chains. The allocation of CSR programs of TNCs' philanthropy business will be taken deeply into consideration to have skill development of refugees towards job opportunities. The initiation of the market intervention of TNCs' particularly in global chains will be part of sustainable refugee management to provide certainty and livelihood opportunities for the future of refugees.

In this regard, this research will be potentially published in different themes of journals related to international relation studies, human resource management, refugee and migration as well as sustainable development and other related

journals. It is hoped that this research will be significantly contributed to the betterment of refugees in the future as well as to the knowledge of humanity in general.

## **F. Linking Chapter**

This research tries to understand the phenomenon of refugees, particularly in the Province of Aceh of refugee management as described in Chapter 1. The arrivals of frequent Rohingya refugees from a dangerous route by the sea have underestimated the importance of humanity. Not only in Aceh were dead or missing refugees found, in a different part of the globe, but a mass influx of refugees in Europe also created missing refugees that created global attention.

In the meantime, the management of refugees tends to rely on providing safety and protection for refugees after being saved from the ocean due to their fleeing away from conflict or persecution in their origin countries. Similarly, the people and the government of Aceh in the feeling of humanity, saved Rohingya refugees to embark them on the beach to avoid death in the sea. Nevertheless, there seems no durable solution to the Rohingya refugees except for resettlement yet it takes years to resettle refugees due to the limited quota of receiving new refugees in destination countries, compounded by a large number of current refugees globally. The literature review is provided in chapter 2 to discuss the current and previous research on the management of refugees globally. Different stakeholders are analyzed, including state management, UNHCR roles and private TNC involvement.

To ease the research data collection and analyses of the data, the methodology of research is described in Chapter 3 to include specific study visits and other methodological approaches in understanding the phenomenon of the refugee issue. While the research location is focused directly on the Province of Aceh where a large number of frequent arrivals of refugees is placed in temporary accommodation, the global issue to support the findings will also be described. Each research question is answered in the following chapter since the research must align with the purpose of the study.

Having humanity and certainty as the core issue, this research tries to overlook the level of importance of the humanistic dimension in managing Rohingya refugees in Aceh through web spider analysis in chapter 4 in order to answer the first research question. The certainty aspect is also further discussed in chapter 5 to answer the second research question, particularly the issue of job opportunity, resettlement and local integration. While these three issues were important in the certainty aspect of Rohingya management in the Province, the global issue also discusses certainty as part of a durable solution to refugee management. These include Refugee Convention and Global Compact for Refugees as discussed in Chapter 6 to answer the third research question. However, although refugees are part of migrants and are required to achieve sustainable goals, their existence is not mentioned specifically in the SDGs documents. Unlike migrants that become specific agenda in SDGs, refugees are categorized as part of the migrant movement and therefore, it might not be written down in the documents.

After that, the private sector involvement is described in chapter 7 to undertake the different actors in managing refugees, other than the state and UNHCR. This is also intended to answer the fourth research question. Alongside with TNCs, the best practices of The EU-Turkey Statement as an example of partnership is also discussed in this chapter to show that refugee is a complex problem and it needs different stakeholders to tackle this issue, particularly at the global level. Thus, the linking chapter to answer specific research questions was drawn in the picture below containing specific activities undertaken during the research.



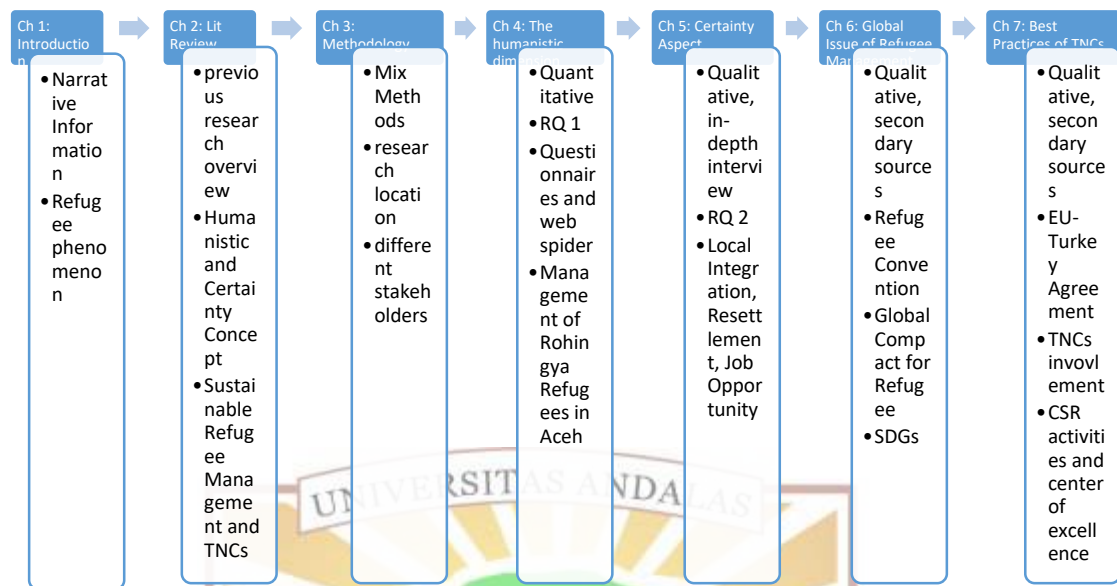


Figure 1. 3 Linking Chapter of research

The following chapter will look at specifically the research methodology this research is going to undertake. This includes research philosophy and research design prior to discussing data collection and analysis. The methodology used is also described to ease the formulation of research to achieve the research objectives as stated in the earlier chapter of this dissertation.

