

CHAPTER VIII. CONCLUSION

A. Conclusion and Recommendation

Refugee management has become a protracted issue since 2015, particularly in the context of refugees from Syria and Rohingya. While a large number of refugees from Syria tried to enter the EU, a group of Rohingya from Myanmar arrived in its neighborhood including the ASEAN region to seek protection, including Indonesia. The most western Province in the Country has become a frequent transit for Rohingya refugees since 2012 after they were stranded off the sea and were saved by local fisherman in Aceh.

Unfortunately, the management of Rohingya refugees particularly, tends to focus more on saving lives through humanitarian assistance for refugees. Indonesia is not a country of destination and providing them with humanitarian support was not sufficient enough. Other humanity and certainty approach was also significantly important to seeking a durable solution for the Rohingya. They were resettlement, partnership, skill expertise, labor opportunity, implementing rules and self-reliance to be focused more to achieve sustainable refugee management at the local level.

From the findings of the web spider diagram, it was believed that partnership has become the most important humanistic dimension in managing Rohingya refugees in the Province. While resettlement was also viewed as important, job opportunity was considered the most unimportant domain of humanistic domains. To some extent, it was true that Indonesia does not allow refugees to search for job opportunities as a result of not being a party to the Convention of Refugees in 1951. However, job opportunity has become a specific indicator in achieving the second objective of the GC for refugees to be self-reliant in the future. The Acehese government has encouraged all stakeholders to work together in the form of partnerships to manage the issue of Rohingya.

In regards to these findings, this research recommends the Indonesian government to extent the partnership deeply with relevant stakeholders to enhance the refugee management nationally. This could be allowed through the initiation of practical collaboration rather than written agreement among stakeholders. For example, the enhancement of skill development for refugees could be created through an internship for refugees in private sectors or provide specific training

prior to resettling to third countries. The collaboration needs to some extent more discussion among stakeholders, including UNHCR, IOM, Private sectors, and NGOs.

Furthermore, the current regulation of Presidential Decree 126/2016 has not been viewed adequately in terms of creating the sustainability of refugee management particularly in enhancing the self-reliance of refugees since it is the only the state and the UNHCR involved in the refugee issue. The state needs to further advance its regulation to include different stakeholders in managing the refugees. From the findings, it was found that the government collaboration was addressed through cooperation with local and international NGOs focusing on refugee protection and education and health services to Rohingyas. In practice, lack of coordination has become a barrier due to each institution has its own mandates and tasks. Therefore, this research recommends governments revise the above Presidential Decree to be more concrete in practical and implement the Decree both at the national and local level.

In addition, the partnership with different stakeholders should include private sectors including TNCs. One specific point discussed in this dissertation was the involvement of TNCs' through the allocation of CSR funding for both refugees and local people. It was possible to be carried out since the Country has already issued CSR regulation 47 in 2012 on implementing CSR of companies surrounding environment. Although in practice, the implementation was viewed in terms of building sites and in-kind donations for local people, the CSR funds would be also available to enhance refugees' skills and knowledge. Thus, this research recommends the revision policy of CSR regulation in Indonesia to allow skill development for both local people and refugees to have a linkage between refugee skill development and the opportunity of employment in the global labor market. This could further be developed by providing skills and training for refugees under the Center of Excellence where knowledge and technological advancement were provided in one place.

At the local level, the Municipality of Lhokseumawe has provided land owned by the local government to place Rohingya refugees temporarily. This would be a further recommendation to both, the national and local levels to work

cooperatively with TNCs and UNHCR to maximize the CSR funds to establish the Center of Excellence in the region. The center would be beneficial not only for refugees but also for local people who gain the skills and training from the TNCs' involvement through the CSR programs. While the national government needs to sharpen the policy towards the cooperation of TNCs' and CSR funding for refugees internship and training through the center of excellence, the local government should collaborate with internal offices where training and skill development for local people have been carried out as stated in the Yearly programs documents of the Municipality.

Relying on the state responsibility of refugee management was also not obvious for the future livelihood of refugees. Those who were the party of the Convention seemed unwanted to receiving more refugees into their territory due to sovereignty issues and the negative perception of their local community. States in the EU, for instance, have shown that receiving more refugees in their region could harm their culture and local economic uncertainty. Therefore, they tend to build high walls and tighten borders to prevent the arrival of new refugees. Lately, the EU has collaborated with the Turkey government to place all refugees wishing to enter the region prior to being transferred to EU countries.

In the meantime, states in the ASEAN region that are not a party to the convention including Indonesia has been difficult to provide a long-lasting and durable solution for refugees. It is because Indonesia is not a country of destination, indeed it acted as a transit country. It is only Cambodia and the Philippines belong to the member of Convention 1951, yet those states were not the destination for refugees. Therefore, the management of refugees, in general, was carried out by the UNHCR in collaboration with states.

Unfortunately, the UNHCR's responsibility in managing refugees in states who are not part of the Convention also finds some barriers and challenges. They are three main tasks of refugees to be implemented in such a state, including repatriation, local integration, and resettlement process. However, the two former options are unlikely to happen since the origin countries were still unsafe while local integration was not possible due to not being a part of the Convention. Thus, the most promising option was related to the resettlement agenda. Nevertheless, it

is a fact that resettlement also creates a burden. While the necessity for transiting refugees has increased by 17 %, the quota to receive refugees from destination states has decreased by 50 %. As a result, a large number of refugees will need to stay longer in a neighborhood or transiting countries without certainty and livelihood opportunities for their future and further could create a possibility of having human right violation.

In dealing with the resettlement barriers, the national government should find an alternative solution in terms of resettlement in different forms. This could be carried out through sponsorship programs, initiated by the UNHCR. In these activities, refugees need to have their counterparts in destination countries who are willing to receive them and their journey would be facilitated by the UNHCR. The government could elaborate on this opportunity by having specific and intense communication with TNCs and UNHCR where those skilled and trained refugees would be placed in TNCs' supply chains outside the country. This would also be an opportunity for local people to have fair access to the global market where they would be also advantageous from the training and skill development in the center of excellence if this plan was further carried out by the national government.

This research has also displayed that collaboration in the international development context has become crucial in providing future livelihood and self-reliance for refugees. These include the partnership with TNCs as part of the private sectors. The role of the private sector has also been acknowledged in the Refugee Convention and the UNHCR has a long history of cooperation with TNCs. Involving TNCs' in sustainable refugee management could reduce burdens by states, especially in developing countries.

The role TNCs was viewed as important for the future life of refugees. Although they initially provided humanitarian assistance through funding and delivering goods for refugees, it has now shifted to the importance of providing skill development to refugees. This allows refugees to enter the labor market with skills gained during the training. The shifting includes the reallocation of CSR funding to have refugees knowledgeable and trained particularly through an internship in the home offices. This has been experienced in Germany, where many

TNCs' were involved together with the State to provide internship skills for refugees and place some of them in their supply chain offices.

To sum up, the research has shown that partnership is the most important domain of the humanistic dimension, particularly in Aceh. While best practices in the EU and Turkey show the collaboration between TNCs and government as one of the specific goals in the global issue of refugees, the implementation in Indonesia is not yet conducted. Taking these findings into a consideration, this research recommends the government urge the UNHCR to tackle the issue of refugee management in Indonesia through collaboration with the private sector. The implementation would be carried out toward the global issue of refugee certainty to have CSR practices in the Country. This would also confirm that Indonesia should not ratify its membership in the convention. In order to prevent the new arrivals of refugees, Indonesia could use the previous collaboration of the Bali Process Declaration to minimize the opportunity of people smuggling and human trafficking issue to have more refugees to enter the country.

B. Research Limitation

There are some limitations in this research that should be addressed in the future research agenda. Firstly, this paper views the role of states in managing refugees from humanity and certainty perspectives at the local level while dismissing the role of political decisions and intervention in the state management of refugees. In particular, political intervention is important in providing regulations and policies related to refugee management in practice, which this article has not been yet acknowledged.

The research takes an example of Aceh's refugee management to ensure that the Province has been a frequent transit for refugees and the existence of refugees and need to be addressed in a broad segment. While humanity is related to saving and protecting refugees from their dangerous journey, the concept needs to be explored in a more broad discussion. This includes allowing them to have resettlement certainty, job opportunity, collaboration with relevant stakeholders, self-reliance, and regulation policies implementation. From the the findings, it showed that partnership has become the most important humanistic dimension.

However the implementation in the Province has become in terms of collaboration with different stakeholders to address the necessity of refugees. For example, the issue of health, education for children, and a comfortable environment surrounding has been some issues that were collaborated by NGOs and international organizations.

This dissertation tries to address the concept of partnership in the involvement of private sectors rather than the usual and current collaboration. The involvement of private sectors would become an alternative pathway for future management of refugees, not only in Aceh Province but also in Indonesia as a general. This is because the involvement of private sectors in the country seems more focused in in-kind donations for refugees. While it is important for the continuation of refugees, the larger collaboration with TNCs may include the CSR allocation for empowering skills and ability of refugees and local community. In this case the policy recommendation would be a current CSR regulation revision to include specifically the intended achievement to include both refugees and local people.

Secondly, this paper has not yet conducted specific research on delivering skill empowerment for refugees in order to prepare them entering the labor market. The types of capacity building in terms of formal or non-formal as well as duration and methods are not yet analyzed through the center of excellence. In practical terms, the concept of future self-reliance of refugees needs to be more addressed at the local level, particularly in the Aceh province. Nevertheless, the government at local levels finds difficulty in implementing the concept of skill development for refugees, especially with the collaboration of private sectors.

Thirdly, it seems necessary for future research agenda to put into practice the implementation of the transfer of knowledge in skill development programs for refugees in which this research has not yet been identified. These programs would benefit to labor market opportunities in the future. This research has shown that refugees who have ability and skill expertise would become an asset for any state and organization to enhance their future development agenda, particularly as the skillful workers in the private sector.

Lastly, the concept of certainty from the UNHCR has to be studied further. Apart from the legal status of refugees, it is possibly important to acknowledge the specific administrative status of refugees who have gained training and non-formal education for their future self-reliance. The transfers of skilled refugees to third countries should be prioritized for those who gain internship or training towards the center of excellence and their status should be above the usual refugees. Eventually, this activity would become sustainable in the management of refugees in the future.

