

The Right to Work for Refugees in Indonesia: Between State Sovereignty and Human Rights Obligations

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ABSTRACT

The employment rights of Rohingya refugees in Indonesia remain legally uncertain due to the absence of a comprehensive national legal framework regulating refugees' access to employment. Although Indonesia is not a State Party to the 1951 Refugee Convention, it has adopted humanitarian policies that provide temporary protection for refugees without explicitly recognizing their right to work. This study aims to examine the legal framework governing the employment rights of Rohingya refugees in Indonesia, identify the legal and institutional barriers to labor market access, and evaluate policy options for strengthening refugee protection while maintaining national legal certainty. This research employs a qualitative normative legal approach based on doctrinal legal research. Primary legal materials include Indonesian legislation, particularly Presidential Regulation No. 125 of 2016 concerning the Handling of Refugees from Overseas, together with relevant international human rights instruments. Secondary legal materials consist of scholarly literature, policy reports, and publications issued by international organizations, while the collected materials are analyzed using statutory, conceptual, and comparative approaches. The findings indicate that Indonesian law does not explicitly authorize refugees to participate in the formal labor market, resulting in legal uncertainty and limiting access to decent employment. Consequently, Rohingya refugees rely primarily on informal work and humanitarian assistance, increasing their socio-economic vulnerability. The study further demonstrates a significant gap between international human rights standards recognizing the right to work and the existing Indonesian regulatory framework. This study concludes that strengthening legal certainty requires regulatory reform that accommodates limited employment opportunities for refugees through coordinated policies involving the government, international organizations, and local stakeholders. The findings contribute to the development of refugee law scholarship by proposing a balanced legal framework that reconciles humanitarian protection, labor market integration, and Indonesia's national legal interests.

Keywords: Rohingya; Right to work; Indonesia.

INTRODUCTION

Forced displacement has become one of the most pressing global humanitarian and legal challenges of the twenty-first century. According to the United Nations High Commissioner for Refugees (UNHCR), the number of forcibly displaced persons worldwide has exceeded 120 million due to armed conflicts, persecution, political instability, and human rights violations. Beyond ensuring physical safety, contemporary refugee protection increasingly emphasizes the realization of socio-economic rights, particularly the right to work, as an essential element of human dignity, self-reliance, and long-term integration. International legal instruments, including the 1951 Convention Relating to the Status of Refugees, the 1967 Protocol, the Universal Declaration of Human Rights, and the International Covenant on Economic, Social and Cultural Rights, recognize employment as a fundamental human right. Nevertheless, implementation varies considerably among host countries, particularly in developing states that function primarily as transit countries rather than countries of permanent asylum (UNHCR, 2024; Hathaway, 2021).

A Rohingya refugees are one of the groups facing a prolonged humanitarian crisis due to conflict and discrimination in their home country (Hermawan, 2017), Myanmar (Steinberg, 2013). Many of them seek refuge in neighboring countries (Kingston, 2018), including Indonesia (Syahrin, 2018b), which is known as a transit country for refugees (Dedi, 2024). Although Indonesia has signed various international instruments related to refugee rights, legal protection for economic rights, particularly the right to work, remains limited and unclear in terms of regulations.

As of early 2025, more than 400 new Rohingya refugees had reportedly arrived in Indonesia, adding to the existing population. Data as of January 2025 showed at least 264 new refugees landed in Aceh (Havez, M., Ernawati, N., Pitaloka, D., Rosidi, A., & Jumadi, 2024). The total number of Rohingya refugees accommodated in Aceh since 2009 has reached more than 6,150, with the arrival trend continuing to increase.

Aceh, serves as a key transit point for Rohingya refugees in Southeast Asia (Adwani et al., 2021). This situation puts pressure on shelter capacity and basic services, including access to education, healthcare, and employment. While refugees are legally entitled to international protection, their right to work remains severely limited, leaving many refugees facing economic hardship and dependence on humanitarian assistance. This situation highlights the discrepancy between the protection guaranteed by international law and

practices on the ground, particularly regarding the economic integration of refugees into local communities.

The increasing arrival of Rohingya refugees has generated complex legal and policy debates in Indonesia (Soeryabrata, 2020). While humanitarian considerations require the provision of temporary protection, concerns regarding labour market competition, national security, immigration control, and the limited capacity of local governments often influence policy responses. Consequently, refugee employment has become one of the most controversial issues within Indonesian refugee governance. Recent public discussions surrounding refugee self-reliance programs promoted by international organizations have further highlighted the absence of a comprehensive legal framework regulating refugees' participation in economic activities. This situation illustrates the tension between humanitarian obligations and state sovereignty, making refugee labour rights an increasingly relevant subject for legal scholarship.

Indonesia is a transit country and has not ratified the 1951 Refugee Convention or its Protocol (Sudrajat, T., Jati, B. K. H., & Gupta, 2024). Therefore, refugees arriving in Indonesia lack formal refugee status under national law. In practice, refugees receive only temporary protection through the United Nations High Commissioner for Refugees (UNHCR) and government and non-governmental organization resettlement programs. This unclear legal status directly impacts their access to basic rights, including the right to work, education, and healthcare.

Limited access to employment for Rohingya refugees in Indonesia creates an unstable and vulnerable economic situation. Many refugees are restricted to low-wage informal work, without social security or legal protection against exploitation. This situation not only impacts the well-being of refugees but also poses challenges for the government and local communities in managing their sustainable economic integration.

Previous research has shown that refugees in transit countries often face a gap between their internationally guaranteed rights and the realities on the ground. The lack of formal work permits forces refugees to rely on humanitarian assistance, while limiting their ability to contribute economically. These studies emphasize the need for a clearer policy framework to regulate refugees' access to the labor market, without compromising national interests.

In this context, it is important to analyze Indonesian regulations and policies related to the right to work for Rohingya refugees and identify the obstacles and opportunities they face. By understanding the gap between international law and local practices, this research can provide a deeper

understanding of the dynamics of refugees' economic access in Indonesia. This analysis is also crucial for formulating more inclusive and sustainable policy recommendations.

This article aims to provide a comprehensive overview of Rohingya refugees' access to the labor market in Indonesia, focusing on legal aspects, policies, and practices on the ground. This approach is expected to strengthen the argument that legal protection alone is not enough; mechanisms are needed to enable refugees to participate productively in economic activities, thereby supporting their socio-economic integration into host communities.

Previous studies have extensively examined refugee protection in Indonesia from various legal and policy perspectives. Syahrin (2018) analyzed Indonesia's refugee governance despite the country's non-ratification of the 1951 Refugee Convention, emphasizing the dominant role of humanitarian considerations (Syahrin, 2018a). Kingston (2018) discussed Indonesia's position as a transit country and the limitations of regional responsibility-sharing mechanisms (Kingston, 2018). Sudrajat et al. (2024) highlighted the legal uncertainty arising from Indonesia's reliance on Presidential Regulation No. 125 of 2016 rather than a comprehensive refugee law (Sudrajat, T., Jati, B. K. H., & Gupta, 2024). Other studies have examined humanitarian assistance, refugee protection, and international cooperation involving UNHCR and the International Organization for Migration. However, these studies generally focus on refugee status determination, immigration policy, or humanitarian protection, while providing limited discussion of refugees' economic rights, particularly access to employment from the perspective of the interaction between international refugee law, international human rights law, and Indonesian domestic regulations.

Furthermore, existing scholarship rarely examines how Indonesia's fragmented regulatory framework affects the practical realization of refugees' right to work. Most studies treat employment merely as one component of humanitarian assistance rather than as a legal entitlement requiring systematic analysis. Little attention has been devoted to identifying inconsistencies between Indonesia's international human rights commitments, domestic immigration policies, labour regulations, and administrative practices. Consequently, the legal implications of denying formal employment opportunities for Rohingya refugees remain insufficiently explored, particularly regarding legal certainty, state responsibility, and sustainable refugee governance.

This research addresses these gaps by providing an integrated legal analysis of Rohingya refugees' right to work in Indonesia through the combined perspectives of international refugee law, international human rights law,

Indonesian immigration law, and labour law. Unlike previous studies that primarily discuss refugee protection in general, this article specifically evaluates the legal compatibility between Indonesia's regulatory framework and internationally recognized labour rights while examining practical challenges faced by Rohingya refugees in accessing employment. Accordingly, the study contributes a more comprehensive understanding of refugee labour rights within a non-signatory state and offers policy recommendations for balancing humanitarian protection with national legal interests.

The findings of this research are expected to contribute both theoretically and practically. From a theoretical perspective, the study enriches legal scholarship concerning the relationship between refugee protection, socio-economic rights, and domestic legal systems in transit countries. Practically, the research provides recommendations for policymakers, legislators, and relevant international organizations regarding the development of a clearer legal framework governing refugee employment in Indonesia. Such recommendations may assist in promoting refugee self-reliance while reducing long-term dependence on humanitarian assistance and supporting more sustainable refugee management.

This research is limited to the legal analysis of Rohingya refugees residing in Indonesia, with particular attention to the Indonesian regulatory framework and its implementation in major refugee-hosting areas such as Aceh. The study employs normative legal research supported by secondary data and selected policy reports; therefore, it does not empirically evaluate the socio-economic conditions of refugees through field surveys or interviews. These limitations are necessary to ensure an in-depth examination of the legal framework governing refugee employment while maintaining a focused analysis of Indonesia's role as a transit country.

RESEARCH METHOD

This study employs normative legal research (doctrinal legal research), which examines law as a system of norms through legislation, legal principles, doctrines, and authoritative legal documents (Taekema, 2018; Disemadi, 2022). This method is appropriate because the study focuses on examining the legal framework governing the right to work of Rohingya refugees in Indonesia, assessing its conformity with international legal standards, and identifying normative inconsistencies affecting the realization of refugees' socio-economic rights. The research applies three complementary approaches. First, the statutory approach examines Indonesian legislation concerning immigration, employment, human rights, and refugee protection, particularly Presidential

Regulation No. 125 of 2016 concerning the Handling of Refugees from Overseas. Second, the conceptual approach analyzes legal concepts related to refugee protection, the right to work, state sovereignty, and socio-economic rights. Third, the comparative approach compares Indonesian law with international refugee and human rights standards, particularly the 1951 Refugee Convention, the 1967 Protocol, the Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and relevant International Labour Organization (ILO) instruments.

The study relies exclusively on secondary data, classified into primary, secondary, and tertiary legal materials. Primary legal materials include Indonesian legislation, constitutional provisions, regulations, international treaties, refugee law instruments, and official legal documents. Secondary materials comprise scholarly books, peer-reviewed journal articles, legal commentaries, policy papers, UNHCR and IOM publications, institutional reports, and previous studies. Tertiary materials include legal dictionaries, encyclopedias, indexes, and other reference sources. Legal materials were collected through systematic library research using academic databases, official government repositories, and publications of international organizations. Sources were selected based on relevance and credibility and organized thematically around refugee status, employment rights, domestic regulations, and international legal obligations. The materials were analyzed through qualitative legal analysis and doctrinal reasoning. Relevant norms were identified and classified, while Indonesian legal provisions were interpreted using grammatical, systematic, and teleological methods. These provisions were subsequently compared with international legal standards to identify conformity, inconsistencies, and legal uncertainty. The findings were then synthesized to assess the adequacy of Indonesia's regulatory framework and formulate recommendations for legal and policy reform. The study is limited to a normative examination of Rohingya refugees' employment rights in Indonesia and does not employ interviews, surveys, participant observation, or quantitative analysis. This limitation enables an in-depth doctrinal assessment while providing a legal foundation for future empirical research and policy reform.

RESULT AND DISCUSSION

Legal Status of Rohingya Refugees under Indonesian Law

The legal status of Rohingya refugees in Indonesia is characterized by normative ambiguity arising from the absence of comprehensive national

legislation specifically regulating refugees. Unlike States Parties to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol, Indonesia has not incorporated refugee status into its domestic legal system through a dedicated refugee law. Consequently, Rohingya refugees are not legally recognized as a distinct category of protected persons under Indonesian law but are instead treated within the broader framework governing foreign nationals. This legal position creates uncertainty regarding the scope of refugees' rights and obligations, particularly their access to socio-economic rights such as employment, education, and social security. From a legal perspective, the absence of explicit statutory recognition does not merely represent an administrative gap but reflects a broader normative challenge in reconciling immigration control with humanitarian protection.

The primary legal instrument governing the presence of foreign nationals in Indonesia is Law Number 6 of 2011 concerning Immigration. A grammatical interpretation of the law demonstrates that its provisions classify foreigners according to immigration status, such as holders of visas, residence permits, or permanent stay permits, without recognizing refugees as a separate legal category. The law primarily regulates matters concerning entry, exit, residence permits, immigration supervision, detention, and deportation. Refugees are therefore legally positioned within a regulatory framework originally designed for migration management rather than humanitarian protection. This legislative construction creates a normative vacuum because refugees, who are compelled to flee persecution rather than voluntarily migrate, possess legal characteristics fundamentally different from ordinary migrants. Consequently, the Immigration Law is unable to comprehensively regulate the legal relationship between the Indonesian State and refugees residing within its territory.

A systematic interpretation of Law Number 6 of 2011 further reveals inconsistencies between Indonesia's immigration regime and internationally recognized refugee protection principles. The Immigration Law emphasizes state sovereignty in regulating the movement of foreigners and grants broad discretionary powers to immigration authorities to supervise, detain, and remove foreign nationals who do not possess valid immigration documents. However, refugees frequently enter Indonesia without passports or visas due to the circumstances of forced displacement. If interpreted solely through the framework of immigration law, such individuals may be considered illegal immigrants despite their internationally recognized need for protection. This interpretation demonstrates that immigration legislation alone cannot

adequately address refugee issues because the objectives of immigration law differ fundamentally from those of international refugee protection. Immigration law prioritizes border management and national security, whereas refugee law is founded upon humanitarian protection and the principle of safeguarding individuals fleeing persecution.

The legal uncertainty created by this normative gap becomes more apparent when examined through Presidential Regulation Number 125 of 2016 concerning the Handling of Refugees from Overseas. This regulation represents Indonesia's first comprehensive administrative framework specifically addressing refugee management. It establishes procedures for the discovery, rescue, accommodation, security, and supervision of refugees while assigning responsibilities to central and local government institutions in coordination with the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM). The issuance of this regulation demonstrates the Indonesian government's recognition of the practical necessity of refugee protection despite the absence of formal treaty obligations under the 1951 Refugee Convention.

Nevertheless, a systematic interpretation of Presidential Regulation Number 125 of 2016 indicates that the regulation primarily functions as an administrative instrument rather than a substantive source of refugee rights. Most of its provisions regulate institutional coordination, temporary shelter, humanitarian assistance, and the distribution of responsibilities among government agencies. Significantly, the regulation remains silent regarding refugees' right to work, access to formal employment, business activities, or vocational integration. Such legislative silence should not automatically be interpreted as an express prohibition of refugee employment. Instead, it reflects an incomplete regulatory framework that fails to establish legal mechanisms through which refugees may exercise socio-economic rights while residing in Indonesia. This omission has significant legal consequences because, in practice, refugees are unable to obtain work permits, enter formal employment relationships, or enjoy labour protections available under Indonesian labour legislation.

The absence of explicit regulation concerning refugee employment also generates legal uncertainty in administrative practice. Refugees who engage in informal economic activities often operate without legal recognition, making them vulnerable to exploitation, unfair wages, unsafe working conditions, and arbitrary dismissal. At the same time, employers face legal uncertainty because no statutory provisions clearly regulate whether refugees may lawfully participate in the Indonesian labour market. Consequently, both refugees and

employers remain exposed to administrative risks arising from the absence of a clear legal framework. This situation illustrates that legal uncertainty affects not only refugees as rights holders but also state institutions responsible for implementing refugee policies.

From the perspective of Gustav Radbruch's theory of legal certainty (*Rechtssicherheit*), the Indonesian regulatory framework demonstrates several fundamental deficiencies. Radbruch argues that legal certainty requires legal norms to be clear, predictable, consistent, and capable of guiding human behaviour. Individuals must be able to determine their legal position with reasonable certainty so that rights and obligations can be exercised effectively. In the Indonesian refugee context, these requirements remain unmet because neither the Immigration Law nor Presidential Regulation Number 125 of 2016 explicitly defines refugees' legal capacity to participate in economic activities. Refugees therefore occupy an uncertain legal position where employment is neither expressly permitted nor expressly prohibited. Such ambiguity undermines one of the essential functions of law, namely providing predictability and stability in legal relations.

Radbruch further emphasizes that legal certainty should be balanced with justice and legal utility. Excessive emphasis on rigid legal formalism may produce outcomes that conflict with substantive justice. This theoretical perspective is particularly relevant to the Indonesian refugee regime. Although strict immigration enforcement may be justified from the standpoint of state sovereignty, denying refugees any lawful opportunity to achieve economic self-reliance potentially contradicts broader principles of justice and human dignity. Refugees often remain in Indonesia for many years while awaiting resettlement, during which prolonged dependence on humanitarian assistance may undermine both their dignity and their capacity to contribute positively to host communities. Therefore, a legal framework that accommodates limited and regulated access to employment would better reconcile legal certainty with humanitarian objectives.

The constitutional framework of Indonesia further supports a broader interpretation of refugee protection. Although the 1945 Constitution of the Republic of Indonesia does not explicitly regulate refugee rights, several constitutional provisions recognize the protection of fundamental human rights regardless of nationality. Article 28D paragraph (1) guarantees the right to legal certainty and equal treatment before the law, while Article 28G recognizes every person's right to personal security and protection from threats. Furthermore, Article 28I affirms that the protection, promotion, enforcement, and fulfilment of human rights constitute the responsibility of the State. A teleological

interpretation of these constitutional provisions suggests that constitutional human rights should not be interpreted narrowly as applying exclusively to Indonesian citizens when fundamental questions of human dignity are involved. Instead, constitutional principles provide normative guidance for interpreting legislation consistently with Indonesia's commitment to protecting universally recognized human rights.

This constitutional interpretation is reinforced by Indonesia's ratification of the International Covenant on Economic, Social and Cultural Rights (ICESCR) through Law Number 11 of 2005. Although Indonesia has not ratified the 1951 Refugee Convention, it remains legally bound by international human rights obligations recognizing the right to work as a fundamental socio-economic right. Consequently, the legal debate surrounding refugee employment should not be viewed solely through the lens of immigration law but also through Indonesia's broader constitutional and international human rights commitments. A harmonious interpretation of domestic legislation therefore requires balancing immigration control with the protection of basic human rights, particularly where prolonged refugee presence creates long-term humanitarian challenges. The findings of this study indicate that Indonesia's current refugee regulatory framework remains fragmented because refugee protection is dispersed across immigration law, administrative regulations, constitutional principles, and international human rights obligations without comprehensive legislative integration. This fragmentation generates legal uncertainty that limits refugees' ability to achieve economic independence while simultaneously creating implementation challenges for government agencies. Accordingly, the principal legal issue is not merely Indonesia's non-ratification of the 1951 Refugee Convention, but the absence of a coherent domestic legal framework capable of translating humanitarian commitments into enforceable legal rights. Establishing greater legal certainty through comprehensive refugee legislation or amendments to existing regulations would therefore represent an important step toward harmonizing Indonesia's constitutional values, international human rights obligations, and national immigration policy.

The Right to Work under International Refugee Law and International Human Rights Law

The right to work constitutes a fundamental socio-economic right under international law and an essential component of human dignity, autonomy, and social inclusion. For refugees, employment extends beyond income generation by enabling self-reliance, social participation, and the rebuilding of lives after forced displacement. International refugee and human rights law therefore

increasingly recognize access to employment as an element of effective refugee protection rather than merely an economic privilege. This is particularly relevant to Rohingya refugees in Indonesia, many of whom experience prolonged uncertainty while awaiting resettlement. Their inability to work lawfully creates dependency on humanitarian assistance and increases their vulnerability to informal employment, exploitation, discrimination, and legal insecurity.

The normative foundation of the right to work is established in Article 23(1) of the Universal Declaration of Human Rights (UDHR), which recognizes everyone's right to work, freely choose employment, enjoy just and favourable working conditions, and receive protection against unemployment. Although the UDHR is not legally binding as a treaty, it provides a foundational framework for contemporary international human rights law. A teleological interpretation of Article 23 indicates that the right to work serves not only economic productivity but also human dignity through meaningful social participation. Consequently, prolonged denial of lawful employment opportunities to refugees may conflict with the humanitarian objectives of international human rights law, irrespective of whether the host State has ratified the Refugee Convention.

This protection is strengthened by the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by Indonesia through Law Number 11 of 2005. Article 6 recognizes everyone's right to gain a living through freely chosen or accepted work, while Article 7 guarantees just and favourable working conditions. Unlike the Refugee Convention, the ICESCR uses the universal term "everyone." A grammatical interpretation therefore indicates that its protection encompasses individuals within State jurisdiction, including refugees, subject to lawful and proportionate restrictions. Indonesia's obligations regarding refugees' right to work thus arise not only from refugee law but also from its binding international human rights commitments.

A systematic interpretation further demonstrates that the right to work is interconnected with the rights to an adequate standard of living, health, education, and social security. Denial of lawful employment may consequently affect refugees' broader welfare because prolonged dependency on humanitarian assistance limits their economic independence and social participation. Labour exclusion should therefore be regarded as a structural human rights concern rather than solely an immigration policy issue.

More specifically, Articles 17, 18, and 19 of the 1951 Convention Relating to the Status of Refugees address wage-earning employment, self-employment, and liberal professions. These provisions reflect the principle that refugees should progressively achieve self-reliance rather than remain indefinitely dependent on humanitarian assistance. Although Indonesia has not ratified the 1951 Convention or its 1967 Protocol, these instruments remain principal international standards for refugee protection and important interpretative references for assessing domestic policies. Indonesia's non-ratification does not eliminate its broader international human rights obligations. States retain sovereign authority to regulate labour-market access, but such discretion should be exercised consistently with human dignity, proportionality, and non-discrimination.

International Labour Organization (ILO) standards reinforce this approach. Although no single ILO Convention exclusively regulates refugee employment, fundamental principles concerning non-discrimination, equality of opportunity, prohibition of forced labour, and decent work are relevant regardless of nationality or migration status. The ILO's Decent Work Agenda further emphasizes fair remuneration, occupational safety, social protection, and fundamental rights at work. Refugee employment should therefore be regulated through legal mechanisms rather than left entirely within informal labour markets. In Indonesia, the absence of a formal legal basis for refugee employment may leave working refugees outside effective labour protection and increase their exposure to exploitation.

The principle of non-refoulement further illustrates the relationship between physical protection and socio-economic rights. Traditionally, non-refoulement prohibits returning individuals to territories where they face persecution, torture, or serious threats to life or freedom. However, a teleological interpretation suggests that effective refugee protection cannot be limited to preventing forced return while denying the minimum conditions necessary for a dignified existence. Protection from persecution should therefore be accompanied by access to basic socio-economic rights that enable refugees to survive lawfully and independently during displacement.

Indonesia has generally respected non-refoulement through administrative practice and cooperation with the United Nations High Commissioner for Refugees despite its non-party status to the Refugee Convention. Nevertheless, protection remains incomplete because safeguards

against return are not accompanied by a comprehensive framework governing refugees' socio-economic rights. Rohingya refugees may consequently receive protection from persecution abroad while continuing to experience economic insecurity in Indonesia. Refugee protection should therefore be understood as a continuum encompassing both physical safety and the effective realization of fundamental human rights. From the perspective of teleological legal interpretation, the objective of international refugee law extends beyond ensuring mere physical survival. The underlying purpose of refugee protection is to preserve human dignity until durable solutions—whether voluntary repatriation, local integration, or third-country resettlement—can be achieved. For refugees who remain in transit countries for several years, lawful access to employment constitutes an essential element of this protective framework because it enables self-reliance, reduces dependence on humanitarian assistance, and facilitates peaceful coexistence with host communities. Accordingly, interpreting refugee protection solely through the lens of immigration control risks undermining the humanitarian objectives that international refugee law seeks to achieve.

The findings of this study indicate that Indonesia's existing legal framework remains disproportionately focused on temporary humanitarian assistance while providing limited attention to refugees' economic rights. Although Indonesia has fulfilled important humanitarian responsibilities by respecting non-refoulement and facilitating cooperation with international organizations, the absence of legal mechanisms regulating refugee employment creates a significant normative gap between international human rights standards and domestic legal practice.

This gap is particularly evident when Indonesia's obligations under the ICESCR, constitutional guarantees of human dignity, and internationally recognized labour standards are considered collectively. Therefore, the principal legal challenge is not solely Indonesia's decision not to ratify the 1951 Refugee Convention but the absence of domestic regulations capable of harmonizing immigration policy with binding international human rights commitments. Strengthening the legal framework governing refugee employment would therefore represent an important step toward achieving a more coherent balance between state sovereignty, humanitarian protection, and socio-economic justice for Rohingya refugees residing in Indonesia.

Normative Gaps between Indonesian Law and International Standards

The legal framework governing Rohingya refugees in Indonesia demonstrates a significant normative gap when compared with international

refugee law and international human rights standards. This gap is not solely attributable to Indonesia's decision not to ratify the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, but also to the absence of comprehensive domestic legislation regulating refugees' legal status and socio-economic rights. Although Presidential Regulation No. 125 of 2016 establishes an administrative mechanism for handling refugees, it does not provide substantive legal rights, particularly regarding access to employment. As a result, refugee protection in Indonesia remains largely humanitarian and administrative rather than rights-based. This fragmented legal framework creates uncertainty regarding the extent of refugees' legal entitlements and limits the realization of internationally recognized socio-economic rights.

From a doctrinal legal perspective, the principal issue concerns the inconsistency between Indonesia's international human rights obligations and its domestic legal framework. Indonesia has ratified several core international human rights instruments, including the International Covenant on Economic, Social and Cultural Rights (ICESCR) through Law Number 11 of 2005 and the International Covenant on Civil and Political Rights (ICCPR) through Law Number 12 of 2005. These treaties impose binding obligations to respect, protect, and progressively fulfil fundamental human rights, including the right to work, equality before the law, and protection against discrimination. However, Indonesian legislation continues to regulate refugees primarily through immigration law, which emphasizes border control and immigration administration rather than the protection of vulnerable individuals forced to flee persecution. Consequently, there exists a doctrinal inconsistency between Indonesia's commitment to universal human rights and the limited legal protection afforded to refugees under domestic legislation.

This inconsistency becomes more evident through statutory interpretation of Presidential Regulation No. 125 of 2016. The regulation establishes procedures for the rescue, accommodation, supervision, and coordination of refugees but remains silent regarding refugees' participation in economic activities. Such legislative silence creates what legal scholars commonly describe as a normative vacuum, where an important legal issue remains unregulated despite its practical significance. Refugees residing in Indonesia for prolonged periods are therefore unable to obtain legal work permits or participate in the formal labour market, even though many possess professional skills and remain economically active through informal employment. The absence of explicit legal regulation does not merely create administrative difficulties but also undermines legal certainty and exposes refugees to labour exploitation, unequal bargaining power, and exclusion from labour protection mechanisms.

A comparative analysis with other jurisdictions illustrates that alternative legal approaches are available, even among countries facing similar migration pressures. Malaysia, like Indonesia, has not ratified the 1951 Refugee Convention or its 1967 Protocol. Refugees in Malaysia are therefore not formally recognized under domestic refugee legislation and remain subject to immigration laws. Nevertheless, Malaysia has developed limited administrative practices that permit certain categories of refugees registered with the United Nations High Commissioner for Refugees (UNHCR) to participate in pilot employment programmes, particularly in sectors experiencing labour shortages. Although these initiatives remain limited and do not constitute a comprehensive legal right to work, they demonstrate that administrative flexibility can be exercised without fundamentally compromising state sovereignty. The Malaysian experience suggests that non-ratification of the Refugee Convention does not necessarily preclude the adoption of pragmatic labour policies aimed at reducing refugee dependence on humanitarian assistance.

The Philippines presents a different legal model. As a State Party to the 1951 Refugee Convention and its 1967 Protocol, the Philippines has incorporated refugee protection within its domestic legal framework and recognizes refugees through formal refugee status determination procedures. Refugees lawfully recognized by the government may obtain access to employment subject to domestic labour regulations applicable to foreign nationals. Although administrative challenges remain, the Philippine approach reflects greater harmonization between international legal obligations and domestic legislation. This legal certainty enables refugees to participate more effectively in economic and social life while allowing government authorities to regulate refugee employment through transparent administrative procedures. The Philippine model demonstrates that recognizing refugees' employment rights does not eliminate governmental control over migration but rather strengthens regulatory certainty for both refugees and employers.

Comparative experience from Uganda further illustrates a rights-based approach to refugee governance. Uganda has frequently been cited as one of the most progressive refugee-hosting countries because its refugee legislation grants recognized refugees the right to work, establish businesses, move freely within the country, and access public services. These rights are accompanied by policies promoting refugee self-reliance and local economic integration. Numerous international assessments indicate that allowing refugees to participate in economic activities has contributed to local development, reduced long-term dependence on humanitarian assistance, and strengthened relations between refugee and host communities. While Indonesia's socio-political context differs

significantly from Uganda's, the Ugandan experience demonstrates that refugee employment may generate economic benefits rather than constituting solely a financial burden on the host State. Consequently, refugee labour policies should be evaluated not only through security considerations but also through their potential contribution to sustainable economic development.

The comparative analysis indicates that the principal difference between Indonesia and these jurisdictions lies not merely in treaty ratification but in the existence of domestic legal mechanisms capable of translating humanitarian protection into enforceable rights. Malaysia relies upon administrative flexibility despite remaining outside the Refugee Convention framework, the Philippines provides legal certainty through treaty implementation, and Uganda adopts comprehensive refugee legislation emphasizing self-reliance. Indonesia, by contrast, remains positioned between these approaches. While humanitarian protection is provided through Presidential Regulation No. 125 of 2016 and cooperation with UNHCR, no legal mechanism exists to regulate refugees' lawful participation in economic activities. This situation creates prolonged dependency and increases the likelihood that refugees will seek employment through informal and unregulated labour markets (Mukhlis, M., Malahayati, M., Ardila, S., & Muammar, 2023).

The persistence of this normative gap reflects the broader legal tension between state sovereignty and international human rights obligations. Under international law, States possess sovereign authority to regulate immigration, determine conditions for entry and residence, and control access to domestic labour markets. This sovereign prerogative constitutes an essential element of territorial integrity and national security. Consequently, Indonesia retains the legal authority to determine whether refugees may participate in formal employment and under what conditions such participation may occur. The principle of sovereignty therefore remains a legitimate consideration in formulating national refugee policy.

However, contemporary international law no longer regards sovereignty as an absolute or unlimited power. The development of international human rights law has established that sovereign authority must be exercised consistently with internationally recognized standards protecting fundamental human rights. By ratifying the ICESCR, the ICCPR, and other international human rights treaties, Indonesia has accepted legal obligations that extend to all individuals within its jurisdiction, including non-citizens in appropriate circumstances. Therefore, restrictions imposed upon refugees' socio-economic rights must satisfy the principles of legality, proportionality, necessity, and non-discrimination. Blanket or indefinite restrictions that effectively deny refugees

any opportunity to achieve economic self-reliance may be difficult to reconcile with these principles, particularly where refugees remain in the country for prolonged periods while awaiting resettlement.

From a doctrinal perspective, this study argues that the relationship between sovereignty and human rights should not be understood as inherently antagonistic. Instead, these principles should be interpreted harmoniously through the doctrine of proportionality, whereby States retain the authority to regulate refugee employment while simultaneously ensuring the protection of minimum human rights standards. A proportionate legal framework could permit refugees to engage in limited sectors of the labour market, subject to work permits, labour inspections, and regulatory oversight, without undermining immigration control or national security. Such an approach would preserve Indonesia's sovereign authority while reducing legal uncertainty and strengthening compliance with international human rights obligations.

The findings of this comparative and doctrinal analysis therefore demonstrate that the principal weakness of Indonesia's refugee regime lies not in its humanitarian commitment but in the absence of comprehensive legal mechanisms capable of balancing immigration governance with refugee protection. Existing regulations prioritize temporary humanitarian assistance while overlooking the socio-economic dimensions of prolonged displacement. Consequently, Rohingya refugees remain protected from refoulement yet excluded from lawful economic participation, producing a legal paradox in which humanitarian protection is provided without corresponding legal empowerment. Bridging this normative gap requires legal reform that integrates constitutional human rights principles, international human rights obligations, and pragmatic migration governance into a coherent refugee protection framework. Such reform would not diminish Indonesia's sovereign authority but rather strengthen the legitimacy, predictability, and effectiveness of its refugee governance in accordance with contemporary developments in international law.

Legal Reform toward Refugee Labour Protection in Indonesia

The foregoing analysis demonstrates that Indonesia's existing refugee governance framework provides humanitarian protection but does not establish a comprehensive legal basis for refugees' economic participation. While Presidential Regulation No. 125 of 2016 has contributed to improving coordination in the management of refugees, it remains primarily administrative in nature and does not regulate refugees' labour rights. Consequently, Rohingya refugees who remain in Indonesia for extended periods continue to experience legal uncertainty regarding their ability to engage in lawful employment. This

situation indicates that future legal reform should move beyond emergency humanitarian assistance toward a rights-based regulatory framework capable of balancing state sovereignty, economic interests, and international human rights obligations.

The first priority for legal reform is the development of a clearer normative framework governing refugees' legal status and access to employment. Although ratification of the 1951 Refugee Convention would provide the strongest legal basis for refugee protection, such ratification remains a matter of national political discretion. Therefore, meaningful reform may be achieved even without immediate accession to the Convention. Indonesia could adopt a dedicated refugee law or amend existing legislation to establish minimum legal standards concerning refugees' rights and obligations during their temporary stay. Such legislation should define refugee status, clarify institutional responsibilities, establish procedures for documentation, and regulate lawful access to employment through transparent administrative mechanisms. This approach would enhance legal certainty while preserving Indonesia's authority to determine the scope and conditions of refugee participation in the labour market.

In addition to legislative reform, Presidential Regulation No. 125 of 2016 should be revised to include explicit provisions concerning refugees' socio-economic rights (Havez, M., Ernawati, N., Pitaloka, D., Rosidi, A., & Jumadi, 2024). From a systematic legal perspective, the current regulation focuses predominantly on rescue operations, accommodation, security, and institutional coordination while overlooking the realities of protracted displacement. Many Rohingya refugees remain in Indonesia for several years while awaiting durable solutions through voluntary repatriation or third-country resettlement. During this prolonged period, the absence of legal employment opportunities not only undermines refugees' dignity but also increases dependence on humanitarian assistance. Accordingly, amendments to the Presidential Regulation should provide a legal basis for temporary work authorization, vocational training, and skills recognition under clearly defined conditions and government supervision.

A second area requiring reform concerns institutional coordination. Refugee governance in Indonesia currently involves numerous institutions, including the Ministry of Law, the Directorate General of Immigration, local governments, the Ministry of Social Affairs, the Ministry of Manpower, the Ministry of Foreign Affairs, the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), and various humanitarian organizations. Although this multi-agency approach facilitates humanitarian assistance, overlapping institutional responsibilities frequently result in fragmented decision-making and inconsistent implementation. In

particular, the absence of a designated institution responsible for refugee employment policy creates uncertainty regarding licensing, labour supervision, and enforcement. Strengthening institutional coordination through clearly defined legal mandates would improve regulatory consistency and enhance policy implementation.

A coordinated institutional framework should also incorporate local governments as active participants in refugee management. Provinces and municipalities hosting significant refugee populations possess direct knowledge of local labour market conditions, community needs, and economic capacities. Their involvement would enable the implementation of context-specific employment programmes while ensuring that refugee participation remains compatible with local development priorities. Furthermore, cooperation between central and local authorities would facilitate more effective monitoring of labour standards, prevent exploitation, and reduce the risk of irregular employment practices. Such coordination would strengthen both legal certainty and administrative accountability.

Legal reform should also promote economic integration as an essential component of refugee protection. International experience demonstrates that allowing refugees to participate in regulated economic activities may generate benefits for both refugees and host communities. Refugees who are able to work legally become less dependent on humanitarian assistance, contribute to local economies through consumption and taxation where applicable, develop professional skills, and reduce the fiscal burden associated with prolonged humanitarian support. Conversely, excluding refugees entirely from formal employment often encourages participation in informal labour markets characterized by low wages, unsafe working conditions, and labour exploitation. Therefore, refugee employment should not be viewed exclusively as a humanitarian issue but also as an economic policy capable of promoting sustainable development.

From a teleological perspective, employment constitutes a mechanism through which the broader objectives of refugee protection may be realized. The purpose of refugee protection extends beyond ensuring physical safety to restoring human dignity and enabling self-reliance. Consequently, legal access to employment should be interpreted as supporting the humanitarian objectives of both international refugee law and international human rights law. Nevertheless, economic integration should be implemented gradually and within a regulated framework that considers Indonesia's domestic labour market conditions. Temporary work permits, employment in sectors experiencing labour shortages, vocational education, entrepreneurship programmes, and public-private

partnerships represent practical mechanisms capable of balancing humanitarian objectives with national economic interests.

The implementation of regulated refugee employment must also incorporate safeguards protecting Indonesian workers and maintaining public confidence in refugee policy. Refugee access to employment should therefore be subject to objective administrative requirements, including valid refugee registration, identity documentation issued through cooperation with UNHCR, compliance with labour regulations, and monitoring by relevant government authorities. Priority could be given to sectors experiencing labour shortages or occupations requiring specialized skills that do not directly displace domestic workers. Such safeguards would demonstrate that refugee employment complements rather than competes with the national labour force, thereby reducing public concern regarding labour market competition.

Policy reform should further strengthen cooperation between Indonesia and international organizations. The UNHCR and IOM possess extensive expertise in refugee registration, skills assessment, vocational training, and livelihood programmes that may support the development of national refugee employment policies. Collaboration with the International Labour Organization (ILO) could also facilitate the adoption of labour standards consistent with international best practices while ensuring adequate protection for both refugees and employers. In addition, greater engagement with civil society organizations, academic institutions, and the private sector would promote evidence-based policymaking and expand opportunities for refugee skills development and economic participation.

Comparative experience from countries such as Uganda and the Philippines suggests that regulated refugee employment may contribute positively to social cohesion when accompanied by transparent legal rules and effective institutional oversight. Although Indonesia's political, economic, and demographic circumstances differ from those jurisdictions, their experiences demonstrate that refugee protection and national interests need not be mutually exclusive. Rather, a carefully designed legal framework may simultaneously protect refugees' fundamental rights, preserve immigration control, and support local economic development. Accordingly, future refugee policy should emphasize proportionality by balancing humanitarian obligations with legitimate concerns relating to security, labour market regulation, and state sovereignty.

The findings of this research therefore support the adoption of a rights-based yet sovereignty-sensitive model of refugee labour protection. Such a model recognizes that Indonesia retains sovereign authority over immigration and

employment policy while acknowledging that this authority should be exercised consistently with constitutional principles and international human rights obligations. Rather than granting unrestricted labour market access, the proposed framework advocates regulated and conditional employment rights based on legal certainty, administrative supervision, and respect for labour standards. This approach would transform refugee protection from a predominantly humanitarian response into a more sustainable legal system capable of promoting both refugee self-reliance and effective migration governance.

Ultimately, strengthening the legal protection of refugee labour rights requires a combination of legislative reform, institutional coordination, and pragmatic policy development. A comprehensive legal framework should clearly define refugees' legal status, establish transparent procedures for temporary employment authorization, strengthen cooperation among relevant institutions, and integrate refugees into carefully regulated economic activities without undermining national interests. Such reforms would reduce legal uncertainty, minimize dependence on humanitarian assistance, improve compliance with Indonesia's international human rights commitments, and enhance the overall effectiveness of refugee governance. In this way, Indonesia would not only reinforce its longstanding humanitarian tradition but also develop a more coherent and sustainable legal framework capable of addressing the realities of prolonged refugee displacement in the twenty-first century.

Forms of Handling and Solutions for International Refugees

1. Voluntary Repatriation

Voluntary repatriation is a durable solution for refugees in the international refugee protection system. This concept refers to the voluntary return of refugees to their country of origin once conditions in that country are deemed safe. Repatriation is considered the most ideal solution because it allows refugees to return to their homeland with their familiar identity, culture, and social environment.

In international legal practice, voluntary repatriation must be carried out based on the refugees' free will without pressure, threats, or coercion from the receiving country or any other party. This principle is crucial because many cases have shown attempts to forcibly return refugees for the political or security interests of a particular country. Therefore, the consent of the refugees is a primary requirement for repatriation.

Voluntary repatriation is usually carried out when the armed conflict, civil war, or persecution that caused the population displacement has ended.

Furthermore, the country of origin must also be able to guarantee security, legal protection, and the fulfillment of basic rights for returning refugees. Without such guarantees, repatriation could jeopardize the safety of refugees and violate the principle of non-refoulement.

The role of the United Nations High Commissioner for Refugees is crucial in the voluntary repatriation process. UNHCR is tasked with ensuring that the repatriation process is carried out safely, with dignity, and in accordance with human rights principles. Furthermore, UNHCR also monitors conditions in the country of origin before and after refugees are repatriated to ensure their safety remains assured.

One example of voluntary repatriation can be seen in the Afghan refugees who returned to their country after the easing of conflict in the early 2000s. Many Afghans who had previously fled to Pakistan and Iran decided to return to Afghanistan after the change of government and international assistance for the country's reconstruction. However, some refugees still face challenges such as poverty, political instability, and limited access to employment.

Another example is the repatriation of Rwandan refugees after the 1994 genocide. After the security situation began to improve, millions of Rwandan refugees from neighboring countries such as Zaire and Tanzania returned to their home country. This repatriation process was subject to international oversight to ensure there were no reprisals or human rights violations against the returning refugees.

In Southeast Asia, voluntary repatriation was also implemented for some refugees from East Timor following the 1999 referendum. Some people who had previously fled to Indonesia chose to return to Timor Leste after the political situation became relatively stable. However, this process was not always easy due to the lingering trauma of the conflict, damaged infrastructure, and economic uncertainty in their home regions.

Although considered the best solution, voluntary repatriation often faces various obstacles. One major obstacle is the lack of stability in the country of origin even though the conflict has officially ended. In some cases, refugees are repatriated too quickly, leaving them facing the threat of violence, discrimination, or severe economic hardship. This situation can lead to secondary displacement.

Besides security factors, social and economic issues also pose significant challenges to voluntary repatriation. Many refugees lost their homes, land, jobs, and identity documents during the conflict. Upon returning to their home countries, they must start over with limited resources.

Therefore, international support in the form of humanitarian aid, infrastructure development, and economic recovery is essential for the repatriation process to be effective.

Therefore, voluntary repatriation is not simply about returning refugees to their home countries, but also about efforts to create a safe and decent life after their return. The success of repatriation depends heavily on the stability of the country of origin, respect for human rights, and cooperation between the country of origin, the host country, and international organizations. Without these guarantees, repatriation has the potential to create new humanitarian challenges for refugees.

2. Local Integration

Local integration is a durable solution for handling international refugees. This solution allows refugees to settle in the host country and integrate with the local community through the granting of certain rights. These rights can include access to housing, employment, education, healthcare, and the opportunity to obtain citizenship. Local integration aims to enable refugees to live independently and not remain dependent on humanitarian assistance. From an international legal perspective, local integration is seen as a form of long-term protection for refugees who are unable to return to their home country. This situation usually occurs due to ongoing conflict, war, or persecution in the host country, making the refugee's safety uncertain. Therefore, the host country provides refugees with the opportunity to build a new life in its territory.

The local integration process is not only related to legal aspects but also encompasses social, cultural, and economic dimensions. Refugees need to adapt to the language, culture, customs, and social systems of the local community. On the other hand, communities in host countries are also required to accept refugees to create harmonious social relations and reduce the potential for discrimination and social conflict.

The role of the United Nations High Commissioner for Refugees is crucial in supporting local integration. UNHCR collaborates with host governments to help refugees gain access to education, job training, health services, and legal protection. Furthermore, international organizations also help create economic empowerment programs so that refugees can meet their needs independently.

One example of successful local integration can be seen in Canada, which has received many refugees from Syria since 2015 (Ernawati, 2019). The Canadian government provides various facilities, such as temporary housing, language courses, education for children, and employment opportunities. Through this policy, many Syrian refugees have successfully adapted and become part of Canadian society.

Another example occurs in Uganda, known as one of the countries with the most open refugee policies in Africa. The Ugandan government

provides agricultural land to refugees from South Sudan and the Democratic Republic of Congo so they can work and support themselves. This policy helps refugees become more independent and reduces dependence on international aid.

In Southeast Asia, the implementation of local integration still faces many challenges. Indonesia, for example, has not ratified the 1951 Refugee Convention, so refugees do not have full rights to formal employment or citizenship. As a result, many refugees in Indonesia only stay temporarily while awaiting resettlement in a third country. This situation means that local integration in Indonesia has not been optimal.

Despite its good humanitarian goals, local integration often creates various problems in host countries. One major challenge is the economic and social burden borne by the host country, especially when the number of refugees is large. The presence of refugees is sometimes perceived as increasing competition for jobs, increasing the burden on public services, and triggering social tensions with local communities.

Furthermore, cultural barriers and discrimination often hinder the local integration process. Not all communities readily accept refugees, especially when there are significant differences in language, religion, or culture. In some cases, refugees experience marginalization and difficulty finding decent employment even after living in the host country for years.

Therefore, local integration is an important solution in international refugee protection because it provides refugees with the opportunity to build new lives independently and with dignity. However, successful local integration requires support from various parties, including the government, the community, and international organizations. Without inclusive cooperation and policies, local integration has the potential to create new social problems for both refugees and host countries.

3. Third Country Resettlement

Third country resettlement is a durable solution in handling international refugees (Putri, R. W., Putri, Y. M., Ernawati, N., Havez, M., & Sabatira, 2024). Resettlement involves moving refugees from the country where they first sought asylum to another country willing to accept them and provide permanent protection. This solution is usually implemented when refugees are unable to return to their home country and are having difficulty integrating in the first host country.

In practice, resettlement involves more than just relocating, but also granting them legal status and basic rights so they can build a decent new life. Third countries generally provide access to housing, education, employment, healthcare, and the opportunity to obtain citizenship. This way, refugees no longer live in legal uncertainty or depend on humanitarian assistance.

The resettlement program is implemented through collaboration between host countries and the United Nations High Commissioner for

Refugees. UNHCR plays a role in identifying and selecting refugees deemed most in need of protection, such as victims of torture, vulnerable women and children, and refugees with serious health conditions. The third host country then determines whether the refugees meet the requirements for acceptance.

One example of significant resettlement is the case of Syrian refugees due to the civil war that has been ongoing since 2011. Many countries, such as Canada, Germany, and the United States, have accepted thousands of Syrian refugees for permanent resettlement. The host governments provide housing assistance, language training, education, and social adaptation programs to help refugees adjust to their new environment.

Canada is one of the countries actively implementing a Syrian refugee resettlement program. The Canadian government even involves civil society and religious organizations in supporting the refugee adaptation process. Through this policy, many refugee families have successfully obtained employment, education, and a more stable life than they had in refugee camps.

Another example is the resettlement of Vietnamese refugees after the Vietnam War in the 1970s. Thousands of refugees, known as "boat people," fled to Southeast Asian countries such as Indonesia, Malaysia, and Thailand. Because these countries were unable to accommodate the refugees permanently, many were resettled in third countries such as the United States, Australia, and Canada.

Indonesia has also been a transit country in international resettlement programs. One example is the presence of Afghan, Somali, and Myanmar refugees living temporarily in Indonesia while awaiting resettlement in a third country. Because Indonesia has not ratified the 1951 Refugee Convention, most refugees cannot work formally or obtain permanent residency status, making resettlement their primary hope.

Although considered an effective humanitarian solution, resettlement has limitations in its implementation. The number of countries willing to accept refugees is often disproportionate to the growing global refugee population. As a result, many refugees must wait for years in transit countries before securing resettlement in a third country.

Furthermore, the process of adapting to a new country is not always easy for refugees. Differences in language, culture, climate, and social systems often create difficulties in daily life. Many refugees experience discrimination, difficulty finding employment, or psychological trauma due to experiences of conflict and prolonged displacement.

Therefore, resettlement is a crucial form of protection for refugees who are unable to return to their home countries or integrate in their first host country. The success of this program depends heavily on the commitment of third countries, the support of international organizations, and the refugees' readiness to adapt to their new environment. Despite facing various

challenges, resettlement remains a crucial solution for providing a safe, dignified, and sustainable life for refugees.

CONCLUSION

The issue of Rohingya refugees' access to the Indonesian labor market reflects a significant gap between international human rights principles and national legal implementation. Although Indonesia has demonstrated a humanitarian commitment by accommodating Rohingya refugees, the absence of explicit legal provisions granting refugees the right to work has created persistent legal uncertainty and limited their participation in the formal employment sector. As a result, most Rohingya refugees remain dependent on humanitarian assistance or engage in informal employment characterized by low wages, insecurity, and vulnerability to exploitation.

This study finds that existing Indonesian regulations prioritize immigration control and temporary protection rather than long-term socio-economic integration. Consequently, the theoretical recognition of refugees' human rights, particularly the right to work, has not been effectively translated into practical access within the Indonesian labor market. At the same time, several initiatives conducted by NGOs and local communities indicate that limited forms of economic participation are still possible and can contribute positively to social stability and refugee self-reliance.

Therefore, Indonesia requires more adaptive legal and policy reforms that balance humanitarian obligations, national interests, and labor market concerns. Clear regulatory mechanisms regarding refugee employment, vocational training, and supervised work opportunities could reduce refugees' dependency while minimizing social tensions within host communities. Ultimately, improving access to decent work for Rohingya refugees is not only a matter of human rights protection but also a strategic step toward strengthening economic inclusion, social cohesion, and sustainable refugee management in Indonesia.

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