

# The Role of the United Nations High Commissioner for Refugees in Protecting the Human Rights of Rohingya Refugees in North Sumatra, 2020-2025

Nabilah Aida Akbar Lubis<sup>1\*</sup>, Arie Kusuma Paksi<sup>2</sup>

<sup>1,2</sup>Universitas Muhammadiyah Yogyakarta

Corresponding Author's e-mail : [nabilah.aida.isip23@mail.umy.ac.id](mailto:nabilah.aida.isip23@mail.umy.ac.id) [ariekusumapaksi@umy.ac.id](mailto:ariekusumapaksi@umy.ac.id)



e-ISSN: 2964-0962

SEIKAT: Jurnal Ilmu Sosial, Politik dan Hukum

<https://ejournal.45mataram.ac.id/index.php/seikat>

Vol. 5, No. 3, Juni 2026

Page: 486-498

Available at:

<https://ejournal.45mataram.ac.id/index.php/seikat/article/view/2173>

DOI:

<https://doi.org/10.55681/seikat.v5i3.2173>

Article History:

Received: 05-04-2026

Revised: 10-05-2026

Accepted: 20-06-2026

**Abstract** : UNHCR plays a role in safeguarding the human rights of refugees in every region. This is particularly true regarding the arrival of Rohingya refugees in Indonesia, which has become a transit country for them before they reach their destination country or a third country. Focusing on North Sumatra for the 2020–2025 period, even though Indonesia has not yet ratified the 1951 Convention or the 1967 Protocol, UNHCR remains active in providing humanitarian protection and advocating for the rights of refugees, including access to education for children. The Indonesian government's support is evident through legal instruments such as Law No. 39 of 1999 on Human Rights and Presidential Regulation No. 125 of 2016, which facilitate the fulfillment of refugees' basic needs. Nevertheless, obstacles persist due to the absence of an official mechanism for determining refugee status and limited resources. This study highlights UNHCR's contribution to addressing these gaps by coordinating with local authorities and civil society through an international humanitarian governance approach. These findings underscore the urgency of enhancing collaboration and policy reform to ensure sustainable and equitable protection for Rohingya refugees in the region

**Keywords** : UNHCR; Rohingya Refugees; Human Rights; Refugee Protection; North Sumatra; Transit; Aceh

## Abstrak :

UNHCR memiliki peran dalam menjamin hak asasi para pengungsi di setiap wilayah. Terkhusus kedatangan para pengungsi Rohingya ke Indonesia dan menjadikan Indonesia sebagai negara transit sebelum datang ke negara destinasi atau negara ketiga. Berfokus di Sumatera Utara pada periode 2020–2025, walaupun Indonesia belum meratifikasi Konvensi 1951 maupun Protokol 1967, UNHCR tetap aktif memberikan perlindungan kemanusiaan serta mengadvokasi hak-hak pengungsi, termasuk akses pendidikan bagi anak-anak. Dukungan pemerintah Indonesia terlihat melalui instrumen hukum seperti Undang-Undang No. 39 Tahun 1999 tentang HAM dan Peraturan Presiden No. 125 Tahun 2016, yang memfasilitasi pemenuhan kebutuhan dasar pengungsi. Kendati demikian, hambatan masih muncul akibat ketiadaan mekanisme resmi penentuan status pengungsi dan keterbatasan sumber daya. Studi ini menekankan kontribusi UNHCR dalam menutup celah tersebut dengan berkoordinasi bersama otoritas lokal dan masyarakat sipil melalui pendekatan tata kelola kemanusiaan internasional (international humanitarian governance). Temuan ini menegaskan urgensi peningkatan kolaborasi serta reformasi kebijakan demi menjamin perlindungan yang berkelanjutan dan adil bagi pengungsi Rohingya di kawasan tersebut

**Kata Kunci** : UNHCR; Pengungsi Rohingya; Hak Asasi Manusia; Perlindungan Pengungsi; Sumatera Utara; Transit; Aceh

## INTRODUCTION

From 2020 to 2025, Indonesia has once again received Rohingya refugees arriving by sea, particularly in the regions of Aceh and North Sumatra. Indonesia has become one of the most sought-after transit countries for Rohingya refugees before they reach their destination countries or third countries. Southeast Asia, particularly Indonesia, serves as a transit region for refugees and asylum seekers seeking protection. Indonesia's geographical position is highly strategic, as it lies between two continents Asia and Australia and is bordered by the Indian Ocean and the Pacific Ocean. Additionally, Indonesia shares borders with many Asian nations and has numerous entry points via waters with relatively lax surveillance. These conditions make Indonesia vulnerable to illegal entry by foreign nationals, including refugees and asylum seekers. In a regional context, Indonesia often serves as the final stopover before asylum seekers and refugees continue their journey to their destination countries, particularly Australia (Helfianti, 2025).

This conflict is undoubtedly a humanitarian issue and represents a universal responsibility for every country that provides refuge to refugees, as affirmed in the Universal Declaration of Human Rights (UDHR). This applies when refugee groups face discrimination, as is clearly evident in the case of the Rohingya refugees. The number of Rohingya refugees continues to rise, and their presence is inevitable given Indonesia's geographical proximity to Myanmar. This conflict has become protracted, triggering waves of refugees that can impact neighboring countries, including Indonesia, as seen in various news reports regarding the Rohingya crisis and other conflict zones (Aprina *et al.*, 2025).

Specifically in North Sumatra, this region has become a transit point for refugees for good reason. Refugees use North Sumatra as a transit point because it is situated at a global crossroads between two continents and oceans, making it a strategic location for refugees or undocumented immigrants particularly Rohingya refugees to pass through. According to data obtained from the Medan City Refugee Task Force, as of May 2022, there were 1,667 refugees and asylum seekers recorded in North Sumatra; these refugees are housed in various locations, specifically 19 sites within the city of Medan. The presence of these refugees has led to various challenges, ranging from positive to negative impacts. These challenges have subsequently sparked social conflicts within the local community. These range from the large number of refugees violating regulations to, ultimately, causing social jealousy between the local community and the refugees themselves. Consequently, this issue poses a challenge for the government of North Sumatra in managing the refugee situation. Moreover, the number of refugees continues to increase year after year (Chandra *et al.*, 2023).

Rohingya refugees are a Muslim ethnic minority group originating from Myanmar, specifically from the Rakhine region. These refugees have faced various forms of discrimination and violence at the hands of their own government. Consequently, one of the options available to them is to leave their home country and flee to other nations in search of refuge. The humanitarian crisis in Myanmar has had a profound impact on the Rohingya people. Communal violence swept through Rakhine, Myanmar, in 2012, leading the vast majority of Rohingya to leave their homeland and seek refuge in various foreign countries (Saputra *et al.*, 2023).



**Figure 1:** Map of Myanmar and Rakhine State (source: Rakhine, Rohingya State).

For years, Rohingya refugees have gone to great lengths to reach other countries in search of refuge. One method they have employed is undertaking dangerous sea journeys from Myanmar and Bangladesh to seek protection for themselves and their families, as well as to fulfill their hopes for safety and access to education and decent work. Many of those who arrived in Indonesia by sea landed in Aceh and North Sumatra. From 2023 to the present, approximately 3,770 people mostly Rohingya refugees have arrived in these two provinces using at least 27 boats. Although some have already left Indonesia, more than 1,000 people still reside in temporary shelters in Aceh, North Sumatra, and Riau, while several other provinces provide alternative accommodations (UNHCR, 2025). Information obtained from UNHCR indicates that these refugees chose to undertake the sea journey driven by various factors. These factors range from the various problems they face in their home country, including the uncertainty that Myanmar has yet to resolve, as well as ongoing delays in addressing the root causes of the Rohingya refugee crisis itself, which prevent them from returning to their home country.

Their presence in Indonesia poses humanitarian challenges, particularly because Indonesia has not yet ratified the 1951 Refugee Convention and the 1967 Protocol. Regulations regarding the handling of refugees in Indonesia were enacted in 2016 by President Joko Widodo. These regulations govern the protection, shelter, and identification process for asylum seekers and refugees, while also strengthening collaboration between the Indonesian government and UNHCR. UNHCR's involvement in refugee management is governed by Jakarta Governor's Decree No. 1550 of 2021, which mandates the agency to provide psychosocial support, education, and basic needs assistance. The implementation of this policy involves various agencies such as the Jakarta Disaster Management Agency (BPBD), the Education Department, the International Organization for Migration (IOM), the Social Affairs Department, and the Immigration Detention Center (Rudenim). Currently, there are 13 Rudenims in Indonesia, located in Balikpapan, Batam, Denpasar, Jakarta, Jayapura, Kupang, Makassar, Manado, Medan, Pontianak, Tanjung Pinang, Semarang, and Surabaya, which play a role in supervising refugees and coordinating with UNHCR (Putri & Achsin, 2023).

This means that Indonesia does not yet have a comprehensive national legal system specifically governing refugee status. However, humanitarian and human rights considerations are the primary reasons why the Indonesian government grants permission to these refugees to reside temporarily in certain regions (Astariyani et al., 2023). Although Indonesia has not formally become a party to the 1951 Geneva Convention or the 1967 Protocol, the practice of accepting refugees within its territory remains grounded in the principle of *non-refoulement*. As stipulated in Article 33(1) of the 1951 Convention, this principle explicitly prohibits a state from expelling or returning refugees to a territory where their safety and freedom would be threatened due to factors such as race, religion, nationality, or political affiliation. In the discourse of international law, this principle has been recognized as a fundamental, peremptory norm (*jus cogens*), thereby binding all states without exception, regardless of their ratification status of the convention. As a means of incorporating international norms into domestic law, Indonesia has enacted Presidential Regulation No. 125 of 2016. This regulation serves as the primary legal instrument affirming the nation's commitment to providing minimum protection standards for refugees in accordance with the global human rights legal framework (Leviza & Azam, 2020).

In this situation, the role of the United Nations High Commissioner for Refugees (UNHCR) is crucial in ensuring the protection of the human rights of Rohingya refugees. Indonesia cannot grant refugee status; this authority rests with the UNHCR. Collaboration between the Indonesian government and the UNHCR focuses on managing refugee flows, particularly through the Refugee Status Determination (RSD) mechanism. Strict migration policies in destination countries such as Australia have resulted in many refugees being stranded in Indonesia while awaiting resettlement to a third country. Legally, this approach is grounded in Presidential Regulation No. 125 of 2016, which governs assistance schemes, the involvement of state and non-state actors, and emergency procedures for the rescue of refugees in maritime areas (Putri & Achsin, 2023). Therefore, this article discusses how UNHCR carries out its role in protecting Rohingya refugees in North Sumatra during the 2020–2025 period.

This article adopts an international humanitarian governance approach. International humanitarian governance emphasizes the collective responsibility of global actors, particularly international organizations such as UNHCR, to protect refugees. Under this approach, international organizations such as UNHCR bear the responsibility to protect refugees, particularly in countries that lack a robust refugee legal system. This is especially true in countries that lack a robust legal framework for refugee protection. The 1951 Refugee Convention and the 1967 Protocol establish the legal foundation for refugee protection. This framework underscores the importance of global governance in addressing refugee issues, balancing state sovereignty with humanitarian obligations (Supriadi, 2022).

The UNHCR's mandate is not limited to overseeing legal aspects alone, but also encompasses concrete actions that can be taken on the ground. This includes efforts to facilitate the safe return of refugees, ensure the application of the principle of non-refoulement so that they are not returned to dangerous places, and promote international solidarity through instruments such as the Global Compact on Refugees, which aims to share responsibility among nations (Oliveira, 2019). UNHCR is tasked with ensuring that refugees' basic rights such as the right to protection, safety, and humanitarian assistance remain fulfilled. Additionally, UNHCR plays a role in coordinating with governments and other organizations to ensure effective protection for refugees. Through this framework, we can understand how UNHCR operates in Indonesia, particularly in North Sumatra, in addressing various challenges.

In situations where national systems are inadequate, UNHCR often steps in to provide protection and direct assistance. This is particularly important during mass refugee flows, when

the international protection system faces significant strain. UNHCR collaborates with other organizations, such as the International Organization for Migration (IOM), to address complex migration flows, although challenges in defining clear roles and responsibilities remain (Moretti, 2020). Furthermore, the intersection of international refugee law, humanitarian law, and human rights law strengthens the protection framework, ensuring that refugees are protected under various legal regimes. However, the effectiveness of this system depends on international cooperation and the willingness of states to uphold their obligations under international law; strengthening UNHCR's oversight role and promoting participatory global governance are crucial steps toward fairer and more effective refugee protection (Simeon, 2011).

The sea journey undertaken by Rohingya refugees is extremely risky because it is usually made on unseaworthy vessels operated by smugglers or human traffickers. In March 2024, a boat carrying approximately 142 people capsized in the waters off West Aceh, killing 67 passengers, including 27 children. From 2023 through 2024, more than 1,000 Rohingya refugees died or went missing at sea, including about 200 people who drowned in November 2023 while en route to Indonesia.

Those who managed to reach land reported experiencing various forms of suffering at sea, such as gender-based violence, physical abuse, malnutrition, exploitation, and extortion. Despite being aware of the grave risks, many refugees still chose to undertake this journey out of fear and desperation. In previous years, in accordance with Presidential Regulation No. 125 of 2016, Rohingya boats in distress were rescued and allowed to land in Indonesia by the navy, local governments, and coastal communities in Aceh. After disembarkation, authorities designated temporary shelters, where UNHCR, IOM, and other partners provided protection and basic assistance (UNHCR, 2025).

## METHOD

This study employs a qualitative method using a document analysis approach to examine the complexities of the phenomenon under investigation. This approach was chosen to gain an in-depth understanding of the dynamics of refugee protection through the analysis of texts and policies. Data collection involves reviewing and reconstructing various sources, such as books, journals, and previous research findings. This approach is descriptive in nature and tends to utilize inductive analysis. In qualitative methods, this research is a process to understand various existing phenomena, ranging from human phenomena to various aspects of social life. In this qualitative method, results are typically presented in the form of narrative descriptions, such as providing an in-depth perspective on the case study being discussed. These insights are derived from various sources that can be analyzed (Fadli, 2021).

The data was obtained from official UNHCR reports, Indonesian government policy documents, and national and international news archives. In addition, academic literature including journals, books, and previous research relevant to the handling of Rohingya refugees in Indonesia was used as a theoretical foundation to strengthen the argument. The data was analyzed to examine UNHCR's role in providing legal protection and humanitarian for Rohingya refugees in North Sumatra during the 2020–2025 period. Data collection was conducted using a literature review focused on the significant period from 2020 to 2025. The researcher categorized data related to legal protection, the provision of basic assistance, and cross-sectoral coordination in the North Sumatra region. By examining various official documents and field reports, this study seeks to capture the objective reality regarding the challenges and achievements of UNHCR in carrying out its international mandate amidst domestic regulatory constraints and local socio-political dynamics.

All the data collected was then analyzed using content analysis and descriptive-analytical techniques. The primary focus of this analysis was to evaluate the strategic role of UNHCR in providing human rights protection and humanitarian assistance to Rohingya refugees, particularly in various shelters in North Sumatra. This analysis includes a review of the Refugee Status Determination (RSD) procedure, the role of cooperation between local governments and international organizations, the fulfillment of refugees' basic rights, as well as efforts to find long-term solutions for refugees amidst restrictive policies by third countries during the five-year observation period.

## FINDINGS

This study identifies that UNHCR's role in protecting Rohingya refugees in North Sumatra is not merely normative, but also operational and strategic. The findings of this study indicate that UNHCR performs key functions in determining refugee status, coordinating humanitarian assistance, and building partnerships with various local and international actors. Additionally, various challenges arise from policy, social, and resource constraints. These factors inevitably impact the effectiveness of the protection provided. Therefore, this section will systematically outline UNHCR's role based on its functions and on-the-ground implementation during the 2020–2025 period.

### UNHCR and Its Role in Refugee Affairs

The United Nations High Commissioner for Refugees (UNHCR) is an agency of the United Nations tasked with protecting refugees worldwide. UNHCR is an international organization focused on addressing refugee issues, established on January 1, 1951, by the United Nations General Assembly. In general, UNHCR was established to ensure that everyone fleeing conflict, violence, or persecution receives international protection. UNHCR's primary tasks are to provide legal protection, help meet basic needs, and seek long-term solutions for refugees, such as resettlement or voluntary repatriation. UNHCR's primary mandate is to ensure that individuals fleeing conflict, violence, or persecution receive international protection. This includes providing legal protection and helping to meet basic needs such as food, shelter, and healthcare. UNHCR operates nearly 300 refugee camps worldwide, with populations ranging from 25,000 to nearly 100,000 people per camp

In Indonesia, the role of UNHCR is particularly important because Indonesia has not yet ratified the 1951 Convention Relating to the Status of Refugees. This means that the Indonesian government does not directly grant refugee status. Under these circumstances, UNHCR is the authority responsible for determining whether an individual is eligible for refugee status or is merely an asylum seeker. This role makes UNHCR a key player in Indonesia's refugee protection system. UNHCR's role extends beyond direct assistance to include long-term solutions for refugees. This involves efforts to integrate refugees into host communities or resettle them in third countries. However, the organization faces significant challenges, including reliance on voluntary contributions from states, which can limit its operational capacity. Additionally, the complexity of managing a diverse refugee population in precarious conditions with limited resources poses ongoing difficulties. Despite these challenges, UNHCR continues to adapt, as evidenced by the adoption of the Camp Alternatives Policy in 2014, which aims to enhance inclusion and quality of life for refugees by promoting permanent settlement over traditional camps.

Refugees and asylum seekers in Indonesia are distributed across a number of major cities. According to UNHCR data as of August 2021, there were 1,908 people in Medan, 908 in Pekanbaru, 7,002 in Jakarta, 78 in Semarang, 411 in Surabaya, 35 in Denpasar, 219 in Kupang,

and 1,744 in Makassar. In addition, there are 93 people scattered across other locations. The number of refugees in Indonesia ( ) is dynamic and may change over time, depending on the arrival and departure of refugees in Indonesia (Putri & Achsin, 2023).

In carrying out its mandate, UNHCR serves as the lead coordinator, fostering synergy among inter-agency responses at various administrative levels, from the local to the national level. Through strategic collaboration with IOM and humanitarian partners in Aceh, North Sumatra, Riau, and Jakarta, UNHCR actively advocates with government authorities and security agencies regarding the principles of international protection for Rohingya refugees. Aid management is carried out systematically using the 4W matrix (Who, Where, When, What) to map logistics distribution and identify gaps in meeting basic needs in the shelters. In addition to technical aspects, UNHCR also carries out public education functions by engaging various elements of civil society, academics, and religious leaders to mitigate the spread of disinformation and hate speech targeting refugee communities (UNHCR, 2025).

North Sumatra, in particular, is the only province collaborating with the UN High Commissioner for Refugees (UNHCR) to provide shelter for underage refugees and asylum seekers. However, various conflicts have arisen between the local community and these Rohingya refugees, which will undoubtedly be detrimental to Indonesia. Therefore, the role of UNHCR is crucial here to help stabilize the various conflicts between local residents and the refugees. The Indonesian government has expressed concern that ratifying the 1951 Refugee Convention could have implications for national security stability as well as the state's responsibility toward foreign nationals seeking asylum.

There is a perception that ratification would act as a "magnet," triggering a massive influx of immigrants into Indonesian territory. Nevertheless, although it is not a party to the convention, Indonesia, as part of the international community, remains bound by humanitarian principles. This means Indonesia cannot arbitrarily reject asylum seekers, especially when their safety is at risk if returned to their country of origin (the principle of non-refoulement). In addition to existing internal issues, various challenges also arise from external factors. This includes difficulties in repatriating Rohingya immigrants to Myanmar due to the deteriorating security situation, especially since the UNHCR has not designated these immigrants as transit refugees in Indonesia, and the Myanmar Embassy in Indonesia shows no concern for the Rohingya issue, which is now widespread not only in Indonesia but has spread to various countries. This is because they do not recognize the Rohingya as citizens of Myanmar.

To address these various conflicts, UNHCR will carry out its duties and responsibilities to provide protection and assistance in accordance with the Memorandum of Understanding (MoU); for example, interviews will be conducted with Rohingya refugees arriving in North Sumatra, Indonesia. Subsequently, UNHCR will issue a decision on whether these Rohingya refugees will be granted refugee status and subsequently receive a refugee certificate, or, if the interview is unsuccessful, their refugee status will be denied.

### **Some of UNHCR's Roles for Rohingya Refugees in North Sumatra** ***Refugee Status Determination (RSD)***

One of UNHCR's most important roles is conducting Refugee Status Determination (RSD). Through this process, UNHCR interviews and assesses asylum seekers to determine whether they qualify as refugees under international law. In Indonesia, since there is no national system in place to regulate this, UNHCR is the only agency authorized to grant refugee status. As of May 2025, thousands of Rohingya refugees are recorded as being in temporary shelters in Aceh, North Sumatra, and Riau. They require official documentation from UNHCR to secure legal protection

and avoid forced deportation. Through the RSD process, UNHCR ensures that their fundamental rights are upheld and that they are recognized as refugees in need of international protection. UNHCR's operations in Indonesia are grounded in five core pillars, with the RSD mechanism serving as the most critical instrument. UNHCR's dominant role in this status determination is a logical consequence of Indonesia's lack of formal commitment to international refugee law (Leviza & Azam, 2020).

In addition to determining status based on global standards, UNHCR also focuses on policy advocacy, empowering refugee communities, and mitigating the risks of dual citizenship or loss of citizenship. The protection provided is transitional, ensuring refugees basic security until a permanent solution is found in a third country or a safe return scheme is established. Legal documentation in the form of a Refugee Card is a fundamental right granted by UNHCR to validated asylum seekers. The implementation of this card issuance is evident in operational records at the Kupang Immigration Detention Center in 2017, where a number of refugees from Afghanistan began to receive status recognition in stages. This document is not merely an identity card, but a crucial prerequisite for refugees to access long-term solutions, whether through resettlement to host communities or relocation programs. Technically, UNHCR conducts verification by prioritizing attendance data aligned with the time periods of the refugees' arrival in Indonesia. This demonstrates strict data management within the bureaucracy of international refugee processing (Putri & Achsin, 2023).

Cooperation between UNHCR and the Indonesian government is a shared priority in addressing refugee flows. One aspect of this is the implementation of the Refugee Status Determination (RSD) procedure to determine refugee status. Strict policies in other countries, such as Australia, have resulted in many refugees being stranded in Indonesia until they can be legally resettled in a third country. The legal framework for the handling of refugees and asylum seekers in Indonesia is regulated by Presidential Regulation No. 125 of 2016, which includes provisions regarding the assistance that may be provided, including emergency response mechanisms for refugees found at sea. The implementation of this policy involves various parties, both state and non-state actors, to ensure comprehensive protection and care for refugees.

Cooperation with international organizations is essential in resolving the refugee crisis. The handling of refugee issues is driven by humanitarian values, namely providing protection and a sense of security to those who are forced to leave their country because they do not receive adequate protection. Refugee status is not permanent, so it is important to ensure that it is not revoked arbitrarily. On the other hand, every refugee is also obligated to comply with the laws and regulations of the host country to maintain public order. In carrying out its mandate, UNHCR relies on financial support from donor countries and the private sector. Partnerships are also established with various NGOs and local civil society organizations, as well as through public fundraising via online platforms. Indonesia is one of the recipients of aid from the European Union, with allocated funds used for registration, documentation, and the implementation of Refugee Status Determination (RSD). Additionally, these funds support training and outreach regarding the for emergency response to refugees in maritime areas. Since 2017, the European Union has routinely provided assistance that includes strengthening UNHCR functions, RSD training, staff expansion, and outreach to local fishermen. Furthermore, UNHCR has also opened a public donation campaign with contributions ranging from Rp75,000 to Rp200,000 (Putri & Achsin, 2023).

The 1951 Convention and the 1967 Protocol establish the criteria for who can be recognized as a refugee. The determination of this status is essential so that refugees can enjoy the rights granted under the convention and fall under the jurisdiction of UNHCR. In the case of Rohingya refugees, addressing the situation requires more than just relying on ASEAN countries; it also

necessitates the involvement of international actors focused on refugee issues. The Indonesian government itself has formed a Joint Verification Team (JVT) in collaboration with two international agencies: UNHCR, which handles status determination, repatriation, and resettlement to third countries; and IOM, which provides daily support in the form of food, shelter, and health services.

### ***Partnerships with Local and International Partners***

In addition to determining refugee status, UNHCR also collaborates with various parties to ensure that refugees' basic needs are met. Indonesia's initial response in this case has been multidimensional, encompassing government policies, humanitarian aid, and regional diplomacy pursued by the Indonesian government. As explained earlier, although Indonesia has not yet ratified the 1951 Convention and the 1967 Protocol, it still applies the principle of non-refoulement by not forcibly returning these refugees and continuing to accept them on a temporary basis while awaiting further processing by UNHCR. Presidential Regulation No. 125 of 2016 also serves as one of the legal foundations for the Indonesian government's efforts to address this conflict. Indonesia does not rely solely on this regulation; it is also actively engaged in regional diplomacy with Southeast Asian nations to seek long-term solutions, such as building the capacity of local communities, creating job opportunities, and developing infrastructure. From a humanitarian perspective, aid includes food, clean water, tents, and medical supplies. This effort is supported by religious organizations such as Nahdlatul Ulama and Muhammadiyah (Iji, 2025).

Rohingya refugees in Indonesia are scattered across several regions, such as Medan, Aceh, Tanjung Pinang, Batam, and a small number in Banten, Banyuwangi, and Kupang. Of all these regions, Aceh hosts the largest number because it is located closest to Myanmar. In Aceh, they live in Sabang, Lhoksumawe, East Aceh, and Idi Rayeuk. Although Aceh is relatively close to Myanmar, the journey by traditional boat still takes about 23 days. During those weeks at sea, they carry only the bare essentials. Each boat typically carries more than a hundred people, and many die of starvation along the way. When passing through Thai waters, they are often pushed back out to sea by security forces; some are even directed to uninhabited islands or fired upon. Under such dangerous conditions, some refugees eventually manage to enter Indonesian waters, though at great risk to their safety (Asmara et al., 2019).

The diverse backgrounds of the refugees in the city of Medan underscore the need for specific policies that can accommodate their various needs. Furthermore, providing adequate shelter facilities and ensuring the equitable distribution of basic services are crucial to guaranteeing the well-being of these refugees. As a transit city, the Medan government bears significant responsibilities to meet the refugees' needs and provide them with protection and support. The local government is taking various measures while awaiting the completion of the process to determine the refugees' status specifically, Refugee Status Determination (RSD) (Suriadi et al., 2024).

The North Sumatra Provincial Government is working to relocate Rohingya refugees to a special site near a mangrove forest on the coast as a temporary shelter. The government, together with the local community, is also providing basic necessities. For example, residents of Karang Gading Village in Labuhan Deli Subdistrict, Deli Serdang Regency, are actively helping by providing food, drinks, and used clothing to 147 refugees, consisting of 53 men, 39 women, and 55 children. However, due to the emergency nature of the situation, management at the refugee sites is often suboptimal. The shelters are often overcrowded and considered substandard. The refugees also face limitations such as a lack of clean water, minimal healthcare services, and no access to formal education or employment opportunities. They cannot even determine or predict when they will be deported. These conditions sometimes trigger protests, such as hunger strikes. Despite this, they are

still granted the freedom to worship, study religious texts, and socialize. The government and local community organizations also provide prayer rooms and social-religious facilities to support their spiritual needs (Tampubolon, 2024).

UNHCR coordinates with the International Organization for Migration (IOM), local governments, and local organizations to provide food, shelter, health services, and security protection. By 2025, Rohingya refugees in North Sumatra, particularly in areas such as Deli Serdang, face significant protection risks. Many of them live in informal settlements or shelters that have not been officially designated by the government. This situation increases the risk of exploitation, gender-based violence, and human trafficking. In response, UNHCR is advocating with local governments to establish adequate and safe shelters. This collaboration demonstrates that refugee protection cannot be carried out by a single agency alone but requires coordination between international organizations and local governments.

IOM has been present in Indonesia since 1979, and in 1991 the government was granted observer status. Subsequently, in 2000, IOM and the Government of Indonesia signed a cooperation agreement to combat human trafficking. According to an IOM Indonesia report, technical assistance provided in 2013 included identifying the government's needs in managing migration, comprehensive training on skills to combat human trafficking and protect the rights of refugees, and facilitating regional cooperation among countries of origin, transit, and destination. The national legal framework regarding immigration is regulated by Law No. 6 of 2011 on Immigration and Government Regulation No. 31 of 2013 as its implementing regulation. Indonesia also implements a selective policy emphasizing respect for human rights, stipulating that only foreign nationals who are beneficial and do not threaten public security and order are permitted to enter and reside in Indonesian territory. However, in practice, various issues arise, leading some migrants to choose illegal routes. Additionally, the fulfillment of the rights to health, education, and housing support for refugees is often suboptimal. Therefore, the role of the IOM as an international organization is crucial for strengthening cooperation with migrants' destination countries while ensuring their rights remain protected (Nst, 2017).

**Table 1. Analysis of UNHCR's Role in Protecting the Human Rights of Rohingya Refugees in North Sumatra, 2020–2025**

Period	Focus of UNHCR's Role	Implementation in the Field	Challenges Faced	Analysis Results
2020–2021	Initial management of refugee arrivals and the Refugee Status Determination (RSD) process	UNHCR carried out initial steps such as registration, interviews, and verification of refugee status. Subsequently, coordination was conducted with local governments and IOM.	Surge in Refugee Arrivals	UNHCR plays a key role in ensuring refugees are granted refugee status
2022	Strengthening coordination of various humanitarian aid	UNHCR expands cooperation with local governments in the distribution of humanitarian aid	Overcrowding at some shelters	UNHCR's role as a humanitarian coordinator that bridges the relationship between refugees, the

Period	Focus of UNHCR's Role	Implementation in the Field	Challenges Faced	Analysis Results
	and social protection efforts			government, and local residents.
2023	Response to the increase in the flow of Rohingya refugees	UNHCR is conducting an emergency response to the increase in refugees by providing temporary shelter and advocating for protection	Social conflict	In 2023, UNHCR played a strategic role in upholding the principle of non-refoulement
2024	Public education and advocacy for refugee protection	UNHCR is strengthening public education in collaboration with academics and increasing advocacy with local governments regarding the protection of vulnerable groups, women, and children	Lack of information among local residents	In this phase, UNHCR's role is evolving toward a social-humanitarian governance approach, which involves not only providing direct assistance but also fostering social acceptance of refugees.
2025	Strengthening the protection system and seeking long-term solutions	UNHCR, local governments, and IOM are working to strengthen the protection system by organizing protection sites and accelerating resettlement opportunities to third countries.	Limitations in national policy	During this period, it is evident that refugee protection in Indonesia remains heavily reliant on the role of UNHCR and international cooperation. This underscores the importance of national policy reforms to ensure that refugee protection can be sustained over the long term.

**Table1** . Source: Compiled by the author based on reports from the United Nations High Commissioner for Refugees (2023–2025), Ayu Putri & Zulhair Achsin (2023), Moretti (2020), and Supriadi (2022).

## CONCLUSION

Although Indonesia has not ratified the 1951 Geneva Convention or the 1967 Protocol, the admission of refugees is still carried out in accordance with Indonesia's principle of non-refoulement. During the 2020–2025 period, the United Nations High Commissioner for Refugees (UNHCR) played a crucial role in protecting the human rights of Rohingya refugees in North

Sumatra. Through the Refugee Status Determination (RSD) process, UNHCR provided legal protection to refugees in a country that lacks a comprehensive refugee legal system, addressing various basic needs such as housing, healthcare, and adequate access to education. In fact, UNHCR's efforts have yielded concrete results, including improved coordination among various stakeholders through collaborations with local governments, the International Organization for Migration (IOM), and civil society organizations, as well as more structured distribution of humanitarian aid at various shelters across North Sumatra.

In addition, UNHCR certainly does not undertake such efforts alone; the role of partnerships with local and international partners is undoubtedly essential in addressing this conflict. UNHCR collaborates with the local government of North Sumatra and works alongside IOM to ensure that the basic needs and safety of refugees are met. UNHCR's primary objective is to protect the rights and well-being of refugees. Despite facing various challenges, such as limited facilities and community resistance, UNHCR's role remains crucial in safeguarding the human rights of Rohingya refugees. Moving forward, strengthening cooperation between UNHCR, the government, and the community is vital to ensure that refugee protection is carried out more effectively and sustainably.

This study demonstrates that UNHCR continues to play a pivotal role in the protection of Rohingya refugees in North Sumatra during the 2020–2025 period. Through the framework of international humanitarian governance, UNHCR performs crucial functions that cannot be accommodated by Indonesia's domestic legal system. This is particularly true regarding the Refugee Status Determination (RSD) mechanism. Without legal status from UNHCR, refugees would lose access to international protection and remain vulnerable to forced deportation. However, this study also found that the protection provided to Rohingya refugees in North Sumatra still faces various complex challenges. These include limited shelter facilities, an increasing number of refugees, and resistance from some local communities. Additionally, the absence of a comprehensive national legal framework regarding refugees means that the protection provided remains temporary and, of course, is not yet fully capable of ensuring the long-term well-being of refugees.

Through the lens of international humanitarian governance, this study emphasizes that the success of refugee protection cannot be left solely to international organizations; rather, it requires strengthened cooperation between the central government and local governments as well. Therefore, the Indonesian government needs to strengthen national regulations regarding refugees and enhance the capacity of local institutions in handling refugees and asylum seekers. With clearer and better-structured policies, the protection of Rohingya refugees in North Sumatra is expected to be more effective than before.

## REFERENCES

- Aprina, E., Angraini, A. F., Lestari, S. D., & Raihanataya, R. (2025). The Escalating Wave of Rohingya Refugees in Indonesia: Handling Practices and Implications. *Jurnal de Facto*, 11(2). <https://www.unhcr.org/id/pengungsi>.
- Asmara, M. T., Imigrasi, P., Alvi, M., & Imigrasi, S. P. (2019). Implementation of Indonesian Immigration Policy Regarding Human Rights for Rohingya Refugees in Indonesia. In *JLBP* / (Vol. 1, No. 2). <http://blogs.reuters.com/great-debate/2015/06/17/why-is-no-one-helpingmyanmars-rohingya/>.
- Astariyani, N. L. G., Rumiarta, I. N. P. B., Ardani, N. K., & Kenevan, T. J. (2023). Policy on the Right to Education of Refugees in Indonesia and Australia. *Lex Scientia Law Review*, 7(1), 249–276. <https://doi.org/10.15294/lesrev.v7i1.62964>

- Putri, A. D., & Achsin, M. Z. (2023). The Role of the United Nations High Commissioner for Refugees (UNHCR) in Handling Foreign Refugees in Indonesia from 2016 to 2022. In *Hasanuddin Journal of International Affairs* (Vol. 3, No. 2). Online.
- Azhar Saputra, Iskandar Zulkarnain, & Dewi Kurniawati. (2023). Communication Interactions and Self-Concept of Rohingya Ethnic Refugees in Medan City. *PERSPEKTIF*, 12(1), 298–308. <https://doi.org/10.31289/perspektif.v12i1.8596>
- Chandra, W., Ikhsan, E., & Bariah, C. (2023). Implementation of Regulations on the Handling of Refugees from Abroad in the City of Medan. *Locus Journal of Academic Literature Review*, 2(6). <https://doi.org/10.56128/ljoalr.v2i6.172>
- Tampubolon, I. (2024). *Handling of Rohingya Refugees in Indonesia: Reviewed from the Perspective of Islamic Social Ethics Focused on Public Welfare*. <https://journal.poltekim.ac.id/jlbp/article/view/284/283>
- Domloboy Nst, E. N. (2017). The Role of the International Organization for Migration (IOM) in Addressing the Issue of Rohingya Refugees in Indonesia. In *Jurnal PIR* (Vol. 2, No. 1).
- Helfianti, S., & Andika. (2025). The Role of the United Nations High Commissioner for Refugees (UNHCR) in Handling Rohingya Ethnic Refugees in Aceh. *UNMUHA LAW JOURNAL*, 245(2).
- Iji, V. (2025). *The Role of the Indonesian Government and UNHCR in Providing Humanitarian Assistance to Rohingya Refugees in Indonesia*.
- Kedatangan, P., & Rohingya, P. (n.d.-a). *Food & CRI*. Retrieved <https://data.unhcr.org/en/situations/myanmar>
- Leviza, J., & Azam, S. (2020). *Rohingya Stateless Persons: Role of UNHCR in Refugee Protection and Lack of Adequate Legal Protection in Indonesia* (Vol. 9). <https://Creativecommons.org/licences/by/4.0>
- Moretti, S. (2020). Between refugee protection and migration management: the quest for coordination between UNHCR and IOM in the Asia-Pacific region. *Third World Quarterly*, 1–18. <https://doi.org/10.1080/01436597.2020.1780910>
- Oliveira, E. D. E. (2019). The Global Compact on Refugees and border management in the European Union: An analysis of the migration-security relationship | O Pacto Global sobre Refugiados e a Gestão das Fronteiras na União Europeia: Uma análise sobre a Relação Migração-Segurança. *Revista del Ministerio de Empleo y Seguridad Social*, 145, 55–73.
- Rakhine, Rohingya State*. (n.d.).
- Fadli, M. R. (2021). *Understanding the design of qualitative research methods*. 21(1), 33–54. <https://doi.org/10.21831/hum.v21i1>
- Simeon, J. C. (2011). The UNHCR and the supervision of international refugee law. In *UNHCR and the Supervision of International Refugee Law*. <https://doi.org/10.1017/CBO9781139137225>
- Supriadi, S. (2022). International Refugees in the Protection of Human Rights: A Discourse of International Humanitarian Law and Human Rights Law. *International Law Discourse in Southeast Asia*, 1(1), 43–64. <https://doi.org/10.15294/ildisea.v1i1.56872>
- Suriadi, A., Kariono, & Purba, A. M. (2024). Analysis of Government Policy on the Management of Refugees from Abroad in the City of Medan. In *Journal of Urban Development in Medan (JPKM)* (Vol. 1, No. 2). December. <https://jpkm-brida.pemkomedan.go.id/index.php/jpkm/index>