



PRESS RELEASE

SUAKA CONDEMNS INDONESIAN GOVERNMENT FOR VIOLATING REFUGEES' HUMAN RIGHTS ONCE AGAIN

(Jakarta, 21 September 2023) SUAKA once again condemns the deportation decision made by immigration officers at the Kupang Immigration Detention Center (Rudenim), Indonesia, against a male refugee, with the initials AH, from Palestine.

This incident shows that the situation of human rights protection for refugees is increasingly worrying.

"It's a shame that this happened. In fact, Indonesia itself has recognized a person's right to seek political asylum as regulated in Article 28G paragraph (2) of the 1945 Constitution and the Human Rights Law. "Apart from that, this also does not guarantee a sense of security for refugees in Indonesia, Refugee AH is one example," said Angga Reynady, legal aid staff at the SUAKA Association.

"This confirms that there has again been a bad precedent for the protection of human rights, especially for refugees from abroad in Indonesia. We urge an evaluation of the implementation of refugee handling by the immigration authorities and prevent this from happening again. And as a country that upholds human rights, Indonesia is still not a safe and friendly place for refugees. Stop the practice of deporting refugees." closed Atika Yuanita Paraswaty, Chair of the SUAKA Association.

Background:

Based on the information collected, Refugee AH was deported using the Batik Air ID-6018 airline bound for Kuala Lumpur, Malaysia on September 20 2023 at around 17.00 WIB.

Regarding AH's situation, UNHCR Indonesia has also correspond to the Kupang Immigration Detention Center. Then, based on information received by SUAKA, Refugee AH's condition did not want him to be deported. Kupang immigration officers, through this act of deportation, have made AH refugees lose their right to receive protection by Indonesia as part of the international community. Previously, AH had been at Rudenim Kupang since 2022 due to the expiration date of his permit. Furthermore, he has been registered and has followed the process of applying for refugee status or Refugee Status Determination

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(RSD) carried out by UNHCR Indonesia. Efforts to expel him from Rudenim Kupang by his attorney were unsuccessful.

Even though Indonesia is not yet a party to the 1951 Convention on the Status of Refugees, the human rights protection mechanism is guaranteed through human rights instruments that apply universally and are binding on Indonesia such as the Universal Declaration of Human Rights, the International Covenant Concerning Civil and Political Rights, the Anti-Torture Convention in particular related to the principle of non-refoulement.

Apart from that, all immigration authorities should carry out handling of foreign refugees in accordance with the handling mechanism in Indonesia as stated in Presidential Regulation Number 125 of 2016 concerning Handling of Overseas Refugees. Indonesia also has Directorate General of Immigration Regulation no. IMI-0352.GR.02.07 of 2016 concerning Handling of Illegal Immigrants Who Declare Themselves as Asylum Seekers or Refugees ("Perdirjenim 2016"). It is further explained in Article 3 of the 2016 Dirjenim Regulation that foreigners who obtain refugee status cannot have their residence permits questioned while in Indonesia.

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