

CHAPTER I

INTRODUCTION

A. Background

International Organization for Migration (IOM) is one of intergovernmental organizations that focuses on the field of migration. It works with government, international governments & even non-government actors. It was established in 1951 aiming at promoting humanity and also the management of migration by providing services & advices to governments & migrants, also promoting international cooperation on migrant issues through law of international migration, policy, including debate and guidance, protection of migrant right, and also migrant health.¹

In handling refugees problem, there is also UNHCR (United Nation High Commissioner for Refugees), one of the programs of United Nations that also aims at the same objectives as IOM. UNHCR was created a year earlier in 1950, and it has a direct mandate from United Nations to protect and support refugees at

¹ International Organization for Migration, accessed on November 27th 2016, from : <http://www.iom.int>

the request of a government or the UN itself and assists in their voluntary repatriation, local integration or resettlement to a third country.²

However, the fear of single institution becoming too powerful, put in context with the ‘communist influence’, influence the widespread support for the creation of another International Organization, as advocated by the USA and UK. IOM itself was established as a Western counterpoise to the UN organizations and it was initially intended to only exist temporarily. Logically, the IOM was founded outside the UN system and has never been provided with a UN mandate until today. It makes bias between IOM’s involvement while there has been UNHCR.

One of the cases that handled by both UNHCR and IOM is the case of Vietnamese refugees in Indonesia. Starting from 1975, Vietnam Civil War had already lasted for a long time and in the end, it always caused of misery.³ That war resulted many innocent civilians killed and became the victims. Those who could survive from the war started to leave their countries to look for a safe place to live. However, not all of them could be guaranteed by the receiving countries. Most of them finally became refugees.

² UNHCR – History of UNHCR, accessed on October, 26th 2016 from : <http://www.unhcr.org/history-of-unhcr.html>

³ Kisah Pilu 250.000 Pengungsi Vietnam di Batam, Zainudin Akbar (2013), accessed on October 24th 2016 from : http://www.kompasiana.com/akbarzainudin/kisah-pilu-250-000-pengungsi-vietnam-di-batam_55294601f17e6177578b45a1

In that time, refugees including asylum seekers were the problem for every nation. The number of refugees arose because their desire to search for a better life in every aspect of life including economic, political, and also security.

As a country with strategic position in the world and is also one of the neighboring countries of Vietnam, Indonesia becomes one of the destinations or transit country for refugees or asylum seekers. Facing this condition, Indonesia can not avoid the attention of the International community in the process of finding the problem resolution.

When Vietnamese refugees started to flee to South-East Asia countries, there was no single country in South-East Asia had ratified the 1951 Refugee Convention and the 1967 Protocol including Indonesia. Also, there was no South-East Asian countries that had applied a domestic legal framework for receiving refugees. (Missbach, 2013)

Meanwhile the resettlement of about 200,000 Vietnamese refugees to the third countries which consist of developed countries like the United States of America, France, and also Australia, between 1975 and March 1979, in fact the countries of South-East Asia also took a part in dealing with the problem by taking care of refugees in various camps. Then, due to the increasing number of Vietnamese refugees spreading, the South-East Asian countries started to apply the

community's principle of burden sharing and assistance in dealing with the spread of the refugee.

After being participated in some meetings conducted among South-East Asian transit states and Western resettlement countries during the first half of 1979, the governments of Indonesia and the Philippines started to contribute in dealing with Vietnamese refugee problem. Action taken by them is providing a place for regional processing centers for refugees who had already been accepted for resettlement in a certain island. Indonesian government chose an island in Riau Archipelago province called Galang Island as the place for the establishment of regional processing center for refugees, also as the temporary home for up to 10,000 refugees at a time (Missbach, 2013).

From the very beginning, the Indonesian government emphasized

“that it would not receive refugees in its territory, but for the sake of humanitarianism it was forced to accept them during transit while they were waiting to move on to a third country, as well as actively providing thoughts and concrete support to find a solution for this problem.” (Department of Information of the Republic of Indonesia, 1980, p. 1)

Also the decision taken from the government from Indonesia was influenced by the result from the meeting conducted by ASEAN Foreign Ministers on May 1979, which stipulated that *“countries providing the site or island for the processing center shall retain the sovereignty, administrative control and security responsibility over the island”* (Department of Foreign

Affairs of the Republic of Indonesia 1979, p5). It means that the budget needed by Indonesian government in establishing and running the camp in Galang island would be the responsibility of UNHCR, including the providing basic needs like of food, education center, and also health care.

From 1979 – 1996, Indonesia did not have any formal rights in accepting asylum seekers and refugees in its territory. Instead, under the monitoring of United Nations High Commissioner for Refugees (UNHCR) of International Organization for Migration (IOM), Indonesia only ‘tolerates’ their presence in the country. Highlighting the differences regarding the management of these two distinctive groups of asylum seekers helps to grasp the full scope of ‘stuckedness’ and also helps to understand the varied impacts of obstructed mobility on asylum seekers looking for permanent and effective protection.⁴

In the early years of joint action (1979-1980), the UNHCR tried to reach an average level of resettlement to third countries of about 25,000 people per month across all South-East Asian camps (UN, 1979). Between July 1979 and July 1982, about 623,800 Indochinese refugees were resettled to a total of 20 resettlement countries. However, the only role conducted by UNHCR did not cover all things needed to solve the problem. While UNHCR prepared for resettlement to third countries, under the Memorandum of Understanding (MoU)

⁴ Assets of Commodities? Comparing of Regulations of Placements and Protection of Migrant Workers in Indonesia and the Philippine , Missbach, Antje (2013) accessed on October 24th 2016 from : http://www.ssoar.info/ssoar/bitstream/handle/document/40154/ssoar-aseas-2013-2-missbach-Waiting_on_the_islands_of.pdf?sequence=1

between those organizations, it needs IOM in providing logistics. (Missbach, 2013)

Seeing the main role of UNHCR in handling refugees problem, Vietnamese refugees in Indonesia are supposed to be UNHCR responsibility. However, it was questioned when IOM as International Organization that did not have direct mandates from United Nations but it played a bigger role in dealing with the problem.

B. Research Question

From the explanations above regarding the emergence of IOM in Indonesia, then the question emerged is **“Why did UNHCR need to recommend IOM to handle Vietnamese refugees in Indonesia?”**

C. Theoretical Framework

In answering the question the research question of this study, the writer used role theory by Stephen G.Walker and international cooperation concept from R. Axelrod and Keohane R.O.

1. Role theory by Stephen G.Walker

Roles are considered as the social positions which are constructed by someone's ego and alter expectations toward his / her purpose of in a certain organized group (Harnisch S. , 2010). The function of certain position in a group itself has limitation. It depends on the limitation of the time and scope, also the

structure and purpose of the group. Whereas some roles are constitutive to the group as such, recognized member of the international community, other roles or role sets are functionally specific like balancer, initiator etc.⁵

Role expectations for the actors who are involved in a certain cooperation, like international organizations or even states, may vary considerably. On the one part, they regularly comprise of ego, like domestic and/or individual expectations as to what the appropriate role is and what it implies, and alter expectations, that is implicit or explicit demands by others (counter or complimentary roles, audience cues). On the other hand, role expectations differ with regard to their scope, specificity, communality and thus their obligation. Hence, roles, and even more so role sets, entail a potential for conflict within a role and between roles. (Harnisch S. , 2010)

Role conceptions refer to the perception of certain actor toward his position (ego part of a role) and the perception of the role expectations of others (alter part of a role) as signaled through language and action. In short, role conceptions are including social identity of an actor and the actions and perceptions of others that already explained by Wendt. Role conceptions are inherently contested because roles and their enactment are closely related to the roles of other actors (counter and complementary roles). This “structural environment of roles” may put severe

⁵ Assets of Commodities? Comparing of Regulations of Placements and Protection of Migrant Workers in Indonesia and the Philippine , Missbach, Antje (2013) accessed on October 24th 2016 from : http://www.ssoar.info/ssoar/bitstream/handle/document/40154/ssoar-aseas-2013-2-missbach-Waiting_on_the_islands_of.pdf?sequence=1

limits on the behavior (social choice) and properties (social status) and even the very existence of others.⁶

Also in his Mohtar Mas'oe'd book entitled "International Relations Studies" explains that role is the expected behavior that will be conducted by a person who occupies a position in accordance with the nature of the position. Mohtar Maso'ed also stated that the role is an organization. In general, the role can be said to be partial execution of certain functions by organization and expectations surrounding environment to the existence of the organization. (Mas'oe'd, 1994)

In relating the role theory to the involvement of IOM in managing Vietnamese refugees, it could be analyzed that the roles of IOM is to be responsible in migrant problem and take part in solving this problem.

2. Concept of International Cooperation

In international relations, according to R.Axelrod and Keohane R.O in their books "*On six advances in cooperation theory, in: Analyse & Kritik*" & "*Achieving cooperation under anarchy : strategies and institutions, in: World Politics*", the standard definition is that cooperation occurs when "*actors adjust their behavior to the actual or anticipated preferences of others*".

Therefore, international cooperation describes interactions to achieve common

⁶ Role Theory : Operational of Key Concepts, Harnisch Sebastian (2010), accessed on November 2nd, 2016 from : http://www.uni-heidelberg.de/md/politik/harnisch/person/publikationen/harnisch_2010_role_theory_conceptualization_of_key_concepts.pdf

objectives when actors' preferences are neither identical (harmony) nor irreconcilable (conflict). The framework of international cooperation also refers to the structures and processes of policymaking beyond the nation-state and is used synonymously with global governance. (Paulo, 2014)

Relating to the case of Vietnamese refugee in Indonesia, the concept of international cooperation occurs when Indonesia allowed UNHCR and IOM to solve the problem inside its state by working together with them. In this case, international cooperation could be seen as the importance of integrating the broader framework of international cooperation and global collective action into the effort of realizing a broadening agenda of global development.

International cooperation was also done by UNHCR when the aim of UNHCR as international organization to solve the problem of Vietnamese refugee could not be achieved yet, so that, there should be the involvement of other actor that could help UNHCR in achieving its' goal. As a consequence, IOM's involvement is conducted as international cooperation between International Organizations.

D. Hypothesis

Based on the background and theoretical framework explained above, hypothesis that could be put as reasons of UNHCR needs IOM in handling the Vietnamese refugees in Indonesia since IOM could complement the limited capacity of UNHCR.

E. Scope of Research

This research only focused on the roles of United Nations High Commissioner of Refugee (UNHCR) and International Organization for Refugee (IOM) as international organization that handle Vietnamese refugee in Indonesia.

F. Methodology

The method of research that was used by the writer was qualitative method. This method was used to verify the hypothesis by understanding empirical reality. The information sources of this research were taken by collecting relevant secondary data. The writer used collective data from book, e-books, articles, journals, and official websites of certain institutions.

G. Purpose of Research

The purpose of this research was to identify the role of IOM in helping UNHCR in handling Vietnamese refugees in Indonesia. This research was addressed to the reader who had interests in international cooperation conducted by Indonesia with both UNHCR and IOM towards specific issues, which was Vietnamese boat people refugees.

H. Section Of Research

There are several sections in writing this research:

1. Chapter I : The writer presented problem background and continued by research question, theoretical framework, hypothesis, methodology of research, purpose of research, and section of research.
2. Chapter II : The writer explained about IOM and UNHCR.
3. Chapter III : The writer explained about the emergence of Vietnamese refugee in Indonesia.
4. Chapter IV : The comparison of the roles between IOM and UNHCR in managing Vietnamese Refugee in Indonesia
5. Chapter V : The writer provided conclusion.