
Advances In Social Science, Education and Humanities Research

Proceedings of the 2nd International Conference of Law, Government and Social Justice (ICOLGAS 2020)

Bibliographic information:

Title	Proceedings of the 2nd International Conference of Law, Government and Social Justice (ICOLGAS 2020)
Editors	Yusuf Saefudin, S.H., M.H. Muhammad Bagus Tri Prasetyo Sinta Lidang Mutiara Amardya Galih Pratama
Part of series	ASSEHR
Volume	499
ISSN	2352-5398
ISBN	978-94-6239-295-3

Search

Series: [Advances in Social Science, Education and Humanities Research](#)

Proceedings of the 2nd International Conference of Law, Government and Social Justice (ICOLGAS 2020)

ARTICLES

Search

[+ Advanced search](#)

SEARCH

101 articles

Proceedings Article

The Law Impact on the Inheritance of Nominee Arrangement in Indonesia to the Third Party of Share Buyers

Ari Tri Wibowo, Tri Lisiani Prihartinah

Plenty of the nominee arrangement traditions in Indonesia become obstacles to the nominee arrangement's trade chiefly when the inheritance of nominee arrangement is prevailed. This study examines the legal repercussion of nominee arrangement to the third parties of share buyers. This study used normative...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

[Implementation of Religious and Belief Rights in Surabaya for Creating the Collectability in Religious Life](#)

Deslaz Rannu Handicha

The existence of the right to religious freedom in Indonesia requires protection of the right to freedom of religion and belief from a conflict between religious communities, as many cases occur including blasphemy, physical and non-physical violence committed by the majority, especially conflicts between...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

[Secular or Religious State and the Impact on the Acceptance and Resistance of Sharia Perda in Indonesia](#)

Akhmad Khalimy

This paper wants to know the various views among Indonesian and foreign scholars on the existence of sharia perda in Indonesia. Their various views traced from their works on books, dissertations/thesis, or papers written on the topic of sharia perda from 2000-2020. The following studies will compare...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

[Social Welfare for the Adoption of Displaced Children by Foreign Citizens](#)

Gracia Jasmine Sunaryo Putri, Suhariningsih, Dhia Al Uyun

Children do not have the autonomy to take care of themselves, they must be under the responsibility of adults to have their protection guaranteed. An adult

under the responsibility of adults to have their protection guaranteed. Finally, in this case is the parent, when they fail to carry out their functions, it can be displaced children. An alternative to solving the problem of...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Use of Information Technology in Searching Transnational Crime

Lynda Asiana

The internationalization of crime as a feature of globalization has made a new form of crime by developing increasingly sophisticated and complex information technology, both about the tools used and the impact they have had. This makes it difficult for new forms of crime to be tracked and prosecuted...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Transnational Corruption and Its Impact on Indonesian Jurisdiction

Satria Unggul Wicaksana Prakasa, Basuki Babussalam, Agus Supriyo

As a state of law, all law enforcement processes in Indonesia are limited by sovereignty for trans-border crimes that one of them is corruption. Corruption case is as part of transnational crimes that cannot be underestimated. The legal vacuum that occurs in Indonesia has an impact on the difficulty...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Claim of Human Rights Violations Against China in COVID-19 Case of the Opportunity to Use International Court of Human Rights Mechanisms

Levina Yustitianingtyas, Anang Dony Irawan

The state of China or commonly called the State of China has been accused as the cause of an outbreak of corona virus transmission or COVID-19. The loss caused by COVID-19 is very large for all sectors of the country's life sector in the world, so that countries in the world are trying to sue China which...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Effect of Globalization on the National Legal Policies of Human Rights

Hassan Suryono, Raharjo

The purpose of this paper is (1) to explained whether human rights in the 1945 Constitution of the Republic of Indonesia have adopted universal human rights, and (2) the configuration of the implementation of universal human rights in the Republic of Indonesia. This paper was used comparative and synchronous...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Cyber Attack - The Burden of International Crime Proof: Obstacles and Challenges

Maskun, Naswar, Achmad, Hasbi Assidiq, Armelia Safira, Siti Nurhalima Lubis

Cyber-attack is a negative impact of the development of technology in the modernization era. This attack utilizes technology to attack telecommunications networks. According to international law, cyber-attacks can be categorized as international crimes. Cyber-attacks took place in Estonia and Iran resulted...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Indonesian Republic Government's Role in Handling Refugees in Pekanbaru According to the Presidential Regulation Number 125 of 2016 concerning Handling Refugees

Fithriatus Shalihah, Uni Tsulasi Putri

This study aims to find out the government's role in handling refugees from abroad and analyze obstacles affecting the implementation of government policies according to Indonesian presidential regulation number 125 of 2016 in handling refugees at the Pekanbaru Immigration Detention House (IDH). This...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Implementation of Act 29/ 2004 Concerning Medical Practice and Its Implementation Regulations

Iman Firmansyah, Asti Wasiska, Rahmah Marsinah

Medical practice law is the answer to the doctor's responsibility in standardizing the profession. If the medical practice was done without fulfilling that pre-requirement, the medical practice administrators could be sentenced by administrative or juridical sanction. There are implementing regulations...

[+ Article details](#)

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Special Electoral Tribunal as a Solution for Fairness and Fulfillment of Human Rights of the Candidates for Membership of the House of Representatives and Regional People's Representatives Assembly

Demson Tiopan, Shelly Kurniawan, Yudha Pamungkas

Issues regarding election (in this case, the election for the House of Representatives and Regional People's Representative Assembly) is divided to violations against the election, disputes over election processes, and disputes over election result. The author's purpose in making this research is to...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

ASEAN Experiences on Judicial Utilization of Scientific Evidence in Environmental Justice Cases

Cecep Aminudin, Efa Laela Fakhriah, Ida Nurlinda, Isis Ikhwansyah

Scientific evidence is one of legal and evidentiary challenges in the court settlement of environmental disputes in ASEAN. The issue of scientific evidence in court is related to the outcome of environmental justice cases settlement. The aim of this article is to discusses some available references in...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Legal Protection for Freelance Daily Employee in Salt Pond Madura

Yayuk Sugiarti, Asri Wijayanti, Lilik Puja Rahayu, Anak Agung Sagung Ngurah Indradewi

This study aims to determine and analyze the forms and legal remedies for legal protection for casual daily laborers in salt ponds Madura. This normative legal research uses a statutory approach. Research shows that daily paid workers in salt ponds Madura work more than 21 days in a month for more than...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Role of the Constitutional Court as a Stimulator of the Amendment of Traffic and Road Transport Act

Winda Wijayanti, Mery Christian Putri, Sharfina Sabila

There is a huge increase in the road traffic accidents by underage vehicle drivers. They should not be in the highway, therefore it becomes parent's obligation to watch their activity. However, they often ride vehicles in a highway that may cause road accidents that takes victims. It seems to be an unjust...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Spatial Law and Production of Space in the Context of Cemetery in Surabaya

Victor Imanuel W. Nalle

This article criticizes spatial law about the availability of cemeteries in Surabaya Indonesia. The analysis in this article uses the concept of social space

Sarabaya, Indonesia. The analysis in this article uses the concept of social production by Henri Lefebvre. This article reviews how the paradigm of spatial law in Indonesia impacts on spatial regulation and the availability...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Employment Law System in the Covid-19 and New Normal Pandemic Periods

Citra Resmi Nanda Putri Pratiwi, Tri Lisiani Prihatinah

The Ministry of Manpower on April 20, 2020 collected data on workers who were dismissed and sent home during the Covid-19 pandemic, around 2,084,593 workers from 116,370 companies have been sent home. To avoid a legal vacuum during the Covid-19 pandemic, the government issued an employment policy. Based...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Urgency of Regulating Taxation on Online Business in Instagram Platform

Nasrullah, Sinta Amalia

In this digital era, Instagram becomes a platform which demand by many people. With that phenomenon, the number of online businessmen on Instagram is growing rapidly and they are obtaining a lot of income. This income is very potential to become state revenue. However, many people who conduct online...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Legal Reconstruction of Tax-Sharing Funds in Indonesia: Towards the Progressive and Democratic Tax Function

Anis Wahyu Hermawan, Henry Dianto Pardamean Sinaga, Leo B. Barus

There is still a polemic related to tax-sharing funds (DBH), such as transparency and disbursement, which must be addressed immediately so as not to marginalize substantive justice and obscure the meaning of decentralization. Based on the normative method by using democratic theory, two conclusions are...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Electronic Voting: Towards Indonesian Democratic Constitutional Election

Mohammad Mahrus Ali, Alia Harumdani Widjaja

Electronic voting (e-voting) is an constitutional electoral system that can be applied to create effective and efficient democratic elections. The vast territory of Indonesia and a large number of logistics preparation, it turns into costly elections. The problem of miscalculation, inaccuracy counting...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Ideals of Pancasila Law in the Process of Forming

THE IDEALS OF PANCASILA LAW IN THE PROCESS OF FORMULATING Legislation

Hariyanto, Kadar Pamuji, Tedi Sudrajat

The ideals of Pancasila law are thought constructs which are imperative to direct the law to the ideals desired by society. The problem is what are the ideals of Pancasila law in the formulation of democratic laws and regulations and responsive and participatory legal products in this reform era. This...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Problem of Norm on the Retroactive Patent Certificate

Anak Agung Sagung Ngurah Indradewi, Agus Supriyo, Lilik Puja Rahayu, Yayuk Sugiarti, Ni Putu Yunika Sulistyawati, I Made Wahyu Chandra Satriana

This study aims to analyze the meaning of “retroactive” in Article 60 of the Patent Law which has multiple interpretations. This legal research is normative with a grammatical interpretation approach. The result of the research is that there is a vague interpretation of a norm on the phrase “retroactive”...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Legal Protection for the Creditors as the Holders of the Mortgage Rights Towards the Buildings Rights Over the Managements Rights

Agus Suprihanto

Based on the research results, it can be concluded that (1) The process of making

Based on the research results, it can be concluded that (1) The process of making a Land Use Agreement does not fulfill the principles of justice and legal certainty for the parties. (2) The transfer of rights to the object of the Building Use Rights on the land of the Management Rights is not in accordance...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Urgency of Regulation Regarding Standardization of Documentation in Electronic Medical Records

Rano Indradi Sudra

Medical records are documents that must be made in every health service. As an electronic form of medical records, electronic medical records (EMR) do not just transfer content from paper to computer screens, but many adjustments are needed including standardizing documentation. Standardization related...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Legal Protection Towards Geographical Indication of Meranti Liberika Coffee According to Law Number 20 of 2016 on Trademarks and Geographical Indications

Fithriatus Shalihah, Deslaely Putranti

Government of the Republic of Indonesia has declared that 2018 is the year of Geographical Indication (GI). Riau Province has its registered GI product; Rangsang Meranti Liberika Coffee originating from West Kedabu Village, Rangsang Pesisir Subdistrict, Kepulauan Meranti Regency, Riau Province. This...

[+ Article details](#)

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Authority Dynamic Law of Central and Regional Governments in Managing Natural Resources

Achmad Hariri, Anang Dony Irawan, Al Qodar Purwo

The dialectic of central and regional authority has been going on for a long time, even before this state was formed, the debate between the form of a unitary state and the federalism colored the discussion of constitutional formulation.

Soekarna represents unitary ideology while Moh Hatta is Federalist...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

E-Proxy Implementation in General Meeting of Shareholders for Public Companies in the Pandemic Era Covid-19

Sudiyana

The Financial Services Authority (FSA) has issued a policy for public companies that will hold a General Meeting of Shareholders (GMS). This was done as an impact on Covid-19 Pandemic in terms of e-proxy or electronic authorization.

The FSA policy addresses problems for shareholders that cannot attend...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Role of "Mantri" in Reporting the Feasibility Data of the Prospective Debtor and Its Effect on the Number of Bad Loans

PROSPECTIVE DEBTOR AND ITS EFFECT ON THE NUMBER OF BAD LOAN

Marwah, Nurfaidah Said, Fildanasari

People's Business Credit (KUR) is one of the government programs in increasing access to financing for Micro and Small and Medium Enterprises. The role of

Mantri is very important in the distribution of KUR at PT. Bank Rakyat Indonesia (Persero) Tbk, to the public. Mantri is one of the positions assigned...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Arrangement of Procurement of Defense Equipment That Supports the Development of the Defense Industry

Dodik Umar Sidik, Isnu Harjo Prayitno

The procurement of defense equipment, in accordance with the mandate of Law Number 16 of 2012 concerning Defense Industry is necessary to consider the capabilities of the defense industry and the confidentiality of the controlled technology. The practice of procuring defense equipment for the benefit...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Position of Non-Marital Children in Inheritance Reviewed From Tengger's Adat Law

Wahyu Krisnanto, Chris Ayu Berta Uli Sagala, Frans Candra Ziliwu

The core family is the smallest group of a society consisting of father, mother and children. The child's existence in a family has a very important value for the family. Not only as a succession generation of family descendants but also a family heir. However, not infrequently the presence of children

family life. However, not infrequently the presence of children...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Forensic Identification of Workplace Accidents Causing Death (A Case Report)

Ria Kumala, Ahmad Yudianto, Sudjari Solichin

The industrial revolution brought progress to society, but indirectly led to a high number of work-related accidents. Data from ILO stated nearly 2.3 million people died per year worldwide due to work-related accidents/diseases. In case of workplace accidents, forensic doctors have a very important role...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Effectiveness of Postal Money Orders Services to Minimize the Circulation of Money in Correctional Institutions Class IIA Besi Nusakambangan

Muhamad Anwar

The purpose of compilers of conducting this research is to minimize the circulation of money carried out by prison inmates while in a correctional institution, the circulation of money may result in a violation of rules and regulations which may cause security problems, which has implications for disciplinary...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Correctional Revitalization

Agus Wijanarko

Law No. 12 of 1995 has mandated the formation of prison inmates with the penal system. In the course of time, there are many problems faced by correctional institutions in carrying out their functions which often hamper their implementation. These barriers ranging from inadequate facilities and infrastructure,...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Application of the Reform of the Criminal Law System in Presidential Regulation No. 95 of 2018 Concerning Electronic-Based Government Systems Against Online Parole for Prisoners

Agung Isdwianto

Presidential Regulation Number 95 of 2018 concerning Electronic Based Government Systems regulates the implementation of online conditional release for prisoners as one of the fulfillment of prisoners' rights. This research needs to know in advance about the rules of conditional release online and know...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Measuring Challenges of the Implementation of Anti-Corruption Education at Junior High Schools Level in Madura

Tolib Effendi, Rusmilawati Windari

Anti-corruption education has acceded as an effort to prevent corruption from an early age. The government has prepared anti-corruption education efforts at the basic education level through various policies up to eventually establishing a model for integrating anti-corruption education at the basic...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Effectiveness of Granting Justice Collaboration (JC) for Terrorist Institutions High Risk Pasir Putih Nusakambangan

Alif Fathurochman

The Bali Bombing incident was the worst act of terrorism which was widely criticized by the international community. The role of justice collaborators like Ali Imron is very large to protect the country from more severe losses and violations of the law that occur. The problems in this research is how...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Effectiveness of Providing Integration in Reducing Overcapacity at the Penitentiary

Awal Setiabudi

The government's policy of freeing prisoners in the midst of the Covid-19 pandemic caused controversy in the community. Some parties expressed objections to concerns about rising crime, while others actually supported the efforts to prevent and spread Covid-19. The formulation of the problem in this...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Role of the Guardians in Deradicalization of Terrorist Caps Outside the Super Maximum Security Nusakambangan

Aris Dwi Ismanto

Terrorist Prisoners in the Super Maximum Security Nusakambangan Penitentiary” Guidance for convicts of terrorism cases in prisons is of course very necessary. This is so that when the prisoner has finished serving his sentence, it is hoped that he will be able to return well to the community and not...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Mapping Effectiveness of Criminal Terrorism in Achieving Deradicalization in the High Risk Pasir Putih Nusakambangan

Eko Purwanto

This thesis entitled “The Effectiveness of Mapping of Terrorism Prisoners in Achieving Deradicalization in the Pasir Putih High Risk Prison Nusakambangan” Correctional Institution or abbreviated (LAPAS) is an institution of the criminal justice sub-system which has a strategic function as the implementation...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

One Man One Cell Implementation Effectiveness for Terroris Institution High Risk Pasir Putih Nusakambangan

Dias Martha

This thesis is entitled “The Effectiveness of One Man One Cell Implementation for Terrorism Prisoners in the High Risk Prison, Pasir Putih Nusakambangan”. The special treatment carried out by the prison authorities for terrorism convicts is that the placement has been carried out in accordance with the...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Correctional Institution Policy (prison) in Assimilating Covid Virus 19 (Corona)

Hamdono Sari

The Covid-19 pandemic has become a national disaster for Indonesia, in this case the Indonesian Ministry of Law and Human Rights issued a policy to assimilate prisoners to prevent them from spreading Covid-19. This research uses descriptive qualitative research methods with a literature study approach...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Effectiveness of Human Rights-Based Public Services in Narcotics Correctional Institutions Class IIA Nusakambangan Based on Regulation of the Minister of Law and Human Rights Number 27 Year 2018

Wisnu Galih Kusuma

Penitentiary as a guiding institution aims to make prisoners target. The Narcotics Correctional Institution Class II A Nusakambangan continues to improve to improve public service facilities in the prison area, from the

arrangement of the parking area, the visiting room made more comfortable, children's...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Problem Analysis of Proposing Parole Relation to Narcotics Prisoners Related to PP Number 99 Year 2012 in Nusakambangan Narcotics Prison

Meinar Ayu Dewi Shinta

The phenomenon of narcotics crime that is rampant in Indonesia requires a special approach to suppress its circulation, including in terms of punishment and penal. Correctional institutions as a place that plays a role in fostering narcotics inmates not to repeat his actions. Conditional release is an...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Treatment of High Risk Prisoners in Batu Nusakambangan Class I Correctional Institutions for Human Rights

Mohammad Ibnu Fajar

The Ministry of Law and Human Rights (Kemenkum HAM) has implemented a high-risk system or the security of high-risk prisoners at the Batu Dam White Sand Correctional Institution (Lapas) Central Java. This high risk status is

Sana Correctional Institution (Lapas), Central Java. This high risk status is specifically for prisoners of narcotics and terrorism cases. Batu Nusakambangan...

[+ Article details](#)

[Download article \(PDF\)](#)



Proceedings Article

Sectoral Statistic Data Integration

Kuat Herry Isnanto

Sectoral statistics is one of the product an institution work that can be used as a reference in development planning in local governments. In managing sectoral statistical data in the regions there are problems, one of which is often found differences in data and collection time which takes a long time...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Effectiveness of the Implementation of Rehabilitation for Prisoners in Narcotics Class IIA Correctional Institutions in Nusakambangan

Teguh Nugroho

Narcotics abuse is a person who uses narcotics without rights or against the law. Article 127 Paragraph (3) of Law Number 35 Year 2009 states that in the case of narcotics abusers, whether they can be proven or proven to be victims of narcotics abusers, they must undergo medical and social rehabilitation...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Human Rights and Biological Needs of Prisoners

Sukardi

Biological needs as basic human needs cause prisoners to fulfill informally and deviate to fulfill their biological rights. Illegal sex business practices are rife at the Penitentiary as a reaction to prisoners' requests to be able to meet their natural needs. Indonesia as a rule of law has an obligation...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Effectiveness of Fostering Independence for Prisoners as a Provision for Community Reintegration

Moch Soenaryo

Skills development as one of the prisoners' training programs, to make prisoners to get along with other prisoners while undergoing skills and also as prisoners' provisions in the process of reintegration with the community. The formulation of the problem of this research are 1) How is the implementation...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Alternative Dispute Resolution as a Solution to Family Law Issue (Field Study at the Muhammadiyah Branch Leaders in Tegalondo, Malang)

Rahayu Hartini, R. Tanzil Fawaiq Sayyaf, Luciana Anggraeni

Harmonious family life is the goal of fostering the household to become sakinah

harmonious family life is the goal of fostering the household to become safe but it cannot be denied that conflict will always arise in family life, so an alternative dispute resolution is needed. The main question that arises is why people take litigation methods to solve family problems such as...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Covid-19 Situation: The Role of Guiding Principles in Regional Comprehensive Economic Partnership (RCEP) in ASEAN Economic Recovery

Amalina Binti Ahmad Tajudin

This paper investigates the impact of the Regional Comprehensive Economic Partnership (RCEP) trade agreement that is expected to boost 45% of the world's population economy by 2021. With ASEAN and 5 developed nations participating in RCEP, one area of concern is how these different nations could achieve...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Effectiveness of Online Remission Implementation

Bima Ganesha Widyadarma

In the process of fostering prisoners, it is known that there is a period of parole for prisoners, which is regulated in Article 14 Paragraph (1) letter k of Law Number 12 of 1995 concerning correctional prison, which states that prisoners are entitled to get parole. The formulation of the problems in...

[+ Article details](#)

[Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Problematics of Legal Protection Towards Victims of Domestic Physical Violence in Indonesia

Rani Hendriana

People basically had psychological violence but do not realize that they are victims of domestic violence. Even though he is aware, there is a tendency to put aside the psychological suffering. The ignorance of psychological suffering can certainly affect a person's mental health, and may even have implications...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Force Majeure and Unfulfillment of Construction Contracts Due to COVID-19 in Indonesia

Edison Hatoguan Manurung, Ina Helianny

The COVID-19 pandemic has a significant impact on economic stability, including a slowdown and even a recession in the world economy. This also has an impact on the construction problem in Indonesia which destroys all social pillars and especially business actors, plus the government has implemented...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Policy on the Special Treatment of High Risk Prisoners in the Botu Nussakembengen Class I Prison

Akhmad Khanifudin

The state has no right to make someone worse or worse than before being imprisoned. Therefore, we need a clear system regarding the treatment of

prisoners. The formulation of the problem in this study is how the special treatment of high-risk prisoners in the Batu Nusakambangan Class I prison and how...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Political Law Crime Money Politics in General Elections and Regional Head Elections

Sugiyatno

Money politics in organizing general elections and regional head elections still occurs using a variety of methods. Money politics criminal acts are regulated in Article 523 paragraph (1) to paragraph (3) of Law no. 7 of 2017 concerning Elections, which are divided into 3 categories, namely during the...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Role of the International Law Commission in the United Nations. Progress or Stagnant?

Ria Karlina Lubis

The urgent need for international law codification leads us to the establishment of The International Law Commission (ILC). The principle purpose of codification is to tackle obstacles due to the uncertainty of customary and the

...contribution is to tackle obstacles due to the uncertainty of customary and abstract aspect of the general principle. In daily interaction, the subject...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Study of Natuna Island Dispute Between Indonesia and China, Based on UNCLOS 1982

Yoyon Mulyana Darusman, Anisa Fauziah, Boru Dwi Sumarna

Every sovereign state must have territory. Either land, sea and air. Likewise with the country of Indonesia, which consists of 2/3 parts of its territory, the ocean. With the sovereign rights in the maritime area, Indonesia has the right to its jurisdiction in the maritime area by continuing to approve...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Tracing the Logic Fallacy in Formulating the Norms of "Everyone" and Its Application to Criminal Actions Committed by Corporations

Panca Sarjana Putra, Muhammad Imanuddin

Law, as science at an epistemological level, of course, has been constructed based on thinking and reasoning, which is subject to scientific logic. Thus, scientific reasoning has a systematic, sequential, and logical pattern. However, a model of legal reasoning will find its articulation in the legislative...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Optimization of Halal Certification in Indonesia: Finding Right Balance between Consumer and Businessmen Interest

Wirdyaningsih, Iffah karimah, Aufl Qonitatus Syahida, Annisah Marwah Nabilah

The halal market's growing trend has enormous potential that can be utilized to benefit Muslim society. In Indonesia, the regulation of halal market stipulated in Halal Product Assurance Act No. 33 Year 2014. This law gives Halal Certification obligation for all products that are entered, circulated,...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Enforceability Force Majeure's Clause in Performance of Business Contracts During Pandemic Covid-19 in Indonesia

Nizam Zakka Arrizal

This study examines the enforceability of Force Majeure's clauses in the Performance of business contracts during the covid-19 pandemic in Indonesia, so that a study of the problem with the legal issues discussed are Is the Covid-19 Pandemic a force majeure? and What is legal consequences as a result...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Legal Protection of the Parties in the Franchise Agreement

Dharu Triasih, Dewi Tuti Muryati

Franchise agreements are based on the principles of contractual freedom set forth in Article 1338 of the Civil Code. However, the implementation on this basis needs to pay attention to the requirements mentioned in Article 1320 of the Civil Code which is about the legal conditions of an agreement. One...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Protection of Rights to Education for the Refugee Children During the Covid-19 Pandemic

Fithriatus Shalihah, Uni Tsulasi Putri

Child as the smallest member in family is the main vulnerable actor. Internationally speaking, the protection of children's rights is granted under the Convention on the Rights of the Children. One of the most crucial children rights to be concerned is the right to education in a non-discriminatory manner...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Spatial Planning Policy in the Region: Problems and Solutions

Haris Budiman, Bias Lintang Dialog, Dikha Anugrah

Spatial planning policies in the regions must be designed in Regional Spatial Plan (RTRW) and Detailed Spatial Plan (RDTR). In its implementation, the majority of regions in Indonesia only formulate RTRW, and do not elaborate it in RDTR, as spatial planning policy is seen as to achieve the target of...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Fighting for Ecological Justice Through Administrative Court: A Case Study of the Verdict of Makassar Administrative Court in Indonesia

Francisca Romana Harjiyatni, Meicke Caroline Anthoni

The struggle for environmental justice through this court often fails, including the struggle of the Indonesian Forum for the Environment (WALHI) through the Makassar State Administrative Court. More specifically, this paper discusses: 1) WALHI's reasons to sue Makassar State Administrative Court; and...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The State of Indonesia Needs Investment to Accelerate Infrastructure Development After New Normal Policies Due to Covid-19

Surizki Febrianto, Suparto

Indonesia as a developing country heading towards developed countries is demanded to make efforts to accelerate economic growth. One way that can be done is to invite investors to invest their capital in Indonesia, both domestic investors and foreign investors as contained in the Law of the Republic...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Role of Law in the Improvement of Maternal Health in Central Sumba

This research focuses on the issue of how law should be developed to improve maternal health issues at the regional level, particularly in Central Sumba

Regency, East Nusa Tenggara, Indonesia. Based on the presumption that law can be used as a tool to achieve the goals of the community, this study aims...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Obligation of Establishment Registration of A Partnership Business Entity Based on Commercial Law Code After the Enactment of the Minister of Law and Human Rights Regulation of the Number 17 Year 2018

R. Murjiyanto, Devi Andani

Commercial Law Code (KUHD) set regarding about process of establishing business entities in the form of partnerships such as the General Partnership and the Limited Partnership (Comanditair Vennootschap / CV), there must be registered with the Registrar of the local District Court. Then based on the...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Precautionary Principle Approach in Time of Financial System Crisis

Kukuh Komandoko

The precautionary principle has the potential and essential role concerning

specific needs to be applied more broadly and understood as an alternative approach in making decisions in the face of dangerous and uncertain threats. Thus, it is possible to use the precautionary principle approach in the...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Prospect of Online Dispute Resolution (ODR) and Business Dispute Resolution in the Legal System in Indonesia

Pan Lindawaty Suherman Sewu

WHO decided COVID-19 as a global pandemic. Pandemic is a situation in which a disease is spread to a lot of people in a number of countries at the same time. The number of the spreading of the corona virus is significantly increasing and globally continuing. The potentiality of disputes of business activities...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Arrangement of Sharia Agreement in Hajj Funds Investment With Productive Waqf Schemes

Vidya Nurchaliza, Wirduyaningsih

The management of the Hajj fund by BPKH is still not optimal. Up until now, BPKH only invested the Hajj funds in the form of banking products and securities. Even though the Hajj Financial Management Act also mandates the placement of Hajj funds in the form of direct investment. On the other hand, productive...

[+ Article details](#)

[Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Effectiveness of the Penitentiary Revitalization Program on Nusakambangan Island in Accordance With the Minister of Law and Human Rights Regulation No. 35 of 2018 Concerning Revitalization of Correctional Organizations

Arfianto Indrajaya

In accordance with Article 2 point C of the Regulation of the Minister of Law and Human Rights Republic of Indonesia Number: 35 of 2018 concerning Penitentiary Revitalization that the Revitalization of Correctional Organization aims to enhance the role of Community Guidance. The formulation of the problem...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Importance of Restorative Justice in the Settlement of Criminal Actions Which Harm an Individual Interest

Beny Timor Prasetyo

Restorative justice is an approach that aims to build a criminal justice system that is sensitive to victims' problems. Restorative justice is important in relation to crime victims, because this approach is a form of criticism of the current criminal justice system in Indonesia which tends towards retributive...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Effectiveness of Prisoners' Online Visit in Penitentiary Class 11A Permisan Nusakambangan

Candra Putra Perwira

Efforts to uphold these human rights can also be carried out in consulting institutions. One of prisoners' rights in prison is the right to receive visits from their families. In Law Number 12 Year 1995 Article 14 letter (h) concerning Penitentiary states that prisoners are entitled to receive family...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Comparison of Regulations on Human Rights in the Constitution of 1945 and the Constitution of Medina

Suparto, Admiral

In terms of Human Rights there are many differences in the realm of the individual/private such as marriage, employment relations, citizenship status and differences in the concept of Human Rights protection in which the Constitution of 1945 adheres to the principle of democratic rule of law while the...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Understanding the Restorative Idea of the Correctional Institution in Indonesia

Ariesta Wibisono Anditya

Indonesian Ministry of Law and Human Rights recently released a large

Indonesian Ministry of Law and Human Rights recently released a large number of prisoners. More than 30,000 prisoners were set free. Law and Human Rights Minister stated this is due to the possible surge of the novel coronavirus in several overcrowded prisons. In the following days after being released,...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Meaning and Development of State Emergency Laws Based on Constitution in the Indonesian Legal System

Atma Suganda, Musa Anthony Siregar

Supremacy of law constitute the main resultant of the principle of the state based on law, which is conserved by legal experts in the legal traditions of Continental Europe and the Anglo-Saxon legal system, is that all government actions must be based on law, governed by law, controlled according to...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Criticize the Constitutional Rights of Citizens on Era and Post Pandemic Covid 19 in State of the Republic of Indonesia

Nany Suryawati

The Constitution of the Republic of Indonesia has been stated in Article 1 paragraph (3), that the State of Indonesia is a State based on law (rechtsstaat), which places recognition and protection of human rights especially the rights of citizens as the highest, and also shows the harmony of relations...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Public Participation Urgency as Efforts and Requirements for the Formation of Good Law

Bayu Dwi Anggono, Fahmi Ramadhan Firdaus

One of the requirements for a good law is participatory, this is needed in the hope that the law can be effectively implemented, because the aspirations of the needs of the public have been accommodated. However, it is not uncommon for the process of establishing laws in Indonesia to be considered to...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

State Responsibility and Justice in Fulfillment of National Health Insurance in Indonesia

Diah Arimbi

National health insurance is one of the human rights essences that is abstracted from health rights, the need for national health insurance will affect individual life, group even a state. The protection of national health insurance is given by the state as a form of protection from rights. National...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Legal Protection Urgency of Children's Rights From Violence Action in Tenggara Selatan Area

ACTION III TANGERANG SELATAN AREA

Feb Amni Hayati, Susantoor, Oksidelfa Yanto

This research is the result of research with Contract Number: 0225 / D5 / SPKP / LPPM / UNPAM / II / 2020. This study aims to determine the urgency of legal

protection for children's rights from violence in the city of South Tangerang. The focus of this research is on the role of the Integrated Service...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Legal Study of Family Resilience: Domestic Violence as Cause for Women for Divorce in Purwokerto

Meliana Damayanti, Siti Haniyah

This article is focusing on the legal study and discussing in the area of Acts: the women's rights and social stigma related to divorce cases because of domestic violence in Purwokerto. The objective of this research is to find out the legal study of victims' rights especially women's rights in the family's...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Autopsy Findings on a Corpse With Blunt Trauma Suspected Murder (Case Report)

Puji Rahayu, Ahmad Yudianto

In some cases of morbid deaths, especially bodies found in water, researchers need the help of a forensic pathologist to determine whether the deaths were due to suicide. A 58-year-old man, fully clothed, was found at the port of Tanjung Perak in a state of float on his stomach. Initially investigators

...yang telah in a state of heat on his stomach. Initially, investigators...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Diversion Urgency in Traffic Violations Committed by Minors

Yunan Prasetyo Kurniawan, Hartiwiningsih, Hari Purwadi, Soehartono

Increasing of traffic breach committed by minors and/or at children age, shows the weak role of regulations related to child protection and child welfare, as well as the weakness and inaccurate sanctions applied to violators. Sanctions given to them based on Law No. 22 of 2009 concerning traffic and...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Overcriminalization Due to Moral Panic Covid-19 Pandemic

Arif Awaludin, Iskatrinah

Public health has become the new moral of modern society. The spread of covid-19 pandemic related to public health interests caused moral panic. This article analyzes the discursive process of criminalization in Indonesia. Law enforcement in Indonesia is fighting people who respond to the moral panic...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Review of the Juvenile Justice System for Children With Disabilities as Juvenile Offender in Indonesia

DISABILITIES AS JUVENILE OFFENDER IN INDONESIA

Sunnah, Tuti Widyaningrum

In dealing with children with disabilities who are juvenile offenders, law enforcers face obstacles in interacting because the special needs of the children with disabilities are not understood and the children lack understanding of criminal law enforcement processes. Indonesian Law Number 11 of 2012...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Fair and Beneficial Tobacco Excise Sharing Funds Regulations for Tobacco Farmers in Indonesia

Aditya Wirawan, Benny Rikardo P. Sinaga

The prosperity of cigarette factory entrepreneurs and the increasing of the tobacco excise revenue in Indonesia is in stark contrast to the vulnerability of poverty experienced by tobacco farmers. It is urgent and necessary to describe the prevailing of Tobacco Excise Production Sharing Fund (DBHCHT),...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Propria Delict on Indonesian Financial Policy Relating to Covid-19

Retno Dewi Pulung Sari

The government acted swiftly by issuing Law Number 2 of 2020 concerning the stipulation of Government Regulations in lieu of Law Number 1 of 2020 concerning Financial Policies and Financial System in handling Pandemic Corona Virus Disease 2019 (Covid-19) an / or in Order to Face Threats which

Serious Virus Disease 2019 (COVID-19) and Other Global Health Threats Which
Endangers...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Rural Spatial Planning and Public Participation in Preserving Cultural Heritage Site

Rofi Wahanisa, Aprila Niravita, Wakhidatun Nissak

The Law of Spatial Planning stipulates that in order to create safe, comfortable, productive, and sustainable space it is required to carry out spatial planning which is able to harmonize natural and artificial environments, achieve integration between the use of natural and artificial resources, protect...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Risk Distribution in Coal Mining: Fighting for Environmental Justice in East Kalimantan, Indonesia

Muhamad Muhdar, Mohamad Nasir, Juli Nurdiana

This study is aimed to explore the environmental risk posed by the unsustainable mining activities in Mulawarman village, East Kalimantan, and articulate the disproportionate impact from the perspective of environmental justice on how mining regulations affect the lives of a vulnerable community. A qualitative...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Reclamation as Land Procurement Efforts for Development in the Public Interest

Sri Herowanti Susilo

This research reveals the relationship between reclamation and land procurement laws for development in the public interest; Whether or not it is necessary to rearrange the provisions of reclamation in a provision that is generally applicable and intersectoral and integrated in the types of land rights...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Needed but Unwanted Independent Regulatory Agencies: Questioning Their Legitimacy and Control in Indonesia

Rizki Ramadani, Andika Prawira Buana

Along with the wave of democracy in 20th century, one of the most dominant trends of public institution in OECD countries is the shift from a centralized bureaucracy to a decentralized and autonomous institution. Such are the so called "Independent Regulatory Agencies" (IRAs). The same trend happened...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Application of the Proportionality Principle in the Credit Restructuring Policy for the SMEs Financial Performance During the Covid-19 Pandemic in Indonesia

Kukuh Tejomurti, Nurhidayatulloh, Irawati Handayani

This article aimed to analyze how to apply the fundamental principle of proportionality in the restructuring of credit contracts to stabilize economic growth in Indonesia during the Covid-19 pandemic period. The spread of Covid-19 directly or indirectly affects debtors' output and ability, including...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Relevance for the Establishment of the Truth and Reconciliation Commission for the Enforcement of Human Rights in Indonesia

Woro Winandi, Endah Lestari Dwirokhmeiti

The rise of cases of gross violations of human rights in Indonesia that have not been resolved through the courts must be resolved by an institution that adopts the values of the local wisdom of the community. The formation of an institution called the truth and reconciliation committee is expected to...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

The Effectiveness of E-Procurement in Realizing Good Governance in the Regency of Kampar

Nasrullah, Ghina Salsabila Aven

Electronic procurement of government's goods or services (e-procurement) which launched by the Government in 2010 is aimed to increase transparency and accountability as well as to realize clean and good governance and it has been commenced into practice by the Local Government of Kampar, Riau Province...

[+ Article details](#)

[Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Legal Review of Collective Investment Contracts in Issuance of Sharia Mutual Fund Instruments According to Islamic Law (Case Study in Indonesia)

Gemala Dewi, Achmad Abdullah Farchan

According to the Capital Market Law in Indonesia, namely Law no. 8 years 1995 concerning the Capital Market, Mutual fund management can be in the form of a Limited Liability Company and can also be in the form of a Collective Investment Contract (KIK). This article will explore the legal form of KIK...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Copyright Tribunal in Malaysia. The New Paradigm

Nazura Abdul Manap

With the increasing of intellectual property cases in Malaysia, the specialised court, i.e, the Intellectual Property Court is not the only mechanism for access to justice. Due to the advent of alternative disputes resolution, a Copyright Tribunal was introduced, which is the first and only intellectual...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

COVID-19 Response and Human Rights - Comments From the German and European Perspective

German and European Perspective

Thomas Schmitz

The coronavirus pandemic is a challenge for the constitutional state. The state must take measures to stop it but they have a serious impact on economic, social and private life and, thus, on human and fundamental rights. This contribution dicusses from the German and European perspective the classical...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Sustainability and Its Responsibility

Tri Lisiani Prihatinah

A food security becomes an important issue in Indonesia as it does not only relate to the survival of individual but it is also an important way to combat poverty. This could be analyzed from sustainability point of view, which is important to integrate the concept of sustainability transferred into...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Company Policy on Termination of Employment at Pandemic Covid-19 From a Fair and Justice Perspective

Prawitra Thalib, Herman, Sri Winarsi, Faizal Kurniawan, Wahyu Aliansa

Currently the spread of the Covid-19 Virus develops rapidly not only in Indonesia but almost all over the world, before the new normal applied by the government, almost most cities in Indonesia implemented a large-scale social restriction (hereinafter called PSBB) It means that all activities are done...

[+ Article details](#)

[+ Download article \(PDF\)](#)

Proceedings Article

Legal Protection Factors for Owner of Land Right in the Land Procurement That is Still Not Giving Justice (Legal Case Study on Semarang-Solo Freeway Construction in Boyolali Regency)

Nanik Sutarni

The research is conducted on an unsupported by the fulfillment of rights for land rights holders on the construction of the Semarang-Solo freeway in Boyolali. The purpose of this study is to identify the factors that lead the protection of landrights holders in the securing of land for development of...

[+ Article details](#)

[+ Download article \(PDF\)](#)



Atlantis Press

Atlantis Press – now part of Springer Nature – is a professional publisher of scientific, technical & medical (STM) proceedings, journals and books. We offer world-class services, fast turnaround times and personalised communication. The proceedings and journals on our platform are Open Access and generate millions of downloads every month.

For more information, please contact us at: contact@atlantis-press.com

▶ PROCEEDINGS

▶ ABOUT

▶ JOURNALS

Indonesian Republic Government's Role in Handling Refugees in Pekanbaru According to the Presidential Regulation Number 125 of 2016 concerning Handling Refugees

Fithriatus Shalihah¹, Uni Tsulasi Putri²

^{1, 2}Universitas Ahmad Dahlan, Yogyakarta - Indonesia

[Email : fithriatus.shalihah@law.uad.ac.id/uni.putri@law.uad.ac.id](mailto:fithriatus.shalihah@law.uad.ac.id/uni.putri@law.uad.ac.id)

Abstract--*This study aims to find out the government's role in handling refugees from abroad and analyze obstacles affecting the implementation of government policies according to Indonesian presidential regulation number 125 of 2016 in handling refugees at the Pekanbaru Immigration Detention House (IDH). This is empirical legal research using primary and secondary data. Primary data is obtained by conducting a survey. The population in this study implements government policies in handling refugees from abroad at the Pekanbaru IDH with 34 people. Data analysis in this study uses quantitative techniques. Based on the data analysis technique, government policies in handling refugees at the Pekanbaru (IDH) were not carried out adequately based on the field data collection assessments. Assessments with the highest average points are in the variable sub-indicators of communication in handling refugees. In contrast, those at the lowest value are indicators of resources in handling refugees from abroad, which have been appropriately implemented. Suitable resources have not supported communication in handling refugees at the Pekanbaru IDH.*

Keywords- *Refugees from abroad; Government Policy; Pekanbaru Immigration Detention House (IDH)*

I. INTRODUCTION

The government's power could be divided into a broad sense of government and the narrow one. The latter shall cover only the institution that takes care of the executive power. The former shall include the executive sense and an institution that has the authority to establish the regulation (legislative power) and those institutions that have judicial power.[1]

Based on Law Number 37 of 1999 concerning Foreign Relations, the authority to give asylum to foreigners is in the President's hand by considering the ministry's deliberation. The Presidential Regulation regulates the execution of the said authority. Furthermore, the President stipulates the

refugees' policy from abroad' issue, which shall be regulated by the Presidential Decree. The government then establishes the Presidential Regulation number 125 of 2016 concerning Handling refugees from abroad. This presidential regulation is the implementation rules of Article 28G 1945 Constitution and article 25 and 27 of the Law Number 37 of 1999 concerning Foreign Relations.

The Presidential Regulation Number 125 of 2016 concerning the Handling of Refugees from abroad is the government's policy, which becomes the legal basis for any government officials in Indonesia handling refugees from abroad. The regulation defines "refugees from abroad" as the foreigners who are in the territory of the Unitary State of the Republic of Indonesia because of reasonable fear of persecution on the grounds of race, ethnicity, religion, nationality, membership of social groups, and different political opinions and who do not want protection from their country of origin and/or have obtained asylum seeker status or refugees status from the United Nations through the High Commissioner for Refugees in Indonesia. Alexander Bett and Gil Loescher define the "Refugee" as "the people who cross international borders to flee human rights abuses and conflict. Refugees are prima face evidence of human rights violations and vulnerability. People who are persecuted and deprived of their homes and communities and means of livelihood are frequently forced to flee across the borders of their home countries and seek safety abroad." [2]

The refugees from abroad are placed in the Immigration Detention House (IDH). According to the regulation, the IDH is a work unit within the

ministry that administers government affairs in law and human rights, which carries out detention of foreigners. The provisions regarding the scope, primary duties, and functions of the IDH as regulated in the Presidential Regulation above are broader than the scope, primary duties, and functions of the IDH as regulated in Law Number 6 of 2011 concerning Immigration. According to Law Number 6 of 2011 concerning Immigration, IDH is a technical implementation unit that carries out the Immigration Function as a temporary shelter for foreigners subject to Immigration Administrative Measures. According to the presidential regulation Number 125 of 2016 concerning the Handling of Refugees from abroad, the IDH is not only a temporary shelter for foreigners who are subject to Immigration Administrative Measures, but also as a temporary shelter for refugees from abroad.

The phenomenon of implementing government policies in the field of refugees from abroad is an interesting thing to do a comprehensive study. Based on Presidential Regulation Number 125 of 2016 concerning the Handling of Refugees from abroad, IDH officers carry out immigration control. In its implementation, immigration control of refugees from abroad, especially at the Pekanbaru IDH, is still not optimal. As stipulated in the above Presidential Regulation, the implementation of government policies by the Pekanbaru IDH is still not effective.

One indication related to the ineffective implementation of government policies by the Pekanbaru IDH is the limited authority of the Pekanbaru IDH in handling refugees from abroad. This is different from the full authority possessed by the Pekanbaru IDH in terms of handling foreigners who are subject to administrative immigration measures. Based on the above background, the phenomenon in terms of determining government policies related to the main tasks and functions of the IDH.

Many factors cause the inadequate implementation of government policies in handling refugees from abroad, both in terms of facilities and infrastructure, as well as human resources. Apart from this, there are still many people who do not know the primary duties and functions of the IDH, especially related to the placement of refugees from abroad, both those placed inside or outside the Pekanbaru IDH.

II. PROBLEMS

The problem questions in this research are: *first*, how is the implementation of government's policy in handling refugees from abroad at the Pekanbaru IDH according to Presidential Regulation Number 125 of 2016; and *second*, how are the obstacles in implementing the Presidential Regulation Number 125 of 2016 in Pekanbaru IDH.

III. RESEARCH METHOD

This research aims to know the implementation of the government's policy in handling refugees from abroad at the Pekanbaru IDH according to Presidential Regulation Number 125 of 2016 and the obstacles in implementing the Presidential Regulation Number 125 of 2016 in Pekanbaru IDH. In order to achieve the objectives, this study conducts empirical research that uses primary and secondary data. Data collection was conducted through surveys, and the information was obtained from the sample through questions. In order to obtain primary data and to acknowledge the government's policy in handling refugees from abroad in Pekanbaru IDH; thus, the research was located in Pekanbaru city, precisely in Pekanbaru IDH. [9]

Bailey stated that the population or universe is the whole number from the analysis unit. Sax asserted that the sample means the limited number of a chosen element in a population.[3] The analysis unit in this research is the executor of the government's policy in handling refugees from abroad in Pekanbaru IDH with a total number of 34 people.[5] In this research, all population members would be the sample because the population number is not too big, and the availability of sufficient time, personnel, and cost. The population and sample are the Head of Pekanbaru IDH and 33 officers (civil servants) who perform the primary duties and functions in Pekanbaru IDH. The sampling technique towards both populations uses census techniques.

The rationale in the respondents (the head and officers of Pekanbaru IDH) was to obtain reliable data from the technical executors' perspectives regarding the policies in handling the refugee under

the Presidential Regulation Number 125 of 2016 in Pekanbaru IDH).

This research consists of primary and secondary data. Primary data was collected directly from the field, which is collected from interviews and questionnaires. Secondary data were obtained from library research to complete primary data, such as reports, literature, and another published attachment, supporting and explaining the problem statements.

The data collection technique in this research uses observation, questionnaires, and an interview. Observation means a direct observation of the research object. The questionnaire technique means proposing a written questions list to the respondent with the provided alternative answers. In this research, the questionnaire was proposed to the civil servants who perform the primary duties and functions in Pekanbaru IDH. The interview was conducted by the direct question and answer with the respondent aimed at a particular issue: the Head of Pekanbaru IDH. [6] The primary data which collecting data from the field and the secondary from the library. The interview's collected primary data will be presented in the description, and the primary questionnaire data will be presented in data tabulation. After the presentation of data, there will be a discussion of the secondary data's research result.

IV. DISCUSSION

IV.1. Government Policy in Handling Refugees from abroad at the Pekanbaru IDH according to Presidential Regulation No. 125 of 2016

Variable indicators in this research related to the government policy in handling refugees from abroad at the Pekanbaru IDH are based on Presidential Regulation Number 125 of 2016. There are 5 (five) indicators: (i) government; (ii) communication; (iii) resources; (iv) disposition; (v) organization structure. Each indicator was measured based on the questionnaire answer from 33 respondents who work as civil servant officers) in Pekanbaru IDH.

IV.1.1. Government Policy in Handling Refugees from abroad.

Assessment for this first indicator consists of sub variable indicators: (i) conformity with the higher policy; (ii) consistent with the applicable policy; (iii)

future-oriented; (iv) clear and transparent. Table 1 elaborate on the assessment of the sub-indicators.

Table 1. Respondents' Response to the Government Policy Indicator

No	Government Policy in Handling Foreign Refugees	Assessment Category					Total
		Strongly Agree	Agree	Less Agree	Disagree	Strongly Disagree	
1	Standard Operating Procedure (SOP) has conformed with the higher policy (rule)	3 9,09%	16 48,48%	6 18,18%	5 15,15%	3 9,09%	33 100%
2	SOP has been consistent to the applicable policy	2 6,06%	14 42,42%	9 27,27%	7 21,21%	1 3,03%	33 100%
3	SOP has been future oriented	0 0,00%	5 15,15%	20 60,61%	7 21,21%	1 3,03%	33 100%
4	SOP has been clear and transparent	4 12,12%	13 39,39%	10 30,30%	5 15,15%	1 3,03%	33 100%
Total		9	48	45	24	6	132
Average		2,25	12	11,25	6	1,5	33
Percentage		7%	36%	34%	18%	5%	100%

Source: Field Data, 2018

Based on Table 1 above, the highest percentage assessment for the government's policy in handling refugees from abroad at the Pekanbaru IDH is 36% for the "Agree" category. Based on the data above, the government's policy in handling refugees from abroad has been adequately implemented in general.

There are 3 respondents (9,09%) who give "strongly agree" answer; 16 respondents (48,48 %) and 3 respondents (9,09%) with "strongly disagree" answer, for the sub-indicator of the conformity of the Standard Operating Procedure (SOP) to the higher policies (rules). Regarding the sub-indicator of the SOP in handling foreign refugee has been consistent to the applicable policy, there were 14 respondents (42,42%) with "agree" answer and 1 respondent (3,03%) with "strongly disagree" answer. Regarding the sub-indicator of the SOP in handling foreign refugee is future oriented, there is no respondents with "strongly agree" answer, but there were 20 respondents (60,61%) with "less agree" answer. In addition, there were 13 respondents (39,39%) with "agree" answer and 1 respondent (3,03%) with "strongly disagree" answer for the indicator of the SOP in handling foreign refugee has been clear and transparent.

The Head of Pekanbaru IDH, Junior Manerep Sigalingging, stated that the SOP refers to the Presidential Regulation Number 125 of 2016 on Handling Refugees from abroad and the Law Number 6 of 2011 on Immigration. He also asserted that the SOP has not yet been consistent with the applicable policy, not yet been future-oriented due to the existing rules were still ambiguous, and not yet been clear and transparent. In regards to the latter, one of the indicators is that the regional government had never attended Pekanbaru IDH to discuss the refugee shelter problems.

IV.1.2. Communication in Handling Refugees from abroad.

Assessment for this communication indicator consists of sub variable indicators:(i) officers’ attitude and behavior in performing duties; (ii) officer’s disciplinary level in performing duties; (iii) officer’s skill level in performing duties; and (iv) the stipulation of officer’s upgrading policy in order to the skill/professionalism improvement. Table 2 provides an assessment of the sub-indicators.

Table 2. Respondents’ Response to the Communication Indicator

No	Communication related to the implementation of government’s policy in Handling Foreign Refugees	Assessment Category					Total
		Strongly Agree	Agree	Less Agree	Disagree	Strongly Disagree	
1	Officers’ attitude and behavior in performing duties	4 12,12%	11 33,33%	10 30,30%	7 21,21%	1 3,03%	33 100%
2	Officer’s disciplinary level in performing duties	1 3,03%	13 39,39%	11 33,33%	7 21,21%	1 3,03%	33 100%
3	Officer’s skill level in performing duties	0 0,00%	13 39,39%	13 39,39%	6 18,18%	1 3,03%	33 100%
4	The stipulation of officer’s upgrading policy in order to the skill/professionalism improvement	6 18,18%	11 33,33%	11 33,33%	5 15,15%	0 0,00%	33 100%
Total		11	48	45	25	3	132
Average		2,75	12	11,25	6,25	0,75	33
Percentage		8%	36%	34%	19%	2%	100%

Source: Field Data, 2018

Based on Table 2 above, the highest percentage assessment for communication indicators in handling refugees from abroad at the Pekanbaru IDH is 36% for the “Agree” category. In general, communication in handling refugees in Pekanbaru IDH has been adequately implemented. Junior ManerepSigalingging asserted that the officers had implemented the SOP in their every duty. The author argued that the existing SOP should be followed by the officer’s upgrading skill program, such as English language skills or others.

Regarding the officer’s disciplinary level in performing duties sub-indicator, a respondent gave a “strongly disagree”, 7 respondents gave “disagree” answer and 11 respondents gave “less agree” answer, 11 respondents with “agree answer” and a respondent gave “strongly agree”. Junior ManerepSigalingging stated that the discipline of Pekanbaru IDH officers had been well implemented.

The assessment of the Pekanbaru IDH officers’ skills had not been carried out correctly. The officers’ skills were following the SOP for refugees from abroad enforced at Pekanbaru IDH. According to the respondents, the skills possessed by these

officers were obtained based on directions, training, and education that had been carried out previously. The Head of Pekanbaru IDH gave a positive answer that the Pekanbaru IDH officers’ skills in carrying out their duties have referred to the SOP for refugees. The author argued that the office clerk and the field division must be balanced in attending education and training to dispel the impression that only the office clerk often attends the training. The training should also be carried out according to a well-planned schedule, thus eliminating the impression that training at the end of the year only aims to spend the budget.

The establishment of Pekanbaru IDH officers’ policy development to improve the skills/professionalism has adequately been implemented following the existing SOP. As a whole, the respondents stated that Pekanbaru IDH officers’ policy development to improve the skills/professionalism had appropriately been implemented. Similarly, the Head of the Pekanbaru IDH stated that Pekanbaru IDH officers’ policy development to improve the skills/professionalism had been adequately implemented. It is proven that every officer has been equipped with knowledge and socialization, and many employees have attended training organized by the government. According to the author, one of the obstacles in this issue is the separation between the duties carried out at the IDH, and the duties carried out at the Immigration in itself.

IV.1.3. Resources in Handling refugees from abroad

Assessment on the resources indicator consists of the sub-indicator: (i) available facilities and infrastructure provide comfort; (ii) grievance mechanism facility; and (iii) room for temporary shelter.

Table 3. Respondents’ Response to the Resources in Refugees from abroad Indicator

No	Resources in the implementation of government policy in handling foreign refugee	Assessment Category					Total
		Strongly Agree	Agree	Less Agree	Disagree	Strongly Disagree	
1	Available facilities and infrastructure provide comfort	2 6,06%	8 24,24%	16 48,48%	7 21,21%	0 0,00%	33 100%
2	Grievance mechanism facility	1 3,03%	16 48,48%	9 27,27%	7 21,21%	0 0,00%	33 100%
3	Room for temporary shelter	1 3,03%	7 21,21%	18 54,55%	7 21,21%	0 0,00%	33 100%
Total		4	31	43	21	0	99
Average		1,33	10,33	14,33	7	0	33
Percentage		4%	31%	44%	21%	0%	100%

Source: Field Data, 2018

Based on Table 3, the highest percentage of resources related to implementing government

policies in refugees from abroad at the Pekanbaru IDH is 48%, with the category of assessment “less agree.” Based on the percentage in this category, the resources related to government policies in refugees from abroad at the Pekanbaru IDH are not adequately implemented.

Based on the respondents’ opinion, the facilities and infrastructure available in Pekanbaru IDH have not provided comfort to refugees from abroad. Based on the interview with the respondents, it is found that the facilities and infrastructure available in Pekanbaru IDH provided comfort to refugees from abroad and the officers. Comfortable facilities and infrastructure in Pekanbaru IDH have improved and supported officers’ duties. However, there are still refugees who use available facilities poorly. Besides that, the current facilities are still inadequate so that improvements are needed. The Head of Pekanbaru IDH stated that the facilities and infrastructure available in Pekanbaru IDH had provided comfort to refugees from abroad. According to the author based on the observation, the facilities and infrastructure unavailable yet in Pekanbaru IDH are a particular room to frisk the refugees from abroad.

Based on the respondents’ opinions, the grievance mechanism for refugees is well available. Based on the interview with the respondents, the refugees in Pekanbaru IDH could complain at any time about problems experienced or convey their aspirations and complaints to officers on duty, employees, or to the authorized officials. However, it is unfortunate that the refugees rarely utilize well the existing complaint facilities, and there are even refugees who damage the facilities provided. The Head of Pekanbaru IDH stated that the means of complaints about the refugees were already well available. According to the author, the problem with complaints about refugees from abroad in Pekanbaru IDH is language difficulties between officers receiving complaints and refugees who submit complaints.

Based on the interview with the respondents, the room as a temporary shelter for refugees from abroad in Pekanbaru IDH had met the existing provisions, both those provided by the International Organization for Migration (IOM) and those provided by IOM after coordinating with IDH. There’s also an opinion that the room as a temporary

shelter for refugees in Pekanbaru IDH is still inadequate compared to the number of refugees. The other respondent mentioned that the IDH is currently no longer a temporary shelter for refugees. In general, respondents mentioned that the room as a temporary shelter for refugees in Pekanbaru IDH was not available properly. The Head of Pekanbaru IDH stated that the room as a temporary shelter for refugees from abroad in Pekanbaru IDH was inadequate to place many refugees outside. According to the author, the problem with refugees’ temporary shelter in Pekanbaru IDH is that the number of refugees is not proportional to the availability of space or existing facilities and infrastructure.

IV.1.4. Disposition in Handling refugees from abroad

Assessment for disposition indicator consists of sub variable indicators: (i) grant for the right to life; (ii) grant for the right to health; (iii) grant for the right to education. Table 4 provides the assessment of the sub-indicators.

Table 4. Respondents’ Response to the Government Policy in Refugees from abroad Indicator

No	Disposition in Handling Foreign Refugee in Pekanbaru Immigration Detention House	Assessment Category					Total
		Strongly Agree	Agree	Less Agree	Disagree	Strongly Disagree	
1	Grant for the right to life	3 9,09%	14 42,42%	8 24,24%	8 24,24%	0 0,00%	33 100%
2	Grant for the right to health	2 6,06%	14 42,42%	10 30,30%	7 21,21%	0 0,00%	33 100%
3	Grant for the right to education	1 3,03%	7 21,21%	18 54,55%	7 21,21%	0 0,00%	33 100%
Total		6	35	36	22	0	99
Average		2	11,66	12	7,33	0	33
Percentage		6%	35%	36%	23%	0%	100%

Source: Field Data, 2018

Based on Table 4 above, the highest percentage of dispositions related to implementing government policies in refugees from abroad in Pekanbaru IDH is 36%, with the assessment category “less agree.” Based on the percentage in this category, the disposition related to implementing government policies in refugees from abroad in Pekanbaru IDH is not properly implemented.

Based on the respondents’ opinion, the right to live for refugees has been properly implemented. Based on the interview with the respondents, granting the right to live for refugees from abroad in Pekanbaru IDH had been implemented. This is because the rules regarding the right to life have been regulated in Indonesia’s legal system, among others, have been included in the constitution. Also, because human rights in Indonesia have been

implemented properly, human rights protection is not only for Indonesian citizens but also for foreign citizens, such as giving the right to live based on good standards. According to the Head of the Pekanbaru IDH, the right to live for refugees from abroad in the Pekanbaru IDH had been properly implemented. According to the author, the obstacle in granting the right to live for refugees from abroad in Pekanbaru IDH is that there are still problems for every foreign refugee meeting their basic daily needs.

Based on the respondents' opinion, the right to health for refugees from abroad has been properly implemented. Based on the interview with the respondents, granting rights to health for refugees from abroad in Pekanbaru IDH had been implemented or had been properly granted. This is because everyone can complain about his/her illness to the clinic provided by IOM and health workers of Pekanbaru IDH. Another respondents' opinion was that because human rights in Indonesia have been properly implemented, the health aspects of every foreign refugee in Pekanbaru IDH are things that must be provided and implemented. According to the Head of the Pekanbaru IDH, granting rights to health for refugees from abroad in Pekanbaru IDH has been properly implemented. According to the author, the obstacle in granting the right to health for refugees from abroad in Pekanbaru IDH is that there are still problems if the refugees choose to have their health checked at a hospital assigned. One of these indicators is that refugees have to rent a vehicle to the destination hospital. Alternatively, in other words, no vehicle specifically functions as a means of transportation to take sick refugees to the hospital.

Based on the respondents' opinions, the granting right to education for refugees from abroad has not been properly implemented—the assessment of the granting rights to education for refugees from abroad in Pekanbaru IDH. Based on the interview with the respondents, granting the right to education for refugees from abroad in Pekanbaru IDH had not been properly implemented. This is due to factors of non-existent teaching and learning activities for refugees in a sustainable manner, especially for refugees in school-aged. In contrast, there's also another respondents' opinion that refugees from abroad in Pekanbaru IDH had obtained the adequate right to education. IOM gives the right to education

for them. IOM assigns relevant parties to teach children, refugees. According to Junior Manerep Sigalingging, granting refugees access to education from abroad in Pekanbaru IDH has not been properly implemented because there is no legal rule regarding this matter. According to the author, the obstacle in granting refugees the right to education from abroad in Pekanbaru IDH is the lack of infrastructure needed to support these activities.

IV.1.5. Organization Structure in Handling refugees from abroad

Assessment for the organization structure is consist of sub variable indicators: (i) real condition of officers' number linked to the effectivity in performing duties and functions in prime; (ii) the number of officers with the executive position in the Security and Order Section; (iii) the number of translators; and (iv) the number of medical personnel. Table 5 provides an assessment of the organization structure sub-indicators.

Table 5. Respondents' Response to the Organization Structure in Refugees from abroad Indicator

No	Organization structure in handling foreign refugee in Pekanbaru Immigration Detention House	Assessment Category				Total	
		Strongly Agree	Agree	Less Agree	Disagree		
1	Real condition of officers' number linked to the effectivity in performing duties and functions in prime	2 6,06%	9 27,27%	13 39,39%	9 27,27%	0 0,00%	33 100%
2	The number of officers with executive position in the Security and Order Section has matched organization's needs	1 3,03%	10 30,30%	15 45,45%	7 21,21%	0 0,00%	33 100%
3	The number of translators has matched to organization's needs	0 0,00%	4 12,12%	21 63,64%	8 24,24%	0 0,00%	33 100%
4	The number of medical personnel has matched to the needs of organization	5 15,15%	5 15,15%	16 48,48%	7 21,21%	0 0,00%	33 100%
Total		8	28	65	31	0	132
Average		2	7	16,25	7,75	0	33
Percentage		6%	21%	49%	24%	0%	100%

Source: Field Data, 2018

Based on Table 5, the highest percentage of organizational structures related to the implementation of government policies in refugees from abroad in Pekanbaru IDH is 49%, with the category of assessment "less disagree." Based on the percentage in this category, the organizational structure related to the implementation of government policies in refugees from abroad in Pekanbaru IDH has not been properly implemented.

Based on the respondents' opinion, the real condition of the total number of officers related to the effectiveness in carrying out their duties and functions in prime has not been well organized. Based on the interview with the respondents, the real condition of officers' total number was not effective

yet if it was related to their obligations to perform their duties and functions in prime. For example, if there is a demonstration from foreign in Pekanbaru IDH, the officers will have difficulty overcoming it. In contrast, another opinion was that the total number of officers' real conditions could be effective if related to their obligations to perform their duties and functions in prime. This is because the officers already have clear duties and functions. Also, the current number of officers/personnel is sufficient for the organization's needs, and the existing employees are well trained and work in their respective ways. According to the Head of Pekanbaru IDH, the real condition of the total number of officers related to the effectiveness in carrying out their duties and functions in prime is not a problem in refugees from abroad in Pekanbaru IDH. According to the author, the obstacle in terms of the real condition of the total number of officers related to the effectiveness in carrying out their duties and functions in prime is the lack of supervision of refugees from abroad who are not placed in Pekanbaru IDH.

The number of employees with executive positions in the security and order section based on the respondents' opinion has not fully supported the government's policy in refugees from abroad at the Pekanbaru IDH in terms of organizational needs. Based on the interview with the respondents, the number of employees with executive positions in the security and order section was not in accordance with the needs of the organization due to several factors, namely the number of employees in the security section was not sufficient to carry out their duties optimally in the event of a riot at home. Pekanbaru IDH. In addition, employees still lack work experience in carrying out their main duties and functions. Another respondents' opinion was that the number of employees with executive positions in the security and order section is in accordance with the organization's needs. Several factors, namely employees in terms of security are sufficient to manage refugees in detention centers. Immigration Pekanbaru, employees have good communication and relationships with the refugees in carrying out security and order at the Pekanbaru IDH. According to the Head of the Pekanbaru IDH, the number of employees with executive positions in the security and order section at the Pekanbaru IDH was in

accordance with the organization's needs. According to the author, the obstacle in terms of the number of employees with executive positions in the security and order section of the Pekanbaru IDH is that unrecorded refugees are separated from officers' supervision.

The number of translators based on respondents' opinions has not fully supported the government's policy in refugees from abroad at the Pekanbaru IDH in terms of organizational needs. Based on the interview with the respondents, the number of translators was not in accordance with the organization's needs due to the lack of employees who had expertise in foreign languages such as Arabic. According to the Head of the Pekanbaru IDH, the number of translators at the Pekanbaru IDH did not match the organization's needs. Therefore, interpreters are needed in the daily organization. According to the author, the obstacle in terms of the number of translators at the Pekanbaru IDH is that refugees from abroad generally cannot speak Indonesian and English, making it difficult for officers to communicate.

The number of health workers based on the respondents' opinion has not fully supported the government's policy in refugees from abroad at the Pekanbaru IDH in terms of organizational needs. Based on the interview with the respondents, the number of health workers was not in accordance with the needs of the organization due to factors, namely the lack of health personnel so that if there were refugees who were sick (especially at night), they had to be referred/brought to the hospital immediately. In contrast, another opinion was that the number of health workers is in accordance with the organization's needs. The health workers have carried out their work properly in accordance with their main duties and functions. According to the Head of the Pekanbaru IDH, the number of health workers at the Pekanbaru IDH did not match the organization's needs. Therefore, health personnel is needed to support organizational performance. According to the author, the obstacle in terms of the number of health workers at the Pekanbaru IDH that is not in accordance with the organization's needs is the lack of staff with a background in health or medicine.

IV.1.6. Assessment Recapitulation of the Implementation of Government’s Policy in Refugees from abroad in Pekanbaru IDH

The recapitulation of the assessment of the implementation of government policies in refugees from abroad at the Pekanbaru IDH was not well done.

Table 6. Assessment Recapitulation

No	Organization structure in handling foreign refugee in Pekanbaru Immigration Detention House	Assessment Category					Total
		Strongly Agree	Agree	Less Agree	Disagree	Strongly Disagree	
1	government policy in handling foreign refugees has been well done	2,25	12	11,25	6	1,5	33
2	Communication in handling foreign refugees has been well done	2,75	12	11,25	6,25	0,75	33
3	Resources in handling foreign refugees has been well done	1,33	10,33	14,33	7	0	33
4	Disposition in handling foreign refugees has been well done	2	11,66	12	7,33	0	33
5	organization structure in handling foreign refugees has been well done	2	7	16,25	7,75	0	33
Total		8	10,33	52,99	65,08	34,33	2,25
Average		2	2	11	13	7	0
Percentage		6%	6%	32%	40%	21%	1%

Source: Field Data, 2018

Based on Table 6, the percentage of the assessment of the implementation of government policies in refugees from abroad at the Pekanbaru IDH is 40%. Thus, the assessment of this indicator is in a bad category. This is in accordance with the measurement technique used, where the assessment in the percentage between 21% to 40% with the category of assessment is not good. Based on the recapitulation of research data described previously (according to respondents, it was carried out poorly), the category with the highest assessment is in the variable sub-indicator of communication in refugees from abroad been implemented properly. Meanwhile, those at the lowest score is the variable indicators of resources in refugees from abroad that have been implemented properly. Thus, communication in refugees from abroad has not been supported by good resources. The Head of the Pekanbaru IDH must make efforts to no longer be a problem or at least to be minimized.

IV.2. The Obstacles in the Implementation of Government Policy in Refugees from abroad in Pekanbaru IDH in accordance with Presidential Regulation No. 125 of 2016

Based on the assessment recapitulation on the government’s policy’s implementation in refugees from abroad in Pekanbaru IDH, the lowest assessment category is in the variable sub-indicator of the resources in refugees from abroad. In regards to the resources aspect in refugees from abroad, there are at least three obstacles that influence the implementation of government policy in refugees

from abroad in Pekanbaru IDH: (i) uncomfortable facilities and infrastructure; (ii) grievance mechanism facility; (iii) room for temporary shelter.

IV.2.1. Available Facilities and Infrastructures in the Pekanbaru IDH has not provided comfort yet towards the foreign refugee

Respondents asserted that the existing facilities and infrastructures in Pekanbaru IDH had not provided comfort yet to the foreign refugee. The facilities and infrastructures shall have provided coziness not only to the refugees from abroad but also to the officers. The existing contentment of facilities and infrastructures in Pekanbaru IDH began to be well and have supported the officer’s duties performance. However, there was no support from the positive behavior of the refugee. There were still some refugees who utilize the facilities poorly. It requires an advancement of the facilities and infrastructures. The most significant Facility to establish is the availability of a special room to search for refugees from abroad.

IV.2.2. Grievance Means Facility to the Refugees from abroad in Pekanbaru IDH

The grievance mechanism facility for the refugees from abroad in Pekanbaru IDH has generally been implemented well. At any time, the refugees may complain about a problematic experience or express an aspiration and the grievance to the on-duty-officers or the official authority.

Nonetheless, the refugees from abroad have not optimally utilized this complaint facility. Even there were still refugees who damage the provided complaint facility. Based on the field data collection assessments, the main obstacles in this grievance facility towards the refugees from abroad are the language problem between the officer who received the complaint and the refugees from abroad who complain.

IV.2.3. The Room as Temporary Shelter for Refugees from abroad in Pekanbaru IDH

The room as temporary shelter for the refugees from abroad has fulfilled the existing provision, either provided by the International Organization for Migration (IOM) or provided by the IOM after coordination with the IDH. Nevertheless, the temporary shelter room for refugees from abroad is

still not quite enough compared to the number of refugees.

At the time of the data collection for this research had ended up, Pekanbaru IDH had no longer become the temporary shelter for refugees from abroad. Once Pekanbaru IDH still became the temporary shelter for refugees from abroad, the problem occurred due to the room for temporary shelter was not enough. Thus, many refugees from abroad shall be placed outside the IDH. The main obstacle at that time was the number of refugees that were not comparable to the availability of the rooms, facilities, or infrastructures.

The temporary shelter for refugees from abroad at the Pekanbaru IDH currently refers to Presidential Regulation No. 125 of 2016 concerning the Handling of Refugees from Abroad. Based on Article, the IDH coordinates with the local district/city government to bring and place refugees from where they are found to a shelter. If shelters are not yet available, refugees can be placed in temporary accommodation. The regent/mayor determines the temporary accommodation place. Suppose the regional government utilizes regional property as a shelter for refugees. In that case, in accordance with the provisions of laws and regulations, the use shall be leasing between the regional government and the Minister as the central government

Based on Article 26 section (1) and Article 26 section (2) Presidential Regulation Number 125 of 2016 concerning Handling of Refugees from Abroad, it is stated that the district/city government determines the shelter for refugees. Shelters for refugees must meet the following criteria: (i) close to health and worship service facilities; (ii) located in one regency/city with the IDH; and (iii) supporting security conditions.

V. CONCLUSION

The implementation of the government's policy in refugees from abroad in Pekanbaru Immigration Detention House (IDH) based on the Presidential Regulation Number 125 Number 2016 has not worked well. The conclusion is based on the assessment from the field data collection tools. The highest average point was in the variable indicator of "communication in handling the refugees from

abroad has been done well." On the other hand, the lowest average assessment point is the variable indicator of the "resources in refugees from abroad has been done well." The obstacles to the implementation of the Presidential Regulation Number 125 of 2016 concerning refugees from abroad in Pekanbaru, among others, is that the communication in handling the refugees from abroad has no support from a good resource in handling the foreign refugee.

The Head of Pekanbaru IDH should have striven to eliminate or at least minimize the resource problem in refugees from abroad. For that, facilities and infrastructures shall provide comfort, the grievance mechanism shall be communicative, and there shall be adequate rooms for temporary shelter.

The Head of Pekanbaru IDH shall provide the officers' improvement skills, especially in a foreign language such as English or other languages. Furthermore, he shall be fair in providing the skill upgrading for the office clerk and the field officer to participate in education and training. Thus, the impression of the often participation from the office clerk only might be eliminated. Other than that, the training is not aimed to spend the budget only. The Pekanbaru Major shall execute article 26 section (1) and (2) of the Presidential Regulation Number 125 of 2016 concerning the Handling of Foreign Refugee, which affirmed that the local regency/city government should determine the shelter for the foreign refugee.

ACKNOWLEDGEMENT

The authors would like to thank for Mr. Junior ManerepSigalingging, who, at the time this research took place, was acting as the Head of Pekanbaru Immigration Detention House, as well as all the officers in Pekanbaru Immigration Detention House, who had been willing to assist the author as the respondents in this research.

REFERENCES

- [1] Inu Kencana Syafii, *Pengantar Ilmu Pemerintahan*, Bandung: PT Refika Aditama, pg. 20, 2010.

- [2] Alexander Betts and Gil Loescher (Ed.), *Refugee in International Relations*, New York: Oxford University Press, Pg. 1, 2011.
- [3] A. Muri Yusuf, *Metode Penelitian Kuantitatif, Kualitatif & Penelitian Gabungan*, Jakarta: Kencana, pg. 147-150, 2014.
- [4] Bambang Waluyo, *Penelitian Hukum dalam Praktek*, Jakarta: Sinar Grafika, Pg. 15, 2002; Mukti Fajar dan Yulianto Achmad, *Dualisme Penelitian Hukum Empiris & Normatif*, Pustaka Pelajar, Pg. 280, 2010; Amiruddin, *Pengantar Metode Penelitian hukum*, Jakarta: PT Raja Grafindo Persada, Pg. 30, 2006.
- [5] Rumah Detensi Imigrasi Pekanbaru, *Profil Rumah Detensi Imigrasi Pekanbaru*, Rumah Detensi Imigrasi Pekanbaru, Pekanbaru, Pg. 9, 2016.
- [6] Jonathan Sarwono, *Pintar Menulis Karangan Ilmiah – Kunci Sukses dalam Menulis Ilmiah*, Yogyakarta: Andi, Pg. 34, 2010.