

HUMANITARIAN TRANSLATION AND REFUGEE POLICY IN INDONESIA: A CASE OF STRATEGIC NORM COMPLIANCE

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ABSTRACT

This paper analyzes how the concept of humanity is translated into refugee governance practices in countries that have not ratified the 1951 Refugee Convention and the 1967 Protocol. Using Indonesia as a case study, this article seeks to answer the question how is humanitarian commitment manifested in the management of refugees in Indonesia and how political interests influence the translation of humanitarian norms into domestic policy. Drawing on a qualitative analysis of refugee-related regulations, policy documents, and secondary literature, this article argues that Indonesia is bound by human rights conventions and has adopted international humanitarian norms into its domestic framework particularly through Presidential Regulation Number 125 of 2016. However, its implementation tends to be inconsistent and seems “half-hearted”. This trend is influenced by pressures originating from domestic problems and the dynamics of international responsibility. Therefore, the actions, or policies that the Indonesian government has claimed to be taking in the name of humanity are fraught with political implications. The absence of a sustainable political commitment to refugee protection demonstrates that refugees are merely a political tool used to acquire power and recognition on a regional and international level. This finding contributes to the growing literature on non-signatory states' responses to global refugee regimes by foregrounding the politics of translation and humanitarianism in the Southeast Asian context.

Keywords: humanitarian politics; refugee regime; indonesian policy; humanitarian translation; norm compliance

TRANSLASI KEMANUSIAAN DAN KEBIJAKAN PENGUNGSI DI INDONESIA: STUDI TENTANG KEPATUHAN STRATEGIS TERHADAP NORMA

ABSTRAK

Tulisan ini menganalisis bagaimana konsep kemanusiaan diterjemahkan ke dalam praktik tata kelola pengungsi di negara-negara yang belum meratifikasi Konvensi Pengungsi tahun 1951 dan Protokol tahun 1967. Dengan menggunakan Indonesia sebagai studi kasus, artikel ini berupaya menjawab bagaimana komitmen kemanusiaan termanifestasi dalam pengelolaan pengungsi di Indonesia dan bagaimana kepentingan politik mempengaruhi penerjemahan norma-norma kemanusiaan ke dalam kebijakan dalam negeri. Menggunakan analisis kualitatif terhadap peraturan terkait pengungsi, dokumen kebijakan, dan literatur sekunder, artikel ini berargumen bahwa Indonesia terikat pada konvensi Hak Asasi Manusia dan telah mengadopsi norma-norma kemanusiaan internasional ke dalam kerangka domestiknya, khususnya melalui Peraturan Presiden Nomor 125 Tahun 2016. Namun, implementasinya cenderung tidak konsisten dan terkesan “setengah hati”. Kecenderungan ini dipengaruhi oleh tekanan yang berasal dari permasalahan domestik dan dinamika tanggung jawab internasional. Oleh karena itu, tindakan atau kebijakan yang diklaim pemerintah Indonesia diterapkan atas nama kemanusiaan sebenarnya sarat dengan implikasi politik. Tidak adanya komitmen politik yang berkelanjutan terhadap perlindungan pengungsi menunjukkan bahwa pengungsi hanyalah alat politik yang digunakan untuk memperoleh kekuasaan dan pengakuan di tingkat regional dan internasional. Temuan ini berkontribusi terhadap perkembangan literatur mengenai respon negara-negara non-pihak rezim pengungsi global dengan mengedepankan politik translasi dan kemanusiaan dalam konteks Asia Tenggara.

Kata kunci: politik kemanusiaan; rezim pengungsi; kebijakan indonesia; translasi kemanusiaan; kepatuhan norma

INTRODUCTION

The trend of rejection or reluctance to provide permanent protection to refugees occurs in several countries. The state, however, has authority over the application of international norms within its borders, therefore the refugee regime norms are not uniformly implemented (Betts & Milner, 2019; Federico & Hess, 2021). Developed nations in particular frequently impose stringent regulations on

refugees and place more emphasis on control and preventive measures than on humanitarianism. Anti-immigrant policy emerged as a response to the massive wave of refugees where the majority came from Middle Eastern countries. These restrictive policies are also influenced by the securitization of refugee movements, in which refugees are portrayed as potential threats to national security, social cohesion, and cultural identity. This securitization narrative legitimizes restrictive refugee poli-

cies in most European countries, highlighting the tension between humanitarian commitments and security concerns. Refugee policies are no longer humanitarian-based but are filled with xenophobia, Islamophobia, and racism. For example, Scandinavian countries namely Sweden, Denmark, and Norway implement restriction policies such as limiting access to social rights for refugees (Hagelund, 2020), anti-immigrant policies in Italy (Campomori & Ambrosini, 2020), xenophobic refugee policies in the United States (Darrow, 2018; Wasem, 2020), the long-term detention policy for asylum seekers in Japan (Akimoto, 2021; Tarumoto, 2019), and the xenophobic policy which is also demonstrated by Australia (Afira, 2021; Hertero, 2021; Minns et al., 2018).

Another factor is economic considerations. In general, refugees will get maximum protection in developed countries only if the number of refugees is relatively small. When the number of refugees is large, they tend to be perceived as a threat to the economy (Abdelaaty, 2021; Hangartner et al., 2021; Ineli-Ciger, 2019). However, there are a small number of signatory countries that respond to this crisis by at least referring to the refugee regime principles and norms, as shown by Germany and Sweden which tend to be open to refugees (Kriesi et al., 2021). This situation raises the important question of how developing countries, most of which are not destination countries for refugees, respond to increased responsibilities amidst conflicting humanitarian and political considerations.

The restricted policy has resulted in more than 71% (United Nations High Commissioner for Refugees, 2024b) of the total refugees in the world being accommodated by developing and underdeveloped countries, most of are not ratified the international refugee regime. So, seeing how the response of non-signatory countries becomes more significant compared to signatory countries. One of the main reasons why non-signatory state responses are important is that they are not in a position to accept and allow refugees to enter the country's territory. In addition, the countries do not have adequate legal protection regarding entry and exit regulation and handling of refugees in their country. Some works of literature trying to analyze the non-signatory response show that protection is better provided by the non-signatory state (Adamson & Tsourapas, 2019; Garnier et al., 2018; Janmyr, 2021; Kelberer, 2017; Mencütek, 2018; Moretti, 2018; Ostrand, 2015; Prabaningtyas, 2019; Vijayakumar, 2001). It cannot be denied that there are similarities in terms of limiting access to asylum including refugee rights in the two types of

countries with different statuses. However, facilitating refugees to settle temporarily in dominant non-signatory countries indicates that this country has shown its adherence to the international regime even though it is not part of that regime. Ultimately, non-signatory states not only actively solve global problems but also participate in the evolution and interpretation of international refugee regimes (Janmyr, 2021).

The topic of how non-signatory states comprehend and translate the concept of humanity in relation to refugee governance has not, however, been addressed by the aforementioned studies. Therefore, it is crucial to assess whether state's actions regarding refugees acting outside of the international refugee framework are genuinely driven by humanitarian considerations. The argument of this article is that the state's choice to behave in this way is not accidental but is part of the politics of humanitarian translation in global south. Using Indonesia as a case study, this article analyzes Indonesia's response to refugees in the context of being a transit country because it did not ratify the 1951 Refugee Convention and the 1967 Protocol. The main question of this research is how does Indonesia translate the concept of humanity into refugee governance, and how political interests influence the translation of humanitarian norms into domestic policies?

Indonesia's efforts to align its domestic policies with international humanitarian norms have resulted in protection practices that remain inconsistent and "half-hearted" - approach to refugee protection, meaning a policy orientation characterized by limited institutional commitment and inconsistent implementation of humanitarian norms. Efforts undertaken in the name of humanity are politically charged, characterized by a lack of sustained political commitment to humanitarian issues. The lack of political commitment to humanitarian issues shows that the refugee is only a political instrument to gain recognition or 'power'.

This situation is understandable due to the asymmetric power relations. On the one side, developing countries are under international pressure to open access for refugees to enter their territory (Betts & Collier, 2017) with limited legal frameworks related to refugees, finances, and the complexity of internal problems. Meanwhile, developed countries, which should have the obligation to guarantee protection because most of them have become part of the refugee convention, can easily abdicate responsibility. They even benefit from the contribution of developing countries even underdeveloped countries which have accommodated most refugees. In this context, the convention is only a

reflection of political interests or more specifically the power of developed countries that then influence developing countries such as Indonesia to respond to the consequences of these dynamics politically.

In the context of asymmetrical power relations in the global refugee regime, the concept of “humanitarian translation” is particularly useful for understanding how international norms are mediated and reinterpreted across different levels of governance. This framework allows the article to move beyond examining Indonesia’s handling of refugees in isolation, and instead situates it within broader processes through which the meaning of humanitarianism is selectively reinterpreted, narrowed, and instrumentalized. In this process, humanitarian norms are not simply implemented in a linear manner from the international to the domestic level, but are reshaped strategically within domestic governance contexts.

Although discussions of asymmetry of power and delegation of burden in refugee governance in non-signatory countries have been studied in much literature (Janmyr, 2021; Moretti, 2018; Prabaningtyas, 2019), most of this literature tends to analyze refugee dynamics from a legal-normative perspective or through the concepts of security and sovereignty. This article differs from previous research in two main ways. First, this article introduces the concept of “humanitarian translation” to explain how non-signatory countries such as Indonesia do not completely reject humanitarian norms, but rather interpret and apply them selectively in practice. This concept is used as an analytical lens to understand how humanitarian principles are adapted in contexts that lack formal legal commitments. Second, this article places refugee governance in Indonesia within the regional dynamics of Southeast Asia, especially in the “Asian rejection” debate (Davies, 2006).

Although Davies identified the structural and historical roots of Southeast Asian states’ acquiescence to the Refugee Convention, recent scholarship has challenged the narrative of non-engagement, arguing that non-signatories to the Convention such as Indonesia demonstrate substantive engagement in refugee protection norms even in the absence of formal legal commitments (Moretti, 2021).

This article aims to provide a more current analysis of refugee governance in Indonesia amid shifting global responsibilities by focusing on the period following the publication of Presidential Decree no. 125 of 2016, in contrast to earlier studies

that either preceded or coincided with changes in the region (Kneebone et al., 2025).

The remainder of this article is structured as follows. The next section outlines the research methods employed in this study, which is based on qualitative document analysis of refugee-related regulations, policy documents, and secondary literature. This is followed by the results and discussion section, which is divided into three parts. The first part provides an overview of refugee governance in Indonesia and introduces the central analytical tension of the study. The second part, examines how humanitarian norms are translated and contested within domestic governance practices. The third part, Politics of Humanity, further analyzes how political considerations and asymmetric power relations shape the implementation of refugee policies in Indonesia. The article concludes by summarizing the main findings and reflecting on their implications for understanding refugee governance in the Global South.

METHOD

Using a qualitative case study approach (Yin, 2018), the analysis of this article is based on a systematic review of primary sources including Presidential Regulation 125/2016, UNHCR Indonesia Fact Sheet, ministerial circulars, and official government statements as well as secondary sources consisting of academic literature and published media. The empirical material covers the period 2020–2025 in order to capture both structural developments and recent dynamics in refugee governance. While the empirical focus is limited to developments within this period, the study also draws on foundational and conceptual literature that predates this timeframe to support theoretical framing and analytical interpretation.

The choice of Indonesia as a case study was based on its position as a transit country and not a country that has ratified the refugee convention but has a long history of accommodating and handling the issue of foreign refugees. Indonesia, with its increasingly developing domestic policy framework regarding refugees, makes Indonesia an analytically productive place to examine how humanitarian norms are translated into government practices.

Data analysis is examined critically against policy documents and academic literature, with a focus on identifying patterns of norm translation, governance inconsistencies, and points of intersection between political interests and humanitarian practices in the Indonesian context. The data were coded based on recurring themes such as humani-

tarian commitment, sovereignty concerns, burden-shifting, and delegation of responsibility. Source triangulation across policy documents, institutional reports, and media accounts was used to enhance analytical validity.

The following section examines the record of refugee governance in Indonesia and situates it within broader theoretical debates on humanitarian politics.

RESULTS AND DISCUSSION

Refugee Protection in Indonesia: Humanitarian Motive or Humanitarian Politics?

Expectations for resettlement have decreased in line with the increasing implementation of restrictions and refusal to accept refugees in various countries. For example, Australia has a “to turn back all boats” policy, the United States has a Presidential Determination on Refugee Admissions, “Rejection of Refugee Quotas” in European countries, and restrictive immigration policies in Canada, Japan, India, and several other countries. On the other hand, although some countries implement an "open door policy", resettlement is difficult to be done due to the changing of political or economic conditions and Covid-19 pandemic also hampered the resettlement process (IOM International, 2020; United Nations High Commissioner for Refugees [UNHCR] Indonesia, n.d.).

The consequence of the restriction policy is seen in decreasing number of refugees placed in third countries. In 2025, only 393 of the total refugees in Indonesia were successfully placed in destination countries, while in 2024, the number was higher at 1. 117 (United Nations High Commissioner for Refugees, 2025). Although efforts to be placed in third countries are still being carried out, refugees who get this opportunity have to wait 4-7 years, while others will not necessarily get the same opportunity. In addition to *Resettlement*, refugees can choose to return voluntarily to their home country. However, only 83 of the total refugees in 2015 and 128 at the end of 2024 chose this solution (United Nations High Commissioner for Refugees, 2025). The data shows that the dominant refugees do not want to return to their home countries.

Resettlement and repatriation are two from three durable solutions offered by UNHCR. Another solution, local integration, is not a strategic choice for transit countries including Indonesia, although it can be the best solution to amid the complexity of current humanitarian issues. The govern-

ment is still reluctant to choose this solution even though refugees have been in transit for years with various limitations and structural challenges. Moreover, the number of refugees in Indonesia has shown a relatively stable and persistent trend, with no significant decline over time and, in certain periods, even a gradual increase. Currently, refugees and asylum seekers are spread across several cities with 48 percent coming from Afghanistan, 16% from Myanmar and 9% coming from Somalia, while other countries of origin of refugees include Sudan, Iran, Iraq, Yemen and so on (United Nations High Commissioner for Refugees, 2023).

Table 1. Trend of Refugee Population in Indonesia (2015–2024)

Year	Refugees under UNHCR’s mandate	Asylum-seekers	Stateless Persons
2015	5.954	7.566	0
2016	7.824	6.558	0
2017	9.782	4.016	0
2018	10.786	3.196	0
2019	10.287	3.343	582
2020	10.114	3.597	874
2021	9.982	3.116	641
2022	9.785	2.889	928
2023	8.450	3.793	2093
2024	8.356	4.194	2.857

Source: UNHCR Refugee Data Finder

The consequences of this reluctance can be seen in the government's inconsistency in implementing refugee policies. For instance, the government has issued presidential regulation (Perpres) 125/2016. This regulation shows a significant development of Indonesia's involvement in dealing with the protracted refugee situation. Unfortunately, the Perpres is considered not to solve the refugee problem because lack of an alternative to detention, political will and funding. In addition, the regulation only focuses on technical guidelines for government agents in dealing with refugees. Inconsistency also occurs when implementing Indonesian constitution 39/1999 on human rights and 37/1999 on foreign relations and the implementation of the Declaration of Human Rights (HAM). This constitution affirms that everyone has the right to obtain asylum and po-

litical protection from other countries and also guarantee the rights of everyone without any distinction. However, the determination of asylum status in Indonesia in fact is still the authority of UNHCR and there are no international refugee rights listed in the regulation. Refugees remain unable in accessing right to work, to adequate health facilities, to education, and other basic rights.

Long-term restrictions have proven to have a bad effect on refugees in Indonesia who rely solely on donations managed by IOM and UNHCR. IOM is no longer assists refugees who arrived in Indonesia after 14 March 2018 because donors have reduced their assistance to refugees (Refugee Council of Australia, 2018). The consequence of this condition is some refugees commit negative actions such as fraud, fights, infidelity, vandalism, domestic violence, and suicide. Protests are often undertaken by refugees against IOM and UNHCR to expedite the process of their placement in the destination country. Their condition is exacerbated during the COVID pandemic. Some refugees are reactive to one of the viruses, namely Corona Virus Disease in several shelters managed by IOM and it could be worse considering that more than 8,200 refugees including children live in shelters that exceed their capacity and have inadequate sanitation (Dana, 2020). Dense environments increase the risk of transmission, where self-isolation and social distancing are difficult to be done.

Indonesia has shown its concern on accommodating refugees rights during transit in Indonesia. The government seeks to ensure refugees have access to health services, education, and opportunities for developing capacity. This can be seen in the Indonesian fact sheet reported by UNHCR (February 2021) where Indonesia in the *Global Refugee Forum* promised to support empowerment activities for refugees, issued a circular letter through the Ministry of Education and Culture ensuring access to basic education for refugee children and through the Ministry of Health providing access to the COVID-19 vaccine for refugees who have registered with UNHCR.

However, this concern once again does not solve the main problem of refugees. Productivity development support does not contribute substantially due to the restrictions on finding job. It would be better to make refugees economically active and participate in the local economy rather than wasting their economic potential during transit in Indonesia (Olivia et al., 2021). Refugees, if empowered economically, can contribute to Indonesia because they potentially could create jobs (Adiputera & Praban-dari, 2018).

On education, although several refugee children (731 children) have attended state schools, there are still 1,900 children who do not have access to formal education due to limited funds and available quotas (United Nations High Commissioner for Refugees, Indonesia, 2021). Limited ownership of devices or facilities including internet data adds refugee children's problems especially during the pandemic where the learning process is done online. Current challenges in increasing access to education among refugee children include limited interest in learning Indonesian, financial constraints, persistent hopes of resettlement in a third country, the promise of obtaining official documents confirming school admission (as they lack Indonesian identity numbers), and inadequate physical classroom space to accommodate non-Indonesian children. As a result, only 748 refugee children out of approximately 3,000 school-age children were enrolled in accredited national schools by December 2024 (United Nations High Commissioner for Refugees, 2024a). In the field of Health, UNHCR is actively advocating for refugees to continue having access to health services, which indicates that the government is still implementing limited access for refugees to health facilities.

Although the efforts above demonstrate the government's desire on responding global dynamics and implying opportunities for refugees gaining access to their basic rights, why seem half-hearted? Why does the government keep remaining active in responding humanitarian crises but with inconsistent practice? A review of existing scholarship reveals divergent interpretations of Indonesia's attitude towards refugees. Despite the inconsistency, some literature interprets Indonesia's response positively because Indonesia has shown its compliance to international laws and norms, commitment to the International Refugee Regime (Tan, 2016), and implement the second principle of Pancasila, namely a just and civilized humanity (Alunaza & Juani, 2017).

Indonesia consistently adapts international minimum standards by applying the principle of non-refoulment, the prohibition against refusing or expelling refugees, and providing shelter for them (Syahrin, 2017). Even though in the case of Rohingya refugees, the government did not allow for entering Indonesian territory, the empathy of the local community pushed Indonesian government in collaboration with Non-Governmental Organizations (NGOs), IOM and UNHCR to build shelters for refugees which were then considered as an act of humanitarian solidarity (Pratisti et al., 2019). Indonesia also conducts humanitarian diplomacy to

take Rohingya refugees out of suffering (Setiawan & Hamka, 2020).

However, if Indonesia's response is purely humanitarian, why does the management of refugees often delegate to international organizations, NGOs, or local communities? Some policies even emphasize the government's reluctance to facilitate the basic needs and rights of refugees. For instance, as stated in Presidential Regulation 125/2016, where the needs for housing, clean water, food, clothing, and other needs are facilitated by international organizations (PERPPRES 125/2016 article 26), a circular letter from the ministry of education concerning on education access for refugee children is also managed by the relevant organizations, and the policy of determining refugee status or Refugee Status Determination (RSD), is also under UNHCR supervision. Beyond these formal responsibilities, many programs (including skills development, self-reliance initiatives, community-building activities, and educational support) are primarily delivered by non-state actors (Hasan et al., 2025).

The delegation of responsibilities as mentioned above is not a humanitarian practice but is more accurately referred to as burden-shifting/limiting from the government to the community or international organizations. The government's decision to give authority for processing refugee status and imposing all refugee needs to international organizations such as UNHCR indicates a reluctance to take care of refugees but at the same time tolerates their existence. As Kneebone (2017, p. 30) states "The creation of a processing center reflected the combination of reluctance and tolerance". This condition corresponds to Indonesian image as a high tolerance country that still consistent with temporary protection policy, and is not committed to guaranteeing asylum (Prabaningtyas, 2019).

Burden shifting performed by Indonesia is interpreted as an attempt to protect sovereignty. The Indonesian government prefers to focus on sovereignty as their rational choice rather than on humanity. They choose to use political power outside the state such as non-state actors to meet various humanitarian needs without weakening their sovereignty (Prabandari & Adiputera, 2019). So that the involvement of interest groups such as NGOs can also be a reason why Indonesia is willing to accept refugees (Sihombing & Farabi, 2019). State sovereignty remains the main consideration when responding to the massive displacement of refugees. The state has the sovereignty to regulate its interests, including the issue of the entry and exit of foreigners (Johan, 2013).

However, the issue of sovereignty is not entirely relevant to refugee movements in the context of developing countries, as international law requires them to open their border for refugee. State sovereignty has unwittingly been weakened along with the granting of authority to non-state actors for taking care refugees in their territories. Moretti (2018) considers countries such in Southeast Asia only maintain the fiction of efforts to defend sovereignty while in fact mostly accept the limitations posed by international law. Possibly, the practice run by a country like Indonesia is an effort to reconcile sovereignty with the phenomenon of massive displacement of refugees (Dewansyah & Handayani, 2018). This reconciliation effort, though in practice will produce minimal legal certainty on refugee protection, does not necessarily result in losses for Indonesia. Actively supporting world peace by handling refugees is a determining factor on Indonesia election as a non-permanent member of the UN Security Council for the fourth time in 2019-2020 period (Boboy, 2020). Indonesia has received recognition, appreciation, and a positive response from the international community so that pressures which could trigger misrecognition can be muted and Indonesia's identity as a human rights defender can be maintained (Sirait et al., 2019).

The explanation above shows that the efforts made by Indonesia are more dominantly humanitarian than legally binding. While the government engages with international norms and stays active in addressing global displacement, this is inconsistent with its non-accession to the 1951 Refugee Convention and its Protocol, and with the weak protection it offers refugees in practice. This inconsistency goes beyond non-signatory status alone. It also reflects the view, shared across the region, that the refugee convention is a European product which not appropriate in Asia context (Betts & Collier, 2017; McConnachie, 2014; Vijayakumar, 2001). This suggest Indonesia's policies or efforts to deal with refugees are political issues where humanity becomes an excuse to achieve political interests.

From this discussion, a governance pattern emerges that is neither entirely humanitarian nor entirely strategic. On the contrary, the pattern shows that humanitarian language is used selectively to serve political interests. This pattern, in which Indonesia openly demands commitment to humanitarian norms but in practice delegates refugee management to non-state actors, is interpreted as humanitarian translation. It refers to a process in which universal norms of humanity are

transformed into locally constrained practices shaped by political considerations. To understand why this is the case, it is necessary to examine further how the relationship between politics and humanity has been discussed in the wider literature.

The Problematicization of Humanitarian Practices

Humanity includes the desire to save lives, to respect the principles of humanity, neutrality, impartiality, and independence, and to do more good than harm (Barnett & Weiss, 2011). This scope implies that humanitarian practice is guided not by particular interests, but by the principles of protecting life and alleviating human suffering, remaining neutral in conflicts, upholding the principle of non-discrimination -where assistance is provided based on need rather than nationality, race, religion, gender, or political opinion and maintaining independence from political, economic, religious, or other influences exerted by parties to the conflict or by donors.. Based on this principle, it is easier to state that humanity is apolitical, emerges as an attempt to confront power (Donini, 2010), occurs where politics has failed or is in crisis (Orbinski, 1999), and an object of political organizations and voluntary humanitarian organizations as well (Saunders, 2017). Humanity is considered to have a different domain from political activity.

However, actions in the name of humanity often do not comply with the ethical principles of humanity because they are motivated by political interests (Weiss, 2016) or the political agenda of the donors (Abiew, 2012), then the scope of humanity becomes problematic. The problematicization of humanitarian practice has been studied in several literature where humanity at the certain level and contexts are associated with political action (Barnett & Weiss, 2008; Belgrad & Nachmias, 1997; Hyndman, 2000; Lauri & Mogstad, 2025; Pallister-Wilkins, 2015; Saunders, 2017; Weiss, 1999). In the literature, there are two perspectives on placing political issues in the realm of humanity.

First, politics is involved as a strategy to alleviate suffering and protect fundamental human rights. Weiss (1999) calls it 'political humanitarianism' and specifically divides it into 4 political spectrums (classicist, minimalist, maximalist, and solidarity). The level of political involvement in this spectrum varies depending on the level of adherence to fundamental humanitarian principles. Barnett and Snyder (2018), also uses 4 taxonomies of humanity that are classified as apolitical (bed for the night, not harm) and political (peacebuilding,

back at decent winner) based on humanitarian goals. Meanwhile, Leader (2020) called the relationship between politics and humanity in three different contexts, namely neutrality elevated, neutrality abandoned, and third-way humanitarianism. This perspective shows that politics can contribute positively to humanitarian practice. .

Second, politics is a moral pollutant. Humanitarian politics in this context is considered as the efforts of certain political units or countries to gain benefits or achieve interests in policies that are claimed to be based on humanity. This approach is more used to examine the reasons for military intervention in the name of humanity. An example of controversial humanitarian intervention is the decision of President George Bush Jr. with his military intervention in Iraq in 2003 which was not driven by humanitarian reasons (Baylis et al., 2011; Bertschinger, 2016; Nardin, 2013; Roth, 2004)

Apart from Iraq, humanitarian motives were also seen in the interventions that took place in most countries in the Middle East such as Afghanistan and Libya. France, Britain, and the United States carried out a humanitarian intervention in Libya under the pretext that the Libyan government led by Qaddafi was considered as dictator who violating its civil society human rights even though there was no clear evidence (Lubura-Winchester & Jones, 2013). Their motive is to control natural resources (Ahmad, 2022) such as oil by overthrowing an authoritarian government and replacing it with a more cooperative one.

Similar motives also occur in the realm of humanitarian organizations or NGOs which consistently claim that their activities are apolitical. This motive can be traced through their dependence on donor countries which are mostly the state. Included in this context UN humanitarian agencies such as UNHCR (*United Nations High Commissioner for Refugees*) whose effectiveness depends on state donations which often regulate the use and determine the location where aid is distributed (Hyndman, 2000). This dependence is certainly a gap for donor countries to intervene in humanitarian activities carried out by humanitarian organizations. Consistency in becoming a donor making state easier to control and interpret humanity according to its interests.

Moreover, if the practice of humanity is directly carried out by the state which is a self-interested actor, they cannot act on behalf of humanitarianism. For example, the United States is still the largest donor to many humanitarian actions (Belgrad & Nachmias, 1997; Hyndman, 2000; Lauri & Mogstad, 2025) and this donation volume shapes its

legitimacy to implement humanitarian intervention under the current "responsibility to protect" framework. In the case of refugees, Australia is known as a country that actively overcoming humanitarian crises by providing permanent protection to refugees who transited in Indonesia. However, this policy has changed making refugees trapped in a transit country such as Indonesia. The alteration does not trigger a negative response from global community due to Australia continues to financially assist Indonesian refugee.

This Australian policy and the non-signatory status to the 1951 Refugee Convention and its 1967 Protocol further situates Indonesia in an intermediate position between humanitarian commitment and political caution. While Indonesia demonstrates a willingness to accommodate refugees on humanitarian grounds, it remains reluctant to assume the legal obligations associated with formal treaty ratification.

Politics of Humanity

There are several terms to describe the relationship between politics and humanity. Weiss (1999) identifies 2 groups, namely classicists as followers of the ICRC who emphasize that humanity must be separated from politics, although the ICRC is also considered tend to 'humanitarian politics', an attempt to apply human values as part of public policy (Forsythe, 1977). While those who believe political and humanitarian associations are called political humanitarians. Weiss scope is not much different from Forsythe's who defines political humanitarians as an effort to integrate humanity in policy to alleviate suffering, save more lives, and protect human rights with different levels of engagement.

Classicists have the lowest level on politics or purely concern on principles of humanitarianism. Classical humanitarian groups tend to be associated with the ICRC or dunantist paradigm (Hilhorst, 2018), in practice do not aim to interrupt the causes of humanitarian problems because they focus only to save lives and distribute aid. Rieff (2003) calls this effort 'A Bed for the Night'. This classical approach relies on the principles of neutrality, impartiality, and independence as a provision in assisting victims of conflict. Humanitarian practices that fail to apply this principle are considered as humanitarianism's corruption and are more likely to resemble the processes of colonialism and imperialism (Barnett & Weiss, 2008). Therefore, manipulation of humanitarian practices, including by political actors, can be minimized through operational rules

such as the principles mentioned above. Leader (2000) uses the term neutrality elevated to describe the classical view of humanity where humanitarian politics is limited by impartiality and neutrality.

At the second and third levels, the political engagement is identified based on the humanitarian purposes, namely the minimalist "do no harm" and maximalist with more ambitious goals such as conflict transformation where humanity is part of the strategy. Minimalism or "tactical humanitarianism" (Snyder, 2011) is the critique of classical humanitarianism which is considered difficult to be consistent with the principle of neutrality under certain conditions. Humanitarian practices are recognized having the potential to cause harm (Radice, 2022) so the humanity objectives is no longer just to deliver aid but also to consider the risks faced when distributing the aid. The risks of humanitarian assistance are worsening the conflict and creating dependency (Anderson, 1999).

Although slightly more ambitious than classicists, humanitarian actors at this level still strive to be neutral and apolitical. The third level is maximalism or 'comprehensive peace building'. Proponents of this level argue that humanitarian practice is not just about ensuring aid reaches those in need, but is part of a strategy to eliminate the root causes of these humanitarian problems. This level has similarity with what Leader (2000) calls third way-humanitarianism which emphasizes the role of humanitarian development aid, and peace as part of political goals. Despite having political goals, followers of this level strive to be neutral so that the scope of humanitarian politics is increasingly unclear. Humanitarian politics in this context is also being questioned due to the frequent failure to prevent humanitarian crises.

Fourth, is solidarity, which I assume is the same as the Synder (2011)'s term as the fourth variant of humanity, namely 'back-a-decent-winner'. This level tends to ignore the main principles of humanity and has highest level involvement with politics in Weiss's humanitarian political spectrum. Humanitarian agents at this level are willing to negotiate and make deals with the government such as an authoritarian government in conflict with rebels by relying on resources both political power and economic power. It aims to encourage conflicting factions to be interested in engaging in the negotiation process. Substantially, this level aims to eliminate the causes of conflict as well as maximalists. This process involves actors who are willing to support stability without any desire to radically change the political, economic, and cultural structure and does not exist at any other level of humanity.

The types of humanity as mentioned previously with their various terms has political involvement with different levels of adherence to fundamental humanitarian principles, but the main goal is still based on humanity. This political involvement not only ensuring political actions based on humanity and humanitarian practices run more effectively (Radice, 2022) but also showing that politics is not killing humanitarianism but humanizing the world of politics. However, does this political involvement have proven in making a positive and effective contribution to humanitarian practice? This question requires critical examination, as the relationship between political engagement and effective humanitarian practice is still debated. Coyne (2013) argues that reliance on short-term humanitarian assistance - usually associated with humanitarian organizations - will not be effective if it does not involve the state as a political unit capable of providing long-term assistance.

This belief is considered erroneous by Coyne because dependence on the state to reduce the impact or resolve humanitarian crises only exacerbates the crisis itself. This is because the humanitarian intervention is motivated by interest not by morality (Weiss, 1999). Political units will not intervene if the humanitarian crisis does not pose a threat to interests and security and if the benefits are minimal (Watts, 2017). Therefore, humanitarian practice is often used as an excuse (Lauri & Mogstad, 2025) to eliminate threats or to control the natural resources of certain countries (Ahmad, 2022). That makes the implementation of humanitarian practices often applies double standards (Posen, 1996). If a weak country commits a humanitarian violation, it is more likely to become the target of international pressure or intervention. By contrast, similar violations committed by more powerful states often generate different and less coercive responses. In this context, Weiss (1999) argues that the politics of humanity is closely intertwined with the politics of hegemony. As a result, the meaning and interpretation of humanitarian principles are often shaped by the preferences and influence of powerful states, particularly Western countries (Binder & Meier, 2011).

For example, the phenomenon of western countries has begun to limit and hinder humanitarian practices for a large number of asylum seekers. They define humanity as limited to providing food and medical assistance so they can easily disentangle the responsibility for asylum seekers (Every, 2008). This definition of humanity is used to undermine the fundamental tenets of refugee protection and maintain the global domination of western

countries (Chimni, 2000; Dauvergne, 1999; Jenkins, 2004). Polly Pallister-Wilkins (2015) calls it as humanitarian motivations.

The influence of hegemon is also appeared from the centralization of ideas, discussions, and the initiation of humanitarian practices that are dominantly carried out in western countries such as Switzerland, England, America, and Italy. Even though the ICRC is the most influential traditional humanitarian institution, the majority of international government organizations (IGOs) and NGOs were born in western countries. The largest donors in humanitarian practice are dominated by the United States and Europe. That is why their legitimacy in conducting humanitarian interventions is rarely questioned even though they ignore humanitarian principles and the objectives of the practice are not achieved even exacerbate the humanitarian crisis. Therefore, humanity is no longer associated with either protection or solutions, but rather a political tool for showing power driven by donor countries (Hyndman, 2000). Politics in humanity or the practice of political humanity in the end becomes very political.

The theoretical frameworks discussed previously, while useful, have the same limitations. They were largely developed in the context of regional conflicts as well as states with dominant military or economic power. Meanwhile, the question of how developing, non-signatory and transit countries such as Indonesia translate and apply humanitarian norms under conditions of limited capacity and external pressure has not yet been studied theoretically. It is this void that the concept of humanitarian translation seeks to answer, not as a form of direct acceptance or rejection of humanitarian norms, but as a process of reinterpretation that is measured and driven by interests. Through this process, countries like Indonesia can continue to fulfill humanitarian commitments, while also managing the political costs that may arise if these commitments are carried out in full.

By applying this theoretical framework to the Indonesian case, a pattern can be seen indicating the existence of a deliberate practice of humanitarian translation, which operates at the level of "minimalist" or limited engagement position in Weiss's (1999) spectrum. The influx of Rohingya refugees in Aceh in late 2023-2024 further illustrates Indonesia's minimalist or limited-involvement approach to refugee governance. In this case, the central government initially refrained from providing direct accommodation for the incoming refugees, while the Aceh provincial government also expressed reluctance to accept responsibility (Reuters, 2024).

Consequently, most management was transferred to UNHCR and local humanitarian organizations. This pattern of delegation reflects limited state involvement in direct protection responsibilities, reflecting more a reflection of burden than a state-led humanitarian intervention.

In this context, Indonesia interacts with humanitarian norms not as a moral obligation, but as a strategic resource for managing its international image and negotiating its position in an unequal global power structure. The government's repeated delegation of refugee management to UNHCR, IOM and non-governmental organizations is not just a pragmatic response to limited resources, but is a structural part of the way Indonesia translates humanity. In this way, Indonesia maintains its symbolic value as a country involved in humanitarian issues, while limiting the political and financial costs that would arise from a more substantial protection commitment. Ultimately, this selective form of translation serves Indonesia's international interests more than the protection needs by refugees.

CONCLUSION

This article aims to examine how the concept of humanity is translated into refugee governance in Indonesia, and how this translation reflects a true humanitarian commitment, not just a political imperative. The evidence presented consistently shows that Indonesia's involvement in the international refugee regime is characterized more by the strategic application of norms than by the internalization of these norms. Even though Indonesia has adopted a formal humanitarian language—especially through Presidential Regulation no. 125 of 2016 and participation in international forums—the substance of governance remains shaped by sovereignty considerations, burden shifting dynamics, and international image management.

This article identifies two competing theoretical perspectives on humanitarian politics. The first perspective argues that political involvement in humanitarian practice is not inherently problematic, and may even be necessary to achieve effective and sustainable protection. The second perspective views political involvement as a form of moral contamination that distorts humanitarian outcomes and prioritizes state interests over refugee protection. This article argues that the Indonesian case does not neatly reflect either of these two positions separately. Instead, the two logics actually operate simultaneously. Indonesia uses the language of the first perspective (humanity as a source of legitimacy), but at the same time is driven by the logic of the

second perspective (political interests as the main determinant of governance decisions). The concept of humanitarian translation captures this duality precisely.

In the Indonesian context, humanity is interpreted not as a moral imperative, but rather as a diplomatic resource, mobilized in a targeted manner to maintain an international position while minimizing domestic obligations. These findings go beyond the case of Indonesia, by showing that for non-signatory transit states in the Global South, humanitarian governance may reflect strategic performance against norms rather than the internalization of norms themselves, especially under conditions of unequal global pressures.

While this approach may provide policy flexibility, it also risks producing uneven protection outcomes and reinforcing existing inequalities in international responsibility-sharing. As a result, the effectiveness of the global refugee regime increasingly depends not only on the diffusion of humanitarian norms but also on the political and institutional conditions under which such norms are translated into practice.

These findings emphasize the importance of strengthening regional cooperation, clarifying legal and institutional responsibilities, and improving more equitable responsibility-sharing mechanisms between developed and developing countries to ensure more consistent and sustainable refugee protection.

Future research could benefit from comparative analysis with other non-signatory countries in Southeast Asia, such as Malaysia and Thailand, to assess whether this pattern of humanitarian translation is a broader regional phenomenon, as well as what conditions enable a shift towards more substantive protection commitments.

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