



## **Rohingya Refugees and Human Trafficking in Indonesia: A PRISMA-Based Review of Legal and Policy Gaps**

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**Abstract:** The humanitarian crisis involving Rohingya refugees has become a complex issue affecting the Southeast Asian region, particularly Indonesia, which has received several waves of refugee arrivals. The Rohingya, a Muslim ethnic minority from Myanmar, have long endured systematic discrimination, culminating in a mass exodus of over 700,000 individuals in 2017 following military operations by the Myanmar government. The presence of Rohingya refugees in Indonesia presents not only humanitarian concerns but also increases the risk of exploitation by human trafficking networks (TPPO). This study aims to analyse Indonesia's policy response to the Rohingya refugee crisis, with a specific focus on efforts to prevent human trafficking. A Systematic Literature Review (SLR) method was employed, reviewing 21 selected academic sources. The analysis evaluates the effectiveness of Indonesian government policies, the legal and institutional challenges in refugee protection, and the role of cooperation with international organisations such as UNHCR and IOM. The findings reveal that while Indonesia has provided temporary humanitarian assistance, its current policy framework remains insufficient to mitigate the refugees' vulnerability to trafficking. The study underscores the need for enhanced collaboration among the state, civil society, and international actors, as well as for a clearer legal framework grounded in human rights principles. Strengthening social protection mechanisms is essential to ensure that Rohingya refugees are safeguarded from exploitation and treated with dignity.

**Keywords:** Rohingya Refugees, Human Trafficking, Indonesian Law, PRISMA Framework

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**Abstrak:** Krisis kemanusiaan yang melibatkan pengungsi Rohingya telah menjadi masalah kompleks yang mempengaruhi kawasan Asia Tenggara, khususnya Indonesia, yang telah menerima beberapa gelombang kedatangan pengungsi. Rohingya, sebuah minoritas etnis Muslim dari Myanmar, telah lama mengalami diskriminasi sistematis, yang mencapai puncaknya dengan eksodus massal lebih dari 700.000 orang pada tahun 2017 setelah operasi militer oleh pemerintah Myanmar. Kehadiran pengungsi Rohingya di Indonesia tidak hanya menimbulkan kekhawatiran kemanusiaan, tetapi juga meningkatkan risiko eksploitasi oleh jaringan perdagangan manusia (TPPO). Studi ini bertujuan untuk menganalisis respons kebijakan Indonesia terhadap krisis pengungsi Rohingya, dengan fokus khusus pada upaya pencegahan perdagangan manusia. Metode Ulasan Literatur Sistematis (SLR) digunakan, dengan meninjau 21 sumber akademik terpilih. Analisis ini mengevaluasi efektivitas kebijakan pemerintah Indonesia, tantangan hukum dan kelembagaan dalam perlindungan pengungsi, serta peran kerja sama dengan organisasi internasional seperti UNHCR dan IOM. Temuan menunjukkan bahwa meskipun Indonesia telah memberikan bantuan kemanusiaan sementara, kerangka kebijakan saat ini masih belum memadai untuk mengurangi kerentanan pengungsi terhadap perdagangan manusia. Studi ini menekankan perlunya peningkatan kolaborasi antara negara, masyarakat sipil, dan aktor internasional, serta pengembangan kerangka hukum yang lebih jelas yang berakar pada prinsip-prinsip hak asasi manusia. Penguatan mekanisme perlindungan sosial sangat penting untuk memastikan bahwa pengungsi Rohingya dilindungi dari eksploitasi dan diperlakukan dengan martabat.

**Kata Kunci:** Pengungsi Rohingya, Perdagangan Manusia, Hukum Indonesia, Kerangka Kerja PRISMA

## Introduction

The Rohingya crisis represents one of the most complex and protracted humanitarian issues in Southeast Asia, which has profoundly affected regional stability for many years. The Rohingya, a Muslim ethnic minority residing in Rakhine State, Myanmar, have long been subjected to systematic discrimination, largely driven by state-sanctioned policies. One of the most egregious manifestations of this marginalization was the revocation of their citizenship under the 1982 Myanmar Citizenship Law, which effectively excluded them from socio-political and economic life.<sup>1</sup> This longstanding social tension culminated in

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<sup>1</sup>Mutiara Fahmi et al., "Islamic Jurisprudence and Local Wisdom in the Humanitarian Protection of Rohingya Refugees by Acehnese Figures," *El-Mashlahah* 14, no. 2 (2024); Malahayati Rahman, Laila Muhammad Rasyid, and Yulia Yulia, "Rohingya and Aceh: When Religion and Culture Play Its Role," *Journal of Law and Sustainable Development* 11, no. 12 (2023); Autumn D Tolar, "Human Trafficking Analyzed as a Crime against Humanity" (2020) 20:1 *Int Comp Law Rev*; Ruslan, W O Zalmatin, and S Syukur, "The Rohingya Conflict and Its

2017, when Myanmar's military launched a brutal crackdown that forced more than 700,000 Rohingya to flee to neighboring countries, including Bangladesh, Malaysia, and Indonesia.<sup>2</sup> The United Nations (UN) has characterized these actions by the Myanmar government as potential genocide or ethnic cleansing.<sup>3</sup> Consequently, the crisis has transcended Myanmar's Indonesia sphere, becoming a regional humanitarian and political concern with far-reaching implications.

The arrival of Rohingya refugees in various ASEAN countries poses multidimensional challenges, not only diplomatically and in terms of national security, but also from socio-economic perspectives. One of the most pressing concerns among host countries, including Indonesia, is the heightened risk of human trafficking. As Rohingya refugees seek protection, the absence of legal refugee status and limited access to legal aid renders them highly vulnerable to exploitation. Human trafficking networks, both local and transnational often take advantage of these vulnerabilities, subjecting refugees to forced labor, slavery, and sexual abuse.<sup>4</sup> Although the Indonesian government has provided humanitarian assistance and temporary shelter, many refugees remain in precarious and unsafe conditions, frequently caught in trafficking networks that jeopardize their safety and dignity.<sup>5</sup>

Indonesia, as one of the countries receiving Rohingya refugees, faces a complex dilemma in addressing the risk of trafficking in persons. While Indonesia is not the primary destination for Rohingya asylum seekers, multiple waves of refugee arrivals, particularly in Aceh and North Sumatra have complicated the country's immigration and Indonesia security policies, while simultaneously increasing the risk of human trafficking.<sup>6</sup> This vulnerability is exacerbated by the limited availability of resources, including insufficient employment opportunities

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Citizenship Recognition," *Du Sociata: Journal of Sociology Education* 6, no. 3 (2023).

<sup>2</sup>Mehdi Chowdhury et al., "The Rohingya Refugee Crisis in Bangladesh: An Analysis of the Involvement of Local Humanitarian Actors," *Third World Quarterly* 43, no. 9 (2022); UNHCR, "Seven Years of Crisis for Rohingya Refugees," [unhcr.org](https://www.unhcr.org), 2024.

<sup>3</sup>OHCHR, "UN Expert Calls for Accountability on Rohingya and an End to 'Paralysis of Indifference,'" [ohchr.org](https://www.ohchr.org), 2023.

<sup>4</sup>Firdaus M. Yunus et al., "Rejection Of Rohingya In Aceh: The Role Of Ulama And Tolerance In Acehnese Society," *Jurnal Ilmiah Peuradeun* 13, no. 3 (2025); Lindra Darnela, "Islam And Humanity Commodification of Aid for Rohingya in Aceh," *Al-Jāmi'ah: Journal of Islamic Studies* 59, no. 01 (2021), p. 57–96.

<sup>5</sup>Malahayati Rahman, Yulia Yulia, and Mukhlis Mukhlis, "Refugee Settlement Based on Local Custom Values (Study of Rohingya Refugees in Aceh)," *Proceedings of Malikussaleh International Conference on Law, Legal Studies and Social Science (MICoLLS)* 2 (2022); M. Ya'kub Aiyub Kadir et al., "The Legal Vacuum on Access to Higher Education for Refugees in Indonesia: Islamic Claim for Aceh Responsibility," *Samarah* 7, no. 1 (2023).

<sup>6</sup>S H D M Nasution, H J Bintang, and T R Zarzani, "The Application of Criminal Law Against Perpetrators of Rohingya Refugee Smuggling in Aceh," *Journal of Mandalika Literature* 5, no. 4 (2024).

and restricted access to legal protection mechanisms for refugees.<sup>7</sup> Consequently, there is an urgent need for Indonesia to formulate more comprehensive and sustainable policies to address these interconnected issues.

As the world's largest Muslim-majority country and a key member of ASEAN, Indonesia holds a strategic position in responding to the Rohingya crisis. On one hand, the country has demonstrated a commendable humanitarian commitment by accepting Rohingya refugees and advocating for peaceful conflict resolution in Myanmar. On the other hand, Indonesia's policy responses to the refugee situation remain constrained by significant structural and legal challenges. Chief among these is the lack of a clear legal framework to grant official refugee status, alongside growing concerns regarding Indonesia's capacity to effectively prevent and address human trafficking in this context.<sup>8</sup>

Despite increasing scholarly attention to the Rohingya crisis, ranging from analyses of ethnic conflict in Myanmar and conditions in refugee camps to the international human rights response, there remains a notable gap in the academic literature. Specifically, there is a lack of systematic reviews examining how the crisis has contributed to the heightened risk of human trafficking in Indonesia as a transit country.

Much of the existing research tends to be fragmented and descriptive in nature, with limited attention to the interrelationship between ethnic conflict, refugee vulnerability, and the effectiveness of Indonesia's policy frameworks in mitigating trafficking risks. Furthermore, to date, Indonesia's systematic literature review (SLR) has comprehensively mapped patterns of vulnerability, policy challenges, and state interventions in this context.

Given Indonesia's strategic geopolitical position and its active engagement in receiving Rohingya refugees, particularly in Aceh, this issue merits closer scrutiny. Women and children, who make up a substantial proportion of the refugee population, face disproportionately higher risks of exploitation and trafficking. Therefore, a systematic, evidence-based review is needed to assess prior findings, identify policy gaps, and formulate targeted recommendations to inform future legal and institutional responses that improve protection for refugees and prevent human trafficking.<sup>9</sup>

To address this research gap, this study employs a Systematic Literature

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<sup>7</sup>Ibnu Mardiyanto, "Problematika Hukum Internasional Dalam Kebijakan Deportasi Pengungsi Rohingya Di Indonesia: Analisis Kritis Prinsip Non- Refoulement," *J-CEKI: Jurnal Cendekia Ilmiah* 3, no. 6 (2024).

<sup>8</sup>Muhammad Havez et al., "Balancing Local Community Interest And International Responsibilities In The Context Of The Expulsion Of Rohingya Refugees In Aceh," *Indonesian Journal of International Law* 21, no. 4 (2024).

<sup>9</sup>Riana Rahmaniah, Muthmainah Muthmainah, and Moch Arifuddin, "Understanding Emotion in Early Age: A Systematic Review of the Role of Emotional Awareness in Early Childhood Education," *International Journal of Primary, Elementary and Early Years Education* 13, no. 3 (2025).

Review (SLR) approach, structured around the relationship between the Rohingya conflict and the increased risk of human trafficking in Southeast Asia, particularly in Aceh and Sumatera, Indonesia. This studies aim to evaluate the effectiveness of the Indonesian government’s policies in preventing and addressing trafficking in persons among Rohingya refugees, and to provide policy recommendations that can be drawn from the literature to enhance refugee protection and strengthen anti-trafficking efforts in Indonesia.

This study employed a systematic literature review methodology, conducted through a series of structured stages: identification of inclusion and exclusion criteria, development of a search strategy, selection of eligible studies, and extraction and synthesis of relevant data.<sup>10</sup> The review process was divided into four major phases, detailed as follows:

The selection of studies for inclusion in this review was guided by clearly defined criteria to ensure academic relevance and methodological consistency. The inclusion criteria for this review were based on four main parameters to ensure only the most relevant and high-quality studies were included in the analysis. First, studies had to demonstrate topical relevance by addressing at least one of the following core themes: the condition and experiences of Rohingya refugees; the prevalence or risk of human trafficking involving the Rohingya ethnic group; the Indonesian government’s policies or institutional responses to the Rohingya refugee crisis; or the broader humanitarian dynamics in Southeast Asia that intersect with the Rohingya issue. Second, the studies' geographic scope was limited to Indonesia, focusing on its role as either a transit point or a temporary host country for Rohingya refugees. Third, only scholarly publications were considered, including peer-reviewed journal articles, official policy reports, and academic outputs from reputable research institutions. Lastly, to ensure the contemporaneity and policy relevance of the findings, only studies published between 2021 and 2025 were included in the review, thereby capturing the most recent developments in regional refugee and anti-trafficking policy discourse. The inclusion and exclusion criteria applied during the review process are summarized in the table below:

Table 1. Inclusion and Exclusion Criteria

<b>Criteria</b>	<b>Inclusion</b>	<b>Exclusion</b>
Time Frame	Publications from 2021 to 2025	Publications prior to 2021
Type of Source	Peer-reviewed journals, academic reports, policy documents	Conference papers, books, review essays

<sup>10</sup>Rahmaniah, Muthmainah, and Arifuddin.

Geographic Scope	Focused on Indonesia	Focused on regions outside of Indonesia
Topical Relevance	Rohingya refugees, TPPO, Indonesian refugee policies	Topics unrelated to Rohingya or human trafficking issues

Source: Construct by author (2025)

The literature for this review was identified through a systematic and structured keyword search conducted in both English and Indonesian. Key search terms included "*Rohingya refugees*," "*Indonesian policy*," "*human trafficking*," and "*humanitarian crisis*." These keywords were carefully selected to capture a comprehensive range of studies addressing the intersection of refugee displacement, policy response, and transnational crime. The search process was carried out using two major academic databases: Scopus and Google Scholar. Advanced search features were utilised to filter for relevant articles that aligned with the predetermined inclusion criteria. The initial search yielded a total of 55 articles that matched the specified keywords.

Table 2. Literature Search Strategy

Database	Search Keywords / Strings	Language	Result Count
Scopus	("Rohingya refugees" OR "Rohingya crisis" OR "Rohingya asylum seekers") AND ("human trafficking" OR "people smuggling" OR "transnational crime") AND ("Indonesia" OR "Indonesian government" OR "Indonesia policy") AND ("humanitarian crisis" OR "refugee crisis" OR "human rights violations") AND ("policy response" OR "migration policy" OR "international law")	English	44 articles
Google Scholar	"Rohingya refugees", "Indonesia policy", "human trafficking", "humanitarian crisis", "Pengungsi Rohingya", "Kebijakan Indonesia", "Perdagangan Manusia", "Krisis Kemanusiaan"	English & Indonesian	37 articles

In addition to academic journals, this study also strengthens its data with secondary sources, such as reports from international organisations (e.g. UN,

UNHCR, ASEAN, and IOM), books, and official Indonesian government policy documents related to the Rohingya issue. Articles from credible journals that review the latest developments in the Rohingya conflict and Indonesia's response are also included in this study.

The selection process was conducted systematically, following predefined inclusion and exclusion criteria. In the initial stage, both authors reviewed the titles and abstracts of each article to assess eligibility. Articles that passed the initial selection were then thoroughly reviewed through full-text reading. Each study was critically evaluated, and when there was disagreement among authors, a final decision was reached through joint discussion. Of the 55 articles evaluated, some did not fulfil the selection criteria and were excluded. A total of 21 articles were selected for further analysis. The articles underwent a data extraction process to identify key information, including study characteristics (population, location, research design), the policies studied, and outcomes related to Rohingya issues, human trafficking, and Indonesian government policies. The following is the flow of study selection and data extraction of this research.

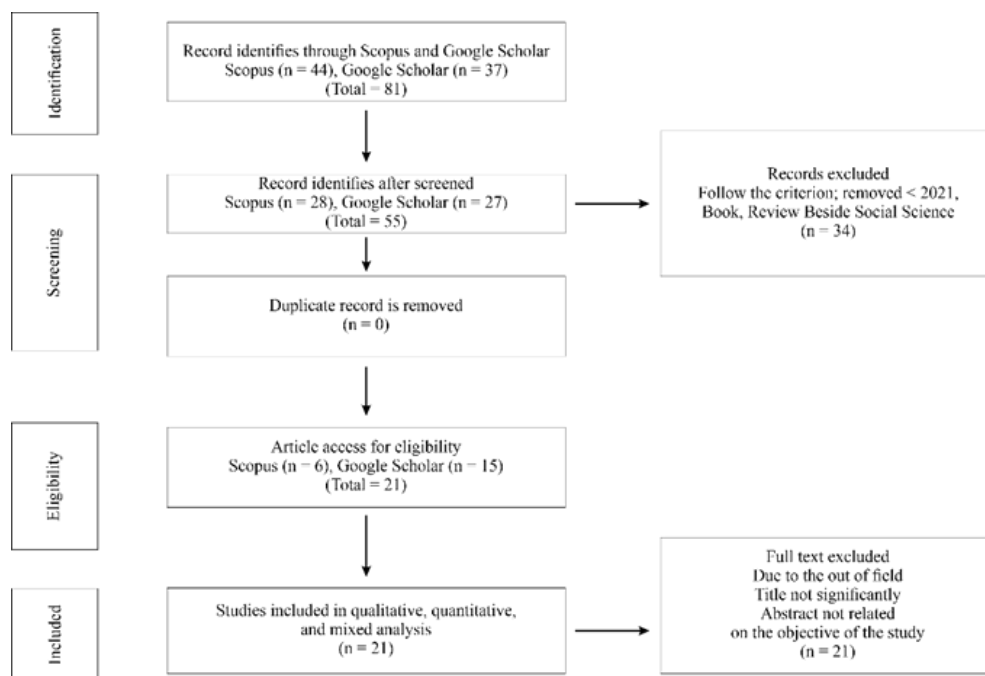


Figure 1. *Flow of Study Selection and Data Extraction*

The analysis in this study was carried out to evaluate the role of Indonesian policies in addressing the Rohingya refugee crisis, with a particular focus on their intersection with issues of human trafficking and regional humanitarian challenges. The analytical method employed was content analysis, which enabled

systematic comparisons across studies, the identification of recurring thematic patterns, and the exploration of both commonalities and divergences in policy responses.

This method facilitated the assessment of Indonesia's policy effectiveness in managing the Rohingya situation and the examination of the broader regional implications of these policies. Furthermore, the analysis aimed to identify critical gaps in the existing body of research that warrant further investigation, particularly in international relations and regional security studies.

As a literature-based inquiry, this research did not involve collecting primary data or conducting interviews. Instead, it relied entirely on secondary sources, including peer-reviewed academic literature, official government documents, international organizational reports, and relevant policy papers. By employing this document-driven approach, the study seeks to offer a comprehensive and in-depth understanding of the evolving dynamics of the Rohingya refugee crisis, as well as the challenges and opportunities embedded in Indonesia's foreign policy strategies concerning regional security and humanitarian governance.

### Publication Trends and Article Selection Process in the Systematic Literature Review

The initial search found 44 articles in the Scopus database and 37 articles in the Google Scholar database. The following is the year distribution of articles found in both the Scopus and Google Scholar databases:

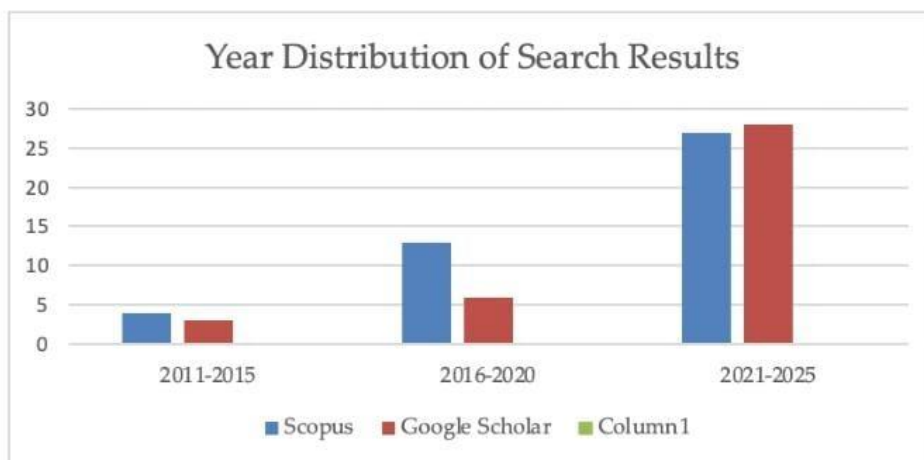


Figure 2. *Graph of Study Search Results*

Based on the graph titled above, there is an increasing trend in the number of scientific publications related to the issue of Rohingya refugees and Trafficking in Persons (TPPO) from year to year in the two main databases, namely Scopus

and Google Scholar. In the 2011-2015 period, the number of publications was still relatively low, with 4 articles in Scopus and 3 articles in Google Scholar. The increase began to be seen in the 2016-2020 period, where the number of identified articles increased to 13 in Scopus and 6 in Google Scholar. This trend reached its peak in the 2021-2025 period with the highest number of articles, 27 in Scopus and 28 in Google Scholar. This surge shows that academic attention to the issue of Rohingya refugees, TPPO, and humanitarian policy in the Southeast Asian region has increased in the last five years. This data also reflects the increasing urgency and relevance of these topics in global scientific discourse.

Furthermore, an initial screening was conducted to eliminate irrelevant articles based on the title and abstract. At this stage, 34 articles were found to be inappropriate for the focus of the study and were excluded from the analysis. The process continued with an in-depth screening of the full content of the articles, to ensure compliance with the inclusion criteria, i.e. articles discussing Rohingya refugees in Indonesia, vulnerability to TPPO, government policies, and aspects of protection. This resulted in 21 eligible articles that were used as the basis for analysing and synthesising the findings in this SLR study.

This process reflects a systematic, transparent, and rigorous criteria-based approach in identifying and reviewing literature that is academically and substantively relevant to the research topic. The screening results showed that 34 articles were not appropriate for the study topic. This left 21 articles to be included in the review. The articles that were found and could be reviewed are as follows:

Table 3. Result of Extraction Data

No	Author	Year	Key Findings
1.	W Baskara <sup>11</sup>	2024	Indonesia's "Formula 4+1" strategy for resolving the Rohingya conflict is based on security, non-violence, protection, assistance, and Kofi Annan's recommendations.
2.	Muammar Hanif <sup>12</sup>	2023	Need to revise Presidential Regulation No. 125/2016 as Indonesia's response has not been optimal in handling Rohingya refugees.
3.	Rasid Priesdiantoro <sup>13</sup>	2024	Indonesia's diplomatic response faced local resistance; ASEAN and UNHCR engagement had limited results.

<sup>11</sup>W Baskara, "Indonesian Foreign Policy Towards Rohingya Foreign Refugees Seeking Asylum 2019-2022" (2024) 1:1 J Soc Polit Humanit, p. 11–21.

<sup>12</sup>Muammar Hanif, "The Impact of Indonesia's Refugee Policy 2016-2023: The Rohingya Refugees" (Flinders University, College of Business, Government and Law, 2023).

<sup>13</sup>Rasid Priesdiantoro et al., "Indonesia's Policy in Handling the Humanity Crisis of Rohingya Refugees and Protecting National Security," *International Journal of Humanities Education and Social Sciences* 4, no. 3 (2024).

No	Author	Year	Key Findings
4.	Agustina <sup>14</sup>	2024	Community attitudes are divided between sympathy and rejection, and between the importance of cultural approaches and public education.
5.	M Audi <sup>15</sup>	2025	ASEAN countries are tightening immigration, ignoring human rights standards; a balanced approach to security and humanitarianism is needed.
6.	Arianti Kusnad <sup>16</sup>	2025	Myanmar conflict becomes regional crisis; massive displacement needs coordinated international response.
7.	Kemas Frasya Ananta Putra <sup>17</sup>	2023	Indonesia's foreign aid motives: humanitarian, national security, economic and environmental.
8.	Sakti Dewi Lara <sup>18</sup>	2025	Policy changes are influenced by the economy, security, domestic politics, and public perception through the media.
9.	Mardiyanto <sup>19</sup>	2024	Indonesia's deportation policy is prone to violating the principle of non-refoulement and international human rights.
10.	Dede Suprayitno <sup>20</sup>	2025	Shifting media discourse from acceptance to rejection; influenced by social dynamics and cognitive structures.

<sup>14</sup>M. Irvanni Bahri, Early Ridho Kismawadi, and Tri Siwi Agustina, "Between Sympathy and Hostility: Acehese Attitudes towards Rohingya Refugees," *Analysis: Journal of Social Science and Religion* 9, no. 2 (2024), p. 163–85.

<sup>15</sup>M Audi, M Saira, and B Sholeh, "Humanity And Security: Border Policy In Response To The Rohingya Migration Crisis," *Scientific Journal of Social Dynamics* 9, no. 1 (2024), p. 44–58.

<sup>16</sup>Arianti Kusnadi et al., "Krisis Kemanusiaan Etnis Rohingnya: Partisipasi Warga Dunia Dan Peran Pemerintah Indonesia," in *Gunung Djati Conference Series*, vol. 50, 2025, 83–97.

<sup>17</sup>Kemas Frasya Ananta Putra, "Motif Indonesia Dalam Pemberian Bantuan Luar Negeri Kepada Etnis Rohingnya Di Era Jokowi".

<sup>18</sup>Sakti Dewi Lara, "Analisis Perubahan Sikap Indonesia Terhadap Pengungsi Rohingya Tahun 2023– 2024" (2025).

<sup>19</sup>Mardiyanto, "Problematika Hukum Internasional Dalam Kebijakan Deportasi Pengungsi Rohingya Di Indonesia: Analisis Kritis Prinsip Non- Refoulement."

<sup>20</sup>Dede Suprayitno et al., "Dari Penerimaan Hingga Penolakan: Perubahan Wacana Pemberitaan Eksistensi Minoritas Rohingya Pada Tribunnews. Com," *Jurnal Mutakallimin: Jurnal Ilmu Komunikasi* 8, no. 1 (2025).

No	Author	Year	Key Findings
11.	Azman Sulaiman <sup>21</sup>	2025	Media tends to frame Rohingya refugees negatively; needs objectivity and public media literacy.
12.	Oktav Fazha Darmawansyah <sup>22</sup>	2024	Indonesia's immigration legal system is unclear; regional comparisons and regulatory updates are needed.
13.	Syarif Hidayatullah <sup>23</sup>	2023	Limited implementation of Presidential Regulation No. 125/2016; weak legal basis and lack of facilities in refugee-prone areas.
14.	Abdullah Chatomy Anwar <sup>24</sup>	2023	Rohingya crisis disrupts regional stability; Indonesia's response is influenced by multidimensional factors.
15.	Metrisia Andrayasa Ferizka <sup>25</sup>	2023	Indonesia's assistance covers humanitarian aspects, development (infrastructure), and regional diplomacy.
16.	Yordan-Gunawan <sup>26</sup>	2024	Indonesia has not ratified the Refugee Convention; needs stricter regulations in accordance with the UDHR.
17.	C Noyori-Corbett <sup>27</sup>	2024	Genocide and expulsion of Rohingya increase human rights violations; statelessness exacerbates vulnerability.

<sup>21</sup>Azman Sulaiman et al., "Media and Political Relations in Framing Analysis of the News of the Rejection of Rohingya Refugees in Aceh," *SEUNEUBOK LADA: Jurnal Ilmu-Ilmu Sejarah, Sosial, Budaya Dan Pendidikan* 12, no. 1 (2025), p. 61–80.

<sup>22</sup>Oktav Fazha Darmawansyah & Heren Puja Desfitra, "Strategi Harmonisasi Penguatan Kedaulatan Indonesia Dan Mekanisme Responsibility To Protect (R2p) Terhadap Para Pengungsi Dan Pencari Suaka Di Indonesia: Studi Kasus Etnis Rohingya" (2024).

<sup>23</sup>Syarif Hidayatullah & Risky Novialdi, "Role Of Immigration Office Class Ii Tpi Lhokseumawe: Dynamics Of Handling Rohingya Refugees In 2015-2022" (2023).

<sup>24</sup>Abdullah Chatomy Anwar, "Kebijakan Luar Negeri Indonesia Dalam Menangani Krisis Etnis Rohingya Di Rakhine State Periode 2017-2021" (Program Studi Ilmu Hubungan Internasional Fakultas Ilmu Sosial Dan Ilmu, n.d.).

<sup>25</sup>Metrisia Andrayasa Ferizka, "Bantuan Luar Negeri Pemerintah Ri Pada Era Joko Widodo Terkait Etnis Rohingya Tahun 2014-2019," 2023.

<sup>26</sup>Yordan-Gunawan, Carrisa Shifa Novedra, and Aldha Febria, "Indonesia's Responsibility towards Rohingya Refugees: Analysis of the 1951 Refugee Convention," *Legality: Jurnal Ilmiah Hukum* 32, no. 2 (2024), p. 182–94.

<sup>27</sup>C Noyori-Corbett et al., "Social Constructivist and Rights-Based Analysis of Global Governance of Statelessness: The Case of the Rohingya Crisis," *Journal of Human Rights and Social Work* 9, no. 2 (2024), p. 171–84.

No	Author	Year	Key Findings
18.	M Yakub Aiyub Kadir <sup>28</sup>	2024	Human trafficking in Aceh fuelled by family ties; special regulation and revision of Presidential Regulation 125/2016 needed.
19.	Briliant Gorlick <sup>29</sup>	2023	The Rohingya crisis needs a long-term solution; weak political support from Myanmar and the regional countries.
20.	D Yuwastina <sup>30</sup>	2021	ASEAN has not effectively addressed the issues of statelessness and TPPO; an inclusive regional protection strategy is needed.
21.	Lindra Darnela <sup>31</sup>	2021	Minimal refugee services; indications of misuse of the Rohingya issue for philanthropic and media interests.

### The Relation of the Rohingya Conflict and the Risk of Human Trafficking in Indonesia

The systematic persecution and protracted conflict faced by the Rohingya in Myanmar have led to a mass displacement of this stateless population across Southeast Asia, including into Indonesian territory. This humanitarian crisis is not only a result of ethnic violence, but also of the Myanmar government's policy of erasing Rohingya citizenship through the 1982 Citizenship Law, which rendered them stateless and legally invisible. This condition, compounded by displacement and the lack of a protective legal framework, increases their susceptibility to transnational human trafficking networks. Empirical evidence shows that many cases of human trafficking involving Rohingya in Aceh occur not only in the form of forced labor or sexual exploitation, but also through exploitative arranged marriages.<sup>32</sup> The absence of legal status and international protection leaves refugees vulnerable to multiple forms of abuse, violating their fundamental rights under international human rights law. Statelessness, recognized as a significant

<sup>28</sup>M Yakub Aiyub Kadir, S Listriani, and S M H Mail, "The Interplay of Human Trafficking and the Rohingya Refugee Crisis in Aceh Province, Indonesia: Exploring the Complexities of Criminality and Humanitarian Concerns," *Jurnal IUS Kajian Hukum Dan Keadilan* 12, no. 1 (2024), p. 122–45.

<sup>29</sup>Briliant Gorlick, "The Rohingya Refugee Situation: Seeking Accountability, Relief, and Solutions," *In Immigrant Lives: Intersectionality, Transnationality, and Global Perspectives*, 2023, p. 97–128.

<sup>30</sup>D Yuwastina, "The Root Cause Of Trafficking In Persons For The Protection Strategy In The Rohingya Crisis" (2021) 18:2 *Indones J Int Law* 253–292.

<sup>31</sup>Lindra Darnela, "Islam And Humanity Commodification of Aid for Rohingya in Aceh" (2021).

<sup>32</sup>Yakub Aiyub Kadir, Listriani, and Mail, "The Interplay of Human Trafficking and the Rohingya Refugee Crisis in Aceh Province, Indonesia: Exploring the Complexities of Criminality and Humanitarian Concerns."

vulnerability factor by the UNHCR, amplifies these risks, especially in areas like Aceh and North Sumatra, where social isolation, poverty, and limited legal oversight prevail<sup>33</sup>. In the context of international law, these vulnerabilities intersect with the state's obligations under the principle of non-refoulement, which prohibits the expulsion of individuals to territories where they may face threats to life or freedom, even if the state has not ratified the 1951 Refugee Convention. Furthermore, from a moral and religious perspective, the exploitation of vulnerable populations contradicts the Islamic principle of justice, as emphasized in Surah Al-Ma'idah (5:32): "Whoever saves one life—it is as if he had saved all mankind." This underscores the ethical imperative of protecting vulnerable groups, including displaced and stateless persons.

### Vulnerabilities of Rohingya Refugees to Human Trafficking in Indonesia

Rohingya refugees in Indonesia face a range of structural vulnerabilities that significantly increase their risk of falling victim to trafficking in persons (TPPO). These include legal invisibility, socioeconomic exclusion, and the absence of state-based protection mechanisms. As Indonesia has no formal legal recognition of refugee status, the Rohingya lack legal identification and are not permitted to work or access essential public services. This legal ambiguity forces them into social invisibility and into a state of dependency on humanitarian aid.<sup>34</sup> In many cases, their movements are undocumented, and there is little coordination across agencies to track or protect them.<sup>35</sup> The literature identifies several recurring risk factors: (1) the absence of official documentation; (2) restricted access to employment, education, and healthcare; (3) substandard shelter conditions; (4) minimal awareness of rights or how to report exploitation; and (5) overreliance on ad hoc humanitarian responses.<sup>36</sup> These vulnerabilities reflect a systemic failure to integrate refugee protection into national policy and leave displaced persons exposed to criminal exploitation. Under customary international law, including the International Covenant on Civil and Political Rights (ICCPR), the Indonesian state remains responsible for upholding the

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<sup>33</sup>Rizki Yunanda et al., "The Social Impact of the Existence of Rohingya Refugees in Aceh," *Community: Pengawas Dinamika Sosial* 10, no. 1 (2024); Noyori-Corbett et al., "Social Constructivist and Rights-Based Analysis of Global Governance of Statelessness: The Case of the Rohingya Crisis."

<sup>34</sup>Darnela, "Islam And Humanity: Commodification of Aid for Rohingya in Aceh."

<sup>35</sup>Syarif Hidayatullah & Risky Novialdi, "The Role Of Immigration Office Class II TPI Lhokseumawe: Dynamics Of Handling Rohingya Refugees In 2015-2022: Peran Kantor Imigrasi Kelas Ii Tpi Lhokseumawe: Dinamika Penanganan Pengungsi Rohingya Tahun 2015-2022" (2023)

<sup>36</sup>C A Sopamena, "Rohingya Refugees and the Potential for Horizontal Conflict & Diversity in Aceh," *Caraka Prabhu: Journal of Government Science* 7, no. 2 (2023); S H D Mulia, "The Application Of Criminal Law Against Perpetrators Of Human Trafficking Of Rohingya Refugees In Indonesia," *UIR Law Review* 8, no. 2 (2024).

fundamental rights of all persons within its territory, regardless of their legal status. The absence of formal protection for refugees contradicts these international obligations and exposes the state to reputational and legal risks in the global human rights arena.

### **The Role and Effectiveness of Indonesia's Policy Framework**

Indonesia's policy response to the Rohingya refugee crisis has largely been framed within a humanitarian diplomacy approach. While the country has made commendable efforts to accept refugees and establish temporary shelters, its domestic policy framework remains limited in scope and inconsistent in implementation. Indonesia is not a party to the 1951 Refugee Convention or its 1967 Protocol, yet it remains bound by principles of international customary law, particularly the principle of non-refoulement and basic human rights standards.<sup>37</sup> The adoption of Presidential Regulation No. 125/2016 on the handling of refugees marks a significant step, but the regulation focuses primarily on emergency management and lacks legal mechanisms for long-term protection, integration, or resettlement. Several studies highlight the regulation's limited impact in preventing TPPO and ensuring sustainable refugee protection.<sup>38</sup> Furthermore, challenges remain in law enforcement, particularly in addressing transnational trafficking networks, due to limited jurisdiction and institutional capacity.<sup>39</sup> Policy inconsistencies are also evident in the weak interagency coordination, lack of integrated social protection, and the temporary nature of most refugee responses.<sup>40</sup> While international collaboration, such as with UNHCR and IOM, has been initiated, it is still insufficient to address the broad and evolving nature of the crisis. Indonesia must reorient its policy approach from reactive to proactive, integrating protection, justice, and regional diplomacy as part of a comprehensive refugee governance system.

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<sup>37</sup>Yordan-Gunawan, Novedra, and Febria, "Indonesia's Responsibility towards Rohingya Refugees: Analysis of the 1951 Refugee Convention."

<sup>38</sup>Hidayatullah and Novialdi, "The Role Of Immigration Office Class Ii Tpi Lhokseumawe: Dynamics Of Handling Rohingya Refugees In 2015-2022: Peran Kantor Imigrasi Kelas II TPI Lhokseumawe: Dinamika Penanganan Pengungsi Rohingya Tahun 2015-2022"; Mardiyanto, "Problematika Hukum Internasional Dalam Kebijakan Deportasi Pengungsi Rohingya Di Indonesia: Analisis Kritis Prinsip Non- Refoulement."

<sup>39</sup>A Z Martendi & I K Hardianty, "A Perspective On Deportation In International Law" (2021).

<sup>40</sup>Uswatun Hasanah and Elly Andriani Binti Ibrahim, "Exploring International Legal Challenges For Unhcr In Dealing With Rohingya Refugees In Aceh, Indonesia," *Jurnal Imu Hukum Tambun Bungai* 9, no. 426-439 (2024); Yunanda et al., "The Social Impact of the Existence of Rohingya Refugees in Aceh."

### Policy Recommendations for Strengthening Protection and Preventing TIP

The reviewed literature strongly advocates for a shift toward a comprehensive, inclusive, and rights-based approach in managing refugee issues and preventing human trafficking. Policy reform should begin by revising Presidential Regulation No. 125/2016 to expand its scope beyond emergency responses to include durable solutions, such as legal recognition, work permits, and access to public services.<sup>41</sup> Indonesia should formulate a national legal framework on refugee protection in line with international human rights norms, even if it chooses not to accede to the 1951 Refugee Convention.<sup>42</sup> Education programs that are culturally and linguistically adapted to refugee needs should be developed to promote integration and reduce stigma.<sup>43</sup> Limited, regulated access to employment in designated sectors could prevent economic exploitation while empowering refugees to be self-reliant.<sup>44</sup> Capacity-building programs, such as vocational and entrepreneurship training tailored to local labor markets, should be implemented alongside public health outreach and psychosocial support services.<sup>45</sup> Moreover, a structured and well-funded social protection system must include legal aid, shelter, food, and trauma counselling services. Multi-stakeholder cooperation is also essential, engaging government agencies, international bodies, NGOs, and local communities in a shared responsibility model.<sup>46</sup> Community education and refugee–host interaction programs should be established to promote tolerance, solidarity, and shared responsibility.<sup>47</sup> These measures are not only consistent with Indonesia’s international legal obligations but also align with Islamic and Indonesian constitutional values of justice (keadilan) and humanity (kemanusiaan yang adil dan beradab).

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<sup>41</sup>M. Yakub Aiyub Kadir et al., “The Interplay of Human Trafficking and the Rohingya Refugee Crisis in Aceh Province, Indonesia: Exploring the Complexities of Criminality and Humanitarian Concerns,” *Jurnal IUS Kajian Hukum Dan Keadilan* 12, no. 1 (2024), p. 122–45.

<sup>42</sup>Darmawansyah and Desfitra, “Strategi Harmonisasi Penguatan Kedaulatan Indonesia Dan Mekanisme Responsibility To Protect (R2P) Terhadap Para Pengungsi Dan Pencari Suaka Di Indonesia: Studi Kasus Etnis Rohingya.”

<sup>43</sup>UNHCR, “Seven Years of Crisis for Rohingya Refugees.”

<sup>44</sup>Sopamena, “Rohingya Refugees and the Potential for Horizontal Conflict & Diversity in Aceh.”

<sup>45</sup>N Salsabila and W Ridwan, “The Role of the International Organisation for Mitigation (IOM) in Handling the Ethnic Rohingya Humanitarian Crisis in Indonesia,” *Independent: Journal of Indonesian and Global Politics* 4, no. 1 (2023).

<sup>46</sup>Rashiq Akbar, Ftahan Ramadavi Bukhari, and Ibrahim Ghifar Hamadi, “Krisis Pengungsi Rohingya Di Aceh: Evaluasi Kebijakan Indonesia Terhadap Ancaman Keamanan Non-Tradisional,” *Indonesian Foreign Policy Review* 11, no. 1 (2024), p. 32.

<sup>47</sup>S Kuswardini and U A Auliyah, “The Role of Non-Governmental Organisations (NGOs) in Handling Asylum Seekers in Indonesi,” *Dauliyah: Journal of Islamic and International Affairs* 6, no. 1 (2021).

**Policy Conclusion: A Roadmap for Refugee Protection and Regional Humanitarian Leadership**

To respond effectively to the Rohingya refugee crisis and mitigate the associated risks of human trafficking, Indonesia must adopt a long-term strategic roadmap. This includes: (1) legal reform, through the enactment of national refugee legislation and revision of PR No. 125/2016; (2) institutional strengthening, including inter-agency coordination led by the Ministry of Foreign Affairs, Ministry of Law and Human Rights, and local governments, particularly in Aceh; (3) regional leadership, by promoting a unified ASEAN response under the principles of Responsibility to Protect (R2P) and shared humanitarian norms; and (4) community-based protection, engaging civil society, religious institutions, and local actors in the protection and integration of refugees. By embedding refugee protection into its national policy and legal architecture, Indonesia can become a regional model in balancing security and human dignity. Moreover, by fulfilling its moral responsibilities and international legal obligations, Indonesia has the opportunity to assert its leadership in promoting human rights, regional security, and humanitarian justice in Southeast Asia.

**Conclusion**

The SLR results of the 21 selected articles reveal that the Rohingya refugee crisis is a multidimensional issue involving humanitarian, security, legal, and socio-political aspects. The systematic conflict in Myanmar that triggered a massive exodus has put Rohingya refugees in a very vulnerable position to the practice of Trafficking in Persons (TPPO), especially in transit areas such as Aceh and North Sumatra. This vulnerability is exacerbated by statelessness, lack of legal documents, restricted access to legal employment and basic services, and unsustainable dependence on humanitarian assistance. Weak social and policy structures further narrow the protection space for this group. Although Indonesia has shown commitment through its foreign policy and international cooperation, the effectiveness of national policies - especially Presidential Regulation No. 125/2016 - remains limited and tends to be ad hoc. The handling of refugees has not been fully grounded in international human rights principles, and in some cases even risks violating the principle of non-refoulement. For this reason, various studies call for national policy reform through a holistic approach that ensures the protection, empowerment, and social integration of refugees. This includes access to inclusive education, limited work permits, skills training, legal protection, and strengthening inter-agency coordination and regional cooperation. Through the implementation of equitable, humane, and sustainable policies, Indonesia can not only strengthen national resilience but also take a leadership role in voicing the Southeast Asian region's collective responsibility towards the Rohingya refugee crisis and the prevention of human trafficking.

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