

BIBLIOGRAPHY

Books

- Ashafa. 2004. *Metode Penelitian Hukum*. Jakarta. Rineka Cipta.
- Aust, Anthony. 2010. *Handbook of International Law (2nd Edition)*. New York. Cambridge University Press
- Bentham, Jeremy. 2007. *An Introduction to the Principles of Morals and Legislation*. United States of America. Dover Publications.
- Buergenthal, T. and S.D. Murphy. 2002. *Public International Law in a Nutshell (3rd Ed.)*. St. Paul. MN: Thomson/West
- Feller, Erika, Volker Turk, and Frances Nicholson (Eds.). 2003, *Refugee Protection in International Law*. Cambridge. Cambridge University Press
- Fiddian-Qasmiyeh, Elena et.al. (Eds.). 2014. *The Oxford Handbook of Refugee and Forced Migration Studies*. Oxford. Oxford University Press
- Goodwin-Gill, Guy S. 1988. *The Refugee in International Law 2nd Edition*. Oxford. Oxford University Press
- Greenwood, Christopher. 2008. *Sources of international law: an introduction*. United Nations Treaty Collection
- Hathaway, James C. 2005. *The Rights of Refugees under International Law*. New York. Cambridge University Press
- Malanczuk, Peter. 1997. *Akehurst's Modern Introduction to International Law (7th Edition)*. New York. Routledge
- Mertokusumo, Sudikno. 2003. *Mengenal Hukum Edisi Kelima*. Yogyakarta. Liberty
- Muhammad, Abdulkadir. 2004. *Hukum dan Peneitian Hukum*. Bandung. PT. Citra Aditya Bakti
- Shaw, Malcolm N. 2008. *International Law (6th Edition)*. New York. Cambridge University Press.
- Sheeran, Scott and Sir Nigel Rodley (Eds.). 2014. *Routledge Handbook of International Human Rights Law*. Oxon. Routledge

Slomanson, William. 2011. *Fundamental Perspectives on International Law*. Boston. Wadsworth Publishing

Soekanto, Soerjono. 1984. *Pengantar Penelitian Hukum*. Jakarta. UI Press

Soekanto, Soerjono and Sri Mamudji. 2008. *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. Jakarta. PT. RajaGrafindo Persada

Starke, J.G. 2010. *Pengantar Hukum Internasional Edisi Kesepuluh*. Translated by Bambang Iriana Djajaatmadja. Jakarta. Sinar Grafika

Wagiman. 2012. *Hukum Pengungsi Internasional*. Jakarta. Sinar Grafika

Wardana, Yohpy Ichsan et.al. 2015. *Penanganan Pencari Suaka dan Pengungsi dalam Konteks Hukum dan Kebijakan*. Direktorat HAM dan Kemanusiaan, Kementerian Luar Negeri Republik Indonesia

Journal, and Thesis

Allain, Jean. "The Jus Cogens Nature of Non-Refoulement". *International Journal of Refugee Law, Volume. 13, No. 4, (2001)*. Oxford University Press

Baker, Roozbeh B. "Customary International Law in the 21st Century: Old Challenges and New Debates". *The European Journal of International Law, Volume 21, No. 1 (2010)*

Bianchi, Andrea. "Human Rights and the Magic of Jus Cogens". *The European Journal of International Law, Volume 19, No. 3, (2008)*

Boed, Roman. "The State of the Right of Asylum in International Law". *Duke Journal of Comparative & International Law Vol. 5:1, (1994)*

Butt, Simon. "The Position of International Law within the Indonesian Legal System". *Emory International Law Review, Vol.28, Issue 1, (2014)*

Edwards, Alice. "Human Rights, Refugees, and The Right 'To Enjoy' Asylum". *Int. Journal of Refugee Law Vol. 17 (2), (2005)*. Oxford University Press

Jaeger, Gilbert. "On the History of the International Protection of Refugees". *International Review of the Red Cross Volume 83, Issue 843, (2001)*. International Committee of the Red Cross (ICRC) and Cambridge University Press

- Justinar, Jun. “Prinsip Non-refoulement dan Penerapannya di Indonesia”. *Opinio Juris Journal, Volume 3, (2011)*. Ministry of Foreign Affairs Indonesia
- Karlén, Anna. 2015. *The Right to Seek Asylum and the Common European Asylum System*. Thesis in International Law. Faculty of Law. University of Stockholm
- Mahmood, Syed S et al., “The Rohingya people of Myanmar: health, human rights, and identity”, *The Lancet Journal, Volume 389, Issue 10081, (2017)*
- Posner, Eric and Jack L. Goldsmith. “A Theory of Customary Law”. *John M. Olin Program in Law and Economics Working Paper No. 63, (1998)*. University of Chicago Law School.
- Prisca, Pricilia. 2015. *The Implementation of Non-refoulement Principle by Indonesia as a Non-State Party of the 1951 Geneva Convention Relating to the Status of Refugees*. Postgraduate Thesis. Faculty of Law. Universitas Gadjah Mada
- Riyanto, Sigit. “Prinsip Non-Refoulement dan Relevansinya dalam Sistem Hukum International”. *Mimbar Hukum Volume 22, Nomor 3, (2010)*. Faculty of Law Universitas Gadjah Mada
- Supaat, Dina Imam. “Escaping the Principle of Non-Refoulement”. *International Journal of Business, Economic, and Law, Vol. II, Issued on 3 June 2013*. Universiti Sains Islam Malaysia

News and Articles

- Amnesty International, Who are the Rohingya and why are they fleeing Myanmar? 7 September 2017. <https://www.amnesty.org/en/latest/news/2017/09/who-are-the-rohingya-and-why-are-they-fleeing-myanmar/> (Accessed on 10 September 2017)
- Amnesty International, “Who Are the Rohingya and What Is Happening in Myanmar”, <https://www.amnesty.org.au/who-are-the-rohingya-refugees> (Accessed on 15 March 2018)
- Hunt, Katie. “Rohingya Crisis: How We Got Here”, November 2017, <http://edition.cnn.com/2017/11/12/asia/rohingya-crisis-timeline/index.html> (Accessed on 15 March 2018)

The Week, “The Rohingya boat crisis: why refugees are fleeing Burma”, 21 May 2015, <http://www.theweek.co.uk/63745/the-rohingya-boat-crisis-why-refugees-are-fleeing-burma> (Accessed on 10 September 2017)

United Nations Documents

United Nations High Commissioner for Refugees (UNHCR). Advisory Opinion on the Extraterritorial Application of *Non-Refoulement* Obligations under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. 26 January 2007

United Nations High Commissioner for Refugees (UNHCR), “After long ordeal at sea, Rohingya find humanity in Indonesia”, 18 May 2015, <http://www.unhcr.org/news/latest/2015/5/5559efb36/long-ordeal-sea-rohingya-find-humanity-indonesia.html> (Accessed on 10 September 2017)

United Nations High Commissioner for Refugees (UNHCR), “General Conclusion on International Protection”, *Executive Committee Conclusion No.25, 198*

United Nations High Commissioner for Refugees (UNHCR), Resettlement Data Finder, <http://rsq.unhcr.org/en/#2qGZ> (Accessed on 3 April 2018)

United Nations High Commissioner for Refugees (UNHCR), “Response to the Rohingya Situation in Aceh and North Sumatera”, *Fact Sheet February 2016*

United Nations High Commissioner for Refugees (UNHCR), “Solutions”, <http://www.unhcr.org/solutions.html> (Accessed on 30 November 2017)

United Nations High Commissioner for Refugees (UNHCR), “What is a Refugee?”, <https://www.unrefugees.org/refugee-facts/what-is-a-refugee> (Accessed on 24 November 2017)

United Nations Human Rights Office of the High Commissioner (OHCHR), International Human Rights Law, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx> (Accessed on 8 November 2017)

United Nations Human Rights Office of the High Commissioner (OHCHR), Ratification Status for Indonesia, http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=80&Lang=EN (Accessed on 7 March 2018)

United Nations Human Rights Office of the High Commissioner (OHCHR), *What are Human Rights*, <http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx> (Accessed on 18 November 2017)

UN Human Rights Committee, *CCPR General Comment No. 20: Article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment)*, 10 March 1992

UN Treaty Collection, Chapter V: Refugees and Stateless Persons, *Convention relating to the Status of Refugees, 28 July 1951*, Treaty Series, vol. 189, p. 137 https://treaties.un.org/Pages/Treaties.aspx?id=5&subid=A&clang=_en (Accessed on 28 February 2018)

UN Treaty Collection, Chapter V: Refugees and Stateless Persons, *Protocol relating to the Status of Refugees, 31 January 1967*, Treaty Series, vol. 606, p. 267 https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=V-5&chapter=5&lang=en (Accessed on 28 February 2018)

UN Treaty Collection, Chapter IV: Human Rights, *International Covenant on Civil and Political Rights, 16 December 1966*, Treaty Series, vol. 999, p. 171 https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=_en (Accessed on 28 February 2018)

UN Treaty Collection, Chapter IV: Human Rights, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December 1984*, Treaty Series, vol. 1465, p. 85 https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=_en (Accessed on 28 February 2018). (Accessed on 28 February 2018)

Other Documents

Asian-African Legal Consultative Organization (AALCO), *Bangkok Principles on the Status and Treatment of Refugees* (hereinafter referred to as "Bangkok Principles"), 31 December 1966

European Court of Human Rights, *The ECHR in 50 Questions*, Council of Europe, http://echr.coe.int/Documents/50Questions_ENG.pdf (Accessed on 1 March 2018)

International Organization for Migration (IOM), *About IOM*, <https://indonesia.iom.int/about-iom> (accessed on 20 December 2017)

International Organization for Migration (IOM), *IOM Indonesia*, <https://indonesia.iom.int/about-iom/iom-indonesia> (accessed on 20 December 2017)

SUAKA. 2016. “Hidup Yang Terabaikan”. *Laporan Penelitian Nasib Pengungsi Rohingya di Indonesia*. Lembaga Bantuan Hukum (LBH) Jakarta

Summary Conclusions: The Principle of Non-Refoulement. Expert Roundtable organized by the United Nations High Commissioner for Refugees and the Lauterpacht Research Centre, University of Cambridge, United Kingdom, 9 – 10 July 2001, <http://www.unhcr.org/afr/419c76592.pdf> (accessed on 12 March 2018)

Agreements, Conventions and Declarations

American Convention on Human Rights, 1969

Cartagena Declaration on Refugees, 1984

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1985

Convention Relating to the International Status of Refugees, 1933

Declaration on Territorial Asylum, 1967

European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950

Geneva Convention Relating to the Status of Refugees, 1951

OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, 1969

The Statute of Office of the United Nations High Commissioner for Refugees, 1950

The Statute of International Court of Justice, 1946

Universal Declaration of Human Rights, 1948

Vienna Convention on the Law of Treaties, 1969

Case Laws

“Military and Paramilitary Activities in and against Nicaragua” (Nicaragua v. United States of America). Merits, Judgment. I.C.J. Reports 1986

“North Sea Continental Shelf”, Judgment, I.C.J. Reports 1969

European Court of Human Rights, *Soering v. United Kingdom*, 1989, App. no. 14038/88

Indonesian Laws and Regulations

The 1945 Indonesian Constitution as amended

Law of the Republic of Indonesia Number 1 Year 1979 concerning Extradition.
State Gazette of the Republic of Indonesia of 1979 Number 2

Law of the Republic of Indonesia Number 37 Year 1999 concerning Foreign Relations. State Gazette of the Republic of Indonesia of 1999 Number 156

Law of the Republic of Indonesia Number 39 Year 1999 concerning Human Rights.
State Gazette of the Republic of Indonesia of 1999 Number 165

Law of the Republic of Indonesia Number 6 Year 2011 concerning Immigration.
State Gazette of the Republic of Indonesia of 2011 Number 52

Presidential Regulation Number 125 Year 2016 concerning the Handling of Foreign Refugees, State Gazette of The Republic of Indonesia of 2016 Number 368

Directorate General of Immigration Regulation Number IMI-1489.UM.08.05 Year 2010 concerning the Handling of Irregular Migrant

Directorate General of Immigration Regulation Number IMI-0352.GR.02.07 Year 2016 concerning the Handling of Illegal Migrants Claiming as Asylum seekers or Refugees