



## Reformulating the Legal Framework for International Refugee Protection under the *in Dubio Pro Humanitate* Principle in Indonesia

Untung Setyardi  
Universitas Atma Jaya Yogyakarta

**Corresponding Author:** Untung Setyardi [untung.setyardi@uajy.ac.id](mailto:untung.setyardi@uajy.ac.id)

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### ABSTRACT

This study aims to reformulate the legal framework for international refugee protection in Indonesia based on the *in dubio pro humanitate* principle, offering a normative reconstruction that prioritizes humanitarian considerations. Employing a qualitative doctrinal approach, this research analyzes statutory regulations, international legal instruments, and relevant jurisprudence, supported by a conceptual and comparative analysis. Data were collected through literature review covering developments from 2016 to 2025, particularly following Presidential Regulation No. 125/2016. The findings reveal normative gaps and inconsistencies in Indonesia's refugee protection regime. This study proposes a humanitate-based framework to strengthen legal certainty and protection standards, with implications for aligning national law with international human rights obligations.

## INTRODUCTION

The increasing movement of people across borders due to conflict, persecution, environmental degradation, and socio-political instability has positioned international refugee protection as a critical issue within contemporary legal discourse. Despite the existence of global frameworks such as the 1951 Refugee Convention and its 1967 Protocol, many countries that are not parties to these instruments still face significant challenges in ensuring adequate legal protection for refugees within their jurisdictions (Hathaway, 2021). In this context, the absence of binding international obligations often results in fragmented and inconsistent national approaches, raising concerns about legal certainty and the protection of fundamental human rights. Indonesia represents a notable example of such a legal landscape, where refugee protection relies primarily on administrative policies rather than a comprehensive statutory framework (Missbach, 2017).

Indonesia's approach to refugee protection has evolved through regulatory instruments, particularly Presidential Regulation No. 125 of 2016 concerning the Handling of Refugees from Overseas. While this regulation reflects a commitment to humanitarian principles, it does not fully establish a rights-based legal framework, leaving significant gaps in terms of enforceability and protection standards (Taylor & Rafferty-Brown, 2019). Refugees in Indonesia are often categorized as irregular migrants, resulting in limited access to basic rights such as employment, education, and long-term legal status. This situation underscores the need for a more robust and principled legal framework that transcends administrative discretion and aligns with broader human rights norms.

One promising conceptual approach to addressing these gaps is the application of the *in dubio pro humanitate* principle, which emphasizes that in cases of legal uncertainty, interpretations should favor the protection of human dignity and fundamental rights. This principle, rooted in humanitarian law and human rights jurisprudence, has gained increasing recognition as a normative guide in situations where positive law is inadequate or ambiguous (Peters, 2018). By prioritizing human-centered interpretations, *in dubio pro humanitate* offers a transformative lens through which refugee protection can be re-evaluated and strengthened, particularly in jurisdictions lacking comprehensive legal frameworks.

The relevance of this principle becomes even more pronounced in the context of evolving global challenges, including mixed migration flows and the increasing intersection between refugee law and other areas such as environmental law and international criminal law. Traditional legal categories often fail to capture the complexity of contemporary displacement, necessitating more adaptive and humane interpretive approaches (Goodwin-Gill & McAdam, 2021). In this regard, *in dubio pro humanitate* serves not only as a doctrinal tool but also as a philosophical foundation for reconstructing legal norms in a manner that is responsive to human vulnerability.

In addition, the absence of a clear legal status for refugees within national legal systems often leads to a protection gap that places refugees in a prolonged state of uncertainty. This condition not only affects their access to fundamental rights but also exposes them to risks of arbitrary detention, social exclusion, and economic marginalization. Such vulnerabilities highlight the limitations of state-centric legal frameworks that prioritize sovereignty over humanitarian considerations (Betts, 2013). Therefore, integrating *in dubio pro humanitate* into the legal structure offers a normative shift from control-oriented governance toward a protection-oriented paradigm that centers on human dignity.

This study seeks to contribute to the ongoing discourse by proposing a reconstruction of the legal framework for international refugee protection in Indonesia based on the *in dubio pro humanitate* principle. Unlike existing studies that primarily focus on policy analysis or international obligations, this research emphasizes the normative and theoretical dimensions of legal reform. It argues that embedding humanitarian principles within the interpretive structure of national law can bridge the gap between formal legal limitations and the practical need for protection. This approach also aligns with progressive legal theories that advocate for law as a dynamic instrument capable of responding to societal needs (Nonet & Selznick, 2001).

Thus, this study aims to demonstrate that the incorporation of the *in dubio pro humanitate* principle into Indonesia's legal framework can enhance both the coherence and effectiveness of refugee protection. By shifting the focus from administrative management to rights-based protection, this reconstruction has the potential to improve legal certainty, strengthen institutional accountability, and align national practices with international human rights standards. The findings are expected to offer theoretical insights and practical recommendations for policymakers, scholars, and practitioners engaged in refugee law and humanitarian governance.

## LITERATURE REVIEW

### *International Refugee Protection Framework and its Limitation*

The international refugee protection regime is primarily grounded in the 1951 Refugee Convention and its 1967 Protocol, which establish the definition of refugees and the principle of non-refoulement as a cornerstone of protection. These instruments have significantly shaped international standards; however, their implementation remains uneven, particularly in non-signatory states and regions with limited institutional capacity (Hathaway, 2021; Feller, Türk, & Nicholson, 2003). Scholars argue that the regime is historically contingent and reflects post-World War II priorities, thereby limiting its responsiveness to contemporary displacement patterns such as mixed migration and climate-induced mobility (Goodwin-Gill & McAdam, 2021; McAdam, 2012). Additionally, the absence of strong enforcement mechanisms results in reliance on voluntary state compliance, often leading to protection gaps (Chetail, 2014). Recent literature also emphasizes the fragmentation of complementary protection schemes and the increasing politicization of asylum policies (Guild, 2018). Consequently, the existing framework requires reinterpretation and

normative development to remain relevant in addressing evolving humanitarian challenges.

### ***Refugee Protection in Non-Signatory States: The Case of Indonesia***

In non-signatory states, refugee protection is typically governed through domestic administrative frameworks rather than binding international commitments, creating hybrid legal regimes (Kneebone, Stevens, & Baldassar, 2014). Indonesia exemplifies this approach, where refugee management is regulated through Presidential Regulation No. 125 of 2016 and implemented in coordination with international organizations such as UNHCR and IOM (Missbach, 2017; Davies, 2008). While this reflects a degree of humanitarian engagement, it lacks a comprehensive legal structure that ensures enforceable rights. Empirical studies show that refugees in Indonesia often face prolonged uncertainty, limited access to employment and education, and dependency on international aid (Taylor & Rafferty-Brown, 2019; Samuels, 2020). The absence of a formal asylum system further entrenches their precarious legal status. Scholars have noted that this model prioritizes migration control and state sovereignty, often at the expense of human rights protection (Gammeltoft-Hansen, 2011). These conditions highlight the urgent need for legal reconstruction that integrates international human rights norms into domestic frameworks.

### ***The Principle of In Dubio Pro Humanitate in Legal Theory***

The principle of *in dubio pro humanitate* has emerged as an interpretive doctrine emphasizing that legal ambiguities should be resolved in favor of human dignity and fundamental rights. Rooted in international humanitarian law and human rights jurisprudence, this principle reflects a broader evolution toward human-centered legal interpretation (Peters, 2018; Meron, 2006). It challenges strict positivist approaches by allowing flexibility in interpreting legal norms, particularly in contexts where formal regulations are insufficient or ambiguous. Scholars argue that this principle is closely aligned with the development of general principles of law recognized in international adjudication (Besson, 2017). Furthermore, it resonates with progressive legal theories that advocate for responsiveness and adaptability in law to address social realities (Nonet & Selznick, 2001). Despite its normative strength, the operationalization of *in dubio pro humanitate* in domestic legal systems remains limited. This gap presents an important opportunity to explore its application in strengthening refugee protection frameworks, particularly in jurisdictions with incomplete legal regimes.

### *Toward a Humanitarian Reconstruction of Refugee Law*

Recent scholarship has increasingly advocated for a shift from state-centric to human-centric approaches in refugee law, emphasizing the need for normative reconstruction grounded in humanitarian principles (Betts, 2013; Chimni, 2009). This shift is driven by the recognition that existing frameworks are inadequate to address contemporary challenges, including protracted displacement and new categories of forced migrants. Legal reconstruction involves not only revising statutory provisions but also rethinking interpretive principles that guide legal decision-making (Crawford, 2012). In this context, integrating *in dubio pro humanitate* provides a normative foundation for prioritizing human dignity within legal systems. Such an approach can enhance coherence between domestic law and international human rights obligations while addressing protection gaps. Scholars emphasize that this transformation requires both doctrinal innovation and institutional reform, including judicial interpretation and policy redesign (Teitelbaum, 2015). Ultimately, a humanitarian-based reconstruction offers a more responsive and equitable framework for refugee protection in an evolving global context.

### **METHODOLOGY**

This study employs a qualitative doctrinal legal research design aimed at reconstructing the legal framework for international refugee protection through the lens of the *in dubio pro humanitate* principle. Doctrinal research is appropriate for examining legal norms, principles, and doctrines, as it focuses on analyzing the coherence, consistency, and adequacy of existing legal rules (Hutchinson & Duncan, 2012). The study primarily relies on normative legal materials, including international legal instruments, national regulations, and relevant jurisprudence, complemented by secondary sources such as academic literature, policy reports, and scholarly commentaries. This approach enables a systematic evaluation of the gaps and inconsistencies within the current legal framework governing refugee protection.

The research adopts both statutory and conceptual approaches. The statutory approach involves the examination of applicable legal instruments, including international refugee law and domestic regulatory frameworks, to assess their normative structure and implementation (IRAC methodology) (McConville & Wing, 2017). Meanwhile, the conceptual approach is used to analyze the theoretical foundations of the *in dubio pro humanitate* principle and its relevance within contemporary legal discourse, particularly in relation to human rights and humanitarian law (Peters, 2018). These approaches are further supported by a comparative perspective, drawing insights from international practices and scholarly interpretations to contextualize the Indonesian legal framework within broader global standards.

Data collection is conducted through an extensive literature review covering the period from 2016 to 2025, capturing the evolution of refugee protection policies following the enactment of Presidential Regulation No. 125 of 2016. The selection of this timeframe allows for a focused analysis of recent legal developments and their implications. Analytical techniques involve qualitative content analysis, where legal texts and scholarly arguments are systematically interpreted to identify patterns, gaps, and normative tensions (Schreier, 2012). Through this process, the study seeks to construct a coherent legal argument for integrating the *in dubio pro humanitate* principle into the national legal framework.

Ultimately, this methodological approach facilitates a normative reconstruction that not only critiques existing legal arrangements but also proposes a more human-centered framework. By combining doctrinal analysis with conceptual and comparative insights, the research aims to contribute to the development of a more responsive and principled system of refugee protection.

## RESEARCH RESULT

The findings of this study reveal that the current legal framework governing international refugee protection in Indonesia remains structurally limited, normatively fragmented, and heavily dependent on administrative discretion. Although Presidential Regulation No. 125 of 2016 provides a procedural basis for handling refugees, it does not establish a comprehensive rights-based framework. As a result, refugees are positioned within a legal grey area, lacking formal recognition as rights-bearing subjects under national law. This condition reflects a broader pattern in non-signatory states, where refugee protection is shaped more by policy pragmatism than by binding legal obligations (Lauterpacht & Bethlehem, 2003). Consequently, the absence of clear legal status undermines both legal certainty and the effective realization of fundamental rights.

One of the most significant findings concerns the categorization of refugees within Indonesia's migration regime. Refugees are often treated as irregular migrants, subject to immigration control rather than protection-oriented policies. This categorization has practical implications, including restrictions on freedom of movement, limited access to employment, and dependency on international organizations for basic needs. Such conditions not only perpetuate vulnerability but also contradict the evolving standards of international human rights law, which emphasize the universality of rights regardless of legal status (Costello, 2016). Furthermore, the lack of a domestic asylum system places decision-making authority largely in the hands of international bodies such as UNHCR, thereby creating a gap between international recognition and national legal enforcement.

The study also identifies inconsistencies between Indonesia's humanitarian commitments and its legal implementation. On one hand, Indonesia has demonstrated a willingness to cooperate with international organizations and accommodate refugees on humanitarian grounds. On the other hand, the absence of enforceable legal rights results in a protection regime that is largely discretionary and non-justiciable. This duality creates a paradox in which humanitarian intentions are not adequately translated into legal guarantees (Hollifield, Martin, & Orrenius, 2014). In practice, refugees often face prolonged waiting periods for resettlement without access to durable solutions, leading to what scholars describe as "protracted liminality" (Brun, 2015).

In this context, the application of the *in dubio pro humanitate* principle offers a critical normative intervention. The findings suggest that this principle can serve as an interpretive tool to address ambiguities within the existing legal framework. By prioritizing interpretations that favor human dignity and fundamental rights, *in dubio pro humanitate* provides a basis for expanding the scope of protection even in the absence of explicit legal provisions. This approach aligns with broader developments in international law, where principles and norms increasingly play a role in filling gaps left by formal rules (Dworkin, 1986). Importantly, the principle does not require formal ratification of international treaties but can operate within the interpretive practices of domestic legal institutions.

The study further demonstrates that the integration of *in dubio pro humanitate* into the legal framework can enhance judicial and administrative decision-making. In situations where legal provisions are unclear or silent, decision-makers can rely on this principle to justify outcomes that prioritize humanitarian considerations. This is particularly relevant in cases involving detention, access to basic services, and protection against refoulement. Comparative analysis indicates that similar interpretive approaches have been adopted in other jurisdictions to strengthen human rights protections, even in the absence of comprehensive legislation (Neuman, 2016). Therefore, the principle has both theoretical and practical applicability within the Indonesian context.

Another key finding relates to the potential for normative reconstruction through the incorporation of general principles of law. The study finds that Indonesia's legal system, which recognizes principles as a source of law, provides a doctrinal basis for integrating *in dubio pro humanitate*. This integration can occur through judicial interpretation, administrative guidelines, and policy reforms. By embedding the principle within legal reasoning, the framework can gradually shift from a control-oriented model to a protection-oriented paradigm. This transformation is consistent with the concept of responsive law, which emphasizes adaptability and the pursuit of substantive justice (Teubner, 1983).

The research also highlights the importance of aligning national legal frameworks with international human rights standards. While Indonesia is not a party to the Refugee Convention, it is bound by various human rights treaties that impose obligations relevant to refugee protection, such as the prohibition of torture and the right to life. The findings indicate that these obligations can serve as entry points for incorporating *in dubio pro humanitate* into domestic law. By interpreting existing legal norms in light of human rights principles, the state can fulfill its international commitments while maintaining its sovereign discretion (Allain, 2001). This approach underscores the interconnectedness of different branches of international law in addressing complex humanitarian issues.

In addition, the study identifies institutional challenges that may affect the implementation of a reconstructed legal framework. These include limited coordination among government agencies, resource constraints, and the absence of specialized legal mechanisms for refugee protection. However, the findings suggest that these challenges can be mitigated through incremental reforms, such as the development of standard operating procedures, capacity-building programs, and enhanced cooperation with international organizations. Importantly, the adoption of *in dubio pro humanitate* does not require extensive structural changes but can be operationalized through interpretive practices and policy adjustments.

The findings also point to the broader implications of adopting a humanitate-based approach for legal development. By prioritizing human dignity as a guiding principle, the legal system can become more responsive to emerging challenges, including new forms of displacement. This approach not only benefits refugees but also strengthens the overall integrity of the legal system by promoting coherence and consistency. Moreover, it contributes to the evolution of legal thought by integrating humanitarian values into the core of legal reasoning (Sen, 2009).

Finally, the study concludes that the reconstruction of refugee protection law based on *in dubio pro humanitate* has the potential to transform Indonesia's legal framework into a more equitable and effective system. This transformation requires a shift in both legal interpretation and institutional practice, emphasizing the centrality of human dignity. While challenges remain, the findings demonstrate that such a reconstruction is both feasible and necessary in addressing the limitations of the current framework. By bridging the gap between law and humanitarian principles, the proposed approach offers a meaningful contribution to the development of refugee protection in non-signatory states.

## DISCUSSION

The reconstruction of international refugee protection within Indonesia's legal system, grounded in the *in dubio pro humanitate* principle, requires a multidimensional analysis that bridges doctrinal, institutional, and philosophical dimensions of law. The findings presented earlier indicate that the current framework is characterized by fragmentation, administrative dominance, and limited enforceability. This discussion elaborates on those findings by situating them within broader legal theory and international practice, while also advancing a normative argument for transforming Indonesia's refugee protection regime into a more coherent, human-centered system.

At the doctrinal level, the absence of a comprehensive legal framework for refugee protection in Indonesia reflects a broader tension between sovereignty and humanitarian obligations. States traditionally retain the authority to control entry and residence within their territories; however, this authority is increasingly constrained by international human rights norms that emphasize the protection of individuals regardless of status (Benhabib, 2004). In Indonesia, this tension manifests in the reliance on administrative regulations rather than statutory law, resulting in a system that lacks binding legal force. The reliance on Presidential Regulation No. 125 of 2016 illustrates a form of "soft legalization," where norms exist but are not fully integrated into a hierarchical legal structure capable of ensuring enforceability (Abbott & Snidal, 2000). Consequently, refugees remain in a precarious position, subject to policy shifts and administrative discretion.

The principle of *in dubio pro humanitate* offers a critical entry point for addressing these doctrinal limitations. As an interpretive principle, it directs decision-makers to resolve ambiguities in favor of human dignity and fundamental rights. This principle is particularly relevant in contexts where legal norms are incomplete or contested, as is the case with refugee protection in Indonesia. By incorporating *in dubio pro humanitate* into legal reasoning, courts and administrative bodies can expand the scope of protection without requiring immediate legislative reform. This approach aligns with the growing recognition of principles as sources of law capable of guiding interpretation and filling normative gaps (Alexy, 2002). Moreover, it resonates with the concept of proportionality, which requires balancing competing interests while prioritizing fundamental rights.

From a human rights perspective, the application of *in dubio pro humanitate* reinforces the universality and indivisibility of rights. Refugees, regardless of their legal status, are entitled to basic rights such as the right to life, freedom from torture, and access to essential services. These rights are not contingent upon formal recognition but derive from the inherent dignity of the individual (Donnelly, 2013). However, in practice, refugees in Indonesia often experience restrictions that undermine these rights, including limited access to employment and prolonged detention. By adopting a humanitate-based interpretive approach, these limitations can be reassessed in light of broader human rights obligations, thereby enhancing the substantive protection afforded to refugees.

The discussion also highlights the importance of integrating *in dubio pro humanitate* within the broader framework of progressive and responsive law. According to Nonet and Selznick (2001), responsive law is characterized by its openness to social needs and its commitment to substantive justice. In this context, the reconstruction of refugee protection law should not merely involve technical adjustments but should reflect a deeper transformation in legal philosophy. The adoption of *in dubio pro humanitate* signifies a shift from formalism to purposive interpretation, where the ultimate goal of law is to serve human welfare. This transformation is particularly important in addressing complex and evolving issues such as forced migration, which cannot be adequately managed through rigid legal categories.

Institutionally, the implementation of a humanitate-based framework requires coordination among various state actors, including immigration authorities, law enforcement agencies, and local governments. The current system in Indonesia is marked by fragmentation, with different institutions operating under separate mandates and limited coordination. This fragmentation undermines the effectiveness of refugee protection and creates inconsistencies in practice. Integrating *in dubio pro humanitate* into institutional guidelines and standard operating procedures can help harmonize decision-making processes and ensure that humanitarian considerations are consistently applied. Furthermore, capacity-building initiatives are necessary to equip officials with the knowledge and skills required to apply this principle effectively.

Comparative perspectives provide additional support for the proposed reconstruction. In several jurisdictions, courts have employed human rights principles to extend protections to non-citizens, even in the absence of explicit legislative provisions. For example, constitutional courts in various countries have invoked the principle of human dignity to limit the scope of immigration enforcement and protect vulnerable groups (Carens, 2013). These examples demonstrate that judicial interpretation can play a crucial role in advancing refugee protection, particularly in contexts where legislative action is limited. By drawing on such comparative experiences, Indonesia can develop a context-specific model that balances sovereignty with humanitarian obligations.

The discussion also considers the role of international law in shaping domestic legal frameworks. Although Indonesia is not a party to the 1951 Refugee Convention, it is bound by other international instruments that impose relevant obligations, such as the Convention Against Torture and the International Covenant on Civil and Political Rights. These instruments establish minimum standards of protection that apply to all individuals within a state's jurisdiction, including refugees (Nowak, 2005). The principle of *in dubio pro humanitate* can serve as a bridge between these international obligations and domestic law, facilitating the incorporation of human rights norms into national legal systems. This approach reflects the concept of "indirect incorporation," where international law influences domestic practice through interpretation rather than formal adoption.

Another important dimension of the discussion is the temporal aspect of refugee protection. Refugees in Indonesia often experience prolonged periods of uncertainty, waiting for resettlement or other durable solutions. This condition of “protracted displacement” has significant psychological, social, and economic impacts, exacerbating vulnerability and limiting opportunities for integration (Loescher & Milner, 2005). The application of *in dubio pro humanitate* can help address this issue by promoting policies that enhance self-reliance and access to basic rights during the waiting period. For instance, allowing limited access to employment or education can improve the well-being of refugees while reducing the burden on host communities and international organizations.

The reconstruction of refugee protection law also has implications for broader legal development in Indonesia. By adopting a humanitate-based approach, the legal system can become more adaptive and responsive to emerging challenges. This approach aligns with the concept of transformative constitutionalism, which emphasizes the role of law in promoting social change and advancing justice (Klare, 1998). Although Indonesia does not have a specific constitutional provision on refugee protection, the broader commitment to human rights provides a normative foundation for such transformation. Integrating *in dubio pro humanitate* into legal interpretation can therefore contribute to the evolution of Indonesian law as a whole.

At the same time, the discussion acknowledges potential challenges in implementing the proposed framework. These include political considerations, resource constraints, and concerns about attracting additional migration flows. However, empirical evidence suggests that stronger legal protection does not necessarily lead to increased migration but can improve governance and reduce irregular movements (Hatton, 2017). Moreover, a rights-based approach can enhance Indonesia’s international reputation and strengthen its role in regional and global governance. By demonstrating a commitment to humanitarian principles, Indonesia can position itself as a leader in addressing refugee issues in Southeast Asia.

The normative reconstruction proposed in this study also raises important questions about the nature of legal authority and legitimacy. Traditional legal systems derive legitimacy from formal sources such as legislation and judicial decisions. However, in contexts where formal law is incomplete or inadequate, legitimacy may also derive from moral principles and social acceptance (Fuller, 1969). The principle of *in dubio pro humanitate* embodies such moral considerations, emphasizing the importance of human dignity as a foundational value. By incorporating this principle into legal reasoning, the legal system can enhance its legitimacy and align more closely with societal expectations of justice.

Furthermore, the discussion explores the relationship between refugee protection and environmental challenges. As climate change increasingly contributes to displacement, existing legal categories may become insufficient to address new forms of migration (Scott, 2016). The flexibility of *in dubio pro humanitate* makes it particularly suited to addressing such emerging issues, as it allows for the extension of protection beyond traditional definitions. This adaptability is essential for ensuring that legal frameworks remain relevant in the face of rapidly changing global conditions.

In synthesizing these perspectives, it becomes clear that the reconstruction of refugee protection law in Indonesia is not merely a technical exercise but a broader project of legal transformation. The integration of *in dubio pro humanitate* provides a normative anchor for this transformation, guiding the interpretation and application of law in a manner that prioritizes human dignity. This approach has the potential to bridge the gap between administrative practice and human rights obligations, creating a more coherent and effective system of protection.

In the final analysis, the discussion demonstrates that the adoption of a humanitate-based framework is both feasible and necessary for addressing the limitations of the current legal system. By combining doctrinal innovation, institutional reform, and normative commitment, Indonesia can develop a refugee protection regime that is consistent with international standards while reflecting its own legal and cultural context. The *in dubio pro humanitate* principle serves as a unifying concept that integrates these dimensions, offering a pathway toward a more humane and just legal system.

## CONCLUSIONS AND RECOMMENDATIONS

The study concludes that the existing legal framework for international refugee protection in Indonesia remains fragmented, administratively driven, and lacking in enforceable rights. This condition places refugees in a prolonged state of legal uncertainty, limiting their access to fundamental protections and essential services. The absence of a comprehensive statutory framework further reinforces a system that prioritizes control over protection. In this context, the *in dubio pro humanitate* principle emerges as a crucial normative tool to address legal ambiguities and gaps. By prioritizing human dignity and fundamental rights, this principle enables a more humane and responsive interpretation of existing legal norms. Therefore, integrating *in dubio pro humanitate* into the legal framework can significantly enhance the coherence and effectiveness of refugee protection in Indonesia.

To operationalize this reconstruction, several recommendations are proposed. First, the government should incorporate *in dubio pro humanitate* into legal interpretation guidelines and administrative practices to ensure consistent application across institutions. Second, there is a need to develop a more comprehensive legal framework that explicitly recognizes refugees as rights-bearing subjects within the national legal system. Third, institutional coordination should be strengthened through clear standard operating procedures and capacity-building initiatives for relevant authorities. Fourth, Indonesia should align its domestic practices with international human rights obligations by utilizing interpretive mechanisms rather than formal treaty accession. Fifth, policies should be designed to improve refugees' access to basic rights, including education and limited employment opportunities, during their stay. Finally, further research and policy dialogue are necessary to support the continuous development of a humane and adaptive refugee protection system.

### ADVANCED RESEARCH

This study has several limitations that should be acknowledged. First, it relies primarily on doctrinal and conceptual analysis, which may not fully capture the lived experiences of refugees or the practical challenges faced by implementing institutions. Second, the absence of empirical data limits the ability to assess the real-world effectiveness of the proposed *in dubio pro humanitate* framework. Third, the study focuses on a single national context, which may affect the generalizability of its findings to other jurisdictions. Future research is therefore encouraged to incorporate empirical methods, such as fieldwork or interviews, to validate and enrich the proposed framework. Additionally, comparative studies across different legal systems would be valuable to further explore the applicability and impact of *in dubio pro humanitate* in refugee protection.

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