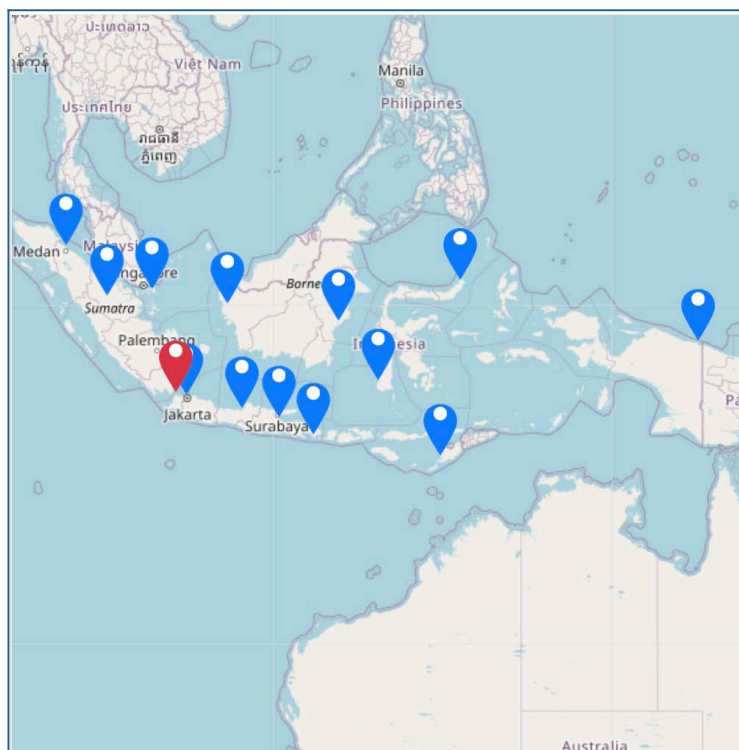


# Indonesia Immigration Detention Data Profile



## Quick Facts

<b>Immigration detainees (2019)</b>	Not Available
<b>Detained asylum seekers (2013)</b>	2,806
<b>Detained minors (2017)</b>	982
<b>Persons expelled (2014)</b>	10,831
<b>International migrants (2019)</b>	353,135
<b>New asylum applications (2019)</b>	1,108

## NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/asia-pacific/indonesia>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

## STATISTICS

### Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	Not Available	2019	Number of detained asylum seekers	2,806	2013
Total number of detained minors	982	2017	Number of dedicated long-term immigration detention centres	13	2015
	1,117	2016		13	2014
	838	2015		14	2009
Estimated capacity of dedicated long-term immigration detention centres	3,000	2014	Number of persons removed/returned (voluntary returns and deportations)	10,831	2014
	1,445	2010		2,011	2013
Criminal prison population	210,682	2017	Percentage of foreign prisoners	0.6	2016
	161,692	2014			
	154,000	2013			
	117,863	2010			
	128,876	2007			
	87,185	2004			
	59,488	2001			
	48,898	1998			
	41,353	1996			
	40,915	1992			
Prison population rate (per 100,000 of national population)	81	2017			
	64	2014			
	62	2013			
	49	2010			
	55	2007			
	39	2004			
	27	2001			
	24	1998			
	20	1996			
	21	1992			

### Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	273,500,000	2020	International migrants	353,135	2019
	255,461,700	2015		328,800	2015
				295,400	2013

Refugees	10,287	2019	Ratio of refugees per 1000 inhabitants	0.03	2016
	10,793	2018		0.02	2014
	9,795	2017		0.01	2013
	7,819	2016		0.01	2012
	5,957	2015			
	4,270	2014			
Total number of new asylum applications	1,108	2019	Refugee recognition rate	82.8	2014
	3,310	2016		89	2013
	5,658	2014			
	8,587	2013			
	7,223	2012			

DOMESTIC LAW				
LEGAL TRADITION				
Legal tradition	Name		Observation Date	
	Civil law			
	Muslim law			
	Customary law			
LAWS AND REGULATIONS				
Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	No	The Constitution of the Republic of Indonesia of 1945, as amended.	1945	1945
LAWS AND REGULATIONS				
Core pieces of national legislation	Name		Year Adopted	Last Year Amended
	Law of the Republic of Indonesia Number 6 of 2011 Concerning Immigration		2011	2011
	Law No. 39 Year 1999 - Concerning Human Rights. Republic of Indonesia.		1999	
LAWS AND REGULATIONS				
Additional legislation	Name		Year Adopted	Last Year Amended
	Law no 21, 2007 on the Eradication of the Criminal Act of Trafficking in Persons		2007	

LAWS AND REGULATIONS			
Regulations, standards, guidelines	Name		Year Published
	Regulation from the Director General of Immigration Number F-1002.PR.02.10 Year 2006 concerning Procedures for the Detention of Foreigners		2015
	Government Regulation of the Republic of Indonesia Number 31 of 2013 Concerning Implementing Regulation of Act Number 6 of 2011 Concerning Immigration		2013
	Regulation from the Minister of Law and Human Rights of the Republic Indonesia Number M.05.II.02.01 Year 2006 about Immigration Detention House.		2006
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION			
Immigration-status-related grounds	Name		Observation Date
	Detention for unauthorised exit		2015
	Detention to prevent unauthorised entry at the border		2015
	Detention for unauthorised entry or stay		2015
	Detention to effect removal		2015
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES			
Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date
	Yes	Yes	2015
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES			
Grounds for criminal immigration-related detention/incarceration and maximum potential duration of incarceration	Grounds for Incarceration	Maximum Number of Days of Incarceration	Observation Date
	Unauthorized entry	365	2015
	Unauthorized exit	365	2015
LENGTH OF DETENTION			
Maximum length for administrative immigration detention in law.	Number of Days		Observation Date
	3650		2015
LENGTH OF DETENTION			
Longest recorded instance of immigration detention.	Number of Days		Observation Date
	3650		2014
LENGTH OF DETENTION			
Maximum length of time in custody prior to issuance of a detention order	Number of Days		Observation Date
	30		2015

**PROCEDURAL STANDARDS**

Provision of basic procedural standards	Name	In Law	In Practice	Observation Date
	Information to detainees	Yes	No	2014
	Access to consular assistance	Yes		2014
	Access to asylum procedures	Yes	Yes	2014
	Complaints mechanism regarding detention conditions	Yes	No	2014
	Access to free interpretation services	No		2014
	Compensation for unlawful detention	No	No	2014
	Right to legal counsel	Yes	No	2013
	Independent review of detention		No	2013
Right to appeal the lawfulness of detention	No	No	2013	

**NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)**

Types of non-custodial measures	Name	In Law	In Practice	Observation Date
	Release	Yes	infrequently	2014

**VULNERABLE PERSONS**

Is the detention of vulnerable persons provided in law? Are they detained in practice?	Name	In Law	In Practice	Observation Date
	Accompanied minors	Provided	Yes	2014
	Unaccompanied minors	Provided	Yes	2014
	Victims of trafficking	Provided	Yes	2014
	Stateless persons	Not mentioned		2014
	Refugees	Not mentioned	Yes	2014
Asylum seekers	Not mentioned	Yes	2014	

## COVID-19 UPDATES

	Update Status	Observation Date
<p><b>Latest Update</b></p>	<p>Amnesty International reported (24 June) that a boat carrying 94 Rohingya refugees was stranded in waters just off Aceh. In a statement, the rights group urged the Indonesian authorities to ensure the group's rescue, disembarkation, and protection. As the Executive Director of Amnesty International Indonesia said, "In the time of COVID-19, we urge all countries in the region to ensure the wellbeing of refugees and not to send them back to the sea. Under international law, all countries have the obligation to protect and rescue people at risk of serious harm." However, the Indonesian government stated that the group would be pushed back once their broken vessel is fixed. In videos shared by the Asia Pacific Refugee Rights Network (APRRN), locals can be seen demonstrating, urging the Indonesian government to alter its policy and allow the stranded women, children, and men to disembark. Reports subsequently suggested that the local community had helped the group of refugees to land. (Numerous other countries in the Asia-Pacific region have refused to rescue Rohingya boats during the pandemic, including Malaysia and Thailand. See our updates on this platform) Although Indonesia recognised refugees and asylum seekers as a vulnerable group during the pandemic, authorities have reportedly not conducted any practical actions to protect such communities. According to ARPPN, refugees have not been provided with protective equipment such as masks and hand sanitiser, despite many continuing to live in overcrowded and cramped apartments (see 4 April update). Information about the virus was also not delivered to refugees by the government in a language they could understand—authorities have instead relied upon NGOs to translate and relay crucial health information during the crisis. Undocumented migrants, meanwhile, many of whom have previously faced rejections from hospitals, remain unwilling to access treatment and testing. While the IOM provides some healthcare to non-nationals, this is limited to emergency care only. Ahead of World Refugee Day on 20 June, activists called on the government to do more to uphold the rights of refugees in the country—particularly given the limited attention that authorities provided to them in their response to the pandemic. Although the country has not signed the 1951 Refugee Convention, according to UNHCR, some 13,534 refugees were registered in the country in May 2020.</p>	<p>2020</p>
	<p>Although immigration detention is no longer emphasized in Indonesia, reports suggest that refugees and asylum seekers in the country face a dire situation as it is impossible to keep any social distance as many share rooms in cramped apartments and those accommodated in IOM-operated sites live in severely overcrowded conditions. In addition, with no "rights to work, travel and use public health services, refugees and asylum seekers are further marginalised and the most vulnerable to the spread of coronavirus." On 31 March, according to the Jakarta Post, officials announced that they would begin barring "foreign nationals from transiting through or entering the country ... as the government steps up efforts to curb the spread of COVID-19 in the country without heeding growing calls for a complete lockdown to contain the pandemic." The GDP has been unable to find any reports indicating whether measures have taken to assist migrants and asylum seekers held in prisons or detention centres. However, the government has begun staking steps in prisons as well as detention centres for minors, including restricting access and visits. On 31 March 2020, the government announced that it would release around 30,000 of its 270,386 prisoners to avoid a possible surge in infections in its overcrowded prisons. According to a UNHCR-Jakarta 4 April press release, "As per the Government of Indonesia's protocol, refugees have access to COVID-19 related services, including testing and treatment, provided by the Ministry of Health. Refugee communities throughout the country have been informed of the protocol through various communication channels and actors." It added: "As a matter of prevention, UNHCR Indonesia is also working closely with partners and the local government to distribute sanitation kits including masks and disinfectants to refugee communities. UNHCR Indonesia provides cash assistance to those most vulnerable and at risk in this current situation to promote improved health and sanitation. With additional funding, UNHCR aims to also expand this cash assistance to more refugee families. Many refugees in Indonesia have skills and resources that can also be part of the solution. Some of the refugee women in Medan, supported by partner Mapanbumi, are producing washable face masks that will be distributed to vulnerable Indonesians and those who continue to work outside their homes in order to support themselves and their families. The refugee women aim to produce 1,000 masks for these groups of people such as becak drivers, street cleaners and the elderly in 18 sub-districts."</p>	<p>2020</p>

## INTERNATIONAL LAW

Relevant international treaties and date of ratification			
International treaties	Name		Ratification Year
	ICRMW, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families		2012
	CRPD, Convention on the Rights of Persons with Disabilities		2011
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children		2009
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime		2009
	ICCPR, International Covenant on Civil and Political Rights		2006
	ICESCR, International Covenant on Economic, Social and Cultural Rights		2006
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination		1999
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment		1998
	CRC, Convention on the Rights of the Child		1990
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women		1984
VCCR, Vienna Convention on Consular Relations		1982	
Ratio of relevant international treaties ratified	11/19		
Relevant international treaties and date of ratification			
Ratio of complaints procedures accepted	Number		Observation Date
	0/8		
	0/8		
Relevant international treaties and date of ratification			
Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year
	Committee on the Rights of the Child	"66. In the light of its general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin, the Committee urges the State party to bring its immigration and asylum legislation into full compliance with the Convention on the Rights of the Child and other relevant international standards. It further urges the State party to take all necessary measures to adequately address the situation of asylum-seeking children, and in particular: (a) Ensure that the best interests of the child are always given primary consideration in all immigration and asylum processes and that unaccompanied asylum-seeking children are provided with adequate guardianship and free legal representation; (b) Cease the administrative practice of detaining asylum-seeking and refugee children; (c) Stipulate strict behavioural rules for guards and officials at detention facilities and ensure that the facilities are regularly assessed by an independent monitoring body; (d) Ensure that, in all circumstances, children are separated from unrelated adults, have access to sufficient food, clean drinking water and sanitation, as well as health care, education and recreation."	2014
Bilateral/Multilateral agreements linked to readmissions			
Bilateral/multilateral agreements linked to readmission	Name	Year in Force	Observation Date
	EU	2014	2014

Non treaty-based international human rights mechanisms			
Visits by special procedures of the Human Rights Council	Name	Year of Visit	Observation Date
		Special Rapporteur on the human rights of migrants	2006
Non treaty-based international human rights mechanisms			
Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued	Year Issued	Observation Date
	No	2008	2017
	No	2012	2017
	No	2017	2017

INSTITUTIONAL INDICATORS				
Governing structures				
Federal or centralized governing system	Federal or centralized governing system		Observation Date	
		Centralized system		2015
Governing structures				
Centralized or decentralized immigration authority	Centralized or decentralized immigration authority		Observation Date	
		Centralized immigration authority		2014
Institutions responsible for immigration detention				
Custodial authority	Agency	Ministry	Ministry Typology	Observation Date
	Immigration officers	Ministry of Law and Human Rights	Justice	2014
	Directorate General of Immigration	Ministry of Law and Human Rights	Justice	2014
	Directorate General of Immigration	Provincial office of the Ministry for Law and Human Rights	Justice	2014
	Directorate General of Immigration	Ministry for Law and Human Rights	Justice	2014
	Directorate General of Correction	Ministry of Justice and Human Rights	Justice	2014
	Directorate General of Immigration	Provincial office of the Ministry for Law and Human Rights	Justice	2013
	Directorate General of Immigration	Provincial office of the Ministry for Law and Human Rights	Justice	2012
	Bogor Immigration Office	Ministry of Justice and Human Rights	Justice	2007
	Directorate General of Immigration	Ministry of Justice and Human Rights	Justice	2007
	Directorate General of Immigration	Ministry of Justice and Human Rights	Justice	2006
	Directorate General of Immigration	Ministry of Justice and Human Rights	Justice	2005
	Directorate General of Immigration	Ministry of Justice and Human Rights	Justice	2004
Directorate General of Immigration	Ministry of Justice and Human Rights	Justice	2002	



**Institutions responsible for immigration detention**

<b>Detention Facility Management</b>	<b>Entity Name</b>	<b>Entity Type</b>	<b>Observation Date</b>
	Directorate of Immigration. Ministry of Law and Human Rights.	Governmental	2014
	Directorate General of Immigration, Provincial office of the Ministry for Law and Human Rights	Governmental	2014
	Directorate General of Immigration, Provincial office of the Ministry for Law and Human Rights	Governmental	2014
	Directorate General of Immigration, Provincial office of the Ministry for Law and Human Rights	Governmental	2014
	Directorate General of Immigration, Ministry for Law and Human Rights	Governmental	2014
	Ministry of Justice and Human Rights. Directorate General of Correction	Governmental	2014
	Directorate General of Immigration, Provincial office of the Ministry for Law and Human Rights	Governmental	2013
	Directorate General of Immigration, Provincial office of the Ministry for Law and Human Rights	Governmental	2012
	International Organization for Migration	International or Regional Organization	2007
	International Organization for Migration	International or Regional Organization	2007
	Immigration division, Regional office of Ministry of Justice and Human Rights	Governmental	2007
	Immigration division, Regional office of Ministry of Justice and Human Rights	Governmental	2004
	International Organization for Migration	International or Regional Organization	2002
	International Organization for Migration	International or Regional Organization	2002

**Institutions responsible for immigration detention**

<b>Formally designated detention estate?</b>	<b>Formally designated immigration detention estate?</b>	<b>Types of officially designated detention centres</b>	<b>Observation Date</b>
	Yes	Dedicated immigration detention facilities	2014

**Institutions responsible for immigration detention**

Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date
		Yes	Yes												

Detention monitoring institutions			
Authorized monitoring institutions	Institution	Institution Type	Observation Date
	United Nations High Commissioner for Refugees	International or Regional Bodies (IRBs)	2015
	United Nations High Commissioner for Refugees	International or Regional Bodies (IRBs)	2014
	Jesuit Refugee Service	Non-Governmental Organizations (NGO)	2014
	World Relief Indonesia	Non-Governmental Organizations (NGO)	2014
	National Human Rights Commission (Komnas HAM)	National Human Rights Institution (or Ombudsperson) (NHRI)	2014
	International Organisation for Migration	International or Regional Bodies (IRBs)	2013
	Human Rights Watch	Non-Governmental Organizations (NGO)	2013
Detention monitoring institutions			
Is the national human rights institution (NHRI) recognized as independent?	Is the NHRI recognized as independent by the International Coordinating Committee of National Human Rights Institutions?		Observation Date
	Yes		2015
Detention monitoring institutions			
Does NHRI carry out visits?	Does NHRI carry out visits in practice?		Observation Date
	Yes		2013
	Yes		2012
	Yes		2011
Detention monitoring institutions			
Does NHRI publicly release reports on immigration detention?	Does NHRI publicly release reports on immigration detention?		Observation Date
	Yes		2012
Detention monitoring institutions			
Do NGOs carry out visits?	Do NGOs regularly carry our visits?		Observation Date
	Yes		2014
Detention monitoring institutions			
Do NGOs publish reports on immigration detention?	Do NGOs publish reports on immigration detention?		Observation Date
	Yes		2013
Detention monitoring institutions			
Do international and/or regional bodies (IRBs) visit immigration-related detention facilities?	Do international and/or regional bodies (IRB) regularly visit immigration-related detention facilities?		Observation Date
	Yes		2014

Expenditures								
Estimated annual budget for detention operations	Estimated total annual budget for detention operations (in USD)	Building and maintenance	Security	Staffing	Food	Medical	Transport	Observation Date
		2,817,168	Yes	Yes	Yes			
Foreign sources of funding for detention operations								
Does the country receive external sources of funding?	Benefitted from non-state funding sources?						Observation Date	
	Yes						2013	
	Yes						2012	
	Yes						2011	
Foreign sources of funding for detention operations								
Description of foreign assistance	Description of non-state assistance							Observation Date
	"In 2011-12 and 2012-13 Australia paid 47.9 million [...] and 46 million [...], respectively, to the IOM. Payments to the IOM are for various activities, including the upgrade and refurbishment of existing detention facilities [in Indonesia]". Nethery, Amy, Ratterty-Brown, Brynna and Taylor, Savitri. "At the discretion of management - Immigration detention in Indonesia" in Immigration Detention - The migration of a policy and its human impact. Nethery, Amy and Silverman Stephanie (eds). 2015.							2015

More information about immigration detention in Indonesia is available at the website of the Global Detention Project ([www.globaldetentionproject.org](http://www.globaldetentionproject.org))