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## Double Victimization on Refugee Children in Pekanbaru

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**Abstract:** Foreign refugees in Indonesia are often perceived as unwelcome arrivals. Their presence is frequently rejected by the local community. This rejection further exacerbates the already existing chain of victimization experienced by them. In victim studies, children are categorized as vulnerable individuals susceptible to becoming victims. The status of being a refugee increases the level of victimization experienced by them. Although the number of refugees cannot be considered significant, their presence in Indonesia remains puzzling. This is due to the lack of strong and comprehensive regulatory frameworks to serve as guidelines for managing, regulating, and protecting the presence of refugees in Indonesia. Indonesia has also not ratified the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. Through a qualitative approach, this research explains that becoming a refugee or an overseas refugee is extremely challenging for everyone, especially for those classified as vulnerable groups. Refugee children do not have the opportunity to study in reputable and quality educational institutions. The chaos and vulnerability inherited from the refugee situation can disrupt the physical, intellectual, psychological, cultural, and social development of children. Meanwhile, in refugee camps or community houses, access to healthcare, decent housing, and nutritious food always remains uncertain.

**Keywords:** Children; Refugee; Victimization

### I. Introduction

While not numerous in number, the presence of refugees in Indonesia remains perplexing. This is due to the lack of strong and comprehensive regulatory frameworks to serve as guidelines for managing, regulating, and protecting the presence of refugees

in Indonesia. Indonesia has also not yet ratified the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. In fact, within Southeast Asia, only Cambodia, the Philippines, and Timor Leste have ratified the Convention and its Protocol. To date,

the available regulatory instruments governing refugees or asylum seekers are limited to Presidential Regulation No. 125 of 2016 concerning the Handling of Foreign Refugees.

The issuance of Presidential Regulation No. 125 of 2016, signed on December 31, 2016, ostensibly serves as an alternative amidst the regulatory vacuum concerning refugees, in order to fulfill the mandate of the Republic of Indonesia Law Number 37 of 1999 concerning Foreign Relations. Interestingly, this regulation adopts certain aspects of the definition of refugees as stipulated in the 1951 Convention and the 1967 Protocol on refugees. Furthermore, this Presidential Regulation involves other state institutions in handling the presence of foreign refugees in Indonesia, such as the Indonesian National Armed Forces (TNI), the National Police, the Ministry of Transportation, the Indonesian Maritime Security Agency (Bakamla), local governments, the National Search and Rescue Agency (BASARNAS), and other institutions with competence in dealing with foreign refugees.

In their evolution, countries that initially, with generosity, opened their doors to foreign refugees eventually closed them due to concerns about their national security (Couttenier et al., 2016; Couttenier et al., 2019; Mattina, 2017). The plight of foreign refugees becomes even more agonizing when they become targets of harassment and

intimidation due to being perceived as "different" from the communities where they temporarily reside. Tensions between refugees and local residents seem to escalate as refugees are viewed as competitors in the use of natural resources or the economy. Furthermore, the adaptation process for refugees becomes increasingly complicated due to their past experiences, which ultimately compel them to relocate to new places.

Numerous international studies have been conducted to examine the interconnectedness of the fate of foreign refugees, whether during their period of exile or temporary stay in transit countries, or when they are already in recipient countries but still unable to overcome the challenges they face. For instance, Ramsay's (2017) study titled "Forced Childlessness and Ruptured Personhood: The Politics of Motherhood for Central African Refugee Women Resettled in Australia" explores the phenomenon of forced childlessness or the separation of children from their parents as a result of state interventions for child protection, focusing on how these practices impact the experience of motherlessness in children. The author analyzes cases of intervention by the child protection system in Australia, where an African woman experienced forced relocation with her children after being resettled as a refugee. The author interprets this experience not as a result of parental inadequacy, but as

a consequence of the implicit necessity of discipline within the child welfare system, where relocated refugees are categorized as either "deserving" or "undeserving" refugees. In the case study, forced child relocation interventions result in experiences described as a "ruptured" personality, where intersections and contestations of motherhood as a social role, legal categories, and affective experiences create a situation in which a woman lives in a paradoxical existence that she herself describes as "dead".

Evans, et al. (2019) write about Outcomes for Youth Served by the Unaccompanied Refugee Minor Foster Care Program. The Unaccompanied Refugee Minor (URM) foster care program annually serves approximately 1,300 legally eligible foreign-born youth. This paper presents cross-sectional, descriptive findings from a pilot study (n = 30 interviews) in the domains of education, employment, health, mental health, risk behaviors, and social relationships. Results indicate that the majority of URM youth (86.7%) have graduated from high school, 50.0% have attended college, and 86.7% are employed. Many adolescents (60%) report optimal health, 76.7% report being happy, and 96.7% have positive outlooks on the future. Most URM youth (83.3%) have friends, and 70.0% have someone to talk to when feeling sad, yet 76.7% (n = 23) worry about being abandoned. Additionally, one

URM reported engagement in various risk behaviors. Future research is needed to examine economic security for young adults who are refugees and immigrants.

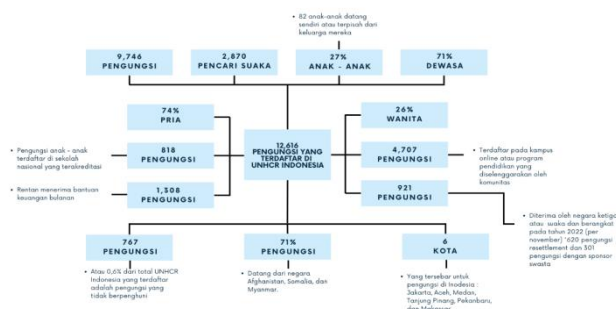
Vossoughi, Jackson, Gusler, and Stone (2018) write about Mental Health Outcomes for Youth Living in Refugee Camps. They describe that currently, there are approximately 10.8 million refugee children worldwide. Adolescents living in refugee camps face various difficulties that put them at risk for exposure to trauma and negative mental health outcomes. However, little is known about the mental health functioning of these adolescents. This review provides a systematic overview of mental health outcomes for displaced refugee youth living in refugee camps. Twenty studies are included in this review. Among these studies, the prevalence of mental health disorders varies widely, with some reporting post-traumatic stress disorder and others reporting prevalence as high as 87%. Levels of anxiety, somatic symptoms, depression, and aggression also vary across studies. The findings indicate a significant need for further research on the mental health of adolescents living in refugee camps. Despite various measurement approaches, evidence suggests consistently high rates of adaptation difficulties among young people residing in refugee camps.

In the context of Indonesia as a transit country, it has long been

receiving refugees and other individuals in need of international protection, although Indonesia has not ratified the 1951 Refugee Convention. Indonesia serves merely as a temporary transit point for refugees. Australia has acted as a destination country and recognizes the 1951 Convention to assist refugees in fulfilling their rights in Indonesia. In 2001, they collaborated with the Indonesian government and IOM to provide funding to refugees and reached an agreement on temporary stay permits in Indonesia.

However, issues arose when Australia began gradually reducing funding. In March 2018, Australia officially ceased funding and reception of refugees to their country. This raised problems as Australia violated the decisions of the 1951 Convention, which were determined as *jus cogens*, and disregarded the principle of non-refoulement, meaning that ratifying states are prohibited from refusing refugees who come to or are sent to their country. Furthermore, Indonesia is considered a transit country that only requires temporary accommodation, and the cessation of funding indirectly burdens its reputation. Consequently, the issue of "neglect" continues to persist to this day.

**Figure 1. Refugee Data by UNHCR Indonesia, 2023**



Source: Author's modification, 2024

In November 2022, the reception by asylum or third countries totaled 921 refugees, with 620 of them being resettled and 301 others sponsored by private entities. According to information provided by UNHCR Indonesia, refugees from abroad are dispersed across many major cities in Indonesia. The cities with the highest number of foreign refugees are Jakarta, Medan, Makassar, Pekanbaru, and Tanjung Pinang. All foreign refugees are placed in Rudenim, or Migration Detention Houses, in each city. Below is the data on refugees in Pekanbaru.

**Tabel 1. Data of Refugees in Pekanbaru**

Country	Count
Afghanistan	665
Myanmar	115
Sudan	15
Pakistan	11
Palestina	6
Somalia	6
Iran	8
Iraq	2
<b>TOTAL</b>	<b>868</b>

Source : Immigration Detention Center in Pekanbaru, 2023

**Tabel 2. The Number of Detainees at the Immigration Detention Center in Pekanbaru**

Country	Dewasa	Anak-Anak	Total
Bangladesh	4	0	4
Myanmar	15	10	25
Pakistan	2	0	2
Iran	2	2	4
Sri Langka	2	1	3
<b>TOTAL</b>			<b>38</b>

Source : Immigration Detention Center in Pekanbaru, 2023

The Immigration Detention House, abbreviated as Rudensi, has conducted enforcement actions against 118 foreign nationals from Bangladesh. Currently, these 118 foreign nationals from Bangladesh have been imprisoned at the Pekanbaru Immigration Detention House. Rudenim Pekanbaru is collaborating with the Bangladesh Embassy to ensure that these individuals reside in Rudenim Pekanbaru, expediting the deportation process

Refugees are individuals or groups forced to leave their homes and friends due to a very threatening fear for their safety and that of their families. Therefore, discussing refugees is clearly a part of Human Rights (HR). Refugees are usually treated arbitrarily in their destination countries because they lack travel documents. Torture, rape, discrimination, and forced repatriation are the most common treatment of

refugees. All of the above lead to violations of individual rights, so refugee rights violations cannot be separated from HR. Therefore, this paper will discuss the relationship between refugees and HR as well as the international instruments governing refugees.

Refugees are usually physically and mentally weak, making them susceptible or prone to violations such as violence, abuse, and exploitation. Therefore, when talking about refugees, it overlooks the context of HR protection that should be provided to them. Basically, refugees are no different from others except for their status, which sets them apart from residents or citizens of a region. Therefore, the protection afforded to them should also be equal.

The principle of non-refoulement is stated in the 1951 Convention relating to the Status of Refugees. This principle is an international legal principle recognized by civilized nations, so that even if a country has not ratified the 1951 Convention and finds itself as a transit or destination country for refugees to another country. Some international legal experts consider the principle of non-refoulement as *jus cogens*, meaning a basic standard of international law. According to the Vienna Convention of 1969, the basic norms of international law are rules recognized by the international community as rules that cannot be

violated and can only be changed by new basic norms of international law with the same nature. Therefore, when refugees seek protection in a country that has not signed the 1951 Convention, the principle of non-refoulement still applies.

The concept of non-refoulement, first known as the refugee protection framework, prohibits recipient countries from expelling individuals to areas where they would face persecution. The non-refoulement principle has been used to fulfill and protect non-derogable rights, such as the right to be free from torture, cruel, inhuman, or degrading treatment, along with advancements in international Human Rights Law. This principle of non-refoulement is not only found in the 1951 Convention but is also explicitly or implicitly stated in Article 3 of the Convention Against Torture, Article 45 paragraph 4 of the Fourth Geneva Convention of 1949, Article 13 of the International Covenant on Civil and Political Rights of 1966, and other human rights instruments. Furthermore, this idea has been recognized as a component of customary international law. In other words, countries that are not parties (member states) to the 1951 Convention must also respect this non-refoulement principle. The 1951 Convention and the 1967 Protocol are the main pillars of international protection for refugees.

However, international HR Conventions related to refugees include two main Conventions known as the Bill of Human Rights. The International Covenant on Economic, Social, and Cultural Rights (ICESCR) of 1966 and the Additional Protocol to the ICCPR on Civil and Political Rights. These two laws codify these rights into legally binding forms.

Furthermore, the International Convention on the Rights of the Child (ICRC), which can certainly help protect children who are forced to leave their homes either with or without their parents. Additionally, there is the international convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), which is an international HR convention concerning all women worldwide, including displaced women. Specific international HR instruments must be created to protect women from violence and HR violations because, like children, women are highly vulnerable to HR violations.

A category of victimization was proposed by Strobl (2004). Based on their experience with Syrian refugees, refugees can be categorized as victims because they:

- a. Suffer direct losses and damages caused by war and conflict (direct victimization).
- b. Suffer consequences of conflict, displacement, loss of loved ones,

or property, even if they are not direct targets of violations.

Because social and cultural norms shape public perceptions of who the victims are, those who uphold dominant cultural values and lifestyles are more likely to garner public sympathy than those who oppose them. This is known as victimization status. Then, understanding who the victims are can be manipulated by the media because the way the media portrays people and their perspectives influences how we perceive them. As a result, victim status is not guaranteed for all "Genuine victims" but depends on several factors.

Greer and Strobl's identified the profile of an "ideal victim." When someone is affected by crime or misfortune, the ideal victim is perceived as weak, vulnerable, helpless, and powerless by the general public, and easily receives sympathy and compassion (Greer, 2007). Women, children, and the elderly are largely associated with these characteristics, making them more likely to be recognized as victims when they suffer losses, both directly and indirectly.

In Indonesia, there have also been instances of rejection and even violence against refugees. Some people in Aceh, particularly in Lhokseumawe, have expressed that the presence of refugees disrupts the community. Refugees often cause trouble, ultimately causing unrest among the

locals. For example, they steal coconuts from residents without asking for permission. An additional issue is that a local woman was reportedly "harassed by Rohingya refugees." Subsequently, in some cases where refugees were found to be missing, local residents were accused of involvement in their disappearance. Moreover, the community perceives their presence as instilling fear. That's why the community demands that refugees be placed outside of Aceh (bbc.com, accessed on July 28, 2023).

In Pekanbaru in 2022, there was a protest by Afghan refugees questioning their fate for not having accommodation. The presence of refugees who committed suicide due to depression also fueled demonstrations; this suicide tragedy is not the first. This is due to deteriorating mental health conditions experienced by refugees, especially for those who have been living in displacement for years without certainty.

## II. Legal Materials and Method

To produce a comprehensive academic paper on the foreign refugee community in Indonesia, the method that used is a qualitative approach. The researcher seeks to observe interaction patterns among foreign refugees residing in Indonesia, both within the refugee community itself and between the refugees and the local community where they are settled.

The selection of the qualitative approach is based on its advantages in data collection. Utilizing this approach allows for obtaining firsthand explanations and insights into the lives of foreign refugees directly from their perspectives while they are living in Indonesia.

In terms of data collection, the researcher engages in a participatory approach involving the foreign refugees at the research site. This methodology aims to encourage active involvement of refugees in the research process, inviting them to share their experiences, perspectives, and knowledge directly. Focus groups or structured group meetings are organized to facilitate refugee participation in discussing various issues and aspirations during their time in Indonesia.

By adopting this research approach, the researcher aims to obtain research findings that present accurate, detailed, and well-illustrated data concerning various aspects of the foreign refugee community in Indonesia. As noted by Noaks and Wincup (2004:4), cited by Suyanto and Sutinah (2007:166), the qualitative research tradition in criminological studies originated in the United States. This tradition is exemplified by numerous studies conducted at the Chicago School between 1910 and 1940. The most significant contribution of these studies to criminology was the development of Social Disorganization

theory and ecological models of urban growth that addressed numerous crime-related issues. Since then, criminological research utilizing qualitative methods has experienced significant growth.

The exploration of socio-criminological aspects within the context of foreign refugees as an analytical unit is still considered inadequate and has not been extensively researched. Studies on international law elements predominantly overshadow those on foreign refugees. However, refugee issues extend beyond inadequate legal regulations; the ramifications of these deficiencies can lead to significant social problems if further investigation is not undertaken.

Data collection is carried out through two methods: primary and secondary data collection. Primary data collection takes precedence in this research, involving in-depth interviews with experts and foreign refugees residing in designated community houses. Secondary data is obtained through literature reviews of international journal articles, books, reports, and national and international news articles related to refugees (Boslaugh, 2007).

### **III. Result and Discussion**

#### **A. Definition of Refugee in Legal Frameworks**

##### **1. The 1951 Convention**

- a. Inclusionary clauses establish the criteria used to determine whether an individual can be considered a refugee. These provisions serve as the basis for determining whether someone is eligible for refugee status.
- b. Exclusionary clauses reject the granting of refugee status to individuals who meet the criteria outlined in the inclusionary clauses on the basis that they do not require or are not entitled to international protection.
- c. Cessation clauses elucidate the conditions that terminate refugee status because it is no longer necessary and justified.

#### 1. Inclusionary Clause

Article 1A (2) of the 1951 Convention states that a refugee is a person who:

*"...owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of their nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or a person who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it..."*

Regarding the above provisions, the author identifies five criteria that must be met to determine refugee status, namely Excessive Fear; Persecution; Reasons of race, religion, nationality, membership of a particular social group or political opinion; Outside the country of nationality; Unable or unwilling due to fear to receive protection from or return to their country.

#### a. Well-founded fear

The individual must have valid reasons to fear returning to their homeland. There are subjective (personal fear) and objective (evidence from the environment justifying such fear) aspects to the reasons for their fear. Typically, the first aspect can be inferred from the individual's statements and behaviors. The second aspect requires an analysis of the situation and conditions in their home country as one of the factors. In certain cases, if someone has left a country where widespread and serious human rights violations have occurred, the objective aspect may suffice to establish the criteria for a well-founded fear.

#### b. Persecution

The basic concept of persecution is not elaborated upon in the 1951 Convention. Persecution is understood as a series of serious violations of someone's human rights or serious forms of harassment that are often, but not always, carried out systematically

or repeatedly. Thus, examples of persecution include death, torture, physical assault, arbitrary imprisonment, and unjustifiable restrictions on political or religious activities. Natural disasters and poverty, however, are not considered persecution.

c. Reasons of race, religion, nationality, membership of a particular social group, or political opinion

To qualify as a refugee under the Convention, an individual must have a well-founded fear of persecution based on one of the above reasons. In reality, these convention reasons often overlap and are interconnected with victimhood by persecution.

d. Outside the country of nationality

Refugees flee persecution or the threat of persecution, and the Convention's definition focuses on the unwillingness or inability of individuals to return to their country due to a well-founded fear of persecution. The 1951 Convention provides protection for stateless individuals or those without a nationality by classifying them as refugees and referring to their country as the "country of former habitual residence" rather than their nationality.

e. Unable or unwilling to avail themselves of the protection of their country

Persecution by government authorities in their home country often prevents a refugee from seeking protection from their country. Circumstances beyond their control, such as civil war, can also hinder a refugee from seeking protection from their country.

2. Exclusionary Clauses

Articles 1D and 1E of the 1951 Convention elaborate on the circumstances in which someone who should qualify for refugee status under the inclusionary clauses is denied on the grounds that they do not require international protection. The rationale behind these exclusionary clauses is that certain criminal acts are so severe that those who commit them should not be protected by the Convention. The basis for excluding someone due to their activities is detailed in Article 1F. By its very nature, cases requiring the application of Article 1F tend to raise a series of complex issues and require special attention and assessment. However, an individual should not be automatically excluded just because their head of household is deemed to meet the criteria of Article 1F. Each family member is entitled to individual consideration of their eligibility for refugee status.

3. Cessation Clauses

According to Article 1C of the 1951 Convention, refugee status ceases if the individuals:

- a. Voluntarily avail themselves of the protection of their country of nationality;
- b. Voluntarily reacquire nationality after having lost it;
- c. Acquire a new nationality and enjoy protection from that country;
- d. Voluntarily re-establish themselves in the country they left due to fear of persecution;
- e. Are unable to refuse protection from that country because circumstances have resulted in the loss of their recognized refugee status;
- f. Are stateless but unable to refuse protection from the country of their residence because circumstances have resulted in the loss of their recognized refugee status.

By nature, cessation can only occur once someone has been recognized as a refugee. Cessation provisions only apply if international protection is no longer required or justified. This provision differs from the exclusion clause because the exclusion clause never acknowledges someone as a refugee due to actions that render them ineligible for international protection.

The reasons for cessation are detailed in Article 1C. The first four reasons relate to voluntary actions on the part of the refugee, while the last two reasons pertain to conditions in

the country of origin. The latter two reasons are often referred to as 'cessation clauses' or 'general cessation provisions'.

## **2. United Nations High Commissioner for Refugees (UNHCR)**

The end of World War II in 1945 left many victims who subsequently became refugees in various regions of Europe and Africa. This prompted the United Nations to establish the International Refugee Organization (IRO), a specialized agency to handle refugees.

Over the course of approximately 5 years in fulfilling its mandate as an agency dealing with refugees, precisely in 1952, the IRO's mandate was not renewed. Instead, it was replaced by the United Nations High Commissioner for Refugees (UNHCR).

The UNHCR was established through a resolution of the UN General Assembly on December 14, 1950. The headquarters of UNHCR is located in Geneva, Switzerland. Initially, the mandate of UNHCR was temporary and was to be renewed every five years by the UN General Assembly. However, in 2003, this policy was abolished, thus resolving refugee-related issues without a time limit.

The Statute of the United Nations High Commissioner for Refugees serves as a guide for UNHCR in carrying out its duties. Based on this

Statute, UNHCR is a humanitarian, social, and non-political institution. UNHCR functions as a specialized agency outlined in the Statute of the United Nations High Commissioner for Refugees. This function provides protection, seeks long-term solutions, and collaborates with governments or other humanitarian agencies to address refugee-related issues.

In carrying out one of its main functions, UNHCR provides long-term solutions, including voluntary repatriation, local integration, and resettlement in third countries. In addition to long-term solutions, UNHCR also provides short-term solutions, such as direct assistance consisting of food, shelter, water, sanitation, and health needs distributed through temporary refugee camps managed by UNHCR.

### **3. UNHCR Mandate to Provide International Protection for Refugees.**

According to the mandate of the United Nations High Commissioner for Refugees (UNHCR) as outlined in its laws and resolutions of the General Assembly and ECOSOC, and in relation to the 1951 Convention, a refugee is someone who meets the qualifying criteria of the refugee definition set forth in Article 1A(2) of the 1951 Convention, who is outside their country of origin or habitual residence and unable to return to their country of origin due to serious threats to their life, physical integrity, or

freedom resulting from widespread violence, or events seriously disturbing public order.

### **4. National Law**

Many countries directly adopt the definition of a refugee as written in international instruments in which they are participants. However, there is no prohibition for a country to expand the definition of a refugee beyond what is required under international provisions. In Indonesia, the definition of a refugee according to Presidential Regulation of the Republic of Indonesia Number 125 of 2016 concerning the Handling of Refugees from Abroad in Article 1 is a Foreign Refugee, hereinafter referred to as a Refugee, is a foreigner who is present in the territory of the Unitary State of the Republic of Indonesia due to a well-founded fear of persecution on account of race, ethnicity, religion, nationality, membership in a particular social group, and differing political opinions, and does not desire protection from their country of origin and/or has obtained asylum seeker or refugee status from the United Nations High Commissioner for Refugees through the Refugee Agency in Indonesia.

One of the legal regulations used by the Indonesian government, especially immigration officials, to regulate asylum seekers and refugees before the enactment of Presidential Regulation No. 125 of 2016 is Circular

Letter IMI-1489.UM.08.05 on the Implementation of Handling Illegal Immigrants issued by the Director General of Immigration in 2010. This circular letter stipulates that any immigrant seeking asylum will not be deported but will be referred to the UNHCR and allowed to stay (in Indonesia) as long as they possess a refugee certificate issued by UNHCR and will also be exempted from detention with the approval of immigration officials, and will be supported by IOM or UNHCR. Those whose applications (as refugees) are rejected by UNHCR will be placed in detention centers, fined, and/or deported.

### **Concept of Victimization from Various Experts**

There are a number of individuals who repeatedly become victims of the same crime, without ever using their victimization experiences to improve their situation. Therefore, the development of victim typologies can broaden our insights (Mustofa, 2010).

According to J.E. Sahetapy, victimisation is suffering, both physically and mentally, related to the actions of others. Furthermore, J.E. Sahetapy argues about the paradigm of victimisation, which includes:

- a. Political victimisation can involve aspects of abuse of power, violation of human rights, military intervention

beyond its function, terrorism, intervention, and local or international warfare;

- b. Economic victimisation, especially occurring due to collusion between the government and conglomerates, production of substandard goods or those harmful to health, including environmental aspects;
  - c. Family victimisation, such as rape, abuse, against children and spouses, and neglect of the elderly or their own parents;
  - d. Media victimisation, in this case, it can be referred to as the misuse of drugs, alcoholism, malpractice in the field of medicine, and others;
  - e. Juridical victimisation, this dimension is quite broad, both concerning aspects of justice and correctional institutions, and concerning the dimension of legal discrimination, including the application of power and stigmatisation even though the judicial aspect has been resolved (in Muhadar, 2006).
- Furthermore, Benjamin Mendelsohn states that victimisation is the interaction between the perpetrator and the victim, the interaction process between the perpetrator and the victim is mutually functional. Both parties, namely the perpetrator and the victim, can be considered active, creating

victimogenic conditions, conditions that make someone vulnerable to become a victim (vulnerability) or the consequences of threats to someone, and using the term victimity, which stems from the real society affliction of victimity, namely factors that make people vulnerable or threatened (Widodo, 2004).

Another definition is provided by Mulyana W. Kusumah, who states that victimisation is related to the existence of victims, the existence of victims formally formulated by criminal law (the definition of victims in a concrete sense) indicates that social order is disrupted. In addition, the definition of victimisation according to Israel Drapkin and Emilio C. Viano is the action of victimised, in various senses (the act of victimization or the fact that leads to the emergence of victims, in various senses).

Richard Quinney (in Widodo, 2004) argues that "the rhetoric of victimization is one more weapon the ruling class uses to justify and perpetuate its own existence. The victim, a concrete one, apart from the state itself, is held up as a defense of social order. It is as if we would begin to conceive of the victims of police force, the victims of state violence, the victims of oppression of any sort" (In formulating victimization, Quinney departs from the process of establishing victims in the law by the rulers and uses it as a means to

maintain power, so that the understanding of victimization is related to the conception of a reality systematically created by the rulers in the form of enacting legislation).

The conclusion from the above explanation is that victimization is the emergence of suffering, both mentally, physically, and socially, imposed on certain parties by others for certain interests.

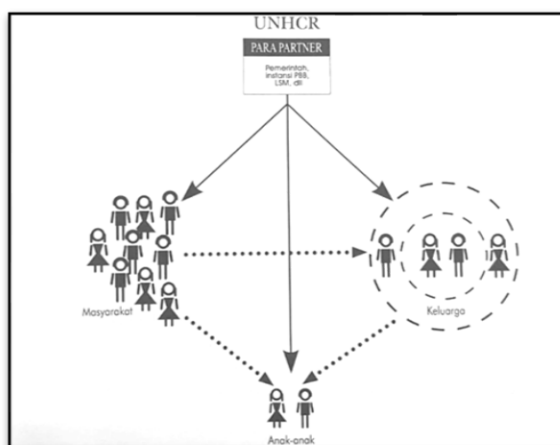
### **Double Victimization in Refugee Children**

Foreign refugees classified as children are the most severely affected victims of years-long transit situations without access to basic rights. Refugee children have no opportunity to study in formal and quality educational institutions. Only a small fraction of refugee children can attend formal schools with assistance and guarantees from local civil society organizations (the generosity of schools where they temporarily reside). Refugee children who attend school cannot even obtain student identification numbers and diplomas, or enjoy normal educational facilities. The majority of refugee children study in non-formal community schools or do not attend school at all. Access to education is a basic right of children. In addition to being a place to acquire knowledge, school is the safest place for children to socialize with their peers and practice becoming part of the general community.

Depriving children of formal education deprives them of their individual development rights. Moreover, it can hinder the potential of refugee children to contribute as members of society. Furthermore, it places children in an unsafe growing environment. Prohibiting children from social integration with the community through schools constitutes a violation of human rights.

The best way to help refugee children is by helping their families, and one of the best ways to help their families is by assisting their environment. This illustration depicts how UNHCR operates, often through its partners and in some cases directly assisting and accompanying refugee children. Programs are designed to assist families in supporting and protecting their children, to help the community provide family support to protect children.

**Figure 2. UNHCR Approach to Protecting and Supporting Refugee Children**



Source: UNHCR Indonesia, 2024

The psychosocial well-being of refugee children is crucial for their physical health. The term psychosocial well-being is used to reflect the close relationship between psychological and social factors. Protecting and promoting the psychosocial well-being of refugee children has two main objectives. First, it serves as a preventive measure and enhances all factors that promote the well-being of children. Second, it provides tailored support actions necessary to ensure that children who have been harmed or have specific needs are provided with support that guarantees recovery.

One psychosocial factor of children is that they are in a developmental stage. Their personalities are being shaped, and coping skills are learned almost every day. The transition from total dependence at birth to interdependence in adulthood is a developmental process. Children's development is never put on hold; developmental needs will not wait for the difficult phases of displacement situations to end. Children do not grow in isolation, where family is crucial in providing the self-esteem, security, and identity needed by a child to learn and adapt to society.

The chaos and vulnerability inherited from displacement situations can disrupt the physical, intellectual, psychological, cultural, and social development of children. These factors continue to accumulate as these

vulnerable groups suffer or witness the torture or murder of family members or other forms of torture or violence in their home country or during their flight. Children without parents or family are the most vulnerable to these situations.

The emotional well-being of children is influenced by the protection and care they receive from their environment. During displacement, children face the greatest threats to their psychological development. They may have to live in prolonged fear or anxiety, parents may be too stressed or traumatized to care for their child properly, and children may suffer from malnutrition and illness. Children are affected not only by what happens to them but also by what has been taken away from them, such as losing important aspects of development like play and school.

### **Conclusion**

Being a refugee or asylum seeker abroad is extremely challenging for anyone, especially for those classified as vulnerable groups. There are various social and psychological impacts, with some showing more symptoms of stress than others. Community approaches are expected to help address the issues faced by refugees abroad in Indonesia.

Refugee children do not have the opportunity to study in formal and quality educational institutions. The chaos and vulnerability inherited from

displacement situations can disrupt the physical, intellectual, psychological, cultural, and social development of children. These factors continue to accumulate as these vulnerable groups suffer or witness the torture or murder of family members or other forms of torture or violence in their home country or during their flight. Meanwhile, in refugee camps or community houses, access to health care, decent housing, and nutritious food is always an uncertain question.

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