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Addressing the Impact of Immigration Policy on Children's Well-Being after Forced Migration

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Abstract

Migration stands as an urgent and current global phenomenon, given the escalating challenges of climate change and political instability. As these issues persist, more populations will be compelled to relocate. It is crucial to establish effective strategies that can facilitate the smooth transition of vulnerable groups, particularly children. Strategic interventions should be developed with a profound understanding of their distinct needs and vulnerabilities. The objective of this research is to address the mental well-being of immigrant children. It sought to identify common patterns in their emotional and behavioral responses after migration while compiling an extensive inventory of factors that can either protect or jeopardize their mental health. To get the big picture, this research uses Bronfenbrenner's Ecological Systems Theory as the tool of analysis. The findings underscored that several migration-related factors significantly influenced the mental health of the children. Immigration policymakers should prioritize inclusivity and equity to ensure that all children have access to the support and resources they need to thrive. This includes implementing policies that address systemic barriers and promote a supportive and nurturing learning environment for all immigrant children. By incorporating these implications into social practices and policies, the government can create environments that foster resilience in children and support their overall well-being and development.

Keywords: Immigration Policy, Forced Migration, Children's Well-Being, Mental Health, Immigrant Resilience

1. Introduction

Immigration policies, pivotal in regulating global mobility, influence not only incoming migration but also impact international trade, tourism, and diplomatic relations. Amid evolving global dynamics, the study of immigration policies gains prominence due to issues like refugees, border security, and diplomatic tensions (Shin, 2019; Wickramasinghe & Wimalaratana, 2016). Recognizing the nexus between immigration policies, migration, and children's psychological well-being is imperative. Immigration policy is a key aspect in regulating the movement of people across national borders (Brabandt & Mau, 2013; Canning, 2020; Mau et al., 2015)

In the context of changing global dynamics, immigration research is becoming increasingly relevant. As a result of the growth of global mobility, many people move across countries for various purposes such as tourism, business, education, and migration (Sarawati et al., 2024). Immigration policies play an important role in regulating these movements, and a good understanding of these policies is essential (Capoani et al., 2024; Finotelli & Sciortino, 2013; Guiraudon, 2003; Tran & Warikoo, 2021). Countries that have open immigration policies can encourage tourism, investment, and business exchange, while restrictive policies can limit economic potential (Feeney et al., 2023; Purnomo, 2018; World Tourism Organization, 2013).

Nevertheless, in terms of security threats, countries need to have strict control over who enters their territory. Research on immigration policies can help identify and develop solutions to address these threats. Issues of migration and refugees are important topics in the world today (Boese, 2023; Higgins et al., 2023; Nickerson et al., 2023; Saunders et al., 2020). Research on immigration policies can help in designing better policies to address this problem, such as providing protection to refugees and facilitating safe migration, especially children.

There are two terms known by the world community, namely asylum seeker and refugee. According to international law, asylum seekers and refugees have differences, as reported on the website of the United Nations High Commissioner of Refugees (UNHCR), an asylum seeker in this case is a foreign national who stops at a country to seek protection, but the process has not been completed. While refugees are asylums that have been officially registered with UNHCR and their requests have not been considered and are waiting to be departed to the destination country.

Indonesia has a very strategic geographical location, located in international trade and shipping routes, flanked by two continents and two oceans namely the Pacific Ocean and the Indian Ocean. This makes Indonesia a transit country which has consequences in the form of an influx of thousands of asylum seekers who want to get refugee status and will continue to destination countries such as Malaysia, Thailand, and Australia (Ali et al., 2016; Dewansyah & Handayani, 2018; Tan, 2016). Indonesia has not ratified the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and does not yet have a refugee status determination system. Thus, the Government of Indonesia issued a regulation for handling refugees from abroad, namely Presidential Regulation Number 125 of 2016. Article 2 paragraph 1 states that the handling of refugees is carried out based on cooperation between the central government and the United Nations through the High Commissioner for Refugees in Indonesia and/or international organizations. Therefore, the Government of Indonesia authorizes UNHCR to carry out its refugee protection mandate and to address refugee issues in Indonesia.

Based on data from UNHCR's official website as of February 2024, there are more than 13,100 persons of concern to UNHCR Indonesia, including 9,991 refugees and 3,158 asylum seekers. 72% of refugees in Indonesia come from 3 countries, namely Afghanistan 57%, Somalia 10%, and Myanmar 5%. During the transit period in Indonesia, refugees are under the responsibility of the host country. The handling and designation of refugees established by UNHCR is in accordance with its mandate in the UNHCR Statute of 1950 that, all States (including those that have not ratified) shall uphold the standards of refugee protection established as part of general international law (Saunders et al., 2020; Wien et al., 2020). This is because of the principle of non-refoulement which has been recognized as *jus cogens* contained in the 1951 Convention. The principle of non-refoulement is a principle that contains the norm that it is not justified for government authorities to expel, remove, or deny entry to refugees into their jurisdiction, both those who have received official status recognition as refugees from UNHCR and those who have not received recognition as refugees.

Asylum seekers and refugees who come to Indonesia are not only adults, 27% of the total number of people registered with UNHCR Indonesia are children, there are more than 3,500 child refugees from various countries, and 65 children coming without family companions, 33 children separated from their parents (Rumiarta & Jayantiari, 2023). There are needs and rights attached to the child that must be protected. However, limited research discusses the impact of international migration on the mentality of youngsters. They are the most vulnerable group and deserve to be protected. Therefore, an immigration policy needs to be made specifically to facilitate them when entering their destination country and getting the right to a decent life as it should be (Matias, 2020). Various

types of psychological impacts need to be mapped, especially for forced migration from natural or non-natural disasters.

This research aims to investigate the impact of immigration policy on children's well-being after forced migration. It is hoped that this research will provide benefits in understanding the latest developments in immigration policy research, particularly from a psychological perspective. The results can be a valuable reference for academics, policymakers, and researchers who want to understand key players in this domain. Additionally, this research can guide further research in immigration policy.

2. Method

The research approach utilized in this work is qualitative, with a degree of descriptive explanation. Meanwhile, the analysis is carried out through reduction. The research method is based on participant observation to collect primary data and secondary data provided by the Indonesian government and local or international organizations, and it is combined with Bronfenbrenner's Ecological Systems theory to contextualize the observed phenomenon with international migration studies. The data validity is tested using the triangulation method, which combines participant observation of the author during his time as an official in the Directorate General of Immigration, as well as secondary data, both qualitative and quantitative, to strengthen its argumentation.

As an analytical tool, Bronfenbrenner's Ecological Systems Theory stresses the numerous layers of influence that determine human development, ranging from individual influences to larger social circumstances (Darling, 2007; Mary & Antony, 2022; Onwuegbuzie et al., 2013; Paat, 2013). When studying children's well-being after forced migration using this theory, an evaluation will be conducted of the numerous ecological systems that influence the migrant child's life. This comprises the microsystem, mesosystem, exosystem, macrosystem, and chronosystem. Paat (2013) further explains that Family, school, and peers comprise the child's microsystem. Migration can disturb these microsystems, such as family relationships or school adaptations, affecting the child's well-being. The mesosystem encompasses microsystem interactions. Migrant children need a connection between home and their adopted community. These systems' interactions and assistance can improve well-being, but disagreements or lack of support can be difficult. The legal, political, social, and communal structures of the exosystem indirectly affect the kid. Immigration, healthcare, and education policies can influence migrant children. The social macrosystem includes values, norms, and ideologies. As they adjust to the host country's culture, migrant children may endure acculturation stress, which can harm them. Development is affected by chronosystem alterations. For children, the adjustment process may vary based on their age at migration, length of time since movement, and migration experiences.

By taking into account these various ecological systems, Bronfenbrenner's theory provides a comprehensive framework for understanding the multifaceted influences on migrant children's well-being, allowing policymakers, psychologists, and researchers to develop interventions and support systems tailored to their specific needs.

3. Results and Discussion

3.1. Forced Migration and its Impact on Children

Children's migration often results in changes in their social support configuration. They lose important emotional references such as the immediate family, peers, teachers, religious community, and extended family. The new configuration of social supports at their destination influences their acculturation, their expectations for the future, their current life satisfaction, and their capacity to cope with the daily problems and stressful events that may occur in the migration process (McEwen et al., 2022; Müller et al., 2019; Ni et al., 2016). Migrant children often have high aspirations for the future and a positive outlook when they arrive at their migration destination. However, over time, negative views can replace them when they are faced with isolation, loneliness, lack of acceptance from new communities, and discrimination (Dewansyah & Handayani, 2018; Miežanskienė, 2023) This can trigger symptoms of depression.

The family environment, as children's main source of social support, is destabilized after migration. This can occur due to family separation, the death of a family member, parental trauma, and changes in the family's socioeconomic status due to difficulty finding work (Longobardi et al., 2017; Martínez García & Martín López, 2015; McEwen et al., 2022). Conflicts in parent-child relationships also frequently arise, which can be a risk factor for migrant children's mental health and acculturation (Nugroho Adhi et al., 2021). As seen in what happened to the Rohingya community in Aceh, discrimination, racism, bullying, and xenophobia are common experiences for many migrants and are the focus of much research. Cultural discrimination is significantly associated with depression, antisocial behavior, lower self-esteem, and lower levels of life satisfaction. These experiences often arise due to ethnic differences, and cultural distance, such as skin color, religion, accent, language, clothing, academic background, and/or lack of social connections (Juang et al., 2018; Keles et al., 2018; Khamis, 2019) In facing discrimination, migrant children tend to seek support from teachers, peers, parents, or religious beliefs as their coping strategy. This social support can help them overcome experiences of discrimination.

Barriers to access resources, such as bureaucratic issues in visa status, regulatory changes, or complicated permits, can be a barrier for migrant children. They may have to face these obstacles for years, which can result in feelings of uncertainty, hopelessness, depression, and reduced hope and outlook for the future (Duihof et al., 2020; Elsayed et al., 2019) The recent incident of massive rejection of Rohingya refugees in Banda Aceh reveals that some unintended migration is similar to illegal international migration due to internal movement restrictions and unresponsive immigration policies. Children experiencing such migration can face difficulties in accessing public facilities for a decent life.

3.2. Immigration Policy Impact on Children's Well-being

Regarding the rights of refugee children according to the Convention on the Rights of the Child of 1989 contained in article 22 states that:

- 1) States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights outlined in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
- 2) For this purpose, States Parties shall provide, as they consider appropriate, cooperation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations cooperating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

According to the International Organization for Migration (IOM), access to public facilities is a fundamental right, regardless of the child's nationality. Education is one example that must be highlighted by either the government or the donor agency such as IOM. To improve access to formal education, IOM works with local government partners. In addition, IOM provides regular education for refugee and asylum-seeker children under IOM's responsibility through homeschooling, language courses, thematic education, early childhood education, and continuing formal education. IOM also organizes computer literacy classes and other vocational training courses for refugee adolescents and adults. In Indonesia, until now there is no definite regulation on education for refugee children and asylum seekers. Similarly, mental health issues in migrant children have not yet become the government's attention.

There is no legal basis for the Indonesian government to fulfill the well-being of refugee children. Presidential Decree No.125 of 2016 only regulates the discovery, shelter, security, supervision, and funding, no regulation

specifically mentions the need for mental health for refugee children. Although, the fulfillment of mental rehabilitation for refugee children is not the responsibility of the Indonesian government. The government may cooperate with donor agencies to finance assistance for the mental health problems of child refugees by first providing certainty of their immigration status in Indonesia. However, until now the Government of Indonesia is still trying to get refugee children in Indonesia their rights including their right to live a decent life like access to mental health care. This is due to the form of responsibility of Indonesia which has ratified the 1989 Convention on the Rights of the Child.

As a form of Indonesia's responsibility towards the 1989 Convention on the Rights of the Child, the Government of Indonesia must formulate an immigration policy in favor of child migrants. Regarding access to mental healthcare, immigrant children still have the right to receive help regardless of their status as refugees. The government may ignore the immigration status of the children and grant them special visas for their remaining and have access to public services, especially mental healthcare.

3.3. Key Considerations and Challenges on the Children's Well-Being after Forced Migration

Treating immigrant populations from a public sector perspective presents unique considerations and challenges that require cultural competence, sensitivity, and awareness of the diverse needs of these individuals and families. Some key considerations and challenges when working with immigrant populations encompass cultural competence, language barriers, acculturation and adjustment, legal and immigration issues, trauma and migration experiences, family dynamics, access to resources, and intersectionality (Paat, 2013).

To formulate rigorous immigration policy for children's migrants who were displaced from their origins, officials, first, need to be culturally competent and aware of the cultural norms, values, and beliefs of the immigrant populations they serve (Denhardt & Denhardt, 2015; Innes & Booher, 2004). Understanding and respecting cultural differences is essential for building trust and rapport with clients. Secondly, language barriers can hinder effective communication and access to services for immigrant families. For this reason, officials may need to utilize interpreters or bilingual staff to ensure that clients fully understand information and can express their needs. Thirdly, immigrant families may face challenges related to acculturation, adaptation to a new culture, and navigating unfamiliar systems. Officials should be sensitive to these adjustment issues and provide support to facilitate the integration process. Fourthly, immigrant families may encounter legal and immigration-related challenges that impact their well-being and access to services. Officials should be knowledgeable about immigration policies and resources to assist immigrant children in navigating these complex systems.

Fifthly, many immigrant families have experienced trauma, displacement, or difficult migration journeys. Officials need to be aware of the potential impact of these experiences on mental health and well-being and provide trauma-informed care. Sixthly, cultural norms and family structures may vary among immigrant families, influencing decision-making processes and relationships. Officials should understand and respect these dynamics to effectively support family units. Seventhly, immigrant families may face barriers in accessing healthcare, education, housing, and other essential services. Officials play a crucial role in connecting families to resources and advocating for their needs within the community. Lastly, immigrant populations are diverse and may experience intersecting forms of discrimination or marginalization based on factors such as race, ethnicity, gender, or socioeconomic status. Officials should consider these intersecting identities in their practice (Neal & Neal, 2013).

Recent observation conducted in Detention House Jakarta in early February 2024 shows that children and women are the most vulnerable group that needs immediate attention from policymakers. Some migrants identified as illegal while others registered as asylum seekers and refugees. Asylum seekers and refugees received financial aid from IOM and non-state donor agencies as established at the community house in Srengseng district in West Jakarta. Meanwhile, migrants who have not registered are treated as illegal migrants with no access to public facilities. Currently, there is a family with three children from Rwanda who reside in the Detention House without access to education. They are reported suffering from hernia and depression as many other children. In response to these issues, the Detention House sent the children to a partner hospital or healthcare center. Still, there are no specific policy alternatives to ensure their rights to live well despite their immigration status.

By addressing these considerations and challenges with sensitivity and cultural humility, the government can effectively support and empower immigrant children and their families by considering the various levels of their ecological systems and implementing culturally responsive interventions (Mary & Antony, 2022; Paat, 2013). Here are some strategies to support and empower immigrant children and their families within the context of their ecological systems:

Microsystem Support: Build strong relationships with immigrant children and their families to understand their unique needs and challenges within the family unit. Provide culturally sensitive mental health services and interventions that address the family dynamics and promote positive parent-child relationships. Facilitate opportunities for children to learn about their home country, maintain connections to their culture, and navigate the acculturation process. Practically, this kind of support is barely feasible, since immigrant children and their families are arranged in the detention center for a maximum ten-year period. Whenever the arrangement exceeds the maximum period or is granted asylum seekers or refugee status, they will be moved to the available community house. During the period of detention, the children only have access to basic health services from the nearest health facility. This condition creates uncertainty in planning their future life, which hinders the acculturation process. Unless they are granted permanent immigration status or resettled in another destination country.

Mesosystem Support: Collaborate with schools, community organizations, and other service providers to create a supportive network for immigrant families. Coordinate services and resources between different microsystems to ensure a holistic approach to supporting the child's development and well-being. In practice, support on this level is enjoyed the most by immigrant children who have been granted asylum seekers or refugee status. Especially in education, some donor agencies like IOM and Jesuit Refugee Service (JSR) are available to provide the funding. It means that the government must intervene in this situation, which discriminates against the ungranted status group of immigrant children.

Exosystem Support: Advocate for policies and programs that support immigrant families' access to employment, education, healthcare, and social services. Connect the children with ethnocultural community organizations that can provide additional support and resources tailored to their needs. Practically, the government has not yet provided the intended policy to ensure the fulfillment of immigrant children to thrive in their lives. Since 2018 the central government has put an order to the local governments to provide basic needs and temporary shelter for asylum seekers and refugees. The basic needs include primary education, community housing, and basic healthcare. However, for those who have not been granted the intended status and exceed the maximum period of detention will suffer uncertain nationality or statelessness. This statelessness, for children, impacts negatively their rights in the future.

Macrosystem Support: Promote cultural sensitivity and respect for diversity within the broader community and advocate for anti-discrimination laws to protect immigrant populations. Provide education and training for officials and professionals on working with culturally diverse immigrant populations to enhance service delivery. This cultural context has been challenged by the mass rejection of Acehnese people by the immigrants from Rohingya. The violence and persecution impact severely the majority of immigrants, women, and children.

The mass broke through police cordons and forcibly loaded 137 refugees into two trucks, moving them to another location in Banda Aceh. This event left the refugees gasped and traumatized. UNHCR replies that this mass attack on refugees is not isolated but is the result of a coordinated online campaign of misinformation, disinformation, and hate speech against refugees and attempts to undermine Indonesia's efforts to save the lives of desperate people. UNHCR reminds everyone that desperate refugee children, women, and men seeking refuge in Indonesia are victims of persecution and conflict, and survivors of deadly sea voyages. Indonesia, with its long-standing humanitarian traditions, has helped save the lives of these desperate people, who would otherwise die at sea, like hundreds of others.

Another case observed involves an immigrant child from Syria who has been granted asylum seeker status, accused of bullying and abusive behavior to other elementary students in a private school in Serpong, Banten province. The investigation reveals that the immigrant child hardly copes with the new environment and lacks of

interpersonal skills due to mental health issues carried out from the previous unpleasant experience during the migration process. Eventually, the immigrant child was resettled to the USA for permanent residency. This shows how serious mental health problems are for child refugees. In cases like this, intensive assistance needs to be done to ensure the mental readiness of the child to blend in with the local community. Of course, this initiative must be standardized and protected by binding rules for all relevant institutions to oversee its success, including the Indonesian immigration agency (Celik et al., 2019; Cleary et al., 2018).

Chronosystem Support: Recognize and address the impact of life transitions and cross-country moves on immigrant children's development and adaptation. Stay informed about changes in immigration policies and regulations that may affect immigrant families and provide relevant support and resources. The existing immigration policy has not officially recognized the status of asylum seekers or refugees. Every foreigner who crosses the Indonesian border without legal documentation will be treated as an illegal migrant or undocumented person and will end up in detention, without exception those seeking asylum or forced displacement. For this reason, immigration policy intervention is imperative to favor the rights of forced-displaced migrants.

Thus, from the above illustration of how the different levels of systems work in Indonesia's context, the government must take immediate action to reform the immigration policy, particularly, in treating the immigrant children equally. By taking a holistic approach that considers the interconnectedness of the various ecological systems, the government can effectively support and empower immigrant children and their families in their acculturation process, promote resilience, and facilitate their successful integration into the host society.

4. Conclusion

Immigration policy is not only a tool for controlling the movement of people between countries but also has a significant impact on various aspects of international life, including immigration, international trade, tourism, and diplomacy. Current issues such as refugees, border security, and diplomatic relations between countries have reinforced the relevance of research in immigration policy. As global dynamics continue to change, governments and the international community need to continue to consider the implications of immigration policy in formulating appropriate and sustainable policies.

This research studies immigrant children's well-being by identifying the environment and interactions in response to forced migration. The author observed the phenomenon to provide an overview of the available evidence in the intersecting fields of child psychology and forced migration utilizing Bronfenbrenner's Ecological Systems Theory. This is beneficial to identify knowledge gaps in the research and identify the main characteristics and factors associated with the field, which can guide a path of future study on the impacts of immigration policy on immigrant children. The result is intended to create more efficient interventions and design beneficial policies that direct aid effectively and quickly to those who need it most. As is the case in most countries today, current legal barriers are a risk factor for children's cultural acculturation and subsequently their mental health.

To be more precise, the childhood resilience analysis through Bronfenbrenner's Ecological Systems Theory has several recommendations for immigration policymakers. Firstly, the policies should adopt a holistic approach that addresses the interconnectedness of the systems. Secondly, the government and the stakeholders need to collaborate effectively to create supportive environments for children. Thirdly, immigration policy should incorporate cultural sensitivity training for officials and promote inclusive practices that celebrate the diversity of students and families. Fourthly, executive-level officials should focus on providing long-term support for children, including access to counseling services, mentorship programs, and other interventions that promote resilience throughout different developmental stages. Lastly, immigration policymakers should prioritize inclusivity and equity to ensure that all children have access to the support and resources they need to thrive. This includes implementing policies that address systemic barriers and promote a supportive and nurturing learning environment for all immigrant children. By incorporating these implications into social practices and policies, the government can create environments that foster resilience in children and support their overall well-being and development.

Further research is needed to follow the development of immigrant children through long-term studies to track their acculturation, particularly those who have received a psychological diagnosis, as well as those who receive help to measure and improve interventions. More studies focusing on the experiences of migrant women need to illustrate their specific experiences, or what factors may hinder their migration to safer countries. The authors declare there are no competing personal or financial interests that could have influenced the work reported.

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