FORGOTTEN FUTURES

Save the Children

The lives of refugee children
in urban areas of
Indonesia and Thailand

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Every child has the right to a future. Save the Children works around the world to give children a healthy start in life, and the chance to learn and to be safe. We do whatever it takes to get children the things they need – every day and in times of crisis.

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Executive summary

Save the Children's vision is to ensure a world where every child has the right to survive, to be protected and to develop to the fullest. Save the Children is therefore particularly interested in understanding issues around child protection and education among the most vulnerable.

This study seeks to build a greater understanding of the lives of refugee children, in particular the education and child protection issues surrounding refugee and asylum-seeking children living in urban areas of Indonesia and Thailand – specifically Jakarta, including Greater Jakarta (Bogor Region), and Bangkok. In these two centres combined live roughly 20,000 refugees, with limited access to basic rights, waiting for resettlement or the chance to return to their countries of origin.

Research was conducted in Bangkok and Jakarta from January to March 2018 and included interviews with service providers and refugee community members as well as site visits to community learning centres, detention centres and shelters.

Overall, findings show that the current situation is extremely difficult for families and individuals, and is particularly precarious and detrimental for children as they face a number of complex and interconnected challenges. In regard to child protection, the day-to-day issues are not fully understood by either service providers or the refugee communities in Jakarta and Bangkok. For the most part, understanding is predominantly based on assumptions and hearsay, and exacerbating and mitigating factors have not been fully analysed. It is therefore difficult to understand how to best tackle issues as there is uncertainty as to the extent to which they exist, who they are affecting and how often. However, issues faced by unaccompanied minors and detained children are better understood and can be more easily tackled.

Regarding education, issues are much more clearly understood, although some information disconnect does exist between service providers and refugee communities. A wide range of interrelated barriers and challenges contribute to keeping children from going to school. These include: policy gaps; obstacles to enrolment and certification; language and grade placement difficulties; parents' security fears, transportation difficulties and lack of funds; limited space and capacity in schools; bullying and discrimination; very limited facilities for children with disabilities; gender and cultural issues and the mindsets of parents and service providers. None of these barriers exist in isolation and their interrelationships create a complex situation in which many children remain out of school.

Based on the findings of the report, the following recommendations are made to service providers in Bangkok and Jakarta, including Save the Children, in the areas of community outreach and communication; advocacy and public awareness; training and capacity development; research; coordination and innovative ways of working. (See Recommendations, pages 37–40, for more detail.)

COMMUNITY OUTREACH AND COMMUNICATION

Recommendation #1 – Use online tools for outreach in education and child protection

Information dissemination to communities through online platforms would increase efficiency and would be cost-effective.

Recommendation #2 – Use community ambassadors for outreach

Having regular meetings with multiple 'community ambassadors' would help with disseminating information.

Recommendation #3 – More community visits by service providers

Being present in communities, and listening without bias, would help bridge the gap between knowledge and practice.

ADVOCACY AND PUBLIC AWARENESS

All service providers mentioned the need to advocate to the governments and most mentioned the importance of improving public awareness.

Recommendation #4 – Government advocacy – use data, research and local actors/influencers to advocate to the governments

In both countries, service providers felt that the government could remove policy barriers and provide support in a wide variety of ways, such as ensuring safety and physical access to education and child protection services.

Recommendation #5 – Public advocacy – utilise social media

A public awareness and behaviour campaign would help to develop empathy amongst the public for improving conditions for refugees in Indonesia and Thailand. Increased public support could stimulate the countries' governments to be more responsive to refugee children's education and protection needs.

TRAINING AND CAPACITY DEVELOPMENT

A major gap identified in this research is the lack of capacity and knowledge of education and child protection needs and services across the sector, among all actors. In order to bridge that gap, training and capacity development should be delivered to teachers and officials at government schools; immigration police, tourist police and local police; service providers and with refugees.

Recommendation #6 – Provide direct awareness/sensitisation training to host population: police, teachers, and school officials

Recommendation #7 – Provide child protection training for all service provider staff, volunteers and community members

Recommendation #8 – Re-examine child protection strategies – are we doing enough and who else can be involved?

Recommendation #9 – Provide capacity-building and support for heads of community learning centres (CLCs)

FILLING RESEARCH GAPS

Recommendation #10 – Utilise participatory action research

Service providers need to engage more directly with communities, governments and local schools. Participatory action research would provide robust data and information, efficiently and effectively.

COORDINATION

Recommendation #11 – Improve coordination, communication and transparency amongst service providers

Each service provider interviewed mentioned that, in one way or another, one of their biggest struggles was coordinating with other service providers.

INNOVATIVE WAYS OF WORKING

Current ways of working do not meet the needs of refugees and asylum seekers in urban areas of Indonesia or Thailand. Service providers will have to be more innovative and work to empower refugees to ensure that basic needs are met. Below is a list of possible innovations to consider in the sector.

Recommendation #12 – Engage volunteers, locally and remotely

Utilising the vast pool of available volunteers, either locally or remotely, could help to fill gaps in service provision.

Recommendation #13 – Teach Thai and Bahasa in communities

Rather than requiring refugees to travel lengthy distances, local Thai and Bahasa teachers, even neighbours, could provide a feasible substitute.

Recommendation #14 – Establish and enhance partnerships

Partnerships with universities and online learning programmes, for example, could provide opportunities for older children who are out of school.

Recommendation #15 – Develop a better framework for engagement

A better framework is needed to identify and address issues. Attempting to tackle only one angle of an issue, such as, for example, transportation for students, does not address other elements that also restrict access and would not amount to a solution.

THE ROLE OF SAVE THE CHILDREN

Findings from this research show that Save the Children would be well placed to engage in the sector and to provide guidance and expertise, specifically in filling the knowledge gaps between child protection and refugee service providers in Bangkok and Jakarta.

Save the Children would be able to:

- guide service providers on the best interests of children and other related concerns;
- share child safeguarding and protection policies and provide training and training materials to service providers, volunteers and refugee communities;
- add value working with both the Indonesian and Thai Ministries of Education as well as with refugee communities to provide training and guidance, specifically teacher training, improvement of curricula and the provision of guidance, materials and tools;
- work in communication and advocacy in partnership with other service providers.

PHOTO: SAVE THE CHILDREN

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1 Introduction, background and definitions

1.1 BACKGROUND AND PURPOSE OF THE STUDY

UNHCR estimates that 22.5 million people globally[1] are currently living as refugees, of whom 51 per cent are children, with more than 60 per cent residing in urban areas.[2] As of the end of 2016, 84 per cent of the world's refugees were hosted by developing countries; this number has risen 16 per cent since 2003.[3] However statistics and projections of urban refugee populations and demographics are not necessarily reliable and are often conflicting, because there are a wide variety of challenges in obtaining accurate data and information. It is therefore difficult to create a realistic picture of the world's urban refugee population.

The data collection complexities reflect the distinct set of complex hardships faced by urban refugees. These difficulties can drive them into hiding or disincentivise them from registering with appropriate authorities. In addition to the challenges experienced by refugees in camp settings, many urban refugees face risks of exploitation and indefinite detention as they are forced to navigate a complex setting and earn their livelihood through informal means. Many live in hiding due to fear of arrest and refoulement. In addition, those living in urban areas often face a lack of access to basic rights, such as health care and education.

The purpose of this study is to build an understanding of education and child protection issues surrounding refugee and asylum-seeking children living in urban areas of Indonesia and Thailand, specifically Jakarta, including Greater Jakarta (Bogor Region), and Bangkok. Save the Children's vision is to ensure a world where every child has the right to survive, to be protected and to develop to the fullest. Because of this, Save the Children is particularly interested in understanding issues of child protection and education among the most vulnerable, where data is mostly lacking. This research therefore sought to:

- Collect information on migration journeys – how, when and why children and their families have come to urban centres – and to explore the opportunities and challenges for children of urban life.
- Present a detailed and comprehensive overview of the challenges and barriers faced by refugee and asylum-seeking children and their families regarding access to basic services, specifically child protection and education.
- Set out recommendations aimed at ensuring the most deprived children affected by migration in the urban settings of Indonesia and Thailand are able to access education and protection services.

These two geographical areas are of particular interest to Save the Children for the following reasons:

- Together, these two areas are the current home to over 20,000 refugees.
- Refugees in both countries lack legal protections, and neither Indonesia nor Thailand have appropriate policies to ensure the protection of refugee children from abuse.
- The vast majority of refugee children are out of school, even though they are not legally excluded in either country, but very little has been documented regarding the key barriers.
- Refugee resettlement around the world is decreasing, which means that refugee families will remain in Indonesia and Thailand for longer periods.
- Urban refugee/displacement settings are increasing worldwide and a deeper understanding of the barriers to accessing services in urban settings is needed.

The findings from this report will inform Save the Children in Indonesia and in Thailand on their education and child protection programming

targeting refugee and asylum-seeking children in urban areas. It will also inform Save the Children's advocacy work in Indonesia and Thailand and at a global level to ensure that refugee and asylum-seeking children have access to basic services.

1.2 STRUCTURE OF THE REPORT

In order to address the objectives, this research presents information and findings in the following structure:

Section 2 – Methodology In order to demonstrate the research and analysis process, the methodology is described in depth, as are the shortcomings and limitations of the research.

Section 3 – Policies and practices The policies and practices of each country and their relevance to the overall refugee context are discussed to provide the reader with a foundation of knowledge to fully understand the day-to-day reality of refugees in these areas.

Section 4 – Migration stories An analysis of migration stories explains the purpose of coming to Indonesia and Thailand to seek asylum and the objectives of the refugee populations.

Section 5 – Daily reality and access challenges This section provides an analysis of the lack of access to resources and the challenges that refugees in these countries face on a daily basis.

Section 6 – Child protection This section details the major challenges in providing protection for refugee populations.

Section 7 – Education access This section looks in depth at the challenges faced by children and families in accessing quality education.

Section 8 – Community strategies to achieve education This section identifies the strategies engaged in by refugee communities to provide education to their children, highlighting successes and failures.

Section 9 – Summary and recommendations This final section collects the main findings and offers recommendations for the wider sector and for Save the Children.

1.3 DEFINITIONS

The issue of forced migration is extremely complex and highly political. Labelling someone as a refugee can be a sensitive issue depending on the country of origin and the country receiving the refugee. There are numerous definitions and categories for those who are displaced. Below are the simplified definitions for the purposes of this report as they pertain to the Southeast Asian context. These concepts may not be relevant to all individuals, in all contexts, in all countries (Tauson, 2017).[4]

Person of concern A UNHCR definition used to describe the people they assist. The list includes asylum seekers; refugees; internally displaced, returned refugees; internally displaced, stateless persons and others to whom UNHCR extends its protection mandate.[5]

Asylum seeker According to the International Organisation for Migration (IOM), an asylum seeker is: "A person who seeks safety from persecution or serious harm in a country other than his or her own and awaits a decision on the application for refugee status under relevant international and national instruments. In case of a negative decision, the person must leave the country and may be expelled, as may any non-national in an irregular or unlawful situation, unless permission to stay is provided on humanitarian or other related grounds".[6]

According to UNHCR's policies in Indonesia and Thailand, a person who is forcibly displaced is not an asylum seeker until they are registered by UNHCR. In Indonesia and Thailand, the term "asylum seeker" is used during the time period when an individual is undergoing the process by which they seek refugee status, called refugee status determination (RSD).

Refugee A refugee is: "A person who, 'owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country. (Art. 1(A)(2), Convention relating to the Status of Refugees, Art. 1A(2), 1951 as modified by the 1967 Protocol)'".[7]

Refugee Status Determination (RSD)
Determining whether or not an individual is a refugee is based upon specific criteria. To summarise the determination criteria, the RSD officer must determine if the individual "has a well-founded fear of being persecuted upon return to his or her country of origin or nationality".[8]

In Indonesia and Thailand, the process is conducted entirely by UNHCR. The process will include an interview conducted by an RSD officer of UNHCR and often the submission of a written statement. Following the interview the employee reviews the case file using the UNHCR guidelines and determines if the individual is a refugee. If the person is not deemed to be a refugee they are rejected and no longer considered an asylum seeker (although they do have the opportunity to appeal). If they are "recognised", they obtain refugee status. If they are not recognised it is up to the individual and family to decide on their next steps and whether they will choose to stay in or leave Indonesia or Thailand.

Unaccompanied minor Also known as "unaccompanied children," these individuals are defined in article 1 of the Convention on the Rights of the Child. They are children, below the age of 18 years, who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so.[9]

Separated child "Separated children", as defined in article 1 of the Convention on the Rights of the Child, are children who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may therefore include children accompanied by other adult family members.[10]

Alternative care When children are unaccompanied or separated they require alternative care, which can take the form of informal or formal arrangements. Informal arrangements tend to be where the child is looked after by friends or relatives. Formal care includes the placement of children in a family environment by an administrative or judicial body. Both types of care can include kinship (or family-based) care and foster care, or placement with a guardian who is not related. Other types of care include residential care and supervised independent living arrangements. Residential care includes, for example, transit centres and group homes.[11]

Service provider The term is used in this report to describe organisations, including UN agencies, international and local non-governmental organisations, religious organisations and others, providing services to refugee and asylum-seeking populations. For example, for the purposes of this report, Save the Children would be deemed a service provider. As well as provide a descriptive label, the term is used to help anonymise data and findings.

Durable solutions (UNHCR) According to UNHCR there are three durable solutions for individuals who have been forcibly displaced from their country of nationality (UNHCR, 2003).

1. **Voluntary repatriation**, according to UNHCR, is "the free and voluntary return to one's country of origin in safety and dignity" and "implies the restoration of national protection".[12]
2. **Local integration** occurs when refugees remain and attempt to integrate into the country of asylum. "Central to the success of this strategy is the attitude of the host government and the local authorities as well as the commitment on the part of the donor community to provide additional assistance."[13]
3. **Resettlement** to a third country occurs only when the other two options are not viable; "all three durable solutions should be given full consideration before resettlement is identified as the most appropriate solution".[14] In such a case, "refugees are selected and transferred from the country of refuge to a third State which has agreed to admit them as refugees with permanent residence status".[15]

The above definitions and the three 'durable solutions' are important to understand in relation to urban refugee settings in Indonesia and Thailand. All three of the solutions have challenges and none provide a perfect resolution, especially in the region. Voluntary repatriation may not be what refugees and asylum seekers feel is the safest or best option, but for those who can no longer survive in the country of asylum, it might be the only option. Therefore, the word "voluntary" can

be misleading in some cases, as it is seen as the only remaining option to many families. Local integration may take place incidentally but, unless a country is party to the 1951 Convention, the 1967 Protocol Relating to the Status of Refugees or has appropriate integration policies, this solution is not legally viable. For example, in Thailand, those who do not have the opportunity for resettlement but are granted refugee status still cannot legally reside in Thailand and may be arrested at any time (see Section 5 for more information). Resettlement is an option for very few refugees and as stated above is only used when countries do not allow refugees to legally integrate or if refugees are not able to return to their country of origin (as determined by UNHCR).

PHOTO: EGAN H'WAN/SAVE THE CHILDREN

2 Methodology

In order to generate an understanding of the child protection challenges and the barriers to education amongst urban refugee populations in Southeast Asia, qualitative research was carried out in Bangkok, Thailand and Jakarta (and nearby Bogor), Indonesia from January to March 2018. Data collection methods included a review of literature, site visits, interviews with service providers and refugee community members and two focus group discussions.

The literature review included the collation of policy documents from relevant stakeholders, a search for policies and public reports and the use of documents and reports from the principal investigator's previous research on a similar topic.[16] Due to the availability of policy documents and previous research, only a simple search strategy was utilised to ensure the most up-to-date information was captured. The search for documents was conducted using Google and Google Scholar. Documents were vetted for relevance and quality, based on methodological soundness.

Consultations were conducted with 25 service providing organisations and government bodies in Bangkok and Jakarta and surrounding areas. The interviews conducted were semi-structured in nature, and many became more unstructured during the course of the interviews. Pertinent information came to light that the principle investigator had not anticipated, and the interviewees were given space to expand upon these issues and experiences in an in-depth manner. Interviewees, depending on experience, would discuss certain topics over others – for example, education specialists would focus on education challenges while case workers focused on protection issues. Most interviews lasted one to one and a half hours.

Interviews were conducted with community leaders from 10 different communities across six ethnic groups in both Bangkok and Jakarta. Similarly to the interviews conducted with service providers, interviews took their own shape and form, despite a list of prepared questions, and conversations were shaped by each community's own concerns and experiences. Table 1 below provides a breakdown of the interviews conducted with community leaders.

As can be seen from the table, while in Bangkok five different communities were represented, only Afghani communities were interviewed in Indonesia. There are two reasons for this. First, over 50 per cent of asylum seekers and refugees residing in Indonesia are from Afghanistan. Second, due to coordination issues,

TABLE 1: COMMUNITY LEADERS INTERVIEWED

Location	Community's country of origin	Number of community leaders interviewed
Bangkok	Pakistan	3
	Ethiopia	1
	Sri Lanka	1
	Vietnam	1
	Somalia	1
Jakarta	Afghanistan	3

only this population was available for interview. All community interviewees were male, which may have led to biased perspectives on the issues children and families face in the communities. Interviews were conducted in English, except for one with the Vietnamese community leader, which was conducted in Thai, translated to English.

Site visits were conducted in five community learning centres (two in Jakarta, three in Bangkok), a shelter for unaccompanied minors in Jakarta and the immigration detention centre in Bangkok. The site visits allowed the researcher to conduct observational research and capture rich data through informal conversations with a larger number of people, including children, parents, community members and service providers from a wider and more diverse sample. For example, informal conversations were conducted with Sudanese, Palestinian-Syrians and Congolese families. Observations and informal interviews such as these are important in research as they allow the researcher to develop an understanding of the people within the context.

Only two focus group discussions were carried out, due to a number of limitations as discussed below. The first was with adolescents from the Vietnamese Hmong refugee community in Bangkok. Roughly 15 children aged 14 to 17 took part, sharing their experiences attending government schools and describing their lives in the community.[17] The second was with teachers from the community learning centre in Indonesia, in which 12 teachers took part. Six teachers, a mix of male and female adults under the age of 30 from Afghanistan, provided further detailed information to the researcher, over the course of the three day site visit. The focus group discussions provided a significant amount of information in a short timeframe and were useful in this regard. However, there is no basis of comparison between the groups, so the focus group discussions can only be considered a fact-finding experience, and do not allow for a deeper level of analysis.

A 'snowball' sampling strategy was used to conduct the research. When working with or researching urban refugees, representative samples can be difficult to obtain for several reasons:

- the sample represents a widely diverse population. In Bangkok alone refugees come from 50 different ethnic groups;
- many live in hiding and are difficult to find;
- in this particular case, refugees live where accommodation is least expensive and are spread across the outskirts – the least accessible parts of these large cities. Many live in closed apartment buildings that are not necessarily accessible without intimate knowledge of where families and individuals are living.

Overall, urban refugees are difficult to access, therefore snowballing and purposive sampling strategies work best. Both are commonly used methods when researching hard-to-reach or vulnerable populations as other techniques are not always feasible (Bernard, 2013; Peterson and Valdez, 2005; Tauson, 2017). This may create issues around representation, variety, and validity (Cohen and Arielei, 2011; Peterson and Valdez, 2005). To combat this, attempts were made to access community members from different points of entry, utilising as many contacts as possible to follow more than one network (Willis, 2006).

2.1 LIMITATIONS

Many necessary and anticipated compromises have to be made when conducting research with vulnerable populations, especially when researching urban refugee populations. For example, it is important to understand that a complete picture of the situation cannot always be perfectly developed. In working with and conducting research with refugees, subject matter covered can be extremely sensitive, as it is for this study. It can be difficult to know when to push certain topics or when to let things go to avoid upsetting participants. In many instances it can therefore be difficult to collect full details on a topic. In this situation it is important to corroborate as much as possible with service providers and previous research, where available.

Another limitation of the study was access. Compared to refugee populations, service providers are much easier to find but due to the nature of their work are extremely busy and may not always prioritise participation in research. Coordinating interviews was also difficult and because of the size and difficulty of navigating the cities only a few interviews could be conducted per day. With a limited budget and timeframe, it was difficult to fit in all interviews before the end of the data collection stage. Therefore, it was extremely important to plan in advance and to follow up repeatedly, with

the understanding that some service providers would be excluded.

As mentioned previously, focus group discussions were difficult to arrange for a number of reasons. Limited time was available for field research; for a range of ethical reasons it would have been better to devote more time to understanding the communities and ensuring standards of translation were the best obtainable (Jacobson, 2006). Informal conversations on site visits were therefore used wherever possible to corroborate and triangulate findings from interviews.

A final, and important, limitation to note is the lack of female participation. Most community participants in the study, from service providers to community leaders, were male. While a number of women were interviewed in this study, they comprised only 25 per cent of participants in total. This made it very difficult to develop a nuanced picture of the experience of boys and girls. The skewed sample is explained by a number of factors, the first of which is language. Interviews were conducted in English, and in almost all communities men are more likely than women to speak English due to their higher levels of education. The second reason is that of leadership and tradition; men are more likely to take on leadership roles and to speak for women. Third, women tend to be committed to working in the home and cannot always make time to be interviewed. As mentioned, informal information gathering strategies were used where possible during on-site visits, but this was not sufficient to gain a nuanced understanding of issues related to gender and more research is recommended in this area.

Overall, this study had a number of limitations and to truly understand the child protection and education challenges in refugee communities in Bangkok and Jakarta, a more prolonged study is needed. This research and report, however, provide an overarching picture of the issues and give insights into areas where interventions in the sector can be improved and possible directions for further research.

PHOTO: EGAN HWAN/SAVE THE CHILDREN

3 Policies and practices

3.1 ASIA AND REFUGEE POLICY

The majority of states worldwide are signatories to one or both instruments of the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees. These international covenants set out to define a refugee, refugee status, and provide guidelines for protection. The particular importance of these documents is that they outline a set of 'specific obligations which are crucial to achieving the goal of protection' (Goodwin-Gill, 2008: 4). One such obligation is 'treatment no different from that accorded to citizens', including, among others, rights to employment; to practice religion; to receive an education, public relief and social security and to freedom of movement (Goodwin-Gill, 2008: 6).

Without appropriate policies in place, whether the Convention and Protocol or national legislation which grant similar rights, refugees and asylum seekers will not be afforded appropriate protections. For example, those who seek asylum in states that lack appropriate legislation can live in a legal limbo. They will not legally be able to integrate and will have to be resettled into a third country to be able to exercise their rights fully. With a lack of any formal legislation or even informal policies and agreements, refugees will be unable to legally work, rent homes, access an education, or access proper health care. They may also be living in constant fear of indefinite detention, restricting their movement and further hindering their ability to sustain a livelihood, access health care and obtain an education. This situation is extremely detrimental to children as they will grow up without what is needed for appropriate mental, physical, and psychological development.

Globally, there are currently 148 signatory states to both covenants and 46 non-signatory states (RCOA, 2012; UNHCR, 2011a). While Asia,[18] regionally speaking, has the second highest number of refugees worldwide after Africa, the majority of Asian countries are non-signatories to the conventions. Of the 30 countries considered to be in the Asian region, 63 per cent – 19 countries – are non-signatories. With an estimated total of 3.7 million[19] people living as refugees in the region, the lack of legislation and policies has great implications for the recognition of the rights of refugees worldwide. Further, many countries in this region, including Indonesia and Thailand, can be seen as purposefully implementing policies to 'mitigate pull factors' or, more expressly stated, to deter refugees from seeking asylum by creating inhospitable conditions (for more discussion of this topic see Davies, 2006 and Tauson, 2017). Because of these policies, refugees and asylum seekers cannot integrate into society in these countries.

3.2 POLICIES IN INDONESIA AND THAILAND

Neither Indonesia nor Thailand are signatories to the 1951 Convention or the 1967 Protocol Relating to the Status of Refugees. Neither country, until 2016, had used the word 'refugee' in their national policies, and neither country distinguished refugees from irregular migrants. However, recent policy changes indicate that some positive changes may be on the horizon for children and families seeking asylum in Indonesia and Thailand.

INDONESIA

Statistics: As of August 2017, Indonesia was home to 13,676 urban refugees and asylum seekers. 53 per cent originated from Afghanistan, 11 per cent from Somalia, and the remaining 40 per cent from Iraq, Myanmar, Sri Lanka, Palestine, Pakistan, Sudan and other countries.[20]

In December 2016, the president of Indonesia, Joko Widodo, decreed the Presidential Regulation number 125 (Perpres 125), or the Presidential Regulation on the Handling of Foreign Refugees.

This regulation provides a framework for a nationally coordinated response to asylum seekers and refugees. This decree also provides a definition of refugees and asylum seekers based on the 1951 Convention and as a result refugees and asylum seekers are no longer classified as irregular migrants.[21]

This decree has, overall, had some positive consequences for asylum seekers and refugees.[22] First, the decree has meant that refugees and asylum seekers are granted freedom of movement and do not live in fear of being arrested and detained. Second, government agencies have a coherent definition of refugees and asylum seekers and have amended their behaviour towards this group. Essentially, government organisations now see refugees and asylum seekers as different to irregular migrants and to be treated as such. Third, the incidence and risk of refoulement has decreased, and the practice of "pushing migrants back to sea" is no longer taking place. Fourth, the decree has provided a division of labour among ministries and departments, helping to improve the coordination and effectiveness of refugee protection. While it is encouraging that Indonesia has become party to both conventions to ensure the adequate protection of refugees, as will be discussed below, some gaps still exist. Nevertheless this is a positive step.

THAILAND

Statistics: Roughly 8,200 refugees and asylum seekers are currently residing in Bangkok, Thailand.[23] Around 55 per cent are from Pakistan, 10 per cent are from Vietnam, six per cent are from Palestine and the remaining 30 per cent are from Somalia, Syria, Iraq, Sri Lanka, Cambodia, China, Iran and others.[24]

In September 2016 the Prime Minister of Thailand, General Prayut Chan-o-cha, attended the Leaders' Summit on Refugees – the Obama Summit – in New York. Thailand was the only ASEAN country in attendance and pledged to develop a screening system for refugees, taking over the role of UNHCR. This was done to combat the risk of trafficking in persons and to strengthen the principle of non-refoulement. The government has also promised to increase refugees' access to education, health care and birth registration. In addition, the prime minister pledged to end the detention of refugee and asylum-seeking children.[25]

Currently, the Thai government is developing a memorandum of understanding and standard operating procedures for the screening process. The government is also working on alternatives to detention. The process has been slow, but the developments are positive for refugees and asylum seekers residing in Thailand.

3.3 THE GLOBAL AND REGIONAL REFUGEE RESETTLEMENT CLIMATE

While the global population of refugees has expanded by 50 percent since 2013,[26] the main refugee receiving countries – Australia, European countries and the United States – have started accepting fewer refugees. The European migrant crisis in 2015,[27] Australia's policies regarding on-shore arrivals in 2013[28] and those of the latest administration of the United States[29] have resulted in a decreased overall intake. As a direct result of an increased number of refugees and a decreased stock of destination countries, or the option of the third durable solution, refugees in Indonesia and Thailand are unlikely to be resettled. Currently, less than one per cent of the global refugee population will be resettled.[30]

As can be seen from Table 2 on page 10, in Indonesia the refugee population more than tripled between 2010 and 2013, and over the same period in Thailand it increased by 10 per cent. Between 2013 and 2017 the refugee population in Indonesia increased by a further 40% and in Thailand it nearly doubled. Not only has this put a strain on service provision within these two countries, it also has implications for the number and percentage of individuals who will be resettled. While the number of resettlement submissions increased in 2012 and 2014 in both countries, the proportion of those being resettled has declined steadily over the decade, as shown in Figure 1. With current trends as they are, it is likely that opportunities for resettlement will continue to decline in the region.

TABLE 2: REFUGEE POPULATION, 2010 TO 2017

Indonesia			Thailand		
Year	**Urban refugees and asylum seekers**	**Resettlement submissions**	**Year**	**Urban refugees and asylum seekers[a]**	**Resettlement submissions[b]**
2010	2,894	568	2010	3,715	460
2011	4,245	381	2011	2,067	550
2012	7,949	963	2012	2,282	754
2013	10,316	1,125	2013	4,076	639
2014	12,146	1,531	2014	8,559	736
2015	14,180	1,500	2015	9,014	659
2016	14,402	1,238	2016	7,978	528
2017[c]	13,676	781	2017	8,200	448

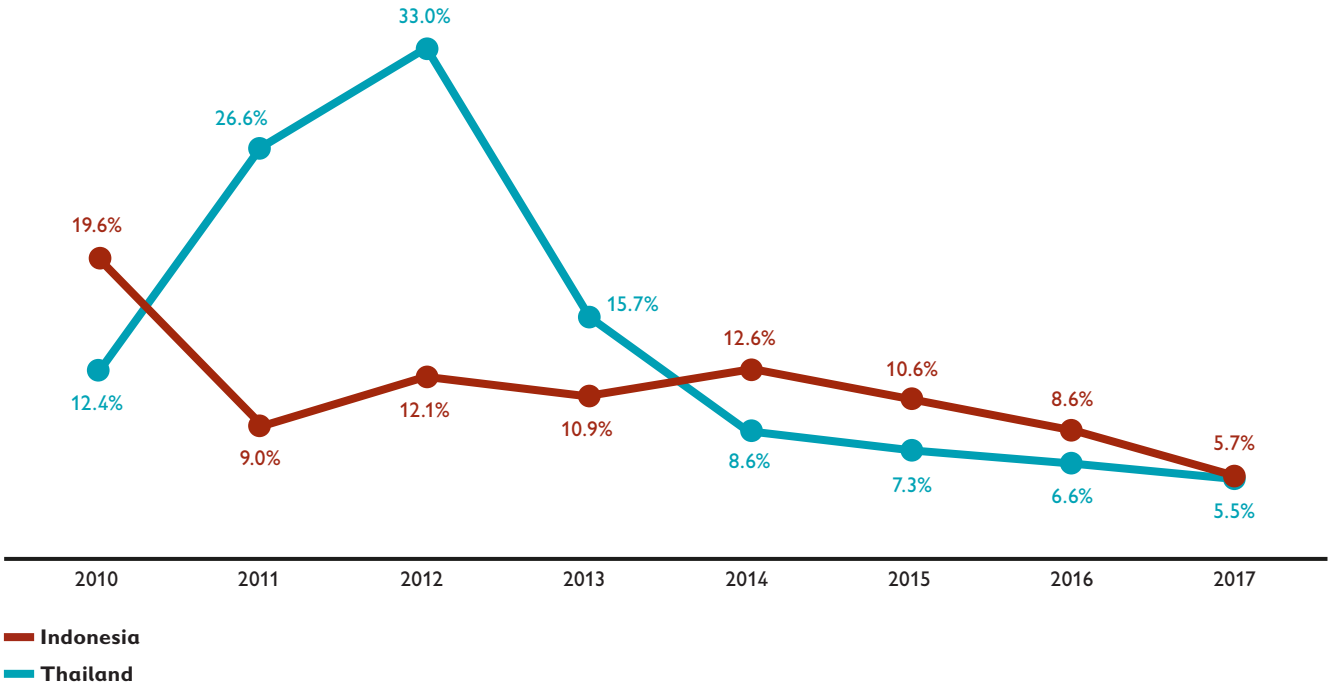
Data source: UNHCR data sources. Retrieved from: http://www.unhcr.org/afr/data.html

[a] Total adjusted by subtracting Burmese country of origin: Burmese residing in urban centres forfeit their refugee status (See HRW. (2012)). Retrieved from: https://www.hrw.org/sites/default/files/reports/thailand0912.pdf

[b] Total adjusted by subtracting Burmese country of origin.

[c] Urban refugees and asylum seekers data obtained from: UNHCR Indonesia. (2017). *Monthly Statistical Report* (shared internally); and Save the Children and Asia Pacific Refugee Rights Network. (2017). *Unlocking Childhood*.

FIGURE 1: PER CENT SUBMITTED FOR RESETTLEMENT FROM 2010 TO 2017



Data source: UNHCR data sources. Retrieved from: http://www.unhcr.org/afr/data.html

Note: Thailand resettlement submissions totals adjusted by subtracting Burmese country of origin.

4 Migration stories – why Indonesia and Thailand?

Despite there being 20,000 asylum seekers and refugees living in Bangkok and Jakarta (including Greater Jakarta), very little is known regarding why and how these cities are sought out as destinations. These cities are geographically far from many countries of origin and neither country is a signatory to the 1951 Convention or 1967 Protocol. In order to understand the complex situations in which refugees find themselves and how barriers to access are exacerbated by circumstances, a deeper understanding is needed of why and how refugees have come to the region to seek asylum. This was however only a secondary aspect of the research, so this section provides just a brief overview.

The refugee populations who seek asylum in Indonesia and Thailand originate from a wide variety of countries (see Section 3.2). Interviews revealed the importance of factors explained in depth below including:

- accessibility to UNHCR;
- the need to leave the region of origin (and not only cross into a neighbouring country);
- access to third country resettlement;
- migration networks (feedback loops);
- ease of entry;
- agents and established smuggling routes;
- unintended destinations.

4.1 CLOSEST AVAILABLE UNHCR

In the case of refugees originating from the Mekong sub-region,[31] families and individuals chose Thailand because of its proximity and the availability of UNHCR. This was reported by the Vietnamese Hmong refugee community leader and corroborated by informal conversations with community members. For those from Cambodia, Laos and Vietnam, Bangkok is the nearest city with a UNHCR office that offers refugee status determination.[32] The next nearest available option is Hong Kong, but access is difficult:

> *We had American missionaries there, and they told us we needed to go to the UN in Hong Kong or Bangkok. I went to Hong Kong first, but they closed their doors on me. So, I went back and brought my family to Bangkok because the UN is here.*
>
> Vietnamese community member, Thailand

4.2 LEAVING THE REGION OF ORIGIN

Families and individuals from Afghanistan, Pakistan, Sudan and Syria reported feeling that neighbouring countries were not available to them due to lack of safety, livelihood, or access. One Sudanese family reported they did not think the neighbouring countries were safe enough and were too close to the danger they faced. Many Hazaras from Afghanistan living in Indonesia reported that they felt that they had nowhere left to go. Many were already refugees who had been residing in Pakistan; others felt that Pakistan was not a safe place and wanted to leave the region. For these reasons they had chosen to leave the region and decided that Southeast Asia was a viable option.

4.3 EASE OF ACCESS

For some, especially those from South Asia or the Middle East, it is easier to enter Indonesia and Thailand on a tourist visa than to travel anywhere else. Legal travel is costly and time-consuming. It is nearly impossible, except for the wealthiest of individuals, to travel to Europe, North America or Australia directly. Some apply for tourist visas, others apply for student or work visas and most are denied.

People choose Thailand because it is easy to come here and it is easy to get a visa. You just need a bank statement and a 4,000 rupee fee, you pay to the embassy and you get a visa. This is why they came. What I experienced – I tried for the US, I tried for Canada, I tried for England, and it is hard to get a visa there, within one week you can get a visa to Thailand.

Pakistani community member, Thailand

4.4 THIRD COUNTRY RESETTLEMENT

All families and individuals originating outside of the region knew, or found out through online research or friends, that both countries are non-signatories to the international covenants and lack national policies. As a result, many believe that they will be automatically resettled. The goal for these families and individuals is to resettle in third countries in Europe, North America and Oceania. This choice is often based on weighing the alternatives of indefinite detention in a camp or trying to navigate countries within their region of origin, which can be difficult or impossible for many.

In Lebanon it is expensive, you cannot work and you cannot travel with UNHCR to a third country; UNRWA[33] is there, so there would be no resettlement. I wanted to be resettled.

Syrian community member, Thailand

Overall, waiting for resettlement in these countries is the slower, safer, and legal manner in which to permanently resettle in Australia, Europe or North America.

4.5 MIGRATION NETWORKS/ FEEDBACK LOOPS

Many families and individuals choose their destination based on who has already travelled to and settled in a location, and the stories that come back from that location. The links that are made between the country of origin and the destination country are known as 'migration networks' or 'feedback loops', and they can lead to increased migration to the destination country over time. The decision to move is influenced because settlement is easier with contacts in place as the risks and costs are reduced. In addition, the psychological issues, such as stress and anxiety, are mitigated (Koser, 2007; Massey et al., 1993; Tauson, 2017). Essentially migrants are more likely to move to countries where they already have contacts, although feedback loops can also influence the halting of migrant flows:

People from Pakistan have stopped coming to Bangkok, it is very rare [now] they have seen our situation. The families stopped – no right to education, health, earning, most tell their families, don't come here. But in 2012 to 2014, many came.

Pakistani community member, Thailand

The agents lie and say you will get a house and your children will go to school but that is not true, so that is why people stopped coming. So, some told their families or friends and told them not to come. But some didn't contact because they were hiding, but some have, and they will say "this place is the worst".

Somali community member, Thailand

Figure 1 (Section 3.3, page 10), indicates how feedback loops could play an important role in refugees and asylum seekers choosing Indonesia and Thailand. For example, in 2012, in urban areas of Indonesia and Thailand, 12 per cent and 33 per cent of refugees respectively were resettled to third countries. This means that one in every eight refugees in Indonesia was being resettled, and one in three in Thailand. By 2013, the asylum seeking and refugee populations had increased by 30 percent in Indonesia and by over 75 per cent in Thailand, as shown in Table 2 (page 10). If individuals were hearing from family and friends about the success of others in achieving third country resettlement, it would increase their interest in coming to Indonesia and Thailand (see Tauson, 2017).

4.6 SMUGGLING ROUTES AND AGENTS

Those without proper documentation, or those who have a passport which limits their travel and acceptance into other countries, may choose to travel with the help of a smuggler or an 'agent'. For many, according to Afghani, Pakistani, and Somali community members interviewed, the choice of destination might be limited to the will of the smuggler and which routes are on offer. These routes become more established over time, so more families and individuals will arrive to these countries as it becomes more viable for the smuggler. However, some smugglers mislead their clients and asylum seekers end up in unintended destinations or trafficked. In 2012 and 2013, Rohingya migrants,

who were attempting to seek asylum in the region, ended up trafficked.[34]

> *Like my family, when we tried to get out to go to another country, an agent prepared for us the documents, but he wants you to pay him a lot of money, and you have to pay him what he asks, if you want to survive, you pay. And he says, "I will send you to Europe" but they lie and you don't know where they are going at all.*
>
> Somali community member, Thailand

> *It is difficult to arrive here. [The community] can't get visas to other countries; they cannot get their own travels because they have no education, so they have to use an agent.*
>
> Pakistani community member, Thailand

4.7 UNINTENDED DESTINATION

For some, especially young Afghanis, the intended destination was Australia and Indonesia was only a planned stopover. Many, especially young single men, hoped to go directly from Indonesia to Australia. However, policies in Australia have become stricter since 2013 and smugglers have stopped operating boats from Indonesia.

> *I planned to go to Australia by boat. To stay in Indonesia is not easy. There are no rights, no right to work, you get discriminated against. It hurts, but when I get here I waited for the election in Australia to see what would happen. We hoped for Labour, but they did not win. So the laws there exclude refugees and they turned the boats away. So we stayed.*
>
> Afghani community member, Indonesia

The decision to seek asylum, whether in the region of origin or outside, is not taken lightly by families or individuals. Before they travel, asylum seekers have to ask themselves: who in the family will travel, who will stay, where can they afford to travel to, and how can they get there? They have to ask if they can feasibly travel legally or will have to use a smuggler; they have to weigh the risks and consequences for each family member and determine whether it is sufficiently safe and affordable. Many do as much research as they can to ensure the safest outcome. Overall, what can be seen from the above is that Indonesia and Thailand are not long-term, intended destinations but are seen as a temporary means to an end. This is important in building an understanding of how refugees and asylum seekers respond to the challenges they face and has implications for the strategies that families employ.

PHOTO: EGAN HWAN/SAVE THE CHILDREN

5 Daily reality and access challenges

Travelling to and entering Indonesia and Thailand are only among the first challenges for those fleeing violence and persecution. After arrival, asylum seekers and refugees face difficulties in accessing basic needs and the denial of basic human rights. Due to a lack of clear policies, refugees struggle to survive, access health care or integrate locally. The purpose of this section is to explore the complexities and dangers for asylum seekers and refugees of living in Bangkok and Jakarta, to inform a deeper understanding of the issues of education and child protection. Education and child protection, which are the main focus of this study, are discussed in depth in the next three sections.

While this section describes the daily realities of seeking asylum in Indonesia and Thailand, in order to understand the climate for refugees and asylum seekers one must appreciate the direct policy implications of the three durable solutions. No national legislation exists, so in Thailand refugees are treated as 'illegal migrants', and in Indonesia they are provided with very few rights apart from the right to reside within the borders of the country. In neither country, unless drastic policy changes occur, will refugees and asylum seekers be able to integrate. In Thailand, refugees, including children, will continue to face arrest. In Indonesia, refugees will struggle to survive. Most cannot return to their countries of origin due to safety concerns, and the vast majority will not be resettled. As a result, they feel that they are living in limbo, with no future for themselves or their children. Further, according to interviews from this research, each host country population has limited knowledge regarding refugees. In both countries refugees face xenophobia, as their situation is not understood by local populations and they are merely seen as 'illegal' or economic migrants trying to take advantage of the situation.

5.1 SECURITY

Due to the lack of legal frameworks, refugees in Indonesia and Thailand face a number of risks related to safety and security. Opportunists can take advantage of refugees, placing individuals and families in a very precarious position. For example, landlords and employers, other foreigners, police or immigration officials may threaten, coerce, abuse, exploit or extort refugees with impunity. Community members might also act with impunity towards one another.

Status and freedom of movement vary between Indonesia and Thailand. As mentioned in Section 3.2, since the Presidential Decree 125 in Indonesia, refugees have at least gained freedom of movement within Jakarta. Refugees are able to legally reside in Jakarta and can travel from one place to another in the city without fear of being detained. However, two caveats must be considered here; first, other risks, such as those listed above, are not necessarily mitigated due to freedom of movement. Second, refugees in Jakarta can and will be arrested if they are found working.

In Thailand, according to Thai immigration law, all refugees living in Bangkok and urban centres are considered illegal migrants and will be subject to detention and deportation if caught without a valid visa.[35] This creates a constant state of fear for refugees in Bangkok. Many choose to live in the same buildings or areas in order to be close to other refugees from the same country and to build up a sense of community. However, this brings attention to the groups and can lead to immigration raids, where officials come to a building or area to arrest as many refugees as they can. As a result, refugees in the city will regularly change accommodation seeking safety and security – an important factor when considering government school enrolment.

5.2 CONSTANT FEAR OF DETENTION

> *The biggest problem is fear of the police because I don't have legal documents; the fear is constant.*
>
> Pakistani community member, Thailand

In Bangkok, the lack of safety and security causes extreme levels of stress and distress for families – they live in fear of being arrested and sent to the immigration detention centre. In addition to this, the lack of safety and security impedes their ability to seek livelihood options, to socialise or to move out of negative living situations. In Jakarta and surrounding areas, the fear of being arrested for working keeps families from being able to earn a livelihood. When individuals or families are arrested, it is extremely difficult for them to be released unless they are leaving the country, therefore their detention is indefinite and can last for many years.

Immigration detention centres in both Indonesia and Thailand are chronically overcrowded. The detention centres were built to house foreigners on a very temporary basis, they lack regular amenities, and the cells were not built to hold large numbers of individuals. In Bangkok, for example, the cells were built to hold perhaps 10 to 20 people at most, but during data collection for this research refugees reported that cells housed roughly 150 people each, if not more. The cells contain only one shower spigot and one toilet. At times, depending on the occupancy, detainees had to sleep in shifts. According to detainees visited, the rooms were filled with worms, rats, cockroaches and mosquitoes. Parasites such as scabies and communicable diseases such as pink eye, lice, coughs, colds, flu and many others were continually spread. The food offered to all prisoners generally consisted of stale rice and clear broth.[36]

In Bangkok, detained individuals are divided into two main groups, short stay and long stay. The long stay group is comprised of individuals and families from outside the region who have overstayed their visas. This group is further divided, with men in one group and women and children in another. Therefore when families are arrested, fathers are separated from their children. In Jakarta and the surrounding areas, the quality and practices of the detention centres vary. In some, families are separated from fathers, but in others the families can live together.

5.3 LIVELIHOODS

In Indonesia, even though refugees have freedom of movement, they are not able to work. Indonesia, as opposed to Thailand, is a migrant export country. In other words, very few foreigners come to Indonesia to work, and many more go out of the country to obtain employment. According to the ILO, in 2013 just under 300,000 migrants were living in Indonesia, a country with a population of 261 million,[37] whereas over 4 million Indonesians were living as migrants abroad.[38] In contrast, the same ILO publication showed that 4.5 million migrants were living and working in Thailand, a country with a population of 68 million. Because of this, migrant workers in Indonesia are highly visible, so they can easily be caught and taken to immigration detention centres. Therefore, according to participants, nearly all refugees in Jakarta rely on remittances to survive. To supplement income, some try to work informally within the community.

> *There are not a lot of jobs available, so the government closely monitors, plus they are more visible here, as opposed to Thailand, for example. In Thailand there are a lot of foreigners, so it is different; many foreigners work legally so no one will really take notice, unlike here.*
>
> Service provider, Indonesia

> *Some families tried to work illegally, but immigration came and arrested them, fined them. Some families bake bread and sell it or make yogurt, they sell it to the shops or to other families, but that is all they can do without getting caught.*
>
> Afghani community member, Indonesia

The fear of being arrested seems to keep individuals from working outside of the home, as can be seen from the comment below:

> *An uncle sends money, but that is our only support. We asked [a service provider] for help, but there is no budget, I want to work, but I heard a student tried to work but she was arrested.*
>
> Afghani community member, Indonesia

As can be noted from the above, relative to Indonesia it is easier for refugees in Thailand to access the labour market or the informal market: Thais are accustomed to seeing and employing foreign workers. However, due to the lack of

protection, refugees can be mistreated and underpaid. In addition, raids and crackdowns can happen at any time, making it risky to work.[39]

> *We don't have the right to work here, so for most, like me, it is hard for us to beg for our survival, so we will find some opportunities, but the salaries are very low.*
>
> Pakistani community member, Thailand

> *Some go to the Bangkok Refugee Centre, and get support, usually only six months and they stop… I worked in restaurants for a year, but the situation was not OK and the police were coming and checking for work permits, so the restaurants would not let us work there any more, so it is risky for us. So sometimes I do some work and do something part time.*
>
> Somali community member, Thailand

5.4 HEALTH

The lack of access to health care is a major source of stress for urban refugees in both Bangkok and Jakarta. According to community members and service providers, in Indonesia and Thailand public clinics are available for use by refugees and asylum seekers at an extremely subsidised rate. However, the clinics in Bangkok and Jakarta are poorly equipped and only have the capacity to handle basic illnesses, nothing chronic or acute. This means that service providers must assist community members in paying for emergency health care where possible.[40]

> *Health care can be a major problem as well. It's a problem for babies and new-borns. They need basic facilities, but the nearby facilities are not quality. They also diagnose improperly, and the charges are high for foreigners. If a child gets sick, the families go to the closest clinic, but they don't get good health care. Families give application for illnesses to [service providers] and ask for help to pay expenses. If they agree to cover it, it is a long process and the illness gets worse.*
>
> Afghani community member, Indonesia

> *When someone gets sick, because they are foreigners, the cost is very expensive, treatment for an emergency could be 5k to 20k THB [equivalent to 155–623 USD]… Depending on whether or not you have a UN card, and if the child is under 5 they will pay for it, otherwise the community has to pay.*
>
> Vietnamese community member, Thailand

> *They can go to the local clinic, which is fairly cheap and is sort of affordable, but once you need specialised medical care, it is a big concern. Who will cover that? Right now it just down to NGOs, and UNHCR, in Bogor it is JRS, but the money is never enough. Especially chronic diseases, and such, it is expensive. It is a big concern. Asylum seekers and refugees do not have access to the local insurance system.*
>
> Service provider, Indonesia

5.5 PSYCHOSOCIAL WELLBEING

Difficulties with psychosocial wellbeing in urban refugee communities are well documented (Hassan et al., 2015; Im et al., 2017; Soye and Tauson, 2018; Tauson, 2017). People may face residual mental health problems from what they experienced in their countries of origin and transit, and in addition research shows that individuals' suffering is exacerbated by being constantly idle, skills atrophy and insecurity regarding the unknown future for themselves and their families. In this study the Afghani population residing in Jakarta and surrounding areas discussed this issue with regularity:

> *The biggest problem is not having anything to do. Unfortunately, there was a couple here – they had a 2-year-old. The father committed suicide. It was bad news for the refugees; we all felt it.*
>
> Afghani community member, Indonesia

> *People suffer from poverty, and depression. It is natural, depression can affect anyone. People were passionate before, but they lost this, anyone would.*
>
> Afghani community member, Indonesia

> *Depression is a big problem, when I arrived I was healthy, but now I have a stomachache all the time. My sister is depressed. In Afghanistan she was so loud, but here she is quiet and doesn't talk to anyone. My hair fell out, I have skin problems. I have a backache, the doctors say it is depression.*
>
> Afghani community member, Indonesia

> *There have been a lot of suicide attempts in the community. One in the shelter for example. But if you talk to him, he acts happy, but when he is alone, he cannot sleep, most of us cannot sleep. The thoughts come to me and when I fail to find answers to them. It is easy to think they will try to end this thought process. Now it is getting more serious, UNHCR has said most people will not resettle at all. After all the sacrifices, if I have to go back, I would commit suicide.*
>
> Afghani community member, Indonesia

6 Child protection

The protection concerns relating to refugee and asylum-seeking children in both Indonesia and Thailand are little understood. There is a general lack of knowledge and understanding of child protection among refugees themselves and those who provide services. Because of this, the issues children face and their prevalence are not known. Some of the knowledge gaps can be attributed to the dispersion of refugees around the sprawling cities of Bangkok and Jakarta, as well as to refugees' unwillingness to report issues due to fear of authority.

The issues faced by unaccompanied minors are more generally understood as these children tend to live in shelters, and the same is true for children in detention. However, information on child protection issues occurring within the refugee communities is more limited. Even within shelters there is a shortage of understanding and capacity to deliver on psychosocial wellbeing programming. This section describes the better understood situation of unaccompanied minors and children in detention, elaborates upon some of the conjecture regarding child protection within the refugee communities and concludes by discussing data gaps in depth. As is the case with education, child protection concerns in both Indonesia and Thailand have many similarities and only a few differences.

6.1 UNACCOMPANIED MINORS

Undoubtedly, unaccompanied or separated minors are the most vulnerable and at-risk children in both Bangkok and Jakarta. As mentioned previously, unaccompanied children are defined as being under the age of 18 and not being cared for by an adult guardian. These children are at risk of extreme poverty, exploitation and abuse.

> *They are at risk, when it comes to those children, they are at risk of everything.*
>
> Service provider, Thailand

> *A lot of unaccompanied children were smuggled here and dropped off in front of UNHCR, they are homeless and exposed to risk, they can be abused because they are far from home and stand out… you cannot predict what can happen to homeless children.*
>
> Service provider, Indonesia

INDONESIA

In Indonesia, according to UNHCR,[41] roughly 360 children are unaccompanied or separated, many being housed in shelters in the city, and over 30 are currently in detention. The conditions in the shelters are not ideal for children, and foster care is the preferred solution according to many service providers. However, service providers struggle to find foster care for children, both for legal reasons and because refugee families struggling to get by due to their inability to work may not be willing to take in another mouth to feed.

> *For unaccompanied children, there is a lack of guardianship law in Indonesia, and they are here without any legal guardian. That is the major thing, the lack of care arrangement. We have shelters, but institutional care is not the best setting for children, and it is the only thing we can set up due to laws.*
>
> Service provider, Indonesia

> *We have some children in foster care; unfortunately, it is problematic here, because refugees cannot work, so we can't always convince them to take in a child into their home.*
>
> Service provider, Indonesia

Each unaccompanied minors' shelter in Jakarta houses roughly 20 to 40 children. There are five shelters, one for girls and four for boys. The conditions in the shelters are basic, and children are given only essential items, such as bedding, and a small stipend for food and other needs. The children are in charge of their own cooking, cleaning and washing.

As these are children without anyone to care for them, hygiene tends to suffer and as a consequence

major and minor health issues can arise. In addition, resources are limited, and children each only have one towel, one set of bedding and a single pillow. It is therefore difficult for them to stay on top of the washing, leading to hygiene-related illness such as scabies. Other health issues include tuberculosis and sexually transmitted infections.

> *They have so many skin problems. They go to the community clinic when they have problems and the doctor keeps coming to the shelter to ask, "why is this a problem?" The doctor says it is the same issue every time and could be solved through proper hygiene.*
>
> Service provider, Indonesia

Children in the shelters also suffer from psychological issues. In addition to their daily stressors and poor living conditions, the children miss their families, worry about their families' wellbeing in the country of origin, and tend to feel isolated and alone. Children suffer from nightmares and insomnia and some conduct self-harming practices. There have been a number of cases of attempted suicide in the last three years, according to the social workers in the shelter. The children tend to cope poorly, most commonly indicated by drug abuse and fighting with other children in the shelters. Some cases of physical and sexual abuse amongst the children have been reported, although not verified by the social workers.

> *There are chronic mental health issues. There are cases where they go to the psychiatric hospital, maybe one to three cases per year.*
>
> Service provider, Indonesia

Social workers struggle to assist children properly due to a lack of resources. Overall, they lack the ability to control the behaviour of the children and the children do not have enough to do to help them cope. According to the social workers, the children need more education, more psychosocial activities and other outlets such as sports. However, there are restrictions about who can enter the shelter so it is difficult to use volunteers, also budgets are limited.

> *We are just thinking we don't have the ability to prepare them for the future, how can we when we don't even have enough to cover their basic needs? They come here and talk to us about how their basic needs are not being fulfilled. We have broken pillows and the children do not sleep well, they get headaches. How can we focus on the future?*
>
> Service provider, Indonesia

In addition, since children are in shelters and not detained, they are free to go out during the day, and social workers cannot keep an eye on them. The social workers report that they are very worried about what can happen to the children. They are, for example, often targeted, as they are seen as tourists, and many have been robbed.

BANGKOK

In Thailand there are roughly 30 unaccompanied or separated children residing in Bangkok, with, at the time of writing, only one living in the immigration detention centre.[42] The issue of unaccompanied children is much less prevalent than in Indonesia. In Bangkok, according to one service provider, most children become separated or unaccompanied due to their parents being arrested. In this case it is difficult to find alternative care for children and they may end up in shelters. The issue of detention is discussed in the following section.

6.2 DETENTION

Indefinite detainment is a major risk to asylum seekers and refugees in Bangkok and Jakarta. The conditions in immigration detention centres are often abysmal, as described in Section 5.2, with detainees facing unhygienic conditions and overcrowding. For children in detention, the situation is especially unfavourable as they face a lack of access to basic rights and a decent level of care.

BANGKOK

> *I don't want to go to that place; it is certain death, sometimes your body, but always your mind and your soul.*
>
> Pakistani community member, Thailand

As discussed in Section 5.2, when families are arrested women and children are kept separate from men, even if they are relatives, for reasons of logistics and space. Male children stay with their mother until they are seen as too mature or too old to stay with the women and children, at which point they are moved to the men's cells. There is no specific age for this: often it happens around the age of 12, but it is relatively arbitrary and children as young as eight have been moved. If the father has also been detained, male children will be with their father. However, if their father has not been arrested,

The Rohingya refugee situation in Thailand is a complex one; an entire report could be dedicated to building an understanding of their unique and difficult situation. Only the Rohingya population who came to Thailand after 2012 can be considered victims of trafficking and are afforded the right to remain in Thailand. This particular group is under the protection of the government and are often provided with housing in shelters throughout Thailand, so they can be protected from traffickers. However, the conditions are poor, and they are restricted from working. The men must be separated, and they are detained in the IDC or kept in a different shelter. Families therefore are only reunited once or twice a month, and in some cases only once a year.[43] For boys, once the child reaches 13 or 14, he will be separated from his mother and siblings and sent to live with his father. If his father is not in Thailand, the child will be considered unaccompanied or separated. The younger children, once they reach school age, can enter school and learn Thai. For the children who arrive later, they are not able to enter the school system.

From an interview from a service provider in Thailand

which is more common than not, the child will be left unaccompanied, in a cell with over 100 men.

According to an interview with one service provider, there is a high incidence of rape and sexual abuse under these circumstances (also cited in Save the Children and Asia Pacific Refugee Rights Network, 2017).

> *One child we took out was sexually abused. They move young children to the male side. This is where the child is abused. It took place over years, most children are abused there, maybe all, but the children are afraid and too ashamed to report it. Too damaged, too low self-esteem.*
>
> Service provider, Thailand

In the detention cells food is insufficient, rooms are crowded, and children have no control over their environment. Over-stimulation, confined conditions, lack of access to the outside world, lack of education, and the lack of a place to play can lead to long term psychological issues.

> *When the kids have been there a long time, they become broken, it becomes their reality.*
>
> Service provider, Thailand

> *It kills all the humanity; it makes them feel like animals. The lights don't go out; they have zero control over their environment. It damages something inside you. You will suffer a lot.*
>
> Service provider, Thailand

> *I know a 17-year-old, he was in IDC for one and a half years, unaccompanied. Even two years after release, when I saw him, he would be fine, then all of sudden he would go into some deep, dark rant, and go on about Thailand and would cry and blame Thailand for locking him up. Is that attributable to IDC or the whole refugee experience? I am not sure, but I think the damage the IDC does to people already experiencing trauma is severe.*
>
> Service provider, Thailand

INDONESIA

As mentioned in Section 5.3, refugees and asylum seekers have freedom of movement in Indonesia and do not fear arrest and detainment, unless they are caught working. Because they cannot work, refugees and asylum seekers in Indonesia have few livelihood options (see Section 5.3) and risk running out of the means with which to survive. Additionally, due to the recent change in the global resettlement situation (see Section 3.3), and a much longer than expected process of resettlement, many families are running out or have run out of funds to support themselves. One option for families in this situation is to seek shelter in the detention centres. However, this means that families are voluntarily being detained, and the repercussions for children are extremely negative.

At the time of writing, the detention centre in Jakarta was filled to its maximum capacity, but families were still seeking shelter in detention centres.[44] As a result, roughly 300 people, including children, have been sleeping on the streets in front of the detention centres. These families have been living under makeshift tarpaulin shelters and relying for survival on the charity of local Indonesians who drop off basic supplies. These conditions are, of course, not safe or healthy for children.

Conditions in detention centres in Indonesia vary as there are no standard procedures in place for providing services to refugees. Overall, refugees are treated in the same way as those with illegal immigration status. Children residing in the detention centres lack access to basic rights, especially proper health care, education and play. There are no education services available in most shelters, with basic services being the best-case scenario.

> *Detention centres are different here, they tend to have smaller cells, they have like four people in a small cell. So, it can be quite safe, families will have their own corner and facilities. The cell doors are often open, so people can move around. The children are running around. They have protection concerns and hygiene concerns. Here, [one service providing organisation] works with a local organisation that provides some education to small children, and that is mainly it. … It is not the same as going to school and getting an education, it is small interventions and psychosocial activities.*
>
> Service provider, Indonesia

6.3 ALTERNATIVES TO DETENTION

It is undoubtedly recognised by the governments of Indonesia and Thailand that children do not belong in detention. Both countries have taken steps to address this situation and have made progress, but the detention of children remains a concern in both countries (Save the Children and APRRN, 2017).

> *There is a space for children and families, but it still has bars. [The government] says the IDC is not for refugees, they say it is for others who break the law – foreigners who violate immigration law, for 'overstayers' for example. They are not prepared to house refugees, and they say it is temporary, but in practice it is not really. They cannot leave, and the conditions are not OK.*
>
> Service provider, Indonesia

THAILAND

According to a study conducted by Save the Children and APRRN (2017), when parents are detained, "mechanisms exist to divert young children to government shelters run by the Ministry of Social Development and Human Service (MSDHS)". In addition, children should be given the opportunity to stay with relatives or friends outside of detention. However, children regularly end up in detention with their parents.

The Thai government and the Thai immigration authority, alongside the International Organisation for Migration and UNHCR (international agencies), Asylum Access Thailand (international non-governmental organisation), Childline and Step Ahead (local organisations), have been working to develop standard operating procedures for the release of children from detention. In 2017, nine children were released into foster care in Thailand. However, the process has been stalled as several complications have arisen.

The first is that of coordination; with so many actors involved, service providers report that the process became complex.

> *It is complex working with [specific service providers], some of them have no transparency and some have huge muscle but refuse to do anything to help.*
>
> Service provider, Thailand

> *Because it is new and new organisations are involved, coordination and communication are key issues. It is a bit difficult to know what is going on, and if we all have the same set of principles. For example, when we are taking a child out of detention, when is a best interest determination (BID) of the child done and by who? What was the process and the outcomes?*
>
> Service provider, Thailand

Second, finding foster families is difficult for service providers as Thai authorities have specified that children must be placed with families who have valid visas. Service providers report that due to language barriers it is difficult to find Thai families, and all the foster families thus far have been migrant (or expatriate) families from North America, Australia and Europe.

> *Is it best to use an expat family as a foster family? There was a lot of disagreement on and it just sort of moved ahead with limited coordination. Most felt that it was not the best fit, but they also felt something needed to be done rather than nothing, so it went ahead.*
>
> Service provider, Thailand

> *Impact is limited so far, I have cautious optimism. The reason I say that is that there is quite a heavy burden on the foster families. If there are four children in the IDC, all four would go to one family. That*

is a huge financial burden, and the families need to commit to one year. Many of them are expats, which is problematic because they are in and out of the country. There are simply not enough foster carers available.

Service provider, Thailand

INDONESIA

In Indonesia, the Presidential Regulation 125, issued at the end of 2016, stipulates that refugees and asylum seekers should not be detained, but placed in shelters. In addition, immigration policies stipulate that children should not be placed in detention. However, impediments exist, such as multiple interpretations of the same regulation, and as of the end of 2016, 1,600 children had been detained in Indonesia (Save the Children and APRRN, 2017). In Indonesia it is difficult to find foster families, as mentioned in the previous section. Also, some coordination issues exist between the government and service providers.

We see there are children in detention with their families, and unaccompanied minors, and there is a provision, that children can be placed outside, also in the immigration laws. So, immigration says they want to release children, but they need a place to put them, and the immigration officials want the international organisations to support this. However, [a service provider] provided space for this, but the accommodation is still empty, because Immigration does not want to release the children, they are not really doing it.

Service provider, Indonesia

According to another service provider, the failure to release children is due to disagreements as to what is in the best interests of the child. Some believe that families should always stay together. It is difficult to release parents, so children remain with them in detention.

6.4 ISOLATION

I don't know if we can qualify isolation as 'child protection issues', but children have to be kept indoors all the time, because of fear of arrest. It is for their security, but their legal situation leads to this kind of behaviour. The children probably still go out from time to time, but they don't go to school, and they are afraid to get arrested. A range of violations happen because of the security, but it is not direct violence toward children.

Service provider, Thailand

In Thailand, where security is a major concern, community members live under a constant state of fear. To cope with this fear, families tend to live in hiding, and some attempt to stay indoors, only leaving their accommodation when absolutely necessary. Accommodation in Thailand mostly consists of one room, where children do not have the space to play. Refugees are also afraid of their neighbours, thinking if their children make too much noise, they will call the police. Because of this, parents reported that they monitor and restrict children's playing.

One of the worst things for children is their [lack of] freedom; they can't even play in the corridors. Every family is at least four or five people. If you see the room size, they are small, so how can they play? If they go in the corridor they will make noise and that could upset neighbours. The kids don't understand either, and we scold them, but it is not their fault. They need a place to play.

Pakistani community member, Thailand

The state of confinement and constant fear creates an extremely stressful environment for families and children.[45] Isolation can hinder a child's development; for example, children may not know how to behave or interact with other children. This could have long term implications for a child's learning, as social learning is a major component to understanding and knowledge retention (Tauson and Stannard, 2018). Finally, children can develop anxiety and other psychological issues.

Kids who go to school and have activity they are OK, but kids doing nothing, they suffer and have problems. They are isolated; they are not seeing other kids. When you finally bring them into the company of others, they don't know how to interact. For example, we had a party one day, and parents came who live outside the community and their child is very isolated. The child there would not stop screaming and stuck to his father, but his father says he only sees his parents, and he doesn't know how to behave. That is a real problem.

Pakistani community member, Thailand

Children live in very small homes with their families, cooking, kitchen, bathroom, all one room. … They

don't have real playtime or a space to play. They don't have anything, and they don't play with Thai kids because of the language barrier. So they go home and lock the door. Once, I saw a 3-year-old who came in and locked the door behind her. I asked her why she locked the door, and she said "mamma says the police are coming," so she lives in fear.

Ethiopian community member, Thailand

Both communities and service providers state that there are fewer child protection concerns in the communities because of the extremely controlled and isolated environment. However, some believe there is the potential for increased incidence of domestic violence.

6.5 DOMESTIC VIOLENCE

Findings from the analysis of this research show that the incidence of domestic violence is not widely known amongst refugee communities or service providers. Responses during interviews showed mixed perceptions or a general lack of understanding. For example, some respondents perceive that the incidence of domestic violence has decreased in Indonesia and Thailand, as compared to the country of origin, due to the need to save face or avoid attracting attention. Others believe the incidence occurs at the same frequency as in the country of origin, essentially stating it is a parenting style that is not location dependent. Finally, other respondents believe the stress of the situation exacerbates the incidence of violence in communities. Overall, it is likely that the incidence varies between communities, but very little information is generally available.

EXAMPLE 1 – DECREASED VIOLENCE

No, actually, … we hear about everything in the community, because we tell everyone everything. We would know if it was happening. They are afraid of the Thai community, so they are quiet anyway.

Somali community member, Thailand

Violence is still there, in the Pakistani community – parents are parents – but there is less here, we understand kids don't have much space, and we have the threat, if our neighbour hears, they will call the police. A man beat his son on the bus and at the next stop the police were there and arrested the man. So now we only scold them for the noise. Children understand, and they try not to make noise.

Pakistani community member, Thailand

EXAMPLE 2 – SUSTAINED VIOLENCE

It is normal to get hit by your parents in Afghanistan, it is the culture there. Some families are under pressure and hit their kids more here. The wait for a long time and are under a lot of pressure.

Afghani community member, Indonesia

There are parenting issues, they don't know how to behave with their kids. They hit their kids, and we try to tell them that is not the way to talk to them or to behave with them. I have been looking for friends to come and give some parenting workshops, we want to train parents on how to work with their children, we do need that here.

Afghani community member, Indonesia

EXAMPLE 3 – INCREASED VIOLENCE

Once a Pakistani family was rejected by UNHCR and the father had severe mental health issues [untreated], the mother was petrified to be arrested and would not leave the flat, and the husband was violent towards her and she would look for her own escape, but she was afraid to leave her children, and they were not in school because of immigration police. This is just one example, but this is the main issue with domestic violence.

Service provider, Thailand

6.6 CHILD MARRIAGE, CHILD LABOUR, SEXUAL EXPLOITATION, TRAFFICKING AND FEMALE GENITAL MUTILATION

CHILD MARRIAGE: NO

Not many young people getting married, not like in Vietnam.

Vietnamese community member, Thailand

Early marriage? – no, not here, because we only have a few marriages here. They are people from the rural areas here also, but they are waiting for their future, if their futures were secure we might see that.

Pakistani community member, Thailand

People don't get married here, they are waiting for their futures.

Afghani community member, Indonesia

CHILD MARRIAGE: YES

We see children wanting to get married, or being forced to get married, in the Rohingya population specifically.

Service provider, Indonesia

CHILD LABOUR: NO

The working age is 18, they cannot work until they are 18, so they do not work.

Vietnamese community member, Thailand

Not here, they can't. When they turn 16 years, some kids will go out for film shooting, so they get good money. But they have agencies here, for this. It is Bollywood. If they have a nice face, they can make money. They can meet new friends and it is secure, because they take over an area for shooting and the police don't come, but they have to be 16, I don't think that is child labour.

Pakistani community member, Thailand

CHILD LABOUR: YES

I am sure children have to work to help their families.

Service Provider, Thailand

As with the incidence of domestic violence, service providers and community members did not have detailed information about gender-based violence or human trafficking. These issues were mentioned in interviews, but without corroboration, so knowledge is limited. Respondents who assumed these activities were not taking place attributed this to parents' control over children, especially in Thailand where parents fear for their children's safety. In Bangkok, the belief is that parents carefully monitor their children and restrict movement, so trafficking and sexual exploitation are not huge issues.

SEXUAL EXPLOITATION

Rumours of sexual exploitation circulate among the community and service providers, although few cases were confirmed. When respondents described cases of sexual exploitation it was often hearsay.

I have heard, people told me, they say that this girl is prostitute because her father is in detention and she has small brothers and sisters and what other way? At this point it is acceptable, because, what to do, they can't do any work.

Pakistani community member, Thailand

Sometimes you hear of prostitution and girls getting pregnant, but not more than three since I have been here [two years].

Somali refugee community, Thailand

You do hear of prostitution, mostly in the African communities here.

Service provider, Indonesia

In general, it is difficult to say whether or not sexual exploitation is an issue in either Bangkok or Jakarta, but it is true that young women/adolescent girls have difficulty entering schools (See Section 7.3) and have limited options, so whether or not this is taking place, it is easy to assume there may be a risk.

TRAFFICKING

Rumours of trafficking were not confirmed during this research, although some fears had circulated among service providers that it might be a concern. According to interviews with a Thai government agency, the profile of those trafficked are unaccompanied children and children looking for work. Therefore, the majority of refugee children living in Jakarta and Bangkok are not likely to be considered at risk. However, the 2017 *Trafficking in Persons Report*[46] states that asylum seekers and refugees are vulnerable to trafficking. Therefore, it could potentially be a consideration for service providers.

FEMALE GENITAL MUTILATION

Only one service provider mentioned female genital mutilation (FGM) as an issue and this was the only time it was mentioned. Therefore it is not possible to know the extent of the issue. However, as FGM tends to be practiced in some of the countries where refugees in Indonesia originate from, such as Somalia, where some 98 per cent of women undergo female circumcision,[47] it stands to reason that it would still be a problem in Indonesia. Also, as FGM is widely practiced in Indonesia,[48] there are limited barriers to continuing with the practice.

6.7 INFORMATION DISCONNECT

The main concern with child protection, as mentioned in the previous section, is that there is a general lack of knowledge among both service providers and community members.

> *A big thing at play, the populations are all out there hiding so a lot can go on in secret, and they are not living in the best of environments. A whole family in one room, who knows…*
>
> Service provider, Bangkok

> *Refugees are scattered all over, so it is difficult to monitor and follow up – and for us to intervene, especially here in Jakarta – we have limited partners in this area as well.*
>
> Service provider, Indonesia

Overall, families in Bangkok live in hiding, widely dispersed over the city, and it is difficult to build an understanding around such taboo concerns. In Jakarta, families are not necessarily in hiding, but they are constantly moving due to housing issues and opportunities. Both cities are renowned for their heavy and impeding traffic, making it difficult to conduct the home visits that would be needed.

> *The cases of protection incidents are under-reported … I don't think we can capture all the protection incidents.*
>
> Service provider, Bangkok

For information that should be readily available, different agencies have different ways of capturing data and numbers often conflict.

> *When we did this report, the data we received from [one agency] said there are 502 children – 58 female, the rest male. We received data from several sources, but the stats from each were not the same. According to [another], the total number of children was 17 female, 249 male children. From another, they said 137 male children. We can't get the information from immigration, it is impossible.*
>
> Service provider, Indonesia

Further, service providers widely admitted to lacking staff with child protection experience. All mentioned this as a major gap in the sector. The refugee agencies feel that they generally lack an understanding of the child protection issues and how to handle them.

> *I am sure there are a lot of dangers for child refugees, but we don't actually have anyone working on this topic so we don't have the numbers and we are not sure what the risks really are. For those refugees that stay in one building and they are all from the same country and group, most of them, and they can support themselves, look out for each other's children. But there are others in outlying areas where they live in isolation, often due to fear of arrest, something could happen to these children and we would never know.*
>
> Service provider, Bangkok

> *We realise we don't have much information on child rights or child protection. We did not know that the best interest is to release the mother as well from detention, for example… We don't understand the trauma and struggles so we have to work together with a child protection agency.*
>
> Service provider, Bangkok

Most service providers mentioned that they feel a partnership with a children's organisation would greatly benefit the sector. However, some mentioned that these organisations did not understand the intricacies of refugee issues.

> *There are no formal child protection schemes/ programmes within urban refugee organisations, none have the space for children, so we need children's organisations to step in, but they do not understand refugee issues. We are pushing for organisations to understand child protection issues – case manager for children, or case coordinator. … We are trying to encourage organisations, so they can respond better than now, because it is a one-on-one case basis and it is never ending. We have to be proactive. It is a drain on resources and is exhausting and unsustainable.*
>
> Service provider, Bangkok

The lack of knowledge, data and coordination is the most important issue in child protection in Bangkok and Jakarta. It is impossible to combat the issues as they are completely unknown to refugee communities and service providers alike.

6.8 CONCLUSION

Regardless of the type of violence against children that takes place in Bangkok or Jakarta, refugees perceive a lack of legal recourse and are not equipped with the information and knowledge to report incidences. Many are afraid they will be arrested if they try to make a complaint or believe the laws do not apply to them or their children. In addition, children are often afraid to report abuse and violence.

> *Kids don't report this stuff, they are stuck in a trust relationship. Look at the gymnastic coach, for 30 years, girls who were sure of themselves, winning gold medals. Kids think it is their fault, it is a defence mechanism. Those guys will manipulate the kids. And in some families, the parents will punish the kids and say it is their fault, so the kids won't tell their parents.*
>
> Service provider, Thailand

Service providers in Indonesia and Thailand also lack knowledge and expertise. When service providers do hear of abuse and violence, they may choose not to report it, especially if they do not think the legal protection policies are sufficient.

> *The main reason many organisations are not proactive is because of the legal status of refugees. Let's say someone is a victim, but they don't have any legal status. Is it worth it to bring it to the police? What are the repercussions for the community and family? It is so important that families have legitimate legal protection [but] what if their lives are made worse?*
>
> Service provider, Indonesia

Overall, a more in-depth study is needed to identify the types and incidence of violence against children. For both refugees and service providers, it is difficult to know what protection issues exist and how to address them.

PHOTO: EGAN HWAN/SAVE THE CHILDREN

7 Education access

According to interviews with service providers, only 40 refugee children, at the time of writing, are accessing public education in Jakarta and the surrounding areas. In Bangkok the number of children in school, according to one service provider, is 600. However, these numbers were not corroborated, and may not be accurate. What is certain is that the majority of asylum seeking or refugee children in both Bangkok and Jakarta are out of school or only have access to informal education. While seeking asylum in Bangkok and Jakarta, children risk losing out on crucial years of education and face many obstacles. Below is an analysis of findings showing the impediments to education access in both cities.

7.1 POLICIES

Education policies in Thailand expressly provide the right to all children, regardless of nationality, to access free, public education. In 2005, a Cabinet Resolution was passed that ensured that all children, even those without legal status, could enrol in any Thai public school.[49] In Indonesia, however, the policies regarding education are far less clear. Even though Indonesia is a signatory to the Convention on the Rights of the Child, which expressly states that primary education should be compulsory and available free to all, regardless of nationality, no clear policies exist which provide refugee children the right to education – they are completely left out of the language in the policies.

Indonesia is an extremely decentralised country, so access to education must be negotiated in each provincial education department, and the central government has provided no guidance. This can be a problem in provinces where service providers have no presence, and education access cannot be established. While there are no clear policies which call for the provision of access, there are no laws which expressly prevent a foreign child's access. Because of this, when negotiations take place they tend to be positive and foreign children are often welcomed in schools.

> *There is no law in Indonesia, no law at all, nothing that says refugee children are allowed and nothing says they aren't allowed either, so it is not illegal.*
>
> Service provider, Indonesia

Although the policies are in place in Thailand, and official access can potentially be negotiated in Indonesia, gaps to access still exist due to a number of complex and interrelated factors, as discussed below. Despite the differences in policy, the same, or very similar, obstacles to access can be seen in both countries. A large number of factors have led to a lack of access to public education for school-aged refugees living in Indonesia and Thailand, including: obstacles to enrolment and certification; language of instruction and grade placement; bullying and discrimination; parents' security fears, transportation difficulties and lack of funds; lack of capacity in schools and differing mindsets and gaps in knowledge of service providers.

7.2 CERTIFICATION

In Indonesia, while access can technically be negotiated, children only 'sit in' the classroom and are not legally enrolled or provided with any certification or proof of their attendance and/or completion of their studies. The system for entering education in Indonesia is relatively complex. In addition to a birth certificate, the child must have a family card and only then can they be issued an education identification number through the national registry. Children need all three documents in order to sit for formal examinations and receive certification.

In Thailand, under new regulations, stateless and asylum-seeking children can legally be enrolled in government schools. A child is given a 13-digit registration number by the Ministry of the Interior – this is essentially a unique code added to the administrative database that is cross-checked by a local education office and ministry. A school is then eligible for the per-head funding for that

child. According to the Ministry of Education, in Thailand a birth certificate is not a requirement for enrolment. However, according to one service provider, implementation of the policy varies widely by school despite the official policy and guidelines.

Children and youth in both Indonesia and Thailand will need certification to go on to upper secondary and tertiary education. According to the heads of community learning centres and service providers interviewed, families may not see formal education as a better option as compared to informal, local education options (more on this in the following sections).

7.3 LANGUAGE AND GRADE PLACEMENT

Language and appropriate grade placement were the issues most discussed by both service providers and refugees. In order to attend public schools in Indonesia and Thailand, children must speak Bahasa and Thai respectively.

In Thailand, children will take a language test to assess their ability to speak Thai and the results will determine the level at which they will be able to enter a government school. Children who speak no Thai, regardless of their age, will be enrolled in the first grade. This means that a child as old as 16 or 17 can be enrolled in the first grade. This can be difficult for children and can deter attendance, especially when the age difference is extreme. As a result, older children, especially those who fled their country of origin when they were 12 or older, do not access education.

> *A 20-year-old in the community was finishing the 6th grade – he arrived when he was 17, and he started the first grade.*
>
> Vietnamese community member, Thailand

This policy can hold children back from the appropriate level of education and can have an impact on their development and psychosocial wellbeing. For example, children from the Vietnamese community complained that school was too easy for them, as they had been enrolled in lower grade levels which they had already completed in Vietnam. They were learning the same things over again.

In Indonesia, entry level policies are less defined, but teachers are not trained in integrating non-native speaking students and lack the skills to manage a classroom containing non-native speakers. This can mean that children struggle to keep up and to stay engaged. For this reason, similarly to Thailand, children need to learn the local language first.

As a result, a number of service providers in Indonesia and Thailand offer language classes to help children to enter government schools. These classes are not always well attended, and rarely operate at capacity. Some of the reasons for this are similar as to why children do not attend government schools, such as security and transport issues and limited funds (discussed below).

For older refugee students, there are very few opportunities for higher education in either Indonesia or Thailand. This means that if students wish to continue on to upper secondary and tertiary education, they will probably have to utilise informal strategies or engage in online learning. Limited cost-effective online learning is available in Bahasa and Thai. This means that learning English and other international languages would be perceived by children and families as being more beneficial in the long run.

7.4 SECURITY, TRANSPORT AND COSTS

Refugees in Thailand most often cited security as the reason for children not attending government schools. The cost of safe transport is too high for most families, and parents in Bangkok are afraid either to send their children to school alone or to walk them to school for fear of arrest. While new policies are being worked out as alternatives to detention for children, as discussed in Section 6.3, children are still being detained regularly and indefinitely.

> *The parents have to go with the children and there is no transport and the parents are afraid of getting arrested.*
>
> Somali community member, Thailand

In Indonesia, security is less of a concern as refugees have freedom of movement, but a lack of affordable transportation remains a major impediment. Families regularly ask service providers for support to send their children to school, but resources are limited.

In general, a lack of funds to cover costs such as transport, supplies, uniforms and fees was widely

cited as making school unaffordable for many families. In addition, some schools ask for family support from time to time or ask for funds for school trips and activities that parents cannot afford.

> *[Schools] have fees, where will the money come from? [Families] don't have money to send them.*
>
> Pakistani community member, Thailand

> *[After language and culture] The second barrier is limited resources – families cannot afford it.*
>
> Pakistani community member, Thailand

7.5 CAPACITY

Capacity is an issue in both Bangkok and Jakarta. As one service provider pointed out, if every migrant and refugee based in Thailand suddenly decided to access education, there would not be enough capacity, space or teaching staff to accommodate every school-age migrant child.

As yet, demand in Thailand has not caught up with supply, due to many of the barriers listed above. However, the Vietnamese community leader noted that some children in the community had been denied entry into schools because they were full. The community leader was able to find other local schools and enrolled the children, but the children had to travel slightly further. While this was a viable solution for this community, a full school can, depending on the alternatives available, be a barrier for access for children. For example, if the next available school is too far to walk to or is in an unsafe area, parents will not be able to enrol their children in school.

In Indonesia, the issue of capacity is much more pronounced. Schools are overcrowded in some areas and have long waiting lists. In order to get children into schools, service providers have to find out from the education department where schools have capacity, or in some cases go around from school to school attempting to find one where there is space. If there are no schools nearby which have capacity, it will be difficult for children to attend without transport. Additionally, because of the capacity issue, even if a school has plenty of space, local Indonesians can see foreigners as taking up valuable spaces in the school system. This creates stigma and can lead to animosity between locals and refugees.

7.6 BULLYING AND DISCRIMINATION

Bullying and discrimination are not unique to refugee populations and occur commonly in school environments worldwide, however refugees are likely targets due to appearance, language, and behaviour. This type of mistreatment can easily lead to children dropping out. Since so few refugees had attended schools, only the Vietnamese Hmong community could speak to this experience beyond hearsay, but all service providers mentioned this as a concern.

Local children in both Bangkok and Jakarta are not accustomed to seeing foreign children in their schools and lack an understanding as to why they are there, why they cannot speak the language, and why they are exhibiting different behaviours.

> *Thais feel like [refugees] are different and cannot communicate, and the Thai children look at them as different, so the [refugee] children don't feel confident to go to school.*
>
> Service provider, Thailand

> *No matter how good the staff were, the children are still seen as different, but from the other students, they gave them a hell of a time.*
>
> Service provider, Thailand

> *Another problem in the state school is bullying. They get bullied because they look different.*
>
> Service provider, Indonesia

In several interviews, service providers pointed out that not only do language barriers exist in schools, but also cultural barriers. Refugee children may cause offence simply by being unfamiliar with cultural norms, which can result in retaliation and general mistreatment.

Further, children report mistreatment from some teachers. One group in Thailand talked about teachers who would threaten the students and say they will send them back to their country of origin or call the immigration police. In one instance in Jakarta, a child reported that they had earned the first position in their class but were moved back several places as the teacher did not want to upset any of the Indonesian families. One organisation mentioned that teachers can be insensitive and point out differences between refugee children and host populations regarding religions and religious practices, causing further rifts in the schools.

Even rumours of bullying can keep families from sending their children to school, as it adds to the already long list of barriers. Parents often do not speak the local language and know they cannot complain to teachers or administrations if bullying occurs. In addition, parents are afraid of causing further discrimination for their children in schools by making complaints, and those in Thailand are afraid of being arrested. Therefore, if the bullying is serious, parents may choose to take their children out of the school.

7.7 STATUS, DISABILITY AND GENDER

As mentioned in Section 1.3, UNHCR defines a person of concern as an asylum seeker or a refugee. However, for those who have applied for refugee status and have been denied twice, their cases are closed and they are no longer considered a person of concern. While they may not be legally recognised as refugees, they may not feel that it is safe to return to their country of origin and will continue to reside in Indonesia or Thailand.

For those lacking asylum seeker or refugee status, it can be difficult to access schools for three reasons. First, due to a lack of status, some families have no paperwork whatsoever. Although passports and birth certificates are not required, some schools want to see some type of official document as a form of identification. Second, most organisations will not assist those with closed cases, leaving them to navigate the system by themselves. This is extremely difficult for families that do not speak Bahasa or Thai and do not know their rights. As discussed previously, organisations in Indonesia must engage with the local department of education and negotiate entry, something that refugee families would unlikely be able to accomplish on their own. Third, in Thailand the main service provider that offers Thai language classes in order to prepare children for school does not accept children who are not refugees.

> *Without a UN card, [that service provider] will not take children to teach them Thai language, … if families can't pay for lessons the children are out of luck.*
>
> Service provider, Thailand

This is also a major concern for asylum seekers because obtaining refugee status can take a number of years. During this time, children are losing valuable educational years.

Another barely discussed barrier to entry is disability. Facilities in schools to accommodate children with a disability are rare, even for national children. In Jakarta where spaces are limited, it is difficult for service providers to find spaces for children with disabilities.

> *For local Indonesian children it is difficult, but for refugees it is worse. The trend is increasing and there is a challenge to access education, and the few that have facilities may not have space. So how do we support?*
>
> Service provider, Indonesia

> *One family has two deaf children, and one family has a physically disabled child. The children cry every day and are bored at home and want to go to school, but they cannot. It is a huge challenge for us.*
>
> Service provider, Indonesia

In regard to gender, service providers and communities did not identify major differences in access and tended to see the issues as the same for both boys and girls. This may partly be attributable to most of the participants in the study being male – the picture regarding gender disparity may not be well-rounded. However, this view is partly borne out by data, as Thailand's gender parity index for primary education is 0.935 and Indonesia's is 0.977,[50] which would indicate that Thai and Indonesian schools do not perpetuate barriers based on gender.

One service provider did note that government schools, and classrooms, in Indonesia and Thailand are mostly mixed-gender. Those coming from more conservative countries and backgrounds may be accustomed to single-gender classrooms, and girls mentioned to one service provider that they did not want to attend public schools where they felt intimidated and were teased by boys. Overall, more information is needed in order to understand if gender based barriers exist.

7.8 MINDSETS – PARENTS AND SERVICE PROVIDERS

A lack of clear understanding of the wants and needs of communities exists among many service providers. Interviews with both refugees and service providers showed that service providers do not necessarily understand the specific needs of the communities and are working on generalisations. From interviews, service providers revealed that they feel refugees are misguided and do not understand the value of local education:

> *When I hear people are not willing to send their kids [to school], it is a mindset, I don't think there are major obstacles… there is access.*
>
> Service provider, Indonesia

> *Still they have a mindset that they will be resettled so they don't want to go to school, there is resistance to send their children.*
>
> Service provider, Indonesia

> *Another barrier to education is parents. They don't want their children to study and they only want their children to study English. We are trying to get that information out there. They need to wake up and realise they will never be resettled.*
>
> Service provider, Thailand

Some service providers are under the impression that the mindsets of families are the biggest barrier to accessing local education. The narrative is that refugees refuse to believe that resettlement is 'off the table', and in protest to this narrative, they refuse to send their children to school, holding tightly to the dream of resettlement.

However, conversations with refugee families and communities refute this assertion on many levels. Resoundingly and unquestionably, refugee families want education opportunities for all of their children. When asked about challenges and needs every person interviewed named education within the top three of their concerns. Interviewees, when asked about barriers to accessing local schools rated language and placement, school fees and security as the top three. Reluctance to learn the local language was not named as a reason to avoid local schools.

> *I see the cultural and language barrier as the hardest and first step. Children struggle when they enter the Thai schools because there is no English and no other languages. Children feel so lost and confused and they do not want to be there.*
>
> Pakistani community member, Thailand

> *Security is the main issue with going to school, if we go to take them to school, we can be caught.*
>
> Pakistani community member, Thailand

> *Money is the biggest issue, if you don't have money you can't eat so you can't study and you can't travel to school because transport is expensive.*
>
> Afghani community member, Indonesia

In addition, many respondents felt it would be very good if their children learned the local language. However, English is preferred, as stated above, as they see the importance of long-term opportunities.

> *The students study in English here. Learning Bahasa is important, and we should. Bahasa is definitely needed, but who would teach us?*
>
> Afghani community member, Indonesia

> *Each language has its importance, but people prefer English. The Indonesian language won't give us opportunities. It is good to be fluent and there are some Bahasa classes, but we don't have them here. [And] if refugees could work, yes, they would have to learn Bahasa.*
>
> Afghani community member, Indonesia

Since people do not have the right to work in either country and cannot advance professionally or socially, they do not see the relevance of learning the local language. Service providers are under the impression that refugees are looking for resettlement and nothing else will suffice, but interviews indicate that individuals and families are looking for a safe place where they can stand on their own two feet, integrate, and build towards a future. If they felt they could do that in Indonesia or Thailand, there would be increased motivation to study the local language.

> *I would love to stay in Jakarta, I have many friends here and have built a network, but there are no opportunities; I cannot work, I cannot participate in society, and it won't change.*
>
> Afghani community member, Indonesia

7.9 SUMMARY AND CONCLUSION

Overall, the lack of access to education cannot be condensed into one or two main issues: it is a number of interrelated factors that lead the vast majority of parents to decide to forgo government schools. The larger picture is a complex and multifaceted one. Children have to learn the local language before they can attend school, but options are limited in this regard. Where language classes are available, most are far away and difficult to access. Without language classes, in Thailand, children have to start in the 1st grade, regardless of age. In Indonesia they may enter school at the appropriate level but with limited language skills. The teachers will not be trained in how to teach students who are not native speakers and it will be a challenge for the children to learn. In addition to that, security is a major concern in Thailand and in both countries transport is rarely affordable or available. Also, while attending schools, there is a good chance that the children will be bullied by fellow students and discriminated against by teachers. Finally, there are no, or very few, opportunities for continued/tertiary learning in Thai or Bahasa, making English the more attractive language for livelihood sustainability and lifelong learning.

The mismatch in ideas and mindsets amongst service providers and communities is a major barrier to education as it means the interventions and programmes designed and implemented by service providers will not match the obstacles encountered. In the long run, this will mean that, as has been the case thus far, interventions will be ineffectual and the trend will continue with very few refugee children accessing public education (see Harrell-Bond, 2002; 2003; Tauson, 2017; Walkup, 1997).

In view of the factors described above, many of the communities who struggle to get their children into schools prefer community learning centres. They see it as an advantage to learn English, as they do not want to live in Indonesia or Thailand for the rest of their lives. Parents also want their children to be comfortable and prefer being able to control what their children are learning (see Section 8 for more information on community learning centres).

PHOTO: EGAN HWAN/SAVE THE CHILDREN

8 Community strategies to achieve education

Refugee communities in Bangkok and Jakarta (and the surrounding areas) struggle to access government education for multiple and interrelated reasons, as described in detail in the last section. As a result, refugee communities across both cities have developed their own strategies to access education and have, with varying degrees of success, established community learning centres.[51]

In Bangkok, many community learning centres have been established. Almost every community has at least one version of a community learning centre. According to one respondent, in the Pakistani Christian community alone, there are 14 learning centres. The Sri Lankan and Vietnamese communities also have at least one community centre. Due to issues of security, most schools are small and only accommodate the children that live in the building or on the same street. This is so that children do not have to travel far (due to security concerns). As a result, some schools are as small as 10 to 15 children. The majority of schools teach in English and the mother tongue of the children; no schools reported teaching the Thai language or teaching in Thai. Most used a Christian, home-school based curriculum, accessed through a service provider, while other schools used whatever was available to them.

> *Maybe one per cent go to Thai public schools. Most are afraid, they are afraid of being arrested, so almost every area has a community school.*
>
> Pakistani community member, Thailand

In Jakarta and the surrounding areas, schools are larger and much more established. Community learning centres in Indonesia tend to be more successful overall due to freedom of movement and higher levels of security. In Cisarua (in Bogor, Greater Jakarta) alone, there are seven learning centres. The capacity of the centres ranged from roughly 40 children in one centre to around 110 in another. In Jakarta, four schools were mentioned in interviews (site visits were conducted in two). These schools tended to be mixed, and children from multiple communities were in attendance. The schools in Indonesia teach English, Maths, Science and History, and all teaching was in English. No schools taught Bahasa or in Bahasa.

8.1 SUCCESSES

While community learning centres have been described by some service providers as low-quality education, community members value the presence of the centres. Respondents cited the benefits as including:

- providing learning opportunities;
- building community cohesion;
- improving the wellbeing of children;
- providing opportunities for older children;
- assisting with the transition of resettlement.

PROVIDING LEARNING OPPORTUNITIES

Some children and young adults who are seeking asylum in Thailand have no educational opportunities at all. For these individuals, regardless of the quality, community learning centres provide some form of learning opportunities and a way to occupy their time. It is the best alternative available for these children. The quote below demonstrates the need for some sort of productive or educational activity for community members:

> *It would be good if they got some education, it would make them learn English, it would help them to open their mind, and it would help them to be busy. Even if they don't have that much money or if they got transport support, or vocational training, like twice a week, something like that, because they need some profit for them, but most are just home, not educated.*
>
> Somali community member, Thailand

BUILDING A SENSE OF COMMUNITY COHESION

Heads of community centres, teachers and students reported feeling a sense of purpose and an increased closeness within their community after the school opened. In some cases, such as Cisarua, the schools provided a structure to the community as well. Overall, it opened channels of communication in the community when none existed before.

> *Before the school, they lived there for one year and had nothing to do, no activity, hiding from people. We learned to communicate with one another because of the school. We started to have family gatherings and started sharing. Students have improved; they spoke no English to start, now they speak English well.*
>
> Afghani community member, Indonesia

> *In 2013 we were isolated but after the school opened people made connections and had a better understanding of other people's lives.*
>
> Afghani community member, Indonesia

ESTABLISHING A SAFE ATMOSPHERE WHERE CHILDREN FEEL WELCOMED

For those children who struggle to achieve psychosocial wellbeing, community learning centres offer a safe space for children to learn, play, and grow. Many of the centres provide opportunities for children they would not otherwise have.

> *The setting is good. The teachers are friendly and teach in a good way. There is no violence here. The teachers beat you in Afghanistan. If you don't bring your homework they beat you. Or if you are whispering to your friends. It is frightening. For me the environment is better here than in Afghanistan. They won't beat you here, they will take you to the office and talk to you if you don't do your homework, and that makes you feel safe.*
>
> Afghani community member, Indonesia

> *The community that attends our class, these children have uniforms, school bags and books. Every three months they do a school trip, they would never normally even leave the building, they never get to play. And we give them a Christmas gift, this is special for them.*
>
> Ethiopian community member, Thailand

Even teachers and adults in the community mentioned positive impacts on their own mental health.

> *Personally, for me it was a big change, I feel free here, far from persecution, I am safe, day time and night time, no fear from people.*
>
> Afghani community member, Indonesia

> *Another point, families here are really depressed, but now everyone is busy studying, it takes space away from depression.*
>
> Afghani community member, Indonesia

PROVIDING OPPORTUNITIES FOR ONGOING EDUCATION

Adolescents are the group most excluded from education due to language and grade placement barriers, and community learning centres can provide a place for them to learn. Community learning centres in Bangkok try to help students enter tertiary education and access other non-formal learning opportunities.

> *I tried to arrange study at the university level, one of seven got in to university, 3.6 GPA within three months, she continues and she will finish it. Only one of the seven girls. So they are trying to get them to have an exam so they can go.*
>
> Pakistani community member, Thailand

> *I am too old to go to this community learning centre now, so I take classes at an online school. It is all in English, but we study together and it makes it better. We study Science, English, Math, and History.*
>
> Afghani community member, Indonesia

ASSISTING WITH ADJUSTING TO RESETTLEMENT

One particular community learning centre respondent mentioned the positive impact on integration in third country resettlement. Uniquely, they reported that they had been able to track students' progress.

> *The children will tell you that the school has changed their lives. The 11 children who were resettled in Australia joined the school at their appropriate level. We are following how they are going. The children resettling are doing above and beyond how normal refugee children are performing. They have a social capital because they can speak English, and there is an institutional knowledge. The teachers being resettled have gotten into universities right away. And they know it can be done, because their friends did it, and they will negotiate that.*
>
> Service provider, Indonesia

8.2 LEARNING AND ROOM FOR IMPROVEMENT

While the community learning centres are seen as an asset to communities, community leaders reported that running schools can be a big struggle and they had learnt much in the process of keeping their schools running. They also voiced serious concerns and described needs they had of service providers.

SUSTAINABILITY (FUNDING)

Sustainability was a major concern for those running community learning centres. Always having to ask for funding, seeking new funding sources, and finding creative ways to fundraise are very stress-inducing activities. Every person interviewed who had a role in running a community learning centre mentioned the time-consuming nature of fundraising and how it can be a distraction from tackling other tasks, such as training teachers or developing a strong curriculum. One community leader, for example, discussed how even taking donations and trying to take on new activities can have indirect costs:

> *Computers are wonderful, but you have to think, do we have the funds to get internet? Who will teach our children how to use them, do we have to pay a stipend for a new volunteer?*
>
> Pakistani community member, Thailand

COMMUNITY COHESION

While starting a school can lead to the building of community cohesion, it can also act as an impediment to functioning if community cohesion is already a problem. Schools can break up or shut down and competing schools can open next door.

> *There is no unity and it is difficult for us, there is always someone who will not like what you are doing and talk behind your back, there is nothing you can do. It is difficult, but you keep doing it for the kids.*
>
> Ethiopian community member, Thailand

> *When a community does not have much, then the tiniest of things become much bigger. Like, I don't need to worry if someone does not talk to me, because I have plenty of things I can go and do, but for others, very small things become very important. They spend a lot of time talking through issues and letting people discuss, and they gave people a lot of time, engagement and respect, about things that may seem small to an outsider, but because it was important to people. That is how you can keep a community together.*
>
> Afghani community member, Indonesia

> *At first, after four or five months, there were different ideas in the community about the school, so they closed the school for a while and finally opened a new centre.*
>
> Afghani community member, Indonesia

When schools begin to compete, this is a drain on resources and reduces opportunities for children.

QUALITY: APPROPRIATE MATERIALS, TEACHER TRAINING AND CURRICULUM

Quality and consistency are major challenges for community learning centres. Due to limited funds, as well as legal restrictions in Thailand and the lack of the right to work, teachers in the learning centres are volunteers. All but a very small number of teachers are refugees who have some level of tertiary education from their country of origin – as such, they are the best-equipped community members to teach. However, all but two of the teachers interviewed at the five community centres had never taught before, and had no experience or teacher training. Teachers stated that the major challenges in the classroom were teaching to the various different learning levels within a classroom and the lack of tools and materials.

Overall, teachers wanted more training and more resources. Some centres were much better equipped than others. Some admitted to having almost nothing for the children, remarking that the centres were merely places where children could spend time.

> *We have asylum seeker school, but they come to pass the time, but they don't have materials, so what do we teach?*
>
> Pakistani community member, Thailand

Another major concern is the lack of a coherent curriculum. As materials are lacking in some centres, it is difficult to arrange a consistent and linked course of study. For example, in one centre there were workbooks from an Australian maths course, but the teachers taught from a US home-school based curriculum. Another school used

learning materials from Australia, but only had the core subjects so, with not enough to teach, learning only took place for a few hours per day. Without a defined curriculum it is difficult to ensure that learning is effectively taking place.

SECURITY

In Thailand, security is a real concern for families when choosing to send their children to a community learning centre. One strategy is to have the learning centre in the building where the families live. Most families live in low rent apartments and can cheaply rent a room and convert it into a classroom.

> *They would prefer community classes, it is because it is not safe. Maybe at the bus stop we will get arrested, mostly they are afraid. Some organisations will say, teach them to get to school on their own.*
>
> Somali community member, Thailand

Families and community leaders still however expressed a fear of immigration police raids. In response, heads of the schools will work to establish good relationships with the Thai community so that they can warn and protect the children when the immigration police do come. Three schools in Bangkok reported that they were teaching English to the local Thai community at weekends and in the evenings to help build and improve relations.

8.3 COMMUNITY LEARNING CENTRE NEEDS

Overall, the heads of learning centres, community members and students in Jakarta and Bangkok see the value of the community learning centres. Of the five schools visited, all were operating at capacity, at least one with a long waiting list. However, as described above, the learning centres face many challenges and require more support to build sustainable models.

The heads of schools mentioned that they need more buy-in and support from service providers. All heads of schools said that service providers do not offer much support, either financially or in capacity building. Most centres stay operational through informal support mechanisms – churches, partnerships and individual donors.

While financial support might be most welcomed, centres could also benefit from other kinds of support. Centres in both Jakarta and Bangkok require partnerships to train teachers, build a strong curriculum and provide materials to teachers and students. The heads of learning centres see partnerships as key in obtaining these resources and to meeting their goals. Partnerships with local universities, international universities and the private sector were seen as extremely useful. Heads of schools all mentioned that they are able to accomplish as much as they do with the help of volunteers, and could use assistance matching volunteers across sectors.

9 Summary and recommendations

Policies in Indonesia and Thailand, while having improved significantly in recent years, do not adequately provide rights to refugees and asylum seekers, leaving the population in a precarious and difficult situation. Refugees cannot legally work, face constant risks of exploitation and arrest, and struggle to access basic services such as health and education.

For most, seeking asylum in these two countries is seen as a means to an end and not an end in itself. Many have chosen these countries as a stepping stone to onward resettlement. Even if individuals and families would prefer to stay, Indonesia and Thailand do not allow for the integration of refugees and asylum seekers, either culturally or legally. Effectively the setting does not allow for refugees and asylum seekers to formally live and work – or even adversely incorporate themselves in society by accessing informal labour markets. The risk of detention is too great, especially for those with children. Overall, the two countries are not particularly welcoming for refugees, especially in the long term. However, refugees will be residing in both countries longer than they had anticipated. Some will never receive the opportunity to resettle, and cannot go back to their country of origin.

This situation is particularly difficult for children as they face a large number of issues, including child protection and education. In regard to child protection, the day-to-day challenges in Jakarta and Bangkok are not fully understood by either service providers or the refugee communities themselves. For the most part, understanding is largely based on assumptions and hearsay, and exacerbating and mitigating factors have not fully been analysed. In this sense it is difficult to understand how to best tackle the issues as there is uncertainty to the extent to which the issues exist, who they are affecting and how often. The issues surrounding unaccompanied minors and detained children are better understood and can therefore be more easily tackled.

Regarding education, the issues are much more clearly understood, although some information disconnect does exist between service providers and refugee communities. A wide range of interrelated barriers and challenges exist that keep children from going to school. These include policy gaps; a lack of certification; language and grade placement; a lack of security, transport, and funds; limited space and capacity in schools; bullying and discrimination; a lack of facilities for children with disabilities; gender and cultural issues and the mindsets of parents and service providers. None of the barriers exist in isolation and the interrelated nature of the issue creates a complex setting that is difficult to tackle, which is why so many children remain out of school.

During the course of this research, when participants, including both service providers and community members, discussed a problem or barrier, they were asked, "what would be needed to solve this problem?" This provided multiple perspectives regarding how to tackle issues in education and child protection. In addition to this, the researcher was able to develop a list of recommendations that came to light during the analysis phase of the research. These recommendations are presented below. Some are more theoretical, tackling general ways of working, while others are precise and focused on the specific issues of education and child protection.

Throughout the interviews, a large majority of service providers and community members said that the status quo is not adequately serving the refugee populations in Bangkok and Jakarta. First, refugees are required to travel to the offices of service providers in most instances. Therefore only a very small proportion of the population is able to access services, as transport is difficult to come by because of security concerns and/or travel costs. Second, due to a lack of time spent engaging with communities, service providers' understanding is limited regarding wants, needs, and issues among refugee communities. Third, as resettlement is

decreasing and the refugee populations continue to grow, resources are limited and more efficient and innovative ways of working need to be considered. Finally, service providers are only reacting, due to many of the above listed issues – in the words of one participant "constantly putting out fires instead of creating proactive strategies".

The following have been recommended in response to these criticisms.

9.1 COMMUNITY OUTREACH AND COMMUNICATION

Refugees and asylum seekers, from the time of their arrival in Bangkok and Jakarta, require better orientation and counselling. Some service providers offer short orientation sessions and others have employed communication campaigns, which are also conducted on an ad hoc basis. However, orientation and campaigns are only offered as a one-off event in most cases, and ongoing communication is not maintained. Regular information must be disseminated to the communities, including for example likely duration of stay in Bangkok or Jakarta, the difficulties they may face, and the best possible solutions. As mentioned, communities are spread out in the cities, are often difficult to access, and come from a wide array of backgrounds, however, innovative thinking can be helpful with information dissemination, such as by the use of online tools or community ambassadors.

Recommendation #1 – Use online tools for outreach

Because Bangkok and Jakarta are developed cities, internet services are readily available that would allow for communications to be disseminated online. Online videos and reading materials that provide information should be available in multiple languages. One organisation has provided tutorials on how to apply for asylum and appeal cases, but this should be scaled up and more online resources should be provided for this endeavour.

Education

Online information should be provided to families to let them know the benefits of enrolling their children in government schools and encouraging their children to speak the local language. When children speak Thai, for example, families are better protected and can access more resources. For example, families need to understand that the ability to speak Thai can protect families from arrest. Further, if a child is wearing a school uniform, it can help protect the family from arrest as they are more likely to blend in. In addition, formal education has many more long-term benefits for children and for families in general.

Online information should also explain the best ways to overcome the most glaring obstacles, such as gaining entry to schools, the safest ways to access transportation and so on.

Child protection

Child protection is one area where online tools could make a substantial difference in the communities. Videos, tutorials, and reading materials are needed that help explain the rights of children in Indonesia and Thailand. Tools should also help to make clear what child protection issues are, how to identify them, and the reporting mechanisms and legal processes that are in place to protect children.

Recommendation #2 – Use community ambassadors for outreach

Having regular meetings with multiple 'community ambassadors' would also help disseminate information. Every three to six months, designated community members should come to speak to service providers so that they can be updated on any news relating to their situation (and can update service providers). This, in addition to online information, would help community members to get an accurate and up-to-date picture of the situation. Community ambassadors, if used in conjunction with online tools, could also work as translators to update the online materials when necessary.

Recommendation #3 – More community visits by service providers

Although time and resources are limited, more visits to the community are necessary so that community members feel heard. A part of the disconnect of mindsets, as discussed in Section 7.9 is related to a lack of understanding from both community members and service providers and an inability for either side to be understood by the other. Being present in communities, and listening without bias, would help bridge the gap.

9.2 ADVOCACY AND PUBLIC AWARENESS

All service providers mentioned the need to advocate to the government and most mentioned the importance of improving public awareness.

Recommendation #4 – Government advocacy: use data, research and local actors/influencers to advocate to the government

In both countries, service providers felt that the government could help facilitate assistance by removing barriers and providing support to refugees in a wide variety of ways. However, both governments tend to prioritise national security and economic policies over human rights, according to government officials interviewed, and support is not easily come by. Therefore, the governments need to be influenced, and provided with information, based on up-to-date data and research, which demonstrates the benefits of the improved treatment of refugees. For example, a study to show the economic benefits of including refugees in the labour market might be useful to sway the governments to allow refugees the right to work.

Further, in both countries service providers who happened to be host country nationals felt that they were best placed to advocate to their governments. They attributed improvements in policies as directly linked to national NGOs' advocacy work. Therefore, it is best to support and utilise local actors, using their collective voice to speak on behalf of refugees and other service providers.

In Indonesia and Thailand, while there have been vast improvements in policies over the last few years, more advocacy and guidance is needed so that the governments can improve and expand their policies. The Perpres 125, for example, needs to be substantiated with more technical guidance for each relevant ministry.

Recommendation #5 – Public advocacy: utilise social media

According to local service providers, host populations do not understand the refugee situation in either country. They suggest a public campaign would be helpful to garner empathy, improve the condition of refugees in each country and, with increased public support, pressure the governments to be more supportive. A social media campaign on Facebook or Instagram may have an impact on the mindsets of young Indonesians and Thais, if done appropriately and effectively. It will be important to take into consideration the lessons learned from similar campaigns in Indonesia, Thailand and other countries in order to mitigate potential backlash from such a campaign.

9.3 TRAINING AND CAPACITY DEVELOPMENT

A major gap identified in this research is the lack of capacity and knowledge across the sector, among all actors. In order to bridge that gap, training and capacity development should be delivered to teachers and officials at government schools; immigration police, tourist police and local police; service providers and with refugees.

Recommendation #6 – Provide awareness/ sensitisation training to host population: police, teachers, and school officials

In the past, training has been carried out with the police by service providers, however, there is still a gap in understanding among immigration police, tourist police and local police, most specifically in the area of child protection. Refugee and asylum seeking children in Thailand are still being arrested and their release from detention has been difficult to negotiate. Providing sensitisation training to the police and the resulting increase in awareness may help mitigate the number of arrests.

Training for teachers and school personnel is needed to ensure that schools can adequately deal with discrimination and bullying. Teachers must also be made aware of the situation of refugees and asylum seeking children so that they can be careful to not further isolate the children. Schools also have to understand the importance of admitting children and ensuring, to the best of their ability, their safety in coming to and heading home from the school.

A larger and longer-term endeavour needs to be the training of teachers, working with the Ministries of Education in developing the skills of teaching Bahasa and Thai as second languages in the classroom. This is not only important for refugees and asylum seekers, but for all migrant children. In Thailand, if teachers had the skills to integrate students at multiple language levels, older students would

not have to start at the first grade and would be more likely to enrol and attend school. In both countries, children would be able to start learning as soon as they enter the classroom and would not have to spend months or years learning the host country's language.

Recommendation #7 – Provide child protection training for all service provider staff, volunteers and community members

Some service providers in both Bangkok and Jakarta lack an understanding of what the main child protection issues are and how to address them. A capacity building workshop would be useful to help those who lack an understanding to become familiar with the key issues, how to identify issues, the reporting mechanisms available and the reporting process. In Thailand, where many service providers are smaller organisations, training would be useful to help organisations to develop appropriate child safeguarding practices to ensure new staff and volunteers are not putting children at greater risk.

Similar training would be useful for community members so that they know their rights, can identify issues in the communities, and understand how to report them. Children should receive training as well so that they can understand what violations are and what they can do if something is happening to them.

Recommendation #8 – Re-examine the child protection strategies: are we doing enough and who else can be involved?

For unaccompanied minors and children most at risk, a question that arose throughout interviews was whether or not enough is being done: are enough resources being dedicated and are the right models being used? Some expressed concern that there was too much focus on basic needs and control of behaviour, and felt a model focused on psychosocial wellbeing and care might be more appropriate.

Important questions to ask, for all children and not just unaccompanied minors, are: Do children have enough care to ensure their safety? And are there enough case workers and child protection staff to know what is happening? Findings from this research show that the answers to these questions are indeed "no". The next question we should be asking is, who else can we involve to ensure we are addressing the resource gaps?

At the unaccompanied minors shelter in Indonesia, social workers expressed that volunteers could not come to the shelters due to child safeguarding issues. However, if a training programme already existed for volunteers to take part in, and an airtight child protection policy was in existence, using a pool of volunteers would be a possible solution. Therefore, a key recommendation is an online tool or quarterly training for volunteers who want to work with refugee and asylum seeking children (see Recommendation #7).

Recommendation #9 – Provide capacity building and support for heads of community learning centres (CLCs)

While this has been done to some degree in Indonesia, findings show that community learning centres seem to work independently of one another, and very little cohesion exists. A more efficient method would be to work directly with the leaders of the community learning centres, to meet regularly to understand difficulties, and to work together to find and share resources. For example, international schools and universities could conduct training with teachers across multiple schools – this could be done on Skype for those in harder to reach areas as well. Service providers could provide a platform on which to organise such a group.

9.4 FILLING RESEARCH GAPS

A major need is to build an understanding without bias. In order to be more proactive and efficient in this regard, service providers need to engage more directly with communities, the government, and local schools. More research and needs assessments need to be conducted.

Recommendation #10 – Utilise participatory action research

Participatory action research could help to improve information gathering by service providers. Training refugee communities to collect their own data and present findings to service providers on a semi-annual basis would address the information gap. This would be especially useful in the area of child protection where there are glaring gaps in information.

Further, conducting annual consultations, to build an understanding of how communities would like to

address the problems they face, would help service providers to be more innovative and to get to the roots of the problems. Solutions could be developed in coordination with communities, allowing for community members to exercise agency. Annual consultations would also help organisations to develop annual plans.

9.5 COORDINATION

Recommendation #11 – Improve coordination, communication, and transparency amongst service providers

Each service provider interviewed mentioned that one of their biggest struggles was coordinating with other service providers, in one capacity or another. Some service providers noted that they had great relationships with one or two others, but overall, according to one service provider, "they only work to serve their own kingdom". In other words, collaboration is limited and this leaves much room for increased efficiency.

Further, in Thailand, service providers would be better served if they worked more closely with local and international NGOs and UN agencies that deal directly with child protection and have a better understanding of the law and the best ways in which to work the Thai government.

9.6 INNOVATIVE WAYS OF WORKING

Current ways of working do not meet the needs of refugees and asylum seekers in urban areas of Indonesia or Thailand. Service providers will have to be more innovative and work to empower refugees to ensure that basic needs are met. Below is a list of possible innovations to consider in the sector.

Engaging volunteers, locally and remotely – In both Indonesian and Thailand a number of host country nationals as well as expatriates express interest in assisting urban refugee populations. However, it is extremely difficult to budget time and resources to manage part-time and short-term volunteers. However, service providers could pool resources, working with community members, and create a database to match skillsets with community needs. For example, if a former teacher is looking to volunteer, service providers could match the teacher with a community learning centre in the database that has requested assistance. It would ensure that the right skillsets are matched with the correct needs.

This could also be done remotely where, for example, pro-bono counsellors could be matched with clients, or refugees in need of psychosocial services, and sessions could be delivered on Skype. This could also work with educational and technical training programmes.

Teaching Bahasa and Thai in communities – Older children have few educational options: by the time they learn the language sufficiently, they are too old to enter schools. Therefore it is necessary to help children learn Bahasa or Thai as quickly as possible. One possible solution would be for Bahasa teachers and Thai teachers to travel to and teach in communities, or to find volunteer teachers who already live in the communities, to teach refugee children at their convenience.

Establishing and enhancing partnerships – Partnerships with universities and online learning programmes could provide opportunities for older children who are out of school. In Indonesia, for example, UNHCR has set up a partnership with Coursera, a platform for online classes at the tertiary level, so that refugees can access classes for free.

Completion rates for online classes, however, tend overall to be rather low. A useful endeavour would be to set up a community centre/computer lab where students can study the same subject matter together and work with a facilitator to ensure learning is taking place, so as not to waste resources.[52]

Developing a better framework for engagement – The urban refugee situation is a highly complex one, with many interrelated factors that work together to inhibit access to basic needs and human rights. No singular factor is responsible for the lack of access to education, for example. Therefore, a better framework is needed to identify and address the issues at play. Attempting to tackle one angle of an issue, such as transportation for students, does not address other elements that also restrict access and would not amount to a solution. Issues need to be examined holistically and addressed as such, even if it means working incrementally, with one population at a time.

9.7 THE ROLE OF SAVE THE CHILDREN

Part of the purpose of this report is to provide guidance to Save the Children on how they would be best placed to intervene in the areas of child protection and education in the context of urban refugees in Southeast Asia. Findings from this research show that Save the Children would be well placed to engage in the sector and to provide guidance and expertise.

First and most importantly, Save the Children is best placed to fill the gaps in knowledge between child protection and refugee services in Bangkok and Jakarta. Save the Children would be able to guide service providers on the best interests of children and other related concerns. Save the Children could share child safeguarding and protection policies and provide training and training materials to service providers, volunteers and refugee communities.

Second, Save the Children would add value working with both countries' Ministries of Education as well as refugee communities to provide training and guidance, specifically teacher training, improvement of curricula, and the provision of guidance, materials and tools.

Third, Save the Children is well placed to work in communication and advocacy in partnership with other service providers. According to research participants, Save the Children Thailand has a good relationship with the government and can play a role in lobbying and advocating, especially regarding detention issues.

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[51] This section focuses exclusively on education as communities did not identify child protection issues as a concern and have not developed strategies to tackle them.

[52] See Tauson and Stannard, 2018 for more on using educational technology in emergency and displacement settings.

FORGOTTEN FUTURES

The lives of refugee children in urban areas of Indonesia and Thailand

In two urban areas of Indonesia and Thailand, Greater Jakarta and Bangkok, live some 20,000 refugees, with limited access to basic rights, waiting for resettlement or the chance to return to their countries of origin. This study seeks to build an understanding of the education and child protection issues surrounding refugee and asylum-seeking children living in these precarious and detrimental situations.

Research conducted in Bangkok and Jakarta included interviews with service providers and refugee community members as well as site visits to community learning centres, detention centres and shelters. Findings revealed complex and interconnected challenges, especially in regard to child protection and access to education, the two main focuses of the study.

Based on the findings of the report, recommendations are made to service providers in Bangkok and Jakarta, including Save the Children, in the areas of community outreach and communication; advocacy and public awareness; training and capacity development; research; coordination and innovative ways of working.

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