

Research Article

International Collaborative Governance in Preventing Irregular Indonesian Migrant Workers to Malaysia

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Abstract

The issue of migrant workers is of immediate and urgent interest in the world today. The complexity of migrant worker issues makes this subject a conceptual and analytical appeal that continues to require new studies, including the complex issue of Indonesian Migrant Workers (PMI) to Sabah. The issue of migrant workers cannot be handled individually, considering its transnational nature. Therefore, cooperation and collaboration with various related institutions are required. This article aims to determine the collaboration of various institutions in preventing and reducing the problem of Irregular Indonesian Migrant Workers (PMI) to Sabah. This study used a qualitative descriptive method. Data was collected through in-depth interviews with purposive sampling techniques, direct observation, and literature review. Issues were analyzed using the concept of International Collaborative Governance. The findings reveal that there are efforts made by various parties to cooperate and collaborate in preventing and reducing the presence of Irregular Indonesian Migrant Workers. However, the results were not optimal because the leading institution was not strong enough to coordinate all the parties involved.

Keywords: *International Collaborative Governance; Irregular Indonesian Migrant Workers; Malaysia; Sabah*

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INTRODUCTION

The issue of migrant workers is of immediate and urgent interest in the world today. The complexity of migrant worker issues makes this subject a conceptual and analytical appeal that continues to require new studies. The problem of migrant workers can be approached from a number of perspectives. Research relating to migrant workers can be approached by examining the reasons why migrant workers might wish to work in other countries, problems that occur in the destination country, or case studies of undocumented migrant workers. This problem is not only a concern of certain countries but also a serious global issue. The impact of migrant workers is quite broad: it could influence state policy on the domestic situation and also relations between countries, both the country of origin and the host country. The importance of the discussion about migrant workers is also increasingly important as the number of diasporas increases can be seen in Figure 1. The number of migrant workers that dominate the number of migrants at the global level also shows the importance of this issue.

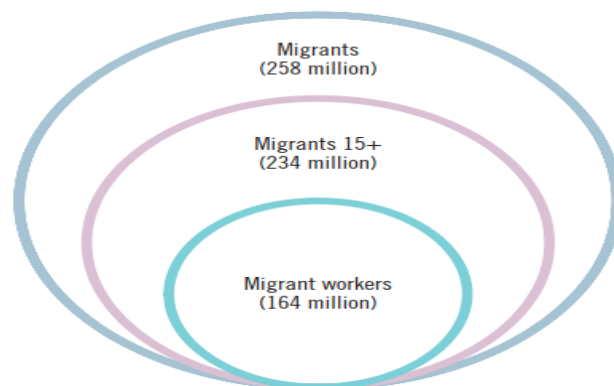


Figure 1. Global Estimates of the Number of International Migrants and Migrant Workers in 2017

Source: ILO, 2017

The term “international migrant” refers to people who move from their country of origin to a different country for various reasons, such as being displaced due to conflict, for study purposes, work opportunities, and so forth. According to the International Labor Organization (ILO), there are an estimated 258 million international migrants worldwide in 2017, including around 19 million refugees. There are 234 million international migrants of productive age (over 15 years old). The number of migrant workers alone is estimated at 164 million. Therefore, we can conclude that the number of migrant workers in 2017 reached 59.2% of all

international migrants. The motives of people who move to other countries to work are diverse compared to other reasons.

The pace of economic globalization has created more migrant workers than ever before. According to the ILO, the number of international migrants in 2013 was 232 million and in 2017 it increased to 258 million, while the number of migrant workers in 2013 was 150 million and in 2017 it increased to 164 million (ILO, 2013; 2017). Unemployment and increasing poverty have pushed many workers in developing countries to look for work overseas, while developed countries have increased their demand for labor, especially unskilled labor. As a result, millions of workers and their families migrate to countries other than their own to find work.

In Indonesia, with limited employment opportunities at home, low-skilled Indonesian workers are looking for work abroad. Neighboring countries, such as Malaysia, Singapore, and South Korea have succeeded in turning economic growth into the expansion of employment. The appeal of these countries is also supported by increased economic integration and reduced barriers to migration. This opens up opportunities for Indonesian Migrant Workers to find work abroad. As a result, there are currently more than 9 million Indonesian citizens working abroad. More than three-quarters of them are low-skilled workers. In these countries, Indonesian Migrant Workers can earn up to six times their domestic wages. For some 70% of migrant workers, working abroad is a positive experience that helps them improve their station in life. Migration also provides opportunities for migrant workers to gain skills and work experience and for nearly 80% of female migrant workers, migration is an entry point into the labor market. Migration also impacts the Indonesian economy in largely positive ways: in 2016, for example, migrant workers sent remittances worth more than Rp 118 trillion (8.9 billion USD), equivalent to 1% of Indonesia's total GDP (World Bank, 2017).

In addition to the positive benefits from Indonesian Migrant Workers, however, there are many problems regarding international migration. Problems related to international migration attract many researchers because these problems do not only involve the movement of individuals or groups from one country to another. Migration also raises new problems related to the fields of economics, politics, and law. The current migration trend is changing because migrant workers consider not only European and American countries desirable target destinations but also several Asian countries such as Middle Eastern countries, Japan, Malaysia, and Singapore (Piper, 2004). Labor migration in Malaysia is faced with a dilemma as a recipient country for migrants. While the labor market in Malaysia demands a large number of migrant

workers, especially those who are unskilled (Arifin, 2012).

Indonesian Migrant Workers often enter Malaysia via the Batam and Johor Bahru routes (Castles, et al., 2014; Hugo, 2005). The IOM (International Organization for Migration) states that limited immigration and border control in the Southeast Asian region is one of the factors that drive human trafficking and people smuggling (IOM, 2011). Undocumented migrant workers choose illegal routes so as not to be detected by immigration authorities of either country. Furthermore, the IOM (2015) notes that in the 2005–2014 period, victims of trafficking from Indonesia amounted to 7,193 people.

BNP2TKI also reported around 2.7 million to three million Indonesian Migrant Workers working in Malaysia as of 2018. More than 50% of Indonesian Migrant Workers do not have official documents (i.e., are undocumented) and 92% of Indonesian Migrant Workers in Malaysia are there illegally (wartaekonomi.co.id). East Java, for example, is the largest contributor to the Indonesian migrant worker population. It was recorded that the deportation rates increased from 111 people who were repatriated in 2017 to 380 migrant workers from East Java Province alone (jatim.tribunnews.com). This is not included in other regions in Indonesia as a whole. If not handled immediately, this problem will be a time bomb that can explode at any time in Indonesia-Malaysia bilateral relations and can tarnish Indonesia's good name. Moreover, Malaysia has launched a free illegal migrant workers policy as of August 31, 2018, by conducting many operations for illegal migrant workers (www.antaraneews.com). As a result, many irregular workers from Indonesia have been caught and deported. The Indonesian government has repatriated them at great expense.

Several previous studies have addressed the problem of Indonesian Migrant Workers in Malaysia. Carruthers (2017), in his article entitled "Clandestine Movement in the Indonesia-Malaysia Migration Corridor: Roots, Routes, and Realities" discusses the border in the state of Sabah in East Malaysia. This border allows undocumented Indonesian immigrants to continue to engage in longstanding patterns of mobility. The state's efforts to control this mobility are easily avoided by migrant workers.

The study of Mahadi et al. (2018) entitled "Migrant Workers: Recruitment and Traveling from Indonesia to Tawau (Sabah) Malaysia" describes the dynamics and factors of undocumented Indonesians moving to Tawau, Sabah. This research shows that geographic proximity, language, cultural, and religious similarities and the presence of relatives at the destination motivate migrants to choose Sabah as their destination.

Allerton's (2017) study entitled "Statelessness and the Lives of the Children of Migrants in Sabah" discusses issues related to the citizenship of migrants in Sabah, Malaysia. The author argues that many of the children of migrant workers, whose parents or grandparents are from Indonesia or the Philippines, are unclear on the status of their nationality.

The study by Tajari et al. (2019) entitled "Illegal Immigrant And Security Crisis In Sabah" focuses on the problem of illegal immigrants in Malaysia and its implications for human security issues. The need for cheap labor in Malaysia is one of the factors for the increase in undocumented immigrants who enter the country for economic reasons. Migrants from countries such as Indonesia, the Philippines, Vietnam, Bangladesh, Pakistan, India, and many others view Malaysia as a country full of job opportunities. In addition, Malaysia needs to employ foreigners, especially in the semi-professional and unprofessional sectors.

Low's study (2017) entitled "A Strategy of Attrition through Enforcement: The Unmaking of Irregular Migration in Malaysia" describes Malaysia's efforts to reduce the number of undocumented immigrants entering by enacting policies such as enforcement in border areas, reducing visa overstays, even deportation. However, it is not effective because it does not pay attention to the main motivating factor, namely the demand for the labor market.

Based on information from the previous articles, there is still a gap, namely the absence of research discussing International Collaborative Governance in preventing Irregular PMI to Sabah, Malaysia. The issue of Irregular PMI to Malaysia cannot be resolved individually but requires collaboration and cooperation by various parties in both countries. Thus, this condition gives novelty in this article.

This article aims to describe the cooperation and collaboration activities of various related institutions in preventing and reducing Irregular PMI working in Sabah, Malaysia. The author tries to describe the development of the problems of PMI, especially those with irregular status migrating to Malaysia for a certain period, and provide an explanation of why this happens. In addition, this study also analyzes the implementation of policies taken by the government to overcome the problems of Irregular PMI who migrate to Malaysia.

Theoretical Framework

Collaborative Governance, according to Ansell and Gash (Ansell & Gash, 2008), is a form of government structure, in which one or more public agencies are directly related to non-state stakeholders in a formal decision-making process, consensus-oriented, deliberative, and leading to the formulation or implementation of public policies, or it could be in the management of programs or public assets. These concepts and definitions are widely used as

references by other scholars when discussing Collaborative Governance, including Emerson, Nabatchi, and Balogh (Emerson, Nabatchi, & Balogh, 2012). They offer a broader definition, expanding it to include a process and structure of public policy decision-making and management engage the community constructively between public agencies, various levels of government and/or in the public, private, and civil spheres to carry out a public goal that cannot be realized except through a common forum. In other words, collaboration discusses the cooperation of two or more stakeholders to manage the same resource, which is difficult to achieve if done individually.

According to Agranof & McGuire (Joo Chang, 2009), Collaborative Governance has emphasized voluntary collaboration and horizontal relationships between multi-sectoral participants. This is because demands from clients often go beyond the capacity and role of a single public organization and require interaction between related organizations involved in public activities. Collaboration is needed to enable governance to be structured to effectively meet the increasing demands arising from management across governments, organizations, and sectoral boundaries.

According to Bingham, “Collaborative means to co-labor to achieve common goals working across boundaries in your multisector relationships.” Bingham describes the meaning of collaboration, which involves several actors helping each other to achieve specific goals. These actors work not only in one sector but in several. In this regard, governance is a system of government. Therefore, Collaborative Governance is a government system that uses collaborative methods by involving state and non-state working in several sectors to achieve common goals (Blomgren Bingham, 2010).

Referring to the various definitions described regarding Collaborative Governance and International Collaborative Governance, the need to collaborate primarily arises from the interdependence that exists between parties or stakeholders. International Collaborative Governance can be described as a process that involves shared norms and mutually beneficial interactions between governance actors, not only within one country but also across countries. Through the perspective of International Collaborative Governance, the positive goals of each party can be achieved.

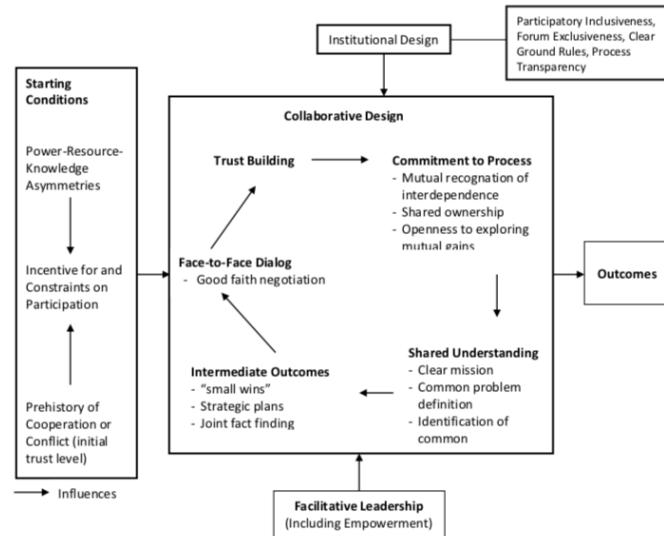


Figure 2. Model Collaborative Governance

Source: Ansell & Gash, 2008

The Collaborative Governance model according to Ansell and Gash (Ansell & Gash, 2008) as in Figure 2, consists of several stages as follows:

1. Starting Condition

In the initial condition stage in the relations between stakeholders, each actor has a distinctive background, which can produce an asymmetrical relationship in the relationship undertaken.

2. Facilitative Leadership

Ryan in Ansell & Gash identified three components of effective collaborative leadership, namely:

- a. Sufficient management of the collaborative process;
- b. Ability to exercise technical credibility;
- c. Assurance that the collaboration is empowered to make credible and convincing decisions for all actors.

3. Institutional Design

Ansell & Gash describe that Institutional Design as the basic protocol and ground rules for collaboration. The most critical emphasis is procedural legitimacy in the collaboration process. In the collaborative process, government openness and inclusiveness must be emphasized.

4. Collaborative Process

The collaborative process model develops collaboration as developmental stages. Gray in Ansell & Gash defines three stages of the collaboration process, namely Problem Setting, Direction Setting, and Implementation. The stages of forming a collaboration are as follows:

- a. Face-to-Face Dialog
- b. Trust Building
- c. Commitment to Process
- d. Shared Understanding
- e. Intermediate Result

The author offers and adds the concept of Collaborative Governance to International Collaborative Governance because responding to issues that extend to national borders in practice requires the involvement of various related institutions, not only within one country but also in other countries that share these issues. This issue also involves international institutions or other non-state actors who are committed to resolving it collectively given the global scope. The author will use a modified International Collaborative Governance to include actors from across countries, as presented in Figure 3.

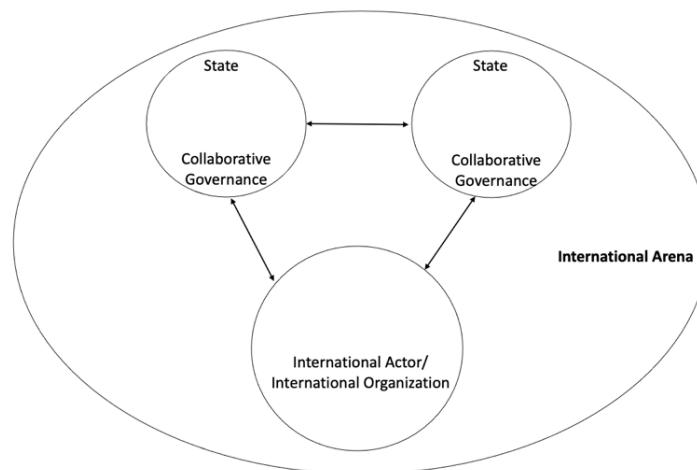


Figure 3. Model International Collaborative Governance

Source: Modification development by the author

RESEARCH METHODS

The type of research used in this study is descriptive qualitative. This study aims to determine the collaboration undertaken by stakeholders in handling Irregular Indonesian Migrant Workers in Sabah (Malaysia), especially the collaboration carried out by the Ministry of Manpower, BP2MI, the Ministry of Foreign Affairs, and the ILO.

In this regard, the researcher will describe the data in the field regarding the collaboration carried out by stakeholders regarding the handling of Irregular PMI. This research was conducted in Indonesia and Malaysia. In Indonesia, the research was carried out at the office of the Ministry of Manpower, BP2MI office, the Ministry of Foreign Affairs of the Republic of Indonesia, and the Office of the ILO. In Malaysia, the research was conducted at the Consulate General of the Republic of Indonesia in the city of Kinabalu, Sabah, and several places where Indonesian Migrant Workers (PMI) worked. Sources of data in this study are:

1. Primary Data

Data obtained from interviews with informants.

2. Secondary Data

This research uses a variety of literature from books, journals, and mass media that are relevant to the research objectives

In this study, the sampling technique chosen was purposive sampling. However, from these selected informants, information about other sources who have data that can complement the research was obtained. Thus, researcher also used snowball sampling. Following the form of qualitative research and the types of data sources used, the data collection techniques used in this study are:

1. In-depth Interview
2. Direct Observation
3. Literature Review

In order to ensure the validity of the data collected in this study, source triangulation techniques were used, namely synchronizing similar data from several data sources whose information was extracted by Moleong (2011: 331). In this study, an interactive model of data analyses was used, with three components of the analysis: data reduction, data presentation, and drawing conclusions or verification. The data analysis technique used in this study refers to the data analysis technique of the Miles & Huberman model.

RESULTS AND DISCUSSIONS

Problems Faced by PMI in Sabah

The problems faced by Indonesian Migrant Workers (PMI) seem endless. Within Malaysia itself, PMI often face the same problems every year. According to data obtained from

the Consulate General of the Republic of Indonesia (KJRI) Kota Kinabalu, the types of cases frequently faced by PMI in Sabah are generally related to labor problems such as low wages, pay cuts, unpaid salaries, etc. The existence of this labor problem is due to the presence of PMI that are not legally registered or called Irregular PMI. Due to PMIs not being legally/officially registered, the opportunity to secure a guarantor/employer is low.

Based on the number of passport issuances to Indonesian citizens in the last five years, the number of documented Indonesian citizens in the working area of Kota Kinabalu has reached 151,979 people (Consulate General of the Republic of Indonesia Kota Kinabalu, 2019). The number of Indonesian citizens who do not have documents/residence permits is estimated to be twice the number of Indonesians who do. It is estimated that more than 400,000 Indonesians are residing in Kota Kinabalu without valid documents. This number is a risk if the government does not act quickly. With so many Indonesian citizens who do not have legal documents, it will be difficult for the Indonesian government to enforce the protection of their citizens. It is not surprising that many Indonesian citizens who work abroad, especially in Malaysia, experience violence.

Table 6. The Performance of the Consulate General of the Republic of Indonesia in Handling Complaints Cases of Indonesian Citizens/PMI in Sabah 2017–2019

Month	2017		2018		2019	
	Total Cases	Total Indonesian citizen served	Total Cases	Total Indonesian citizen served	Total Cases	Total Indonesian citizen served
January	30	457	32	76	24	42
February	21	367	22	24	22	26
March	29	35	26	33	34	52
April	11	61	24	84	21	84
May	26	32	21	32	11	13
June	11	14	23	42	19	31
July	12	16	36	102	28	36
August	26	31	26	31		
September	12	12	31	62		
October	16	25	29	46		
November	24	34	36	52		
December	21	26	25	42		
TOTAL	239	1110	331	626	159	284

Source: Consulate General of the Republic of Indonesia in Kota Kinabalu, Malaysia

Based on Table 6, almost all Indonesian citizens who report complaints to the Consulate are related to labor issues. This case should receive special attention from the Indonesian

government. As previously explained, there are still many PMIs who work abroad who do not have valid documents. Not having these documents will certainly cause other problems. Not having valid documents can also make it difficult for the Indonesian government to protect Indonesian citizens. The Indonesian government should be more insistent in disseminating information regarding the importance of processing legal documents before migrating abroad.

Table 7. Types of Handling of Indonesian Citizens/PMI Complaints Cases 2018–2019

Year 2018	Total Cases	Labor	TPPO			Family Problems
			(Human Trafficking)	Displaced	Sick/Pregnant	
January	32	29	0	0	0	4
February	22	18	0	1	1	1
March	26	25	0	2	1	0
April	24	24	0	0	0	0
May	21	20	0	0	0	1
June	23	20	2	0	0	2
July	36	28	0	1	3	3
August	26	22	1	0	4	0
September	31	30	0	0	0	0
October	29	22	1	0	4	3
November	36	34	0	0	0	1
December	25	22	0	0	1	2
TOTAL	331	294	4	4	14	17

Year 2019	Total Cases	Labor	TPPO			Family Problems
			(Human Trafficking)	Displaced	Sick/Pregnant	
January	24	19	0	0	3	2
February	22	21	0	0	1	0
March	34	32	0	0	1	1
April	21	19	0	0	2	0
May	11	7	0	2	2	0
June	19	18	0	0	1	0
July	28	23	4	0	1	0
TOTAL	159	139	4	2	11	3

Source: Consulate General of the Republic of Indonesia in Kota Kinabalu, Malaysia (2019)

The problems faced by PMI are quite burdensome and can lead to deportation. According to Table 7, from 2017–2019, there have been approximately 3,254 PMIs who have been deported from Malaysia. A PMI who is arrested by the Malaysian government must have undergone verification of citizenship and identification of the PMI case performed by the Consulate General of the Republic of Indonesia in Kota Kinabalu. After verification and identification of cases is held, PMI will be assisted in the deportation process to Indonesia through the port of Tawau-Nunukan, as presented in Table 8.

Table 8. Deportation by the Consulate General of the Republic of Indonesia in Kota Kinabalu 2017–2019

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2017	0	0	258	330	102	223	0	229	192	0	265	41	1640
2018	173	0	0	196	218	215	151	0	94	0	197	0	1244
2019	58	156	77	0	79	0	0						370

Source: Consulate General of the Republic of Indonesia in Kota Kinabalu, Malaysia

International Collaborative Governance in Preventing Irregular Indonesian Migrant Workers to Malaysia

Reducing Irregular Indonesian Migrant Workers in Malaysia, especially in Sabah, cannot be done by each country individually. The situation is too complex. Therefore, its handling requires Collaborative Governance for cross-agency coordination in Indonesia, between the Ministry of Manpower, BP2MI, Ministry of Foreign Affairs, Immigration Service, Transportation Service, Population and Civil Registry Service, and the police. However, not all of these institutions will be discussed. Furthermore, due to the global scope of the issue, the International Collaborative Governance from international organizations such as the ILO and non-governmental Organizations (NGOs) should also be involved.

Collaborative Governance, according to Ansell * Gash (Ansell & Gash, 2008) consists of several stages as follows:

1. Starting Condition

The complexity of the problems faced by Irregular Indonesian Migrant Workers (PMI) requires the collaboration of multiple institutions in Indonesia. The Ministry of Manpower is at the forefront of handling PMI, whose function is to expand job opportunities and improve employment placement services (Kementrian Ketenagakerjaan, 2018). Gainful employment is a human right; therefore, the Ministry of Manpower is tasked with finding the needs of the labor market abroad for Candidate Indonesian Migrant Workers (CPMI).

Besides the Ministry of Manpower, the BNP2TKI (National Agency for Placement and Protection of Indonesian Workers) was formed in 2017. It is currently transforming into the Indonesian Migrant Workers Protection Agency (BP2MI). This an agency is in charge of implementing policies in the service and protection of Indonesian Migrant Workers. The policy direction of BP2MI is to combat the syndication of sending non-procedural PMI with a strategic goal of improving the protection and welfare of PMI and their families, as well as improving good governance in general (BP2MI, 2020).

Another institution that handles PMI issues is the Ministry of Foreign Affairs. This institution seeks to improve the quality of services and protection of Indonesian citizens abroad (Ministry of Foreign Affairs, 2019), including conducting negotiations between countries, especially with Malaysia. It strives to achieve this by making a Memorandum of Understanding (MoU) or bilateral agreements related to Indonesian Migrant Workers. In addition, international organizations related to labor, such as the ILO, also participate. The ILO representative office for Indonesia and Timor Leste is located in Jakarta (International Labor Organization, 2007).

2. Facilitative Leadership

The ongoing collaboration process is still not optimal because there are too many stakeholders involved. This causes redundancy and overlap. To date, there has been no forum involving all related institutions in handling Irregular PMI. Some institutions hold forums that involve a few incomplete institutions so that the collaboration management and technical implementation are not yet optimal. For example, the Ministry of Manpower in discussing the Indonesian Migrant Worker Protection Officer Unit (PPMI Task Force) did not invite BP2MI and vice versa.

3. Institutional Design

The Indonesian government has several regulatory instruments for protecting Indonesian Migrant Workers, namely Law Number 18 of 2017 concerning the Protection of Migrant Workers (PPMI Law). As mandated by the PPMI Law, the protection of migrant workers involves various elements at both the central and regional levels. The protection as stated in Law Number 18 is carried out from upstream to downstream, from the hometown to the returning, including the duties and functions of stakeholders.

In 2017, Presidential Regulation Number 90 of 2019 concerning BNP2TKI (National Agency for Placement and Protection of Indonesian Workers) was enacted. The

implementation of supervision and protection by BNP2TKI for migrant workers is based on Law No. 39 of 2004 concerning the Placement and Protection of Indonesian Workers and the Migrant Workers Convention of 1990 as international instruments. Currently, BNP2TKI is transforming into the Indonesian Migrant Workers Protection Agency (BP2MI), which is tasked with implementing policies in the service and protection of Indonesian Migrant Workers.

At the Ministry of Manpower, Regulation Number 2 of 2019 concerns Empowerment of Migrant Worker Communities in Productive Migrant Villages. This regulation is stipulated by the Minister of Manpower and promulgated in the State Gazette of 2019 Number 241 by the Director General of Legislation of the Ministry of Law and Human Rights on the 1st March 2019 in Jakarta. This regulation is based on the Strategic Plan (Renstra), the Ministry of Manpower, and the mandate of Presidential Decree Number 15 of 2011 concerning the Integrated Team for the Protection of Indonesian Migrant Workers Abroad to improve PMI protection.

Meanwhile, at the international level, international organizations such as the United Nations have initiated a National Project Advisory Committee (PAC) through the ILO. It is funded by the Multi-Partner Trust Fund United Nations Development Program. The project aims to address the vulnerability of female migrant workers to violence and trafficking, strengthen rights-based and gender-responsive approaches to address violence against women, and labor migration governance. This project covers 10 ASEAN countries, including Indonesia, and will be implemented for five years (until 2022). This project aims to ensure that the programs implemented are in line with the priorities of the Indonesian national government. To that end, the National PAC will meet twice a year to monitor and evaluate ongoing project programs between the ILO and Indonesian stakeholders.

4. Collaborative Process

The problems faced by Irregular Indonesian Migrant Workers in Sabah have an impact on the many cases of problems that occur and result in deportation. The aim of the collaboration is to reduce the number of Irregular Indonesian Migrant Workers to Malaysia, especially to Sabah. In addition, all stakeholders and all parties involved work according to their respective sectors and coordinate with one another, including the Ministry of Manpower, BP2MI, Ministry of Foreign Affairs, ILO, and NGOs.

5. The stages of collaboration are as follows:

a. Face-to-Face Dialog

Face-to-face dialog is required in collaboration to reduce Irregular PMI by stakeholders and various relevant parties. Some of the dialogs that exist in discussing Irregular Indonesian Migrant Workers include:

The Ministry of State-Owned Enterprises (BUMN) supports the Indonesian Migrant Workers Protection Agency (BP2MI) in providing protection for Indonesian Migrant Workers (PMI). One form of support is through the signing of a MoU between the Ministry of State-Owned Enterprises and BP2MI regarding the Coordination of Duties and Scope Functions of the Ministry of State-Owned Enterprises and BP2MI. This MoU was signed by the Minister of State-Owned Enterprises and the Head of BP2MI at the BP2MI office in Jakarta, on 18 August 2020. In this collaboration, there are four commitments of the Ministry of State-Owned Enterprises in providing protection for PMI: facilitating education and job training for PMI candidates, managing PMI departures and returns, remittances for PMI and distribution of micro-People's Business Credit (KUR), entrepreneurship training, and promotion of ex-PMI sales products (Republika, 2020).

The Ministry of Manpower also initiated the 2020 National Coordination Meeting (Rakornas) of the Task Force (Satgas) for the Protection of Indonesian Migrant Workers (PPMI) in Jakarta on 19 November 2020. This National Coordination Meeting is an important and strategic convocation. Through the National Coordination Meeting, all related parties can coordinate to discuss problems and dynamics in the field of Indonesian Migrant Workers. All related parties can also evaluate and improve the Task Force's work program. The Coordination Meeting is an annual gathering held by the Ministry of Manpower. It aims to discuss and unify perceptions regarding the implementation of PPMI, including prevention of non-procedural PMI, the challenges faced, and solutions in providing PPMI services in a coordinated and integrated manner between the Central government and the Regional Government (Kompas, 2020).

Together with relevant national stakeholders such as the Ministry of Manpower, the ILO, and UN Women, all parties build synergies and develop strategies to provide better protection for female migrant workers against violence and exploitation. As a follow-up to the consultative dialog held in May 2020, the ILO-UN Women Regional Project, "Safe & Fair: Realizing Women Migrant Workers' Rights and Opportunities in the ASEAN Region" organized a National PAC meeting on 17 September 2020 in Jakarta. At the event, the

Ministry of Manpower outlined the ministry's initiative to improve the competitiveness of Indonesian Migrant Workers through the Productive Migrant Village program, or *Desmigratif* (ILO, 2018).

The Minister of Manpower also met the Director of the ILO for Indonesia and Timor Leste on Tuesday 17 February 2019. In this brief meeting, the ILO sought to improve coordination with the Ministry of Manpower and be more pro-active in supporting Indonesia's labor policy priorities (Ministry of Manpower of the Republic of Indonesia, 2019).

b. Trust Building

In collaborating, building trust between stakeholders and the parties involved is required to achieve the goal. In general, all parties involved trust and support each another. Nevertheless, there were several parties who previously abused their authority, such as the officials who allowed Irregular Indonesian Migrant Workers to cross the border.

c. Commitment to Process

Commitment is essential to achieving goals. The Indonesian Migrant Workers Protection Agency (BP2MI) showed this commitment by raiding the Candidate Indonesian Migrant Workers (CPMI) shelter in Cirebon, West Java on Saturday, October 17, 2020. The shelter was suspected of being illegal. The raid was carried out after BP2MI received a report from the NGO, namely the Indonesian Migrant Workers Union (SBMI). This illegal shelter is unsuitable for Candidate Indonesian Migrant Workers to occupy because the building is dirty and overcrowded (Media Indonesia, 2020).

d. Shared Understanding

All parties involved understand that it is not easy to prevent and reduce the presence of Irregular Indonesian Migrant Workers. Therefore, serious coordination and collaboration are needed to deal with this problem. The Minister of Manpower met the Director of the ILO for Indonesia and Timor Leste, on 17 February 2019. In this brief meeting, the Minister advised the ILO to improve coordination with the Ministry of Manpower and to be more pro-active in supporting Indonesia's labor policy priorities

The Minister of Manpower requested that the ILO fully support Indonesia in developing viable decent work opportunities through programs and activities in three main areas: eliminating exploitation in the workplace; job creation to reduce poverty and restore livelihoods, especially for young people; and social dialog for economic growth and

fundamental principles and rights at work. At the meeting, the ILO expressed its support for the structure of tripartism within its member countries, by promoting social dialog between employers and trade/labor unions in formulating and (if necessary) implementing social policies on social, economic issues, and others.

The Ministry of Manpower proposes that a convention or summit meeting be held annually to discuss program priorities between the government, trade unions, and employers. In this way, the roles and programs of the ILO can match the three tripartite elements, namely the government, employers, and trade unions. (Ministry of Manpower of the Republic of Indonesia, 2020).

e. Intermediate Result

The collaboration between stakeholders and the parties involved is still ongoing in preventing and reducing the number of Irregular Indonesian Migrant Workers. All stakeholders and various parties are still performing their duties in their respective sectors.

The efforts made by BP2MI to reduce Irregular PMI are as follows: First, prevention by increasing awareness to the public through socialization. This is necessary because one of the contributing factors is that Candidate Indonesian Migrant Workers (CPMI) often do not understand that going abroad without documents is dangerous and will be detrimental to them. Besides, explaining that becoming a migrant worker through official procedures is not difficult.

Second, BP2MI carries out surveillance to limit the movement of Irregular PMI through illegal networks. When a person has gone to Malaysia through the network, that person will then usually call relatives and neighbors to find work there. From there, illegal networks can take advantage of cheaper, undocumented labor. The BP2MI responds to this phenomenon monitoring to minimize these illegal efforts.

Third, talks are held between the governments of Indonesia and Malaysia. The Indonesian government oversees the movement of Indonesian Migrant Workers Candidates, while the Malaysian government disciplines abusers for hiring Indonesian Migrant Workers according to regulations. On the Indonesian side, talks and negotiations were carried out by the Ministry of Foreign Affairs (BP2MI, 2019).

The Indonesian Migrant Workers Protection Agency (BP2MI) has also formed a Task Force to Eradicate the Sending of Illegal Indonesian Migrants. The head of BP2MI explained that the Task Force was encouraged to become part of the National Task Force to give it more authority. This Task Force can also coordinate with ministries, agencies, and

local governments, as far down as the government at the village level. The Task Force operates in border areas of the country, in pockets of PMI areas, and carries out prevention and handling in certain destination countries. This Task Force also involves civil society groups, religious organizations, and academics (Kompas, 2020).

The PPMI Task Force also coordinates with the Ministry of Manpower where the PPMI Task Force is placed in the embarkation or debarkation area or the area of origin of PMI. The PPMI Task Force is at the forefront of ensuring the presence of the state in protecting its citizens. Regarding the coordination of the Task Force, the Ministry of Manpower held a Coordination Meeting (Rakor), which aims to strengthen the duties and functions of the PPMI Task Force and evaluate its performance. This Task Force was formed in 2012 under the name of the Non-Procedural Indonesian Worker Prevention Task Force, which is located at the central level and in 14 debarkation or embarkation areas. This formation was based on the Strategic Plan (Renstra) of the Ministry of Manpower and the mandate of Presidential Decree Number 15 of 2011 concerning the Integrated Team for the Protection of Indonesian Migrant Workers Abroad to increase PMI protection.

In 2020, the PPMI Task Force has spread across 22 regions in Indonesia in North Sumatra, Tanjung Balai, Batam, Riau Islands, Dumai, Tanjung Jabung Timur, Lampung, DKI Jakarta, Banten, West Java, Central Java, East Java, Bali, South Kalimantan, and West Kalimantan. The Task Force is also present in Sanggau, Nunukan, North Sulawesi, Central Sulawesi, Pare-Pare, West Nusa Tenggara, and East Nusa Tenggara. According to the Ministry of Manpower, the existence of the PMI Protection Task Force has yielded results. From 2015 to 2020, this Task Force has succeeded in preventing 12,757 PMI candidates from departing non-procedurally (Kompas, 2020).

Furthermore, the Ministry of Manpower has a Productive Migrant Village program (*Desmigratif*) to educate and empower Indonesian Migrant Workers and candidates in their hometowns. The families of migrant workers who are left behind are also fostered in this program. One of the flagship programs of *Desmigratif* is the migration service and information about working abroad. With this program, the non-procedural placement of migrant workers has been successfully suppressed. Compared in 2016, the number of procedural migrant workers leaving the country in 2018 increased from 49,189 to 283,640 workers. Moreover, the placement of independent migrant workers has also increased in the last three years. In 2018, the number of independent migrant workers reached 2,515 workers, or an increase of 744 people from the previous year (Katadata, 2019).

Based on Law Number 18 of 2017 concerning Protection of Indonesian Migrant Workers (PPMI) in accordance with Article 8, one way to prevent and reduce the number of non-procedural Indonesian Migrant Workers (PMI), apart from strengthening the Productive Migrant Village program (*Desmigratif*), is to form a One-Stop Integrated Services (LTSA). The LTSA aims to ensure improved governance, services, and protection for PMI. These efforts are fully encouraged by the Ministry of Manpower.

Based on data from the Ministry of Manpower, since 2015 to date, 42 LTSAs have been built throughout Indonesia. The LTSA which has been integrated with Public Service Mall (MPP) is present in Banyumas, Banyuwangi, Kebumen, Batang, and Pamekasan Regencies. Meanwhile, in West Java, LTSA operates in Cirebon, Indramayu, and Subang.

In accordance with Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers (PPMI), issues related to the improvement of migration management, migrant workers training, and protection of PMI are the responsibility of the Regional Government, both at the provincial and district/city levels. The LTSA was formed to provide certainty and convenience in employment services, especially the placement of Indonesian Migrant Workers. The synergy is vital to remove sectoral egos in providing services to people who need services. In the future, LTSA must also have a dispute settlement to help PMI with problems. The dispute settlement is an LTSA breakthrough to speed up and streamline the process of solving migration problems (Suara News, 2020).

Meanwhile, the Ministry of Foreign Affairs of the Republic of Indonesia has established the Hasan Wirayuda Protection Award (HWP) program as a form of thanks to all parties who have contributed to protecting Indonesian citizens and also as a culture of collaboration. The name "Hassan Wirajuda" was chosen because he was the initiator and pioneer of mainstreaming the protection of Indonesian Citizens and Indonesian Legal Entities (BHI) abroad. He introduced the concept of citizen service and formed a special unit at the Ministry of Foreign Affairs to handle the protection of Indonesian citizens and legal entities abroad. The HWP award is an annual award that has been given since 2015 (Ministry of Foreign Affairs of the Republic of Indonesia, 2020).

Additionally, the Ministry of Foreign Affairs has a Public Awareness Campaign program to provide awareness to the public regarding the importance of being a procedural PMI. The Indonesian Ministry of Foreign Affairs also has a Safe Travel Fest program in 2018, which is the launching of Safe Travel application as tool for protecting Indonesian citizens. The application was aimed at responding to the needs of travelers related to an up-

to-date and easy-to-use travel guide application, including for Indonesian Migrant Workers. Safe Travel provides all the information needed by users who are going abroad for various purposes such as travel, study, work, *haji* (pilgrimage to Mecca during a specific time), and *umrah* (pilgrimage to Mecca that can be done anytime). This information includes security information, immigration, local laws, health tips, and the location of the nearest Indonesian Embassy and places of worship. Apart from this important information, Safe Travel users can also ask for help from the nearest Indonesian Embassy/Consulate General in an emergency situation. Safe Travel also provides an emergency button feature that users can use to connect directly with the nearest Indonesian Embassy/Consulate General officers.

The ILO has a *Safe and Fair* program that seeks to realize the rights and opportunities of women migrant workers in the Association of Southeast Asian Nations (ASEAN) region. This program is part of the Spotlight Initiative to eliminate violence against women and children. This program takes place on a multi-year basis between the European Union and the United Nations (UN). The *Safe and Fair* program is implemented through a partnership between the ILO and UN Women (in collaboration with UNODC) with the main objective of ensuring that labor migration is safe and fair for all women in the ASEAN region (ILO, 2020).

The ILO views the face of ASEAN migration as the face of women. According to the ILO, the *Safe and Fair* program targets female migrant workers since 67% of all Indonesian Migrant Workers are women, 80% of whom work in the domestic or household sectors. This program is also a regional program in the ASEAN region. The ILO found (specifically for the Indonesian context) that 80% of PMI work in the household sector. This sector is included in the sector whose working conditions are high risk. Moreover, 65% of PMI are elementary or junior-high school graduates, and thus not well educated in understanding their rights as migrant workers.

Therefore, the *Safe and Fair* program tries to provide technical assistance to the government to form gender-responsive policies. Considering that the majority of migrant workers are women, the way of thinking toward gender equality at the village level must be changed. Most women have very limited mobility and stay at home; very few have access to information to become properly documented Candidate Indonesian Migrant Workers. Nevertheless, many village women will become Indonesian Migrant Workers.

The duties and roles of the ILO include forming instruments related to international labor standards, which result in conventions. Several articles have been ratified by the

countries involved. In Malaysia, the article that has not yet been ratified is regarding the freedom of association. Therefore, if there is a labor problem in Malaysia, the struggle taken by the labor union will be infirm.

In a country mechanism system, the ILO emphasizes the tri-party mechanism in overcoming migrant worker problems by involving government, labor unions, and employers. Regarding the supervision of member countries involved, the ILO also has a mechanism to obtain reports from member countries regularly, namely through the international labor conference. Through the conference, the ILO can impose moral sanctions by conveying issues in a forum against a country that has cases.

In implementing its program, the ILO collaborates with the Indonesian Ministry of Manpower as well as regional partners such as the Indonesian Migrant Workers Union, which collaborates with migrant worker networks. Several ILO programs are involved in the socialization and capacity-building of actors. The ILO programs ensure that there are rights-based and gender-responsive policies, as well as conduct research at each stage of migration, assess risks, and build capacity. Thus, after the regulation is in place, the ILO builds capacity starting from government, labor unions, and employers to implement a policy. After training, they will be able to provide services for women migrant workers and their families, which are called engage networks.

The ILO's method of conducting socialization in villages is by using pictures to facilitate understanding by the village community. This socialization was assisted by research group partners from village representatives. The representatives of this village consisted of village officials, the Village Consultative Body (BPD), Youth Organization, Family Empowerment and Welfare Organization (PKK), community leaders, and the former PMI to share their experiences. There are several ILO-assisted villages, especially in Cirebon, Blitar, Tulungagung, East Lampung, and Kupang.

If there are problems regarding migrant workers between countries, the ILO can facilitate, but the government must take the lead. For example, in 2015, the ILO held a corridor meeting between Indonesia and Malaysia. Inviting the three parties, the government, labor unions, NGOs, and the placement agencies of both countries to discuss several issues. Thus, the role that the ILO can partake is to supervise the ongoing processes in an inclusive manner between governments.

CONCLUSION

The problems regarding Irregular Indonesian Migrant Workers from Indonesia to Malaysia, especially Sabah, are numerous and complex. Therefore, handling and resolving them requires cooperation and collaboration with many offices, ministries, and institutions. Due to the transnational nature of Irregular Indonesian Migrant Workers issue, it is necessary to develop a collaboration concept from Collaborative Governance to International Collaborative Governance. To date, there has been no dialog forum attended by all related institutions because there are too many institutional actors, and there is no strong leading institution to coordinate all collaborative activities.

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