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The Government's Role in Protecting Indonesian Migrant Workers in Saudi Arabia During the Joko Widodo Administration

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Abstract

Saudi Arabia is one of the largest destination countries for Indonesian migrant workers, where the majority are women. Unfortunately, most of them are also victims of physical torture, sexual violence and racial discrimination. However, the policies during the Jokowi Administration are considered quite progressive compared to the policies for protecting migrant workers during the Susilo Bambang Yudhoyono (SBY) Administration with the presence of special laws, not just Presidential Regulations as were issued during the SBY Administration. Therefore, how and why the government plays such a significant role is the main study in this research. This research uses a qualitative approach with a library study type of research. The results found that the government during Jokowi's leadership played a big role in protecting the rights of Indonesian migrant workers, especially in Saudi Arabia. This role is reflected in the government's responsibility in various policies which make Jokowi's policies considered pro People Diplomacy. During the Jokowi government, through the 2015-2019 Medium Term Development Plan, and supported by Nawa Cita, Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers was issued as the highest legal umbrella which was then also followed by other policies such as bilateral cooperation and placement systems channel (SPSK) or One Channel System. The Jokowi government's stance on migrant workers is underpinned by two primary considerations. Firstly, the substantial remittances from Indonesian workers in Saudi Arabia, which exceed those from Malaysia and other nations. (Kompas, 2023). Second, migrant workers are a potential profession to meet Indonesia's demographic bonus target in the future. Therefore, this research sees that the government's role in protecting migrant workers has been very good during the Jokowi administration. It's just that the issue of Indonesian migrant workers requires commitment from other actors who also play a very important role, such as distribution companies or providers of migrant workers.

Key Words

Bilateral Migrant Workers, Government Role, Jokowi's Era

1. Introduction

The number of official Indonesian migrant workers throughout 2023 has reached 273,848 workers (Primantoro, 2023). This number does not include Indonesian migrant workers who are not officially registered (illegal) which also has quite a large number. The countries with the largest number of migrant workers from Indonesia are Hong Kong, Taiwan, Malaysia, and Saudi Arabia (Primantoro, 2023). To be specific for Saudi Arabia, it is used as a destination country for Indonesian migrant workers, among the many destinations for Indonesian migrant workers spread across several countries. The existence of Saudi Arabia as one of the countries with the largest number of Indonesian migrant workers can be seen from the increase in the number of

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migrant workers every year. Based on data, the number of Indonesian Migrant Workers working in Saudi Arabia has continued to increase since 1975 as the first year of sending Indonesian Migrant Workers (TKI) to Saudi Arabia. As one of the largest oil exporting countries in the world, this country is the country of choice for several Indonesian workers looking for well-paid work which is promising. This cannot be denied considering that the population in this country is only 37,125,475 people (Octariandry Shavita Putri, 2012). Of the thousands of migrant workers, there are 6,310 people working in Saudi Arabia. (Annur, 2024) This number still tends to be smaller than the number of migrant workers in several countries such as Malaysia, Hong Kong, even Japan and Singapore. (Annur, 2024) Although However, Indonesian people's interest in working in Saudi Arabia is due to the higher salary offer because the Saudi Arabian currency exchange rate is higher. Second, they think it will be easier to work and carry out the pillars of Islam to perform the Hajj (Ramadana, Fazar, 2020).

Among the many existing migration problems, women are more dominant than men. This can be seen from the large number of female workers recorded at 14,238 people or around 59% of the total migrant workers, while there are only 9,850 men (41%). This makes women more vulnerable as victims of violence from their employers. Various cases against migrant workers occurred, such as physical torture, sexual problems and racial discrimination. One example is the case of Tuti Tursilawati who left for Saudi Arabia in 2009 as an Indonesian worker. Tuti worked in the city of Taif, as a caretaker for the elderly for 8 months with the statement that the remaining salary had not been paid for 6 months. According to the Indonesian Migrant Workers Union website, Tuti was arrested by Arab police on May 12 2010 on charges of murdering her employer's father, Suud Mulhaq Al-Mutaibi. Tuti was arrested the day after the murder. Since being arrested and detained by the police, the Indonesian Consulate General in Jeddah, through its task force in Thaif, Said Barawwas, has provided assistance in the initial police investigation process. Then Said Barawwas also accompanied the follow-up investigation process at the Investigation Agency. During the investigation process, Tuti Tursilawati admitted to the murder of her employer's father. She argued that she often received sexual harassment and violence. What he did was self-defense (Chairunnisa, 2018).

The Saudi Arabian government executed the death sentence of Indonesian migrant worker, Tuti Tursilawati, on Monday, October 29 2018. According to the Executive Director Migrant Care Wahyu Susilo, Tuti was executed without any official notification to the Indonesian government. Even though the Indonesian government has made efforts to reduce Tuti Tursilawati's sentence, including consular assistance from 2011-2018, three times appointing a lawyer, three appeals, two requests for Judicial Review, two Presidential Letters sent to the Saudi King, and various non-litigation efforts (Chronology of TKI Tuti Tursilawati Executed, 2018). Meanwhile, during Joko Widodo's leadership, the government summoned the Indonesian Ambassador to Saudi Arabia to reiterate the Indonesian government's protest over the lack of notification of Tuti Tursilawati's execution. Apart from that, the President admitted that he had ordered the Ministry of Foreign Affairs to provide facilities for Mrs. Tuti Tursilawati's family to go there three times. Then the President emphasized that the government had repeatedly conveyed the protection of Indonesian workers to the government of the kingdom of Saudi Arabia, including to King Salman, Prince Muhammad bin Salman, and the Minister of Foreign Affairs (Public Relations, 2018).

Another example is the case of a female migrant worker from Sukabumi Regency named Kokom. During her work in Saudi Arabia, Kokom never received a salary, and often received torture which left her legs, eyes and ears paralyzed. Apart from that, Indonesian workers in Saudi Arabia also often experience problems such as violence, being accused of murder, torture by employers, the death penalty and even problems regarding the status of Indonesian Migrant Workers (TKI). In addition, numerous Indonesian immigrant women workers are unauthorized

workers (TKI), with a large percentage of them lacking the necessary residence permit (Overstayers) in the country (Nurnaningsih Al Hasmi, Patrice Lumumba, 2022). From this case, it can be seen that female workers are looked down upon and treated unfairly. Therefore, female migrant workers must be the government's main focus in providing protection for all migrant workers abroad.

Based on the cases experienced by Indonesian migrant workers in Saudi Arabia, the Indonesian government is trying to take action to overcome and minimize unwanted cases. There are several actions taken by the government, including strengthening diplomatic relations with the Saudi Arabian government, issuing regulations regarding the protection of Indonesian migrant workers in the form of laws and regulations and issuing several policies. Several laws and regulations issued by the Indonesian Government regarding migrant workers include: first, the 1945 Constitution of the Unitary State of the Republic of Indonesia (UUD NKRI) Article 27 (2) which explains that, "Every citizen has the right to work and livelihood which is suitable for humanity", thus guaranteeing the provision of employment is the fulfillment of basic rights inherent in and protected by the Indonesian constitution and state. However, in fact, the limited job vacancies in the country make many Indonesians look for work abroad as migrant workers (Hakim & Havez, 2020). Second, Law no. 13 Article 6 of 2003 concerning Employment, stated that every worker/laborer has the right to receive equal treatment without discrimination from employers" (Ministry of Tourism, 2003).

Apart from that, there is also Law no. 18 of 2017 concerning the Protection of Indonesian Migrant Workers, where this law includes protection before work, protection during work, and protection after work (Indonesia, 2017). Following, Government Regulation Number 10 of 2020 concerning Procedures for Placement of Indonesian Migrant Workers by the Indonesian Migrant Worker Protection Agency (BPK Republic of Indonesia, 2020) as well as Presidential Regulation Number 90 of 2019 concerning the Indonesian Migrant Worker Protection Agency. These regulations were prepared to optimize service policies for Indonesian migrant workers, both for placement and protection (Presidential Regulation Number 90 of 2019, 2019). Lastly, Regulation of the Minister of Manpower and Transmigration of the Republic of Indonesia Number 22 of 2014 concerning Implementation of Placement and Protection of Indonesian Workers Abroad (Ministry of Home Affairs, 2014). Based on this, this research seeks to analyze deeper into how and why the government plays such a significant role especially during Jokowi presidency in protecting the migrant workers abroad, especially in Saudi Arabia.

2. Analytical Framework

2.1. Migrant Worker Concept

Migrant workers are people who migrate from one area to another and work in a new place for a relatively long period of time. In practice, it is more difficult to work abroad in the worker placement selection stage than to work domestically, even though the criteria are the same as selecting workers based on factors such as age, health and work experience. The skills required in the destination country must be possessed by prospective workers. Law no. 18 of 2017 Article 3 concerning protection of migrant workers has the aims and objectives of providing social support for migrant workers and their families as well as legal protection, economic stability and the realization of human rights for both parties (Government of Indonesia, 2017). There are three parts to the protection of migrant workers, namely pre-placement protection, protection during work, and post-placement protection (Hadi Subhan, 2012).

When applying to become a migrant worker, certain conditions are required that must be signed by all migrant workers. Prospective migrant workers should know their rights and obligations and how the terms of their employment contracts will be enforced. So that the

relevant government can guarantee the job security of prospective migrant workers who will be placed in the destination country, the protection of migrant workers must have strong and clear legal rules and foundations.

2.2. Public Policy Theory

The term public policy is a translation of the term in English, namely public policy. Say public translated as public, while the word policy translated as policy (Islamy, 2014). Thomas R. Dye defines public policy as whatever the government does to do something or not do something. Furthermore, Dye revealed that if the government does something then it has a purpose, because in reality public policy is an action carried out by the government. In other words, Thomas Dye revealed that the content of public policy is not just what the government does, but also includes what the government does not do, including managing conflicts, for example (Dye, 2013). Meanwhile, James E. Anderson defines public policy as policies developed by government institutions and officials. The implications of this definition are (1) public policy always has a specific goal, (2) it contains the actions or patterns of action of government officials, (3) public policy is something that is actually carried out by the government, (4) it is positive, in the sense that it is a form of government action on a particular problem, but it can also be negative, in the sense that it is the government's decision not to do something, and (5) public policy is based on coercive laws and regulations (Anderson, 2003).

In a country, public policy is arranged in a strata that shows levels from the highest policy which is strategic in nature to the lowest policy which is operational in nature. The lower policy is an elaboration of the higher policy and the material must not conflict. Bromley identified three levels of policy viz policy level played by the legislative and judicial branches, organizational level played by the executive branch, and operational level found in implementing units in society (Tachjan, 2006). According to David Easton, public policy is formulated by people who have authority in the political system. In other words, public policy is made by the government by involving various other policy components to solve the problems being faced by society. Because public policy is coercive in nature, it must be obeyed by all parties. A policy does not only include a decision to adopt a law or make a rule regarding some issue, but also a decision intended to enforce or apply a rule (Indah Prabawati, Tjitjik Rahaju, 2019).

Anderson revealed that basically, in every public policy process, some groups will have more access than other groups. According to Anderson, this is also why public policy is generally a reflection of the interests of the dominant group. Because according to Anderson, public policy can be said to be a product of group struggle. For groups that have little or no access for a long time in the policy-making process, their interests will be neglected. Meanwhile, Thomas Birkland explained that there are two categories of actors in the policy making process, namely official actors (official actor) and unofficial actors (unofficial actor) (Birkland, 2020). The terms official and unofficial actors are not intended to imply that certain participants are considered "legitimate" in the policy process, while others are not. However, the official and unofficial actors referred to by Birkland include: First, Official actor (official actors), namely actors involved in the public policy process because their roles and responsibilities are approved by the constitution. Therefore, they have the power to create and enforce policies. These official actors include the legislative, executive and judicial institutions, whose duties and responsibilities are clearly stated in the constitution regarding their role in the policy-making process. Second, Unofficial actor (unofficial actors), namely actors who have a role in the policy process, but without a legal umbrella that explicitly has the authority to participate. This group has the right to be involved in the policy-making process, because it has important interests to protect and advance. These groups have proven to be an effective way for people to collectively express their desires.

3. Research Method

Research methods have an important role in preparing research. According to Sugiyono, in general, research methods are defined as scientific ways to obtain data with specific purposes and uses (Sugiyono, 2013). The method used in this research is qualitative research, namely research aimed at understanding phenomena such as behavior, perceptions, motivations, actions experienced by research subjects. Through explanations in the form of words and language, holistically in a certain natural context and using various natural methods (Umar Sidiq, 2019).

This research is of a comparative type, namely research that aims to compare and analyze the differences between two groups, variables or more by gaining an understanding of the characteristics, relationships or impacts of the phenomenon being studied. In obtaining data and information that describes the topics analyzed in this research, researchers used the literature study method (library research), namely a method of collecting information and data with the help of various kinds of materials available in online and offline libraries such as documents, books, notes, journals, magazines, and so on. Apart from that, this research comes from primary and secondary data sources. Namely, primary data sources are taken from the main source, and secondary sources are not from the main reference, but are taken from second or third sources.

4. Results and Discussions

4.1. Overview about Saudi Arabia

In the shape of a kingdom, Saudi Arabia stands as a country recognized for its Islamic values, guided by the Quran as its constitution. Despite its Islamic nature, Saudi Arabia does not implement an Islamic system in its governance. Rather, it operates under a monarchy or kingdom system of government (Harianto, 2019). Located in the Middle East, Saudi Arabia is predominantly characterized by vast desert landscapes. While the country benefits from significant natural resources, notably petroleum, which bolster its economy, there remains a looming concern over the finite nature of oil reservoirs and the potential economic repercussions for oil-dependent nations (Sugiarto, 2016).

Saudi Arabia, being a host country for migrant workers, has implemented a range of policies and laws to govern the employment sector. The Government of Saudi Arabia has taken various measures to address issues in the field of employment, such as the Saudization policy (kafalah) and the rotation system policy. These policies aim to ensure a systematic and regulated approach towards the employment of migrant workers in the country (Alghamedi, 2016). The Saudization policy in Saudi Arabia is designed to give preference to the hiring of local citizens in a variety of fields, including both public and private sectors. This policy's main aim is to gradually replace expatriate workers with skilled Saudi Arabian employees who meet the necessary job requirements. The government's objective is to roll out this policy over a span of 10-15 years, with the vision of having a workforce comprised of proficient graduates from educational and training institutions who are equipped to address the demands of the job market. The Saudization policy was first introduced in 1975.

In order to make the Saudization policy a success, the government has established a "Saudi Arabian Workforce Development Strategy" which is contained in the Decree of the Saudi Arabian Labor Council which was implemented over a period of 25 years from 1420 AH to 1445 AH (1990-2015) with the aim of (Mentor, 2010):

1. Limiting the number of foreign workers and rationalizing the deployment of foreign workers,
2. Alignment between graduates of educational and training institutions with job market needs,

3. Integrating the field of Saudi Arabian workforce planning and development,
4. Creating integrated rules and mechanisms for labor market information,
5. Stimulating the level of productivity of Saudi Arabia's workforce and preparing it to keep pace with world technological changes,
6. Achieving a controlled and targeted level of workforce placement in Saudi Arabia,
7. Optimal utilization of the Saudi Arabian workforce, and
8. Cultivation of love for the country and dedication to the country as well as work norms for the Saudi Arabian community.

However, in its implementation, the Saudization policy did not run smoothly because it encountered many challenges and problems (Tamba, R.T., 2019, pp.199-221). One of the problems is the lack of experience and lack of certification possessed by workers as required to hold positions with high salaries. This Saudization policy lasted for eight phases and ended in 2009. In 2011, the Ministry of Labor and Social Development (Ministry of Labor and Social Development) Saudi Arabia issued a policy known as "Nitaqat", where companies are divided into several sectors with different quotas for Saudi workers based on the size of a company (Natanael & Wulandari, 2018). In other words, it can be concluded that this policy has a combined effect on foreign workers, namely reducing the number of foreign workers spread across the private sector in a country while providing opportunities for Saudi citizens to find work.

Based on Safitry, S. N., & Haryanto, A. (2019) explanation, they pointed out that Nitaqat categorizes organizations into four distinct groups which are Platinum, Green, Yellow, and Red. These classifications are based on the size of the organization and the ratio of Saudi nationals to foreign employees within their workforce. Companies falling under the Platinum and Green categories boast the highest proportions of Saudi nationals, while those in the Yellow and Red categories have the lowest ratios of Saudi employees. Being in the top tier, Platinum organizations enjoy expedited visa processing, eliminating the need for lengthy waiting periods. Additionally, companies in this category have the privilege of updating their iqama, which refers to the work permit and residence card required for foreign workers to live and work in Saudi Arabia. Foreign workers holding an iqama have the opportunity to secure employment with a company recognized within their respective Nitaqat class, within a specified timeframe. The duration of an individual's work permit varies, as it is determined directly by the government. However, in general, work permits are initially issued for a one-year period and can be renewed for further extensions.

The Kafala system is a government policy used to regulate, manage and control the temporary migrant workforce population in the Gulf countries. Kafala requires all migrant workers to have an official local sponsor who is responsible for arranging immigration visas and residence status in the Gulf countries. Kafala sponsors are directly tied to domestic work regulations, where GCC (Gulf state) governments often set specific work regulations within the country. For example, under standard contract agreements, domestic workers are legally required to work for two years and often have a probationary period with their respective employers of three months (Malit & Naufal, 2016). Kafala system (sponsorship) is based on the Bedouin tradition which has the principle of providing comfort, conditions certain obligations towards newcomers or a particular guest in terms of treatment and protection. Historically, the Kafala system served as a mechanism to provide foreigners with a place to live in their society. Through this system, hosts vouch for every visiting foreigner and accept responsibility for their behavior. This system also implicitly means that the sponsor is responsible for the safety and protection of foreigners and foreign guests (Bajracharya & Sijapati, 2012).

Saudi Arabia continues to implement the Kafala System, among other reasons for large investments to recruit migrant workers. The amount of initial costs greatly influences employment relationships and working conditions. Recruitment agencies charge Saudi employers between 5,000 to 9,000 riyals (\$1300-2340) to hire a domestic worker. Many employers feel they have made a large financial investment and point to their initial payments as justification for restrictions put in place to prevent domestic workers from “running away,” such as withholding passports, withholding wages, and confining workers to their workplaces. This action is an illegal practice under the laws of several destination countries (Sumarlan, 2014). The rotation system is a system that regulates the working period of migrant workers. In this system it is stipulated that the contract period between the employer or sponsor and the worker will last for two years. After that, when the contract ends, the employer is required to look for new workers. Thus, this policy was created with the aim of preventing an increase in population caused by the permanence of expatriates. However, in reality many of them actually stay and work even though their contracts have expired. This is because most employers are reluctant to recruit new workers and have to allocate additional costs, so they prefer to retain workers who already have some local experience there (Kapiszewski, 2006).

Apart from the policies above, in discussing the employment sector, Saudi Arabia also has legal and regulatory sources for migrant workers in its country. Saudi Arabia is a kingdom whose regulations are based on the principles of Islamic law. Therefore, the highest sources of law in Saudi Arabia are the Al-Qur'an and As-Sunnah (the practices and words of the Prophet Muhammad SAW) (The Embassy of the Kingdom Of Saudi Arabia, 2024). In running the government, the basic law used in Saudi Arabia is sharia law which covers all aspects of people's life originating from the Al-Qur'an, As-Sunnah, and Ijtihad Ulama. Apart from that, there are also other statutory regulations such as laws and royal decrees (royal decree) both of which must be in harmony with the legal principles contained in the main legal sources, namely the Al-Qur'an and As-Sunnah. In terms of employment issues, Saudi Arabia itself is currently using the Basic Law of Governance (legal basis of government) King's Decree issued on March 5 1992, and Labor Law (labor law) from the Ministry of Manpower of Saudi Arabia which was issued on September 27 2005. This regulation states that there is a guarantee of protection for every worker, such as protection for limits on working hours, prohibitions on wage cuts, determining holidays or problem resolution mechanisms. In other words, this regulation is used by Saudi Arabia to guarantee legal protection for foreign workers (Badruzzaman, 2022).

4.2. The problem of Indonesian Migrant Workers in Saudi Arabia

Throughout history, the people of Indonesia have fostered close relationships with those of Saudi Arabia, a connection that dates back to the Dutch colonial era and predates Indonesia's independence in 1945. This affinity is built upon cultural similarities, particularly their shared religious beliefs as practitioners of Islam. Saudi Arabia remains a popular destination for Indonesian migrant workers, attracting the highest number of migrant workers each year compared to other countries in the Middle East (Pangestu et al., 2020). The background of the Indonesian population migrating to become workers in Saudi Arabia is influenced by several factors (Lilis, 2017). First, economic conditions in rural areas that do not provide prosperity, limited employment opportunities, and lifestyle are also factors that strengthen people's ability to become Indonesian workers. The salary for being a migrant worker, which is quite different from the salary at home, is also a consideration for people when choosing the country they want to work in. Second, apart from the high salary, it is also because there is a desire to visit Mecca and carry out the Hajj/Umrah pilgrimage. Thus, Saudi Arabia has from the past until now been the favorite country for prospective Indonesian Workers (CTKI). The low level of education,

namely high school or below, also influences the attractiveness of prospective Indonesian workers who think that becoming a migrant worker will change their economic life. Limited employment opportunities in the country encourage prospective Indonesian workers to work abroad, both as formal and non-formal migrant workers.

From the several driving factors above, it can be seen that becoming a migrant worker is an alternative solution for some people. With the large number of Indonesian migrant workers working abroad, on the one hand, it has a positive impact, namely overcoming some of the problems of unemployment in the country, but on the other hand, it has a negative impact, such as inhumane treatment of migrant workers (Valensy & Afrizal, 2018). The emergence of problems in relations between countries is a common thing. Likewise with employment relations between Indonesia and Saudi Arabia. Even though the labor relations are quite well established, there are still problems that plague the relationship between the two. The high number of cases affecting Migrant workers in Saudi Arabia has caused problems between the two countries. Some of these cases include cases of PMI abuse, the execution of death sentences against several Migrant workers, and the spread of PMI cases overstay there. Becoming a PMI does not always end with good luck. In reality, the facts that occur in the field with stories of experiences obtained from family and other people do not always bring the same results. In this case, it is related to the various problems that befell migrant workers while working in Saudi Arabia.

There are five categories of problems that are often experienced by PMI, namely violence problems, legal problems, administrative problems, work problems and personal situation problems. In relation to the problem of violence, a form of problem that often occurs with PMI is the existence of a disharmonious relationship between PMI and users (employers) which can end in acts of abuse, beatings and violence, even harassment. Apart from that, PMI while in Saudi Arabia also often experienced legal problems, including problem overstay, PMI candidates who are recruited on a regular basis were illegal, went through cases of human trafficking, being victims of job opportunity fraud, being a prisoner in Saudi Arabia, as well as having problems with debts and receivables between CPMI and P3MI. Migrant workers also often experience problems of an administrative nature, for example undocumented Migrant workers including falsification of documents, as well as detention of documents such as passports by P3MI. Meanwhile, problems related to work, Migrant workers often experience unpaid salaries, termination of employment (PHK) before the work agreement period (PK) ends, PMI work that does not comply with the PK, are not allowed to return to their homeland even though the work contract has ended. , salaries below the standard to salary cuts that exceed the provisions. Lastly, there are personal circumstances such as Migrant workers who are sick, want to be sent home, and lost communication (lost contact), Migrant workers who have accidents, and Migrant workers who run away from their employers' homes and Migrant workers who don't have the means to return to their homeland. Migrant workers in Saudi Arabia frequently face a range of problems, including employers who create difficulties, sudden job terminations without their consent, non-receipt of salaries, excessive work demands or failure to honor agreed-upon work terms, instances of abuse, sexual harassment, incomplete paperwork, and various other issues.

4.3. Jokowi's Policy on Migrant Workers

During his campaign, President Joko Widodo and his deputy Jusuf Kalla outlined a general policy direction agenda known as Nawa Cita, which is a term that refers to nine strategic development agendas to realize their vision, namely "Realizing a Sovereign, Independent and Individualized Indonesia Based on Mutual Cooperation". The nine Nawa Cita agendas include (General, 2014):

1. Bringing back the state to protect the entire nation and provide a sense of security to all citizens,
2. Make the government always present by building clean, effective, democratic and trustworthy governance,
3. Developing Indonesia from the periphery by strengthening regions and villages within the framework of a unitary state,
4. Strengthening the presence of the state in carrying out system reforms and law enforcement that is free of corruption, dignified and trustworthy,
5. Improving the quality of life of Indonesian people,
6. Increasing people's productivity and competitiveness in international markets so that the Indonesian nation can progress and rise along with other Asian nations,
7. Realizing economic independence by moving strategic sectors of the domestic economy,
8. Carrying out a revolution in national character, and strengthening diversity and strengthening Indonesian social restoration.
9. Strengthening diversity and strengthening Indonesia's social restoration through policies to strengthen diversity education and create spaces for dialogue between citizens.

The nine Nawa Cita were outlined and strengthened the draft National Medium Term Development Plan (RPJMN) 2015-2019 which was later stipulated as Presidential Regulation (Perpres) No. 2 of 2015 (Rahayu, 2017). In the RPJMN it is also emphasized that the main target that the Joko Widodo government wants to achieve (2014-2019) is to reduce the number of migrant workers who face legal problems at home and abroad. (Akbar et al., 2016) To make this happen, policy and strategy orientation in protecting Indonesian migrant workers, including:

1. Improving the governance of placement implementation,
2. Expanding cooperation in order to increase protection,
3. Equipping migrant workers with knowledge, education, and skills, and
4. Increasing the use of financial services for workers.

The establishment of the protection of Indonesian migrant workers as one of the RPJMN agendas and an important pillar of Indonesia's foreign policy during the Joko Widodo administration embraced "Pro-People Diplomacy" or "Pro-People Diplomacy" (Andika, 2016). Pro-People Diplomacy is diplomacy where domestic interests become a reference for the formation of Indonesian foreign policy. This diplomacy is a form of the Jokowi government's seriousness in demonstrating the state's re-presence for all levels of society as stated in the vision and mission expressed by President Joko Widodo. This includes people who are working abroad. Initially, the policy for protecting Indonesian migrant workers still referred to Law Number 39 of 2004. The Indonesian government's policy during the Joko Widodo administration in regulating the implementation of the placement and protection of Indonesian migrant workers abroad began with the enactment of Minister of Manpower Regulation (Permenaker) Number 22 of 2014. Referring to this Manpower Government, it gives authority to governors to provide one-on-one services in their regions to coordinate placement and protection services for Indonesian migrant workers. In several articles it also provides protection during the pre-placement period, placement period and post-placement period (Minister of Manpower, 2014).

President Jokowi established a policy in the form of stopping sending and placing PMI in the domestic sector to 19 countries in the Middle East region including Saudi Arabia through the Minister of Manpower's Decree Number 260 of 2015 concerning stopping and prohibiting the placement of TKI among individual users in countries in the Middle East region. This moratorium

policy was implemented because the Saudi Arabian government has not implemented a problem-solving mechanism for the problems that occur with Indonesian migrant workers and there is no strong commitment from the governments in the placement countries in the Middle East region to protect Indonesian migrant workers. This moratorium policy is a temporary cessation of sending informal domestic workers to Saudi Arabia, so that all parties both within the country and in Saudi Arabia can evaluate and improve the system for placing and protecting domestic workers (Anantha & Monica, 2019). Bilateral cooperation on placement and one channel system (SPSK) or One Channel System, is a collaboration between the Indonesian government and the Saudi Arabian government which aims to protect the rights of PMI as well as regulate work relations between migrant workers and employers so that they comply with applicable regulations or laws in both countries as well as international conventions. This agreement was carried out based on the kingdom of Saudi Arabia which has improved its employment social security policies and programs in order to increase the protection of foreign workers. The Kingdom of Saudi Arabia also has regulations that protect domestic foreign workers and new governance for protection for domestic foreign workers. This is proven by the establishment of a new department in the organizational structure of the Saudi Arabian Ministry of Labor and Social Development. This department was formed and tasked with managing the protection of domestic workers (Pangestu et al., 2020).

On October 11 2018, the one canal placement system was finally agreed upon and inaugurated by the two countries, namely Indonesia and Saudi Arabia. The signing of this agreement was carried out at the Office of the Indonesian Ministry of Manpower, represented by the Minister of Manpower of the Republic of Indonesia, M. Hanif Dhakiri and the Minister of Manpower and Social Development of the Kingdom of Saudi Arabia, Ahmed bin Suleiman bin Abdulaziz al Rajhi. Then on September 16 2019, the two countries held another bilateral meeting to discuss progress single channel placement system. During the meeting several things were agreed upon, including:

1. Pilot *go through* SPSK will start on October 1 2019
2. Extending the validity of TA documents April 2020
3. Shaping *joint task force* for monitoring and evaluating SPSK implementation, as well as completing *dispute settlement* which occurred from the implementation of SPSK.

In 2017, since the agenda for revising the PPTKILN law was included in the agenda of the National Legislation Program in 2010, after going through a long process it was only in 2017 that this law was finally passed on October 25 2017, and became Law Number 18 2017 concerning Protection of Indonesian Migrant Workers (PPMI). (Law Number 18 of 2017 concerning Protection of Indonesian Migrant Workers, 2017) With the passing of this law, the legal basis for the Indonesian government's policy in protecting Indonesian migrant workers in Saudi Arabia is based on the PPMI law. In this law, there are 3 (three) classifications for the protection of Indonesian migrant workers, namely: protection before work, protection during work, and protection after work. Pre-employment protection is protection for Indonesian migrant workers during the registration process until departure. Protection during work is protection for Indonesian migrant workers and their family members. Meanwhile, protection after work is a form of providing protection for migrant workers and their family members who have returned to Indonesia.

Apart from that, this law also divides two types of protection in pre-employment protection, including: Administrative protection includes the validity and completeness of documents as well as determining conditions and conditions of work; Technical protection includes information

dissemination, education and training, education and training guarantees, social security, services for fulfilling the rights of Indonesian migrant workers, strengthening bodyguards, One-Stop Integrated Services (LTSA). This pre-employment protection is a form of prevention by the Indonesian government to ensure certainty about the status of employment relations as well as certainty of rights and obligations between Indonesian migrant workers, labor supply companies and employers. Previously in January 2017, one of the Jokowi government's preventive measures in protecting Indonesian migrant workers was to strengthen database and utilizing digital applications, as well as carrying out digital-based diplomacy in the form of launched digital command centre. (and Vido C. Panduwinata, 2018)

After the enactment of the 2017 PPMI law, as stated in the law, Indonesian migrant workers are exempt from placement costs which were previously borne by the migrant workers themselves and are now borne by the employer. The Indonesian government also reiterated the importance of implementing a one-stop recruitment policy one channel policy as agreed several years ago. In 2018, the Indonesian Government through the Ministry of Manpower (Kemnaker) ratified Minister of Manpower Regulation Number 18 of 2018 concerning Social Security for Indonesian Migrant Workers. This Minister of Manpower Regulation revises Ministerial Regulation Number 7 of 2017 concerning the Social Security Program for Indonesian Workers. This policy is the first derivative that was passed in accordance with the mandate of Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers. In this ministerial regulation, Indonesian migrant workers, both those who will and have been placed, are required to be registered in the work accident insurance and death insurance participation programs. Apart from that, Indonesian migrant workers can also register for the old age insurance program. Social security protection for Indonesian migrant workers takes the form of providing financial compensation, assistance and skills training in Indonesia for those who experience disability due to work accidents, care and treatment due to work accidents, and also death compensation. (Law Number 18 of 2017 concerning Protection of Indonesian Migrant Workers, n.d.) In 2019, the Indonesian government again issued Permenaker Number 9 of 2019 concerning procedures for placing Indonesian migrant workers which contains the latest regulations and improvements to placement procedures previously regulated in Permenaker Number 22 of 2014.

In the second term, President Jokowi continued to strive for protection for all Indonesian citizens, especially Indonesian migrant workers. Efforts made by the government to provide protection against risks that workers may face, such as work accidents, death, preparation for old age, retirement and termination of employment, are through the employment social security program (PMK, 2024). President Joko Widodo issued a Presidential Instruction of the Republic Indonesia (Inpres) Number 2 of 2021 concerning Optimizing the Implementation of the Employment Social Security Program (Hus, 2021). In this Presidential Instruction the president ordered a number of officials at the central level to support the optimization of the employment social security program in order to realize the protection of Indonesian workers and their families. Regulation Number 9 of 2020, issued by the government through BP2MI, grants an exemption from PMI placement fees. However, this regulation conflicts with the government's policy, which encourages banks to offer loans like People's Business Credit (KUR) and unsecured credit to PMI for covering placement expenses. Furthermore, the zero-cost policy has not been universally applied, as PMI candidates are still required to cover costs related to brokers, sponsors, and sending companies. The financial responsibility placed on regions for PMI candidates creates new difficulties for areas with constrained budgets (Martri, 2021). Besides, there was decree of the Minister of Manpower of the Republic of Indonesia Number 151 of 2020 concerning Temporary Suspension of the Placement of Indonesian Migrant Workers which was stipulated on March 18 2020. This temporary suspension of the placement of Indonesian Migrant Workers still

concerned to the protection of the rights of migrant workers. These included not charging departure cancellation fees, certainty regarding refunds/refund for those who cancel their departure. As well as ensuring adequate access and distribution of information, as well as strict supervision so that non-procedural departures do not occur (RI Employment Number 151 of 2020 concerning Temporary Suspension of Placement of Indonesian Migrant Workers, 2020)

Joko Widodo's government has taken several policies to increase protection for Indonesian migrant workers. However, there are still challenges that need to be overcome, such as law enforcement against illegal recruiters and protection of workers in Saudi Arabia.

Table 1. Indonesian Government Policy in Protecting Indonesian Migrant Workers in Saudi Arabia during the Joko Widodo Government Era

No.	Policy Type	Policy
1	Legislation	Law Number 18 of 2017 concerning Protection of Indonesian Migrant Workers (P2MI)
2	Presidential decree	Presidential Decree Number 2 of 2015 concerning National Medium Term Development Plans (RPJMN) 2015-2019
3	Presidential Instruction	Presidential Instruction Number 2 of 2021 concerning Optimizing the Implementation of Employment Social Security
4	Ministerial Regulations	Minister of Manpower Regulation Number 22 of 2014 concerning Implementation of Placement and Protection of Indonesian Migrant Workers
5		Ministerial Regulation Number 7 of 2017 concerning the Social Security Program for Indonesian Workers
6		Minister of Manpower Regulation Number 18 of 2018 concerning Social Security for Indonesian Migrant Workers
7		Minister of Manpower Regulation Number 9 of 2019 concerning Procedures for Placement of Indonesian Migrant Workers
8		Decree of the Minister of Manpower of the Republic of Indonesia Number 151 of 2020 concerning Temporary Suspension of the Placement of Indonesian Migrant Workers
9	Bilateral Cooperation	One Channel Placement System (SPSK) or <i>one Channel Sistem</i>

5. Conclusion

The state bears the responsibility of safeguarding migrant workers, who are recognized as foreign exchange heroes. This commitment was fulfilled by Jokowi's administration through the implementation of Nawa Cita, a significant program that spanned both his terms in government. Protecting the welfare of citizens is a fundamental objective in the establishment of any nation, necessitating collaboration with other countries to ensure their safety. Hence, this research acknowledges the commendable role played by the government in protecting migrant workers during the Jokowi administration. However, it is essential to acknowledge that addressing the challenges faced by Indonesian migrant workers requires the commitment of other key stakeholders, such as distribution companies or labor providers.

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