

# Indonesian Migrant Workers: The Analysis of Legal Policy in Gender Issue

Original Article

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## Abstract

The majority of Indonesian migrant workers (PMI) are women (85%), who frequently face gender-based rights violations and inadequate legal protection abroad. While the Declaration of Human Rights promotes equality, these principles often remain nominal, with basic human rights (Law No. 39/1999) being overlooked by host country authorities. Legal issues faced by female PMI stem largely from limited legal literacy regarding both Indonesian and host country labor laws. From a legal-historical perspective, gender-related socio-legal constructions have perpetuated an unequal division of roles for women. This study addresses the historical legal regulation of Indonesian migrant workers from a gender perspective in host countries. The study aims to offer policy insights for curriculum development in PMI training and promote legal literacy through MOOCs. Using a normative legal-historical approach and statute-based analysis, this research examines labor laws from four host countries (Saudi Arabia, Hong Kong, Malaysia, and Taiwan), supported by secondary sources such as academic texts and media reports. All materials are analyzed using an interactive qualitative data model and the analytical theory of legal protection. The results show gaps in laws for protecting workers, mainly due to limited regulations and legal knowledge. While national efforts such as Law No. 18 of 2017 and the establishment of BNP2TKI (via Presidential Regulation No. 81/2006) represent progress, further improvement is needed. Hence, the study suggests adding gender-sensitive legal topics into PMI training and using MOOCs to increase legal awareness for female migrant workers.

**Keywords:** Indonesian Migrant Workers, Gender-Based Legal Protection, Labor Migration Policy, Gender Perspective.

## 1. Introduction

Indonesian migrant workers, the majority of whom are women (85%), constitute a unique and vulnerable demographic group in the global labor market. Despite the principles set out in the Universal Declaration of Human Rights, which affirms that all human beings are born free and equal in dignity, Indonesian female migrant workers often face systemic gender-based discrimination and violations of their fundamental rights. Normative slogans around gender equality, while symbolically significant, often fail to translate into practical protections for these women in the countries where they work (Gian Erlangga, 2023).

For these workers, issues of gender inequality and legal challenges are compounded by a lack of understanding of Indonesian legal protections and the labor laws of the countries where they work, including Saudi Arabia, Hong Kong, Malaysia, and Taiwan. This legal ignorance contributes to persistent injustice, as laws intended to protect migrant workers are often ignored or inadequately enforced by local authorities. Over time, these socio-legal



structures have entrenched an unfair division of roles that disproportionately disadvantage female migrant workers.

One of the main issues lies in the lack of understanding among workers regarding labor laws, both in Indonesia and in the countries where they work. This lack of knowledge makes them vulnerable to exploitation, discrimination, and violations of their rights (Habib et al., 2024; Turnip et al., 2024). Gender inequality in the workforce continues to be a critical issue, as women only received 84.4% of men's wages in 2020, reflecting significant wage gaps and gender-based discrimination that hinder job opportunities and equal legal protection (Iftitah et al., 2023).

Despite being designed to protect migrant workers, the implementation of Law No. 39 of 2004 often faces obstacles, particularly in countries with differing legal systems, such as Saudi Arabia, which enforces a complex Islamic law (Badruzzaman, 2022; Purnamasari et al., 2023). Furthermore, the limited access to legal information makes it difficult for migrant workers to seek justice in case of violations. Protection efforts through international frameworks, such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), have been made available, however, their implementation in practice remains inconsistent and does not fully reach the most vulnerable groups (Turnip et al., 2024).

From a domestic perspective, institutions such as the National Agency for the Placement and Protection of Indonesian Migrant Workers (BNP2TKI) have provided advocacy and education services, yet their effectiveness is constrained by the low awareness and understanding of workers regarding their own rights (BNP2TKI, 2014; Purnamasari et al., 2023). However, awareness and advocacy movements to fight for gender equality and legal protection for migrant workers continue to grow. Nevertheless, the gap between formal policies and implementation in the field remains a significant challenge that must be overcome to ensure that the rights and safety of Indonesian migrant workers are truly protected comprehensively.

This paper conducts a historical-legal analysis of migrant worker regulations from a gender perspective, with the aim of understanding the evolution and impact of this framework on Indonesian women working abroad. By examining primary legal texts and secondary sources, the study aims to provide insights for policymakers to strengthen migrant worker protections and to train organizations in developing legal literacy programs, such as MOOCs, that empower Indonesian migrant workers with essential knowledge and resources. This exploration of the gendered experiences of Indonesian migrant workers not only highlights the urgency for fairer regulatory practices, but also seeks to lay the groundwork for future labor policy reforms that respect and uphold the rights of all individuals. The creators are fascinated by What is the profile of legitimate approach on gender issues.

## 2. Methods

This research employs a juridical-normative approach, which relies on literature studies or document analysis to examine various legal materials relevant to the issue of legal protection for Indonesian migrant workers. The legal materials used consist of three types, namely primary legal materials, secondary legal materials, and tertiary legal materials (Soekanto & Mamudji, 2014). Primary legal materials consist of legislation, court decisions, and official documents issued by authorized institutions. Secondary legal materials encompass literature such as books, journals, papers, and scientific articles that provide explanations and analysis of primary legal materials. Tertiary legal materials, on the other hand, are used as

supplements in the form of legal dictionaries and encyclopedias that aid in understanding terms and concepts in law. To strengthen the findings and provide a factual overview of the implementation of legal protection in the field, this research is also complemented with empirical data through the distribution of questionnaires to 100 Indonesian Migrant Workers scattered across various countries. The data from these questionnaires are analyzed descriptively to reveal the extent of the workers' understanding of their legal rights and the obstacles they face in obtaining protection. All legal materials are qualitatively analyzed using the statute approach, case approach, and comparative approach if necessary to enrich the analysis.

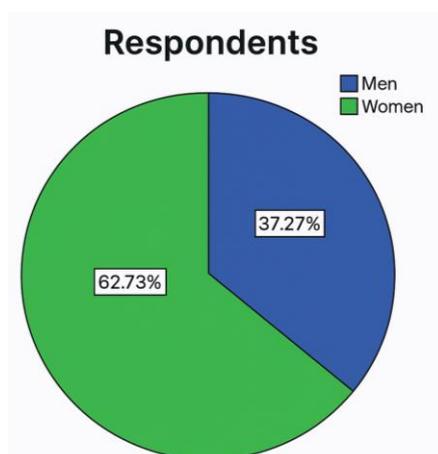
### 3. Results and Discussion

#### 3.1. Gender Analysis in the Workforce

Gender discrimination in labor law is a deep-rooted structural issue that persists in various employment systems worldwide, including Indonesia. The prevailing legal framework is often based on a normative model centered around men, thus overlooking the unique needs and realities faced by women in the workplace (Padrón et al., 2023). Gender inequality is evident in various aspects, such as wage gaps and treatment of female workers who are parents. Across the globe, women tend to earn significantly lower incomes compared to men, even though they perform work with equal levels of responsibility (Hyland et al., 2020).

The increasing participation of woman within the workforce makes their parts increasingly complex (Gian Erlangga, 2023). Not only taking care of household affairs, today's women are also involved in work outside the home, such as office workers, teachers, lecturers, traders, and laborers. Not a few women even migrate to distant areas in order to get work, such as migration between districts, cities, provinces, and even between countries to become migrant workers abroad.

According to the results of a questionnaire distributed to 100 Indonesian Migrant Workers, it was found that the majority of respondents were female workers, accounting for 62.73%, while male workers only made up 37.27%. This data indicates that women dominate the composition of Indonesian migrant labor, reflecting the common trend that overseas employment sectors, especially those related to domestic work such as household assistants, elderly caregivers, and childcare providers, are predominantly filled by female labor. The dominance of women in this sector also highlights the gender dynamics in labor migration, where women are more vulnerable to exploitation, violence, and human rights violations due to the lack of legal and social protection. These findings are important as a basis for consideration in formulating policies that are more gender-responsive, including special protection for female migrant workers who often face double risks as workers in foreign countries and as women in a social structure that is not always equitable.



**Figure 1. Gender Composition of Indonesian Migrant Worker Respondents**

The results of a study by Soebyakto & Armansyah (2016) stated that in today's modern era, work is no longer just a man's right. Working could be a women's right since now it is called gender equality so that men and women have the same rights within the world of work. Furthermore, according to Djasmoredjo (2004), his perception of female migrant workers is something that is natural and common because women also have the right to work. Women who work are considered legitimate because they also have the right to work and work. According to Yuniarto (2018), in terms of working abroad, women can be said to be quite professional. They are able to do good time management, namely between work and household matters in their hometowns. Certainly, this cannot be separated from the presence of strong support and effective communication with the husband or partner and the family.

In daily practice, female migrant workers have less time to take care of the household. This can certainly be a problem if there is no good communication and cooperation between husband and wife (Soebyakto & Armansyah, 2016). Some men will feel less confident approaching women who work, especially if the woman's job is better and her salary is higher than men's (Putri & Lestari, 2015). This means that there is a gap or boundary between men and women that makes men feel less confident in approaching women who have worked.

Meanwhile, at the national issue level, the dominance of women as household vagrant specialists creates gender positionality. Typically, professional migrant workers fall under the jurisdiction of the Ministry of Manpower, whereas informal or undocumented workers are managed by the immigration authorities and the migrant worker protection agency. As a result, the scope of protection and monitoring for these workers tends to be limited. The position of female migrant laborers is the lowest position in family controls, worldwide relocation, work systems, and work contracts. Migrant women laborers from Indonesia are often observed and labeled negatively (Wulandari et al., 2022). For example, Indonesian women household transient laborers in Saudi Arabia carry personalities that are seen intersectional. These personalities include Culture, Nationality, Ethnicity, Religion, Socio-Economic Class, Sexuality, Dialect, Legal status, and Politics, which make the issues of migrant laborers an international relations issue. The internalization of the character of Indonesian household laborers in Saudi Middle eastern society makes a stereotype of Indonesian female migrant laborers as 'maids' (Devasahayam et al., 2004).

### **3.2. The Challenge Female Migrant Workers would deal with**

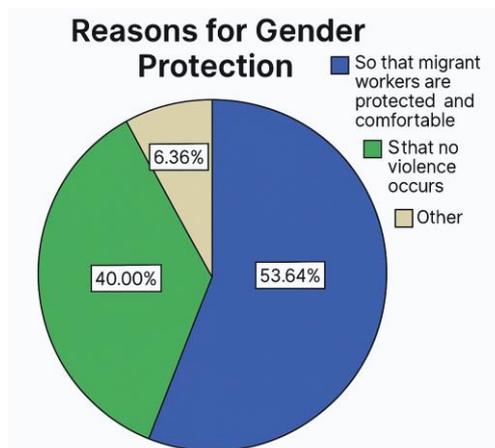
Indonesian female migrant labours are vulnerable to family problems both while working abroad and when they return. One example is divorce from their husbands and pregnancy out of wedlock while abroad. Through qualitative data from the MAMPU Baseline

Study (2019) in Cilacap, there is a village called 'Kampung Arab' because there are several women who have children from fathers from Bangladesh, Pakistan, and Arabia, women who become migrant workers due to divorce and have to be single parents. Hamdi's study (2021) on female migrant workers (TKW) from Lombok who have worked in Saudi Arabia and Malaysia, stated that the challenges faced by female migrant workers are very complex, starting from recruitment and accommodation in their country of origin before leaving, cultural and language issues in the workplace.

The vulnerability of female migrant workers has been experienced since the recruitment period in their area of origin by the broker. This process is the beginning of the chain of misuse of Indonesian migrant workers. Brokers or what are commonly called 'brokers' are extensions of PJTKI who directly recruit prospective migrant workers in the field (Hermawan et al., 2015; Karim, 2017). The case of female migrant workers is indeed more complex because of the lack of security, salary, working hours and holidays (Asriani & Amalia, 2016; Bal & Gerard, 2018).

The majority of Indonesian female vagrant workers work as domestic helpers (PRT) and only a little number work within the benefit and mechanical sectors. Among the Southeast Asian countries that utilize a lot of residential helpers are Malaysia, Brunei Darussalam and Singapore. While outside of that are Middle Eastern countries such as Saudi Arabia, Kuwait, Jordan, Syria, Qatar and the United Arab Emirates. What is interesting is that the countries that accept domestic helpers are former Islamic kingdoms, where the tradition of slavery is part of the culture of the kingdom (Hamdi, 2021). Language and cultural differences significantly affect communication patterns between Indonesian female migrant laborers and their employers. Not a few, just because of communication factors, Indonesian female migrant workers are often subjected to violence by their employers. Calling family is difficult and limited, let alone reporting to the authorities. This condition makes them vulnerable to violence, including rape by employers (Asriani & Amalia, 2016).

Based on the results of the questionnaire, gender protection is needed so that in carrying out the work, Migrant Workers are comfortable and protected and violence does not occur if there is gender protection in carrying out the work.



**Figure 2. Reasons for the Importance of Gender Protection for Migrant Workers**

### 3.3. The Role of Government and Gender-Sensitive Migration Strategy

In the entire process of sending migrant workers, the most important aspect to be improved and organized is the pre-placement process. Many cases experienced by migrant workers while working abroad are caused by inadequate pre-placement. For example, miscommunication between migrant workers and employers often occurs due to the lack of

understanding of the local language and culture by migrant workers. This is due to inadequate language training during education. Even more concerning, even though migrant workers do not master the language of the destination country, they still receive a certificate of passing the competency test.

There are no regional policies in the form of regional regulations that provide law protection for migrant workers, especially women. The policies that have been implemented so far are still repressive social policies, namely handling cases if there are reports from the public. Several policies and efforts made by the Indonesian government in this case the Ministry of Manpower and the National Commission on Violence Against Women to protect female migrant workers in Indonesia, include: 1). Services for female migrant workers who are victims of violence, including sexual violence, provided by the Ministry of Manpower and the Ministry of Woman and Child Protection (National Commission on Violence Against Women 2019); 2) Services for female migrant workers identified as having HIV-AIDS and Sexually Transmitted Infections provided by the Ministry of Manpower and the Ministry of Health (Susilo et al., 2022); 3) Recommendation from the National Commission on Violence Against Women to create a mechanism that holds destination countries accountable for cases of sexual violence against female migrant workers (National Commission on Violence Against Women 2017).

The government continues to improve migration governance for Indonesia migrant workers. As an effort to realize this, the Ministry of Manpower in collaboration with the ILO Jakarta and the Migrant Workers Network (JBM) launched a book entitled "Technical Guidelines for the Provision of Gender-Responsive Migrant Worker Services and Protection" in 2022. This guide is intended to increase stakeholder understanding and commitment regarding the urgency and government efforts to ensure gender-responsive labor migration governance. Gender responsive does not mean giving privileges to female migrant workers. But how to apply the principle of "gender equality and justice" and equal rights for all migrant workers. As well as providing protection, fulfilment, and responsive handling of the different needs of the various gender groups that exist.

### **3.4. Development of Migrant Worker Policy from Year to Year**

State protection for Indonesian Migrant Laborers is based on legal provision, namely Law Number 39 of 2004 concerning the Placement and Protection of Indonesian Migrant Workers Abroad, which is a comprehensive and comprehensive regulation of Indonesian Migrant Labors related to Indonesian Migrant Labours. The law is considered to have many weaknesses so that it cannot provide protection for Indonesian Migrant Laborers. Law Number 39 of 2004 is a legal umbrella that should provide protection for Indonesian Migrant Laborers, but in fact it weakens protection for Indonesian Migrant Laborers.

There are articles in the law that are discriminatory against Indonesian Migrant Workers and place them in a vulnerable position to violence and exploitation. According to Setyawati (2013), one of the weaknesses of Law No. 39 of 2004 is that this law pays more attention to the placement process than to regulating the protection mechanism for Migrant Laborers. Another prominent weakness is the weak aspect of education for prospective migrant workers, as well as the lack of regulations on the responsibilities of government institutions at various levels. Furthermore, *Solidaritas Perempuan* (Women's Solidarity) recommends that supervision by civil society at all stages be strengthened so that protection for migrant workers can be improved.

The Constitutional Court's decision on Law Number 39 of 2004 regarding the Placement and Protection of Indonesian Workers Abroad has significant implications for the structure and effectiveness of legal protection for Indonesian migrant workers. In Constitutional Court

Decision Number 50/PUU-XI/2013, the Court declared that Article 59 of Law No. 39 of 2004 is contrary to the 1945 Constitution of the Republic of Indonesia and lacks legal binding force. This article essentially regulates the authority of private bodies in placing Indonesian workers abroad, which the Court considered to have the potential to result in exploitation practices and weaken the state's protection of its citizens. Furthermore, in Constitutional Court Decision Number 019-020/PUU-III/2005, the Court also annulled the provisions in Article 35 letter d, which govern administrative requirements for placement, as it was deemed to create legal uncertainty and discrimination against prospective migrant workers.

The nullification of these two important provisions renders the existence of Law Number 39 of 2004 no longer fundamentally intact, particularly in terms of the placement and legal protection aspects for Indonesian migrant workers. The legal vacuum resulting from the annulment of these articles indicates that this regulation is no longer able to meet the adaptive legal protection needs in the face of global labor market dynamics and challenges faced by migrant workers. This also reflects the state's failure to fulfill its constitutional mandate to protect all citizens, especially vulnerable groups such as Indonesian workers abroad. Therefore, a comprehensive regulatory update is needed that not only accommodates the spirit of human rights protection but also strengthens the role of the state in the processes of placement, monitoring, and proactive and comprehensive legal protection guarantees for Indonesian migrant workers.

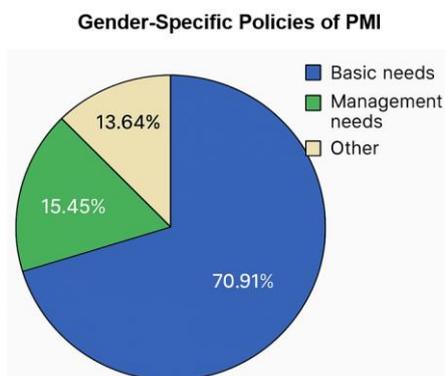
The protection directed in Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Laborers all endeavor to secure the interest of prospective Indonesian Migrant Worker and or Indonesian Migrant Laborers in order to ensure the fulfilment of their rights in all activities before, during and after work. Judging from its definition and objectives, this Law at least has the spirit of shifting the old paradigm which was more focused on the business aspect of placement than on the aspect of protection for Indonesian Migrant Workers. However, this law still needs strengthening, especially in terms of protecting Indonesian female migrant workers whose rights have not been fulfilled properly.

At the international level, the legal framework governing the protection of migrant workers is the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in 1990. Indonesia has demonstrated its commitment to protecting migrant workers by ratifying this convention through Law Number 6 of 2012. However, according to Soetjiptio (2017), this ratification has not been able to shift the country's paradigm from a commodification approach - which views migrant workers solely as a source of foreign exchange - to a protection paradigm focused on human rights. The lack of a clear and structured roadmap in the implementation of Law No. 6/2012 is an indicator of the weak efforts in protection based on that international convention. On an institutional level, protection of migrant workers is also hindered by overlapping authorities between BNP2TKI (now BP2MI) and the Ministry of Manpower, which have not been systematically resolved. This lack of coordination reflects a lack of attention in designing and implementing a comprehensive policy for protecting migrant workers. Consequently, despite Indonesia formally following international standards, in practice, protection for migrant workers, especially women, remains far from ideal and tends to be symbolic. This calls for institutional reforms and the development of rights-based policies that are concrete, consistent, and supportive of migrant workers as subjects of protection, rather than mere economic objects.

### **3.5. Policy Recommendations and Efforts to Improve Protection.**

In addition to Law Number 18 of 2017 which regulates the protection of the interests of prospective Indonesian migrant workers and/or Indonesian migrant workers and their families, cooperation between the government and relevant stakeholders is also needed, in

relation to several contexts, namely: 1) Ensuring supervision involving the community and state institutions, including Human Rights institutions, 2) Involving migrant worker organizations and their families in the preparation of gender-responsive policies and programs; 3) Ensuring that international and regional policies are integrated into national policies; 4) Building a monitoring system to ensure that migrant workers fulfill their reproductive and sexual health and rights; 5) Building a protection system for female migrant workers who are victims of sexual violence.



**Figure 3. Gender-Specific Policy Needs for Indonesian Migrant Workers (PMI)**

Based on the questionnaire given to Migrant Workers, there are aspects of basic needs that are practical and specific management needs. Practical needs include several things related to the standard of living, improving health services and providing employment. While the specific ones are related to fair division of labor, ending violence, wage equality, and rights related to reproductive health. As many as 70.91% want the necessary policies to be gender policies on basic needs and as many as 15.45% want gender policies on management needs. The following is an overview of alternative policies with a gender perspective.

**Table 1. Gender Perspective Policy Alternatives**

Migrant Worker Dispatch Mechanism	Problems Experienced	Existing policies	Gender Perspective Policy Alternatives
Pre-Placement	Providing dishonest information. Identity fraud. Providing loans with high interest rates. Sexual harassment during examinations. Harassment and rape in shelters. Short-term education. Inhumane shelter conditions. Charging fees while in shelters Prohibition on communication and returning home. Ignorance of the contents of the employment contract.	The existence of branch offices in pocket areas. Establishment of resource centers in pocket areas. Establishment of a one-stop service system. The existence of job training centers in pocket areas. The existence of low-interest loan schemes. The existence of educational materials on migrant workers' rights and the cultural conditions of the destination country. The existence of management and control over agencies	Establishment of integrated service centers or crisis centers in pocket areas that provide health, legal, psychological and psychosocial services. Provision of information on the reproductive rights of female migrant workers. Provision of information on the process of being vulnerable to becoming a victim. Provision of information on what to do if a case occurs. Availability of information Regarding remittance management and entrepreneurship.

<b>Migrant Worker Dispatch Mechanism</b>	<b>Problems Experienced</b>	<b>Existing policies</b>	<b>Gender Perspective Policy Alternatives</b>
	No time limit in shelters.	and parties involved in the recruitment process. Involving employers in bearing the costs of labor migration. Involvement of NGOs in the process of controlling management.	
While working	Limited personal facilities. Miscommunication at work. Social communication. Long workloads. Violent acts. Sexual harassment and rape. Death	Strengthening labor attachés in countries that are often the destinations for migrant workers. The existence of safe houses for migrant workers who experience problems. The obligation for PPTKIS to form representatives in destination countries. Provision of legal services. Routine supervision and assistance processes from labor attachés. Encouraging national banks to establish branch offices in destination countries.	The obligation for PPTKIS to provide periodic reports to the local government and migrant worker families. The availability of health, legal, psychological and psychosocial assistance facilities in safe houses. Coordinating with the central government and NGOs in assisting cases. The availability of APBD budget allocation.
Post Placement	Threats of blackmail. Fraud. Payment of money to agents for unreasonable reasons.	Information on safe repatriation routes. Guarantee of safe and low-cost repatriation.	There is assistance for victims. There is assistance in resolving cases. There is entrepreneurship and skills training.

According to Table 1, it is evident that the current delivery mechanism of Indonesian migrant workers is still facing serious challenges at various stages - pre-placement, during employment, and post-placement - particularly in the context of protecting female migrant workers. In the pre-placement stage, issues such as misleading information, sexual harassment, and inhumane living conditions reflect the weak initial protection for prospective workers. Existing policies such as the establishment of one-stop service centers and job training do show positive efforts, but they have not adequately addressed the specific vulnerabilities faced by women. Therefore, a gender-based approach such as the establishment of integrated crisis centers, providing information on reproductive rights, and training in remittance management and entrepreneurship are crucial to strengthen the preparedness and protection of prospective female migrant workers.

During the work phase, female migrant workers often face violence, sexual harassment, excessive workloads, and limited personal facilities. Policies focusing on strengthening the role of labor attachés, providing safe housing, and legal services in the destination country are steps forward. However, to be more responsive to gender issues, additional policies are needed

such as requiring agencies to provide regular reports to the workers' families and local government, as well as providing psychological and legal services in coordinated safe houses with central government and NGOs.

Meanwhile, in the post-placement phase, the risks of extortion and fraud continue to be significant concerns. Existing policies on safe and affordable repatriation need to be strengthened with case management, victim rehabilitation, and skills training as well as entrepreneurship upon returning to the homeland. Consequently, the entire migration cycle must be complemented by concrete and integrated gender-sensitive policies to ensure comprehensive protection for female migrant workers from pre-departure to reintegration into their home communities. This approach not only addresses practical needs, but also reaffirms the state's commitment to ensuring justice and human rights for vulnerable groups.

The legal policy regarding Indonesian migrant workers, particularly women, reveals a significant gap in protection and law enforcement (Komisi Nasional Anti Kekerasan terhadap Perempuan, 2003). Even though Law Number 18 of 2017 has been designed to provide protection to migrant workers, in reality, this law does not specifically address issues faced by female migrant workers who work in non-procedural settings, especially in the domestic sector (Nabila, 2022). This makes them a highly vulnerable group to exploitation and violence, both physical and emotional, lacking adequate access to justice and legal protection (Budiman et al., 2023). The feminist legal theory offers a critical approach to this situation by emphasizing the importance of a legal framework that is sensitive to gender issues and the specific needs of female migrant workers (Natalis & Ispriyarso, 2018).

Female migrant workers face not only violence, but also multiple layers of discrimination as women, workers, and migrants which frequently placing them in low-paying informal jobs with minimal protection (Soetjipto, 2017). Hence, concrete steps need to be taken by the Indonesian government to strengthen legal protection by enacting specific regulations that guarantee the rights of female migrant workers and prevent violence and exploitation. Furthermore, aligning national laws with international standards, such as ILO conventions and other international agreements on migrant rights, is also crucial to enhance protection and strengthen state accountability (Budiman et al., 2023; International Labour Organization (ILO), 2013). Thus, a more comprehensive legal approach, sensitive to gender, and based on human rights is imperative to improve the conditions of Indonesian female migrant workers abroad.

## 4. Conclusion

The guarantee of protection and fulfilment of citizen rights in the constitution is stated in the Amendment to the 1945 Constitution of the Republic of Indonesia Article 28 D Section (1) and (2) of the 1945 Constitution of the Republic of Indonesia which reads: "(1) Everyone has the right to recognition, guarantee, protection, and certainty of fair law and equal treatment before the law. (2) Everyone has the right to work and receive fair and proper compensation and treatment in employment relations". However, in reality, problems that occur to Indonesian workers still occur a lot, even worse, cases like this are experienced by many female workers abroad. The surge in female workers working abroad has overwhelmed the government in regulating protection for migrant workers themselves. In 2017, the Indonesian Government made regulations to protect migrant workers, namely by creating Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers. Another effort made by the government is to create a non-ministerial institution to protect workers, namely the National Agency for the Placement and Protection of Indonesian Migrant Workers

(BNP2TKI). BNP2TKI is regulated in Presidential Regulation No. 81 of 2006 concerning the National Agency for the Placement and Protection of Indonesian Migrant Workers. Legal protection for female migrant workers can be divided into 2, namely preventive legal protection and repressive protection. When viewed from preventive protection efforts, it seems that there is still a lack of strong regional laws and regulations. Where many regions do not have regulations for the protection of migrant laborers, even though when viewed from the data, many migrant workers come from the regions. And for repressive protection efforts themselves, in terms of social security, the Indonesian government has paid attention to protecting migrant workers.

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