



## The Dilemma of Illegal Indonesian Migrant Workers: Between Rural Unemployment Solutions and Weak Protection

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**Abstract.** *This study aims to describe and analyze: positive impacts with negative impacts as a result of Illegal Indonesian Migrant Workers and How Legal Protection in Indonesian Migrant Workers Ilega. The research is a qualitative descriptive analysis. The data analysis technique uses the technique developed by McNabb (2002), namely Grouping the data according to key constructs, Identifying bases for interpretation, Developing generalizations from the data, Testing Alternative interpretations and Forming and/or refining generalizable theory from case study. The results show that the current migration process, due to its intense dynamics, has a strong social and economic impact. The impact affects almost all sectors of society. In addition, it has an impact on the sending and receiving countries, especially its human resources. Positive and negative impacts of international labor migration on human capital in sending and receiving countries. Legal protection for Indonesian Migrant Workers has been comprehensively regulated through various laws and regulations, with the aim of providing maximum protection from various aspects. The state ensures protection for Indonesian Migrant Workers in three main stages: before work, during work, and after work. This protection includes administrative, technical, social security, security, as well as complaint assistance and management of work results after returning to Indonesia. The Indonesian Migrant Workers Protection Agency (BP2MI) is a non-ministerial body formed based on Law Number 18 of 2017 and Presidential Regulation Number 90 of 2019 to provide integrated services and protection for Indonesian Migrant Workers. BP2MI has various authorities, including the implementation of policies, services, social security supervision, issuance of recruitment permits, document verification, and coordination of protection during employment. BP2MI is also tasked with managing facilities, rehabilitation, reintegration, and social and economic empowerment for Indonesian Migrant Workers and their families. BP2MI collaborates with various stakeholders from the central government to villages to ensure optimal services and protection for Indonesian Migrant Workers.*

**Keywords:** *Legal Protection, Migrant Workers, Unemployment.*

### 1. INTRODUCTION

A global phenomenon that occurs in most countries in the world is international migration (including labor migration). This phenomenon continues to develop along with the pattern of relationships between countries in various dimensions. Increasing social and economic disparities between countries have led hundreds of millions of people to migrate across borders. Because emigration has become a way to improve living standards in less developed countries, foreign labor is now more commonly available in more developed countries. The United Nations (hereinafter referred to as the United Nations) estimates that there are more than 258 million migrants in the world today.

However, migration is not a completely positive phenomenon. Government mismanagement of migration has resulted in rising ethnic tensions, ethnic crimes, unobserved and shadow economies, illegal work, and drug trafficking. Migration is a social "catalyst". For example, in countries with efficient governance and low levels of corruption, migration serves

as a factor in development. Migration provides human capital for growing industries, stimulating investment and competition. Meanwhile, the opposite occurs in countries that have systemic governance problems and fail to take adequate action against corruption. By being part of a flawed system, migration provides a boost to the illegal labor market, fuels the shadow economy, and is the source of various illicit schemes. (Grebnyuk, 2017).

Migration also has social and economic impacts on sending countries. Some sociologists and economists consider labor exports to be a purely positive phenomenon, stating that it benefits the labor market, has a favorable social impact on the financial system, and is a factor of political stability (Taran, et al 2009; Zagulyaev, 2010). However, in sending countries, the inflow of money through remittances increases the living standards and purchasing power of the population. As a result, government elites are not trying to carry out structural reforms or optimize their governance. Moreover, in 2011, despite the increase in emigration, the governments of sending countries did not adopt policies to lower their emigration rates (Perserikatan Bangsa-Bangsa, 2013). This results in the fixation of social, economic, and political difficulties in sending countries and stimulates emigration.

Intraregional migration in Asia has increased significantly over time. Considerable growth has also occurred in Asian-born migrant populations in North America and Europe over the past two decades. In 2020, migration from Asia to North America reached 17.5 million, a slight increase from 17.3 million in 2015, while in Europe, migration from Asia reached 23 million in 2020, up from nearly 20 million in 2015. Migration from Asia to North America and Europe drove most of the increase in the number of Asian migrants outside the region, reaching a total of more than 46 million extraregional migrants in 2020. (IOM, <https://worldmigrationreport-iom.2024>)

Labor migration, especially becoming Indonesian Migrant Workers (PMI), is a significant phenomenon in the context of globalization and the economy. This cross-border movement of workers is one of the solutions to the problems of unemployment and poverty that are still experienced by some Indonesian people. Data from the Indonesian Migrant Workers Protection Agency (BP2MI: *Badan Perlindungan Pekerja Migran Indonesia*) shows that more than 9.1 million Indonesian citizens work as migrant workers, spread across various countries around the world. (BP2MI, 2024). According to the Indonesian Ministry of Migrant Workers Protection/Head of BP2MI, there are around 6 million Indonesian migrant workers (PMI) who work abroad illegally.

Worker migration raises complex issues such as illegal workers who often work in the construction, plantation, industry, and household sectors (Dicky, 2018). One of the crucial problems in terms of the protection of Indonesian Migrant Workers (PMI) today is the rampant illegal non-procedural placement. Therefore, efforts to eradicate syndicates for the illegal placement of Indonesian Migrant Workers are one of the priorities of the Indonesian Migrant Workers Protection Agency (BP2MI) program.

The existence of Indonesian Migrant Workers (PMI: *Pekerja Migran Indonesia*) makes a significant economic contribution, especially through remittances or remittances from abroad to Indonesia. Based on a report from Bank Indonesia, remittances sent by PMIs reached 9.71 billion US dollars in 2023 (Kompas.id, 2023). These remittances not only support the economy of migrant workers but also contribute to the national economy, making it one of the four main sectors that support the Indonesian economy. However, despite the huge amount of remittances, this figure is still lower than the period before the COVID-19 pandemic, which reached 11.44 billion US dollars in 2019 (Kompas.id, 2023).

In addition to economic contributions, labor migration also has an impact on social development in the area where workers originate. Improving the living standards of migrant workers' families, developing new skills, and investing in the education sector are often the result of remittances sent by migrant workers. However, behind these economic benefits, there are various challenges that migrant workers must face, especially related to legal and security aspects.

In this context, this study aims to examine how the positive impact is the negative impact as a result of Illegal Indonesian Migrant Workers and how to Protect the Law on Illegal Indonesian Migrant Workers.

## **2. LITERATURE REVIEW**

Hodinott (1994) explained that migration can be seen as a process that helps equitable development that works by correcting the imbalance in the results of production factors between regions, so that it has a positive impact on labor migration, namely remittances from migrants to their regions of origin.

International labor migration can basically benefit the country of origin, such as in efforts to alleviate poverty, overcome unemployment, and earn foreign exchange from remittances sent by migrant workers. According to Curson (1981), remittances are the remittances of money, goods, and development ideas by migrants to their areas of origin. Then this definition was developed by including various skills and ideas obtained by migrants in the

destination area, also classified as remittances for the area of origin (Connell et al, 1980). The skills gained from the experience of migrating will be very beneficial for migrants if they return to their villages later. The use of remittances for investment has many impacts on regional development. Migrants rationally want a better life when they return to their home areas, therefore remittances are also used for housing repairs and construction, buying land, establishing small industries, and others.

Migration that crosses the territorial boundaries of a country is called international migration which is caused by differences in geographical, economic, social, and environmental conditions in the destination and origin areas. (Todaro and Smith, 2006) mentioned economic factors, the expectation of increasing income and living standards are the main factors that cause a migrant. High income expectations cause the migration flow to continue. In another sense, international migration is defined as the displacement of the residence of the population to settle down that transcends the territorial boundaries, the politics of a country. If it does not cross the boundaries or only occurs within the territory of the country, then it is a migration (Listyarini, 2011)

According to Listyarini, (2011), international migration is a solution to labor problems in Indonesia. This has been one of the government's strategies since 1975, the low economic growth while the population continues to increase causing job opportunities and labor absorption to decrease, so international migration is considered a solution to overcome unemployment. According to Listyarini, (2011), unbalanced economic growth, natural disasters, and an increase in the domestic population are the causes of the emergence of a person's desire to migrate until they cross the country's territorial boundaries (international migration), because it becomes rational to be used as a solution when the domestic economy is unstable.

According to Todaro and Smith, (2006) economic conditions are the main and rational factor that a person considers the most to become a migrant worker. Todaro also explained that getting a job and higher income in the destination area is the hope of every migrant. If the wages received in the destination area are greater than the costs they incur, it will motivate a person to migrate. According to Sinaga & Istiyani (2020), the Human Development Index (HDI) has a positive relationship with the number of Indonesian migrant workers. An increase in the human development index will increase the number of migrant workers. According to the theory of human capital, with good quality, it will cause a person to adjust his willingness to work where his desire regarding work, and the desire for work is in accordance with his expectations, so that it is possible to migrate to other areas.

According to Franc et al., (2019), Puspitasari & Kusreni, (2017) Sinaga & Istiyani, (2020) the open unemployment rate (TPT: *Tingkat Pengangguran Terbuka*) has a positive influence on the number of migrant workers, the increase in the unemployment rate will increase the number of Indonesian migrant workers. The narrowness of employment opportunities in the area of origin causes a person to be unemployed and choose to migrate. According to Sinaga & Istiyani (2020), the regional minimum wage (UMR: *Upah Minimum Regional*) has a negative relationship with the number of Indonesian migrant workers. The increase in regional wages will reduce the number of migrant workers, this condition shows that in provinces with high UMR, people are satisfied with the wages they receive, thus reducing their desire for migrants.

Migrant workers are called Indonesian Workers (TKI: *Tenaga Kerja Indonesia*). According to article 1 paragraph (1) of Law No. 39 of 2004, TKI is any Indonesian citizen who is eligible to work abroad in an employment relationship for a certain period of time by receiving wages. Meanwhile, according to law number 18 of 2017 concerning the protection of migrant workers, it is explained that a person referred to as an Indonesian migrant worker (PMI) is a person who will, has, and/or is working outside the territory of the unitary state of the Republic of Indonesia, and that person receives wages from the results of working abroad.

According to Law Number 18 of 2017 concerning Indonesian Migrant Workers, that work is a human right that must be upheld, respected, and guaranteed to be enforced as mandated in the Constitution of the Republic of Indonesia in 1945; That the State guarantees the rights, opportunities, and protection for every citizen without discrimination to obtain decent employment and income, both at home and abroad in accordance with their skills, skills, talents, interests, and abilities; That Indonesian Migrant Workers must be protected from human trafficking, slavery and forced labor, victims of violence, coercion, crimes against human dignity and dignity, and treatment that violates human rights; and that the placement of Indonesian migrant workers is an effort to realize equal rights and opportunities for workers to obtain decent jobs and incomes, the implementation of which is carried out while still paying attention to dignity, dignity, human rights and legal protection, as well as equal distribution of employment opportunities and the provision of labor in accordance with the national interest.

Illegal Indonesian Migrant Workers are Indonesian workers who work abroad but do not have an official permit to work in the place, these illegal workers do not follow the legal procedures and mechanisms that exist in Indonesia and the recipient country The following are four categories of foreign workers that are considered illegal: those who work outside of their official residence period, those who work outside the scope of activities allowed for their status,

those who work without a residence status that grants a work permit or without a permit altogether, and people who enter a country illegally for the purpose of engaging in income-generating activities or businesses.

### 3. METHODS

Based on the objectives to be achieved in the research, namely to describe, explain or describe the results of the research in full and in depth, the type of research used is qualitative (qualitative research). Data collection techniques in this study include: interviews, observation, documentation and literature study. Selain itu, penelitian ini juga akan melakukan tinjauan literatur untuk memahami konteks teoritis dan empiris apakah Pekerja Migran sebagai salah satu Solusi Pengangguran Pedesaan dan Lemahnya Perlindungan. The informants in this study will be determined on an ongoing basis using purposive sampling technique. Data analysis in the study used techniques developed by Miles, Huberman, dan Saldana (2014): yaitu: kondensasi data, penyajian data, dan penarikan kesimpulan/verifikasi

### 4. FINDING AND DISCUSSION

#### **Positive impacts with negative impacts as a result of Illegal Indonesian Migrant Workers**

Labor migration leads to changes in human capital, regardless of the categories of sending and receiving countries (developed or developing). For example, labor emigration lowers the quantitative characteristics of national human capital for all types of countries (Popescu, Diaconu, & Maxim, 2014). Social and economic studies show that labor migration has some particular impact on the human capital of sending countries.

**Table 1. Impact of Labor Migration on Human Resources in Labor Migration Sending Countries**

Positive impact	Negative effects
Pressure on the labor market is easing.	Loss of skilled labor, depletion of human resources, reduced input from those who survive.
Advanced training or acquisition of new skills.	Low educational standards for migrants and their children
Penggunaan transfer uang dari luar negeri untuk mendirikan usaha mikro atau kecil	The development of a dependency mentality is declining in private companies.
Poverty alleviation.	--
Greater investment in education in response to private outbound migration strategies.	--

Most migrant workers end up living permanently in the host country. The loss of human resources in the sending country is largely irreplaceable. Educational migration is part of this phenomenon most of the most talented, ambitious, and hardworking young people go abroad to study and often stay there for good. Researchers are paying great attention to the impact that

the return of migrants to their home countries has on their human capital. The International Organization for Migration (2003) says that "the prospect of working abroad has increased expectations of obtaining additional years of education, and encouraged many to invest in higher education, especially in jobs that are in high demand abroad" (IOM, 2003).

**Table 2 Impact of Labor Migration on Human Capital in Recipient Countries**

Positive impact	Negative effects
Improving the quality of the workforce through the entry of a skilled and relatively young workforce.	Decline in general standards of human capital due to the dominance of low-skilled labor and residual trends.
Reduced costs for companies due to the provision of needed and highly motivated workers	Increasing poverty due to the large number of migrants who have lost their jobs

Immigrant labor becomes part of the human capital of the receiving country depending on their skills, education standards, age, and health. Immigrants can cause the receiving country's human capital to increase or deteriorate. In the knowledge economy based on technology, the fifth and sixth structures, human capital is an important strategic resource for sustainable development, national competitiveness, and public welfare. More developed countries are trying to improve the quality of labor immigration by selecting younger and skilled workers. Today, there is intra-industry, inter-industry, inter-regional, and international competition around the world.

From a human resources perspective, sending countries must base their migration policies on three principles. First, they should stimulate the outflow of unskilled and low-skilled labor, which will help reduce pressure on the domestic labor market and cut public spending due to remittances from migrants. Overall, this will have a critical impact on national human resources. Such policies should be complemented by investment in export-oriented industries that employ large numbers of unskilled or low-skilled labor. The state must also take action to improve educational standards. However, all of these policies require time, competence, and capital input that is not always owned by the sending country. While encouraging labor emigration is the easiest way to raise living standards and reduce unemployment, the State must make maximum efforts to develop and consolidate a skilled workforce. The state should replace the economic model based on labor emigration with one that focuses on the export of goods and services.

Second, sending countries must encourage highly skilled migrants to return to their home countries by creating jobs. Third, sending countries should encourage returning migrants to invest in their economies and set up small or medium-sized businesses.

For recipient countries, labor migration is a factor of human capital both quantitatively and qualitatively. Low-skilled foreign workers play a quantitative role, while skilled foreign workers are both quantitative and qualitative factors. On the basis of this reason, recipient countries should lay down the following principles as the basis of their migration policies: First, destination countries should accept as many low-skilled migrants as possible according to their labor market needs. Otherwise, this could lead to tensions in their labour market and other difficulties that mainly affect the migrants themselves.

Second, they must stimulate the influx of a high-skilled workforce. This will be very beneficial for national human capital. Incoming immigration should be selective with programs for certain categories of incoming workers, such as engineers, programmers, scientists, and teachers. Focusing on highly skilled and professional immigration who can support the research sector will boost high-tech production.

Practice shows that sending and receiving countries have different, sometimes very opposite, goals to achieve in encouraging migration. Table 3 illustrates a comparison of the goals achieved by sending and receiving countries based on research by Stephen Adler (1977) and Jorgen Carling (1996).

**Table 3 Comparison of Migration Policy Objectives of Sender and Recipient Countries**

Purpose	Shipping countries	Recipient country
Number of migrants	relatively large	depending on the needs of the national labor market
Migran Status	legal	flexible
Age status	Young age	Middle Age
Qualification/education level	low	low and high
Wages/salaries	high	low
Mobility	high	low
The level of technology in the (potential) migrant employment sector	middle	low and high
Further education/training	sophisticated	low

As Table 3 shows, sending countries seek to minimize national human capital losses caused by migration. Therefore, they should encourage the emigration of legal, organized, and humane low-skilled young workers who will be able to undergo advanced training and acquire new competencies abroad. In addition, sending countries require their emigrants to have jobs abroad that involve the use of mid-level technological sophistication. This will allow these migrants to acquire competencies that they would bring back if they returned to their home countries.

Recipient countries need the highest standards of immigrant human capital. At the same time, they have a demand for low-skilled labor that domestic resources cannot meet. They will try to minimize competition between migrants and natives seeking work in sectors that use moderately sophisticated technology. There is a situation in the recipient country where the shortage of domestic human resources necessitates the recruitment of workers from abroad. In this case, the recipient country usually lists the vacancies. A foreign national who has the necessary qualifications and applies for entry, according to this list, can enter the country with a simplified entry procedure.

The high unemployment rate and low wages in Indonesia as well as the demand for labor from abroad are the main drivers for many citizens to find work abroad. They hope to get a greater income than in the country, so that they can improve family welfare. Indonesian Migrant Worker destination countries, such as Malaysia, Saudi Arabia, and Taiwan, offer much higher wages for similar jobs. This economic gap is the main reason for the large number of labor migrations. In addition, the lack of jobs in rural areas also forces many people to look for opportunities abroad.

The large number of Indonesian Migrant Workers abroad can increase the number of Indonesian workers abroad. The follow-up of the placement of Indonesian Migrant Workers has a significant positive and negative impact. On the positive side, the existence of Indonesian Migrant Workers can improve the family economy and can also increase the country's foreign exchange as well as reduce unemployment. In addition, work experience abroad often enriches the skills and knowledge of Indonesian Migrant Workers, which can be applied when returning to the country. However, on the downside, Indonesian Migrant Workers often face risks of exploitation, inhumane treatment, and unsafe working conditions. With this condition, more attention is needed from the government and the community to maximize the positive impact and minimize the negative impact of the placement of Indonesian Migrant Workers.

Well-managed legal migrant workers can reduce unemployment in the country. In addition, migrant workers can also improve their skills and experience. The reopening of the domestic sector for Indonesian migrant workers can reduce unemployment at home, develop better careers abroad, improve skills, build experience, and enrich insights, making a broader contribution to the Indonesian economy as a whole. Problems that may occur to Indonesian migrant workers include: Lack of documents (illegal), Overstay, Running away from employers, Salaries that do not match the promised salary.

In the end, the existence of Indonesian Migrant Workers is a phenomenon that reflects the dynamics of the global economy and the need for labor in various countries. On the one hand, Indonesian Migrant Workers help improve the national economy through remittances and fill labor vacancies in destination countries. On the other hand, the challenges they face demonstrate the need for reforms in labor protection, both legally and practically. To maximize benefits and minimize risks for Indonesian Migrant Workers, collaboration between the government, non-governmental organizations, and the private sector is essential. This will help create fairer and safer conditions for Indonesian migrant workers, as well as improve the quality of life for them and their families in Indonesia.

### **Legal Protection for Illegal Indonesian Migrant Workers**

Migrant workers are faced with fundamental problems that are faced so that certain individuals treat migrant workers inhumanely. Considering that labor conflicts are still rampant outside Indonesia, through clear rules, it will certainly provide comfort and tranquility if there are obstacles or problems when working abroad or when PMIs return to their home countries. The problems of migrant workers include conflicts between workers and employers, human trafficking, fraud and exploitation and many other problems. The existence of migrant workers is sometimes underestimated because they are considered immigrants from outside the region or foreigners. So that the rights that migrant workers should receive tend to be set aside. The existence of migrant workers who are vulnerable to bad treatment and the rights of migrant workers are not fulfilled. Making legal protection a shield of protection that is urgently needed by migrant workers for treatment that can threaten safety, dignity and dignity to human rights.

Providing legal protection and the placement and fulfillment of the rights of migrant workers is the duty and responsibility of the government and institutions in charge of employment. In addition to maximizing services to migrant workers, protecting and guaranteeing the rights of migrant workers in the pre-placement and post-placement periods, related institutions are also obliged to improve the welfare of migrant workers and their families. Philipus M. Hadjon stated that legal protection is a form of protection aimed at legal subjects, namely legal instruments that can be repressive or preventive to convey justice, order, usefulness, peace, and certainty. Repressive legal protection is legal protection that has the purpose of resolving disputes until they are handled in judicial institutions, while preventive legal protection is legal protection that has the purpose of preventing a dispute from occurring. In terms of PMI protection, a combination of the two types of legal protection is needed, but preventive measures as a dispute prevention must be carried out more intensively.

Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers in article 1 (one) number 5 (five) explains that the Protection of Indonesian Migrant Workers is all efforts to protect the interests of Prospective Indonesian Migrant Workers and/or Indonesian Migrant Workers and their families in realizing the guaranteed fulfillment of their rights in all activities before work, during work, and after working in legal aspects, economic, and social.

The existence of a legal umbrella to protect Indonesian Migrant Workers in the destination country is something that is first ensured by the Indonesian government, especially the labor rules that govern how a country treats foreign workers in its country and how to guarantee its protection. One of the regulations or agreements that regulates how to treat migrant workers internationally is in the International Convention organized by the United Nations (UN), namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. which is included in the membership of the United Nations, especially countries that have ratified this convention.

In the implementation of protection for Indonesian Migrant Workers, it is also divided into various stages and each stage is guaranteed to get forms of protection for legal, social and economic protection. The stages are as follows:

a. Protection Before Work

Pre-work protection is the entire activity to provide protection from registration to departure<sup>31</sup>. Every Prospective Indonesian Migrant Worker must meet the requirements that have been determined in the Regulation of the Indonesian Migrant Workers Protection Agency Number 7 of 2022 concerning the Pre-Work Process for Prospective Indonesian Migrant Workers (partially amended by BP2MI Regulation Number 8 of 2023).

b. Protection During Work

Protection during work is carried out by : Data collection and registration by the employment attaché or appointed foreign service official, monitoring and registration by a labor attaché or a designated foreign service official, facilitating the fulfillment of the rights of Indonesian Migrant Workers, Facilitation of employment case settlement, Provision of consular services, Repatriation facilitation.

c. After-Work Protection

After-work protection is carried out by the central government together with local governments. The representative of the Republic of Indonesia is obliged to verify and if the Indonesian Migrant Worker does not have any problems in terms of verification, the Indonesian Migrant Worker can undergo the return process or can extend the Employment Agreement.

The central government and local governments together with labor agencies have made many legal efforts through special regulations to protect the rights of migrant workers who are vulnerable to being ignored by employment agencies to avoid exploitation, but in terms of prevention, it is still considered less than optimal (Izziyana, 2020). The enthusiasm of PMIs to work abroad, as well as the increasing number of countries that are opened, are used by individuals to take actions that have the potential to fraud and exploit PMI. Limited access to accurate information and lack of understanding of placement procedures are factors that make it easy for people to be seduced and consumed by sweet promises to earn high salaries in a short period of time by individuals who act as illegal labor agents.

BP2MI according to Presidential Regulation Number 90 of 2019 Article 1 paragraph 2 means a non-ministerial government institution that has the task of implementing policies in terms of services and the protection of Indonesian Migrant Workers in an integrated manner. Efforts to protect and prevent Non-Procedural PMI have been made by the Government in coordination with UPT BP2MI, as well as institutions in the field of employment optimally by implementing the following actions:

Seeking to prevent preventive measures by more aggressively carrying out socialization activities as an effort to prevent the placement of non-procedural migrant workers and optimize the protection of migrant workers which is carried out directly or through the internet, websites, social media, youtube, facebook, By disseminating information through social media can be more effective because it is more widely seen and accepted quickly by the public. For socialization, BP2MI is carried out in collaboration with the Government and Commission IX of the House of Representatives of the Republic of Indonesia.

BP2MI also carries out socialization and information approaches in collaboration with village officials, related to supervising their people who plan to work abroad in accordance with departure procedures. As well as managing and protecting PMI from the recruitment stage through the development of one-stop PMI services in all Regencies/Cities, as well as increasing the role of the government with the development of Productive Migrant Villages (Desmigratif). Desmigrative is an effort to reduce the number of non-procedural migrant workers and prosper workers and their families. The village is used as a place to provide employment information and communication by providing facilities and infrastructure as well as human resources. The village-level government has a role in supervising and verifying documents such as parental or husband/wife permits for CPMI/PMI and actively providing information to its citizens regarding procedural placement abroad.

In the effort to prevent BP2MI, it is carried out together with the Immigration by tightening supervision starting from passport applications to departure through the inspection area by Immigration. The Immigration also coordinates with the Manpower Office regarding the issuance of passports, it is necessary to attach a passport recommendation letter issued by the Provincial/City Manpower Office.

## **5. CONCLUSION**

The current migration process, due to its intense dynamics, has a strong social and economic impact. The impact affects almost all sectors of society. In addition, it has an impact on the sending and receiving countries, especially its human resources. Positive and negative impacts of international labor migration on human capital in sending and receiving countries. For example, in sending countries, labor migration tends to have a stronger negative impact on human capital, whereas the positive impact of labor circulation cannot be observed.

Legal protection for Indonesian Migrant Workers has been comprehensively regulated through various laws and regulations, with the aim of providing maximum protection from various aspects. The state ensures protection for Indonesian Migrant Workers in three main stages: before work, during work, and after work. This protection includes administrative, technical, social security, security, as well as complaint assistance and management of work results after returning to Indonesia. This shows that the state is present and plays an active role in every process involving Indonesian Migrant Workers. So that the problems that still occur are solely caused by employers who are arbitrary towards migrant workers.

The Indonesian Migrant Workers Protection Agency (BP2MI) is a non-ministerial body formed based on Law Number 18 of 2017 and Presidential Regulation Number 90 of 2019 to provide integrated services and protection for Indonesian Migrant Workers. BP2MI has various authorities, including the implementation of policies, services, social security supervision, issuance of recruitment permits, document verification, and coordination of protection during employment. BP2MI is also tasked with managing facilities, rehabilitation, reintegration, and social and economic empowerment for Indonesian Migrant Workers and their families. BP2MI collaborates with various stakeholders from the central government to villages to ensure optimal services and protection for Indonesian Migrant Workers.

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