

The Role of the Embassy of the Republic of Indonesia Kuala Lumpur in Addressing the Rights of Indonesian Women Migrant Workers

Diva Febby Andini, Rio Sundari

Department of International Relations, Universitas Islam Riau

Pekanbaru, Riau, Indonesia

Email Divafebby1995@gmail.com

Email riosundari@soc.uir.ac.id

Abstract

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The purpose of this research is to analyze how the role of the Embassy of the Republic of Indonesia Kuala Lumpur in tackling the problem of the rights of Indonesian women migrant workers. With the increasing population in Indonesia, job opportunities within the country are limited, which has led to swelling unemployment rates in Indonesia, and Indonesians migrating to neighboring countries, such as Malaysia. Workers, especially women, are often trapped in unfair and high-risk work situations, such as being denied their rights to unpaid wages for long periods. Violations of women migrant workers' rights include lack of legal protection, massive labor exploitation, and gender discrimination that often occurs in the workplace. The Embassy of the Republic of Indonesia Kuala Lumpur's involvement in facilitating these rights is crucial. The researcher used a descriptive qualitative research approach, the initial research information came from interviews with relevant parties, such as reports, articles, books, or pre-existing databases. The Indonesian Embassy in Kuala Lumpur is also responsible for providing protection, assistance, and advocacy for Indonesian women migrant workers who experience problems in Malaysia. The Indonesian government and the Indonesian Embassy in Kuala Lumpur need to raise public awareness about the importance of protecting the rights of women migrant workers and the dangers faced by them. By using more effective policies to protect the rights of women migrant workers, such as policies on the protection of migrant workers' rights.

Keywords: Embassy of the Republic of Indonesia Kuala Lumpur, Indonesian Migrant workers, Kuala Lumpur, Indonesian Women

1. INTRODUCTION

Indonesia is one of the countries that is a member of the ASEAN (Association of Southeast Asian Nations) organization which has the largest population in the Southeast Asian region.

Indonesia is a developing country of various ethnicities and tribes that have spread throughout the corners of the archipelago. As seen, Indonesia is a developing country that has ethnic and ethnic diversity, which is reinforced by the total population of Indonesia, which is 280.73 people reported by the population data of the Directorate General of Population and Civil Registration of the Ministry of Home Affairs as of December 2023 (*Direktorat Jenderal Kependudukan Dan Pencatatan Sipil*, 2023). In fact, with the increasing population in Indonesia, domestic employment opportunities are limited, while the number of working groups is increasing. With this, Indonesia's unemployment rate has been swelling, and Indonesians are migrating to neighboring countries.

The difficulty of finding work in Indonesia has led people to migrate to neighboring countries, such as Malaysia. There are several push factors. First, the geographical proximity between Indonesia and Malaysia has a long-standing relationship due to geographical, historical, and cultural closeness. Second, the large number of jobs provided by Malaysia and looking for a better job due to limited employment opportunities in the country. Third, there are similarities between culture and language between Indonesia and Malaysia (Listyarini, 2011). Pull Factors for Indonesians who migrate to Malaysia. First, because they get a bigger salary wage than in the country. The economic gap between Indonesia and Malaysia is one of the main triggers for Indonesian labor migration to Malaysia (NN, 2018). Second, the quality of education is more advanced, as some people prefer to continue their education abroad, especially in Malaysia because of the more advanced and good quality. Third, the free visit visa has been given by the Malaysian government for 30 days, but it is widely misused by Indonesians who want to work in Malaysia.

Indonesian migrant workers who come to Malaysia must go through an official or legal process to get legal protection. Likewise, the placement of Indonesian migrant workers in Malaysia must follow the positions and expertise that have been applied. Placement must be carried out with due regard to human rights, equal employment opportunities, legal protection, and the willingness of workers to prioritize national interests (Sundari et al., 2021).

The issue of the rights of Indonesian migrant workers is a complex one, given the many cases of rights violations that occur to these migrant workers in foreign countries. According to data from the Director General of Immigration, the total number of migrant workers in Malaysia could reach 2.7 million people. According to 2023 data from the Indonesian Embassy in Kuala Lumpur, complaints received from Indonesian Migrant Workers are more from the illegal category than the legal one. The Indonesian Embassy has issued 33,742 Certificates of Citizenship Status and Certificate of Birth Registration to Indonesian citizens, many of whom are *undocumented* migrant workers facing citizenship and legality issues in Malaysia.

According to data from the Indonesian Embassy in Kuala Lumpur, there are 460,478 Indonesian Migrant Workers who still have work visas or Temporary Work Permits in Malaysia in 2023 (Setia et al., 2024). In the same triggers for Indonesian labor migration to Malaysia (NN, 2018). Second, the quality of education is more advanced, as some people prefer to continue their education abroad, especially in Malaysia because of the more advanced and good quality. Third, the free visit visa has been given by the Malaysian government for 30 days, but it is widely misused by Indonesians who want to work in Malaysia.

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The following is data on the number of illegal migrant workers who have been deported by the Malaysian government from 2019-2023:

Table 1 *Number of male and female migrant workers in Malaysia*

2019	1.819
2020	14.072
2021	3.097
2022	1.771
2023	1.981
Total	22.740

Source: *Balai Pelayanan Perlindungan Pekerja Migran Indonesia (BP3MI)*

The following is data on the distribution of the number of male and female migrant workers in Malaysia from 2019-2023:

Table 2 *Number of male and female migrant workers in Malaysia*

Year	Male	Female
2019	58.169	21.494
2020	10.951	3.791
2021	392	171
2022	4.453	6.394
2023	53.317	81.474
Total	128.282	113.324

Source: *Badan Pelindungan Pekerja Migran Indonesia (BP2MI)*

According to the data listed above, this shows that the number of female migrant workers is almost equal to the number of male migrant workers, even starting in 2022 to 2023 the number of female migrant workers dominates the number of male migrant workers. This reflects a trend where women are often involved in domestic and informal work, such as domestic helpers, while men are more involved in the formal sector.

With so many women involved in this work, there are also many complex and challenging issues, given the many cases of rights violations that occur to women in foreign countries, especially in Malaysia. Violations of the rights of women migrant workers include lack of legal protection, massive labor exploitation, and gender discrimination that often occurs in the workplace. BP2MI also said that many migrant workers experience problems such as unilateral salary cuts and working hours that exceed humanitarian limits. At present, existing policies are not able to guarantee the achievement of justice for women migrant workers who experience violence and problems with rights.

Efforts to improve the protection of the rights of Indonesian women migrant workers require diplomatic support and measurable policies in their implementation. The involvement of the

Indonesian Embassy in destination countries, such as the Indonesian Embassy in Kuala Lumpur, in facilitating these rights is crucial.

Based on the explanation above, a problem formulation is obtained, namely "How is the Role of the Embassy of the Republic of Indonesia Kuala Lumpur in tackling the problem of Indonesian women migrant workers' rights?"

2. ANALITICAL FRAMEWORK

This research aims to analyze the role of the Embassy of the Republic of Indonesia Kuala Lumpur in tackling the problem of Indonesian women migrant workers' rights by using the perspective of constructivism. Constructivism perspective is one of the many perspectives developed and used in sociology. Constructivism as an emerging perspective in International Relations research, actually belongs to a large "basket" known as postmodernism with a critical lens, Feminism after Colonialism. Constructivism is a theoretical approach to International Relations that became popular in the 1990s after the end of the Cold War.

This international perspective is here to contribute a way of thinking that is different from what has gone before, especially the methods of realism, liberalism, and even neo-liberalism and neo-realism. Constructivism emerged alongside additional critical theorists who opened our eyes to how positivists create knowledge and limit phenomena. Constructivism should be noted that it does not entirely go hand in hand with other critical theorists, especially postmodernism, as it has some key differences (Sundari et al., 2024).

Constructivism is explained as an approach that emphasizes the role of ideas, norms, and identities in shaping state behavior in the international arena. Constructivism argues that social reality, including world order, is the result of interactions and social constructions between actors, not just material factors such as military or economic power. Alexander Wendt, a major figure in this theory, stated that "anarchy is what states make of it," emphasizing that international conditions can change based on the understanding and interaction between states (Jemadu, 2017).

In this research entitled *The Role of the Indonesian Embassy in Kuala Lumpur in Overcoming the Problems of Indonesian Women Migrant Workers' Rights*, the author uses constructivism theory which can be explained that constructivism theory emphasizes that social reality, including international relations, is formed through social interaction and shared understanding. In this context, the role of the Indonesian Embassy in Kuala Lumpur can be seen as the result of social construction between Indonesia and Malaysia in dealing with the issue of migrant workers. Constructivism theory argues that state identities and interests are not fixed, but are formed through interaction. The role of the Indonesian Embassy in addressing the rights of women migrant workers reflects Indonesia's identity as a country that cares about its citizens abroad. This theory also emphasizes the importance of norms and values in international relations. The Indonesian Embassy's efforts to protect the rights of women migrant workers can be seen as an implementation of international norms related to human rights and labor rights.

3. RESEARCH METHOD

In this study, researchers used a descriptive qualitative research approach, in general, the term descriptive comes from the English word describe, which means to describe or describe. According to Boyd, Westfall, and Stasch in Mudrajat Kuncoro (2004: 14), descriptive studies aim to provide a complete and accurate description of a situation. One type of data analysis technique used in research is descriptive.

Descriptive data analysis techniques discuss the data that has been collected, processed, and presented by assessing it. After the assessment, there is a deep, clear, and detailed analytic-argumentative description. The analytic-argumentative description is supported by several theories to verify and draw conclusions.

One type of research method is qualitative, as stated by Sukmadinata, qualitative research is inductive, meaning that researchers see problems that arise from the data to determine how they can interpret them. The data is collected through a thorough examination, which includes detailed descriptions of the context, thorough notes of interviews, and results of analysis of documents and action records. One of the characteristics of qualitative research methods is that it is inductive, have limited respondents, and describe existing phenomena. This descriptive research aims to describe and describe real-world phenomena, both human-made and natural. Researchers use this type of research to determine the role of the Indonesian Embassy in Kuala Lumpur in overcoming the problems of Indonesian women migrant workers' rights.

4. RESULT AND DISCUSSION

The Role of the Indonesian Embassy in Kuala Lumpur in Addressing the Rights of Indonesian Women Migrant Workers

The results of this research and discussion are in the form of the Role of the Embassy of the Republic of Indonesia Kuala Lumpur. In this discussion, it is presented about things that become findings in the field, obtained through the process of data collection with observation studies, interviews, and data taken unstructured from several activities that have been carried out. The Embassy of the Republic of Indonesia Kuala Lumpur, is an Indonesian diplomatic representation that aims to establish and improve bilateral relations between Indonesia and Malaysia, as well as protect the interests of the Indonesian nation and State in Malaysia. The Indonesian Embassy in Kuala Lumpur is responsible for the service and protection of Indonesian citizens in Malaysia, including Indonesian Migrant Workers

According to Article 19 letter (b) of Law No. 37/1999 on Foreign Relations, Chapter V on Protection of Indonesian Citizens, the Representative of the Republic of Indonesia is responsible for providing care, protection, and legal assistance to Indonesian citizens and legal entities abroad by national laws and regulations and international customs (Undang-Undang Republik Indonesia, n.d.). In 2023, the number of Indonesian Migrant Workers in Malaysia consisted of approximately 60% women and 40% men. Of the total 135,791 migrant workers dispatched in the first half of 2023, approximately 81,474 were women and 54,317 were men. This reflects a trend where women are often involved in domestic and informal work, such as domestic help, while men are more involved in the formal sector (GoodStats, 2023).

With so many women involved in this work, there are also many complex and challenging issues, given the many cases of rights violations that occur to women in foreign countries, especially in Malaysia. Violations of the rights of women migrant workers include lack of legal protection, massive labor exploitation, and gender discrimination that often occurs in the workplace. A national survey conducted by *Badan Perlindungan Pekerja Migran Indonesia* (BP2MI) shows that perceptions of the legal protection of migrant workers are still weak, with more than 30% of female migrant workers feeling unprotected by the government. BP2MI also said that many migrant workers experience problems such as unilateral salary deductions and working hours that exceed humanitarian limits. At present, existing policies are not able to guarantee the achievement of justice for women migrant workers who experience violence and problems with rights. Consequently, in the absence of adequate policies and protections, the basic rights of Indonesian women migrant workers are vulnerable to being violated, which creates systemic vulnerabilities in the structure of migrant labor (Alcita, 2022.)

Efforts to improve the protection of the rights of Indonesian women migrant workers require diplomatic support and measurable policies in their implementation. The involvement of the Indonesian Embassy in destination countries, such as the Indonesian Embassy in Kuala Lumpur, in facilitating these rights is crucial. The Indonesian Embassy in Kuala Lumpur is responsible for providing protection, assistance, and advocacy for Indonesian women migrant workers who experience problems in Malaysia. This includes conducting in-depth investigations into migrant worker rights cases in Malaysia.

a. Indonesian Embassy in Kuala Lumpur Responsible for Providing Advocacy for Indonesian Women Migrant Workers

The Indonesian Embassy in Kuala Lumpur has provided many channels to reach the Indonesian Embassy in Kuala Lumpur, the first is a hotline, such as a complaint hotline, this hotline is in the form of social media such as WhatsApp, Instagram, and Email applications. If there are Indonesian Migrant Workers with problems, workers can use the complaint hotline that has been prepared by the Indonesian Embassy in Kuala Lumpur. Second, *walk-in*, where migrant workers can come directly to the Indonesian Embassy in Kuala Lumpur. This can also be done by using the help of friends or acquaintances to report the case to the Indonesian Embassy in Kuala Lumpur directly. This also applies to complaints from the local government from the victim's area of origin, for example, the Manpower Office and BP3MI (Balai Pelayanan Pelindungan Pekerja Migran Indonesia) who will report directly to the social media of the Indonesian Embassy in Kuala Lumpur such as WhatsApp and Email. (Interview Result)

The Indonesian Embassy in Kuala Lumpur also provides a special protection program for female migrant workers affected by exploitation in Malaysia. The Indonesian Embassy in Kuala Lumpur conducts media campaigns for socialization such as podcasts, social media outreach, and workshop seminars. The Indonesian Embassy in Kuala Lumpur also conducts special protection programs such as directly visiting large meetings to raise awareness of migrant workers. (Interview Result)

The current Ambassador of the Indonesian Embassy in Kuala Lumpur, Mr. Hermono, is often a resource person and speaker at workshop seminars, which aim to raise the awareness of workers and the public to uphold and open their eyes regarding the issue of the rights of Indonesian migrant workers. Not only the ambassador, but the staff of the Indonesian Embassy in Kuala Lumpur also often attend events such as workshop seminars. However, this cannot only be done by the Indonesian Embassy in Kuala Lumpur alone, because solving the problem must start from the beginning to the end. The Indonesian Embassy Kuala Lumpur is likened to the final action because the Indonesian Embassy Kuala Lumpur is already focused abroad. For this kind of challenge, special protection or prevention should be done domestically. For example, strengthening regulations and law enforcement, improving cross-agency coordination, education, and socialization, and increasing immigration supervision. (Interview Result)

b. Indonesian Embassy in Kuala Lumpur Ensures Safety and Comfort of Indonesian Women Migrant Workers

The Indonesian Embassy in Kuala Lumpur also ensures the safety and comfort of workers who are victims or involved in a case, by monitoring the condition of Indonesian Migrant Workers. Most of the workers whose cases have been followed up are in *shelters*. With workers in the *shelter*, the Indonesian Embassy in Kuala Lumpur ensures that their basic needs are met. The location of the *shelter* at the Indonesian Embassy in Kuala Lumpur itself makes it easier for the staff of the Indonesian Embassy in Kuala Lumpur to summon workers if there are Malaysian institutions that ask to provide information or become witnesses. The Indonesian Embassy in Kuala Lumpur suggests that if the case of a migrant worker has been followed up, then migrant workers must stay in the shelter provided by the Indonesian Embassy in Kuala Lumpur. (Interview Result)

In addition to the *shelter*, the Indonesian Embassy in Kuala Lumpur also facilitates a house for migrant workers who have cases such as human trafficking, namely the House of Protection. This house is specifically for migrant workers who have cases of trafficking in persons. Several Indonesian Migrant Workers are in the shelter of the Indonesian Embassy in Kuala Lumpur and are transferred to the protection house because their cases have been identified as trafficking in person cases. With this *shelter* and protection house, the Indonesian Embassy in Kuala Lumpur can easily monitor the condition of Indonesian

Migrant Workers during case settlement or Indonesian Migrant Workers who have escaped from their employer's house. (Interview Result)

If the migrant workers are outside the reach of the Indonesian Embassy in Kuala Lumpur, this will make it difficult for the Indonesian Embassy in Kuala Lumpur to monitor the migrant workers. For example, the Indonesian Embassy in Kuala Lumpur will repatriate the Indonesian Migrant Workers to Indonesia, if the Indonesian migrant workers have finished giving testimony in court, of course, the Indonesian migrant workers must have a letter from immigration or from the court, where they have been released as witnesses in court. If there is a continuation of the case, the migrant worker who has returned to Indonesia will be summoned back to Malaysia to be a witness in court. With the return of the migrant workers to Indonesia, it is difficult for the Indonesian Embassy in Kuala Lumpur to contact the migrant workers who will be called back to fulfill their testimony in court. Of course, the costs and all accommodation for the Indonesian Migrant Workers are borne by the Indonesian Embassy in Kuala Lumpur.

c. The Indonesian Embassy in Kuala Lumpur's Efforts to Address the Rights of Indonesian Women Migrant Workers

The Indonesian Embassy in Kuala Lumpur seeks to address issues related to the rights of Indonesian women migrant workers in Malaysia with the process and steps taken by the Indonesian Embassy in Kuala Lumpur. Like some of these complaints, the Indonesian Embassy in Kuala Lumpur must conduct screening at the initial stage, such as what the cases, what follow-up is needed by the Indonesian Embassy in Kuala Lumpur, then what steps must be taken by the Indonesian Embassy in Kuala Lumpur, why can Indonesian Migrant Workers get into that situation? This must be investigated by the victimized Indonesian Migrant Workers to obtain clear information about the case. To obtain this information, the Indonesian Embassy in Kuala Lumpur conducted an interview. The obstacle when conducting this interview is when the Indonesian Migrant Workers cannot understand and understand what the Indonesian Embassy in Kuala Lumpur wants to ask. If you have conducted an *interview*, the Indonesian Embassy in Kuala Lumpur will conduct a search and investigation, this aims to complete the data belonging to Indonesian Migrant Workers that is less clear. (Interview Result)

If the case is certain, such as the case of unpaid salaries of female migrant workers, then the Indonesian Embassy in Kuala Lumpur will follow up according to the problem. If the migrant worker only focuses on returning to Indonesia, then the Indonesian Embassy in Kuala Lumpur will help negotiate with the agency and employer, using a summons from the Indonesian Embassy in Kuala Lumpur. If the Indonesian Migrant Workers want to claim a salary that is not paid by the employer, then the Indonesian Embassy in Kuala Lumpur will help calculate how much salary will be demanded. One of the *channels* used by the Indonesian Embassy in Kuala Lumpur to pursue worker and employer disputes is *Jabatan Tenaga Kerja Semenanjung Malaysia* (JTKSM). JTKSM is an office tasked with enforcing labor regulations and laws in Malaysia. JTKSM is under the Ministry of Human Resources. In this case, JTKSM assisted with mediation. (Interview Result)

The challenge from JTKSM is that they only want to follow up and make an official report if the Indonesian Migrant Workers have a permit. A Malaysian permit is a document that allows foreign nationals to enter and stay in Malaysia. If the migrant worker does not have a permit, JTKSM tends to listen to the problem only, and they do not even hesitate to not want to help the case. Because of this vulnerable position, migrant workers are increasingly exploited and become a threat because they do not have a permit. If JTKSM has followed up, the case will then be processed by the labor court. But if all efforts that have been made cannot be made, then the Indonesian Embassy in Kuala Lumpur will help Indonesian Migrant Workers whose cases are significant by using legal processes, such as hiring lawyers to be able to help civil lawsuits using civil law, to sue employers. If the case is trafficking in persons, then the Indonesian Embassy in Kuala Lumpur will report to

the local police, and the police will continue the case to the court, which will go to the prosecutor and be processed by the court. (Interview Result)



Figure 1 The process of prosecuting worker-employer disputes at *Jabatan Tenaga Kerja Semenanjung Malaysia*

The Indonesian Embassy in Kuala Lumpur also works closely with the local government to resolve cases of migrant workers. The Indonesian Embassy in Kuala Lumpur cooperates as much as possible with all parties involved, both from Indonesia and Malaysia, because this case is complex. With this complexity, many parties are involved. (Interview Result)

This also depends on the current leader of the Indonesian Embassy in Kuala Lumpur, Mr. Hermono, who is currently quite firm with the local government. Many ways are used by Mr. Hermono to pressure the local government, by meeting high-ranking officials, such as the attorney general, the ministry of home affairs, and up to the prime minister. Not only that, Mr. Hermono also garnered support from representatives of other countries that had the same problem. For the Malaysian government, Mr. Hermono often took decisive action as outlined in statements in the media, with interviews in the media Mr. Hermono showed an attitude with a high-profile case at that time.

Another effort was to sign a Memorandum of Understanding (MoU) with the Malaysian Bar Association. The Indonesian Embassy in Kuala Lumpur and the Malaysian Bar Association signed an MoU on a legal aid scheme for Indonesian citizens in Malaysia. The aim is to provide legal assistance, training, and capacity building. This cooperation is expected to ensure that Indonesian citizens in Malaysia have access to justice regardless of their social status, ethnicity, or race. (Interview Result)

As for protection for cases of sexual violence against Indonesian Migrant Workers, namely using protection diplomacy for cases of sexual violence. To support the human security of female migrant workers who are victims of sexual violence in Malaysia, the Indonesian Embassy in Kuala Lumpur conducts protection diplomacy. Monitoring sexual violence cases, speaking with relevant parties, and working with NGOs, and lawyers to speak with local police are some examples of these efforts. (Interview Result)

As for the collaboration with the *Pimpinan Cabang Istimewa Muhammadiyah Malaysia* (PCIM). *Sanggar Bimbingan* (SB) was established by the Indonesian Embassy in Kuala Lumpur and PCIM as a place of learning for children of unauthorized migrant workers who cannot access formal education. The aim is to teach national insight and love for the country. The Indonesian Embassy in Kuala Lumpur also provides immigration services for making

passports as the identity of Indonesian citizens. The Indonesian Embassy in Kuala Lumpur also provides services for the birth registration of Indonesian Migrant Workers children to be officially recorded and registered in Indonesia. (Interview Result)

d. Case Studies Handled by the Indonesian Embassy in Kuala Lumpur

One example of a case that is being handled by the Indonesian Embassy in Kuala Lumpur is a sister with the initials DB who comes from East Nusa Tenggara, DB has worked for almost 10 years and has never received her salary. This case began in 2020, when the nominal amount demanded was large, amounting to 600-700 Malaysian Ringgit per month. A labor agency owner in Kota Bharu, Kelantan, reported to the Indonesian Embassy in Kuala Lumpur in early November 2020 that a housemaid from NTT, Indonesia, ran away from her employer's house on 29 October 2020 because she had not received her salary for over nine years. In addition, the agent reported that DB was frequently subjected to physical and mental ill-treatment, was employed for extended periods in workshops and at home, and was not allowed to speak to or call family in the village. The employer was also said to have deliberately not renewed DB's permit. (Interview Result)

On 2 November 2020, the organization reported the case to the Kelantan Manpower Office (JTK) and it was investigated as a Trafficking in Persons case. On November 22, 2020, JTK Kelantan and the Royal Malaysian Police (PDRM) arrested the employer and filed two criminal charges in the Sesyen Court of Kota Bharu, Kelantan. First, trafficking in persons is in the form of forced labor under section 12 of the Act Against Trafficking in Persons and Smuggling of Migrants (ATIPSOM), and second, trafficking in persons is based on the crime of maltreatment under section 324 of the Penal Code. Kota Bharu Sesyen Court Judge Ahmad Bazli bin Bahruddin presided over the trial. However, the employer was able to convince the judge of their innocence, so they were acquitted of the criminal charges. (Interview Result)

In January 2023, a panel of judges at the Kota Bharu Sesyen Court tried an employer with the initials KBA and his wife for ATIPSOM violations involving forced labor. They were each sentenced to seven years' imprisonment (KBA) and three years for his spouse, with a fine of 30,000 Malaysian ringgit, or about Rp 98 million. (Interview Result)

In November 2021, the Indonesian Embassy in Kuala Lumpur appointed lawyers Y.A. Anwar & Co. to pursue DB's civil claim at the Kota Bharu Civil Court to resolve the issue of unpaid salary by the employer. On June 30, 2022, DB submitted a salary claim to the employer and filed two different claims to the court. (Interview Result)

The first was a wage claim as a housemaid against the employer amounting to more than RM160,000 (approximately Rp522.72 million) to the employer. The second was a claim for a salary as a car accessories workshop helper or mechanic of more than RM170,000 (approx. IDR 555.39 million). DB has not received her salary to date. DB filed the charges at the Kota Bharu Sivil Court and testified in the hearing of the merits before the judge of the Sesyen 3 Kota Bharu Sivil Court. (Interview Result)

DB has been monitored by the employer, by being picked up and dropped off from one workplace to another, and under conditions that cannot escape. DB had attempted to escape 2-3 times, but was never successful and was always caught and returned to his employer's house. The working conditions were also inadequate, not fed, only fed once a day and only eating instant food. DB was also not given a proper place to sleep. (Interview Result)

The Indonesian Embassy in Kuala Lumpur acted immediately to protect the victim after the employer who tortured the worker was acquitted by the court. They asked the prosecutor to appeal the decision, the Embassy also appointed a lawyer to sue the employer in civil court and pursued any other legal remedies they could. In addition, the Embassy's focus is on providing legal representation to victims, working with local law enforcement, and diplomacy with Malaysian police to ensure human rights are protected. (Interview Result)

For female migrant workers who are victims of sexual violence, the Indonesian Embassy in Kuala Lumpur provides special *shelter*, basic needs, and assistance until the case is resolved. In addition, the Indonesian Embassy in Kuala Lumpur collaborates with NGOs and volunteers to provide social guidance, psychological consultation, and trauma recovery. In addition, the Indonesian Embassy in Kuala Lumpur handles the repatriation of victims to Indonesia, which includes cooperation with Malaysian immigration to obtain repatriation documents. To protect Indonesian citizens, the Indonesian Embassy in Kuala Lumpur collaborates with the Malaysian Bar Council to provide wider legal assistance.

This case is one of the many cases of salary exploitation happening in Kuala Lumpur today, these workers are holding back because they have not been paid their salaries for years, their passports are being held permits are not being renewed, and there is abuse from employers. This makes it difficult for workers to inform the Indonesian Embassy in Kuala Lumpur. This led Indonesia to create a bilateral MoU for the protection of Indonesian domestics in Malaysia because the most vulnerable sector is at home, this sector is a sector that cannot be reached by anyone because it is private. With this MoU, the Indonesian Embassy in Kuala Lumpur hopes to easily monitor those who work legally. Many workers are found complaining or making reports by running away from their employer's house and reporting to neighbors secretly, to report to the local police, and the Indonesian Embassy in Kuala Lumpur will work with the local police. The Indonesian Embassy in Kuala Lumpur also focuses on the repatriation of victims after they have completed all court proceedings.

The Indonesian Embassy in Kuala Lumpur concentrates on the repatriation of victims and their reintegration into society after returning to Indonesia. The Indonesian Embassy in Kuala Lumpur is committed to ensuring that victims can safely return to their families and communities. To achieve this goal, the Embassy works closely with various governmental and non-governmental organizations. (Interview Result)

In the process of repatriating victims of human trafficking and victims of labor exploitation special attention and protection to unregistered Indonesian citizens in Malaysia to ensure they get their rights and can return to Indonesia safely. To register unregistered workers, the Indonesian Embassy in Kuala Lumpur assists by issuing Travel Letters as Passports and Birth Registration Certificates for Indonesian children born in Malaysia.

Challenges Faced by the Indonesian Embassy in Kuala Lumpur in Handling Cases of Violation of Indonesian Women Migrant Workers' Rights

a. Domestic Challenges

There are several challenges faced by the Indonesian Embassy in Kuala Lumpur in handling cases of violations of the rights of Indonesian women migrant workers, one of which comes from domestic aspects, for example, governance that is not yet good. The evidence so far is that the Indonesian Embassy in Kuala Lumpur still gets cases of workers leaving illegally, this is the fault of the Indonesian immigration authorities with less

strictness in checking and investigating related to Indonesian citizens who want to go abroad, especially Malaysia. (Interview Result)

The problem of recruitment that does not go through an official agency is also a challenge that comes from the domestic aspect. Workers are attracted by invitations from agencies to get the welfare of working abroad, in the form of higher income. This makes workers prefer the easy and cheap illegal network. The issuance of passports regardless of background is also negligence on the part of Indonesian immigration, making migrant workers who want to work abroad neglect the law enforcement that must be obeyed. The inefficiency of bureaucracy and lack of coordination between domestic government agencies can hinder the legal protection of migrant workers. Legal uncertainty, especially in trafficking in persons cases in the regions, is often not resolved because perpetrators are released, so victims cannot access their social and legal rights. This creates legal uncertainty and distrust of the national justice system. It also keeps workers in Malaysia on non-procedural or illegal status, making these cases common.

The Indonesian Embassy in Kuala Lumpur also faces domestic problems when handling cases of rights violations of Indonesian women migrant workers in Malaysia. One of the major problems for migrant workers is the lack of nationalism, which hinders their access to basic rights such as social assistance, employment, health, and education. In addition, the right to proper education in the country is a basic right of every citizen, and this cannot be enjoyed by several migrant workers in Malaysia. Undocumented Indonesians who wish to return to Indonesia also face difficulties due to the sometimes stringent procedures for obtaining documents such as *Surat Perjalanan Laksana Paspor* (SPLP). As a result of these issues, poverty and lack of job opportunities in Indonesia often lead many to seek a life in Malaysia, where they are vulnerable to violations of their rights. Indonesians are also attracted by the invitation of family and friends who have succeeded in Malaysia, which makes them feel at home in Malaysia. (Interview Result)

b. Challenges from Malaysia

If the challenge from the Indonesian Embassy in Kuala Lumpur itself comes from Malaysian policy. The Indonesian Embassy in Kuala Lumpur sees that Malaysia has not shown seriousness in tackling the problem of migrant workers. The seriousness of following up on the problems of migrants who have cases, the Indonesian Embassy in Kuala Lumpur also sees that the Malaysian government does not have a partiality towards migrant workers, in terms of policy and implementation in the field. (Interview Result)

For example, in the case of the salary dispute, the Malaysian side disputed the worker's immigration status and did not connect the work of the employer and the worker. Such as breaking efforts to obtain the rights of the worker. This is a big challenge for the Indonesian Embassy in Kuala Lumpur. The demand for migrant workers is so high and so necessary in Malaysia, that it is not worth it. (Interview Result)

Malaysia needs migrant workers but does not provide proper rights, including legal protection. The Indonesian Embassy in Kuala Lumpur is also challenged by the migrant workers themselves, the Indonesian Embassy in Kuala Lumpur finds it difficult to decide which workers are really in trouble and which workers are pretending and just want to get free facilities from the state and this is often found. For example, workers have been repatriated by the Indonesian Embassy in Kuala Lumpur, but the workers return to Malaysia and repeat the same mistakes. . (Interview Result)

The Indonesian Embassy in Kuala Lumpur faces many problems in protecting the rights of Indonesian women migrant workers in Malaysia. My limited resources are also one of the main obstacles. This includes the number of staff that is not proportional to the large population of Indonesian citizens and the number of facilities and infrastructure that are sufficient to provide optimal services and protection. In addition, the large number of illegal migrant workers is a major problem that makes protection efforts more difficult, as they are vulnerable to exploitation and difficult to reach by the Indonesian Embassy in Kuala Lumpur. For Indonesian citizens who do not have documents and wish to return to Indonesia, the sometimes difficult procedures for obtaining documents are also an obstacle. (Interview Result)

Furthermore, the Indonesian Embassy in Kuala Lumpur must address the social and cultural issues faced by women migrant workers, including unfair hajj payments, legal violations, and physical violence. Because of these difficulties, the Indonesian Embassy in Kuala Lumpur must innovate and improve its ability to protect and assist Indonesian citizens in Malaysia.

Thus, the Indonesian government and the Indonesian Embassy in Kuala Lumpur continue to improve the protection of migrant workers:

- i. Conduct Indonesian Migrant Workers data collection correctly
- ii. Strengthen protection and rule of law for migrant workers
- iii. Improve supervision by *Perusahaan Penempatan Pekerja Migran Indonesia* (P3MI) throughout recruitment, departure, and placement.
- iv. Enhance cooperation with local governments on border guarding to prevent the smuggling of undocumented foreign workers.
- v. Cooperate with local migrant worker agencies with the Indonesian Embassy in Kuala Lumpur and BP2MI to monitor the whereabouts of migrant workers.
- vi. To ensure that migrant workers in trouble are protected and protected from violence, the Indonesian Embassy in Kuala Lumpur should actively participate in routine operations conducted by Malaysian security forces.

5. CONCLUSION

The Embassy of the Republic of Indonesia Kuala Lumpur is Indonesia's diplomatic representative that aims to establish and improve bilateral relations between Indonesia and Malaysia, as well as protect the interests of the Indonesian nation and state in Malaysia. The Indonesian Embassy in Kuala Lumpur is responsible for the service and protection of Indonesian citizens in Malaysia, including Indonesian Migrant Workers. The Indonesian Embassy in Kuala Lumpur is responsible for providing advocacy for Indonesian women migrant workers, ensuring the safety and comfort of Indonesian women migrant workers, and making efforts to address the rights of Indonesian women migrant workers. This includes conducting in-depth investigations into some of the cases found by migrant workers. Such as not getting a salary, experiencing discrimination in the workplace, and cases of trafficking.

The Indonesian Embassy in Kuala Lumpur also cooperates with the local government to resolve cases of migrant workers. Another effort is to sign a Memorandum of Understanding (MoU) with the Malaysian Bar Association. This cooperation is expected to give Indonesian citizens in Malaysia access to justice regardless of their social status, ethnicity, or race. The Indonesian Embassy in Kuala Lumpur has challenges that come from domestic aspects, such as workers leaving illegally is the fault of the Indonesian immigration authorities with less strictness to check and investigate related to Indonesian citizens who want to go abroad. If the challenge is from Malaysia, the Indonesian Embassy in Kuala Lumpur sees that Malaysia has

not shown seriousness in tackling the problem of migrant workers. My limited resources are one of the main obstacles, which is not proportional to the large population of Indonesian citizens and the number of facilities and infrastructure that are sufficient to provide optimal services and protection.

The Indonesian government and the Indonesian Embassy in Kuala Lumpur need to raise public awareness about the importance of protecting the rights of women migrant workers and the dangers faced by them. By using more effective policies to protect the rights of women migrant workers, such as policies on the protection of migrant workers' rights and policies on the prevention of trafficking.

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