

INDONESIA



AMY Map by Boyet Rivera III

A. Total Stock (Number) of Migrants, as of 2005

MIGRANTS ABROAD		
ESTIMATED STOCK: MIGRANTS OUTSIDE THE COUNTRY		
TOTAL		
a. By visa status	Documented migrant workers*	-
	Emigrants/residents	-
	Undocumented migrants**	-
	Refugees***	34,384
b. By sex	Male	-
	Female	-
c. Top destination countries (estimates)****	1. Saudi Arabia	6. South Korea 17,917
	2. Malaysia	7. Singapore
	3. Hong Kong - 96,900	8. Brunei
	4. Taiwan - 49,094	9. UAE
	5. Kuwait	10.

MIGRANTS IN BANGLADESH		
ESTIMATED STOCK: MIGRANTS IN THE COUNTRY		
TOTAL		
a. By visa status	Documented migrant workers*	-
	Emigrants/residents	-
	Undocumented migrants**	-
	Refugees***	246
b. By sex	Male	-
	Female	-
c. Top countries of origin (%)	1.	6.
	2.	7.
	3.	8.
	4.	9.
	5.	10.

* Non-resident, temporary, or contract workers.

** Includes illegal entrants, overstayed or "jumped" visas, trafficked/smuggled people

*** As defined by the government, or in accordance with the UN refugee convention.

**** No total stock figures available; this is only an estimate, based on government deployment statistics from 2003 - (Q1)2005, plus HK, TW, SK data from 2005 official stock figures.

B. Annual Socio-Economic Data and Migration Flow

Annual indicators	2005	2004	2003	2002	2001	2000
Population (million; mid-year estimate)	241.97		219.9	231.3	228.4	224.0
% population living below poverty line		15.2				
% population living in rural areas					57.9	
Economic growth: real GDP (%)	5.3	4.9	3.4	3.7	3.4	4.9
Per capita GDP (US\$)					695	881
Per capita GDP: purchasing power parity (US\$)	3,700	3,500			2,940	
Inflation rate: CPI (%; annual ave.)	9.3		5.8	10.5	11.5	3.8
Exchange rate: (Rupiah per US\$; annual ave.)	9,739	8,938	8,577	9,285	10,261	8,421
International reserves (US\$ billion; yearend)					28.02	29.27
Foreign direct investments: actual (US\$ billion; yearend)						(4.55)
Trade balance (US\$ billion; yearend)			2.9			
Foreign (total external) debt (US\$ billion; yearend)	140.60				135.00	141.80
Foreign (total external) debt as % of GNP						99.4
Budget balance (US\$; yearend)						
Budget deficit as % of GDP			0.50	2.50	2.30	1.60
Labor force (million)	110.40	111.50	107.00			
Women as % of labor force			41			
Number unemployed (million)						40.0
Unemployment rate (% of labor force)	10.0	9.2	9.1		8.0	
Underemployment rate (% labor force)						
Women unemployment rate (% of labor force)						
Average income (Rupiah/month) - urban						
Average income: women (US\$/month)						
Adult literacy rate (% of age 15 & above who can read/write)				87.9	87.3	
Net migration rate (net # of migrants per 1,000 popn)	0.00			(0.21)		0.00
Annual outflow/deployment of MWs: documented (000)						435.20
% women in the annual outflow (%)						68.0
Annual inflow of MWs						
% women in the annual inflow						
Annual migrants' remittance (US\$ billion/yr)						
Reported # of migrant deaths during the year						
Estimated # deported during the year						246
Jailed/detained during the year						
HIV/AIDS adult prevalence rate (adult PLHA as % of adult popn)		0.10	0	0.10		
# People living with HIV/AIDS (thousand)			110.0	110.0		
# AIDS deaths during the year (adults+children)						
Cumulative #: HIV/AIDS cases among migrants (living+died)				2,400		

Sources: CIA World Factbook, UN/ILO/UNDP statistical yearbooks/websites.

AMIC Information Bank



1.

Photo courtesy of CIMW

Migrants' rights advocates continue to rally against the abuses committed against returning migrants in Terminal III of the Soekarno-Hatta Airport.

INDONESIA

This report was compiled with the assistance of Migrant Care and CIMW.

Political and Economic Update

The period from late 2004 through 2005 marked another turbulent period for Indonesia, encompassing the first ever direct presidential election, the devastating Boxing Day Tsunami followed by massive earthquakes months later, and an historic peace agreement carried out between the Free Aceh Movement (GAM) separatists and the government. Through it all, the country continues to struggle with corruption, poverty, unemployment, and development.

Over 150 million voters were registered to participate in Indonesia's first direct presidential elections, held on 5 July 2004.

The July voting placed former general Susilo Bambang Yudhoyono (known as SBY) as the frontrunner ahead of incumbent Megawati Sukarnoputri, but no candidate got the requisite 50% of the vote needed under Indonesian election law to avoid a run-off. The second round of voting was held in September 2004, where SBY won 61% of the vote to become President, with Jusuf Kalla as Vice President. One of the promises made by the newly elected leaders was that they would renew development programs in the first 100 days in office. Known as the "100 days programs", the initiative was to further development of the country's economy, legal infrastructure, and social welfare. The leaders also promised to tackle corruption, a major issue in a country consistently ranked among the most corrupt in the world.

SBY put together a 51-person Coordinating Team for Corruption Eradication (KPK), and prosecutions soon followed. Some of the more high-profile anti-graft investigations included

charges against former Bank Mandiri president director E.C.W. Neloe, former Aceh governor Abdullah Puteh, and former chairman of the Indonesian General Elections Commission, Nazaruddin Sjamsuddin. Sjamsuddin was convicted and handed a 7-year sentence for corruption, while Puteh received a 10-year sentence. While seen as a good start, corruption appears to be institutionalized from the local level on up, thus both corrective and preventive measures may be necessary. Corruption was also an issue surrounding the distribution of aid that followed the tsunami.

The Boxing Day Tsunami in December 2004, which impacted a number of countries in the region, caused the most devastation in Indonesia, particularly the western tip of Sumatra including Aceh province. The tsunami caused the death of over 130,000 people, the mass displacement of more than 500,000 people, the heavy loss of jobs in the fishing and agricultural sectors, and economic damage totalling as much as USD5 billion. Aid efforts flowed into the country, with over 160 aid organizations and UN agencies operating to provide assistance.

Its impact in Aceh was particularly harsh, with over 167,000 killed or reported missing, and USD1.2 million in damages. Some villages needed to be completely rebuilt, the unemployment rate skyrocketed, and tens of thousands of farmers were displaced. One year after the tsunami, it was reported that over 60,000 survivors were still living in tents. Accusations of discrimination and corruption ensued over the distribution of aid, with some claiming that the conflict between the Indonesian government and the separatist movement was impeding aid efforts. There were reported human rights violations in Aceh and Nias during the reconstruction process.¹

Urgency over the reconstruction of Aceh likely contributed to the breakthrough peace agreement between the GAM separatists and the Indonesian government. Signed in August

2005, the agreement entailed a series of actions by each side, beginning with GAM disarmament and the gradual pull-out of government troops. Other key points included amnesty for GAM members and the establishment of a truth and reconciliation commission. Although a previous peace agreement brokered in 2002 had broken down by early 2003, the 2005 agreement held throughout the year, as each side kept their end of the bargain. By December 2005 the government pulled out the last of the troops as agreed.

On 30 September 2005, the House of Representatives of the Republic of Indonesia (DPR-RI) officially approved the Ratification of the ECOSOC Covenant Bill proposed by the Government of the Republic of Indonesia. Guaranteeing the economic, social, and cultural rights of its citizens will be a challenge for Indonesia, heavily dependent on foreign debt and its attached strings, which tends to make it an arena for the accumulation of profits, both from big domestic investors and foreign investors. As of 2005, 20% of the population was living below the poverty line, half of which lives on less than USD2 per day.² Unemployment was 10.3% in 2005, with over two million new entrants to the labor market every year.

In late 2005, the government faced severe economic difficulties as its currency plummeted. The rupiah dropped to IDR12,000 per USD dollar, a four-year low, making it harder for the government to continue its debt repayment and its fuel subsidies. Fuel subsidies accounted for one-third of government spending, exceeding the amounts spent on health or education; subsidy cuts, however, were politically sensitive – fallout from previous cuts had led to the fall of former president Suharto in 1998. Nonetheless, the government capped fuel subsidies, and fuel prices rose around 120% overnight. Protests broke out, and there were reports of police firing tear gas at demonstrators. In an attempt to limit the outcry, the government arranged one-time payments of IDR300,000 to 15 million

of the country's poorest families. Inflation hit 17.1%.

Despite 5.6% GDP growth in 2005, some critics say the country's economic growth is not sufficient to fight unemployment or poverty. The Central Bureau of Statistics and the National Planning Board (Bappenas) recorded an increase in the number of poor people from 36 million to 60 million, which NGOs cite as an indication that macro-economic policies have not only failed to become tools for poverty reduction, but have become instruments for systematic impoverishment.

Moreover, it appears that the government views migrant workers as a commodity, setting targets for remittance and deployment in order to gain much-needed foreign exchange. According to the World Bank's Migration and Remittances Factbook, the amount of remittances to the

country has been steadily increasing, from USD1.1 billion in 2000 to over USD1.7 billion in 2005. Migrant Care, a migrants' rights NGO in Indonesia, reported that Erman Soeparno, the Minister of Manpower and Transmigration, announced in 2005 that the ministry has set its target for migrant remittances at over USD15 billion while the target number of Indonesian migrant workers to be deployed abroad from 2006 – 2009 is set at 6 million.

Migration Update

A total of 1,307,703 migrant workers have been deployed overseas from 2001-2004; as of 2005, the figure rose to 1,736,717.³ In Asia, popular destinations for migrant workers are Malaysia, Saudi Arabia, Kuwait, Singapore, Hong Kong,

TABLE I: PLACEMENT OF MIGRANT WORKERS 2003 – 1ST QUARTER 2005

Receiving Countries	2003		2004		2005		TOTAL
	Male	Female	Male	Female	Male	Female	
Asia Pacific							
Malaysia	57,034	32,405	62,658	64,517	29,523	18,526	264,663
Singapore	5	6,098	33	9,098		3,689	18,923
Brunei Darussalam	388	758	2,515	3,966	359	382	8,368
Hong Kong	1	3,508	2	14,181		1,324	19,016
Taiwan	1,307	623	810	159	95	2	2,996
South Korea	6,390	1,105	2,416	508	476	29	10,924
Japan	100		85				185
Middle East & Africa							
Saudi Arabia	14,304	154,734	14,156	189,290	2,126	22,700	397,310
United Arab Emirate	98	1,377	94	39	1	10	1,619
Kuwait	109	12,159	1,235	14,754	2	1,968	30,227
Bahrain		88					88
Qatar	2	178	54	8	11	3	256
Oman		495					495
Jordan		226		68			294
Yemen							
Egypt				1			1

Source: Depnakertrans RI Jan-Des '03, Jan-Des'04, Jan-Mar'05; table contributed by CIMW



2.

Photo courtesy of Migrant Care

the Taipei Economic and Trade Office (TETO) in Jakarta issued 7,355 visas to Indonesian migrants in that month alone,⁴ as a result of Taiwan's lifting of its ban on Indonesian migrant workers. In South Korea, there were 17,917 Indonesian migrant workers holding positions in low-skilled jobs in 2005. Hong Kong government statistics noted a total stock of 96,900 Indonesian domestic workers as of December 2005, the primary job held by Indonesians in the country. This number had risen from 90,050 as of

and Brunei Darussalam. In 2004, the largest group of workers was deployed to Saudi Arabia, the destination of 203,446 migrants; the second biggest destination in the Middle East was Kuwait, with 15,989 workers deployed. The vast majority of those in the Middle East were women working in the informal sector.

The most popular destination in the Asia-Pacific as of 2004 was Malaysia, with 127,175 workers deployed through official channels, followed by 14,183 to Hong Kong, 9,131 workers to Singapore, 6,481 to Brunei, and 2,924 to South Korea. Of the 160,948 workers deployed to the Asia Pacific, 92,429 were women and 68,519 were men. Malaysia, Hong Kong and Singapore were the most popular destinations for women in 2004, while Malaysia and Brunei were the most popular for men.

Increased numbers of Indonesian migrant workers have been deployed to Taiwan subsequent to the signing of an MOU between the two countries in December 2004. According to Taiwan statistics there were 27,281 Indonesians working in the country at the end of 2004; with 766 workers deployed through formal channels in 2004. In July 2005, however,

December 2004.

The migration of Indonesian migrants to Malaysia during 2004 to 2005 was heavily impacted by Malaysia's crackdown on irregular migrant workers in the country. The crackdown had been threatened for some time, but was delayed with the granting of a series of amnesties, including one granted at the behest of the Indonesian government in light of the tsunami. Finally, from February to March 2005 the crackdown began, and around 800,000 irregular Indonesian migrant workers in Malaysia were required to return to Indonesia as a consequence of Immigration Act No. 1154 A/2002 issued by the Government of Malaysia. Law enforcement officials and a civilian force called RELA were authorized to search for irregular migrant workers. Numerous human rights violations were conducted during these arrests, from beatings, kicking, up to the stealing of the migrants' possessions. In addition, a number of employers refused to pay the workers' wages in anticipation of the crackdown. (See Malaysia Country Report on pp.205 for further details) Rights groups have repeatedly documented rights violations

Indonesia Significant Events in July 2004-December 2005

2004

July

(5) Indonesian holds its first-ever direct presidential elections; Indonesians living abroad are allowed to participate. As no candidate received over 50% of the vote required by law, a second round of elections will be held in September between frontrunner Susilo Bambang Yudhoyono and incumbent Megawati Sukarnoputri.

September

(9) Car bomb attack outside Australian embassy in Jakarta kills nine, injures more than 180.

(22) Indonesia signs the International Convention on the Protection of the Rights of Migrant Workers and Members of their Families.

(27) The House of Representatives passes Bill No. 39, which regulates the deployment of Indonesian migrant workers; both employment agencies and NGOs oppose the law.

October

(20) Former general Susilo Bambang Yudhoyono is sworn in as president after winning the second round of presidential elections in September

December

(26) Boxing Day Tsunami devastates areas of Indonesia, particularly the western tip of Sumatra, causing the death of 220,000 people and millions in damages. Parliament extends the state of civil emergency in Aceh province.

2005

March

Conspirator in the 2002 Bali bombing, Abu Bakar Ba'asyir, handed two-and-a-half year sentence. Nias and other nearby islands, which had been heavily hit by the tsunami, suffer a massive 8.7 magnitude earthquake; at least 1,000 people were feared killed, and many more left without shelter or drinking water.

July

(10) Ferry purportedly carrying around 200 people capsizes in rough weather; over 100 are missing, while rescue efforts are hampered by bad weather.

August

(15) A peace agreement is reached between the Indonesian government and the Free Aceh Movement (GAM) separatists in Banda Aceh.

October

(1) Bali, a popular tourist area, suffers another bombing attack, as three suicide bombers kill 26 people.

(1) Indonesia ratifies the International Covenant on Economic, Social and Rights. Government caps fuel subsidies, causing the price of oil and kerosene to skyrocket overnight; angry protests break out in the streets.

December

Pilot Polycarpus Priyanto is handed a 14 year jail term for poisoning human rights activist Munir Thalib during an international flight.

Bombmaker Azahari Husin, linked to the Australia embassy attack as well as the Bali bombings, was found dead in December 2005.

(29) Indonesia completes the final stage of its withdrawal of troops from Banda Aceh, part of its commitment under the peace accord.

(31) Bomb explodes in predominantly Christian province in Central Sulawesi, killing 8 and wounding 45 others; the province had also been bombed earlier in the year.

Sources: BBC News, Scalabrini, Asian Migrant News



Photo courtesy of Migrant Care

Advocates announce the “Indonesian Migrant Workers Independence Declaration”.

against vulnerable Indonesian migrant workers in Malaysia; Human Rights Watch issued a focused study on Indonesian migrant workers in Malaysia which details physical, sexual and emotional abuse.

South Korea also cracked down on irregular migrant workers, forcing the return of a number of irregular migrant workers in coordination with its effort to introduce its new Employment Permit System (EPS) providing migrant workers with greater rights than its heavily criticized Industrial Trainee System. Indonesia signed an MOU to send workers to South Korea under the EPS in 2004, but the Korean government had to suspend the employment of Indonesian migrants beginning in June 2005 due to delays by Indonesia and its notoriously corrupt recruitment process.

In addition, agency fees continue to plague migrant workers. In Hong Kong, for example, although the placement fee is supposed to be limited to IDR18,000,000 (USD1,982), the

majority, or 59%, of migrant workers surveyed in a baseline study of over 2,000 workers paid HKD21,000 (USD2,685).⁵ Almost 62% of these workers repaid the fees through salary deductions over the course of seven months. In Taiwan, an agreement between the Indonesian and Taiwanese governments limited the placement fee to one month’s salary plus processing fees totalling NTD49,787. Indonesian factory workers surveyed in Taiwan by the Hope Workers Center, however, reported paying NTD100,000-120,000 (USD3,645). The World Bank reports similar findings of higher agency fees in a study of female migrant workers.⁶

Indonesian migrant workers continue to be extremely vulnerable to exploitation throughout the entire migration process. The Government of RI has not yet ratified the 1990 International Convention on the Protection of the Rights of All Migrant Workers and the Members of their Families (MWC), and remains only a signatory.

PLACEMENT FEES CHARGED (By country)

Country of Destination	Placement fee (Depnakertrans)	Fee paid by female migrant workers	Method of Payment
Hong Kong	IDR18,000	IDR21,000,000	81% deducted from monthly wages during 7 months
Taiwan	IDR24,000	IDR36,000,000	67% deducted from monthly wages during 14 months.
Saudi Arabia and other Middle Eastern countries	IDR500,000	IDR600,000 – IDR3,500,000	Cash. In cases where they borrow money from sponsor or local money-lenders, payment may be 3 times higher than the loan.
Malaysia	IDR5000,000	IDR800,000	100% deducted from the monthly wages for 1 month.

Source: Bank Dunia, The World Bank, "Fact Sheet: Migration, Remittance and Female Migrant Workers", January 2006

The urgency to ratify the MWC can clearly be seen, based on the vulnerable situation of the Indonesian migrant workers who are constantly threatened with violations of their human rights, both in Indonesia and in the country where they will work. Effective implementation of protections for migrant workers is also vital.

Migrants' Rights Violations

According to two NGOs providing assistance to migrant workers, in 2005 there were at least 19 cases of death, 101 cases of torture with rape, and 117 cases of lost contact. Meanwhile, there were 4,100 cases of deportation, trafficking, unpaid wages, and long working hours.

In Gulf countries including Saudi Arabia, Kuwait, and Oman, migrant worker cases included: torture, death, lost contact, confinement, unpaid wages, long working hours, not being allowed to communicate with their families, forced prostitution, imprisonment without due process of law, and unwanted pregnancy due to rape by their employer or other family members of their employer.

In Malaysia, the cases handled involved: death, torture, trafficking, unpaid wages, long working hours, confinement, low wages with a high risk work, and deportation.

Hong Kong, Taiwan, and Korea involved

cases of: death, torture, religious restrictions, and salary deductions amounting to IDR15 – 21 million. In Singapore, cases included: death from falling from a high-rise building, prohibited from practicing their religion, huge salary deductions by the agency, torture, and the imposition of a death sentence.

The number of cases filed by Indonesian migrant workers is increasing, indicating the need for increased protections. The legal tools that could guarantee the protection of Indonesian migrant workers are still very weak. This condition is worsened by the absence of a mechanism to protect Indonesian migrant workers abroad, to help minimize these problems. The current regulation on migration focuses on the operational mechanisms in sending workers abroad while the protection aspect is not clear.

Responses

Government and IGOs

Government responses to migrants' issues and needs are largely viewed as inadequate.

On 22 September 2004, Indonesia signed the MWC, although the country has yet to ratify it before migrant workers can benefit. Also



Family members of migrant workers are provided with paralegal training.

in September 2004, the country passed Law 39/2004 to manage labor migration (discussed in *AMY2004*) and establish a new supervisory agency. The new agency, the National Agency for the Placement and Protection of Indonesian Migrant Workers (called “BNP2TKI”), did not manage to become operational in 2005. Moreover, the new law was criticized by NGOs for emphasizing the regulatory process without providing sufficient protections for migrant workers; employment agencies also criticized the law. There remains a lack of implementation and enforcement of existing protections for migrant workers, as well as a lack of monitoring on migrant workers’ situation. There is insufficient protection for migrant workers in receiving countries, and no trade unions except in Hong Kong.

Not only does current migration legislation fail to effectively protect migrant workers, but some of the procedures the government has purportedly put in place to protect them actually work to their detriment. One of these measures is Terminal III (See *AMY2004* for detailed report). Returning migrant workers required to pass through the Terminal III of

Soekarno-Hatta airport must now go through an expensive new planned terminal in Ciracas, about 40 km from the airport. Furthermore, the relatives of the returnees are not allowed to meet them; in May 2005 the Department of Labour and Transmigration issued a policy that prohibits family members of Indonesian migrant workers from picking up returning migrant workers at Terminal III.

The regulations were developed on the basis of the Law No. 39/2004 and the Letter of the Minister of Labor No: B.221/MEN/TKLN/IV/2005 as a protection for migrant workers. In fact, however, this leaves returning migrant workers even more vulnerable to practices which are reportedly widespread, such as overcharging for transportation home and numerous bribe demands at every step of the way as migrants pass through the terminal. Although various rights groups strongly objected to this policy, the Department of Labour and Transmigration continued to enforce it. As far as many Indonesian migrant workers are concerned, rather than providing protection, Terminal III is a frightening place.

In April 2005, it was reported that the

INDONESIAN GOVERNMENT SLOW TO PROTECT WORKERS FACING CRIMINAL CHARGES OVERSEAS

In 2005, Indonesia sent abroad 600,000 workers, an increase from previous years, as a major strategy to reduce unemployment at home.¹ In response to the numerous cases of abuse and exploitation faced by Indonesian migrant workers while abroad, many have accused the government of using labor export as an easy solution to its problems, while failing to ensure the full protection of its workers overseas. According to data provided by Migrant Care, an Indonesia-based NGO, there were at least 19 cases of death, 101 cases of torture with rape, and 117 incidents of involuntary confinement of Indonesian migrant workers in 2005 alone. In Saudi Arabia, Kuwait and Oman, migrant workers have also been imprisoned without trial; in 2004, nine women faced possible death sentences in various countries, and many more were imprisoned on other criminal charges.

Nurmiyati is one of many Indonesian migrant workers who faced charges in a foreign legal system. In July 2005, the family of 22-year-old Nurmiyati from Sumbawa filed a complaint with the Riyadh Court in Saudi Arabia when Nurmiyati suffered injuries to some of her limbs by her employer, Fahd al-

Doseri that led to amputation. At the hospital in Riyadh, she was treated for her injuries, including gangrene, as she waited for the court decision. It came as a surprise to many, however, when the Riyadh Court sentenced her to 79 whippings despite her condition because her employer had filed counter charges against her.

Migrant Care and other NGOs have continuously urged the Indonesian government to protect its workers from unjust criminal charges. As foreign laborers, migrant workers are often not offered the legal protection granted to the citizens of the host country. It is also difficult for them to seek redress or to defend themselves since they may not be familiar with the country's laws and language. Indonesian laws, specifically Law No. 37/1999 on Overseas Relations and Law No. 39/1999 on Human Rights, require the government to provide legal assistance for its citizens who face criminal charges abroad. Despite repeated requests from local NGOs, the government has only provided Nurmiyati's family with some financial support, but no legal assistance for Nurmiyati. No attempts have been made to negotiate with the Saudi

government planned initiatives to deploy workers only to countries that have bilateral agreements with Indonesia, i.e. that accept protective conditions stipulated by the Indonesian government, including the new labor contract.⁷ The contract is said to mandate an 8-hour day, two-week annual leave, and one rest day per week. It was further reported in May that Jordan and Kuwait agreed to accept such new provisions, while Saudi Arabia was taking them under consideration.⁸

From March through June 2005, the government temporarily suspended its

deployment of workers to the Middle East, purportedly to improve its disorganized recruitment and deployment system.⁹ It was reported that the government intended to ensure the workers meet the requirements and have the proper training prior to deployment.

IOM operates in the country on anti-trafficking measures, including the establishment of a medical center for trafficking victims in cooperation with the Indonesian National Police, Save the Children and the US Embassy.¹⁰ The ILO also carries out programs related to migration, including

Arabian government. At present, Migrant Care is campaigning for Nurmiyati's case to be recognized as a human rights abuse by Saudi Arabia, which is a member of the Human Rights Council.

Nurmiyati's story follows in the wake of another well-publicized case of a migrant worker convicted of a crime. Siti Aminah, only 17 years old, faced a possible death penalty sentence in 2004 when Singaporean authorities accused her of plotting with another female Indonesian worker, Juminem, to murder her employer, who had been verbally and physically abusive. In Aminah's case, the Indonesian government was also slow to defend her, despite repeated requests made by Migrant Care and other NGOs, including the Center for Indonesian Migrant Workers (CIMW), Jarnas Pekabumi, and KOPBUMI, to the Department of Manpower and the Department of Foreign Affairs.

The government's response was minimal compared to that of the Philippines government, which conducted the well-known political diplomacy in the early 1990s to defend Flor Contemplacion and Sarah Balabagan from the death penalty in Singapore and in the United Arab Emirates, respectively. Seen as indicative of the maltreatment and injustice migrant workers face in their host countries,

the two cases were met with great public outcry in the Philippines. Philippines President Fidel Ramos even issued a personal plea to the Singaporean government to stop the execution.

The Indonesian government, however, took action for Aminah only after multiple public protests and after NGO members travelled to Geneva from March to April in 2004 to raise this issue with the UN Human Rights High Commission. It was only in May, after months of lobbying, that two Indonesian ministers finally decided to visit Aminah and five other Indonesian migrant workers who were given the death penalty in Singapore. In cooperation with Migrant Care and Indonesian Working Groups on Justice for Migrant Domestic Workers, the Indonesian Embassy in Singapore provided legal support for Aminah, and assisted NGOs in providing counseling to Aminah's family. As a result of the joint NGO and government effort, on 5 September 2005, Aminah was sentenced to 10 years in prison, a lighter sentence than the death penalty that many anticipated.

¹ "Migrant workers endure more abuse"
Jakarta Post. January 3, 2006

awareness-raising and prevention on HIV/AIDS for female migrant workers, and a project looking at the issues and needs of Indonesian migrant workers going to Malaysia, Singapore and Hong Kong.

NGOs

CIMW conducts various trainings for migrant workers, including paralegal training, advocacy training, and capacity building on issues such as trafficking, legal protection from both an Indonesian law and human rights perspective, and organizing migrant workers. CIMW

also holds seminars on legal protections and Indonesian law pertaining to migrant workers, HIV/AIDS prevention, and the Batam-Singapore gate system. Government institutes such as the Manpower Department (district and central), Foreign Affairs Department, Immigration, and the police were invited to these events. Seminars and public dialogues were conducted in network cooperation with Desa Krasak Indramayu, Desa Jatisawit Lor Indramayu, PI Perbumi Lubuk Pakam Medan and Center for Popular Education Medan. In addition, CIMW has held public dialogues



Photo courtesy of CIMW

CIMW and PBMKI hold an awareness-raising seminar for migrant workers on the dangers of HIV/AIDS.

on the government's responsibility regarding migrant workers and the organization and legal protection of the workers. CIMW relentlessly campaigns for the closure of Terminal III of the Soekarno Hatta Airport.

During the period of 2003-2006 CIMW handled 233 cases consisting of 122 cases of men and 85 cases of women, advocating through both litigation and non-litigation approaches. CIMW established cooperation with Indonesian Embassies, the Department of Manpower, foreign NGOs and the Department of Foreign Affairs when handling cases in foreign countries. Several recruitment agencies become more cooperative to deal with migrant worker grievances.

Migrant CARE, established in Indonesia in March 2004, works on the development of regional networks and advocacy for migrant workers in Southeast Asia. The main purpose behind these activities is to develop regional and bilateral agreement among Southeast

Asian countries on the protection of migrant workers and to seek for the global justice for these workers. Migrant CARE also has a representative of in Malaysia.

Programs that have been conducted and developed by Migrant CARE during the period of 2004-2005 include the writing of a module for anti-trafficking training as well as a guidebook for Indonesian migrant workers in Singapore, Malaysia and the Middle East. Migrant Care also co-published 'Underpayment' in Hong Kong. In addition, Migrant CARE carried out advocacy regarding five Indonesian migrant domestic workers facing the death sentence in Singaporean court, held a public audience with the Malaysian parliament about the problems of Indonesian women workers in Malaysia, and monitored the deportation or irregular Indonesian migrant workers by the Malaysian government. Migrant CARE has proposed a legal draft of bilateral agreement between Indonesian and Singapore on the protection of

Indonesian domestic workers in Singapore.

In November 2004, the Forum Kerja untuk Keadilan PRT Migran (Working Forum for the Justice of Migrant Housemaids, or FOKER) was formed by Migrant CARE, Kapal Perempuan, KPI, SARI Solo, SBPY, RTND, Rumpun Gema Perempuan, SBMI, and Institute for Ecosoc Rights. These NGOs share concern on the problems of migrant workers and women, and created the forum to work together on the issues of migrant housemaids. As its agendas, FOKER developed advocacy, campaign, documentation, capacity building and organization of migrant workers.

Although only CIMW and Migrant CARE had the capacity to report on their activities for this publication, there are numerous other NGOs who provide much-needed assistance to migrant workers in various capacities.

Endnotes

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