

Strengthening Stakeholder Capacity to Improve Women Indonesian Migrant Worker Professionalism in Hong Kong Dispatchment Area: Towards Domestic Worker Moratorium 2017

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Abstract: The purpose of this study are: to analyze existing policy from national to regional level related to preparation of aspiring Indonesian Migration Worker (IMW) dispatch and placement in Hong Kong and its implementation in facing moratorium 2017 to formulate model and strategy for strengthening stake holder's institutional capacity according to women IMW need as professional worker and Hong Kong as hosting country in facing moratorium 2017 to formulate women IMW empowerment model after moratorium in 2017. In this study, we used gender-based perspective research method with qualitative approach, technique, action based research and in-depth analysis. This study took place in Malang and Tulungagung Regency, East Java Province. Research activity includes policy study, started with documentary and law study especially policy documents and focused discussion with stakeholder and former IMW. The result of study shows that women IMW in Hong Kong are experiencing many problems because of inadequate training before the dispatch resulting in lower competitive ability when compared to migrant worker from other countries. Their job as domestic worker considered unskilled job and it was very susceptible to moratorium or discontinuation of domestic sector worker dispatchment in 2017 which will influence current IMW and IMW candidate as well. From literature studies, policy and regulation about dispatchment, placement and supervision of IMW in national level was legislated in Law No. 39 of 2004. Tulungagung Regency has enacted local regulation about dispatchment and protection of IMW, since, 2014. Regulation related to the family left by women IMW and former IMW was issued by Ministry of Women Empowerment and enforced by Department of Women Empowerment in each local level. Department of Manpower has empowerment program for former IMW by engaging them in entrepreneurship training. Dispatchment of IMW involves government, private sector and social institution. Another pressing problem is unprofessional capacity of migrant dispatcher institution. Moratorium as one of control policy for dispatching worker abroad has already been implemented for Malaysia and Saudi Arabia and it is been said that moratorium will be implemented again in 2017. Positive side of this policy is discontinuation of unskilled and unprofessional women worker dispatchment which has the potency of bringing negative influence and moving toward professional IMW dispatchment. But its negative aspect is our community unpreparedness. Capacity strengthening of institution of placement and protection of IMW in Hong Kong with Private to Private (P-P) dispatch pattern should reckon affirmation of government role especially human resources, private institution reinforcement and community participation from NGOs and IMW association.

Key words: Stakeholder, capacity, strengthening, professionalism, international women, migrant worker

INTRODUCTION

Women IMW are dealing with many problems in HongKong because of inadequate pre-departure training resulting in lower competitive ability when compared to migrant worker from other countries. This situation put women IMW in susceptible position. Meanwhile, existing study about post-migrant women

IMW showed that some of them are not ready to research independently when they return to Indonesia (Sukesi *et al.*, 2012; Wijaya and Sukesi, 2012).

Sukesi *et al.* (2012) research showed that some of former women IMW did not have proper capability to manage their money for entrepreneurship capital. Like wise their family left at home also facing the same incapability of managing remittance as business capital

and many IMW candidates also do not have entrepreneurship skill. Research showed that IMW with prior entrepreneurship skills are more capable in managing their money as entrepreneurship capital.

Grounded research of Wijaya and Sukei (2012) related to IMW in Hong Kong, yield some research question for Hong Kong as hosting country about the role of Hong Kong government and related institution concerning acceptance of IMW.

The following are some research question for Indonesia as sending country:

- Competency and professionalism of IMW to face the need of skilled labor
- Stakeholder readiness of sender institution in preparation of professional IMW candidates to face moratorium in 2017. Learning from manpower moratorium for Saudi Arabia and Malaysia, its impact for women IMW
- Law and policy studies of national to local regulations and its implementation to date (Wijaya *et al.*, 2015)

Hong Kong is one of countries with greatest Indonesian citizen population than foreigner within the country with total number of 156 thousand people or approximately 2% of total population. Majority of this population are working as housekeeper. Total number of IMW is increasing each year. In 2011 there are 40.847 IMW. Meanwhile in 2012 their population has risen to 45.478 inhabitants, increasing by 11% with relatively high stipend in Hong Kong. Previously, the salary of IMW in informal sector of domestic helpers is approximately 3.740 HKD or Rp. 4.723.200 monthly. It was increasing to 3.920 HKD or Rp. 4.950.960 and valid, since, September, 2012. Later in 2015, the nominal was increase to 4120 HKD. The increment was followed by additional meal fee approximately 12.90%. Previously 775 HKD or Rp. 978.825 then increased to 875 HKD or Rp. 1.105.125. These become stimulating factor and make Hong Kong as favorite destination country for migrant worker, alongside Taiwan (Wijaya *et al.*, 2015).

ASEAN countries made an agreement known as ASEAN declaration on the protection and promotion of the rights of migrant workers in 12th ASEAN Summit in Cebu, The Philippines. This declaration contains list of responsibilities that should be fulfilled by sending country, host country and ASEAN countries to give protection and promotion of migrant worker rights. The declaration mandates ASEAN countries to form legal instrument as strong guarantee and protection of migrant worker rights so in the context of ASEAN community, migrant worker communities are feeling well prepared and protected (Wijaya *et al.*, 2015).

Indonesian government also has some means to improve migrant worker professionalism by planning a policy or rumors of partnership discontinuation with many hosting countries of migrant worker in 2017. The policy is prepared to guide IMW abroad in formal working sector only and possess adequate, skills, so that, any harmful cases can be avoided (Fan and Stark, 2007).

Hong Kong as developed country is not free from problems and cases involving IMW. Even though, it is relatively better than other hosting countries. It was inherited by Hong Kong government the democratic bureaucrat system of United Kingdom which gives its citizen and foreigner in Hong Kong their freedom to speak, giving opinion, self-actualization and total protection from the government. However, in the aspect of Foreign worker placement especially women IMW, the rights is given to private party or agent. It is the starting point of hierarchy when IMW position is lower than his employer and total authority is given to him. The problem of the study can be summarized briefly as follow: Indonesian government and Hong Kong government policy related to dispatchment, training process and protection, placement and post migration in regulatory and distributive aspect proclaimed by Indonesian government still unable to reach and anticipate moratorium in 2017 Institutional capacity of women IMW sender is far from professional so it is unable to prepare skilled worker that suits hosting country standard needs. Private to Private (P-P) dispatch model IMW protection Hong Kong need to be criticized because it put IMW in weak position. The purposes of this study are to analyze existing policy from national to regional level related to preparation of IMW candidates, dispatch and placement in Hong Kong and its implementation in facing moratorium 2017. To formulate model and strategy for strengthening stakeholder's institutional capacity according to women IMW need as professional worker and Hong Kong as hosting country in facing moratorium 2017. To formulate former IMW women empowerment model as anticipatory measure of moratorium in 2017.

MATERIALS AND METHODS

Location and research subject: This study was done in East Java Province: we chose 2 regencies which sending greatest number of IMW to Hong Kong. Research subject are 34 women IMWs and some institution related to dispatch of IMW which consist of PPTKIS, Department of Manpower (DISNAKER), Bureau of Training for Abroad Worker (BLKLN), Association of Indonesian Manpower Mobilization (ASPERTI) and Economic enterprise of Return migrant women. We used qualitative approach to perform action-based research in-depth study and model arrangement. Survey was used as supporting

data particularly to gain more insight about former IMW perspective the impact of moratorium and coping strategy of women IMW after moratorium. Research activity consist of policy study, starting with document and law study particularly policy document, survey, Focused Group Discussion (FGD) with stake holder, FGD with former IMW and participatory observation of stakeholder. Law and policy study, researcher collecting organic legislated regulation, national regulation and selective local regulation with textual analysis.

RESULTS AND DISCUSSION

Policy analysis at national level: Many problems face by IMW showed that the existing system is unable to give guarantee and protection against migrant worker. Strategically, a primary problem lies within blurry policy which control protection of IMW. National law of manpower protection was written in Law No. 39 of 2004 about Placement and Protection of Indonesian Manpower Abroad. This law is the highest reference for IMW sending institution and IMWs themselves.

Several factors that become consideration of issuing the Law No. 29 of 2004 were: The right to work was human rights that must be held high, respected and its implementation guaranteed. All workers have the same rights and opportunities without discrimination to get a job and a decent income, both at home and abroad in accordance with the expertise, skills, talents, interests and abilities. Indonesian workers abroad often made the object of trafficking including slavery and forced labor, victims of violence, abuse, crime against human dignity as well as other treatment that violates human rights. The state must guarantee and protect the rights of citizens who work both at home and abroad based on the principles of equality, democracy, social justice, gender equality, anti-discrimination and anti-human trafficking. Placement of Indonesian workers abroad is an effort to realize the rights and equal opportunity for works to get a job and a decent income which the implementation is done regarding to the dignity, human rights and legal protection as well as equal employment opportunities and the provision of labor in accordance with national needs. Placements of Indonesian workers abroad need to be integrate between agencies both central and local government and community participation in a legal system to protect Indonesian workers stationed abroad. Legislation in the employment sector has not adequately set, firm and details about the placement and protection of Indonesian workers abroad. In Law No. 13 of 2003 on Employment stated placement of Indonesian workers abroad shall be regulated by law.

In accordance with the consideration, the Law No. 39 of 2004 was enacted but in the analysis and implementation the act has not be enable to fully provide equitable benefits for Indonesian workers, especially those working abroad and working in low skill sectors such as housemaid, factory workers, construction workers, etc.

Some parties consider that Law No. 39 of 2004 into the legality of the government to divide there responsibility for the protection of citizens with the private sector. One article that set this act contained in Article 10-12 on the organizer of the placement of Indonesian migrant workers abroad.

In analyzing the three articles mentioned above, the most ideal form in the protection of citizens should be carried out only by the state without any interference from other parties. However, in gender studies and feminist, the technical issues are not the only priority. That is who the party handling, both government and private sector should be able to implement justice and gender equality in the execution of their duties. The dispatch pattern of women migrant worker to Hong Kong shown in pattern P-P(Inter Private) it is allowed, under article mentioned above, however, it is important to note not only business aspects but also aspects of rights in accordance with the obligations and protection in working station with equitable employment and gender equality (Hugo, 2002).

The majority of Indonesian migrant workers are women, so, important to have gender sensitivity for all stake holders involved in the management of Indonesian migrant workers March 2, 2018. Referring to the context, CEDAW should be a reflection of the gaps in national legislation as well as executor of these laws. All Indonesian women workers are entitled to have an awareness of their rights and this can be achieved if supported by promoting and disseminating all relevant parties, both government and private sector that handle from the time of departure, time placement and post international migration (Iredale *et al.*, 2003; Silvey, 2006). Research explains that:

- Representative of the Republic of Indonesia provide protection to migrant workers related to laws and regulations as well as international law and practice
- In order to protect migrant workers abroad, the government may establish the post of attache

Normative legal formally there is no problem on that study above but in a study conducted at the Consulate General of the Republic of Indonesia in Hong Kong

shows the data that the government staffs who become front liners that take care of the problems of migrant workers amounted to dozens of people where as the number of migrant workers in Hong Kong, especially, women, amounted to 150,000 people (Buchori *et al.*, 2003; Haas, 2010).

The unbalanced comparison between the number of personnel RI representatives and the number of migrant workers could become a problem in the management and protection of various cases of migrant workers in Hong Kong. The number of complaints and problems are growing while the lack of staff in charge could make them insensitive to problems and the issues of the protection of migrant workers, especially, women.

Of the 109 Articles in the Law No. 39 of 2004, only one chapter or 8 articles that discuss the protection of migrant workers and 1 article on monitoring, the rest is only concerned with the placement of Indonesian migrant workers abroad. Those chapters: Chapters 77-84 deal with the protection of migrant workers abroad.

In addition, the gap in protection management could also become an opportunity that must be addressed by the local government to issue a local regulations related to the protection of the region. In this regard the legislatures, the House of Representatives in 2012 bill on the Protection Indonesian Workers Abroad (PPILN) which for 2 years has been discussed by the government. This legislation will intended as a substitute for Law No. 39 of 2004. The encouraging in this respect is the active role of the Ministry of Foreign Affairs in coordinating the discussion of the bill with various parties, namely the government, academia, private sector and NGOs. In the bill, articles that disproportionately such as the protection and monitoring migrant workers abroad will be added. The send in institution's capacity should be increased, accompanied by a proportionate legal instrument to protect women migrant workers.

Analysis of Tulungagung Regency Regulation No. 24 of 2010: In 2010 the Tulungagung Regency has set Local regulation No. 24 of 2010 on the Service, Placement and Protection of Indonesian workers abroad. This shows the determination of the local government to provide protection to their citizens who have been donating a size able Foreign exchange by working abroad. Several articles that regulate migrant workers can be analyzed as follows:

In terms of candidate recruitment Indonesian Migrant Worker (IMW), Articles No. 17-18 clearly suggests that there should be clear information to recruit Indonesian workers, the requirements and documents and salary will be obtained. Explanation was given by Indonesian Office

employment (DISNAKER) and PPTKIS. In practice PPTKIS assign PRCTKIS to provide socialization, explanation to the family of IMW.

Article 17 (vacancies); Article 18-21 of PPTKIS; Article 22-26 regulates the selection of Indonesian workers candidates; Articles 29-30 regulate the education and training, exam and certificate of competence, Articles 31-32 regulate the health and psychology, the next articles set of documents and job placement agreement.

In the local regulation clearly stated that the selection of candidates for IMW ranging from physical to psychological selection to obtain IMW healthy candidate physically and mentally, skilled work, ready to work and have a strong motivation to work abroad. In practice, stated by DISNAKER Malang and Tulungagung that: "IMW women who want to go abroad are people who are troubled. The problem could come from her self or her family. They departed with a heavy burden". It is not criteria that should be followed in the preparation and training when it was leaving.

Part six of local regulation set of document management:

The encouraging part is the issue from family permit, mentioned that it is necessary to have permit from spouses who are married and the parent or guardian permission from those who have not married PRCTKI assist to prepare documents. IMW candidates hand over the maintenance of study individual or collective.

Part seven work placement agreement: Several issues often related to the placement are:

- Position and type of work of Indonesian workers candidates according to the user's request
- Placement costs to be pay by Indonesian workers candidates and the method of payment
- PPTKIS/Branch PPTKIS shall report any Indonesian workers placement agreement to the regency office
- Reporting referred to in Paragraph 1 is done by attaching a copy of the placement agreement of Indonesian workers
- PPTKIS/Branch PPTKIS can accommodate Indonesian workers candidate before departure
- The length of the shelter adapted to position and/or the type of work that will be done in the country of destination
- During the holding period, PPTKIS/Branch PPTKIS candidates must treat Indonesian workers fairly and humanely

IMW placement agreement is done before work. IMW candidate should understand the work plan clearly.

Articles mentioned IMW placement agreement” cannot be withdrawn and or altered except with the consent of the parties. It does not give benefit to the IMW candidate: therefore, it must be explained to each and every IMW candidate.

The next chapter regulates the employment agreement. Article 40-45 contains the employment agreement between the employee and the employer which was witnessed by the dispatcher party and contains:

Employment agreement shall contain at least: the name and address of the user; the name and address of Indonesian workers; positions and types of employment of Indonesian workers, the rights and obligations of the parties, the conditions and terms of employment such as hours of work, wages and the manner of payment, overtime pay, the right leave and rest periods, safety and health aspects of labor and social security.

Employment agreement signed by Indonesian workers candidate after passing the selection, having documents of migrant workers, physically and mentally healthy, follow and passes the training. Employment agreement signed by Indonesian workers candidate when following the PAP in the presence of officials from the reGENCY. The employer is obliged to provide a return ticket for the workers who work on individual users and users of legal entities in accordance to employment agreement employment agreement cannot be changed without the consent of the parties. In the event of changes in the employment agreement, the change in the employment agreement shall be approved by the representatives of the Republic of Indonesia in the hosting country.

As the placement agreement, an agreement between IMW and employer candidate, witnessed by PPTKIS or agents receive in Hong Kong is very important to understand and put into practice by the candidate IMW. In fact there are many IMW who departed does not understand that the law in force in Hong Kong is not the same as the law in Indonesia.

Moratorium issue of 2017: In the case of IMW moratorium, many parties involved including the President, Parliament, Ministry of Foreign Affairs, Department of Manpower and Transmigration, BNP2TKI, Employment and some NGOs like migrant care and others. Each specific target or targets to be the reason or the background of the policy is the government making efforts to solve the problems that afflict many migrant workers who work abroad. The government imposed moratorium to protect the IMW of all the things that threaten the security and rights of migrant workers. In

addition, the amount of diplomacy, cooperation and the agreement which has been adopted by the government is intended to ensure the safety and comfort of the work of the IMW. So, it is expected by the moratorium IMW future candidates IMW who want to work abroad to be more selective in choosing dispatch agency and placement of IMW and more prudent in making decisions to work as IMW, so, the bad things that had happened to the IMW no longer occur in the future and they set off as professional workers (Hass, 2006).

Government strategic actions to achieve Moratorium, 2017 which declared in Moratorium policy Road Map, 2017 as follows:

Short term: To review the overall policies and legislations as well as mechanisms Indonesian workers housekeeper placement and protection abroad including an evaluation, the administration and the recruitment and training IMW candidate. To review the overall state objectives and ensure the placement of Indonesian housekeeper merely assigned to country that has Foreign labors protection regulation and system. To establish a moratorium for country that has not guaranteed Indonesian housekeeper’s rights, particularly Middle East country that has Kalafah system and have a negotiation to improved employment cooperation. To improve economics and education in Indonesian housekeeper base areas in order to encourage them not to work abroad as housekeeper.

Medium term:

- To increase the assignment for formal job in abroad for Indonesian worker
- To find labor sources of formal job in other countries
- To synchronize education program with formal job market
- To assure the IMW housekeepers assignment only to country that has Foreign labors protection regulation and system
- To discontinue permanently the assignment to countries which violate the rights of IMW housekeeper

Long term period: To stop completely and permanently assign IMW housekeeper abroad. Based on interview conducted in immigration office of the first class Malang and Manpower office Singosari Malang, several explanations could be analyzed are followings. In resolving the labor issues, we need to relate it with the less number of job vacancy existed in Indonesia. If Moratorium, 2017 is realized in the future then there will be

an increasing rate of jobless in Indonesia every year. The local regulation itself has multi perception to this kind of policy. In this context, moratorium is considered to decrease the welfare of community due to a lot of people who rely to become IMW abroad. "There will be a lot of Indonesian people who unemployed due to this Moratorium".

Hence, government intervention is needed for decreasing the number of unemployed in Indonesia through alternative policy to increase their income. The government should also understand the condition of placement country or those countries that have bilateral cooperation in the field of employment or be referred to as "G-G" such as Japan and Indonesia that have had an agreement through MOU.

The government must seriously eradicate any practices which harm the migrant worker rights such as identification cards for working over seas (KTKLN), passport, training and placement that lead to additional costs which pay by IMW and still goes by the practices of illegal payments related to services for IMW. If government's policy related to "Moratorium of Indonesia in 2017 related to termination of Indonesian Workers Sector Domestic" will be implemented in 3 years, this can be considered as a not too long period for a policy which affects the lives of many of people as the number of Indonesian worker is about 512816 people and 236196 informal Indonesian workers that with an average annual increase in the amount of about 3.5% (Buchori *et al.*, 2003). It shows that the domestic sector IMW has a lot of workers and it takes a special readiness to implement this policy as follows:

The government should pay attention to mental readiness of the IMW candidate by giving formal training to IMW candidate, defining the logical consequences to be faced and cooperating with the agency to help them prepare mental state of IMW. The government of Indonesia cooperate with the training agency for IMW candidate or cooperate with the Technical Services Unit Area (UPTD) to provide training in professional skills for IMW candidate which will be sent to work abroad, so that, Indonesia will no longer send IMW in the informal sector but professionals.

Necessity to provide new work field in the country. In order to make a policy that change or terminate the job, the government should have been thinking for a solution as a substitute. In this case the government should be able to provide new jobs for IMW who do not have the specific ability. The government is obliged to provide new job field for informal IMW with a fair wage, although not

as big as for wage by working abroad. The governments can cooperate with institutions and companies engaged in the field of training, so that, IMW who used to work as the informal IMW will be professional IMW and could go back abroad and worked as professionals.

Cooperation between institutions both within and outside of government at central and regional level. The government in this case is the department of manpower, also need to collaborate with another government agencies relating to Foreign affairs such as the Ministry of Foreign affairs, immigration, custom and excise, police department and others. Cooperation should be established with the agencies in order to facilitate the policy of "Moratorium Indonesia 2017 related to termination of Indonesian Workers Domestic Sector" because the agencies have a duty and a more specific role in Foreign affairs. The form of cooperation that could be done with the agencies is the specific cooperation with the authority of the agencies that is not owned by the Ministry of Labor. Cooperation that could be done with immigration is requested the Immigration to tighten the manufacturing process passport or work visa by screening for potential IMW who apply for passport and visa to work abroad this is a kind of protection for IMW who will work abroad that could be done by immigration. Ministry of Labor could also ask Immigration not to serve the passport carried by brokers passport, the passport which is done not by relevant parties and the passport done in mass. This could be done to minimize the illegal departure of IMW that during this raises many issues for the Indonesian government.

The Foreign Ministry can assist the negotiation process related to the state's interests and the needs carried by the IMW. Ministry of Foreign Affairs can also help resolve problems that occur on IMW abroad through the negotiation process and lobbying and one of the important things that can be done by the Ministry of Foreign Affairs is to control the IMW and IMW agent residing abroad.

To pay attention to public opinion and mass organizations in a implementation plan of a policy because the opinions are the result of understanding and experience of IMW. Mass organizations is one of the groups that is often argued in response to an issue the conditions even the government's policies to be applied, the mass organization also has a social awareness of the societal conditions and mass organizations also have an influence in society. Therefore, opinions and attitudes that issued should be taken into consideration by the government in setting up and doing a policy.

In the implementation of the moratorium at the local level turns out that there is a difference between regencies/cities. In East Java, one of the regency/city that quite successfully embody the policies related to the implementation of the moratorium is Tulungagung. Tulungagung government through Tulungagung Regency Law No. 24 of 2010 about Service and Protection of Indonesian Worker Abroad has 77 articles in detail and describe the detailed arrangements regarding the protection of IMW. This is a positive implementation of which should be conducted by all regencies/cities in Indonesia, mainly the base areas of migrant workers.

Facing moratorium issue, we need to establish a government institution which is capable in handling former IMW, mainly in providing work field in Indonesia through entrepreneurship training and/or access job in the country professionally (Bohning, 1984; Morrison *et al.*, 2008). Experiences about moratorium overseas workers are:

- Moratorium of Indonesian workers in Saudi Arabia
- Moratorium of Indonesian workers in Suriah
- Moratorium of Indonesian workers in Jordania
- Moratorium of Indonesian workers in Kuwait

Community response to the moratorium policy BMI abroad: Moratorium or termination IMW dispatchment abroad are widely known by the public in the base sending area IMW namely Malang and Tulungagung Regency is termination to Saudi Arabia and Malaysia. Communities know from the news on television or newspaper. The community also understands the reason behind this act which is because of the issues faced by IMW, especially those facing the death penalty in both of these countries.

The response from IMW families in Tulungagung and Malang are generally regrets the dismissal because they feel benefit and substantial income from IMW dispatchment abroad and the other agree with the dismissal of dispatch which cause a problem. Case in Saudi Arabia which is a death sentence (beheaded), leads to termination of the consent in sending workers to Saudi Arabia. But in practice, it is difficult to stop the illegal departure through Umrah passport or an invitation directly from the employer. Similarly, IMW departure to Malaysia which directly adjacent to the territory of Indonesia, IMW departure just kept going with passports excursions, family invitations, even with bulging documents through the border area. Proposed by Disnakertrans and Asperti if a moratorium has to be conducted, it should be right if it apply in areas that do not have employment agreements.

Model and strategy institutional strengthening stakeholder dispatch imw abroad: From the local level to the national level and in the hosting country, it can be identified the parties related to IMW dispatch overseas, namely:

Government/regency village: Is the first exit for IMW to take care of the administration when will be going to work abroad with a requirement that must be met. For women IMW they need parents permit or permit from husband. All papers or files that are required to work abroad should be known by the village.

PPTKIS (Indonesian Private Company of Employment): As the sending institutions, providing training, accompanied to the airport, made contact with agents abroad, providing shelter before leaving and take care of the necessary documents IMW.

PPTKIS which is relatively large have BLK and open branches in other cities. This type could be found in Malang with labor supply majority from counties and regencies around Malang like Blitar and Tulungagung. In the Tulungagung Regency there is no large PPTKIS there are only branches PPTKIS Surabaya and Malang they recruit candidates for IMW to be trained in Surabaya or Malang. There is also small scale of IMW candidate seeker which they deposit training at BLK LN. The agency sent a small scale of IMW of individuals and when arriving in Hong Kong directly placed by the agent (Haas, 2006).

Large PPTKIS send BMI according to the requirements offered by an agent in Hong Kong. All documents prepared by PPTKIS.

Officer Candidate Recruitment TKI (PRCTKI) is an officer or partner of PPTKIS who is going to villages looking for people who want to work abroad. They are the one who provide socialization of work in Hong Kong, salary and other benefits. PRCTKI help prepare the necessary documents. PRCTKI submit candidates for IMW to PPTKIS, administration processed in DISNAKER then they will be selected and if candidates are qualified they will be accommodated by PPTKIS for pre-placement training. PRCTKI received wage per head.

Overseas Training Center. Law No. 39/2004 clearly states that the Indonesia PPTKIS must have BLK but in practice not all PPTKIS have BLK. The training is done in other PPTKIS that have BLK by paying training fee. There are national competency standards in force and IMW must pass or meet these requirements. In overseas training center there are subjects taught such as personalities, language, culinary, infant care and elderly care. On average IMW candidates undergo trainings for

three months then each of their profiles are recorded on videos to be demonstrated to clients in Hong Kong as ready-to-work IMW. In the video, the IMW would introduce himself/herself in Cantonese. After this, agents in Hong Kong would then offer prospective IMW to potential clients and when reach agreements, special travel legal documents and employment contracts will be processed.

Language tutorial centers. Since, the increase of the number of IMW being sent abroad there is perceived need for the prospective to prepare them with Cantonese language skill. Language tutorial centers have sprung up in the area of Tulungagung and Malang, especially, near villages where IMW come from. For instance, a man who has been working for many years and has experiences as a teacher, set up a Cantonese language courses free of charge to the neighbors who wish to work abroad upon returning to his village. He himself acted as a teacher based on his experiences abroad. After a while the students paid him voluntarily. These tutorial centers provide a good introductory of Cantonese language for migrant workers candidates who are about to work in Hong Kong.

NGO/Women's Cooperatives appeared at the village level that was driven by former IMW. In the Tulungagung Regency, for example, there is a women's cooperative named Sumber Rejeki in the Pojok village, the entire committees are from former IMW in Arab States, Malaysia, Brunei, Hong Kong and Korea. Those who no longer wish to return to work abroad decide to join the Cooperative 'Rejeki', making 'melinjo' crisps and cookies that are marketed by the cooperative.

In Sumberpucung, the Malang Regency, there is Pasar Citra Kartini cooperative set up by women which include activities such as savings and loans, shops, cafes, car rentals and early childhood education. Members of the savings and loan business are the existing IMW (who are working abroad). They send remittance to their accounts in the Citra Kartini cooperative to be saved-some may be taken by their families for daily use or to buy more luxurious items such as motorcycles, TVs, etc. With the IMW saving their money in the cooperative, they can earn interest and their income is not directly spent or misused. The money in this saving can thus later be used as venture capital. For cooperatives, remittances of IMW can function as a saving and loan capital.

Foreign currency exchange and small-scale gold street traders. Such institutions emerge as a necessary component of migrant workers. In the regency of Malang and Tulungagung, there are institutions mushrooming

along the highway in the city of Tulungagung and Kepanjen. Along the main street there are some Foreign exchange, buying and selling gold which are usually used by IMW to exchange Foreign money brought in cash from the workplace. All Foreign notes brought in are entirely exchanged based on the existing exchange rates (Rosalinda, 2012). For those who still want to return to Hong Kong, they would leave little Foreign money behind as their pocket money when they are back to Hong Kong.

At the provincial level, there is UPT P3TKI institution which can be regarded as the exit route for migrant workers to Hong Kong, preparing and debriefing KTKLN. Immigration office prepares passport and visa.

At the national level the parties involved in the sending of IMW abroad and the moratorium which will be enforced are: The President Acts as the main actors in policy-making. President ratifies the draft of the Act moratorium proposed by the Parliament as bearers of policy plans. In the long history of the sending of IMW abroad which began in the 1970 in mid-2011, exactly on August 1, 2011 the government issued a moratorium migrant workers policy that was then applied to the sending of migrant workers to Saudi Arabia. According to President Susilo Bambang Yudhoyono, this step was taken by the government following the increase in number of violence against migrant workers abroad. However, most moratorium policies enacted by the government are only applicable to the sending of migrant workers to Saudi Arabia and Malaysia. President Acts as the main actor who approves the moratorium with regard to all matters including the political aspect of it-in the form of pressure from the coalition government, pressure from interest groups and pressure from the public.

The House of Representatives (DPR) as the legislature acts as the party proposing and formulating the bill on moratorium to be then ratified by the President. In the drafting of laws and the formulation of legislation, DPR also influenced by many parties including interest groups and NGOs related to the issue of IMW. In the manufacture of the moratorium and all matters related to the moratorium, the President should agree with the Parliament, so that, the moratorium policy can be achieved.

The Ministry of Foreign Affairs (Foreign Ministry) agency or institution plays as supervisor of all activities related to activities as well as protection against IMW. Foreign Ministry also serves as IMW protection agency and also formed a committee to oversee and investigate all cases involving IMW abroad.

Department of manpower and Transmigration at national and local levels has similar role, i.e., government agency that monitors and investigates all forms of issues related to IMW. This role also includes monitoring all possibilities and anticipating illegal IMW dispatch when the moratorium is still valid. These agencies usually work under President's supervision and participate in the IMW moratorium policy formulation process.

The National Agency for the Placement and Protection of Indonesian Workers (BNP2TKI) previously named BKPBMI (Coordinating Agency for Placement of Indonesian Migrant Workers), through Law No. 39 of 2004, the institution updated to BNP2TKI that is coordinated under the minister but reporting assignments of responsibility to the President. BNP2TKI is one of the agencies under the auspices of the government as an extension of the agency in the management of BMI in various Foreign countries. This institution is trusted directly by the government in handling, tackling, sending migrant workers abroad, even as an official institution in political communication abroad in collaboration with relevant agencies, e.g., agency workers, the Minister of Labor which is appointed directly by the government (Silvey, 2006; Buchori *et al.*, 2003). All matters placement activities and protection of the domestic labor are within the authority of this institution. BNP2TKI assist the government in policy-making decisions to consider a moratorium on BMI based on the data in the field that has been obtained by this agency.

Migrant care is a social institution (NGOs) working independently to monitor all the dispatch process, the placement and protection as well as various problems related to IMW abroad. This NGO often appears as the critic of the government's actions which was considered slow in dealing with IMW. The NGO is also often put pressure on the government to immediately ratify the IMW moratorium. The NGO is also often intervened directly to invite the community to solve the problems of IMW. Migrant care is one of the NGOs which then are considered by the government because of its focus in solving the problems BMI is very large.

Institutions in Hong Kong: In Hong Kong, BMI that is sent directly will be received by job placement agent agent pick up IMW women that newly arrived at Hong Kong airport they were briefed and given the manual research in Hong Kong but ironically the book is largely up to the hands of IMW to be read because it is collected back by the agency and some have trashed.

Indonesian Republic General Consulate (KONJEN RI), IMW that newly arrived receives direction from. In

general how to work in Hong Kong and show that the KONJEN is representative of the State abroad that can assist the surveillance and protection of IMW. KONJEN is providing consular and diplomatic protection legally to the IMW. Hong Kong with P-P dispatch pattern allows the inter-individual cases, civil and criminal cases between workers and employers. Once IMW leave Indonesia and arrive in Hong Kong, the Indonesian laws and regulations do not apply anymore. The applicable legislation is Hong Kong's laws. KONJEN necessarily have to pay attention to the jurisdiction of the Hong Kong SAR.

Delivered by agent to work, or stored temporarily in the agent. A good agent in Hong Kong, before IMW arrival has conducted interviews with potential employers, conducted a survey to house of the employer, explain the rights and obligations of employing Foreign workers, provide the facilities mentioned in the employment agreement, pay wages according to regulations.

Relevant institutions which are not directly related to IMW but necessary are NGOs concerned IMW, Organization of IMW, Shelter.

Institutions are very important stakeholder for IMW there Foreign preparing professional IMW: a model-based empowerment needs strong institutions and professionals. Professional is defined as "a person skilled incertain professionscarry out their duties". Professional institution is an agency or organization that aims to conduct a business and experts in the business".

Thus, the institutional strengthening of stakeholders need to be deepened with emphasis on the following aspects:

- Human resources
- Enforcement and legislation in force
- Mastery, understanding law and legislation for IMW
- Professionalism
- Picture Model 1 of Monev

CONCLUSION

Women's empowerment model post-moratorium: Regarding to the entrepreneurial component, soul, family style environment, society and culture, women empowerment model of former IMW can be described as follows: Model 2 of Monev.

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