

Immigration Services For Indonesian Migrant Workers During The Covid-19 Pandemic

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Abstract

This study aims to determine the immigration services provided by the Indonesian government for Indonesian Migrant Workers during the COVID-19 pandemic. The method used in this research is normative legal research. Normative legal research is research conducted by reviewing the applicable laws and regulations on a particular legal issue. The COVID-19 pandemic has become a separate obstacle for Indonesian Migrant Workers. This is because of the policies and/or restrictions implemented in order to break the chain of COVID-19 which actually makes their fate seem adrift, for example: Indonesian Migrant Workers trapped in receiving countries, Migrant Workers Problematic Indonesia, the travel ban and lockdown policies implemented by several countries in the world, not a few of which are the destination countries for the majority of Indonesian Migrant Workers, such as Saudi Arabia, Taiwan, Hong Kong, and others. In facing this challenge, the Government of Indonesia does not remain silent. The government through the Directorate General of Immigration of the Ministry of Law and Human Rights issues policies in providing protection and services for Indonesian Migrant Workers during the COVID-19 pandemic.

Keywords: COVID-19, Immigration, Indonesian Migrant Workers.

I. INTRODUCTION

Indonesia is the 10 (ten) major country in sending migrant workers in the world. Remittances generated by Indonesian Migrant Workers (PMI) are among the top 10 (ten) contributors to the country's foreign exchange, so the Indonesian government should provide guarantees for their rights, opportunities and protection. Remittances are money sent by workers abroad to their home countries. The remittances generated by Indonesian Migrant Workers (PMI) are very large. Indonesian Economic and Financial Statistics Bank Indonesia (BI) recorded the total remittances of Indonesian Migrant Workers (PMI) in 2019 amounted to USD 11.435 billion (detik.com). From year to year, the value of PMI remittances continues to increase and makes a significant contribution to the welfare of the community. Only in 2020, remittances have decreased due to the COVID-19 pandemic. However post-COVID-19, it is expected to increase again. However, the high contribution of Indonesian Migrant Workers (PMI) to the country's foreign exchange so far is inversely proportional to the treatment they receive. Before departure, in the departure process, at the place of placement until their return, Indonesian Migrant Workers (PMI) often experience discrimination, extortion and violence. The Directorate General of Immigration of the Ministry of Law and Human Rights (Kemenkumham) has a big responsibility in giving great attention to the fate of Indonesian Migrant Workers (PMI).

This is in accordance with Law Number 6 of 2011 concerning Immigration (hereinafter abbreviated as the Immigration Law), Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers (hereinafter abbreviated as the Law on Protection of Indonesian Migrant Workers) and President Joko Widodo's Instruction so that all stakeholders protect migrant workers. The Indonesian Migrant Workers (PMI) start from head to toe, from the process before departure to returning to their respective homes. During this COVID-19 pandemic, of course, the task of the Director General of Immigration will face its own challenges in providing

immigration services for Indonesian Migrant Workers (PMI). This is due to the policies and/or restrictions implemented in order to break the COVID-19 chain which actually creates a difficult situation for them, for example: Indonesian Migrant Workers (PMI) trapped in receiving countries, Indonesian Migrant Workers Problematic (PMIB), there are travel ban and lockdown policies implemented by several world countries (Hasudungan et al., 2022), not a few of which are the destination countries for the majority of Indonesian Migrant Workers (PMI), such as Saudi Arabia, Taiwan, Hong Kong, and others. How are the immigration services provided by the Indonesian government for Indonesian Migrant Workers (PMI) during the COVID-19 pandemic? Therefore, the purpose of this study is to find out the immigration services provided by the Indonesian government for Indonesian Migrant Workers (PMI) during the COVID-19 pandemic.

II. METHODS

The method used in this research is normative legal research. Normative legal research is research conducted by reviewing the applicable laws and regulations on a particular legal issue. According to Peter Mahmud Marzuki, the object in legal research is an intrinsic legal condition, for example law as a legal system of values and social norms. The result to be achieved in legal research is to provide an overview of what should be done (Marzuki, 2005). Normative legal research is legal research whose objects are statutory regulations and other library material documents. Therefore, normative research is often called doctrinal research (Soerjono dan H. Abdurahman, 2003).

III. RESULTS AND DISCUSSION

The COVID-19 pandemic is having an unprecedented impact on the global economy, businesses and workers. The ILO estimates that nearly 2.2 billion workers, representing 68 percent of the global workforce, live in countries where workplace closures are required or recommended (Popova & Hakki, 2018) Migrant workers represent 4.7 percent of the global workforce, comprising 164 million workers (Popova & Hakki, 2018), with almost half being women. In many countries, migrant workers represent a much larger share of the workforce who make important contributions to society and the economy (OECD/ILO, 2018), and being at the forefront of carrying out critical work in healthcare, transport, services, construction and agriculture and agro-food processing (International Labour Organization, 2020). However, most migrant workers are concentrated in sectors of the economy with high levels of temporary, informal or unprotected employment, characterized by low wages and a lack of social protection, including in care work which in many countries is mostly performed by female migrant workers. Migrant workers are among the most vulnerable.

Reports document increasing levels of discrimination and xenophobia against migrant workers and in some cases food insecurity, layoffs, worsening working conditions including withholding or non-payment of wages, overcrowded or inadequate living conditions and increased restrictions on movement or forced return (where they may be labeled as carriers of the virus) (www.ilo.org). The Indonesian government certainly does not remain silent. As one of the top 10 countries in sending migrant workers in the world, the Directorate General of Immigration of the Ministry of Law and Human Rights (Kemenkumham) is committed to paying great attention to the fate of Indonesian migrant workers (PMI). This is in accordance with President Joko Widodo's instructions so that all stakeholders protect PMIs from the process before departure until they return to their respective homes. Furthermore, the Directorate General of Immigration is part of the stakeholders who have duties and responsibilities in providing services and protection to Indonesian Migrant Workers (PMI).

In particular, the Directorate General of Immigration issued policies related to restrictions on Foreigner Crossing during the COVID-19 pandemic as part of immigration services for PMI, which are as follows:

A. Indonesian Citizens Enter Indonesian Territory

1. Indonesian citizens who are still abroad are expected to be able to return to their country immediately to avoid the possibility of airport closures and the absence of transportation means departing for Indonesia.
2. Services for all Indonesian representatives abroad are still running to serve Indonesian citizens abroad, including for applications for Indonesian passports and travel documents like passports.
3. Mandatory to fill out a Health Alert Card upon arrival in Indonesia and at the same time undergo a health check that will be carried out by a Health Quarantine officer at the place of arrival.
4. Mandatory self-isolation for 14 (fourteen) days from arrival at their respective places.

A. Indonesian Citizens Exit Indonesian Territory

1. Immigration checks are still ongoing for Indonesian Citizens who wish to leave the Indonesian Territory.
2. Those who will leave the territory of Indonesia are expected to pay attention to various policies issued by the Government of Indonesia regarding Covid-19.
3. Submission of an Indonesian Passport application at the immigration office is limited to applicants who have an urgent need through the helpdesk number provided. Among other things for:
 4. Sick people whose treatment cannot be postponed or a doctor's referral, and.
 5. People with interests that cannot be postponed by completing a statement containing the reasons for departure.
6. Online queuing service through APAPO (Online Passport Queue Registration Application) is temporarily suspended.
7. Passports that have been completed at the immigration office if not collected for more than 1 month are not subject to passport cancellation (jakarta.kemerkumham.go.id).

Furthermore, the government through the Ministry of Manpower (Kemenaker) has prepared a strategy and handling the return of Indonesian Migrant Workers (PMI) from the country of placement. Based on Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers (UU PPMI), the central government together with the Provincial Government/Regency/City Government have the duty and responsibility to take care of PMI's return in the event of war, natural disaster, disease outbreak, deportation, and problematic PMI. . Since March 23, 2020, the Ministry of Manpower has coordinated with the Directorate General of Immigration and the Ministry of Health regarding requests for health checks at debarkation for PMIs to return. The letter was followed up with the SE of the Director General of Disease Prevention and Control to all Port Health Offices (KKP) on 27 March 2021 (Media Indonesia.com). Another PMI protection measure taken by the Government of Indonesia is coordinating with the Manpower Attaches at 12 Indonesian Representatives, to urge PMIs who will return to Indonesia to report their return online.

In addition, the government's efforts to realize PMI protection are coordinating with all Kadisnaker at the provincial/district/city level to collect data on PMI's return/return, monitor PMI conditions involving the Health Office, and provide an appeal to PMI to register for empowerment programs. Other protective measures, namely providing basic material assistance to PMI affected by Covid-19 in countries of placement and allocating employment opportunities expansion programs for workers and prospective workers and their family members. The assistance is in the form of infrastructure labor-intensive programs, productive work, business incubation, appropriate technology (TTG), and independent labor (TKM). The Indonesian government has also provided repatriation funds to the Manpower Office for the repatriation of its citizens to their areas of origin and assigned the PPMI (Indonesian Migrant Workers Protection) Task Force at debarkation to monitor the arrival of PMIs (Disnaker Kepri, Batam, East Java and Sanggau) (Kompas.com).

IV. CONCLUSION

As one of the top 10 countries in sending migrant workers in the world, Indonesia does not remain silent in providing immigration services for Indonesian Migrant Workers (PMI). This is evidenced by the issuance of

policies related to restrictions on Foreigner Crossing during the COVID-19 pandemic as part of immigration services for PMI by the Directorate General (DG) of Immigration Kemenkumham (Ministry of Law and Human Rights). In addition, the Directorate General of Immigration at the Ministry of Law and Human Rights also collaborates with other ministries such as the Ministry of Manpower (Ministry of Manpower) and the Ministry of Health (Ministry of Health) of the Republic of Indonesia in optimizing services and protection for these PMIs. If the Ministry of Law and Human Rights prioritizes legal protection, the Ministry of Manpower provides assistance related to employment, while the Ministry of Health provides services related to the health of PMIs, especially during the current COVID-19 pandemic. In the future, the synergy between government institutions in providing services and protection for PMIs is deemed necessary to be maintained and improved. Not only during the COVID-19 pandemic, considering that PMI is a "hero of the country's foreign exchange" who makes a big contribution to state income.

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