

REPUBLIC OF INDONESIA | PROFILE 2024

MIGRATION  
GOVERNANCE  
INDICATORS



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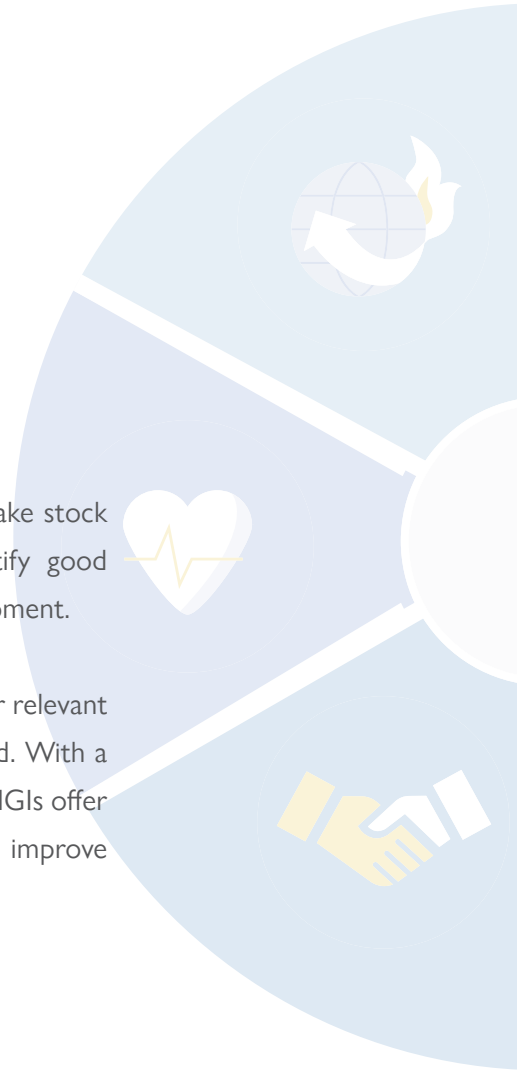
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## OBJECTIVES

The MGIs aim to help governments, upon request, take stock of their migration policies and strategies to identify good practices and areas with potential for further development.

The MGIs open dialogues with governments and other relevant stakeholders to identify priorities on the way forward. With a focus on government ownership of the process, the MGIs offer support at the national and local levels to gradually improve migration management systems.



# INTRODUCTION

“ Migration has been part of the human experience throughout history, and we recognize that it is a source of prosperity, innovation and sustainable development in our globalized world, and that these positive impacts can be optimized by improving migration governance.<sup>1</sup>

The need to maximize the opportunities and to face the challenges that mobility brings has been recognized with the inclusion of migration in the 2030 Agenda for Sustainable Development, and with the adoption of the Global Compact for Safe, Orderly and Regular Migration. The incorporation of target 10.7 into the 2030 Agenda created the need to define “planned and well-managed migration policies”. This is why, in 2015, the International Organization for Migration (IOM) developed the Migration Governance<sup>2</sup> Framework (MiGOF). This Framework<sup>3</sup> offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that suits its circumstances. That same year, IOM in collaboration with Economist Impact developed the Migration Governance Indicators (MGIs), a standard set of almost 100 indicators that help States assess the comprehensiveness of their migration governance structures.

The indicators constitute a starting point to engage governments in a consultative process that allows them to identify areas that are well developed and others that would benefit from further development, and most importantly priorities that are in line with the specific challenges and opportunities that a given country is facing.

The MGIs are characterized by three main fundamental attributes:

1. The MGI process is a **voluntary** exercise: The MGIs are conducted in countries that have requested to be part of the process.
2. The MGIs are **sensitive to national specificities**: The MGIs recognize the different challenges and opportunities of each context, and therefore, do not propose a one-size-fits-all solution, but rather aim to spark a discussion on what well-governed migration can mean.
3. The MGIs constitute a **process**: The MGI process is not a static tool to collect data on countries' migration frameworks. It is rather the first step of a dynamic exercise that can enable governments to identify areas of their migration policy in need of further development, or that could benefit from capacity-building.

The MGIs recognize that all countries have different realities, challenges and opportunities in relation to migration. Therefore, the MGIs do not rank countries on the design or implementation of their migration policies.

Finally, the MGIs do not measure migration policy outcomes or institutional effectiveness. Instead, they take stock of the migration-related policies in place and operate as a benchmarking framework that provides insights on policy measures that countries can consider as they further progress towards good migration governance.

During the national MGI assessment and the local MGI assessment in Central Java, the Government of Indonesia and the United Nations Development Programme also conducted an assessment of migration policy gaps at the subnational level. This assessment aimed to identify policy and capacity gaps related to migration at the subnational level, with a focus on the mobility aspects of crises caused by COVID-19. It also considered gender sensitivities by incorporating gender analysis. This involved assessing risks to women and

<sup>1</sup> United Nations, [Global Compact for Safe, Orderly and Regular Migration](#) (A/RES/73/195 of 11 January 2019), paragraph 8.

<sup>2</sup> “Migration governance” refers to the system of institutions, legal frameworks, mechanisms, and practices aimed at regulating migration and protecting migrants. It is used almost synonymously with the term “migration management”, although the latter is also sometimes used to refer to the narrow act of regulating cross-border movement at the State level.

<sup>3</sup> IOM Council, [Migration Governance Framework](#), 106th Session, C/106/40 (4 November 2015), page 1, footnote 1.

vulnerabilities to gender-based violence throughout migration cycles, and recognizing the different needs and priorities of men, women, boys and girls.

The following government bodies took part in the process of consultation and validation of the MGIs in Indonesia and helped put together the profile resulting therefrom: the Coordinating Ministry for Political, Legal and Security Affairs; the Coordinating Ministry for Human Development and Cultural Affairs; the Ministry of Home Affairs; the Ministry of Foreign Affairs; the Ministry of Religious Affairs; the Ministry of Finance; the Ministry of Law and Human Rights; the Ministry of Health; the Ministry of Social Affairs; the Ministry of Manpower; the Ministry of Trade; the Ministry of Villages, Development of Disadvantaged Regions, and Transmigration; the Ministry of National Development Planning/National Development Planning Agency; the Ministry of Investment; Bank Indonesia; the Indonesian National Police; the Maritime Security Agency; the National Search and Rescue Agency; the National Agency for Disaster Management; the Indonesian Migrant Worker Protection Agency; the Central Statistics Agency; the National Border Management Agency; the National Commission on Violence against Women; the General Elections Commission; civil society organizations;<sup>4</sup> migrant organizations; local hospitals; and schools. We express our gratitude to all ministries and institutions that participated in the focus group discussion and stakeholder consultation process of the MGI assessment, especially to the Ministry of Foreign Affairs as the facilitator.

This MGI profile was initiated and produced by IOM, funded by the Migration Multi-Partner Trust Fund.

This country profile presents a summary of the well-developed areas of the migration governance structures of the Republic of Indonesia (hereinafter referred to as Indonesia), as well as the areas with potential for further development, as assessed by the MGIs.<sup>5</sup>

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<sup>4</sup> Representatives of Indonesian Diaspora Network Global, Catholic Relief Services, Church World Service and Kabar Bumi were involved in the multi-stakeholder consultation and validation meeting.

<sup>5</sup> The MGI initiative is a policy-benchmarking programme led by IOM and implemented with the support of Economist Impact. Funding is provided by IOM Member States.



# CONCEPTUAL FRAMEWORK

## MiGOF

IOM's MiGOF sets out the essential elements to support planned and well-managed migration. It seeks to present, in a consolidated, coherent and comprehensive way, a set of three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane and orderly, and benefits migrants and society.

At the basis of

### PRINCIPLES

1. **Adhere** to international standards and fulfil migrants' rights.
2. **Formulate** policy using evidence and a whole-of-government approach.
3. **Engage** with partners to address migration and related issues.

### OBJECTIVES

1. **Advance** the socioeconomic well-being of migrants and society.
2. **Effectively address** the mobility dimensions of crises.
3. **Ensure** that migration takes place in a safe, orderly and dignified manner.



## MGIs

### WHAT THEY ARE

-  A set of indicators that offers insights on policy levers that countries can use to strengthen their migration governance structures
-  A tool that identifies good practices and areas that could be further developed
-  A consultative process that advances dialogues on migration governance by clarifying what "well-governed migration" might look like in the context of SDG target 10.7 and the Global Compact for Migration implementation\*

Which support the measurement of

### WHAT THEY ARE NOT

-  Not a ranking of countries
-  Not an assessment of policy impacts
-  Not prescriptive



Note: "The Global Compact is framed in a way consistent with target 10.7 of the 2030 Agenda for Sustainable Development in which Member States committed to cooperate internationally to facilitate safe, orderly and regular migration."

The MGIs consist of almost 100 indicators grouped under the six different dimensions of migration governance that draw upon the MiGOF categories:



MIGRANTS'  
RIGHTS  
PAGE 23

Indicators in this domain look at the extent to which migrants have access to certain social services such as health, education and social security. They look at family reunification, access to work, and access to residency and citizenship. The international conventions signed and ratified are also included.



WHOLE-OF-GOVERNMENT  
APPROACH  
PAGE 28

Indicators in this area assess countries' institutional, legal and regulatory frameworks related to migration policies. This area also looks at the existence of national migration strategies that are in line with development objectives and overseas development efforts, as well as institutional transparency and coherence in relation to migration management.



PARTNERSHIPS  
PAGE 33

This category focuses on countries' efforts to cooperate on migration-related issues with other States and relevant non-governmental actors, including civil society organizations and the private sector.



WELL-BEING  
OF MIGRANTS  
PAGE 37

Indicators in this area assess countries' policies on the recognition of migrants' educational and professional qualifications, provisions regulating student migration and the existence of bilateral labour agreements between countries. Aspects of diaspora engagement in the country of origin and migrant remittances are also under this domain.



MOBILITY DIMENSION  
OF CRISES  
PAGE 41

This category looks at the type and level of preparedness of countries when they are faced with mobility dimensions of crises. The questions look at the processes in place for nationals and non-nationals in relation to disasters and climate change, including if humanitarian assistance is equally available to migrants as it is to citizens.



SAFE, ORDERLY AND  
REGULAR MIGRATION  
PAGE 44

This area looks at countries' approach to migration management in terms of border control and enforcement policies, admission criteria for migrants, preparedness and resilience in the case of significant and unexpected migration flows, as well as the fight against trafficking in persons.



# SUMMARY

## SUMMARY OF FINDINGS

### Migrants' rights

Indonesia has well-developed areas focusing on social security, health care, shelters for victims of trafficking and education for migrants. The Government of Indonesia also has legal frameworks and regulations, such as Law No. 40 of 2004 and Presidential Regulation No. 82 of 2018, providing health services and protections to foreign workers. Shelters, including the Safehouse and Trauma Centre (Rumah Perlindungan dan Trauma Center) and others under the Ministry of Social Affairs, are available to assist victims of trafficking. Access to education for refugees and Indonesian citizens abroad is regulated by the Ministry of Education.

Although Indonesia is not a party to the 1951 Refugee Convention, Presidential Regulation No. 125 of 2016 concerning the Handling of Foreign Refugees stipulates the access and rights afforded to refugees in Indonesia, such as shelter, health, security, basic needs, facilitation/placement of accommodation for refugee with special needs, reunification with family members, and handling of refugees and asylum-seekers in the country, including civil registration services. According to Presidential Regulation No. 96 of 2018 concerning the Requirements and Procedures for Population Registration and Civil Registration, registration services provided for refugees include the notification letter of vital events (including birth), but it is not a birth certificate substitute.

Migrants with irregular status face challenges accessing government public services, including higher education, employment, and protection services such as police assistance and legal aid, primarily because they lack a formal civil identification (ID) recognized by the Government or its systems.

Some areas with potential for further improvement include the development of a policy or strategy to combat hate crimes, violence, xenophobia and discrimination against migrants; coordinating protection efforts; enhancing access to higher education for refugee children; as well as offering civil registration services to all migrants regardless of migration status.

Additionally, the portability of social welfare services for migrants in destination countries and further protection for Indonesian citizens who migrate abroad have potential for further development, including through expanding bilateral cooperation frameworks with destination countries.

### Whole-of-government approach

Ministries and agencies in Indonesia play distinct roles in migration governance, and the implementation of migration policies is shared among several ministries/agencies with relevant roles and functions. For example, the Ministry of Foreign Affairs is responsible for the protection of Indonesian citizens abroad. The Ministry of Law and Human Rights, particularly the Directorate General of Immigration (DGI), formulates and implements immigration policies and ensures compliance with the regulatory framework. The Ministry of Manpower focuses on labour-related policies, ensuring comprehensive protection for Indonesian migrant workers. The Ministry of Social Affairs provides services to Indonesian citizens who arrive from abroad after repatriation under various circumstances, such as being victims of trafficking, having irregular status, or being affected by natural disasters, pandemics or conflicts. The National Border Management Agency (Badan Nasional Pengelola Perbatasan, BNPP) coordinates border management-related policies involving 27 ministries/non-ministerial government agencies and 15 governors in border areas. The Indonesian Migrant Worker Protection Agency (BP2MI) further safeguards Indonesian migrant workers and issues the necessary permits. Specific regulation, such as Government Regulation No. 22 of 2022, addresses unique conditions of migrant commercial vessel and migrant fishing vessel crews.

Data on migration are collected and published by the Central Statistics Agency (BPS) and BP2MI. The Government, for the first time, integrated migration questions into its 2020 Population Census, conducted by BPS of Indonesia, which included a section on migration, featuring questions on citizenship, place of birth, gender, religion, marital status, length of stay at current address, relationship status with head of household and highest level of education completed. Consequently, BPS systematically collects and regularly publishes migration data disaggregated by gender, in the Indonesian and English languages, which are made available on its website.<sup>6</sup> Since 2019, BPS has initiated the One Data for International Migration Policy, which integrates data and statistics from all line ministries and non-ministerial institutions at the national level through its One Data Platform.

Indonesia lacks a consolidated national and comprehensive migration strategy, with strategies embedded in individual ministry programmes. However, national development plans prioritize the protection of Indonesian migrant workers. At the time of this research, the Government is in the process of developing its National Action Plan for the Implementation of the Global Compact for Safe, Orderly and Regular Migration. The formulation of a migration strategy defined in a programmatic document, as well as the establishment of a national-level interministerial coordination mechanism on migration issues would help to ensure coherence across ministries when developing and implementing their respective migration policies. As of April 2024, various coordination mechanisms exist, including the Task Force for the Prevention and Handling of Trafficking in Persons. It operates under presidential regulations and focuses on combating trafficking in persons, ensuring victim protection and monitoring law enforcement.

Gender equality in migration-related matters is an area with potential for development. Law No. 12 of 2022 concerning Sexual Violence establishes an integrated service for handling sexual violence, involving, among others, the Ministry of Women Empowerment and Child Protection, the Ministry of Health, the Ministry of Law and Human Rights, the Indonesian National Police and BP2MI. Furthermore, there is an opportunity to engage the Ministry of Women Empowerment and Child Protection in addressing gender equality and diversity issues within the migration-related agenda.

There is no dedicated entity for emigration and diaspora policies at present. Further development may involve establishing a dedicated agency to enhance emigration and diaspora policy implementation.

## Partnerships

Indonesia is a member of the Association of Southeast Asian Nations (ASEAN), which has mechanisms in place for formal intraregional mobility. As the co-chair of the Bali Process, Indonesia collaborates with 45 member countries and four international organizations to address people smuggling, trafficking in persons and related transnational crimes. It actively contributed to the development of international migration norms through the Global Compact for Migration and is a member of various regional forums like the Colombo Process, the Abu Dhabi Dialogue, and the Global Forum on Migration and Development.

The government of Indonesia, in collaboration with other ASEAN member States, endorsed the ASEAN Declaration on the Placement and Protection of Migrant Fishers (2023) and the ASEAN Declaration on the Protection of Migrant Workers and Family Members in Crisis Situations (2023). Under the leadership of Indonesia in 2023, ASEAN has acknowledged the ASEAN Guidelines on the Protection of Migrant Workers and Family Members in Crisis Situations at the Forty-third ASEAN Summit held in Jakarta, Indonesia. As of April 2024, ASEAN is in the process of formulating the ASEAN Guidelines on the Placement and Protection of Migrant Fishers, with plans for its consideration at the forthcoming Forty-fourth and Forty-fifth ASEAN Summits in the Lao People's Democratic Republic in 2024.

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<sup>6</sup> Visit the website of the [Central Statistics Agency](#) for more information.

Indonesia engages its diaspora for development through various platforms, including the Diaspora Congress and digital initiatives like One Room. The Government introduced diaspora visa services in 2023, providing extended stays for Indonesian diaspora members abroad, aiming to harness their contributions.

Active bilateral negotiations with countries like Saudi Arabia, Qatar and the United States emphasize rights, wage protection and sector-specific issues for Indonesian migrant workers. Government efforts include collaborating with diaspora networks and exploring job opportunities, as seen in the country's engagement with Morningside Ministries.

The Indonesian Fisheries Workers Union and the Maritime Crewing Agents Association collaborate with the Government to discuss labour migration placement mechanisms. BP2MI engages with private partners to optimize service processes and discuss regulations related to migrant workers' exemption from placement fees.

Formal partnerships with the Office of the United Nations High Commissioner for Refugees and collaborations with IOM reflect Indonesia's commitment to handling foreign refugees. Socialization events and dialogues at the national and subnational levels demonstrate coordinated efforts to build social cohesion and support for refugees within local communities.

Some areas with potential for further development include enhancing engagement and active participation in regional mobility mechanisms, such as the Bali Process, the Colombo Process and the Abu Dhabi Dialogue. The *ASEAN Migration Outlook (2022)* emphasizes the region's commitment to improving social protection for migrant workers, reflected in the adoption of the ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN (2022).

Civil society organizations (CSOs) engage in migration policy on an ad hoc basis. Notably, in 2021, the Ministry of Foreign Affairs collaborated with trade unions, academia and CSOs in drafting the National Action Plan for the Implementation of the Global Compact for Migration. The Government's collaboration with the Indonesian Migrant Workers Union in handling migrant workers' complaints is a step in addressing issues before, during and after migration.

Tripartite plus coordination and social dialogue forums – involving the Government, the private sector, migrant workers' unions and CSOs – have been initiated at the regency level in Cirebon, West Java Province. Regent Decree No. 500.15.9.2/Kep.923-Disnaker/2023 establishes a Multistakeholder Forum for Migrant Workers' Protection, showcasing a model for inclusive social dialogue and policy development. Strengthening and expanding these forums to other regions and provinces can contribute to a comprehensive and inclusive approach to migrant worker protection in Indonesia.

## Well-being of migrants

The Indonesian National Qualifications Framework, which came into effect in January 2012, facilitates the recognition of foreign qualifications based on nine competency qualification levels, promoting equivalency and the integration of education, vocational training and work experience. The ASEAN Qualifications Reference Framework (2014) further enhances regional collaboration in the qualification of competencies acquired through education, vocational training and work experience.

The Government has formalized 18 labour-related memorandums of understanding (MoUs), covering formal and informal sectors, with various countries. These MoUs, such as those with Malaysia and Saudi Arabia, demonstrate efforts to regulate and streamline recruitment processes through initiatives like the one-channel system. Ethical recruitment is emphasized under Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers, guaranteeing migrant workers' rights from pre departure to return. The Government shares costs with prospective workers and employers. The Law disseminates the measures to

all levels of government, from the national to the provincial, municipal and village levels. Multilevel monitoring is applied to oversee placement processes that involve private recruitment agencies.

The One-Stop Integrated Services (*Layanan Terpadu Satu Atap*, LTSA), established in 2017, streamlines placement processes, ensuring easier, faster and safer recruitment. Legal protection for migrant workers covers the pre-employment, employment and post-employment phases. Technical assistance is provided through a pre-departure orientation to enhance workers' understanding of their rights and potential challenges abroad.

Financial inclusion for returned migrant workers is a priority, aligning with the National Strategy for Financial Inclusion (2020). Partnerships with private actors, including Bank Indonesia, facilitate access to financial products and services. Initiatives like the Productive Migrant Village development programme integrate financial literacy to help migrants manage earnings, remittances and investments securely.

Minister of Women Empowerment and Child Protection Regulation No. 1 of 2023 provides protection and facilities for female workers. Law No. 18 of 2017 ensures gender equality in overseas employment, promoting equal status and conditions for both male and female workers.

Indonesia faces challenges in monitoring its labour market comprehensively, lacking a national assessment to track immigrants' impact on the domestic labour supply and the consequences of emigration. Government Regulation No. 34 of 2021 concerning the Utilization of Foreign Workers mandates employers hiring foreign workers to provide training to Indonesian workers, but existing data sources, notably the National Labour Force Survey, do not focus on migration status.

The absence of a specific programme for labour immigration management is an area with potential for development. The Ministry of Manpower issues foreign workers' visas under the Foreign Workers Utilization Plan, regulated by Government Regulation No. 34 of 2021. However, Indonesia lacks differentiated visas for specific skills or industries, and the limited stay visa does not categorize migrants based on labour skills or sectors.

## Mobility dimension of crises

The National Disaster Management Agency (BNPB) is responsible for policy formulation, coordination and comprehensive disaster management. The country enacted Law No. 24 of 2007 concerning Disaster Management to address the increasing frequency of disasters, designating responsibilities for disaster management at both central and regional government levels. BNPB is the central Government's focal point, while Regional Disaster Management Agencies operate at the provincial and district/city levels. Non-formal forums, such as the National Platform for Disaster Risk Reduction Indonesia (Planas PRB Indonesia), strengthen disaster management implementation. Indonesia's National Disaster Management Master Plan (*Rencana Induk Penanggulangan Bencana*, RIPB) for 2020–2044 outlines policies and strategies, focusing on the pre-disaster, emergency response and post-disaster phases.

While climate change is not considered the primary cause of migration, its impact can contribute to community insecurity and welfare issues leading to migration. Indonesia employs early warning systems and technology, including the Indonesia Tsunami Early Warning System (InaTEWS) and the inaRISK app, to disseminate information about potential disasters.

Indonesia has a comprehensive framework for handling foreign nationals and international assistance during disaster emergencies. The Ministry of Foreign Affairs can form emergency response teams, verify information on foreign nationals and coordinate evacuation plans. The country's decentralized approach to disaster management involves Regional Disaster Management Agencies, ensuring localized responses.



Data collection on disaster-induced displacement is systematic through the Indonesian Disaster Data Geoportal<sup>7</sup> and the Indonesian Disaster Data and Information (*Data Informasi Bencana Indonesia*, DIBI) application. Measures for managing large-scale population displacement, infrastructure planning, and recovery are outlined in the RIPB 2020–2044.

Indonesia participates in regional frameworks through ASEAN, focusing on consular assistance, protection of migrant workers in crisis, and travel advisories. The Ministry of Foreign Affairs has also developed the Safe Travel app,<sup>8</sup> which contains recent information on destination countries, including in emergencies. This is in accordance with the mandate of the Ministry of Foreign Affairs to provide protection for Indonesian citizens abroad in emergency conditions, including evacuation.

The integration of human mobility into Indonesia's environmental and climate change policies remains limited. While BNPB's RIPB 2020–2044, the National Action Plan (NAP) for Climate Change Adaptation (RAN-API) (2014) and the Climate Resilience Development Policy 2020–2045 (2021) address climate change risks, they lack specific considerations for large-scale human mobility. The NAPs focus on the water, agriculture, marine, coastal areas and health sectors, without giving explicit attention to migration issues.

Indonesia's National Medium-Term Development Plan 2020–2024 (2020) does not contain specific measures regarding displacement or the link between climate change and migration, though it aims to reduce the number of internally displaced persons for national security stability. BNPB Regulation No. 3 of 2018 concerning the Handling of Displaced Individuals in Emergency Disaster Situations emphasizes prompt rescue, evacuation and provision of essential services for disaster-affected individuals, laying the groundwork for addressing displacement in emergency situations.

## Safe, orderly and regular migration

Indonesia has 189 points of entry, comprising air, sea and land crossing points. The country has operationalized 13 land border crossings (*pos lintas batas negara*, PLBN), managed by BNPP. The PLBN is intended to balance border-crossing service and national security aspects. In each PLBN, there are various authorities that carry out their duties and functions, such as Customs and Excise, Immigration, Quarantine, and Security.

Regular training, including intelligence cooperation, is provided to PLBN officers and BNPP personnel. The DGI, under the Ministry of Law and Human Rights, manages immigration processes and policies, including various types of visas, residence permits and conversion procedures.

Law No. 18 of 2017 combats migrant labour exploitation by regulating the details of the emigration process, including the participating parties, the decentralization of authorities, the cost structure, protection mechanisms, social benefits, training, and penalties for violations. This Law aims to reduce the role of private recruitment agencies by managing their involvement in the recruitment process, with the intention of reducing exploitation. There are measures in place to enhance the role of local governments in managing emigration, namely by establishing LTSA offices and implementing an employment management system called SIAPkerja, to provide services regarding access to employment information for the entire community. Efforts exist to attract former Indonesian citizens, offering diaspora and limited stay visas, facilitating reintegration, supporting repatriation and implementing tax amnesty policies.

BP2MI safeguards returning migrant workers. The Government has measures to enhance and support the reintegration of its nationals returning from other countries, which includes facilitation of return to their place of origin, resolution of unfulfilled rights of Indonesian migrant workers, facilitation of arrangements

<sup>7</sup> Visit the [Indonesian Disaster Data Geoportal](#) for more information.

<sup>8</sup> Visit the page of the [Safe Travel](#) app for more information.



for sick and deceased Indonesian migrant workers, social rehabilitation, and social reintegration, as well as empowerment of Indonesian migrant workers and their families. BP2MI, Bank Indonesia and the Ministry of Manpower have programmes to enhance the sustainable reintegration of returning migrant workers through livelihood schemes. Minister of Women Empowerment and Child Protection Regulation No. 20 of 2010 emphasizes the concept of Indonesian migrant workers' family development and the efforts undertaken by local governments and communities through economic empowerment, harmonious care and child protection, to achieve family resilience and well-being. The Ministry of Women Empowerment and Child Protection has piloted this concept through the *Bina Keluarga TKI*<sup>9</sup> (Migrant Workers Family Development Policy) programme since 2010, which offers a forum for families of potential, future or retired migrant workers.

Law No. 21 of 2007 concerning the Eradication of Trafficking in Persons, in conjunction with Law No. 1 of 2023 concerning the Criminal Code, criminalizes all types of actions, methods or forms of exploitation that may occur in human-trafficking practices. The Law also regulates the protection of witnesses and victims as an essential aspect of law enforcement, as well as the rights of victims to medical and social rehabilitation, repatriation and reintegration. Additionally, the Task Force for the Prevention and Handling of Trafficking in Persons implements the National Action Plan for the Prevention and Handling of Trafficking in Persons 2020–2024 (2023).

Areas for further improvement include specific coordination mechanisms between the national, provincial and municipal governments to ensure full implementation of Law No. 18 of 2017, as well as developing measures to ensure that migrant detention is used only as a last resort and that non-custodial alternatives to detention are available, recognizing overseas certifications by the National Professional Certification Agency, and improving missing migrant tracking systems.

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<sup>9</sup> TKI stands for *tenaga kerja Indonesia*, which means "Indonesian migrant workers".



CONTEXT

Indonesia, as the world's largest archipelagic State, shares borders with eight surrounding countries, making it a mobility hotspot where migration occurs in various modalities. It serves as an origin, transit and destination country for migrants. Indonesia is recognized as one of the major countries of origin for labour migrants in South-East Asia, and internal migration also takes place on a large scale in the country.

The Government of Indonesia, through its Ministry of Foreign Affairs, documented that there are around 2.3 million Indonesians abroad in 2023, who are mostly Indonesian migrant workers;<sup>10</sup> however, this data does not represent the whole population of Indonesian migrant workers. The Indonesian Migrant Worker Protection Agency (Badan Pelindungan Pekerja Migran Indonesia, BP2MI) recorded that there are more than 400,000 procedural migrant workers with active contracts as of 2023. The primary destinations for Indonesian migrant workers include Malaysia; Hong Kong Special Administrative Region, China; and Taiwan Province of the People's Republic of China – where they commonly hold positions such as those of domestic workers, caregivers and shipbuilding welders.<sup>11</sup>

A 2017 World Bank report projected that the number of Indonesian migrant workers abroad has exceeded 9 million. This led BP2MI to infer that there are potentially over 5 million undocumented Indonesian migrant workers. Additionally, Indonesia plays a pivotal role as a key transit country for migrants with irregular status, primarily from conflict-affected countries. Moreover, it serves as a significant source for both cross-border and domestic trafficking in persons. In Indonesia, both men and women are susceptible to trafficking for purposes such as forced labour or sexual exploitation.<sup>12</sup>

Conversely, internal migration is predominantly observed in the form of rural–urban movements for economic reasons and internal displacement due to the country's vulnerability to the effect of disasters.<sup>13</sup>

In terms of immigration to Indonesia, there has been a notable increase in recent decades, with a total of 355,505 individuals recorded in 2020,<sup>14</sup> as per figures from the United Nations Department of Economic and Social Affairs (DESA). This accounts for 0.1 per cent of the country's total population, which stood at 273.5 million. The breakdown of immigrants by gender reveals that 58.1 per cent are male and 41.9 per cent are female, while the proportion of male emigrants (55.7%) in 2020 is slightly higher than that of females (Figure 1).

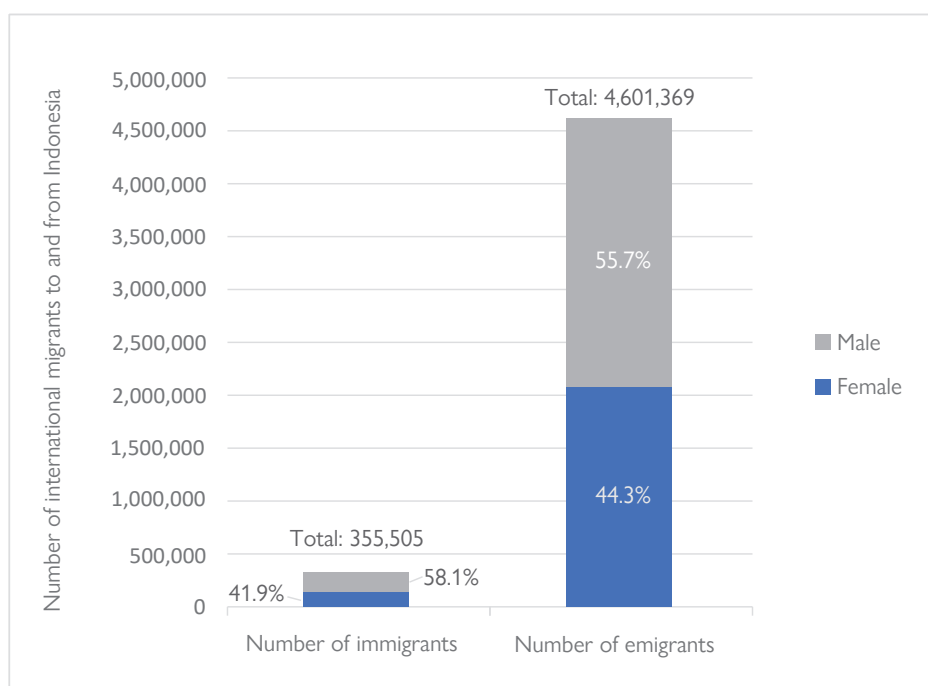
<sup>10</sup> Ministry of Foreign Affairs, 2022a.

<sup>11</sup> More information is available in this article on the [placement and protection data of Indonesian migrant workers for the November 2023 period](#), from the website of the Indonesian Migrant Worker Protection Agency.

<sup>12</sup> IOM, n.d.a.

<sup>13</sup> IOM, 2023a.

<sup>14</sup> Visit the [Migration Data Portal](#) for more information.

**Figure 1. International migration to and from Indonesia (at mid-2020), by sex**

Source: DESA, [International Migrant Stock](#) (2020).

Moreover, according to DESA's estimates, the largest proportion of immigrants in 2020 fell within the 20–64 age group, accounting for 78.5 per cent. Individuals aged 65 years and above comprised 5 per cent of the total immigrant population ([Figure 2](#)).

Geographically, Indonesia is an archipelagic country situated at the convergence of four tectonic plates: the Eurasian plate, the Indo-Australian plate, the Pacific plate and the Philippine plate. This geographic condition makes the country vulnerable to various potential disasters, including volcanic eruptions, earthquakes, tsunamis, floods and landslides. Indonesia is among the countries with the highest levels of seismicity globally.<sup>15</sup> According to the National Disaster Management Agency (Badan Nasional Penanggulangan Bencana, BNPB), 8,148 people were displaced as a result of disasters in 2023.<sup>16</sup>

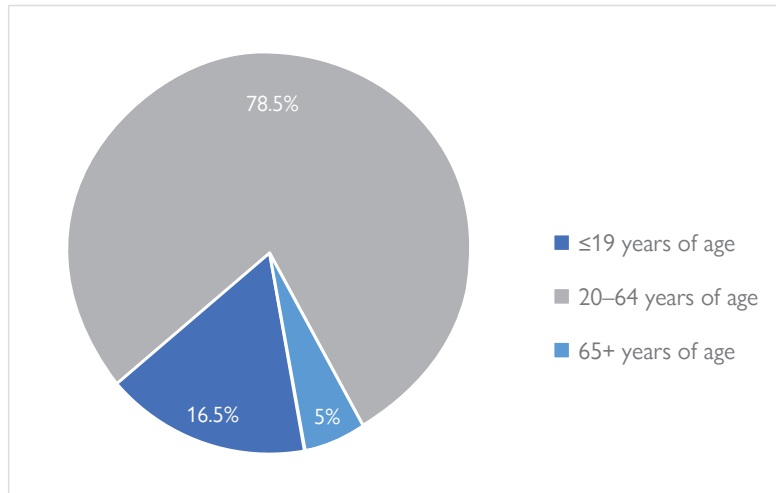
The Central Statistics Agency (Badan Pusat Statistik, BPS) documented a 4.94 per cent economic growth in the third quarter of 2023 compared to the same period in 2022, measured on a year-on-year basis. Indonesia's economy in the third quarter of 2023, based on GDP at current prices, amounted to IDR 5,296 trillion. Furthermore, the international inbound remittances in Indonesia experienced a 3.6 per cent increase in 2022, reaching USD 9.95 billion in 2023.<sup>17</sup>

<sup>15</sup> BNPB, n.d.a.

<sup>16</sup> BNPB, n.d.b.

<sup>17</sup> More information is available in this article on [Indonesia's 2023 international remittance business report](#), from *FinTech Futures*.

**Figure 2. Distribution of immigrants by age group (at mid-2020)**



Source: Migration Data Portal, 2020 data from DESA (2020).



KEY

FINDINGS



## 1

## ADHERE TO INTERNATIONAL STANDARDS AND FULFIL MIGRANTS' RIGHTS

### 1.1. International conventions ratified

**Table 1.** Signature and ratification of international conventions

Convention name	Ratified (Year)
International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29)	<b>Yes (1950)</b>
ILO Migration for Employment Convention (Revised), 1949 (No. 97)	<b>No</b>
United Nations Convention Relating to the Status of Refugees (also known as the Refugee Convention), 1951	<b>No</b>
United Nations conventions on statelessness, 1954 and 1961	<b>No</b>
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	<b>No</b>
ILO Domestic Workers Convention, 2011 (No. 189)	<b>No*</b>
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979	<b>Yes (1984)</b>
ILO Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	<b>Yes (1990)</b>
Convention on the Rights of the Child (CRC), 1989	<b>Yes (1990)</b>
ILO Abolition of Forced Labour Convention, 1957 (No. 105)	<b>Yes (1999)</b>
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990	<b>Yes (2012)</b>
Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000	<b>Yes (2009)</b>
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000	<b>Yes (2009)</b>
United Nations Convention against Transnational Organized Crime, 2000	<b>Yes (2009)</b>

Note: In the Concluding observations on the second periodic report of Indonesia (2024) for the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Committee on ESCR recommended that the Government of Indonesia immediately ratify ILO Convention No. 189.

## 1.2. Migration governance: examples of well-developed areas

In Indonesia, foreign workers who have worked for at least six months and have paid contributions to the social security fund through their employers have access to Government-funded health services and social security on the same basis as nationals, as per Law No. 40 of 2004 concerning the National Social Security System (Article 1(8)). In 2022, the Government also regulated the obligation of the employer to register foreign workers for social protection, per Director for Workforce Placement and Expansion of Job Opportunities Decree No. 3/144/PK.04/V/2022 concerning the Implementation of an Insurance Programme for Foreign Workers Working for Less than 6 (Six) Months. The social protection service available for foreign workers who have worked less than six months is provided by the Foreign Workers Insurance (Asuransi Tenaga Kerja Asing, ASTAKA), organized by the Jasindo and Sinarmas Insurance Consortiums appointed by the Government. Additionally, based on Law No. 24 of 2011, foreign workers can access health insurance administered by the Social Security Administration Agency (*Badan Penyelenggara Jaminan Sosial*, BPJS). Foreign workers have rights to access two social protections – namely, health insurance managed by the Social Security Administrator for Health (BPJS Kesehatan) and workforce insurance managed by the Social Security Administrator for Manpower (BPJS Ketenagakerjaan).<sup>18</sup>

Presidential Regulation No. 82 of 2018 concerning Health Insurance states that foreign workers have the right to individual health services, covering promotive, preventive, curative and rehabilitative aspects, including services for medicines, medical devices, emergency services and consumable medical materials according to the required medical needs (Article 46(1)). However, migrant workers are required to opt in to a contribution system to access care.<sup>19</sup> These health insurance benefits also extend to the families of foreign workers (Article 1(4)).

The Ministry of Social Affairs operates three shelters<sup>20</sup> to aid victims of trafficking within the national referral mechanism. These include the Safehouse and Trauma Centre for victims of trafficking and migrant workers facing problems; the Mulya Jaya Social Rehabilitation Centre (Balai Rehabilitasi Sosial Watunas) in Jakarta, catering to former sex workers; and the Social Rehabilitation Centre for Children Needing Special Protection (Balai Rehabilitasi Sosial Anak Memerlukan Perlindungan Khusus Handayani), offering assistance to minors requiring shelter during repatriation or rehabilitation. For refugee survivors of gender-based violence, the Department of Women Empowerment and Child Protection at the local level often facilitates access to safe shelters. However, some locations face challenges due to unclear legal statuses, prompting local governments like Semarang and Makassar to issue decrees enabling refugee access to shelter services.

In accordance with Presidential Regulation No. 125 of 2016 concerning the Handling of Foreign Refugees (Article 26),<sup>21</sup> refugee shelters are required to provide basic health services to all refugees and asylum-seekers, facilitated by the international organization managing the shelter. As of April 2024, the Government of Indonesia is in the process of revising this Presidential Regulation to provide broader protection and services for refugees in Indonesia.<sup>22</sup> Government Regulation No. 31 of 2013 concerning the Implementation of Law No. 6 of 2011 concerning Immigration is aimed at coordinating the supervision of foreigners' activities within Indonesian territory. In this regard, the Minister of Law and Human Rights established a Foreigners Supervision Team in 2013, tasked with carrying out said coordinated supervision (Article 194).

<sup>18</sup> Nofalia, 2021.

<sup>19</sup> More information is available in this 2019 article on how [Presidential Regulation 75/2019 stipulates BPJS premium increase](#), from the website of the Cabinet Secretary.

<sup>20</sup> Shelter establishments are regulated through Minister of Social Affairs Regulation No. 22 of 2013 concerning the Return of Indonesian Citizens Victims of Human Trafficking to Their Areas of Origin and Minister of Social Affairs Regulation No. 102/HUK/2007 concerning the Establishment and Implementation of Services at Trauma Centre Protection Shelters.

<sup>21</sup> Article 26 details the criteria for refugee shelters and the provisions supplied in basic needs facilities for refugees.

<sup>22</sup> The ongoing revision is expected to address key areas, including the discovery, registration and sheltering of foreign refugees; fostering international cooperation for notification, deportation, voluntary repatriation, engagement with international agencies and data integration; strengthening security, supervision and law enforcement efforts; and ensuring the fulfilment of refugees' basic needs.



Regular migrants have access to Government-funded primary and secondary education on the same basis as nationals. The Constitution of the Republic of Indonesia (1945) states, “Every person shall be entitled to self-development through the fulfilment of his/her basic needs, be entitled to acquire education and to obtain the benefit of science and technology, arts and culture, for the sake of enhancing his/her quality of life and for the sake of the welfare of mankind” (Article 28C(1)). According to Minister of Education and Culture Regulation No. 1 of 2021 concerning the Admission of New Students to Kindergarten, Elementary School, Junior High School, Senior High School, and Vocational School (Article 10), foreign students are required to carry out educational matriculation in Indonesian for a minimum of six months, organized by the school concerned. The Ministry of Education, Culture, Research and Technology is responsible for administering education and establishes requirements for foreign students to integrate into the formal education system in the country.<sup>23</sup>

In 2019, the Ministry of Education, Culture, Research and Technology issued Circular Letter No. 75253/A.A4/HK/2019 approving access to education for school-age refugee children, which was later replaced by the amended Ministry of Education, Culture, Research and Technology Circular Letter No. 30546/A.A5/HK.01.00/2022 concerning Education for Refugee Children, allowing refugee children to access education from primary to secondary level. Registration for refugee children can be done only for refugees that have an Office of the United Nations High Commissioner for Refugees ID card and if there are available quotas in the respective schools. The financing of education for refugees relies on international organization funding or grants.

Indonesia maintains records of its nationals residing abroad. In Law No. 23 of 2006 concerning Population Administration, Indonesia requires its citizens living abroad to report any civil events (Article 4). Law No. 37 of 1999 concerning Foreign Relations also requires Indonesian diplomatic missions to register the presence of Indonesian citizens living abroad (Article 24). In order to improve the accessibility of the obligatory registration process and other consular services, the Ministry of Foreign Affairs developed Portal Peduli Warga Negara Indonesia (Indonesian Citizen Care Portal),<sup>24</sup> which is connected directly to the nearest Indonesian representative office. The platform also enables Indonesian citizens living abroad to obtain a national identification number and other civil registration services (Government Regulation No. 40 of 2019).<sup>25</sup> Furthermore, records of citizens living abroad are available in the database of the General Elections Commission and in the Computerized System for the Protection of Indonesian Migrant Workers (SISKOP2MI) of the Indonesian Migrant Worker Protection Agency. Indonesian citizens living abroad are able to vote in general elections under Law No. 7 of 2017 concerning General Elections.<sup>26</sup> All Indonesian citizens over the age of 17 can vote for candidates for the House of Representatives and the President and Vice President if they are registered on the Permanent Overseas Voter List, as per Article 121 of General Elections Commission Regulation No. 7 of 2022 concerning the Preparation of Voter Lists in the Implementation of the General Elections and Voter Data Information Systems. According to paragraph 1 of Article 121, to cast their vote in person, Indonesian citizens must report to their original Overseas Election Committee at the embassy or consulate general of Indonesia at least seven days before polling day and present identification documents. The election method for citizens abroad is carried out in three ways: through polling stations at the Indonesian embassy or consulate general, through the perimeter box, and by post for those whose residence is far from the Indonesian embassy.<sup>27</sup>

<sup>23</sup> Minister of Education and Culture Regulation No. 1 of 2021 states that elementary school students must be at least 6 years old (Article 4); that for junior high school, the maximum age is 15 years, and the student must have completed the sixth grade of elementary school or equivalent (Article 5); and that for senior high school, the maximum age is 21 years, and the student must have completed the ninth grade of junior high school or equivalent (Article 6).

<sup>24</sup> Visit [Portal Peduli Warga Negara Indonesia](#) for more information.

<sup>25</sup> Visit the Ministry of Foreign Affairs' web page on [services for protection of Indonesian citizens of BHI](#).

<sup>26</sup> Voting from abroad is organized by the General Elections Commission through the Overseas Election Committee and supervised by the Overseas Election Supervisory Committee (Panitia Pengawas Pemilu Luar Negeri, Panwaslu LN). More information is available in this article on how [the 2019 overseas election was to be conducted earlier](#), from [Indonesiabaik.id](#).

<sup>27</sup> See footnote 26.

### 1.3. Areas with potential for further development

Given the large number of Indonesian citizens abroad, increasing cooperation with other countries to ensure the portability of social security and strengthening the protection of Indonesian citizens while they are abroad are areas with potential for further development.

The Government of Indonesia applies limiting conditions for foreign migrants to work in Indonesia. According to Law No. 5 of 2014 concerning State Civil Apparatus, the Government grants the right to work as State civil apparatus only to Indonesian citizens. Therefore, foreigners are allowed to work only in the private sector;<sup>28</sup> they must obtain a limited work permit and meet the requirements for employment. Law No. 13 of 2003 concerning Employment regulates the use of foreign labour in the country. It stipulates that foreign workers can be employed only for specific roles and within a specified period (Article 42). Additionally, they are prohibited from undertaking positions deemed sensitive or reserved for local citizens (Article 46). Employers or business owners hiring foreign workers must also comply with similar regulations according to the role and position of the foreign workers.

Civil registration and administration services are provided only for migrants with proof of identity and those holding visit stay permits, limited stay permits or permanent stay permits, as per Presidential Regulation No. 96 of 2018 concerning the Requirements and Procedures for Population Registration and Civil Registration (Article 32(2)). In accordance with Law No. 24 of 2013, “Indonesian citizens and foreigners holding a permanent stay permit who are 17 (seventeen) years old or married or have been married are required to have an electronic ID card” (Article 63). As outlined in Law No. 23 of 2006 concerning Population Administration (Article 27), every birth (including refugee children) must be reported by residents (both Indonesian and foreigners residing in Indonesia) to the local implementing agency, and based on the report as intended, the Civil Registration Official shall make a record in the Registry of Birth Certificates and shall issue an excerpt from the birth certificate.

Minister of Law and Human Rights Regulation No. 29 of 2021 concerning Visas and Stay Permits grants a limited stay visa for family reunification. It allows reunification for both working and non-working activities, including foreigners joining their Indonesian spouse; foreign nationals joining their spouse and holding a limited stay permit or a permanent stay permit; children from a lawful marriage between a foreign national and an Indonesian citizen; children below 18 years of age and unmarried, accompanying their parent with a limited stay permit or a permanent stay permit; and foreign children accompanying their Indonesian father and/or mother with whom they have a legal family relationship with.

The formulation of a policy or strategy to combat hate crimes, violence, xenophobia and discrimination against migrants is another area with potential for development. Law No. 29 of 1999 ratifies the 1965 International Convention on the Elimination of All Forms of Racial Discrimination and emphasizes Indonesia’s commitment to upholding human rights and the elimination of racial discrimination, but it makes no specific reference to migrants. Law No. 1 of 2023 concerning the Criminal Code states that any person who disseminates content inciting violence against individuals or property based on race, nationality, ethnicity, skin colour, religion, belief, gender, mental disability or physical disability shall be subject to criminal punishment (Article 243(1)). The National Human Rights Commission’s Standard Norms and Regulations No. 5 of 2021 concerning the Rights to Freedom of Speech and Expression provides guidance to rights holders, duty bearers and relevant actors in understanding and implementing human rights norms to prevent discrimination, and it states that “[t]he application of artistic freedom guarantees must be carried out without discrimination on any grounds, such as race, colour, sex, language, religion, political and other opinions, national origin, property, birth or other status” (Article 75).

<sup>28</sup> According to Minister of Manpower Regulation No. 8 of 2021 concerning the Implementation of Government Regulation No. 34 of 2021 concerning the Utilization of Foreign Workers, the requirements that must be fulfilled by foreign workers are: having education relevant to the qualifications of the intended position, having competence or work experience of at least five years in line with the qualifications of the intended position, and ensuring a transfer of expertise to Indonesian workers (Article 4).

Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers distributed the roles in migrant worker protection to the national, provincial, municipal and village levels. The establishment of a coordination mechanism between those levels, aimed at overseeing the overall targets of migrant protection, is also an area with potential for development. Coordination means managing the migrant worker placement process in accordance with Law No. 18 of 2017 at both the national and subnational levels, such as by facilitating the placement process and regulating the cost. Private agencies are required to regularly submit reports to the Government.

Ministry of Education, Culture, Research and Technology Circular Letter No. 30546/A.A5/HK.01.00/2022 also mentions the issuance of a statement letter by a school upon the completion of a refugee child's education, which the child can use to continue their study to a higher level. In this regard, the provision of access to higher education (university level) and the issuance of education certificates for child refugees to replace the statement letter are two areas for further development.



## 2

## FORMULATE POLICY USING EVIDENCE AND WHOLE-OF-GOVERNMENT APPROACH

### 2.1. Migration governance: examples of well-developed areas

The Global Compact for Migration serves as the foundation for comprehensive migration governance, encompassing 10 guiding principles. Its success relies on a whole-of-government and whole-of-society approach, emphasizing coordinated efforts among various stakeholders. The Global Compact recognizes migration as a multidimensional reality that cannot be addressed by one government sector alone. Hence, a whole-of-government approach is essential to develop and implement effective policies and practices, and ensure coherence across all sectors and levels of government.<sup>29</sup> Also, “[t]he Global Compact promotes broad multi-stakeholder partnerships to address migration in all its dimensions by including migrants, diasporas, local communities, civil society, academia, the private sector, parliamentarians, trade unions, national human rights institutions, the media and other relevant stakeholders in migration governance.”<sup>30</sup>

Several ministries and agencies in Indonesia hold mandates and functions related to migration governance. Under Minister of Law and Human Rights Regulation No. 41 of 2021 concerning the Organization and Work Procedures of the Ministry of Law and Human Rights, the Directorate General of Immigration (DGI) is responsible for “policy formulation in the field of immigration services and facilities, immigration law enforcement and security, immigration cooperation, border crossings, and immigration information technology” (Article 201). It is also responsible for the “implementation of policies in the field of immigration services and facilities” and for “supervision in the field of immigration services and facilities” (Article 201). Furthermore, the Government of Indonesia already has regulatory references governing the entry of foreigners in Law No. 24 of 2013 concerning Amendments to Law No. 23 of 2006 concerning Population Administration: newly arrived foreign nationals in Indonesia are required to report to the relevant authorities no later than 14 days after their arrival.

In parallel, the National Border Management Agency (BNPP) is responsible for managing the State border and border areas based on Presidential Regulation No. 12 of 2010 concerning BNPP as amended by Presidential Regulation No. 44 of 2017. Comprising 27 ministries and non-ministerial government agencies as well as 15 governors in border areas, BNPP serves as the coordinating body for border management. It is an institution led, ex officio, by the Ministry of Home Affairs and is accountable to the President, per Presidential Regulation No. 44 of 2017. According to Presidential Regulation No. 12 of 2010 and Presidential Regulation No. 44 of 2017, BNPP formulates and determines master plans and action plans for the development of State borders and border areas, coordinates policy determination and implementation of State borders and border areas, and evaluates and reports on the implementation of the development and management of State borders and border areas.

The Ministry of Foreign Affairs is given the mandate to be the coordinator of foreign relations in accordance with Law No. 37 of 1999 concerning Foreign Relations. One of the mandates provided by the Law is to provide protection to every Indonesian citizen who is abroad. The Ministry of Social Affairs also has a mandate for the repatriation of Indonesian citizens from Malaysia, in accordance with Minister of Social Affairs Regulation No. 30 of 2017 concerning the Repatriation of Indonesian Migrant Citizens Victims of Human Trafficking from Malaysia to Their Regions of Origin.

<sup>29</sup> United Nations, 2019: paragraph 15.

<sup>30</sup> Ibid.

The Ministry of Manpower has the task of organizing government affairs in the field of labour to assist the President in administering the State. It has a mission to expand employment opportunities, improve labour placement services, and strengthen labour market information and job markets, including by enhancing the skills and productivity of labour and transmigration communities, improving industrial relations development, ensuring social protection for workers, enhancing labour supervision, accelerating and equalizing regional development. The Ministry aims to be efficient and effective, working within the principles of good governance and supported by research, development and information management. The Ministry also has a mandate in labour emigration, namely through Minister of Manpower Regulation No. 4 of 2023 concerning Social Security for Indonesian Migrant Workers, to provide comprehensive protection to Indonesian migrant workers before, during and after migration.

The Indonesian Migrant Worker Protection Agency (BP2MI) is a non-ministerial government institution responsible for the comprehensive implementation of policies as regards the service and protection of Indonesian migrant workers. As per Article 5 of Presidential Regulation No. 90 of 2019, BP2MI is responsible for implementing policies in the field of placement and protection of Indonesian migrant workers, providing services and protection for Indonesian migrant workers, and issuing and revoking the License for Indonesian Migrant Worker Placement Companies (SIP3MI).

Regarding the placement of migrant ship crews, the specific conditions of migrant commercial ship crews and migrant fishing ship crews necessitate additional regulations on the placement and protection of Indonesian migrant workers in general. Government Regulation No. 22 of 2022 concerning the Placement and Protection of Migrant Commercial Vessel and Migrant Fishing Vessel Crews has been formulated, taking into account the provisions of cross-sectoral legislation related to transportation, maritime and fisheries, as well as foreign relations, while still adhering to international conventions as the basis. Various ministries, such as the Ministry of Transportation, have the authority to issue seaman books and grant licenses to recruitment companies, and for the technical selection of migrant commercial ship crews. Meanwhile, the Ministry of Maritime Affairs and Fisheries has the authority to issue seaman books and grant licenses to recruitment companies, and for the technical selection of migrant fishing ship crews.

Indonesia has national migration legislation that regulates both immigration and emigration. Law No. 6 of 2011 concerning Immigration (amended in 2023), overseen by the Ministry of Law and Human Rights and the DGI, regulates the issuance of visas and stay permits and immigration monitoring. Minister of Manpower Regulation No. 8 of 2021 concerning the Implementation of Government Regulation No. 34 of 2021 concerning the Utilization of Foreign Workers provides regulations pertaining to visit visas for foreigners, as well as limited stay visas issued for work-related activities and non-working visits. In parallel, Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers regulates the protection of Indonesian migrant workers employed by foreign legal entities, as well as individuals and ship crew members. In Article 6, this Law addresses the rights and obligations of Indonesian migrant workers and their families. It also establishes One-Stop Integrated Services to expedite the quality of services for Indonesian migrant workers and prospective Indonesian migrant workers (Article 38).

Indonesia has a Foreigners Supervision Team (Tim Pengawasan Orang Asing, TPOA), comprised of representatives from several ministries and governmental bodies, as mandated by Law No. 6 of 2011, which aims to achieve coordinated and comprehensive immigration supervision of foreigners within the country. The TPOA is responsible for tasks such as coordinating data and information exchange, the hierarchical collection of information and data on the presence of foreigners from the village or subdistrict level to

the provincial level, the analysis and evaluation of data and information related to the implementation of foreigner supervision, and the creation of a foreigner supervision map.<sup>31</sup>

In terms of internal migration, Article 2 of Presidential Regulation No. 12 of 2015 mandates the Ministry of Villages, Development of Disadvantaged Regions, and Transmigration to carry out government affairs in the field of “development of villages and rural areas, empowerment of village communities, acceleration of development of disadvantaged areas, and transmigration”, to help speed up the transformation process and accelerate the development of peripheral areas, thereby strengthening regions and villages within the country.

According to Law No. 16 of 1997 concerning Statistics, the Central Statistics Agency (BPS) is a non-ministerial institution responsible for managing statistics at the national and subnational levels. As per Presidential Decree No. 86 of 1998 concerning the Central Statistics Agency, BPS serves as the main institution to support the President in organizing basic statistics, carrying out coordination and cooperation, and developing and fostering data collection in accordance with applicable laws and regulations, including migration statistics.

Indonesia collects and publishes sex-disaggregated migration data on the website of BPS in both Indonesian and English.<sup>32</sup> It publishes lifetime migration data (1971–2015) and recent migration data for each province at five-year intervals (available for 1980–2015), based on surveys conducted between the census and intercensal population surveys (*survei penduduk antar sensus*, SUPAS) in 2015. BP2MI regularly publishes sex-disaggregated data on the placement and protection of Indonesian migrant workers and a brief report of their return. For instance, November 2023 data indicated that 7,940 (41%) of Indonesian migrant workers were male, while 11,561 (59%) were female.<sup>33</sup>

The 2015 SUPAS was the first survey to collect data on international migration. The initiative it started was continued and complemented by the 2020 Long Form Population Census (PC2020), which was published in 2023 with a further elaborated definition and time frame (since June 2017). The PC2020 survey activities in 2022, conducted by BPS, included a section on migration, featuring questions on citizenship, place of birth, sex, religion, marital status, length of stay at current address, relationship status with head of household and highest level of education completed. The census is conducted every 10 years, and as of 2020, it includes questions about international migration, both into and out of Indonesia. Regarding international inward migration, it asked about where a person is at the time of data collection, place of birth, length of stay, previous place of residence abroad and place of residence abroad five years ago before the data collection (in June 2017). Regarding international outward migration, the census asked about the presence of former household members abroad since June 2017 and other data related to them, such as name, sex, the first country of residence after leaving Indonesia, age, highest education completed at the time of departure and main reason for migration.

Additionally, the respective ministries and non-ministerial institutions publish a set of migration data regularly, as per Law No. 14 of 2008 concerning Public Information Disclosure, which enforces the obligation of public institutions to regularly provide publicly accessed data. For example, BP2MI publishes emigration data regularly through its portal,<sup>34</sup> and the DGI of the Ministry of Law and Human Rights also publishes an annual report, which includes statistics on immigration.

<sup>31</sup> The Foreigners Supervision Team consists of representatives from the Ministry of Law and Human Rights; the Ministry of Home Affairs; the Ministry of Foreign Affairs; the Ministry of Tourism and Creative Economy; the Indonesian National Armed Forces; the Indonesian National Police; the Attorney General's Office; the Ministry of Finance; the Ministry of Health; the Ministry of Manpower; the Ministry of Religious Affairs; the Ministry of Maritime Affairs and Fisheries; the Ministry of Education, Culture, Research and Technology; the Ministry of Social Affairs; the Ministry of Transportation; the Ministry of Youth and Sports; the Ministry of the State Secretariat; the Indonesian Institute of Sciences; the National Intelligence Agency; the National Narcotics Agency; the Strategic Intelligence Agency of the Indonesian National Armed Forces; the Maritime Security Agency; and the National Counterterrorism Agency.

<sup>32</sup> Visit the website of the [Central Statistics Agency](#) for more information.

<sup>33</sup> More information is available in this article on the [placement and protection data of Indonesian migrant workers for the November 2023 period](#), from the website of the Indonesian Migrant Worker Protection Agency.

<sup>34</sup> Visit the Indonesian Migrant Worker Protection Agency's [protection and placement statistics](#) page for more information.



One Data Indonesia (*Satu Data Indonesia*, SDI), as stated in Presidential Regulation No. 39 of 2019, is a policy to produce accurate, up-to-date, integrated and accountable data, which are easily accessible and shareable among central and regional agencies.<sup>35</sup> Since 2019, BPS has initiated the development of One Data for International Migration (*Satu Data Migrasi Internasional*, SDMI), and from April to September 2023, it was engaged in developing the blueprint and roadmap of SDMI.<sup>36</sup> To facilitate communication and coordination among central and regional agencies and various government institutions, the One Data Indonesia Forum<sup>37</sup> has been conducted since 2019 under the direction of the Ministry of National Development Planning. In collaboration with IOM, the United Nations Population Fund and the International Labour Organization, BPS has formulated the 2023–2028 SDMI Roadmap to enhance international migration data collection and management among institutions.<sup>38</sup> Based on the Roadmap, BPS also targets to implement the SDMI coaching prototype on integrating migration into local data at the district/city and village levels in 2024 to 2028.

## 2.2. Areas with potential for further development

Indonesia has not yet defined an integrated national migration strategy in a programmatic document or manifesto; however, a migration strategy is included in each ministry/agency programmatic document based on their respective mandates. The National Long-Term Development Plan 2005–2025 (2005), the National Medium-Term Development Plan 2020–2024 (2020), the Strategic Plan of the Ministry of Foreign Affairs 2020–2024 (2020) and the Vision of Indonesia 2045 (2019) all cite the protection of Indonesian migrant workers as a priority strategy.

The establishment of an interministerial coordination mechanism specifically dedicated to migration issues is an area for further development. As of April 2024, there are several coordination mechanisms among ministries and institutions to address specific aspects of migration. One such mechanism is the Task Force for the Prevention and Handling of Trafficking in Persons Crimes (Gugus Tugas Pencegahan dan Penanganan Tindak Pidana Perdagangan Orang, GT PP-TPPO),<sup>39</sup> established under Presidential Regulation No. 69 of 2008, amended through Presidential Regulation No. 49 of 2023. The Task Force operates under the supervision of the Criminal Investigation Agency at the national level and the Deputy Chief of Police at the provincial level.<sup>40</sup> GT PP-TPPO's mandate includes coordinating efforts to combat trafficking in persons; conducting advocacy, socialization and training in victim protection, including rehabilitation, repatriation and social reintegration; and monitoring the progress of law enforcement through recurrent evaluations (Presidential Regulation No. 22 of 2021, Article 4(1)).<sup>41</sup>

The Ministry of Foreign Affairs plays a role in the prevention of trafficking in persons and redress for victims through various educational and socialization activities, and the repatriation of victims of trafficking; the Ministry of Social Affairs assists in the social reintegration of victims of trafficking; and the Ministry of Health plays a role in their treatment and rehabilitation. The Ministry of Women Empowerment and

<sup>35</sup> As a platform for national data, the SDI can be accessed through the [One Data Indonesia Portal](#).

<sup>36</sup> The One Data for International Migration (SDMI) Policy integrates data and statistics from all line ministries and non-departmental institutions at the national level through the One Data Platform. SDMI includes all dimensions of migration, such as immigration and emigration. The Central Statistics Agency targets six priority ministries/institutions to join SDMI in 2023–2025.

<sup>37</sup> More information is available in this 2022 article on the [launch of the One Data Indonesia Portal for data sharing](#), from the website of the Ministry of National Development Planning.

<sup>38</sup> More information is available in this 2023 article on [IOM joining hands with the Central Statistics Agency to support the development of a roadmap for the implementation of the SDMI initiative](#).

<sup>39</sup> The Task Force for the Prevention and Handling of Trafficking in Persons Crimes (GT PP-TPPO) is also often referred to as the Anti-Trafficking Task Force (ATTF), and these terms have been used interchangeably.

<sup>40</sup> The Daily Chairperson of the GT PP-TPPO is the Chief of the Indonesian National Police.

<sup>41</sup> The State institutions involved in the TPPO Task Force include the Coordinating Ministry for Human Development and Cultural Affairs; the Ministry of Women Empowerment and Child Protection; the Ministry of Education, Culture, Research and Technology; the Ministry of Health; the Ministry of Social Affairs; the Ministry of Foreign Affairs; the Ministry of Law and Human Rights; the Ministry of Home Affairs; the Ministry of Finance; the Ministry of Religious Affairs; the Ministry of Transportation; the Ministry of Manpower; the Ministry of Tourism and Creative Economy; the Ministry of Communications and Informatics; the Ministry of National Development Planning; the Ministry of Youth and Sports; the Ministry of Maritime Affairs and Fisheries; the Ministry of Villages, Development of Disadvantaged Regions, and Transmigration; the Indonesian National Armed Forces; the Indonesian National Police; the National Intelligence Agency; the Attorney General's Office; the Witness and Victim Protection Agency; the Financial Transaction Reports and Analysis Centre; the Indonesian Migrant Worker Protection Agency; and the Maritime Security Agency.

Child Protection provides integrated services for witnesses and/or victims of trafficking and governs the flow and referral mechanisms for the central, provincial and city/regency governments through standard operating procedures (SOPs). These SOPs are regulated through Minister of Women Empowerment and Child Protection Regulation No. 8 of 2021 concerning the Standard Operating Procedure of Integrated Service for Witnesses and/or Victims of Trafficking in Persons. GT PP-TPPO meetings are held annually to enhance coordination, communication, and monitoring, including vertical reporting between the local and national levels of the GT PP-TPPO.

Gender equality and non-discrimination are explicitly mentioned under the protection principles for Indonesian migrant workers in Law No. 18 of 2017, but there is no specific coordination mechanism to implement these provisions at the national level. Referring to Article 42 of the Law, regarding the duties and responsibilities of village governments, they have the authority to implement migrant protection at the local level. Through this regulation, village governments have the authority to provide information on job requests, verify the data of prospective migrant workers, facilitate the fulfilment of administrative needs for prospective Indonesian migrant workers, and monitor the departure, return and empowerment processes of Indonesian migrant workers.

Law No. 12 of 2022 concerning Sexual Violence (Article 72) states that the central Government establishes integrated services for handling, protection and recovery as a legal umbrella for the protection of women from violence, coordinated by the Ministry of Women Empowerment and Child Protection, which also involves BP2MI. Incorporation of the principles presented in Law No. 12 of 2022 into migrant worker protection policies is an aspect with potential for further development.

The establishment of a government entity or agency dedicated to the implementation of emigration and diaspora policies is also an area with potential for development. This responsibility is carried out by a unit within the Ministry of Foreign Affairs, namely the Expert Staff for Sociocultural Affairs and Empowerment of Indonesian Communities Abroad, tasked with providing recommendations to the Minister on strategic issues related to the sociocultural affairs and empowerment of Indonesian communities abroad (Minister of Foreign Affairs Regulation No. 6 of 2021 concerning the Organization and Work Procedures of the Ministry of Foreign Affairs, Article 625(3)).





## 3

## ENGAGE WITH PARTNERS TO ADDRESS MIGRATION AND RELATED ISSUES

### 3.1. Migration governance: examples of well-developed areas

Indonesia is the co-chair of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process), which was established in February 2002. Consisting of 45 member countries and 4 international organizations (IOM, the United Nations Office on Drugs and Crime, the International Labour Organization, and the Office of the United Nations High Commissioner for Refugees (UNHCR)),<sup>42</sup> the Bali Process focuses on addressing the issues of people smuggling, trafficking in persons and related transnational crime in the region through policy dialogue, information-sharing and capacity-building. Additionally, Indonesia played a leading role in the development of international migration norms through the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration held in Marrakech, Morocco, in December 2018.<sup>43</sup> Furthermore, Indonesia is one of the 12 members of the Regional Consultative Process on Overseas Employment and Contractual Labour for Countries of Origin in Asia (Colombo Process),<sup>44</sup> which was established in 2003. Indonesia is also involved in the Abu Dhabi Dialogue, a forum established in 2008 that encourages discussions between countries of origin and destination to tackle temporary contractual labour challenges and share best practices.<sup>45</sup> Lastly, Indonesia is an active member of the Global Forum on Migration and Development, which was established in 2007 and broadly serves as a platform for generating awareness and sharing experiences and best practices among the participating stakeholders.<sup>46</sup>

In 2017, the Government of Indonesia, along with the leaders of the other nine Association of Southeast Asian Nations (ASEAN) member States (AMS), signed the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers, which outlines the fundamental rights of migrant workers and their families and the obligations and commitments of AMS towards them.<sup>47</sup> During the Forty-second ASEAN Summit in Indonesia in May 2023, the country initiated the development and adoption of two declarations showcasing regional commitment to better protect migrant workers, including those in the hard-to-reach sectors, and their family members. These are the 2023 ASEAN Declaration on the Placement and Protection of Migrant Fishers and the 2023 ASEAN Declaration on the Protection of Migrant Workers and Family Members in Crisis Situations.

The Government formally engages Indonesian communities abroad in agenda-setting and the implementation of development policy through its Diaspora Congress and other diaspora-related activities.<sup>48</sup> Additionally, the diaspora can participate in development policy formulation and discussions on strategic development issues through the Indonesian Representative Office in their respective countries of residence. For example, the Indonesian diaspora in Adelaide, Australia, initiated the One Room<sup>49</sup> digital platform as an online and offline ecosystem for cooperation between businesspeople in both countries. Moreover, Presidential Regulation

<sup>42</sup> Visit the website of the [Bali Process](#) for more information.

<sup>43</sup> More information is available in this 2018 United Nations meeting coverage, where world leaders adopt the first-ever Global Compact for Migration, outlining the framework to protect millions of migrants and support the countries accommodating them.

<sup>44</sup> Visit the IOM page on the [Regional Consultative Process on Overseas Employment and Contractual Labour for Countries of Origins in Asia \(Colombo Process\)](#) for more information.

<sup>45</sup> Visit the [Abu Dhabi Dialogue's members page](#) for more information.

<sup>46</sup> Visit the [Global Forum on Migration and Development's background and objectives page](#) for more information.

<sup>47</sup> More information is available in this 2017 article on the [President signing the ASEAN Agreement on Migrant Workers Protection](#), from the website of the Ministry of Communications and Informatics.

<sup>48</sup> Visit the home page of the [Congress of Indonesian Diaspora 7](#) for more information.

<sup>49</sup> More information is available in this 2021 article on the [Indonesian diaspora in Australia launching the "Satu Ruang" digital platform as a creative economy collaboration ecosystem](#), from the website of the Ministry of Foreign Affairs.

No. 76 of 2017 concerning Facilities for Indonesian Citizens Abroad (Article 1) explicitly emphasizes engaging diaspora communities in development by providing facilities, including the Indonesian Overseas Community Card, and supporting them in establishing businesses in compliance with regulations.<sup>50</sup>

In November 2023, the Government of Indonesia, through the Directorate General of Immigration (DGI) of the Ministry of Law and Human Rights, introduced diaspora visa services for Indonesian diaspora members abroad who no longer hold their citizenship, allowing them stays of 5 to 10 years. This visa initiative is designed to create opportunities for the Indonesian diaspora seeking to contribute to the country, overcoming previous obstacles posed by the absence of facilitating policies. Visa applications can be submitted via the official e-Visa website for Indonesia<sup>51</sup> without the need for a guarantor.<sup>52</sup>

The Government of Indonesia actively participates in bilateral migration negotiations, discussions and consultations with countries of origin and destination. For instance, in July 2023, Indonesia engaged in dialogues with Saudi Arabia and Qatar, focusing on the rights of Indonesian migrant workers. These discussions encompass various aspects, including wage protection, employment relations, and the rights and obligations of workers in these countries. Additionally, as of April 2024, there are ongoing bilateral negotiations with Saudi Arabia and Qatar centring around critical topics such as the one-channel placement system and the health-care sector, aiming to enhance migrant worker protection and support.

The Government of Indonesia mostly integrates civil society organizations (CSOs) and the private sector in mechanisms related to labour migration. For example, the Indonesian Migrant Worker Protection Agency (BP2MI) engaged the Indonesian Fisheries Workers Union and the Indonesian Maritime Crewing Agents Association to discuss the placement mechanisms for migrant commercial vessel and migrant fishing vessel crews based on Government Regulation No. 22 of 2022. In addition, in 2022, BP2MI has also engaged in discussions with Morningside Ministries, a non-profit senior living community in Texas, United States, for specific job placements in nursing care.<sup>53</sup> As an institution responsible for providing placement and protection services to Indonesian migrant workers, BP2MI, in collaboration with the Indonesian Diaspora Network of the Americas, explored cooperations to fulfil job opportunities from Morningside Ministries.<sup>54</sup>

BP2MI engages private partners such as placement agencies and placement support organizations in policy discussions or harmonization related to protecting Indonesian migrant workers. For example, in 2022, BP2MI held a Coordination Meeting on Job Order Services to optimize the service process of Indonesian migrant worker placement.<sup>55</sup> BP2MI also invited representatives from various organizations, such as the Indonesian Manpower Services Association, the Indonesian Manpower Placement Agency Association and the Association of Indonesian Employment Services Employers, to follow up on the discussion of the draft BP2MI Regulation concerning the Second Amendment to BP2MI Regulation No. 9 of 2020 concerning the Indonesian Migrant Worker Placement Cost Exemption.<sup>56</sup>

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<sup>50</sup> Article 1 defines the Indonesian community as the Indonesian citizens and other foreigners who are resident and living abroad. The term “other” includes former Indonesian citizens, children of former Indonesian citizens, and foreign citizens whose biological parents are Indonesian citizens.

<sup>51</sup> Visit the [official e-Visa website for Indonesia](#) for more information.

<sup>52</sup> More information is available in this 2023 press release on [the Directorate General of Immigration issuing diaspora visas to support the Indonesian economy](#), from the website of the Ministry of Law and Human Rights.

<sup>53</sup> BP2MI, 2023a.

<sup>54</sup> BP2MI could support this effort by recovering temporary worker visas (H-2A and H-2B visas), which had been suspended for some time.

<sup>55</sup> More information is available in this 2022 BP2MI article on [the Agency conducting a job order and SIP2MI service coordination meeting for placement process service optimization](#).

<sup>56</sup> More information is available in this 2022 BP2MI article on [the Head of the Agency explaining Indonesian migrant workers' placement cost during the meeting with House of Representative's Commission IX](#).

The DGI and the Directorate General of Human Rights have formal partnerships with UNHCR<sup>57</sup> for the handling of foreign refugees, formally signed in 1979.<sup>58</sup> They also collaborate with IOM in implementing Presidential Regulation No. 125 of 2016 concerning the Handling of Foreign Refugees, and ensuring that IOM continues to have access and support at the subnational level and among the host community, to provide basic humanitarian assistance such as shelter, health care, mental health and psychosocial services, education, and vocational training to a number of vulnerable refugees. As an example of coordination and collaboration at the national and subnational levels, the DGI appointed senior staff to visit all eight cities where refugees were residing, to carry out socializing events relating to Presidential Regulation No. 125 in 2018 and 2019 and ensure that local community leaders maintain strong support for refugees in the area. The Head of the Immigration Division of the Ministry of Law and Human Rights in South Sulawesi, together with UNHCR and IOM, organized a dialogue in February 2023 titled “Building social cohesion for foreign refugees” to discuss issues to be considered in formulating local policies related to asylum-seekers and refugees.

### 3.2. Areas with potential for further development

Closer engagement and active participation between regional mobility mechanisms, such as the Bali Process, the Colombo Process and the Abu Dhabi Dialogue, are areas with potential for further development. The first edition of the *ASEAN Migration Outlook (2022)* stated that ASEAN member States are fully cognizant of the need to provide better social protection for migrant workers. In line with this, ASEAN adopted the ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN (2022). As of April 2024, ASEAN is developing guidelines aimed at providing concrete guidance for its member States, particularly their social security agencies, on the conclusion of bilateral or multilateral instruments on the portability of social security benefits. Nevertheless, there are already ongoing initiatives to develop a multilateral agreement covering some countries. The success of ongoing AMS initiatives to develop multilateral agreements will likely pave the way for a wider examination of the legal and technical impediments to providing non-nationals access to some benefits and, in the future, may allow consideration of the means to overcome the impediments and reach a regional agreement.<sup>59</sup>

CSOs participate in agenda-setting and the implementation of migration policy only on an ad hoc basis. For example, the Ministry of Foreign Affairs involved trade unions, academia and CSOs in the drafting process of the National Action Plan for the Implementation of the Global Compact for Migration during a meeting in the city of Bekasi in November 2021.<sup>60</sup> Additionally, the Government collaborates with the Indonesian Migrant Workers Union to handle complaints from migrant workers and their families, covering preplacement, placement and postplacement cases.

The implementation of the tripartite plus coordination and social dialogue forum, which includes the Government, private sectors involved in the placement of migrant workers, migrant workers union and CSOs,<sup>61</sup> has been initiated in one district, Cirebon in West Java Province, Indonesia, under Regent Decree No. 500.15.9.2/Kep.923-Disnaker/2023 concerning the Establishment of a Multistakeholder Forum for Migrant Workers’ Protection in Cirebon.<sup>62</sup> This Decree stipulates the role of the forum in providing an inclusive platform for social dialogue and the participation of migrant workers in the development of

<sup>57</sup> Handling of refugees is based on Presidential Regulation No. 125 of 2016 concerning the Handling of Foreign Refugees, wherein Article 2 states: “Refugee handling is carried out based on cooperation between the central government and the United Nations through the United Nations High Commissioner for Refugees in Indonesia and/or international organizations.”

<sup>58</sup> See the 1979 agreement between the Government of the Republic of Indonesia and the Office of the United Nations High Commissioner for Refugees (UNHCR) regarding the establishment of the Office of the UNHCR Representative for Indonesia.

<sup>59</sup> ASEAN, 2022.

<sup>60</sup> Ministry of Foreign Affairs, 2022b, p. 19.

<sup>61</sup> The Ministry of Manpower, in collaboration with the International Labour Organization and the Migrant Workers Network (Jaringan Buruh Migran), has formulated the guideline for this tripartite plus approach.

<sup>62</sup> More information is available in this 2023 article on [the Migrant Worker Resource Centre urging the Cirebon Regency government to optimize regent regulation on migrant workers](#), from *Media Cirebon*.

gender-responsive policies and regulations on labour migration, including linking the government entities in the regency and the private sector (e.g. the Association of Indonesian Migrant Worker Placement Companies and CSOs). This best practice can be further strengthened and replicated in other cities, regencies, and provinces and has the potential for further development at the national level.



## 4

## ADVANCE THE SOCIOECONOMIC WELL-BEING OF MIGRANTS AND SOCIETY

## 4.1. Migration governance: examples of well-developed areas

The Indonesian National Qualifications Framework (*Kerangka Kualifikasi Nasional Indonesia*, KKNI) serves as a reference for acknowledging foreign qualifications, as stated in Presidential Regulation No. 8 of 2012 concerning the Indonesian National Qualifications Framework and in Minister of Education and Culture Regulation No. 73 of 2013 concerning the Implementation of the Indonesian National Qualifications Framework in Higher Education. The established KKNI came into effect in 2012, with one of its aims being to ensure the recognition of foreign qualifications based on nine competency qualification levels.<sup>63</sup> The KKNI classifies competency qualifications and can compare, equate, and integrate the fields of education and vocational training, as well as work experience, to recognize work competencies in accordance with job structures in various sectors (Presidential Regulation No. 8 of 2012, Article 1, paragraph 1). The Directorate General of Higher Education periodically evaluates the equivalence of international qualification systems with the KKNI for higher education. It coordinates with technical ministries and accreditation agencies or working standards that are recognized by the Government at the national or international level to ensure the quality of the implementation of the KKNI for higher education, including for recognizing foreign qualifications, as per Minister of Education and Culture Regulation No. 73 of 2013.

Indonesia agreed on the Association of Southeast Asian Nations (ASEAN) Qualifications Reference Framework in 2014, with the aim to benchmark educational qualifications across ASEAN member States. Indonesia also participates in the ASEAN Framework Agreement on Mutual Recognition Arrangements, agreed upon in 1998, under which countries mutually recognize harmonized labour standards, qualifications and technical regulations, including building or upgrading infrastructure in calibration, testing, certification and accreditation to meet relevant international requirements.

The National Professional Certification Agency and the Ministry of Manpower collaborated with IOM to implement a project titled Strengthening the Quality Assurance and Competency Certification Systems through the Application of ASEAN Guiding Principles for Quality Assurance and Recognition of Competency Certification Systems within ASEAN Economies from 2016 to 2020.<sup>64</sup> The aim of this project was to ensure that competencies and certifications obtained by skilled Indonesian migrant workers abroad are recognized domestically upon their return, thereby facilitating their reintegration into the local workforce and maximizing the benefits of their overseas employment. This project was supported by the Government of Japan through the Japan–ASEAN Integration Fund and involved Indonesia, Malaysia and the Philippines.

The Government of Indonesia has 18 labour-related memorandums of understanding (MoUs) covering both formal and informal sectors. These agreements include partnerships with Azerbaijan (2022), Brunei Darussalam (2011), Germany (2020), Japan (2019), Kuwait (2022), Malaysia (2022), Qatar (2020), Republic of Korea (2013), Saudi Arabia (2022), Singapore (2016), Timor-Leste (2010), United Arab Emirates (2007)<sup>65</sup> and the private sectors. In 2006, Indonesia signed an MoU with Malaysia as a cooperative agreement for the placement of Indonesian workers in the country.<sup>66</sup> In 2022, the Indonesian and

<sup>63</sup> The nine qualifications are categorized as follows: levels 1 to 3 are grouped into operator positions, levels 4 through 6 are grouped into technician or analyst positions, and levels 7 through 9 are grouped into expert positions (Presidential Regulation No. 8 of 2012, Article 2, paragraph 2).

<sup>64</sup> More information is available in this 2020 article on [IOM Indonesia's updates on the online regional workshop on evaluation sharing and lessons learned](#), from the website of the Japan–ASEAN Integration Fund.

<sup>65</sup> The latest years are based on internal data from the Ministry of Foreign Affairs. Available documents may not be the most recent version. The documents for Azerbaijan, Brunei Darussalam, Saudi Arabia, Singapore and Timor-Leste are not available online. For more details, please refer to the key sources section of this report.

<sup>66</sup> This was renewed in 2022. See the memorandum of understanding between the Government of the Republic of Indonesia and the Government of Malaysia on the employment and protection of Indonesian domestic migrant workers in Malaysia (2022).

Malaysian Governments signed a further MoU concerning the placement and protection of Indonesian domestic migrant workers in Malaysia, regulating the use of a one-channel system as the portal for recruitment and monitoring. In 2021, Indonesia signed an agreement with Saudi Arabia to implement the same one-channel system.<sup>67</sup> The Ministry of Manpower signed another MoU with the Republic of Korea that regulates fishing crew placement and protection in 2021. Finally, Indonesia has formal agreements with Saudi Arabia (2023) for safe and orderly recruitment and placement mechanisms<sup>68</sup> and with Kuwait (2022) regarding health-care workers, as well as one informal agreement with Brunei Darussalam (2023).

Indonesia has taken steps to encourage ethical recruitment and placement processes for Indonesian migrant workers under Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers. The Law guarantees the rights and obligations of Indonesian migrant workers, from pre-departure to return, including access to capacity-building through education and job training; receiving accurate information about the job market, placement procedures and working conditions overseas; and receiving explanations about their rights and obligations under the employment agreement (Article 6). The Law distributes the measures to all levels of government, from the national level to the provincial, municipal and village levels. The Indonesian Migrant Worker Protection Agency (BP2MI) applies cost sharing between the Government, the prospective migrant worker and the employer to reduce placement costs through B2PMI Regulation No. 9 of 2020. Multilevel monitoring applies to monitoring placement processes that involve private recruitment agencies. For example, the agencies have the responsibility to provide regular migrant worker placement reports to the municipal Manpower Office.

Additionally, in 2017, the Government of Indonesia, through the Ministry of Manpower, established the One-Stop Integrated Services (LTSA) to streamline the placement and protection of Indonesian migrant workers. By simplifying administrative procedures and ensuring that workers deployed overseas have the necessary skills and expertise, the LTSA aims to make the recruitment process easier, cheaper, faster and safer. The rights of Indonesian migrant workers are protected at all stages of migration, from pre-departure work until their return to Indonesia, as per Law No. 18 of 2017. Under Article 7, Indonesian migrant workers are afforded pre-employment protection, such as administrative and technical assistance; protection during employment, such as data collection by labour attachés, employer monitoring and facilitation of rights fulfilment; and post-employment protection, such as facilitation of return and settlement of unfulfilled rights. Additionally, based on Head of BP2MI Regulation No. 7 of 2022 concerning the Pre-employment Process for Indonesian Migrant Worker Candidates, technical assistance to prospective Indonesian migrant workers is provided primarily through a pre-departure orientation process to increase understanding of their rights and responsibilities, as well as the potential challenges they may encounter abroad.

In accordance with Presidential Regulation No. 114 of 2020 concerning the National Strategy for Financial Inclusion, the Coordinating Ministry for Economic Affairs has developed a scheme to foster synergy and cooperation with inclusive finance stakeholders.<sup>69</sup> This initiative aims to reinforce financial inclusion for returned Indonesian migrant workers and their families, with the goal of expediting access to financial products and services. Furthermore, the Government has established partnerships with private actors, such as Bank Indonesia, to promote financial inclusion for migrants and their families through empowerment programmes. These programmes focus on introducing key financial products, such as savings accounts and deposits for Indonesian migrant workers, and expanding remittances, through sharia financial schemes.<sup>70</sup>

<sup>67</sup> More information is available in this 2021 article on [Indonesia preparing a one-channel system for the placement of migrant workers in Saudi Arabia](#), from the website of the Ministry of Manpower.

<sup>68</sup> More information is available in this 2023 article on [Indonesia and Saudi Arabia signing a health workers protection deal](#), from Antara News.

<sup>69</sup> The regulation specifically mentions “migrant workers” in addition to two main groups for financial inclusion, namely (a) low-income communities and (b) micro- and small-sized enterprises (see Point E on target beneficiaries).

<sup>70</sup> More information is available in this 2018 Bank Indonesia article on [how the Bank is strengthening remittance services and Islamic social finance](#).



Since 2016, the Government of Indonesia has implemented the Productive Migrant Village development programme. This programme integrates financial literacy modules into national information services for migrants to become aware of secure ways to manage earnings, remittances and investments. The Minister of Women Empowerment and Child Protection issued Regulation No. 20 of 2010 concerning the General Guidelines for the Development of Indonesian Migrant Workers' Families and the Technical Instructions for the Implementation of the Migrant Workers Family Development Policy, commonly referred to as *Bina Keluarga TKI* (BK-TKI). BK-TKI aims to enhance family economic empowerment through financial education and foster entrepreneurship in the families of potential or returned migrant workers.<sup>71</sup> BP2MI has also established the Indonesian Migrant Worker Entrepreneurs Association (Perwira PMI) to support economic empowerment activities.<sup>72</sup> Perwira PMI is tasked with implementing programmes to enhance knowledge, skills and networks for entrepreneurship. This includes information and communication services, capacity-building, and the development and mentoring of independent and non-partisan businesses. In addition, civil society organizations have initiatives for the economic empowerment of retired migrant workers, such as Kabar Bumi and the Indonesian Migrant Workers Union.

Indonesia has implemented measures to promote gender equality through gender equality laws and labour legislation. According to Minister of Women Empowerment and Child Protection Regulation No. 1 of 2023 concerning Amendments to Regulation No. 1 of 2020 concerning the Provision of Women Worker Protection Houses in the Workplace, facilities are established to protect and fulfil the rights of female workers and employees in the workplace (Article 1). Furthermore, Law No. 18 of 2017 includes gender-equality provisions in the context of overseas employment, ensuring equal opportunities and conditions for both men and women to fully realize their human rights and potential when working abroad (Article 2).

## 4.2. Areas with potential for further development

According to migrant associations, many skilled Indonesian migrant workers are certified overseas, but their skills are not recognized upon their return. Taking steps towards ensuring that competencies and certifications acquired by Indonesian migrant workers abroad are recognized domestically is an area for further development. This involves (a) developing a reliable professional competency certification system, (b) enhancing the recognition and competitiveness of Indonesian workers both domestically and internationally, and (c) building international cooperation for the mutual recognition of competency certifications.

Indonesia lacks a comprehensive national assessment to monitor the labour market for immigrants, as well as the domestic labour supply and the impact of emigrants on the domestic labour market. According to Government Regulation No. 34 of 2021 concerning the Utilization of Foreign Workers, in Article 7, when hiring foreign workers, every employer is required to select, and provide training to, Indonesian workers as companion workers.<sup>73</sup> The annual National Labour Force Survey (*Survei Angkatan Kerja Nasional*, Sakernas), conducted by the Central Statistics Agency, is the main source of labour market data in Indonesia. It collects information from selected households regarding the general situation of each household member, including recent employment activities, main occupation, unemployment and the labour force participation rate.<sup>74</sup> The data are disaggregated by gender, age, marital status and highest education completed, but not by migration status. Neither measuring the demand for immigrant labour nor measuring the effects of emigrants on the domestic labour market is the focus of Sakernas.

<sup>71</sup> In 2017, 117 Bina Keluarga TKI groups had been formed in 106 villages/subdistricts, 90 subdistricts and 63 districts/cities in 12 provinces, and this programme is still running as of November 2023.

<sup>72</sup> See Head of Indonesian Migrant Worker Protection Agency Decree No. 83 of 2022 concerning the Indonesian Migrant Worker Entrepreneurs Association.

<sup>73</sup> According to Article 1 of Government Regulation No. 34 of 2021, the companion worker (*tenaga kerja pendamping*, translated literally as “foreign worker companion worker”) is an Indonesian worker hired by the employer to accompany the foreign worker for the purpose of technology and skills transfer.

<sup>74</sup> Visit the [employment](#) page of the Central Statistics Agency of Mahakam Ulu Regency for more information.

Implementing a specific programme for managing labour immigration into Indonesia is an area with potential for development. The Ministry of Manpower issues foreign workers' visas to foreign nationals working for employers with a Foreign Workers Utilization Plan. The Plan is regulated in Government Regulation No. 34 of 2021, Article 6, paragraph 1: "Every foreign worker employer that hires foreign workers must have the [Foreign Workers Utilization Plan (RPTKA)] issued by the appointed ministers or officials." Similarly, Indonesia does not have different types of visas to attract specific labour skills. Article 34 of Law No. 6 of 2011 concerning Immigration establishes that Indonesia has diplomatic visas, service visas, visit visas and limited stay visas. The limited stay visa is granted to migrants who will reside temporarily in Indonesian territory. It does not make any distinctions based on industry or sector or specific labour skills (Article 39).

Given that the emigration process involves private actors, a mechanism for monitoring social compliance according to Law No. 18 of 2017, such as ethical recruitment components, is to be further developed to avoid exploitation at all stages of the migration journey.





## 5

## EFFECTIVELY ADDRESS THE MOBILITY DIMENSIONS OF CRISES

## 5.1. Migration governance: examples of well-developed areas

The National Disaster Management Agency (BNPB) has functions that include (a) the formulation and determination of disaster management policies and the handling of internally displaced person (IDPs) by acting quickly, precisely, effectively and efficiently; and (b) the coordination of the implementation of disaster management activities in a planned, integrated and comprehensive manner. Law No. 24 of 2007 concerning Disaster Management regulates the fundamentals, where the implementation of disaster management is the responsibility and authority of the central Government and regional governments, carried out in a planned, integrated, coordinated and comprehensive manner. The implementation of disaster management is conducted in the pre-disaster, emergency response and post-disaster phases because each stage has different handling characteristics.

Formally, BNPB is the leading agency for disaster management issues at the national level. As for the focal point for disaster management at the provincial and district/city levels, it is the Regional Disaster Management Agency (Badan Penanggulangan Bencana Daerah, BPBD). On a non-formal basis, forums at both the national and local levels are established to strengthen the implementation of disaster management in Indonesia. At the national level, the National Platform for Disaster Risk Reduction Indonesia (Planas PRB Indonesia)<sup>75</sup> has been formed, consisting of elements from civil society, the private sector, universities, the media and international institutions.

Early warning systems for potential extreme weather events and natural disasters are in place in Indonesia, providing information to the population in both Indonesian and English. The Indonesia Tsunami Early Warning System (InaTEWS) was launched in 2008 by the Meteorological, Climatological, and Geophysical Agency for the early detection of earthquakes and tsunamis and the provision of warnings to potentially affected communities.<sup>76</sup> The system sends warnings to local authorities and the public through various communication channels, such as text messages, radio, television, sirens and social media. BNPB also operates the inaRISK app,<sup>77</sup> which provides the public with early information about the most vulnerable locations and potential disasters. inaRISK provides data that can be used to develop disaster management plans and formulate disaster risk reduction strategies.

Indonesia has a comprehensive framework in place for managing emergency disaster situations under Minister of Foreign Affairs Regulation No. 20 of 2020 concerning the Formation of Teams and Work Procedures for Handling Foreigners and International Assistance in Disaster Emergency Situations in Indonesia. The Ministry of Foreign Affairs is empowered to form an emergency response team during a disaster, which is responsible for monitoring and verifying information about foreign nationals in affected areas; gathering data on their number, condition and location; and coordinating plans for their evacuation (Articles 3–4). In Articles 10–12, the Regulation states that in emergency situations, the Ministry of Foreign Affairs, through the Directorate of Consular Affairs, is further authorized to notify the migrant workers' respective home countries by sending diplomatic notes to their embassies in Indonesia.

<sup>75</sup> The National Platform for Disaster Risk Reduction Indonesia (Planas PRB Indonesia) is an independent forum established to encourage and facilitate cooperation among various stakeholders in efforts to reduce disaster risks in Indonesia. Planas PRB Indonesia seeks to accommodate all interests related to disaster management, as well as to help align various policies, programmes and activities on disaster risk reduction at the national level, in order to support the achievement of Indonesia's disaster risk reduction goals and the realization of the nation's resilience to disasters. Planas PRB Indonesia is also formed to support Indonesia in fulfilling its commitment to implement the Hyogo Framework for Action.

<sup>76</sup> Visit the Meteorological, Climatological, and Geophysical Agency's page on the [Indonesia Tsunami Early Warning System](#) for more information.

<sup>77</sup> Visit the home page of the inaRISK app for more information.

BNPB has a national disaster risk reduction strategy in place for disaster response and displacement management. It developed the National Disaster Management Master Plan (RIPB) for the period 2020–2044 (2020), which outlines the vision, mission, objectives and targets of disaster management policies and strategies. This Plan includes specific provisions aimed at preventing and addressing the displacement impacts of disasters, covering evacuation procedures and relocation efforts. Additionally, it outlines policies for internally displaced children, emphasizing the importance of respecting children’s rights and ensuring child-friendly conditions in evacuation centres, as per shelter management guidelines. Furthermore, specific policies to prevent and address the impact of disaster-induced displacement fall under the Directorate for Facilitation of Victims Handling and Internally Displaced Persons, as per BNPB Regulation No. 2 of 2021 concerning the Explanation of Organizational Functions of First Class Senior Officers and Tasks of Functional Officers within BNPB. The Directorate is responsible for coordinating the preparation and implementation of technical policies in the field of search and rescue, and compiling data to inform plans and meet the needs of affected individuals in the event of a disaster (Article 19). In addition, Minister of Home Affairs Regulation No. 46 of 2008 establishes BPBD, as a governmental body in Indonesia responsible for coordinating and managing disaster relief efforts at the regency or provincial level (Article 1). This arrangement underscores Indonesia’s decentralized approach to disaster management, enabling more localized and customized responses to crises. Indonesia applies decentralized disaster management structures for public services delivery during crises, as per Law No. 24 of 2007, which states that the central Government and the local government are accountable for financing disaster risk reduction and management.

Through the Indonesian Disaster Data Geoportal,<sup>78</sup> BNPB regularly collects data on disaster-induced displacement. The data cover the number of fatalities, affected and displaced individuals, missing persons, and injured individuals, as well as the impact of disaster damage, such as the number of damaged houses and facilities. BNPB has also developed a comprehensive framework for disaster data and information management through its Indonesian Disaster Data and Information (DIBI) application, as outlined in Head of BNPB Regulation No. 7 of 2012 concerning Guidelines for Managing Indonesian Disaster Data and Information. The data are subject to a multilevel verification and validation process, coordinated with relevant ministries and agencies, before being presented and disseminated online in various formats, including tables, diagrams and maps.

The RIPB 2020–2044 contains measures for managing large-scale population displacement during disasters. It establishes that the Ministry of Public Works and Housing is responsible for planning disaster-safe infrastructure, implementing structural mitigation in high-risk disaster areas, preparing evacuation locations and routes, and addressing the needs for recovery of public infrastructure. The Ministry also coordinates the provision of housing and settlements for individuals affected by disasters. The relocation of disaster victims to safe areas and the provision of labour support services are planned by the Ministry of Manpower. Furthermore, the Coordinating Ministry for Human Development and Cultural Affairs holds a significant role in disaster management as it coordinates with BNPB, the Ministry of Social Affairs, and the Ministry of Public Works and Housing during and after the disaster, including in addressing relocation issues.

Indonesia participates in regional frameworks that include specific provisions on internal and cross-border movements in the context of climate change. The Guidelines on Consular Assistance by Association of Southeast Asian Nations (ASEAN) Member States’ Missions in Third Countries to Nationals of Other ASEAN Member States (2018) serves as a foundational agreement for providing aid during crises, regarding evacuations from war zones or due to natural disasters. Additionally, the Indonesia-led ASEAN Declaration on the Protection of Migrant Workers and Family Members in Crisis Situations has paved the way for ASEAN to better protect migrant workers and their family members during crises.

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<sup>78</sup> Visit the [Indonesian Disaster Data Geoportal](#) for more information.

The Ministry of Foreign Affairs regularly publishes travel advisories through its representatives abroad and on its website. Through its Safe Travel<sup>79</sup> app, the Ministry regularly publishes advisories for Indonesian citizens who wish to travel abroad.<sup>80</sup> The Safe Travel app also has an emergency button that can be accessed by Indonesian citizens who require assistance. As the user uses this feature, the information will be transmitted and responded to by the nearest Indonesian representatives. In addition to this, during the COVID-19 pandemic, the Task Force for Handling COVID-19 issued Circular Letter No. 23 of 2021 concerning Health Protocols for International Travel during the Coronavirus Disease 2019 (COVID-19) Pandemic, to adjust the control mechanisms for international travel.<sup>81</sup>

As stipulated in Minister of Foreign Affairs Regulation No. 5 of 2018, the Government of Indonesia is responsible for assisting Indonesian citizens living abroad during crises.<sup>82</sup> Since 2012–2023, the Government of Indonesia has evacuated a total of 17,920 Indonesian nationals while also extending assistance to citizens of neighbouring countries (including Australia, Malaysia and the Philippines).<sup>83</sup> In May 2023, Indonesia evacuated 1,010 of its citizens from the Sudan using a military aircraft provided by Saudi Arabia, from Port Sudan International Airport to King Abdullah Air Base in Jeddah.<sup>84</sup>

## 5.2. Areas with potential for further development

Human mobility considerations are not yet effectively incorporated into Indonesia's environmental and climate change policies. BNPB's RIPPB 2020–2044, the National Action Plan (NAP) for Climate Change Adaptation (RAN-API) (2014) and the Climate Resilience Development Policy 2020–2045 (2021) address the mitigation of climate change risks. However, while the RIPPB recognizes climate change as a critical national issue pertaining to disasters, it does not specifically acknowledge the importance of human mobility. Similarly, the NAPs strategy encompasses four priority sectors between 2020 and 2045 – water, agriculture, marine and coastal areas, and health – but does not specifically mention the significant aspect that is large-scale human mobility. With the diverse impacts of climate change, which in the long run could possibly be experienced by people in Indonesia living amid different geographical characteristics, further studies on the integration of human mobility into Indonesia's environmental and climate change policies can be considered.

Indonesia's National Long-Term Development Plan (Rencana Pembangunan Jangka Panjang Nasional, RPJPN) 2005–2025 (2005) and the National Medium-Term Development Plan 2020–2024 (2020) lack specific measures for addressing displacement. While the RPJPN sets goals for maintaining national security and stability, it does not outline specific targets as regards reducing IDPs within these goals. Nonetheless, Article 14 of BNPB Regulation No. 3 of 2018 concerning the Handling of Displaced Individuals in Emergency Disaster Situations states that individuals affected by disaster should be promptly rescued and evacuated, and provided with clean water and sanitation, clothing and food, health and psychosocial services, and temporary shelter.

<sup>79</sup> Visit the home page of the [Safe Travel](#) app for more information.

<sup>80</sup> Visit [Portal Peduli Warga Negara Indonesia](#) for more information.

<sup>81</sup> More information is available in this 2021 article on the [circular from the COVID-19 Task Force regarding international travel during the pandemic](#), from the website of the Ministry of Communications and Informatics.

<sup>82</sup> Based on Article 4(1), protection for Indonesian citizens includes (a) prevention, (b) early detection and (c) rapid response. Early detection covers contingency plans for emergency situations (Article 4(3)), which include war/conflicts, natural/unnatural disasters, social disasters, political situations that directly affect Indonesian citizens' safety and security, and other situations deemed to necessitate urgent protection (Article 6(1)).

<sup>83</sup> This information is derived from a 2023 internal data source of the Ministry of Foreign Affairs of Indonesia's Directorate of Citizen Protection.

<sup>84</sup> More information is available in this article on the [evacuation of Indonesian citizens from Sudan Phase 1 on 23 April 2023](#), from the website of the Ministry of Foreign Affairs.



## 6

## ENSURE THAT MIGRATION TAKES PLACE IN A SAFE, ORDERLY AND REGULAR MANNER

## 6.1. Migration governance: examples of well-developed areas

As the largest archipelagic State, Indonesia has 189 points of entry, which consist of 37 air crossing points, 103 sea crossing points and 49 land crossing points across the country. Out of the total number, there are 147 international crossing points managed by the National Border Management Agency (BNPP), Customs and Excise, Immigration, Quarantine and Security, while the remaining are traditional crossing points managed by Immigration with BNPP.<sup>85</sup> Indonesia's BNPP<sup>86</sup> is tasked with setting policies for border development programmes, determining budgetary needs, coordinating implementation, and conducting evaluation and oversight of the management of national borders and border areas (Article 3 of Presidential Regulation No. 12 of 2010). The Deputy of National Border Management, through the Assistant Deputy of Cross-Border Management, is operating 13 land border crossings (PLBN).<sup>87</sup> The Indonesian Maritime Security Agency serves as a member of BNPP in integrated border supervision and security, and is responsible for security, safety and law enforcement patrols at sea, in accordance with Law No. 32 of 2014 concerning Maritime Affairs and Government Regulation No. 13 of 2022 concerning the Implementation of Security, Safety and Law Enforcement in Indonesian Sea Territory.

BNPP regularly conducts training for officers managing supporting zones (such as markets) and other officers at the PLBNs, as mandated in Article 10 of Head of BNPP Regulation No. 5 of 2019 concerning PLBN Market Management. Capacity-building is also conducted through activities such as Technical Guidance (*Bimtek*) related to intelligence training cooperation with the Indonesian National Police Headquarters, extending to communities in border areas. Additionally, Indonesia's Immigration Polytechnic offers students annual training in languages, technology, martial arts and cultural aspects, under the auspices of the Ministry of Law and Human Rights.

As per Minister of Law and Human Rights Regulation No. 41 of 2021 concerning the Organization and Work Procedures of the Ministry of Law and Human Rights, the Directorate General of Immigration (DGI) is responsible for managing most of the immigration procedures and processes in Indonesia. The DGI acts to conduct functions, namely policy formulation in the field of immigration services and facilities; immigration law enforcement and security; immigration cooperation, border crossing and immigration information technology; implementation of policies in the field of immigration services and facilities; provision of technical guidance and supervision in the field of immigration services and facilities; administrative implementation of the DGI; and implementation of other functions assigned by the Minister. Additionally, the Ministry of Law and Human Rights is responsible for monitoring foreigners during visa applications, entry into and exit from Indonesian territory, and the granting of residence permits, as per Article 172 of Government Regulation No. 31 of 2013 concerning the Implementation of Law No. 6 of 2011 concerning Immigration.

Indonesia has established a process for foreign nationals to either register for a visa before their arrival or apply for a visa upon arrival as regulated by Minister of Law and Human Rights Regulation No. 22 of 2023 concerning Visas and Stay Permits. The visa on arrival, granted to citizens from certain countries, can be used for tourism, government duties, business meetings, purchasing goods or transit purposes. Foreigners can apply for a visa on arrival at specific immigration checkpoints or online, by submitting a valid passport and a return ticket or an onward ticket to continue their journey to another country. Indonesia also has an electronic visa on arrival (e-VOA) system for the same activities, including official visits. For the e-VOA,

<sup>85</sup> See Minister of Law and Human Rights Decree No. M.HH-04.GR.01.01 of 2023 concerning Immigration Checkpoints.

<sup>86</sup> Visit the National Border Management Agency's [profile](#) page for more information.

<sup>87</sup> The Government of Indonesia targets to have 26 land border crossing posts (PLBN) by 2024.

foreign nationals can apply through the DGI website.<sup>88</sup> In addition, foreign nationals can apply for a residence permit prior to arrival in the form of visit stay permits, limited stay permits or permanent stay permits. Furthermore, stay permits granted to foreigners can be converted into other types of stay permits. As regulated by Article 162 of Minister of Law and Human Rights Regulation No. 22 of 2023, these include changing visit stay permits into limited stay permits and limited stay permits into permanent stay permits.

Various measures exist to actively attract nationals who have previously emigrated from the country. Former Indonesian citizens can apply for a diaspora visa or a limited stay visa, which can be converted into a permanent stay permit, or they can apply for a second home visa. In addition to being used by foreign nationals who want to spend their retirement or old age in Indonesia, the second home visa can also be used by certain foreign nationals who, due to other regulations, cannot be accommodated with other types of residence permits. Additionally, there are government programmes and special policies focused on facilitating the reintegration of returning citizens, including facilitating access to employment (e.g. joining the civil service), such as the government programme for the reintegration of retired Indonesian migrant workers – Productive Migrant Village (*Desa Migran Produktif, Desmigratif*).<sup>89</sup> Furthermore, the Government has established a Tax Amnesty Policy, which repatriates taxpayer funds into Indonesia under Law No. 11 of 2016 concerning Tax Amnesty.<sup>90</sup>

The Indonesian Migrant Worker Protection Agency (BP2MI) is responsible for protecting and assisting the reintegration of Indonesian migrant workers returning from abroad, under Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers. Post-employment protection includes facilitation of Indonesian migrant workers' return to their place of origin, resolution of their unfulfilled rights, facilitation of arrangements for sick and deceased Indonesian migrant workers, social rehabilitation and social reintegration, and empowerment of Indonesian migrant workers and their families (Article 24). In addition, Indonesia's Ministry of Manpower has implemented the Desmigratif development programme in 400 villages since 2016. The economic pillar of this initiative aims to empower former migrant workers and their families with entrepreneurship training and capital assistance.

In 2023, BP2MI engaged civil society elements in the protection of Indonesian migrant workers to form the Indonesian Migrant Worker Volunteer Community (Kawan PMI). On 22 July 2023, BP2MI appointed 550 Kawan PMI members from five provinces, namely Banten, Central Java, East Java, Lampung and West Java. Pursuant to Article 10 of BP2MI Regulation No. 1 of 2022, Kawan PMI is responsible for assisting BP2MI in information distribution, providing assistance for Indonesian migrant workers in vulnerable situations and their families, and preventing the irregular placement of Indonesian migrant workers.<sup>91</sup>

Following the stipulation of Law No. 18 of 2017, several provinces and municipalities have established their own provincial/municipal regulations to strengthen the protection of migrant workers at the provincial and local levels.<sup>92</sup> The Law also regulates the details of the emigration process, which include the participating parties, the decentralization of authorities, the cost structure, protection mechanisms, social benefits, training, and penalties for violations. Furthermore, this Law reduces the roles of private agencies by

<sup>88</sup> Visit the [official e-Visa website for Indonesia](#) for more information.

<sup>89</sup> The programme was piloted in 2016, and it was further regulated by Minister of Manpower Regulation No. 2 of 2019 concerning the Empowerment of Indonesian Migrant Worker Communities in Productive Migrant Villages. More information is available in this 2017 article on [improving protection of Indonesian migrant workers through productive migrant villages](#), from the Official Portal of West Sumatra Province.

<sup>90</sup> The Government specifies the tax amnesty programme through Minister of Finance Regulation No. 165/PMK.06/2021 concerning Amendments to Minister of Finance Regulation No. 111/PMK.06/2016 concerning the Procedures for the Implementation of the Transfer of State Property.

<sup>91</sup> More information is available in this 2023 BP2MI article on the [Agency officially establishing the Indonesian Migrant Worker Volunteer Community \(Kawan PMI\) and the Indonesian Migrant Worker Entrepreneurs Association \(Perwira PMI\)](#).

<sup>92</sup> The provincial governments that have already enacted the derivative regulation are West Java (Regional Regulation No. 2 of 2021 concerning the Implementation of Protection for Indonesian Migrant Workers from West Java Province) and East Java (Regional Regulation No. 2 of 2022 concerning the Implementation of Protection for Indonesian Migrant Workers). The regulations at the municipal level are also available – namely, in Indramayu (Indramayu Regency Regional Regulation No. 3 of 2021 concerning the Protection of Migrant Workers from Indramayu), East Lampung (East Lampung Regency Regional Regulation No. 4 of 2018 concerning the Protection of Migrant Workers from East Lampung Regency) and Ponorogo (Ponorogo Regency Regional Regulation No. 7 of 2021 concerning the Protection of Indonesian Migrant Workers).

eliminating their role in recruitment. There are measures in place to enhance the local government's role in managing emigration, namely by establishing One-Stop Integrated Services and implementing an employment management system called SIAPkerja (Ready to Work).

The Indonesian Government has provided various forms of assistance in addressing the challenges faced by refugees. At the central level, the Task Force for Handling Foreign Refugees was established in 2017, chaired by the Deputy for Coordination of Security and Public Order of the Coordinating Ministry for Political, Legal, and Security Affairs. In response to Minister of Home Affairs Circular Letter No. 300/2307/SJ and No. 300/2308/SJ in 2020, several regions have formed Task Forces for Handling Foreign Refugees, such as in Aceh Province and Pekanbaru City, considering their active role and relevance in the management of refugees, including Rohingya. The existence of these task forces is expected to enhance integrated and coordinated inter-agency efforts at the regional level in handling foreign refugees in Indonesia.

The Task Force for the Prevention and Handling of Trafficking in Persons Crimes (GT PP-TPPO) is responsible for combating trafficking in persons in Indonesia under Law No. 21 of 2007 concerning the Eradication of Trafficking in Persons. The Law criminalizes all types of actions, methods or forms of exploitation that may occur in human-trafficking practices and regulates the protection of witnesses and victims as an important aspect of law enforcement. It also guarantees the rights of victims to receive medical and social rehabilitation, as well as assistance in repatriation and reintegration. Through the GT PP-TPPO, the Government of Indonesia has conducted advocacy, socialization and training programmes to combat and raise awareness of trafficking in person. In addition, the GT PP-TPPO leads periodic monitoring and evaluation efforts, with results reported annually and in the five-year report.<sup>93</sup> The National Action Plan for the Prevention and Handling of Trafficking in Persons 2020–2024, approved in 2023, is divided into several programme clusters, such as prevention of trafficking in persons, for which the Ministry of Women Empowerment and Child Protection is responsible; health rehabilitation, for which the Ministry of Health is responsible; social rehabilitation, repatriation and social reintegration, for which the Ministry of Social Affairs is responsible; the development of legal norms, for which the Ministry of Law and Human Rights is responsible; law enforcement, for which the Indonesian National Police is responsible; and coordination and cooperation, for which the Ministry of Manpower is responsible.

The Indonesian National Police has established a Police Task Force to prevent and address trafficking in persons at both the national and provincial levels. This Task Force operates under the supervision of the Criminal Investigation Agency at the national level and serves as the Daily Chair of the GT PP-TPPO.<sup>94</sup> The Deputy Chief of Police supervises the Task Force at the provincial level.

The Government of Indonesia has measures in place to combat migrant labour exploitation. Law No. 18 of 2017 guarantees and protects the rights of migrant workers, provides training and education to migrant workers before they depart for destination countries, enhances cooperation with destination countries through bilateral and multilateral agreements, and strengthens the monitoring and supervision systems of labour recruitment agencies. BP2MI is responsible for supervising and granting operating permits to recruitment agencies, limiting recruitment fees to prevent illegal practices that can lead to exploitation, and increasing legal sanctions for parties involved in the exploitation of migrant workers. There are two types of permits that companies need to operate: the License for Indonesian Migrant Worker Placement Companies (SIP3MI), a written license granted by the Minister of Manpower to a legal Indonesian company for its migrant worker placement business; and the License for Indonesian Migrant Worker Recruitment (SIP2MI), granted by the Head of BP2MI to an Indonesian migrant worker placement company used to

<sup>93</sup> ASEAN-ACT, n.d.

<sup>94</sup> Based on Chief of the Indonesian National Police Assignment Letter No. Sprin/1566/V/HUK.6.6/2023, the Police Trafficking in Persons Task Force consists of eight sub-task forces (sub-TF): Prevention Sub-TF; Intelligence Sub-TF; Rehabilitation and Health Sub-TF; Social Rehabilitation, Return and Reintegration Sub-TF; Legal Norm Development Sub-TF; Law Enforcement Sub-TF; Cooperation and Coordination Sub-TF; and Public Relations Sub-TF. More information is available in this 2023 *detikcom* article on the Indonesian National Police Chief establishing an Anti-Trafficking Task Force, to be led by Criminal Investigation Agency Deputy Chief Inspector General Asep Edi.



place prospective Indonesian migrant workers. There are also several initiatives in place to prevent the exploitation of migrant workers, such as the SIAPkerja online tool launched in 2022, developed under the Ministry of Manpower, which centralizes the registration process for Indonesian migrant workers and makes it possible to prevent exploitation by enhancing the transparency of the recruitment process.<sup>95</sup>

Under Law No. 29 of 2014 concerning Search and Rescue, the National Search and Rescue Agency is responsible for conducting search and rescue operations for maritime incidents, including suspected refugee ships in emergency situations (Articles 14 and 16). Furthermore, regulations regarding the handling of the discovery of foreign refugees have been regulated through National Search and Rescue Agency Regulation No. 9 of 2018 concerning the Handling of the Discovery of Foreign Refugees in Crisis Situation in Indonesian Territorial Waters. The Agency uses an integrated system – the Local User Terminal – which can detect distress signals from emergency devices on ships and beacons on aircraft.

## 6.2. Areas with potential for further development

While Indonesia has systems to track and identify missing migrants within its national territory, it lacks agreements or arrangements with other countries in this regard. Integrating a missing migrant database within One Data for International Migration could facilitate the recording of deaths and missing persons during the migration process to international destinations, ultimately enhancing migrant protection.

There is no policy or strategy in place that includes measures for promoting and prioritizing non-custodial alternatives to detention for migrants. Under Law No. 6 of 2011, detention may be imposed under certain circumstances, such as when a foreigner is in Indonesian territory without a valid residence permit or travel documents, or when they are awaiting deportation or departure due to refusal of entry (Article 83).<sup>96</sup> Alternatives to detention for migrants are implemented on a case-by-case basis, depending on the circumstances, mainly utilized when a migrant is identified as a victim of trafficking in persons.

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<sup>95</sup> SIAPkerja (Ready to Work) is a platform for all types of services and activities in the employment sector. The portal was launched by the Ministry of Manpower in January 2022.

<sup>96</sup> Detention is typically imposed until the individual is deported, with a maximum duration of 30 days in immigration detention rooms. If more time is required, the detainee may be placed in an immigration detention house, which operates separately from immigration offices.



# ANNEXES



## The MGI process



### 1 Launch of the MGI process

The first step of the process is to explain what the MGIs entail to key government officials, in order to ensure full understanding of the project and complete buy-in.



### 2 Data collection

The second step of the process is to start the collection and analysis of data, based on about 100 indicators grounded in the six dimensions of the MiGOF. A migration governance profile based on the analysis of the findings is then drafted and shared with the government counterparts.



### 3 Interministerial consultation

The third step of the process is to convene an interministerial consultation where all relevant ministries and other stakeholders discuss the good practices and main areas that could be developed further as identified in the draft migration governance profile, as well as priorities on the way forward. It is also an opportunity for them to comment and provide suggestions on the draft profile.



### 4 Publication of the report on the Global Migration Data Portal

After the migration governance profiles are finalized and vetted by government counterparts, they are published on the [Migration Data Portal](#) and the [IOM Publications Platform](#).

## After the MGI assessment

IOM would like to thank the Government of Indonesia for its engagement in this process. IOM hopes that the results of this assessment can feed into the Government's strengthening of its migration governance. After an MGI assessment, the following are recommended:



The MGI report can be used to inform policy work with the support of IOM (if desired).



A follow-up assessment can be conducted after three years to verify progress.



The findings can feed into capacity-building activities, which may connect to other IOM initiatives.



Governments can exchange best practices and innovative solutions with other governments that have conducted the MGI process.

## Summary of the recommendations as proposed by the Government during the national consultation on the Migration Governance Indicators (MGI) process in Indonesia (19 December 2023)

The national consultation on the MGI process took place on 19 December 2023, in Jakarta, Indonesia, co-organized by the Government of Indonesia and IOM. The consultation brought together 59 participants (32 men and 27 women) from 18 ministries/agencies and 4 civil society organizations. During the event, participants collectively evaluated the identified priorities, reviewed the draft report and shared good practices across the six domains. The outcomes were then presented, and valuable insights into migration governance in Indonesia across the six MGI domains were discussed. Perspectives for future enhancements were also shared, contributing to the finalization of the report. The following recommendations were formulated to address gaps:

### Adhere to international standards and fulfil migrants' rights

- Strengthen the protection of Indonesian citizens abroad by fostering cooperation with host countries of Indonesian migrants, ensuring the portability of social security, particularly in health (Global Compact for Migration Objectives 15 and 23).
- Enhance access for migrants in irregular situations to government public services, including higher education, protection services (police assistance and legal aid), and employment, addressing their lack of formal civil identification recognized by the Government or its systems (Global Compact for Migration Objective 15).
- Ensure access to civil registration services for all migrants, irrespective of their migration status (Global Compact for Migration Objectives 15 and 17).
- Develop policies and strategies to combat racial crimes, abuse, xenophobia and discrimination (Global Compact for Migration Objective 17).

### Formulate policy using evidence and whole-of-government approach

- Formulate an integrated national migration strategy outlined in a programmatic document or manifesto (all Global Compact for Migration objectives).
- Establish a national-level interministerial coordination mechanism on migration issues to ensure coherence across ministries when developing and implementing their respective migration policies (all Global Compact for Migration objectives).
- Collect and utilize accurate and disaggregated data, strengthening capacity from the national level to the local level for evidence-based policies (Global Compact for Migration Objective 1).
- Develop measures to address gender equality and diversity issues in migration-related matters, incorporating the principles regulated in Law No. 12 of 2022 concerning Sexual Violence. This involves engaging with the Ministry of Women Empowerment and Child Protection on gender equality and diversity issues in migration-related agendas (Global Compact for Migration Objective 17).

### Engage with partners to address migration and related issues

- Increase the involvement of civil society organizations in setting the agenda and implementing migration policies on a regular basis (all Global Compact for Migration objectives).
- Strengthen the tripartite plus implementation at the national level to address migrant issues and ensure its implementation at the provincial and regent/city levels in Indonesia (all Global Compact for Migration objectives).

### Advance the socioeconomic well-being of migrants and society

- Conduct assessments to monitor the labour market demand abroad for Indonesian migrant workers and assess how migration affects the domestic job market (Global Compact for Migration Objective 6).
- Implement a mechanism for monitoring social compliance in accordance with Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers, including ethical recruitment components for private actors (Global Compact for Migration Objective 6).
- Establish a programme to manage labour immigration into Indonesia, including different types of visas to attract specific labour skills (Global Compact for Migration Objectives 5 and 6).
- Conduct assessments to monitor the effects of emigration on the domestic labour market and assess the labour market demand for immigrants (Global Compact for Migration Objective 6).
- Ensure that competencies and certifications acquired by Indonesian migrant workers abroad are recognized domestically (Global Compact for Migration Objective 15).

### Effectively address the mobility dimensions of crises

- Integrate human mobility issue into Indonesia's climate change policy, National Long-Term Development Plan and National Medium-Term Development Plan (Global Compact for Migration Objectives 2 and 8).

### Ensure that migration takes place in a safe, orderly and regular manner

- Establish specific coordination mechanisms between the national Government and the provincial/municipal-level government to ensure the full implementation of Law No. 18 of 2017 (all Global Compact for Migration objectives).
- Develop measures to ensure that migrant detention is used only as a last resort (Global Compact for Migration Objective 13).
- Develop partnerships and agreements with other countries in the region to track and identify missing migrants within its territory.



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