

## **Vulnerability and Legal Protection of Indonesian Women Migrant Workers**

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### **ABSTRACT**

International labor migration has become an important livelihood strategy for many Indonesians in response to limited domestic employment opportunities and persistent economic pressures. Nevertheless, Indonesian women migrant workers remain highly vulnerable to human rights violations, unsafe working conditions, and social insecurity, particularly in the domestic, construction, and manufacturing sectors. This study sheds light on framework of legal protection for Indonesian women migrant workers by mostly drawing lessons from Southeast Asian experiences, with specific attention to socio-demographic characteristics, economic drivers, and placement channels that shape migration patterns. The research reviews regulations, policies, and secondary data from relevant institutional reports and academic literature. The findings indicate that low educational attainment, limited employment opportunities in regions of origin, and reliance on informal placement networks significantly increase workers' exposure to exploitation and rights abuses. Government protection programs implemented at the pre-departure, placement, and post-return stages demonstrate

substantial potential to reduce these risks when executed in a consistent and coordinated manner. Pre-departure training enhances legal awareness and work readiness, consular and protection services contribute to case handling in destination countries, and reintegration programs support social and economic recovery upon return. However, the overall effectiveness of these measures remains constrained by weak supervision of recruitment agencies, uneven training quality, and limited protection access for domestic workers. The study concludes that strengthening formal placement channels, improving migration literacy, and enforcing stricter oversight are essential to achieving safe, dignified, and sustainable labor migration for Indonesian women migrant workers.

[Migrasi tenaga kerja internasional telah menjadi strategi penghidupan yang signifikan bagi masyarakat Indonesia sebagai respons terhadap terbatasnya kesempatan kerja dalam negeri dan himpitan ekonomi yang tak berujung. Namun demikian, pekerja migran perempuan Indonesia harus menerima konsekuensi 'kerentanan' berupa pelanggaran hak asasi manusia, kondisi kerja yang tidak aman, dan ketidakamanan sosial, khususnya di sektor domestik, konstruksi, dan manufaktur. Penelitian ini menyoroti kerangka perlindungan hukum bagi pekerja migran perempuan Indonesia dengan terutama melihat pengalaman negara-negara Asia Tenggara, dengan perhatian proporsional pada karakteristik sosiodemografis, faktor ekonomi, dan cara penempatan yang membentuk pola migrasi. Penelitian ini menelaah regulasi, kebijakan, serta data sekunder yang bersumber dari laporan institusi terkait dan literatur akademik. Temuan penelitian menunjukkan bahwa rendahnya tingkat pendidikan, terbatasnya kesempatan kerja di daerah asal, serta ketergantungan pada jaringan penempatan informal 'merentankan' para pekerja terhadap eksploitasi dan pelanggaran hak. Program perlindungan pemerintah yang dilaksanakan pada tahap pra-keberangkatan, masa penempatan, dan pascakepulangan menunjukkan potensi yang besar dalam mengurangi risiko tersebut apabila dijalankan secara konsisten dan terkoordinasi. Pelatihan pra-keberangkatan meningkatkan kesadaran hukum dan kesiapan kerja, layanan konsuler dan perlindungan berkontribusi terhadap penanganan kasus di negara tujuan, sementara program reintegrasi mendukung pemulihan sosial dan ekonomi setelah kepulangan. Namun demikian, efektivitas keseluruhan dari langkah-langkah tersebut masih dibatasi oleh lemahnya pengawasan terhadap agen perekrutan, ketimpangan kualitas pelatihan, serta terbatasnya akses perlindungan bagi pekerja domestik. Penelitian ini menyimpulkan bahwa penguatan saluran penempatan formal, peningkatan literasi migrasi, dan penegakan pengawasan yang lebih ketat merupakan kunci untuk mewujudkan migrasi tenaga kerja yang aman, bermartabat, dan berkelanjutan bagi pekerja migran perempuan Indonesia.]

#### KEYWORDS

Indonesian women migrant workers, legal protection, migrant worker rights, vulnerability, gender and migration

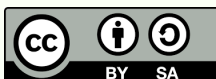
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## Introduction

International labor migration from Indonesia has evolved into a significant socio-economic phenomenon that systematically shapes household livelihoods, local labor market dynamics, and subnational development trajectories.<sup>1</sup> For numerous households in sending provinces, international employment has become a rational strategy to augment household income, satisfy basic consumption needs, finance children's education, and mitigate unstable local economic conditions.<sup>2</sup> Decisions to migrate do not solely reflect wage differentials between origin and destination countries; they are also shaped by internal determinants such as household economic conditions,<sup>3</sup> educational attainment, and access to social networks, as well as external determinants including labor demand in destination markets and the availability of formal placement channels.<sup>4</sup> Consequently, labor migration has emerged as a multisectoral policy issue that demands integrated responses across governance, legal protection, and social welfare systems.<sup>5</sup>

Statistical evidence illustrates the magnitude of this phenomenon. In 2025, Indonesia recorded the placement of 274,965 Indonesian Migrant Workers (PMI), representing an approximate 37% increase compared to 2024.<sup>6</sup> Female workers accounted for approximately 61% of this total, while male workers comprised 39%. Analysis of marital status showed that the largest share of PMI was unmarried (48%), followed by divorced workers (29%), and married workers (13%). Importantly, the regulatory environment guiding international labor migration has been shaped by Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers and its implementing regulations, which, since their revision through Government Regulation No. 36 of 2021 and subsequent amendments in 2024, emphasize strengthened protection throughout the migration cycle, enhanced supervision of recruitment agencies, and expanded access to reintegration services. These regulatory developments underscore the need for coordinated policy implementation to reduce vulnerability and support sustainable migration outcomes.<sup>7</sup>

Official reports published by the Indonesian Migrant Workers Protection Agency (BP2MI) demonstrate that Indonesian Migrant Workers (PMI) continue to

<sup>1</sup> Ramesh Sunam, Keith Barney, and John F. McCarthy, "Transnational Labour Migration and Livelihoods in Rural Asia: Tracing Patterns of Agrarian and Forest Change," *Geoforum* 118 (January 2021): 1–13.

<sup>2</sup> Zhichao Yin, Jiayi Liu, and Feng He, "Economic Risk of Chinese Households: Measurement, Trends, and Implications," *Journal of Economic Surveys*, April 24, 2025.

<sup>3</sup> Aleksy Kwilinski et al., "International Migration Drivers: Economic, Environmental, Social, and Political Effects," *Sustainability* 14, no. 11 (May 24, 2022): 6413.

<sup>4</sup> Thanh Pham, Behnam Soltani, and Jasvir Kaur Nachatar Singh, "Employability Capitals as Essential Resources for Employment Obtainment and Career Sustainability of International Graduates," *Journal of Further and Higher Education* 48, no. 4 (April 20, 2024): 436–48.

<sup>5</sup> Samia Kazi-Aoul et al., "Extending Coverage to Migrant Workers to Advance Universal Social Protection," *International Social Security Review* 76, no. 4 (October 27, 2023): 111–36.

<sup>6</sup> Wayne Palmer, "Labour Market Institutions for Immigrants: The Case of High-wage Migrant Workers in Indonesia," *Asia & the Pacific Policy Studies* 11, no. 3 (September 16, 2024).

<sup>7</sup> Giuseppe T. Cirella, "Human Geographies in Action: Insights into Migration, Development, Culture, and Sustainability," *Sustainability* 16, no. 22 (November 15, 2024): 9955.

face serious risks of human trafficking and labor exploitation, in which recruiters and intermediaries commodify workers for private economic benefit.<sup>8</sup> This condition reveals a persistent structural vulnerability within the migrant labor system, notwithstanding the strategic economic role of migrant workers in sustaining household livelihoods and supporting national labor mobility.<sup>9</sup> BP2MI records for 2024 indicate that migrant worker placements remained substantial, with a marked gender imbalance that placed women in a disproportionately vulnerable position, particularly in informal employment sectors. As of March 2024, BP2MI documented a total of 28,650 Indonesian migrant workers abroad, comprising 13,338 workers in the formal sector and 15,312 in the informal sector. Women accounted for 69.83 percent (20,007 workers), while men represented only 30.17 percent (8,643 workers).<sup>10</sup> A significant proportion of female migrant workers were employed as domestic workers, a sector that remains weakly regulated and inadequately protected under prevailing labor governance mechanisms. This concentration reflects a gendered pattern of labor segmentation that exposes women to heightened risks of rights violations in destination countries.<sup>11</sup>

Empirical complaint data further confirm this vulnerability. BP2MI records show that 84.35 percent of reported cases originated from workers deployed through non-procedural channels, indicating a strong correlation between informal placement mechanisms and rights violations.<sup>12</sup> In March 2024 alone, complaints submitted by female migrant workers rose sharply to 75 cases, representing an increase of 97.37 percent compared to the previous month.<sup>13</sup> Between January and March 2024, BP2MI registered a total of 115 complaints, with the majority occurring in Malaysia, Taiwan, Saudi Arabia, South Korea, and Cambodia, which together accounted for approximately 83.48 percent of all reported cases. Although non-procedural placement remained dominant, complaints from procedurally deployed workers also increased, suggesting systemic weaknesses in oversight and protection across placement modalities.<sup>14</sup>

<sup>8</sup> Tanti Kirana Utami, "Regulation of Legal Sanctions against Perpetrators of Non-Procedural Placement of Indonesian Migrant Workers: A Human Trafficking Perspective," *Cogent Social Sciences* 10, no. 1 (December 31, 2024).

<sup>9</sup> Wong Chee Hoo et al., "Mapping Labour Migration's Influence on Immigration, Refugee Policies, and Beyond," *Journal of Ecohumanism* 4, no. 1 (2025): 1644–61.

<sup>10</sup> Hagar ElDidi et al., "Reducing Vulnerability to Forced Labour and Trafficking of Women Migrant Workers from South- to West-Asia," *Development in Practice* 33, no. 2 (February 17, 2023): 156–67.

<sup>11</sup> Deniz Yucel and Heejung Chung, "Working from Home, Work-Family Conflict, and the Role of Gender and Gender Role Attitudes," *Community, Work & Family* 26, no. 2 (March 15, 2023): 190–221.

<sup>12</sup> Grace Nevía and Arsenius Wisnu Aji Patria Perkasa, "Strategies For Preventing Exploitation of Non-Procedural Indonesian Migrant Workers (PMI) Based On Routine Activity Theory," *Journal of Law, Politics and Humanities* 4, no. 4 (June 3, 2024): 625–34.

<sup>13</sup> Henny Nuraeny, "Legal Protection Against Acts of Violence: Evidence from Indonesian Migrant Workers," *Journal of Law and Sustainable Development* 11, no. 11 (November 30, 2023): e1844.

<sup>14</sup> Michaela Whitelaw et al., "A Qualitative Review of Office of Inspector General Complaints Submitted by Individuals Held in ICE Detention," *Journal of Immigrant and Minority Health* 27, no. 3 (June 25, 2025): 409–23.

Data from the Indonesian Migrant Workers Union (SBMI) reinforce these findings. Of the cases handled during the same period, approximately 97.37 percent involved female workers, while cases involving male workers were considerably fewer. Most violations occurred in sectors dominated by women, particularly domestic work and caregiving, which together constituted a significant share of reported cases.<sup>15</sup> These patterns indicate that Indonesian women migrant workers experience disproportionate exposure to contract violations, unilateral termination of employment, excessive placement fees, document confiscation, intimidation, sexual violence, and human trafficking. BP2MI also recorded 24 deaths of Indonesian nationals abroad between January and March 2024, underscoring the severity of protection failures.<sup>16</sup>

Despite the enactment of Law No. 18 of 2017 on the Protection of Indonesian Migrant Workers and subsequent regulatory strengthening through implementing regulations and institutional reforms up to 2024, these empirical conditions demonstrate persistent gaps in enforcement, supervision of recruitment actors, and access to effective remedies.<sup>17</sup> The evidence therefore confirms the urgent need for stricter regulatory enforcement, gender-responsive protection policies, and coordinated cross-sectoral governance to ensure safe, dignified, and rights-based labor migration for Indonesian women migrant workers.<sup>18</sup> Law Number 18 of 2017 on the Protection of Indonesian Migrant Workers (UU PPMI) has been widely perceived as a normative response to the structural vulnerabilities experienced by Indonesian Migrant Workers (PMI) during overseas employment. Its enactment represented a significant policy initiative aimed at strengthening the recognition, fulfillment, and legal protection of migrant workers' rights throughout the migration cycle.<sup>19</sup> In principle, this legal framework seeks to ensure that PMI can effectively exercise their rights and obtain comprehensive protection. Nevertheless, the challenges faced by migrant workers are long-standing in nature. Despite the adoption of multiple regulatory instruments, cases of exploitation, abuse, and rights violations continue to occur, indicating that the existing legal regime has not yet functioned optimally.<sup>20</sup>

<sup>15</sup> Dafi Febriali Sahl, Nurisha Kitana, and Clairen Gracella, "Shifting Regulatory Paradigms: The Impact of Indonesia's Job Creation Law on Migrant Worker Protection and the Role of State, Employers, and Labor Organizations (2020-2023)," *Journal of Governance and Administrative Reform* 6, no. 1 (2025): 135–59.

<sup>16</sup> Ahmad Bunyan Wahib, Muhammad Jihadul Hayat, and Nurulbahiah Awang, "Unregistered Marriages in Sabah: Indonesian Migrant Workers at the Crossroads of Faith, Law, and Livelihood," *Journal of Human Rights, Culture and Legal System* 5, no. 2 (September 8, 2025): 608–29.

<sup>17</sup> Astrid Athina Indradewi and Yuni Priskila Ginting, "Legal Protection for Indonesian Migrant Workers in International Human Trafficking Syndicates," *UNES Law Review* 6, no. 4 (2024).

<sup>18</sup> Ruji Auethavornpipat and Wayne Palmer, "Indonesia's Promotion of UN Migrant Protection Norms in ASEAN," *Pacific Affairs* 95, no. 1 (March 1, 2022): 75–97.

<sup>19</sup> Moulinda Ramdhani and Tirtawening Tirtawening, "Legal Politics of Indonesian Migrant Workers (Case Study of the Protection of Female Workers)," *The International Journal of Politics and Sociology Research* 10, no. 4 (2023): 153–59.

<sup>20</sup> Oci Senjaya, Imam Budi Santoso, and M. Reza Pahlevi, "Protection of Women Migrant Workers from Exploitation and Trafficking," 2023, 820–27.

In response to these challenges, Indonesia enacted Law No. 18 of 2017 on the Protection of Indonesian Migrant Workers, representing a significant shift toward a rights-based approach to labor migration governance.<sup>21</sup> The law emphasizes state responsibility in protecting migrant workers across all stages of migration, including pre-departure preparation, placement, and post-return reintegration. Its implementing regulations, particularly Government Regulation No. 36 of 2021 and subsequent amendments up to 2024, aim to strengthen supervision of recruitment agencies, enhance inter-agency coordination, and expand access to protection and reintegration services.<sup>22</sup> Normatively, this legal framework aspires to ensure that migrant workers, especially women, can effectively exercise their rights and obtain legal protection both domestically and abroad.<sup>23</sup> However, empirical evidence demonstrates that regulatory effectiveness remains uneven. Persistent gaps in enforcement, limited institutional capacity, and fragmented coordination among relevant agencies continue to constrain the realization of legal protections. These shortcomings are especially pronounced in relation to women employed in informal sectors, where labor relations are highly individualized and difficult to monitor. As a result, legal protection often operates reactively rather than preventively, addressing violations after they occur rather than mitigating structural risks in advance.<sup>24</sup>

These limitations underscore the importance of situating Indonesia's migrant worker protection framework within a broader Southeast Asian context. Countries in the region share similar migration patterns, labor demands, and regulatory challenges, yet they exhibit varying degrees of institutional capacity and policy effectiveness.<sup>25</sup> The Philippines, for example, has developed a more institutionalized overseas employment governance system, characterized by standardized employment contracts, mandatory pre-departure orientation programs, and proactive labor attaché services in destination countries. This model demonstrates how strong state involvement and institutional coherence can enhance migrant worker protection outcomes.<sup>26</sup> Conversely, Malaysia, as both a sending and receiving country, illustrates the regulatory complexities of governing

<sup>21</sup> Yeti Kurniati and Abdillah Abdillah, "Comparative Labor Law Studies in Indonesia and Malaysia: Social-Economic Inequality and Governance of Migrant Workers," *Laws* 14, no. 6 (October 24, 2025): 79.

<sup>22</sup> Devi Rahayu, Dina Imam Supaat, and Mirna Yusuf, "The Neglect of Protection for Undocumented Migrant Workers within the Framework of Human Rights Law," *Legality: Jurnal Ilmiah Hukum* 32, no. 2 (September 15, 2024): 374–93.

<sup>23</sup> Maemunah Maemunah et al., "Legal Protection System for Children Left Behind by Indonesian Migrant Workers: A Multilevel SCII Strategy Approach," *Jurnal IUS Kajian Hukum Dan Keadilan* 13, no. 3 (December 28, 2025): 580–601.

<sup>24</sup> Joko Sriwidodo, Rahmat Saputra, and Akmal Alfarisi Widodo, "Reforming Indonesia's Approach to Transfer of Sentenced Persons," *Invest Journal of Sharia & Economic Law* 5, no. 2 (November 2, 2025): 243–70.

<sup>25</sup> Lucy Harry and Jocelyn Hutton, "A Permanent Maid Moratorium: The Death Penalty in The Middle East and Female Migrant Workers From Indonesia," *The Howard Journal of Crime and Justice* 64, no. 4 (December 11, 2025): 464–75.

<sup>26</sup> Arthur Josias Simon Runturambi and Ridwan Arifin, "New Patterns and Trends of Migration: Hybrid-Crimes among Indonesian Migrant Workers in Southeast Asia," *Regional Science Policy & Practice* 17, no. 10 (October 2025): 100215.

domestic work within legal systems that often exclude household labor from formal labor law protections.<sup>27</sup> Comparative experiences across Southeast Asia suggest that effective protection of women migrant workers requires more than formal legal enactment. Strong institutional coordination, gender-responsive legal frameworks, bilateral and regional cooperation mechanisms, and accessible complaint and remedy systems are critical to addressing cross-border labor vulnerabilities. Regional learning therefore becomes essential in identifying best practices and policy innovations that can be adapted to Indonesia's specific socio-legal context.<sup>28</sup>

Previous scholarly studies consistently demonstrate that the protection of Indonesian women migrant workers remains constrained by enduring regulatory gaps, structural vulnerabilities, and weak policy implementation. Research published in *Regional Science and Policy & Practice* analyzes the emergence of hybrid criminal practices, particularly human trafficking involving Indonesian migrant workers in Southeast Asia, and argues that fragmented border governance and sectoral policies intensify exploitation risks, thereby necessitating integrated human security-oriented regulatory approaches.<sup>29</sup> Complementarily, an analytical framework capable of capturing the multidimensional insecurity experienced by migrant workers after return, revealing that vulnerability persists beyond formal employment relationships and is embedded within broader socio-economic and institutional contexts.<sup>30</sup> Another scholar demonstrates that Indonesian women migrant workers employed in Malaysia's informal sector face heightened exposure to abuse due to inadequate legal aid mechanisms and limited access to justice. The lens of gender equality and legal justice, concluding that although the normative framework reflects gender-responsive principles, inconsistencies in enforcement undermine its protective function.<sup>31</sup> Moreover, state policy responses to violence and trafficking against women migrant workers and emphasize the urgency of harmonizing migrant protection laws while strengthening remedial mechanisms.<sup>32</sup> These findings indicate that despite the existence of national and regional legal instruments, deficiencies in enforcement, reliance on informal recruitment systems, and limited cross-border coordination continue to weaken the protection of Indonesian women migrant workers in Southeast Asia, thereby reinforcing the

<sup>27</sup> Myrtati Dyah Artaria et al., "Risk and Protective Factors of Indonesian Women Migrant Workers in Malaysia," *Jurnal Ilmiah Peuradeun* 13, no. 3 (September 30, 2025): 1859–80.

<sup>28</sup> Ike Herdiana Et Al., "Driving Forces Of International Labor Migration: A Study On Indonesian Prospective Migrant Workers," *Jurnal Biometrika Dan Kependudukan* 14, No. 1 (July 29, 2025): 99–113.

<sup>29</sup> Arthur Josias Simon Runturambi and Ridwan Arifin, "New Patterns and Trends of Migration: Hybrid-Crimes among Indonesian Migrant Workers in Southeast Asia," *Regional Science Policy & Practice* 17, no. 10 (2025): 100215.

<sup>30</sup> Ali Maksum, "Indonesian Post-Migrant Workers: A Challenging Problem for Human Security," *Social Sciences & Humanities Open* 4, no. 1 (2021): 100223.

<sup>31</sup> Endeh Suhartini et al., "Indonesian Migrant Workers After Job Creation Law: A Challenging Problem for Protection Welfare," *BESTUUR* 11, no. 2 (December 2023): 271.

<sup>32</sup> Aktieva Tri Tjitrawati and Mochamad Kevin Romadhona, "Living beyond Borders: The International Legal Framework to Protecting Rights to Health of Indonesian Illegal Migrant Workers in Malaysia," *International Journal of Migration, Health and Social Care* 20, no. 2 (May 17, 2024): 227–45.

need for comprehensive, gender-sensitive, and regionally integrated governance reforms.<sup>33</sup>

The protection of Indonesian women migrant workers cannot be understood solely as a domestic legal issue. It constitutes a regional governance challenge shaped by transnational labor markets, regulatory asymmetries, and unequal power relations between states, employers, intermediaries, and workers.<sup>34</sup> Persistent violations indicate that legal protection remains fragmented and insufficiently responsive to gender-specific risks. These conditions not only undermine the effectiveness of Indonesia's regulatory framework but also generate forms of resistance among migrant workers, who respond to systemic injustice through individual and collective actions aimed at safeguarding their dignity and rights.<sup>35</sup>

### **Legal Framework for Protection Women Migran Workers**

Socio-demographic factors play a decisive role in shaping the placement patterns of migrant workers, both in terms of destination countries and employment sectors.<sup>36</sup> Characteristics such as educational attainment, gender, age, household economic conditions, local socio-cultural norms, and entrenched migration networks within sending communities collectively determine where prospective migrant workers are deployed and the types of work they ultimately perform.<sup>37</sup> These factors operate not merely as background variables, but as structural determinants that systematically channel migrant workers into specific labor markets and occupational segments. Educational attainment constitutes the most influential factor in determining sectoral placement.<sup>38</sup> Empirical evidence demonstrates that the majority of prospective migrant workers originate from relatively low educational backgrounds, with many having completed only junior secondary education, senior secondary education, or, in some cases, primary school. Limited formal education restricts access to employment sectors that require technical skills, professional certification, or formal qualifications.<sup>39</sup> Consequently, women migrant workers are disproportionately concentrated in domestic and caregiving occupations, while men are predominantly absorbed into labor-intensive sectors such as construction and manufacturing. Destination countries such as Hong Kong, Taiwan, and Singapore have emerged as primary

<sup>33</sup> Elfia Farida, "Empowering Indonesian Migrant Workers," *Journal of Southeast Asian Human Rights* 9, no. 1 (June 30, 2025): 122–46.

<sup>34</sup> Yusy Widarahesty, *Dreaming of a Better Life* (Singapore: Springer Nature Singapore, 2025).

<sup>35</sup> Bernadetta Aloina Ginting-Szczesny, Ewald Kibler, and Ulla Hytti, "Pivoting the Self: Gendered Identity Construction of Impoverished Women Transitioning from Paid Work to Entrepreneurship in Rural Indonesia," *International Small Business Journal: Researching Entrepreneurship*, December 26, 2025.

<sup>36</sup> Anja Rudnick, *Working Gendered Boundaries* (London: Routledge, 2025).

<sup>37</sup> Yordan Gunawan, M. Fabian Akbar, and Eva Ferrer Corral, "Kafala v. Human Rights Migrant Workers at the 2022 Qatar World Cup," *Journal of Indonesian Legal Studies* 9, no. 2 (November 30, 2024): 571–98.

<sup>38</sup> Rahayu, Supaat, and Yusuf, "The Neglect of Protection for Undocumented Migrant Workers within the Framework of Human Rights Law."

<sup>39</sup> Harry and Hutton, "A Permanent Maid Moratorium: The Death Penalty in The Middle East and Female Migrant Workers From Indonesia."



destinations for women migrant workers due to sustained demand in the domestic sector and comparatively structured placement mechanisms. In contrast, male migrant workers are more frequently deployed to Malaysia and Middle Eastern countries to meet labor shortages in construction and basic industrial sectors. This pattern demonstrates that low educational attainment reproduces repetitive placement trajectories and reinforces migrant workers' concentration in low-wage labor markets.<sup>40</sup>

Gender further consolidates these placement patterns by reinforcing occupational segmentation and social expectations. Long-standing practices of female migration into domestic work have created entrenched migration traditions in many sending villages, particularly those that regularly send women to East and Southeast Asian destinations.<sup>41</sup> These traditions generate social contagion effects, whereby women's migration is perceived as a normalized and even desirable household economic strategy.<sup>42</sup> Conversely, male migration is socially directed toward physically demanding sectors such as construction, agriculture, fisheries, and industrial labor.<sup>43</sup> Gender therefore functions not only as a determinant of labor market access but also as a mechanism through which social norms prescribe appropriate forms of migrant work, resulting in highly differentiated placement outcomes along gender lines.<sup>44</sup> Age also significantly influences migrant worker placement. Most migrant workers depart within the age range of 19 to 35 years, which placement agencies and employers identify as the most productive working age. Younger workers are often preferred in domestic and caregiving roles due to perceived physical stamina and adaptability to intensive work schedules.<sup>45</sup> Similarly, construction and manufacturing sectors in Malaysia and Middle Eastern countries prioritize younger workers to meet high physical labor demands. As a result, younger age expands placement opportunities but simultaneously increases exposure to physically demanding and high-risk working environments.<sup>46</sup>

Household economic conditions further shape destination choices and placement pathways. Workers from financially constrained households tend to

<sup>40</sup> Aishah Mohd Nor, Nur Ezan Rahmat, and Dhiyauddin Athir Nadzari, "International and Islamic Perspectives on the Right and Access to Education for Refugees: Malaysia's Response," *International Journal of Migration, Health and Social Care* 21, no. 1 (February 5, 2025): 111–31.

<sup>41</sup> Muhammad Salahudin Al Ayyubi et al., "Migrant Workers and Labor Market Recovery during the COVID-19 Pandemic in Indonesia," *Social Sciences & Humanities Open* 12 (2025): 101715.

<sup>42</sup> Sulyana Dadan et al., "Revitalizing the Role of Primordial Communities Overseas to Strengthen the Cultural Resilience of Indonesian Migrant Workers in Hong Kong," *Multidisciplinary Science Journal* 8, no. 3 (August 21, 2025): 2026141.

<sup>43</sup> Mamasiddikov Muzaffarkhon Musakhonovich et al., "The Protection of Labor Rights on the Court System," *Journal of Human Rights, Culture and Legal System* 4, no. 3 (2024): 742–64.

<sup>44</sup> Michelle Russen, Mary Dawson, and Juan M. Madera, "Think Leader, Think Man? The Role of Implicit Bias, Status-Legitimizing Beliefs, and Gender in Hospitality Leadership Discrimination," *Journal of Hospitality and Tourism Management* 62, no. August 2024 (2025): 321–28.

<sup>45</sup> Michele Ford, "Organizing the Unorganizable: Unions, NGOs, and Indonesian Migrant Labour," *International Migration* 42, no. 5 (December 7, 2004): 99–119.

<sup>46</sup> W.A. High and M.P. Hoang, "Lipematous Alopecia: Could It Sometimes Be an Unusual Sequela of Discoid Lupus Erythematosus?," *Journal of Cutaneous Pathology* 32, no. 1 (January 28, 2005): 92–92.

select destination countries that offer low placement costs or zero-cost schemes.<sup>47</sup> Malaysia thus remains a dominant destination due to its relatively simple procedures, short processing times, and minimal upfront expenses. In contrast, households with slightly greater economic capacity can consider destinations such as Japan, South Korea, or Taiwan, which require higher initial investment but provide substantially higher wages.<sup>48</sup> These differences generate class-based segmentation within migrant labor placement, whereby economic capacity determines both destination access and employment quality. Socio-cultural factors and long-established migration networks reinforce these placement patterns.<sup>49</sup> In many sending regions, particularly in Central Java, intergenerational migration ties connect villages to specific destination countries. Prospective migrant workers often follow familiar migration routes based on family or community experience. However, these informal networks frequently function as entry points for exploitation. Unlicensed brokers exploit social trust by presenting themselves as experienced intermediaries, despite lacking legal authorization. Excessive reliance on kinship-based recommendations discourages verification of legal procedures, resulting in departures without adequate training, valid contracts, or accurate information about working conditions. These practices significantly increase exposure to unsafe employment situations.<sup>50</sup>

Under contemporary migration dynamics, the same socio-demographic factors that shape placement patterns also determine levels of vulnerability. Migrant worker vulnerability manifests through rights violations, recruitment fraud, and hazardous working conditions.<sup>51</sup> Importantly, vulnerability does not arise solely from destination-country conditions, but is constructed prior to departure through low educational attainment, limited legal literacy, young age, household economic pressure, and dependence on informal migration networks. These factors systematically weaken workers' bargaining positions and heighten exposure to exploitation.<sup>52</sup> Low educational attainment directly limits workers' ability to understand employment contracts, labor rights, reporting procedures, and legal mechanisms in destination countries. Many migrant workers rely

<sup>47</sup> Sandrine Cazes, Sameer Khatiwada, and Miguel Angel Malo, "Employment Protection and Industrial Relations: Recent Trends and Labour Market Impact," *World of Work Report* 2012, no. 1 (May 27, 2012): 35–58.

<sup>48</sup> Muntasir Murshed, "Widow, Deserted, and Destitute Women Allowances and Rural Female Labor Force Participation in Bangladesh: Linking Social Protection to the Sustainable Development Goals," *Journal of Public Affairs* 22, no. 4 (November 23, 2022).

<sup>49</sup> Karin Seyfert and Héctor Alonso, "Social Protection for Refugees and Migrants: Examining Access to Benefits and Labour Market Interventions," *International Social Security Review* 76, no. 4 (October 27, 2023): 23–43.

<sup>50</sup> Kingsley Ikechukwu Okere et al., "Pollution, Governance, and Women's Work: Examining African Female Labour Force Participation in the Face of Environmental Pollution and Governance Quality Puzzles," *Women's Studies International Forum* 102 (January 2024): 102851.

<sup>51</sup> Catherine Pereira-Kotze, Tanya Doherty, and Mieke Faber, "Maternity Protection for Female Non-Standard Workers in South Africa: The Case of Domestic Workers," *BMC Pregnancy and Childbirth* 22, no. 1 (August 22, 2022): 657.

<sup>52</sup> Mireille Evagora-Campbell et al., "Promoting Labour Migrant Health Equity through Action on the Structural Determinants: A Systematic Review," *Journal of Migration and Health* 5 (2022): 100082.

exclusively on information provided by agents or brokers, creating asymmetric knowledge relations.<sup>53</sup> This imbalance facilitates placement fraud, including contract substitution, excessive wage deductions, and unauthorized job transfers. In domestic work, limited awareness of rights related to rest periods, leave, and minimum wages further intensifies the risk of exploitation faced by women migrant workers.<sup>54</sup>

Gender amplifies vulnerability, particularly for women employed in domestic settings. Domestic work occurs within private households, where state monitoring remains minimal.<sup>55</sup> Numerous women migrant workers experience physical and verbal abuse, sexual harassment, and excessive working hours without adequate rest. Living within employers' residences increases dependency and severely restricts access to external assistance or reporting mechanisms.<sup>56</sup> Male workers in construction, plantation, and industrial sectors face different but equally serious risks, including workplace accidents, unsafe environments, and prolonged working hours without sufficient occupational protection.<sup>57</sup> Youth further exacerbates vulnerability, as younger workers often lack prior work experience and are more susceptible to deception by illegal recruiters. Economic pressure encourages acceptance of rapid deployment offers, even through irregular channels. Promises of immediate departure without fees frequently result in document fraud, identity falsification, or irregular placement, leaving workers without legal protection in destination countries.<sup>58</sup>

Limited legal literacy compounds these vulnerabilities. Many domestic workers refrain from reporting abuse due to fear of job loss or deportation.<sup>59</sup> Similarly, male workers frequently lack knowledge of occupational safety rights, medical access, and working hour limitations. This lack of awareness weakens bargaining power and entrenches exploitative labor relations. In the context of accelerated globalization, Indonesian migrant workers face complex challenges shaped by structural poverty, rural unemployment, and significant wage disparities between domestic and international labor markets.<sup>60</sup> These economic

<sup>53</sup> Juhyun Lee, "A Comparative Study of Eight European Countries: How Life Course Events Affect Female Migrant Labour Market Integration under the Perspective of Welfare and Production Regimes," *Journal of International and Comparative Social Policy* 38, no. 3 (November 5, 2022): 254–74.

<sup>54</sup> Rosita Tandos, Runping Zhu, and Richard Krever, "The Protection and Empowerment of Indonesian Female Migrant Domestic Workers: Proposals from a Multi-Stage Analysis," *Asian Journal of Women's Studies* 28, no. 2 (April 3, 2022): 205–27.

<sup>55</sup> Anas Ansar, "Bangladeshi Women Migrants amidst the COVID-19 Pandemic: Revisiting Globalization, Dependency and Gendered Precarity in South-South Labour Migration," *Global Networks* 23, no. 1 (January 9, 2023): 31–44.

<sup>56</sup> Padam P Simkhada et al., "Workplace Harassment Faced by Female Nepalese Migrants Working Aboard," *Global Health Journal* 8, no. 3 (September 2024): 128–32.

<sup>57</sup> Victoria Vought et al., "Patterns and Prevention of Occupational Eye Injuries: A Narrative Review," *Clinical Ophthalmology* Volume 19 (November 2025): 4257–68.

<sup>58</sup> Zhikun Ding, Xinrui Wang, and Patrick X.W. Zou, "Barriers and Countermeasures of Construction and Demolition Waste Recycling Enterprises under Circular Economy," *Journal of Cleaner Production* 420 (September 2023): 138235.

<sup>59</sup> Hoo et al., "Mapping Labour Migration's Influence on Immigration, Refugee Policies, and Beyond."

<sup>60</sup> Karin Sjöberg Forssberg, Annika Vänje, and Karolina Parding, "Bringing in Gender Perspectives on Systematic Occupational Safety and Health Management," *Safety Science* 152 (August 2022): 105776.

pressures channel workers toward dominant destinations such as Saudi Arabia, Malaysia, and Hong Kong, and into sectors such as domestic work, construction, and manufacturing. While overseas employment offers income opportunities unavailable domestically, it often entails significant sacrifices to safety and well-being. Placement channels play a critical mediating role in either mitigating or intensifying these risks. Official channels managed by the Indonesian Migrant Worker Protection Agency and the integrated placement system provide pre-departure training, standardized contracts, and bilateral oversight mechanisms, thereby directing workers toward comparatively safer sectors. In contrast, informal channels operated by unlicensed brokers exacerbate vulnerability by placing workers into high-risk informal employment. This dynamic produces widespread human rights violations, including wage exploitation, physical and sexual abuse, excessive recruitment fees, and hazardous working conditions under restrictive sponsorship systems such as.<sup>61</sup>

The migration of women workers has become a defining feature of labor mobility within the Association of Southeast Asian Nations (ASEAN), driven by regional economic integration, demographic transitions, and persistent gendered inequalities in domestic labor markets.<sup>62</sup> Women migrant workers occupy a strategic yet precarious position within ASEAN's transnational labor system, particularly in domestic work, caregiving, hospitality, and other service sectors that remain weakly regulated. According to regional labor migration estimates, ASEAN hosts more than 10 million migrant workers, with women accounting for nearly half of this population and more than 70 percent in domestic and care-related employment. This concentration places women migrant workers at heightened risk of exploitation and necessitates a protection framework that explicitly addresses gender-specific vulnerabilities rather than relying on gender-neutral labor regulation.<sup>63</sup>

At the international level, the protection of women migrant workers is anchored in a series of human rights and labor law instruments that impose legal obligations on states. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families establishes comprehensive protections covering equality before the law, freedom from violence and exploitation, and access to justice throughout the migration cycle. These provisions are particularly significant for women migrant workers, whose vulnerability is shaped by intersecting factors of gender, migration status, and occupational

<sup>61</sup> Sheldon Zhang et al., "Does Anyone Care? —The Prevalence of Forced Labor Among Kenyan Migrant Workers and the Glaring Need for Better Labor Conditions in GCC Countries," *Journal of Human Trafficking* 10, no. 2 (April 2, 2024): 253–70.

<sup>62</sup> Qiaoyan Li Rosenberg, "The Control and Agency Dialectic of Guest Worker Programmes: Evidence from Chinese Construction Workers in Japan's Technical Intern Training Program (TITP)," *Journal of Ethnic and Migration Studies* 50, no. 16 (October 13, 2024): 4215–33.

<sup>63</sup> Sharon R. Silver et al., "Assessing the Role of Social Determinants of Health in Health Disparities: The Need for Data on Work," *American Journal of Industrial Medicine* 67, no. 2 (February 16, 2024): 129–42.

segregation.<sup>64</sup> In parallel, the International Labour Organization has adopted several conventions relevant to labor migration, including Convention No. 97 on Migration for Employment, Convention No. 143 on Migrant Workers, and Convention No. 189 on Decent Work for Domestic Workers. Convention No. 189 is especially critical in the ASEAN context, as domestic work remains the dominant sector for women migrants from Indonesia, the Philippines, Cambodia, and Myanmar.<sup>65</sup>

Despite the normative clarity of these international instruments, ratification and implementation across ASEAN remain uneven. As of 2025, fewer than sixty countries globally have ratified ILO Convention No. 189, and within ASEAN, ratification remains partial and fragmented. No ASEAN member state has ratified all core migrant worker protection instruments in a comprehensive manner. This uneven commitment weakens enforceability and enables destination countries to maintain regulatory exclusions that disproportionately affect women migrant workers. Empirical evidence consistently demonstrates that women migrants employed as domestic workers experience longer working hours, lower wage security, and higher exposure to physical, psychological, and sexual abuse compared to migrants in formal sectors such as manufacturing or construction.<sup>66</sup>

At the regional level, ASEAN has sought to address migrant worker protection through cooperative governance mechanisms rather than binding legal instruments. The *ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers* (2017) represents the most significant regional framework acknowledging migrant workers' rights, including gender equality and non-discrimination.<sup>67</sup> However, the Consensus operates as a soft-law instrument without enforcement mechanisms, monitoring procedures, or legal sanctions. As a result, implementation varies widely among member states. While sending countries have strengthened protection regimes, destination countries such as Malaysia and Singapore continue to exclude domestic workers from statutory labor protections, including minimum wage regulations, limits on working hours, and collective bargaining rights.<sup>68</sup>

Indonesia provides an illustrative case of both progress and persistent limitation in protecting women migrant workers within ASEAN. The enactment of Law No. 18 of 2017 on the Protection of Indonesian Migrant Workers marked a

<sup>64</sup> Giulia Garofalo Geymonat, Sabrina Marchetti, and Letizia Palumbo, "Migrant Women Workers in Europe: Forms of Irregularity and Conditions of Vulnerability," in *Research Handbook on Irregular Migration* (Edward Elgar Publishing, 2023), 215–26.

<sup>65</sup> Nicola Piper, "The International Labour Organisation as Nodal Player on the Pitch of Networked Governance: Shifting the Goalposts for Migrant Workers in Qatar," *Global Social Policy* 22, no. 2 (August 31, 2022): 323–40.

<sup>66</sup> Jill Jensen, "The ILO World Employment Program Research Agenda on Development and Migration," *Global Social Policy* 22, no. 2 (August 14, 2022): 263–80.

<sup>67</sup> Leila Kavar, "Assembling an International Social Protection for the Migrant: Juridical Categorization in ILO Migration Standards, 1919–1939," *Global Social Policy* 22, no. 2 (August 25, 2022): 244–62.

<sup>68</sup> Santosh Adhikari and Joanna Vince, "Leveraging Labor Migration and Migrant Remittances in Nepal," in *Environmental Migration in the Face of Emerging Risks* (Cham: Springer International Publishing, 2023), 77–98.

significant shift from a placement-oriented approach toward a rights-based framework that emphasizes state responsibility across the entire migration cycle.<sup>69</sup> The law mandates pre-departure training, standardized employment contracts, and enhanced consular protection abroad. Implementing regulations, including Government Regulation No. 36 of 2021, further strengthened oversight of recruitment agencies and expanded protective mechanisms. Placement data indicate that by 2025, women constituted approximately 61 percent of Indonesian migrant worker deployments, with the majority employed in domestic and caregiving roles in Malaysia, Taiwan, Singapore, and Hong Kong.<sup>70</sup>

However, protection outcomes for women migrant workers remain deeply uneven. Data from the Indonesian Migrant Worker Protection Agency show that domestic workers account for more than 70 percent of reported rights violations despite representing a smaller share of total placements. Reported cases include unpaid wages, excessive working hours, contract substitution, confinement, and gender-based violence.<sup>71</sup> Comparable patterns appear across ASEAN. In Malaysia, civil society monitoring reports reveal that the majority of documented abuse cases involving migrant workers concern women employed in private households. In Singapore, despite regulatory improvements, domestic workers remain excluded from the general Employment Act, limiting their access to remedies available to other workers.<sup>72</sup>

Government policies and programs aimed at migrant worker protection have expanded in recent years but continue to face structural constraints. Digital placement systems, standardized contracts, and pre-departure orientation programs have improved formal oversight, yet a substantial proportion of women migrants continue to rely on informal recruitment channels.<sup>73</sup> Regional data indicate that irregular recruitment remains a primary risk factor for trafficking and severe labor exploitation. Women recruited through informal brokers face significantly higher probabilities of debt bondage, document confiscation, and abuse. Bilateral labor agreements among ASEAN states have increased in number, but evaluations show that fewer than half contain enforceable, gender-sensitive labor standards, limiting their effectiveness as protection instruments.<sup>74</sup>

<sup>69</sup> Nur Putri Hidayah, "Comparative Study of Legal Protection for Migrant Workers in Participation of Social Security Programs in Indonesia and Singapore," *Legality: Jurnal Ilmiah Hukum* 28, no. 1 (2020): 47–59.

<sup>70</sup> Hasbuddin Khalid and Ade Savirah, "Legal Protection of Indonesian Migrant Workers," *Golden Ratio of Law and Social Policy Review* 1, no. 2 (May 25, 2022): 59–67.

<sup>71</sup> Rini Irianti Sundary and Umi Muslikhah, "State Responsibility in Protecting Indonesian Migrant Workers as Fulfillment of Human Rights," *Jurnal Ius Constituendum* 9, no. 3 (August 24, 2024): 428–45.

<sup>72</sup> Wita Purnamasari, Evita Isretno Israhendi, and Megawati Barthos, "Analysis of Laws for the Protection of Indonesian Migrant Workers Abroad," *Edunity Kajian Ilmu Sosial Dan Pendidikan* 2, no. 1 (January 15, 2023): 163–71.

<sup>73</sup> Niels van Doorn, Fabian Ferrari, and Mark Graham, "Migration and Migrant Labour in the Gig Economy: An Intervention," *Work, Employment and Society* 37, no. 4 (August 5, 2023): 1099–1111.

<sup>74</sup> Bridget Anderson, Upasana Khadka, and Martin Ruhs, "Demand for Migrant Workers: Institutional System Effects beyond National Borders," *Journal of Ethnic and Migration Studies* 50, no. 5 (March 15, 2024): 1202–25.

In this context, non-governmental organizations and migrant worker networks have emerged as critical actors in protecting women migrant workers. Across ASEAN, civil society organizations provide legal assistance, emergency shelter, psychosocial support, and rights education. Case documentation from migrant support organizations indicates that women constitute the majority of victims seeking assistance, particularly in cases involving domestic work and caregiving. These interventions play a vital role in mitigating harm, yet they also highlight structural deficiencies in state-led protection systems. In practice, NGOs often substitute for weak enforcement mechanisms rather than operating as complementary actors within a coherent legal framework.<sup>75</sup>

Significant challenges continue to undermine effective protection for women migrant workers in ASEAN. Enforcement capacity remains limited, particularly at subnational levels where informal recruitment networks operate with minimal oversight. Legal literacy among prospective women migrants remains low, reducing their ability to understand contracts, identify rights violations, or access remedies. Gender norms that naturalize women's care labor further normalize exploitative working conditions and obscure abuses within private households. Moreover, the absence of binding regional enforcement mechanisms allows destination countries to externalize protection responsibilities to sending states, reinforcing asymmetrical power relations within ASEAN's labor migration system.<sup>76</sup>

The protection of women migrant workers in ASEAN is characterized by a persistent gap between normative commitments and empirical realities. International conventions and national reforms have strengthened legal recognition of women migrant workers' rights, yet uneven ratification, weak enforcement, and gendered labor exclusions continue to undermine protection outcomes.<sup>77</sup> Government programs have improved formalization and oversight, but informal recruitment, low legal literacy, and exclusionary labor regimes in destination countries remain significant obstacles. Non-governmental actors play an indispensable role in filling immediate protection gaps, but their prominence also reflects systemic weaknesses.<sup>78</sup> Addressing these challenges requires the transformation of ASEAN's soft-law framework into enforceable regional standards, the integration of domestic work into labor law regimes, and the adoption of gender-responsive protection mechanisms grounded in empirical evidence. Without such reforms, women migrant workers will remain structurally

<sup>75</sup> Lutfun Nahar Lata, Jasmine Burdon, and Tim Reddel, "New Tech, Old Exploitation: Gig Economy, Algorithmic Control and Migrant Labour," *Sociology Compass* 17, no. 1 (January 20, 2023).

<sup>76</sup> Zainab Abu Alrob and John Shields, "A COVID-19 State of Exception and the Bordering of Canada's Immigration System: Assessing the Uneven Impacts on Refugees, Asylum Seekers and Migrant Workers," *Studies in Social Justice* 16, no. 1 (January 24, 2022): 54–77.

<sup>77</sup> VLADIMIR BOGOESKI, "Continuities of Exploitation: Seasonal Migrant Workers in German Agriculture during the COVID-19 Pandemic," *Journal of Law and Society* 49, no. 4 (December 28, 2022): 681–702.

<sup>78</sup> Kidjie Saguin and Richa Shivakoti, "Keeping up with the Migrant Workers: The Role of Embassies in Transnational Administration of Labor Migration Policy," *Administrative Theory & Praxis* 45, no. 2 (April 3, 2023): 63–80.

vulnerable within ASEAN's transnational labor markets, despite the existence of extensive legal frameworks intended to protect them.<sup>79</sup>

### **Impact of Protection on Indonesian Women Migrant Workers**

In recent years, the scale of return migration among Indonesian women migrant workers has highlighted structural weaknesses in protection and reintegration systems across ASEAN. Between January and July 2024 alone, at least 10,195 Indonesian migrant workers returned from more than twenty-five destination countries, the majority of whom were women previously employed in domestic and care sectors (IOM, 2024).<sup>80</sup> Over the past four years, cumulative returns have exceeded 800,000 individuals, demonstrating that post-migration challenges constitute a systemic regional issue rather than isolated national cases. While the International Organization for Migration facilitated the voluntary return of 157 migrants and supported the return of 142 Indonesian migrant workers between January and mid-October 2024, these figures represent only a marginal proportion of total returnees. Most women migrant workers return through government-managed channels or independent arrangements that lack structured reintegration assistance, exposing critical gaps in ASEAN migrant protection frameworks.<sup>81</sup>

From an economic standpoint, limited access to decent employment and insufficient start-up capital remain the most persistent challenges faced by returnee women migrant workers. Empirical findings from Jember Regency indicate that many former women migrant workers struggle to reintegrate into domestic labor markets due to a misalignment between skills acquired abroad and local employment demands. Research by Ningtyas reinforces this pattern, revealing that among 200 surveyed returnees, average access to reintegration support reached only 1.11 on a two-point scale, while merely eight percent received business capital assistance. Conversely, ninety-two percent reported no access to government-supported economic programs. These data illustrate a significant protection deficit at the reintegration stage, undermining the sustainability of women's labor migration outcomes within ASEAN.<sup>82</sup>

Comparable vulnerabilities are observed among Indonesian women migrant workers returning from Taiwan and other ASEAN-linked labor destinations. Low levels of financial literacy substantially weaken post-return economic resilience, particularly where migration-related debt, placement costs, and unregulated

<sup>79</sup> Alin Kadfak, Miriam Wilhelm, and Patrik Oskarsson, "Thai Labour NGOs during the 'Modern Slavery' Reforms: NGO Transitions in a Post-aid World," *Development and Change* 54, no. 3 (May 13, 2023): 570–600.

<sup>80</sup> Leah F. Vosko et al., "Understanding Migrant Farmworkers' Health and Well-Being during the Global COVID-19 Pandemic in Canada: Toward a Transnational Conceptualization of Employment Strain," *International Journal of Environmental Research and Public Health* 19, no. 14 (July 14, 2022): 8574.

<sup>81</sup> Johan Sandberg, Axel Fredholm, and Olle Frödin, "Immigrant Organizations and Labor Market Integration: The Case of Sweden," *Journal of International Migration and Integration* 24, no. 3 (September 23, 2023): 1357–80.

<sup>82</sup> Marshia Akbar, "Who Are Canada's Temporary Foreign Workers? Policy Evolution and a Pandemic Reality," *International Migration* 60, no. 4 (August 4, 2022): 48–60.



consumption persist. Evidence from Cilacap further challenges the assumption that overseas employment automatically enhances post-migration competitiveness.<sup>83</sup> Although former women migrant workers demonstrate relatively higher adaptability in adopting digital tools for micro-enterprise activities, their productivity does not exceed that of non-migrant entrepreneurs. This finding confirms that labor mobility without adequate protection and reintegration policies fails to generate sustainable economic empowerment for women migrant workers in the ASEAN region.<sup>84</sup>

Beyond economic insecurity, social and psychological dimensions present serious reintegration barriers. Women migrant workers who experienced exploitation or trafficking often avoid reintegration into family and community settings due to stigma, shame, and fear of social exclusion (IOM, 2024). Data from the Indonesian Migrant Workers Union indicate that many survivors conceal their experiences to avoid being labeled as unsuccessful, reinforcing social invisibility and psychological distress. Acculturation stress further complicates reintegration, as prolonged exposure to foreign cultural environments creates difficulties in readjusting to local norms, values, and social expectations. These conditions frequently generate feelings of alienation, identity conflict, and weakened community attachment.<sup>85</sup>

Family structures are also significantly affected. Long-term separation associated with women's overseas employment has been linked to increased marital strain and rising divorce rates. Children left behind often experience emotional and educational disruption, while spouses remaining at home assume disproportionate caregiving and domestic responsibilities. Upon return, women migrant workers confront transformed family dynamics that require gradual renegotiation of roles and authority, a process that frequently lacks institutional or psychosocial support.<sup>86</sup>

At the institutional level, reintegration failures reflect broader structural weaknesses in migrant protection governance across ASEAN. In Indonesia, post-return protection remains constrained by fragmented inter-agency coordination, limited private-sector engagement, and insufficient human resource capacity at the local level. Coordination among BP2MI, the Ministry of Manpower, the Ministry of Social Affairs, and regional governments remains inconsistent.<sup>87</sup> Moreover,

<sup>83</sup> Emine Aktas et al., "Migrant Workers Occupational Health Research: An OMEGA-NET Working Group Position Paper," *International Archives of Occupational and Environmental Health* 95, no. 4 (May 18, 2022): 765–77.

<sup>84</sup> Rahat Hussain et al., "Conversational AI-Based VR System to Improve Construction Safety Training of Migrant Workers," *Automation in Construction* 160 (April 2024): 105315.

<sup>85</sup> Paula Rodríguez-Modroño, Astrid Agenjo-Calderón, and Purificación López-Igual, "Platform Work in the Domestic and Home Care Sector: New Mechanisms of Invisibility and Exploitation of Women Migrant Workers," *Gender & Development* 30, no. 3 (September 2, 2022): 619–35.

<sup>86</sup> Pramod Regmi et al., "Excessive Mortalities among Migrant Workers: The Case of the 2022 FIFA World Cup," *Europasian Journal of Medical Sciences* 4 (2022): 31–32.

<sup>87</sup> Yu Liu and Xue Zhang, "Does Labor Mobility Follow the Inter-Regional Transfer of Labor-Intensive Manufacturing? The Spatial Choices of China's Migrant Workers," *Habitat International* 124 (June 2022): 102559.

persistent non-procedural migration, weak policy dissemination, and low levels of rights awareness among women migrant workers further undermine effective protection. A substantial implementation gap persists between national legal frameworks and subnational practice, as many local governments have yet to adopt derivative regulations mandated under Law No. 18 of 2017. This fragmentation illustrates that ASEAN-level commitments to migrant worker protection remain unevenly operationalized at the national and local levels, underscoring the need for a gender-responsive, regionally coordinated reintegration model that places women migrant workers at the center of protection policy.<sup>88</sup>

The protection of Indonesian migrant workers must be understood as a continuum of interlinked interventions encompassing pre-departure preparation, protection during employment, and post-return reintegration.<sup>89</sup> This continuum closely aligns with the normative commitments articulated in the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers and its subsequent ASEAN Consensus, which emphasize shared responsibility among sending and receiving states, gender-sensitive protection, and access to remedies. However, empirical evidence from Indonesia demonstrates that while regulatory architecture has expanded, implementation remains uneven across stages and sectors, particularly for women migrant workers in domestic and care work.<sup>90</sup>

At the pre-departure stage, Indonesia has institutionalized protection through Pre-Departure Orientation (PDO), skills certification, contract verification, and agency accreditation, as mandated under Law No. 18 of 2017.<sup>91</sup> These measures reflect ASEAN's preventive approach, which prioritizes informed consent, decent recruitment, and the elimination of exploitative intermediaries. Empirical evaluations indicate that standardized and well-delivered PDO programs significantly enhance prospective migrant workers' understanding of contractual rights, wage standards, and complaint mechanisms, thereby reducing early-stage vulnerabilities such as deception and misplacement. Nevertheless, ASEAN-level reviews and UNDP assessments reveal that the absence of regionally harmonized PDO curricula, coupled with weak accreditation and audit systems for recruitment agencies, substantially limits the preventive impact of these interventions. In practice, PDO often degenerates into a procedural requirement rather than a

<sup>88</sup> Rina Arum Prastyanti and Ridhima Sharma, "Establishing Consumer Trust Through Data Protection Law as a Competitive Advantage in Indonesia and India," *Journal of Human Rights, Culture and Legal System* 4, no. 2 (2024): 354–90.

<sup>89</sup> Abdul Kadir Jaelani and Resti Dian Luthviati, "The Crime Of Damage After the Constitutional Court ' s Decision Number 76 / PUU-XV / 2017," *Journal of Human Rights, Culture and Legal System* 1, no. 1 (2021): 31–41.

<sup>90</sup> Eka Rismawati, Abdul Kadir Jaelani, and Karakitapoglu Aygün, "The Regulation of Foreign Workers as Technology and Knowledge Transfer," *Journal of Sustainable Development and Regulatory Issues (JSDERI)* 1, no. 2 (2023).

<sup>91</sup> Satrio Nindyo Istiko, Jo Durham, and Lana Elliott, "(Not That) Essential: A Scoping Review of Migrant Workers' Access to Health Services and Social Protection during the COVID-19 Pandemic in Australia, Canada, and New Zealand," *International Journal of Environmental Research and Public Health* 19, no. 5 (March 3, 2022): 2981.

substantive empowerment mechanism, particularly when recruitment agencies continue to operate beyond effective regulatory oversight.<sup>92</sup>

In terms of placement mechanisms, Indonesia's increasing reliance on formal channels, including Government-to-Government (G-to-G) schemes, reflects a positive shift toward ASEAN's commitment to ethical recruitment and cost transparency. National data from 2023 show that formal placements constituted approximately 56 percent of total deployments, marking a significant increase from the previous year.<sup>93</sup> This trend corresponds with improved access to public information and strengthened state-led placement services. However, ASEAN monitoring reports consistently highlight that women migrant workers in domestic and care sectors remain disproportionately excluded from formal placement schemes. Their continued dependence on informal or semi-formal recruitment channels exposes them to excessive fees, contract substitution, and legal invisibility in destination countries, thereby perpetuating structural gendered vulnerability across ASEAN migration corridors.<sup>94</sup>

During the in-service protection phase, Indonesia's engagement with bilateral agreements, consular services, and cross-border complaint mechanisms reflects ASEAN's cooperative protection model.<sup>95</sup> Evidence from IOM and regional civil society organizations demonstrates that responsive consular intervention and collaboration with local NGOs in destination countries significantly reduce case resolution times and mitigate severe rights violations, including violence and wage retention. However, the effectiveness of these mechanisms remains contingent upon the institutional capacity of overseas missions, including staffing adequacy, language competence, and legal expertise. ASEAN studies further indicate that domestic workers, whose workplaces are embedded within private households, face systematic barriers to accessing protection, resulting in chronic underreporting of abuse. This condition exposes a structural contradiction within ASEAN labor mobility governance: formal recognition of migrant workers' rights coexists with limited enforceability in privatized employment settings.<sup>96</sup>

The post-return reintegration stage represents one of the most critical yet underdeveloped components of migrant worker protection in Indonesia and across ASEAN. Although Law No. 18 of 2017 mandates reintegration support through psychosocial services, skills development, and economic empowerment, empirical research by SMERU and regional policy evaluations reveal that program

<sup>92</sup> Yufan Yang et al., "Social Support and Quality of Life in Migrant Workers: Focusing on the Mediating Effect of Healthy Lifestyle," *Frontiers in Public Health* 11 (March 23, 2023).

<sup>93</sup> Fatma Ulfatun Najicha, Muhamad Mahrus Setia Wijaksana, and Nurita Wulandari, "The Optimization of Environmental Policy to Achieve Sustainable Development Goals," *Journal of Sustainable Development and Regulatory Issues (JSDERI)* 1, no. 2 (May 30, 2023): 98–107.

<sup>94</sup> Reza Octavia Kusumaningtyas and Ong Argo Victoria, "The Role of the Anti-Corruption Commission Supervisory Board in Institutionalizing Accountability," *Contrarius* 1, no. 1 (2025).

<sup>95</sup> Saturnino M. Borrás et al., "Rurally Rooted Cross-Border Migrant Workers from Myanmar, Covid-19, and Agrarian Movements," *Agriculture and Human Values* 39, no. 1 (March 3, 2022): 315–38.

<sup>96</sup> Armalia Berlinda Irawan, Rahayu Subekti, and Bobur Baxtishodovich Sobirov, "Legal Protection in Land Acquisition for Public Interest: A Dilemma Between State Regulation and Social Welfare," *Journal of Sustainable Development and Regulatory Issues (JSDERI)* 2, no. 2 (2024): 148–68.

effectiveness varies significantly. Comprehensive reintegration models that integrate vocational training, access to microfinance, and sustained market linkage have been shown to increase income stability and reduce high-risk re-migration. Conversely, fragmented, short-term assistance programs lacking market orientation demonstrate minimal and unsustainable impact. ASEAN policy reviews consistently identify weak inter-agency coordination, limited funding continuity, and insufficient alignment with local economic contexts as primary constraints undermining reintegration outcomes.<sup>97</sup>

Taken as a whole, Indonesia's experience illustrates that migrant worker protection within ASEAN cannot be achieved through isolated interventions. Each stage of the migration cycle is functionally interdependent, such that weaknesses in recruitment governance, consular protection, or reintegration can negate gains achieved elsewhere.<sup>98</sup> This finding resonates with UNDP and ASEAN Secretariat assessments emphasizing the need for integrated, outcome-oriented protection systems rather than compliance-driven regulatory expansion. For women migrant workers, particularly in domestic and care sectors, the absence of sector-specific protection standards and enforceable regional mechanisms continues to produce systemic vulnerability despite formal legal commitments.<sup>99</sup>

Accordingly, strengthening migrant worker protection in Indonesia and ASEAN requires a paradigm shift from fragmented regulation toward integrated governance. This entails the harmonization of PDO standards at the regional level, expansion of accountable G-to-G placement schemes, reinforcement of consular capacities with gender-sensitive outreach mechanisms, and the institutionalization of reintegration programs grounded in local labor market analysis.<sup>100</sup> Equally important is the adoption of outcome-based monitoring indicators, such as reductions in documented violations, improvements in post-return income, and decreased reliance on irregular migration channels. Within the ASEAN framework, such an integrated approach offers the most credible pathway toward translating normative commitments into tangible protection for migrant workers.<sup>101</sup>

<sup>97</sup> Lulu Huang, Conghui Jiao, and Qiannan Liu, "Taxation and Entrepreneurship of Migrant Workers: Evidence from China," *China Agricultural Economic Review* 17, no. 1 (January 14, 2025): 89–113.

<sup>98</sup> Maulana Ibrahim, Reja Dalimunthe, and Poppy Wulandari, "Indonesian Migrant Workers in the Framework of Legal Protection and Business Existence," *Priviet Social Sciences Journal* 5, no. 7 (July 12, 2025): 1–10.

<sup>99</sup> Peerayuth Charoensukmongkol and Tipnuch Phungsoonthorn, "The Effect of Cultural Intelligence of Top Management on Pro-Diversity Work Climate and Work Attitudes of Myanmar Migrant Workers in Thailand," *Equality, Diversity and Inclusion: An International Journal* 41, no. 5 (June 13, 2022): 760–77.

<sup>100</sup> Shannon Guillot-Wright, N. Miles Farr, and Ellie Cherryhomes, "A Community-Led Mobile Health Clinic to Improve Structural and Social Determinants of Health among (Im)Migrant Workers," *International Journal for Equity in Health* 21, no. 1 (December 2, 2022): 58.

<sup>101</sup> Ahmad Dwi Nuryanto, Reza Octavia Kusumaningtyas, and Bukhadyrov Habibullo, "The Imperative of Social Justice on the Insolvency and Workers' Wage," *Journal of Sustainable Development and Regulatory Issues (JSDERI)* 2, no. 3 (September 14, 2024): 209–32.

## Conclusion

This study concludes that the placement patterns and vulnerability levels of Indonesian women migrant workers are strongly shaped by socio-demographic characteristics, economic pressures, and the recruitment channels through which migration occurs. Women with lower educational attainment, limited migration literacy, and origins in economically disadvantaged areas are disproportionately concentrated in high-risk domestic and informal sectors within specific destination countries in Southeast Asia that offer rapid and low-cost placement procedures. Non-procedural recruitment channels and the involvement of unregulated intermediaries significantly exacerbate their exposure to fraud, wage deductions, labor exploitation, and violations of fundamental rights. The analysis further demonstrates that government-led protection measures across the migration cycle have generated measurable benefits, yet their impact remains uneven. Pre-departure interventions, particularly legal awareness, contract literacy, and basic financial education, have proven effective in reducing placement-related deception and improving work preparedness. Similarly, the presence of diplomatic missions and overseas complaint mechanisms has facilitated faster case resolution in destination countries. However, persistent information gaps, weak supervision of recruitment intermediaries, and limited reintegration support continue to leave many women migrant workers vulnerable, especially those employed in domestic work and placed through opaque channels. This study emphasizes that the protection of Indonesian women migrant workers requires a more integrated and preventive approach. Strengthening migration literacy at the village level, reforming recruitment systems to ensure transparency and accountability, enhancing access to responsive protection mechanisms abroad, and expanding comprehensive economic and psychosocial reintegration programs upon return are essential. Only through such coordinated measures can labor migration function as a safe, dignified, and sustainable pathway for social mobility rather than a recurring source of vulnerability for Indonesian women migrant workers.

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