

Moratorium Policy in the Placement of Pmi to the Middle East

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Abstract

The moratorium policy was able to reduce the number of PMI shipments that did not have the skills or unskill to the Middle East, especially Saudi Arabia, but the government formulated a new regulation on PMI protection, namely revising Law 39 of 2004. However, during the process of formulating new regulations there are contradictory to the practice of sending PMI illegally.

Study aims to analyze the evaluation of moratorium policy in the pmi utilization to East Tengah.

The method used is a descriptive qualitative method by interviewing people related to the policy.

Results of The Improvement of Kepmenaker Policy Number 260 of 2015 related to the PMI protection governance system in Indonesia covers a long time and migrant workers who work abroad still exist even non-procedurally.

The moratorium has not stopped Indoensia migrant workers from working abroad non-procedurally or illegally.

Originality contributes scientifically to public administration science related to public policy and development economics.

Keywords: Moratorium; Policy Implementation; Policy; PMI; East Tengah.

INTRODUCTION

The PMI moratorium policy was enacted as an effort to improve and evaluate the PMI delivery system including strict supervision of companies that send PMI abroad More than that, the moratorium policy on PMI shipments is not only seen as an effort to protect citizens alone, but also a form of national interest that concerns labor issues and national prestige. which is often denigrated by other countries (Arifin, 2017).

The main factor that drives Indonesian citizens to migrate abroad to PMI is economic factors. This is due to the lack of access to job opportunities in the country (Priambada, 2014). Data from the Indonesian National Labor Placement and Protection Agency (BNP2TKI) in 2018 to 2018 as many as 3.65 million Indonesian citizens became PMI abroad (Monica, 2019), The

large number of Indonesian citizens who choose to become PMI on the one hand has a positive impact on reducing unemployment and poverty, but on the other hand raises thorny issues such as criminal cases abroad and cases of human rights violations and human trafficking between countries, most of which are the cases affecting informal sector PMI working in the Middle East, Especially Saudi Arabia.

In 2011 President Susilo Bambang Yudhoyono imposed a semi-moratorium on Saudi Arabia. Thanks to the soft moratorium and after going through a complicated process, three years later on February 19, 2014 the Government of Saudi Arabia was willing to sign a bilateral agreement with Indonesia on the placement and protection of the domestic worker sector (Nola, 2017).

But with the enactment of the moratorium, it does not provide a solution to the problems faced by migrant workers. This is indicated, due to several factors, namely: a) diyakini that the number of illegal or unrecorded migrant workers is much larger. b) The moratorium policy was initially able to reduce the number of PMI shipments that do not have skills or unskill to the Middle East, especially Saudi Arabia. c) The occurrence of the phenomenon of illegal PMI delivery. d) When the moratorium policy was imposed at the same time the country's economic conditions slowed down, which resulted in not many jobs available in the country that could absorb the community.

Based on some indications of the problem, it can be explained that there are still many problems related to the placement of Indonesian migrant workers abroad. The moratorium, which should provide a way out of the problem of migrant workers, is indicated that it has not been running properly.

LITERATURE REVIEW

Dunn (2018) presents policy evaluation, as retrospective. Nugroho (2003) states that good policy analysis is a perspective policy analysis, because its role is to provide policy recommendations that are worth taking by the executive. Furthermore, Subarsono (2005) focuses the policy environment on two variables, namely: "Political culture variable and socio economic variable".

The stages of public policy put forward by Dunn (1998) are as follows: a) Agenda Preparation Stage, b) Policy Formulation Stage, c) Policy Adoption Stage, d) Policy Implementation Stage. e) Policy Evaluation Stage. While Kraf & Furlong (2018) suggests that policy evaluation as handmade means policy analysis using policy analysis methods and how to apply them in certain situations and the art of policy analysis lies in choosing appropriate criteria for policy assessment, in recognizing the limitations of available methods, to describe and report appropriate conclusions.

METHODOLOGY

This study uses qualitative descriptive research methods that aim to describe the moratorium policy on the placement of Indonesian migrant workers to the Middle East. The data collection

techniques carried out are in-depth interviews and literature studies with literature studies sourced from books, e-books, journals, and e-journals.

RESULT AND DISCUSSION

The problem regarding the moratorium policy will be analyzed by researchers by looking at the variable policy evaluation developed by Dunn (2018) explaining the value criteria used as a reference in the policy evaluation where there are 6 (six) dimensions of policy evaluation, namely: 1) Effectiveness (Effectiveness), 2) Efficiency (Efficiency), 3) Adequacy (Adequacy), 4) Alignment (Equity), 5) Responsiveness, 6) Accuracy (Appropriateness). Policy evaluation will be carried out if the moratorium policy issued contains a solution as a way out to solve existing problems. Thus, there needs to be a policy conformity with the intended problem.

1. Effectiveness

The government in making policy of course with careful consideration, as in the contents of the government's policy on stopping the delivery of migrant workers contained in Kepmenaker RI No 260 of 2015 that the government stopped sending migrant workers by considering that the many problems that befell The Indonesian Workforce who work on individual users and the weak guarantee of protection in the Middle East region, Then there must be a halt and prohibition of the delivery of migrant workers in the country.

The purpose of the moratorium on sending migrant workers to Saudi Arabia is part of the government's responsibility to protect the Indonesian nation's control in the eyes of the world. Even this moratorium is a benchmark that the Indonesian state has the power to be able to protect its migrant workers working abroad. As Anderson (2016) points out, there are several things related to public policy. First, a goal-oriented goal or activity should be the primary concern of random behavior or events that suddenly occur. Seeing the moratorium on sending migrant workers to the country of Saudi Arabia is a reaction of spontaneity from the government with the cases that occur in workers in Saudi Arabia. So this policy is the result of a sudden event, but the spontaneity of the moratorium does not provide strong guarantees for migrant workers to continue working abroad to Arab countries procedurally.

The moratorium policy to protect Indonesian Migrant Workers (PMI), either protected from within or also in the destination country, namely with the demands of the Government of Indonesia, so that the destination country of migrant workers must be able to ensure migrant workers from Indonesia are protected, namely by creating a protection system for migrant workers. If effectiveness is measured by the successful achievement of the goals and objectives set in Dunn's public policy (2018) then this moratorium policy has not been fully said to be effective. There are still many obstacles in carrying out a moratorium, because many parties are 'disturbed' by the moratorium, especially scalpers because they cannot get an appointment if the channel for sending labor abroad is closed. Therefore, brokers are still doing the practice of distributing workers procedurally or illegally, so it can be said that a moratorium has been carried out but still cannot close the faucets of migrant workers who work illegally.

2. Efficiency

Efficiency with the moratorium policy, has a major influence on income for the Indonesian state, namely the remittance of migrant workers. The contribution of Indonesian migrant workers in Saudi Arabia occupies the highest position for the last three years, namely the period 2017-2019 (BNP2TKI, 2019). This contribution is higher than the entire placement country. In 2017, the contribution of migrant workers' detention in Saudi Arabia reached USD 2,758,429,932. Then the number increased in 2018, which was around USD 3,887,373,221. And in the first quarter of 2019, the number of remittance recorded amounted to USD 1,641,705,238. This number is projected to continue to grow until the beginning of 2020. Although at this time, it is estimated that there will be a decrease as a result of the Covid-19 pandemic. However, this condition is also experienced by placement in other countries.

If you look at the data from 2011, you can describe an increase in the number of Indonesian migrant workers in Saudi Arabia. Here's a table that shows this:

Table 4.1.

Contribution of Indonesian Migrant Workers' Detention in Saudi Arabia 2011-2018

In USD

Year	Number of Remittance
2011	2.212.643.924
2012	1.938.007.478,09
2013	1.719.950.917
2014	2.266.079.972
2015	2.762.871.034
2016	2.775.547.806
2017	2.758.429.932
2018	3.887.373.221

Source: BNP2TKI (2019)

From the table, there can be seen an increase in the number of Indonesian migrant workers in Saudi Arabia. The increase occurred from 2014 to 2018. Policy efficiency related to the use of resources W. N. Dunn (2003). A measure indicator that can be used in the efficiency dimension is the use of resources needed to achieve the set goals, which can be measured by the level of use of time, cost, people, equipment, and other resources.

The moratorium policy has a positive impact on the government, which shows the government's concern for one of the country's largest foreign exchange contributors. By issuing policies that are actually understood the impact, and also migrant workers non-procedurally still can not be stopped.

3. Adequacy

Adequacy in public policy can be said that the goals that have been achieved have been felt sufficient in various ways. William N. Dunn suggests that adequacy is concerned with how far a degree of effectiveness determines a need, value, or opportunity that fosters a problem (W. N. Dunn, 2003). From the above understanding, it can be concluded that adequacy is still related to effectiveness by measuring or predicting how far the existing externality can satisfy the needs, values or opportunities in solving problems that occur. The moratorium policy through the Decree of the Minister of Manpower No. 260 of 2015 concerning the Termination and Prohibition of The Placement of Migrant Workers to Individual Users in Middle East Countries (Kepmenaker No. 260 of 2015) prohibits the placement of migrant workers to individual users in 19 countries in the Middle East region. It has not been able to prevent people who want to become migrant workers abroad. As revealed by informants Former staff of Ahlli BNP2TKI in 2014-2019, explained that the moratorium policy is difficult to implement, it means that this policy must still exist to show the community and also the world that the Indonesian state cares deeply about its migrant workers working abroad. However, the path to becoming a migra worker is not always through BNP2TKI or BP2MI or through the Ministry of Manpower, but also they (prospective migrant workers) through the Hajj and Umrah routes. They get visas to work on Hajj and Umrah affairs. This path is difficult to anticipate by BNP2TKI or the Ministry of Manpower. The affairs of Hajj and Umrah are the Ministry of Religious Affairs, when there are people who register for Hajj and Umrah, then visas are made and it is easy for these prospective migrant workers to go to Saudi Arabia to work while worshipping.

Thus in terms of adequacy, there are still prospective migrant workers who do not care about the moratorium policy. For them to earn income to support their families is more important. Then as long as there is still a path that becomes a gap in this policy, they still go to work in Saudi Arabia.

4. Alignment

The moratorium policy that has been eliminated has not given rise to the flatness of the needs of Indonesian migrant workers in general. Because the policy was issued only based on two workers who were executed, but instead stopped all Indonesian migrant workers in the Middle East. This case shocked the world. The Indonesian government issued a moratorium policy indicating Indonesia's position in protecting its workers affected by cases where they work. With the issuance of the moratorium policy, the eyes of the world are on the Indonesian government, and the Indonesia government has sovereignty to protect its workers who work outside the country. Then this policy gives great hope for prospective migrant workers to be able to have more skills before leaving to work abroad. The system is formed with a one-channel system, so that prospective migrant workers can be identified. Even the Indonesian government also adopted a policy that specifically handles migrant workers. However, the policies issued do not always provide flatness of benefits for the community. This shutdown actually opens up illegal channels that are getting bigger and actually have a new problem

impact. These non-prosedural or illegal migrant workers continue to work in the country through a different route from the BNP2TKI line or the Ministry of Manpower. For them to get a decent income to be able to provide for their families to be a motivation to go abroad. Informant chairman of Commission IX dpr ri year 2014-2019, explained this moratorium opened a new system, namely the one-channel delivery system (SPSK), this system has good intentions and good to overcome the phenomenon of non-prosedural placement or illegal delivery with tourist pilgrimage mode to Timteng. But there are a number of problems that arise from Kemenaker 291 as an umbrella SPSK that is feared to have a monopoly because it mandates one Association to coordinate the placement of migrant workers to Saudi Arabia.

5. Responsiveness

A policy success can be seen through the response of the community who respond to the implementation after first predicting the influence that will occur if a policy will be implemented, as well as the response of the community after the impact of the policy has begun to be felt in a positive form in the form of support or negative forms in the form of rejection. W. N. Dunn (2003) also stated that: "Responsiveness criteria are important because analysis that can satisfy all other criteria (effectiveness, efficiency, adequacy, similarity) still fails if it has not responded to the actual needs of the group that should benefit from a policy".

Cooperation with Saudi Arabia in the field of employment has been built by Indonesia for a long time. Based on its track record, this cooperation does not always have a positive effect on both parties. Pmi's death, torture, abuse, murder, death penalty as well as a series of cases that have occurred and are often heard certainly have affected the relationship between the two countries. Even Indonesia has made a series of policy changes ranging from the moratorium on PMI in 2011, the agreement in 2014, the moratorium again in 2015, namely the issuance of KEPMENAKER RI No. 260 of 2015 that the government stopped sending migrant workers by considering that the many problems that befell Indonesian Workers working for individual users and the weak guarantee of protection in the Middle East region, Then there must be a halt and prohibition of the delivery of migrant workers in the country.

6. Accuracy

The policy is a quick response to the government regarding the problems experienced by PMI. However, the accuracy of the actions of this government has not given deep success. Because a policy is issued because of the needs that must be met by the community. These needs are then summarized in the national interest. National interests are based on the needs or urgency of a country and what is needed, often related to the domestic state of the country. National interest is also the motive behind a country's actions in formulating and carrying out its foreign policy. While the external environment of the country is one of the media to achieve the national interest. Indonesia utilizes the country's external environment in achieving its national interests.

Just as the delivery of migrant workers has a positive impact, for national needs. It is undeniable that the existence of cooperation in pmi delivery has opened up new opportunities for job seekers and the Indonesian government. For job seekers this is an opportunity to get a job. As for the government, this is an opportunity for the state in empowering abundant human resources in Indonesia as well as an effort to reduce poverty and unemployment through the opening of jobs abroad. The Indonesian government is well aware of the benefits of sending PMI abroad. Therefore, the Indonesian government has established cooperation with various placement countries in the context of PMI delivery.

CONCLUSION

This article seeks to analyze the evaluation of PMI placement moratorium policies using a number of policy evaluation indicators. The findings of this study are that the evaluation of the moratorium policy can be seen from the side of the policy implementor, where the implementor is not only the government. There are three institutions that can be policy implementers, namely: government, cooperation between the public / private government, namely such as existing labor placement companies to the regions. Then in the moratorium there must also be conformity of the target of the moratorium policy, namely the PMI candidates themselves. They must be protected by providing competency training to be more skilled and have the ability to work as needed in the placement country.

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