Implementation Of Placement and Protection Policy For Indonesian Migrant Workers From West Bandung Regency

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Abstract: *The objective this study is to analyze the implementation of Bandung Barat Regency Regional Regulation No. 5 of 2018 about the Placement and Protection of Indonesian Migrant Workers (PMI) originating from Bandung Barat Regency referring to the Hill and Hupe's theory of Policy Implementation. This matters all the more since the migrant worker-related cases that garner the highest volume if not interest–like illegal, clandestine worker departures, back wages, and exploitation–reflect the lack of protection systems, the unmet obligation towards the respect of individual rights and human dignity. This qualitative case study reveals key factors influencing policy implementation — low levels of socialization and knowledge about the regulation among migrant workers, absence of inter-agency coordination and poor resources for monitoring and enforcement In addition, it builds upon the variables presented by Hill and Hupe in order to present a more integrated analysis of the implementation process of the policy. These results highlight failures in the system, including the lack of inter- agency cross country collaboration and low resource allocation toward the functions that protect PMI. In light of this, the study makes a range of recommendations including for better policy socialization, improved inter-agency coordination and enforcement, and strengthening resourcing and legal compliance capabilities. Practical implications This study advances the theory of public administration and provides practical insights for policymakers, particularly for strengthening the protection of Indonesian migrant workers in an effective manner.*

Keywords: Hill and Hupe, Indonesian migrant workers, legal protection policy, implementation, regional regulation Bandung Barat Regency.

1. INTRODUCTION

As a developing country, Indonesia has acknowledged for decades the role that migrant labor plays in supporting the economy. PMI or Indonesian Migrant Workers, on the other hand, are one of the sources of foreign exchange through remittances, and also contribute significantly to reducing unemployment in the country. However, while PMI numbers among the economic benefits that accrue by working overseas, they do face many challenges such as illegal departures, unpaid wages, exploitation and abuse, and in some cases, loss of life. That these hurdles are present may suggest that the legal protections that PMI should have through national and regional regulations are lacking.

In addressing these problems, the Indonesian government not only issued Law No. 18 of 2017 on the Protection Of Indonesian Migrant Workers (hereinafter referred to as the PMI Protection Law) in at the national level but also issued regional regulations based on local requirements to address the regional-specific issues. Among these regulations is West Bandung Regency Regional Regulation No. 5 of 2018 concerning the Placement and Protection of Indonesian Migrant Workers. This regulation aims to provide legal, economic and social protection PMIs from West Bandung Regency during all stages of

the migrant work process, from pre-employment, during work, and after returning home

Nonetheless, there have been doubts about whether this regulation is effective. Even with the legal frameworks, PMI is still faced with many more risks. Illegal departures continue to be several, and unpaid wages, poor working conditions and human rights violations have been reported. However, the severe incapacity for effective regulation, embodies the greater challenges of implementing public policy, particularly at the regional level. Such obstacles include insufficient socialization of policies among the migrants themselves, lack of coordination between local and national agencies, and underfunded law monitoring and enforcement capacities.

Insights into the intricacies of policy implementation are offered in defining theoretical perspectives included in public policy implementation (e.g. Hill and Hupe 2002). Based on their framework, they name seven variables relevant to policy implementation, like, the policy itself, public administration, implementation agencies, and the targeted subjects response. Thus, concerning the case of West Bandung Regency's Regulation No. 5 of 2018, these variables are crucial in explaining the regulation failure in fully obtaining its purposes.

This research is intended to fill the gap by identifying hindering factors of West Bandung Regency PMI policy implementation. This research is aimed at finding out the problems faced by the West Bandung Regency Manpower Office and institutions that provide protection and then the said protection PMI. It further assesses whether there is sufficient inter-agency cooperation;whether there is adequate budgetary allocationfor rights-based programming; and whether migrant workers are sufficiently aware oftheir entitlements and due process.

Table 1 Complaints of Placement and Protection of Indonesian Migrant Workers from West Bandung Regency Abroad in 2023

Year	Type of Complaint	Total
2023	Deaths	15 people
	Illegal Departure	6 people
	Repatriation of PMI	8 people
	Relocation to Another Country	1 person
	Illness	1 person
	Unpaid Wages	1 person
	Total	32 people

Source: West Bandung Regency Manpower Office, 2024

This paper describes a major obstacle to the implementation of West Bandung Regency Regional Regulation No 5 of 2018 regarding the placement and protection of Indonesian Migrant Workers (PMI). The region had a total of 32 complaints in relation to PMI position and protection in 2023, of which 15 of these were deaths, 8 repatriations, 6 instances of illegal departures, 1 request of relocation to another country, 1 illness and 1 unpaid wages. Agencies — especially the Manpower Office and BP2MI — had also coordinated very poorly; fewer than four in 10 cases reported were addressed through coordinated responses. Such an inefficient mechanism for inter-agency cooperation led to delays in solving important problems, such as unpaid pay and abuse. The West Bandung Manpower Office is also lacking in personnel, with only 10 employees overseeing the migration of 500 per year in 2023. This meant that they had a very limited capacity to monitor recruitment practices and to provide training; and Such examples highlight the failure of existing policies in enforcement, coordination, and allocation of resources to shield PMI from West Bandung Regency.

Using a theoretical framework for policy implementation (Hill and Hupe), this research extends public administration theory and practice. Not only does the study identify gaps and weaknesses in the implementation of policy, but it also provides recommendations for how to improve PMI protection. The more detail is needed considering the crucial role of migrant labor to the economy of Indonesia and the increasing cases regarding PMI abuse cases abroad.

Also, this study underscores the implications of successful policy execution for other regions in Indonesia struggling with the protection of migrant workers. It highlights that there must be increased efforts in policy socialization, inter-agency coordination, and resource allocation so that migrant workers can work overseas secure and protected from their rights. Ultimately, this study seeks to offer practical solutions for closing the gap between policy and practice in the protection of Indonesian Migrant Workers.

2. METHODS

The method used in this research is qualitative descriptive in nature in the implementation of Regional Regulation No. 5 of 2018 concerning the Placement and Protection of Indonesian migrant workers (PMI) of West Bandung Regency. This study seeks to provide detailed insights into the challenges that all relevant stakeholders have to face to effectively implement the policy. A qualitative approach also provides for a

more comprehensive understanding of the socio-legal and institutional influences impeding PMI protection, while generating rich empirics on the constitutive role of policies through-grounded practices.

Research Design

A case study design is appropriate for this research, as it allows for descriptive research that captures the real-world implementation of public policies. It aims to narrate and assess the policy implementation status, diagnose the gaps in it, and give suggestions to address these gaps. The design of the exploratory research pertains to the relationship between the formulation and implementation of migrant worker protection policy.

Data Collection Methods

The semi-structured interviews then served as the main data source complemented with field observations and a document review.

- Interviews: Semi-structured interviews were completed with key informants from the West Bandung Regency Manpower Office, the Indonesian Migrant Workers Protection Agency (BP2MI), local NGOs working on migrant labor issues, and former PMI. Interview Questions: The interview questions were tailored to derive insights into their perspective of how effective the policy was, how policy coordination was achieved, to which resources benefited most, and what were the challenges that were relied on to carry through the implementation process.

- Methods: Field observations were conducted in areas frequented by migrant workers, including PMI recruitment agencies and community centers. This included migrant workers' knowledge of their rights, existing legal procedures for overseas job placements, and the involvement of local agencies in the migration process.

- Data Collection: The secondary data were collected through policy documents consisting of Regional Regulation No. 5 of 2018, reports from the Office of the Manpower in West Bandung Regency, and the yearly reports from BP2MI. Statistical data on PMI placements and illegal migration cases were also reviewed to evaluate the broader impact of the policy.

Research Instrument

An interview guide (see 2.2 in supplementary materials) was the main tool for semi- structured interviews – this allowed for flexibility to dig deeper in particular areas of interest, contingent on informants' responses. These questions dealt with critical components of policy translation/enactment – the depth of committed socialization, agency interaction, and sufficient resourcing.

Sampling Technique

The informant selection was taken by purposive sampling, where informants are chosen who have direct knowledge or experience in the implementation of the PMI protection policy. From this group were policymakers and bureaucrats, migrant workers as well as advocacy groups. The sample size was kept at 15 since it is important to obtain the diversity of perspectives as mandated perspectives from both the policy implementers and the beneficiaries were reported.

Data Analysis

For qualitative research, thematic analysis is an appropriate approach for data analysis. Thematic analysis is a method for systematically identifying, organizing, and offering insight into patterns of meaning (themes) across a dataset. Here are the steps that were performed:

1. Familiarization: The initial step was to read and reread the interview transcripts, field notes and documents to become intimately familiar with the data.
2. Coding: Codes were derived from recurring topics and ideas. The multi-level policy implementation codes were developed based on Hill and Hupe's model of policy implementation theory and patterns of emergent analysis codes from the data.
3. Re-tematisation of codes : Codes were categorised into higher order themes e.g. "no policy socialisation", "coordination with other agencies", "resource constraints", etc.
4. Step 4: Reviewing themes: Themes were reviewed and developed to ensure they accurately represented data and addressed the research questions.
5. Interpretation - Through the lens of the theoretical framework, the final themes were interpreted to understand the policy implementation in a structured manner.

Validity and Reliability

Triangulation was used to check for validity and reliability of the findings. The consistency of the data was checked through triangulation among data from different sources (interviews, observations and documents). Three, the researchers conducted some member checks with some informants by sharing preliminary findings based on transcribing their statements to ascertain the authenticity of their statements.

Research Ethics

All informants participated on a voluntarily basis after being fully informed about the background and purpose of the study and thus ethical considerations were made in accordance to ethical principles of research. They were promised anonymity and confidentiality, especially on the sensitive issues of policy failures and protecting workers.

3. FINDINGS AND DISCUSSION

In this part, we will write a research finding on the implementation of West Bandung Regency Local Regulation No. 5 of 2018 concerning the Placement and Protection of Indonesian Migrant Workers (PMI). The findings are situated within the theoretical framework of Hill and Hupe, covering a wide range of variables including nature of the policy, public administration, cross-agency pressure and push back from those impacted by the policy.

1. Poor Outreach of the Regulation

This study exposes a serious problem, that is, there has been lack of information spread out among PMI about West Bandung Regency Local Regulation Number 5 of 2018. Data from the West Bandung Manpower Office (2024) states that during 2023 to October there were 32 reported cases of PMI rights violations, 15 of which resulted in the death of PMI abroad. In addition, there were 6 cases of workers who exited the country illegally and did not through legal channels followed by flights of HS workers, meaning that this HS worker exhibited a lack of understanding of migration processes (BP2MI, 2023). Many of the PMI from the rural area are still unaware of their rights, rendering them vulnerable to exploitation and abuses.

On the other hand, the regulation of Manpower Office has tried to socialize, but the scope of socializing is narrow and occasional (Mulyadi, 2015). According to

officials, these campaigns mostly focus on urban locations and larger cities while excluding rural communities, causing many PMIs to not be protected. Without a socialization program with an adequate budget and sustainability, this regulation will be almost useless in protecting the workforce (BP2MI, 2023).

2. Absence of Coordination between Agencies

Another key weakness was the absence of coordination between the relevant agencies, including the West Bandung Manpower Office, the Indonesian Migrant Workers Protection Agency (BP2MI), and local governments. There are formal agreements between these bodies, but much less is shown on how these translate into (2024),

Only 60% of PMI-related cases are responded to by multiple agencies (Mulyadi, 2015) leading to a delay in dealing with complaints such as unpaid wages or abusive working conditions.

Interviews with government officials and migrant workers also indicated that there are many exploitative cases that are not reported and/or not resolved due to the lack of coordination between the agencies that protect PMI (BP2MI, 2023). One example identified in multiple case studies was PMI reporting to local consulates while abroad without timely follow-up by the local Manpower Office but rather delayed as a result of breakdowns in communication.

3. Underallocation of Resources

The manpower office at West Bandung is much also meager and no one place to do technically implement the regulation. BP2MI, 2023) The office consists of a small team of only 10 personnel overseeing the migration of thousands of workers each year. There have been 518 PMI deployed from West Bandung Regency in 2023, but the existing human resources in the office have been unable to monitor the existing recruitment agency or conduct an inspection (Mulyadi, 2015), thus resulted in illegal recruitment and violence.

Limited funds also mean they cannot offer training or resources for migrant workers. Based on interviews with PMI themselves, under 20% of workers had undergone briefings or information sessions regarding their rights prior to leaving (West Bandung Regency Manpower Office, 2024). Without training, many of these workers cannot withstand the common forms of exploitation or abuse, which indicates more funding and more personnel staffing the Manpower Office.

4. Difficulties in Implementation of Effective Legal Protection

Although Regional Regulation No 5 of 2018 provides a legal basis, the enforcement has been poor. Although the regulation does provide for penalties for illegal recruitment and labor exploitation, only 15% of violations that are reported result in penalties being imposed on recruitment agencies (BP2MI, 2023). Apezi and his compatriots note that the small unregistered agencies, which are responsible for so many illegal departures, operate with relative impunity (Mulyadi, 2015).

Moreover, there are also frighteningly many unpaid wages that are still not resolved. There were 8 cases related to PMI that never received payment for labor at the Manpower Office in 2023 alone. Yet the convoluted bureaucracy and sprinkling of the weak ultimatum prevents these cases to be resolved (West Bandung Regency Manpower Office, 2024), leaving PMI to its own devices for proper wage.

5. For example, Migrant Workers — A Perennial Issue

The data underlined the fact that PMI — specifically those who go abroad through illicit or unprofessional money transfer service — are likely to be susceptible or susceptible. According to BP2MI (2023), this phenomenon resulted in 6 cases of illegal migration in 2023, where they are arguing that the workers may not aware of legal migration line. Illegal workers face a higher risk of being exploited as they do not have the legal protection provided by the Government of Indonesia, he added.

It has also shone a light on the emotional damage done to workers abroad who face abuse or mistreatment. Many PMI reported that they experienced serious emotional and psychological trauma from being exploited and abused while working abroad. Nevertheless, there are not many structured assistance programs available for such workers when they return to be integrated back into society (West Bandung Regency Manpower Office, 2024).

Suggestions for Making it Better

Through the data, the findings then put forward some recommendations to further improve the implementation of the West Bandung Regency Regional Regulation No. 5 of 2018:

1. Enhancing Socialization Efforts: The current outreach is sporadic and primarily focused on urban areas. Expanding efforts to rural regions using localized communication strategies such as community meetings and radio broadcasts

would help ensure migrant workers are well-informed about their rights and the procedures for safe migration (Mulyadi, 2015).

2. Strengthening Inter-Agency Coordination: Establishing clear, practical protocols for case reporting and response between agencies like the West Bandung Manpower Office and BP2MI can address coordination gaps. Regular joint meetings and a shared case database would streamline communication and improve the handling of cases (BP2MI, 2023).

3. Allocating More Resources: The limited budget and staffing of the Manpower Office restrict oversight activities, training, and inspection capabilities. Increasing funding and hiring more personnel to monitor recruitment practices and support PMI before deployment are necessary for robust policy implementation.

4. Improving Enforcement Mechanisms: Enforcement mechanisms need strengthening to hold recruitment agencies accountable. Forming a dedicated task force could ensure timely investigation and penalties for violations, deterring unethical practices (Mulyadi, 2015).

5. Providing Psychological and Legal Support: Establishing a network for psychological and legal support for returning workers, especially those facing trauma, would aid reintegration and empower them to pursue action against exploiters (BP2MI, 2023).

4. CONCLUSION

The implementation of West Bandung Regency's Regional Regulation No. 5 of 2018 concerning the Placement and Protection of Indonesian Migrant Workers (PMI) has faced significant challenges that hinder its effectiveness. Despite the good intentions behind the regulation, the research reveals several gaps in its practical execution. These gaps primarily stem from inadequate socialization of the policy, insufficient inter-agency coordination, and a lack of resources for proper enforcement and oversight.

The lack of awareness among PMI about their rights and the legal procedures they must follow to work abroad safely has led to a continued rise in illegal departures, leaving many migrant workers vulnerable to exploitation and abuse. The failure to effectively socialize the regulation, particularly in rural areas, has resulted in many workers remaining unaware of the protection mechanisms that are available to them.

Inter-agency coordination, a key factor in successful policy implementation as identified in Hill and Hupe's framework, is another area of weakness. The poor

communication and collaboration between the West Bandung Manpower Office, BP2MI, and other relevant bodies prevent timely and efficient responses to issues such as illegal recruitment, unpaid wages, and human rights violations. Without stronger inter-organizational relationships, the regulation's objectives cannot be fully realized.

Resource constraints further exacerbate these challenges. The limited staff and financial resources allocated to the Manpower Office restrict its ability to monitor recruitment agencies, conduct socialization campaigns, and ensure PMI are adequately trained and prepared for overseas employment. The lack of enforcement of legal protections, particularly in holding recruitment agencies accountable, has also weakened the regulation's deterrent effect on illegal and unethical practices.

To address these issues, this research suggests several key improvements: enhancing the socialization of the policy, strengthening inter-agency coordination mechanisms, increasing the allocation of resources for oversight and enforcement, and ensuring that legal protections are consistently applied. In particular, stronger punitive measures against recruitment agencies that violate the law are necessary to create accountability and deter future violations.

This study contributes to the broader discourse on public policy implementation by providing practical insights into the factors that influence the effectiveness of local regulations, particularly in the context of migrant worker protection. The findings highlight the need for a more holistic and integrated approach to policy implementation, one that includes not only regulatory frameworks but also adequate resources, inter-agency collaboration, and a clear focus on the rights and welfare of migrant workers.

By improving these areas, the West Bandung Regency government can make significant strides toward ensuring the safety, security, and dignity of PMI, both abroad and upon their return. The lessons learned from this study may also offer valuable insights for other regions in Indonesia facing similar challenges in the protection of migrant workers.

We are deeply grateful to the Indonesian Migrant Workers (PMI) who took the time to share their stories and challenges, offering personal perspectives that greatly enriched this study. This research would not have been possible without the support and contributions of all the respondents who participated in the interviews and discussions.

Finally, we would like to acknowledge the administrative support from Langlangbuana University for facilitating this research. The authors take full responsibility for the content of this article, and any opinions or conclusions expressed herein are entirely those of the authors.

REFERENCES

Agus Eka Pratama. (2013). Sistem informasi dan implementasinya. Bandung: Informatika Bandung.

Agustino, L. (2016). Dasar-dasar kebijakan publik. Bandung: Alfabeta.

Alexander, T. (2019). Konsep teori dan teknik analisis implementasi kebijakan publik. Bandung: Hikam Media Utama.

Azmy, A. S. (2012). Negara dan buruh migran perempuan: Menelaah kebijakan perlindungan masa pemerintahan Susilo Bambang Yudhoyono. Jakarta: Yayasan Pustaka Obor Indonesia.

BP2MI. (2023). Data on the placement of Indonesian migrant workers. Jakarta: BP2MI.

Dunn, W. N. (2013). Pengantar analisis kebijakan publik. Yogyakarta: Gajah Mada Universitas Press.

Hamdi, M. (2014). Kebijakan publik: Proses analisis dan partisipasi. Bogor: Ghalia Indonesia.

Herdiansyah, H. (2015). Metodologi penelitian kualitatif untuk ilmu psikologi. Jakarta: Salemba Humanika.

Hill, M., & Hupe, P. (2002). Implementing public policy: Governance in theory and in practice. London: Sage Publications.

Hill, M., & Hupe, P. (2002). Implementing public policy: Governance in theory and in practice. SAGE Publications.

Moleong, L. J. (2017). Metode penelitian kualitatif. Bandung: PT. Remaja Rosdakarya Offset.

Mulyadi, D. (2015). Theoretical framework for policy implementation. Bandung: Langlangbuana University Press.

Mulyadi. (2015). Implementasi organisasi. Yogyakarta: Gadjah Mada University Press.

Nugroho, R. (2014). Kebijakan publik di negara-negara berkembang. Yogyakarta: Pustaka Pelajar.

Riadi, E. (2016). Statistika penelitian: Analisis manual dan IBM SPSS. Yogyakarta: CV Andi.

West Bandung Regency Manpower Office. (2024). Annual report on Indonesian migrant worker placement and protection. Bandung: West Bandung Regency Government.