



FACTORS CONTRIBUTING TO IRREGULAR MIGRATION: A CASE STUDY OF HUMAN TRAFFICKING AMONG MIGRANT WORKERS IN TTS DISTRICT, NTT

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Abstrak

Tulisan ini membahas tentang faktor – faktor utama yang mendorong terjadinya migrasi ireguler yang dilakukan oleh para Pekerja Migran asal Provinsi Nusa Tenggara Timur, khususnya yang berasal dari Kabupaten Timor Tengah Selatan (TTS). Penelitian dilaksanakan di enam desa kantong pekerja migran di TTS pada Mei 2018. Penelitian ini menggunakan pendekatan campuran, kualitatif dan kuantitatif. Penelitian ini melibatkan 360 responden yang menjadi target survey kuantitatif. Temuan – temuan utama penelitian ini adalah 42% dari 360 responden menjawab bahwa pekerja migran dari 6 desa tersebut tidak memiliki akta kelahiran dan hanya 67% pekerja migran memiliki KTP dari daerah asal. Yang sangat mencengangkan adalah 33% pekerja migran dari TTS dibuatkan kartu identitas dan dokumen migrasinya di daerah lain. Umumnya pekerja migran dari pedalaman TTS ini memiliki tingkat pendidikan dan ketrampilan yang sangat rendah. Sebanyak 28.3% responden menjawab bahwa keluarga mereka hanya memegang uang tunai sebesar Rp 100.000 sebulan. Para perekrut memahami bahwa masyarakat pedesaan tingkat pemilikan uang tunai sangat rendah sehingga mereka dan mereka memahami bahwa ada civic virtue yang ada di Atoni Meto, yakni Oko Mama. Para perekrut melakukan disrupsi terhadap nilai Oko Mama dengan memberikan sejumlah uang kepada keluarga, orang tua, suami atau istri calon pekerja migran yang kemudian menjadi hutang yang harus dikembalikan oleh para pekerja migran setelah bekerja di luar negeri.

Kata kunci: perdagangan orang, perekrut, pekerja migran, dokumen kependudukan, migrasi ireguler

Study Background

The number of migrant workers sent from East Nusa Tenggara (NTT) Province to work overseas is not as large as other provinces in Indonesia. NTT Province, on the other hand, is one of the top ten provinces in Indonesia for sending migrant workers. (BNP2TKI 2019). Since the early 2000s, there has been a significant increase in the number of legally sent migrant workers from NTT abroad. The international market system is allegedly viewed as one of

the supporting factors for the increased number of NTT migrant workers sent overseas. The placement of NTT employees is influenced by the high demand for labor in overseas markets. On the one hand, NTT has enough manpower to meet the demands of the international market (Deshingkar 2006; Elias 2010; Williams 2003).

Since the implementation of neoliberalism in the recruitment and placement of Indonesian migrant workers abroad, there has been an increase in cases of human trafficking



against migrant workers from Indonesia. The Labor Protection and Placement Law No. 39 of 2004, which was later replaced by Law No. 18 of 2017, allows private companies to recruit and place people to work as migrant workers abroad. Companies see this as an opportunity to recruit and dispatch workers on a large scale. They even see this as a way to make a lot of money by sending workers irregularly.

However, there has been a decrease in sending legal migration over the last five years. Since the governor of NTT Province issued the moratorium in 2018, this trend has continued to decline. According to BNP2TKI (2019), the trend of recruiting and sending migrant workers legally was dramatically decreased since 20014. The decline in the trend of sending migrant workers from NTT abroad could be due to several factors. First, NTT migrant workers may not want to work overseas again. They may prefer to work in several Indonesian provinces, including Java, Sulawesi, Kalimantan, Sumatra, and Papua. Currently, the Indonesian government promotes a program that sends workers to other parts of the country through the AKAD program, which is run by the Department of Manpower and Transmigration.

Second, the decreasing trend in sending migrant workers recorded in UPT BP2MI in NTT could be due to sending workers through other provinces despite the fact that they are NTT workers. As a result, they are classified as workers from other provinces rather than NTT. Adelina Sau, for example, was listed as an

Indonesian Migrant Worker with a passport issued by the East Java Immigration Office (Wayudi, Mangku, and Yuliantini 2019). There are even migrant workers who enter the destination country on a visit visa rather than a work visa. As a result, they may not be classified as migrant workers.

Third, some NTT migrant workers work abroad without proper documentation, such as civil documents, immigration, or work permits. They enter the destination country through unofficial (*jalan tikur*) gates. (Davina 2022; Seo 2015).

Irregular migration is dangerous because migrant workers travel without proper immigration and employment documentation (Graeme 2002, 2004; IOM 2011). Recruiters frequently abuse TTS migrant workers during the recruitment process. They occasionally recruit people who are too young, do not have proper documentation, lack skills, and have a low level of education. Such recruitment usually resulted in human trafficking for migrant workers (Lasi Usbobo 2016).

People living in rural areas frequently experience information distortion. They are not receiving adequate information about safe migration. Recruiters only provide them with one-sided and incomplete information. The recruiter's information is accepted as correct, and they are willing to submit their child or spouse to be recruited as overseas workers. As a result, migrant workers from rural areas frequently end up migrating irregularly. They were dispatched in an ad hoc manner because they did not know how to proceed legally.

Many migrant workers from NTT are trafficked because they ignore the ownership of these documents during recruitment, training, dispatch, and placement. Currently, the high number of cases of human trafficking in NTT can be identified by the high mortality rate of migrant workers, exploitation, and control of migrant workers, recruiters, and companies exploiting migrant workers during their contract period and leaving them in debt (Aronowitz 2001; Elias 2008; Graeme 2004; Kimura 2011).

Research Question

The high number of human trafficking cases in NTT prompted the conduct of this research. The following are some key questions to consider when developing this research problem:

- Why are there so many cases of human trafficking involving migrant workers from NTT, particularly TTS?
- What are the primary factors that contribute to the trafficking of migrant workers from the TTS District?
- What should the government (both central and local) do to prevent an increase in human trafficking cases in TTS?

Literature Review

Human trafficking is a concept that is used and interpreted differently by institutions and countries. The United Nations (UN) then issued a protocol on the Prevention, Suppression, and Punishment of Traffickers in Persons, especially against Women and Children in 2000,

which became a reference for governments of countries in establishing the concept of trafficking in persons in their respective countries (Aronowitz 2001, p. 165). Gallagher (2010) asserts that The protocol issued by the United Nations addresses three distinct aspects of human trafficking: the act of trafficking in persons, the means used in trafficking in persons, and the purpose of trafficking in persons. Recruiting, sending, transferring, harboring, or accepting someone is classified as selling people. Meanwhile, using violence, coercion, and deception to recruit someone is a method of human trafficking. Furthermore, the goal of human trafficking is to sell someone for money, use power to control someone, and not pay a worker.

There are two forms of migration, namely internal migration, and international migration. Internal migration is a migration that takes place within a country. Like someone moving from one area to another. While international migration is the movement from the country of origin to the country of destination to work or live (Cholewinski et al. 2009; Kaur 2007; Prayitno et al. 2013). This paper will focus its study on international migration, in particular on the factors that influence migrant workers from TTS to choose to migrate irregularly.

A person may migrate legally or irregularly/illegally (Cholewinski et al. 2009; Kaur 2007). A person is said to have migrated legally when his journey follows the rules/laws/policies at the place of origin and destination, both in the context of internal migration and international migration. In other words, all migration requirements

from the place of origin and the destination or destination country have been fulfilled before the migration is taking place.

Meanwhile, a migration is said to be irregular when people go to work or live permanently without fulfilling the work requirements or living in another area or country, or work or live using false documents (Morehouse and Blomfield 2011).

This paper prefers to use the term “irregular migration” rather than the “illegal migration” term because its meaning is broader and more subtle. Furthermore, other parties, such as smugglers and corrupt officials involved during irregular migration are taking place. Trafficking in persons generally is starting from the recruitment at home and the training centers, placement, and even until the person returns home (Lee 2007).

Trafficking in persons is everyone's enemy, therefore governments from all levels from central to village need to issue regulations, implement laws and provide strict sanctions for perpetrators to prevent trafficking in person (Elias 2010; Prayitno et al. 2014).

The government of Indonesia needs to promote the protection of migrant workers from the members of ASEAN countries and encourage Southeast Asian countries to give maximal protection for the migrant workers who are working in their country. The government of Indonesia also needs to encourage the governments of ASEAN countries to formulate common rules/laws in preventing trafficking in persons. The Government of Indonesia can encourage members of ASEAN

countries that have not signed the 2000 protocol to sign. The signing of the 2000 Protocol will require countries that have not signed to create rules/laws for the protection of migrant workers and prevention of human trafficking in that country.

Research Objectives

The main focus of the research is to examine the main variables that drive people from TTS to migrate irregularly, resulting in a high rate of human trafficking. Migrant workers, both female and male, are the focus of the study. The aims of this research are mainly to:

- To identify the main variables that motivate people from TTS district to work as migrant workers
- To identify factors that encourage migrant workers from the TTS district to migrate irregularly.

Research sites

This study took place in six villages in the South Central Timor (TTS) District, namely Kelle Village, Kuanfatu Village, and Basmuti Village in Kuanfatu Sub-District, Bone Village in Central Amanuban Sub-District, and Neke Village and Pene Village in Oenino Sub-District. These six villages were chosen because they are migration hotspots with a significant number of migrant worker trafficking incidents. In general, TTS District is one of the hotspots for migrant workers in NTT. Most of them work irregularly abroad, and many have been victims of human trafficking. Some of the biggest cases that happened to migrant workers from NTT came from TTS. For example, the case of Nirmala

Bonat in the early 2000s and the Adelina Sau that occurred in 2018.

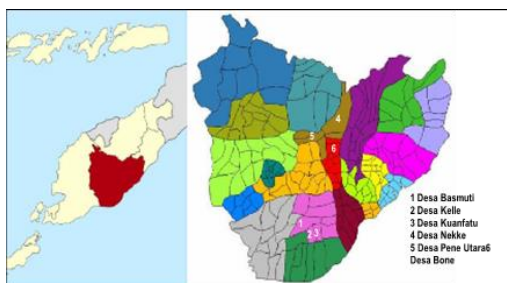


Figure 1. Map of the research sites in TTS

Methodologies

This study was conducted in mid-to-late May of 2018. A quantitative and qualitative method was applied in this investigation (Creswell 2009). These methods are utilized to aid researchers in gaining a complete understanding of the causes that lead to migrant workers' irregular migration from TTS. This irregular migration is the trigger for human trafficking for migrant workers from TTS.

A survey of former migrant workers and/or their family members is used to conduct the quantitative method. The purposive sampling strategy was used to pick respondents with ages ranging from 15 to 65 years old for a quantitative sample. A total of 360 samples were chosen, representing respondents from the six villages that were the focus of the study.

The Kobo Toolbox program is used to collect quantitative data, making it easier to collect data in places with little or no internet access. The data is collected by the enumerator and kept in the application before being transferred to the server once they are in an area with an

internet network. This application's use also attempts to promote the current "go green" initiative by attempting to reduce paper usage (paperless).

In-depth interviews and focus groups were used to acquire qualitative data. Several village heads, youth leaders, community leaders, religious leaders, and migrant workers participated in in-depth interviews. Meanwhile, three focus groups with various village heads, victims, parents of migrant workers, community leaders, youth leaders, and women's leaders were held. Each FGD had a maximum of eight people in attendance and lasted two hours, allowing each participant to talk or talk about their experiences being involved in or knowing about migrant workers' recruitment in their community.

The research was funded as a *pro-bono* project by the Institute of Resource Governance and Social Changes to assist the movement of an anti-human trafficking network in Indonesia.

Main Findings

Low-income household

Approximately 90% of the working population in the TTS is made up of farmers. The bulk of the responders from these migrant workers' families is also farmers. TTS farming families have a fairly low monthly income. Figure 2 shows that 28.3 percent ($n = 360$) of migrant worker households in TTS earn IDR 100,000 per month per home, according to this survey. It is followed by households that have an income of IDR 250,000 to 500,000 by 23 percent and then households that have an

income of IDR 100,000 to 250,000 by 19 percent. This research confirms statistics that demonstrate 98.98 percent of TTS workers have very low earnings.

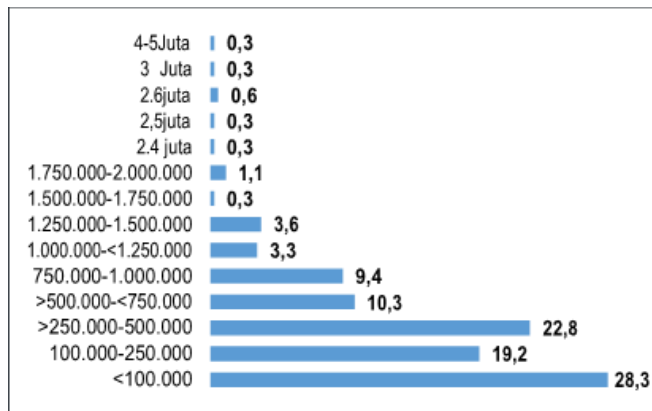


Figure 2: Household income

According to the BPS data, 8% of TTS residents are unpaid workers or those who labor without being compensated (BPS 2022). With a total size of 3,955.35 km², South Central Timor (TTS) Regency is one of the largest in NTT Province, with 32 sub-districts and 278 villages. Despite having a low unemployment rate of 1.11 percent of the population aged 15 and above, this district is one of NTT Province's thirteen districts with the largest number of poor people. Figure 3 shows that the poverty rate in TTS Regency is higher than the average poverty rate in NTT Province. In 2020, the poverty rate in TTS was 27.49 percent, while the poverty rate in NTT was 20.50 percent (BPS 2021). Both NTT and TTS saw a decrease in the percentage of poor people, but the decrease was not considerable.

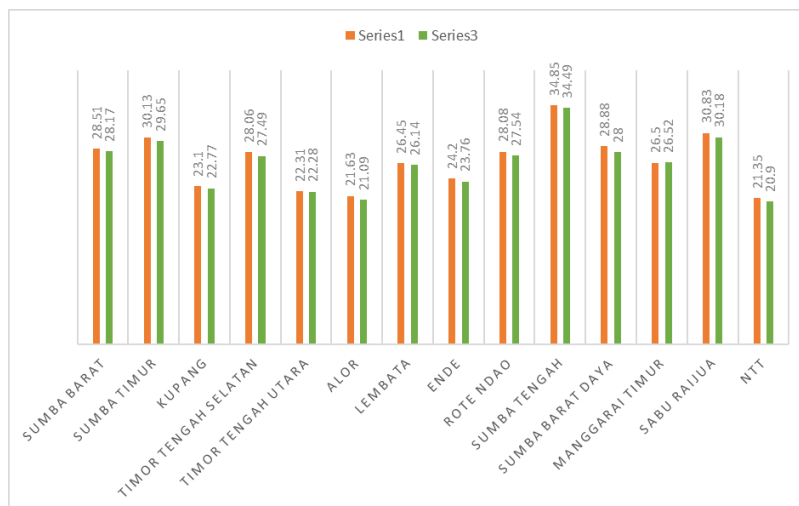


Figure 3. The district with the highest percentage of poverty in NTT

To get a better job, people migrate

The primary motivation for people to work as migrant workers is to earn more money (77.8 percent). This research backs with the BPS data showing unpaid workers account for 8% of the population in TTS. Farmers leave the village because their occupations as farmers in the village are insecure since they frequently fail to harvest or plant, despite the fact that the data is tiny (only 1.7 percent). Farmers in the area are seeing the effects of recent weather shifts firsthand. TTS, which receives the most rainfall in NTT, is also susceptible to rain failure, which can lead to **crop failure**.

traveled to Malaysia to work, so that we could build a house, send our kids to school, and aid our family.”

IN2 spent two years in East Malaysia working on an oil palm plantation with his wife. They claimed to have brought a large sum of money when they returned. The funds will be used to repair their nearly-collapsed home. They also paid a visit to their children who are raised by the grandmother and grandfather. Both indicated they will return to Malaysia after finishing their residences because there was nothing else to do in Basmuti. They can return to Malaysia because they will be employed there again by the company. They feel safe because they were brought in by their neighbors who work as foremen in oil palm estates and have become confidants of their *taoke*, despite the fact that they enter and work in Malaysia on an irregular basis.

Not all residents have proof of residency

Figure 5 demonstrates that in TTS Regency, access to and accomplishment of ID card (KTP) ownership is still very low, well below national and provincial NTT achievement. According to BPS, KTP ownership in TTS District only reached 76.0 percent in 2020, while province ownership reached 88.1 percent and national ownership reached 96.0 percent.

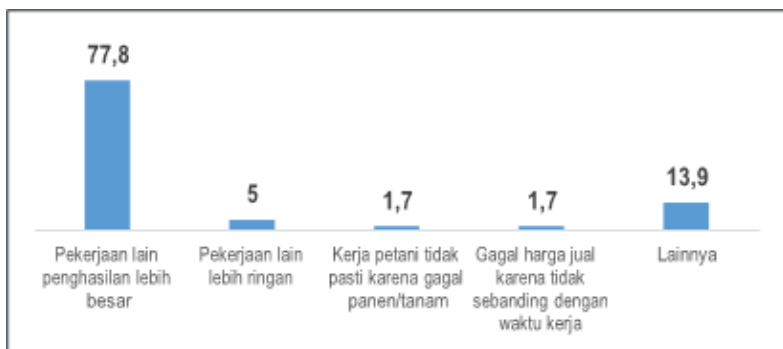


Figure 4. Reason for people migrating

In response to the difficulty of little rainfall in TTS in recent years, N1, a farmer in Kelle Village who is considered quite successful for his betel plant development, said:

“In 2009, I returned from transmigration and began growing betel nuts in Kelle Vilage. I've had a lot of success, however the heat has killed all of my plants since 2016. Now all I want to do is get back to planting.”

The author noticed the little rainfall in recent years while strolling through the hamlet alleyways of Kele, Basmuti, North Pene, and Neke. Basmuti, on the other hand, turned out to be drier and more hotter. In their ramshackle house on the fringes of Basmuti river, we met a migrant worker couple who had recently returned from Malaysia. N2 reveals the following:

“We won't be able to do anything unless we travel to Malaysia. Please, have a look. It is impossible to cultivate the land. We

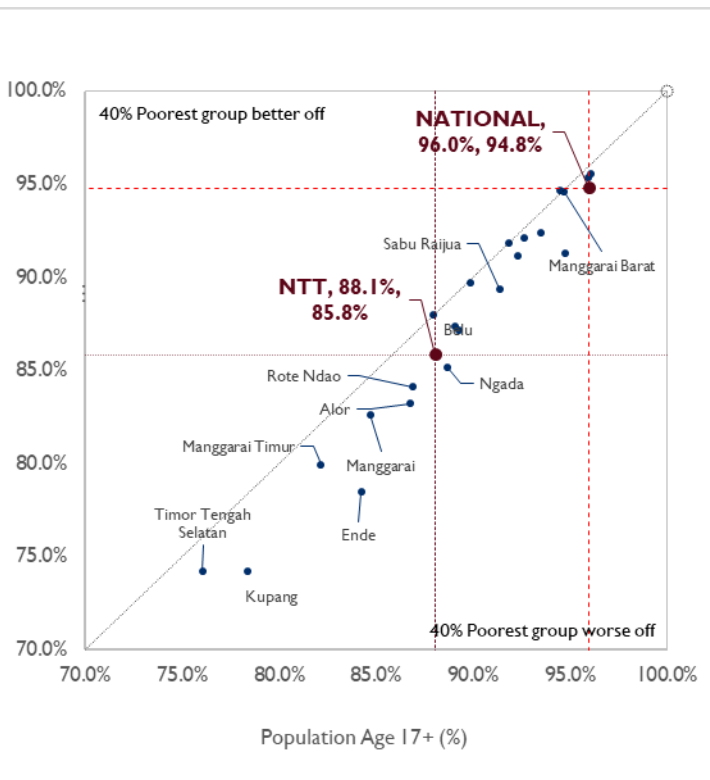
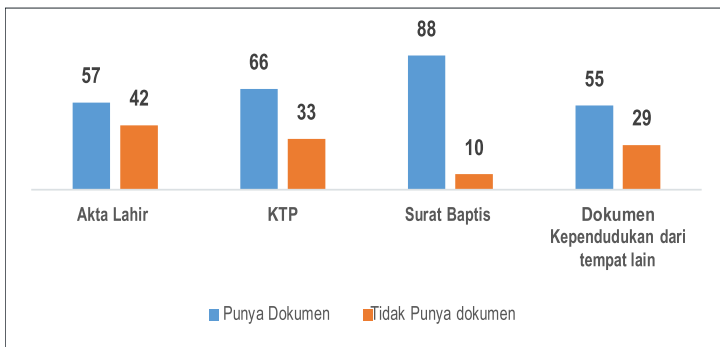


Figure 5. Access to ID Card % 2020

The low degree of KTP ownership among TTS locals has a substantial impact on migrant worker KTP ownership in this area. Only 57 percent of migrant workers in these six areas have birth certificates, and only 66 percent have ID cards, according to Figure 6.

Figure 6. Migrant workers' ownership of residency documents



The low ownership of civil documents, such as birth certificates and identity cards, has proven to be a barrier for recruiters attempting to recruit and send potential migrant workers from this district on an irregular basis. Those who are interested in working as migrant workers but do not have residency documents will be supported in obtaining them from other places. Recruiters can utilize this gap to falsify the demographic data of the prospective workers they hire because they may not have all of the necessary documents or only parts of them (Bere 2014; Jonata 2016). This study reveals that recruiters aid migrant workers who do not have residency documents from their area of origin in obtaining residency documents in other regions (55 percent).

The centralization of population management services, which are carried out primarily in the district capital, namely Soe, is one of the greatest impediments to TTS inhabitants not having population documents. People from the interior must suffer additional costs as a result of the concentration of this service, such as transportation, consumption, and lodging.

Furthermore, much of their time is wasted because, when they arrive in the city, administrative services are closed because the Department of Population and Civil Registry Service only serves 100 queue numbers on one day. People who travel from the village will not get a queue number if they leave the village in the morning and arrive in the city at noon.

They must stay overnight in Soe to obtain the queue numbers. They had to wait till the next day if it was too late.

Residents of remote areas will find it difficult to manage their population administration due to the restricted service. It's no surprise that they do not know how to properly care for these documents. It's no surprise that they were illiterate enough to make these documents. They will only manage to get these documents if they will get aid from the government.

In our conversation with the Village Head (N3) about the low possession of residential certificates among Basmuti residents, he stated:

“Sir, Basmuti is a long way from Soe. It is quite expensive to obtain a birth certificate, id card, or family card in Soe. When they got at Soe, we couldn't discover the queue number. We should have to spend another night in Soe, which will necessitate additional spending. For people who have families in Soe, it will be easy, but it will be more difficult for those who do not. In March 2018, the Department of Population and Civil Registration arrived to Basmuti for a day to give civil administration services, however many locals were turned away because people from neighboring villages also came to Basmuti to complete their civil documents. Staff from the Department of Population and Civil Registration are only

available for one day of service”.

The amount of ownership of baptism certificates for migrant workers is higher than that of KTP ownership, as seen in Figure 6. According to the data, up to 88 percent of migrant workers from the six communities had received a baptism certificate from their associated church. There are various reasons why migrant workers, and their families have more baptisms in rural areas. To begin with, the baptismal service is usually held in a church close to where they reside, making it convenient for them to be baptized. Second, baptism certificates are still used as proof of residency in rural areas. Parents are asked to submit their child's baptism certificate instead of a birth certificate when registering their children at school.

Low education and skills

The majority of TTS workers who are transported to other countries are low-skilled and low-educated. Figure 7 shows that the educational attainment of children aged 13–15 in 40% of the poor in TTS District is still quite low (89.4 percent) when compared to the same group in NTT Province, which achieved 94.3 percent and 94.1 percent nationally.

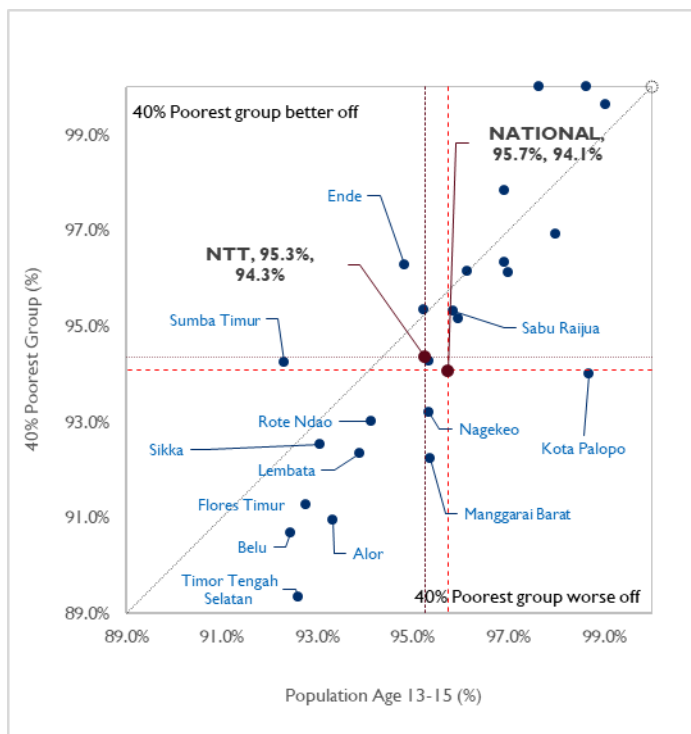


Figure 7. School enrolment in TTS 2020

This study also reveals that migrant laborers from TTS have a relatively low level of education. According to the findings of the survey, 44.5 percent of migrant workers from TTS only had elementary education, 25.6 percent completed primary school, 7.2 percent did not graduate from junior high school, and 10% did not complete elementary school (Figure 8). They are unable to work in other industries after being hired as migrant laborers. They are only allowed to work as domestics for women and on plantations for both men and women.

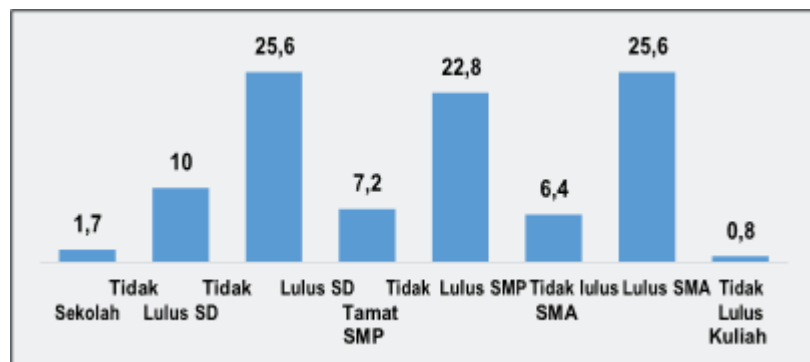


Figure 8. School attainment of migrant workers from TTS

Uang Oko Mama

In the Atoni Meto community, Oko Mama is a civic virtue. In TTS, Oko Mama becomes a crucial cultural aspect for TTS people while connecting and speaking with others. This feature is used to communicate with individuals or groups of individuals within the TTS as well as individuals from outside the TTS. Apart from being a form of socialization, Oko Mama is frequently utilized in the daily lives of TTS people to resolve difficulties and conflicts, both on a small and large scale.

As a civic virtue who has noble values and goals, recruiters see it as an opportunity or gap that can make it easier for them to recruit workers. When they go to villages to recruit people, they deviate from Oko Mama's civic duty by paying "oko mama money" to the parents, husbands, and wives. People or families that get Oko Mama funds feel strongly about sending their children or spouses to

work as migrant laborers alongside them. Furthermore, when they receive Oko Mama, they know that the person who supplied the Oko Mama money will look after their child or spouse. In fact, however, this is not the case. The amount of Oko Mama's money varies for each applicant, according to N4, a resident of North Pene Village, and depends on the reason for which the prospective worker will be sent, as well as the talks between the brokers/recruiters and their families. According to the conclusions of this survey, Oko Mama's wealth ranges from Rp. 200,000 to Rp. 5,000,000.

N4: "Oko Mama's Money? Sir, not everyone receives the same amount. Some receive IDR 200,000, some IDR 500,000, and yet others IDR 1,000,000. It is up to the individual who made the offer to decide where it will be accepted. Even if it's only in NTT, they normally offer IDR 200,000. They will offer you IDR 500,000 to 1,000,000 rupiahs if your child or spouse goes to work in Java or Bali. XX's mother, for example, had her three children sent to work in Bali. Each of her children was handed IDR 500,000 Oko Mama money when that individual came to pick them up. So, who wouldn't be excited if people gave that much money? It is in high demand, especially because the mother is a widow."

Conclusion

In the interior of NTT, low-skilled laborers from communities do not see agriculture as a promising sector. The enormous demand for labor in this industry from both within and outside the country, on the other hand, is the primary driver of people migrating to work as migrant laborers. Regulations at all levels, from national to regional, facilitate the liberalization of sending migrant workers overseas. Recruiters see this as an opportunity to hire and send workers irregularly.

Prospective migrant workers and their families are unaware that working irregularly as a migrant worker jeopardizes their safety and rights as migrant employees. Even though some irregular migrant workers have been subjected to physical and sexual violence by their employers, their rights as migrant workers are not upheld by their employers, and some even lose their lives as a result.

Because of the aforesaid findings, people in TTS tend to become migrant workers on an irregular basis. To begin with, individuals in TTS's interior have extremely poor salaries. One household only has RP 100,000 in a week. As a result, they are enticed to work as migrant workers when they are approached by recruiters or see neighbors who leave to work and come home with a lot of money.

Second, many people in TTS's interior still lack birth documents and identification cards.

As a result, their civil documents can be manipulated in the area where it is made when they are hired as migrant laborers. Third, individuals in the interior of TTS have a low level of education, with the majority of those who migrate to

work as migrant laborers having only completed primary school. As a result, they can only work in low-skilled home jobs or in the plantation industry, which does not require expertise. Fourth, the recruiters' *oko mama* money persuaded families to allow their children or spouse to be brought by the recruiters.

The aforementioned issues create an opportunity and gap for recruiters and "rogue" organizations to hire people from within the country. Preventing human trafficking should be a top priority for the government, both at the national level and at the local level. In fact, attention to migrant workers is still very low, and migrant workers from TTS continue to face physical and sexual violence and are denied their rights as workers; some even lose their lives.

Recommendations

- The Government of East Nusa Tenggara (NTT) should encourage the TTS District Government to make basic civil documents available to all citizens.
- Increase the level of education and skills of people in TTS's interior in accordance with available resources.
- Increase socio-economic opportunities for rural communities to earn higher incomes by providing job opportunities through village funds in rural areas.
- Encourage village to provincial governments to collect data and

create documentation on migration in their respective work units.

- Encourage village governments to collect data on migration and labor in their villages that can be used to track workers working outside the region and abroad in order to reduce cases of human trafficking.

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