

# Village Government Supervision of the Recruitment Process of Migrant Workers in the Home Region

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**Abstract**— This study aims to analyze the role of village government oversight of the recruitment process of migrant workers in the area of origin, as well as to evaluate the effectiveness of the existing legal basis, specifically Law No. 18/2017 on the Protection of Indonesian Migrant Workers (PPPMI). The background of this research is based on the increasing number of migrant workers who are vulnerable to illegal recruitment practices and exploitation in villages. Although regulations governing the protection of migrant workers are in place, challenges in implementation remain significant, especially regarding the capacity of village officials and the effectiveness of socialization in rural communities. The research method used is normative, which aims to explore and analyze regulations and supervisory practices applied in the field. The results show that village government supervision has a strategic role in protecting prospective workers from these risks. To strengthen supervision, policies are needed that support capacity building of village officials, increased socialization of migrant workers' rights, and better collaboration between various relevant parties. In addition, the use of digital technology should continue to be developed to increase transparency in the recruitment process. With strong regulations, good collaboration, and community participation, village governments can act as the frontline in the protection of Indonesian migrant workers, so that the rights of prospective workers can be effectively protected.

**Keywords**— supervision, village government, migrant workers.

## 1. INTRODUCTION AND BACKGROUND

Every human being has the right to freely move or migrate, in order to obtain a better life. The main reason why people migrate is to obtain a better standard of living than before. Indonesia is currently one of the most important countries of origin of migrant workers in the Asian region, both because of its large number of workers, low wages, submissive attitude, and the various problems that often arise because of it. At a macro level, the most common reason for migration is that the number of jobs available is very limited, which is inversely proportional to the number of workers available. Therefore, what happens in the field is the accumulation of labor or unemployment. Employment opportunities are currently an urgent need (Prananda, Mayang Talentasari, 2024).

Basically, sending labor abroad has been carried out since the Dutch East Indies era with the “koch kontrak” system, among others, to Suriname. However, labor shipments under this system stopped during the struggle and independence period. Around the 60s, labor mobility began again with the lack of labor in the “Timber Company”, in Sumatra and Kalimantan, which was the forerunner of labor shipments to Malaysia, Brunei Darussalam, and Singapore. In contrast to shipments in the 60s, labor shipments at this time turned

out to be more driven by the pressure of limited employment opportunities and family economic needs (poverty) (Junaidi, M. & Khikmah, K, 2024).

The phenomenon of international migration of workers that has occurred since 1970 is related to economic rationales motivated by improved living conditions. This was also supported by government policy at the time, which focused on the development of the economic sector. This has led to an unequal pattern of life between urban and rural communities. It is this imbalance that makes rural communities with low educational standards migrate to other countries in informal sectors with salaries that if measured by the value of our rupiah are very high, but when measured by the standards that exist in the country where they work Indonesian migrant workers get the lowest wages (Khuana, J.R, 2020).

Indonesian migrant workers, often referred to as (PMI), have a strategic role in supporting the national economy. Remittances sent by these migrant workers are one of the country's significant sources of foreign exchange. However, in the process of recruiting and placing migrant workers, there are various problems faced, including violations of workers' rights, exploitation, and injustice in the recruitment process. This condition

requires more attention, especially in monitoring the recruitment process at the village level. Based on data from the Ministry of Manpower, many migrant workers come from rural areas, where access to information and knowledge related to labor rights is often limited. Village governments, as the government unit closest to the community, have a key role in overseeing the recruitment process of migrant workers. This oversight is important to ensure that the recruitment process is conducted transparently, fairly, and in accordance with applicable legal provisions (Kristiadi, E.Y., Subekti, R., & Raharjo, P.S, 2022).

Supervision by the village government of the recruitment of migrant workers not only serves as a preventive effort in preventing criminal acts of trafficking in persons (TPPO), but also as a form of initial protection for prospective migrant workers. This is in line with Law No. 18/2017 on the Protection of Indonesian Migrant Workers (PPMI), which emphasizes the importance of protection at all stages of labor migration, from the recruitment process in the area of origin to the placement period abroad. Law No. 18/2017 mandates the active role of local governments, including village governments, in monitoring the recruitment of migrant workers. Villages as the lowest level government entity have a direct responsibility to ensure that villagers who become migrant workers are properly informed about their rights and obligations, and avoid illegal recruitment that often leads to abuse or exploitation (Sepang, R.J, 2021).

Effective supervision by village governments is necessary given the many cases of fraud and exploitation experienced by prospective migrant workers. Modes often used by illegal recruiters include manipulating information about work contracts, workplaces, and wages to be received. Village governments should play a protective role in verifying the legality of recruitment agencies and ensuring that every citizen going to work abroad goes through official and safe procedures. In recent years, the Indonesian government has implemented various policies to strengthen oversight of migrant workers, including at the village level. For example, through the Productive Migrant Village (Desmigratif) program launched by the Ministry of Manpower, villages that are enclaves of migrant workers are empowered to provide information, training, and supervision services related to labor migration. This program aims to improve the readiness of prospective migrant workers while ensuring that the

recruitment process is carried out according to established standards (Dzulfarhad, Q, 2022).

Supervision carried out by village governments must also collaborate with other relevant parties such as the Indonesian Migrant Workers Protection Agency (BP2MI), the labor office, and the police to eradicate illegal recruitment. This collaboration is important given the scale and complexity of the problems faced in the recruitment process of migrant workers, which often involves international syndicates. In 2024, with the development of regulations that increasingly prioritize the protection of migrant workers, the role of village governments is becoming increasingly crucial. The village government is not only a supervisor, but also a facilitator in providing accurate information about the legal requirements and procedures for working abroad. Thus, villages are expected to be the first stronghold in protecting prospective migrant workers from illegal recruitment and various forms of exploitation (Febriyanti, D, 2016).

The success of village government supervision of the recruitment process of migrant workers is highly dependent on the capacity and understanding of village officials of the applicable regulations. Therefore, there is a need for capacity building for village officials, either through special training on labor migration regulations or assistance from related parties such as BP2MI and the local manpower office. Effective supervision also requires a reporting system that is easily accessible to the community. Village governments can develop responsive complaint mechanisms, both offline and online, to accommodate community complaints and reports related to suspected illegal recruitment or violations of the rights of prospective migrant workers. This system should be followed by quick and measurable follow-up to provide a sense of security for prospective migrant workers (Rianto, T, 2015).

It is important for village governments to involve community leaders, civil society organizations, and families of prospective migrant workers in this monitoring process. Community participation in monitoring the recruitment of migrant workers will strengthen community-based monitoring mechanisms and create a safer environment for prospective migrant workers. Meanwhile, national policies that support village government oversight of migrant worker recruitment continue to evolve. For example, the digitization of the recruitment process allows prospective migrant workers to verify the legality of

recruitment agencies and their employment contracts through an online platform provided by the government. This is expected to reduce the potential for fraud and violations of migrant workers' rights.

However, although the existing regulations are quite strong, their implementation in the field still faces various challenges. One of the main challenges is the lack of resources at the village level to carry out effective supervision. Village governments often lack the budget and trained personnel to conduct optimal oversight. Another challenge is the lack of awareness in rural communities about the importance of a legal and safe recruitment process. Many prospective migrant workers are still tempted by the lure of high-paying jobs without paying attention to the official procedures that must be followed. This is where the village government plays an important role in socializing and educating the community about the risks associated with illegal recruitment (RizkaH, 2021).

Village governments also need to strengthen synergies with the families of prospective migrant workers, who are often the most affected parties in labor migration decisions. By involving families, village governments can ensure that decisions to work abroad are made wisely and based on accurate information. In addition, village governments need to pay attention to gender aspects in monitoring the recruitment process of migrant workers. Many female migrant workers are vulnerable to exploitation, especially in the domestic work sector. Therefore, supervision should include special protections for women migrant workers and ensure that they receive adequate protection from the recruitment process in the village of origin.

With a comprehensive and inclusive approach, village governments can serve as the primary protector of Indonesian migrant workers. In addition to being a watchdog, village governments are also expected to serve as a bridge of information between prospective migrant workers and relevant parties, including official recruitment agencies, the Manpower Office, and BP2MI. In the context of globalization and higher labor mobility, the challenges faced by Indonesian migrant workers are also increasingly complex. Therefore, supervision at the village level must continue to be strengthened, both through capacity building of village officials, proactive policy development, and collaboration with various other stakeholders.

Finally, to achieve maximum protection for migrant workers, village-level supervision must be supported by strong regulations, adequate capacity, and active participation from the community. Village governments must be committed to taking their supervisory role seriously and ensuring that each of their citizens working abroad is maximally protected. Thus, this research will further discuss the strategic role of village governments in overseeing the recruitment process of migrant workers in their areas of origin, with a focus on the challenges faced, opportunities available, and policies that can be developed to strengthen protection for Indonesian migrant workers.

## 2. METHODOLOGY

This research uses the normative juridical method, which is an approach that examines and analyzes applicable laws and regulations, as well as legal documents related to village government supervision of the recruitment process of migrant workers in the area of origin. The focus of the research is on the application of Law No. 18/2017 on the Protection of Indonesian Migrant Workers and its implementing regulations, as well as the role of the village government in supervising the process (Yudi Gunawan, 2024). Legal norms governing village government supervision and their relevance in preventing illegal recruitment of migrant workers are analyzed (Rahmadi Usman, 2023). Data collection in this research was conducted through a literature study, where the primary legal sources used include Law No. 18/2017, Government Regulations, and relevant Ministerial Regulations. In addition, the research also refers to academic literature, legal journals, and previous research results that discuss the protection of migrant workers, particularly from the perspective of village governments. Secondary data, such as articles, books, and legal opinions, are used to strengthen the analysis of applicable policies and regulations in monitoring the recruitment of migrant workers. The results of this legal data analysis will be described descriptively to assess how the implementation of relevant regulations works in the field, as well as how village governments can play a more effective role in overseeing the recruitment process of migrant workers. This research also discusses barriers to the implementation of regulations at the village level and offers solutions to strengthen the legal protection of prospective migrant workers from their areas of origin (Judi Juliardi, 2023).

### 3. RESULTS

Law No. 18/2017 on the Protection of Indonesian Migrant Workers (PPPMI) has several important objectives designed to provide comprehensive protection for migrant workers, from the recruitment process to the period of placement abroad. Some of the main objectives of the law include first, Protecting the Rights of Migrant Workers. Law No. 18/2017 aims to protect the rights of migrant workers so that they do not become victims of exploitation, fraud, and human rights violations. With clear regulations in place, migrant workers have legal protection that can ensure their rights are respected throughout the recruitment process, placement, and working in the destination country.

Second, Establishing Transparent and Legal Recruitment Processes, one of the main focuses of this law is to establish transparent and legal recruitment procedures. This includes the obligation for recruitment agencies to be registered and licensed, and meet certain standards set by the government. By doing so, prospective migrant workers can avoid high-risk illegal recruitment practices and get accurate information about the job they are about to undertake (Prajnaparamita, K, 2018).

Third, Ensuring Welfare During the Placement Period. This law also emphasizes the importance of welfare guarantees for migrant workers during the placement period abroad. This includes protection of safe and decent working conditions, health insurance, and access to consular assistance when needed. The government is responsible for facilitating the protection and monitoring of migrant workers, so that they can carry out their work safely and receive fair treatment (Arpangi, 2016).

Fourth, Promoting Education and Socialization Law No. 18/2017 also aims to promote education and socialization to the community, especially prospective migrant workers and their families, regarding their rights and proper recruitment procedures. With increased awareness of rights and responsibilities, it is hoped that the public can make wiser and more informed decisions about overseas employment opportunities.

Fifth, building cooperation with destination countries to ensure that protection for migrant workers does not stop at national borders. This includes drafting bilateral agreements that cover aspects of protection, work arrangements, and guaranteed rights for migrant workers in other countries. Overall, Law No. 18/2017 is a systematic effort to provide comprehensive protection

for Indonesian migrant workers, ensuring that they can work abroad safely, properly, and with strong legal protection (Maryam, N. S, 2016).

Law No. 18/2017 on the Protection of Indonesian Migrant Workers has a close relationship with the role of village governments in the supervision and protection of migrant workers at the local level. Village governments as the closest government institution to the community have the responsibility to carry out socialization on migrant workers' rights and legal recruitment procedures. In this context, the law emphasizes the importance of village government participation in ensuring that the recruitment process is transparent and does not violate the law. In addition, village governments have a role in facilitating training and education for prospective migrant workers so that they better understand the risks they may face, as well as identifying legal recruitment agencies. Through close supervision, village governments can help prevent illegal recruitment practices and exploitation, and provide protection for migrant workers, especially women who are more vulnerable to rights violations. Thus, Law No. 18/2017 not only provides a clear legal framework, but also emphasizes the importance of collaboration between the central government, local governments, and village governments in safeguarding the welfare of migrant workers in Indonesia.

The Importance of Oversight Village governments, as the closest unit of government to the community, have a key role in overseeing the recruitment process of migrant workers. Village supervision is essential to ensure the recruitment process is carried out in accordance with the law and to avoid illegal acts such as trafficking. This is in line with the mandate of Law No. 18/2017 which emphasizes the protection of migrant workers from the recruitment process to the placement period abroad. Regulations governing village supervision contained in Law No. 18/2017 provide a legal basis for village governments to play an active role in supervising the recruitment process. This law regulates the protection of migrant workers at all stages, from recruitment to placement in destination countries, and emphasizes the importance of local government involvement in supervision (Kusumahastuti, Maria Ajeng, 2024).

Challenges in Supervision Implementation Despite clear regulations, supervision at the village level faces various challenges. Lack of budget and limited human resources are the main obstacles. Village officials often lack the

capacity to conduct effective supervision, increasing the risk of illegal recruitment. Cases of Illegal Recruitment of Migrant Workers Many occur in rural areas, where prospective migrant workers are deceived with promises of high wages and good working conditions. In reality, they often face exploitation, low wages and poor working conditions. These scams pose a major challenge to the protection of migrant workers.

The Role of Productive Migrant Village (Desmigratif) Program To strengthen supervision at the village level, the Indonesian government launched the Productive Migrant Village (Desmigratif) program. The program aims to empower migrant enclave villages by providing information and training services for prospective migrant workers. The program is expected to improve the preparedness of prospective workers and prevent illegal recruitment.

Supervision at the village level cannot work alone. Collaboration between the village government, the Indonesian Migrant Workers Protection Agency (BP2MI), the labor office, and law enforcement officials is needed to ensure that the recruitment process is carried out according to official procedures. This cooperation is important to eradicate illegal recruitment syndicates that are often cross-border in nature. Capacity building of village officials is essential for effective monitoring of migrant worker recruitment. Specific training on labor migration regulations should be provided so that village officials understand their roles and responsibilities in protecting villagers who wish to work abroad (Titin Pratiwi, 2020).

A responsive reporting system is needed to accommodate complaints and reports related to suspected illegal recruitment. Village governments need to provide a complaint mechanism that is easily accessible to the community, both offline and online, with quick and transparent follow-up. Community-based supervision is essential to strengthen protection for prospective migrant workers. Village governments should involve community leaders, civil society organizations, and families of prospective migrant workers in this monitoring process to create a safer and more transparent environment (Hot Jungjungan Simamora, 2021).

One of the challenges in monitoring is the lack of awareness among rural communities about the importance of legal and safe recruitment. Many prospective migrant workers are still tempted by the

promises of illegal agents without understanding the risks they face. Massive and effective socialization needs to be carried out to educate the public about the rights of migrant workers and proper recruitment procedures. With a better understanding, the public can make more informed decisions and avoid harmful recruitment practices.

Supervision should also pay attention to gender aspects, as female migrant workers often work in informal sectors such as domestic work, which are more vulnerable to exploitation. Special protection should be provided from the recruitment process in the village of origin to ensure the rights of women workers are protected. Supervision should not only be done on the recruitment process, but should also include training and information on the rights of women migrant workers, including protection from violence and exploitation. With a gender-sensitive approach, it is hoped that the recruitment process can run more fairly and safely for all parties.

Digitalization in the recruitment process is one solution to reduce the potential for fraud. With an online platform, prospective migrant workers can verify the legality of recruitment agencies and their employment contracts. This makes it easier for village governments to monitor and ensure recruitment is done legally. With the support of technology, the monitoring process can be more efficient, and prospective migrant workers have better access to relevant information. This will increase public trust in the recruitment system and help create a safer environment for migrant workers.

However, there are resource constraints in the implementation, with limited budget and human resources at the village level still an obstacle in the implementation of supervision. The central government needs to provide a special budget and periodic training to increase the capacity of village officials so that supervision can be effective. Village governments need to work with the families of prospective migrant workers to ensure that migration decisions are made based on accurate information and according to official procedures. Families have an important role in supporting and protecting migrant workers during the migration process.

#### 4. CONCLUSION

Village government oversight of migrant worker recruitment has a very strategic role in protecting prospective workers from illegal recruitment and

exploitation. Although regulations are in place, implementation challenges remain, particularly in terms of the capacity of village officials and socialization in rural communities. To strengthen supervision, policies are needed that support capacity building of village officials, increased socialization in rural areas, and collaboration between various related parties. The use of digital technology also needs to be developed to increase transparency in the recruitment process. Village government oversight of migrant worker recruitment should be a priority to protect the rights of prospective workers. With strong regulations, good collaboration, and community participation, villages can be at the forefront of protecting Indonesian migrant work.

## REFERENCES

- [1] Prananda, Mayang Talentasari (2024) Legal Protection for Indonesian Migrant Workers Victims of Trafficking in the Perspective of Labor Law, Indonesian Legal Media, Vol. 2, No. 2.
- [2] Junaidi, M. & Khikmah, K. (2024) Legal Protection and Placement of Indonesian Migrant Workers Abroad, Journal of USM Law Review, Vol. 7, No. 1, 490-501.
- [3] Khuana, J.R. (2020) Legal Arrangements and Protection of Cross-Border Migrant Workers in the Perspective of International Law, Journal of Kertha Semaya, Vol. 8, No. 8, 1275-1290.
- [4] Kristiadi, E.Y., Subekti, R., & Raharjo, P.S., (2022) Legal Protection of Indonesian Migrant Workers, Undiksha Journal of Civic Education, Vol. 10, No. 1, 312-317.
- [5] Sepang, R.J. (2021) Legal Protection of Migrant Workers and its Implications for the Welfare of Indonesian Migrant Workers in Malaysia, Social Journal, Vol. 5, No. 4.
- [6] Dzulfarhad, Q. (2022) Legal Protection of Indonesian Migrant Workers Against Over Charging by Indonesian Migrant Worker Placement Companies. Jurist-Diction, 5(1), 297-312. DOI: 10.20473/jd.v5i1.32742
- [7] Febriyanti, D. (2016) Implementation of Indonesian Migrant Workers (TKI) Overseas Protection Policy at the Pre-Placement Stage (Case Study of Palembang City Migrant Workers). Journal of Government and Politics, 1(2), 1-29.
- [8] Rianto, T. (2015). Labor Supervision in Companies Based on Article 2 Paragraph (2) of Law Number 3 of 1951 concerning Labor Supervision. Pakuan Law Review, 65-112.
- [9] Prajnaparamita, K. (2018). Protection of Child Labor. Administrative Law & Governance, 1(1), 112-128.
- [10] Arpangi. (2016). Legal Protection of Labor. Journal of Law Reform, 3(1), 149-156.
- [11] Maryam, N. S. (2016). Realizing Good Governance Through Public Services. Journal of Political Science and Communication, 6(1), 1-18.
- [12] Hot Jungjungan Simamora (2021) Legal Implementation of the Protection of Indonesian Migrant Workers as an Implementation of Good Governance in Labor Inspection. Journal of Widya iswara Indonesia Vol 2 (3)
- [13] Kusumahastuti, Maria Ajeng (2024) IMPLEMENTATION OF INDONESIA'S GOVERNMENT PROTECTION OF INDONESIA'S MIGRANT WORKERS IN KAMBOJA IN 2021-2023. Dissertation, Pertamina University  
<https://library.universitaspertamina.ac.id/xmlui/handle/123456789/12246>
- [14] Titin Pratiwi (2020) Case Settlement of the Implementation of Facilitation of Repatriation of Indonesian Migrant Workers. Journal of Islamic Business Law Vol 4 (4)
- [15] RizkaH (2021) Health Rights for Indonesian Migrant Workers in Malaysia: A Legal Perspective. Indian Journal of Forensic Medicine & Toxicology Vol 15 (1)
- [16] Judi Juliardi (2023) Legal Research Methods” CV. Gita Lentera
- [17] Rahmadi Usman (2023) “Legal Research Methods: Perspective of Theory and Application” Kencana press
- [18] Yudi Gunawan (2024) “Normative and Empirical Legal Research” Pustaka Setia