



STRATEGY FOR ENSURING OF INDONESIAN MIGRANT WORKERS (PMI) CHILDREN HAVE THE RIGHT TO A GOOD EDUCATION

by

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ABSTRACT

Indonesian migrant worker (PMI) issues have long been a source of endless public interest. The manner of parenting and education of PMI children is one of the issues that the program of the Indonesian government has not addressed. This study aims to analyze the problems faced by PMI children, relating to the fulfillment of their rights to proper care and education and to formulate strategies to overcome them. This study uses a qualitative approach with primary data collection using purposive sampling method in the provinces of East Java, West Java, West Nusa Tenggara and East Nusa Tenggara. The results showed that PMI's children's education problems could strategically be overcome by parenting and education in mutual cooperation by involving caregivers/educational actors from the informal, non-formal and formal education sectors. The government needs to continue to encourage collaboration and synergy of stakeholders involved in the care and education of PMI children from the government, private sector and community leaders/organizations. Problems that need to be addressed are also related to the provision of PMI children's data, so that they can be accessed easily in order to facilitate the planning of programs for handling PMI children's education problems.

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1. INTRODUCTION

Limited employment opportunities in the country cause some people to look for alternative jobs abroad. Various factors that encourage a person's interest in working abroad include natural conditions that are not economically supportive, the disparity of income earned at home and abroad, wanting to seek work experience abroad and the government's limitations in providing employment opportunities. [1], [2]. The main pull factors that come from the area of the destination country, such as high salaries and job opportunities in the destination country are still wide [3].

Female candidates are still nominated for Indonesian Migrant Workers (PMI). According to information from BP2MI (2022), there were 6,436 PMIs in total in January, of whom 82 percent were women and 18 percent were men. The family's financial condition is precarious, which motivates women to look for work abroad. Being a PMI was initially required or driven by economic circumstances. Low family income or sources of revenue are prompting spouses to change their roles and responsibilities in order to raise money for the family—or at the very least, for their own needs [4]. Several factors influence women who are married (as mothers) to become PMI abroad, namely: the desire to have a luxurious lifestyle, being in debt, increasing family welfare, economic resources in the village such as agriculture and fisheries cannot meet their daily needs, and domestic violence (KDRT)[5].

It is acknowledged that migrant families and their communities of origin experience economic hardship as a result of international migration. However, it also has an immediate effect on the growth of the abandoned child. A separate burden is placed on the child as a result of the parents' decision to immigrate abroad. Children in PMI must be indirectly capable of surviving without their parents' assistance. [6]. The social risks that must be borne by PMI's

families and children are greater than the benefits obtained [7]. In general, PMI children are in a psychological condition that is less good than the psychological condition of non PMI children, which is indicated by irritable behavior, problems with peers and hyperactivity. [8]. This happens because the PMI child does not receive love from his parents [9].

In addition to the psychological problems faced by PMI's children, they also experience problems in obtaining protection to get a proper education. The absence of parents, especially mothers, in the process of child care such as moral education, manners and character education can result in children's behavior. Children's behavior will be different from children who receive direct education from both parents in the family. Many problems have arisen as a result of the departure of PMIs, especially those of the female sex, both regarding the survival of their households, as well as problems with the education of their children. This is because the function of a wife for husbands and mothers for children is irreplaceable, so the departure of these PMIs causes dysfunction in their families [10]. The communication process for PMI families to implement parenting often does not work well, meaning that the instillation of values, norms, culture, and even religion is not well embedded in the child, even though one of their parents, the father is with the child. [11].

In general, female PMIs contract as workers for a period of two years, but in reality they almost always renew the contract three or even four times. Those who are departed are generally at least 21 years old and a maximum of 25 years old. They usually leave when their children are small. That's why they are raised by their grandparents or other families [1]. When female PMIs are abroad, the care of their children is left to their closest family members who apply different parenting styles. From the results of previous studies, it can be summarized the problems faced by PMI children as a result of the parenting applied by PMI families as shown in Figure 1.

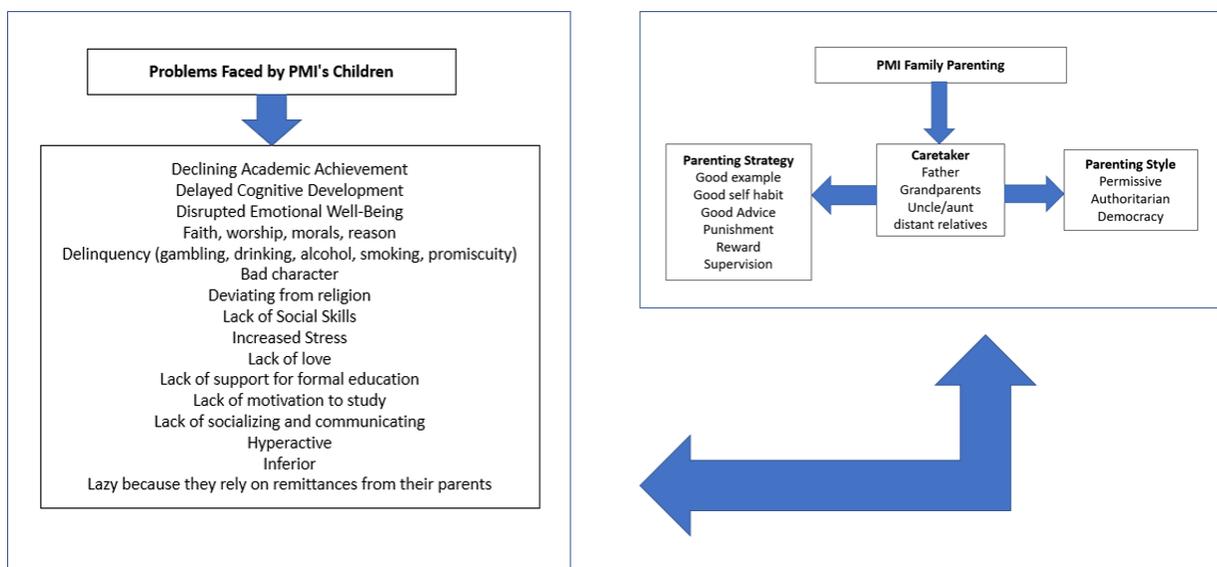


Figure 1. Problems Faced by PMI's Children as the Impact of Parenting Implemented by PMI's Family
 Source : [2], [4], [16]–[25], [5], [26]–[28], [7], [10]–[15]

Previous research found the fact that the problems experienced by PMI children, especially those left by their mothers to work abroad, were caused by improper parenting from PMI families. The purpose of this study is to formulate a model for PMI's child care by involving various elements of caretakers both from PMI's family and from other elements of society involved in the implementation of informal, non-formal and formal education for PMI's children. The novelty of this research is to formulate the government's strategy in providing protection to PMI children related to education by involving informal, non-formal and formal education actors.

2. RESEARCH METHOD

This research approach uses descriptive qualitative research that produces descriptive data in the form of written or spoken words from people and observable behavior. [29]. Primary data collection was done through in-depth interviews & Form Group Discussion (FGD). The key informants selected in this study consisted of; PMI children informal education actors, non-formal education actors (religious teachers, religious leaders, Job Training Center instructors, Private Job Training Institute instructors, NGOs), Formal education caregivers (formal school teachers), Community Leaders, NGOs in the education sector, Ministry and related institutions, as well as related



agencies. The primary data collection locations included the provinces of East Java, West Java, West Nusa Tenggara and East Nusa Tenggara which were selected using the purposive sampling method. The parameter used to determine the research location is the province which is the locus of the “Program Peduli” implemented by the Institute for Community and Development Studies (LPKP) of East Java related to the Steps of the Social Inclusion Movement of Indonesian Migrant Workers' Children. Data analysis is qualitative in three stages: data reduction, data display, and conclusion drawing/verification [30].

3. RESULTS AND ANALYSIS

3.1. Legal Basis for PMI's Child Protection

PMI's position in the current legal context is getting stronger with the law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers which mandates protection coverage not only for PMIs but also for their families including PMI's children. But unfortunately the law has not touched the regulation on how to implement protection for PMI's children [9]. In the Implementing Regulations for the Mandate of Law 18 of 2017 there is nothing that specifically covers protection for PMI children, including in the context of providing proper education. Not only Law 18 of 2017 can be used as a legal basis for the implementation of protection for PMI children, especially regarding the fulfillment of the rights of PMI children to get a proper education, various national and international legal bases can be used as a reference in providing protection for PMI children including relating to education, namely:

- Indonesia has ratified the 1990 United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families through Law no. 6 of 2012 concerning Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- Article 26 of the Universal Declaration of Human Rights shows that education is the right of every human being. Basic education is mandatory and accessible to everyone. The Convention on the Rights of the Child specifically describes the right to education for children. This convention contains the contents of the rights that must be obtained by children. Articles 28 and 29 explain the right of children to obtain education. The Universal Declaration of Human Rights and the Convention on the Rights of the Child affirm that education is for all children, including PMI children. The convention has been accommodated in Law no. 18 of 2017 concerning the Protection of Indonesian Migrant Workers. Article 24 paragraph (1) letter e mandates the empowerment of PMI and their families. Peraturan Pemerintah No. 59 Tahun 2021 Pelaksanaan Pelindungan Pekerja Migran Indonesia
- Regulation of the Minister of Manpower of the Republic of Indonesia No. 2 of 2019 concerning Empowerment of Indonesian Migrant Worker Communities in Productive Migrant Villages (Permenaker No. 2 of 2019). The government needs to facilitate the establishment of a family development community in Desmigratif in accordance with the mandate of Article 7 paragraph (1) letter c of the Minister of Manpower Regulation No. 2 of 2019. With this facilitation, it is hoped that PMI's children will receive care and their rights will be fulfilled.
- UU no. 35 of 2014 imposes the obligations and responsibilities of the state, government, local government, community, family, and parents or guardians to provide protection for children. PMI children must be ensured to get their rights according to the Child Protection Law. Some of the rights of these children are education; grow and thrive; citizenship status; health services; and protection from discrimination, exploitation, neglect, cruelty, violence, persecution, injustice and other mistreatment
- Law No. 23 of 2002 concerning Child Protection as amended by Law no. 35 of 2014 (Child Protection Law) states that; Parents are biological father and/or mother, or father and stepmother, or adoptive father and/or mother. They as parents are obliged to be responsible for; a) nurture, educate and protect children; b) grow and develop children according to their abilities, talents and interests
- The Ministry of Women's Empowerment and Child Protection issued Ministerial Regulation Number 20 of 2010 concerning General Guidelines for Family Development for Indonesian Migrant Workers and Technical Guidelines for Implementing Policies for Family Development for Indonesian Migrant Workers. Family Development for Indonesian Migrant Workers is an effort made by the local government and the community by empowering the economy, maintaining harmony and protecting the children of PMI families to achieve family resilience and prosperity. The objectives of the program are to increase economic independence, increase family resilience and welfare and guarantee the rights of PMI family children.

With the availability of a legal basis for the protection of PMI children, including the right to proper education, the Indonesian government should be able to develop strategies and programs to be able to implement them in accordance with the mandate of Law no. 18 years 2017.

3.2. The Indonesian Government's Efforts In Providing Protection To PMI Children To Get A Decent Education

The government has made various efforts to be able to provide proper education for PMI's children both in the country and in the destination country. The Government of Indonesia and the Government of Malaysia have collaborated in the field of education and resulted in an agreement in the form of establishing the Kota Kinabalu Indonesian School (SIKK) in 2008 which is the parent of Community Learning Centers (CLC) which currently number in the hundreds spread across the Sabah area. To provide educational facilities for PMI children in the country, the government has launched the Family Development Program for Indonesian Migrant Workers and the Productive Migrant Village Development Program (Desmigratif).

Family development for Indonesian migrant workers/PMI is carried out by providing knowledge, understanding and ability to PMI families to improve economic empowerment, family welfare resilience and child protection [31]. The PMI Family Development Working Group should consist of various relevant Regional Apparatus Work Units as well as NGOs in the field of Women and Children Observing as determined through a Regent's Decree. The problem that often occurs within the members of the PMI Family Development Team is that not all working group teams know and understand their existence as team members. This of course has a negative impact on the program implementation process [32].

Productive Migrant Villages (Desmigratif) is a program for handling villages dominated by Indonesian Migrant Workers (PMI) in order to improve services and protection for PMI candidate, Retired PMI and their family members whose implementation is integrated and sustainable. The program is a program established by the Ministry of Manpower to reduce and protect PMI. The Desmigratif program has four pillars, namely migration services for prospective PMIs, productive businesses for retired PMIs, community parenting for PMI families, and business cooperatives. With regard to providing protection to PMI families, especially children, pillar III of the desmigrative program is developing community parenting, where the community, parents and PMI husband/wife who live at home will be given training on how to properly care for, educate, guide and raise children. Appropriate, so that they can continue to go to school to develop their creativity. There are still problems found in desmigrative villages related to the third pillar, namely; The absence of special personnel to carry out community parenting programs, facilities and infrastructure to carry out community parenting activities are not yet available, especially learning houses [33]. Researches related to the government's efforts to provide educational facilities for PMI children can be seen in Figure 2 .

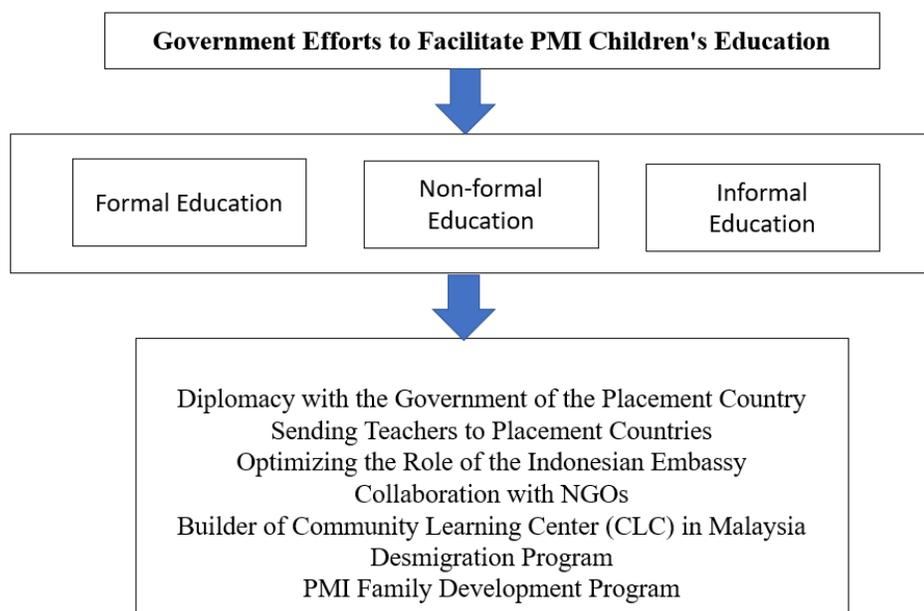




Figure 2. The Indonesian Government's Efforts in Providing Educational Facilities for PMI Children in Indonesia & in Placement Countries

Source : [31], [32], [41]–[44], [33]–[40]

3.3. PMI's Child Protection Strategy in the Framework of Fulfilling the Right to Get a Decent Education

The problem of PMI children is a complex problem where they experience growth and development with a bad stigma. They are cared for by elderly grandparents, with a minimal economic level, so PMI children tend to get a pattern of parenting and education unlike other children. Due to being left behind by their parents, it results in neglect of parenting experienced by children of migrant workers so that they are vulnerable to violence, mistreatment and exploitation ranging from toddlers to 18 years of age. At the age of teenagers, the problems experienced by PMI children include unwanted pregnancies, resulting in cases of illegal abortions. Another problem experienced by PMI children is that they are not included in the list of Family Cards that take care of them, so they cannot access social assistance, have problems with birth certificates, and also limited social relations. It can be concluded that most PMI children experience vulnerability to food, health, education and social relations.

The changes expected by PMI children include; no more negative stigma against them, getting good care and education, getting legal recognition, having their needs met, being confident, achieving, getting access to public services. To be able to get sustainable protection, there needs to be a legal basis as a guarantee for the rights they have, so that they can become part of a civilized community. They must get equality with other children including in getting proper care and education. Changes that need to be made to realize social inclusion for children of Indonesian migrant workers include three parameters/outcomes, namely; able to increase social acceptance & empowerment, increase access to basic services & social assistance including those related to the education of PMI Children, the emergence of inclusive policies and increase the capacity of Civil Society Organizations (CSOs).

One of the problems of PMI children that is often a concern is the lack of care from caregiver, so that it has a big impact on their growth and development. Many children who live with surrogate parents drop out of school. PMI children who do not have a legal identity result in them not being registered to get social assistance, one of which is getting a proper education. Efforts that can be made to ensure PMI children get proper care and education while their parents are left working abroad include;

- Conducting data collection; PMI children who are not identified by name by address so that it can be used as a basis for getting social assistance when they have problems, getting recognition and getting services related to proper care and education
- Improving the empowerment of migrant workers' children themselves as subjects of what they want to fight for to get a proper education
- From the perspective of caregivers/informal educators, especially caregivers from families of PMI children, it is necessary to provide understanding, knowledge and skills related to good and correct parenting and education models. Improving the quality of informal care/education in PMI families by compiling training modules on informal care/education and conducting training to improve the quality of care for PMI's children. After participating in the training, caregivers will be motivated to accompany PMI children.
- In terms of the environment, religious leaders and community leaders must be embraced so that they care about the education of PMI children, involving them as actors in informal, non-formal and formal education. Encouraging communities and their various stakeholders to initiate parenting and education models along with the concept of mutual cooperation. How can we build joint care and education in the community, how can we move together to provide protection for PMI's children by carrying out joint care and education while their parents are not in the country.
- Public awareness to build a wider social relation space for PMI children. Children who are isolated and not confident because their parents cannot accompany them and they are in poor condition, must be empowered through informal, non-formal and formal education processes, so that they have self-confidence and have wider social relations.
- Generating and strengthening local volunteers, cadres and leaders. An organic system will be able to provide a new step that comes from local cadres. A housewife who initially is nothing but has the

ability to be a volunteer, become a cadre and even become part of the village apparatus will be able to play a role in seeking to fulfill the rights of PMI children to get a proper education. Empowerment of key actors involved in the program at the village level is an interesting lesson, it is hoped that these actors will continue PMI's child protection program in a sustainable manner.

- In terms of the government's role as a service actor and responsible for nurturing PMI's children, it must cooperate with cadres, volunteers and NGOs who care about overcoming the problems of nurturing and educating PMI children. Encouraging local governments from villages, wards, sub-districts, districts/cities to provinces to be more responsive to services and policies for PMI children related to care and education.
- Involving multi-stakeholders in formulating a common platform, sharing roles for the future of PMI children who have rights like other children in getting a proper education. Building collaboration and synergies with various parties because each of them must have advantages, strengths that if stitched together will become great strengths. The existence of a cooperative parenting pattern is very important because it is a shared obligation; child care is a shared interest. A family cannot only think about educating themselves without paying attention to the education of the children around them, because when their children hang out with neighboring children, it will be affected too.

PMI's child care and education methods that involve various parties, both informal, non-formal and formal education actors have been pioneered through the Peduli Program conducted by the Institute for Community and Development Studies (LPKP) of East Java. LPKP together with partners from Civil Society Organizations (CSOs) are involved in the implementation of the Care Program in the Provinces of East Java, West Java, West Nusa Tenggara and East Nusa Tenggara from 2015 – 2020. The program, which has the concept of community-based integrated PMI child protection, has spread in 1,640 villages then increased to 1,776 villages. The Peduli Program involves 3,250 LPKP activists, has succeeded in establishing 2,098 PMI children's forums at the village and sub-district levels, and has targeted more than 4 thousand PMI children. With these programs, it is hoped that they can optimize the role of PMI child activists. The Peduli Program is a form of real collaboration from the Central Government, Local Government, support from the Australian Embassy and related civil society.

Through the Program Peduli, cadres are given capacity building related to the rights of PMI children, gender, organization, leadership, advocacy, and other trainings. They are also involved in meetings at the district, provincial and national levels. After receiving briefing from the Program Peduli, the cadres carry out activities and provide assistance by setting a good example, and listening to the complaints of PMI children who desperately need space for creativity and participation. Together with the village government and other related parties, it was agreed to form a village children's forum, so that the children of migrant workers and other children could become reporters and pioneers. Changes that occurred during the three years the Program Peduli was implemented, gradually there was no more stigma on PMI children, no more discrimination between one child and another, all children are the same. The Peduli Program in the future can be replicated in other villages, because through the Peduli Program PMI's children can realize their hopes and dreams, achievers and can carry out useful activities, both for themselves and their families.

There are still many challenges that must be faced in the effort to provide protection for PMI children, especially related to education. Problems experienced by PMI children are not considered sexy/interesting problems. Taking care of PMI children is considered unimportant so not many people have experience in taking care of PMI children. The perspective of the political elite regarding the social inclusion of PMI children is not yet strong; this is proven where the efforts that have been made are often not automatically followed up into existing development policies even though it is clear that this is a good practice. Maintaining the consistency and loyalty of PMI's child education cadres is difficult to do, because they are volunteers and do not get financial rewards, so they often disappear within half a year. A strategy is needed so that these volunteers / cadres continue to be monitored for their commitment and loyalty in fighting for the education of PMI children. It is not easy to develop a mechanism to oversee existing policies, encouraging local governments to issue regional regulations is easy to do, compare to ensuring how the regional regulations are implemented properly. The implementation of the policies that were born both at the national and provincial levels have not been implemented properly until the village level. The next challenge that must be faced is the lack of strong connectivity between institutions that handle PMI children such as migrant care and the Indonesian Prosperous Labor Union (SBSI) which has taken care of many PMI problems but has not touched PMI children's problems.

The government needs to continue to fight for PMI children to get special protection like other children belonging to vulnerable groups. It is hoped that issues related to the problems of PMI children in



obtaining proper education will become development issues in the RPJMN. The central government must continue to encourage the availability of Regency/City and Provincial regulations related to the protection of PMI children, the availability of budgets from the APBN and APBD for PMI children and forums for caring for PMI children can obtain legality from the Village Government so that there is a guarantee, including in terms of budgeting. The presence of policies at the village level with the existence of village regulations, is one of the efforts to encourage the village government to continue to carry out activities and programs to protect children from PMI at the village level.

CONCLUSION

To implement policies in the form of concrete actions related to the protection and proper care for PMI's children, the Indonesian government must face various challenges. The challenge that must be considered in the future is how the government can create connectivity between institutions that have concern for PMI and their children. The government must be able to seek collaboration and synergy, cooperation between parties, both from government and non-government institutions (society, business world, media). In addition, it is also necessary to create a database of PMI children that is managed well so that it becomes knowledge, modalities, evident cases, and materials for advocacy. It is difficult to seek change if there is no evidence of conditions that have already occurred. Another effort that must be made by the government is to maintain and strengthen the loyalty of PMI's partners and child observer cadres, so that they will remain part of the PMI children's social inclusion movement. To make this happen, it is important for them to be facilitated in order to fight for inclusion for marginal children in Indonesia, including PMI children. Volunteers cannot work without assistance from NGOs and the local village government.

One of the problems related to the protection of PMI children that should not be ignored is that their situation is not recorded. This can result in the problems faced by PMI children not being included in the focus of empowerment programs from the government or private sector because their problems are not portrayed. The challenge is how PMI's children's data can be included in the big data of the central government and local governments. The data required is demographic data and contains issues related to PMI children.

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