

Undocumented Women Indonesian Migrant Workers Abroad: A Malaysia Case Study

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Abstract

(Based on research on HIV/AIDS Vulnerability of Women Migrant Workers; a comparative study in Four countries: The Philippines, Thailand, Malaysia and Indonesia, Pande K Trimayuni, 2001-2002)

Malaysia is one of the favorite host countries for Indonesian migrant workers. About 45% of Indonesian migrant workers going to Malaysia, 40% of them are women. It is also estimated that 86 % those working in Malaysia are illegal migrant workers. (Female Labour Migration in South East Asia, Asia Pacific Migration Network, 2001). This situation is possible since the two countries geographically, language, and culturally are close one another.

Indonesian illegal migrant workers are very much vulnerable to be trafficked. This situation starting in the recruitment process at the origin places. There is no good system of recruitment in Indonesia. Irresponsible middle man and sponsors take significant roles in this process. Through this middle man and sponsors, women migrant workers attempt to find out job outside the country legally or illegally. Those their status are undocumented migrant, they become very vulnerable to be trafficked both on the way to Malaysia or in Malaysia as well. They are promised to be employed in factories or restaurants in Malaysia, however they are trafficked as sex workers in some areas in Indonesia such as: Tanjung balai karimun and Batam. It is become syndicated already.

We must look into the pre employment situation to understand this problem beside criticize the mobility patterns. GO, NGO, professional and other supporting system are needed to come together working for this problem of trafficking.

Keywords: *Migrant Workers, Women, Illegal migrants, Malaysia, Employment*

Malaysia is one of favorite host countries for Indonesian migrant workers. It is about 45% of Indonesian migrant workers choose to work in Malaysia and 40% of them are

women. It is also estimated that 86 % of those working in Malaysia are illegal migrant workers.¹

Statistic from Ministry of Manpower and Transmigration of Republic of Indonesia (Depnakertrans) shows that there are about 200.000 migrant workers yearly work in Malaysia.² In total, an anecdotal data estimated that there are about 3.000.000 migrant workers both documented and undocumented are working in Malaysia.

Why Malaysia?

There are some reasons why Indonesian migrant workers prefer to work in Malaysia rather than other countries. Among the reasons are:

- **Location and Modes of Transport**
Malaysia is a country which is geographically close to Indonesia. Various modes of transportation are available; plane, boat, or just cross the borders (especially for those who live in Kalimantan)
- **Language and other cultural heritages**
Language is not become a major hindrance for migrant workers who working in Malaysia since the languages of the two countries are quite similar. Aside of language, Indonesia and Malaysia are also share quite similar other cultural heritages (religion, social life, etc).
- **Simple Requirements**
Entry and work requirements for working in Malaysia are quite easy and simple compared to other destination countries. Often, migrant workers (especially those who are undocumented) do not have pre departure and post arrival programs for working in Malaysia.
- **Roles of sponsor or Middle Men**
Sponsor and middle men are those primarily become the first contacts of migrant workers for getting information on the destination country. These sponsors or middle men are those who commonly come from the same villages with the migrant workers. These people then send them to agencies or even directly to Malaysia. However, because of the ignorance of migrant workers on the recruitment procedures, many of them (especially women) then become the victims of extortion and exploitation. It is common that the middle men send them abroad without proper documents. These migrants then called as undocumented or illegal migrant workers.

Coping Practices

Living in a new place needs some adjustments. Some people find it is difficult to adjust with new environment. This is become harder for women migrant workers. It is even worse for those working as domestic workers (domestic servants). The isolated character

¹ Asia Pacific Migration Network (2001), Female Labor Migration in South East Asia, Bangkok: Asia Pacific Migration Network

² www.tki.or.id

of their work places makes additional burdens for them. Since they are undocumented migrants, they have lacks of bargaining position with their employers. Often, they are low-paid with long working hours and encounter various kinds of physical and psychological violence.

Some of migrant workers try to make friends with their fellow migrants or keep contact with their family and friends at home. In addition, there are some Indonesian communities (paguyuban Indonesia) such as mosque organizations that frequently facilitate gatherings of migrant workers, offer supports or give some training for them.

Areas of Vulnerability

These migrant workers are very much vulnerable to various kinds of threats such as: victimization, trafficking, arresting, extortion, exploitation and Sexual transmitted Diseases. In fact, these potentials have been starting from the recruitment process at the origin places. For example, as their status are undocumented migrant, they become very vulnerable to be trafficked both on the way to Malaysia or in Malaysia as well. They might be promised to be employed in factories or restaurants in Malaysia, however, for instance, they are trafficked as sex workers and employed in some areas both Indonesia (for example: Tanjung Balai Karimun or Batam) and also Malaysia.

Furthermore, running away from employer's place is another concerning situation experienced by women migrant workers in Malaysia. Based on interviews with Indonesian domestic workers who were survivors of violence in Kuala Lumpur, Penang and Johor, it was found that they were abused when they asked for helps from strangers on the way. The reason for running away is because of bad treatment by the employer.

Apart from women migrants who meet men during their stay in Malaysia and eventually get married, there are also women migrant workers who perform contract/ temporary marriage. A legal aid organization based in Kuala Lumpur that was interviewed in year 2000 predicted that there are approximately 3000 Indonesian migrant workers who perform contract marriages in Malaysia. They may marry fellow Indonesians or Indians or Bangladeshi migrants. They call this nikah agama. They understand from the beginning that the marriage is not life long.

However, some women migrant workers interviewed argued that contract marriages are not a good choice for women migrants because of the following concerns: it's not a real marriage; in marrying a fellow migrant worker they will still be poor; what if their spouse (especially if the spouse is from a different country) is deported; what happens when they have children; how about the status of nationality; where will they stay if they are not working in Malaysia, etc.

From the focus group discussions (FGD) and in-depth interviews, it was found that condoms are not familiar concept for Indonesian women migrants. Some comments among them on condom use are: never seen condom; spouse does not enjoy using a condom; condoms are for western people; strange thing; already fixed with contraception.

Without sufficient knowledge and awareness on safe sex and condom use, even those who perform the contract marriage, will still be vulnerable to getting infected by sexually transmitted infections (STIs)/HIV/AIDS since they don't know the lifestyle of their spouse before marrying them. Also, their spouse might engage in other high-risk sexual activities during their marriage and transmit the mentioned diseases.

To sum up, there are still many things need to be addressed to improve the situation of women migrant workers in Malaysia. All stakeholders;mgovernment, non government organizations as well as society as a whole need to work together.