

CHAPTER FIVE

CONCLUSION AND SUGGESTION

A. Conclusion

Based on the description in the finding and analysis, the author can conclude as follow:

1. The protection of Indonesian Illegal migrant worker is regulated in the Law No 18 of 2017 on Protection of Migrant Worker. The protection given by the government is same as the legal migrant worker. The protection consists of before, during, and after working protection. The protection to the illegal migrant worker has not been fully implemented yet by the government of Indonesia. It is because most of the migrant workers in Malaysia left Indonesia before the law had been enacted. Fortunately the government through Migrant Care established DESBUMI in order to prevent the recruitment of illegal migrant worker in the level of village.
2. There are 2 (two) obstacles faced by the government of Indonesia to implement the Law No 18 of 2017 on Protection of Migrant Worker in order to protect the illegal migrant worker of Indonesia. First, lack of data regarding the illegal migrant workers. Due of that the government of Indonesia is hard to protect the migrant workers because the government does not know that the worker that going illegally is from Indonesia. Usually the government knows about it when the illegal migrant workers already face problems, so the protection from the government became

late. Second, the lack of state budget to handle the protection of Indonesian illegal workers. The lack of state budget make the process of returning the dead body is difficult, it is because of the cost is expensive. Not only that, it is because the illegal migrant workers do not have valid data regarding themselves, so the government does not know to whom the dead body of illegal migrant workers should be returned. Besides of that the deported Indonesian illegal worker is also expensive.

B. Suggestion

To overcome the problem of illegal migrant workers, the author suggests that:

1. The government of Indonesia should create a particular organ that works in abroad which have function to collecting data from Indonesian migrant workers in order to identify the legal migrant worker and illegal migrant worker. The government also must persuade the illegal migrant worker that has been identified to become legal migrant workers.
2. The local government in Indonesia must control the recruitment of migrant worker in their respective region. The local government should impose more severe punishment to the agency which recruits illegal migrant workers.
3. The prospect of the migrant worker should follow the Law No 18 of 2017 on Protection of Migrant Worker, so the government of Indonesia is accessible to protect them if they have a problem.