



Evaluation Summaries

Combating forced labour and trafficking of Indonesian migrant workers (Phase I)

Quick Facts

Country: *Indonesia*

Final Evaluation: October 2008

Mode of Evaluation: *independent*

Technical Area: *Forced labour*

Evaluation Management: *DECLARATION and ILO-Jakarta*

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Project Code: *INS/06/10/NOR*

Donor: *Norway*

Keywords: **Forced labour, Human trafficking, Migrant Worker**

Executive Summary of the main report

1. Indonesia currently has approximately 4,000,000 documented migrant workers (MW) who are primarily engaged as domestic workers (DW) working overseas, and an estimated number of undocumented MW as high as 12,000,000 which make it the second largest formal exporter of labour and perhaps the largest informally from an international perspective.

2. Protection and regulation for MW/DW still needs extensive improvement in Indonesia, and it is within this context that the ILO has formed the partnership with the GOI under the *Combating Forced Labour and Trafficking of Indonesian Migrant Workers Project* (CFLTIMW) through working with its relevant organizations as follows:

- a. Coordinating Ministry for Economic, Finance and Industry Affairs (*Menko Ekuin*);
- b. Department of Manpower and Transmigration;
- c. National Agency for Placement and Protection of Indonesian Migrant Workers (BNP2TKI);
- d. Ministry of Foreign Affairs;
- e. National Committee of Violence Against Women (*Komnas Perempuan*);
- f. Indonesian Migrant Workers Union (SBMI);
- g. Other Migrant Workers Organizations in Indonesia, Malaysia, Singapore and Hong Kong;
- h. NGOs and CBOs concerned with Domestic Workers, Migrant Workers, Forced Labour and Trafficking.

3. Although systemic improvements have been made, MW/DW are still plagued by the following issues:

- Lack of legal protection;
- Abuse and exploitation during recruitment and placement;
- Abuse in the workplace;
- Claiming rights and freedom of association;
- Forced labour and trafficking;
- End of contract abuses;
- Re-integration challenges;
- Child labour;
- Lack of pre-departure planning and preparation (financial and other);
- Remittance management;
- Unclear remuneration structures;

In general there still exists an urgent need for governments to prepare, ratify and enforce legislation on domestic work, which is unregulated and informal, and therefore lacks both social and legal protection.

4. Migrant workers, especially domestic migrant workers represent a high potential resource that if managed well can bring significant earning power to bear on the development of the local and national economy of Indonesia. Migrant and domestic work provides an avenue through which to ameliorate a significant amount of unemployment, generate income and foreign exchange, reduce poverty, develop the national work ethic and increase the national response to globalization.

5. This evaluation was undertaken from September to October 2008 and has the following objectives:

- a. review the achievements of the Project by assessing to what extent the stated objectives and major outputs have been achieved;
- b. review the efficiency and effectiveness of the project implementation framework and links to national policy and programme frameworks, as well as the potentials for doing so in a potential new project phase;
- c. review the efficiency and effectiveness of the project implementation framework and links to national frameworks;
- d. assess if the project has reached a state of maturity at the end of the current project phase so that project-initiated activities may be sustained without further external financial and technical support;
- e. review to what extent the programme is still relevant and is continuing to meet the needs of its direct target group – migrant and internal domestic workers in the project countries;
- f. draw conclusions in terms of the progress made and make recommendations for future actions beyond the end of the project (i.e. what is the scope and potential for activities being sustained without technical assistance by the ILO, and what is the scope for another phase of the project?);

6. The evaluation consisted primarily of a desk study of relevant documents, focus group discussions, interviews and site visits to a sample of its activities in local/rural areas. The project was advised during inception that an impact analysis would not be cost effective and due to the short implementation period of two years is unlikely to have created any measurable impact at the time of the evaluation. The evaluation therefore examines proxy indicators and stakeholder perceptions to describe the current rate of progress toward its objective which is “to contribute to the eradication of discrimination and exploitation of Indonesian migrant workers in Indonesia and selected main receiving countries in Southeast Asia”.

7. The CFLTIMW Project was initially beset by a number of implementation constraints including start up delays, funding shortfalls and regulation and institutional changes. However, commendable action was taken by the project to overcome these initial constraints by rescheduling and intensifying activity implementation, identifying and accessing other funding sources and exploiting synergies with other projects. The project still deals with resistance to change among stakeholders due to their perspectives on domestic work and its informal nature, and poor capacity of partner institutions, especially in reporting and preparation of TORs and proposals.

8. Regardless of delays and funding shortfalls the activities have all been accomplished in an effective and efficient manner and have resulted in an impressive array of outputs, which combine with the lessons inherent in the implementation experience to strengthen the position of MW in terms of development of policy and legislative protection, and the capacity of the participating organizations and individuals to better manage migrant workers. The project has also been beneficial in that it has lifted the profile and publicised the conditions under which MW work. It has also established base and sustainable capacity to

empower MW in the pursuit of better working conditions and response to abuses, and enhanced livelihoods through the provision of direct assistance and services.

However the level of underdevelopment is such that the project has only scratched the surface of the problems and challenges of the sector and begun the journey along the long road to fair and just treatment of migrant and domestic workers.

9. Trade unions and community organizations have responded well to the capacity building activities but they still suffer major capacity gaps, not least in financial resources. These organizations find it difficult to attract members and members find it difficult to pay dues, which is a major problem and it is this problem that makes the current status of this component in terms of maturity unsustainable. More work is required to build the capacity of these organizations. One way to address this problem is to find ways for these organizations to access financial resources through earning money from provision of services such as training and consulting. In order to attract more paying members, these organizations' capacity needs to be further improved to improve their marketability by providing quality services to their constituents.

10. The project has delivered well on gender equality overall, however some minor issues suggest further attention to gender equality is warranted in a small number of locations.

11. The project has been, and remains relevant to current and future directions of the ILO and other development organizations and in line with the mandate of the ILO. It is especially relevant to the Indonesia Decent Work Country Program, and supports the current policy direction on domestic work.

12. The project logic and validity of design are sound, however some minor improvements and changes need to be arranged to bring it into line with the new approaches and reformulated objectives of the next phase.

13. The outreach, protection, livelihood activities and reintegration services is the area directly relevant to the relationship between the ILO's work and development. The normative task of the ILO is to monitor labour issues and provide solutions to labour related problems by working with partner organizations in developing countries. Recently however, it has become clear that MW is likely to become a major source of development for local communities and the nation as a whole. While development donors are traditionally not interested in providing funding for normative tasks, the existence and development potential of MW indicates that the ILO can now ostensibly access a broader range of donors to increase its footprint with regard to MW/DW matters. It can do this by up-scaling project action and mainstreaming migration and forced labour/trafficking concerns into the Indonesian development framework to strengthen the migration development nexus.

14. A full set of recommendations is in section 8 of the report and summarised below.

Recommendations

Program Management & Implementation

1. The project should consider additional staff members, especially a position dedicated to M&E support and Project MIS development. The additional staff member could handle all matters relating to information management for the project including preparing standard report formats and providing assistance to building capacity for reporting and production of TORs in partner organizations. The project should also consider employing an M&E specialist at the outset to work with an MIS assistant to develop systems and a more rigorous approach to recording outcomes and keeping track of progress and gathering data and information into a consolidated, standard easily digestible periodical report.

2. The selection process of participants for the SYB program could be modified with an

additional instrument to collect information and data for purposes of measuring proxy indicators of outcomes and impacts at the micro level.

3. The project should pay more attention to gender balance in activities, rather than just maximise the participation of women

Implementation and Future Action

1. The policy and legal frameworks component should continue in its current form, however it should start in any new phase with a review of the current status to identify potential areas where delays are occurring, identify the reason for delays and formulate strategies for expediting the process. A compilation of all current laws and regulations should be undertaken and updated. Possibly through consultation with a Ministry of Justice, legal product register if such a register exists.

2. The policy and legal frameworks component together with the targeted research component should undertake a comprehensive review of current laws and practises surrounding domestic work to feed into the future activities and the debate on a DW convention.

3. The project should attempt to engage better with MOMT through establishing a mutually beneficial task around which the two organizations can cooperate, build relationships and move ahead. This could be in the form of a pilot project developed around an important mutual need.

4. A coordinated information flow on migrant workers needs to be developed between the organizations involved in the management of MW including national and local entities.

- a. Jobseeker information (supply);
- b. Placement information (demand);
- c. Migrant worker profile and LMI database.

5. Local (camat) and village officials should be brought into this process and maintain

databases of local MW potential and placements.

6. Research should be undertaken on the possibilities of establishing standard placement costs to different countries and a minimum set of standards to apply to accreditation of PJTKI. The project should work closely with BNP2TKI on this matter.

7. A MW “calo” registration process should be explored; this would be best coordinated with local sub-district (camat) and village administrations. It could ostensibly be used to establish geographical boundaries for “calo” and enforce more responsible and accountable treatment of MW.

8. The project should explore the possibility of preparing village regulations for migrant workers.

9. An inter-departmental working group needs to be established to address the issues of relationships between central and local government and identify mutually exclusive areas for contribution to MW management and eliminate overlap and obfuscation.

10. The MW sector is growing in importance and its relationship to development is also becoming clearer, however, information is still limited. A cost benefit analysis should be conducted on the MW sector to establish the balance between costs and benefits and clarify the most productive sectors and what real contribution is made to the Indonesian economy from each.

11. The current awareness raising campaign and advocacy should be extended to mainstream Indonesia through funding awareness campaigns aimed at Islam in the manner that the Fahmina Institute currently operates. Leaflet production and other publications explaining the status of human trafficking and migrant work from an Islamic perspective.

12. The targeted research and publications program has produced many recommendations. These recommendations should be summarized in a document and fed into an action plan for the next phase.

13. Research needs to be undertaken to identify the status and potential, problems and profile of male partners of DW/MW and their special needs.

14. The ILO may wish to expand the volume of work done by the project, especially in the local areas to make more efficient use of funds. One way that this could be done is to utilize the current funding allocations by dedicating them fully to the Policy and Legislative Protection, Awareness Raising and Advocacy, Capacity Building of Key Stakeholders and Research/Data Collection and Dissemination Systems components within the normative ILO framework which by default require higher cost national and international consultant inputs, and separate the Outreach, Protection, Livelihood Activities and Re-integration Services into a separate component to be funded under a development framework that would stand alone as a separate intervention under the CFLTIMW project. Other project configurations could also be explored to find a way to increase efficiency and effectiveness while up-scaling project action and mainstreaming migration and forced labour/trafficking concerns into the Indonesian development framework.

15. Alternative methods of awareness raising and advocacy should be developed to increase the horizontal and vertical scope of impacts.

a. Development of a migrant domestic worker icon in the form of an animated character that could be used on national TV to boost awareness of MW issues through short duration commercials;

b. Documentaries on the positive good news stories of MW;

c. Sinetron with MW themes ;

16. The project should re-examine the training programs it provides and identify new training products to apply to MW management:

a. Practical problem solving skills for consular staff;

b. Psycho-social counselling for consular staff;

c. Communication skills (for communication with MW).