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A Fluid Border? Indonesia-Malaysia Labour Migration and Human Trafficking from Human Security Perspectives

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Acknowledgement

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List of Acronyms

BP2MI	Badan Perlindungan Pekerja Migran Indonesia
CESCR	International Convention on Economic, Social Cultural Rights
CMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of the Families
IMS-GT	Indonesia- Malaysia-Singapore Growth Triangle
IOM	International Organization for Migration
PR	Presidential Regulations
UDHR	Universal Declaration of Human Rights

Abstract

The relationship between Indonesia and Malaysia in one of amongst all factors is also strongly intertwined by labour migration. In 2019, Indonesia Central Bureau of Statistics reported Malaysia as the top receiving country of 79,662 Indonesian migrant workers who started their working journey abroad (Idris, 2020). From the perspective of remittances, the contribution of migrant workers as Indonesia's backbone is unquestionable. Looking at migrant workers from a numerical perspective, their contribution to country's economic development just seems 'too good to be true' without seeing the other side – the real threat of their migration journey. Malaysia is the leading destination for victims of human trafficking due to the vulnerability of the system in place, in which two countries control the entry and exit of undocumented migrant workers. This research will provide a thorough analysis of the central elements and experiences of the migration regime by understanding the regulation and social practices in the Riau Islands and how it influences the risk of human trafficking in this region.

In short, this research paper will explore the migration regimes in the Riau Islands that consist of various dynamics from policy, state actors, non-state actors, and 'potential' trafficked migrant workers that are still not enabling a comprehensive environment that provides the guarantee for human security. In the case of labor migration, politicization and securitization highly influence the regime where priority still places in the favor of 'state' not 'human/individuals'. In the policy and its practices, there is still a lack of normative grounding on understanding 'human security concepts where the technical tools or instruments are also still absent to be implemented. Although humanitarian actors from different backgrounds have been trying to apply the two basic pillars of human security which are 'protection' and 'empowerment' of the migrants workers while handling human trafficking cases, without structural reform and sustainable compliance within the whole system in the regime, there is no guarantee that the risk of human trafficking can be reduced or abolished.

Relevance to Development Studies

This topic is clearly relevant to Development Studies because labour migration plays a great role in Indonesia's economic development. However, this impressive contribution has another side of story where the migrant workers are struggling and risking their life to be trapped as the victim of human trafficking.

Keywords

Chapter 1
Prologue

I wrote my bachelor thesis on the migration issue, but until the beginning of my master study, I never truly realized that my interest in this topic had been nurtured since I was a child. I grew up in Batam, a part of the Riau Islands, a famous border region for Indonesian migrant workers to start their new journey in Malaysia or Singapore. My house was often filled with unfamiliar faces who would stay for a short time and then leave again, and a beloved family member used to take me to our neighbouring countries once a week through the sea. Little did I know, she was a migration entrepreneur, and her activities might even be considered "illegal" by the governments at that time. Once in a while, the strangers returned to our residence, exposing the other side of their stories—the portrait of their misery abroad. Exploitation to work for an extended period, the isolation that closes opportunities to communicate with the outside world, wages never being paid, forced to be a sexual slave and various modus operandi that surrounded the life of these Indonesian 'foreign exchange heroes' overseas.

I spent a year working as a migrant worker – despite the fact that maybe most people often referred to me as 'expatriate' instead of 'migrant worker' while I was staying in Malaysia. That was also how I saw myself back then, an 'expat', which was surely influenced by the discourse and normalization of the term that we frequently or unconsciously used to distinct 'migrant worker' as 'blue-collar worker' and 'expatriate' as 'white-collar worker'. As time goes by, I realize this classification also influenced how people treat us in the destination country and the story behind the migration process. The terminology of migrant workers sometimes exists and is used for more political purposes, to give negative sentiments to their position in a country (Nash, 2017).

I refreshed my interest in the labour migration discourse when I created a podcast with Ibu Anis Hidayah back in 2019 about the role of women in advocating the rights and migrant workers (Ke Temu Podcast, 2019). I still remember that day she was telling me about the considerable progress that she has been advocating for years with her network, the legalization of national policy that regulated issues related to migrant worker protection under Law Number 18 of 2017. A real milestone for comprehensive improvement of the government regulations to protect the safety of migrant workers from pre-departure to post- placements. Moreover, this policy also aims to guarantee the security of migrant workers' family members, not only the migrant workers themselves. I was pretty impressed by the progress of this policy, how it sounds like an oasis in the middle of the struggle of Indonesian migrant workers overseas. However, this progress was not as majestic as it seemed. There are many flaws that make this policy only seem to be a 'mask' or just an instrument of papers that need to comply with international law and pressure from activist.

As I grew up in the Riau Islands, I noticed that this region has a special uniqueness related to its people mobility to the neighboring country, Singapore and Malaysia. It is one of the most important entry points for migrant workers from Indonesia to Malaysia, especially from western Indonesia. Every day, thousands of people move via this passage, both legally and illegally. Its geographical location surrounded by the sea makes it feasible to transport people from 'unofficial' port without going through the immigration process where the possibility of human trafficking seems endless. However, as outlined in Law Number 18 of 2017, the Indonesian government's policy does not mention 'border management as a

means of protecting migrant workers. Another policy instrument specifically regulating a task force to prevent and tackle human trafficking under Presidential Regulation Number 69 of 2008 (PR 69/2008) that recently amended to Presidential Regulation Number 22 of 2021 (PR 22/2021) also missed the discussion about 'border'. The lack of this point in central government policy instruments appears to be creating a loophole in border regions, potentially increasing the risk of human trafficking. Hopefully, the results of this research paper can be used to understand better the factors that drive and deter human traffickings, such as examining government policies and the role of the border community from a human security perspective.

As a woman, former migrant worker myself, an old resident of Riau Islands, and a witness of the illegal practice of labour migration, I am writing this research paper to analyze the risk and factors of human trafficking and provide an evidence-based study on the policy analysis of "what works and what doesn't" in migration management policy and practices of Indonesian labour migration to Malaysia in the Riau Islands. The practical implications of this research may be used by the local government to plan future policy actions. This research's theoretical implications will contribute to better understanding human security and human trafficking issues in the labour migration context. This research paper is written to mainly address the question of:

How does the migration regime in the Riau Islands influence the risk of human trafficking for Indonesian labour migrants?

I considered exploring the answers to the following sub-questions in addition to answering the primary question:

1. Which migration management policies and practices are implemented in the Riau Islands? 2. In what ways are discourses about and experiences of "illegalized" labour migration and human trafficking linked?

3. What is the border community's role in illegalized migration and human trafficking?

4. To what extent and how do migrants report cases of human trafficking and how are these cases handled by the authorities?

5. What kind of humanitarian action has been taken to reduce the risk of human trafficking in the region?

Furthermore, I implement a qualitative research method with literature review and a series of interviews with respective stakeholders to understand labour migration and human trafficking policy and practices from a human security perspective. I am starting my research with two weeks literature review dedicated to understanding the current migration policy and practices in Riau Islands. This process of reviewing helped me to explore my topic and essentially supported me to develop my research question (O'Leary, 2017, p. 189). I analyze policy paper from Law Number 18 of 2017 about Migrant Workers Protection and Law Number 21 of 2007 about Counter Human Trafficking. I dedicated one month to have semi-structured interviews with three categorizations of stakeholders within the migration regime; state actors, non-state actors, and former trafficked migrant workers. These interviews as a method was chosen because it provides me with rich, in-depth qualitative data (O'Leary, 2017, p. 443). In total, 716 minutes of talks are recorded through Zoom/Digital Recorder from 3 representatives of state actors (2 representatives of BP2MI in the Riau Islands and former Indonesian diplomat that handled issues related to migrant workers in Malaysia, Freddy Panggabean), 4 representatives of non-state actors (Anis Hidayah from Migrant

CARE Indonesia, Romo Paschal from the representative of catholic church and Safe Migrant Batam, Alex Ong from Migrant CARE Malaysia, and Rahayu Saraswati as the National Co-ordinator of Anti-Trafficking Network in Indonesia), and most importantly, 4 former trafficked migrant workers (Sari and Triple A; Awan, Anggrek and Air – pseudonyms). Writing this research is absolutely not as easy as writing a simple article. The sensitivity of this issue also makes the process of making this piece is a challenging learning process. There are many difficulties in getting in touch with the former trafficked migrant workers from Indonesia to Malaysia that are already fully-healed – and bringing back their trauma is undoubtedly not the purpose of making this research paper. However, hereby I present you the curated experiences of some of their journey.

This research paper will be divided into six chapters. The first is this prologue. The second chapter will highlight contextualizing the research problem, exposing the grounding of this research from the labour migration relations between Indonesia and Malaysia, Riau Islands as the multi-directional border and human trafficking as an undercover practice. The third chapter will start unravelling the part of migration regime discussion, focusing on the dynamics of policy and practices in the Riau Islands. The fourth chapter also depicts the connection between labour migration and human trafficking experiences along with the challenges of reported cases and how the authorities are handling this issue. The fifth chapter will emphasise the role of border community and humanitarian action implemented in the region. To wrap up the discussion, at the end, this writing will be closed by an Epilogue that will conclude the findings and restate the answer to the questions.

Chapter 2
Contextualizing the Research Problems

To gain a better understanding about the research problem, I open this research paper by explaining the context and correlation of the connected discussion. This section will first explain about the Indonesia-Malaysia Continual Labour Migration. Decoding the historical linkage that has been built between these two countries since many years ago. The second portray the position of Riau Islands as the foremost 'multi-directional' border for Indonesia Malaysia Labour Migration. This region is not only the transit strategic points before migrant workers depart to its destination country, but it is also the final destination for some people either its by choice or by chance. The third sub-section will describe the human trafficking as an undercover yet continual practice in the Riau Islands.

2.1   Indonesia-Malaysia Continual Labour Migration

Indonesia is a country that plays a very active role in exporting its labour. Migrant workers especially low-wage migrants are even assigned the status of "foreign exchange heroes" because of their efforts as the country's development's backbone (Amalia, 2020, p. 17). Migrant CARE's report in their book titled 'Women Migrant Workers - Disadvantaged Development Actors' reminds us of the fact that money transfer transactions by migrant workers are greater than the amount of Official Development Assistance (ODA) that is distributed by developed countries. (Maulida, Santono, and Susilo, 2019, p. 17). This remark was bolstered by Sassen, who noted that the role of wealthy donor nations has altered, with them now providing less foreign aid for development than they did 30 years ago (Sassen, 2016, p. 208). From the perspective of remittances, the contribution of Indonesian migrant workers is unquestionable. In 2018, the number of incoming remittances reached USD 10.97 billion, equivalent to 154 trillion rupiah. This value was comparable to 7 per cent of Indonesia's total state budget and almost 1% of Indonesia's total Gross Domestic Product (Tirtawening, 2019) in the same year.

Indonesia and Malaysia, as neighbouring Southeast Asian nations, share many common traits with one another (Arifianto, 2009, p.617). Both countries were once part of the ancient empires and kingdoms of Majapahit, Aceh, Srivijaya, and Johor Riau, and their ties can be traced back to the 7th century. Some of the ethnic group including Minang, Bugis, and Javanese had migrated to the Malay Peninsula and formed significant communities in Modern Malaysia (Bakar, 2020). Ethnic Malay is Malaysia's main ethnic group and one of Indonesia's major ethnic groups as well. The two countries' majority populations follow the same religion (Islam) and use the same language (Bahasa Melayu). Despite these similarities, in terms of migration patterns, instead of having equal two-way migration trajectories, people movement between the two countries majorly transpired from Indonesia to Malaysia but not vice versa. The advancement of Malaysia's economic development is one of the pull factors that attracted Indonesian people to look for better fortune in the country next door. As per 2020, the official numbers of Indonesian migrant workers in Malaysia is around 1 million, however the Indonesian Embassy in Kuala Lumpur and the NGO Migrant Care both estimate there are 2,5 to 3 million people living there (Walden and Wijaya, 2020).

The British colonial government in the early 20th century marked the first massive labour migration wave from Indonesia to Malaysia. The ruling government decided to hire workers from the then–Dutch East Indies for plantation work in Malaysia (Arifianto, 2009,

p. 617). This pattern of outsourcing manpower runs continuously and develops into other industrial sectors until now. Due to the North Borneo dispute in 1960s, the flow of Indonesian labour migration to Malaysia decreased remarkably, but only temporarily. The influence of China in the New Economic Policy (NEP) towards Malaysia, revitalized the needs of Malaysia to import foreign workers to balance the demand for labour in the country. Unfortunately, in the 1970s, the incompetency of the Malaysian government to implement a legal framework for recruiting migrant workers increased illegal practices between these countries. As the framework settled in 1980s, the process was so expensive and bureaucratically cumbersome for prospective employers and workers alike that they continued to prefer labour recruitment through illegal channels instead of legal ones (Kaur and Pillai in Arifianto, 2009, p.619).

In turn, these illegal passages determined the upcoming policies from Malaysia's government to restrict Indonesian migrant workers to land their feet in this country. In 1991–1992, the Malaysian government launched Operation Nyah (literally, "get out") I and II, which pursued irregular migrants on land and at sea crossing the Indonesian and Thai borders. The Malaysian government managed to deport 200,000 undocumented migrant workers by November 1998 (Pillai in Arifianto, 2009, p. 620). The Malaysian government's most divisive campaign against migrant workers from Indonesia was revealed in 2002, when it announced a "Hire Indonesians Last" policy. Former Prime Minister Mahatir Mohammad claimed that Malaysia had been too reliant on Indonesian workers and that it was time to replace them with workers from other countries (Arifianto, 2009, p.619). The political environment between these two countries was tepid, since the two presidents frequently clashed in their viewpoints and approaches. However, up to now, Malaysia still becomes the leading destination countries for Indonesian migrant workers both through legal and illegal ways. Nevertheless, the Indonesian government at the same time becomes more considerate before sending migrant workers to Malaysia or giving permission after several of moratorium implemented as the cases of (known) human rights violations of undocumented migrant workers increase. As a consequence, the two countries are now securing their national interests stronger in the context of labour migration. However, as the migration policy tightened, the practice of illegal migration still happened yet mostly unrecorded.

2.2   Riau Islands – The Foremost Multi-Directional Border

In turn, these illegal passages determined the upcoming policies from Malaysia's government to restrict Indonesian migrant workers to land their feet in this country. In 1991–1992, the Malaysian government launched Operation Nyah (literally, "get out") I and II, which pursued irregular migrants on land and at sea crossing the Indonesian and Thai borders. The Malaysian government managed The relationship between Indonesia and Malaysia has been historically close since many years ago. In the colonial era, the two countries, which were located in the strategic zone of the Malacca Strait, became a battleground for countries that wanted to have power in world trade. In 1990, the Indonesia- Malaysia-Singapore Growth Triangle (IMS-GT) was created, a project that promised to restore Riau Islanders' dreams of prosperity by leveraging Singapore's reputation as an "Asian Tiger" to boost economic conditions in the islands, as well as by granting Riau Islanders special access to Singapore and Malaysia. The IMS-GT is often cited as an example of an increasingly 'borderless' world in which people, goods and information flow seamlessly across national borders (Ohmae in Ford and Lyons, 2006, p.257). The IMS-GT is said to typify Kenichi Ohmae's definition of 'region states' that are able to circumvent national sovereignty constraints as an example of how business linkages and investment flows cross political boundaries. This economic

cooperation across the three countries had created a 'borderless' illusion across Riau Islands and the other two countries, reinforcing the position of the Riau Islands as the important border for labour migration. Johan Lindquist in his book titled the Anxieties of Mobility stated that this region is not strictly as a place that is "offshore" as part of the Growth Triangle, or even as a case study for export processing zones, but rather as a node in a system of human mobility that is territorially and culturally unbounded and that draws together Indonesian migrant workers in Singapore and Malaysia (Lindquist, 2009, p. 8).
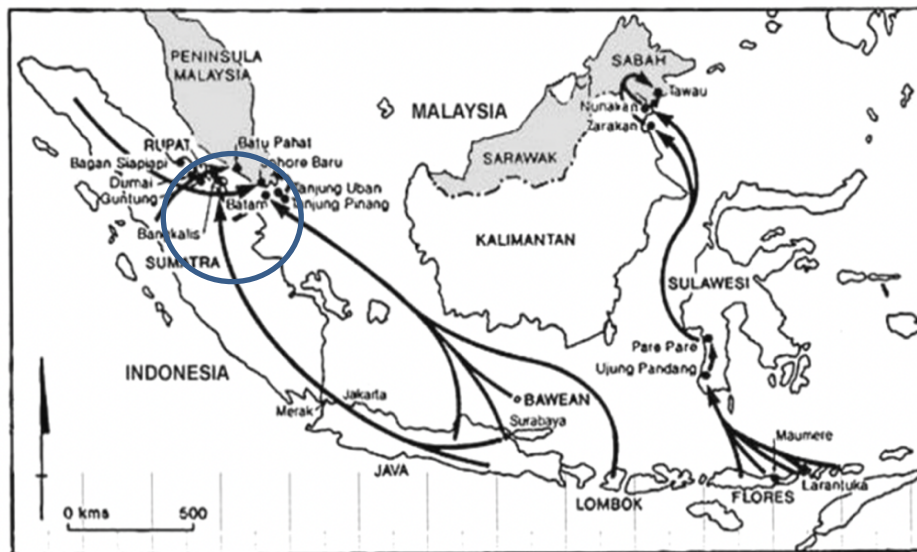
Map 1: Indonesia-Malaysia Migration Track

The Riau Islands (marked in a blue circle) are thousands of kilometres from Indonesia's capital, Jakarta, along the country's border. The territory of Riau Islands Province consists of the main islands of Bintan, Batam, Karimun, along with Natuna and Lingga, as well as many other smaller islands and islets (Ford and Lyons, 2007, p. 2). The province was officially formed in 2002, before that time, the Islands were incorporated into the Province of Riau, whose capital is located in Pekanbaru on the Sumatran Mainland (Ford and Lyons, 2007, p. 2). Tanjung Pinang was regarded as the most strategic staging post for illegal entry into Singapore and Malaysia in 1986 (Sobary in Lyons and Ford, 2007, p. 10). As the island of Batam's transportation infrastructure improved, it became the chosen departure point. This city is the largest city on the Riau Islands, is less than an hour away by ferry from Malaysia's state of Johor. Batam is a node in the circulation of both capital and people, where both can suddenly appear, only to vanish days, months, or years later (Lindquist, 2009, p. 9). However, many migrants continue to leave from Bintan or the island of Karimun through unofficial channels.

The Riau Islands, like other borderland regions in Indonesia that are located closely to wealthier economies, have seen rapid social and economic change as a result of their proximity to Malaysia and Singapore. They are the closest point for repatriation of workers whose contracts have expired or illegal migrants who have been sent and deported, as well as the location of significant recorded and undocumented labour flows to both countries (Ford and Lyons, 2007, p. 2).

2.3 Human Trafficking – The Undercover (Yet) Continual Practice

Human trafficking is considered a crime against humanity (Naibaho, 2011, p.83). Working together with Indonesia's government and civil society partners, IOM has identified and assisted over 9,250 (known) victims of human trafficking in Indonesia since 2005 to 2020, (IOM, 2020). The Palermo protocol defines human trafficking as:

> ...the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (Advenita, Susilawati, Kurnadi, 2020, p. 458).

The Protocol defines three distinct elements, as this definition suggests: (i) an action (e.g. recruiting); (ii) a means (e.g. coercion or deceit); and (iii) a goal (exploitation) related to human trafficking (Ford, Lyons and van Schendel, 2012, p. 5). Once it is shown that fraud, coercion, or other unlawful techniques have been employed, consent is considered immaterial in identifying "victims of trafficking". Although sometimes the distinction between human smuggling and human trafficking in labour of migration is not black and white. In the context of labour migration, this definition applied through the illegal process of recruitment and purpose of migration that usually forced one-sidedly by the traffickers. Reflecting on the labour migration context that framed in my past experiences, I noticed how my erstwhile memories were related to the possibility of recruiting, transferring, transporting, or harbouring undocumented migrant workers that might lead to exploitation.

The IOM Indonesia CTM database holds information relating to 3,701 trafficked Indonesians between January 2005 and January 2010 (Tomison, 2013, p.1). From 2013 to 2019, the case of (known) human trafficking in Indonesia fluctuated, but it was largely reduced. Human trafficking victims rose from 317 to 464 people in 2017, but declined to 343 people in 2018. The ministry assisted 370 victims of sex trafficking as one of the biggest industry destination of this practice in 2019. In the meantime, the recorded number of migrant victims, on the other hand, has decreased from 1,279 in 2017 to 151 in 2019 (Advenita, Susilawati, Kurnadi, 2020, p. 460). However, this did not represent the real case of human trafficking practice that occurred since there is no trusted data that integrate the whole report and cases handled by cross actors, and even when there is one, most of the time the data is still 'manipulated' depends on to whom the numbers are going to be represented (Interview Freddy Panggabean, 2021).

The Indonesian government estimates that at least two million of the six to eight million Indonesians working overseas are illegal or have overstayed their visas, putting them at danger of human trafficking, while the true figure is likely far higher (US Department of State, 2020). The labour traffickers lured the potential migrant workers by utilizing the debt-based coercion. Generally, Indonesian migrant workers placed in domestic work, factories, construction, manufacturing, Malaysian oil palm plantations, and on fishing vessels throughout India and Pacific Oceans, while the women commonly exploited by the sex traffickers (US Department of State, 2020). Sex traffickers in Indonesia, particularly in Batam and Jakarta, frequently offers to work in restaurants, factories, or domestic service to pressure and mislead women and girls into commercial sex exploitation. Online and social media platforms are increasingly being used by traffickers to attract victims. In 2017, an NGO

reported that 70,000 to 80,000 children were victims of child sex trafficking in Indonesia, this practice also popular in the Riau Islands (US Department of State, 2020).

Over the past years, Indonesian government has tried to pursue its goal for the elimination of human trafficking. It provides victims with security services through its social affairs ministry; finding, obtaining, and supporting more Indonesian victims abused overseas than the previous year; recovering back wages for Indonesian workers seeking recompense for unpaid work overseas; continuing to produce and disseminate information materials; and enacting legislation to a migrant worker protection bill that passed in 2017 (US Department of State, 2020). Although the Ministry of Home Affairs released a ministerial regulation in April 2018 requiring regional governments to include anti-trafficking in their policy objectives, the central government lacked a mechanism to enforce this order, and it had little authority over all provincial governments to distribute anti-trafficking funding or enact national policies. This state report also acknowledged the fact that provincial police had maintained 13 anti-trafficking task forces but did not report on their activities or outcomes. The national police anti-trafficking unit did not have a mechanism to track investigations at all levels of government, making it difficult to assess enforcement trends and to determine the total number of investigations and resolved cases. Up to now the synergy between multi-stakeholders in Indonesia is still questionable. As a result, this study aims to fill a knowledge gap in this area and provide valuable insights that can lead to further research.

2.4 Theoretical Framework and Key Concepts

2.4.1 Migration Regime

This research paper will focus on analysing the issue of labour migration and human trafficking through migration regime frameworks. The term 'regime' itself calls attention to the role both of individual states and of changing international regulatory and surveillance administrations that affect individual mobility (Glick Schiller and Salazar, 2013, p. 7). 'Regimes of mobility' incorporates the relationships between the privileged movements of some and the co-dependent but stigmatised and forbidden movement, migration and interconnection of the poor, powerless and exploited (Franquesa in Glick Schiller and Salazar, 2013, p. 6). Unravelling the concept of regime, Hess defined the term 'migration regime' as the ability to include a large number of actors whose practices are related but not ordered in the form of a central logic or rationality; that is, 'to speak of a regime' means to understand regulation as an effect of social practices rather than presupposing it in a functionalist manner. The concept of 'regime' in this sense implies as a space of conflict and negotiation (Hess, 2012, p. 430). The stakeholders in this border zone including politicians, the media and security professionals, among others, perpetuate a 'truth' about the link between migration, crime, unemployment, terrorism and disease (Bigo in Vogt, 2017, p.9). Migrants are often constructed as undeserving 'illegals' or criminals who need to be contained through more restrictive policies, harsher punishments or higher walls (Vogt, 2017, p.9). This process of securitization affects the spaces of these arterial routes which become the "sites of exception, where the regimes of police prevail over regimes of rights" (Fassin in Vogt, 2017, p. 9). In this context, this research will focus on the illegalized labour migration in Riau Island and how this phenomenon also can be linked to human trafficking practices.

Shamir in Glick Schiller and Salazar emphasized how the mobility regime is also established to maintain inequality where national and regional boundaries are now being rebuilt and consolidated under the increased normative pressure of, and as a counterbalance

to, the universal human rights regime (Shamir in Glick Schiller and Salazar, 2013, p. 7). In addition, Glick Schiller and Salazar also reinforced the importance of understanding the border in migration regimes since when we talk about mobility and connectedness, we cannot ignore the importance of territory and political authorities based on it. Hess also agrees with many other critical researchers who see borders as fractured, dispersed, extended, and stratified 'border zones,' rather than as a line. This statement also means abandoning wall-like border metaphors in favour of a border seen as a structurally perforated system or regime that represents a multi-faceted constitutive plane of struggle, where the regime of mobility control is challenged and driven by fluid, clandestine, and multidirectional forms of mobility (Hess, 2012, p. 431). The definition of risk shifted as a result of this process. Because the porosity of the border is taken into consideration, it is no longer only the real act of border crossing. Rather, it is the movement, or 'transit'-mobility, that has become the focus of government attention (Hess, 2012, p. 434). Therefore, through this framework, the analysis of bordering policy is an imperative element to understand further the discourse and practice of migration regime in Riau Islands

Border externalization as defined by Casas-Cortes, Cobarrubias, and Pickles highlighted as 'spatial and institutional stretching' of borders, meaning that the control of migrants is not limited to nation-state borders, but extends to everywhere migrants are. (Casas-Cortes et al., in Winters and Izaguirre, 2019, p. 4). This concept set the framework of illegal labour migration and how the dynamics occurred during the journey of migration in any forms and could be affected by many factors. As adopted from Winters and Izaguirre, this research will try to understand the concept of border management as a regime where the concept of a regime thus recognizes the several separate players (rather than two neat "entities") involved in border externalization (Winters and Izaguirre, 2019, p. 4). Different state, supra-state, and non-state actors may be interested in any given scenario of migration management, who are engaged in a relentless and open-ended battle to categorize, il/legalize, and represent human im/mobility in debate and practice (Winters and Izaguirre, 2019, p. 4). This research will further dive into the role and influence of multi-actors in the migration and border management policies in Riau Islands that can influence the risk of human trafficking for labour migration in this region.

2.4.2 Human Security Perspective

The human security conception shifts political and analytical attention from states to individuals, seen as the subjects whose security must be prioritized and as also agents who seek that security and who have some autonomy for doing so (Bilgic, Gasper, and Wilcock, 2020, p. 14). Estrada-Tanck concludes that human security analysis provides a necessary integrating perspective of people's lives, with attention to protection of core contents of rights and promotion of an enabling environment for rights fulfilment (Bilgic, Gasper, and Wilcock, 2020, p. 15).

Estrada-Tanck in her book titled Human Security and Human Rights Law under International Law stated how undocumented migrants (that also can be reflected to human trafficking victims) are extremely vulnerable because they are considered as 'uninvited' members of the society (Estrada-Tanck, 2016, p. 204). Human security in this sense allows to make visible the detrimental effect on human rights of the increasingly severe application of immigration restrictions – which may and do leave persons outside the law or invisible to the law and therefore in a situation of state-constructed vulnerability (Estrada- Tanck, 2016, p. 212). In the context of migration, human security, on the other hand, is a revitalizing counterbalance force to the national security rhetoric, which is frequently used to justify restrictive policies. The two pillars of human security, 'protection' and 'empowerment' are

supposed to bring the voice of migrants to the fore, promoting their engagement in policy and norm-making processes that affect them, and opening doors to explore transnational civic participation (Estrada-Tanck, 2016, p. 105). This human security framework also has the potential to highlight possible human rights obligations by non- state/private actors, or strengthen existing ones, in these cases to perpetrators of human traffickers, migrant recruitment agencies or abusive companies/employers in the case of labour migrants (Estrada-Tanck, 2016, p. 106).

Furthermore, Estrada-Tanck proposes essential services in human security analyses that listed as: a clear normative grounding; a source of indicators and red-lines corresponding to the established 'non-derogable' core contents of human rights; and thus, tools for measuring and pursuing human security (Bilgic, Gasper, and Wilcock, 2020, p. 15). In short, this study will adopt Estrada-Tanck's concepts that combines a focus on core human rights contents with an integrating perspective that averts blind spots regarding relevant actors, pathways and impacts in this matter.

Chapter 3
Migration Management Policy and Practices

"We have laws like these but, it seems the laws are not working well. We have government regulations like that, then the implementation is bad. Then there are numerous laws and presidential rules, but how do we put them into practice? Much like a furnace with fire, in my opinion." – (Romo Paschal Interview, 2021).

Talking about policymaking in Indonesia, we usually heed the formal dimensions of the policy process, such as legislation and regulation, whereas, in reality, the policy has both formal and informal dimensions (Blomkamp *et al.,* 2017, p. 6). This part of the chapter will elaborate further on the migration management policies and practices implemented in Riau Islands, both in formal and informal aspects. It will first expose the national policy's progress and absences and how the local migration actors translated the regulations from the national government to the local context, as well as discuss the implementation of the policy. This part also will explain the process of instrumentalization of the local law and policy.

The creation of the law that protects migrant workers cannot be disconnected from the influence of international law within the country. As a part of the international community, Indonesia actively participates in international law and human rights discourse. Indonesia adopted UDHR that governs key aspects of basic human rights fulfilment, including the entitlement of any individual to migrate anywhere in search of work (APC, 2020, P.4). Article 23 of the Universal Declaration of Human Rights states that everyone has the right to work, to choose a job, to be protected from unemployment, to have a pleasant working environment in terms of fair compensation, and to have life insurance (United Nations, 1948). Furthermore, Indonesia also ratified other international conventions that regulate more specific rights, including the International Convention on Economic, Social Cultural Rights (CESCR) where this treaty was committed to protecting the fulfilment of the basic necessities for life, including the right to work for everyone in Article 6 and International Convention on the Protection of the Rights of All Migrant Workers and Members of the Families (CMW) that focus on eliminating the exploitation of workers in the migration process (Cooper, 2017).

Years before that, right after Indonesia declared its independence, Indonesian national law stressed its commitment to attaining the right of every Indonesian citizen to get employment and the freedom to choose jobs, as stated in Article 27 paragraph 2 of the 1945 Indonesian Constitution, "every citizen has the right to a dignified livelihood for humanity". However, this commitment did not directly guarantee that every Indonesian could have a job that they wanted or a dignified livelihood they expected. Therefore, migration and mobility are intrinsic characteristics of the many Indonesian cultures resulting in the status of Indonesia as a major origin for labour migration, with its workers fanning out to locations in the Asia-Pacific and beyond (Missbach and Palmer, 2018).

Due to this trend of labour migration in Indonesia, additional arrangements are governed by Law Number 13 of 2003, which rules manpower (demand and supply), and Article 34 of Law Number 13 of 2003 indicates that Indonesians working abroad are legally recognized by the law. Furthermore, Law Number 39 of 2004 also sets out rules for the placement and protection of Indonesian migrant workers around the world. However, in this regulation, the discussion about migrant workers protection was only stated in 8 out of 109

articles reflecting the state attitude that only exhibited the responsibility of the government to send the migrant workers somewhere abroad without ensuring their thorough security of these people wherever they were. As a result of the inadequacies in the previously stated law to regulate comprehensively in terms of 'protection' compared to 'placement', which treated migrant workers as 'commodities,' this regulation was criticized. After years of advocacy, a new progressive legislation was enacted to supersede this legal instrument with Law Number 18 of 2017.

As the practices of labour migration exist and are popular in Indonesia, the phenomenon of human trafficking is one of the consequences that come along with this trend. The Indonesian government in this issue has built a legal foundation related to the criminal act of trafficking in persons as regulated in Law Number 21 of 2007 concerning Counter Human Trafficking where this legal instrument is also followed by Presidential Regulation Number 69 of 2008 concerning the Task Force for the Prevention and Handling of the Crime of Trafficking in Persons which was just amended through Law Number 22 of 2021 regarding the same discussion (Legal Centric, 2021).

3.1. National's Policy Progress, Absence and Adaptations in Riau Islands

My interviews with the state actors and non-state actors categories of my research participants started with a direct question asking how they saw the progress of legal instruments regulating policies related to migrant workers and human trafficking in Indonesia and the Riau Islands. Although they came from different backgrounds, both state and non-state actors admitted there is enormous progress in the paperwork of our policies aiming for better protection for everyone's rights overseas and preventing our people from danger of exploitation. Nevertheless, concerns about the implementation of policies that still have many flaws to be addressed become an inescapable conversation as I investigate the things that need to be improved from existing policies.

Law Number 18 of 2017 is real progress in the migrant workers' protection attempt in the policy paper. However, the implementation in the local context usually not supported as the high ambitions that aim along with this policy. In Riau Islands specifically, not all points of regulations can be implemented. The existence of the previous stated law had an influence on progress where the level of government awareness of the issue of protecting migrant workers is increasing. While at the same time, the local governments are also mandated to regulate regional regulations at the relevant level to the needs of their respective regions. In this policy, the government's substantial role, both central and local, is also emphasized in the placement and protection of Indonesian migrant workers, before, during, and after work (pre-placement, during placement, and post-placement). The state's significant involvement, both at the national and regional levels, demonstrates the government's commitment to protecting and respecting Indonesian migrant workers' human rights. Due to the apparent state's prominent role will hopefully decrease the private sector's exploitative acts towards migrant workers to reap maximum profits. Prior to the establishment of Law Number 18 of 2017, the private sector's dominance in migrant worker management sometimes resulted in abuses of their human rights. In this sense, if we analyze the goals of the policy, we could observe how the Indonesian government followed aimed to align with the pillar of human security, specifically the 'protection' part as introduced by Estrada Tanck (Estrada-Tanck, 2016, p. 105).

This spirit of enabling the human security approach through the reformed law to protect migrant workers is summarized in the discussion below:

"Protection before work, which includes administrative protection such as the completeness and validity of placement documents, the terms and conditions of work, technical protection such as providing information and improving the quality of PMI candidates through education and training, social security, facilitating the realization of Indonesian Migrant Workers' rights, strengthening the role of functional employees introducing work, and placement services in one-stop integrated services. (Article 8 paragraph (1), (2), and (3) . Protection during work which includes data collection and registration by labour attachés or foreign service officials, monitoring and evaluating employers, employment, and working conditions, facilitating the fulfilment of the rights of Indonesian Migrant Workers, facilitating settlement of employment cases, provision of consular services, assistance, mediation, advocacy, and the provision of legal assistance in the form of advocacy services by the Central Government and Representative of the Republic of Indonesia and guardianship in accordance with local state law, training of Indonesian Migrant Workers and repatriation facilities (Article 21 paragraph (1). After-work protection comprises return facilities to the origin, unresolved rights assistance in case of abuse of Indonesian migrant workers, treatment facilities for sick and deceased Indonesian migrant workers in social rehabilitation and reintegration, and empowerment of Indonesian migrant workers and their families. (Article 24 paragraph (1)" (Husni, Cahyowati, and Mansur, 2020).

This overall summary has stated the keywords of human security approached several times – which are protection and empowerment literally in the research paper. Nevertheless, along with these ideals, this conceptual progress also can be absence in practice. As stated earlier, one of the fundamental articles stressed the importance of local government to provide potential migrant workers with training and preparation to be ready in the labour market overseas. Unfortunately, even in the most prominent border like the Riau Islands, BP2MI, as the agency responsible for accommodating this training, has a hard time negotiating to get support from the local government to realize and escalate this program. "They said the budget is limited and the stakeholders have not given their approval yet to run the program" Ibu Elsi as the Coordinator of Placement in BP2MI Tanjung Pinang, explained the main problem of why the program was just run "as what it is". BP2MI in Riau Islands also tried to coordinate the procurement of Job Training Centers only specialized for migrant workers abroad (Bursa Kerja Luar Negeri – BKLN), which are supporting instruments for the formation of a more sustainable training and preparation program. Still, there has been no initiative from the local government to establish this specific type of Training Centres in the Riau Islands. In fact, according to Romo Paschal, the establishment of a Job Training Center could be an alternative solution to avoid the practice of sending illegal and non-procedural Indonesian migrant workers. "At least they have increased skills and clear knowledge of the dangers they can face if they depart from illegal routes. Even better, this vocational training centre can help facilitate them to find work without having to migrate to Malaysia" (Romo Paschal Interview, 2021).

Aside from the previously stated problems, Pak Darman as the responsible person as the Coordinator of Protection in BP2MI Riau Islands for migrant workers issue, also stressed that the advancement of that policy does not directly reduce the risk of human trafficking, especially in the borderland like Riau Islands. There are five main issues that also need to be noted. First, the fact that the syndicate of human traffickers is powerful and has been established for years somehow makes them always find a flaw in carrying out this practice. In this sense, Romo Paschal also shared his opinion how if the case was reported and the suspect was interrogated there is no domino effect to investigate the roots of this chain – to find the prominent actors behind their business operations. The investigation was only interrupted at the reporting point, and the suspects were always ready to keep their mouths shut not to reveal the mastermind behind their business.

The second problem that cannot be forgotten is how the educational background of prospective migrant workers is still relatively low. So there are still many cases where those who want to have very minimal literacy regarding things that must be known in the context of their rights and obligations. In the case of Sari, who had a quite strong literacy background of what her rights and responsibilities are, even this disastrous event still could be experienced. It might be experienced worse by those who have no clue at all on how to protect themselves in case such a thing happens. This condition is also used by 'rogue agents' who manipulate them with false promises before being sent to the border.

The third problem is the geographical condition of the Riau Archipelago, which contains a group of islands that provide a loophole for human traffickers to make 'Rat ports' (indicated to small illegal ports in the borderlands) on small islands to Malaysia. Uniquely, if the authorities find the practice and port of rats on a particular island, it does not mean stopping the operations. They move from one island to another, adjusting their fluidity from one place to other places. So raiding one port on the island of Bintan only means it will cause a rat port on the other shore. Another fact about this port of rats is how they operate at night to avoid police patrols which are obviously not operating 24 hours a day.

The fourth problem is mass deportations, where undocumented migrants from Malaysia and Singapore are returned to the border areas because their documents are unclear. However, this condition did not discourage the deportees from repeating their journey and its illegal status. They accepted the offer of human trafficking business actors promising them to return to their destination country.

The fifth problem is the weak control of protection when the migrant worker is already abroad. They enter with official documents, then are toyed with by the employers and become victims of exploitation. In the domestic sector, protection in receiving countries is also very minimal, and the ability of the state to embrace all migrant workers is also limited, especially in cases that are still undiscovered. In Malaysia specifically, there is still no national law regulating domestic workers' protection, although our biggest industry suppliers are directed to these specific business services (Alex Ong Interview, 2021).

BP2MI, as one of the key actors in protecting migrant workers from the danger of illegalization and human trafficking, surely could not work alone. For now, they have complied with the migration management policy stated above however, the scale is still limited to the budget and workforce. To escalate the impact, they tried to also reach out on the tackling issue for the deportees or repatriated victims of human trafficking in the Riau Islands. However, the hearings have so far achieved no results. One of the reasons for the delay in the advocacy process is that most of the victims are not Riau Island natives. Because most of them came from Nusa Tenggara Timur, an island in the eastern part of Indonesia, thus the local Riau Islands authority considers that this is not a vital problem for them to handle because there are still many issues that local native residents encounter, and these problems of people from other islands are not their responsibilities (BP2MI and Romo Paschal Interview, 2021).

When it comes to repatriation, collaboration with non-state actors is needed to bring back the human security approach that prioritizes protection and empowerment. Rahayu Saraswati, as the coordinator of the National Network of Anti-Human Trafficking, stressed the importance of collaborative action in the Indonesia borderland to fill the gap of what the policy could not fully achieve. With the spirit of humanity, initiatives from local

communities appear to provide shelters for those in need. Romo Paschal, as an example, is leading the movement to protect and empower the victims from the church perspective – filling the void of policy that usually eliminated the victims after the legal process started. He also provided some pieces of training for skills advancement for the trafficked migrant workers aside from assisting them to be healed physically and mentally.

The state and non-state actors in Riau Islands explained how the written policies both under the Law Number 18 of 2017 about migrant workers protection and Law Number 21 of 2007 about counter-human trafficking are still not effective. First, the absence of technical guidance still becomes a primary necessity of Indonesian bureaucracy where the policy implementers would not truly adhere to the rules and regulations without a clear grounding and A to Z steps on how to do it. The Presidential Regulations have been released specifically to assess the counter-human trafficking law however, due to the autonomy system that gives the responsibility to the local government, multi-layer technical guidance is still sought to enlighten the execution. Secondly, due to the lack of technical advice, now each stakeholder involved primarily works independently without practical coordination. Some integration forums are organized as a part of the special anti-trafficking task force to find mutual understanding and plan to tackle this issue; however, in practice, this is just 'formal talk' while the implementation is still happening by each actor in its own cubicle.

3.2. Local Government Priority in Making the Agenda

Riau Islands is one of the regions in Indonesia that has become the machine of growth due to its proximity to Singapore and Malaysia. It is a centre of various types of industry from manufacturing to entertainment. Realizing this potential, the local government has been focusing on economic growth and development. However, labour migration and human trafficking are still considered as areas of lesser priority and not prioritized. Recently the Major of Tanjung Pinang announced its plan to strengthen the counter-human trafficking progress. However, after three months of that declaration, there is still no 'real' forces on the ground that work on this issue.

Riau Islands has become an industrial powerhouse and the prima donna for investors due to its economic development. This condition has an impact on how local governments determine priorities for their programs. As underlined by Romo Paschal and Freddy Panggabean, the key priority in this region is development and economic growth. Scholars generally agree that the Indonesian government tends to prioritize the promise of economic gains for the country over the protection of its migrant workers (Platt, 2018; Elias, 2013). Therefore, the Riau Islands and Malaysia have many economic and commercial cooperation because of the easy access to maritime channels for export-import.

Anis Hidayah stated how the state in the national context is still responsible for controlling the policies in the local context (Anis Hidayah Interview, 2021). Although an autonomous political system exists in Indonesia, a discourse like security needs to be taken care of by the higher-level government. Because the significant policy is essential and directed by the central government, security discussions, both conventional and human-oriented, have always been a modest agenda item in this region. On the one hand, because Indonesia has a regional autonomy structure, some policy adjustments can be re-regulated by local administrations. Due to a hazy system for determining who is accountable for managing security-related concerns, such circumstances cause difficulty in the policy process. Several district leaders, such as Tanjung Pinang, have a plan in place to deal with human trafficking concerns in their region. To carry out the task force's mission as ordered by the central

government, collaborate with the police, national army, law enforcement agencies, and local NGOs. Although execution is currently delayed, the policy actions that have been planned should be viewed as a sign of dedication to safeguard victims and eradicate human trafficking networks. Other districts in the Riau Islands, on the other hand, do not all comply with the central government's directive to form an equivalent task force. For example, in Batam, this policy is still being developed into local legislation, and no date has been set for when it would be completed (BP2MI Interview, 2021).

On the ground, the actual servicing and handling of trafficking victims are more or less solely managed by NGOs, although some coordination is carried out with local government authorities. Safe Migrant Batam is one example of an NGO network working on its mission while sometimes communicating with the local government about its programs and seeking opportunities for collaborations. Yet while capacity building programmes and technical assistance involve service providers and local government, their relationship is not without problems. Skirmishes between government and service providers result from the haste in which the anti-trafficking discourse is being implemented and demonstrate the lack of a coordinated, systematic approach to dealing with trafficking. In short, despite the issuing of several decrees on anti-trafficking by the provincial government, local government cannot still detect trafficking victims and provide services for them (Eilenberg in Ford and Lyons, 2012, p. 119) because there is no clear normative grounding and continual coordination to resolve the issue in an effective multi-stakeholders cooperation (Romo Paschal Interview, 2021).

3.3. Divergence in Understanding vs Practicing Policies

The contestation between law and other law also becomes a big challenge in the policy and practice of labour migration and human trafficking policy and practice. The reported cases usually shrank in numbers once they were brought to the court. The 'divergence' of understanding what counts as a 'human trafficking' issue and what considers as 'migrant workers right violations/abuse' are confusing the victims and advocates through the stance of policy and its officers.

There is no widely accepted national understanding of what constitutes the criminal offences of human trafficking in Indonesia. As a result, different parts of the state have different interpretations of what factors make someone a victim of trafficking. Such fragmentation is characteristic of Indonesia. In the case of human trafficking, the plurality of understandings is partly due to the fact that state institutions have adopted trafficking terminology to talk about particular situations and practices and have the mandate to deal with them. For these reasons, it is essential to explore a variety of state positions on what trafficking is and who traffickers are before attempting to speak on a response to the crime (Palmer, 2012, p. 153).

The Ministry of Women Empowerment shared a similar understanding with IOM and the US Department of State. This ministry argues that the system does not consider the precarious position of women that can cause them to acquiesce exploitation overseas (Naovalitha 2007 in Palmer, 2012, p. 153). Exploitation occurs partly because women are permitted to pay for the cost of recruitment through wage deductions. However, it is also prevalent because women are generally engaged in the informal sector, not covered by labour legislation in many destination countries (Ford and Piper 2007 in Palmer, 2012, p. 153).

In the view of the Ministry of Justice and Human Rights, the state itself can contribute to trafficking – a possibility recognized in the UN Anti Trafficking Protocol (Article 12, 13 and 13b), but not in the anti-trafficking bill drafted by the Ministry of Women's Empowerment. In one of the hearings, the Director-General for Immigration, whose division sit within the Ministry of Justice and Human Rights, argued that any anti-trafficking law should include sanctions for officials who facilitate crime, pointing to the prevalence of state documents that misstate the names of birth of bearers as incontrovertible evidence of state involvement in trafficking (Palmer, 2012, p.153). We can see how this phenomenon can happen in most cases in the Riau Islands. Romo Paschal also suggested that government officials in Riau Islands played a massive role in documents forgery for potential 'trafficked migrant workers. This changing identity in document paper commonly happened in this region and is precisely what had been experienced by Anggrek – one of the trafficked migrant workers I interviewed.

In the local context, the understanding of human trafficking is interpreted differently. Trafficking is linked with migrant labourers in Tanjung Pinang. Migrant workers aren't trafficked if they understand what they're entering into, have complete control over their circumstances, know where they are going, what they will be doing, how much they will be paid, and can work without being forced. However, no one is actually in that circumstance. They believe that if they can find a job, all of their problems would be solved, so they pay an illegal passport agency and travel abroad. "If workers know what they're doing, they'll go through legal channels. But even then, there's a chance that they will be trafficked because the agents promise more than they'll deliver. The great irony of it is the government also potential to be a trafficker" (Interview, November 2006, in Ford and Lyons, 2012, p. 88). The reality of migration practices where the bias between smuggling and trafficking is blurry. Theoretically, we can distinguish the differences between those two, but practically, it can be a process of one to another, from smuggled to trafficked. The case of Sari, another former trafficked migrant worker that becomes a research participant in this research, is relevant here. Where the procedural process of labour migration could not guarantee the security of migrant workers to not being trapped in human trafficking. At the end of the day, anyone can be a trafficker, directly and indirectly.

Chapter 4
Labour Migration and Human Trafficking

This chapter will explain how the connection between illegalized labour migration and human trafficking occurred. Starting from the Migrant Dream sub-chapter that brings up the story and research experiences from the former trafficked migrant workers that I talked to. Four strong women that used to be the victims of human trafficking, Sari (who had been successfully entered Malaysia) and the Triple A (Anggrek, Awan and Air) that I interviewed altogether and still stayed in the shelter in Riau Islands. Started with the story of their migrant dream, this chapter is followed by the unexpected migrations experiences that they encounter. This section will also analyse the 'fluidity' or border in the context of illegalized labour migration and human trafficking as well as how the reported cases are handled by authorities.

4.1. The Migrant Dream

Limited access to the workforce market is one of the significant drivers of labour migration flows from Indonesia. Despite the country's development, many Indonesians are at risk of being left behind in their search for a better life. Recent trends are also concerning; since 2015, the country's labour market has created increasingly inequitable outcomes, such as lower-paying jobs and less formal work. This phenomenon primarily impacts low-skilled workers, of which Indonesia has a large number: over 60% of present workers have not completed high school and cannot compete for the few high-productivity positions available (Chaves in The World Bank, 2017, p. iii). The recent OECD Indonesia Economic Surveys also underlined this circumstance, this data reported that the social fallout in the country is severe where formal employment is shrinking, and the crisis is disproportionally hitting vulnerable groups such as informal workers, internal migrants, women and children (OECD, 2021, p. 9). At the end of the day, the poor, the unprivileged the vulnerable are the groups that are struggling the most in the labour market. As there are limited alternatives provided inside the country, trying to assess luck overseas is seen as an alternative by Indonesians to pursue their dream or simply just for the sake of surviving.

Migration is a central livelihood strategy for many poor households which, in common with other livelihood strategies, is 'facilitated or constrained by relations within and between the institutions of household, community, state and market' (Moore, 2001, p. 6). The state's inability to 'enable' everyone to get access to get a proper education, work and other social services push the people to migrate as an attempt to get out from the trap of 'staying poor'. As all the former trafficked migrant respondents in this research articulate this same motive of the start of their migration journey 'to have a better life, to earn their own decent' pay, and to help their families at home' (Interview Sari and Triple A, 2021).

As I have talked with four former trafficked migrant workers in my research, in which one of them had successfully entered the border of Malaysia and reported her case of human trafficking after passing all the 'procedural' process prior her departure, and the other three who had not stepped their feet in the Malaysia's land and sea, Malaysia as the destination country in this paper is however not the 'end goal' of their dream. Sari shared her ultimate purpose to migrate to Canada. However, due to the work experience history required by this country, she decided to pilot her journey to Malaysia – Indonesia's closest neighbour that

seems allowing less must- have(s) checklist or requirement to start working there. The access to Malaysia also sold by the agency that facilitated her voyage, they offered her a quite competitive salary at first and she thought it could be a great start to achieve her final purpose – reserving two years of her time before truly migrate to the faraway dream land. From her hometown, she stopped by in a city near Jakarta before reinstating her life which she would never expect became the beginning of her unforgettable experience. She never anticipated that her aspiration to get paid higher compared to Indonesians basic minimum salary ended her up in an unpaid work for 10 months that led to her uneasy fight to get her (and her friends) right back at the end.

Equivalent to my talk with the triple A – Anggrek, Awan and Air, the former 'prospective' trafficked migrant workers that I virtually met in the shelter in Batam, they were planning to go to Singapore instead of Malaysia. However, after negotiating with the agent about the available opportunity, at the moment, they decided to put this country in mind as their destination to improve the life of their family. Interestingly, Air's migration journey was highly influenced by Anggrek – her neighbour in the village that shared the same experience with her throughout the odyssey. Air did not really want to work as migrant worker at the very first. She did not know where to go, how to go, what should have been prepared, most of her process was just following what Anggrek was suggesting. Anggrek told her that by working overseas, she could earn more money and increase the level of their prestige. Air in the past used to have limited social capital and knowledge about other places and networks or contacts with prospective employers that might also limit the extent to which migration option that available for her (Kothari, 2003, p. 646). The relations between these two depicts the power relations between 'who moves' and 'who doesn't'. Strengthening King's argument that 'migration stretches particular forms of social relations across space: both the social relations of capitalist production and the personal social networks that reproduce migration chains through time' (King, 1995, p. 27). Maybe, without the bound that these two have in their previous social relations, Air would never think of 'migrating' because she would not perceive the advantages that can be gained by migrating (Kothari, 2003, p. 646). Awan in the other side of the story, was powered by her own willingness to move. After years working in an early childhood institution, she realized what she earned in the Natuna, a regency that is a part of the Riau Islands province, was not enough to support the life of her family. The advertisement of job vacancy on Facebook commenced her 'unpredictable' journey. She transited in Batam, placed in a house where lots of other prospective migrant workers stayed before they moved possibly by boat, without knowing what would happen next. She thought that by working abroad in a country that was quite close to her own island, would make her easier to visit her family anytime. She chose to 'merantau' (move from home to another area), exploring her agency as a means of not just gaining experience but also boosting her status in the village. These choice between the demands of home and hopes for the future describe the beginnings of an emotional economy that has characterized Indonesian migration (Lindquist, 2009, p. 28).

The experiences encountered by all the former trafficked migrant workers also reflected a 'power-geometry' as what had been argued by Massey in connecting people and places. It is the "point concerns that explained not merely about the issue of who moves and who doesn't, although this is an important element of it; it is also about power in relation to the flows and the movement" Massey, 1993, pp. 61-62). Sari journey indicated that her decision to migrate was determined by the agent she talked to and the possibility of accessible alternative that she could tap. She adjusted her destination country to Malaysia as the replacement for her real plan because she did not have enough power to travel to Canada by herself. Anggrek and Air's experiences also showed a strong influence of 'personal connection' in control of the flow of movement. From Air's first stepped that persuaded by Anggrek to the bargaining process of the end country from Singapore to Malaysia, this set

of experiences reflected the concept of power geometry that strengthen the position about how people and places are linked or by-passed in flows and networks which are disjunctive, uneven, and unpredictable (Kothari, 2003, p. 651). Awe's option to move to Malaysia as one of the closest countries from her own home showed the relations of migration to physical connection between places as a 'friction of distance' where she assessed the duration and distance to the new place and the calculation of the time taken or costs incurred for her overall journey (Kothari, 2003, p. 651). The 'power geometry' and 'friction of distance' concepts portray how the 'regime of mobility' is built in the Indonesia-Malaysia labour migration experience, specifically how it regulated the flow of migration and interconnection of the poor, powerless and exploited (Franquesa in Schiller and Salazar, 2013, p. 6).

4.2.   Unexpected Migration Experiences

The debate about the migration industry has been highlighted by Gammeltoft-Hansen and Nyberg Sørensen. Starting from Harney in 1977 that presented the term of "commerce of migration" that explained to the activities of 'intermediaries' who profited by offering services to migrant, Salt and Stein with the proposal of international migration as 'global business', to Kylie and Koslowksi that specifically referred to such services of "migration merchants" in particular with reference of global trafficking in migrants and human smuggling (Gammeltoft-Hansen and Nyberg Sørensen, 2013, p. 5). This long conceptual approaches mostly limiting the analysis to informal activities, where Hernandez-Leon started simultaneously criticized existing studies on the migration industry and its components for reflecting the interests of sending and receiving country governments; for example, for how the focus on trafficking echoes receiving states' efforts to control immigration, particularly if undocumented, and for how the recent remittance debate reflects sending states' interest in capturing and utilizing this source of foreign currency (Hernandez-Leon, 2008, p. 155). This section will elaborate further this concept of migration industry and the unexpected experience that being encountered by the research participants that consisted of different stories.

Sari's migration experience was facilitated by a private agent that affiliated with an established company that even had some subsidiaries bodies in Malaysia. This agent managed all her documents that helped her ran through the process of 'procedural' migration as visa, work contract as a cleaner, and capacity building in the job training center provided by Indonesian government. On the opposite, Air and Anggrek dealt with relatively 'smaller' actors in this migration business. They were approached by individuals and once arrived in Batam from their home village in Kupang, East Nusa Tenggara, they were placed in a small house with a small family with two children. Briefed at the beginning while they arrived, in case someone asked who they were, they should answer that "they're family". This specific experience recalled my past where my mom used to keep prospective migrant workers at our home before she escorted them to Malaysia or Singapore. Awan had different experience from the other, she was asked to wait in a relatively bigger house with other dozens migrant workers to live in a housing complex. An assistant of the 'agent' was the only guard in the house before they were rescued by the police after the neighbours reported the house as a transit centre for 'human trafficking'. The agent that she never met was identified as a part of trafficking syndicate. From these experiences about the start of their migration journey, these research participants had run across different type of actors. Linking to Gammeltoft-Hansen and Nyberg Sørensen, these circumstances illustrated how diverse are the actors that comprising the migration industry ranging from small migrant entrepreneurs facilitating the transportation of people, to multinational companies carrying out deportations; and from

individual migrants helping others make the journey, to organized criminal networks profiting from human smuggling and trafficking (Gammeltoft-Hansen and Nyberg Sørensen, 2013, p. 2).

The different types of actors, such as the experiences of Sari and Triple A in the migration industry, show how wide the scope of involvement of this "human trafficking" network syndicate is. From Sari's story, who went through the procedural route, it also shows that the administrative requirements that have been approved by the government and immigration officials do not necessarily guarantee the safety of a migrant worker from becoming a victim of human trafficking. The presentation of Triple A who just took care of their departure documents while in the Riau archipelago also shows how in this border area getting permits to work abroad seems easier than in their home area. This fact illustrates how actors in this area tend to work in very close connection with governments actively outsourcing migration management functions (Gammeltoft-Hansen and Nyberg Sørensen, 2013, p. 7) from facilitating departure documents, preparing stopovers before departure, to providing placement. Something that contradicts the Law on the Protection of Migrant Workers Number 18 of 2017, where the state should be the main and sole actor in facilitating migrant workers. In fact, in practice, after this policy was implemented, there are still many underground operations carried out by non-state actors to continue the export business of Indonesian migrant workers abroad, whose operations are also more or less assisted by government 'apparatuses' and 'rogue officers'. have a personal interest in obtaining financial gain.

Sari's departure through a procedural migration route does not guarantee that she will not become a victim of human trafficking. Negative sentiment towards migrant workers seems to be unavoidable. The existence of migrant workers is often used as an object in the securitization of the receiving country and the stereotyping of society in the host countries. Migrants are often constructed as undeserving 'illegals' or criminals who need to be contained through more restrictive policies, harsher punishments or higher walls (Vogt, 2017, p.9).

Sari departed with all the complete administrative needs, official channels, and attended a series of trainings prepared by the state. Arriving there, the officer from the office or the agent who picked up Sari took everything owned by him and his entourage from money, cell phones, to the guidebook from BP2MI that he got while undergoing training. They are stripped naked and screened to ensure that these newly hit migrant workers are not carrying items with which they can contact their families and anyone who is expected to help them. Amid the stressful conditions, Sari and her colleagues are also placed in an inappropriate 'shop house' building with no communication access at all to the outside world. After undergoing the medical check-up process, they were forced to work. Picked up by the driver every morning, escorted to the employer's house from noon to night, picked up again to return to the dormitory, without having the choice to live life as a dignified human being. If anyone starts showing resistance, then they will be isolated or 'locked up' into a windowless room without being allowed to interact with fellow 'workers' who live in the dormitory. Sari lived a life of forced labor without being paid for ten months. Until when she had a persistent headache and only asked for a minute's permission to go to the hospital but was not allowed, Sari felt that she wanted to go home and could no longer endure the suffering of being a victim of exploitation in another country.

The beginning of Sari's journey that seemed smooth in fact did not guarantee the success of her migration process. She experienced several situations that questioned her dignity as a human being, coming from the Indonesia and Malaysia government officials, law enforcements, the migration industry syndicate, and entrepreneurs, to immigration officers. It was the experience where most actors of the regimes seem did not want to take care her basic human rights, where the exploitations went through across the border, even when she

already met Migrant CARE that helped her throughout her journey, yet the environment of this migration regime did not enable her to have an environment that would holistically fulfil her rights. Sari's experience shows the lack of human security application that sense allows to make visible the detrimental effect on human rights of the increasingly severe application of immigration restrictions – which may and do leave persons outside the law or invisible to the law and therefore in a situation of state-constructed vulnerability (Estrada-Tanck, 2016, p. 212).

4.3. Border Fluidity and Human Trafficking

Riau Islands has its unique fluidity as a gate for illegalized labour migration and human trafficking. The power of capital offered by the private actors, both in a big and small scale, can influence border dynamics. The process of making 'fake documents' are easy to be accessed in this region, the possibility 'potential' migrant workers to pass through the immigration post without clear working visa is possible to happen, a journey started from unknown port in a somewhat island in Riau Islands by boat also common to be found. It is a space where the 'border' is stretched by the labour migration industry that lives in this vicinity.

The fluidity of the border within Indonesia and Malaysia not only can be found in the Riau Islands. In Western Borneo, this case is also prevalent. The spectre of human trafficking and other illegal border activities has forced Malaysia and Indonesia into dialogue. During the 37th General Border Committee meeting in December 2008, both Indonesia Defence Minister and the Malaysian Prime Minister highlighted the need for increased bilateral ties concerning border security, emphasizing that the current economic situation and the difficult living conditions along the border might give rise to an increase illegal activities like human trafficking (Bernama 2008 in Eilenberg in Ford and Lyons, 2012, p. 117). During the leadership of SBY, Indonesia announced large-scale development initiatives along the nation's border with East Malaysia. This renewed focus on the border resulted from a combination of factors, including national and international plantation companies, issues of territorial sovereignty and security issues, rising pressure from the international community and neighbouring countries to deal with documented labour migration and contraband smuggling. In the words of the president, "For this [plan] to develop, we need to develop a road running parallel to the border. We must close down all [unauthorized border crossings] that are often employed by undertaking illegal activities. If this plan goes well, tens or even hundreds of thousands of people could be employed in the border area (Cited in PKB 2005 in Eilenberg in Ford and Lyons, 2012, p. 112). However, this plan just stopped until the SBY era, and no further plan to duplicate the same initiative in the West Malaysia border, specifically Riau Islands.

Riau Islands is even more fluid and unpredictable than the Western Borneo border of Malaysia (Interview Anis Hidayah, 2021). Since this region consists of small islands, which can always be a spot to dispatch migrant workers where the 'Rat Ports' are dynamics. Geographical conditions that are limited by waters also make sea operations more challenging because they often depend on air and wind conditions. Not to mention the fast movement of syndicates to take advantage of various points if their Rat port point has previously been identified. The rapidly growing speedboat shuttle service to Malaysia and Singapore, leaving almost every 30 minutes (Macleod and McGee, 2021) through an official port, is also a channel that has the potential to become a playing arena for syndicates. However, restrictions on movement across the border applied by the police were short-lived, and the processes of enclosure that worked to keep the two communities separate were

incomplete (Ford and Lyons, 2006, p. 25). This condition makes Riau Islands a very fluid location and has the possibility to be stretched indefinitely.

4.4. Reported Cases and Authorities

The negative stigma of 'migrant workers' is unavoidable. Despite their contribution to boost the growth of their society, the sentiment that sees them as a 'second class' citizens and 'uninvited members' in the society still can be found in Indonesia as the home country and Malaysia as the destination country. This condition influences the hesitance of migrant workers to self-report their cases once they realize that they were trapped in the human trafficking practices. Most reporting cases were done by civil society and law enforcement officers that suspected 'fishy' practices in their environment. Interestingly, both non-state and state actors conveyed there were also 'unknown' report that might be filed by the competitor of the syndicate to take down other entrepreneur's business.

Romo Paschal gave an overview of how reporting on human trafficking cases usually occurs in the Riau Islands. At least this can happen in three ways, either through referrals from NGO friends, the local community or from the victims themselves. Where it is possible that the reported case can be processed directly to legal channels by the authorities after Romo Paschal and his colleagues have received a related report and carried out initial identification whether the elements of violation are fulfilled which can categorize the case as a form of criminal act of trafficking in persons. In addition to the usual reporting above, there are also unusual cases where reports appear to have been received with referrals from members of a syndicate group who want to bring down other syndicates in the human trafficking business. As a party who often receives reports, Romo Paschal and his network in Batam have an assessment instrument that is carried out to detect whether a report is a case of trafficking in persons or not. So our standards do not always follow the police. "So we have our own standards, so our data starts from our screening. This is reinforced by the legal process held by the police. The problem now is that sometimes the police say it's a human trafficking case, the prosecutor says no. The judge also said no. Or the police and prosecutors say yes, the judge says no. This is the final issue, who can determine if this is a real human trafficking case or not. That's why I said. Each person can have an opinion about this, each person can have his own legal opinion regarding this matter. For example, there were 300 cases of human trafficking reporting but only 30 cases were decided by the judge". Where most of the reported cases are considered not to meet the elements of trafficking in persons as a whole. Often, these cases do not get further action from the police to handle. However, on a humanitarian basis, Romo Paschal and his network continue to receive victims in the shelters they have set up to receive treatment and recovery, both physically and psychologically.

In the practice of understanding the reporting of human trafficking cases, the procedures carried out by Romo Paschal and his network in the Riau Islands are always based on Law No. 21 of 2007. There are 3 elements in this law, namely the process, method and purpose. "Commit at least one act against another person, such as recruiting. By using at least one means, such as violence. For the purpose of exploiting that other person for financial gain or material benefit" (British Columbia, 2021). If only one element is fulfilled through evidence or without evidence, they can conclude that a case is a form of trafficking in persons.

Furthermore, the task of the police is to find more evidence and submit the findings to the prosecutor to be brought to court to determine whether the person is guilty or not. At this

stage, Romo Paschal realized that determining someone to be a suspect and a perpetrator was not his domain of responsibility because what he focused on was only protecting the victim. So it is not uncommon for this network to care for victims of human trafficking to be forced to make its own assessment due to differences in perspectives, legal understandings between law enforcers who are not yet one based on the law on human trafficking cases. Not infrequently, this victim protection network feels that its struggles are often in vain to defend justice. "Sometimes it's like if you're not strong enough, you want to stop, lazy because it's kind of unsupported. We go to great lengths to help the government and law enforcement officers, but we are richly manipulated, and it often happens. Therefore we made our own assessment. Even if the sentencing process is deemed not to meet the elements, it's okay because the legal process must meet various elements, evidence, and the process of convincing the judge is very long. But in my opinion, for advocacy, for future action plans, we need to have our own screening."

On the side of direct experiences from the trafficked migrant workers, Sari shared how difficult it was for her to report her case when exploited. The lack of access for Sari and her colleagues to communicate at work and in the dormitory makes it difficult for them to report their suffering to the authorities. Because at the beginning of the migration process, when she arrived in Malaysia, all her communication tools were confiscated by her employer. After a few months, the restriction was relaxed. Sari only had the opportunity to contact the BP2MI hotline, starting with making a call to the telephone number. Sari was advised to send an email and explain the chronology of the case. But unfortunately there was no further response from BP2MI to reach out again to Sari and help her case until Sari finally chose to run away from the dormitory and report her suffering to the Embassy of the Republic of Indonesia Kuala Lumpur. But while there, Sari felt a less 'welcoming' aura for her, and she was repeatedly asked if she understood her work contract. Sari, who was quite confident, confirmed that she clearly knew the things that should be her rights and obligations. Even when reporting her case at the Indonesian Embassy, Sari was also with her friends who did not understand well about the work contract. Eventually, they were offered to stay at the Indonesian Embassy. However, Sari refused this offer because when she reported to one of the higher-ups in this office, she emphasized whether Mr. X is the boss - Sari has a fear that if she chooses to live there, her boss, who is the person she avoids seeing at that time, can meet her at any time in the embassy environment.

Sari's distrust of handling her case to the Indonesian Embassy finally prompted her to do self-research on how to handle similar cases in Malaysia. He finally found a video on social media in which Anis Hidayah helped a human trafficking case with Migrant CARE. Finally, Sari contacted Migrant CARE in Indonesia and was helped to introduce her to Migrant CARE representatives in Malaysia, Alex Ong and Zana. From here Migrant CARE began to advocate for the case of Sari and his colleagues to be assisted in handling the case to the police in Malaysia so that the perpetrators could be arrested and punished according to the applicable law because the identification results from Alex Ong, these individuals were actors who had previously been involved in the crime, arrested and punished but is now playing under a different name and umbrella of a different company with the same mode of trafficking.

Migrant CARE's good intentions in helping the case of Sari and his colleagues to take legal action did not run smoothly. The goodness was tweaked once The public authorities in Malaysia handled Sari and friends. When they were handed over to the Malaysian Police, Sari and her friends received inhumane treatment. They were beaten by the police and taken to immigration after being considered 'uninvited members' of society who shouldn't have to look for trouble in other countries. All items belonging to Sari and friends were taken by the immigration authorities unilaterally before they were sent to the detention centre with

refugees and other immigrants. With deplorable conditions, Sari and her colleagues were forced to live in a shelter (without Migrant CARE's consent), and at the same time, the Indonesian Embassy tried to negotiate the case together with representatives from the company that hired her. They tried to discuss the amount of salary that Sari should receive. The agreement was reached not only because Sari and her friends felt that it was a right that deserved to be paid to them, because the offer was far from what was previously promised in the employment contract, but only as a way out so that they could get out of the warehouse filled with humans from parts of the world without sanitation and humane facilities.

This story of Sari depicts how the application of human security that the Indonesian government has regulated through the policy to protect its migration regime cannot be stretched across borders easily to where the migrant workers are, especially when the destination country's authorities handle the reported cases. This fact put the risk to migrant workers set up for exploitation by a combination of unscrupulous recruitment agents and employers, harsh immigration policies, unmonitored supply chains and a lack of enforcement of labour protections (Civicus, 2020).

Chapter 5
The Trap and Saviour

This chapter will specifically depict the border community's role in illegalized migration and human trafficking and how do migrants report cases of human trafficking and how are these cases handled by the authorities as actors in the migration regime. The best practice and case of implementation of humanitarian action that has been taken to reduce the risk of human trafficking in the region also will be described in this section.

5.1. The Border Community

The border community in Riau Islands, with its unique attraction, established the creation of migration industry in the borderland. This includes illegal actors and migration entrepreneurs who potentially trafficked labour migrants from Indonesia to another country and the saviour of the anti-human trafficking movement who takes care of human trafficking cases in this region. The existence of this border community and all the instruments that covered their operations also open the possibility of 'border fluidity' of the border for labour migration mobility. This also includes the work of government or immigration officials who ease the access of providing (false) documents as a part of the industry to migrate migrant workers overseas. In the same space, the civil society within the networks of the anti-human trafficking movement also works on preventing the cases of trafficking by raising awareness of 'safe migration' practice in the field, which was recently highly utilized through social media campaigns.

The anti-trafficking agenda has resulted in a massive increase in the number of NGOs, government organizations, and international agencies dedicated to preventing human trafficking, assisting in the prosecution of traffickers, and helping in the rescue and repatriation of "victims" (Ford and Lyons, 2012, p. 75). The start of this initiative in Riau Islands was first pioneered for the sexual and reproductive health and rights campaign due to the large commercial sex industry's cases in this region. With the increasing number of HIV/AIDS and the fact that this island has become the destination for the "entertainment industry", international donors invested in running programs in the Riau Islands. This led to the finding that behind this sex industry, there is a lot of sex trafficking that is also connected to human trafficking for migrant workers within this locality. The Coalition Against Trafficking in Women (CATW) played an influential lobbying role in drafting the protocol, first identified in Riau Islands as a critical site of trafficking for sexual exploitation in Indonesia in a report released in 2002 (Ford and Lyons, 2012, p. 76). This milestone set the spirit for the community within the border to actively engage in preventing and countering the inhumane practice of human trafficking.

Due to the government's inability to provide broad and adequate protection, civil society in the Riau Islands has become quite active in dealing with human trafficking crimes. Romo Paschal expressed how powerful the Riau Islands' local community unity is. Romo Paschal has formed and joined a network named "Safe Migrant Batam" with activists from nine other Batam-based NGOs. This network comprises nine community organizations in Batam City that fight to safeguard migrants, women, and children. This network runs a socialization campaign in social media to tackle human trafficking, and in the hope, it can also increase the awareness from broader society. The volunteer is also not limited to the nine former organizations that established this network first, but it is also inclusive to everyone who shares the same voice about this issue—the social media campaign is

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considered influential in triggering more people to join this movement. The Safe Migrant Batam network also provides shelter within its member organization on the treating trafficked victims side. They have experts from different backgrounds who can help the victims of human trafficking gain their dignity back in the legal, psychological, and physical context. Together, they fill in the gaps to create a safe environment for the victims.

"I am pleased that many networks are working in Batam, and that we are all NGOs, not the government, who are providing colour to this case so that the mafias recognize they have enemies and can no longer commit atrocities at will. These community networks are particularly active in Batam. We advocate on this topic as a community named Safe Migrant Batam. We do this regularly, and we have strong collaborative activities and monthly meetings. We advocate at all levels, from policy to campaigns, and we do it together. We are grateful that the community has taken the initiative to work toward preventing and treating victims. This fact is a slap in the face to the government because as I previously stated, the government is more focused on Batam's growth, notably industry. It rarely touched the specifics problem-related to humanity. And this is something that all of us are concerned about. There is a law, but it is meaningless when it comes to implementation." (Romo Paschal Interview, 2021).

The border community consists of these advocates like Romo Paschal who tried to protect and re-empower the victims of human trafficking in the region and those who are working against them. The syndicate, the migration officials, the individual agent that profiting through the business of trafficking migrant workers overseas. "Trafficking is not just about the sale of women. Trafficking also occurs when there is the movement of people with false documents for the purpose of exploitation. Migrant workers are exploited. For example, if they can't pray and are forced to wash the dog and don't get wages – that's exploitation. If that's made worse because they were tricked or enticed to become a domestic worker, then we have a process and an objective, which makes it trafficking (Ford and Lyons, 2012, p. 87). All of the actors involved in this cycle can be a part of the border community as well.

5.1. Humanitarian Action and Best Practice

ICMC coordinator Ruth Rosenberg notes in the CTPs report by early 2000s, the essential changes that had occurred in the international approach to human trafficking; with shifts in emphasis from recruitment to exploitation; from coercion to 'with or without consent; from prostitution to informal and unregulated labour; from violence against women to violation of human rights; and trafficking in women to illegal migration (Rosenberg 2003 in Ford and Lyons, 2012, p. 81). ICMC started a significant reformation on setting the anti-trafficking agenda to the local context. One of the most important improvements was related to the framework of human trafficking that incorporates the key dimensions of the definition of trafficking contained in the UN Protocol – process, means, and purpose – in a scheme to help determine whether trafficking has occurred. According to the report's authors, if one condition from each column is met, then the phenomenon meets the definitions of trafficking (Ford and Lyons, 2012, p. 81). This is exactly the same approach used by Romo Paschal during his interview. He stated the problems with authority are somehow related to their acknowledgement of the human trafficking cases. If it did not check all the criteria, usually they will deny or say that the cases were not human trafficking. That's also why, based on the numbers reported to BP2MI that registered as 'human trafficking' after the identification process, the number was significantly shrinking. This situation shows how the bureaucracy somehow becomes a sword in the process of realizing justice. Luckily, the spirit of humanity still lightened non-state actors like Romo Paschal to keep doing the advocacy

on 'protecting' these people in need. This is a sign of a setback of our policy practices to protect our people.

"In truth, I hadn't had any previous ideas. I only wanted to assist the victim. I never gave anything a second consideration. My work is a normal one, and if there is a victim, I will offer support. I genuinely wish to assist them. I didn't truly comprehend the notion of human trafficking until one day when there were 24 victims in the same instance. After that, I began to educate myself. Nothing out of the norm, simply assisting them as required" (Romo Paschal Interview, 2021). After being posted as the pastoral head of migrants and immigrants from the Catholic church institution, Romo Paschal started his humanitarian action. From there, he slowly realized that there are forces outside of non-state actors who are actively relentlessly and selflessly fighting for the interests of the victims' rights. Even though migrant issues are often politicized, these grassroots actors do not seem to be affected by the dynamics of elite political interests. They continue to run without any pressure from the local government to resolve this issue jointly. Finally, the humanitarian forces united them in creating networks such as Safe Migrant Batam to together coordinate to provide the best rescue for the victims according to their legal, financial, physical and mental needs.

The two pillars of human security, 'protection' and 'empowerment' are supposed to bring the voice of migrants to the fore, promoting their engagement in policy and norm-making processes that affect them and opening doors to explore transnational civic participation (Estrada-Tanck, 2016, p. 105). Linking to this concept, Romo Paschal and the team breathe these two pillars in their shelter. Assessing the needs of the person case by case and providing relevant support is carried out to ensure the protection of victims' rights. Not infrequently, this made Romo Paschal and his team become the target of syndicates because vocally, Romo and his colleagues demanded justice both in legal and social ways. This pattern shows the application of human security framework where possible human rights obligations were built and strengthened by the non-state actors in the case of labour migrants (Estrada-Tanck, 2016, p. 106).

Romo Paschal has handled more than 500 victims at the shelter (Indaryani, 2019). These trafficking victims also come from different religious, ethnic and racial backgrounds. Although Romo Paschal works on behalf of the Catholic Church, this is not a limitation for Romo and his team to carry out an inclusive service to protect the victims of human trafficking. "We have tried to do everything, starting with prevention, prosecution as well as in the process of recovering victims and even raising awareness of the perpetrators. This is a never-ending process, but there is a sense of satisfaction. This matter must be continually addressed so that its message is received a large number of people and its positive impact serves as a deterrent to this heinous crime." (Romo Paschal Interview, 2021).

The exploitation faced by migrant workers has led to social movements in both sending and receiving countries (Amalia, 2020, p. 14). According to Ford (2006), there are two types of advocacy organizations in Indonesia that help Indonesian migrant workers: migrant labour NGOs and migrant worker organizations. Migrant labor NGOs are non-migrant-led organizations usually created by middle-class activists who advocate for migrant workers (Amalia, 220, p. 13). Migrant CARE can be categorized in this first group. To better protect Indonesian migrant workers abroad, Migrant CARE extended its coverage overseas. In Malaysia, as one of the most crucial host country, Alex Ong leads the advocacy program. This formula of transnational activism under one roof can be used to exert pressure on both sending and receiving countries,   as well as being an alternative to be the 'savior' of protection abroad which often cannot be directly done by the hands of the origin state like in Sari's case. Again, non-state actors are significantly playing to nurture the human security pillars to protect and empower migrant workers.

Chapter 6
Epilogue

The migration management in the Riau Islands has not fully implemented the national law regulated under Law Number 18 of 2017 and Law Number 21 of 2007 about Counter Human Trafficking. In a literal manner, the migration management in Riau Islands has been trying to aim the goals of both policies: 'protect' and empower' the people from any kind of human rights violations, especially migrant workers as the victims of human trafficking. This ambition is aligned with the spirit of the human security approach that wants to protect the core contents of rights and promote an enabling environment for rights fulfilment. However, due to the prioritization of local government, which overrides the agenda for improvement in terms of human security and the divergence in practicing the policies across relevant stakeholders, the practice of fulfilling the rights and protection of migrant workers victims of human trafficking in Riau Islands have not been properly integrated.

The discourses and experiences of "illegalized" labour migration and human trafficking linked in the migration regimes through the lack of knowledge and the 'illegality' of migrant workers while pursuing their dream to work overseas. Without following the procedural process, there is no guarantee for their protection since they are seen invisible in the system. Proper and legal procedures may also end up in human trafficking cases in the end because of exploitation and non-compliance with employment contracts in the receiving country. The condition of the Riau Islands, which is surrounded by the sea, also provides an opportunity for traffickers to carry out their operations through rat ports. Such conditions make the control of the flow of labour migration to Malaysia more insecure. Not to mention the limitations of the state in providing comprehensive protection abroad, which makes victims of human trafficking neglected and suffered more due to abuse from local authorities.

The border community in Riau Islands is an active player within the regime to assist the fulfilment of trafficking victims' rights and, at the same time, can be the source of new catastrophe as they are the actors within the illegal industry profiting from this inhumane practice. However, initiatives from community networks, NGOs, individuals, and church representatives are present in preventing and eradicating trafficking in persons. Socialization is carried out through social media to increase awareness of this issue, and the handling of victims is carried out thoroughly according to post-reporting needs. The 'saviour' group in this border community also does not hesitate to provide sustainable programs to re-empower the victims aligned with the spirit of human security. Even though at the same time, the existence of syndicates who are part of the border community also continues to tempt potential migrant workers to entrust their fate to them. Fortunately, the movement of the network within the border community was strong enough to always accommodate and protect victims in the long term, regardless of their background. The value of inclusivity in helping fellow human beings seems to be an oasis in the absence of the local government initiatives to actively provide protection to victims – whom most of them are not native to the Riau Islands. The practice of advocacy which is quite strong in this migration regime is also carried out by transnational actors such as Migrant CARE, who can provide unlimited assistance between two countries. At least, although in terms of policy practice and the role of state actors in the migration regime in the Riau Islands still did not fully breathe the human security perspective, with the spirit of humanity from non-state actors, there is still hope in reducing the increasing risk of human trafficking in this region

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