

**THE EFFECTIVENESS OF THE INTERNATIONAL ORGANIZATION
FOR MIGRATION (IOM) IN ADDRESSING HUMAN TRAFFICKING
AGAINST INDONESIAN MIGRANT WORKERS IN MALAYSIA POST-
COVID-19**

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ABSTRACT

This study analyzes the effectiveness of the International Organization for Migration (IOM) as an intergovernmental organization that focuses on migration issues in combating human trafficking of Indonesian migrant workers in Malaysia during the Covid-19 pandemic. IOM basically does not have the authority to eradicate the problem of human trafficking, but because this problem stems from irregular migration, IOM is trying to help the Indonesian government together with various partners to overcome this problem. In its role, IOM established the Counter Trafficking Unit (CTU) which focuses on addressing human trafficking. CTU activities are based on the "3P+Partnership" strategic approach. The research objective in this study is to analyze the effectiveness of international organizations, namely, IOM in overcoming human trafficking of Indonesian migrant workers working in Malaysia after Covid-19. The analytical knife used in this research is the theory of the effectiveness of international organizations and the concept of human security. The method used in this research is a qualitative method with analytical descriptive writing techniques. The result of this research is that IOM is not effective in overcoming human trafficking against Indonesian migrant workers in Malaysia. This can be proven through the dimensions of output, outcome, and impact. IOM can fulfill the output and outcome dimensions, but in the impact dimension, IOM has not been able to provide changes in Indonesian policy and IOM's handling efforts are not focused on migrant workers in Malaysia, but victims of human trafficking in general. In addition, data on

human trafficking victims of migrant workers in Malaysia is inefficient and does not show the accuracy of the numbers.

Keywords: Counter Trafficking Unit, Effectiveness of International Organizations, Human Security, Indonesian Migrant Workers, IOM

Introduction

Human trafficking of Indonesian migrant workers in Malaysia has been an ongoing problem for decades. Prior to the COVID-19 pandemic, Indonesian migrant workers were often victims of human trafficking and exploitation in Malaysia. One of the most common forms of exploitation is that Indonesian migrant workers work in the informal sector and are subjected to low wages and inhumane working conditions. However, during the COVID-19 pandemic, the conditions of Indonesian migrant workers in Malaysia have worsened as they are forced to face job insecurity, declining income, and deteriorating health conditions. According to a report from IOM Indonesia in 2021, the COVID-19 pandemic has increased the risk of human trafficking and exploitation of Indonesian migrant workers in Malaysia. Migrant workers who are forced to lose their jobs or whose income decreases are encouraged to seek alternative employment, which can then lead them to become victims of human trafficking and exploitation.¹

Based on the performance report of the Indonesian Embassy in Kuala Lumpur, in the 2019 period, they were faced with the mark of Indonesian citizen/PMI cases indicated by trafficking cases. Some of the most significant percentages of common cases are labor cases and undocumented Indonesian citizens/PMI cases, ranked second in the Indonesian Embassy in Kuala Lumpur.² It shows that there are still many cases non-procedural migrant worker shipments that are strongly indicated in human trafficking. Human trafficking is a crime that

¹ IOM Indonesia, "Risiko Terjadinya Perdagangan Orang dan Eksploitasi pada Pekerja Migran Selama Pandemi COVID-19 di Malaysia", accessed March 26, 2023, <https://indonesia.iom.int/sites/default/files/Risk%20Assessment%20Report%20-%20Bahasa%20Indonesia.pdf>

² Kedutaan Besar Republik Indonesia Kuala Lumpur, *LAPORAN KINERJA KEDUTAAN BESAR REPUBLIK INDONESIA KUALA LUMPUR*, 2019.

is one of the most giant forms of crime in the world. Human trafficking is a form of modern slavery that occurs nationally and internationally.

Since 2005, IOM has actively assisted 9,198 trafficking victims.³ IOM's mission is to realize an orderly and secure migration. Trafficking in persons involving migrant workers working in Malaysia is a manifestation of unsafe migration. As an *intergovernmental organization*, IOM seeks to assist the Indonesian government in combating trafficking, as trafficking is a central issue in studying transnational crimes that harm individuals. IOM cooperates with various parties, including governments, non-governmental organizations, and regional and international organizations, to prevent and eradicate trafficking. Commitment to eradicating trafficking is carried out through a 3P approach: *Prevention, Protection, and Prosecution*.⁴ In line with this, IOM collaborates with the Coordinating Ministry for Human Development and Culture and the Ministry of Women's Empowerment and Child Protection.⁵ IOM has actively contributed to efforts to combat trafficking crimes through the assistance, protection, repatriation, and recovery of Indonesian migrant workers who are indicated to be trafficking.

Based on the data mentioned, the handling of *human trafficking* of migrant workers is relevant to non-traditional security studies in international relations. It is because *human trafficking* is a form of transnational crime that needs to be dealt with seriously. The protection of Indonesian migrant workers is an integral part of the realization of human rights. Furthermore, based on the data found, the author found that over the previous few years, there were a lot of labor violations and *human trafficking* cases against migrant workers that violated human rights values, especially those in Malaysia. As an *intergovernmental organization*, IOM has tried to realize regular migration and eradicate trafficking. More specifically, this study aims to determine the extent of the effectiveness of IOM as an

³ IOM Indonesia, *IOM Indonesia Programmes*, 2021.

⁴ IOM Indonesia, "Counter Trafficking," accessed December 15, 2022, <https://indonesia.iom.int/counter-trafficking>.

⁵ Kementerian Pembedayaan Perempuan dan Perlindungan Anak Republik Indonesia Kementerian and IOM, *Petunjuk Teknis Operasional Gugus Tugas Pencegahan & Penanganan Tindak Pidana Perdagangan Orang*, *Kemenpppa.Go.Id*, 2019, <https://www.kemenpppa.go.id/lib/uploads/list/ca5bf-pedoman-teknis-untuk-gugus-tugas-tpo.pdf>.

intergovernmental organization in combating *human trafficking* cases that afflict PMI in Malaysia after covid-19 pandemic.

Research Methodology

The research design in this study is a qualitative method with analytical descriptive writing techniques to analyze related issues. In this study, the author describes and explain the effectiveness of the *International Organization for Migration* (IOM) in overcoming human trafficking against migrant workers in Malaysia, following the data and facts obtained and analyzed using the theory of the effectiveness of international organizations Frank Bierman and Steffen Bauer and one of the concepts of *human* security, namely, *personal security*. This research uses secondary data obtained through the official websites of IOM, BP2MI, and the United States Government, as well as books, journals, articles and newspapers relevant to the phenomenon to be studied.

Research and Discussion

Human Trafficking as a Human Security Threat

Mistreatment and violations of the rights of Indonesian migrant workers can occur during the recruitment, departure, transit and return processes. The recruitment process is the beginning of the problem of illegal migrant workers. The recruitment process includes the direct involvement of an employer or their representative, as well as operations conducted by intermediaries including public and private recruitment agencies. In the case of illegal migrant workers, the recruitment is either unauthorized or not in accordance with national laws and regulations.

Data from cases assisted by IOM over the past ten years shows that nearly 80% of international human trafficking trips are made through official border posts such as airports.⁶ When people are trafficked for labor purposes, they are brought through official border checkpoints using false documents. Whereas human trafficking for the purpose of sexual exploitation is done through unofficial checkpoints. At official border checkpoints, victims are controlled using debt

⁶ CTDC, "Victims of Trafficking on the Road," *International Organization for Migration*, accessed January 11, 2023, <https://www.ctdatacollaborative.org/story/victims-trafficking-road>.

bondage, threats to self or others, restrictions on freedom of movement, and threats of law enforcement action. Meanwhile, victims who do not pass through official border checkpoints are controlled by confiscation or destruction of important documents.

According to UNDP, unforeseen dangers also pose a risk to the integrity of human existence which includes threats. The threats are in the form of; threats from the state (physical abuse), threats from other countries (war), threats from community groups (ethnic tensions), threats from individuals or groups (crime, street violence), threats directed at women (rape, domestic violence), threats to themselves (suicide, drug use).⁷ Indonesian migrant workers in Malaysia face some of the threats mentioned above, namely, threats from individuals or groups and threats directed at women. Threats from individuals or groups come from traffickers who threaten, force, kidnap, and deceive migrant workers for certain benefits. The second type of threat is in the form of threats directed at women. The majority of Indonesian migrant workers are women who have higher vulnerability and are more susceptible to threats from either their employers or traffickers.

Indonesian migrant workers who are victims of human trafficking face threats that jeopardize their personal security. Human trafficking of migrant workers poses a great risk to the safety of individuals, as they are sold or forced to sell their bodies to traffickers for the purpose of exploitation. In this case, basic rights, freedom and honor as human beings have been deprived and pose a threat to individuals. Not only are migrant workers in Malaysia mistreated, they are also exploited on a daily basis to fulfill the needs of their masters through forced labor.

Human trafficking raises concerns for all actors in international relations as it is not just a matter of criminality, but a violation of human rights. Human trafficking is linked to the violation of the most basic human rights, namely the right to liberty, the right to a better livelihood, and the right to well-being. These important rights have been violated as a result of the criminal activity of human trafficking, where people are treated as commodities and then exchanged as profitable commercial commodities that can later be exploited easily.

⁷ Ibid.

IOM's Role in Addressing Human Trafficking Against Indonesian Migrant Workers in Malaysia

Human trafficking is a transnational crime that violates human rights. The high number of trafficking cases responds to humanitarian problems. After the cold war, there was a shift towards the international system where the state was no longer the only dominant actor in implementing international relations. International organizations have entered into actors on an equal footing with the state and participate in implementing international relations. Countries worldwide recognize the importance of international organizations because countries need a place to gather, cooperate and solve problems. In addressing the issue of human trafficking, IOM is here to assist and support the country's government in resolving this problem.

IOM estimates that more than half of Indonesia's labor force is a victim of trafficking. The IOM also identified approximately 3,840 trafficking victims, 90 % women and 55% exploited as domestic servants.⁸ IOM Indonesia continues to assist the Indonesian government in rescuing and providing services to trafficking victims by establishing a *Counter-Trafficking Unit* (CTU) based on the strategic "3P+Partnership".⁹ This approach focuses on *prevention, prosecution, protection, and partnership*. IOM's *Counter-Trafficking Unit* focuses on preventing and combating human trafficking in cooperation with government, non-governmental, and community agencies. Among the activities carried out based on the "3P + *Partnership*" pillar:

a) Prevention

Anti-trafficking policies that have been created by the Indonesian government through laws have not been able to fully reduce internal and external forms of human trafficking.. The policy was created to prevent trafficking, protect victims, and mitigate the impact of the trafficking economic crisis. One popular prevention method is through public awareness in increasing campaigns regarding migration, labor, and human trafficking information. The campaign can help

⁸ Iskandar and Nursiti, "PERAN ORGANISASI INTERNASIONAL DAN REGIONAL DALAM PENYELESAIAN PELANGGARAN HAK ASASI MANUSIA PERDAGANGAN ORANG DI INDONESIA," *Jurnal HAM* 12, no. 3 (2021): 385.

⁹ Veda et al., *Panduan Penanganan Tindak Pidana Perdagangan Orang*.

migrant workers get information that is difficult to obtain so that they know more about their condition before departure and when they arrive at their destination country. Because of the large number of cases, migrant workers who are victims of human trafficking are not aware that they are being exploited until they arrive in their destination country.

IOM participates in tackling human trafficking through public awareness campaigns. The campaign aims to provide appropriate information and promote to the public about migrant workers and their risks. In commemoration of World Day Anti-Trafficking in Persons 2021, IOM, together with the Ministry of Women's Empowerment and Child Protection (Kemen PPPA), organized an anti-trafficking campaign through a *talk show* with the theme " *Layanan Terpadu bagi Pelindungan dan Pemenuhan Hak-Hak Korban dan Saksi TPPO.*"¹⁰ Through the campaign, the Minister of Women's Empowerment and Child Protection, Bintang Puspayoga, said that the Covid-19 pandemic poses a more significant challenge to trafficking, resulting in the prevention and handling of trafficking is the responsibility of all parties. The campaign is aimed at victims, traffickers, and the entire community.

The prevention and handling of trafficking, particularly against vulnerable groups such as Indonesian migrant workers (PMI), is the responsibility of all parties. In order to prevent this, IOM conducts socialization and campaigns on safe migration to prevent trafficking among the general public, migrant workers, prospective migrant workers, and other vulnerable groups. The socialization was in the form of providing Information, Education, and Communication (IEC) materials containing comic books, pocketbooks for safe migration information, country-specific guidebooks, and a documentary with the title "*Jangan Kembali (Never Again).*"¹¹

IOM launched *IOM X* as part of the organization's campaign to combat exploitation and human trafficking. *IOM X* developed a *Communication for*

¹⁰ IOM Indonesia, "Hari Dunia Anti Perdagangan Orang 2021: Kemen PPPA Dan International Organization for Migration Selenggarakan Kampanye Anti Perdagangan Orang," last modified 2021, accessed January 21, 2023, <https://indonesia.iom.int/id/news/hari-dunia-anti-perdagangan-orang-2021-kemen-pppa-dan-international-organization-migration-selenggarakan-kampanye-anti-perdagangan-orang>.

¹¹ Elisa Mosler Vidal and Jasper Dag Tjaden, *Global Migration Indicators (2018). Insights from the Global Migration Data*, 2018, www.iom.int/Awww.migrationdataportal.org.

Development (C4D), an evidence-based and participatory framework to achieve its mission. This mission is to understand a variety of contexts and knowledge, attitudes, and practices of people in the face of specific problems to develop messages that encourage positive behavior change to prevent exploitation and human trafficking.¹² IOM X campaigns are provided through video content, training materials, *toolkits*, *factsheets*, and *reports*.

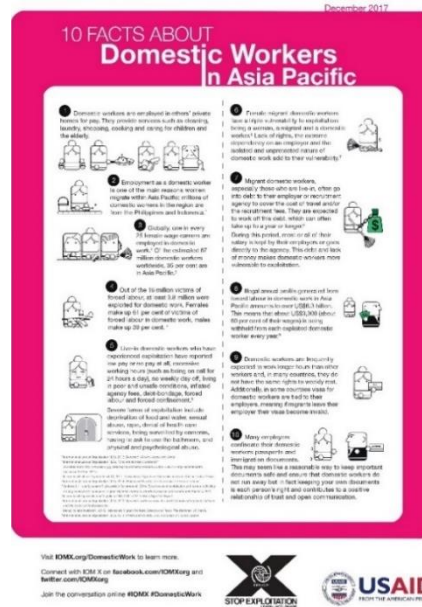


Figure 3 Factsheets in IOM X Campaign

(Source: official website IOM X)

IOM collaborates with BNP2TKI in providing information services before departure for migrant workers. Cooperation in providing information services includes revising pre-departure training materials, training BNP2TKI instructors in 19 provinces, and developing booklets containing information about the destination country to be provided to migrant workers before departure. The booklet contains the cultural customs of the destination country, the legal framework, care services, and other information reported by IOM.¹³ Information services and campaigns by IOM and its various partners can be a reference for Indonesian migrant workers (PMI) who will work in the destination country.

¹² International Organization for Migration (IOM), "IOM X," accessed January 6, 2023, <https://www.iom.int/iom-x>.

¹³ Andayani and Pahlawan, "Peran International Organization for Migration (IOM) Dalam Melindungi Tenaga Kerja Indonesia Di Malaysia Tahun 2013-2015."

b) *Prosecution*

Government institutions that adhere to the rule of law and provide access to justice will increase prosecutions of traffickers and contribute to economic development, reducing cases of human trafficking. Human trafficking usually occurs in countries with weak law enforcement because weak law enforcement facilitates the perpetrators to commit these crimes.

Regarding prosecution, IOM supports the Indonesian government's efforts to respond to trafficking crimes through various means. One of them is to assist the Indonesian government in encouraging the establishment of legal instruments regarding trafficking. IOM has comprehensively reviewed Law No. 21 of 2007 on the Comprehensive Eradication of Trafficking in Persons, which contains Standard Operating Procedures (SOP) and Minimum Service Standards (SPM) for assisting victims.¹⁴ Under this law, traffickers face a minimum of three years imprisonment and a maximum of fifteen years. Furthermore, fines range from Rp. 120,000,000.00 to Rp. 600,000,000.00.

IOM and the Attorney General's Office of the Republic of Indonesia have been pioneers in revising the publication of a book entitled "*Panduan Penanganan Tindak Pidana Perdagangan Orang*." The purpose of this book is to serve as a guide for law enforcement officials on the latest trends in human trafficking cases. This book analyzes the modus operandi of traffickers. It provides practical guidance on the technical steps necessary to address trafficking cases, starting from the stage of investigation and prosecution to the courts.

As an *intergovernmental organization*, IOM contributes to the Indonesian government to crack down on traffickers by collaborating with the Attorney General's Office of the Republic of Indonesia. In addition, to increase its capacity to investigate trafficking crimes, IOM cooperates with the Indonesian National Police's Criminal Investigation Agency (CIA) and other Indonesian judicial agencies.

c) *Protection*

¹⁴ IOM Indonesia, "Penanganan Perdagangan Orang Dan Migrasi Tenaga Kerja," accessed January 15, 2023, <https://indonesia.iom.int/id/penanganan-perdagangan-orang-dan-migrasi-tenaga-kerja>.

Since 2005, IOM Indonesia has assisted and identified more than 9000 trafficking victims. As an *intergovernmental organization*, IOM's mission is to promote orderly, safe, and humane migration. To realize this mission, IOM increases understanding of migration issues, assists governments in addressing migration challenges, encourages social and economic development through migration, and upholds the dignity and well-being of migrants, their families, and their communities.¹⁵

IOM's first step in assisting victims of trafficking is to identify victims so that they can receive appropriate assistance. IOM assists victims by referring them to government and non-government service providers for medical examinations, medical care, psychosocial support, mental health support, and temporary housing.

IOM Indonesia offers repatriation assistance, including food and non-food assistance, medical assistance, housing assistance, reintegration assistance, compensation settlement assistance, and legal assistance. Repatriation assistance is facilitated through coordination between the IOM in the country of origin with the Embassy and the Directorate General of Immigration. IOM donated food and drink for a month and hygiene kits and clothing to trafficking victims in need. In addition to medical services, trafficking victims will receive inpatient care and medical clearance before being discharged to their home grounds. IOM also cooperates with the Indonesian government at the national and local levels, particularly the Ministry of Social Affairs and the Ministry of Marine Affairs and Fisheries, to provide temporary shelters that facilitate security personnel for the victims.¹⁶ A framework for voluntary repatriation and reintegration guides all activities related to repatriation and reintegration assistance.

IOM provides livelihood assistance as part of reintegration assistance by offering job training, raising animals, buying motorcycles to use as motorcycle taxis, opening food stalls, and driving training. IOM also participates as an observer of wage negotiations to assist in the compensation settlement process.

¹⁵ IOM, "IOM Di Indonesia," accessed December 26, 2022, <https://indonesia.iom.int/id/iom-di-indonesia>.

¹⁶ Rahmawati and Kusuma, "Peran Pemerintah Indonesia Bersama IOM Dalam Mengatasi Masalah Perdagangan Perempuan Indonesia Ke Timur Tengah Periode 2016-2019."

For legal assistance, IOM provides training to state officials on how to deal with trafficking crimes. IOM also cooperates with Indonesian judicial agencies to issue fines for traffickers following applicable law.¹⁷

In overcoming the impact of the Covid-19 pandemic, IOM is working with the *Korea International Cooperation Agency (KOICA)*.¹⁸ KOICA supports IOM to launch a new multi-sectoral activity program and supports the Indonesian government's efforts to overcome the impact of Covid-19, both in the social and economic sectors for PMI and their families, and increasing prevention and countermeasures at various entrances in Indonesian territory. One of the programs supported by KOICA is the PMPMI (Empowerment of Indonesian Migrant Workers Households and Capacity Strengthening at Entry Points in Indonesia) program. The program helps the PMI community, a vulnerable group, in strengthening their resilience and recovery from Covid-19, which causes loss of livelihood.

IOM seeks to protect migrant workers by promoting the recruitment of ethical migrant workers. IOM also created the *IRIS: Ethical Recruitment* initiative and a coalition of partners from governments, civil society, the private sector, and recruiters to establish ethical recruitment and cross-border labor migration. The IRIS initiative is carried out by promoting respect for the rights of migrant workers, increasing transparency and accountability in recruitment, advancing the Principle of Employer Payments, and strengthening public policies, regulations, and enforcement mechanisms.¹⁹ In this regard, IOM also created a manual to provide concrete operational guidance for workers titled "*Pedoman untuk para Perekrut Tenaga Kerja Mengenai Perekrutan Etis, Kerja Layak dan Akses terhadap Pemulihan Hak bagi Pekerja Rumah Tangga Migran.*"

IOM protection efforts for Indonesian migrant workers (PMI) are also carried out through *Corporate Responsibility in Eliminating Slavery and*

¹⁷ Ibid.

¹⁸ IOM Indonesia, "KOICA Dan IOM Bermitra Untuk Mengatasi Dampak COVID-19 Pada Pekerja Migran Indonesia Dan Memperkuat Upaya Mitigasi Di Berbagai Pintu Masuk Di Indonesia," last modified 2021, accessed January 15, 2023, <https://indonesia.iom.int/id/news/koica-dan-iom-bermitra-untuk-mengatasi-dampak-covid-19-pada-pekerja-migran-indonesia-dan-memperkuat-upaya-mitigasi-di-berbagai-pintu-masuk-di-indonesia>.

¹⁹ IRIS Ethical Recruitment, "What Is IRIS?" accessed January 6, 2023, <https://iris.iom.int/>.

Trafficking (CREST), a regional IOM initiative to mobilize the corporate sector to ensure the safety of migrant workers and their communities in the Asian region.²⁰ CREST's goals are 1) strengthening business commitments and partnerships to eradicate modern slavery and human trafficking, 2) equipping businesses with the resources they need to meet the needs of migrants, and 3) facilitating multi-stakeholder dialogue and collaboration between governments, businesses, and civil society to find *long-term* solutions.

In carrying out all its activities, IOM collaborates with various partners through IOM's strategic approach, namely, "3P + *Partnership*". By addressing trafficking victims, IOM cooperates with Indonesian government agencies and relevant actors such as the Ministry of Maritime Affairs and Fisheries, the Ministry of Manpower, the Ministry of Women and Child Empowerment, the Legal Aid Institute, the Directorate General of Immigration, the academic institutions, and civil organizations. They try to improve the capacity of labor migration management through research, government capacity building and promoting ethical recruitment and fair employment practices in business. As well as increased public awareness of safe migration because efforts to alleviate the problem of human trafficking against migrant workers are complex problems that require cooperation from various *stakeholders*.

IOM's Effectiveness in Addressing Human Trafficking Against Indonesian Migrant Workers in Malaysia Post-Covid-19

Output Dimensions

During the COVID-19 pandemic, IOM continued to play an active role in combating human trafficking of migrant workers in Malaysia. The problem of human trafficking experienced by migrant workers in Malaysia is a form of irregular migration. As an organization engaged in migration, this problem is one of IOM's focuses in accordance with its mission, namely, creating orderly migration. The outputs carried out by IOM during the covid-19 pandemic in combating human trafficking against Indonesian migrant workers in Malaysia include:

²⁰ IOM Indonesia, *IOM Indonesia Programmes*.

1. One of the efforts made by IOM is to provide medical and humanitarian assistance to migrant workers affected by the co-19 pandemic in Malaysia.²¹ This can be proven by providing health and humanitarian assistance such as the provision of personal protective equipment, medicines, food, and toiletries for Indonesian migrant workers living in temporary shelters. In addition, IOM also conducts information campaigns to raise awareness about the dangers of human trafficking and the importance of protecting themselves from covid-19 transmission.²²
2. Providing legal assistance for victims of human trafficking.²³ This can be proven by the cooperation between IOM Indonesia and local and international organizations to provide legal assistance for victims of human trafficking. This assistance includes legal counseling, support to file a lawsuit, and assistance in obtaining their rights. IOM also cooperates with Malaysian authorities to provide temporary shelter for victims of human trafficking during the investigation and court process.²⁴ In providing legal assistance, IOM also maintains access to the legal system by providing information on their rights and how to access the law virtually. In addition, IOM also provides psychosocial assistance during the Covid-19 pandemic which includes emotional support and counseling to help victims overcome the trauma and stress caused by the pandemic. IOM also provided information on human trafficking and efforts to combat human trafficking during the Covid-19 pandemic which was disseminated through social media, websites, and other communication channels.

²¹ IOM, “COVID-19 Response: Protecting Vulnerable Migrants in Malaysia” accessed March 26, 2023, <https://www.iom.int/news/covid-19-response-protecting-vulnerable-migrants-malaysia>

²² IOM Indonesia, “IOM Indonesia Assists Indonesian Migrant Workers Affected by COVID-19 in Malaysia” accessed March 26, 2023, <https://indonesia.iom.int/news/iom-indonesia-assists-indonesian-migrant-workers-affected-covid-19-malaysia>

²³ International Organization for Migration, “Human Trafficking and Exploitation: IOM Indonesia’s Efforts to Combat Trafficking During COVID-19”, accessed March 26, 2023, <https://indonesia.iom.int/sites/default/files/IOM-Indonesia-Human-Trafficking-During-COVID-19.pdf>

²⁴ Voice of America, “COVID-19 Pushes More Indonesia Migrant Workers into Slavery”, Accessed March 26, 2023, <https://www.voanews.com/covid-19-pandemic/covid-19-pushes-more-indonesian-migrant-workers-slavery>

3. Help facilitate the return of migrant workers who wish to return to Indonesia.²⁵ This can be seen through the Assisted Voluntary Return and Reintegration (AVRR) program. This program is part of the cooperation between IOM and the Indonesian government supported by various parties, including the Embassy of the Republic of Indonesia. The purpose of this program is to help migrant workers who experience difficulties and want to return to Indonesia, by providing assistance for transportation costs, processing travel documents, and reintegrating into the community after returning to Indonesia.²⁶ However, there are several obstacles in this program. One of them is budget limitations, so not all Indonesian migrant workers receive assistance from this AVRR program.
4. IOM also encourages cooperation between Indonesia and Malaysia in terms of preventing and handling human trafficking cases. This can be proven through a virtual meeting held by IOM Indonesia with the Malaysian Embassy in Jakarta on February 22, 2021.²⁷ The meeting discussed cooperation in preventing and handling human trafficking in the midst of the Covid-19 pandemic. The result of the meeting was an agreement to increase cooperation and information exchange between the two countries regarding human trafficking issues.
5. Conduct training and counseling for Indonesian migrant workers and local communities on the dangers of human trafficking and how to report cases. This can be evidenced through training for health and social service providers in the Greater Jakarta area, on October 8, 2020.²⁸ The training was an introduction, prevention and response to human trafficking during

²⁵ IOM Indonesia, "IOM Supports Indonesia's Efforts to Protect Migrant Workers in Malaysia Amidst COVID-19", accessed March 26, 2023, <https://indonesia.iom.int/news/iom-supports-indonesias-efforts-protect-migrant-workers-malaysia-amidst-covid-19>

²⁶ IOM Indonesia, "Assisted Voluntary Return and Reintegration (AVRR) Program", accessed March 26, 2023, <https://indonesia.iom.int/assisted-voluntary-return-and-reintegration-avrr-program>

²⁷ IOM Indonesia, "IOM Indonesia and Malaysian Embassy Discuss Joint Efforts to Combat Trafficking in Persons amid COVID-19 Pandemic", accessed March 26, 2023, <https://indonesia.iom.int/iom-indonesia-and-malaysian-embassy-discuss-joint-efforts-combat-trafficking-persons-amid-covid>

²⁸ IOM Indonesia, "Training for Health and Social Service Providers on Identification, Prevention, and Response to Human Trafficking during COVID-19", accessed March 26, 2023, <https://indonesia.iom.int/training-health-and-social-service-providers-identification-prevention-and-response-human>

the COVID-19 pandemic. Training for migrant workers and local communities in West Java on the dangers of human trafficking, the rights of migrant workers, and how to report cases of human trafficking was held on November 27, 2020.²⁹

6. Collaborate with the Malaysian government and other organizations to increase understanding of human trafficking crimes and strengthen protection for victims. On June 10, 2021, IOM Indonesia established a partnership with the Malaysian government.³⁰ This collaboration is aimed at increasing the capacity of immigration officers in Malaysia in recognizing and handling human trafficking cases that occurred during the COVID-19 pandemic. In this collaboration, IOM Indonesia also provides technical support to improve reporting and monitoring systems in the field. In cooperation with non-governmental organizations, IOM Indonesia collaborates with Yayasan Pulih and Yayasan BaKTI in providing assistance and protection to victims of human trafficking during covid-19.³¹

To address the issue of human trafficking of migrant workers in Malaysia is done together with various policy makers from both government and non-government organizations. Because the victims of TPPO are not only in Indonesia, but in Malaysia. Based on the analysis of the output dimension, it can be concluded that IOM's role in overcoming human trafficking against PMI in Malaysia during the Covid-19 pandemic is quite significant. All activities in the IOM program to overcome human trafficking against PMI in Malaysia are in

²⁹ IOM Indonesia, "Training for Migrant Workers and Local Communities in West Java on Human Trafficking, Migrant Worker's Rights, and Reporting Mechanisms", accessed March 26, 2023, <https://indonesia.iom.int/training-migrant-workers-and-local-communities-west-java-human-trafficking-migrant-workers-rights>

³⁰ IOM Indonesia, "IOM Indonesia dan Pemerintah Malaysia Tingkatkan Perlindungan Korban Perdagangan Manusia selama Pandemi COVID-19", accessed March 26, 2023, <https://indonesia.iom.int/iom-indonesia-dan-pemerintah-malaysia-tingkatkan-perlindungan-korban-perdagangan-manusia-selama-pandemi-covid-19>

³¹ International Organization for Migration, "IOM Indonesia dan Yayasan Pulih Gandeng Komunitas Migran untuk Berikan Bantuan dan Perlindungan bagi Korban Perdagangan Orang Selama Pandemi", accessed March 26, 2023, <https://indonesia.iom.int/iom-indonesia-dan-yayasan-pulih-gandeng-komunitas-migran-untuk-berikan-bantuan-dan-perlindungan-bagi-korban-perdagangan-orang-selama-pandemi>

accordance with the Counter Trafficking Unit strategy, namely, "3P + Partnership".

Outcome Dimensions

As an *intergovernmental organization*, IOM has no obligation to address human trafficking. However, as the UN migration agency, IOM seeks to help the government to address the problem because human trafficking of Indonesian migrant workers (PMI) in Malaysia is a form of irregular migration. In addressing human trafficking against migrant workers in Malaysia, IOM conducts a series of activities involving various actors, which can change the behavior of actors.

IOM's activities to protect migrant workers who are victims of trafficking are carried out together with various partners, including the Ministry of Women and Children Empowerment, BP2MI, and the Attorney General's Office of the Republic of Indonesia. The cooperation between IOM and its partners to eradicate human trafficking, especially for PMI, has raised awareness for its various partners to carry out prevention efforts, repatriation, and social reintegration of trafficking victims. It can be proven by the existence of 160 instructors who took part in the *Training for Trainers (TOT)* in the trial of the revision of the pre-departure orientation module (OPP) for migrant workers, which is a collaboration between IOM and BP2MI in the carried out online and offline.³² The OPP orientation module was revised with additions to prevention and mitigation measures, as well as other relevant topics related to the latest needs among migrant workers, Such as the prevention of violent extremism abroad, information about reproductive rights and health risks to migrant workers, and financial literacy.

³² IOM Indonesia, "IOM Dan BP2MI Segera Melatih 160 Instruktur Tentang Modul Orientasi Pra-Pemberangkatan Yang Diperbarui Untuk Pekerja Migran," accessed February 12, 2023, <https://indonesia.iom.int/id/news/iom-dan-bp2mi-segera-melatih-160-instruktur-tentang-modul-orientasi-pra-pemberangkatan-yang-diperbarui-untuk-pekerja-migran>.



Figure 4 Training of Trainers (TOT) OPP Module Revision for BP2MI OPP Instructors

(Source: IOM Website)

In commemorating the anti-trafficking day, IOM, in collaboration with the Ministry of Women and Children Empowerment and Grab Indonesia, held a *Have a Heart Talkshow*, "*Berani Lawan Perdagangan Orang dengan Teknologi*," on July 31, 2022.³³ This activity is attended by the general public and aims to increase awareness and socialization about human trafficking so that the public can recognize the dangers of human trafficking. and understand safe migration.

³³ Kementerian Pemberdayaan Perempuan dan Anak, "PERINGATI HARI DUNIA ANTI PERDAGANGAN ORANG, KEMENPPPA : PERLU KETERLIBATAN DAN UPAYA DARI SEMUA PIHAK DALAM MEWUJUDKAN INDONESIA BEBAS PERDAG`ANGAN ORANG," accessed February 12, 2023, <https://www.kemenpppa.go.id/index.php/page/read/29/4033/peringati-hari-dunia-anti-perdagangan-orang-kemenpppa-perlu-keterlibatan-dan-upaya-dari-semua-pihak-dalam-mewujudkan-indonesia-bebas-perdagangan-orang>



Figure 5 Talk show Have a Heart in Commemoration of World Anti-Trafficking Day

(Source: Official Website of Kemen PPA)

As a result of the collaboration between IOM Indonesia and the Alliance of Independent Journalists (AJI), they held a virtual training with the Indonesian Student Press Organization Association and the Ministry of Women's Empowerment and Child Protection. This virtual training was aimed at university students with the theme *"Promoting Victim-Based Journalistic Reporting for Trafficking in Persons"* on 19-21 October 2021, which was attended by 25 representatives of student press organizations from various universities in Indonesia. The training was organized through IOM's Aspire Project funded by UK Aid from the UK government's modern slavery innovation fund. The training was organized because based on the monitoring of IOM and the Alliance of Independent Journalists (AJI), media coverage of victims of human trafficking is still very limited and does not adopt the principles of victim protection. Students have an important role in raising public awareness including children and youth. Thus, through this meeting students are expected to be able to share with the public about the issue of human trafficking through various social media platforms.



Figure 6 Virtual Training by IOM and Persatuan Organisasi Pers Mahasiswa Indonesia and Kemen PPPA
(Source: IOM Official Instagram)

The campaign initiative conducted by IOM through IOM X encourages various partners from the government, government organizations, and the general public to develop campaigns to disseminate information on exploitation and human trafficking. The graphic and educational design of the IOM X website makes it easy for visitors and readers to understand and obtain information related to the exploitation of migrant workers and human trafficking. As a manifestation of IOM's role as an intergovernmental organization to assist the government in combating human trafficking, especially migrant workers, one of IOM's results is to increase public awareness of the dangers of human trafficking and exploitation of migrant workers through a series of activities in the form of campaigns, socialization, and talk shows.

Impact Dimensions

The positive impact can be seen from IOM's involvement in combating human trafficking in PMI in Malaysia through *prevention*, *prosecution*, and *protection* approaches post covid-19 with several partners. Through various socialization efforts and campaigns, IOM has changed public perceptions of the importance of migrant workers and the dangers of exploitation and trafficking. Positive feedback was received from the community regarding their involvement in IOM-organized programs. It demonstrates the success of IOM's efforts to assist

the Indonesian government in combating human trafficking against migrant workers.

The birth of Law Number 21 of 2007 concerning the Eradication of Trafficking in Persons is evidence of the influence of IOM enforcement efforts that encouraged the government to implement laws around trafficking. Although US Embassies and Consulates found that legal protections against trafficking did not meet minimum anti-trafficking standards, there were at least laws that could be used to prosecute traffickers. Training for law enforcement officers on investigating and prosecuting human trafficking has enhanced their ability to prosecute and investigate these crimes.

Assistance provided by IOM, funded by its various partners such as KOICA, UK Aid, and various others partners, helps victims of trafficking. The form of IOM protection is assistance such as repatriation and reintegration, including food and non-food assistance, medical assistance, legal assistance, and assistance. Obtaining compensation from employers has improved welfare and security for the affected victims. IOM also facilitates retired migrants affected by the Covid-19 pandemic to obtain new livelihoods.

The impact dimension is one of the determinants of the effectiveness of international organizations. The output carried out by IOM in addressing the human trafficking of Indonesian migrant workers in Malaysia influences changes in stakeholder behavior in dealing with the problem. As for the author's analysis results, the impact of IOM's efforts in dealing with human trafficking on Indonesian migrant workers in Malaysia has not shown significant results because data on trafficking victims is inefficient and does not show accurate figures.

However, there are several obstacles faced by IOM Indonesia in engaging stakeholders in its efforts to address human trafficking during the pandemic. These include a lack of support from the government and community, as well as the difficulty of building strong relationships with isolated and vulnerable families of migrant workers.

Efforts to combat human trafficking, particularly of migrant workers in Malaysia, require collaboration with various parties. This is because this problem occurs across national borders. The problem of human trafficking of migrant

workers is very complex, so it requires good synergy to achieve common goals with the participation of various actors, both from government and non-government in combating human trafficking and protecting victims.

Historically, the practice of slavery has been a tradition in Arab societal systems for centuries and can be found in the Romans, Greeks, English, French, and Americans.³⁴ Slavery in ancient times was far from humane because enslaved people were considered tradable property. Then Islam was present to abolish all forms of slavery. The practice of buying and selling enslaved people is the same as the current human trafficking, which Islam strictly prohibits. The prohibition against slavery is contained in the Quran and Hadith, guidelines for the Islamic religion.

حَدَّثَنِي يَشْرُ بْنُ مَرْحُومٍ، حَدَّثَنَا يَحْيَى بْنُ سُلَيْمٍ، عَنِ إِسْمَاعِيلَ بْنِ أُمَيَّةَ، عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: " قَالَ اللَّهُ: ثَلَاثَةٌ أَنَا خَصْنَمُهُمْ يَوْمَ الْقِيَامَةِ: رَجُلٌ أَعْطَى بِي ثُمَّ غَدَرَ، وَرَجُلٌ بَاعَ حُرًّا فَأَكَلَ ثَمَنَهُ، وَرَجُلٌ اسْتَأْجَرَ أَجِيرًا فَاسْتَوْفَى مِنْهُ وَلَمْ يُعْطِ أَجْرَهُ (رواه البخاري)³⁵

Based on the hadith, Prophet Muhammad SAW said that Allah Almighty said: *There are three groups I will harm in the doomsday. One who swears to be in my name, but transgresses it; one who sells (enslaves) the free, then eats the proceeds; and the one who employs laborers, receives profits from it, but he did not give her due wages.* (HR. Bukhari)

The definition of human trafficking differs from slavery, although many people categorize it as contemporary slavery. The main point that distinguishes it is in terms of *ownership* status.³⁶ In this case, Indonesian migrant workers (PMI) who are victims of human trafficking are not enslaved people owned by someone because no status explains whom they belong to, although equally under the control, influence, or power of a particular person. However, the hadith explains how *human trafficking* is to sell free people and not slaves to others.

³⁴ Rusdaya Basri, "Human Trafficking Dan Solusinya Dalam Perspektif Hukum Islam," *Jurnal Hukum Diktum* 10, no. 1 (2012): 87–98.

³⁵ Abu Abdullah Muhammad bin Ismail bin Ibrahim bin al-Mughirah bin Bardzibah Al-Bukhari, *Shâhîh al-Bukhari*. (Jakarta: Pustaka As-Sunnah, 2010).

³⁶ UNODC, *Combating Trafficking in Persons in Accordance with the Principles of Islamic Law* (Vienna: The United Nations Office on Drugs and Crime, Naif Arab University for Security Sciences, the Johns Hopkins University School of Advanced International Studies, 2010), https://www.unodc.org/documents/human-trafficking/Islamic_Law_TIP_E_ebook_18_March_2010_V0985841.pdf.

Islam is a religion of *rahmatan lil 'alamin* that protects dignity, dignity, and human rights. Islam condemns the act of human trafficking because it is inconsistent with the fitrah that Allah has given to man. The practice of human trafficking is strongly condemned in Islam. This is in line with the rules of *laa doror wa laa diror*. The rule clarifies that trafficking in persons is not permitted because it endangers and damages human honor. Suppose it is related to trafficking in persons against Indonesian migrant workers (PMI). In that case, the efforts made by IOM are the implementation of the hadith, namely eradicating human trafficking against PMI in Malaysia.

Conclusion

Indonesia is one of the countries that actively exports its labor abroad, one of which is Malaysia. This is due to the poverty experienced by people in the region and the many job opportunities provided in the destination country. However, many Indonesian migrant workers who work in Malaysia experience mistreatment and violations of their rights. The majority of Indonesian migrant workers who experience exploitation work in the domestic industry, agriculture, manufacturing, construction and service sectors. Exploitation of migrant workers is a form of human trafficking syndicate.

During the Covid-19 pandemic, cases of human trafficking, especially against migrant workers, increased. This is due to increased limitations on movement and high economic needs. Thus, migrant workers are forced to look for work even in places where they do not want to be, which can be exploited by traffickers. Covid-19 has had a major impact on restricting human movement. However, it cannot stop the practice of human trafficking because most of the law enforcement resources and budget are diverted to deal with Covid-19 issues.

IOM is an international organization that focuses on migration. The problem of human trafficking of migrant workers in Malaysia is a form of unsafe migration. Therefore, as an intergovernmental organization, IOM assists the Indonesian government in eradicating human trafficking against Indonesian migrant workers. In its efforts, IOM established a Counter Trafficking unit that collaborates with various stakeholders from both government and non-government organizations. Various activities carried out by the Counter

Trafficking unit are based on the "3P+Partnership" approach, namely prevention, prosecution, protection, and partnership.

Based on the results of research conducted in the previous chapter, it can be concluded that the effectiveness of IOM in overcoming human trafficking of Indonesian migrant workers in Malaysia is not effective. This can be proven through Frank Biermann's international organization effectiveness theory by looking at 3 dimensions, namely output, outcome, and impact. In the output dimension, it can be concluded that IOM's role in overcoming human trafficking against Indonesian migrant workers in Malaysia during the Covid-19 pandemic is quite significant. This can be proven through a series of IOM activities in helping to deal with the problem of human trafficking against Indonesian migrant workers in Malaysia through providing medical and health assistance, legal assistance, facilitating the repatriation of Indonesian migrant workers, encouraging cooperation with the Malaysian government in handling human trafficking cases, conducting training and counseling for Indonesian migrant workers and local communities about the dangers of human trafficking and how to report cases that occur, and collaborating with various non-governmental organizations to provide assistance and protection to victims of human trafficking. Based on the outcome dimension, IOM succeeded in raising public awareness of the dangers of human trafficking and exploitation of migrant workers through a series of activities such as campaigns, socialization, and talk shows. Furthermore, in the impact dimension, the efforts made by IOM through CTU have not been able to provide changes in Indonesian policy. This is because the impact of IOM activities is still at the level of changing the mindset and paradigm of the community with several stakeholders to understand human trafficking and exploitation of migrant workers. The efforts to address human trafficking are not focused on migrant workers in Malaysia, but on victims of human trafficking in general.

The efforts made by IOM to combat human trafficking of migrant workers in Malaysia are in line with the hadith of the Prophet Muhammad, Allah SWT said that there are three groups that will be wrathful on the Day of Judgment, one of which is the one who sells free people and eats the proceeds. Based on this hadith, it can be interpreted that Islam strictly prohibits human trafficking. In line

with the rule of *laa doror wa laa diror*, human trafficking is not allowed because it harms and damages human honor. So that the efforts made by IOM in combating human trafficking are a form of destroying human trafficking which is strongly condemned by Islam.

Based on the results of the study "The Effectiveness of the International Organization for Migration (IOM) in Addressing Human Trafficking in Indonesian Migrant Workers in Malaysia Post-Covid-19," the author still finds many shortcomings in both writing and discussing topics. The authors expect subsequent researchers to add data on the number of human traffickers that are valid and accurate.

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