

# Protecting Migrant Workers: The Legal Role of Village Governments Through Service Centers

**Sutrisno RS**

KH. Achmad Siddiq State Islamic University Jember, Indonesia

**Moh. Ali Syaifudin Zuhri\***

KH. Achmad Siddiq State Islamic University Jember, Indonesia

*\*Corresponding Author's Email: alizuhri@uinkhas.ac.id*

Article	Abstract
<p><b>How to cite:</b> Sutrisno RS &amp; Moh. Ali Syaifudin Zuhri, 'Protecting Migrant Workers: The Legal Role of Village Governments Through Service Centers' (2024) Vol. 5 No. 3 Rechtenstudent Journal Sharia Faculty of KH Achmad Siddiq Jember State Islamic University.</p> <p><b>DOI:</b> 10.35719/rch.v5i3.354</p> <p><b>Article History:</b> Submitted: 25/10/2024 Reviewed: 06/11/2024 Revised: 24/11/2024 Accepted: 30/11/2024</p> <p><b>ISSN:</b> <b>2723-0406 (printed)</b> <b>E-ISSN:</b> <b>2775-5304 (online)</b></p>	<p>This study aims to analyze the role of village autonomy in providing protection for migrant workers through local policies based on community needs. Villages, as the smallest government entities, have the original authority to regulate and manage community interests based on local social and cultural conditions. Within the framework of decentralization as stipulated in Law Number 23 of 2014, villages have complete autonomy and are not delegated to the central government. However, the implementation of village autonomy faces structural challenges, particularly in the aspect of village finances, which are unbalanced between income and expenditure. This study highlights the Village Regulation policy on the Integrated Service Center for Migrant Worker Villages (Desbumi) as a form of local innovation in protecting migrant workers, especially female workers. Desbumi emerged from a collective awareness of the importance of village involvement from the early phases of labor migration. This study uses a descriptive qualitative approach with case studies of Desbumi implementing villages. The results show that this initiative increases the active role of villages in documentation, assistance, and advocacy for migrant workers. Collaboration between village governments, civil society organizations, and migrant worker communities is key to the policy's success in strengthening social protection functions at the village level.</p> <p><b>Keywords:</b> <i>Migrant Workers, Village Government, Service Centers.</i></p> <p><b>Abstrak</b></p> <p>Penelitian ini bertujuan untuk menganalisis peran otonomi desa dalam memberikan perlindungan terhadap buruh migran melalui kebijakan lokal berbasis kebutuhan masyarakat. Desa, sebagai entitas pemerintahan terkecil, memiliki kewenangan asli untuk mengatur dan mengurus kepentingan masyarakat berdasarkan kondisi sosial dan budaya setempat. Dalam kerangka desentralisasi sebagaimana diatur dalam Undang-Undang Nomor 23 Tahun 2014, desa memiliki otonomi yang utuh dan bukan merupakan delegasi dari pemerintah pusat. Namun, pelaksanaan otonomi desa menghadapi tantangan struktural, terutama dalam aspek keuangan desa yang tidak seimbang antara pendapatan dan pengeluaran. Studi ini menyoroti kebijakan Peraturan Desa tentang Pusat Pelayanan Terpadu Desa Peduli Buruh Migran (Desbumi) sebagai bentuk inovasi lokal dalam perlindungan buruh migran, khususnya tenaga kerja wanita. Desbumi muncul dari kesadaran kolektif akan pentingnya keterlibatan desa sejak fase awal migrasi tenaga kerja. Penelitian ini menggunakan pendekatan kualitatif deskriptif dengan studi kasus pada desa-desa pelaksana Desbumi. Hasil penelitian menunjukkan bahwa inisiatif ini meningkatkan peran aktif desa dalam dokumentasi, pendampingan, dan advokasi bagi buruh migran. Kolaborasi antara pemerintah desa, organisasi masyarakat sipil, dan komunitas buruh migran menjadi kunci keberhasilan kebijakan tersebut dalam memperkuat fungsi perlindungan sosial di tingkat desa.</p>

## Introduction

One group of people who often experience unfair treatment is the Indonesian Migrant Workers (TKI), who are predominantly women (TKW). The injustice they face continues from before they depart for their destination countries, while they are there and working, and until they return home. Upon returning from the countries where they were TKI/TKW, they are still viewed as former domestic workers in foreign countries who lack skills to be proud of. Yet, it must be acknowledged that they have played two roles at once: economic heroes for their families and foreign exchange heroes (economic remittances).<sup>1</sup> Apart from that, they also have great potential as a result of interactions with the residents of that country while they are abroad (social remittances).<sup>2</sup>

In East Java, Jember Regency is one of the regions that sends workers abroad. The motivation for Jember residents to work abroad is largely economic, particularly the lack of job opportunities in the region that can absorb unskilled workers. The limited knowledge possessed by Indonesian workers abroad creates several social vulnerabilities. These vulnerabilities are due to several factors, including educational background, status, and economic conditions.<sup>3</sup>

It's an undeniable fact that the majority of Indonesian migrant workers are women and work in the domestic sector. As of 2013, it was recorded that officially documented and registered female migrant workers outnumbered male migrant workers. In 2010, for example, 78% of the total Indonesian migrant workers were women and 22% were men. It's strongly suspected that if this figure also included undocumented Indonesian migrant workers, the number of female migrant workers would be even higher than that of male migrant workers.<sup>4</sup>

Document management and selecting a migrant worker placement agency are often overlooked by prospective workers. Both are considered cumbersome and complicated for villagers planning to leave the country. As a result, many of them resort to backdoors or become illegal workers, assisted by brokers or labor placement agencies with unclear legal status. These prospective workers' primary concerns are the immediate departure, the well-paying job, and the initial challenges they face.<sup>5</sup>

The next problem that arises is family and child care. After a mother leaves to work as a migrant worker, her husband and children are automatically left behind, and childcare becomes less than optimal, both in terms of parenting, education, and social interactions. The family relationships and affection that mothers develop tend to depend on communication

<sup>1</sup>Remittances, or economic remittances, are money transfers made by foreign workers to recipients in their home countries. Migrant workers send money to their home countries, making it one of the largest remittances in developing countries. In 2016, remittances from Indonesian migrant workers reached Rp 1.735 trillion in East Java alone (DetikNews.com, Tuesday, June 21, 2025).

<sup>2</sup>Social remittances are the transfer of ideas, knowledge, and new experiences gained while working abroad, which include fundamental aspects such as skills, social, political and cultural aspects. (Wulan, 2009)

<sup>3</sup> Kania Saraswati Harisoesyanti, et.al. "Peran Pemerintah dalam Mengatasi Permasalahan Kerawanan Sosial di Wilayah Perbatasan Darat Indonesia" *Jurnal Ilmu Kesejahteraan Sosial*, 21 (1), 2020, 46.

<sup>4</sup>Bara Berlian, "Perlindungan Sosial (Social Protection) untuk Buruh Migran Indonesia", Dikutip dari Laman: [https://www.academia.edu/10628398/Perlindungan\\_Sosial\\_Social\\_Protection\\_untuk\\_Buruh\\_Migran\\_Indonesia](https://www.academia.edu/10628398/Perlindungan_Sosial_Social_Protection_untuk_Buruh_Migran_Indonesia).

<sup>5</sup> Nury Anisa, "Perlindungan Hukum terhadap Calon Tenaga Kerja Indonesia ke Luar Negeri sebagai Penata Laksana Rumah Tangga dalam Perjanjian Penempatan TKI (Studi di PT. Bina Dinamita Rama di Kota Malang)" *Universitas Brawijaya*, 2015.

tools and social media, and the fulfillment of economic needs, which are usually sent periodically.<sup>6</sup> This rhythm continues until the time comes for the migrant worker to return home. Those with higher incomes tend to be more consumptive in their financial management, while those with lower incomes find that their income is insufficient to meet their family's needs. Both types of income lead to the same plan: planning a second migration, hoping to find work in a better sector or location with a better income.<sup>7</sup>

Of the 248 villages/sub-districts spread across 31 sub-districts in Jember Regency, four have migrant worker protection programs. In general, these programs include document preparation and selection of appropriate labor placement agencies, childcare coverage when a family member leaves for work, and financial management assistance after working abroad. These four villages are Dukuh Dempok Village in Wuluhan District, Sabrang Village in Ambulu District, Wonoasri Village in Tempurejo District, and Summersalak Village in Ledokombo District. These four villages are optimally implementing the mandate of Law Number 18 of 2017<sup>8</sup> to protect its citizens, which is manifested in the form of village regulations for the Integrated Service Center for Migrant Worker Care Villages (PPT Desbumi) as a legal umbrella, so that the Village Government has the legitimacy to regulate and even allocate funds and activities related to migrant workers.

## **Research Method**

This study adopts a qualitative research approach, adhering to the established procedures and standards of qualitative methodology throughout the data collection and analysis stages. The research relies primarily on literature and document review as the main sources of data. Relevant and credible sources will be carefully selected to ensure the validity and depth of the findings. A key component of this study involves conducting an in-depth literature review, which serves several important purposes. First, it provides a comprehensive synthesis of previous studies related to the research topic, offering readers a clear understanding of what has already been explored and what knowledge gaps still exist. This mapping of existing literature not only highlights prevailing trends and theoretical perspectives but also exposes inconsistencies, contradictions, or areas that have not been sufficiently examined. Second, the literature review serves as a foundation for justifying the current research, helping to establish its significance and relevance in the broader academic discourse. Lastly, it aims to generate new insights and ideas for future studies, fostering continued scholarly inquiry. Through this qualitative strategy, the research is expected to produce nuanced, context-rich findings that contribute meaningfully to the existing body of knowledge.<sup>9</sup>

---

<sup>6</sup> Nurul khotimah, et.al, "Dinamika Kekuasaan Perempuan dalam Keluarga (Studi Kasus di Desa Jati Blitar)" *Dinamika Sosial*, 4(2), 2025, 142-143.

<sup>7</sup> Indah Wulandari, et.al, "Pengaruh Persepsi Masyarakat terhadap Gaya Hidup Konsumtif Eks Tenaga Kerja Wanita (TKW) di Kecamatan Ponggok, Kabupaten Blitar" *Jurnal Analisa Sosiologi*, 5(2), 2016, 87-88.

<sup>8</sup>Law Number 18 of 2017 on the Protection of Indonesian Migrant Workers was enacted on October 25, 2017, by President Joko Widodo and promulgated on the same date in the State Gazette of the Republic of Indonesia 2017 Number 242, replacing Law Number 39 of 2004 concerning the Placement and Protection of Indonesian Migrant Workers Abroad, which was deemed to have failed to meet the protection needs of Indonesian Migrant Workers.

<sup>9</sup> Denney, A. S., & Tewksbury, R. (2013). How to Write a Literature Review. *Journal of Criminal Justice Education*, 24(2), 218–234. <https://doi.org/10.1080/10511253.2012.730617>

The data used comes from multiple sources, such as national journals, scientific papers, and news in trusted media. Literature research is a process that involves searching for information from various sources, such as journals, books, documents, the internet, and libraries. The literature research method includes a series of activities, such as collecting data from various library sources, reading and recording relevant information, and organizing these materials for the writing process.

## Results and Discussion

### Village Government in the view of Law Number 6 of 2014 on Villages

According to Beratha in Muhammad Indrawan, a village or its original name at the same level is a legal community unit based on its original structure, it is a "legal entity" and is also a "Government Body", which is part of the sub-district or the area surrounding it.<sup>10</sup> A village is an area occupied by a number of residents who are given the freedom to be creative in organizing and running their own household affairs in accordance with the customs, needs and aspirations of their community, which based on the law provides autonomy to villages, with the basis of thought in regulating villages being diversity, participation, genuine autonomy, democratization and community empowerment. Villages have elements that must be present, namely area, population and way of life.<sup>11</sup>

Villages, or what are called by other names, existed before the Unitary State of the Republic of Indonesia was formed. As proof of their existence, the Explanation of Article 18 of the 1945 Constitution of the Republic of Indonesia (before the amendment) states that "Within the territory of the State of Indonesia there are approximately 250 "Zelfbesturende landschappen" and "Volksgemeenschappen", such as villages in Java and Bali, Nagari in Minangkabau, Dusun and Marga in Palembang, and so on. These areas have their own original structure and therefore can be considered as special areas. The Republic of Indonesia respects the status of these special areas and all state regulations concerning these areas will remember the original rights of these areas. Therefore, their existence must be recognized and their survival guaranteed within the Unitary State of the Republic of Indonesia.<sup>12</sup>

A village is a village and traditional village or what is called by another name, hereinafter referred to as a Village, is a legal community unit that has territorial boundaries that are authorized to regulate and manage government affairs, the interests of the local community based on community initiatives, original rights, and/or traditional rights that are recognized and respected in the government system of the Unitary State of the Republic of Indonesia.<sup>13</sup> A village is a settlement agglomeration in rural areas in Indonesia. The term "desa" refers to an administrative division under a sub-district, led by a village head. A village is a collection of several small settlement units called kampungs or hamlets (the term for many

---

<sup>10</sup>Muhammad Indrawan, *Pelaksanaan Administrasi Pemerintahan Desa di Desa Loleng Kecamatan Kota Bangun Kabupaten Kutai Kartanegara*, (eJournal Administrasi Negara, Volume 4 , Nomor 4 , 2016), hal. 50.

<sup>11</sup>Muhammad Indrawan, *Pelaksanaan Administrasi Pemerintahan Desa di Desa Loleng Kecamatan Kota Bangun Kabupaten Kutai Kartanegara*, (eJournal Administrasi Negara, Volume 4 , Nomor 4 , 2016), hlm. 50

<sup>12</sup> Fatkhul Muin & Rully Syahril Mucharom, "Desa dan Hukum Adat: Perspektif Normativitas dan Sosiologis Keindonesian" *PROSIDING SEMINAR NASIONAL MULTI DISIPLIN ILMU & CALL FOR PAPERS UNISBANK (SENDI\_U) KE-2 Tahun 2016 Kajian Multi Disiplin Ilmu dalam Pengembangan IPTEKS untuk Mewujudkan Pembangunan Nasional Semesta Berencana (PNSB) sebagai Upaya Meningkatkan Daya Saing Global*, 461.

<sup>13</sup> Chabib Soleh, Heru Rochmansjah, *Pengelolaan Keuangan Desa*, (Bandung:Fokusmedia,2014), hal. 1.

of the smallest areas in Indonesia). A village is a group of houses outside the city that form a single village or hamlet.<sup>14</sup>

In the history of village regulation, several regulations regarding villages have been established, namely:<sup>15</sup>

- a) Law Number 22 of 1948 on the Principles of Regional Government;
- b) Law Number 1 of 1957 on the Principles of Regional Government;
- c) Law Number 18 of 1965 on the Principles of Regional Government;
- d) Law Number 19 of 1965 on Praja Villages as a Transitional Form to Accelerate the Realization of Level III Regions throughout the Republic of Indonesia;
- e) Law Number 5 of 1974 on the Principles of Regional Government;
- f) Law Number 5 of 1979 on Village Government;
- g) Law Number 22 of 1999 on Regional Government; Law Number 32 of 2004 concerning Regional Government; and
- h) Law Number 6 of 2014 on Villages.

The Village Law was drafted with the spirit of implementing the constitutional mandate, in the form of recognition of the unity of customary law communities as stated in Article 18B paragraph (2) which states "The State recognizes and respects the unity of customary law communities and their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, which are regulated by law" and the provisions of Article 18 paragraph (7) which emphasizes that "The structure and procedures for the implementation of Regional Government are regulated by law."<sup>16</sup>

The aim of village regulations as regulated in Article 4 of Law Number 6 of 2014 is to provide recognition and respect for the existence of existing villages with all their diversity, both before and after the formation of the Unitary State of the Republic of Indonesia.<sup>17</sup> This regulation also aims to provide clarity on the status and legal certainty of villages within the state system to achieve justice. Furthermore, village regulations are intended to preserve local customs, traditions, and culture, and encourage active community participation in developing village potential and assets to achieve shared prosperity. Village governments are expected to be professional, transparent, and accountable, in order to improve public services and accelerate the achievement of general prosperity. Furthermore, strengthening socio-cultural resilience, developing the village economy, and reducing development disparities are essential components of this goal. Ultimately, this regulation aims to strengthen the position of village communities as the primary subjects of development.

Through the amendment to the 1945 Constitution of the Republic of Indonesia, recognition of the unity of customary law communities was emphasized through the provisions in Article 18B paragraph (2) which states "The State recognizes and respects the unity of customary law communities and their traditional rights as long as they are still alive

---

<sup>14</sup> Suhartono. 2000. *Parlemen Desa Dinamika DPR Kelurahan dan DPRK Gotong-Royong*. (Yogyakarta:Lentera Pustaka Utama.2000), hal 11

<sup>15</sup> Abdul Fatah Fanani, et.al, "Analisis Undang-Undang Desa", *Jurnal Dialektika*, 4(1), 2019, 5-11.

<sup>16</sup> Retno Kus Setyowati, "Pengakuan Negara terhadap Masyarakat Hukum Adat" *Binamulia Hukum*, 12(1), 2023, 134.

<sup>17</sup> Amalia Diamantina, "UU No. 6 Tahun 2014 tentang Desa sebagai Manifestasi Penegakan Pasal 18 B Ayat (2) UUD NRI Tahun 1945" *Masalah-Masalah Hukum*, 45 (1), 2016, 34.



and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, which are regulated by law”

The Village Law was drafted as an implementation of the constitutional mandate, specifically Article 18B paragraph (2) and Article 18 paragraph (7), which emphasizes the recognition of customary law communities within the government structure. In the context of government politics, the regulation of villages within the framework of regional government affirms the legal status of villages on a par with provinces and districts/cities as autonomous entities. Villages are positioned as independent local governments, not merely historical reflections, but rather an integral part of the national government system. Village government reform is not intended to eliminate traditional values, but rather to develop governance, resources, and public service orientations that are responsive to the needs of today's village communities.<sup>18</sup>

In Law No. 6 of 2014 concerning Villages, Chapter IV Village Authority, Article 18, village authority includes authority in the field of organizing village governance, Village Development Authority, and Village community empowerment based on community initiatives, ancestral rights, and customs. Article 19 Villages have authority, namely authority based on ancestral rights, local authority on a village scale, authority assigned by the Government, Provincial Government, or Regency/City Government and other authority assigned by the Government, Provincial Government, or Regency/City Government in accordance with the provisions of laws and regulations.<sup>19</sup>

Village autonomy is genuine, complete and complete autonomy and is not a gift from the government. Instead, the government is obliged to respect the original autonomy possessed by the village. As a legal community unit that has a structure of meaning based on special rights, the village can carry out legal actions both public and civil law, own wealth, property and can be sued and sued in court. As a form of democracy, a Village representative body is formed in the village which functions as a Legislative and Supervisory Institution for the Authority of Village Regulations, the Village Revenue and Expenditure Budget and the decisions of the Village Head. For this reason, the village head with the approval of the Village Representative Body has the authority to carry out legal actions and enter into mutually beneficial agreements with other parties, determine village income sources, receive donations from third parties and make village loans. Then, based on the rights of origin of the village concerned, the village head can reconcile cases or disputes that occur among its citizens.

The implementation of the rights, authorities and freedoms of village autonomy demands responsibility to maintain the integrity, unity and integrity of the nation within the bonds of the Unitary State of the Republic of Indonesia and responsibility to realize the welfare of the people carried out within the corridor of applicable laws and regulations. The territorial construction regulated in Law Number 22 of 1999 places the province as an administrative region as well as an autonomous region. Such regulations indicate a relationship between the provincial government and the autonomous regions within its territory, namely districts, cities and villages, both in terms of territorial status and in the system and procedures of governance, because the arrangement of districts, cities and villages

---

<sup>18</sup> I Gde Pantja Astawa, *Problematisa Hukum Otonomi Daerah di Indonesia*, Bandung:TP Alumni,2008), hal. 327

<sup>19</sup>UU NO. 6 Tahun 2014

within the territory of the Unitary State of the Republic of Indonesia, is bound by the provincial territory.<sup>20</sup>

Government is an activity or method carried out by a group of people who hold the power to govern people or society under the scope of their government. Samuel Edward Finer (1989) in Ulima Islami acknowledges that there is a government and governance in a broad sense, with the existence of a government and governance in a broad and narrow sense, of course there will be an understanding of government and governance in a broad sense, namely the act of governing carried out by the Legislative, Executive and judiciary in order to achieve the goals of the State Government. And government in a narrow sense, namely the act of governing carried out by the Executive, namely the President assisted by his ministers in order to achieve the goals of the State.<sup>21</sup> According to Saparin in Muhammad Indrawan, the Village Government is a formal symbol of the unity of the village community. The Village Government as the lowest unitary body, apart from having the original authority to manage its own household, also has original authority and power as a gradual transfer from the Government above it.<sup>22</sup>

Village Government according to Article 1 paragraph (2) of Law Number 6 of 2014 concerning Villages is: Village Government states that the implementation of government affairs and the interests of the local community in the system of government of the Unitary State of the Republic of Indonesia. Article 1 number 3 of Law Number 6 of 2014 concerning Villages, states that the Village Government is the Village Head or those referred to by other names assisted by Village apparatus as elements of the implementation of Village Government.<sup>23</sup> In Article 23, the Village Head or those called by other names and those assisted by Village officials or those called by other names.<sup>24</sup>

The village government structure consists of the government and the BPD village. The village government is led by the village head who is assisted by the village secretary and village officials who are directly responsible to the village head. The village government is an extension of the central government and has a strategic role in regulating village/sub-district communities and the success of national development. In addition, the village government is an agency that exercises governing power in order to organize the welfare of the community under the sub-district or village head.<sup>25</sup>

### **Protection and Assistance Process for Village Residents Who Work as Migrant Workers according to Dukuh Dempok Village Regulations**

The main argument constructed in this study is that the protection of migrant workers in this case is the implementation of the PPT Desbumi program, the spirit of which was built to raise awareness and responsibility of the village government regarding the importance of

---

<sup>20</sup>HAW Widjaja, *Otonomi Desa Merupakan Otonomi Yang Asli Bulat Dan Utuh*, (Jakarta:PT Rajagrafindo Persada:2003). Hal 167

<sup>21</sup>Muhammad Indrawan, *Pelaksanaan Administrasi Pemerintahan Desa di Desa Loleng Kecamatan Kota Bangun Kabupaten Kutai Kartanegara*, (eJournal Administrasi Negara, Volume 4 , Nomor 4 , 2016) hal. 28.

<sup>22</sup>Muhammad Indrawan, *Pelaksanaan Administrasi Pemerintahan Desa di Desa Loleng Kecamatan Kota Bangun Kabupaten Kutai Kartanegara*, (eJournal Administrasi Negara, Volume 4 , Nomor 4 , 2016), hal. 50

<sup>23</sup>Ulima Islam, *Kapasitas Aparatur Desa dalam Tertib Administrasi Desa (Studi Kasus di Desa Tiuh Tohou Kecamatan Menggala Kabupaten Tulang Bawang*, (Skripsi Universitas Lampung Bandar Lampung, 2016), hal. 32.

<sup>24</sup>Law No. 6 of 2014

<sup>25</sup>Law No. 6 of 2014

protection and assistance for its citizens who work as migrant workers. Thus, the problem limitation in this study is; the form of protection carried out by the Dukuh Dempok Wuluhan village government for its citizens who work as migrant workers.

### 1. Migrant Workers

To this day, becoming a migrant worker is the dream of many Indonesian women, especially those with low education and living in rural areas. According to a report from East Java conducted in mid-2016, there are 270,000 Indonesian migrant workers (TKI) from East Java, consisting of 80 percent female workers (TKW) and 20 percent male workers. Approximately 33 percent work in the formal sector, while the rest work in the informal sector. They come from: Ponorogo (2,800 people), Tulungagung, Malang, Blitar, Banyuwangi, Madiun, Ngawi, Magetan, Kediri, and Jember.<sup>26</sup>

The profession of migrant workers itself has been regulated in Law Number 13 of 2003 concerning Manpower (State Gazette of the Republic of Indonesia Number 39 of 2003, Supplement to the State Gazette of the Republic of Indonesia Number 4279), Law Number 6 of 2012 concerning Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (State Gazette of the Republic of Indonesia Number 115 of 2012, Supplement to the State Gazette of the Republic of Indonesia Number 5314) and Law Number 18 of 2017 concerning Protection of Indonesian Migrant Workers.<sup>27</sup>

The majority of women who become migrant workers are elementary school-educated and are recorded as being between 18 and 40 years old, although the actual age range found in the field is actually between 14 and 40. Choosing to become migrant workers is one way for rural women to save their families' finances. This situation inevitably leaves them often powerless, as they lack optimal protection from labor recruitment agencies (PJTKI). This indicates the continued weakness of state protection for its citizens seeking their fortunes abroad, and PJTKIs only become aggressive and expressive when migrant workers become political commodities.<sup>28</sup>

The Village Government, hereinafter abbreviated as Pemdes, is a village-level government unit, led by a village head, assisted by a village secretary and several village officials. Its existence is very important and regulated by the Republic of Indonesia Law, namely Law Number 6 of 2014 concerning Villages. The dynamics of village problems are urgent matters that must be addressed continuously and not limited to the five-year term of office of village leaders in one leadership period. The dynamics of these problems are a seemingly never-ending challenge for the Pemdes. However, these challenges must be faced and realized in accordance with the village's vision, mission and work program.

One of the challenges that must be faced and realized by the Village Development Agency is the development of village (resource) communities, namely efforts to improve the quality of life and livelihoods for the greatest possible welfare of village communities. In addition, Law Number 6 of 2014 above mandates village community empowerment, namely efforts to develop community independence and welfare by increasing knowledge, attitudes,

---

<sup>26</sup> DetikNews.com interview, Tuesday, June 21 2016 with Sukardo, former Secretary of the East Java DPRD

<sup>27</sup> Moh. Yuflih Huda Maheswara & Andrea Monica Sari, "Proteksi Pekerja Migran dalam Sengketa Perburuhan ditinjau dari Undang-Undang No. 6 Tahun 2012 tentang Pengesahan International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families Tahun 1990" *Lex Generalis*, 3 (5), 2022, 371.

<sup>28</sup> (Wulan, 2009).



skills, behavior, abilities, awareness, and utilizing resources through the establishment of policies, programs, activities, and assistance that are in accordance with the essence of the problem and the priority needs of the community.<sup>29</sup>

In order to realize the development of village resources, village governments fully recognize that not all programs can be implemented without active community participation. The primary focus is developing economic independence and community welfare. In an effort to meet their economic needs, many villagers migrate from their villages, either to other cities, other provinces, or even abroad as migrant workers. However, village governments are required to provide support and supervision to these residents.<sup>30</sup>

As reported by various media outlets, four of the 249 villages in Jember Regency have migrant worker protection programs: Dukuh Dempok Village in Wuluhan District, Sabrang Village in Ambulu District, Wonoasri Village in Tempurejo District, and Summersalak Village in Ledokombo District. These four villages are optimally implementing the mandate of Law Number 18 of 2017<sup>31</sup> to protect its citizens, which is manifested in the form of village regulations for the Integrated Service Center for Migrant Worker Care Villages (PPT Desbumi) as a legal umbrella, so that the Village Government has the legitimacy to regulate and even allocate funds and activities related to migrant workers.

## **2. PPT Desbumi**

The Village Regulation (Perdes) concerning the Integrated Service Center for Migrant Worker Care Villages (PPT Desbumi) is a local initiative designed to promote the protection of migrant workers, especially migrant workers, from before they leave for work abroad, while they are working, and after they return home. It is assumed that villages are the first areas where labor migration begins. However, until now, villages have only played a role in providing certificates for their residents who are leaving for work abroad, and these documents have not been properly documented, making them vulnerable to document forgery. Through Desbumi, villages are expected to be able to play a more active role in serving and protecting their residents working abroad. This initiative is a collaboration between civil society organizations, migrant worker family communities, and village governments.

PPT Desbumi plays a role from upstream to downstream regarding migrant workers, or simply explained as follows: first; as a data/information provider for prospective TKI/W, a provider of documents required by prospective TKI/W and as a guarantee that labor suppliers are truly legally established and official; second; as a place to report problems, and as a medium for empowerment, both economic and 'parenting', which is carried out for families who have family members who have gone abroad as TKI. Especially their children who have been unable to communicate well with their parents while abroad for a long time; and third; providing assistance to former TKI after returning from abroad in the form of assistance on how to manage the finances earned from working abroad for years. All migrant worker

---

<sup>29</sup> Village Law, 2014: Article 1 in [www.hukumonline.com](http://www.hukumonline.com), accessed 29 July 2025

<sup>30</sup> Abdul Rahman, "Sinergi antara Aparatur Desa dengan Masyarakat dalam Pembangunan Berkelanjutan di Desa Bulutellue Kabupaten Sinjai" *Jurnal Multi Disiplin Dehasen*, 2(1), 2023, 57.

<sup>31</sup> Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers was ratified on October 25, 2017 by President Joko Widodo and promulgated on the same date in the State Gazette of the Republic of Indonesia 2017 Number 242, replacing Law Number 39 of 2004 concerning the Placement and Protection of Indonesian Migrant Workers Abroad which was deemed not to have met the needs for the Protection of Indonesian Migrant Workers.

assistance activities from the first, second and third stages have been accommodated in the village regulations and supported by adequate budget allocation.<sup>32</sup>

Dukuh Dempok Village is a village located in Wuluhan sub-district, southern Jember regency with lowland geographical conditions with an altitude of  $\pm 12$  meters above sea level and rainfall of 1,800 mm/year. The village center is less than 1 km from the center of Wuluhan sub-district and  $\pm 30$  kilometers from the center of Jember regency. This village has four hamlets, namely Gawok, Wuluhan, Purwojati and Dukuh. While its position borders four surrounding villages which include; Tamansari (north), Ampel (south), Tamansari (west) and Tanjungrejo (east, the population of 13,136 people consisting of 4,853 families.

The village area reaches 1,262,683 Ha consisting of rice fields, 558,075 dry land has the potential to be cultivated land in fulfilling the family economy so it is natural that the livelihood or profession of the community is dominant in the agricultural sector, namely 1,257 people as farmers, 947 people as farm laborers, the rest as traders, civil servants, and as migrant workers. The data collection process in this study was carried out in April and August 2020. There was a break during May, June and July 2020 due to the status of the 2019 corona virus disease (Covid-19) pandemic, where the researcher's movement area, namely Jember Regency, is coded yellow which requires physical and social distancing so that the researcher had to take a break for approximately three months.

During the fieldwork, the researcher visited several locations deemed representative for observation, interviews, and document collection, including the Dukuh Dempok Village Hall and the Desbumi Outlet. This was done by considering the initial problem definition, namely the protection provided by the Dukuh Dempok Wuluhan village government for its migrant worker residents.

Data obtained during the fieldwork revealed that the exterior of the Dukuh Dempok village hall appears well-maintained, beautiful, and communicative. There are no partitions between the courtyard, meeting hall, parking area, place of worship, or other facilities. The interior is neatly and attractively arranged, with easy access for residents seeking services. Likewise, the information boards and decorations depict a polite, peaceful, and unpretentious building.

Not far from the village hall, right next to the entrance to the village hall yard, a 3 x 6 meter shop-like structure with the words "Outlet Desbumi" can be seen. This simple structure is bustling with various activities carried out by several middle-aged women who are former migrant workers, including sorting fabric scraps, sewing, and packaging. Some are also cooking various types of food and drinks. There are even batik-making activities taking place in a separate area from the Desbumi Outlet building due to space limitations.

### **3. Background of PTT Desbumi**

The basis for the establishment of the Integrated Service Center for Migrant Worker Villages (PTT Desbumi) in Dukuh Dempok Village in 2016 was motivated by the large number of residents of Dukuh Dempok Village who work abroad to Malaysia, Singapore, Brunei Darussalam, Hong Kong and other countries. Along with the large number of Indonesian migrant workers (TKI) and TKW who come from Dukuh Dempok Village, Jember

---

<sup>32</sup> Rohimi, "Bimbingan Mantan Buruh Migran melalui Program DESBUMI di Desa Derek Kabupaten Lombok Tengah" *Al-Irsyad*, 4(1), 2022, 14-16.

Regency, it turns out that many have reaped serious problems ranging from torture, rape and inhumane treatment in the workplace abroad.<sup>33</sup>

One example experienced by the residents of Dukuh Dempok is the existence of a migrant worker who had problems in Malaysia and was then exiled to Batam. Based on the information that developed, the village head of Dukuh Dempok was contacted by the relevant parties from Batam city to take care of the migrant worker so that he could be immediately repatriated. With several cases of problems with migrant workers originating from Dukuh Dempok, the village head synergized with the BPD to formulate and create village regulations/village regulations (Perdes) that regulate the procedures for handling migrant workers properly and humanely in collaboration with the international labor organization (International Labor Organization/ILO) which was facilitated by the Non-Governmental Organization (NGO) Migrant Care so that a forum or organization can be formed that can provide protection for residents of Dukuh Dempok who work as migrant workers abroad.

#### **4. Efforts Made**

The efforts undertaken by PTT Desbumi in Dukuh Dempok Village include; providing assistance to prospective migrant workers in processing official documents from the village level to the Manpower Office, providing information services related to official PJTKI services or bureaus supervised by government agencies. Providing assistance and supervision to migrant workers starting from document processing, departure to obtaining certainty of employment abroad. The Integrated Service Center for Migrant Worker Villages in Dukuh Dempok Village also provides guidance and empowerment to former migrant workers who have returned to the village. Until the period 2016-2017, a comprehensive design and analysis were carried out, and the Dukuh Dempok Village Regulation number 01 of 2017 concerning the Protection of Indonesian Migrant Workers was ratified.

#### **5. Service Impact**

The impact felt by migrant workers with the establishment of PTT Desbumi is that this institution is very helpful for people who want to become migrant workers, including; regarding the processing of Official Documents, information on official PJTKI Services and information regarding the certainty of employment while abroad. Former migrant workers admitted that before the existence of PTT Desbumi, many of those who left used the services of unofficial or illegal PJTKIs, so that many problems or inhumane issues befell migrant workers working abroad. According to several former migrant workers whom researchers interviewed at the Desbumi Outlet, they said that PTT Desbumi in Dukuh Dempok Village also provided empowerment, training to former migrant workers who had returned from abroad and did not return to work abroad by providing job training, business or entrepreneurship.<sup>34</sup>

Another impact that the village head and residents of Dukuhdempok had not anticipated was that their efforts were not only beneficial for the migrant workers and their families, but also inspired and received recognition from the United Nations (UN). The village head was invited by the UN to represent Indonesia to deliver a presentation at UN

---

<sup>33</sup> Ahmad Faizal & Arifin Ria Angin, "DESBUMI: Studi Peran Pemerintah Desa tentang Pemberdayaan Pekerja Migran Indonesia, Kasus di Desa Dukuhdempok, Kabupaten Jember" *Triwikrama*, 4(4), 2024, 5-6.

<sup>34</sup> Fahrudin & Ria Aringin, "Kebijakan Desa Dukuhdempok dalam melindungi Buruh Migran dan Pemberdayaan Mantan Buruh Migran" *Universitas Muhammadiyah Jember*, 20-21.

headquarters in Geneva at the 27th Session of the United Nations Committee on Migrant Workers on September 3-7, 2017.

## Conclusion

Based on the results of the discussion above, the following conclusions can be drawn:

First, One of the challenges that must be faced and realized by the Village Government is the development of village (resource) communities, namely efforts to improve the quality of life and livelihoods for the greatest welfare of village communities. In addition, Law Number 6 of 2014 mentioned above mandates village community empowerment, namely efforts to develop community independence and welfare by increasing knowledge, attitudes, skills, behavior, abilities, awareness, and utilizing resources through the establishment of policies, programs, activities, and mentoring that are in accordance with the essence of the problems and priority needs of the community. In order to realize the development of village (resource) communities, village governments are well aware that not all programs can be implemented without the active participation of the community. The dominant thing implemented is developing community independence and welfare in the economic sector, where in an effort to meet their economic needs, many villagers migrate from their villages, either out of town, out of province, or even abroad as migrant workers. However, village governments are required to be able to provide mentoring and supervision to these residents.

Second, As reported by various media, out of 249 villages in Jember Regency, there are 4 villages that have migrant worker protection programs, namely Dukuh Dempok Village, Wuluhan District, Sabrang Village, Ambulu District, Wonoasri Village, Tempurejo District, and Summersalak Village, Ledokombo District. These four villages optimally implement the mandate of Law Number 18 of 2017 to protect their citizens which is manifested in the form of village regulations for the Integrated Service Center for Migrant Worker Care Villages (PPT Desbumi) as a legal umbrella, so that the Village Government has the legitimacy to regulate and even allocate funds and activities related to migrant workers.

## Bibliography

### Book

- Chabib Soleh, Heru Rochmansjah, 2014. *Pengelolaan Keuangan Desa*, (Bandung : Fokusmedia)
- HAW Widjaja, 2003. *Otonomi Desa Merupakan Otonomi Yang Asli Bulat Dan Utuh*, (Jakarta : PT Rajagrafindo Persada)
- I Gde Pantja Astawa, 2008. *Problematika Hukum Otonomi Daerah di Indonesia*, Bandung:TP Alumni)
- Suhartono. 2000. *Parlemen Desa Dinamika DPR Kelurahan dan DPRK Gotong-Royong*. (Yogyakarta : Lentera Pustaka Utama)
- Zed, M. (2014). *Metode Penelitian Kepustakaan* (3rd ed.). Yayasan Obor Indonesia.

### Journal

- Anisa, Nury. *Perlindungan Hukum terhadap Calon Tenaga Kerja Indonesia ke Luar Negeri sebagai Penata Laksana Rumah Tangga dalam Perjanjian Penempatan TKI (Studi di PT. Bina Dinamita Rama di Kota Malang)*. Skripsi, Universitas Brawijaya, 2015.

- Denney, A. S., dan Richard Tewksbury. "How to Write a Literature Review." *Journal of Criminal Justice Education* 24, no. 2 (2013): 218–234. <https://doi.org/10.1080/10511253.2012.730617>.
- Diamantina, Amalia. "UU No. 6 Tahun 2014 tentang Desa sebagai Manifestasi Penegakan Pasal 18 B Ayat (2) UUD NRI Tahun 1945." *Masalah-Masalah Hukum* 45, no. 1 (2016): 34.
- Faizal, Ahmad, dan Arifin Ria Angin. "DESBUMI: Studi Peran Pemerintah Desa tentang Pemberdayaan Pekerja Migran Indonesia, Kasus di Desa Dukuhdempok, Kabupaten Jember." *Triwikrama* 4, no. 4 (2024): 5–6.
- Fahrudin, dan Ria Aringin. *Kebijakan Desa Dukuhdempok dalam Melindungi Buruh Migran dan Pemberdayaan Mantan Buruh Migran*. Jember: Universitas Muhammadiyah Jember, n.d.
- Fanani, Abdul Fatah, et al. "Analisis Undang-Undang Desa." *Jurnal Dialektika* 4, no. 1 (2019): 5–11.
- Harisoesyanti, Kania Saraswati, et al. "Peran Pemerintah dalam Mengatasi Permasalahan Kerawanan Sosial di Wilayah Perbatasan Darat Indonesia." *Jurnal Ilmu Kesejahteraan Sosial* 21, no. 1 (2020): 46.
- Indrawan, Muhammad. *Pelaksanaan Administrasi Pemerintahan Desa di Desa Loleng Kecamatan Kota Bangun*. 2016.
- Khotimah, Nurul, et al. "Dinamika Kekuasaan Perempuan dalam Keluarga (Studi Kasus di Desa Jati Blitar)." *Dinamika Sosial* 4, no. 2 (2025): 142–143.
- Maheswara, Moh. Yuflih Huda, dan Andrea Monica Sari. "Proteksi Pekerja Migran dalam Sengketa Perburuhan Ditinjau dari Undang-Undang No. 6 Tahun 2012 tentang Pengesahan International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families Tahun 1990." *Lex Generalis* 3, no. 5 (2022): 371.
- Muin, Fatkhul, dan Rully Syahril Mucharom. "Desa dan Hukum Adat: Perspektif Normativitas dan Sosiologis Keindonesian." *Prosiding Seminar Nasional Multi Disiplin Ilmu & Call for Papers UNISBANK (SENDI\_U) ke-2 Tahun 2016 Kajian Multi Disiplin Ilmu dalam Pengembangan IPTEKS untuk Mewujudkan Pembangunan Nasional Semesta Berencana (PNSB)* (2016): 461.
- Rahman, Abdul. "Sinergi antara Aparatur Desa dengan Masyarakat dalam Pembangunan Berkelanjutan di Desa Bulutellue Kabupaten Sinjai." *Jurnal Multi Disiplin Dehasen* 2, no. 1 (2023): 57.
- Rohimi. "Bimbingan Mantan Buruh Migran melalui Program DESBUMI di Desa Derek Kabupaten Lombok Tengah." *Al-Irsyad* 4, no. 1 (2022): 14–16.
- Setyowati, Retno Kus. "Pengakuan Negara terhadap Masyarakat Hukum Adat." *Binamulia Hukum* 12, no. 1 (2023): 134.
- Wulandari, Indah, et al. "Pengaruh Persepsi Masyarakat terhadap Gaya Hidup Konsumtif Eks Tenaga Kerja Wanita (TKW) di Kecamatan Ponggok, Kabupaten Blitar." *Jurnal Analisa Sosiologi* 5, no. 2 (2016): 87–88.

## Legislation

Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers

Law No. 6 of 2014 concerning Villages

Law No. 39 of 2004 concerning the Placement and Protection of Indonesian Migrant Workers