

ELUDICATION  
OF  
GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA  
NUMBER 10 OF 2020  
ON  
PROCEDURES FOR PLACEMENT OF INDONESIAN MIGRANT WORKERS BY  
INDONESIAN MIGRANT WORKERS PROTECTION BOARD

I. GENERAL

Working is part of human right as stated in the Universal Declaration of Human Rights. Working abroad is an option when the Government or local government cannot provide jobs in the home country. The right to work is a human right inherent in a person that must be upheld and respected.

Indonesian Migrant Workers migrating to work abroad is in the context of fulfilling the constitutional rights of every citizen as referred to in Article 27 section (2) of the 1945 Constitution of the Republic of Indonesia, namely that "every citizen has the right to work and livelihoods worthy of humanity".

In the context of improving governance and the process of migrating the workers abroad, the Government has issued Law Number 18 of 2017 on Protection of Indonesian Migrant Workers as an amendment to Law Number 39 of 2004 on Placement and Protection of Indonesian Workers Abroad.

Law Number 18 of 2017 on Protection of Indonesian Migrant Workers mandates that the operators of placing Indonesian Migrant Workers abroad consist of the Government and the private sectors. The placement of Indonesian Migrant Workers conducted by the Government can only be done in the context of written agreement between the Indonesian

Government and the government of the destination country that employs Indonesian Migrant Workers and the legal entity Employer in the destination country, of which the implementation is carried out by the BP2MI.

The purpose of this Government Regulation is as a legal basis for the placement of Indonesian Migrant Workers carried out by the Government in a coordinated and integrated manner to create economical, rapid, and safe services.

Based on the considerations, it is necessary to issue the Government Regulation on Procedures for Placement of Indonesian Migrant Workers by Indonesian Migrant Workers Protection Board, which regulates written agreements, requirements, placement processes, and reporting.

## II. ARTICLE BY ARTICLE

### Article 1

Sufficiently clear.

### Article 2

Sufficiently clear.

### Article 3

Sufficiently clear.

### Article 4

Sufficiently clear.

### Article 5

#### Section (1)

Sufficiently clear.

#### Section (2)

##### Point a

Sufficiently clear.

##### Point b

Sufficiently clear.

##### Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Section (1)

The term “letter of request” for example means job order, wakalah visa, and demand letter.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Section (1)

Point a

The term “labour market information” includes among others information on job vacancy, job title, and job requirements.

Point b

Sufficiently clear.

Point a

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

The term “village government” in this section means Productive Migrant Village (*Desmigratif*).

Article 11

Sufficiently clear.

Article 12

Section (1)

The term “technical selection” includes among others competence, language proficiency, and psychology.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 13

Sufficiently clear.

Article 14

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Sufficiently clear.

Article 17

Sufficiently clear.

Article 18

Sufficiently clear.

Article 19

Sufficiently clear.

Article 20

Section (1)

The term “OPP” includes activities aimed at providing clear understanding and in-depth comprehension towards:

a. legislation in the destination country including:

- 1) immigration regulations;
- 2) labour regulations; and
- 3) regulations related to criminal provisions in destination country.

b. employment contract material; and

c. other materials deemed necessary.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 21

Sufficiently clear.

Article 22

Sufficiently clear.

Article 23

Sufficiently clear.

Article 24

The term “integrated system” among others means Sisko P2MI, Sisnaker and Citizen Protection Portal.

Article 25

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Sufficiently clear.

Article 28

Sufficiently clear.

Article 29

The term “pre-work orientation” among others means welcoming program.

Article 30

Sufficiently clear.

Article 31

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

The term "facilitate" includes the management of return documents and ensuring the fulfillment of rights of the Indonesian Migrant Workers.

Article 32

Sufficiently clear.

Article 33

Sufficiently clear.

Article 34

Sufficiently clear.

Article 35

Sufficiently clear.

Article 36

Sufficiently clear.

Article 37

Sufficiently clear.

Article 38

Sufficiently clear.