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The Failures of the 2006 Memorandum of Understanding on the Recruitment and Placement of Indonesian Migrant Workers between Indonesia and Malaysia in Dealing with Cases of Human Rights Abuse towards

Indonesian Migrant Domestic Workers

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Abstract: The significant volume of working migration between Indonesia and Malaysia has made the migration corridor between the two one of the largest and most important migration corridors in the world. The migration corridor had existed for a pretty long time, but it was not until 2006 that both countries finally signed a Memorandum of Understanding (MoU) on the Recruitment and Placement of Indonesian migrant workers, specifically for those working in the domestic sector. Even after the implementation of the MoU, however, practice of human rights abuse towards Indonesian migrant workers, especially towards women who mostly work in the domestic sector, are still happening. This research aims to describe the nature of Indonesia - Malaysia migration corridor and to analyze how is the Memorandum of Understanding between the two countries being implemented in ensuring the rights of Indonesian migrant domestic workers in Malaysia and why it failed to do its mission.

Keywords: *Memorandum of Understanding, Indonesian migrant workers, human rights abuse, domestic workers, migration corridor*

Abstrak: Volume migrasi kerja yang signifikan antara Indonesia dan Malaysia telah menjadikan koridor migrasi antara kedua negara tersebut sebagai salah satu koridor migrasi terbesar dan terpenting di dunia. Koridor migrasi antara Indonesia dan Malaysia sudah ada cukup lama, namun baru pada tahun 2006 kedua negara akhirnya menandatangani Memorandum of Understanding (MoU) tentang Rekrutmen dan Penempatan TKI, khususnya bagi mereka yang bekerja di sektor domestik. Tetapi pada kenyataannya, praktik pelanggaran HAM terhadap pekerja migran Indonesia, terutama terhadap perempuan yang sebagian besar bekerja di sektor domestik, masih terus terjadi bahkan setelah MoU berlaku dan dilaksanakan. Penelitian ini bertujuan untuk mendeskripsikan sifat koridor migrasi antara Indonesia dan Malaysia dan menganalisis bagaimana nota kesepahaman antara kedua negara diimplementasikan dalam menjamin hak-hak pekerja rumah tangga migran Indonesia di Malaysia dan mengapa hal tersebut gagal dalam menjalankan misinya.

Kata Kunci: *Memorandum of Understanding, pekerja migran Indonesia, kekerasan, pekerja domestik, koridor migrasi*