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Abstract

Examining Governmental Oversight: Ensuring Legal Protection and Empowerment for Indonesian Women

Migrant Workers in Qatar's Domestic Sector

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This analysis examines the effectiveness of Law No. 18 of 2017 in Indonesia concerning the protection of Indonesian migrant workers, in conjunction with Qatar's domestic labor legislation, Law No. 15 of 2017, focusing on the legal protection and empowerment of Indonesian women migrant workers in Qatar's domestic sectors. Employing a qualitative research method, primary data were collected through in-depth interviews, supplemented by secondary data. The conceptual framework focused on evaluating migrant vulnerability, governance and policy frameworks, and implementation oversight. Key findings reveal that driven by the demand for domestic services, the sector is dominated by women. Despite substantial economic contributions through remittances, they continue to encounter systemic vulnerabilities exacerbated by gender and migrant status. The moratorium policy following the Decree of the Minister of Manpower No. 260 of 2015, addresses the termination and restriction of Indonesian migrant workers (PMI) placement with individual employers in Qatar, due to the *Kafalah* system implemented in the Gulf Cooperation Council (GCC) states. Rights violations persist despite policy reforms as it has not addressed the core problem of the occurrence of rights violations. Recommendations emphasize the urgent need for gender-responsive migration governance that ensures substantive equality and autonomy for women, along with fostering robust bilateral cooperation between Indonesia and Qatar through formal written agreements to reinforce protection standards.



Analisis ini mengkaji efektivitas Undang-Undang Nomor 18 Tahun 2017 di Indonesia mengenai perlindungan pekerja migran Indonesia, bersamaan dengan peraturan ketenagakerjaan domestik Qatar, Undang-Undang Nomor 15 Tahun 2017, dengan fokus pada perlindungan hukum dan pemberdayaan pekerja migran perempuan Indonesia di sektor domestik Qatar. Menggunakan metode penelitian kualitatif, data primer dikumpulkan melalui wawancara mendalam, dilengkapi dengan data sekunder. Kerangka konseptual berfokus pada evaluasi kerentanan migran, kerangka kerja tata kelola dan kebijakan, serta pengawasan implementasi. Temuan utama menunjukkan bahwa didorong oleh permintaan layanan domestik, sektor ini didominasi oleh perempuan. Meskipun memberikan kontribusi ekonomi yang signifikan melalui remitansi, mereka terus menghadapi kerentanan sistemik yang diperparah oleh status gender dan migran. Kebijakan moratorium yang mengikuti Keputusan Ketenagakerjaan (Kepmenaker) No. 260 Tahun 2015, menanggapi penghentian dan pembatasan penempatan pekerja migran Indonesia (PMI) dengan pemberi kerja individu di Qatar, akibat sistem *Kafalah* yang diterapkan di negara-negara *Gulf Cooperation Council* (GCC). Pelanggaran hak tetap terjadi meskipun ada reformasi kebijakan, karena masalah inti terjadinya pelanggaran hak belum teratasi. Rekomendasi menekankan kebutuhan mendesak akan tata kelola migrasi yang responsif terhadap gender, yang memastikan kesetaraan substansial dan otonomi bagi perempuan, serta mendorong kerja sama bilateral yang kuat antara Indonesia dan Qatar melalui perjanjian tertulis formal untuk memperkuat standar perlindungan.