

# ***Perlindungan Wni/BHI DALAM KONTEKS KEBIJAKAN LUAR NEGERI RI KONTEMPORER***

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# Indonesia Di Mata Dunia: Kesan Positif

- Indonesia telah berhasil membangun demokrasi yang relatif stabil dalam dekade terakhir
- Di tengah krisis keuangan global, Indonesia mencatat pertumbuhan ekonomi
- Keanggotaan Indonesia dalam Forum G - 20 sebagai wujud perubahan konfigurasi ekonomi politik global.
- Partisipasi Indonesia secara aktif dalam berbagai isu global khususnya perubahan iklim.

- Kepemimpinan regional Indonesia di Asia Tenggara yang diwujudkan melalui peranan kuncinya dalam kemajuan pelebagaan ASEAN.
- Keberhasilan Indonesia dalam memerangi terorisme

# Kesan Negatif:

- Masih banyaknya TKI illegal di luar negeri akibat lemahnya sistem pengawasan keimigrasian dalam negeri.
- Adanya kasus-kasus penganiayaan, penyiksaan dan bahkan pembunuhan TKI di luar negeri yang menjadi sorotan media massa dalam dan luar negeri.
- Sudah optimalkah diplomasi RI dalam melindungi warganya di luar negeri?

# Kebijakan Luar Negeri RI Pada Berbagai Level:

- Global: ada hasrat yang kuat dari pemerintahan SBY untuk mengoptimalkan pengaruh Indonesia di berbagai forum multilateral khususnya G -20 dan PBB untuk meningkatkan standing diplomasi Indonesia.
- Melalui pidatonya di Harvard University, SBY menyatakan keinginan Indonesia memberikan kontribusi terhadap pembentukan peradaban modern yang lebih adil dan representatif.

- Regional: kepemimpinan dan kepeloporan dalam proses pelebagaan ASEAN melalui ratifikasi Piagam ASEAN dan pembentukan tiga pilar ASEAN.
- Tetapi adakah korelasi antara kepemimpinan kita di ASEAN dengan penyelesaian masalah-masalah konkrit yang kita hadapi di Asia Tenggara khususnya perlindungan terhadap TKI di Malaysia dan Singapore?

- Bilateral: penekanan yang berlebihan pada hubungan G to G tanpa melibatkan non-state actors? Misalnya dalam hubungan RI - Malaysia.

# Ada Beberapa Gap Yang Nyata

- Antara tebar pesona di tataran global (G 20 dan PBB) dan kegagalan negara pada skala mikro khususnya perlindungan TKI yang jadi korban pelanggaran HAM?
- Antara kondisi yang sangat harmonis pada tataran intergovernmental di ASEAN dan ketidakpedulian terhadap masalah-masalah nyata yang dihadapi TKI



# Kutipan Dari Piagam ASEAN Tentang Tujuan

- To create a single market and production base which is stable, prosperous, highly competitive and economically integrated with effective facilitation for trade and investment in which there is free flow of goods, services and investment, facilitated movement of business persons, professionals, **TALENTS AND LABOUR**, and freer flow of capital.
- **Facilitation of migrant workers** yang menjadi kepentingan ratusan ribu atau jutaan TK Indonesia tidak disinggung sama sekali. ASEAN sangat elitis? Kepentingan rakyat Indonesia yang mana yang kita perjuangkan di ASEAN?

- According to Foreign Ministry data, officially there were some 3.2 million Indonesian workers in Malaysia, Saudi Arabia, China, Taiwan and Hong Kong. However, the ministry estimated the actual number may be twice as high when taking undocumented workers into account.
- Spokesman Teuku Faizasyah said in Malaysia alone, there were an estimated two million Indonesian workers, including those who were undocumented.
- Faizasyah said problems related to migrant workers were complex, and his ministry received complaints daily, indicating the country had not yet done enough to secure the rights of its workers abroad.

- Muhammad Jumhur Hidayat, the head of the National Board for the Placement and Protection of Indonesian Overseas Workers (BNP2TKI), slammed Malaysia for continuing to receive Indonesian informal workers despite a moratorium pending the signing of a new agreement to cover workers' salaries and holidays, among other things.
- “Malaysia is very annoying. Placement of informal workers has been suspended, but they still receive our workers from different channels. Why don't we stop sending all workers?” Hidayat said.

- Unfortunately, whenever bilateral relations between RI - Malaysia deteriorates, Indonesians are quick to recall the bitter memory of Sukarno's rhetoric and rub salt on old wounds.
- To make things worse, when the tension is high, some Malaysians retaliate by being harsh with Indonesian workers, especially when they are involved in criminal activities.

- Indonesia and Malaysia have been struggling to achieve social and economic progress and both of them have the same ambition to be acknowledged as the regional leader in Southeast Asia.
- In the late 1980s when governments of the Asia Pacific decided to establish the Asia Pacific Economic Cooperation, former Malaysian Prime Minister Mahathir Mohammad came up with his controversial idea of endorsing the East Asia Economic Group while excluding the United States, Australia and New Zealand.

- While Indonesia is the more enthusiastic of the two in integrating Asean nations by promoting the body's regional communities, Malaysia appears to remain in step with Mahathir's previous idea by endorsing the establishment of the East Asian Community.
- Indonesia is more comfortable with the permanency of the Asean+3 mechanism in which Asean remains the central actor. In Indonesia's eyes, a strengthened East Asian Community would be dominated by China and Japan, leaving Indonesia's regional leadership in question.

- The leaders of the two countries also need to be reminded that they can no longer be out of touch with the reality of the problematic interactions between the two societies.
- It is a common phenomenon among many Asean diplomats to be so absorbed by their informal solidarity that they neglect their respective domestic constituents along the way.
- It is high time for both the Indonesian and Malaysian foreign policy makers to be more down-to-earth in managing the complexity of the bilateral relations between the two countries and work even harder to find solutions to their problems.

- To these ends, the two governments should encourage the participation of civil society groups like university lecturers, artists and nongovernmental organizations within the framework of multitrack diplomacy.
- The use of societal approach: establishing association of employers of Indonesia's housemaids and provide them practical information
- Cooperating with local NGOs to give award to best employers



- At the domestic problem: bring this policy issue into manageable portions
- Pelayanan satu atap di setiap kabupaten/kota.
- Indonesia has indefinitely suspended the traffic of domestic helpers to Kuwait due to concern over widespread abuse and exploitation by their employers, the labor ministry said.
- Moratorium pengiriman TKI agar problematik karena bagi mereka ini masalah survival. Apalagi kalau pemerintah tidak mampu menyediakan lapangan kerja yang cukup.

THANK YOU