

Protection for Irregular Indonesian Citizens Abroad

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Abstract. Along with uncertain economic conditions, many workers seek other opportunities abroad, but the bureaus that dispatch immigrants sometimes do not complement the human resources sent abroad. The main causes for the emergence of workers who leave illegally/through the back (undocumented) include lower costs and relatively fast processes. Undocumented workers are a serious problem because of the vulnerability of legal protection for those concerned and weakening the bargaining position with users of labor services. They easily suppress TKI with this irregular condition. Legal protection for irregular migrant workers is the protection of human rights by providing equal rights to other migrant workers without any discrimination, equal justice, and providing effective remedies. As stated in the CMW, it guarantees equal treatment and prohibits discrimination between migrant workers and citizens.

Keywords: irregular work; immigrants; workers

1 Introduction

Work for everybody is reflected in the 1945 Constitution of the Republic of Indonesia (UUD 1945). Article 27 section (2) expresses that each Indonesian resident has the option to work and a good living for mankind. Be that as it may, in all actuality, the predetermined number of occupation opportunities in the nation causes numerous Indonesian residents/Indonesian Traveler Laborers (TKI) to look for work abroad. From one year to another, the quantity of the people who work abroad is expanding.

The complexity of labor problems is partly due to the lack of adequate protection for the migrant sector (Overseas workers) and the child sector in the labor sector. The lack of job opportunities has led to an increase in the number of informal sector workers as a spill-over from the formal sector which is unable to accommodate them, as well as an increasing number of foreign workers with low education. The need to find work causes the demand for jobs to be greater than those available in the country, while other countries need workers. Opportunities to work abroad are quite-huge, coupled with the stimulation of income which is relatively higher compared to income at home, which is an attraction for workers to work abroad. Unfortunately, most of the workers who migrate abroad are unskilled laborers, who only rely on jobs such as housemaids, construction workers, plantation workers, drivers, and factory employees.

In the nations of the Southeast Asian locale that are individuals from the Relationship of Southeast Asian Countries (hereinafter alluded to as ASEAN), relocation is overwhelmed by the people who travel for financial reasons of transient workers.[1] The presence of traveler laborers in the ASEAN district plays a significant part according to a monetary point of view, where movement of the useful age populace to work an in the area of different nations is a type

of reallocation of HR that assumes a significant part in the development of labor and products in the locale. For this situation, transient specialist sending nations which have an excess of HR are helped in giving a wellspring of occupation to their residents, while traveler laborer getting nations which for the most part have a capital excess, can keep up with their monetary wheels with the presence of an instant labor force, which is in many cases more proficient (if you would rather not say modest) than utilizing neighborhood work. Indonesia is a country that plays a part as one of the sending nations alongside the Philippines, Vietnam, Myanmar, and Laos.[2]

Traveler laborers exist in all areas of the economy. They assume a pivotal part in financial development for both the home state and the nation where they work (have state).[3] The rising relocation of residents is trailed by different instances of infringement of their common liberties. It raises the interest for each country to have the option to safeguard each resident both at home and abroad while as yet satisfying their common freedoms (hereinafter alluded to as HAM).[4] Basic liberties are regularizing thoughts and positive principles.[5]

The issue of traveler laborers (TKI Abroad) and kid work is urgent to be important for the Public Admittance to Equity System archive in light of the fact that albeit the public authority has put forth different attempts to satisfy their privileges, these freedoms are not really satisfied as expected. Turning into a TKI Abroad is a hard decision for the labor force themselves since working in another nation requires more capacities and abilities, while they are by and large outfitted with exceptionally negligible abilities and skill, subsequently, enormous dangers are undeniable.

The arrangements of the Unified Countries Announcement of Common freedoms in 1948, Article 23 which states that:

“Everyone has the right to work, and the International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966 in Article 6 states that states parties recognize the right to work. While the basis for the right of every human being to migrate is enshrined in Article 13 paragraph 1 which reads that everyone has the right to freedom of movement and residence within the boundaries of each country. These are basic rights guaranteed and granted by the United Nations which are universal and international in nature.”

The main causes for the emergence of workers who leave illegally/through the back (undocumented) include lower costs and relatively fast processes. Undocumented workers are a serious problem because of the vulnerability of legal protection for those concerned and weakening the bargaining position with users of labor services. They easily suppress TKI with this irregular condition.

Problems arose from the time they were about to leave until they arrived home. Before leaving, the problems that arise are document falsification, inadequate provision, and markup of service fees such as the cost of making passports. In overseas workplaces, the problems that arise are breaches of the employment contract, documents taken by the employer, no own room, resulting in vulnerability to acts of sexual harassment, not being allowed to communicate with family, and physical, psychological, and sexual violence.

Sporadic traveler laborers from Indonesia don't have clear lawful assurance. They are at more serious gamble of encountering common freedoms infringement. The issues confronted incorporate; first, sporadic traveler laborers are managing the arrangements of public regulation in the nation of position. Sporadic traveler laborers' freedoms are not safeguarded for sure in the objective country since they don't have a work contract between the specialist and the business or the arrangement of work that contains working circumstances, which brings about the non-satisfaction of regulating privileges and commitments between the gatherings in question. Permits them to be extradited at any time.[6] They are reluctant to record a grievance

or don't have the foggiest idea where to find support and even methodology the experts for any type of true help.

The subsequent issue is sporadic traveler laborers as outsiders managing inhabitants. Unpredictable transient specialists are helpless for however long they are outside the locale and lawful insurance of their nation of beginning. What's more, the development of xenophobia, in particular perspectives, biases, and ways of behaving that oddball, detach, and frequently criticize individuals in light of the perspective of untouchables or outsiders locally, society, or public personality, and prejudice, to be specific the qualification on contrasts in actual attributes, for example, skin tone, hair type, facial elements, etc.

There is no unmistakable information with respect to the quantity of Indonesian unpredictable transient laborers dispersed in a few nations and Southeast Asian nations. Infringement of the freedoms of traveler laborers are frequently capable by the people who work in the casual area or don't have abilities (untalented work) like homegrown specialists, team individuals, manor laborers, mining laborers, assembly line laborers, etc. The majority of the individuals who much of the time get privileges infringement are ladies laborers. This is the very thing we frequently hear in the news on paper and electronic media.

Irregular migrant workers are part of Indonesian citizens who work abroad and as legal subjects are also entitled to receive recognition, protection, and appreciation for their existence. The illegal stigma that is given to irregular migrant workers or undocumented migrant workers makes their position very vulnerable to human rights violations because they are often equated with criminals. Therefore, Indonesia needs appropriate legal instruments to protect them from violations of the rights they receive, especially for those who work and reside in countries in the Southeast Asian region.

Irregular TKIs are often treated inhumanely. Not only do they lack adequate housing, they often do not receive adequate food rations. Even if you work from morning until late at night, there are times when you can only eat one meal a day. They also do not get a day off, as housemaids, they work seven days a week. They also do not have health insurance and life insurance, so if they get sick, or die, there is no guarantee of costs for treatment and returning the body to Indonesia. They are working under threat from the employer. If they are inconvenienced, the employer will report their illegal worker status to the police.

2 Methodology

The exploration is enlightening with a legal methodology that is a methodology utilizing regulation and guidelines and a reasonable methodology that alludes to the current legitimate principles.

Research information is a unit of data ashore procurement for framework improvement as specified in Regulation no. 39 of 2004 concerning the Arrangement and Insurance of Indonesian Traveler Laborers Abroad. Subsequently, the information that the analyst uses to answer every one of the issues in this exploration are as per the following:

- a. Primary lawful materials are legitimate materials that are definitive, meaning they have authority. Essential legitimate materials incorporate regulation, official records, or minutes in regulation making.[7] On account of this examination, the essential legitimate materials are the Constitution, Regulation no. 39 of 2004, concerning the Situation and Security of Indonesian Transient Laborers Abroad.

- b. Secondary lawful materials are legitimate materials that make sense of essential lawful materials. Auxiliary legitimate materials are books connected with research subjects, articles, diaries, and papers that talk about land procurement.
- c. Tertiary lawful materials, which are illustrative materials in regards to tertiary and optional legitimate materials, as well-qualified suppositions.

3 Result and Discussion

3.1 Law Number 39 of 2004 as a Basis for the Protection of Indonesian Migrant Workers

To manage the insurance and arrangement of Indonesian Transient Specialists abroad, on October 18, 2004, the public authority passed Regulation Number 39 of 2004 concerning the Situation and Assurance of Indonesian Traveler Laborers Abroad (UU PPTKILN) which looks to work on the past regulations and guidelines which were viewed as basic and needed security against TKI. The Statute on the Preparation of Indonesians to Work Outside Indonesia (Staatsblad 1887 No. 8) as a guideline under the watchful eye of Regulation No. 39 of 2004 was considered too basic so it essentially didn't satisfy the requirements and needs of a creating society.

Alluding to article 27 (2) of the 1945 Constitution, this Regulation basically should safeguard residents who will utilize their privileges to get work, particularly abroad with the goal that they can get work arrangement benefits rapidly and effectively while as yet focusing on the wellbeing of the labor force, both genuinely and intellectually. , ethics, and pride. This regulation on a basic level is equivalent freedoms, equity, orientation equity, and without separation in any structure. It has been expressed that overall the issues that emerge in position are connected with common freedoms, so the assents remembered for this regulation are a considerable amount as criminal assents. In the event that the prerequisites for one of the movement records are not satisfied, it very well may be a crook act. The shortfall of a solitary record endangers the specialist of being unfit or against the law to work in the nation of position and this makes the laborer powerless against unfeeling treatment or other shifty treatment in the nation of situation objective. Keep up with security, request, and world harmony yet additionally security for people (human security) any place people are.[8] Security for people is a type of regard for common liberties for their poise and nobility so people reserve the privilege to reside in their opportunity, are qualified for assurance, liberated from dread, dangers and torment, segregation, etc.

This regulation likewise examines, among others, equivalent privileges and open doors without separation to find a new line of work, fair pay as per mastery, abilities, gifts, interests, and capacities; the presence of state ensures for the security of the common liberties of residents working at home and abroad; the presence of combination between government organizations, both focal and local and the support of the local area in a general set of laws to safeguard TKI who are set abroad.

Government strategies viewing Indonesian laborers are as per the following:

- a. Law Number 3 of 1951 concerning the Pertinence of the Work Investigation Demonstration of 1948 Number 23 of the Republic of Indonesia for all of Indonesia.
- b. Law Number 14 of 1969 concerning Fundamental Arrangements In regards to Labor (State Paper of the Republic of Indonesia of 1969 Number 55, Supplement to the State Newspaper of the Republic of Indonesia Number 2912.

- c. Law Number 7 of 1981 concerning Compulsory Giving an account of Labor (State Paper of the Republic of Indonesia of 1981 Number 39, Supplement to the State Newspaper of the Republic of Indonesia Number 3201.
- d. Law Number 9 of 1992 concerning Movement (State Periodical of the Republic of Indonesia of 1992 Number 33, Supplement to the State Paper of the Republic of Indonesia 3474.
- e. Law Number 21 of 1992 concerning Delivery (State Periodical of the Republic of Indonesia of 1992 Number 98).
- f. Decree of the Priest of Labor supply Number KEP-204/MEN/1999 Jo. The Pronouncement of the Pastor of Labor Number KEP138/MEN/2000 is no longer to the necessities and requests of the advancement of the circumstance so it should be changed.
- g. Decree of the Priest of Labor supply and Immigration of the Republic of Indonesia Number KEP-104 A/MEN/2002.
- h. Law No. 39 of 2004 concerning the Arrangement and Insurance of Indonesian Traveler Laborers Abroad
- i. Regulation of the Priest of Labor supply and Immigration Number PER.07/MEN/V/2010 concerning Protection for Indonesian Traveler Laborers
- j. Regulation of the Priest of Labor supply and Immigration Number PER.14/MEN/X/2010 concerning the Execution and Security of Indonesian Transient Specialists Abroad
- k. Government Guideline of the Republic of Indonesia Number 3 of 2013 concerning Assurance of Indonesian Transient Laborers Abroad.

3.2 Legal Protection for Irregular TKI (No Documents)

The absence of open positions in the nation, modest and simple conveyance processes, low degrees of training and abilities, low compensations in their own nation, and the shortfall of data in towns about how to function abroad, are referred to as the reasons for relocation of our residents abroad as undocumented Indonesian transient laborers.

Legitimate security for unpredictable transient laborers depends on the 1945 Constitution (change) Article 28 D section 2 which states:

“Everyone has the right to work and receive fair and proper remuneration and treatment in an employment relationship. In addition, Article 28 I paragraph 4 states that the protection, promotion, enforcement, and fulfillment of human rights are the responsibility of the state, especially the government.”

The existence of this irregular workforce has captured the world's attention so its existence needs to be regulated in an international legal instrument. These instruments include:

- a. Migrant labor regulations regulated in ILO Convention No. 97/1949 concerning Concerning Migration for Employment, including:
 - 1) the right to accurate and free services and information to assist migrant workers (Art.2);
 - 2) Measures to prevent misleading propaganda regarding the sending of workers abroad (Art. 3);
 - 3) health services for migrant workers (Art. 5);
 - 4) application of legal sanctions for parties who promote or organize the existence of illegal (clandestine) migrant workers (Annex I Art. 8 and Annex II Art. 3).

- 5) This Convention was signed in Geneva on July 1, 1949. According to data from the International Labor Organization (ILO) in 2011, only 49 countries have ratified it. Indonesia has not ratified this convention.
- b. The regulations stipulated in the ILO Convention No. 143/1975 concerning the Convention Concerning Migration in Abusive Conditions and Promotion of Equality and Opportunity and Treatment of Immigrant Workers. This Convention was signed in Geneva on 24 June 1975. According to ILO data in 2011, only 23 countries have ratified it and Indonesia is not included in it. This convention, among other things, regulates:
- 1) the obligation of receiving countries to respect the rights of migrant workers (Art. 1);
 - 2) emphasis on efforts that need to be made to follow up on the existence of illegal migrant workers who employ migrant workers illegally (Art. 2 and 3);
 - 3) Regulation on equal opportunity regarding employment, social security, and individual or collective freedom for migrant workers and their family members (Art. 10);
 - 4) This convention in its preamble also recognizes the existence of facts about illegal immigrants (clandestine), so it is necessary to apply a special standard that aims to eliminate the occurrence of cruel treatment or further abuse of illegal migrant workers (exploitation).

The assurance of basic liberties in the 1945 Constitution is one of the qualities of law and order. Saudargo Gautama gives a comprehension of law and order "To understand the security of these freedoms, it is a state where people have privileges to the express whose common liberties are perceived by regulation, and state power is separated into the state's leader organs, organs, official branches, and legal executive is a design to have the option to give satisfactory insurance to every one of the individuals who feel that their freedoms have been disregarded, no matter what their status, regardless of whether this is finished by a State organization. It very well may be perceived that one of the qualities of law and order is the assurance of common liberties and legitimate insurance is vital for the presence of the state.[9]

As a subject of global regulation, the state has worldwide freedoms and commitments. The freedoms and commitments of the state are contained in the Announcement of the Privileges and Obligations of Countries, trailed by a review entitled Basic Privileges and Obligations of American Republics and showed up at the 1933 Show or Privileges and Obligations of State or Montevideo (Container American). [10] The state is the fundamental subject of global regulation and hence is likewise a subject of common freedoms regulation. As the fundamental substance, the state is liable for safeguarding, maintaining, and advancing common freedoms. The assurance, satisfaction, and authorization of basic liberties completed by states are set apart by the progress of the global local area (nations) in battling for the acknowledgment, regard, and implementation of common freedoms values in basic liberties instruments. These global basic freedoms instruments contain standards that expect states to regard and carry out common liberties values. The worldwide common liberties instrument contains crucial standards including comprehensiveness, equity, non-segregation, resoluteness, nature, the guideline of relationship, the guideline of state liability in global regulation and basic freedoms, the standard of neighborhood cures rule, the standard of state sway, the guideline of assurance of outside nationals.

These principles are general legal principles that apply in all countries, even though the country concerned has not ratified the convention. The principles have the nature of jus cogens, where the rules made are not allowed to deviate from general legal principles and must be upheld by every international community.

The norms contained in human rights have the nature of jus cogens. jus cogens concern issues that are considered fundamental to society. The contents of a jus cogens regulation or the issues it regulates must have a very important or even fundamental meaning for the international community.[11]

Common freedoms are essential basic liberties, which exist and are a gift from God All-powerful, basic freedoms are normal privileges, subsequently basic liberties can't be denied by other people. Basic freedoms are accepted to have general qualities, widespread qualities imply that they don't have a clue about the limits of reality. This widespread worth is then converted into different public legitimate items in different nations to secure and maintain human qualities, remembering peaceful accords for the field of common freedoms. Human qualities are opportunity, uniformity, independence, and security. More than that, the fundamental belief of basic liberties is human poise.

Human right is a system of international norms that demands and is a minimum standard (minimum standard) for the state. This minimum standard will be used by the international community to evaluate as well as score the extent to which the country has carried out its international human rights obligations.[12] Legal protection for migrant workers, Indonesia has ratified several international human rights treaties.

The commitment of the Indonesian state to safeguard its residents is obviously expressed in the 1945 Constitution of the Republic of Indonesia (hereinafter contracted as the 1945 Constitution of the Republic of Indonesia). Indonesia as an autonomous sovereign nation can't be isolated from this commitment to safeguard its residents as well as to satisfy the privileges of its residents. As commanded in the fourth passage of the preface to the 1945 Constitution, specifically "... to safeguard the whole Indonesian country and the whole country of Indonesia, advance public government assistance, teach the country's life and take part in doing world request in view of timeless harmony and civil rights". The reason for the state implies the obligation of the state in safeguarding its residents both inside the region and outside the domain of Indonesia.

The Republic of Indonesia is obliged to safeguard the whole Indonesian country, the expression likewise incorporates sporadic transient specialists. Legitimate insurance for sporadic transient specialists is essential for global basic liberties regulation, worldwide regulation, and work regulation. The material object of legitimate assurance for sporadic traveler laborers is the lawful standards or rules connecting with the insurance of unpredictable transient specialists. These standards and rules are obtained from standard regulation, and worldwide regulation is gotten from deals or arrangements among nations and global shows. Other than that, legitimate security for laborers should likewise be possible through worldwide associations (two-sided, provincial, and worldwide), through strategies pointed toward safeguarding and setting laborers in a legitimate situation as people.

The obligation to protect is contained in Indonesian national laws, including:

- a. Ratification of the 1961 Vienna Convention on Diplomatic Relations, and the 1963 Vienna Convention on Consular Relations into Law no. 1 of 1982 relating to the protection provided through the function of diplomatic representatives and the functions of Consular Representatives stationed in friendly countries. The protection of a country against its citizens who are abroad is carried out through extraterritorial jurisdiction carried out by representatives of a country in a friendly country.
- b. UU no. 37 of 199948 where the Public authority of the Republic of Indonesia safeguards the interests of Indonesian residents or legitimate elements who deal with lawful issues with agents of unfamiliar nations in Indonesia.

- c. UU no. 13 of 2003, Employment philosophy is a field of community life that must be protected and guaranteed by the state as a human right that is inherent in a person as mandated by the constitution.
- d. Regulation No. 39 of 2004 where Article 4 assurance of TKI is all endeavors to safeguard the interests of planned TKI/TKI in acknowledging ensured privileges by regulations and guidelines, both previously, during, and later. Notwithstanding, the PPTKLN Regulation can arrive at unpredictable transient laborers.
- e. The security of Indonesian residents is additionally made sense of in Regulation no. 12 of 200651, to be specific the security of Indonesian residents in view of the guideline of most extreme assurance, in which the public authority is obliged to give full and outright assurance to each Indonesian resident for any reason, a both inside the area of the Province of Indonesia and outside the domain of the Territory of Indonesia.

The cooperation of the Indonesian state in a few worldwide associations is likewise a type of the state's commitment to safeguard laborers are abroad, including Indonesia can exploit the ASEAN gathering. On January 13, 2007, ASEAN pioneers delivered the ASEAN Statement On The Assurance and Advancement of The Freedoms of Traveler Laborers at the twelfth ASEAN Highest point in Cebu-Philippines. This commitment contains commitments for sending nations and getting nations along with ASEAN's commitments as provincial collaboration to safeguard the freedoms of transient laborers. As a development to the statement, the ASEAN Unfamiliar Priests shaped the ASEAN Board of trustees on the Execution of the ASEAN Announcement on the Insurance and Advancement of the Privileges of Traveler Laborers (ACMW). The circumstance in ASEAN demonstrates that sporadic and undocumented laborers are exceptionally predominant. Be that as it may, until this point in time, ASEAN nations have not arrived at an agreement on lawful instruments with respect to the advancement and security of the freedoms of undocumented transient laborers. While the command through Article 22 expresses the significance of orchestrating work regulation at the public level with worldwide principles as indicated by ILO arrangements. These global guidelines incorporate working and day to day environments, requirement of work principles, work agreements, and others.

CMW ensures equivalent treatment and forbids segregation between traveler laborers and residents. Security for transient laborers is no special case for unpredictable traveler laborers contained to some extent III of CMW beginning from Article 8 to Article 35. These freedoms should be satisfied by the business, specialist, sending state, and getting state. As per Beth Lyon, worldwide common liberties regulation gives freedoms to unapproved traveler workers.[13] There are 3 (three) standards of basic liberties security for undocumented transient specialists, specifically:

- a. The right to rise to insurance and correspondence under the steady gaze of the law directs equivalent treatment under all business regulations paying little heed to migration status; cures and laborers' freedoms should be given similarly paying little mind to movement status; the option to approach security and balance under the steady gaze of the law further accommodates extra defensive measures for laborers who are not authorized in light of their weakness.
- b. Remedies, as well as laborers' privileges, should be similarly given no matter what the nation of migration
- c. The right to approach assurance and balance under the watchful eye of the law further indicates extra defensive measures for laborers who are not approved in light of their weakness

The security of transient laborers is likewise controlled in the arrangements of the ILO, as similar norm for nations to have assurance rules for traveler laborers in their public regulation,

particularly for Indonesia as a part nation of the ILO. ILO shows are restricting on part nations, along these lines part nations should have the option to execute them. This commitment starts in the Announcement of Crucial Freedoms and Standards at Work took on in ILO Show No. 86 in June 1998. The legitimate umbrella both public and globally accessible to Indonesian traveler laborers is a type of existing lawful insurance. This is where the capability of lawful insurance is to safeguard each Indonesian resident, incorporating those with the situation with unpredictable traveler laborers.

4 Conclusion

The lawful security given to unpredictable transient specialists is the pith of the acknowledgment of human poise that is natural and innate in each person which is a gift from God All-powerful without separating between normal traveler laborers and sporadic transient laborers, every one of whom are dealt with in view of the qualities contained in Pancasila and the 1945 Constitution of the Republic of Indonesia. Legitimate insurance for unpredictable traveler laborers is the security of common freedoms by giving equivalent privileges to other transient specialists without segregation, equivalent equity, and giving successful cures. As expressed in the CMW, it ensures equivalent treatment and forbids separation between traveler laborers and residents. Security for traveler laborers is no special case for sporadic transient laborers contained to some extent III of CMW beginning from Article 8 to Article 35. These freedoms should be satisfied by the business, specialist, sending state, and getting state. As indicated by Beth Lyon, global basic liberties regulation gives freedoms to unapproved traveler laborers.

References

- [1] Yuni Sudarwati, "Upaya Indonesia Menghadapi Migrasi Tenaga Kerja Dalam Komunitas Ekonomi ASEAN (KEA)," *J. Ekon. Kebijak. Publik*, 2015.
- [2] J.S George Lantu, "Menerjemahkan Down to Earth Diplomacy Dalam Isu Prioritas Di Kawasan," *Majalah Masyarakat ASEAN - Media Publikasi Direktorat Kerjasama ASEAN Kementerian Luar Negeri RI*. 2016.
- [3] Koesrianti, "Kewajiban Negara Pengirim Dan Negara Penerima Atas Perlindungan Pekerja Migran," *Diplomasi*, 2010.
- [4] Eko Riyadi dan Supriyanto, "Mengurai Komplexitas Hak Asasi Manusia-Kajian Multi Perspektif (Pusat Studi Hak Asasi Manusia Universitas Islam 2007). [14-15]." 2007.
- [5] Bunadi Hidayat, "Perlindungan Hak Asasi Manusia Sebagai Proses Pengembangan Lembaga Hukum Modern Di Indonesia," *Yuridika*, 2006.
- [6] Laura Fernandez Feitl, "Caring for the Elderly Undo-Cumented Workers in The United States Discretionary Reality or Undeniable Duty," *Elder Law J.*, 2005.
- [7] Ronny Hanitijo Soemitro, *Metode Penelitian Hukum Jurimetri*. Jakarta: Penerbit Ghalia Indonesia, 1998.
- [8] Yanuar Ikbar, *Metodologi Dan Teori Hubungan Internasional*. Jakarta: Refika Aditama, 2014.
- [9] Devi Rahayu, "Tanggungjawab Negara Dalam Perlindungan Hukum Bagi Tenaga Kerja Indonesia Wanita Di Luar Negeri," *Univ. Airlangga*, 2016.
- [10] Huala Adolf, *Aspek-Aspek Negara Dalam Hukum Internasional*. Jakarta: Raja Grafindo Persada, 2002.
- [11] G.J.H. Van Hoof, "Pemikiran Kembali Sumber-Sumber Hukum Internasional," (*Alumni*, 2013).

- [12] Enny Soeprapto, "Hak Asasi Manusia Kelompok Rentan Dan Mekanisme Perlindungannya Dalam Vulnerable Groups: Kajian Dan Mekanisme Perlindungannya," (*PUSHAM Univ. Islam Indones.*, 2012).
- [13] Beth Lyon, "Tipping The Balance: Why Court Should Look to International and Foreign Law on Unauthorized Immigrant Worker Rights," *J. Int. Law*, 2007.