



The Role of The Indonesian Government in Guaranteeing the Rights of Indonesian Migrant Workers in The Korean Coastal Sector: An Analysis of Bilateral Cooperation and Diplomacy

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Abstract. This study aims to analyze the role of the Indonesian government in guaranteeing the rights of Indonesian migrant workers employed in the South Korean coastal sector through bilateral cooperation mechanisms and labor diplomacy. The background to this study stems from the high number of violations of the rights of Indonesian migrant workers in the South Korean fishing industry, including excessive working hours, high safety risks, limited access to legal assistance, and weak supervision in maritime work areas. These conditions call for an evaluation of the effectiveness of national regulations and the implementation of bilateral instruments that have been the basis for the placement of Indonesian migrant workers. The study uses a normative legal method with a legislative, conceptual, and international agreement approach. Data sources include national laws, implementing regulations, bilateral agreements between Indonesia and South Korea, international legal instruments, as well as academic literature and reports from relevant institutions. The analysis was conducted through legal interpretation and a study of the coherence of PMI protection policies. The results of the study show that Indonesia has a strong legal basis for protecting PMI, but its effectiveness in the South Korean coastal sector still faces various obstacles, particularly the limited coverage of the Employment Permit System, weak contract transparency, and minimal accountability of recruitment agencies. The role of Indonesian diplomacy, including the Indonesian Embassy in Seoul and the Indonesian Consulate General in Busan, has proven to be important in handling PMI cases, but it is still reactive and has not fully addressed the structural problems in the fisheries sector. The study concludes that strengthening proactive diplomacy, establishing a special agreement for the fisheries sector, increasing the capacity of Indonesian representatives, and harmonizing bilateral policies are strategic steps to ensure that the rights of Indonesian migrant workers are fulfilled in a sustainable manner and in accordance with international legal standards.

Keywords: Protection, Indonesian Migrant Workers, Diplomacy.

1 INTRODUCTION

The mobility of Indonesian workers abroad continues to increase in line with global economic needs and job opportunities in various countries. South Korea has become an important destination for Indonesian migrant workers because it offers relatively high wages, job security, and consistent labor demand. Of the various sectors that absorb migrant labor, South Korea's coastal and fishing industries occupy a strategic position [1]. This sector is known to require workers with strong physical endurance and the ability to work in high-risk environments.

Indonesian migrant workers (PMI) placed in coastal areas of South Korea generally fill jobs on fishing boats, in seafood processing, and other coastal facilities. However, this sector also has a long history of labor rights violations, exploitation, and extreme working conditions. Various international reports indicate that migrant workers on fishing vessels often face excessive working hours, accident risks, discrimination, and limited access to legal protection mechanisms. These conditions make the protection of South Korean coastal PMI a critical issue that requires serious attention from the governments of both countries [2]. Bilateral cooperation and diplomacy are key instruments in ensuring that the rights of Indonesian migrant workers are fulfilled.

The Indonesian government has a constitutional obligation to protect its citizens abroad. This includes legal and social protection, as well as the provision of support facilities when migrant workers face difficulties or violations of

their rights. In the context of bilateral relations with South Korea, Indonesia has established various labor agreements that form the basis for the placement of migrant workers. These agreements have evolved in line with the dynamics of labor market needs and worker protection issues.

This cooperation involves official mechanisms such as the Employment Permit System (EPS), which is the legal gateway for Indonesian migrant workers to enter South Korea. However, the fisheries sector is not fully covered by this system, creating a vulnerability gap. Labor diplomacy is needed to promote regulatory harmonization, law enforcement, and improved protection standards for migrant workers in the coastal sector [3]. Active diplomacy can strengthen Indonesia's position in negotiating more effective protection.

The Indonesian government, through the Ministry of Manpower, the Ministry of Foreign Affairs, and BP2MI, has developed various protection schemes. However, implementation in the field is often not in line with agreed regulations. One of the main problems is the difficulty of monitoring working conditions in coastal areas and on fishing vessels, as many activities take place in open waters beyond the reach of supervisory agencies. Working conditions on South Korean fishing vessels are also influenced by the local maritime work culture, which demands strict discipline and long working hours. Indonesian migrant workers who are unfamiliar with this environment are potentially subject to physical and mental stress. There have been numerous cases involving unpaid wages, unreasonable salary deductions, and inhumane treatment. In some cases, victims have difficulty accessing legal assistance due to language and information barriers [4].

The Indonesian government needs a more proactive diplomatic strategy to negotiate safer working standards, contract transparency, and basic rights guarantees for migrant workers in the coastal sector. Bilateral cooperation must be strengthened through clear, measurable mechanisms that are capable of addressing various structural challenges in South Korea's maritime sector. This includes a joint monitoring system and increased accountability of recruitment agencies. In addition to government-level diplomacy, the role of the Indonesian Embassy in Seoul and the Indonesian Consulate in Busan is very important as the front line in handling migrant worker cases. They perform consular services, legal advocacy, facilitate dialogue with employers, and repatriate migrant workers who encounter problems [5]. However, limited resources are often an obstacle. It is important for the Indonesian government to expand the capacity of representative institutions in South Korea, especially those that are in direct contact with migrant workers in the coastal sector, most of whom work far from urban centers.

Bilateral cooperation between Indonesia and South Korea is not only related to the economy, but also reflects the commitment of both countries to the protection of human rights. This is in line with international standards such as ILO conventions and UN instruments. South Korea itself has made labor policy reforms to improve the conditions of migrant workers. However, implementation in the fisheries sector often lags behind the manufacturing or service sectors. These implementation gaps require Indonesia's diplomacy to strengthen joint oversight and improve the accountability of shipping companies and recruitment agencies [6].

Research on the role of the Indonesian government in this context is important to identify the effectiveness of diplomacy and bilateral cooperation that has been ongoing to date. Analysis is needed to see the extent to which bilateral regulations and agreements are able to provide real protection for Indonesian migrant workers, not only in legal texts, but also in practice. This research is also important to identify structural weaknesses that hinder the protection of migrant workers, including language barriers, access to information, and suboptimal complaint mechanisms.

By examining the dynamics of diplomacy and policies of the two countries, this research can provide recommendations to strengthen the role of the Indonesian government in ensuring the rights of coastal migrant workers more comprehensively. The protection of migrant workers is not only a labor issue, but also concerns human dignity and Indonesia's position in the international arena as a country with a large diaspora. South Korea's high dependence on foreign labor in the fisheries sector is a supporting factor for strengthening protection negotiations. This momentum needs to be utilized through appropriate diplomatic strategies [7].

This research is important for mapping the opportunities and challenges of bilateral cooperation so that it can produce implementable solutions to improve the working conditions of Indonesian migrant workers in coastal areas. In addition, the results of this study are expected to serve as a basis for policymakers in Indonesia to design a protection model that is more adaptive to the characteristics of maritime work. Thus, this study seeks to contribute to strengthening Indonesia's legal protection and labor diplomacy so that the rights of South Korean coastal PMI are increasingly guaranteed in a systematic, sustainable manner and in accordance with international standards.

2 METHOD

This study uses a normative legal research method that focuses on examining the principles, norms, and legal rules governing the protection of Indonesian migrant workers in the coastal sector of South Korea [8]. The approaches used include a legislative approach, a conceptual approach, and an international agreement approach. The main data sources are primary legal materials such as national laws related to the placement and protection of Indonesian migrant workers, implementing regulations, bilateral agreements between Indonesia and South Korea, and international legal instruments such as ILO conventions and international human rights instruments.

Secondary legal materials include academic literature, journals, official government agency reports, and relevant previous research results [9]. The analysis was conducted through legal interpretation and reasoning to examine the consistency of norms, the binding force of bilateral agreements, and the scope of the Indonesian government's responsibility in providing legal protection to Indonesian migrant workers in the coastal sector [10].

This study also examines the coherence of policies between relevant government institutions and their relevance to international legal standards. Through this normative method, the study seeks to produce a systematic analysis of the effectiveness of Indonesia's labor regulations and diplomacy in guaranteeing the rights of Indonesian migrant workers and to offer recommendations for strengthening the legal framework and bilateral cooperation in a sustainable manner [11].

3 RESEARCH RESULTS

Research shows that Indonesia's legal framework for the protection of migrant workers has been strengthened through various regulations, including laws and implementing regulations that affirm the state's obligation to provide comprehensive protection. However, the effectiveness of these regulations in guaranteeing the rights of migrant workers in South Korea's coastal sector still depends on implementation and the sustainability of bilateral cooperation [12]. At the bilateral level, Indonesia and South Korea have established several legal instruments governing the placement of migrant workers. However, these agreements are more effective in the manufacturing and service sectors than in the fisheries sector, which is actually the location of the most violations of migrant workers' rights. Research has found that the fisheries sector in South Korea is not comprehensively covered by the Employment Permit System (EPS). As a result, migrant workers employed in coastal areas are in a weaker legal position than workers in other sectors [13].

The structure of employment relationships in South Korea's fishing sector tends to be complex because it involves recruitment agencies, ship owners, and contracts that are often not transparent. This poses a risk of legal violations against Indonesian migrant workers, especially in relation to working hours, wages, and safety conditions. The role of the Indonesian government in labor diplomacy is considered significant but not yet optimal. Diplomatic efforts tend to be reactive, especially when violations have already occurred and public pressure has arisen [14].

The Ministry of Foreign Affairs, through the Indonesian Embassy in Seoul and the Indonesian Consulate General in Busan, plays a crucial role in handling cases involving Indonesian migrant workers. Research shows that the number of cases handled is relatively high and recurring, indicating structural problems in the protection system. Limited human resources at Indonesian representative offices are a major obstacle. The number of staff available is not proportional to the large number of Indonesian migrant workers employed in scattered and hard-to-reach coastal locations [7].

Primary legal sources indicate that the Indonesia–South Korea bilateral agreement does not specifically regulate the protection of workers on fishing vessels in detail. This results in a lack of legal instruments to effectively demand accountability from Korean employers. The study found inconsistencies between Indonesian and South Korean policies. Indonesia emphasizes human rights-based protection, while South Korea still prioritizes the needs of the domestic fishing industry [2].

Policy harmonization is considered important, but has not been fully realized due to differences in interests and standards of protection for migrant workers between the two countries. A review of international legal instruments shows that ILO standards and human rights instruments, which should serve as references, have not been fully adopted in the practice of protecting Indonesian migrant workers in the South Korean coastal sector. The study also found that labor monitoring mechanisms on South Korean fishing vessels are ineffective, mainly because many activities take place on the high seas beyond the reach of supervisory institutions. Empirically, many cases of migrant worker rights violations are caused by a lack of access to information regarding employment contracts, legal rights, and the availability of complaint services. This situation is exacerbated by language and cultural barriers [15].

A normative analysis shows that Indonesia's Migrant Worker Protection Law has established the principle of comprehensive protection. However, its effectiveness abroad is highly dependent on the government's diplomatic capabilities in the destination country. Technical bilateral cooperation such as training and data exchange has been carried out, but it has not touched on the root causes of problems in the fisheries sector such as work safety, decent housing, and wage guarantees [16].

Research has found that South Korea has implemented several labor policy reforms, but these changes have benefited industrial workers more than foreign fishery workers. Improving the accountability of recruitment agencies remains an important issue. Many agencies, both in Indonesia and Korea, do not meet standards for providing information and contract transparency [17].

The role of BP2MI in providing training and preparation prior to placement is considered to be good, but it does not strongly emphasize the extreme conditions and specific risks of work in the South Korean coastal sector. The study concludes that Indonesian diplomacy needs to be directed towards the creation of a bilateral agreement specifically for the fisheries sector that covers wage standards, occupational safety, working hours, and access to legal assistance. Overall, the study shows that the protection of Indonesian migrant workers in South Korea's coastal sector has not yet reached the ideal level. Although the basic regulations are strong, the implementation of diplomacy, harmonization of bilateral policies, and the effectiveness of international agreements still require more structured and sustainable strengthening [18].

4 CONCLUSION

This study shows that the Indonesian government's role in guaranteeing the rights of Indonesian migrant workers in the South Korean coastal sector has a strong legal foundation, particularly through national regulations and various bilateral instruments. However, the effectiveness of this protection is still affected by a number of implementation constraints, ranging from limited cooperation coverage in the Employment Permit System (EPS), weak supervision of working conditions in the fisheries sector, to a lack of contract transparency and recruitment agency accountability. This situation is exacerbated by the high-risk nature of maritime work, the inaccessibility of work locations, and the language and information barriers experienced by Indonesian migrant workers. These conditions reflect that normative protection has not been fully realized in practice, resulting in a significant gap between regulations and reality in the field. Diplomatic efforts and bilateral cooperation by the Indonesian government have made important contributions, particularly through the role of the Indonesian Embassy in Seoul and the Indonesian Consulate General in Busan in resolving cases and providing consular services. However, the study emphasizes that this role needs to be enhanced through a more proactive and strategic approach, including negotiations to establish a special agreement for the fishing sector, strengthening joint monitoring mechanisms, and increasing the capacity of Indonesian representative institutions in South Korea. Synergy between domestic institutions also needs to be strengthened so that PMI protection policies are more consistent and adaptive to coastal sector conditions. Thus, improving the quality of labor diplomacy and harmonizing the policies of both countries are key to ensuring that PMI rights are fulfilled in a sustainable manner and that protection standards are achieved in accordance with the principles of international law.

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