

Regulatory Gaps and Protection Failures: A Socio-Legal Study of Fraud Cases Involving Indonesian Migrant Workers

Sudarto M. Abukasim¹, Sutarsa², Dwi Slamet Raharjo³, Akbar Nur Salim⁴, Wasino⁵, Mustafa⁶

^{1,2,3,4,5} Universitas Proklamasi 45 Yogyakarta, Indonesia

* Correspondence e-mail; 23110410056@student.up45.ac.id

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Abstract

International labor migration has become one of the most significant global phenomena in the era of modern globalization. This study aims to analyze the regulatory gap and weak legal protection for Indonesian migrant workers (PMI) in cases of fraud and exploitation of migrant workers. The research uses a socio-legal approach, employing normative analysis of laws and regulations, as well as empirical studies based on court decisions, BP2MI reports, online media, and investigative documents from PMI cases for the 2020–2025 period. Thematic analysis was used to identify patterns of fraud, institutional weaknesses, and socio-legal factors that affect the effectiveness of migrant worker protections. The results of the study show that although Indonesia already has a legal framework through Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers, the practice of illegal recruitment and exploitation is still taking place systematically. Forms of fraud include document forgery, use of non-procedural visas, fake employment contracts, wage deductions, passport confiscation, and digital fraud through social media. The study found gaps between formal regulation and implementation, particularly in recruitment supervision, administrative verification, inter-agency coordination, and victim recovery mechanisms. In addition, poverty, low education, lack of legal literacy, and limited employment also increase the vulnerability of migrant workers. Therefore, reform of migrant worker protection is needed by strengthening supervision, institutional reform, digitizing the migration system, and international cooperation.

Keywords

indonesian migrant workers; legal protection; labor exploitation.



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INTRODUCTION

International labor migration has become one of the most significant global phenomena in the era of modern globalization (Nayyar, 2008; Yaroshenko et al., 2025).

Inequality in economic development, high unemployment rates in developing countries, the demand for cheap labor in developed countries, and the opening of cross-border labor markets have encouraged millions of individuals to migrate in search of a better livelihood (Aldieri et al., 2025; Keleş, 2022; Macaluso, 2024). The International Labour Organization (ILO) estimates that more than 169 million international migrant workers are employed across various strategic sectors, including construction, manufacturing, agriculture, domestic care, and services (Hellgren & Serrano, 2017). The International Labour Organization (ILO) also estimates that more than 169 million international migrant workers are distributed across strategic sectors, including construction, manufacturing, agriculture, domestic care, and services (Koc et al., 2024). However, behind these economic opportunities, migrant workers also face serious risks due to weak legal protections and the complexity of international migration governance.

Indonesia is one of the largest sending countries of migrant workers in Southeast Asia, with millions of its citizens working in regions such as East Asia, the Middle East, and the Asia-Pacific (Suryaningsih et al., 2023). As a major country of origin, Indonesia plays an important role in the global labour market, particularly in the informal sector and high-risk jobs (Kadir Jaelani et al., 2025). However, the high mobility of Indonesian migrant workers also increases their vulnerability to various forms of violations, such as recruitment fraud, human trafficking, labor exploitation, fictitious employment contracts, document forgery, and illegal recruitment by unauthorised agents (Alowais & Suliman, 2025).

Globally, the issue of migrant worker protection has been a major concern of various international instruments, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the ILO convention, and the Sustainable Development Goals (SDGs) agenda (Hennebry, 2014). Although the international legal framework has evolved, implementation at the national level still faces significant challenges, particularly in recruitment oversight, cross-border law enforcement, and the protection of victims of fraud (Tuliakov, 2025). Therefore, the study of Indonesian migrant workers in the context of fraud is important for understanding how the gap between legal norms, national policies, and social practices can magnify migrant workers' vulnerability in an increasingly complex global migration system.

Indonesian Migrant Workers (PMI) make a significant contribution to the national economy through foreign-exchange remittances that amount to billions of US dollars every year (Nahar, 2025). Remittances are an important source of foreign

exchange for the country and support the welfare of millions of families in the areas of origin of migrant workers (Mills, 2023). In addition to addressing limited domestic employment opportunities, labor migration is also an economic strategy for low-income communities (Rahman, 2011). The state, through Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers, has sought to build a more comprehensive protection system, including the establishment of the Indonesian Migrant Workers Protection Agency (BP2MI) as the primary institution for governing labor migration.

The reality on the ground shows that cases of fraud against migrant workers are still very high (Suyanto et al., 2020). Forms of fraud include illegal recruitment, unauthorized placement fees, fake job offers, falsification of documents, non-procedural delivery, and exploitation in the destination country (Sharma, 2025). Many prospective migrant workers come from vulnerable groups with low levels of education and legal literacy, making it easy to fall victim to fraud networks (Ibrushi et al., 2026). Weak state supervision, limited protection at the regional level, and weak law enforcement against perpetrators are the main factors that worsen this situation (Kurniati & Abdillah, 2025). On the other hand, Indonesian migrant worker placement companies (P3MI) also often face problems of supervision, transparency, and accountability, so that some of them are actually involved in problematic recruitment practices.

Indonesia already has relatively comprehensive regulations through Law No. 18 of 2017 and various other supporting policy tools, but cases of fraud against migrant workers continue to occur massively. This raises fundamental questions as to why fraudulent practices remain rampant despite the formal legal framework in place (Agusmidah et al., 2025). This problem indicates possible weaknesses in the implementation of policies, supervision, and law enforcement that have not been operating optimally (Saito & Budianto, 2025). It is important to assess how the implementation of legal protection for migrant workers occurs in practice across the pre-placement, employment, and post-placement stages (Khairazi, 2021). This evaluation assesses the effectiveness of the state, implementing institutions, and private actors in preventing fraud and protecting victims (Al-Eshaq et al., 2025). This is where the urgency lies in identifying regulatory gaps that allow for repeated exploitation and fraud.

This study addresses a significant gap in previous research, which has predominantly focused on human trafficking, migrant workers' human rights, and general normative protection. At the same time, limited attention has been given to

fraud against Indonesian migrant workers resulting from failures in the implementation of protection policies through a socio-legal perspective. A socio-legal approach is essential to examine the discrepancy between law in books and law in action, particularly in understanding how legal norms are applied in practice and why protection mechanisms often fail in the field. The novelty of this research lies in its integrative analysis that combines normative legal review, empirical examination of fraud cases involving Indonesian migrant workers, and evaluation of institutional weaknesses within the migrant worker protection system. Through this approach, the study not only identifies regulatory loopholes that enable fraudulent practices but also explores the social, economic, and structural factors that increase the vulnerability of Indonesian migrant workers. Accordingly, this research seeks to answer four main questions: (1) What regulatory gaps allow fraud to occur against Indonesian migrant workers? (2) How effective is the current implementation of Indonesia's migrant worker protection policy? (3) What socio-legal factors hinder the effectiveness of migrant worker protection? Moreover, (4) What policy and institutional reforms are necessary to strengthen protection for migrant workers against fraudulent practices?.

METHODS

This study uses a socio-legal approach to examine regulatory gaps and weak legal protection for Indonesian migrant workers (PMI) in fraud cases. The approach combines normative legal analysis with empirical field realities to assess the gap between legal provisions and their implementation. Normative analysis focuses on Law Number 18 of 2017, BP2MI regulations, criminal laws on fraud and trafficking, and international conventions related to migrant worker protection. Empirical analysis is conducted through case studies of fraud during pre-placement, placement, and post-placement stages using data from online media, court rulings, investigative reports, and secondary sources from the ILO, IOM, government institutions, BP2MI, and scientific journals. Data were analyzed through thematic, regulatory, and policy implementation analysis to identify fraud patterns, governance weaknesses, and the effectiveness of legal protection for PMI.

FINDINGS AND DISCUSSION

Findings on the Strength of Indonesian Migrant Worker Protection Regulations

This study found that Indonesia normatively already has a relatively strong legal framework in the protection of migrant workers through Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers. The regulation regulates the protection of migrant workers at the pre-placement, placement, and post-

placement stages, as well as strengthens the role of the government and the Indonesian Migrant Workers Protection Agency (BP2MI) in administrative, social, and legal protection for migrant workers. The formal protection system is also strengthened through licensing and accreditation mechanisms for Indonesian Migrant Worker Placement Companies (P3MI), pre-departure training, document verification, health checks, and standardization of employment contracts to prevent illegal recruitment and fraudulent practices. BP2MI data in 2024 shows that there were 764 PMI complaints during the first semester of 2024, with the highest cases in the form of requests for the repatriation of migrant workers, as many as 136 cases, unpaid salaries in 85 cases, deportation or repatriation in 61 cases, failed to leave in 45 cases, 41 cases of worker death, and 32 cases of work fraud. The data shows that the state already has a complaint mechanism and institutional protection for various problems faced by Indonesian migrant workers.

However, research has found that fraudulent practices against migrant workers still occur systematically at all stages of migration. Based on an analysis of online media reports, court rulings, and investigative documents during the 2020–2025 period, most cases stem from illegal recruitment by informal sponsors or brokers operating outside of state supervision. The most dominant modes include fake job offers, the use of tourist visas for work, document forgery, replacement of employment contracts, and excessive placement fees. In the Nunukan District Court Decision Number 268/Pid.Sus/2025/PN Nnk, the defendant was proven to dispatch prospective migrant workers to Malaysia without official documents and valid placement permits through non-procedural channels. In addition, the case processed at the Malang District Court in 2025 shows that there is illegal recruitment through unofficial shelters, accompanied by document detention and high placement fees. The study also found an increase in digital-based fraud through social media and online platforms using fake company identities and fictitious job postings. These findings show that although the protection regulations for migrant workers have been quite comprehensive, the effectiveness of protection is still affected by weak supervision, inter-agency coordination, and law enforcement in the field.

Table 1. Regulatory Powers for the Protection of PMI

| Aspects | Strength |
|------------------|--|
| Legal framework | Law No. 18 of 2017 regulates the protection of migrant workers comprehensively |
| Licensing system | Formal supervision of P3MI through licensing and accreditation |

| | |
|---------------------------|---|
| Administrative prevention | Pre-departure training, document verification, and employment contracts |
| Institutional protection | BP2MI as the main institution for the protection of migrant workers |
| Complaint mechanism | Availability of a complaint system and PMI protection assistance |

Findings of Fraud and Illegal Recruitment of PMI

Based on an analysis of online media reports, court rulings, and investigative documents during the 2020–2025 period, this study found that fraudulent practices against Indonesian migrant workers still occur systematically and repeatedly. The most dominant forms of fraud include illegal recruitment, the use of tourist visas for work, document forgery, non-procedural placements, replacement of employment contracts, and digital-based fraud. BP2MI data in 2024 also shows that there are still high complaints of migrant workers related to deportation, failure to depart, unpaid salaries, non-procedural placements, and job fraud. These findings show that the protection of migrant workers is still a serious problem in the governance of Indonesia's labor migration.

This research also found several legal facts that show that illegal recruitment practices are still rampant. In the Nunukan District Court Decision Number 268/Pid.Sus/2025/PN Nnk, the defendant was proven to dispatch prospective migrant workers to Malaysia without official documents and valid placement permits through non-procedural channels. In addition, the case processed at the Malang District Court in 2025 shows that there is illegal recruitment through unofficial shelters, accompanied by document detention and high placement fees. The study also found an increase in digital-based fraud through social media and online platforms using fake company identities and fictitious job postings, suggesting that migration fraud patterns continue to evolve with the development of information technology.

Findings of Regulatory Gaps and Weak Supervision

This study found a significant gap between Indonesian migrant worker protection regulations and their implementation in the field. Although Indonesia has a relatively comprehensive legal framework through Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers, illegal recruitment practices and fraud continue to occur at various stages of labor migration. One of the key findings is the weak supervision of recruitment at the local level, especially in migrant enclave villages, so that non-procedural recruitment is still largely carried out by informal sponsors and brokers outside the formal system. In addition, the study found

weaknesses in the administration and verification systems of migration documents that allowed the falsification of work visas, employment contracts, and worker identities to occur through informal networks and abusive practices of authority.

The study also found that weak inter-agency coordination, corrupt practices, and limited internal oversight have also worsened the protection of migrant workers. The mechanism for restitution and recovery of victims of migration fraud is also still very limited, so that most victims do not obtain adequate economic and social recovery. At the international level, cross-border law enforcement cooperation in dealing with non-procedural migrant workers and trafficking in persons remains ineffective. From a socio-legal perspective, these findings show that the main problem in the protection of Indonesian migrant workers lies in the gap between the available legal norms (law in books) and the implementation of the law in action.

Table 2. Key Regulatory Gaps

| Problems | Impact |
|-----------------------------------|---|
| Weak supervision | Illegal and non-procedural recruitment is still rampant |
| Administrative Gaps | Document forgery and manipulation of work visas |
| Corruption and abuse of authority | Obstructed protection and surveillance processes |
| Minimal village protection | The vulnerability of migrant workers in migrant enclave areas is increasing |
| Limited victim restitution | Victims find it difficult to obtain economic and social recovery |
| Weak cross-border law enforcement | Perpetrators of exploitation and trafficking in persons are difficult to reach by law |

Findings of Patterns of Fraud and Exploitation of Indonesian Migrant Workers (PMI)

The results of the study show that the pattern of fraud against Indonesian migrant workers is developing in various forms, both conventional and digital. Based on thematic analysis of media reports, court rulings, and investigative documents, the most dominant forms of fraud include illegal recruitment, the use of tourist visas for work, fake employment contracts, excessive wage cuts, passport confiscation, labor exploitation, and online fraud through social media or digital applications. These scams generally target vulnerable groups of people with promises of high-paying jobs, fast departure processes, and non-procedural placement pathways.

The study found that illegal recruitment was still the most dominant pattern in the various cases analyzed. Many prospective migrant workers are recruited by informal sponsors or brokers without formal procedures and are dispatched without adequate legal protection. In addition, the use of social media as a means of illegal recruitment continues to increase through fake accounts, fictitious job advertisements, and virtual communications that complicate the verification process. The study also found that passport confiscation and restrictions on freedom of movement are forms of control that migrant workers often experience in destination countries, especially in the informal domestic sector. These findings show that the pattern of fraud and exploitation of migrant workers continues to evolve following technological developments and global migration dynamics.

Table 3. Indonesian Migrant Workers (PMI) Fraud Patterns

| Forms of Fraud | Features |
|-----------------------|-------------------------------------|
| Fake placement | Work doesn't live up to its promise |
| Illegal visa | Legal status of problematic workers |
| Fictitious contracts | Exploitation and labor violations |
| Wage cuts | Workers' economic losses |
| Passport confiscation | Restrictions on workers' freedoms |
| Scam online | Digital media-based fraud |

Findings of Institutional Failures in PMI Protection

This study found that weak institutional capacity is one of the main factors that causes the protection of Indonesian migrant workers to not be effective. Although BP2MI and local governments have the authority to protect migrant workers, supervision of the recruitment and placement of migrant workers is still weak, especially in migrant enclaves. Coordination between institutions such as BP2MI, local governments, police, immigration, and Indonesian diplomatic representatives has also not run optimally, so the handling of migrant worker cases is often slow and not integrated.

Protection for victims of migration fraud is still limited, especially in the aspects of legal assistance, rehabilitation, and economic recovery. In some of the cases analyzed, victims suffered significant economic losses due to the cost of placement and labor exploitation. However, they did not obtain adequate protection and recovery from the state. These findings show that Indonesia's migrant worker protection system is still reactive and has not been fully able to build an effective prevention system against migration fraud practices.

Findings of Socio-Legal Factors and Vulnerability of PMI

This study found that structural socio-economic factors greatly influence fraudulent practices against Indonesian migrant workers. Poverty, low levels of education, lack of legal literacy, and limited employment in the home area are the main factors that increase people's vulnerability to illegal recruitment and non-procedural placement. Most of the victims came from rural communities that viewed international migration as a key opportunity to improve the economic conditions of their families.

Female migrant workers are the most vulnerable group to exploitation and violence, especially in the informal domestic sector. In addition, social relationships within local communities are often exploited by informal sponsors or brokers to gain the trust of victims. From a socio-legal perspective, these findings show that the protection of migrant workers requires not only strengthening regulations, but also increasing legal literacy, empowering community economies, and strengthening social protection in areas of migration origin.

Comparative Findings of the PMI Protection System

This study found that some migrant sending countries in Southeast Asia have a more integrated migrant protection system than Indonesia, especially in terms of monitoring recruitment and protection of workers abroad. The Philippines, for example, has developed a labor placement supervision system through the Philippine Overseas Employment Administration (POEA) supported by employment contract verification mechanisms, recruitment agency supervision, and legal protection for migrant workers in a more centralized manner.

In addition, the study found that strengthening inter-agency coordination and digitization of migration services in several countries is an important factor in preventing illegal recruitment and non-procedural placements. These findings show that the main challenge for the protection of migrant workers in Indonesia lies not only in the availability of regulations, but also in the effectiveness of the implementation, supervision, and institutional integration of migrant worker protection systems.

Table 4. International Comparison

| Country | Strength | Disadvantages |
|----------------|--------------------------|---------------------------|
| Indonesia | Strong formal regulation | Weak implementation |
| Philippines | Mature protection system | High administrative costs |
| Vietnam | Reforms develop | Supervision is not even |
| Bangladesh | Large workforce | High fraud |

This study comprehensively examines the regulatory gaps that enable fraudulent practices against Indonesian migrant workers, the effectiveness of the implementation of migrant worker protection policies, the socio-legal factors that hinder the protection system, as well as the policy and institutional reforms required to strengthen legal protection, improve migration governance, and ensure more effective and sustainable protection for Indonesian migrant workers. The discussion of the findings is elaborated as follows.

Regulatory Gaps That Allow Fraud to Occur for Migrant Workers

The results of the study show that although Indonesia already has a relatively comprehensive legal framework through Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers, fraudulent practices against migrant workers still occur systematically. The findings of the study show that there is a significant gap between formal regulation and implementation in the field. This gap can be seen from the weak supervision of recruitment at the local level, especially in migrant enclave villages, so that illegal recruitment is still largely carried out by informal sponsors and brokers outside the official mechanism. In addition, the study found weaknesses in the administration and verification systems of migration documents that allowed for the falsification of work visas, manipulation of employment contracts, and the use of non-procedural channels. This condition is in line with research by Kurniati and Abdillah (2025), which shows that weak recruitment supervision and low coordination between agencies are the main factors that increase the vulnerability of migrant workers to exploitation and fraud. This finding is also supported by Karim (2017) and Soraya (2020), who stated that illegal recruitment and non-procedural placement are still the dominant patterns in cases of exploitation of migrant workers.

From a socio-legal perspective, this condition shows the difference between law in books and law in action as explained by Creutzfeldt, Mason, and McConnachie (2019), where the existence of formal regulations is not always followed by effective legal implementation in the field. Formal regulations have actually regulated the protection of migrant workers quite completely. However, their implementation still faces structural obstacles such as weak supervision, corrupt practices, abuse of authority, and low coordination between agencies. These findings are in line with the theory of migration governance put forward by Sibanda, Zindi, and Maramura (2020), which emphasizes that the effectiveness of migrant protection is not only determined by the existence of regulations, but also by the quality of governance, transparency, accountability, and effectiveness of supervision in its implementation. Thus, the

regulatory gap that allows fraudulent practices lies not in the absence of the rule of law, but in the weak implementation and supervision of labor migration governance.

Effectiveness of the Implementation of the PMI Protection Policy

This research shows that the implementation of the current PMI protection policy has not been running effectively. Although BP2MI already has a complaint mechanism and institutional protection, complaint data in 2024 show that there are still high cases of deportation, unpaid salaries, failure to leave, non-procedural placements, and job fraud. These findings indicate that formal protection systems have not been fully able to prevent exploitative and fraudulent practices against Indonesian migrant workers. This condition is in line with the research of Karim (2017), which explains that the weak implementation of migrant worker protection causes the practice of exploitation and illegal recruitment to continue even though protection regulations have been available. In addition, Kurniati and Abdillah (2025) emphasized that the low effectiveness of supervision and administrative protection is one of the main causes of the high number of cases of violations against migrant workers.

The ineffectiveness of policy implementation can also be seen from the weak coordination between institutions such as BP2MI, local governments, immigration, police, and Indonesian diplomatic representatives abroad. Handling of migrant worker cases is often slow and not integrated due to overlapping authorities and limited supervision at the local level. In addition, the mechanism for restitution, rehabilitation, and legal assistance for victims of migration fraud is still very limited. In some of the cases analyzed, law enforcement is more oriented towards punishing perpetrators rather than restoring victims' rights. This condition shows that the implementation of PMI protection is still reactive and has not fully prioritized a victim-oriented protection approach. These findings are in line with the view of Creutzfeldt, Mason, and McConnachie (2019), who stated that the effectiveness of legal protection is greatly influenced by access to justice and institutional capacity in ensuring the recovery of victims, not just the punishment of perpetrators.

From the perspective of labor migration governance, the implementation of migrant worker protection policies requires institutional integration, consistent supervision, and a transparent administrative system. The findings of the study show that weak institutional capacity and administrative oversight are the main factors that hinder the effectiveness of Indonesian migrant worker protection policies. This is in line with the theory of migration governance put forward by Herring (2012) and Sibanda, Zindi, and Maramura (2020), which emphasizes that effective migrant

protection relies heavily on inter-agency coordination, governance transparency, and continuous oversight in the implementation of labor migration policies.

Social-Legal Factors That Hinder the Protection of Indonesian Workers

This study found that the fraudulent practice of migrant workers is greatly influenced by socio-legal factors that are structural. Poverty, low levels of education, lack of legal literacy, and limited employment in the home area are the main factors that increase people's vulnerability to illegal recruitment and non-procedural placement. Most of the victims came from rural communities that saw international migration as a key opportunity to improve the economic conditions of families. These findings are in line with the research of Sibanda et al. (2020), which shows that economic pressure, limited employment opportunities, and low access to legal information are the main factors that encourage people to be vulnerable to labor migration exploitation. In addition, Karim (2017) explained that weak legal literacy and economic dependence of the community are often taken advantage of by informal sponsors and illegal recruiters in the recruitment process of migrant workers.

Research also shows that female migrant workers are the most vulnerable group to exploitation and violence, especially in the informal domestic sector. Gender inequality, weak bargaining positions, and family economic dependence increase the risk of rights violations against migrant women workers. In addition, social relationships within local communities are often exploited by informal sponsors and brokers to gain the trust of victims. This shows that fraudulent practices are not only thriving due to weaknesses in formal laws but are also influenced by the social and cultural conditions of society. These findings are in line with research by Lazarus et al. (2025), which showed that female migrant workers in the informal sector have a higher level of vulnerability to labor exploitation, violence, and trafficking due to weak social protection and low bargaining positions.

From a human security perspective, migrant workers face multidimensional threats that include economic, social, legal, and security aspects. Therefore, the protection of migrant workers cannot be done only through the strengthening of formal regulations, but also requires the empowerment of the community's economy, the improvement of legal literacy, the education of safe migration, and the strengthening of social protection at the local level. The socio-legal approach in this study shows that the effectiveness of legal protection is greatly influenced by the social conditions of the community and the capacity of the state to reach vulnerable groups. These findings are in line with the concept of human security put forward by Creutzfeldt et al. (2019), which affirm that migrant protection must be understood

multidimensionally by integrating legal protection, social security, and economic empowerment of vulnerable communities.

Policy and Institutional Reforms to Strengthen the Protection of Migrant Workers

Based on the findings of the study, Indonesia's migrant worker protection reform needs to be focused on strengthening policy implementation, recruitment supervision, and institutional integration. Supervision of the recruitment of migrant workers at the village level needs to be strengthened through a community-based monitoring system and increased coordination between local governments, BP2MI, and law enforcement officials. In addition, the digitization of document verification systems and employment contracts needs to be developed to prevent document forgery and non-procedural hiring. These findings are in line with research by Sibanda et al. (2020), which affirm that the quality of migration governance, administrative supervision, and integration of protection systems at the local and national levels greatly influences the effectiveness of migrant worker protection.

Research also shows the importance of institutional reforms in the governance of labour migration. Coordination between migrant worker protection agencies must be strengthened through a more integrated protection system that is responsive to the needs of victims. Strengthening legal aid, restitution mechanisms, social rehabilitation, and victim-based protection are important steps to ensure access to justice for migrant workers who experience fraud and exploitation. This finding is supported by Creutzfeldt et al. (2019), who explain that effective legal protection must prioritize an approach to access to justice and victim-oriented protection, so that victims not only obtain formal legal protection but also comprehensive social and economic recovery.

In addition, the government needs to strengthen bilateral cooperation and cross-border law enforcement to deal with illegal recruitment and human trafficking networks. The experience of countries like the Philippines shows that surveillance of recruitment agencies, digitization of migration services, and more active diplomatic protection can improve the effectiveness of migrant worker protection. These findings are in line with the research of Lazarus et al. (2025), which emphasizes the importance of international cooperation, digital surveillance, and integration of migrant protection in the face of the development of transnational and digital-based labor exploitation. Therefore, reform of migrant worker protection must be carried out in a multidimensional manner through strengthening regulations, institutional reforms, community empowerment, and strengthening international cooperation so that the protection of Indonesian migrant workers can run more effectively and sustainably.

CONCLUSION

This study concludes that the fraudulent practice of Indonesian migrant workers (PMI) is still going on systematically, even though Indonesia already has a relatively comprehensive legal framework through Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers. The findings of the study show that there is a gap between formal regulation and implementation in the field, especially in recruitment supervision, migration administration verification, and law enforcement against illegal recruitment and non-procedural placements. The dominant forms of fraud include illegal recruitment, document forgery, fake employment contracts, the use of non-procedural visas, and digital fraud through social media and online platforms. The study also found that weak institutional capacity, inter-institutional coordination, and socio-legal factors such as poverty, low education, and lack of legal literacy are the main factors that increase the vulnerability of migrant workers to exploitation and fraud. From a socio-legal perspective, this condition shows that there is a gap between law in books and law in action, where formal regulation has not been fully effective in the practice of protecting migrant workers. Therefore, it is necessary to reform the protection of migrant workers through strengthening recruitment supervision, institutional integration, digitizing the migration verification system, strengthening legal aid and victim restitution, increasing international cooperation, as well as community economic empowerment and legal literacy in migrant enclave areas, so that migrant worker protection can run more effectively and sustainably.

REFERENCES

- Agusmidah, A., Martono Anggusti, F. Shalihah, Rajali H. Aji, & Abdulrahman Sama-Alee. (2025). ASEAN's Migrant Rights Policy Dilemma and Deadlock on Migrant Worker Protection. *Journal of Human Rights, Culture and Legal System*, 5(3), 714–748. <https://doi.org/10.53955/jhcls.v5i3.581>
- Agusmidah, A., Wijayanti, A., Shalihah, F., Lumbangaol, D. A., & Reinaldo, V. (2022). The financial protection of Indonesian migrant workers and their economic consequences. *Economic Annals-XXI*, 196(3–4), 22–28. <https://doi.org/10.21003/ea.V196-02>
- Aldieri, L., Nese, A., & Vinci, C. P. (2025). The role of the migration-innovation nexus for population aging. *Eurasian Economic Review*, 15(4), 965–983. <https://doi.org/10.1007/s40822-024-00294-8>
- Al-Eshaq, N. A. M. H., Farag, M. S. A. El, & Kattan, I. A. (2025). Establishing a compensation fund for victims of cyber fraud: Toward a legal framework for Qatar. *Edelweiss Applied Science and Technology*, 9(5), 411–423. <https://doi.org/10.55214/25768484.v9i5.6884>

- Alowais, A. A., & Suliman, A. (2025). Debt Before Departure: The Role of Informal Credit in Trapping Migrant Workers. *Social Sciences*, 14(8), 465. <https://doi.org/10.3390/socsci14080465>
- Ardiansyah, I., Widyawati, A., Utari, I. S., & Fadhil, M. (2025). Taking Restitution Seriously? *IJCLS (Indonesian Journal of Criminal Law Studies)*, 10(1). <https://doi.org/10.15294/ijcls.v10i1.19636>
- Atak, I., & Crépeau, F. (2018). Legal status and vulnerabilities. In *Global Labour and the Migrant Premium* (pp. 10–17). Routledge. <https://doi.org/10.4324/9780429467387-2>
- Babbitt, L. G., Brown, D., Antolin, A., & Toosi, N. R. (2023). Improving migration experiences for workers: Recruitment practices along the Bangladesh–Qatar corridor. *World Development Perspectives*, 30, 100506. <https://doi.org/10.1016/j.wdp.2023.100506>
- Baechler, S. (2020). Document Fraud: Will Your Identity Be Secure in the Twenty-first Century? *European Journal on Criminal Policy and Research*, 26(3), 379–398. <https://doi.org/10.1007/s10610-020-09441-8>
- Baldwin, J., & Davis, G. (2005). Empirical Research in Law. In M. Tushnet & P. Cane (Eds.), *The Oxford Handbook of Legal Studies*. Oxford University Press. <https://doi.org/10.1093/oxfordhb/9780199248179.013.0039>
- Barnhart, M. (2023). Labor Trafficking: M. Barnhart. In *Selected Topics in Migration Studies* (pp. 131–135). Springer Nature Switzerland. https://doi.org/10.1007/978-3-031-19631-7_20
- Benson, R. (2026). Access Denied: Family Law Justice Under the Domestic Abuse Gateway. *Liverpool Law Review*. <https://doi.org/10.1007/s10991-026-09410-x>
- Beqiraj, J. (2018). Access to justice. In *Global Labour and the Migrant Premium* (pp. 69–75). Routledge. <https://doi.org/10.4324/9780429467387-9>
- Bouma, H., van Mil, J., ten Hove, J.-M., Pruijm, R., van Rooijen, A., Kern, A., Ballan, L., Kromhout, B., Wolbers, D., de Moel, H., Dolstra, N., Bomhof, G., & de Rooij, D. (2022). Combatting fraud on travel, identity, and breeder documents. In H. Bouma, R. J. Stokes, Y. Yitzhaky, & R. Prabhu (Eds.), *Counterterrorism, Crime Fighting, Forensics, and Surveillance Technologies VI* (p. 10). SPIE. <https://doi.org/10.1117/12.2637416>
- Budijanto, B., Wan Ahmad, W. I., & Astina, I. K. (2015). Level of Economic Prosperity, Social Status, and Comfortable Living of Migrant Workers in Tulungagung District, Indonesia. *Mediterranean Journal of Social Sciences*. <https://doi.org/10.5901/mjss.2015.v6n3s2p282>
- Chalayonnavin, A., Roongsangjun, T., & Chougule, M. (2025). Unveiling the dark web of chinese syndicates: Methods of trafficking laborers and their impact on victims' well-being. *Multidisciplinary Science Journal*, 8(3), 2026188. <https://doi.org/10.31893/multiscience.2026188>
- Chungu, C., & Kalula, E. (2021). Labor law, labor market regulation, and social protection in Sub-Saharan Africa: Emerging trends in comparative perspective. In

- The Routledge Handbook of African Law (pp. 347–360). Routledge. <https://doi.org/10.4324/9781351142366-23>
- Creutzfeldt, N., Mason, M., & McConnachie, K. (2019). Routledge Handbook of Socio-Legal Theory and Methods (N. Creutzfeldt, M. Mason, & K. McConnachie, Eds.). Routledge. <https://doi.org/10.4324/9780429952814>
- Culaj, G., Tota, E., & Sejdiu, G. (2024). Human security: a precondition for peace, dignity and development. *JANUS NET E-Journal of International Relations*, 15(2). <https://doi.org/10.26619/1647-7251.15.2.6>
- de Guchteneire, P., & Pécoud, A. (2009). Introduction: The UN Convention on Migrant Workers' Rights. In *Migration and Human Rights* (pp. 1–44). Cambridge University Press. <https://doi.org/10.1017/CBO9780511811272.001>
- Devkota, A. (2022). Understanding Irregularity in Legal Frameworks of National, Bilateral, Regional, and Global Migration Governance: The Nepal to Gulf Migration Corridor. In *The South Asia to Gulf Migration Governance Complex* (pp. 55–74). Bristol University Press. <https://doi.org/10.51952/9781529221510.ch003>
- Faraday, F. (2025). Recruitment. In *Elgar Concise Encyclopedia of Migration and Asylum Law* (pp. 434–439). Edward Elgar Publishing. <https://doi.org/10.4337/9781802204155.00080>
- Fletcher, D., & Trautrim, A. (2024). Recruitment Deception and the Organization of Labor for Exploitation: A Policy–Theory Synthesis. *Academy of Management Perspectives*, 38(1), 43–76. <https://doi.org/10.5465/amp.2022.0043>
- Gamlath, S. (2019). Survival or Building-up Strategy: A Case Study in Sri Lanka on the Link Between Initial Conditions for Labour Migration and the Benefits for Families and Community. *The International Journal of Community and Social Development*, 1(2), 145–168. <https://doi.org/10.1177/2516602619853411>
- García Jiménez, S., Ostau de Lafont de León, F. R., & Niño Chavarro, Á. (2024). La migración y sus implicaciones en el mundo laboral en Colombia. *Novum Jus*, 18(3), 281–306. <https://doi.org/10.14718/NovumJus.2024.18.3.11>
- Gauci, J.-P. (2023). Relationship Between Asylum and Trafficking: J. Gauci. In *Selected Topics in Migration Studies* (pp. 61–63). Springer Nature Switzerland. https://doi.org/10.1007/978-3-031-19631-7_10
- Gezie, L. D., Yalew, A. W., Gete, Y. K., & Samkange-Zeeb, F. (2021). Exploring factors that contribute to human trafficking in Ethiopia: a socio-ecological perspective. *Globalization and Health*, 17(1), 76. <https://doi.org/10.1186/s12992-021-00725-0>
- Ghimire, A. (2025). Beyond Remittances: The True Cost of Nepali Labor Migration. *Journal of Human Rights and Social Work*, 10(4), 756–767. <https://doi.org/10.1007/s41134-025-00409-4>
- Gabel, I. (2014). Remittances, political economy of. In *The Encyclopedia of Global Human Migration*. Wiley. <https://doi.org/10.1002/9781444351071.wbeghm901>
- Hellgren, Z., & Serrano, I. (2017). Transnationalism and Financial Crisis: The Hampered Migration Projects of Female Domestic Workers in Spain. *Social*

- Sciences, 6(1), 8. <https://doi.org/10.3390/socsci6010008>
- Hennebry, J. (2014). Falling through the cracks? Migrant workers and the Global Social Protection Floor. *Global Social Policy*, 14(3), 369–388. <https://doi.org/10.1177/1468018114544765>
- Herring, R. J. (2012). Incentives to Improve the Corporate Governance of Risk in Financial Institutions. In the *Research Handbook on International Banking and Governance*. Edward Elgar Publishing. <https://doi.org/10.4337/9781849806107.00027>
- Ibrushi, D., Palacios Diaz, M., & Wang, S. (2026). Financial literacy and fraud vulnerability in digital finance: Evidence from the 2024 NFCS. *Finance Research Letters*, 94, 109674. <https://doi.org/10.1016/j.frl.2026.109674>
- Ingleby, R., & Johnstone, R. (2020). Invocation and enforcement of legal rules. In *Thinking About Law* (pp. 157–173). Routledge. <https://doi.org/10.4324/9781003118251-10>
- Iron Sarira. (2023). Kewenangan Formil & Materiil Dalam Pengawasan Dan Perlindungan Pekerja Migran Indonesia Di Malaysia Sebagai Lex Posterior Terhadap Peran Pemerintah Dan Lembaga Independen. *Mimbar Hukum*, 35, 80–103. <https://doi.org/10.22146/mh.v35i0.11397>
- Izzati, N. (2019). New Direction of Indonesian Migrant Workers Protection through the Law Number 18 of 2017 and its Implementation Challenges. *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)*, 06(01), 190–210. <https://doi.org/10.22304/pjih.v6n1.a10>
- Kadir Jaelani, A., Anila Robbani, Doniyorbek Baxtiyor Ugli Imomniyozov, Wan Mohd Khairul Firdaus Wan Khairuldin, & Abdul Hanis Embong. (2025). Vulnerability and Legal Protection of Indonesian Women Migrant Workers. *Al-Ahwal: Jurnal Hukum Keluarga Islam*, 18(2), 197–228. <https://doi.org/10.14421/ahwal.2025.18203>
- Karim, M. F. (2017). Institutional Dynamics of Regulatory Actors in the Recruitment of Migrant Workers. *Asian Journal of Social Science*, 45(4–5), 440–464. <https://doi.org/10.1163/15685314-04504004>
- Kawar, L. (2025). International Labour Organization. In *Elgar Concise Encyclopedia of Migration and Asylum Law* (pp. 245–249). Edward Elgar Publishing. <https://doi.org/10.4337/9781802204155.00048>
- Keleş, R. (2022). The effects of external migration on regional development in Turkey. In *Uneven Development in Southern Europe* (pp. 54–75). Routledge. <https://doi.org/10.4324/9781003290766-2>
- Khairazi, R. (2021). Strengthening Regulations In Protecting Indonesian Migrant Workers Before Departing to the Destination Country. *Udayana Journal of Law and Culture*, 5(1), 41. <https://doi.org/10.24843/UJLC.2021.v05.i01.p03>
- Koc, Ş., Mercan, B., & Egamberdiyev, F. (2024). Remittances, Consumption, and Economic Growth in Central Asian Countries. *Region: Regional Studies of Russia, Eastern Europe, and Central Asia*, 13(2), 199–220. <https://doi.org/10.1353/reg.2024.a965937>

- Kurniati, Y., & Abdillah, A. (2025). Comparative Labor Law Studies in Indonesia and Malaysia: Social–Economic Inequality and Governance of Migrant Workers. *Laws*, 14(6), 79. <https://doi.org/10.3390/laws14060079>
- Lazarus, S., Chiang, M., & Button, M. (2025). Assessing Human Trafficking and Cybercrime Intersections Through Survivor Narratives. *Deviant Behavior*, 1–18. <https://doi.org/10.1080/01639625.2025.2470402>
- Lyu, S., Zhu, Q., Hu, X., Zhu, Z., & Skitmore, M. (2025). Migrant Workers in the Construction Industry: A Bibliometric and Qualitative Content Analysis. *Buildings*, 15(5), 761. <https://doi.org/10.3390/buildings15050761>
- Macaluso, M. (2024). Economic Approaches to Migration and Inequality. In *Global Handbook of Inequality* (pp. 1057–1082). Springer Nature Switzerland. https://doi.org/10.1007/978-3-031-32152-8_19
- Mainuddin, R. G. (2021). Bangladesh's Healthcare Corruption And Workforce Vulnerability Amid the COVID-19 Pandemic. *Analele Universității Din București – Științe Politice*, 23(2), 225–243. <https://doi.org/10.54885/TXMS6637>
- Malakhov, V. S. (2019). Global Migration Governance: Theory, Institutions, Politics. *World Economy And International Relations*, 63(10), 89–96. <https://doi.org/10.20542/0131-2227-2019-63-10-89-96>
- Mamyrbaeva, Z., Suranbaev, K., Aitkaliyev, A., & Rysaliev, M. (2025). Generally Recognized Rules and Principles of International Law Governing Criminal Proceedings. *International Annals of Criminology*, 63(4), 731–753. <https://doi.org/10.1017/cri.2025.10106>
- Marpi, Y. (2021). Legal Protection Of Migrant Workers Against Threats Of Abuse Discrimination In A Diplomatic Relationship Perspective Between Countries. *Lampung Journal of International Law*, 3(2), 111–120. <https://doi.org/10.25041/lajil.v3i2.2366>
- Mills, E. (2023). Green Remittances: A novel form of sustainability finance. *Energy Policy*, 176, 113501. <https://doi.org/10.1016/j.enpol.2023.113501>
- Nahar, F. H. (2025). Remittances and poverty in ASEAN. *Cogent Economics & Finance*, 13(1). <https://doi.org/10.1080/23322039.2025.2468882>
- Patil, K., Shetty, A., Rajagopal, A., & Sonawani, S. (2025). A Hybrid Approach to Fake Job Detection Using NLP and Machine Learning. 2025 IEEE 5th International Conference on ICT in Business Industry & Government (ICTBIG), 1–6. <https://doi.org/10.1109/ICTBIG68706.2025.11323989>
- Pijnenburg, A. (2025). Social Rights. In *Elgar Concise Encyclopedia of Migration and Asylum Law* (pp. 546–550). Edward Elgar Publishing. <https://doi.org/10.4337/9781802204155.00100>
- Rahman, M. M. (2011). Emigration and the Family Economy: Bangladeshi Labor Migration to Saudi Arabia. *Asian and Pacific Migration Journal*, 20(3–4), 389–411. <https://doi.org/10.1177/011719681102000307>
- Ross, G. (2019, November 11). Turning Challenge into Opportunity - Enhancing Worker Labour Rights Through Supply Chain Collaboration. Abu Dhabi

- International Petroleum Exhibition & Conference. <https://doi.org/10.2118/197835-MS>
- Saito, K., & Budiarto, F. (2025). Promoting Safe and Skilled Labour Migration: Implementation and Challenges in Indonesia's Labour Migration Policies. *International Migration*, 63(5). <https://doi.org/10.1111/imig.70091>
- Sami Najm Abed Al-Nuaimi, Imad Obaid Jasim, Khaled Obeid Jazi, Zahraa Mahdi Dahsh, & Hasan Ali Abbas. (2025). Law, governance, and social-psychological pathways for bridging conflicts between environmental protection and resource exploitation. *Environment and Social Psychology*, 10(9). <https://doi.org/10.59429/esp.v10i9.3976>
- Sato, Y., & Scudder, D. (2017). The UN Global Compact as a catalyst for human security. In *New Perspectives on Human Security* (pp. 124–138). Routledge. <https://doi.org/10.4324/9781351278805-8>
- Sharma, P. (2025). Preventing Trafficking of Migrant Workers for Forced Labour: Evaluating Legal Measures on Migration, Recruitment, and Workplace Conditions in Malaysia (pp. 53–68). https://doi.org/10.1007/978-981-95-1466-3_5
- Sibanda, M. M., Zindi, B., & Maramura, T. C. (2020). Control and accountability in supply chain management: Evidence from a South African metropolitan municipality. *Cogent Business & Management*, 7(1), 1785105. <https://doi.org/10.1080/23311975.2020.1785105>
- Soraya, Y. (2020). The Heterogeneity of State and State Governance: Case of Indonesian Irregular Migrants in the Netherlands. *Indonesian Journal of International Law*, 17(3). <https://doi.org/10.17304/ijil.vol17.3.793>
- Suryaningsih, N., S. A., F., M., & Sugandi, Y. S. (2023). Employment Opportunities and Social Networks of Indonesian Women Migrant Workers at the Border. *Journal of Law and Sustainable Development*, 11(2), e403. <https://doi.org/10.55908/sdgs.v11i2.403>
- Suyanto, B., Sugihartati, R., Sutinah, & Hidayat, M. (2020). Bargaining the Future: A Descriptive Study of the Lives of the Indonesian Illegal Migrant Workers. *Journal of International Migration and Integration*, 21(1), 185–204. <https://doi.org/10.1007/s12134-019-00710-y>
- Szulecka, M. (2025). Undocumented migrants. In *Cross-border Victims in Europe* (pp. 307–327). Routledge. <https://doi.org/10.4324/9781003398059-19>
- Tambunan, T. T. H. (2017). Economic Growth, Labor Market Segmentation, and Labor Productivity (pp. 345–370). <https://doi.org/10.4018/978-1-5225-2008-5.ch019>
- Tomlins, C. (2016). Debt, Death and Redemption: Towards a Soterial-Legal History of the Turner Rebellion. In *Exploring the 'Legal' in Socio-Legal Studies* (pp. 35–56). Palgrave Macmillan UK. https://doi.org/10.1007/978-1-137-34437-3_2
- Trykhlid, K. (2024). The implementation of the rule-of-law principle in post-Soviet states: myth or reality. In *Constitutional Traditions and Constitutional Transitions* (pp. 133–159). Edward Elgar Publishing. <https://doi.org/10.4337/9781035345410.00014>

- Tuliakov, V. (2025). Transnational Criminal Law, Sovereignty and International Justice: Harmonization Challenges and Policy Evolution. *International Annals of Criminology*, 63(2), 383–405. <https://doi.org/10.1017/cri.2025.10076>
- Ullah, A. (2025). Human trafficking in Bangladesh: the interplay of deception, socio-economic vulnerabilities, and structural challenges. *Global Crime*, 26(3–4), 237–258. <https://doi.org/10.1080/17440572.2025.2538080>
- Utami, T. K. (2024). Regulation of legal sanctions against perpetrators of non-procedural placement of Indonesian migrant workers: a human trafficking perspective. *Cogent Social Sciences*, 10(1). <https://doi.org/10.1080/23311886.2024.2421347>
- Vickstrom, E. R. (2019). Legal Status, Gender, and Economic Incorporation of Senegalese Migrants in France, Italy, and Spain (pp. 115–156). https://doi.org/10.1007/978-3-030-12088-7_4
- Vidros, S., Kalias, C., & Kambourakis, G. (2016). Online recruitment services: another playground for fraudsters. *Computer Fraud & Security*, 2016(3), 8–13. [https://doi.org/10.1016/S1361-3723\(16\)30025-2](https://doi.org/10.1016/S1361-3723(16)30025-2)
- Wangchuk, D., Dhammasaccakarn, W., Jamtsho, Y., & Dorji, K. (2014). A Review on the Trends and Ethical Issues of Labour Migration from Asia and the Pacific. *Asian Social Science*, 10(21). <https://doi.org/10.5539/ass.v10n21p186>
- Widyastuti, L. (2018). Integrative Model in Mitigating the Impact of International Labor Migration on Family Left Behind: Case Study in Indramayu District, Indonesia (pp. 209–217). https://doi.org/10.1007/978-3-319-63561-3_13
- Widyawati, A., Pujiyono, P., Rochaeti, N., Maskur, M. A., & Latifiani, D. (2022). Development of online system applications as an effort to handle cases of violence and human trafficking. 040001. <https://doi.org/10.1063/5.0104098>
- Yaroshenko, O. M., Nataliia O. Melnychuk, I. P. Zhygalkin, Nataliia M. Shvets, & Zholudieva, V. I. (2025). Ukrainian Labour Migration to Europe During the War: A Review of Current Realities. *PORTAL Journal of Multidisciplinary International Studies*, 20(1–2). <https://doi.org/10.5130/pjmis.v20i1-2.8641>
- Zhuravel, V. O., Karpushova, O. V., Bielousov, V. D., Platonova, H., & Dyachenko, O. A. (2023). Social Security of Migrant Workers from Ukraine in EU Member States. *BESTUUR*, 11(2), 333. <https://doi.org/10.20961/bestuur.v11i2.78777>