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# Capacity Development: Making Village Regulations Concerning the Protection of Migrant Workers in Arjowilangun Village, Kalipare District, Malang Regency

# Capacity Development: Pembuatan Peraturan Desa Tentang Perlindungan Pekerja Migran di Desa Arjowilangun, Kecamatan Kalipare, Kabupaten Malang

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### Abstract

Arjowilangun Village is situated in the Kalipare District of the Malang Regency and is a significant contributor of migrant workers. In reality, many workers who go abroad cause many problems, including failed departures, illness while working abroad, layoffs before the end of contracts, deceptive contracts, deportation, visa overstaying, nonpayment, and victimization by crime. In this, there is a growing need to protect the villagers of Arjowilangun through regulatory and other legal means. In numerous unfortunate occurrences, the capacity of many human resources has been insufficient to comply with village regulations. Our Universitas Airlangga Team of Community Service has conducted training and mentoring to enhance the organizational capacity for addressing the community's needs. Mainly, the UNDP's Capacity Development frameworks guided our community service, including engaging stakeholders on capacity development, assessing capacity assets and requirements, developing a capacity development response, putting that response into action, and evaluating capacity development. Our service was attended by 37 individuals, including village officials, members of the village representative body, former migrant workers, migrant workers' families, and community leaders. The community service reveals substantial knowledge gained from the capacitybuilding efforts, allowing village leaders in Arjowilangung and other diverse parties to draft local regulations to protect migrant workers. The service and dedication of those involved in mentoring and training programs significantly impact this, with the support and additional motivation of the village apparatus ensuring that migrant workers receive the best possible services and safety.

Keywords: capacity development, village regulation, migrant workers, protection

### **Abstrak**

Desa Arjowilangun, Kecamatan Kalipare, Kabupaten Malang merupakan salah satu desa penyumbang pekerja migran dalam jumlah yang cukup besar. Banyaknya tenaga kerja yang bekerja ke luar negeri tenyata juga menimbulkan berbagai masalah seperti gagal berangka ke luar negeri, sakit, PHK sebelum kontrak berakhir, pekerjaan tidak sesuai perjanjian, deportasi, overstay, gaji tidak dibayarkan hingga menjadi korban kriminal. Untuk memberikan perlindungan kepada pekerja migrannya, Desa Arjowilangun memerlukan payung hukum berupa Peraturan Desa. Sayangnya, kapasitas para aparat masih belum mampu membuat Peraturan Desa tersebut. Untuk itu, telah dilaksanakan pelatihan dan pendampingan yang dilakukan oleh tim Pengabdian Masyarakat Universitas Airlangga sebagai upaya pengembangan kapasitas. Untuk menggambarkan pelaksanaan pengembangan kapasitas digunakan kerangka Capacity Development dari UNDP melalui engage stakeholders on capacity development, assess capacity assets and needs, formulate a capacity development response, implement a capacity development response, dan evaluate capacity development. Penelitian ini merupakan action research, dengan informan sebanyak 37 orang perwakilan dari aparat desa, Badan Perwakilan Desa, mantan tenaga migran, keluarga tenaga migrant, dan tokoh masyarakat. Hasil penelitian menunjukkan bahwa pengembangan kapasitas yang telah dilakukan terbukti sangat efektif dalam meningkatan knowledge. Aparat Desa Arjowilangung beserta stakeholders terkait mampu membuat Rancangan Peraturan Desa tentang Perlindungan Pekerja Migran. Hal ini sangat dipengaruhi oleh komitmen yang tinggi dari seluruh peserta pelatihan dan pendampingan. Selain itu, hal ini dipengaruhi adanya support penuh dari kepala desa dan semangat aparat desa untuk memberikan pelayanan dan perlindungan optimal bagi Pekerja Migran.

**Kata kunci**: pengembangan kapasitas, peraturan desa, pekerja migran, perlindungan.

### Introduction

The increasing number of Indonesian workers working abroad is one of the impacts of the lack of employment opportunities in the country. Therefore, becoming a worker abroad is one of the solutions some citizens take to meet their family's living needs. The reason migrant workers move to work overseas is that their income is higher than at home, which is then sent to households in their hometowns, which are known as remittances. In general, remittances made by migrant workers can have an impact on social life—abandoned household economy (Wahyuni & Sihaloho, 2022). The country also benefits from Indonesian workers abroad, who have become the second largest foreign exchange contributor after the oil and gas (oil and gas) sector. Around 450,000 Indonesian citizens (WNI) go abroad as workers every year. Approximately four million Indonesian citizens work as Indonesian workers abroad, 70 per cent of whom are women, and most work in

the domestic sector. Of this number, it is estimated that 60 per cent were sent through illegal procedures (Constitutional Court Decision Number 20/PUU-XVIII/2020 2020).

Indonesia is one of the countries that sends many Indonesian Migrant Workers (PMI) every year. However, it does not rule out the possibility that various problems may still be encountered in sending, placing, and providing protection for PMI. According to the National Agency for the Placement and Protection of Indonesian Migrant Workers (BMP2PMI), many PMI abroad do not have official documents, but they are still determined to continue working abroad, so much has been heard and the media has reported that many PMI have been arrested and then returned to their respective countries. respectively (Yasmine, 2019). It's even worse if there is trafficking involving migrant workers. According to the United Nations Office on Drugs and Crime (UNODOC), an organization under the UN that focuses on issues of illegal drug trafficking and use, crime prevention and criminal justice, international terrorism, and political corruption, around 49% of victims of human trafficking are women, 21% were girls, 18% were boys, and 12% were boys. Women are the most victims of criminal acts of human trafficking through the sending of migrant workers (Yusitarani, 2020).

Arjowilangun Village is in Kalipare District, Malang Regency, East Java Province. Even though access to the location is quite far from urban areas, Arjowilangun Village is independent. Arjowilangun Village is the most significant contributor of migrant workers in Kalipare District. In 2020, 462 people or 15% of the workforce worked in Hong Kong, South Korea, Saudi Arabia, Brunei Darussalam, Taiwan, and Singapore. The large number of workers working abroad also creates various problems. Based on data from the Arjowilangun Village Government, it was identified that issues related to migrant workers in Arjowilangun Village included failure to leave the country, illness, layoffs before the work contract ended, work not following the work agreement, deportation, overstaying, unpaid salaries and becoming victims of crime. Some of PMI's problems were also published in online news https://bp2mi.go.id/berita-detail/upt-bp2mi-medanmemfacilitation-pemulangan-pmi-deportasi-malaysia and https://kumparan.com/tugumalang-admin/lapsus-village-tki-1-majority-of-women-whowent-home-leaving-name-1549610214946329573/full. This is also reinforced by the following explanation given by one of the Arjowilangun Village officials:

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'The problem is usually there are people who leave via illegal PJTKI, or are just invited by their friends. Then, they don't have special skills to work abroad, so their job doesn't match their qualifications. Many also have problems with their employers. Then, some people go abroad who are not recorded by the village. So data collection is still incomplete.' (Suyono, Head of Planning).

All problems related to PMI in Arjowilangun Village should be minimized or even prevented through the protection provided by the village government. Villages have a strategic role in protecting Indonesian Migrant Workers (BMI) because villages are the first exit point for village residents before they leave abroad (Sudaryana, 2020). For this reason, it is necessary to have village regulations as a legal umbrella used to protect PMIs. Unfortunately, the Arjowilangun Village Government does not yet have a Village Regulation. The results of the initial interview with the Village Head revealed that the Village wanted to have a Village Regulation to protect PMI. Still, they did not yet understand how to make good and correct village regulations. The following is the statement from the Head of Arjowilangun Village:

'Actually, we need this village regulation to become a legal umbrella for the protection of migrant workers in Arjowilangun Village. But we don't understand the technicalities of how to make a village regulation, the content, and how to ratify it.'

Based on this problem, the Arjowilangun Village Government collaborated with Airlanga University to provide training and assistance to the Arjowilangun Village Government to increase its capacity to make village regulations. Capacity development was provided to Arjowilangun Village Officials, Village Representative Body, former PMI, PMI Family, and community leaders. As a result of this training and mentoring activity, Arjowilangun Village Government Officials have succeeded in creating a Draft Village Regulation regarding the Protection of Migrant Workers in Arjowilangun Village.

One of the village government policies to develop the capacity of the village government is to hold training so that they are capable and professional in carrying out their duties, functions and roles in realizing the principles of good governance (Fajarwati, 2019). It is believed that developing village potential optimally can be a solution in solving village community problems. Therefore, village government capacity is urgently needed to be able to design a more comprehensive and participatory village development

policy and program to answer the various needs and problems of village communities (Dhue & Tokan, 2021).

This research aims to see how the capacity development process has been carried out so that village officials can draft Village Regulations in an effort to protect migrant workers.

### Research methods

This research is Action Research. Cresswell (2014) states that "action research has an applied focus. Like mixed methods research, action research uses data collection based on either quantitative or qualitative methods. Thus, action research design is a systematic procedure carried out by researchers to gather information about, and subsequently improve". Action research is applied research that focuses on specific actions. Action research is like combination research, which uses quantitative, qualitative data collection techniques or a combination of both. So action research is a systematic procedure carried out by researchers to obtain information about actions and the consequences of these actions in order to improve organizational performance. This study used descriptive qualitative method. The informants in this research were 37 people, consisting of 9 Arjowilangun Village officials, 5 Village Representative Body (BPD), 10 former migrant workers, 8 migrant worker families, 5 community leaders. Data collection was carried out in three ways, namely interviews, secondary data and field observations. Data analysis uses an interactive circle according to Miles, Huberman, and Saldana (2014) through data reduction, data presentation, drawing conclusions, and verification.

### **Data findings and Discussion**

Adequate official capacity greatly determines the success of the village in making improvements in the areas of governance, development, community development and community empowerment (Aminah & Sutanto, 2018). The condition of village government officials requires capacity development so that the performance of village government officials in managing village potential and implementing administrative orders can be carried out well. Thus, with good apparatus capacity it will have a positive impact on government administration in the village area (Sari et al., 2022). The United

Nations Development Program (UNDP) defines capacity development as 'the process by which individuals, organizations and communities acquire, strengthen and maintain the capacity to set and achieve their own development goals over time'. Capacity development is not a one-time intervention, but an iterative process of design-application-learning adjustments. Training, mentoring and strengthening the capacity of village managerial and administrative staff must be carried out continuously, systematically and directed (Zuliansyah et al, 2020). UNDP defines this in a process cycle that focuses on capacity development at the institutional level and offers a 5-step process for systematic capacity development, namely Engage Stakeholders on capacity development, Assess capacity assets and needs, Formulate a capacity development response, Implement a capacity development response, and Evaluate capacity development. The capacity development that has been carried out for Arjowilangun Village Officials can be explained as follows:

### **Engage Stakeholders on Capacity Development**

An effective capacity building process must encourage the participation of all parties involved. If stakeholders are involved and have a variety of ownership in the development process, they will feel more responsible for the results and sustainability of development. Involving stakeholders directly affected by the situation allows for more effective decision making and making development work more transparent. UNDP and its partners use advocacy and policy advisory to better engage stakeholders. This process is an effort to involve stakeholders in the capacity development process.

This research found that the Arjowilangun Village Government and its elements actively participated in decision-making regarding capacity development needs. Starting from discussions with a small team involving the Village Head and his officials, as well as representatives of the BPD, we got the idea that they needed training and assistance to make village regulations. Apart from that, they are also very committed to carrying out training and mentoring activities. This is following the following statements from several informants:

"We really want to have a Village Regulation. Yes, so that migrant workers can get protection. But yes, I don't know the steps in the process. If you are given training or something like that, we will gladly welcome it. We can

also prepare the facilities needed during the training later."(Kuswianto, Head of Arjowilangun Village)

"We as the Village Representative Body are highly committed to improving the welfare and protection of migrant workers and their families in Arjowilangun Village. Seeing the existing condition of society where there are still many rights of family members of migrant workers that have not been fulfilled because there is no legal umbrella that protects the fulfillment of these rights, the creation of this village regulation is a very good first stepping stone for Arjowilangun Village. We also as BPD invite all elements in Arjowilangun Village to participate in the process of making this village regulation, because this regulation is once again a legal umbrella that can protect them. So, we still don't know about the stages. Where to start, what are the steps or steps? If there is training, of course we will support it and take it seriously." (Siti Choerul, BPD Representative)

"Arjowilangun Village does need a Village Regulation to protect Migrant Workers. But frankly we don't know what to prepare yet. How to start, of course there is a theory and methods according to the rules. If we are given assistance and training, all officers will definitely be very enthusiastic about following it seriously." (Wawan, Village Head)

"The majority of us are migrant workers, and in the process there are many challenges and obstacles that bother us and threaten our condition both physically and psychologically. "So, I hope this village regulation will be able to provide a clear legal umbrella for us migrant workers." (Suyadi, former Migrant Worker from Macau).

From the results of the meeting, it was clear that there was a firm commitment conveyed by the Village Head, officials and BPD to make Village Regulations. The following are discussion activities in the effort to Engage Stakeholders on capacity development:

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Figure 1.Arjowilangun Village BPD when explaining its commitment to protecting Migrant Workers

Source: researcher documentation, 2022

The commitment of the stakeholders who will be involved in the capacity development process is the first thing that must be done. With high commitment, the direction of capacity development can be directed and there is clarity.

### **Assess Capacity Assets and Needs**

Assessing pre-existing capacity through stakeholder engagement makes it possible to see what areas require additional training, what areas should be prioritized, and in what ways capacity development can be incorporated. UNDP believes that capacity development that is not rooted in comprehensive study and assessment of pre-existing conditions will be limited to training alone, which will not facilitate sustainable results.

The research results show that the Arjowilangun Village Government has assets in the form of complete Human Resources. Village officials, BPD and community leaders who in the first stage of 'engage stakeholders on capacity development' have actively participated, have succeeded in identifying other very important human resources, namely former migrant workers and families of migrant workers. Assets in the form of village infrastructure, namely a spacious village hall, complete with LCD equipment, microphones, meeting tables and chairs will also facilitate the implementation of the capacity development process. Apart from that, the Arjowilangun Village Government

also has a village budget for developing the capacity of officials. This was conveyed by the Village Head and the following BPD representatives:

"To carry out training, the village has extensive facilities. Everything is there, starting from chairs, LCD, loudspeakers, sound, and others." Funding can be taken from village funds, postal services to increase the capacity of officials" (Kuswianto, Head of Arjowilangun Village)

"Arjowilangun has many former migrant workers. So their experience while working abroad can be used as a reference to create the main points in village regulations. There are also many migrant worker families here. Of course you can also ask for input. Experience accompanying children, husbands, older siblings, cousins and others can reveal their needs" (Suwoto, BPD representative)

The results of this research also found that the Arjowilangun Village Government really needs training and assistance in making village regulations. This was expressed clearly by the following BPD representatives and former migrant workers:

"We as the Village Representative Body really need knowledge regarding the making of Village Regulations. "In the future, of course there will be many community or development problems or whatever that need to be handled with village regulations" (Suwoto, BPD representative)

"We feel that as migrant workers we need to get legal protection in this village. This is a fortress that can be given to the family I left behind to work abroad." (Yudik, former Migrant Worker from South Korea)

"As a migrant worker, I feel this village regulation is very important for me and my family. "I hope that this village regulation will be able to protect us as workers as well as the families left behind." (Sukatri, former migrant worker from Hong Kong)

From the input from the informants, it is clear that the Arjowilangun Village Government has assets in the form of human resources and infrastructure that can be used as capital for carrying out capacity development activities. Apart from that, it was clearly revealed that they needed a Village Regulation which could be used as a legal umbrella to provide protection to migrant workers. Below, there is documentation of activities to assess capacity assets and needs:



Figure 2.Conveying Mr Yudik's aspirations as a former migrant worker Source: researcher documentation, 2022

### **Formulate a Capacity Development**

The capacity development formulation is based on four core issues, namely institutional arrangements, leadership, knowledge, and accountability. This research identified that the capacity development required by the Arjowilangun Village Government and its elements is development of knowledge. Meanwhile, the issues of institutional arrangements, leadership and accountability are quite good, as explained by the following informant:

"Institutionally, we are adequate, with all village officials' positions complete. Structurally, there is the highest position of Village Head who is assisted by the Village Secretary, Head of Administrative Affairs, Head of Financial Affairs, Head of Planning Affairs, Head of Government Section, Head of Welfare Section, Head of Services Section, and also assisted by five Hamlet Heads. With this complete system, all duties and responsibilities can be managed and accounted for. The leadership is structurally clear. It's clear who is responsible to whom, who supervises whom, coordinates with whom, everything is clear."(Purnadi, Village Secretary).

"That's it, we need to know how to provide training and assistance that we can receive. "So after completion there will be an increase in knowledge, especially how to make a village regulation" (Joko Putoyo, BPD representative)

Village government capacity is an important parameter for achieving village government performance. In other words, achieving good village government performance will only be realized if it receives support from adequate individuals, organizations and systems. Weak village capacity and performance results in the need for education and training in the form of mentoring, network utilization and continuous learning (Manalu et al, 2018).

## **Implement a Capacity Development**

Implementing a capacity development program involves the inclusion of multiple systems; national, local, institutional. This involves constant reassessment and expecting changes depending on changing situations. It includes evaluative indicators to measure the effectiveness of initiated programs.

This research succeeded in describing how capacity development in the form of training and mentoring was carried out. In general, this activity is divided into three sessions, namely the first opening which begins with a speech from the Village Head as a form of commitment and support for this activity. Second, presentation of material related to the Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 29 of 2006 concerning Guidelines for the Formation and Mechanisms for Preparing Village Regulations. Third, discussions related to identifying various problems related to migrant workers, followed by proposed solutions. Fourth, the practice of drafting Village Regulations regarding the Protection of Migrant Workers.

The implementation of the training was attended by all elements related to Migrant Workers, namely Arjowilangun Village officials, Village Representative Body, Former Migrant Workers, families of migrant workers, and community leaders. At the end of the training, participants already understand the stages that must be followed to create Village Regulations. This was conveyed by the following informants:

"We are very enthusiastic about taking part in this training. As a former migrant worker, I can finally tell about my experiences while working abroad. All the problems have been recorded, all listed." (Heri, former Migrant Worker)

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"The training participants who came were complete. All representations are met. "Starting from officials, BPD, former migrants, community leaders, even the families of migrant workers were also brought in." (Suyadi, Migrant Worker family)

"Thank God, I finally understand what to do. Can identify that in making a village regulation, all relevant stakeholders must be involved. We also understand the stages that must be passed to identify problems and solutions." (Suwoto, BPD representative).

The following are several activities related to Implementing a Capacity Development:



Figure 3. Presentation of the Minister of Home Affairs Regulation Number 29 of 2006

# Masukan untuk Rancangan Perdes PMI asal Desa Arjowilangun| - (Yak Murileon) Permisahhan di ranti migrar → bunyak experience yang disasian. - deri beharangkaran (Xen stan migrar → bunyak experience yang disasian. - Problem belaurangkaran (Xen stan yang disasian, and the standard of the standard of the stangard of

Figure 4. Minutes of input for the draft Village Regulation

### **Evaluate Capacity Development**

Evaluation measurements are based on changes to the four main issues that existed in the previous Formulate a Capacity Development stage, namely institutional arrangements, leadership, knowledge, and accountability. The results of the research found data that after participating in training and mentoring there was an increase in participant capacity. The officials have been able to implement the steps for making Village Regulations according to the references contained in the Minister of Home Affairs Regulation. Likewise, members of the Village Representative Body also understand how to make Village Regulations starting from the principles of formation, material substance, and mechanisms for making Village Regulations. Besides that. Former migrant workers, families of migrant workers and community leaders have also been able to identify various problems related to migrant workers both before they leave the country, while working abroad, and when they return from abroad.

The results of the evaluation carried out also found the fact that there had been an increase in the capacity of village officials and all elements related to making Village Regulations. At the end of the training, Arjowilangun Village Officials and the Village Representative Body, supported by former Migrant Workers, families of Migrant Workers, and community leaders have succeeded in drafting a Draft Village Regulation which includes protection for Migrant Workers. Thus, the aim of capacity development has been successful in increasing the knowledge of village officials and all related stakeholders. The general aim of capacity development is so that individuals, organizations and existing systems can be used effectively and efficiently to achieve individual and organizational goals. (Lumempouw et al, 2021). Social changes that occur in village communities also need to be balanced with developing the capacity of the Village Government, so that the desire to maintain a relatively balanced bargaining position with parties outside the village can continue to be maintained (Sadu in Lumempouw et al., 2021). The following informants conveyed this increase in knowledge:

'Now we know what elements must be in village regulations to protect migrant workers. "The manufacturing stage must also involve relevant stakeholders, especially migrant workers who have experienced the JGAR. Volume 4 No. 2, December 2023 / Capacity Development: Making Village Regulations Concerning the Protection of Migrant Workers

hardships and hardships of working abroad." (Mudiyono, former Migrant Worker and Community Figure)

'From this training and assistance, Alhamdulillah, Arjowilangun Village now has a draft village regulation that was made by itself together with all related elements. Village officials, BPD, former migrant workers, and their families were all involved in determining the articles in the draft village regulations. Even more important is the involvement of community leaders. (Samuji, village official)

There are many benefits from this training. Moreover, they are directly accompanied to practice making village regulations. All those present, representing the village government, community leaders, former migrant workers and BPD finally understood and were able to practice making village regulations according to the regulations of the Minister of Home Affairs' (Suyadi, Migrant Worker family)

Increasing the capacity of village officials and all related elements will certainly provide a breath of fresh air in providing protection for Migrant Workers, so that various problems that occur with Migrant Workers can be resolved. The Village Government has a well-planned strategy for finding solutions to migrant worker problems. Capacity development plays an essential role in helping an organization change itself through a highly planned approach and predicting issues that can be overcome through the solutions provided. Apart from that, there is a positive influence on human resource development, organizational strengthening and institutional renewal (Arafah, 2018).

### Conclusion

Capacity building for Arjowilangun Village officials and all related elements has proven to be very effective in increasing knowledge so that they can draft Village Regulations regarding the Protection of Migrant Workers. This success was greatly influenced by the high commitment of the village government, BPD, former migrant workers, families of migrant workers and community leaders. Apart from that, the success of this capacity development was also due to the village head's full support and the village officials' enthusiasm to provide optimal services and protection for Migrant Workers.

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