

## **CHAPTER II**

### **INDONESIA-PHILIPPINES POLICY TOWARDS PIDs**

Regarding to the first fact of this research, this section will explain the existence of PIDs and the condition of them in term of economic, social life, and also socio-culture. As migrants, Indonesian society that came to the coastal area of the Southern Philippines faced many obstacles, including economic aspect, culture lack, eventhough the culture between Indonesia and the Philippines are not much different. The existence and efforts between Indonesia and also the Philippines as a country which faced the problem of stateless towards PIDs in the Philippines. As a state, Indonesia and the Philippines have a big responsibility towards stateless issue. Since 1880s Indonesian migrants went to the Philippines, made a community and had descendants there which is lead to statelessness problem both for Indonesia as the origin country of PIDs and the Philippines as the place where the community lived. This section will also explain about what efforst had already done by Indonesian government and the Philippines government towards PIDs itself. As the main actor of PIDs case, during the existence of PIDs in the Philippines, both Indonesia and the Philippines have already applied some policies towards the Persons of Indonesian Descent so they could live in a good condition. However, some obstacles during the policies applied by both country happened. Hence, this section also will explain about the brief history of how Persons of Indonesian Descent could arrive and stay in the Philippines.

## **A. The Existence of PIDs in the Philippines**

PIDs or Persons of Indonesian Descent might be called as a phenomenon which explain about a group of persons who had already lives in a country and had had descendant in a country. In this case, persons means the community from Indonesia that moved on a large scale to the Philippines. A group of people there at that time ran to seek a safer place or avoided a conflict that endanger their lives without thinking of their citizenship status. Therefore, almost all of them were being stateless. According to some of the PIDs, the meaning of seeking a safer place was at the moment of colonialization era, the society in one of the region in Sulawesi which near by the Philippines that is Sangir and Talaud went to the coastal area of the Philippines. Some of the societies there felt afraid of the colonialization condition at that moment. So, they decided to ran to Neighbor country was, the Philippines. The society did not realize that it was the territory of another country. Because they only thought about their life. In this condition, the awareness of citizenship status were not important, because the society pressed of safety issues. By the limitation of technology and information at that time, the society which already stayed there was a little bit difficult to leave the “safer” place and prefer to stay there. The condition led them to stay longer in the coastal area of the Philippines. Especially, according to most of the indigenous people of the Philippines, Indonesian looks similar towards the Philipinos physically. Because of this, most of the people who chose to stay in the Philippines felt being accepted there. More than a half of them decided to have a family with indigenous people of the Philippines, especially in the coastal area of the Philippines.

On this occasion, at the same time with the participation of the writer towards the International Community services which is housed in Barangay Quilantang, one of the place for PIDs community has stayed. This section will also show the direct condition of the PIDs and some of their complaints towards the government related to their economic condition, social life, and many more. Actually, one of the main problem faced by them were the issue of economic development and their right to choose the citizenship status. The society claimed that person from the Consulate General of the Republic of Indonesia in Davao City had ever offered them to make a legal document for their nationality. However, they had to pay amount of money. Eventhough this issue was not completely true, the society had already believed that for making the legal document of nationality for being an Indonesian, they had to pay amount of money and it is considered very difficult for them since their montly income was uncertain. Until 2016, when the International Community services took place and gained direct data from the society, beside their cultures that had already acculturate with the local culture, economic aspect is the biggest aspect that they need to improve. By getting certainty of citizenship status and clear status by the PIDs, the writer hopes that the Persons of Indonesian Descent in the Philippines can get further development of their life because they already have legal status. So, by having legal document, the PIDs can study in public school, apply for proper job, have land rights, and many more.

### **B. The Coming Wave of the PIDs**

As already described a little bit above, one of the reason of the society in Sangir and Talaud chose to move was because of security issues at that time.

However, in this section, the writer will explain deeper about the reason from Persons of Indonesian Descents moved to the Philippines coastal area. According to Mr. Imam, one of elders in the PIDs settlement in Quilantang, General Santos City, Philippines, there were two waves of the coming of PIDs to the Philippines. The first coming of PIDs had been already proceed in the era of collonialization. Around 1930s, the first wave of PIDs came to the Philippines. The society prefered to survived in a new neighborhood rather than survive in the collonized condition in their origin country which is Indonesia. Years passed after the first wave, the second wave happened similar to the first wave. The reason was to look for more secure areas when the Poso conflict happened, PIDs moved again through the second wave. The problem since the first wave was that PIDs did not prepare for any worst possibility. Moreover, settling a long period of time in another country made PIDs to be a stateless. In other words, PIDs have no legal document to live in another country outside Indonesia. This condition affected to their survival. From their first coming, PIDs faced difficulties in terms of economic development, health care, law awareness, and all the matters that need legal documents. This condition still continued since their first coming. According to Indonesia Constitution number 62 year 1958 about nationality article 17 said that anyone will loose their nationality when they live outside Indonesia in 5 year constitutively and does not extend or report to the representative of the government of Indonesia.

Actually, the track of mobilization of the PIDs for the first time was in Northern part of Sulawesi. There are many islands around near the Philippines. According to some erlders in Glan region in Mindanao, it spends around three to

five hours to go to Indonesia from the coastal area of the Philippines by palm boat. Sangihe island is one of the northern island which very close to the Philippines and have Marori island which is northernmost island of Sangihe island and became the exit point from Balut island, Sarangani which became the entry point from Philippines (Tiu, 2006). So, the first wave of Persons of Indonesian Descent moved to the Philippines by palm boat. Because of most of them were coastal area society, they had already had their own boat to go to sea, so they moved to the Philippines mostly by their own boats. Since there was minimum control in the border area especially in the sea territory, the society moved easily to the coastal area of the Philippines. According to Mr. Imam as one of the elder around the PIDs society in General Santos City, Persons of Indonesian Descent made simple house along the coast to stay. Mr. Imam added that, the government of the Philippines let them to stay in the name of humanity and decided to take a diplomacy towards the government of Indonesia regarding to Indonesian refugees.

### **C. How they survive?**

In the process, Persons of Indonesian Descent faced many obstacles. Actually, they only knew that the place they lived was a safer place than the previous place which is in the colonial condition. The society did not expect that legal document was very important to cover their lives. Nowadays, Persons of Indonesian Descent have already spread throughout Mindanao, Southern Philippines. They live with the local society peacefully. In every region of the PIDs settlement, there was a person pointed by Consulate General of the Republic of Indonesia to be like a liaison officer called *Penghubung* (Basa, n.d). All of the

information from and to the PIDs towards the Consulate General of the Republic of Indonesia could pass through *Penghubung*. The role of *Penghubung* was very central towards the PIDs. Starting from data collection of the PIDs in the Philippines, mapping the spread of PIDs in the Philippines, moreover, became a teacher for the PIDs children to learn Bahasa Indonesia (Indonesian language) and also everything about Indonesia (Basa, n.d). So, any kind of importance issues from the Consulate General of the Republic of Indonesia would be submitted to every *Penghubung* of every region. The existence of *Penghubung* also helped the PIDs to survive in the Philippines. When the PIDs have any kind of problem, they will ask *Penghubung* to inform or to ask further help towards the Consulate General of the Republic of Indonesia regarding Economic, Healthcare, Socio Culture, and many more.

### **C.1 Economic Aspect**

In its history, Persons of Indonesian Descent survived with a limited skill. Especially, they came to the Philippines at the moment of colonialization which most of Indonesian got no proper education. Then, because they lived in the coastal area, their jobs were only becoming fishermen or working for the Filipino in the palm plantations. However, in another *Barangay* (region) in the spread place of PIDs also have some kinds of job field. For example in Barangay Quilantang, General Santos city. Because of the region was port city especially for fishing, most of male PIDs here became a fishermen of big fishing company (Pulmano, 2012). In another *Barangay* (region) precisely in the area of Barangay Burias, Glan, Sarangani Province, most of the PIDs work as a tender of palm plantation owned

by Filipinos (Pulmano, 2012). So, majority worked as a labour and worked for the indigenous people in the Philippines. However, to get a job or another advantages, every PIDs has to have named Alien Certificate of Registration (ACR). This card used by the PIDs to stand as an *Alien* because they were not Indonesian nor Philipinos. As citizens recognized by the Government of the Philippines especially for stateless like PIDs, the existence of ACR was very helpful for them. ACR could be gotten by the PIDs by registering it and paying it every month. That is why, according to Mr. Rahman, one of the elders of PIDs in Quilantang, eventhough their lives was tough, the presence of ACR provides a little assistance for them to survive. However, it will make a new problem when they could not pay the ACR because of poverty.

Until the time of community service took place, the main problem of PIDs especially in Quilantang was the same, which is economic aspect. Most of them hope that eventhough they already had their legal status, they wanted the international community service like what already done by Universitas Muhammadiyah Yogyakarta be continued in the next period continuously. Because, according to them, even Consulate General of the Republic of Indonesia has no time like the community service for around two weeks to give some entrepreneurship skills directly to the society. Universitas Muhammadiyah Yogyakarta as an intitutions under Muhammadiyah organization has a community service through the International Relations Department. The program was the first program which handled the case of statelessness which in this case was Persons of Indonesian Descent. The program has a goal which facilitated the students to know certain

condition of the descendant of Indonesia that lived in the Southern of Philippines and their condition there. By establishing the international community service program, the society of Persons of Indonesian Descent especially *Penghubung* was greatly helped from the students. Some of *Penghubung*'s jobs were also gaiven by the students like acquaint anything about Indonesia such as culture, food, and also language.

### **C.2 Socio-culture Aspect**

Persons of Indonesian Descent's life has been going on for more than 70 years ago. This will inevitably affect to their social and cultural life. Eventhough, according to some of Philipinos that physically Indonesian and Philipinos are similar, a period of more than 50 years could 180 degrees change the social and cultural life because the society already has three or even more than three generations lived there. In the first wave of PIDs' coming, they lively blended with the surrounding community. PIDs realized that they had no legal document to live in another country, so some of them decided to marry the local person to hide their original identity (Tiu, 2006). This condition created a family with mixed-blood which means that the children have to choose one of the citizenship brought by their parents. One of the benefit when Indonesian married Philipino was they would avail Philhealth which is healthcare assistance for the Filipinos (Manigbas, 2016). By marrying the local persons, most of the beneficial matter will also available for the PIDs.

Because PIDs had been existing almost for more than 50 years and they lived with the local people, the Indonesian culture that they brought will fade



gradually. One of the job of *Penghubung* is to give some central education related to Indonesia, so they will not lose their Indonesian soul. For example, giving the children *Bahasa Indonesia* lesson, showed Indonesian culture, and many more. However, because their surrounding already blended with local people, the lesson has been taught is usually forgotten fastly (Basa, n.d). One of the purpose of Community services to the PIDs society was to remind them towards Indonesia, including the *Bahasa Indonesia*, art, culture, song, and others. Therefore, by the arrival of the Community services team to the PIDs community, the PIDs's society especially the mature one admitted that their missed feeling against Indonesia were fulfilled eventhough in a little pieces.

### **C.3 Law Awareness**

In 2015, Davao city became the fifth safest place in the world, increased from its ninth place (Hegina, 2015). Because of this condition, as an immigrant, PIDs had to follow every rule a place in where they lived. It would be a big problem towards the Indonesian government and the relationship between Indonesia and also the Philippines if there was a lawlessness done by the PIDs. This condition brought Consulate General of the Republic of Indonesia to directly go to the place of PIDs house to give them some socializations about the surrounding condition and what kind of matter that the PIDs have to obey. In a condition, the PIDs were given three choices, going back to Indonesia, staying in the Philippines and obeying the rules, or being naturalized as a Philipinos (Tiu, 2006). For pure blood of Indonesia, they claimed that their heart was still being an Indonesian, however, a

condition forced them to stay in the Philippines. As a result, most of them choose the second choice.

#### **D. Indonesia – Philippines Relationship**

As one the founding father of the Association of Southeast Asian Nations (ASEAN), the Philippines and Indonesia have had a tight bilateral relationship since 1949 (www.gov.ph, 2014). It has already 67 years for the first time both Indonesia and the Philippines weave a bilateral relationship. The cooperation between two countries were spanning trade, joint investment, education, defense, security, and moreover against counterterrorism (Bartolome, n.d). Especially, in negotiating the islamic radical movement in the Philippines in the case of kidnapping the Indonesian citizens. In 67 years of the bilateral relationship, related to the case of PIDs, in helping the government of the Philippines to record the spread of PIDs, they provided Alien Certificate of Registration (ACR). Beside to help them to legally record as an “Alien”, ACR helped the PIDs to get some benefits from the Philippines government, such as, healthcare, education, and also as a requirement to get a job. Furthermore, in the era of President Susilo Bambang Yudhoyono both Indonesia and the Philippines signed an agreement which include in boundary dispute and maritime boundary called Exclusive Economic Zone (EEZ) Boundary Delimitation Agreement (Fardah, 2014). In this agreement, both two leaders of both countries belived that the relationship between Indonesia and also the Philippines were not only in political area and also economic area, furthermore is to boost the people-to-people contact (Fardah, 2014).

## **E. Indonesia – Philippines Policy towards the PIDs**

### **E.1 Indonesian and the Philippines' Policy**

The main problem faced by Persons of Indonesian Descent was economic aspect. They already gave some advantages from the government of the Philippines by the existence of ACR (Alien Certificate of Registration). As the representation of the government of Indonesia, Consulate General of the Republic of Indonesia in Davao City had big responsibility towards the welfare of Persons of Indonesian Descent especially in Mindanao. Since the first coming of PIDs to the Philippines, Consulate General of the Republic of Indonesia in Davao City have already made a cooperation with the government of the Philippines towards this problem. Starting from data collection to map the existence of PIDs in Mindanao, giving them training and workshop, giving them loan through *Diaspora program* from Consulate General of the Republic of Indonesia (Drs. Soehardi, 2016), and giving them a card named ACR from the government of the Philippines. Balut and Sarangani are the nearby island of the Philippines towards Marore Island in North Sulawesi. In April 2012, the government of Indonesia represented by Consulate General of the Republic of Indonesia in Davao City cooperated with the local government of the Philippines carried out data collection. From the data collection, there were around 2,000 Persons of Indonesian Descent who lived in the outer islands of the Philippines which is directly adjacent to the Indonesia's sea territory (Indonesia, UPAYA PENDATAAN WNI DI PULAU BALUT DAN PULAU SARANGANI, 2012). As already explained before that most of them were labour, whether in the fishery company, coconut company, or in the plantation owned by the Filipino.

After collecting the data and understand PIDs's job, the government of Indonesia made some training to develop the skill of the PIDs. One of the training was conducted on April 2014 in House of Indonesia. Cooperated with *Diaspora Indonesia Filipina Selatan* (DIFS) some Companies, such as PT. Indofood CBP Sukses Makmur TBK., and PAG-ASA FULCHI Development Cooperative organized a Training and Workshop program on Salesmanship (Indonesia, 2014). This program aimed to manage and develop the PIDs so they can develop their economic status compared to just working as a labour which usually descriminated against the companies because of their unclear status as a citizen. And then, according to some citizens in the region of Quilantang, most of them wanted to come back to Indonesia, however, the absence of a process continued from the government of Indonesia after they arrived in Indonesia made them think again about it. So, they choose to stay there.

From the side of the Philippines, the Philippines government has already given their assistance towards the PIDs in the name of humanity and also because of a good relationship between Indonesia and the Philippines. The Philippines government provided a card named Alien Certificate of Registration (ACR) for non-Filipinos, whether they are migrant workers, students, or even refugees. According to some of the PIDs, ACR greatly helped their life during their stay in the Philippines. ACR provided clarity about their status. It is better than being a stateless. Basically, ACR existed for migrants, students, or even refugees and for those who lived in the Philippines for maximum 6 month. And for those who lived more than 6 month with certain condition, they have to pay the extend payment.

Another program which had by the Philippines government to face the issues of migrant whether migrant workers or even refugees is 4Ps (*Pantawid Pamilyang Pilipino Program*). 4Ps is a program from the government of the Philippines for the national welfare. Similar to ACR which gave the society right to get an assistance. 4Ps provided assistance in terms of trainings, health check-up or even ensure school attendace. According to the Persons of Indonesian Descent there, the existence of those assistance were very helpful, because as a stateless, there is nothing they can do to survive without assistance from local government. However, in another condition, because of an illegal existence among them for get better job, most of them found adversity to pay the extand payment.

## **E.2 The Result of the Policy**

Being stateless actually was unwanted by the Persons of Indonesian Descent. Because according to them, their current condition was far below the standard. The only matter that PIDs thought only for survive. This far, because of the existance of ACR and also 4Ps from the government of the Philippines assisted them to survive. Since the first coming, Persons of Indonesian Descent ever experienced returning program from the Indonesian government. However, PIDs claimed that the Indonesian government only responsibled on the returning program without further management. So, after arrived in Indonesia, PIDs had no indended purposes, had no place to lived, and had no colleague to ask for help. Then, because they did not know how to continue their life, they decided to go back to the Philippines.

Some programs provided by both Indonesia and also the Philippines towards the issue of Persons of Indonesian Descent have already been done. However, some PIDs claimed that the program provided especially which from Indonesia was not uneven because there was no continuation towards the program. For example salesmen training, some PIDs found that their skill was enough to did the result of the training, but some of them were not. Also, they claimed that they felt less attention from the Indonesian government especially the old generation. They also claimed that, what has been done by the Philippines government were better than what has been done by the Indonesian government. So, PIDs feel at home to stay in the Philippines. Actually, the demand was PIDs wanted to give more attention from the government of Indonesia as their origin country. Eventhough most of the PIDs already the second or the third generation. More attention here means, PIDs hoped that there will be some experts who monitors their work after the workshop and training. However, both Indonesia and also the Philippines have already given their best effort to end the statelessness issue.