
AN ANALYSIS OF THE FACTORS THAT CAUSED OVERSTAYING INDONESIAN WORKERS IN SOUTH KOREA

Zidny Qonita Al Haq

International Relations Department, Faculty of Social and Political Sciences
Universitas Muhammadiyah Yogyakarta
qonitazidny@gmail.com

Abstract

This article aimed to analyze the reasons that caused overstaying Indonesian workers in South Korea. There are a lot of Overstaying Indonesian migrant workers in South Korea who reluctant to come back home even after the work permit had expired. South Korea is one of developed country in Asia which is one of the destinations for prospective migrant workers in Indonesia. The lack of human resources in South Korea made the government looking for workers to run their industrial sector. However, the increasing amount of migrant workers in South Korea also rising the amount of overstaying workers including from Indonesia. The writer used 'Push and Pull Theory' by Everett S. Lee to analyze the factors that caused Indonesian Workers reluctant to come back.

Keywords: *Overstaying, Indonesia Migrant Worker, South Korea*

INTRODUCTION

The development of a modern era has led to various conveniences, including moving from one country to another. With this convenience, someone can find jobs in another country. As we know that Indonesia has been sending workers abroad for a long time ago even before independence. At that time, the Dutch sent local people to Suriname to be employed. After independence, Indonesia still sends labors but has been organized. In order to reduce unemployment and improve the welfare of the people, the government opens vacancies to work in other countries which still need human resources.

Workers who are going abroad to work are commonly referred to heroes of foreign exchange. This assumption has been mentioned on various occasions and this is a fact because workers who work abroad participate in increasing the country's foreign exchange. This is due to state revenues from foreign exchange into Rupiah. In this case, rupiah will often be bought by foreign currency and the value may increase. Bank Indonesia recorded the total remittances of Indonesian migrant workers in 2015 reaching Rp119 trillion. Meanwhile,

in 2016 to October the amount reached US \$ 7.47 billion or equivalent to Rp97.5 trillion. Although the certainty of the total number has only been reported in February 2016 remittances are expected to be not much different from the previous year (Sitorus, 2017).

Every year, Indonesia sends workers abroad by Private to Private system (P to P), Government to Government system (G to G), or private systems. In the sending process, there are workers who are placed formally and informally. Formally, workers will be placed in companies with legal entities. Then, the rights and obligations of workers are protected by law. While informally, the workforce will work for individuals. Individual placements usually have problems such as unfulfilled labor rights because workers do not work directly under a legal entity. Therefore, the Indonesian government seeks to encourage the sending of workers in the formal sector. Therefore, the workers can get better protection under applicable law.

Based on the International Labor Organization (ILO), there are around 700,000 Indonesian migrant workers who go abroad every year (ILO, 2009). Some of the countries which become the destination of Indonesian migrant workers are countries in the Middle East, Southeast Asia, and East Asia. About 80 percent of workers are women. However, this number is the number of workers who depart legally. It is estimated that there are many workers who depart illegally.

South Korea is one of the developed countries in eastern Asia. Since its independence in 1945, South Korea has continued to grow rapidly in many aspects such as technology, economics, education, etc. Furthermore, South Korea is also the origin of Hallyu Wave or Korean Wave which is interesting for teenagers all around the world today. Thus, it makes Hallyu Wave as one source of income other than technology. In addition, South Korea has very rapid economic development compared to other developing countries which established after World War II.

Both Indonesia and South Korea are always trying to fulfill every need for their society. One of the things which become a problem for the level of people's welfare is the problem of unemployment in Indonesia. The problem of unemployment in Indonesia causes the government to intervene to resolve the problem. One way the government can reduce the unemployment is by facilitating people who want to work abroad.

As a developed country, South Korea has gone a step ahead in many aspects including education. The existence of a good level of education also makes the welfare rate in South Korea is getting higher. This causes a lack of labors because not many people wanted to work as laborers in the industrial sector with an adequate education. The level of prosperity in South Korea has reached a high number, where working in the industrial sector or commonly categorized as Dangerous, Dirty, and Difficult (3D) is less desirable by its society. Therefore, migrant workers are needed as supporting industries in South Korea. In this case, South Korea agreed on a policy to accept foreign workers because of the lack of labor from within the country in the low-skill sector.

Since 2004, the agreement on Employment Permit System (EPS) has been extended 2 times, in 2008 and 2010. The enthusiasm of labor who would go to South Korea has been getting higher year by year. This is because of the various factors that attract and encourage workers to choose South Korea as their place of work. It is known that South Korea has a higher minimum wage than in Indonesia. In 2014, there were about 35 thousand Indonesia migrant workers in South Korea. The capacity is 9000 migrant workers per year (Government, Korea Selatan, 2015).

However, even though the number of worker delivery always increases every year, a problem arises amid the welfare of workers. As mentioned earlier, high salaries and a comfortable place have caused many workers to be reluctant to return to Indonesia after the employment contract expires. This problem can lead to a buildup of Indonesian migrant workers in South Korea. It can disrupt the agreement that has been agreed between Indonesia and South Korea.

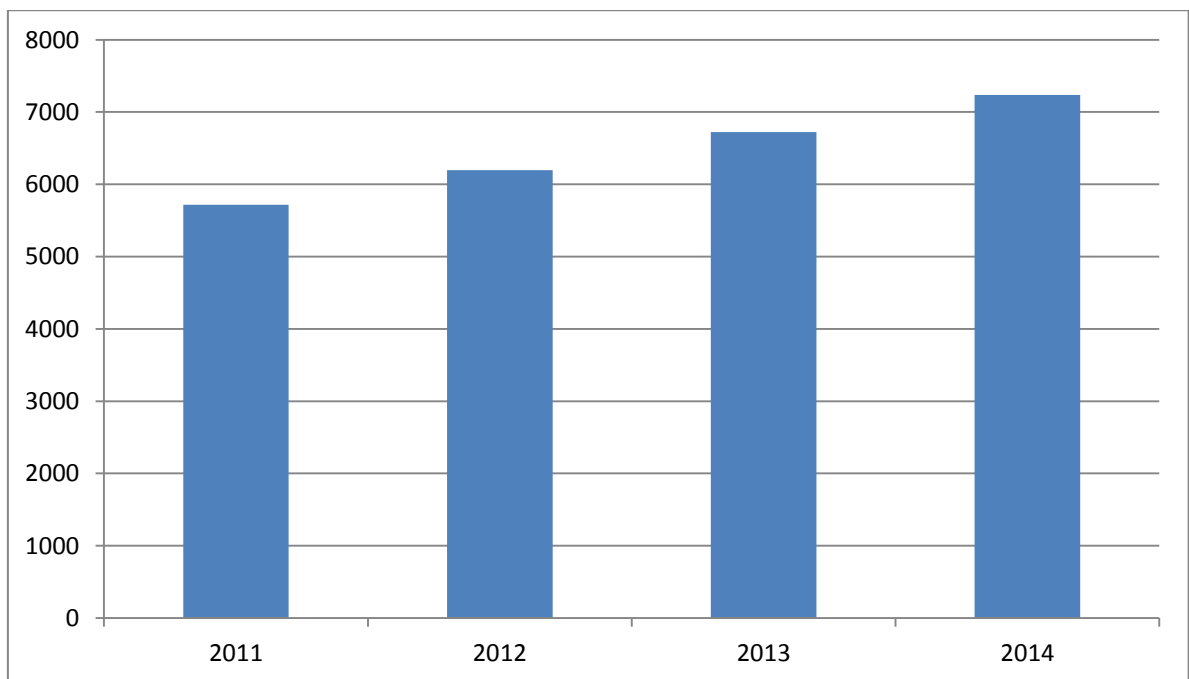
The problem about overstaying migrant workers has been going on for a long time in South Korea. Based on data from The South Korea Justice Ministry, the number of immigrants without documents or overstaying migrant workers is more than 213.000 in July 2016. Most of them were from China and South East Asia including Indonesia. This increased by 27% of the number of previous years. This result made the total number of illegal migrants more than 10% of the total number of the foreigner in South Korea (News, 2016). Therefore, the government has an important role to solve this problem because it can endanger the migrants itself.

The occurrence of over-migrant workers who overstayed happened to Vietnam. At that time, Vietnamese workers who overstayed in South Korea had exceeded the limit of around

10,000 workers. This caused the South Korean government to stop sending workers from Vietnam. It is estimated that the number of Indonesian workers who overstayed in South Korea was 7,000 in 2015 (Maharani, 2016).

Heryadi, Director of the Placement Service of the BNP2TKI, stated that the workers who were interested to work in South Korea reached 30,000 applicants. In 2015, there were around 38,000 applicants who wanted to work in South Korea. While in South Korea there were still many Indonesian migrant workers who worked there including workers who overstayed. Because of this, the registration of migrant workers to South Korea was closed in 2016. In 2016, there were around 31,000 applicants and only 5,200 were accepted (Tempo, 2017). But, it canceled because of Indonesia migrant workers were still too much in South Korea.

The Number of Overstaying Indonesian Migrant Worker 2011-2014 (Maharani, 2016)



From the data of the Korean Immigration Service in 2015, the number of Indonesian workers who overstayed continued to increase from 2011 to 2014. In 2011, the number of Indonesian workers who overstayed in South Korea was 5,718 people, in 2012 there were 6,197 people, in 2013 there were 6,723 people, and in 2014 there were 7,237 people. Even though the chart always went up, the percentage increase did not reach 10%. In 2012, the

increase was about 8.38%, in 2013 amounted to 8.48%, and in 2014 amounted to 7.65%. This problem certainly requires follow-up from the governments of the two countries because it can hinder the distribution of future migrant workers.

With this paper, the writer wants to examine why there are many overstaying Indonesia migrant workers in South Korea. South Korea is very attractive for many people to earn an income. The cooperation between both countries about employment also has already happened for more than 10 years. However, many workers still overstayed there. This can hamper the other workers who also want to work in South Korea. The overstaying migrant worker without legal permission also can get into a serious problem if the government found them.

THEORETICAL FRAMEWORK

The theory is needed to facilitate the research process that will be done by the writer about the factors that caused Indonesian Overstaying migrant workers in South Korea. This theoretical framework purposes to support the understanding of research as a guide. This theory will help the writer to analyze the existing problems. Therefore, the writer uses the Theory of Push and Pull by Everett S. Lee to analyze factors that make the Indonesian Migrant Workers overstay in South Korea. In his article "Theory of Migration", Everett S. Lee (1978) states that the volume of migration in a region develops according to the diversity of regions in the area. In the area of origin and destination of migration, there are positive factors (+), negative factors (-), and neutral factors (0). Positive factor (+) is beneficial factors such as high levels of well-being, good facilities, etc. Then, the negative factor (-) is the lacking factor that exists. It makes people decide to move from that place. That difference is what causes migration in society (Lee, 1966).

OVERSTAYING INDONESIAN WORKERS IN SOUTH KOREA

Indonesia is one of the countries with the largest population in the world. According to The Spectator Index in 2018, Indonesia is in the fourth as the country with the largest population in the world after China, America and India. In the data, Indonesia has about 265 million populations (Arieza, 2018). With a very large population, it can be interpreted that Indonesia has a considerable workforce to develop the country. However, in reality, not all workforces get a permanent job that guarantees their lives. There are still many who are unemployed and work with salaries that are still below the standard.

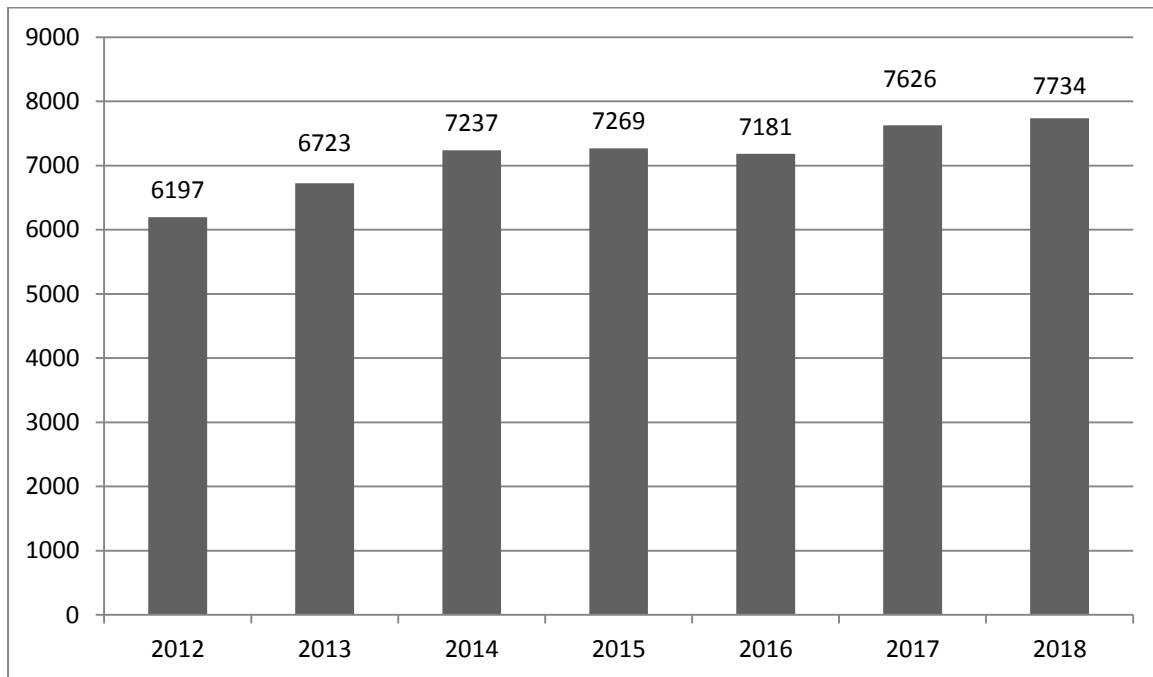
This is caused by various factors that occur in the community itself. Inadequate education and less skill can prevent a person from getting a job. This causes the people who do not receive adequate education or people with less skill do not get decent jobs with a qualified salary. Most of them also cannot get their fixed salary. Therefore, the distribution of Indonesian labor by the government abroad has great demand by people who want jobs with low skill levels. In other side, the large salaries that they will get also attract Indonesian people to become foreign workers abroad.

Migration phenomena are one thing that happens in Indonesia from its society to prosper itself. Many of Indonesian migrants have to face difficult things such as danger and risk of looking for a job abroad. Illegal Indonesian migrant workers are also everywhere including in South Korea. These problems drive to the other problems such as the arbitrary treatment of workers, human rights violations, etc. The overstaying Indonesia migrant worker also becomes the problem because they stay longer than the limit of their residence permit.

The problem of overstaying workers is not just a small problem. The government also has to take part to solve it. The government still has to give protection and also to decrease Indonesia overstaying migrant workers in South Korea. The governments from both Indonesia and South Korea also have to give more explanation about the important thing to obey the law and procedures which have been made.

According to the data from the Korean Immigration Service in March 2018, the number of workers overstayed continues to increase from 2012 to 2018 (Yafie, 2018).

Number of Overstaying Indonesian Migrant Worker 2012-2018



The number of Indonesian workers who overstayed continued to increase from 2012 to 2015. In 2012, the number of Indonesian workers overstayed in South Korea was 6,197 people, in 2013 there were 6,723 people, in 2014 there were 7,273 people, and in 2015 there were 7,267 people. In 2016, the number of Indonesian workers decreased to 7,181 people. However, in 2017, it increase again into 7,626 people and in March 2018 there were 7,734 Indonesian overstaying migrant workers in South Korea.

There are various impacts obtained from a large number of Indonesian workers who overstayed in South Korea. One of the impacts obtained was a reduction in the quota for worker recruitment by the South Korean government. Besides, the worker also endanger themselves because do not have any official document and they do not have protection from the authorities.

FACTORS CAUSING INDONESIAN OVERSTAYING MIGRANT WORKERS IN SOUTH KOREA

Shipping workers to South Korea does not always run smoothly. There is not a small number of labors that becomes an illegal worker or overstaying. Even though, they did not have an official permit, they still decided to continue working there to get the money. There

are many factors that cause workers to choose to stay in South Korea rather than to return to Indonesia. These factors influence them to continue to break the rules that have been applied.

- **Push Factors**

- a. The economic condition in Indonesia

Most Indonesian workers who work in South Korea are people from low income family. By working in South Korea, they can get a large salary even as a low-skill worker. The majority of Indonesian workers in Korea are Indonesian Citizens (WNI) who is at a weak economic standard of living. Therefore, they have to fulfill the needs of their lives and their families with more income for the welfare of the family. This is because the income earned by working in South Korea is income in foreign currencies and is based on a higher standard of living than in Indonesia.

- b. Complex bureaucracy in Indonesia

Indonesian bureaucratic services which are still considered complicated and require longer time are the reason why workers do not want to return to Indonesia. They still want to work in South Korea. They consider the processing of documents in Indonesia is too long if they want to return to South Korea again. Then, if they return to Indonesia, they can also be threatened not to be able to return to work in South Korea because their age has exceeded the age limit of worker registration in South Korea.

- c. The workers do not know what will they do in Indonesia

If there is a desire to stop working in South Korea, the workers also get an idea of what they should do after arriving in Indonesia later. They are afraid they will not get paid well as they can get in South Korea because they have been used to the amount of salary they get. According to an overstaying worker in South Korea, if she returned to Indonesia, she was afraid she would not be able to return to South Korea again because her age was close to maximum age. She was also afraid of not getting a proper job in Indonesia because she is a widow with 1 child. She also has to fulfill the needs of her family in Indonesia.

- **Pull Factor**

- a. Comfortable atmosphere in South Korea

Even though workers live far away from their families in Indonesia, there are still many Indonesian workers who help each other in that foreign country. They also make many Indonesian communities in South Korea. They make community with workers coming from the same hometown and hobby. This makes the atmosphere become a second home for Indonesian workers.

- b. High salary even for illegal workers

It's not a piece of news if the salary earned by workers in Korea is quite high. This is because the standard salary of foreign workers is equivalent to the standard salary of local people. Illegal workers even make it possible to get a higher salary because there are no things such as tax and insurance. With their salaries, Indonesian workers can also afford a new car for themselves. Compared to the highest 2019 minimum work salary in Indonesia, in Kabupaten Karawang the minimum salary is IDR 4,234,010 per month (Hanifah, 2018). The salaries that can be obtained in South Korea are up to 5 times bigger. Based on the minimum salary standard in 2019, a workforce in South Korea can get around KRW 1,745,150 or around IDR 20 million in a month not including the overtime work (Leely, 2019).

Indonesian highest minimum wage (Kabupaten Kerawang)	South Korea minimum wage (valid in all regions of South Korea)
IDR 4,234,010 / month	KRW 1.745.150 / month or IDR 20.648.452/month

- c. Great Facilities and Infrastructure in South Korea

The ease of doing anything in South Korea also makes workers feel at home to stay in South Korea. The situation of South Korea as a developed country is very different from the situation in their hometown. Transportation and various infrastructures are built well and made it easier for people to do anything. Various needs are also available everywhere making it easier for people to get whatever they want. Therefore, the worker has also been immersed in a more advanced lifestyle. The facilities which are avail comfort the people who live there

including Indonesian workers in South Korea. With such circumstances, a sense of heaviness will grow to leave South Korea.

d. The emotional relation within the workers

Emotional feelings will emerge in everyone. This can also be found by Indonesian workers in South Korea. The Indonesian worker met with many people both from Indonesia and from the other countries. Then, they have an emotional bond within them. It can hold them to go back home. Mr. Erwin, a former Indonesian worker in South Korea, said that he had a female worker friend who had an emotional connection with a local resident. He told me that her boyfriend could not be brought to Indonesia yet. Then this female worker felt that she still had to stay in South Korea even her residence permit had expired. If she returned to Indonesia, she might not be able to return to South Korea again.

e. The mild law enforcement in South Korea

The law enforcement in South Korea about illegal workers is quite weak. There is no strict law that can threaten illegal workers in South Korea. If there are illegal workers caught, government officials will only check the criminal records of these workers. If they do not have criminal records, workers will be deported to their home countries and get a travel ban for several years.

f. Some companies in South Korea accept illegal workers to work there

Overstaying workers in South Korea are known to have worked longer hours than workers who have just come to Korea. They become more skilled at operating work tools and it is also easier to communicate with these overstaying workers. Thus, South Korean companies consider that work will be faster with the overstaying workers compared to workers who have just come to South Korea.

As illegal workers, they certainly will not get adequate protection from the South Korean government. If their rights such as salary are not given, they cannot report to the government because this could threaten them to be deported from South Korea. If an illegal worker is deceived by his employer, then he can only be silent and cannot ask for his rights again. Illegal workers are also easy to become targets of fraudsters who are looking for workers to work on a project. If not careful, illegal workers can be deceived and will not get a salary that should be their right.

CONCLUSION

Indonesia has continuously sent new workers to South Korea through the cooperation Government to Government programs (G to G). The Minister's Counselor at the Republic of Indonesia Embassy, Aji Surya, said that there were around 38,000 Indonesian workers in South Korea (Ariestia, 2018). South Korea is a developed country that offers high salaries for low-skill workers. Within a month, Indonesian workers can get at least IDR 22 million excluding overtime. In fact, many of Indonesia's workers can afford private cars in South Korea.

There are some factors that make the workers reluctant to comeback to Indonesia. The most common among the several factors that caused Indonesian workers to become overstaying workers was due to the economic conditions of the worker. Their needs in Indonesia which have not been fulfilled yet encourage workers to live in South Korea despite being forced to become an illegal labor. Besides that, the mild law enforcement in South Korea about overstaying migrant workers also make them feel safer as an illegal worker.

Being an illegal worker in another country is an action that can endanger Indonesian workers themselves. Workers cannot get adequate protection from the government. This can make them vulnerable to being targeted by criminals such as human trafficking, etc. Besides, the lack of protection also makes them unable to report to the authorities if they experience injustice. However, there are still many workers who dare to take all these risks in order to keep fulfilling the obligation to make a living for their family and to prosper themselves and also their families.

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