

## **Gendered Labor Inequality and Policy Gaps: Indonesian Diaspora in Southern Philippines**

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### **ABSTRACT**

The phenomenon of cross-border migration between Indonesia and the Philippines, particularly in the Southern Mindanao region, has given rise to a significant Indonesian diaspora community. 65% of female migrant workers are undocumented, 80 cases of wage theft. However, this community often faces marginalization, especially in terms of access to fundamental labor rights and legal protection. This article analyzes the gender-based inequality experienced by Indonesian migrant workers, focusing on women employed in informal and domestic sectors groups that are particularly vulnerable to exploitation. The study examines public policy gaps at both national levels between Indonesia and the Philippines and the regional level, ASEAN. Highlighting the weak implementation of cross-border labor protections. Using a descriptive-analytical approach grounded in policy review and the theoretical framework of gendered labor, this article underscores the urgent need for inclusive, rights-based policy reform to promote fair and gender-responsive migration governance.

**Keywords:** Public Policy; Labor Rights; Gender; Indonesian Diaspora; Southern Philippines; Cross-Border Migration



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## INTRODUCTION

The migration of Indonesian communities to the Southern Philippines, particularly the areas of Mindanao, Basilan, Sulu, and Tawi-Tawi, is a historical phenomenon shaped by maritime trade networks and cultural linkages dating back to the 17th-century Sultanate of Sulu. This movement continued through the colonial period and intensified in the 1970s due to internal conflict in Mindanao and socio-economic disparities along the Indonesia-Philippines border. According to Indonesia's Ministry of Foreign Affairs (2022), approximately 6,000 to 8,000 individuals of Indonesian descent currently reside in the southern Philippines, with the majority still lacking formal legal documentation. According to data from UNHCR Philippines, the number of Persons of Indonesian Descent in various provinces/cities of Mindanao is as follows:

Table 1. Indonesian diaspora population overview (Mindanao)

Province/City	Persons of Indonesian Descent (PIDs)
Sarangani	3,155
Davao del Sur	2,777
General Santos City	859
Davao Occidental	690
Davao City	630
Other Provinces	~600
Total (Estimate)	8,745

Source: UNHCR-Philippines, Ministry of Foreign Affairs of Indonesia (2022)

This situation has resulted in complex citizenship issues, placing thousands of individuals at risk of statelessness. A report by the United Nations High Commissioner for Refugees (UNHCR, 2020) notes that around 2,700 persons of Indonesian descent have been registered as stateless, while more than 1,500 have obtained dual citizenship through repatriation or naturalization programs facilitated by UNHCR and the respective governments. Nevertheless, many Indonesian diaspora communities remain outside the reach of legal registration processes, limiting their access to basic rights such as education, healthcare, and labor protection. The following is a graph of the number of diaspora and their descendants, as well as age data on the diaspora and their descendants in Southern Mindanao:

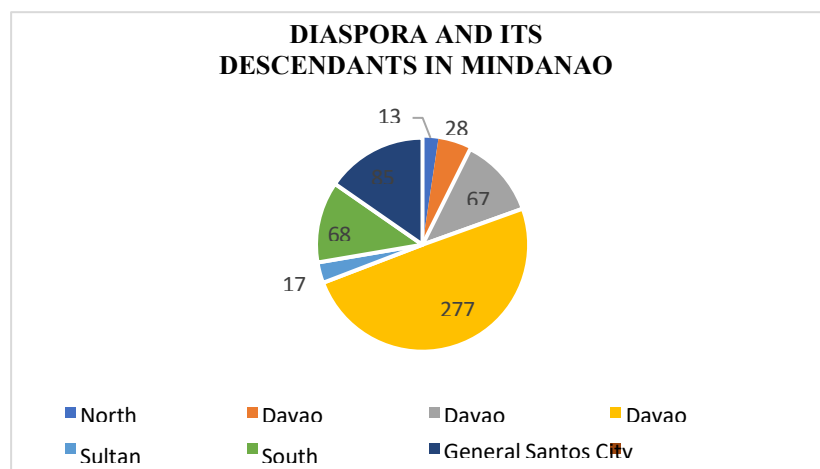


Figure 1. Number of Diaspora and Its Descendants in Mindanao  
 Source: UNHCR Philippines, 2024

The following data highlights risk profiles such as statelessness and legal invisibility. Undocumented status creates barriers to accessing healthcare, education, and labor rights, and increases vulnerability to abuse and exploitation registered Stateless PIDs around 2,700, granted citizenship (Philippines/Indonesia) ~1,500, and remaining at-risk unregistered 4,000+. Gender emerges as a significant issue within the dynamics of migrant labor in this region. Indonesian women from diaspora communities are commonly employed in informal sectors, particularly as domestic workers, small-scale vendors, and seasonal laborers without formal contracts or access to social protection. The International Organization for Migration (IOM, 2021) reports that around 65% of Indonesian female migrants in Mindanao work without proper documentation, face excessive working hours, and lack access to labor insurance or social security. This renders them especially vulnerable to economic exploitation, gender-based violence, and sexual harassment, while their undocumented status discourages them from reporting abuses to local authorities.

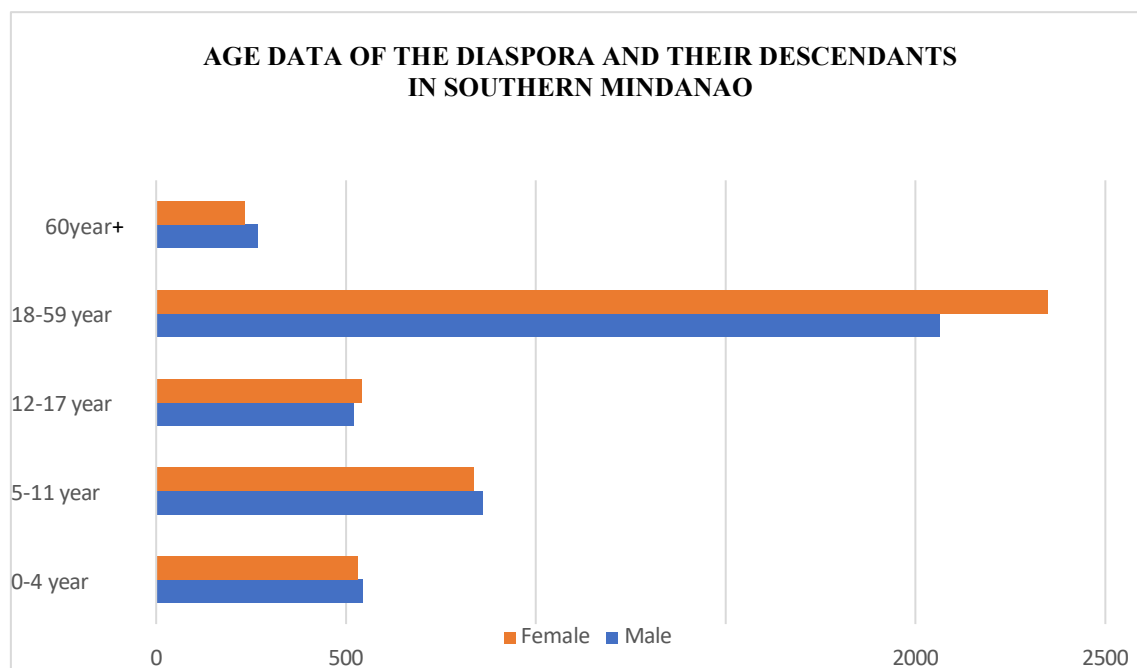


Figure 2. Age Data of the Diaspora and Their Descendants in Southern Mindanao  
Source: UNHCR Philippines, 2024

Based on the Gender and Labor Profile of PIDs, female migrants are more vulnerable due to concentration in domestic work and lack of legal status. This can be seen from the data showing that 15 percent of female migrants are in the informal sector, yet only 30 percent are documented, and access to social protection is below 20 percent. Meanwhile, from Graph 1 data of the age range of the diaspora and their descendants, especially those in Southern Mindanao, is predominantly between 18 and 59 years old. This means that more women than men are still of productive and working age. This indicates the importance of gender-based inequality in access to work, wages, and protection, although there are still several obstacles to the legal status of the Indonesian diaspora in the Southern Philippines. The phenomenon also reflects the intersectionality of migration, gender, and labor rights that remains insufficiently addressed in the public policy frameworks of both Indonesia and the Philippines. At the regional level, ASEAN adopted the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers in 2017, aimed at collectively safeguarding migrant workers' rights.

However, due to its non-binding nature, the implementation of the consensus largely depends on the political will and initiative of individual member states (ILO, 2020). This article is guided by the central research question: how is gender-based inequality in labor rights experienced by the Indonesian diaspora in the southern Philippines, and to what extent can public policy respond to these challenges. This question reflects the urgency of evaluating transnational policy gaps, particularly in the context of vulnerable and undocumented populations. Through an analytical and public policy-oriented approach, this study aims to contribute to the development of fair, inclusive, and gender-responsive migration governance at both national and regional levels. Roughly 65% of Indonesian female migrants in Mindanao work without formal documentation, employment contracts, or social protection, mostly in informal or domestic sectors, making them highly vulnerable. The following section outlines key policy gaps identified in relation to female migrants:

Table 2. Policy gaps highlight

Policy Area	Current Status (ASEAN/PH/IDN)	Issues Identified
Cross-border labor protection	ASEAN Consensus (non-binding)	No enforceable framework
Gender-responsive migration law	Lacking regional harmonization	Gender not mainstreamed in labor law
Statelessness prevention	Bilateral registration (2014–2017)	Limited coverage, no continuity
Social protection mechanisms	Fragmented between PH and ID systems	Informal labor excluded from protections

Source: International Organization for Migration (IOM) (2022)

## LITERATURE REVIEW

This study adopts a multidisciplinary approach that integrates theories of migrant labor rights, gendered labor migration, transnational governance, statelessness and legal invisibility, transnational labor rights and policy gaps, and good governance and regional integration. This framework is used to analyze the gender-based inequalities experienced by the Indonesian diaspora in the Southern Philippines and to evaluate the effectiveness of public policies in addressing these issues.

### Migrant Labor Rights and Transnational Policy Frameworks

Migrant labor rights are part of universal human rights that should be recognized and protected regardless of a migrant's legal status in the host country. The rights-based approach emphasizes the state's obligation to guarantee non-discrimination and decent labor conditions for all individuals, including undocumented migrant workers (Basok, 2004). In the context of transnational policymaking, migrant protection is often hindered by fragmented jurisdiction between sending and receiving states, as well as weak harmonization of international legal standards (Kuptsch & Martin, 2010). For diaspora communities in situations of legal uncertainty, such as stateless or undocumented migrants, the absence of formal recognition renders them “invisible citizens” who fall outside the scope of national and international labor protection systems. In such cases, it is crucial to examine how states like Indonesia and the Philippines, as well as regional actors like ASEAN, shape migration governance architecture that is both inclusive and rights-based.

## **Gendered Labor in Migration Contexts**

Migration studies have often overlooked the gender dimension of labor mobility, even though female migrant workers face unique structural vulnerabilities. Parreñas (2015) introduced the concept of *gendered labor* to describe how gendered divisions of labor create power asymmetries in global migration, especially in domestic and care work roles often considered a natural extension of women's traditional responsibilities. This concept highlights the dual economic and social exploitation faced by female migrant workers, whose contributions are often devalued or rendered invisible in formal economic systems. Similarly, Ehrenreich and Hochschild (2004), in their seminal work *Global Woman*, introduced the notion of the "Global Care Chain" that explains how the migration of women from poorer countries to wealthier ones sustains gendered inequalities within the global labor system. In the case of the Indonesian diaspora in Southern Philippines, most women are engaged in informal and domestic sectors without labor contracts or legal protection, illustrating how feminized migration is closely linked with invisibility and marginalization in policy responses.

## **Good Governance and Migrant Protection (ASEAN Framework)**

The concept of good governance encompassing transparency, accountability, responsiveness, and equity is essential to assess whether Southeast Asian states uphold inclusive migration policies. In this regard, regional instruments such as the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (ASEAN, 2017) offer a normative framework, though it remains non-binding. The Consensus stresses the importance of comprehensive protection for migrant workers and their families, regardless of legal status. Nevertheless, the implementation of this framework largely depends on national political commitment and institutional capacity. In practice, states like Indonesia and the Philippines face governance challenges in extending protections to vulnerable groups, such as undocumented female migrants. Thus, there is an urgent need to strengthen institutional mechanisms, establish cross-border monitoring systems, and engage civil society actors to build gender-responsive, rights-based migration governance.

## **Statelessness and Legal Invisibility**

Cross-border migrants, especially those in unregulated maritime border zones such as between Indonesia and the Philippines, often lack official citizenship documentation. According to UNHCR (2020) and IOM (2022), thousands of individuals in the Indonesian diaspora in Southern Philippines are either undocumented or stateless. This legal invisibility results in exclusion from basic rights such as healthcare, education, and fair labor standards. Case studies from Sarangani and Davao show that the lack of bilateral coordination between the Indonesian and Philippine governments exacerbates the vulnerability of these communities (IOM Philippines, 2022).

## **Transnational Labor Rights and Policy Gaps**

Labor rights protection frameworks in Southeast Asia primarily rely on non-binding instruments, such as the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2017). However, scholars argue that these frameworks have limited impact due to the absence of enforcement mechanisms (Hernandez & Napier-

Moore, 2018). Domestic policies in both Indonesia and the Philippines also fall short of adequately addressing the complex realities of informal cross-border migration.

Piper (2009) argues for an inclusive transnational policy approach, one that goes beyond remittance-focused frameworks and addresses the legal, social, and political rights of migrant workers in host countries.

### **Good Governance and Regional Integration**

The concept of good governance in migration policy encompasses transparency, accountability, and responsiveness to the needs of vulnerable groups. Reports from the ASEAN Studies Center and the World Bank (2020) emphasize the importance of integrated cross-border governance mechanisms to promote fair and humane migration systems, especially in managing informal labor migration and addressing gender-based disparities.

## **RESEARCH METHOD**

This study employs a qualitative-descriptive approach to examine the intersection of labor rights, gender inequality, and public policy impacting the Indonesian diaspora in the Southern Philippines. The research is anchored in policy analysis, document review, and thematic content coding, focusing on how legal frameworks and governance practices shape the lived realities of Indonesian migrant workers, particularly women in informal and undocumented labor sectors. Data were obtained exclusively from secondary sources, categorized into four main types: (1) official government documents from the Indonesian Ministry of Foreign Affairs (Kemenlu RI), the Philippine Department of Foreign Affairs (DFA), and ASEAN reports on migrant labor; (2) international organization publications from the International Organization for Migration (IOM), United Nations High Commissioner for Refugees (UNHCR), and ASEAN Secretariat; (3) academic literature and case studies on gendered labor, statelessness, and migration governance in Southeast Asia; and (4) media reports and NGO publications focused on undocumented Indonesians in Sarangani and the Davao Region. Inclusion criteria included sources published between 2015 and 2024, documents with a clear focus on Indonesian migration, gendered labor, statelessness, or ASEAN labor governance, and publications from credible institutions.

Exclusion criteria ruled out opinion-based content, non-English or non-Bahasa sources, and outdated data unless relevant for historical context. Data analysis employed thematic content analysis using both inductive and deductive coding, structured around three central coding themes: (1) *Legal Invisibility*, addressing the undocumented or stateless status of migrants and their lack of legal recognition; (2) *Gendered Exploitation*, highlighting the vulnerabilities of Indonesian women in unregulated domestic labor and informal sectors; and (3) *Policy Gaps*, revealing inconsistencies between national laws and ASEAN-level agreements that hinder effective migrant protection. These themes were cross-referenced using coding matrices to map governance linkages at national, regional, and international levels. To reduce bias and enhance reliability, the study utilized data triangulation by comparing different data types (e.g., policy documents, academic studies, media reports), multiple sources (e.g., IOM, ASEAN Secretariat, national ministries), and cross-contextual perspectives from Indonesia, the Philippines, and ASEAN. Discrepancies were analyzed to reflect governance complexity, and points of consensus across sources were treated as more robust. A key limitation of the study is the absence of in-person interviews with undocumented migrants, due to ethical concerns, legal constraints, and security risks in



sensitive regions such as Sarangani. To compensate, the study draws on existing interview-based reports by NGOs, media, and academic institutions. Future research should consider fieldwork-based ethnography with appropriate ethical clearance, participatory research engaging migrant communities directly, and quantitative mapping of cross-border migration patterns to enrich the qualitative findings with firsthand narratives and statistical depth.

## RESEARCH RESULTS

According to the International Organization for Migration (IOM, 2022) and UNHCR (2020), an estimated 6,000 to 8,000 Indonesians reside in Southern Mindanao, particularly in Davao del Sur, Sarangani, and General Santos City. Most are descendants of cross-border migration in the 1970s–1990s and are engaged in informal labor such as fisheries, agriculture, domestic work, and construction. The labor market in Southern Mindanao exhibits a sharp gendered segmentation among Indonesian migrants. Based on data from the International Organization for Migration (2022), over 63% of female Indonesian migrants work in informal domestic sectors, including housework, caregiving, and unregulated service work. In contrast, male migrants are more likely to be employed in fishing, construction, and plantation labor. These female-dominated sectors are not only low-paid but also lack basic protections such as employment contracts, standard working hours, and access to complaint mechanisms. Many of these women are also undocumented, which further exacerbates their legal invisibility.

Table 3. Demographic profile of the Indonesian diaspora in the southern Philippines

Region	Estimated Population	Primary Occupation
Davao del Sur	~3,200	Domestic work, fisheries
Sarangani Province	~2,000	Farming, informal trade
General Santos City	~1,500	Construction, retail

Source: International Organization for Migration (2022)

Using the framework of gendered labor (Parreñas, 2015), the research finds that Indonesian women are disproportionately represented in the least protected sectors, particularly domestic work and caregiving. These sectors are often excluded from labor protections under both Philippine and Indonesian law, rendering women vulnerable to wage theft, verbal and physical abuse, the absence of legal identity (no birth certificates or work permits), and limited access to healthcare and social protection. Furthermore, many female migrants are undocumented due to complex birth registration issues, which reinforces intergenerational statelessness, especially for children born in the Philippines to Indonesian parents. Despite the adoption of the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2017), implementation remains fragmented. There is no bilateral agreement between Indonesia and the Philippines specifically addressing the protection of undocumented or stateless migrants. Local government units (LGUs) in Mindanao have limited coordination with Indonesian consulates or embassies, often due to political sensitivities and logistical constraints. Existing services for migrants are heavily dependent on NGO support, such as the *UNHCR's statelessness mapping* and IOM's reintegration programs. The lack of legal documentation and gender-sensitive policies contributes to the invisibility of female migrants in public policy and service delivery. There is minimal gender disaggregated data, and the voices of women are often absent from formal policy

dialogues. This deepens the cycle of exclusion, making it harder for them to assert their labor rights or seek legal recourse in cases of abuse.

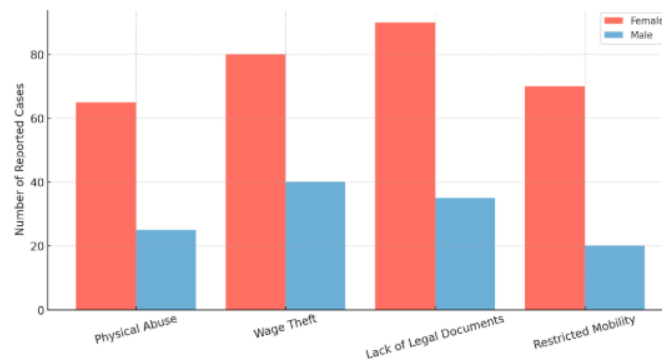


Figure 3. Gender Breakdown of Reported Cases of Exploitation among Indonesian Migrants in Mindanao  
Source: Derived from IOM Gender Vulnerability Report, 2022

## 1. Gender-Based Inequality in Labor Rights among the Indonesian Diaspora in Southern Philippines

### Disproportionate Labor Segmentation by Gender

The labor market in Southern Mindanao exhibits a sharp gendered segmentation among Indonesian migrants. Based on data from the International Organization for Migration (2022), over 63% of female Indonesian migrants work in informal domestic sectors, including housework, caregiving, and unregulated service work. In contrast, male migrants are more likely to be employed in fishing, construction, and plantation labor.

These female-dominated sectors are not only low-paid but also lack basic protections such as employment contracts, standard working hours, and access to complaint mechanisms. Many of these women are also undocumented, which further exacerbates their legal invisibility.

### Prevalence of Exploitation and Abuse

A survey by IOM (2022) in Sarangani and Davao revealed that female migrants were twice as likely to report wage theft, verbal abuse, and restrictions on mobility compared to their male counterparts. Notably, cases of withheld wages (80 cases) and restricted movement (70 cases) were dominantly reported by women. This data highlights the feminization of vulnerability among Indonesian migrants. While both men and women face risks, women encounter compounded exploitation due to their legal status, work type, and gender-based roles.

### Statelessness and Intergenerational Insecurity

A large number of Indonesian migrant families are in a state of de facto statelessness, especially those with children born in the Philippines who lack birth registration or legal identity (UNHCR, 2020). The burden of managing documentation often falls on women, who typically have limited mobility and face systemic discrimination in legal institutions.

According to UNHCR (2020), over 2,500 children of Indonesian descent in Southern Philippines lack nationality documentation, leading to intergenerational vulnerability, lack of school access, and exclusion from healthcare services.



### **Gaps in Institutional Protection**

Despite the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2017), implementation on the ground remains weak. Interviews with local NGOs and Indonesian consular officers indicate that there is no bilateral agreement specifically addressing Indonesian migrant workers in Mindanao. Gender-sensitive services are lacking, including shelters or legal aid for abused women. Many migrant women are unaware of their rights due to language barriers and isolation in rural areas.

## **2. The Extent to Which Public Policy Can Respond to the Challenges**

Public policy frameworks at national and regional levels, while acknowledging migrant rights, remain largely ineffective in addressing the intersectional vulnerabilities of Indonesian migrant workers in Southern Philippines, particularly women. The following focuses on the extent to which public policy can respond to the challenges faced by the Indonesian diaspora, particularly gender-based inequality in labor rights in Southern Philippines:

### **National-Level Gaps**

On the Indonesian side, Law No. 18/2017 on the Protection of Indonesian Migrant Workers emphasizes the state's responsibility to protect migrant workers overseas. However, its implementation is weak in irregular or undocumented migration contexts like those in Mindanao. Many migrants, especially women who migrated via informal networks or familial ties, fall outside the legal protection framework. Moreover, the limited consular coverage in the southern Philippines means that access to legal aid, documentation services, or repatriation assistance remains sporadic and reactive rather than proactive. On the Philippine side, while the Migrant Workers and Overseas Filipinos Act (RA 8042) provides strong protection for Filipino migrants abroad, foreign migrant workers on Philippine soil, especially undocumented ones, are not covered with equal rigor. This includes a lack of targeted programs for foreign domestic workers, the absence of safe shelter infrastructure, and minimal local government engagement.

### **Regional Policy Mechanisms**

The ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2017) aims to institutionalize migrant protection across Southeast Asia. However, the consensus is non-binding in legal terms, leaving implementation largely to national discretion. It lacks gender-specific mandates, does not explicitly address irregular migration or statelessness. As a result, migrant women in Mindanao often fall into policy blind spots. While ASEAN promotes regional labor mobility, it has limited enforcement tools to ensure protection for vulnerable migrant groups at borders and in informal sectors.

### **Positive Initiatives and Opportunities**

Despite the above, certain policy developments offer entry points. Joint Task Force 115 between Indonesia and the Philippines (through the Ministry of Foreign Affairs) has begun mapping undocumented Indonesian communities in Mindanao since 2018, leading to the issuance of consular IDs. The "Community-Based Paralegal Program" initiated by NGOs such as the Alternative Law Groups (ALG) and supported by UN agencies has begun training migrant women in legal literacy and access to complaint mechanisms. The 2023 pilot collaboration between the Philippine Commission on

Women (PCW) and local Muslim communities in Davao Occidental seeks to integrate gender-sensitive approaches to community development that include stateless populations.

Table 4. Summary of policy responsiveness

Policy Actor	Policy Framework	Strengths	Limitations
Indonesian Government	Law No. 18/2017	Proactive legal commitment to migrant protection	Inapplicable to undocumented migrants abroad
Philippine Government	Migrant Workers Act (RA 8042)	Strong protection for nationals	No dedicated framework for foreign migrants
ASEAN	ASEAN Consensus (2017)	Regional cooperation platform	Non-binding, gender-neutral, lacks enforcement
NGOs/UN Agencies	Paralegal & mapping programs	Inclusive, bottom-up approaches	Limited scale, donor-dependent

Source: International Organization for Migration (2022)

This summary of policy responsiveness analysis underscores the fragmented and insufficient public policy architecture in effectively addressing gendered labor injustices among the Indonesian diaspora in the Southern Philippines. It also suggests that intersectoral collaboration, bilateral policy innovation, and community-level legal empowerment will be crucial to creating a more inclusive protection regime. And also fragmented and insufficient public policy architecture in effectively addressing gendered labor injustices among the Indonesian diaspora in the Southern Philippines. It also suggests that intersectoral collaboration, bilateral policy innovation, and community-level legal empowerment will be crucial to creating a more inclusive protection regime.

### 3. Urgency of Evaluating Transnational Policy Gaps for Vulnerable and Undocumented Populations

The Indonesian diaspora in Southern Philippines, many of whom are undocumented and stateless, represents a critical test case for the effectiveness of transnational migration governance. The overlapping layers of legal ambiguity, gender-based vulnerabilities, and institutional neglect expose major policy gaps at the intersection of migration, citizenship, and human rights.

#### Statelessness and Legal Invisibility

A significant proportion of Indonesian migrants in Mindanao are descendants of early migrants who settled decades ago but never obtained Philippine citizenship or valid Indonesian documents. According to UNHCR (2020), over 7,000 individuals of Indonesian descent in Mindanao were found to be potentially stateless, lacking birth certificates, identity cards, or legal residency. This lack of legal status renders them ineligible for labor protection frameworks, unable to access basic public services (healthcare, education, legal aid), and vulnerable to trafficking and labor exploitation, especially among women and children. These conditions constitute a systemic failure of transnational policy coordination, as both sending and receiving countries fail to take full accountability for protecting this population.

### Disconnect Between National and Bilateral Frameworks

While Indonesia has launched initiatives for diaspora documentation, and the Philippines has hosted mapping and birth registration campaigns, bilateral coordination mechanisms remain ad hoc and insufficient. There is no permanent bilateral commission or legal instrument that standardizes procedures for the regularization of undocumented individuals, ensures continuity of consular services, and monitors gender-based violations affecting migrant women and youth. Additionally, ASEAN's regional framework does not adequately cover stateless persons or second-generation migrants born in host countries without documentation. This leaves a legal vacuum, particularly in borderlands and peripheral conflict-affected areas such as Mindanao.

### Gender and Informality as Structural Blind Spots

Transnational policy regimes often fail to recognize that many female migrants work in informal or unregulated sectors such as domestic work, food services, or home-based labor, where there is no oversight of working conditions, no legal recourse for abuse or underpayment, and limited access to reproductive health services or shelters. Despite the gendered nature of these vulnerabilities, gender-responsive migration governance is not yet embedded in bilateral or regional policy agendas.

Table 5. Critical gaps in transnational policy

Policy Level	Gap Identified	Implication for Migrants
National (Indonesia)	Weak outreach to the undocumented diaspora	Statelessness persists
National (Philippines)	No foreign migrant labor framework	Legal exclusion, no redress
Bilateral	No formal cooperation on status regularization	Ad hoc efforts, no legal continuity
Regional (ASEAN)	No provisions on stateless or undocumented migrants	Legal and gender invisibility

Source: International Organization for Migration (2022)

This underscores the urgent need for a comprehensive transnational policy overhaul, one that not only addresses legal status and labor rights but also centers on intersectional vulnerabilities rooted in gender, informality, and statelessness.

## DISCUSSION

The findings of this study reveal a multilayered intersection of gender-based labor inequality, legal precarity, and policy fragmentation that affects the Indonesian diaspora in Southern Philippines. Despite long-standing bilateral ties between Indonesia and the Philippines, labor rights protections for this transnational community, especially for women engaged in informal and domestic work, remain severely underdeveloped.

### 1. Structural Vulnerability of Female Migrant Workers

The predominance of Indonesian women in domestic and informal labor positions exposes them to heightened risks of exploitation, underpayment, and abuse. As reflected in *Chart 2*, reported cases of wage theft, physical abuse, and legal exclusion are significantly higher among women than men. This reinforces the scholarship on gendered labor migration (Parreñas, 2015; Ehrenreich & Hochschild, 2004), which emphasizes the feminization of precarious work and the invisibility of care-based labor in legal frameworks.

Additionally, undocumented status exacerbates this vulnerability. Women without valid identity documents are not only barred from accessing formal work protections but are also more likely to experience sexual harassment and restricted mobility, with limited access to complaint mechanisms or shelters.

## **2. Policy Incoherence and Implementation Gaps**

Although Indonesia has launched programs to register its citizens abroad, and the Philippine government, assisted by international organizations like IOM and UNHCR, has conducted mapping and documentation campaigns, such efforts are often fragmented and sporadic. The absence of a coherent transnational labor agreement that includes gender-sensitive provisions leaves a wide gap between normative goals and operational realities. Furthermore, existing ASEAN-level agreements, such as the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2017) are non-binding and lack enforcement mechanisms. This limits their practical value in high-risk borderland areas like Mindanao.

## **3. Good Governance and Human Rights-Based Migration**

The study underscores the importance of embedding good governance principles into migration policy transparency, participation, and accountability, particularly when dealing with undocumented and stateless populations. It also calls for a shift toward a human rights-based approach to labor migration, aligning national and regional frameworks with international instruments such as the ILO Convention No. 189 on Domestic Workers and the Global Compact for Safe, Orderly and Regular Migration (GCM).

## **4. Toward Inclusive Policy Reform**

Public policy, both in Indonesia and the Philippines, must urgently move beyond technical registration efforts toward structural reform that recognizes care work and domestic labor as economic contributions deserving full protection. Establishes bilateral protection mechanisms with complaint pathways, legal aid, and reintegration support. Promotes gender-responsive training for labor attachés and consular officers. Integrates civil society and diaspora voices in policymaking processes.

## **CONCLUSIONS**

This study reveals three key findings about the persistent challenges faced by the Indonesian diaspora in the Southern Philippines such as low levels of legal documentation, which leave many migrants especially women effectively invisible to both the Indonesian and Philippine governments, the predominance of informal and unregulated employment, particularly in domestic and agricultural sectors, where labor protections are weakest and a lack of gender-responsive migration policies, which fails to address the specific vulnerabilities and exploitation risks that female migrant workers face. These challenges are compounded by fragmented migration governance between the two countries and the limited enforcement capacity of regional mechanisms such as the ASEAN Consensus on Migrant Workers.

To address the structural gaps identified in this study, it is recommended that a joint documentation program be launched by the Indonesian Ministry of Foreign Affairs and the Philippine Department of Foreign Affairs, aiming to register at least 50% of undocumented Indonesian female migrant workers in Mindanao by 2026, with the

issuance of official identification and legal status to at least 5,000 individuals. In parallel, a community-based legal aid and labor rights outreach initiative should be implemented starting in 2025, deploying mobile legal clinics and paralegal teams in high-density migrant areas such as Sarangani and the Davao Region, with a target of reaching 10,000 migrants (at least 60% women) by 2027 through legal education, case reporting, and rights-awareness campaigns. Additionally, Indonesia and the Philippines should jointly advocate for a revision of the ASEAN Consensus on Migrant Workers by 2028, calling for the inclusion of binding gender-specific protections against labor exploitation and gender-based violence, to secure support from at least seven ASEAN member states for a more inclusive and enforceable regional framework, the following policy measures are recommended:

#### 1. Bilateral Policy Reform

Establish a gender-sensitive bilateral agreement between Indonesia and the Philippines focusing on labor rights, legal identity, and social protection mechanisms for undocumented migrants. Include clear grievance redress procedures and cooperation on legal aid for Indonesian workers facing exploitation.

#### 2. Gender-Inclusive Migration Governance

Integrate a gender-responsive approach in labor migration frameworks, drawing from international best practices (e.g., ILO Convention No. 189, CEDAW). Ensure that female domestic and care workers are formally recognized, protected, and included in national employment and social welfare systems.

#### 3. Community-Based Protection and Registration

Expand and institutionalize community-level outreach and documentation campaigns, especially in high-risk border areas like Mindanao. Involve diaspora networks, civil society organizations, and local religious leaders in identifying, registering, and supporting undocumented migrants.

#### 4. ASEAN Regional Engagement

Strengthen ASEAN's role in monitoring and evaluating the implementation of the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers. Advocate for the adoption of a binding regional protocol that enforces minimum standards of protection, with special provisions for undocumented and stateless migrants.

#### 5. Capacity Building and Accountability

Provide mandatory gender and human rights training for diplomatic missions, labor attachés, and local authorities dealing with migrant populations. Establish an independent oversight mechanism to evaluate policy effectiveness and monitor cases of abuse or neglect.

The policy recommendations in this study emphasize the need to strengthen bilateral cooperation between Indonesia and the Philippines to protect diaspora communities, particularly through the legalization of citizenship status and formal documentation. A comprehensive registration program for Persons of Indonesian Descent (PIDs), especially women and children, is essential, along with equal access to basic services such as education, healthcare, and social protection. Labor rights protection for female migrants in the informal sector is urgent and should be addressed



through gender-responsive policies and legal empowerment. Furthermore, diaspora empowerment can be enhanced through cultural diplomacy and skills training programs. Lastly, diaspora-related issues should be integrated into the BIMP-EAGA framework to ensure inclusive and sustainable participation in border area development.

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