

Legal Liability of Labour Recruitment Agencies in Ensuring The Rights of Indonesian Women Migrant Workers Abroad

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The international mobility of Indonesian women migrant workers constitutes a global phenomenon that is closely associated with a high risk of human rights violations, particularly due to inadequate legal protection during both the placement process and the period of employment. Labour recruitment agencies play a strategic role as key actors responsible for ensuring the fulfilment of women migrant workers' rights from the pre-departure stage through placement and post-placement phases. This study aims to analyse the legal framework and the implementation of the legal responsibilities of labour recruitment agencies in guaranteeing the rights of Indonesian women migrant workers employed overseas. This research adopts an empirical legal research method, employing an integrative approach that combines a statutory analysis of key regulations particularly Law Number 18 of 2017 on the Protection of Indonesian Migrant Workers with a sociological approach to examine the institutional behaviour of labour recruitment agencies in carrying out their legal obligations. The findings indicate that although Law Number 18 of 2017 normatively provides comprehensive regulations regarding the duties and responsibilities of labour recruitment agencies, its implementation in practice remains suboptimal. The primary weaknesses are found in legal education for workers, assistance during the placement period, monitoring systems, and post-contract protection mechanisms, which tend to be administrative in nature and insufficiently oriented towards rights restoration. Therefore, this study recommends strengthening state supervision, integrating inter-agency protection systems, and reinforcing the accountability of labour recruitment agencies as agents of legal and social protection in order to achieve fair, humane, and sustainable protection for women migrant workers.

Keywords: Legal Liability; Women Workers; Labour Recruitment Agencies; Legal Protection; Indonesian Migrant Workers.

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1. Introduction

Cross-border labour mobility has become an unavoidable global phenomenon in the era of economic integration and free trade (Komarudin et al., 2023). As a developing country, Indonesia has become an integral part of international labour migration flows, particularly in informal sectors such as domestic work, childcare, and cleaning services. The contribution of Indonesian migrant workers to national foreign exchange earnings is substantial, as reflected in the volume of remittances sent annually (Wahyudi et al., 2019).

However, behind this significant contribution lies a persistent risk of labour rights violations, especially for those working overseas. In many cases, migrant workers face exploitation, violence, and legal uncertainty due to weak supervision and inadequate protection mechanisms. This situation underscores the urgent need for an effective protection system, particularly for the most vulnerable groups, such as women migrant workers (Dhea Shabrina 'Ishmah et al., 2023).

Women workers constitute the majority of Indonesian migrant workers, with most employed in the domestic sector, which often lacks adequate legal protection in destination countries (Azhari & Halim,

2021). Low levels of formal education, limited access to information, and gender inequality further weaken their bargaining position within employment relationships. Numerous reports indicate that women migrant workers are more susceptible to contract violations, sexual harassment, and human trafficking (Utami, 2023). Ironically, many of these cases are not followed by adequate legal action, either by the government or by the agencies responsible for their placement. This condition reveals critical gaps in the migrant worker recruitment and supervision system. In this context, labour recruitment agencies play a pivotal role as the frontline actors in both the deployment process and the protection of Indonesian migrant workers (Susiana, 2019).

Labour recruitment agencies, whether operating as private entities or government-affiliated institutions, bear legal responsibility for ensuring that all prospective workers are deployed through lawful and humane procedures (Prasetyo & Azizah, 2024). These responsibilities include providing clear and accurate information, conducting pre-departure training, ensuring legally compliant employment contracts, and offering assistance during and after placement. In practice, however, many recruitment agencies neglect or even disregard these obligations (Wahyurudhanto, 2019). A considerable number of women workers are deployed without adequate understanding of their rights in destination countries, rendering them highly vulnerable to unaddressed rights violations. This situation creates a paradox in which the state possesses protective regulations, yet their implementation fails to address the root causes of the problem. Therefore, the enforcement of the legal responsibilities of labour recruitment agencies warrants serious and comprehensive examination (Dewi et al., 2023).

Law Number 18 of 2017 on the Protection of Indonesian Migrant Workers provides a relatively comprehensive legal framework for safeguarding the rights of migrant workers (Sudarmanto, 2022). This regulation clearly defines the roles and obligations of recruitment agencies throughout all stages of labour placement, from recruitment and training to repatriation. It also stipulates administrative and criminal sanctions to ensure accountability (Widjaja et al., 2020). Nevertheless, the effectiveness of this law largely depends on the commitment of recruitment agencies and robust state supervision. The discrepancy between legal norms and practical implementation remains a central concern in efforts to protect migrant workers' rights, particularly those of women. Accordingly, it is essential to critically examine how these legal responsibilities can be enforced in a tangible and effective manner.

This article explores in depth the legal responsibility of labour recruitment agencies in ensuring the fulfilment of the rights of Indonesian women migrant workers employed abroad. The primary focus is directed toward a normative analysis of statutory regulations and an examination of institutional practices in the field related to the protection of women workers. The study also identifies systemic challenges and weaknesses in the enforcement of such legal responsibilities. Its objective is to propose policy formulations and strengthen legal instruments that are more effective in protecting women migrant workers. This study is expected to contribute to the development of labour law scholarship while supporting improvements in the sustainable governance of Indonesian labour migration. Ultimately, the protection of women workers' rights should be understood not merely as a moral obligation, but as a legal imperative.

Based on the background outlined above, this study addresses the following research questions: What legal provisions govern the responsibility of labour recruitment agencies in protecting the rights of women workers employed overseas? How is the legal responsibility of labour recruitment agencies implemented in fulfilling the rights of women workers in destination countries? What legal obstacles exist, and what solutions can be proposed, in enforcing the accountability of recruitment agencies for violations of women workers' rights abroad?

Despite the growing body of literature on migrant worker protection and gender-based vulnerabilities in international labour migration, existing studies have largely focused on state responsibility, bilateral agreements, or individual experiences of migrant workers, with limited attention given to the legal accountability of labour recruitment agencies as institutional actors within the protection framework. Moreover, previous research tends to examine regulatory compliance in a fragmented manner, without sufficiently integrating normative legal analysis with empirical institutional practices. This study addresses this gap by offering a socio-legal examination of the legal responsibilities of labour recruitment agencies in ensuring the rights of Indonesian women migrant workers across the entire migration cycle, from pre-departure to post-placement. The novelty of this research lies in its integrative approach, which not only analyses the statutory obligations under Law Number 18 of 2017 but also critically assesses their practical implementation and enforcement challenges. By positioning recruitment agencies as key agents of legal and social protection rather than mere intermediaries this study contributes a fresh analytical perspective to labour law and migrant governance scholarship and provides a more grounded basis for strengthening accountability mechanisms in the protection of women migrant workers

2. Methods

This study employs an empirical juridical (socio-legal) research method, which conceptualises law not merely as a body of written norms but also as a set of practices implemented within society (Jaya, 2020). The research integrates normative legal analysis with field-based empirical inquiry to assess the alignment between the existing legal framework and the practical implementation of the legal responsibilities of labour recruitment agencies in fulfilling the rights of women workers employed abroad (Disemadi et al., 2022).

The legal materials utilised in this study are derived from prevailing laws and regulations, particularly Law Number 18 of 2017 on the Protection of Indonesian Migrant Workers, its implementing regulations, and relevant international legal instruments. The research adopts a statute approach alongside an empirical approach, drawing upon primary, secondary, and tertiary legal materials collected through literature review, interviews, and document analysis. All data are analysed qualitatively using descriptive and evaluative methods to examine the adequacy of legal regulations, the execution of recruitment agencies' legal responsibilities, and the overall effectiveness of legal protection afforded to Indonesian women migrant workers overseas (Tan, 2021).

Data collection is conducted through in-depth interviews with key informants, including officials from labour and manpower agencies, representatives of labour recruitment agencies, former women migrant workers, and migrant worker protection organisations. In addition, document analysis is carried out on employment contracts, reports of workers' rights violations, and supervisory reports issued by relevant government institutions. The collected data are subsequently analysed qualitatively by referring to legal protection theory, human rights-based approaches, and principles of institutional accountability. This analytical framework is employed to systematically address the research questions and to formulate recommendations aimed at improving regulatory frameworks and strengthening legal oversight of labour recruitment agencies (Nurhayati et al., 2021).

3. Results and Discussion

Legal Framework Governing the Responsibility of Labour Recruitment Agencies in Protecting the Rights of Women Migrant Workers

Labour recruitment agencies, formally known as Indonesian Migrant Worker Placement Companies (Perusahaan Penempatan Pekerja Migran Indonesia/P3MI), play a strategic role in ensuring legal protection

from the recruitment stage of prospective women migrant workers (Dhea Shabrina 'Ishmah et al., 2023). This role is not merely administrative but also substantive, encompassing the guarantee of fundamental rights inherent to prospective migrant workers. Law Number 18 of 2017 on the Protection of Indonesian Migrant Workers explicitly mandates that recruitment agencies provide training, legal orientation, and ensure the psychological readiness and competence of prospective women workers prior to deployment (Prasetyo & Azizah, 2024). This preventive function is intended to serve as a foundation for mitigating potential human rights violations in destination countries.

However, in practice, not all P3MI fulfil this role effectively, as many prioritise the commercial aspects of worker placement over protection-oriented responsibilities (Yasirwan et al., 2023). This condition creates disparities in legal protection from the very beginning of the labour migration process. Consequently, the state must strengthen oversight mechanisms to ensure that this protective function is meaningfully implemented.

Furthermore, P3MI are responsible for ensuring that all recruitment processes adhere to principles of non-discrimination and are free from coercion. Practices such as document confiscation, age falsification, or upfront wage deductions constitute recurring forms of rights violations (Shaliha, 2022). These violations reflect weak control over recruitment agencies in upholding principles of fairness and transparency. As legal entities, P3MI are obligated to comply with regulations governing responsible labour migration, including ensuring that prospective women workers fully understand the employment contracts they are entering. Limited access to legal assistance during this phase further weakens the bargaining position of women workers. Yet, this initial stage is crucial in determining the effectiveness of protection in destination countries. Therefore, strict enforcement of legality and transparency principles must be prioritised by recruitment agencies.

In the context of education and training, recruitment agencies are also required to provide comprehensive pre-departure preparation covering labour laws of destination countries, human rights principles, and practical knowledge related to cultural contexts and occupational risks. This obligation is stipulated in Article 41 of Law Number 18 of 2017, which requires training to extend beyond technical skills to include legal and social education (Alfino Nialda et al., 2022). Unfortunately, many training programmes delivered by P3MI remain narrowly focused on job skills, neglecting legal protection aspects. The absence of standardised training curricula leaves many women workers psychologically and legally unprepared to face crisis situations. In this regard, the state must standardise training materials and require P3MI to report on training quality. Legal education is essential for empowering women workers to assert their rights when violations occur in destination countries. Recruitment agencies should function as an extension of the state in promoting empowerment among prospective women workers.

The responsibility of recruitment agencies does not end upon departure but extends throughout the placement period in destination countries. During employment, P3MI are obliged to provide access to legal assistance and emergency reporting mechanisms in cases of violations such as sexual harassment, physical abuse, or contract breaches (Puannandini et al., 2025). However, these mechanisms are not uniformly implemented across all agencies. Many women workers are unaware of reporting procedures or fail to receive adequate responses when contacting recruitment agencies. This situation demonstrates that the protective role of recruitment agencies remains largely passive and reactive. An integrated emergency response system linked to Indonesian overseas missions is therefore necessary. Collaboration between P3MI and Indonesian embassies is critical to safeguarding the safety and legal rights of workers abroad.

Upon completion of employment, recruitment agencies also bear responsibility during the repatriation and socio-economic reintegration phases of women migrant workers. Unfortunately, this aspect is frequently

overlooked. Many women workers return to Indonesia without psychosocial support or legal assistance to resolve disputes arising during employment abroad (Ardiansyah et al., 2023). Unstructured reintegration often places returning workers back into vulnerable conditions, potentially leading to repeated migration without improved legal protection. Within a comprehensive legal protection framework, the post-placement phase is as vital as pre-departure and placement stages. Therefore, mandatory reporting obligations and post-contract assistance services by P3MI should be institutionalised to ensure continuity of protection and prevent recurring exploitation.

From an institutional perspective, P3MI operations should adhere to principles of accountability, transparency, and public oversight. Law Number 18 of 2017 regulates licensing requirements and administrative sanctions for agencies that violate legal provisions. Nevertheless, weak enforcement and supervision allow many violations to evade legal accountability (Al-Azkiya, 2022). It is therefore imperative for the government, through the Ministry of Manpower and the Indonesian Migrant Worker Protection Agency (BP2MI), to conduct regular audits and evaluations of recruitment agencies. These evaluations should encompass agencies' track records in handling cases, training quality, and complaint-handling effectiveness. Public disclosure of P3MI performance reports is also necessary to encourage societal participation in oversight. Systemic reform of supervision mechanisms constitutes a fundamental step in ensuring that recruitment agencies effectively fulfil their protective mandate.

Recruitment agencies also possess significant potential to act as agents of legal and social education for prospective women workers. Given their extensive networks and access to worker communities, P3MI can play a central role in fostering legal awareness and understanding of women's fundamental rights. This educational role would be strengthened through collaboration with non-governmental organisations, academic institutions, and religious organisations. Such partnerships can enhance the capacity of prospective women workers to resist manipulation by unlicensed agents or familial pressures that drive irregular migration (Pamungkas et al., 2021). This strategy broadens the concept of legal protection from a reactive response to violations toward a preventive approach addressing structural vulnerabilities. Accordingly, the role of P3MI becomes more holistic and aligned with the constitutional mandate of the state to protect all citizens.

In conclusion, labour recruitment agencies play a crucial role in shaping a comprehensive legal protection system for prospective women migrant workers. However, this role has not yet been optimally fulfilled by all P3MI. Significant challenges remain in areas of legality, supervision, education, and complaint mechanisms. State intervention is therefore essential to ensure that recruitment agencies operate not merely as business entities but also as agents of social and legal protection. Comprehensive evaluation and data-driven policy formulation are critical to addressing these shortcomings. Systemic reform of recruitment agencies is imperative to respond to the complex challenges faced by women migrant workers abroad. Accordingly, sustained synergy between the state, recruitment agencies, and civil society must be strengthened to achieve fair and sustainable protection (Budiman et al., 2023).

Implementation of the Legal Responsibility of Labour Recruitment Agencies in Fulfilling the Rights of Women Workers in Destination Countries

Standard operating procedures implemented by labour recruitment agencies constitute the primary foundation for ensuring the lawful and professional deployment of prospective women migrant workers. Based on interviews conducted with several companies involved in the placement of women workers in Indonesia, it was revealed that administrative requirements such as authorisation from the Ministry of Manpower, clearly defined job orders, and the issuance of Recruitment Permits (Surat Izin Perekrutan/SIP) represent

critical initial stages. PT Prestasi Abadi Sukses emphasised the importance of legal validation by the Indonesian Embassy (KBRI) and official company registration at destination-country embassies as a form of administrative transparency. Meanwhile, PT Tunas Karya Sukses and PT Indo Sumber Mandiri highlighted document validation down to the village level and the utilisation of the BP2MI system as part of a nationally integrated data framework. This approach aligns with the mandate of Law Number 18 of 2017 on the Protection of Indonesian Migrant Workers, which emphasises legal clarity at every stage of labour migration (Law No. 18 of 2017; Amnesty International, 2013; IOM, 2019).

The provision of legal information to prospective women migrant workers constitutes a preventive measure to ensure protection during overseas employment. All informants stressed the importance of legal socialisation and education sessions, employing diverse approaches ranging from direct legal briefings by lawyers (PT Indo Sumber Mandiri), interviews and destination-country briefings (PT Prestasi Abadi Sukses), to detailed explanations of fundamental rights such as wages, working hours, and job descriptions (PT Tunas Karya Sukses). These measures aim to prepare women workers not only technically but also psychologically and legally. Such practices are consistent with recommendations from the International Labour Organization (ILO, 2021) and Human Rights Watch (2011), which underscore that knowledge of employment contracts and protection rights is critical to the successful integration of women migrant workers in destination countries (ILO, 2021; Human Rights Watch, 2011; Silvey, 2006).

Ensuring legality and security in the placement of women migrant workers serves as a key indicator of P3MI effectiveness in fulfilling their responsibilities. Legal compliance is secured through formal mechanisms such as document verification by Indonesian embassies, systematic reporting to local manpower offices, and strict adherence to procedures established by BP2MI. PT Indo Sumber Mandiri, for instance, enforces the validity period of recruitment permits and conducts accreditation prior to placement, reflecting a strong commitment to legal compliance for maximum worker protection. These findings align with studies by Amnesty International (2013), the ILO (2020), and Constable (2007), which emphasise that official documentation is a fundamental prerequisite for preventing illegal recruitment practices (Amnesty International, 2013; ILO, 2020; Constable, 2007).

Legal assistance constitutes a crucial component in safeguarding women workers' rights when conflicts or violations occur during employment. All three companies provide legal support mechanisms through complaint channels and the allocation of security deposits that may be disbursed in the event of disputes. PT Prestasi Abadi Sukses and PT Tunas Karya Sukses assign legal counsel in both Indonesia and destination countries, while PT Indo Sumber Mandiri prioritises call centres and coordination with local agents to ensure rapid responses to complaints. These mechanisms reflect principles of procedural justice emphasised by the ILO (2020), Human Rights Watch (2005), and Silvey (2006), which stress that access to legal assistance and state protection is essential for mitigating human rights violations against migrant workers (ILO, 2020; Human Rights Watch, 2005; Silvey, 2006).

Post-placement monitoring systems are implemented regularly through digital communication and direct visits. All three companies utilise WhatsApp as their primary communication tool, enabling flexible and efficient monitoring, particularly during agreed working hours. PT Tunas Karya Sukses conducts on-site visits every 6–12 months, while PT Indo Sumber Mandiri has established specialised monitoring teams such as MANLIBESIS and IDRUEKLIBASIS tasked with overseeing psychosocial conditions and worker well-being. These approaches demonstrate the effectiveness of monitoring systems in promoting worker welfare, as recommended by IOM (2019), Constable (2007), and Human Rights Watch (2011), particularly in the context of domestic workers who are highly vulnerable to isolation (IOM, 2019; Constable, 2007; Human Rights Watch, 2011).

Cooperation with Indonesian embassies (KBRI) represents a significant strength in ensuring legal protection for women migrant workers. All three companies confirmed that their legal status automatically facilitates partnerships with KBRI, which will contact them in the event of reported violations or legal issues. This cooperation strengthens bilateral protection mechanisms, particularly in resolving cross-jurisdictional disputes. According to the Indonesian Ministry of Foreign Affairs (2022), the ILO (2020), and Amnesty International (2013), the active involvement of embassies in handling migrant worker cases constitutes a form of protection diplomacy that must be exercised by sending states (Ministry of Foreign Affairs of Indonesia, 2022; ILO, 2020; Amnesty International, 2013).

Field findings indicate that legal protection for women migrant workers depends not only on recruitment agency compliance but also on the effectiveness of state supervision and law enforcement. Interviews with police officers from the Port Area Police Sector of Bareleng Police Resort, Riau Islands Regional Police, revealed that law enforcement plays a strategic role in prevention, supervision, and prosecution of both procedural and non-procedural migrant worker placements (author interview with Criminal Investigation Unit Officer, Port Area Police Sector, Bareleng Police Resort, Riau Islands Regional Police, Batam, Angelina K.P., Brigadier/93121025, 2025). Law enforcement efforts primarily target crimes involving unauthorised placement, document falsification, and human trafficking, based on Articles 81 in conjunction with Article 83 of Law Number 18 of 2017, as amended by Law Number 6 of 2025.

Police data indicate an increasing trend in non-procedural placement of Indonesian migrant workers over the past two to three years. Throughout 2025, dozens of police reports involving hundreds of victims including adult women were recorded, with most cases involving individuals or entities lacking legal status and not registered as P3MI. Common modes of operation included deceptive recruitment practices, deployment under tourist or visit visas, and failure to register prospective migrant workers in the BP2MI system. These practices demonstrate early indicators of rights violations, particularly concerning the right to accurate information, employment certainty, and legal protection.

The police further emphasised that the confiscation of passports and personal identification documents by recruitment agencies constitutes an unlawful act and may be classified as a form of exploitation. Such practices are often used as mechanisms of control to prevent migrant workers from reporting abuse or leaving problematic work situations, thereby reinforcing dependency and vulnerability. In this context, law enforcement authorities view the legal responsibility of recruitment agencies as inherent and continuous, extending from pre-departure through placement and repatriation phases, given their role as cross-border intermediaries with both legal and moral obligations toward the fulfilment of women migrant workers' rights.

From an institutional perspective, interviews with BP2MI confirmed that supervision of P3MI is conducted comprehensively through periodic monitoring from recruitment and training stages to deployment. According to the Coordinator of P4MI Batam, the placement data for Indonesian migrant workers between 2022 and 2025 are as follows:

Table 1. Placement Data of Indonesian Migrant Workers by P4MI Batam (2022–2025)

<u>Year</u>	<u>Number of Workers</u>
2022	238
2023	384
2024	859
2025	2,056

Source: Interview with the Coordinator of P4MI Batam, 2025.

BP2MI further emphasised that the most significant challenge in protecting women migrant workers remains the high rate of non-procedural departures, which deprives the state of access to data and

intervention capacity when violations occur in destination countries. To address this issue, BP2MI has developed reporting systems, crisis centres, and intensified coordination with Indonesian embassies and law enforcement agencies to manage cases, including the provision of legal assistance, mediation, and victim recovery (Interview with Wahyu Probo Asmoro, Coordinator of P4MI Batam, Indonesian Migrant Worker Protection Agency, Batam).

Synergy among law enforcement agencies, BP2MI, immigration authorities, local manpower offices, and the Witness and Victim Protection Agency (LPSK) constitutes a key element in ensuring victim-oriented protection. Law enforcement officials acknowledge that women migrant worker victims often experience trauma and fear when providing testimony, necessitating empathetic and victim-sensitive approaches during investigations. Coordination with LPSK is therefore essential to ensure physical, psychological, and procedural protection of victims. These findings underscore that the effectiveness of recruitment agency accountability is shaped not only by written legal norms but also by the integration of supervisory systems, law enforcement, and sustained victim protection mechanisms.

In response to allegations of rights violations, the interviewed companies demonstrated cooperative and transparent approaches. They explained that the initial step involves cross-verification among all relevant parties (migrant workers, agents, and employers), followed by referral to competent authorities such as Indonesian embassies. This reflects the implementation of accountability principles and restorative justice approaches in resolving labour disputes. Such practices are supported by recommendations from the ILO (2021), Constable (2009), and Silvey (2006), which emphasise dialogue-based dispute resolution in cross-border employment relationships (ILO, 2021; Constable, 2009; Silvey, 2006).

Challenges in maintaining protection commitments for women migrant workers primarily stem from external factors such as cultural differences, language barriers, and administrative constraints. PT Indo Sumber Mandiri highlighted difficulties in document collection from workers residing in remote areas, while PT Prestasi Abadi Sukses emphasised the importance of motivation-building and adaptive training. Proposed solutions include retraining programmes, continuous monitoring, and internal evaluations through quality procedures and ISO audits, as implemented by PT Tunas Karya Sukses. These findings align with IOM (2019), Human Rights Watch (2005), and Amnesty International (2013), which recognise the critical role of private companies in bridging gaps between formal regulations and on-the-ground practices (IOM, 2019; Human Rights Watch, 2005; Amnesty International, 2013).

Legal Barriers and Solutions in Enforcing the Accountability of Labour Recruitment Agencies for Violations of Women Workers' Rights

Legal entities or labour recruitment agencies (P3MI) in Indonesia bear significant responsibility for ensuring the fulfilment of the rights of women migrant workers employed abroad. One of the primary manifestations of this responsibility is the provision of adequate pre-departure training. Companies such as PT Indo Sumber Mandiri consistently organise technical and legal training through accredited vocational training institutions. This training covers job-related skills, the use of household equipment, and legal education regarding the regulatory frameworks of destination countries, delivered under the guidance of legal professionals. Such programmes represent a form of preventive corporate responsibility aimed at mitigating the risk of rights violations during employment (Law No. 18 of 2017; ILO, 2021; Human Rights Watch, 2011).

In addition, recruitment agencies demonstrate their commitment through transparent dissemination of information regarding employment contracts and the fundamental rights of prospective women workers. PT Tunas Karya Sukses, for instance, provides detailed explanations of contractual terms such as wages, working hours, and job responsibilities starting from the initial interview process. This transparency enables prospective workers to make informed decisions and reduces the likelihood of deceptive recruitment practices.

According to the ILO (2020), clear communication of contractual information constitutes both a legal and moral obligation of recruitment agencies to prevent exploitation in destination countries (ILO, 2020; Constable, 2009; Silvey, 2006).

Recruitment agencies are also responsible for ensuring the legality of women migrant workers' placement through multi-level verification systems. PT Prestasi Abadi Sukses and PT Indo Sumber Mandiri emphasised the importance of document legalisation by Indonesian embassies, verification through BP2MI, and accreditation by institutions in destination countries. These processes are designed to ensure that women workers are legally employed and protected under the legal systems of both sending and receiving states. This approach aligns with recommendations by Amnesty International (2013), which emphasise that formal legalisation is the foundation for the recognition of migrant workers' rights abroad (Amnesty International, 2013; IOM, 2019; ILO, 2021).

In cases of rights violations or labour disputes, recruitment agencies have established access to legal assistance mechanisms. Both PT Tunas Karya Sukses and PT Prestasi Abadi Sukses reported maintaining legal counsel capable of providing advocacy in destination countries. This assistance may take the form of direct legal representation or financial support through previously deposited security funds. The involvement of Indonesian embassies (KBRI) in mediation further strengthens legal protection. Such measures demonstrate that migrant worker protection is not merely reactive, but systematically and sustainably implemented (ILO, 2020; Human Rights Watch, 2005; Ministry of Foreign Affairs of Indonesia, 2022).

Monitoring mechanisms also form an integral part of recruitment agencies' legal responsibilities. PT Indo Sumber Mandiri, for example, has established psychosocial monitoring teams such as MANLIBESIS and IDRUEKLIBASIS to regularly assess the well-being of women workers through online communication and direct visits. Meanwhile, PT Tunas Karya Sukses conducts field monitoring every six to twelve months. These monitoring practices function not only as oversight tools but also as early detection mechanisms for potential violations or emerging problems faced by women workers (Constable, 2007; IOM, 2019; Human Rights Watch, 2011).

Internal evaluation represents another measure reflecting agencies' commitment to fulfilling their legal responsibilities. PT Tunas Karya Sukses has developed quality procedures and implemented periodic audits based on ISO 9001 standards to assess regulatory compliance. These evaluations encompass all stages of placement, from recruitment to repatriation, and serve as the basis for continuous improvement. According to the ILO (2020), systematic internal audits constitute an indicator of professional recruitment agency governance in meeting legal and ethical obligations toward migrant workers (ILO, 2020; Amnesty International, 2013; IOM, 2019).

Another critical form of responsibility involves the provision of compensation mechanisms and emergency assistance. All three interviewed companies reported maintaining security funds deposited with relevant ministries, which may be utilised to finance legal proceedings, repatriation, or medical assistance in cases of violence against women workers. In addition, insurance schemes and social security coverage (BPJS Ketenagakerjaan) strengthen the financial and legal protection framework. This practice aligns with the principle of due diligence in migrant protection advocated by Human Rights Watch (2011) and the ILO (2021), which emphasise that companies must be prepared to bear legal consequences arising from negligence (Human Rights Watch, 2011; ILO, 2021; Amnesty International, 2013).

Finally, active participation of recruitment agencies in policy dialogue with the government reflects a form of structural responsibility in protecting women migrant workers. Companies expressed expectations that

the government would involve P3MI associations more actively in policy formulation, given their direct experience with operational challenges in the field. Such participatory approaches are essential to producing realistic, adaptive, and worker-centred policies (Law No. 18 of 2017; Basri, 2020; ILO, 2020).

4. Conclusion

Normatively, the legal framework governing the responsibility of labour recruitment agencies in protecting the rights of women migrant workers employed abroad has been comprehensively regulated under Law Number 18 of 2017 on the Protection of Indonesian Migrant Workers and its implementing regulations. This framework affirms the obligations of recruitment agencies (P3MI) throughout all stages of labour placement, encompassing recruitment, pre-departure training, placement, repatriation, and reintegration. In principle, these regulations reflect a legal protection approach grounded in respect for the human rights of women workers as a vulnerable group. However, conceptually, the legal framework continues to position recruitment agencies primarily as administrative subjects rather than as substantive protection actors, resulting in the absence of explicit and operational preventive and restorative accountability mechanisms.

In practice, the implementation of recruitment agencies' legal responsibilities reveals a persistent gap between legal norms and on-the-ground realities. Although certain agencies have fulfilled administrative obligations such as document verification, pre-departure training, and coordination with BP2MI and Indonesian embassies protection of women workers' rights during placement remains partial and uneven. Legal assistance, monitoring systems, and complaint mechanisms are often insufficiently responsive and heavily dependent on the initiative of individual agencies. This indicates that accountability implementation remains largely oriented toward procedural compliance and business interests, while substantive protection, rights restoration, and post-contract sustainability have yet to become central priorities in women migrant worker placement practices.

The principal barriers to enforcing recruitment agency accountability for violations of women workers' rights lie in weak state supervision, the persistent prevalence of non-procedural migration practices, and limited integration between legal frameworks, supervisory institutions, and victim protection mechanisms. The absence of uniform national standards for legal education, placement-period assistance, and post-placement reintegration further exacerbates women workers' vulnerability to exploitation and rights violations. Accordingly, effective legal solutions require not only strengthened sanctions but also institutional reform through enhanced integrated supervision, cross-sectoral coordination among recruitment agencies, BP2MI, Indonesian embassies, law enforcement authorities, and civil society, as well as a clearer articulation of recruitment agencies' roles as agents of legal and social protection. Such an approach is expected to realise protection for women migrant workers that ensures not only legal certainty, but also substantive justice and sustainable social benefit.

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