

## **Indonesian (undocumented) migrant workers in the Netherlands (September 2011)<sup>1</sup>**

Undocumented migrants in the Netherlands are made up of various groups such as rejected asylum applicants, refugees, mothers of Dutch nationality children, and also workers. The undocumented migrant workers in the Netherlands are mostly of these nationalities; Filipinos, Ghanaians, Nigerians, Moroccans, Turks, Colombians, Brazilians, Chinese, as well as Indonesians.

Indonesian (undocumented) workers generally come to the Netherlands through legal routes: with a tourist visa, a temporary work permit/visa, or a seamen's visa. Once they arrive in the Netherlands, they usually overstay because they have no other choice. Most of them are deceived by agencies in Indonesia who give promises to provide them with a good job with a good salary and good housing. The migrants do not hesitate to take out a big loan to pay the agency so as to fulfil their dream of a better life by working in the Netherlands. However, as soon as they arrive in the Netherlands, it's not only jobs that they do not have but also a place to stay. But they rarely decide to return immediately to Indonesia since they still need to get money to pay off the loan.

Most of those who overstay look for other Indonesians who can help by finding them a temporary place to stay while they look for a job and somewhere to live. If they are lucky, they will find fellow Indonesians who really wish to help. However, it happens also that they can fall into a human trafficking network and get sold to an employer, to live in unhealthy accommodation, work under bad conditions, and get very low wages.<sup>2</sup> This is horrible, and that is why they are vulnerable.

Most Indonesian (undocumented) workers work in the informal sector. They work mostly as domestic workers. Some others work as cleaners, painters, gardeners and the like. Some of them join the biggest union in the Netherlands, FNV Bondgenoten, and also become members of the Indonesian Migrant Workers Union (IMWU NL), an organisation for Indonesian workers in the Netherlands, which was established by and for the Indonesian workers.<sup>3</sup>

The members of IMWU NL are working in collaboration with FNV Bondgenoten and other self-organisations of migrant workers to promote human and social rights in the campaign for decent work for domestic workers in the Netherlands.<sup>4</sup> Last June, the International Labour Organisation (ILO) adopted Convention 189 on decent work for domestic workers.<sup>5</sup> A representative of FNV Bondgenoten, as well as IMWU NL, took part in the International Labour Conference in Geneva, Switzerland. Please read the full story at FNV Bondgenoten

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<sup>1</sup> Published at PICUM website: <http://picum.org/en/news/blog/32079/>

<sup>2</sup> It happens: <http://nos.nl/artikel/149459-verdachten-van-mensenhandel-voor-de-rechter.html>

<sup>3</sup> IMWU NL: <https://www.facebook.com/profile.php?id=100000822359009>

<sup>4</sup> <https://www.facebook.com/domesticworkers>

<sup>5</sup> <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C189>

policy advisor, Margriet Kraamwinkel's blog.<sup>6</sup> The domestic workers in the Netherlands hailed this victory alongside domestic workers worldwide. However, the victory has still a long way to go before it brings real change. The Government of the Netherlands has stated that they will NOT ratify the Convention because of the 'better' regulations that the Netherlands has. Such regulations do not include domestic workers' rights, however. And so the struggle goes on.

Undocumented workers face a double issue: labour rights and immigration status. With regard to their immigration status, Indonesian undocumented workers have a specific problem when trying to extend their passport. The Indonesian Embassy has a policy of demanding the 'uitreksel' or statement from the City Hall where the person lives as one of the requirements for extending a passport. Certainly, undocumented workers cannot provide this requirement. So, instead of getting their passport extended, they get a travel document (*Surat Perjalanan Laksana Passport/SPLP*). However, there are some who cannot fulfil the requirements even for an SPLP and they become stateless. IMWU NL is approaching the Indonesian Embassy to clarify the fundamental grounds for this policy and to find a solution in the best interest of fellow undocumented Indonesians.<sup>7</sup>

Just like other undocumented workers in the Netherlands, the Indonesian undocumented workers also face health care/ medical problems as well as the risk of being arrested. Earlier this year, the Netherlands Government came up with the idea of criminalising the undocumented. Various organisations came together in a coalition against this idea.<sup>8</sup> In the end, instead of proposing criminalisation, Minister Leers proposed penalties ; fine 3800 and 4 months detention<sup>9</sup> for the undocumented.<sup>10</sup>

Responding this situation, IMWU NL and other organisations have come together, on behalf of all undocumented workers, in the Alliance of Human Rights of the Undocumented (AHRU). We work together in this coalition against criminalisation because in a struggle we cannot fight alone. Together we can, *samen zijn we sterk!*

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[http://www.fnvbondgenoten.nl/nieuws/acties\\_en\\_campagnes/grenzeloos\\_solidair\\_en\\_sociaal/Blog\\_margriet/margriet\\_blogt/366679/](http://www.fnvbondgenoten.nl/nieuws/acties_en_campagnes/grenzeloos_solidair_en_sociaal/Blog_margriet/margriet_blogt/366679/)

<sup>7</sup> Edited on October 23<sup>rd</sup> 2011: IMWU NL had an discussion with Indonesian Embassy on last October 10<sup>th</sup>. The Indonesian Embassy said that there is a possibility to review the policy on the extension of passport particularly for the undocumented.

<sup>8</sup> <http://www.geenstrafbaarstelling.nl/>,  
<http://nos.nl/video/224428-platform-tegen-aanpak-illegalen-minister-leers.html>,  
<http://www.radio1.nl/terugluisteren/tijd>

<sup>9</sup> <http://www.nu.nl/politiek/2616035/leers-wil-asielbeleid-aanscherpen.html>

<sup>10</sup> <http://www.rijksoverheid.nl/ministeries/bzk/documenten-en-publicaties/kamerstukken/2011/07/01/terugkeer-in-het-vreemdelingenbeleid.html>,  
<http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2011/07/08/aanpak-van-illegaal-verblijf.html>