

Editorial

*M*EMORIA PASSIONIS Bulletin is published by Zero Human Trafficking Network (ZTN). This is the first edition since the network was established in 2018. Through this first edition, we introduce the network's member who conducted the first meeting at Labuan Bajo in 2018. For our special topic, we present Adelina Sau's story, who was a victim in Malaysia. At the end, we offer you a reflection written by Rev. A. Elga J. Sarapung.

According to plan, this bulletin will also be published in English and spread through social media, including websites of all institutions part of this network. The readers are welcome if they have some suggestion/insight, which is something the editorial really expects. It can be addressed to the secretariat, as written in this bulletin.

Let us all stand up and take sides with the victims by working and tracing together their "deadly" paths, and save all human beings and citizens wherever they are. Do not be afraid in defending the truth and justice for humanity! HAPPY READING!

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Adelina: Au Fain, I want to go home

"Au fain" is a native language phrase from Southern Central Timor which means "I want to go home." This short phrase has become a "power" for Adelina Sau (also known as Adelina Lisao), 17 year-old teenager from Abi village, Oenino, Southern Central Timor, before her last breath in Malaysia. She was tortured by her Indian descendant employer, S. Ambika (60 years old), who lives at Taman Kota Permai, Bukit Mertajam, Penang, Malaysia. According to witnessing neighbors, Adelina was forced to sleep with a dog at the house terrace for about one month. Her head and face were swollen, and her feet and hands were full of ulcer wounds. On February 10th, 2018, she was helped and brought to a hospital in Penang. Unfortunately, two days later, her life could not be saved as her infected wounds were already spreading to other organs. She died on February 11th, 2018. The post-mortem reported by Penang Hospital recorded that her death was caused by *multi organ failure secondary to anemia (possible neglect)*. Adelina experienced deep multi-organ failure and anemia.

1. The sad story of Adelina

In 2012, Adelina finished her school at Nifuknani Elementary School of Abi village, Southern Central Timor (TTS). She was the second of 4 siblings. Her parents could not afford to fund her education; therefore Adelina did not continue her study. She was then assisting her parents in taking care of the house and field. Adelina was recruited around the

month of August 2015. Actually, the middleman had asked her parents several times for Adelina to work in Malaysia. But her parents did not allow it to happen. One day, when they were working in the field, Adelina, who had shown her interest at the middleman's promise, was picked up and brought along. Marthen Sau, her dad, was entrusted some amount of money around Rp 500.000 through their neighbor, with no knowledge of their purpose. When she was recruited, Adelina was around 16 years old. Her identity was then falsified. Her name became Adelina Lisao, and her birth yeas was changed from 1998 to 1992. Since then, the communication with her family was disconnected until one day the family received the information of Adelina's death in Malaysia.

Adelina died as the result of brutal torture by her employer (a 60 year old lady with 2 of her kids, a 36 year old woman and a 39 year old man). According to a testimony from one of her employer's neighbor in Malaysia, Adelina was forced to sleep with a Rottweiler dog at their house veranda with a lousy mat for more than one month. Her condition was also full of scars on her face, hands, and foot. The neighbor then reported the findings to Malaysian police that there was a presumption of torture against an Indonesian citizen. The police came and then brought Adelina in critical situation to Bukit Mertajam Hospital, Malaysia.

Steven Sim (Member of Parliament in Bukit Mertajam) said that when he met her, Adelina was very weak with serious wound on her hand. Adelina stated that during January-February 2018, she was forced to sleep outside with her employer's dog, not given any foods, and tortured. Despite of receiving medical treatment, Adelina's life could not be survived. Adelina died on Sunday, February 11th, 2018. Upon receiving the news, Adelina's mother (Yohana) came to Southern Central Timor Police Office. She requested that the remaining of her daughter could be sent back to Indonesia. Her request was granted. The remaining was greeted with tears of her mother and family at the cargo section of El Tari Airport, Kupang, on

Saturday February 17th, 2019. The remaining was then brought to Adelina's village in Abi village, Oenino, Southern Central Timor.

2. Case Development

Adelina's mother requested for the police to keep on updating the case. Then, Malaysian police arrested three of the suspected employers. According to Malaysian law, Adelina's employer namely Ambika M. A. Shan was charged with Article 302 of the penal code, with possibility of death penalty. While Ambika R. Jayavartiny was charged with employing illegal immigrant since March 2017 until February 10th, 2018. The 36 year old woman was considered to have violated Article 55 B, Paragraph 1 of the Immigration Law. If she is proven guilty, Jayavartiny will be sentenced for one year, and fined maximum with 50.000 Malaysian Ringgit (around 173.000.000 Indonesian Rupiah). Jayavartini denied the charges against her; even though she was aware that Adelina came illegally.

Adelina's three employers were also interrogated by Tenaganita, one non-governmental organizations that protects migrant workers from persecution. The employers denied treating Adelina inappropriately, but admitted to having slapped her several times. They claimed that the wounds on Adelina's body were from cleaning fluid chemistry when cleaning the kitchen sink. According to the doctor's statement, Adelina suffered bruises on her head and face. She suffered from secondary multi organ failures due to anemia. On the whole, her organs failed to work because deficiency blood on her body.

However, it was known later that the evidences were not enough to detain three of Adelina's employers by the high court. They were freed from the charges on April 18th, 2019. The judge's decision was responded with objection from the family, Indonesian government, and also the NGO that kept on following the development of Adelina's case. Glorene A. Das, Executive Director of the Institute for migrant worker protection in Malaysia, Tenaganita, questioned the law in Malaysia and demanded the Attorney General to respond on why there was no justice for Adelina, while the evidence was very clear.

According to information from VOA, on 22 April, the Director of Indonesian Citizen Protection and Indonesian Legal Entity at Ministry of Foreign Affairs of Indonesia, Lalu Muhammad Iqbal, stated to have requested the public prosecutor to ask for appeal against the verdict of free stated by Penang High Court in Malaysia. This is not the first case in Malaysian



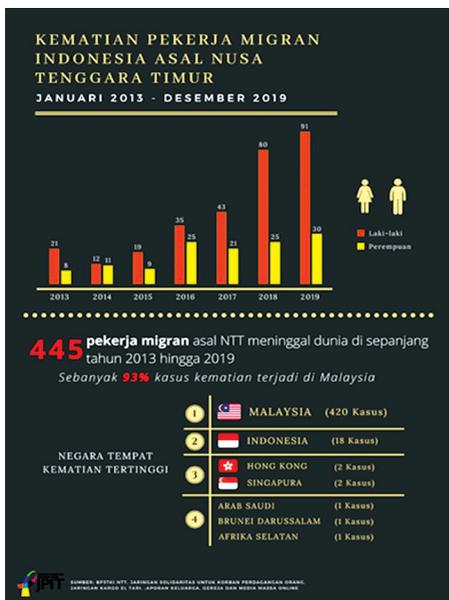
court. Back then, a rich Malaysian nobleman named Datin Rozita Mohamad Ali (44) was freed after conducting persecution against Suyanti Sutrisno (19), a domestic worker from Indonesia.

Adelina's family also had a meeting to discuss the case and questioned the Malaysian law for freeing Adelina's employers. The family also came to the Synod office of Gereja Masehi Injili at Timor (GMIT) to ask for assistance in the follow up process of the case, and hope for Adelina's employers to be sentenced according to Malaysian law.

On February 8th, 2019, Tenaganita Malaysia and Anti-Human Trafficking Network of NTT declared a press release in commemorating Adelina Sau and strengthening the rights of domestic workers. The government of Malaysia needs to act decisively and regulating the rule

of domestic worker's protections initiated by Tenaganita and other NGOs in Malaysia. At the end of the press release, Tenaganita and Anti-Human Trafficking Network of NTT committed to stand together with the victims, survivors, family of victims, activist, religious actors, and no longer wanting to see any single death of domestic workers.

The case of Adelina Sau is a hurting fact that NTT is in the category of emergency in human trafficking. The innocent people have been played with social and economic injustice in NTT. The people are played with law uncertainty and politics, in which both are giving the ways for greedy mafia. A memoria passionis of Women Migrant Workers of NTT, specially for the informal sector. (Rev. Emmy Sahertian – Reverend of GMIT, member of Z-HT)



Network Institute for Trafficking (JPIT), 455 PMI from NTT were recorded deceased abroad since January 2013 until December 2019. From that number, 93% (420 cases) of death is in Malaysia. There are several factors which caused the death of migrant workers from NTT: disease, such as high blood pressure, heart attack, lungs infection, and TBC. Aside of those reasons, there are also those who were died in working place, torture of violence conducted by the employer similar with the case of Adelina Sau or died because of giving birth.

Apparently, this shows how bad the law protection system and social guarantee for the rights of migrant workers, whether in the form of health insurance and access to receive proper medical treatment, or protection in the working place. The death of TKI (Indonesian Domestic Worker) gives a strong message that the state (Indonesia) is not present or not effective in the effort of prevention and protection for its migrant workers. This matter is supported by the saddening fact that 98% of the dead TKI were undocumented or non-procedural. The state intervention is needed to prevent the death of Indonesian migrant worker abroad, and not only processing the return of coffin or dead body of migrant worker to its hometown. ***

The death number of Indonesian Migrant Worker (PMI) from East Nusa Tenggara Province (NTT) has been increasing. According to the data from BP3TKI NTT and Solidarity

Reflection

"Human Trafficking" or "perdagangan manusia" is not a new case in human history. However, if it is happening in front of our eyes, happening in some areas in Indonesia, especially in NTT, then it is not only eyes are witnessing, but all of our human senses are triggered. All together of reasons, consciences, and attitude, unite in full of patience with the same willpower to "fight" all the practice that has lowered the human dignity, pride, humanity.

We need to act clearly, in the same side with the victim, as the humanity of human being and victim have been pressed into its lowest stage by the lies of the liars, the perpetrates “together” from greedy people which in favor of money without concerning the dignity, pride, and humanity. What is left only “How can I, we, get as much money as possible,” with no human sense left, and therefore, all forms of ignorance, crime, and lie are played.” This has been a “disease.” Yes, a “disease” more than a mental illness.

What have been really concerning is all efforts to achieve the goal and hope are done together, not individual, by the group of people who have fulfilled all the requirement to be “more than mentally ill.” From street mafia, state actor, law enforcer, locally, provincially, even national and international, trans-national, even there was a religious leader, family member, and many more.

Money. Why people are, with no sincere, willing get the money by trading its fellow beings? Is human being really that low to the extent of lower than animal, and easy to trade? Who is human being for this kind of people? Who is human being for all of us? (A. Elga J. Sarapung)

Zero Human Trafficking Network

Zero Human Trafficking Network (ZTN) is a coalition of several civil organizations and interfaith social institutions which have the mission of “Zero Human Trafficking.” ZTN is committed to be against human trafficking and fight modern slavery in any forms in Indonesia and Southeast Asia, even worldwide. This coalition was formed based on the agreement of the participants of Anti-Human Trafficking Consultative Group Meeting (CGM-AHT) in Labuan Bajo, Flores, NTT, from 31 October – 2 November 2018 initiated and sponsored by Mensen met eenMissie (MM) from The Netherlands.

ZTN is consisting of 34 civil organizations with various backgrounds, like religious-based social institutions (Tarekat, JPIC, IBSI, NU, GMIT) and interfaith organizations (Institut DIAN/Interfidei). Apart from that, there are also civil organization, media, research institution, partners of MM, and other international bodies which have their Indonesian office. These institutions are located in various locations in Indonesia, like Lampung, Jakarta, West Java, Central Java, Yogyakarta, East Java, NTT, Merauke, and East Timor.

The organizations and institutions incorporated into ZTN coalition are VIVAT Indonesia (Jakarta), Evangelical Christian Church in Timor (GMIT-Kupang), Institut DIAN/INTERFIDEI (Yogyakarta), JPIC-FSGM, JPIC SSpS West Flores, CWTC-IBSI /Talitha Kum Indonesia, PPA Atambua, TRUK F (Maukere), Talitha Kum East Timor, SKP-KAME, Lembaga Kita, LAKPESDAM NU, NHOP, IMPARSIAL (Jakarta), KABAR BUMI, Parinama Astha Foundation, East Indonesian Women's Network (JPIT-Kupang), Indonesian Interfaith Network-JABAR (JAIL-JABAR), FAHMINA (Cirebon), Banati Foundation, Donders Foundation, Sarnelli Institute, Candradytia Research Institute, Kupang Post, VOX NTT, PADMA Indonesia, Migrant Care, LKTS, JPIC SVD Ende, Mensen met eenMissie. (Paul).

