MODERATE ADVANCEMENT

In 2013, Indonesia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government continued to strengthen its provincial, district, and municipallevel efforts to combat child labor and human trafficking by adopting and implementing local-level regulations, coordinating mechanisms, policies, and action plans and by opening new investigations for 63 child trafficking cases. The Government also expanded access to social protection programs through the



development of a social protection card system. However, children in Indonesia continue to engage in child labor in agriculture and in the worst forms of child labor in domestic service. Enforcement of child labor laws also remains a challenge. Law enforcement officials lack training on child labor and trafficking and the Government lacks comprehensive publically available data on child labor and trafficking investigations, violations, and convictions.

# I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Indonesia are engaged in the worst forms of child labor in agriculture and in the worst forms of child labor in domestic service. (1, 2) Data from the Government's 2010 Labor Force Survey (*Sakernas*) indicate that there are 2 million children working in rural areas and 386,000 children working in urban and peri-urban areas. (1) There are also substantial regional differences in children's employment. For example, 1 percent of children between ages 10 and 14 work in Jakarta compared to 8 percent of children in Sulawesi (Central Indonesia) and 9 percent in Eastern Indonesia. (1) Children's work also increases sharply with age. For example, 5.2 percent of 10-year-olds work compared with 13.5 percent of 14-year-olds. (1) Table 1 provides key indicators on children's work and education in Indonesia.

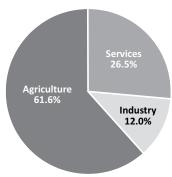
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10-14 yrs.	3.7 (816,363)
Attending School (%)	10-14 yrs.	92.4
Combining Work and School (%)	10-14 yrs.	2.1
Primary Completion Rate (%)		99.7

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2014.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labor Force Survey (Sakernas), 2010.(4)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

	<u> </u>
Sector/Industry	Activity
Agriculture	Production of rubber, palm oil, and tobacco (5-9)
	Production of cloves,* coconuts,* coffee,* silk cotton (kapok),* melinjo fruit,* sugarcane,* and tea* (5, 10-13)
	Fishing, including fish processing (8, 14, 15)
	Small-scale mining,† including gold (8, 16-18)
Industry	Construction, activities unknown† (11, 19)
muustry	Production of asphalt,* oil,* brick,* cigarettes,* footwear (including sandals), floor coverings,* marble,* stone,* textiles,* and tin* (8, 11-13, 16, 20)
Services	Street work, activities unknown† (13, 21)
	Horse jockeying* (22)
	Domestic service† (23, 24)

**MODERATE ADVANCEMENT** 

Table 2. Overview of Children's Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Domestic service and fishing* as a result of human trafficking (15, 25-27)
	Use in sale, production, and trafficking of drugs, sometimes as a result of human trafficking (15, 25)
	Commercial sexual exploitation sometimes as a result of human trafficking* (15, 27-32)

<sup>\*</sup> Evidence of this activity is limited and/or the extent of the problem is unknown.

Indonesia is primarily a source country for child trafficking. Children, mostly girls, are trafficked to Malaysia, Taiwan, and the Middle East where they are subject to commercial sexual exploitation and domestic servitude. (27, 30, 31). Girls are also trafficked internally for the purpose of commercial sexual exploitation at mining operations in Jambi, Maluku, and Papua provinces, the Batam District, North Sulawesi, Riau Island, and West Papua provinces. In addition, children are trafficked for sex tourism in Bali and Riau Island. (32) Although information is limited, children are reported to also be trafficked internally for domestic servitude and fishing. (27) Children have reportedly been abducted from their homes and used for drug trafficking. (25)

### II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Indonesia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor** 

	Convention	Ratification
ST TO ST	ILO C. 138, Minimum Age	✓
ATTOM	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	<b>√</b>
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	<b>√</b>

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor** 

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Law No. 20/1999 on the Ratification of ILO Convention 138 (33)
Minimum Age for Hazardous Work	Yes	18	Manpower Act, Law No. 13/2003 (34)
List of Hazardous Occupations Prohibited for Children	Yes		Ministry of Manpower and Transmigration's Decree 235; Presidential Decree No. 59/2002 (35, 36)
Prohibition of Forced Labor	Yes		Manpower Act, Law No. 13/2003; Law No. 21/2007 on the Eradication of the Criminal Act of Trafficking in Persons (34, 37)
Prohibition of Child Trafficking	Yes		Law No. 21/2007 on the Eradication of the Criminal Act of Trafficking in Persons (37)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Manpower Act, Law No. 13/2003; Child Protection Act, Law No. 23/2002; Penal Code; Law No. 10/2012 on the Ratification of the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (8, 34, 38, 39)
Prohibition of Using Children in Illicit Activities	Yes		Manpower Act, Law No. 13/2003 (34)
Minimum Age for Compulsory Military Recruitment	Yes	18	Law No. 34/2004 on the Indonesian National Armed Forces (40, 41)

<sup>†</sup> Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

<sup>‡</sup> Child labor understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182.

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Yes	18	Law No. 34/2004 on the Indonesian National Armed Forces (40, 41)
Compulsory Education Age	Yes	16	Presidential Instruction No. 1/1994, Articles 48 and 53 of the Child Protection Act, Law No. 23/2002, Article 6 of the National Education Law, Law No. 20/2003 (38, 42-44)
Free Public Education	Yes		Article 34 of the National Education Law, Law No. 20/2003 (44)

In 2013, local governments issued several provincial-, district-, and municipal-level regulations on the worst forms of child labor and child protection. At the provincial level, the Riau provincial government issued Provincial Regulation No. 4/2013 on the Services, Placement and Protection of Workers, including Article 52, which prohibits the worst forms of child labor. The South Kalimantan provincial government also issued Provincial Regulation No. 13/2013 on Child Protection.(43) At the district and municipal levels, the District of Kebumen, Central Java, issued District Regulation No. 3/2013 on the Implementation of Child Protection; the Sanggau, West Kalimintan District Government issued the District Regulation on Child Protection; and the Municipality of Sukabumi issued Municipal Regulation No. 4/2013 on Child Protection.(43, 45) All of these regulations reinforce the legal and regulatory framework on the worst forms of child labor.

The Domestic Worker's Protection Draft Bill continued to be deliberated by the legislature in 2013.(46) The adoption of the Domestic Worker's Protection Bill would be a stronger source of protections for child domestic workers because the current Ministry of Women's Empowerment and Child Protection's (MOWECP) child domestic worker guidelines is intended for implementation by local governments and it is up to them to enforce the guidelines.(47, 48)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement** 

J	
Organization/Agency	Role
Ministry of Manpower and Transmigration's (MOMT) Directorate General of Labor Development and Supervision	Monitor and enforce child labor laws.(8, 43) Provide information to employers on child labor laws and regulations, report child labor violations, and work with law enforcement officials to prosecute any child labor violations.(8, 49) Refer children found during inspections to the local Women's Empowerment and Family Planning Body (BPPKB) and/or Integrated Service Center for Empowering Women and Children (P2TP2A) to access appropriate social services.(43)
MOMT Directorate of Norms Supervision of Women and Child Workers	Receive child labor complaints via telephone, fax, or email.(43)
Ministry of Women's Empowerment and Child Protection (MOWECP)	Operate a Children's Helpline in order to receive complaints of children in need of protection, including child workers.(43)
National Police, including Women and Children's Service Unit	Conduct inspections and raids as well as make arrests in response to all crimes, including those related to child forced labor and trafficking, commercial sexual exploitation, and children participating in illicit activities. Conduct joint inspections with the MOMT, other government agencies, and the National Commission on Child Protection (KPAI).(15, 26, 43, 49, 50)

Law enforcement agencies in Indonesia took actions to combat child labor, including its worst forms.

### Labor Law Enforcement

In 2013, the Ministry of Manpower and Transmigration (MOMT) employed 2,384 labor inspectors, of whom, 1,460 are general labor inspectors, 563 are civil servant investigators, and 361 are specialized inspectors tasked with enforcing the labor laws in specific industries such as medicine or engineering, including laws related to child labor.(43, 51)

#### MODERATE ADVANCEMENT

During the reporting period, the Minister of MOMT urged employers, trade unions, and families to report violations of child labor laws and regulations. The Minister also stated that employers who employed minors in violation of the Child Protection Act would have their licenses revoked and would face criminal prosecution. (52)

The MOMT allocated \$35.6 million for enforcement of labor laws, including child labor, at the federal level. In addition, each province and district head allocates a portion of funds for labor inspections and investigations.(43) Raids on reported child labor violations took place during the reporting period; however, research did not reveal the number of child labor inspections conducted, the number of violations identified, or the number of children assisted as a result of inspections because the Government does not have a system in place to disaggregate data.(14, 43) The MOMT provided 4 months of training to labor inspectors on the worst forms of child labor. The ILO also issued a guidebook on the worst forms of child labor to labor inspectors.(43) Government, ILO, and NGO officials have stated that there are not enough labor inspectors to address the child labor problem in Indonesia adequately and that labor inspectors are not provided with sufficient resources to carry out labor inspections effectively.(43, 53)

## Criminal Law Enforcement

During the reporting period, 1,000 police officers and 563 MOMT civil service investigators were deployed nationwide to focus on criminal investigations pertaining to child labor and trafficking. (43, 48)

The police reported opening 112 new trafficking cases involving 155 child and adult victims, of which 60 were girls and 3 were boys. (48, 54) The Attorney General's Office provided anti-trafficking training to 40 law enforcement and judicial officials in Jakarta, 45 law enforcement and judicial officials in West Java, 40 law enforcement and judicial officials in West Kalimantan, and 45 law enforcement and judicial officials in West Nusa Tenggara. Additionally, the Ministry of Education provided anti-child trafficking and commercial sexual exploitation training to 80 law enforcement and school teachers in North Sumatra. (54) MOMT also trained civil service investigators on the worst forms of child labor. (43)

Although there is no information on the exact number of convictions, the Attorney General's Task Force on Terrorism and Trans National Crime initiated 126 prosecutions.(55) Many of these prosecutions and convictions stemmed from violations related to the commercial sexual exploitation of children; those found violating the law were sentenced to prison and fined.(54) Information is not available on the exact number of prosecutions and convictions related to violations of laws on the worst forms of child labor. The National Task Force to Combat Trafficking in Persons notes that the lack of data hinders efforts to improve the prevention, prosecution, and protection of human trafficking.(54)

Despite the attention to anti-trafficking, the National Task Force to Combat Trafficking in Persons reports indicate that the police and prosecutors are unfamiliar with anti-trafficking legislation and are unclear about their role. (54) The MOWCEP issued recommendations and has begun implementing guidance on identifying trafficking victims and standard operating procedures for providing integrated services. (54)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Action Committee for the Elimination of the Worst Forms of Child Labor	Coordinate and monitor policy and program efforts to eliminate the worst forms of child labor at the national level. Establish metrics for the realization of children's rights, supervising the recruitment of workers, and assisting regional governments to appropriately budget for regional action committees. Chaired by MOMT with membership from 13 ministries, law enforcement institutions, trade unions, NGOs, and employers' associations.(8, 43, 51)
Provincial-level and District- level Child Labor Committees	Coordinate and monitor policy and program efforts, and develop action plans to eliminate the worst forms of child labor at the local level.(56)
MOWECP	Coordinate the development and implementation of policies related to child protection.(42)

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
KPAI	Disseminate information related to child protection, including child labor legislation; receive complaints, including those that pertain to child labor; monitor and evaluate the implementation of child protection efforts; and provide feedback on child protection to the President of Indonesia.(42)
National Task Force to Combat Trafficking in Persons	Coordinate the country's anti-trafficking efforts, including child trafficking.(57) Chaired by MOWECP, which coordinates the Task Force across 19 ministries. Includes six working groups that develop action plans and budgets for programs to address trafficking in persons.(58)
Sub-Task Force on the Prevention of Child Participation in Trafficking in Persons	Organize regular coordination meetings, provide technical training, and produce publications on the prevention of trafficking in persons. Chaired by the Ministry of National Education and Culture's (MONE's) Director for Early Childhood, Non-formal and Informal Education with membership from six ministries, the police, JARAK (network of NGOs working for the elimination of child labor), the Indonesian Journalists Alliance, and KPAI.(43)
Provincial and District Task Forces to Combat Trafficking in Persons	Coordinate the prevention, rehabilitation, reintegration, and the development and enforcement of relevant legislation.(51, 58)

The number of provincial child labor action committees increased from 32 in 2012 to 33 in 2013. Additionally, the number of child labor action committees at the district and municipal levels increased from 159 in 2012 to 162 in 2013.(43) However, the various entities responsible for working on child labor at the national, provincial, district, and municipal levels do not always coordinate with one another.(49, 59) The West Java Provincial Government issued a Governor's Decree to establish a Provincial Task Force to address the issue of street children.(45)

The Government increased the number of anti-trafficking task forces in the provinces from 28 to 30, and in districts and towns from 90 to 165; the task forces all coordinate among provincial and district governments (including police, prosecutors and courts), NGOs, and the international community. (54) The MOWECP led a national meeting to improve coordination and cooperation among provincial-level anti-trafficking task forces. As a result, five agreements among five sets of tasks forces were made to prevent human trafficking. (54)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Indonesia has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
National Action Plan (NAP) for the Elimination of the Worst Forms of Child Labor (2002–2022)	Provides the national government's policy framework for the elimination of child labor in three operational phases.(43, 45, 55)
Provincial and District Action Plans for the Elimination of the Worst Forms of Child Labor	Provides provincial and district government's policy framework for the elimination of child labor.(45) In 2013, 4 provincial committees and 12 district and municipal action committees finalized action plans on the elimination of the worst forms of child labor.(43, 55)
National, Provincial, and District Plans of Action on the Elimination of Trafficking of Women and Children (2009–2014)	National Plan involves coordination among 19 ministries and formation of 6 sub-task forces under various ministries, including a sub-task force on the prevention of the trafficking of children under MONE. Serves to promote the prevention of trafficking in persons, including the commercial sexual exploitation of children.(48) Provincial and District Plans are local plans of action on the elimination of trafficking of women and children.(48, 50)
National Mid-Term Development Plan (2010–2014)	Incorporates various child labor prevention and reduction strategies into these development agendas.(60)
UN Partnership for Development Framework (2011–2015)	Tracks the Government's ability to implement the NAP effectively by measuring the number of district action committees and action plans formed, of provincial child labor monitoring systems developed, and of district child labor committees with representation from youth and/or women.(61)
Minimum Service Standards of Basic Education Program (2011–2013)*	Aims to improve access and quality of public education by limiting the distance that elementary and junior secondary schools can be located from children's households, specifying minimum allowable teacher-student ratios, and identifying minimum teacher education qualifications. (60, 62)

<sup>\*</sup> The impact of this policy on child labor does not appear to have been studied.

#### MODERATE ADVANCEMENT

In 2013, MOMT, in collaboration with the Ministry for National Development Planning, the ILO, and NGOs, drafted the Roadmap for the Elimination of Child Labor, which is intended to replace the third operational phase of the National Action Plan and is being finalized. (43, 55, 63) Specifically, the Roadmap aims to strengthen coordination and cooperation with stakeholders at all levels for the elimination of all child labor; develop coordinating mechanisms and policies to accelerate actions to eliminate child labor; mainstream the elimination of child labor into national development policies; and mobilize resources from stakeholders for the elimination of all child labor. (48, 55, 64)

The National Task Force to Combat Trafficking in Persons notes that Provincial and District Task Forces to Combat Trafficking in Persons lack Plans of Action on the Elimination of Trafficking of Women and Children. (54)

### VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Indonesia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor** 

Program	Description
Child Labor Elimination Program (Pengurangan Pekerja Anak)‡	MOMT program that removes child laborers ages 7 to 15 years from their workplaces and temporarily places them for 4 months in shelters where they receive counseling, remedial education for re-entry into school, and financial assistance of \$21 each month (8, 43, 51, 65) In 2013, the program worked across 21 provinces and 89 cities or districts in Indonesia, removed 11,000 children from child labor, and provided 366 shelters and 503 social workers to assist in this process.(55, 65)
Family Hope Program (Program Keluarga Harapan)‡	The Ministry of Social Affairs (MOSA) managed conditional cash transfer program, which provides services for child laborers who have dropped out of school. Targets the poorest 10 percent of the population and provides cash assistance to families who meet education criteria, including school enrollment and attendance.(43, 51, 63, 66, 67) In 2013, assisted 2,400,000 households.(55) Research shows that conditional cash transfer programs have slightly reduced child labor in Indonesia.(68)
Child Social Welfare Program (Program Kesejahteraan Sosial Anak)‡	MOSA administers conditional cash transfer program, which provides conditional cash transfers to street children, assistance to parents of child laborers at risk, and grants to implementing partners for the reintegration of trafficked children.(2, 15, 26, 43) In 2013, the program provided support to 9,314 street children.(55)
West Java Street Children Program‡	West Java provincial government program to assist street children.(45)
Bandung Municipality Street Children Program‡	Municipality of Bandung program to assist street children.(45)
Promote: Decent Work for Domestic Workers to End Child Domestic Labor	USDOL-funded 4-year, \$5 million program implemented by ILO-IPEC. Expands legal protections for child domestic workers, builds capacity of domestic worker organizations to address child domestic work, and promotes national and regional knowledge, awareness, and research of domestic service.(24)
Eliminate Exploitive Child Labor Through Education and Economic Development (EXCEED)	USDOL-funded 4 year, \$5.5 million program implemented by Save the Children that provides educational services to children at risk of or engaging in exploitative labor in domestic service, commercial agriculture, street work, and commercial sexual exploitation by providing educational services.(21) Between April and September 2013, withdrew 1,571 children and prevented 1,236 children from exploitative labor and supported one city to develop a district action plan to become a 'child friendly' city.(69)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. In Indonesia, aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor and forced labor; improve the evidence base on child labor and forced labor through data collection and research; and strengthen legal protections and social service delivery for child domestic workers.(70)
Social Protection Cards (Kartu Perlingdungan Sosial)†‡	Government program that provides a social protection card in order for beneficiaries to access Government social protection programs such as the unconditional cash transfer program, rice for the poor program, and education scholarships program.(66) As of October 2013, the Government issued social protection cards to 15.5 million poor households covering 25 percent of households of the lowest socioeconomic status in Indonesia.(63)

**Table 8. Social Programs to Address Child Labor (cont)** 

Description
Government unconditional cash transfer program to increase livelihoods of the poorest families.(66) In 2013, the program budgeted \$829 million for its unconditional cash transfer program and distributed \$13.35 million to 15.5 million households twice between June and October 2013.(55)
Government subsidized food program that provides rice for the poorest 25 percent of households.(66)
Government national health program that incorporates several existing health programs and provides health services to more than 100 million Indonesians. Incorporates an existing health program which pays the health fees of 86 million poor Indonesians. Additionally, assists millions more poor Indonesians through their local governments.(48, 66, 71, 72)
Government primary, junior secondary, and senior secondary scholarship program that targets the poorest 25 percent of the population.(51, 60, 63, 66) In 2013, the program assisted 13.5 million students.(55) During 2013, research shows that educational cash transfers and related assistance programs significantly decrease the time spent by children on income-generating activities in Indonesia. In addition, households receiving educational transfers, scholarships and assistance were also found to spend more on educational goods.(73)
Government block grant program that compensates schools for the loss of income incurred when waiving fees, thereby ensuring free education for poor and vulnerable children in primary, junior secondary, and senior secondary schools.(42, 43, 74) In 2013, the program assisted 36.6 million primary and junior high school students, and 9.8 million senior high school students.(55)
MOSA and other government program that provides services for child victims of trafficking. In 2013, MOSA provided services to 49 child trafficking victims in Jakarta; the Women's Social Protection Home provided services to 24 child trafficking victims; the Integrated Service Center provided services to 19 child trafficking victims in Jakarta province; and the Integrated Service Center provided services to 11 child trafficking victims in East Java.(54)
MOWECP, the Ministry of Home Affairs, Ministry of Communication and Information, Ministry of Justice and Human Rights, Ministry of Foreign Affairs, Ministry of Transportation, Ministry of Religious Affairs, and Indonesian National Police awareness raising activities on human trafficking. In 2013, government agencies provided multiple awareness raising activities to prevent human trafficking. (54)

<sup>\*</sup> The impact of this program on child labor does not appear to have been studied.

# VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Indonesia (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Track and report the number of child labor and trafficking inspections, violations, penalties, and convictions, as well as the number of children removed and assisted, and analyze the effectiveness of enforcement.	2009 – 2013
	Increase the number of labor inspectors and provide sufficient funds for labor inspections so inspectors can adequately enforce child labor laws.	2010 – 2013
	Train police officers and prosecutors to be familiar with anti-trafficking legislation and clarify their role in combating human trafficking.	2013
Coordination	Improve coordination between national-, provincial-, district-, and municipal-level government officials responsible for addressing child labor concerns.	2012 – 2013
Policies	Create Provincial and District Plans of Action on the Elimination of Trafficking of Women and Children.	2013
	Assess the impact that existing education policies may have on reducing child labor.	2013
Social Programs	Assess the impact that existing social protection and education programs may have on reducing child labor.	2013

<sup>†</sup> Program was launched during the reporting period.

<sup>‡</sup> Program is funded by the Government of Indonesia.

#### MODERATE ADVANCEMENT

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