

# Indonesia

## Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1992, the Government of Indonesia became one of the six original countries to participate in ILO-IPEC, establishing a national steering committee and developing a draft National Plan of Action for addressing exploitative child labor, and launching various child labor projects.<sup>1271</sup> In 1999, the USDOL funded projects in Indonesia to combat child labor in the fishing and footwear industries.<sup>1272</sup> The Government of Indonesia is also collaborating with ILO-IPEC on a regional level to address children working in industries and trafficking.<sup>1273</sup> In 1999, Indonesia's Central Planning and Development Board earmarked 10 percent of educational safety net funds for working children to alleviate the growing trend of children dropping out of school for economic reasons.<sup>1274</sup>

## Incidence and Nature of Child Labor

In 1999, the ILO estimated that 8.2 percent of children between the ages of 10 and 14 in Indonesia were working.<sup>1275</sup> Children work in various industries, including rattan and wood furniture, garments, footwear, food processing, toy-making, and small mining. More children are reportedly working in informal sectors, selling newspapers, shining shoes, parking cars, or working beside their parents in family businesses and on commercial farms.<sup>1276</sup>

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<sup>1271</sup> Pandji Putranto, ILO-IPEC, electronic correspondence to USDOL official, March 18, 2001. See also ILO-IPEC, *All About IPEC: Programme Countries*, at [http://www.ilo.org/public/English/standards/ipecc/about/countries/t\\_country.htm](http://www.ilo.org/public/English/standards/ipecc/about/countries/t_country.htm) on 11/27/01.

<sup>1272</sup> See the following ILO project documents: *Programme to Combat Child Labor in the Fishing Sector in Indonesia and the Philippines (Phase 1)* (Geneva, 1999) and *Programme to Combat Child Labor in the Footwear Industry in Indonesia and the Philippines (Phase 1)* (Geneva, 1999).

<sup>1273</sup> "IPEC in Action: Asia, Progress and Challenge in East and South-East Asia," ILO-IPEC Web site, at <http://www.ilo.org/public/English/standards/ipecc/publ/field/asia/progchalpr.htm> on 12/28/01.

<sup>1274</sup> Esther Duflo, *Schooling and Labor Market Consequences of School Construction in Indonesia: Evidence from an Unusual Policy Experiment*, *B NBER Working Paper Series* (Massachusetts: National Bureau of Economic Research Working Paper 7860, 2000), 2.

<sup>1275</sup> *World Development Indicators 2001* (Washington, D.C., World Bank, 2001) [CD-ROM]. In 1996, a Labor Force Survey by the Indonesian Central Bureau of Statistics (BPS) estimated that 8.5 percent (1.9 million) of children between ages 10 and 14 in Indonesia were working. See Nafsiah Mboi and Irwanto, *Indonesian Experience With Child Labor: Looking for Best Practices* (Jakarta: ILO-IPEC, 1998), 20, 21. A 1999 National Socioeconomic Survey found that 10 percent of children between ages 10 and 14 worked. However, given the percentage of children out of school, some analysts suggest that 20 percent is a more likely figure. See P. Irwan, H. Hendriati and Y. Hestyani, "Alternative Education Strategies for the Young Disadvantaged Groups in Indonesia" (Jakarta: UNESCO, 1999), as cited in Peter Stalker, "Beyond Krismon: The Social Legacy of Indonesia's Financial Crisis" (Florence: UNICEF Innocenti Research Centre, 2000) [hereinafter Stalker, "Beyond Krismon"], 20.

<sup>1276</sup> *Country Reports on Human Rights Practices for 2000—Indonesia* (Washington, D.C.: U.S. Department of State, 2001) [hereinafter *Country Reports 2000*], Section 6d, at <http://www.state.gov/g/drl/rls/hrrpt/2000/eap/707.htm>.

A 2000 report by the Government of Indonesia and UNICEF found that more children are working in exploitative and hazardous activities such as garbage scavenging, street peddling, domestic servitude, and prostitution.<sup>1277</sup> In North Sumatra, boys work on fishing platforms called *jermals* for 12 to 13 hours per day for up to three months, often in dangerous conditions.<sup>1278</sup> In addition, children have allegedly been recruited as child soldiers in armed conflicts.<sup>1279</sup> An estimated 30 percent of all sex workers are under the age of 18 (between 40,000 to 70,000 children).<sup>1280</sup> Trafficking of children is a growing problem.<sup>1281</sup> Children, primarily girls, are trafficked for sexual exploitation and forced labor both within Indonesia and to international locations.<sup>1282</sup>

In 1994, compulsory basic education was extended from six to nine years, but this measure has not been fully implemented because of the lack of legal mechanisms for enforcement.<sup>1283</sup> Education is not free. Families must pay tuition fees, cover the cost of uniforms and supplies, and pay fees for parent-teacher associations.<sup>1284</sup> In 1997, the gross primary enrollment rate was 113.6 percent, and the net primary enrollment rate was 95 percent, roughly similar for boys and girls.<sup>1285</sup> In 2000, UNICEF reported that 20 percent of children fail to complete their primary education, and 30 percent of children ages 13 to 15 years old are not in school.<sup>1286</sup> The number of school age dropouts rose from three million in 1997 to eight million at the end of 1998, mainly because the

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<sup>1277</sup> Government of Indonesia and UNICEF, *Challenges for a New Generation: The Situation of Children and Women in Indonesia, 2000* (Jakarta, 2000) [hereinafter *Challenges for a New Generation*], vi.

<sup>1278</sup> ILO-IPEC, *Programme to Combat Child Labor in the Fishing Sector in Indonesia and the Philippines (Phase 1)*, project document (Geneva, 1999), 2, 3.

<sup>1279</sup> Children have been reported in militia groups that formed in East Timor, in the separatist region of Aceh, and in the Maluku Islands. Reports from the Malukus indicate that children between ages 7 and 12 have participated in both sides of the conflict. See Coalition to Stop the Use of Child Soldiers, *Asia Report: Indonesia and East Timor*, May 2000 [hereinafter *Asia Report*], 27, at [http://www.child-soldiers.org/reports\\_asia/indon\\_and\\_et.html](http://www.child-soldiers.org/reports_asia/indon_and_et.html). According to this report, sources within the churches in the region said that at least 200 boys had been forcibly recruited and trained as fighters.

<sup>1280</sup> Mohammad Farid, "Sexual Abuse, Sexual Exploitation, and the Commercial Sexual Exploitation of Children," in Irwanto, Mohammad Farid, and Jeffry Anwar, *Situational Analysis of Children in Need of Special Protection in Indonesia* (Jakarta: CSDS Atma Jaya, Department of Social Affairs, and UNICEF, 1998), 96, 97.

<sup>1281</sup> *Country Reports 2000* at Section 6f. See also *Challenges for a New Generation: The Situation of Children and Women in Indonesia, 2000* (Jakarta: Government of Indonesia and UNICEF, 2000) [hereinafter *Challenges for a New Generation*], vi.

<sup>1282</sup> Destinations for women and girls trafficked from Indonesia include Hong Kong, Singapore, Taiwan, Malaysia, Brunei, the Persian Gulf countries, Australia, Korea, and Japan. See *Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons Report, Indonesia* (Washington, D.C.: U.S. Department of State, 2001), at <http://www.state.gov/g/inl/rls/tiprpt/2001/> on 12/28/01.

<sup>1283</sup> *Challenges for a New Generation* at 98. See also Darmastuti Soetrisno, Director of Kindergarten and Primary Education of the Ministry of Education, interview by USDOL official, October 13, 2000.

<sup>1284</sup> Stalker, *Beyond Krismon*, at 19.

<sup>1285</sup> UNESCO, *Education For All: Year 2000 Assessment* (Paris, 2000) [CD-ROM].

<sup>1286</sup> Stalker, *Beyond Krismon*, at 19.

children had to work and they could not afford school fees and related expenses.<sup>1287</sup> According to the Indonesian Ministry of Education and ILO data, close to 12 million school age children did not attend school in 1999.<sup>1288</sup>

### Child Labor Laws and Enforcement

In April 1999, Indonesian law raised the minimum age for employment from 14 to 15 years.<sup>1289</sup> Enforcement of this law, however, is reportedly rare.<sup>1290</sup> The Protection of Children Forced to Work Law Regulation of 1987 allows children under the age of 14 to engage in certain types of work, and requires employers to report the number of children working.<sup>1291</sup> A 1998 Circular Letter from the Governor of North Sumatra set the minimum age for employment on *jermals* at 18 years.<sup>1292</sup> Prostitution is not illegal, although the Penal Code prohibits using violence or threats to force someone to engage in an obscene act.<sup>1293</sup> The Penal Code also prohibits trafficking of women and immature boys.<sup>1294</sup> The Law on National Defense of 1982 sets the minimum age for voluntary recruitment into the armed forces at 18 years.<sup>1295</sup>

Due in part to a lack of resources, the government does not enforce child labor laws in an effective or thorough manner.<sup>1296</sup> The Government of Indonesia ratified ILO Convention 138 on June 7, 1999 and ILO Convention 182 on March 28, 2000.<sup>1297</sup>

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<sup>1287</sup> U.S. Embassy–Jakarta, unclassified telegram no. 3129, June 1999 [hereinafter unclassified telegram 3129].

<sup>1288</sup> *Country Reports 2000* at Section 5.

<sup>1289</sup> U.S. Embassy–Jakarta, unclassified telegram no. 4679, September 2000 [hereinafter unclassified telegram 4679].

<sup>1290</sup> The Department of Manpower includes 1,300 labor inspectors responsible for enforcing all labor laws, including those related to child labor. The size of the force is reportedly inadequate for the effective monitoring or response to child labor. Training specifically on child labor issues is provided to labor inspectors. See unclassified telegram 3129. See also ILO, *Indonesia Country Report*, The ILO-Japan Asian Meeting on the Trafficking of Children for Labour and Sexual Exploitation, Manila, 2001 [CD-ROM].

<sup>1291</sup> *Country Reports 2000* at Section 6d. See also unclassified telegram 4679.

<sup>1292</sup> “Implementation of the Convention on the Rights of the Child: Experience in Handling Child Labor in North Sumatra,” *Child Workers in Asia*, vol. 15, no. 3 (September-December 1999), at <http://www.cwa.tnet.co.th/V15-3/indonesia.htm>.

<sup>1293</sup> Penal Code [hereinafter Penal Code], Article 289, as cited in “Human Rights Reports: Indonesia,” The Protection Project Database, at <http://www.protectionproject.org> on December 28, 2001.

<sup>1294</sup> Penal Code at Article 297.

<sup>1295</sup> *Asia Report*.

<sup>1296</sup> Unclassified telegram 3129.

<sup>1297</sup> ILOLEX databases at <http://ilolex.ilo.ch:1567/scripts/ratifce.pl?C182> and <http://ilolex.ilo.ch:1567/scripts/ratifce.pl?C138>.

*NOTE: Hard copies of all Web citations are on file.*