

In 2016, Indonesia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified the Maritime Labor Convention which prohibits the worst forms of child labor, slavery, and wage discrimination. The National Task Force to Combat Trafficking in Persons also completed work to establish local anti-trafficking task forces in all 34 provinces. In addition, the Ministry of Manpower employed “community-based monitoring inspectors” and neighborhood chiefs who can report incidences of child labor. However, children in Indonesia perform dangerous tasks in the production of palm oil and tobacco. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. The Ministry of Manpower lacks the financial resources and personnel necessary to adequately enforce child labor laws throughout the country, especially in the informal sector. The Government also continues to deliberate on the Domestic Workers Protection Bill, which outlines the circumstances under which children ages 15 through 17 could perform non-hazardous domestic work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Indonesia perform dangerous tasks in the production of palm oil and tobacco.(1-5) Children also engage in the worst forms of child labor, including in commercial sexual exploitation.(6-9) Table 1 provides key indicators on children’s work and education in Indonesia. While the Government collects national data on working children ages 5 through 14, it does not publish the data.

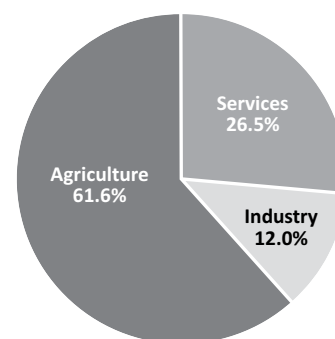
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	3.7 (816,363)
Attending School (%)	10 to 14	92.4
Combining Work and School (%)	10 to 14	2.1
Primary Completion Rate (%)		102.9

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(10)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from National Labor Force Survey (Sakernas), 2010.(11)

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

Sector/Industry	Activity
Agriculture	Production of palm oil, including growing, fertilizing, cutting, spraying, collecting, and loading palm oil fruits (2, 3, 5, 8, 12)
	Planting, watering, harvesting, and applying fertilizer to tobacco (1, 4, 12-15)
	Production of rubber†, including tapping trees and using acid† to thicken latex (3, 12, 14, 15)
	Fishing, including processing and working on offshore platforms† (6-8, 16-20)
Industry	Mining,† including gold and tin (8, 21-26)
	Construction,† activities unknown (27)
	Production of footwear (including sandals) (7, 8, 12, 28)
	Production of bricks, tile, furniture, and textiles (29)
Services	Street work, activities unknown (3, 30)
	Driving buses (7, 31)
	Garbage scavenging† (7, 32, 33)
	Horse jockeying (34-37)
	Domestic work (3, 6, 7, 38, 39)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Use in illicit activities, including forced begging and the sale, production, and trafficking of drugs, each sometimes as a result of human trafficking (17, 40-43)
	Domestic work and fishing as a result of human trafficking (8, 12, 44-46)
	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (3, 6, 17, 46)

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

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Indonesia is primarily a source country, and to a lesser extent a destination and transit country, for child trafficking. Children, mostly girls, are trafficked abroad for domestic work as well as for commercial sexual exploitation; children are also subjected to trafficking internally for domestic work and sexual exploitation, particularly in Batam, Jakarta, Bali, Bandung, Bogor, Surabaya, and Medan.(3, 8, 9, 47)

Children are engaged in hazardous work in informal tin mines of Bangka-Belitung Province.(26, 48) Children also work in tobacco farming, especially in the provinces of East Java, Central Java, and West Nusa Tenggara, which exposes them to pesticides, exhaustion and extreme heat.(1, 8) Children also work on palm oil plantations tending the nursery, collecting fallen palm fruitlets, and spraying toxic herbicides to help adult laborers meet their quotas and earn premium pay.(49-51) Research also identified children working on fishing platforms (*jermals*) and small fishing boats, who are exposed to hazardous health and safety dangers from weather, machinery on the boats, and explosives from blast fishing.(20)

II. LEGAL FRAMEWORK FOR 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
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
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	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Indonesia’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 69 of the Manpower Act; Law on the Ratification of ILO C. 138 (52, 53)
Minimum Age for Hazardous Work	Yes	18	Articles 74 of the Manpower Act; Article 2 of Ministerial Decree No. 235 (15, 53)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Annex F of Ministerial Decree No. 235; Chapter 1 of the Appendix to Presidential Decree No. 59/2002 (15, 54)
Prohibition of Forced Labor	Yes		Article 74 of the Manpower Act; Articles 1–6 and 17 of the Law on the Eradication of the Criminal Act of Trafficking in Persons; Article 83 of the Law on Child Protection (53, 55, 56)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Article 83 of the Law on Child Protection; Articles 1–6 and 17 of the Law on the Eradication of the Criminal Act of Trafficking in Persons (55, 56)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 74 of the Manpower Act; Articles 81 and 82 of the Law on Child Protection; Article 297 of the Penal Code; Section 3 of the Law on the Ratification of the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography; Articles 4–12 and 37 of Law on Anti-Pornography (29, 53, 56-60)
Prohibition of Using Children in Illicit Activities	Yes		Article 74 of the Manpower Act; Articles 67, 78, and 89 of the Law on Child Protection (53, 56)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (61)
State Voluntary	Yes	18	Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (61)
Non-state Compulsory	Yes	18	Article 3(d) of Law No. 9/2012 on Ratifying the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (62)
Compulsory Education Age	Yes	15	Article 48 of the Law on Child Protection; Articles 6 and 34 of the Act on the National Education System (56, 63)
Free Public Education	Yes		Article 34 of the Act on the National Education System (63)

In 2016, the Government ratified the Maritime Labor Convention which stipulates that individuals be free from the worst forms of child labor, slavery, and wage discrimination.(8, 64) During the reporting period, the Government also enacted a law that requires the central and local governments to provide educational scholarships and/or tuition aid to the children of fishermen to assist in their training and apprenticeship in the fisheries or salt field.(8, 65)

Since 2010, the Government has had the Domestic Workers Protection Bill on its legislative agenda, which outlines the circumstances under which children ages 15 through 17 could perform non-hazardous domestic work; however, the Government continues to deliberate on the bill.(66-69) While the Government issued Ministerial Regulation No.2/2015 which raised the minimum age of domestic workers to 18 years old and is enforced by the Ministry of Manpower, the regulation is not a law and criminal penalties are not included.(70) The regulation empowers designated “neighborhood chiefs” to supervise the working conditions of domestic workers in their communities, and are allowed to enter private residences.

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). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Manpower (MOM) Directorate General of Labor Development and Supervision	Provide information to employers on child labor laws and regulations, report child labor violations, and work with law enforcement officials to prosecute child labor violations.(58) Refer children found during inspections to the local Women’s Empowerment and Family Planning Body or to the Integrated Service Center for Empowering Women and Children to access appropriate social services.
National Police, Including Women and Children’s Service Unit	Conduct inspections and raids and make arrests in response to all crimes, including those related to the worst forms of child labor.(14, 17)
MOM Directorate of Norms Supervision of Women and Child Workers	Receive child labor complaints by telephone, fax, or e-mail.(8)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Ministry of Women Empowerment and Child Protection (MOWECP)	Coordinate the provision of social services to children, including those involved in child labor. Operate a children's helpline, in cooperation with Ministry of Communications, to receive complaints on child protection, which is established in 20 provinces.(8, 39)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Indonesia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (39)	\$1,700,000 (8)
Number of Labor Inspectors	1,918 (39)	1,893 (8)
Number of Child Labor Dedicated Inspectors	N/A (39)	N/A (8)
Inspectorate Authorized to Assess Penalties	Yes (39)	Yes (8)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (39, 71)	Yes (8)
Training on New Laws Related to Child Labor	Yes (29)	Yes (8)
Refresher Courses Provided	Yes (39)	No (8)
Number of Labor Inspections	Unknown (39)	20,000 (8)
Number Conducted at Worksite	Unknown	20,000 (8)
Number Conducted by Desk Reviews	Unknown	0 (8)
Number of Child Labor Violations Found	Unknown (39)	N/A (8)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (39)	0 (8)
Number of Penalties Imposed that Were Collected	Unknown (39)	0 (8)
Routine Inspections Conducted	Yes (29, 39)	Yes (8)
Routine Inspections Targeted	Yes (39)	Yes (8)
Unannounced Inspections Permitted	Yes (39)	Yes (8)
Unannounced Inspections Conducted	Yes (39)	Yes (8)
Complaint Mechanism Exists	Yes (39)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (39)	Yes (8)

In 2016, MOM inspectors removed 16,500 children from working in 24 provinces and 138 districts. MOM works with the ministries of Education, Religious Affairs, and Social Affairs to encourage parents to enroll their children in school through Family Hope Program by which families receive conditional cash transfers and children receive one month of counseling and education advocacy provided they enroll in schools.(70) While inspectors do not distinguish between general labor inspections and child labor inspections, they will actively search for violations of child labor during their inspections.(8) In addition, inspectors have the authority to conduct unannounced inspections in the formal sectors, but they are legally prohibited from inspecting private farms and homes where the vast majority of child labor cases are found.(1, 8, 72)

The number of labor inspectors is insufficient for the size of Indonesia's workforce, which includes over 123 million workers. According to the ILO's recommendation of one inspector for every 15,000 workers in developing economies, Indonesia should employ roughly 8,160 inspectors in order to adequately enforce labor laws throughout the country. However, the country has 1,893 inspectors to oversee an estimated 268,000 companies or workplaces and many are not provided sufficient resources to carry out their labor inspections effectively.(8, 73-76) In 2016, only 30 new inspectors received training on laws and enforcement of laws related to the worst forms of child labor and hazardous work, and existing inspectors did not receive a refresher training because of budget reductions. Due to these constraints, the MOM employed "community-based monitoring inspectors" and neighborhood chiefs who can report incidences of child labor.(8)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Indonesia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (8)
Refresher Courses Provided	Yes (39)	Unknown
Number of Investigations	Unknown (39)	120 (8)
Number of Violations Found	Unknown (39)	Unknown
Number of Prosecutions Initiated	Unknown (39)	Unknown
Number of Convictions	Unknown (39)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (39)	Yes (8)

In 2016, the Indonesian Commission on Child Protection recorded 307 cases of child trafficking and 465 cases involving children in pornography and cybercrime; the Police National Anti-Trafficking taskforce investigated 70 cases of child trafficking.(8)

The Indonesian National Police provides training on the prevention and investigation of cases involving the worst forms of child labor to police units that focus exclusively on crimes against women and children. Although progress has been made in raising awareness about human trafficking among law enforcement authorities, including the IOM's facilitated training workshops on combating human trafficking, the IOM reports that its trainings do not address topics related to child labor. In addition, reports indicate that MOM's child labor investigations focus primarily on the worst cases given its limited resources; however, starting in January 2017, all inspections will be controlled by the provincial governments, thereby elevating the status of inspectors from contractors to civil service employees.(8)

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 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Provincial-level and District-level Regional Action Committees	Coordinate and monitor policy and program efforts and develop action plans to eliminate the worst forms of child labor at the local level.(77) The country has provincial-level task forces in all 34 provinces and 192 district-level committees.(78)
National Task Force to Combat Trafficking in Persons	Coordinate the country's anti-trafficking efforts, including child trafficking.(28) Chaired by the Coordinating Ministry of Human Development and Culture, with task force meetings organized by the Ministry of Women Empowerment and Child Protection. Coordinates the Task Force across 21 ministries.(78) Provided vocational training and scholarships to school-aged children to reduce susceptibility to trafficking.(9) In 2016, established anti-trafficking taskforces at the local level in 34 provinces.(78)
Provincial and District Task Forces for the Prevention and Handling of Human Trafficking	Coordinate prevention and anti-trafficking efforts at the local level.(9) Commonly chaired by the local Integrated Service Center for Women and Children or the local Office of Social Affairs, and currently operating in all 34 provinces and 196 out of 497 districts.(78)
Subtask 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 Education and Culture Director for Early Childhood, Nonformal, and Informal Education.(28)
Indonesian Child Protection Commission	Supervise child protection policy implementation, promotion, and monitoring; monitor and evaluate the progress of implementing the Child Protection Law; and provides recommendations to the President of Indonesia.(79)

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The Government eliminated the National Action Committee for the Elimination of the Worst forms of Child Labor and reverted its responsibilities to the MOM. Instead, the Roadmap Toward a Child Labor-Free Indonesia mainstreams the elimination of child labor into wider national policies and was incorporated into the Government's 2014-2016 mid-term development plan as part of a comprehensive policy to address child labor in Indonesia.(8) However, provincial and district-level child labor committees have not been officially dissolved; research found that many are no longer functioning due to lack of funding from local governments.(29)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan (NAP) for the Elimination of the Worst Forms of Child Labor (2002–2022)	Provides a policy framework for the elimination of child labor in three operational phases.(14, 80-82) Specific activities include improving data collection on the worst forms of child labor, increasing awareness-raising and advocacy efforts, and formulating regulations and policies to prohibit the worst forms of child labor.(54)
National Action Plan on Preventing Trafficking in Persons (2015–2019)	Guides the work of the National Task Force to Combat Trafficking in Persons. Includes the following goals: improve health and social rehabilitation services and repatriation and social reintegration services for human trafficking victims; update anti-human trafficking regulations; strengthen the investigation of human trafficking cases and the prosecution of perpetrators; and enhance coordination among task force members and between national and international stakeholders.(45)
Roadmap Toward a Child Labor-Free Indonesia in 2022 (2014–2022)	Supports implementation of the National Action Plan for the Elimination of the Worst Forms of Child Labor. Aims to mainstream the elimination of the worst forms of child labor into relevant national policies; strengthen coordination between stakeholders at the national, provincial, and district levels; and enhance the capacity of stakeholders to eradicate child labor.(28, 83) Led by MOM and integrated into the Mid-Term Development Plan as part of a comprehensive policy to address child labor.(39) Key feature is the establishment of Child-Labor-Free Industrial Zones in its final phase. MOM has engaged in an ILO project funded by the Dutch Government designed to develop skills training for school dropouts aged 15-17 who are either former child laborers or vulnerable to labor exploitation, particularly in the agricultural sector(8)
Association of Southeast Asian Nations (ASEAN) Convention Against Trafficking in Persons, Especially Women and Children (ACTIP)	Establishes a regional anti-trafficking framework among 10 ASEAN member states, including Indonesia, to improve coordination on investigation and prosecution of human trafficking cases and enhance assistance for victims. The Convention awaits ratification by the Ministry of Law and Human Rights.(68, 84, 85)

The National Task Force to Combat Trafficking in Persons notes that some Provincial and District Task Forces lack sufficient funding and fail to incorporate its recommendations into its plans of action to effectively guide efforts to eliminate the trafficking of women and children.(8, 9, 29) In addition, while the National Education Law mandates free education, research indicates that schools impose additional fees on students to cover activities and other items that may hinder their ability to attend school.(8)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
USDOL-Funded Projects	USDOL projects aim to build the capacity of the Government, 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, strengthen legal protections and social services delivery for child domestic workers in Indonesia, and builds capacity of domestic worker organizations to address child domestic work. PROMOTE: Decent Work for Domestic Workers to End Child Domestic Labor (2012–2017) , \$5 million project implemented by ILO-IPEC; Global Action Program on Child Labor Issues , implemented by the ILO in approximately 40 countries; and Building a Generation of Safe and Healthy Workers: Safe and Healthy Youth , implemented by the ILO with Indonesia as one of the countries. For additional information about USDOL's work, please visit our Web site .

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Child Trafficking Services [†]	MOSA and other government agency program that provides social rehabilitation and shelter services for child victims of trafficking.(86, 87)
West Java and Bandung Municipality Street Children Program [†]	West Java provincial government and municipality of Bandung programs to assist street children.(80)
Cash Transfer Programs [†]	Government of Indonesia programs that aim to provide conditional cash transfers to assist children's education and health; establish bank accounts; and assist vulnerable groups, including street children, abandoned children and infants, children facing criminal charges, children with disabilities, the poorest families, and child laborers who dropped out of school. Smart Indonesia Program; Unconditional Cash Transfer Program (<i>Bantuan Langsung Semetara Masyarakat</i>); Child Social Welfare Program (<i>Program Kesejahteraan Sosial Anak</i>); Family Welfare Card (<i>Kartu Keluarga Sejahtera</i>); Family Hope Program (<i>Program Keluarga Harapan</i>); and Social Protection Cards (<i>Kartu Perlindungan</i>).(8, 28, 88, 89)
Rice for the Poor (Raskin) [†]	Government-subsidized food program that provides rice for the poorest 25 percent of households.(88)
Block Grants for Schools (Bantuan Operasional Sekolah) [†]	Government block grant program that compensates schools for the loss of income incurred when waiving fees to ensure free education for poor and vulnerable children in primary, junior secondary, and senior high schools.(8, 90) In 2016, provided approximately \$3.2 million in grants to elementary, junior high, and senior high schools to accelerate progress toward the government goal to achieve a 97 percent senior high school attendance rate by 2020.(70)
Minimum Service Standards of Basic Education Program	Aims to improve access to quality public education by limiting the distance of elementary and junior secondary schools from children's households, by specifying minimum teacher-student ratios, and by identifying minimum teacher education qualifications.(91)

[†] Program is funded by the Government of Indonesia.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(8)

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 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Pass the Domestic Workers Protection Bill that would protect child domestic workers ages 15 through 17.	2016
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor to provide adequate coverage of the workforce and provide sufficient funds for labor inspections.	2010 – 2016
	Institutionalize training for labor inspectors, including training new labor inspectors at the beginning of their employment and providing a refresher training for existing labor inspectors.	2016
	Strengthen and address child labor protections for children who are self-employed and children who are working in the informal sector.	2014 – 2016
	Publish criminal enforcement information, including the trainings for investigators, the number of violations found, prosecutions initiated, and convictions for crimes relating to the worst forms of child labor.	2009 – 2016
	Provide additional training for police officers and prosecutors on anti-trafficking legislation and clarify their roles and responsibilities in enforcing these laws.	2013 – 2016
Coordination	Ensure that provincial and district-level action child labor committees are funded.	2016
Government Policies	Sufficiently fund provincial and district task forces and require them to incorporate the recommendations of the National Task Force to Combat Trafficking in Persons into their plans of action on the elimination of trafficking of women and children.	2016
	Ensure that all children are able to attend school and do not face prohibitive costs for education-related expenses.	2016
Social Programs	Publish data on child laborers ages 5 through 14.	2016
	Conduct research to determine the types of activities carried out by children working in construction and street work to inform policies and programs.	2014 – 2016

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