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PARTNERSHIP FOR ACTION AGAINST CHILD LABOUR IN AGRICULTURE

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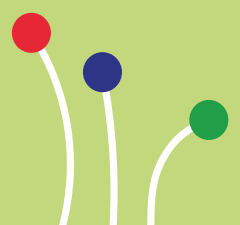
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**KEMNAKER**



# LABOR PRACTICES FOR TACKLING CHILD LABOR: A GUIDE FOR COMPANIES AND SUPPLY CHAINS IN THE AGRICULTURAL SECTOR





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## FOREWORD

We offer our deepest gratitude to God Almighty for the completion of the “Labor Practices for Tackling Child Labor: A Guide for Companies and Supply Chains in the Agricultural Sector.” This guide has been developed through collaboration between PAACLA Indonesia, the Ministry of National Development Planning/Bappenas, the Ministry of Manpower, the Ministry of Law and Human Rights, and JARAK Indonesia. The guide formulation involved a series of consultations engaging various ministries and institutions, local governments, companies, business associations, labor unions, academics, representatives from UN bodies in Indonesia, and civil society organizations.

Efforts to address child labor in Indonesia are regulated through a range of laws that align with international legal standards. As part of its commitment, the Indonesian government enacted Presidential Regulation No. 60 of 2023 on the National Strategy for Business and Human Rights (Stranas BHAM) and the Indonesia Child Labor-Free Roadmap 2024-2045. Through these instruments, the government aims to create child labor-free work environments, especially in vulnerable sectors.

Under the Roadmap and Stranas BHAM, the elimination of child labor must be carried out through preventive, monitoring, and effective remediation measures. As a follow-up to this commitment, we have developed this guide to provide clear guidance and information to business actors in the agricultural sector. It is hoped that businesses will ensure the absence of child labor within their operations up to its supply chains by emphasizing the implementation of labor principles in line with the applicable national legal framework.

We extend our thanks and appreciation to the drafting team and all those involved in the preparation of these guidelines. In closing, we hope that this guide will benefit all of us, especially in supporting the creation of a child labor-free business environment in the agricultural sector.

Jakarta, 25 October 2024

**PAACLA Indonesia**

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## REMARK FROM THE DEPUTY FOR POPULATION AND EMPLOYMENT, MINISTRY OF NATIONAL DEVELOPMENT PLANNING/BAPPENAS

The Indonesian government has set forth its vision for a “Golden Indonesia 2045,” focusing on establishing Indonesia as a “Sovereign, Advanced, and Sustainable Nusantara State.” To achieve this vision, the government enacted Law No. 59 of 2024 on the National Long-Term Development Plan (RPJPN) 2025-2045, which provides the foundation for Indonesia’s development policies over the next 20 years. A key focus of RPJPN 2025-2045 is inclusive development, which not only aims at economic progress but also emphasizes improving human resources across all levels of society.

An essential part of enhancing human resource quality is ensuring children’s basic rights are fulfilled and protecting them from all forms of exploitation, including child labor. Child labor violates children’s fundamental rights and hinders their potential to grow and develop optimally—physically, mentally, and emotionally—ultimately impacting the nation’s progress. Reducing child labor is one of the government’s priorities in creating a safe and supportive environment for children’s development. In line with this commitment, the Ministry of National Development Planning/Bappenas, the Ministry of Manpower, the Ministry of Law and Human Rights, PAACLA Indonesia and the NGO Network for the Elimination of Child Labor (JARAK Indonesia) have initiated the “Labor Practices for Tackling Child Labor: a Guide for Companies and Supply Chains in the Agricultural Sector.” This guide aims to ensure that companies in the agricultural sector contribute to creating a child labor-free business environment.

With the publication of this guide, it is hoped that companies and supply chains within the agricultural sector will conduct business responsibly and in alignment with human rights principles, especially in safeguarding children’s rights. This guide not only assists in upholding ethical business practices but also supports the achievement of a sustainable, child labor-free agricultural sector.

Jakarta, 25 October 2024

Deputy for Population and Employment  
Ministry of National Development Planning/Bappenas



**Maliki, ST, MSIE, Ph.D**



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## REMARK FROM THE DIRECTOR GENERAL OF HUMAN RIGHTS, MINISTRY OF LAW AND HUMAN RIGHTS

It is undeniable that the presence of the business sector significantly impacts a country's economy, particularly in this era of globalization, privatization, and information technology. Business actors create new jobs, improve living standards, and reduce poverty. However, on the other hand, business activities can also lead to various human rights violations. Research, studies, and monitoring reports have highlighted several issues of corporate human rights violations, including wages below stipulated standards, excessive working hours and overtime, improper leave policies, restrictions on religious practices, workplace discrimination, and the presence of child labor.

Reflecting on these experiences, the United Nations (UN) developed a guide to clarify the responsibilities of both the state and businesses, especially in preventing, minimizing, and assessing the risks of human rights violations by businesses within and around their operational areas. The UN Guiding Principles on Business and Human Rights (UNGPs) were adopted as UN Resolution No. A/HRC/40/48 in 2011. This instrument embodies the concept of the three pillars of business and human rights: the state's duty to protect human rights, the corporate responsibility to respect human rights, and access to remedy, including for children's rights.

Indonesia is committed to integrating these three pillars into its national policies. This commitment was evident even before the UNGPs was adopted by the UN in 2011, as Indonesia actively participated in the UNGPs formulation consultations with UN special representatives. To support this commitment, the Indonesian government has undertaken various efforts, including research, dissemination, and capacity building for state officials across ministries and stakeholders on business and human rights.

In line with the non-negotiable commitment to uphold children's rights, various countries have given serious attention to child labor issues. Numerous regulations, both international and national, have been enacted to address the problem of child labor. In this regard, businesses also have a responsibility to respect and protect human rights within their workplaces and surrounding areas, including safeguarding children's rights from the negative impacts of business operations.


In the context of child labor, Indonesia's Law No. 39 of 1999 on Human Rights prohibits the exploitation of children as laborers to ensure their optimal growth and development. Additionally, the Indonesian government has developed the National Strategy for Business and Human Rights (Stranas BHAM), enacted through Presidential Regulation No. 60 of 2023. Stranas BHAM is a strategic document aimed at fostering human rights-friendly business practices.

The initiative by PAACLA Indonesia to develop a guide that serves as a reference for companies and supply chains in addressing child labor issues is highly appreciated. Although this guide specifically addresses child labor in the agricultural sector, it can also be applied to broader child labor mitigation efforts. The "Labor Practices for Tackling Child Labor: a Guide for Companies and Supply Chains in the Agricultural Sector" aligns closely with the focus of the fifth-generation National Action Plan on Human Rights for 2021-2025 and the National Strategy on Business and Human Rights, where child rights, including enhancing corporate capacity for child labor monitoring and remediation, are key areas of focus.

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It is hoped that this guide will enhance business actors' knowledge and technical capacity to develop and implement corporate policies aligned with business and human rights principles, particularly children's rights. These business actors include not only large-scale businesses but also medium and small enterprises, and even partner farmers as part of the supply chain.

Director General of Human Rights  
Ministry of Law and Human Rights, Republic of Indonesia



**Dr. Dhahana Putra, Bc.IP., S.H., M.Si.**

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## REMARK FROM THE DIRECTOR OF LABOR NORM INSPECTION DEVELOPMENT, MINISTRY OF MANPOWER

We extend our gratitude to God Almighty for His blessings, which have allowed the successful completion of the “Labor Practices for Tackling Child Labor: a Guide for Companies and Supply Chains in the Agricultural Sector.”

Indonesia continues to face challenges in eliminating child labor, particularly in the agricultural sector. Out of approximately one million child laborers in 2023, 26.55% were found in agriculture, mostly in rural areas. Children’s involvement in agricultural work is often rooted in tradition and the need to ensure the continuity of farming communities. The Indonesian government has been consistently working to address child labor through various national programs, encouraging all parties to actively participate in these efforts.

These efforts align with the Sustainable Development Goals (SDGs), especially Goal 8, which focuses on decent work and economic growth. In line with Target 8.7 of Goal 8, the business sector has a responsibility and is a strategic partner in ending child labor within its operations.

This guide, initiated by PAACLA Indonesia and supported by the government, reflects the government’s commitment to combating child labor, emphasizing the role of businesses in upholding labor standards and maintaining zero tolerance for child labor. The development of this guide has involved relevant stakeholders, carefully considering every perspective to respect children’s rights as part of sustainable business practices.

The “Labor Practices for Tackling Child Labor: a Guide for Companies and Supply Chains in the Agricultural Sector” serves as a key measure to strengthen the implementation of the Indonesian Roadmap to a Child Labor-Free Nation, supporting the swift achievement of Indonesia’s vision of a Golden Generation free from child labor.

We extend our appreciation to all parties who have contributed their ideas and efforts to the development of this guide. Let us all work together to uphold labor norms and business ethics that honor children’s rights and to realize a golden generation free from child labor.

Jakarta, 25 October 2024

Director of Labor Norm Inspection Development  
Ministry of Manpower



**Yuli Adiratna, S.H., M.Hum.**



## GLOSSARY

<b>Child</b>	<p>Any person under the age of 18 (eighteen) years (Article 1, Law of the Republic of Indonesia Number 13 of 2003 on Manpower).</p> <p>Note: In the Child Protection Law, the definition of a child is extended to include those who are still in the womb, as follows: “A child is someone who is not yet 18 (eighteen) years old, including a child who is still in the womb” (Article 1, Law of the Republic of Indonesia No. 23 of 2002 on Child Protection and Article 1, Law No. 35 of 2014 on Amendments to the Child Protection Law No. 23 of 2002).</p>
<b>Children's Rights</b>	Human rights that must be guaranteed, protected, and fulfilled by parents, families, communities, governments, and the state.
<b>Norm 100</b>	A web-based self-assessment feature for companies to evaluate their level of compliance with labor standards.
<b>Company</b>	<p>a. Any form of enterprise, whether incorporated or not, owned by an individual, a partnership, or a legal entity, whether privately or state-owned, that employs workers by providing wages or other forms of compensation.</p> <p>b. Social enterprises and other ventures with management structures that employ individuals by providing wages or other forms of compensation.</p> <p>(General Provisions, Chapter I, Article 1, Number 6, Law Number 13 of 2003 on Manpower)</p>
<b>Agriculture</b>	The agriculture sub-sectors in this document include the sub-sectors according to Law no 22 of 2019 on Sustainable Agriculture Cultivation Systems and the agriculture sub-sectors according to Food and Agriculture Organization (FAO), namely food crops, horticulture, plantations, livestock, forestry and fisheries.
<b>PRISMA</b>	A web-based feature for assessing the risk of human rights violations in business operations, managed by the Ministry of Law and Human Rights. This feature allows companies to evaluate their level of compliance with human rights standards within their business operations.
<b>Gross Domestic Product (GDP)</b>	A standardised measure of the value added created through the production of goods and services in a country over a given period.
<b>Supply chain</b>	A series of business processes that connect several actors to increase the added value of raw materials/products and distribute them to consumers. The type of supply chain can be either goods or services.
<b>Prevention</b>	Prevention is a planned, integrated and coordinated effort to prevent children from becoming child laborers.
<b>Monitoring</b>	Monitoring is a series of activities to observe, identify, and record the activities carried out by children, the work situation, and the risks faced by child laborers.
<b>Remediation</b>	A process of withdrawing children from the workforce and transitioning them to education, or, if the child has reached the minimum working age, transitioning them from hazardous work conditions to non-hazardous work to ensure the child's health, safety, and moral well-being.

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## LIST OF ABBREVIATIONS

<b>ALP</b>	Agricultural Labor Practices
<b>BHR</b>	Business and Human Rights
<b>CBA</b>	Collective Bargaining Agreement
<b>CLMRS</b>	Child Labor Monitoring and Remediation System
<b>CRBP</b>	Children's Rights and Business Principles. The CRBP was developed by the UN Global Compact, UNICEF and Save the Children.
<b>GAPKI</b>	Indonesian Palm Oil Association (Gabungan Pengusaha Kelapa Sawit Indonesia)
<b>ILO</b>	International Labor Organization (UN agency that deals with Labor issues)
<b>NGO</b>	Non-Governmental Organisations
<b>UN</b>	United Nations
<b>PATBM</b>	Community-based Integrated Child Protection (Perlindungan Anak Terpadu Berbasis Masyarakat)
<b>RPJMN</b>	National Medium-Term Development Plan (Rencana Pembangunan Jangka Menengah Nasional)
<b>UNGPs on Business and Human Rights</b>	United Nations Guiding Principles on Business and Human Rights, Resolution 17/4, 16 June 2011.
<b>UNICEF</b>	United Nations Children's Fund
<b>UPTD PPA</b>	Regional Technical Implementation Unit for the Protection of Women and Children (Unit Pelaksana Teknis Daerah – Perlindungan Perempuan dan Anak)
<b>WFCL</b>	Worst Forms of Child Labor

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# I. INTRODUCTION

## THE AGRICULTURAL SITUATION IN INDONESIA

2022	27.52%	PERCENTAGE OF WORKFORCE ABSORBED IN THE AGRICULTURAL SECTOR
2023	13.5%	CONTRIBUTION OF THE AGRICULTURAL SECTOR TO GDP

The agricultural sector in Indonesia, encompassing food crops, horticulture, plantations, forestry, livestock, and fisheries, plays a vital role in the national economy. This sector not only provides food supplies but also creates jobs and contributes significantly to Indonesia's Gross Domestic Product (GDP). In 2023, agriculture's contribution to GDP reached approximately 13.5%. Although this percentage has declined compared to previous decades due to the rising contributions of the industrial and service sectors, agriculture remains a main pillar of the economy, especially in rural areas. In 2022, this sector employed 27.52% of Indonesia's total workforce of 138.63 million people, with 88.9% of farmers classified as informal workers. Agriculture in Indonesia consists of two types: subsistence farming, where the yield is used to meet domestic needs, and commercial farming, where products are sold to local, national, and international markets through intermediary companies. Most commercial agriculture is managed by individuals, cooperatives, or corporations.

The agricultural sector makes a substantial contribution to the economy of both communities and the country. However, irresponsible management that disregards regulations has negative impacts on the environment and society, such as environmental degradation, water pollution from pesticide use, climate change, social conflicts, and child labor issues. In Indonesia, most agriculture is family-managed, allowing children to be involved in farming activities. Some of these children engage in work that is not appropriate for their age and the types of jobs permitted by law, thus classifying them as child labor. Therefore, sustainable management and child-friendly agricultural practices are essential to mitigate these negative impacts and ensure the long-term sustainability of the agricultural sector.

## CHILD LABOR IN THE AGRICULTURAL SUPPLY CHAIN

The number of child laborers globally according to the ILO and UNICEF reached 160 million in 2021. In Indonesia, according to Statistics Indonesia (BPS) in 2023 there were 2.97 million children aged 5-17 years working and 1.00 million of them were categorised as child laborers who are targeted for elimination through prevention, monitoring and remediation efforts (Ali Said, 2024). The number of male child laborers is slightly higher (54.54%) than that of female child laborers at 45.46%. This number of child laborers has not taken into account the impact of the Covid-19 pandemic which may increase the number of child laborers.

Around 26.55% of the total child labor in Indonesia is found in the agricultural sector. On the other hand, statistics also show that the percentage of child labor in rural areas reached 58.5%. This indicates that not all child laborers in rural areas work in agriculture. However, it should be noted that the potential for child laborers in rural areas to be involved in work in the agricultural sector is very high because the agricultural sector is seasonal so that child laborers in rural areas can move between sectors. Below is a detailed breakdown of child laborer characteristics in Indonesia.

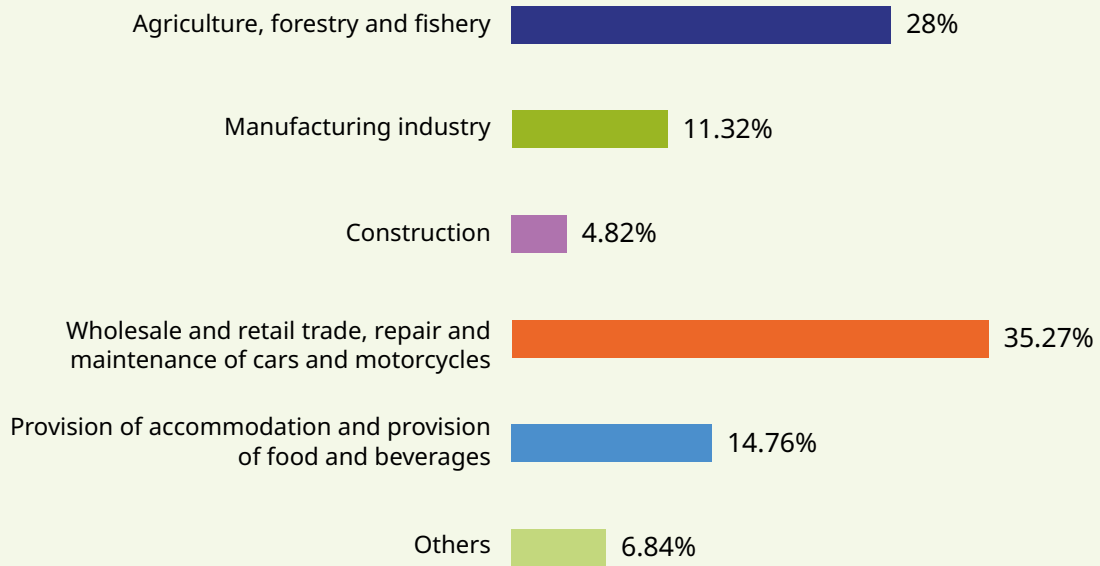
**TABLE 1: CHARACTERISTICS OF CHILD LABORERS IN INDONESIA YEAR 2023**

Characteristics	Percentage (%)
<b>Sex</b>	
Boy	54.54
Girl	45.46
<b>Age groups</b>	
5-12 years	53.52
13-15 years	20.60
16-17 years	25.88
<b>Education Status</b>	
Never go to school	1.19
In school	67.17
Not in school anymore	31.64
<b>Rural/Urban</b>	
Urban	43.52
Rural	56.48
<b>Types of business</b>	
Individual business /Household or home based business	76.40
Other businesses	23.60
<b>Status of employment</b>	
Family workers /Unpaid workers	68.72
Other employments	31.28

Source: Badan Pusat Statistik, 2024

The pattern of children’s involvement in agricultural supply chain work varies depending on the sub-sector, type and cultivation of the agricultural commodity. However, in general, children are involved by their families or other people in their neighbourhood. Work involving children is generally in the harvesting and processing process at the farmer or community level before being sold to markets or companies. A study in agricultural areas found that the number of child laborers can increase several times during the harvest season (SMERU, 2020). Besides being driven by poverty, limited access to education and low awareness of existing regulations, the involvement of child labor in the agricultural sector is also due to community traditions and efforts to regenerate farmers to ensure the sustainability of the family farm.

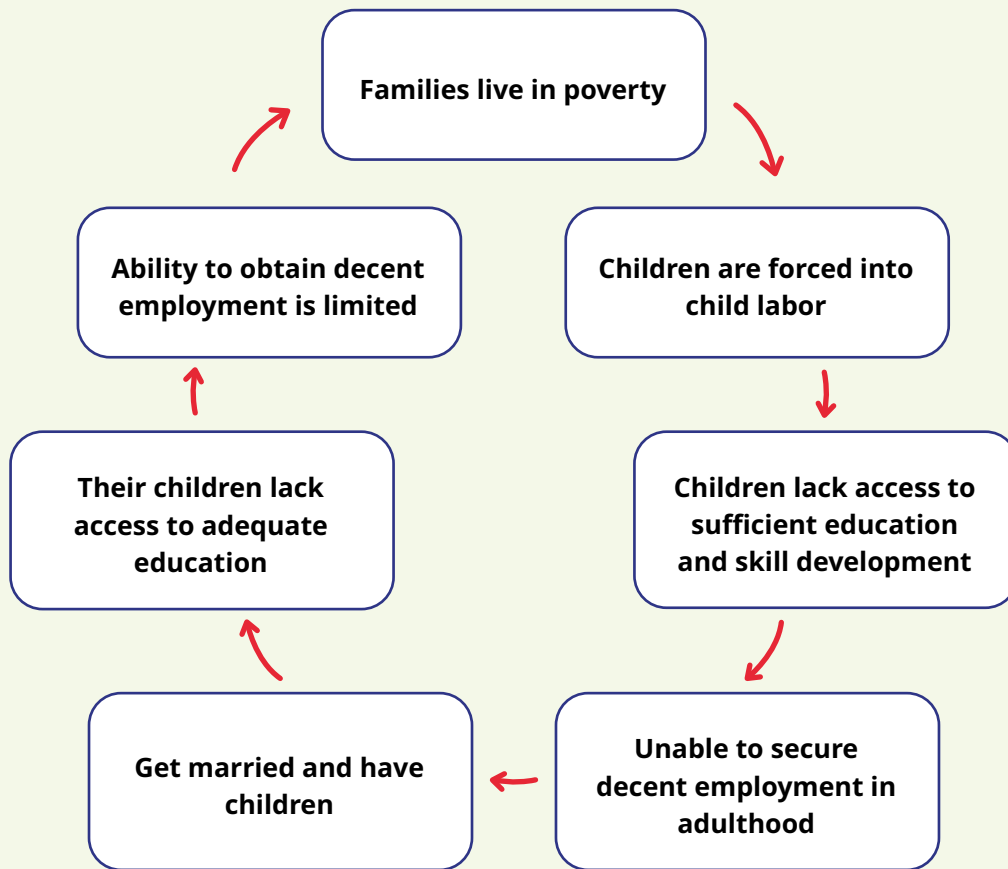
## Child labor aged 10-17 years by employment status



Source: Badan Pusat Statistik, 2024

The high number of child laborers in Indonesia could be one of the factors hindering the maximum utilisation of the demographic bonus towards the Golden Indonesia 2045. Child labor situations have wide-ranging and diverse negative impacts on children's physical and mental health and education, economic prospects, social development, and overall well-being. Children who are in employment situations that hinder their development have an impact on the quality of human resources. Child laborers, who grow up without education and job skills, perpetuates poverty. In order to transform towards a Golden Indonesia 2045, the National Long-Term Development Plan targets poverty reduction and increased human resource competitiveness (RPJPN 2025 – 2045). In achieving these goals, the quality of Indonesia's golden generation needs comprehensive attention, one of which is related to child protection, which includes the prevention of child labor.

## The Cycle of Poverty and Child Labor



## THE ROLE OF COMPANIES IN TACKLING CHILD LABOR

The elimination of child labor has been mandated by various laws in Indonesia and all stakeholders need to play a role in implementing the mandate of the law. For businesses, this role is part of their responsibility to respect human rights, including the rights of children, and part of their social responsibility to society and the environment.

The need for businesses to take a role in child protection efforts, including efforts to tackle child labor, is mandated in Article 72 of Law No. 35 of 2014 on the Amendment of Law No. 23 of 2002 on Child labor. This article states that the community, individually or in groups, participates in child protection. This role can be performed by individuals, child protection institutions, social welfare institutions, community organisations, educational institutions, mass media, and the business world.



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The aspects and principles of business sustainability (*Sustainable Business*), nowadays, can no longer be ignored by business actors, both large and small scale businesses. Implementing the principles of business sustainability, which include business profitability, community and environmental sustainability, is an important foundation for companies that want to grow and be sustainable in a responsible manner. Paying attention to the lives of children, both those connected and affected directly or indirectly by the company's operations is included in the community aspect of business sustainability principles because children are an important part of the regeneration of society that will take over the social, economic and sustainability roles of a nation and state in the future.

The *United Nations Guiding Principles on Business and Human Rights*, adopted by the United Nations Human Rights Council in 2011, provide a roadmap for responsible business practices based on three main pillars. *The first pillar* is **protection**, which places the government as the party obliged to protect human rights. *The second pillar* is the **respect** pillar where businesses are responsible for respecting human rights which means not violating human rights by avoiding, reducing or preventing negative impacts from their business operations by conducting due diligence. *The third pillar* is the pillar of **remedy** where companies must provide access to victims affected by business operations to obtain effective remedies, both through judicial and non-judicial mechanisms.

To provide further guidance on how to implement the business obligation to respect and protect children's rights as required by the UNGPs, UNICEF, the UN Global Compact and Save the Children have developed the Children's Rights & Business Principles (CRBP) Guidelines. The CRBP provides additional information and explanations for companies to comply with the UNGPs related to children's rights and protection, including the issue of child labor.

The CRBP specifically provides a *roadmap* for business activities that respect children's rights and contribute to children's **recovery** and well-being. *The CRBP* includes 10 principles that are divided into three areas of business activities, namely work place, product and market, and environment.

Based on the *CRBP* division of areas, the issue of child labor is directly related to the first area, namely the "workplace" and can be indirectly related to other areas, such as the third area of "community and environment". The company's responsibility towards child labor issues is not only limited to prevention efforts at the level of the company's core activities through supervision of labor recruitment, but covers a wider area including children working in the company's *supply chain*, children residing on company premises, children employed in the house of company employees, and other forms of child involvement.

In addressing child labor, companies can play a range of roles, including: (a) adopting labor practices aimed at eliminating child labor; (b) building internal systems to ensure effective prevention of child labor; (c) raising awareness about the negative impacts of child labor; (d) sharing information on child labor prohibitions; (e) supporting child labor prevention efforts through Corporate Social Responsibility (CSR) initiatives; (f) enhancing the role of the Occupational Safety and Health Advisory Committee (P2K3) to tackle related issues; and (g) providing financial support to workers' families or local communities to improve their well-being.

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## II. PURPOSES, USERS AND BENEFITS OF THE GUIDE

### PURPOSES

This guide on labor practices for tackling child labor for companies and supply chain in agriculture sector was developed with the following objectives:

1. Provide information on the company's obligations and responsibilities to uphold fundamental principles and rights at work, as set out in the relevant national legal framework, with particular attention to the effective elimination of child labor.
2. Provide guidance for companies and supply chains to ensure no child labor in their business operations by applying labor principles.
3. Provide guidance to companies and supply chains in developing integrated and comprehensive child labor prevention, monitoring and remediation systems.

### USERS

This guide is primarily intended for companies and supply chains engaged in the agricultural sector and those that produce agriculture-based commodities to strengthen their efforts to address child labor in their activities and in their supply chains, including subsidiaries, raw material supply companies, cooperatives, partner farmers, independent farmers, and other small and medium enterprises. Additionally, the government can use this guide to encourage companies and their supply chains to play an active role in addressing child labor issues.

### BENEFITS

The benefits of this guide fall into two main categories: those for companies and their supply chains, and those for government, as outlined below:

1. Benefits for Companies and Supply Chains
  - a. Implementing responsible labor practices helps companies build a positive image, strengthen consumer trust, and attract socially responsible investors.
  - b. Assists companies in ensuring compliance with child labor laws and regulations, reducing the risk of legal sanctions and negative impacts on business operations.
  - c. Enables companies to contribute to community development and improved work environments, creating a sustainable and ethical supply chain.
2. Benefits for Government
  - a. Supports progress on actions outlined in Presidential Regulation No. 60 of 2023 regarding the National Strategy on Business and Human Rights.
  - b. Advances the goals of eliminating violence against children in line with Presidential Regulation No. 101 of 2022 on the National Strategy for Eliminating Violence against Children.
  - c. Contributes to the implementation of the Roadmap toward a Child Labor-Free Indonesia (2024–2045).
  - d. Supports Sustainable Development Goal (SDG) 8, target 8.7, by emphasizing the need for effective measures to eradicate forced labor, end modern slavery and human trafficking, and ensure the elimination of the worst forms of child labor, including recruitment and use of child soldiers, with the goal of ending child labor in all its forms by 2025.

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### III. CHILD LABOR ACCORDING TO THE NATIONAL REGULATION

According to the International Labor Organization (ILO), child labor refers to the exploitation of children through any form of work that deprives them of childhood, interferes with their ability to attend regular school, and is mentally, physically, socially and morally harmful (Said Ali, 2022). The Indonesian government has ratified the main ILO Conventions related to child labor, the 1989 UN Convention on the Rights of the Child, and protocol/optional protocol as below:

- a. Law No. 20 of 1999 on the Ratification of ILO Convention No. 138 Concerning the Minimum Age for Admission to Employment (ILO Convention on Minimum Age for Employment)
- b. Law No. 1 of 2000 on the Ratification of ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO Convention No. 182 on the Prohibition and Immediate Elimination of the Worst Forms of Child Labour)
- c. Presidential Decree No. 36 of 1990 on the Ratification of the Convention on the Rights of the Child
- d. Law No 14 of 2009 on the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime
- e. Law No. 10 of 2012 on the Ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography

The provisions of these ratified international regulations have been reflected in national regulations in Indonesia. National laws regulate the minimum age and types of work in which children may or may not work. Children who work contrary to these legal requirements are defined as child laborers. The table below displays the provisions related to child labor in Indonesia according to Indonesian regulations.

**“Child labor is not defined by the existence of a working relationship, the existence of a work order, or wages as is the case with the definition of labor for adults or as regulated by law. Child labor is rather defined by age limits, work activities and the impact of the work performed on the safety, health and welfare of the child in the present and future, or the impact in the short and long term.”**

**TABLE 2: PROVISIONS RELATED TO CHILD LABOR ACCORDING TO THE NATIONAL REGULATIONS OF THE REPUBLIC OF INDONESIA**

Provisions related to child labor	Source of regulation
<b>A child is someone who is not yet 18 (eighteen) years old.</b>	Law No 13 of 2003 on Manpower, Article 1
<b>The basic minimum age is 15 years old.</b>	Minimum Age Declaration - annex to Law No. 20 of 1999 on the ratification of ILO Convention No. 138 on the Minimum Age for Admission to Employment
<p><b>Light work can be done by children aged 13-15 years old* in compliance with national regulations.</b></p> <p>Light work:</p> <ol style="list-style-type: none"> <li>1. Children aged between 13 (thirteen) years and 15 (fifteen) years may perform light work as long as it does not interfere with physical, mental and social development and health.</li> <li>2. Employers who employ children in light work must fulfil the requirements:               <ol style="list-style-type: none"> <li>a. written permission from a parent or guardian;</li> <li>b. employment agreement between the employer and parent or guardian;</li> <li>c. maximum working time of 3 (three) hours;</li> <li>d. carried out during the day and does not interfere with school time;</li> <li>e. occupational safety and health;</li> <li>f. the existence of a clear employment relationship; and</li> <li>g. receive wages in accordance with applicable regulations.</li> </ol> </li> </ol> <p>The provisions of letters a, b, f and g above are exempted for children who work in their family business.</p>	Manpower Law No. 13 Year 2003 Article 69 paragraphs 1, 2 and 3
<p><b>The minimum age for a child to perform work in the workplace as part of the education or training curriculum is 14 years old by fulfilling the requirements in accordance with laws and regulations.</b></p> <ol style="list-style-type: none"> <li>1. Children may perform work in a workplace that is part of the education or training curriculum authorized by the competent authority.</li> <li>2. The child as referred to in paragraph (1) is at least 14 (fourteen) years old.</li> <li>3. The work as referred to in paragraph (1) may be carried out on condition that:               <ol style="list-style-type: none"> <li>a. be given clear instructions on how to carry out the work as well as guidance and supervision in carrying out the work; and</li> <li>b. be provided with occupational safety and health protection.</li> </ol> </li> </ol>	Law no 13 on Manpower of 2003, article 70
<p><b>A child may engage in work to develop their talents and interests.</b></p> <ol style="list-style-type: none"> <li>1. A child may engage in work to develop their talents and interests.</li> <li>2. Employers who hire children as specified in paragraph (1) must meet the following conditions:               <ol style="list-style-type: none"> <li>a. The work must be directly supervised by a parent or guardian;</li> <li>b. Working hours must not exceed three (3) hours per day; and</li> <li>c. The work environment and conditions must not interfere with the child's physical, mental, or social development, or their schooling.</li> </ol> </li> <li>3. Provisions regarding children working to develop their talents and interests as referred to in paragraphs (1) and (2) are regulated by a Ministerial Decree.</li> </ol>	Law No 13 of 2003 on Manpower, Article 71
<b>Children aged 15 (fifteen) years or older can do work except work that endangers the child's health, safety or morals.</b>	Decree of the Minister of Labor No. 235 Year 2003 on Types of Work that Endanger the Safety, Health and Morals of Children

\* Fifteen years is also the minimum age allowed for employment, so a 15-year-old can perform work similar to adults as long as the work does not fall under the worst forms of child labor (WFCL).

Provisions related to child labor	Source of regulation
<p><b>The minimum age for the worst forms of child labor (WFCL), including hazardous work, is 18 years.</b></p> <p>The worst forms of child labor include :</p> <ol style="list-style-type: none"> <li>any labor in the form of slavery or similar.</li> <li>any work that utilises, provides or offers children for prostitution, pornographic production, pornographic performances or gambling.</li> <li>any work that utilises, provides or involves children in the production and trade of alcohol, narcotics, psychotropic substances and other addictive substances; and/or any work that endangers the health, safety or morals of children.</li> <li>any work that jeopardises the health, safety or morals of the child</li> </ol> <p>Notes:</p> <ol style="list-style-type: none"> <li>The Worst Forms of Child Labor (WFCL) in points a,b and c are works that are absolute WFCL, i.e. works that anywhere and anytime must be considered as WFCL, and immediate action is needed for their elimination.</li> <li>The forms of WFCL in point d that include the category of endangering health and safety are forms of work that are not absolute WFCL. The condition of the worst forms of work for children can be improved in such a way that it is not harmful to children and therefore can be done by children who have reached the minimum age for work. However, the category of work that endangers children's morals is an absolute WFCL.</li> </ol>	<p>Manpower Law No. 13 Year 2003, Article 74 paragraphs 1, 2 and 3</p>
<p><b>The types of work that endanger children's health, safety, or morals are:</b></p> <p>Types of work that endanger children's health and safety:</p> <ol style="list-style-type: none"> <li>Work related to machinery, aircraft, installations, and other equipment;</li> <li>Work performed in a hazardous work environment (physical hazards, biological hazards, chemical hazards);</li> <li>Work that involves certain hazardous properties and circumstances: <ul style="list-style-type: none"> <li>Construction work on buildings, bridges, irrigation or roads;</li> <li>Work carried out in wood processing companies such as logging, transporting and loading and unloading;</li> <li>Manual lifting and transport work above 12kg for boys and above 10kg for girls;</li> <li>Work in a locked workplace building;</li> <li>Fishing work carried out offshore or in deep sea waters;</li> <li>Work carried out in isolated and remote areas;</li> <li>Works on ships;</li> <li>Work carried out in the disposal and processing of waste or recycling of used goods;</li> <li>Work carried out between 18.00 - 06.00.</li> </ul> </li> </ol> <p>Types of work that harm children's morals:</p> <ul style="list-style-type: none"> <li>Employment in bars, discotheques, karaoke, billiard/pool hall, cinemas, massage parlors or locations that can be used as places of prostitution;</li> <li>Modelling for the promotion of alcohol, sexually stimulating drugs and/or cigarettes.</li> </ul>	<p>Decree of the Minister of Manpower No. 235 Year 2003 on Types of Work that Endanger the Safety, Health and Morals of Children</p>
<p><b>Children are considered to be working when they are in the workplace, unless it can be proven otherwise.</b></p>	<p>Law no 13 on Manpower of 2003, article 73</p>
<p><b>Every person is prohibited from trafficking in children.</b></p>	<p>Law no 21 of 2007 on the Eradication of the Crime of Trafficking in Persons, articles 1-6 and 17;</p> <p>Law no 23 of 2002 on Child Protection, article 68</p>

**TABLE 3: CHILD LABOR AND NON-CHILD LABOR ACCORDING TO NATIONAL REGULATIONS**

Child Age Group	TYPE OF WORK		
	Light work: maximum 3 hours per day and meet other light work requirements	Non-hazardous regular work of maximum 7 hours per day and 40 hours per week for 6 working days or 8 hours per day and 40 hours per week for 5 working days	Worst Forms of Child Labor (including types of work that jeopardise child's health, safety or morals)
12 years and under	Child labor	Child labor	Child labor
13-15 years*	Not child labor	Child labor	Child labor
15 - 17 years	Not child labor	Not child labor	Child labor

\* Fifteen years is also the minimum age allowed for employment, so a 15-year-old can perform work similar to adults as long as the work does not fall under the worst forms of child labor (WFCL).

## IV. PRINCIPLES OF LABOR PRACTICES IN TACKLING CHILD LABOR BY COMPANIES AND SUPPLY CHAINS

Child labor is caused by various factors. Family poverty is a major factor that pushes children to enter the world of work early. Lack of access to education due to families' inability to afford to send their children to school also pushes children to work. It is therefore important to ensure that workers are paid a living wage. Living wages play an important role in reducing economic pressure on families and enabling families to invest in education and provide a good quality of life for their children. Meanwhile, social security for workers helps address the root causes of child labor by maintaining family financial stability, providing access to healthcare and educational support.

In addition to poverty, discriminatory practices in the workplace can exacerbate economic disparities, exploit vulnerable groups, reinforce unfavourable social and cultural norms and perpetuate intergenerational poverty. Unhealthy and unsafe working environments also contribute to low levels of worker well-being and health, which in turn affects the well-being of workers' families. Through freedom of association and collective bargaining, workers can fight for their welfare and advocate for the enforcement of Labor laws, including the prohibition of child labor, where they work.



In comprehensively addressing child labor, companies are encouraged to apply the following principles:



**A. Zero tolerance for child labor**

The Company does not use child labor in any form in its business operations ranging from activities managed by the company directly to activities in its supply chain by complying with the provisions set by the labor regulations of the Republic of Indonesia as shown in table 1 in section III.

**B. Zero tolerance for any form of forced labor**

- 1. Forced labor is defined as any work or service that is required of a person under the threat of punishment and for which the person does not offer himself voluntarily to perform the work.
- 2. The company ensures that there is no forced labor in its entire business operations, from those directly managed by the company to its supply chain.
- 3. Forced labor, according to the ILO, is indicated by the presence of:

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### **a. Abuse of vulnerability**

Vulnerability arises when workers lack knowledge of the local language or laws, have few livelihood options, or belong to minority groups. Forced labor situations occur when employers exploit workers' vulnerabilities, such as imposing excessive working hours or withholding wages.

### **b. Deception**

Deception involves a discrepancy between what was promised to workers, either verbally or in writing, and the reality. Victims of forced labor are often promised fair wages, but these promises go unfulfilled once they start working, trapping them in abusive conditions without a way to escape. Children may also be recruited through false promises made to them or their parents, such as the assurance of schooling or family visits.

### **c. Restricted movement**

If workers are not free to enter or leave their workplace, except under certain justifiable restrictions, this is a strong indicator of forced labor. Forced laborers' movements may be monitored on-site with surveillance cameras or guards, while off-site they may be accompanied by employer agents. Restrictions are only valid when intended for worker safety in dangerous locations or when supervisor permission is required for medical appointments.

### **d. Isolation**

Victims of forced labor are often isolated in remote locations with no contact with the outside world. Even in populated areas, workers may be confined behind locked doors or have their phones or communication devices confiscated, preventing them from contacting family or seeking help. Isolation can also occur in informal, unregistered workplaces that evade regulatory oversight.

### **e. Physical and sexual violence**

Forced laborers may experience physical or sexual abuse. Violence is sometimes used to force workers into tasks not initially agreed upon. Kidnapping, an extreme form of violence, is also used to confine and coerce individuals into work. Violence is never acceptable as a disciplinary measure and is a strong indicator of forced labor.

### **f. Intimidation and threats**

Victims of forced labor may face intimidation and threats, including threats of physical violence, reporting to authorities, firing of family members, or revoking certain benefits or rights. Persistent humiliation or demeaning treatment can psychologically coerce workers into feeling highly vulnerable.

### **g. Retention of identity documents**

Holding workers' personal identification or belongings by an employer constitutes forced labor if workers cannot access them and are unable to leave without risking loss of these items. In many cases, without their identification, workers cannot secure other employment or access essential services.

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## **h. Withholding of wages**

When wages are systematically withheld to compel workers to stay, this constitutes forced labor. Workers may feel trapped in violent work environments while waiting for unpaid wages.

## **i. Debt bondage**

Forced laborers often work to pay off debts owed to their employer or, at times, to settle family debts. Debt bondage may also occur when children are recruited in exchange for loans given to their parents or relatives. This debt entrapment reflects an imbalance of power between workers as debtors and employers as creditors, binding workers to employers for an indefinite period.

## **j. Abusive working and living conditions**

Victims of forced labor are often subjected to degrading or hazardous working and living conditions. They may also face conditions below the standard of adequate living. However, poor working and living conditions alone do not constitute forced labor, as some people accept them “voluntarily” due to limited job alternatives.

## **k. Excessive overtime**

Forced laborers may be compelled to work excessively long hours, beyond agreed or legally mandated limits, including being denied rest or weekend breaks. Such conditions indicate forced labor.

## **C. Freedom of association and effective recognition of the right to collective bargaining**

1. The Company recognises the right of all workers to join or form organisations and trade unions of their own choosing and without the need for permission to protect their interests.
2. Companies are expected to negotiate in good faith with trade unions or recognized workers' representatives.
3. The company respects the role of trade unions to be actively involved in addressing child labor in its business operations using collective bargaining mechanisms and social dialogue as well as by participating in empowerment programmes for communities conducted by the company.
4. The company allows the Workers' Union/Labor Union to contribute input and recommendations for addressing child labor, including reporting any signs of its occurrence.

## **D. Living wage**

1. An income that provides a decent standard of living is the amount a worker earns from their employment, adequate to reasonably cover the essential needs of the worker and their family, including food and beverages, clothing, housing, education, healthcare, recreation, and retirement security (as explained in Article 88 of Law No. 13 of 2003 on Manpower).
2. The company ensures that all workers receive wages sufficient to provide a decent standard of living for themselves and their families, which must not fall below the official minimum wage set by applicable national regulations.

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3. If the company employs children who are permitted to perform light work (ages 13-15) and young workers (minimum age 15-17), the company must provide fair wages in line with the requirements of applicable national regulations.

## **E. Social protection**

1. Social protection encompasses all efforts aimed at preventing and addressing the risks arising from social shocks and vulnerabilities (Article 1, paragraph 9 of Law No. 11 of 2009 on Social Welfare).
2. Companies and supply chains ensure all workers have their rights to employment security and health insurance.
3. If a company employs children permitted for light work (ages 13-15) or young workers (ages 15-17), it is required to provide social security in compliance with applicable national regulations.

## **F. Zero tolerance for workplace discrimination**

1. Discrimination refers to any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national origin, social origin, age, disability, sexual orientation, gender identity or any other characteristic that results in a lessening of equality of opportunity or treatment in a job or position.
2. Companies are prohibited from discriminating in any form in recruitment, training, promotion, compensation, benefits, and termination of employment to avoid situations that may encourage child labor.
3. If a company employs children who are legally permitted to work (ages 15-17), it must not discriminate in recruitment, training, promotion, compensation, wages, social security benefits, or termination.

## **G. Safe and healthy working environment**

1. The company must be committed to implementing occupational safety and health (OSH) within the work environment, supported by all parties in the workplace.
2. The company optimizes the Occupational Safety and Health Management System in the workplace.
3. The company improves the work environment to meet OSH standards.
4. The company ensures that children above the minimum working age (young workers, 15 years and older) are not engaged in any forms of hazardous child labor.
5. The company provides education, training, and awareness sessions for young workers (15 years and older) to promote an understanding of OSH practices in the workplace.
6. The company identifies types of work permissible for young workers (15 years and older).
7. The company provides guidance to young workers (15 years and older), as well as monitoring and evaluating their work conditions.

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## V. ESTABLISHING A SYSTEM WITHIN THE COMPANY TO ENSURE THE EFFECTIVE TACKLING OF CHILD LABOR

In order to respect human rights, including the rights of children, companies in the agricultural sector and those producing agriculture-based commodities need to establish robust systems to ensure their business operations and supply chains are free of child labor. By following the steps outlined below, companies in the agricultural sector and those producing agro-based commodities can contribute to the well-being of children and promote a more ethical and responsible agricultural industry.



### A. Establish a company policy on zero tolerance of child labor

1. Establish a comprehensive zero tolerance child labor policy that explicitly prohibits the employment of children below the legal working age, and in forms of work prohibited for certain age categories. This policy should be in line with Indonesian regulations;
2. This policy must be ratified by the company's leadership who have the authority to set policies within the company;
3. This policy should be developed by taking into account the knowledge and expert opinions held internally and externally, and provide space for children to be involved in policy development and decision-making;
4. The policy sets out what the company expects from its staff, business partners and others regarding the prohibition of employment of children below the legal working age;
5. Clearly communicate the zero-tolerance child labor policy to all employees, suppliers, contractors and other stakeholders using various channels such as meetings, training sessions and written communications to ensure broad understanding;
6. Reflect the policy in the company's operational policies and procedures;
7. Create a culture of prevention so that companies and supply chains see the prohibition of child labor as a norm and a social responsibility;
8. In order to provide clear information on hazardous work in the sector in which the company operates, companies can develop a list of work tasks that can and cannot be performed by children with reference to national regulations on minimum age and types of hazardous work, particularly work tasks in supply chains. This list of work tasks can be developed by the company itself or by company associations;
9. Regularly review and update the zero tolerance child labor policy in line with changes in national legislation and best practices from the agricultural industry by engaging stakeholders to obtain diverse perspectives;
10. Provide training for all workers on the company's zero-tolerance policy on child labor, the importance of eliminating child labor, and how to report violations;
11. Provide training and resources to suppliers and contractors to help them understand and comply with the company's zero-tolerance child labor policy and encourage them to adopt similar policies and practices;
12. Publishing educational materials related to the tackling of child labor.



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## B. Conduct child labor due diligence

1. Conduct assessments to identify actual and potential child labor issues in the company's own activities and those of its supply chain;
2. Engage stakeholders throughout the assessment process to better understand the assessment results and identify intervention measures;
3. Integrate assessment findings into all company functions and internal processes and take necessary actions to address assessment findings;
4. The Company implements programmes to address the child labor issues identified in the assessment, both prevention and case management, through collaboration with local NGOs, Community Based Integrated Child Protection (PATBM), schools, and community leaders;
5. Establish an age verification system in recruitment, with:
  - a. Establish a reliable age verification process during recruitment. Documents that can be checked include birth certificates, ID cards, and other official records;
  - b. Train recruitment staff and hiring managers on the importance of age verification and the company's zero-tolerance child labor policy and equip them to identify and deal with fraudulent documents.
6. Child labor due diligence needs to be conducted on an ongoing basis as the size of the operation and the context of the company's operations also change over time;
7. Complementing child labor due diligence with:
  - a. Using the Business and Human Rights Risk Assessment application (PRISMA) managed by the Ministry of Law and Human Rights of the Republic of Indonesia to map the real conditions or potential risks of human rights violations committed by the company's business activities;
  - b. Using the Norma 100 application managed by the Ministry of Manpower to map out what labor norms have not been properly implemented in companies.



## C. Establish a child labor remediation mechanism

1. Establish a confidential and accessible reporting mechanism for employees and other stakeholders to report suspected violations of the company's child labor policy. This reporting mechanism can take the form of hotlines, suggestion boxes and online reporting channels;
2. Protect whistleblowers from retaliation by ensuring their anonymity and safety throughout the investigation process;
3. Develop and implement remediation procedures for identified child labor cases, which include withdrawing the child from work or diverting the child to age-appropriate work by providing support such as education or vocational training, and taking action against those, both staff and supply chain, responsible for the child labor case;
4. Collaborate with relevant parties to remediate child labor, for example with the Regional Technical Implementation Unit for the Protection of Women and Children (UPTD PPA) which has been mandated as a provider of protection services for women and children;
5. Establish a referral system to ensure the services the child needs can be provided.





#### **D. Track the progress of programmes established to tackle child labor.**

1. Develop appropriate qualitative and quantitative indicators to measure the effectiveness of implemented programmes to address identified child labor issues;
2. Seek feedback from various parties, both internal and external, on the effectiveness of the programme;
3. Implement regular audits of all operations, including supply chains, to verify compliance with company policies on child labor. Regular audits should be conducted by independent, qualified auditors to ensure objectivity;
4. Implement a monitoring system for suppliers and contractors to ensure they comply with the company's policy on child labor, including regular inspections and requiring suppliers to provide evidence of compliance;
5. Companies should also conduct regular monitoring and take strict action against employees involve their children who are still under minimum age to assist/perform work;
6. Establish mechanisms for continuous improvement in child Labor prevention practices by using feedback from audits, reports, and community engagement to refine and improve systems.



#### **E. Communicate the progress of corrective actions taken to the public**

1. Publish transparent information on company and supply chain efforts to address child labor and their effectiveness. This information can be provided in the company's annual report or other communication channels on sustainable and responsible business;
2. Ensure that published information can be easily accessed by the public.

## **VI. EXAMPLES OF IMPLEMENTATION OF LABOR PRACTICES TO ADDRESS CHILD LABOR BY COMPANIES**



### **EXAMPLE 1: CHILD PROTECTION POLICY**

Indonesian Association of Palm Oil Producers (GAPKI) member palm oil company Wilmar International has a Child Protection Policy under which it has zero tolerance for child labor, any form of child exploitation and child abuse. All Wilmar employees are responsible for ensuring this policy is implemented at all times, including compliance by contractors and suppliers. Wilmar International's Child Protection Policy includes a no child labor clause that applies to all of Wilmar's global operations, including subsidiaries, joint ventures and third-party providers. The no child labor clause includes a definition of child labor, management commitment, implementation measures and remediation guidelines.

Source: [https://www.wilmar-international.com/docs/default-source/default-document-library/sustainability/policies/sustainability-policies---translated/child-protection-policy\\_kebijakan-perlindungan-anak\\_jan-2018.pdf?sfvrsn=62ec737b\\_2](https://www.wilmar-international.com/docs/default-source/default-document-library/sustainability/policies/sustainability-policies---translated/child-protection-policy_kebijakan-perlindungan-anak_jan-2018.pdf?sfvrsn=62ec737b_2)



## EXAMPLE 2: CHILD LABOR PROHIBITION POLICY

A palm oil company that is a member of GAPKI issued a Child Protection Policy that does not tolerate child labor and also does not tolerate any form of exploitation and abuse of children on a plantation-wide basis. The policy aims to ensure the rights and protection of children and emphasises that all staff are responsible for ensuring the implementation of this policy including ensuring compliance from contractors and suppliers. The policy is promoted through information boards in the plantation.

Source: Child Friendly Indonesian Palm Oil, A Practical Guide and Good Practices



## EXAMPLE 3: CHILD LABOR MONITORING AND REMEDIATION

In Indonesia, with partner Save the Children, Cargill is implementing a Child Labor Monitoring and Remediation System (CLMRS) programme in the communities of Bone and Wajo in South Sulawesi. The CLMRS was developed using the Community Based Child Protection Committee model which emphasises working with local communities and affected families to understand how and why they rely on child labor. The programme will be a robust monitoring and remediation approach designed to protect children and advance their rights.

Source: <https://www.cargill.co.id/en/2020/cargill-advances-child-protection-efforts-in-direct-cocoa-supply>



## EXAMPLE 4: ZERO TOLERANCE FOR CHILD LABOR POLICY AS PART OF THE COMPANY'S AGRICULTURE LABOUR PRACTICE (ALP) CODE.

Alliance One International, Inc. (AOI), which also operates in Indonesia, is dedicated to eliminating child labor on all of its tobacco plantations. PT AOI's Agriculture Labor Practices (ALP) outlines the following regarding the elimination of child labor:

Child labor is strictly prohibited, with the minimum age for employment set at no less than the age for completing compulsory education, and in any case, not below 15 years of age or the minimum age set by the country's laws, whichever provides greater protection.

Individuals under the age of 18 are not allowed to perform any hazardous work.

On family farms, children are only allowed to help if the work is light, and the child is between 13 and 15 years old, or above the minimum age for light work as determined by national law, whichever provides greater protection.

In addition to child labor, PT AOI's ALP also covers issues related to freedom of association, prohibition of forced labor, fair treatment of workers, and maintaining a safe working environment.

Source: AOI Agriculture Labor Practices Brochure, [http://www.aointl.com/files/1414/5744/7765/AOI\\_Agricultural\\_Labor\\_Practices\\_Brochure.pdf](http://www.aointl.com/files/1414/5744/7765/AOI_Agricultural_Labor_Practices_Brochure.pdf)



## EXAMPLE 5: TRAINING ON LABOR PRACTICES IN AGRICULTURE FOR FARMERS

Universal PT Tempurejo reaches out and trains farmers on the company's programmes in remote locations using *mobile communication vans*, specially designed vehicles that help staff deliver materials and messages directly in villages and community centres.

Farmers, farmer families, and workers are taught about important issues such as the principle of zero tolerance of child labor, the use of Personal Protective Equipment (PPE), safe working environments, and other topics. The presentations are conducted by presenting fun and informative videos while allowing participants to ask questions or clarifications. A simple test was administered before and after the presentation to gauge the participants' level of understanding of the training.

Source: Elimination of the Worst Forms of Child Labor in the Tobacco Industry, Universal PT Tempurejo presentation



## EXAMPLE 6: INCLUDING CHILD LABOR CLAUSES IN COLLECTIVE BARGAINING AGREEMENTS

During negotiations between PT Ciliandra (Surya Damai Group) and the Kamiparho workers union, a clause addressing child labor was included in the collective bargaining agreement. The child labor clause outlines the following:

- a. Employers are prohibited from employing children under 18 years of age or allowing children to be present at work sites.
- b. Employers actively place prohibitions on the employment of children or bringing children to work in all work areas and locations that can be clearly seen by workers/Laborers.
- c. Workers/laborers are prohibited from bringing children to work or on the work site.
- d. If it is found that a Worker/laborer brings a child to work or is at the work location, the Worker/laborer will be given strict sanctions.
- e. Workers/laborers are obliged to inform the employer if they see or find children working or at the work location.



## EXAMPLE 7: INCLUDING TERMS AND CONDITIONS RELATED TO ZERO TOLERANCE OF CHILD LABOR AND OTHER LABOR PRACTICES IN CONTRACTS WITH SUPPLIERS

A multi-national chocolate manufacturer, PT Mondelez International, which also operates in Indonesia, develops contracts with its business partners or suppliers that not only contain core commercial terms but specifically include mandatory terms and conditions in areas such as corporate social responsibility, ethics, integrity and safety. In addition to complying with all laws and regulations, suppliers must comply with Mondelēz International's expectations in terms of: prohibition of forced labor; prohibition of child labor; diversity and inclusion, harassment and violence, safety and health, third-party representation, working hours and compensation, disciplinary procedures, business integrity, environment and sustainability, and anti-bribery. These become part of the company's supplier agreements and are included in the company's purchase orders.

Source: <https://www.mondelezinternational.com/snacking-made-right/esg-topics/child-labor/>



## EXAMPLE 8: LABOR UNION NEGOTIATES CHILDREN'S RIGHTS IN A COLLECTIVE BARGAINING AGREEMENT

The Federation-HUKATAN (F-HUKATAN) in dialogue and negotiation with plantation companies not only negotiates the normative aspects of workers, but also the rights of workers' families and the protection of children in the plantation environment. The Collective Bargaining Agreement (CBA) between F-HUKATAN and PT IIS Jambi includes aspects of:

1. Prevention of child labor through strict criteria in worker recruitment;
2. Prohibition of bringing children to work, and the company is obliged to provide childcare;
3. Providing protection for women to breastfeed children; and
4. Children's rights in parental wages. Specifically, workers will receive leave related to children, as outlined in the CBA.

No.	Permit Category	Number of days
1	Child circumcision	2 working days
2	Baptising a child	2 working days
3	Wife gives birth or miscarries	2 working days

In addition, F-Hukatan also negotiated scholarship assistance for workers' children, namely:

1. In accordance with the company's commitment to fostering human resources from an early age and building the spirit of learning of employees' children so that they are able to prepare themselves and compete in their lives later and to help pay for the education of employees' children who excel, the company provides scholarships for employees' children who excel in the academic field;
2. The amount and conditions for the implementation of scholarships are regulated in Company Policy. (Source: F-HUKATAN, 2024).

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## VII. REFERENCE REGULATIONS

1. Law Number 13 Year 2003 on Manpower
2. Law Number 6 of 2023 on the Enactment of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation as Law
3. Law Number 23 of 2002 on Child Protection
4. Law Number 35 of 2014 Concerning the Amendment to Law Number 23 of 2002 Concerning Child Protection
5. Law Number 21 Year 2007 on the Eradication of the Crime of Trafficking in Persons
6. Law Number 21 Year 2000 on Trade Unions/Labor Unions
7. Law Number 1 Year 1970 on Occupational Safety
8. Law Number 24 Year 2011 on Social Security Organisation (BPJS Law)
9. Law Number 39 Year 1999 on Human Rights
10. Law Number 20 of 1999 on the Ratification of ILO CONVENTION no 138 of 1973 on the Minimum Age for Admission to Labor
11. Declaration on the Minimum Age for Admission to Employment as an annex to Law number 20 of 1999 on the ratification of ILO Convention No. 138 on the Minimum Age for Admission to Employment
12. Law Number 1 of 2000 on the Ratification of ILO CONVENTION No 182 of 1999 on the Immediate Elimination of the Worst Forms of Child Labor
13. Law Number 19 of 1999 on the Ratification of ILO Convention No. 105 on the Abolition of Forced Labor
14. Law Number 10 of 2012 on the Ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography
15. Law Number 14 of 2009 on the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime
16. Presidential Decree 36 of 1990 on the Ratification of the United Nations Convention on the Rights of the Child, 1989
17. Presidential Decree Number 59 of 2002 on the National Action Plan for the Elimination of the Worst Forms of Child Labor
18. Presidential Regulation Number 25 of 2021 on Child Friendly Districts/Cities
19. Presidential Regulation Number 53 of 2021 on the National Action Plan for Human Rights (RANHAM)
20. Presidential Regulation Number 101 of 2022 on National Strategy for the Elimination of Violence against Children
21. Presidential Regulation Number 60 of 2024 on the National Strategy for Business and Human Rights
22. Decree of the Minister of Manpower and Transmigration Number 235 year 2003 on Types of Work that Endanger the Safety, Health and Morals of Children
23. Decree of Minister of Manpower and Transmigration Number 115 of 2004 on Protection for Children Engaged in Work to Develop Talent and Interests

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