



# Child Rights Situational Analysis of the Waste Supply Chain in North Jakarta Landfills/Collection Areas

Manuscript for Save the Children, Jakarta and Fortum, Finland

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## BACKGROUND

Jakarta is the capital city of the Republic of Indonesia and a mega metropolitan with population more than 12 million during week days and working hours. Waste management in such a densely populated area presents a complicated measure for the provincial government. To make matters more complicated, the waste processing has been saturated with the involvement of children as child labour (children doing non-light work) (Badan Pusat Statistik & International Labour Organisation, 2009). Children have been identified as garbage picker-collectors both independently as well as part of the family work force. As family workers, they are under parents control to help picking garbage, sorting and (re)packaging of collected goods to be sold to middle-men or to recycling company. Their work in the waste or garbage sector is considered hazardous by ILO Convention No 182 (International Labour Organisation, 1999) that was ratified as Law No. 1 Year 2000 concerning the Prohibition and Immediate Actions for the Elimination of the Worst Forms of Child Labor (Government of Indonesia, 2000). This law was further enforced through a National Plan of Action stipulated in the Presidential Decree No. 59 Year 2002 (Government of Indonesia, 2002a).

Table 1: *Waste production and transporting effectiveness in Jakarta, 2011*

District	Waste production (daily, in tons)	Waste Transported (daily, in tons)	Residual waste (daily, in tons)
South Jakarta	742.81	739.95	2.86
East Jakarta	1487.23	1097.4	389.83
Central Jakarta	780.53	774.4	6.13
West Jakarta	1503.94	1363.14	140.8
North Jakarta	996.65	994.75	1.9
Coastal and Beaches	86.71	16.67	70.4

(Dinas Komunikasi Informatika dan Statistik Jakarta, 2016)

In 2014, the new elected governor, Joko Widodo and a year later Basuki Tjahaja Purnama, started a massive bureaucratic reform in the DKI provincial government to fight corruption, and to improve public sector services. The governor implemented simpler but measurable performance indicators and improved the minimum salary of the manual workers who work to clean the street, maintain sewage and drainage system, clean big and small canals in the city. These workers were employed by the governor as state employees who received benefits and social security. Due to political disputes

between the Governor<sup>1</sup> and the Provincial People's Assembly, he was not allowed to use his new proposed budget for his administration in 2015. This momentum was used to seek support from the private sector and he was quite successful. In the next 2 years of his administration public infrastructure to resolve traffic jam, floods, green spaces for children, waste management enjoyed unprecedented support from the private sectors. Although the Presidential Regulation No. 18 Year 2016 (Government of Indonesia, 2016) to turn waste in major cities in Java and Makasar into thermal energy was overturned by the Supreme Court in 2 November 2016 (Mahkamah Agung Republik Indonesia, 2016), the Governor of Jakarta enacted Governor Instruction No. 8 Year 2016 (Gubernur Provinsi DKI Jakarta, 2016a) enforced by Governor Regulation No. 50 Year 2016 (Gubernur Provinsi DKI Jakarta, 2016b) to improve managerial and capacity, such as the Intermediate Treatment Facilities for waste treatment in Jakarta, especially to reduce dependency to dumpsite areas outside of Jakarta. The government appointed PT Jakarta Propertindo a business entity owned by the Jakarta Provincial government, to provide technical and operational management of the project.

Recently, the Government of Jakarta is seeking partners to resolve waste management in North Jakarta. Fortum is a leading energy company in Finland and is a forerunner in the adoption of smart energy, utilising a diverse and flexible mix of energy sources in heat production, and increasing the use of renewable fuels to create sustainable energy for people. The company is also continuously developing new energy-efficient solutions. Fortum is planning to invest in a new Waste to Energy plant (WtE) for garbage in Sunter, North Jakarta. The WtE is set to be constructed on a 3.2-hectare government-owned plot of land, and would be able to treat 2,000 to 2,200 metric tons of garbage daily. Data from 2011 indicates that North Jakarta produces a little bit more than 996.65 tons of waste per day, or about 18% of the total amount of waste in Jakarta. Unlike all the other districts, North Jakarta is the most effective sub-district in terms of transporting their refuse, as "only" a residual waste of 1.9 tons remains un-transported everyday.

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<sup>1</sup> Because the Governor found out that the provincial budget submitted through the People's Assembly was seriously corrupted.

Table 2: *Size of sub-districts in North Jakarta*

Sub-district	Size (in km <sup>2</sup> )	Proportion (in %)
Penjaringan	45.41	30.96
Pademangan	11.92	8.13
Tanjung Priok	22.52	15.35
Koja	12.25	8.36
Kelapa Gading	14.87	10.14
Cilincing	39.70	27.07

(Badan Pusat Statistik Jakarta Utara, 2017)

As part of their engagement in Jakarta to improve waste management, Fortum is interested to understand more about the supply chain related to waste management in Sunter and how children may be adversely affected. Hence, Fortum has approached Save the Children for collaboration on a study that would aim to delineate the situation.

Figure 1: *Site Map: North Jakarta*



Prof. Irwanto who is one of the most knowledgeable expert on the worst form of child labor in Indonesia, especially on child scavengers, was commissioned by Save the Children to implement the study. He and his research team performed the rapid assessment study from the first week of September to 31<sup>st</sup> October 2017.

## STUDY OBJECTIVES AND METHODS

There are four main objectives in our research (see Table 3). These objectives require macro views regarding the waste supply chain in North Jakarta, and national policies regarding child labor and waste management, as well as micro-approaches to understand the lives of children who are involved in waste processing and the perceptions of adults in their surrounding regarding their involvement.

To meet these objectives, we sent a team of data collectors to each sub district where they conduct interviews with children who are involved in waste processing, their parents, and a number of stakeholders. The latter group mainly consists of officials of the Environmental Agency, waste bank officials, and recycling middlemen. In addition to the interviews, the team also observed at least one child for one day in each sub district, thereby capturing their activities while working and at home. With regards to the policy study, we analyzed existing policy documents and reviews that have been conducted.

Table 3: *Objectives of the Study and Methods*

	Study Objectives	Methods
01	To obtain waste supply chain analysis of each district	Interviews with children and stakeholders
02	To identify the nature of children's involvement, including the risks and vulnerabilities entailed	Interviews and participant observation with children waste pickers/sorters
03	To understand the parents' and other stakeholders perception of children's involvement in waste processing	Interviews with parents and stakeholders (mostly government officials and waste banks)
04	To understand the existing policies regarding child's rights and waste management	Policy analysis

Source: TOR

## NUMBER OF PARTICIPANTS

Table 4: *Number of Participants*

<b>Participants</b>	<b>Number</b>
Children interviewed	25
Children observed - whole day activities	7
Parents interviewed	16
Other stakeholders interviewed*	30
- Government officials	15
- Middle-men	8
- Waste bank officials	7

\* Government officials, middle-men, waste bank officers.

Our field study was assisted by Yayasan Jala Samudera Mandiri member of the Child Labor Network or JARAK and officially supported by the municipal office of North Jakarta.

## KEY FINDINGS

### STUDY OBJECTIVE #1 WASTE SUPPLY CHAIN MODEL AND ANALYSIS OF EACH SUB-DISTRICT

The model for the waste supply chain is obtained through interviews in the six sub-districts with officials from the Environmental Agency, officers of waste banks, owners of private recycle businesses (identified as recycling middlemen throughout the study), as well as the children themselves. In Pademangan, the smallest sub-district, we were not able to find children who work in waste supply chain.

#### **FOUR TIERS OF SUPPLY CHAIN WITH DIFFERENT ACTORS**

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**TIER:** A **tier** is defined as the critical process in the supply chain of waste management. In our analysis, we found 4 important tiers.

- TIER 1: Where waste or garbage are initially found and processed for pick up by actors: street, households (neighborhood), hotels, malls, markets, schools, hospitals.
- TIER 2: Where waste are collected and sorted out to be deposited into intermediary disposal sites in the district or transported to recycling middlemen (Lapak) and waste banks.
- TIER 3: Where waste are further processed for recycling.
- TIER 4: Where collected waste are finally sent to recycling industries or dumped to final dumpsite in Bantar Gebang, Bekasi.

**ACTORS:** an Actor in the supply chain management of waste is a responsible party involved in added value processes of waste. This study identify two main actors where both co-exist in every stage of the supply chain:

- **Government actors:** are government infrastructure under the **Environmental Agency** to process waste. They are involved in 1) waste-picking and waste-transporting from certain neighborhoods and public spaces to intermediary disposal sites, 2) opening and maintaining some waste

banks, 3) maintaining formal intermediary disposal sites, and 4) waste-transporting from intermediary disposal sites to the final disposal site in Bantar Gebang, West Java.

- **Non-government actors:** are those individuals and entities (companies) engaged in waste management in contract agreement or non-contracted by the government. They are more heterogeneous. Included in this are individual waste-pickers, local informal authority (thugs), recycling middlemen, industry-sponsored waste banks, large businesses that provide waste processing services to other businesses (also commonly called B2B), and the manufacturing industries that buy the recycled waste at the end of the chain.

**SUPPLY-CHAIN PROCESSES** - In the model of the supply chain, the government actors and sites are colored in green, while the non-government actors and sites are in brown.

Figure 2: *Supply Chain Process*

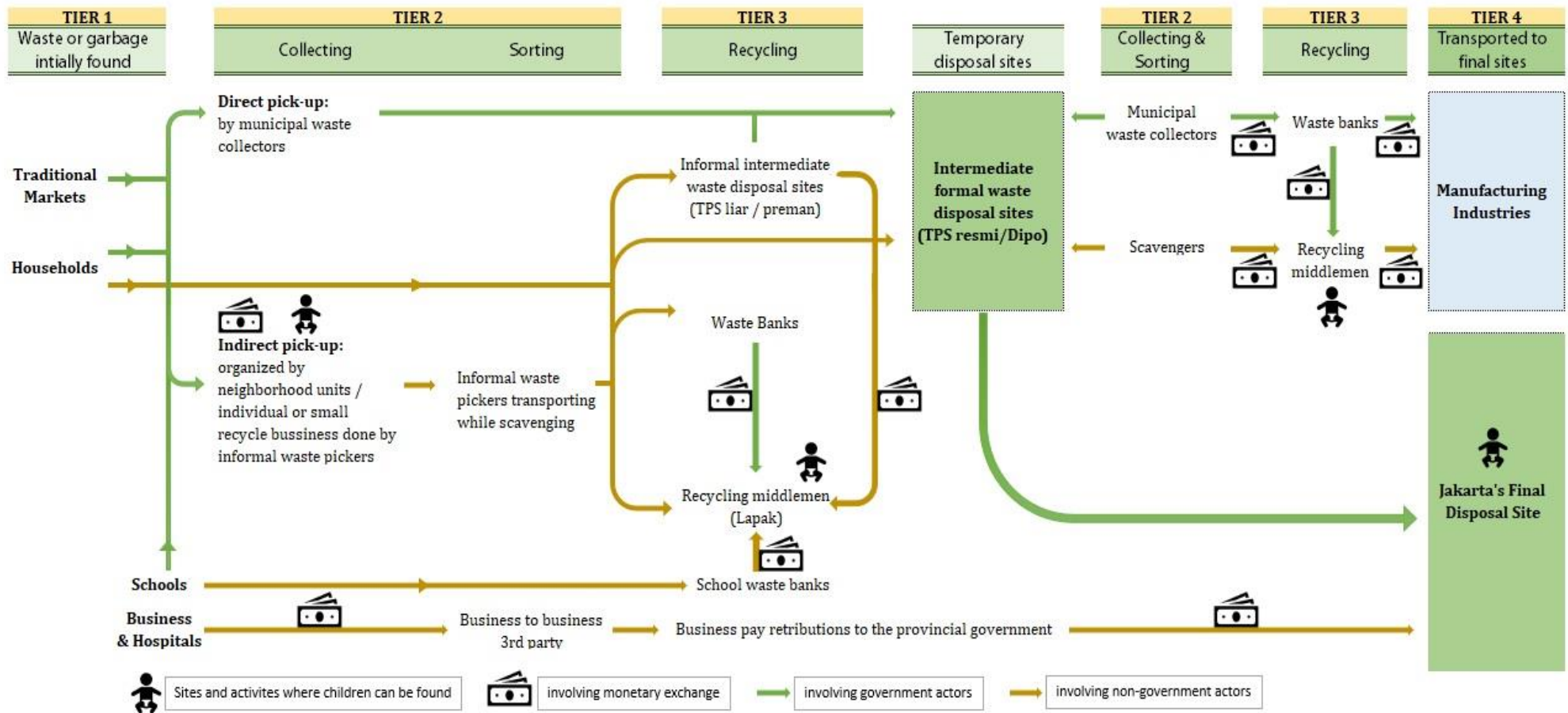























Table 5 is to summarize the above supply chain processes of waste management in all sub-districts, including Pademangan.

Table 5: *Summary of supply chain management of waste in North Jakarta*

<i>ACTORS</i>	<i>TIER 1: waste or garbage are initially found</i>	<i>TIER 2: waste are collected and sorted out</i>	<i>TIER 3: waste are further processed for recycling</i>	<i>TIER 4 waste are sent to recycling industries final dumpsite*</i>	<i>Sub-districts</i>
<i>Informal actors</i>					
 <i>Adults</i>					<i>All sub-districts</i>
 <i>Children</i>					<i>Except Pademangan</i>
<i>Formal actors</i>					
 <i>Waste bank</i>					<i>All sub-districts</i>
 <i>Govt Actors</i>					<i>All sub-districts</i>
 <i>Non-government actors</i>					<i>All sub-districts</i>

\* Final dumpsite for Jakarta is in Bantar Gebang – Bekasi (outside of Jakarta)

### THREE MODELS OF INVOLVEMENT OF CHILDREN IN THE SUPPLY CHAIN PROCESS

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- Children independently (allowed by local authority with a small payment) pick up waste at the household, street, market, and/or sell their collection to recycling middlemen (LAPAK) or intermediate disposal sites → informal work activities (**tier 2**).
- Children help parents as family workers picking up and sorting waste at home (temporary waste collection) or at recycling middle men who sell their collection to the recycling industry (**tier 2**).
- Children pick up waste as family workers at the final dumpsite in Bantar Gebang – Bekasi, and help parents sort and repackage waste to be sold to the recycling industry (**tier 2 and 4**).

### LESSON LEARNED

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It should be noted that although we found children were involved in the supply-chain of waste management, the magnitude of children involvement seem less significant compared to period prior to 2014. In the absence of baseline data, our best estimate of their overall involvement has been reduced to 80% than our earlier observation. Of course, this is subjected to further investigation.

- Children remain a significant part of informal sector in the supply chain management → for their own economic survival or as cheap family workers
  - As long as opportunity for waste pick up by non-formal actors exists, children involvement could not be prevented.
  - As long as families are involved in temporary collection disposal, children involvement could not be prevented.
- What happened in Pademangan sub-district
  - The area include a local tourist destination called ANCOL – which is a provincial business entity that manages the largest area in the sub-district. This company has it owns waste processing unit that does not allow any other parties, including the informal actors to deal with their wastes. Other private companies also manage their wastes in that fashion. There are 11 waste processing installations in the sub-districts managed by private companies.
  - In the residential, industrial, and commercial areas, the waste are categorized into wet and dry disposal. Third parties that hold permits from the district authorities are allowed to collect and transport the wastes. No scavengers can be found since all the wastes will be immediately put to the truck.

- Local government has teamed up with schools in this area to ask for their students to bring ‘valuable wastes’ (mainly plastics) to their school’s waste banks and private parties to set up waste banks. There are approximately 26 waste bank in this sub-district compared only 2-4 waste banks in other sub-districts.

STUDY OBJECTIVE #2

TO IDENTIFY THE NATURE OF CHILDREN’S INVOLVEMENT INCLUDING THE RISKS AND VULNERABILITIES ENTAILED

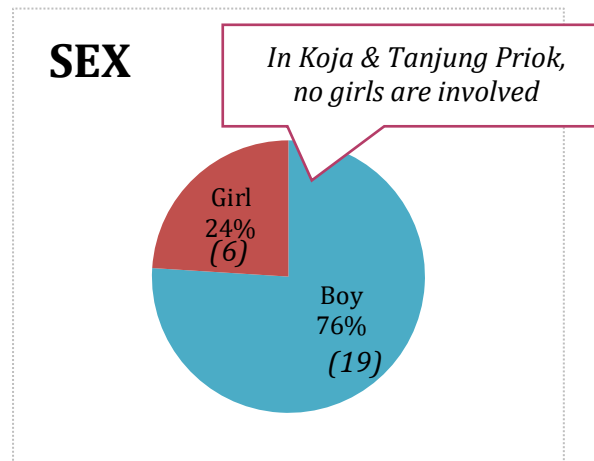
NUMBER OF CHILDREN INTERVIEWED

Table 6: *Number of children interviewed per Sub-District*

KOJA	TJ PRIOK	CILINCING	KELAPA GADING	PENJARINGAN	PADEMANGAN
5	5	7	3	5	0

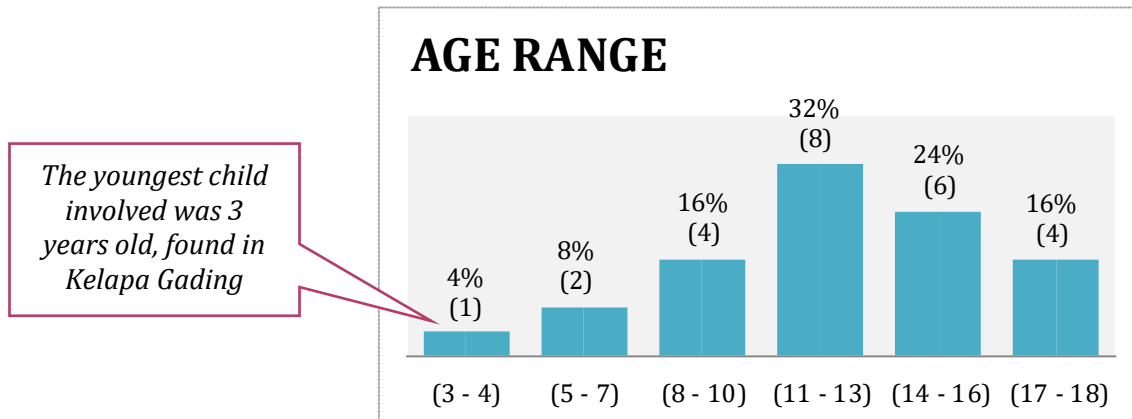
DEMOGRAPHIC

Graph 1: *Demographic profile of the children (Sex)*

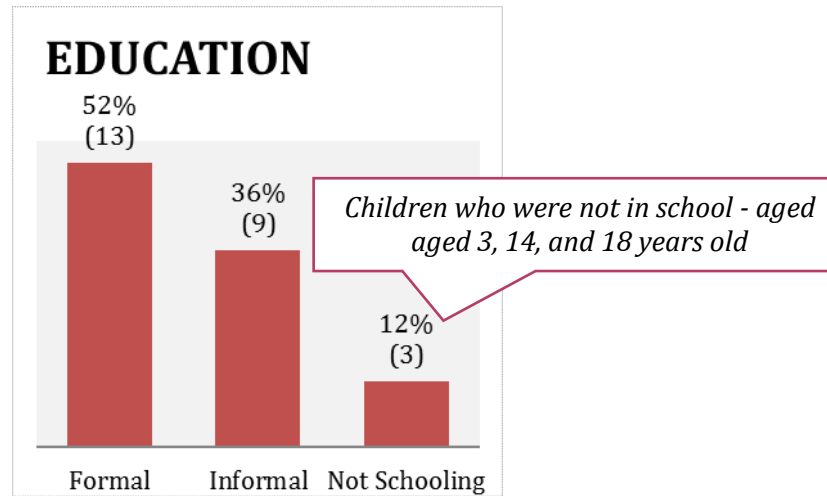


Although in this study we met more boys than girls, in reality we do not know if the number of boys is indeed larger than girls.

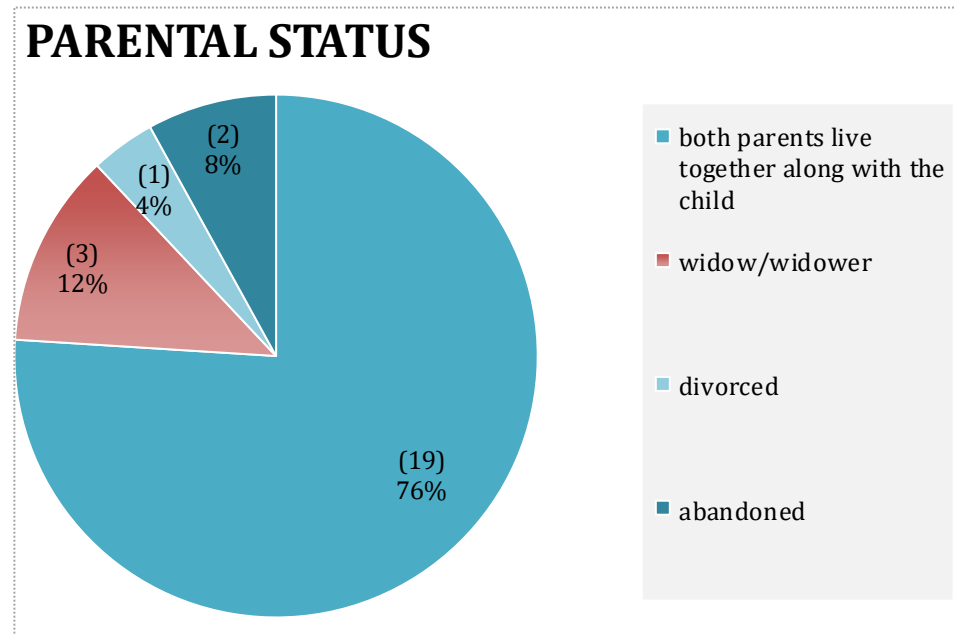
Graph 2: *Age range of the children*



Graph 3: *Education level of the children*



Graph 4: *Parental status*



“Abandoned” children are not necessarily children who are not wanted by parents. They currently just have no parents to take care of them for some reasons that we do not know or aware.

## TYPES OF WASTE COLLECTED

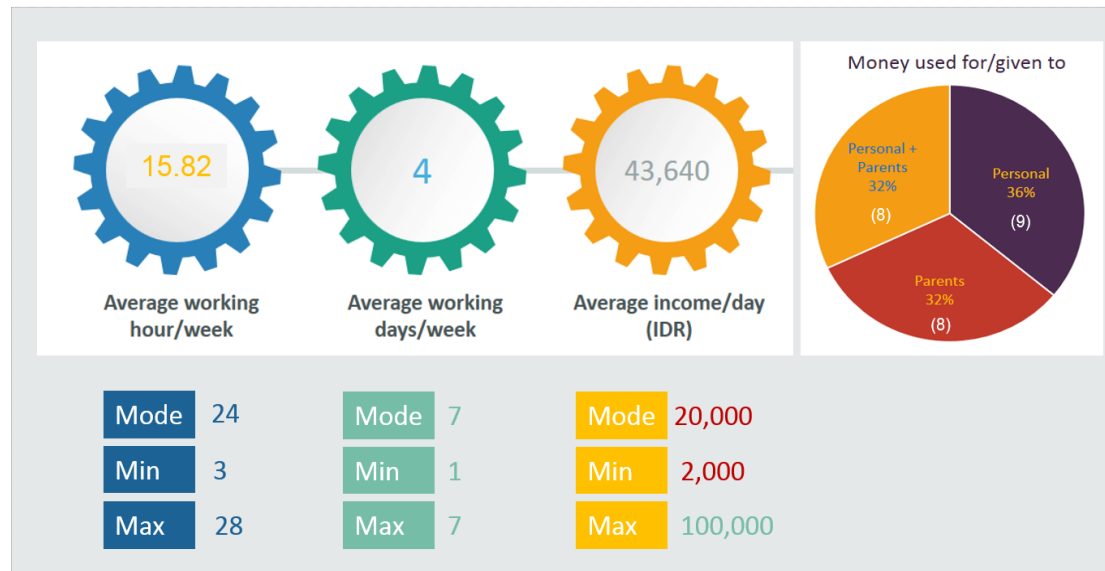
Table 7: *Types of waste collected*

Type of Waste	Subdistricts where children are found					Subdistricts where children aren't found
	Koja	Penjaringan	Kelapa Gading	Tanjung Priok	Cilincing	Pademangan
Wood	✓					✓
Plastic	✓	✓	✓	✓	✓	✓
Shard	✓		✓			
Cardboard	✓	✓	✓	✓	✓	✓
Tin can	✓			✓	✓	✓
Aluminium		✓		✓	✓	✓
Copper		✓	✓			
Paper			✓	✓	✓	✓
Iron (nail, etc.)				✓	✓	
Junk (rongsokan)						✓
Organic	✓					✓

## WORKING HOURS AND EXPENDITURES

It is important to understand that some children do work long hours and in different shifts. Since we were connected to children who are currently learning in an informal education program, we were not much exposed to children who worked early in the morning (approximately 1-7 am) and evening (6-12 pm). According to the existing laws, these children were qualified to be categorized as child labor (younger than 18 years old, doing non-light work more than 3 hours a day, and with hazardous conditions and substances).

Graph 5: *Average working hours, working days, income per day and expenditures*



NOTE:

- Some children who worked as family workers received pocket money from 2,000 IDR to 20,000 IDR. They did their jobs to help their parents. Therefore, all of their income were collected and managed by parents.

- Those who worked as independent workers received up to 100,000 IDR depending on the day or categories of waste collected. They were children living on the street or on the move. They collected waste as economic survival and spent their income for personal needs.

## RISKS INVOLVED: INJURY AND HEALTH RELATED

Table 8: *Physical and Health-Related Risks*

SUB-DISTRICTS	PHYSICAL AND HEALTH RELATED RISKS					
	Dangerous height	Busy street	Bad air pollution	Heavy burden	Dirty sharp objects	Hazardous Chemical*
Koja		✓	✓	✓	✓	✓
Tj Priok		✓	✓	✓	✓	
Kelapa Gading	✓	✓	✓	✓	✓	
Cilincing			✓	✓	✓	
Penjaringan		✓	✓	✓	✓	

\* Explosive, flammable, oxidator, corrosive, irritative, carcinogenic, mutagenic, and/or teratogenic.

### Other Physical and Psychological Risks:

Our participants indicated that the following risks are very real for them. Most frequent incidents are:

- Treated with disrespect (yelled, called by inappropriate names, ridiculed, etc).
- Physical violence by security officers, members of the community, and other children. Sexual violence is less likely since they work in group and in many instances monitored by parents.
- Accused of stealing in the neighborhood.
- Breaking school disciplines and punished by teachers due to incomplete homework or missing school days.

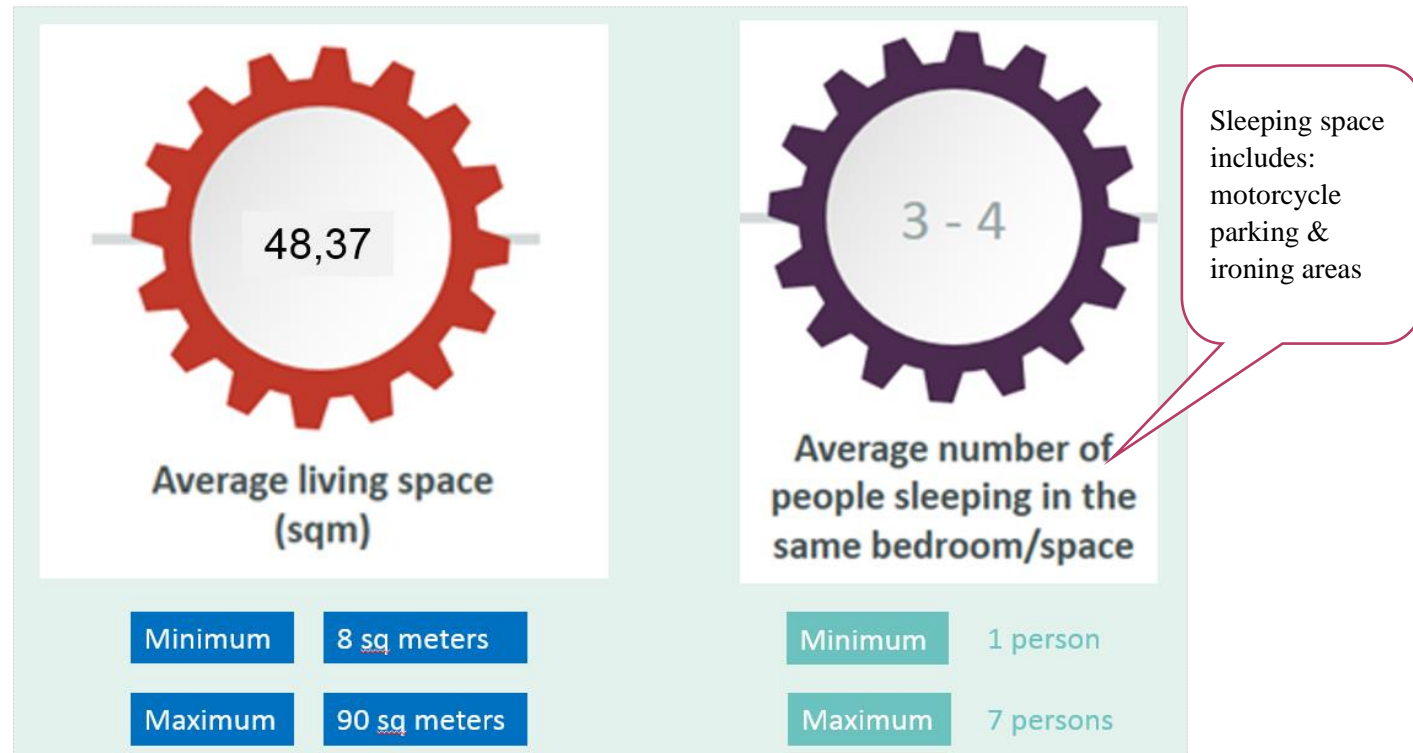
## OTHER FACTORS THAT EFFECT THEIR WORKING CONDITIONS

- Most children have to walk for hours (4-6 hours) to collect waste. Some may start very early in the morning; others have to start walking in the afternoon.
- Many times they have to dive into the waste bin to collect items.
- All of these children did not have equipment/clothing for safety and protection like shoes, proper hats, gloves, and medication for incident of injury. Most of the participants have experienced injuries on the job and took whatever measures that their parents or peers have taught them, such as “applying spider webs on open wounds “.
- Most children have to carry their collection in a bamboo basket that they have to carry on their shoulders or in a big wooden cart that they pull with their hands and shoulders.



Bamboo  
basket

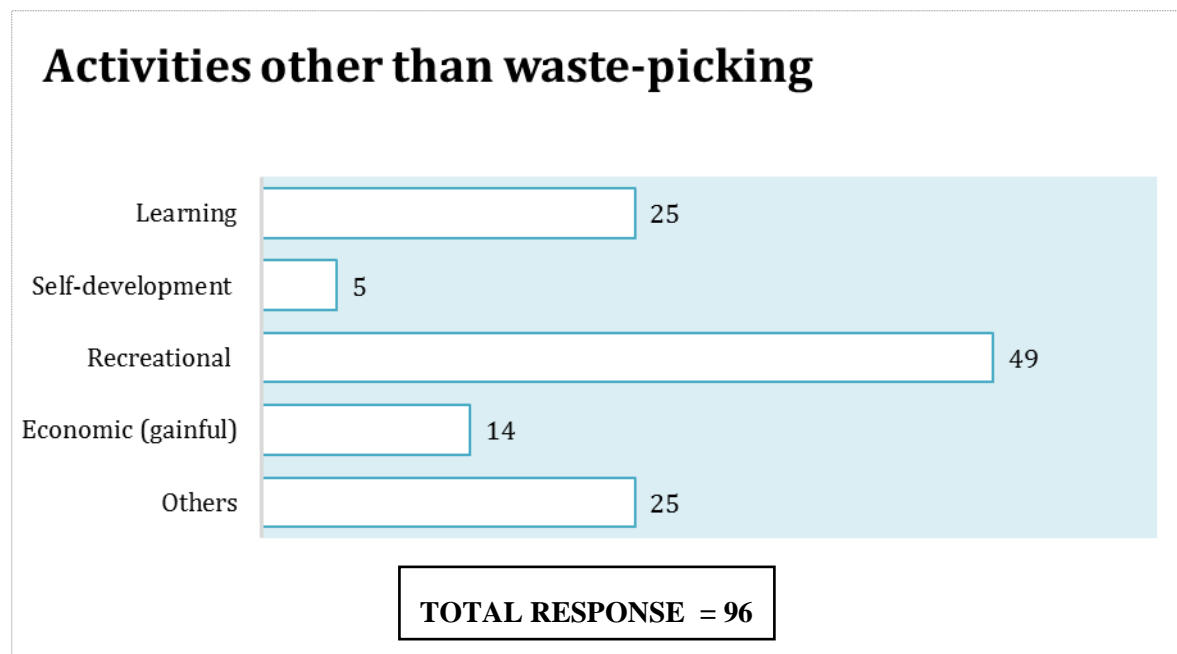
Figure 3: Average living space and number of people in the same space



Families with larger property usually combined household and temporary deposit for waste (LAPAK) for further sorting and repackaging. Below is a typical interior of such a home.



Graph 6: *Activities other than waste-picking*



- Learning activities includes going to formal / informal school and doing homework.
  - Self- development activities includes dance practice, theatre class, and painting.
  - Recreational activities that most frequent are playing and online gaming, then followed by watching TV and hang out.
  - Economic (gainful) activities includes helping their parents working, selling papers, hiring out umbrellas during rainy days, looking for fish baits and chameleon (to be sold), picking tempeh residue (informal food processing) and working as parking boy.
  - Other activities are caring for other family members and quran reading (*ngaji*).
- (See: CASE STUDIES, Annex)

## **LESSON LEARNED**

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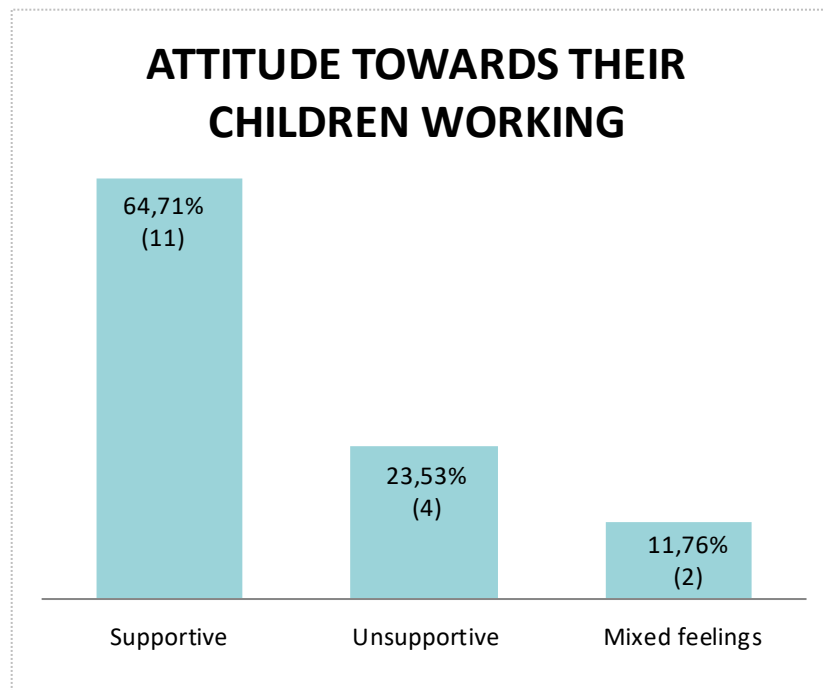
- Children were involved as independent child workers and as family workers.
- It is very common for children as family workers started working early before they reach school age.
- Their presence filled the gap of the waste management by the government and formal sectors.
- They are exposed to very hazardous working conditions.
- They live in hazardous environment.

### OBJECTIVE #3

TO UNDERSTAND THE PARENT'S AND STAKEHOLDERS ATTITUDES ON CHILDREN'S INVOLVEMENT IN WASTE PROCESSING

## PARENTS' ATTITUDE

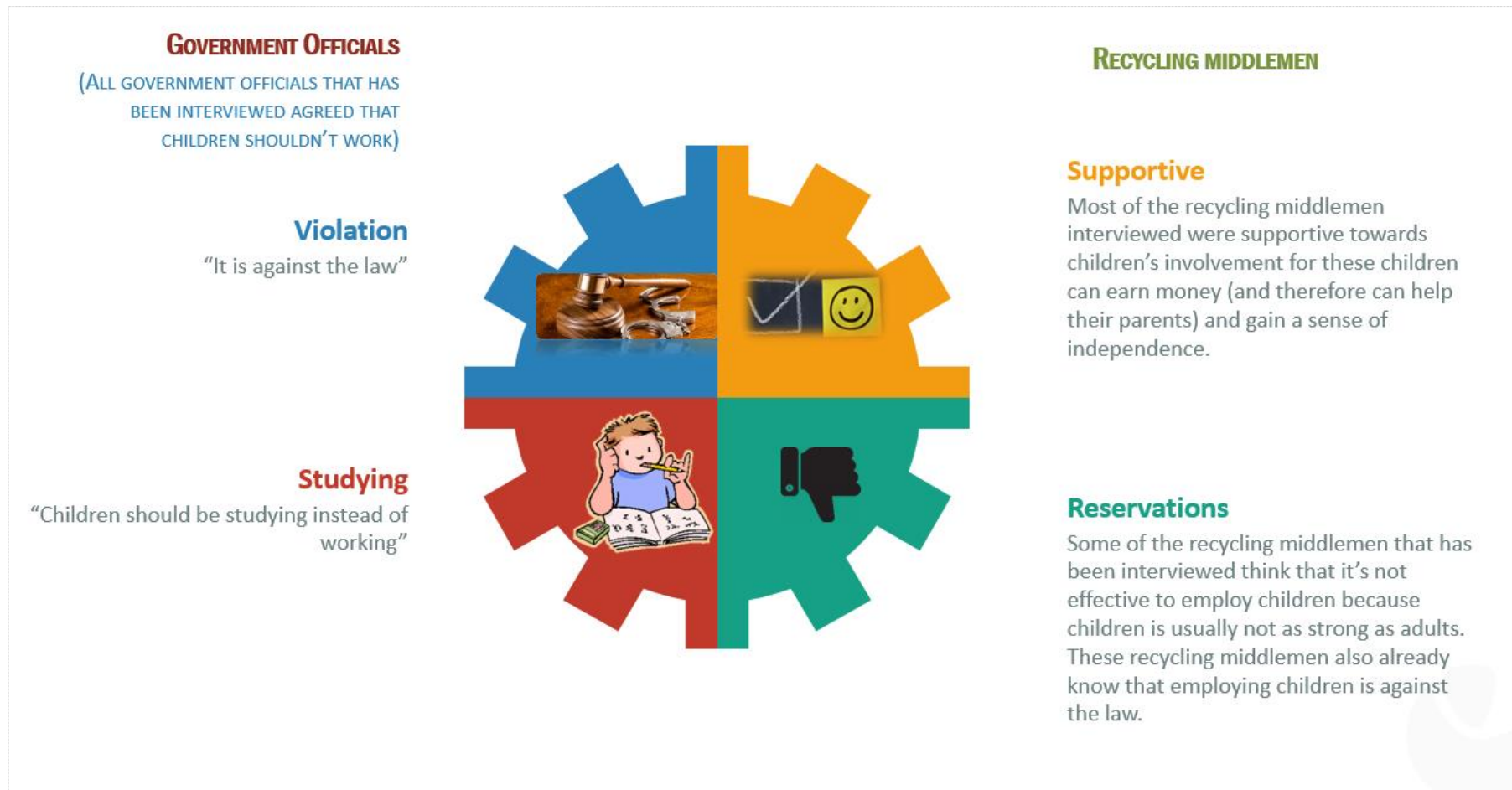
Graph 7: *Attitude of the parents towards children's waste picking activity*



- ❖ **SUPPORTIVE:**  
Productive ways to spend free time, independent, effective monitoring, keeping them away from troublesome friends, etc.
- ❖ **UNSUPPORTIVE:**  
Dangerous and busy street, risk of being kidnapped, etc.
- ❖ **MIXED FEELINGS:**  
Allow the children to work with some reservations

## STAKEHOLDERS' ATTITUDES

Figure 4: *Stakeholders' attitudes towards children's waste picking activity*



**SUPPORTIVE ATTITUDE OF PARENTS TO SCAVENGING**

There are two notions that underlie the positive attitude of the parents towards scavenging: **1) halal, and 2) financial independence/productivity.**

The first and dominant reason as to why the parents support their children's work is based on the notion of "halal" (i.e. things/acts that are permitted according to Islamic law). Most parents who are supportive of their children's work argue that as long as the work is *halal* (thus not against Islamic law) they allow their offspring to continue to pick refuse. This indicates the continuing importance of religion as key framework in parenting.

The second reason is financial independence. The parents argue that scavenging gives their children the ability to provide, at the very least, for their own needs. Very closely related to financial independence is the idea that scavenging is much better than sitting idle, as this would expose their children to harmful activities, like drinking.

*HALAL<sup>2</sup>*

Subject ID	Quote (IND)	Translation
<i>Tanjung Priok OT 01</i>	<i>"ibu mah ngizinin aja kalo anak ibu mau nyampah yang penting kerjanya halal biar tau rasanya kerja gimana"</i>	<i>I let my child pick waste. What is important is that it is halal, and that he knows what it is like to work.</i>
<i>Penjaringan OT 04</i>	<i>"gapapa nyarinya nyari halal, kalo ga halal dia dipukul"</i>	<i>It is okay if what they do is halal, if not, I will beat them.</i>
<i>Penjaringan OT 03</i>	<i>Kita nyari barang halal, dus aqua, kardus"</i>	<i>We (they) only pick up things in a halal way, cardboards, for instance (Implied here is that they are not stealing but only pick up refuse)</i>

<sup>2</sup> May be interpreted as non-criminal – they do not commit an act of stealing.

<b>Koja OT 002</b>	<i>dari pada nganggur di ajak narik (oleh teman) apa gitu orang anaknya yaudalah gapapa mah buat jajan jajan....kalo saya prinsipnya gini mba selagi itu di batas kewajaran yang dilakukan itu halal oke gapapa</i>	<i>His new friend at the informal school told him that scavenging is better than idling/not doing anything, at least the money could be used to buy snacks, or something.  I have this principle, as long as what he is doing is within what is acceptable, as long as it is halal, then I'm fine with it."</i>
<b>Cilincing OT 003 (parent scavenge, children helping out with sorting)</b>	<i>"Ah kamu katanya anak tukang rongsokan, kumel. Mereka cuma nagepin, yang penting halal."</i>	<i>They (other people) told him, "you're just the child of a scavenger, you're dirty." He only replied, "it's okay, as long as it is halal"</i>

### *Financial independence/Productivity*

<b>Subject ID</b>	<b>Quote (in IND)</b>	<b>Translation</b>
<b>Koja OT 003</b>	<i>Dibolehin langsung, kan itu jalannya bener buat dia juga soalnya... mandiri kedepannya. dari pada ikut ikut ngamen yang gak bener, mending sampah saya bilang</i>	<i>I did not mind when he asked for permission (to scavenge), it's for his own good, so that he can be independent in the future. Rather than busking and being exposed to negative influences, I think scavenging is better.</i>
<b>See Koja OT 001 in "Mixed Attitude"</b>		
<b>Cilincing OT 003</b>	<i>"Senang-senang saja karena bareng-bareng. Mereka tahu bagaimana susahnya mencari duit."</i>	<i>"I'm fine with this. They now know how difficult it is to earn money."</i>
<b>Cilincing OT 002</b>	<i>"Senang banget, bangga. Anak ngebantuin saya bangga banget."</i>	<i>I'm very happy, I'm proud. My child is helping me, I'm very proud."</i>

## UNSUPPORTIVE ATTITUDE

### *Fear of children's safety*

The parent who are against their children scavenging often express **fear for their child's safety**. The perceived threats are: other adults (the government officials as well as criminals), peers, and moving vehicles. Interestingly, the physical risks and vulnerabilities that we have identified do not feature in their reasons as to why their children should not scavenge.

Subject ID	Quote (in IND)	Translation
Penjaringan OT 001	<p><i>Awas aa bangor bangor, takut aa, nyari nyari takut ada pembersihan, dibawa, mama nyuruhin engga. Dapet 10, 20 dibawa kebersihan. Malu iya, tar kudu duit iya. Ihhh jangan..."</i></p> <p><i>"udahlah jangan nyari-nyari.. soalnya kan ngeri. Kita mah takutnya anak tiba-tiba diangkut, ga tau kemana."</i></p> <p><i>"Takutnya mauan, takutnya ntar ada barang yang meleng diambil, dikejar satpam, sekuriti. Takutnya digebukin. Orang tua ga tau, biarpun kita ga tau anaknya nyari kalo udah begitu mah tetep orang tua yang salah."</i></p> <p><i>"Kan pernah ada gosip ya.. katanya mama ada penculikkan anak, iya tong mama juga ngeliat di tv ada penculikan anak trus orangnya dibelek-belek.. Jangan kamu jangan nyari.. orangnya pura-pura baik, kalo ada orang begitu nanya nanya langsung lari ke tempat yang rame-rame.. ngeri kalo bisa jangan nyari"</i></p>	<p><i>I'm scared that he will be picked up by government officials (who specifically deal with getting the underprivileged out of the street). It would embarrassing, and I would have to give money to get him back."</i></p> <p><i>"Please stop scavenging. I'm scared you'll be picked up to who knows where..."</i></p> <p><i>"I'm scared that he is easily influenced. That he'll pick up unattended goods (aka stealing), he'll be chased by security guards. I'm worried that people will beat him up. Even if the parents don't know anything about it, it will still be the parents' fault."</i></p> <p><i>"You hear the gossips, people are being kidnap. I saw it on TV. Children are being kidnapped and then operated on (presumably for organs). No please, you don't need to scavenge."</i></p> <p><i>"They will pretend to be nice people, but if they approach you, you have to run to a crowded place. I'm worried, if possible, he should stop scavenging"</i></p>

## MIXED FEELINGS

In this category are expressions that convey mixed attitudes regarding scavenging. Important to note that at the end, and for different reasons, they give in to their child's decision.

Subject ID	Quote (IND)	Translation
(Koja 001)	<p><i>Khawatir, khawatirnya takut dijailin orang. Ya dijailin kan dia anaknya jadi balik polos gitu. Jadinya jadi kaya polos, disuruh apa aja mau, takut disuruh yang gak gak gitu... takut dikerjain gitu.</i></p> <p><i>“Bangganya, orang-orang pada kasih semangat ke saya, tadinya sih down, tapi kata orang udah biarin yang penting dia ada semangat untuk hidup, dia punya rasa percaya diri, dia pengen hidup mandiri, udah biarin, dari pada dia main yang gak gak, yang gak bermanfaat, ya dia tuh pede sebenarnya. Jadi yaudahlah biarin lah.”</i></p>	<p><i>I'm worried that people will do something to him. He is very naïve. It's easy to tell him to do things. I'm worried that they'll tell him to do weird stuff.”</i></p> <p><i>“I'm proud, people are very encouraging. At the beginning, I felt down (about the child scavenging), but other people told me, ‘Just let him, what is important is that he is excited about life, that he is confident and want to be independent. Just let him, it's better than doing useless activities.’ Yes, he is confident, so I let him scavenge.”</i></p>
Cilincing OT 001	<p>Senang nggak senang, kalau istilahnya dia di rumah kasihan. Takutnya nama anak segitu kan kalau di rumah nanti ngerokok, di situ was-wasnya. Kadang suka nggak tega. Kalau di rumah apalagi di rumah sini, orangnya suka minum.”</p>	<p><i>“Well, I'm somewhere between being fine with it and not. On the one hand, if he just stays at home, I feel sorry for him. I'm also scared that he will then learn how to smoke. In this neighborhood, people like to drink.”</i></p>
TP 02	<p><i>“bapak mah sebenarnya kesian. Suka nangis kadang bapak liat R begini. Jadi bapak ngebatin. Bapak ngalah deh akhirnya bapak izinin dia nyampah asal sekolah”</i></p>	<p><i>“I actually feel sorry for him. Sometimes I cry, seeing him that way. But I don't say anything (ngebatin, ini terjemahan yang tepat?). But I give in, I let him pick up waste, as long as he goes to school.”</i></p>
Cilincing OT 004 (Parents and	<p>“Kadang-kadang sedih juga. Saya kurang mampu.</p>	<p><i>Sometimes this makes me sad. I'm poor. I'm sad because we get</i></p>

children are waste pickers)	Sedihnya, kadang-kadang kecapean. Kurang pendidikan.” “Pengen anak maju.”	<i>exhausted, and the children do not receive sufficient education....</i> <i>“I want my child to progress.”</i>
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## LESSON LEARNED

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- As family workers, children’s well-being can be monitored by parents.
- Parents may disagree with involvement of children, but in their own interest to get cheap assistants and be able to protect their children.
- Other stakeholders tend to disagree with involvement of children in waste management because “it is against the law”, “children have to go to school”, or that “they are not strong enough to carry out their job”.
- Those few that support children’s involvement (middle-men) do so because they believe children can earn money independently and take care of their own needs.

## OBJECTIVE # 4 ANALYSIS OF EXISTING POLICIES

### ANALYSIS ON CURRENT DATA

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A national survey on working children and child labour was conducted by the National Bureau of Statistics (Badan Pusat Statistik & International Labour Organisation, 2009). This statistics indicated that there were 4,528,400 (2,612,600 males and 1,915,800 females) working children. Among them 1,755,300 (977,1 males and 778,2 females) were considered as children working in the worst form of child labor (WFCL). Unfortunately the data was not further aggregated according to categories of WFCL so that it had limited use to inform policy (Irwanto (2011)).

### POLICY NATIONAL LEVEL

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#### *RATIFICATION OF UN CONVENTIONS*

- ILO Convention on Minimum Age for Admission to Employment No. 138 (International Labour Organisation, 1976) through Law No. 20 Year 1999 (Government of Indonesia, 2000)– this law was further reinforced by Law No. 13 Year 2003 on Manpower (Government of Indonesia, 2003). But this law was criticized for failing to capture the spirit of the convention. Articles 68 and 69 of the Manpower law stipulate that children are not allowed to work until the age of 18, but they were allowed to perform “light work” at the age of 13-15 years old. No definition of “light work” is provided in the law (Irwanto, 2011).
- ILO Convention on Prohibition and Elimination of the Worst Form of Child Labor through Law No. 1 Year 2000 (Government of Indonesia, 2000). The Law No. 13 Year 2003 (Government of Indonesia, 2003) on manpower provide a list of 18 categories of Worst Forms of Child Labor, including involvement of children in scavenging.
- Indonesia has ratified the Convention on the Rights of the Child in 1989 (United Nations, 1989) and enacted Law No. 23 Year 2002 on Child Protection (Government of Indonesia, 2002b) which prohibits children to participate in dangerous and exploitative work.

All of these commitments are further supported through Presidential Decree No. 12 Year 2001 (Government of Indonesia, 2001) on the Establishment of the National Action Committee to deal with WFCL and Presidential Decree No. 59 Year 2002 (Government of Indonesia, 2002a) on the National Action Plan Framework. Indonesia is currently in phase 2 (second decade) on the implementation of the national plan (2013-2022).

It should be acknowledged that elimination of children working in the worst form of child labor is still seriously challenging. An evaluation by the US Department of Labor (US Department of Labor, 2016) indicated that lack of serious enforcement of the laws and regulations – as well as lack of significant investment, that prohibit significant progress in the achievement of goals in National Action Plan.

Table 9: *Government Action Plans 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

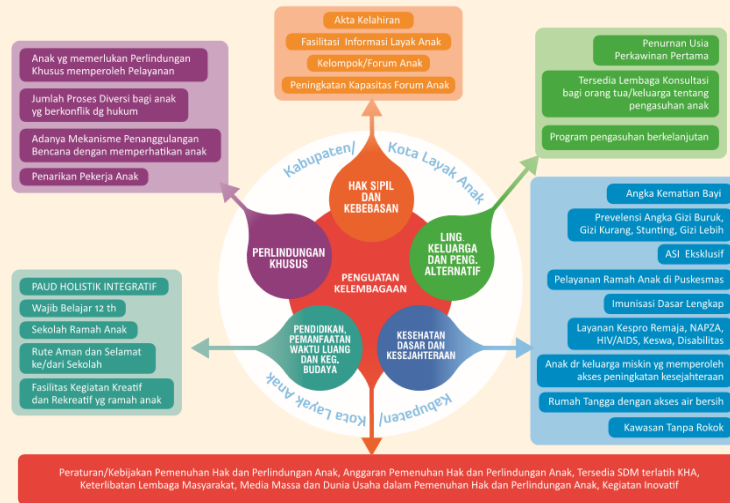
Source: US Department of Labor (2016)

## CURRENT NATIONAL PROGRAMS

Program	Mechanism	Target recipient
Social Assistance and other pro-poor programs	<ul style="list-style-type: none"> <li>• Social Assistance (rice for the poor, health card, scholarship for the poor, social assistance for the disabled, elderly, children, etc.</li> <li>• Community Empowerment (National Community Empowerment Program [PNPM Mandiri], Character Building Program [Program Penguatan Karakter], Urban Poverty Reduction Program [Program Penanggulangan Kemiskinan Perkotaan], Rural Infrastructure Development Program [Program Pembangunan Infrastruktur Pedesaan], Regional Socio-Economic Infrastructure Development Program [Program Pengembangan Infrastruktur Sosial Ekonomi Wilayah])</li> <li>• Micro-enterprises empowerment (business loan [Kredit Usaha Rakyat])</li> </ul>	<ul style="list-style-type: none"> <li>▪ Marginalized children</li> <li>▪ Poor people (urban and rural)</li> </ul>
The Child Social Welfare Program (PKSA or Program Kesejahteraan Sosial Anak)	<ul style="list-style-type: none"> <li>• Conditional Cash Transfer</li> <li>• Social Rehabilitation (counseling, psychosocial support and access to medical, legal, etc)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Abandoned children ≤18 y.o</li> <li>▪ Children living/working in street</li> <li>▪ Children dealing with legal issues</li> <li>▪ Children with disability</li> <li>▪ Other children who need special protection</li> </ul>
The Family Hope Program (PKH or Program Keluarga Harapan)	Conditional Cash Transfer (cash is mostly transferred directly to women/mothers)	<p>Poor family that meets at least one of the following conditions:</p> <p><u>Health condition</u></p> <ol style="list-style-type: none"> <li>1. Pregnant / lactating women</li> </ol>

		<p>2. Children aged 0 up to 5 years 11 months.</p> <p><u>Education</u></p> <ol style="list-style-type: none"> <li>1. Is enrolled in Elementary-High School Education Level (SD / MI; SMP/MTs; SMA/MA or its equivalent)</li> <li>2. Children aged 6 (six) to 21 (twenty one) years who have not completed the 12 (twelve) years compulsory basic education.</li> </ol> <p><u>Social welfare</u></p> <ol style="list-style-type: none"> <li>1. Elderly, preferably from 70 (seventy) years.</li> <li>2. Person with (severe) disabilities.</li> </ol>
Social Protection Home for Children (Rumah Perlindungan Sosial Anak)	<ul style="list-style-type: none"> <li>• Temporary Shelter, the first and most responsive protection service for children who experience violence and mistreatment</li> <li>• Protection Home, which is a follow-up service from temporary shelter that provides protection, recovery, rehabilitation and reintegration for children who need special protection</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mistreated and abused children</li> </ul>
Center for Integrated Services for Women and Children (Pusat Pelayanan Terpadu Perlindungan Perempuan dan Anak)	<ul style="list-style-type: none"> <li>• Referral center, business consultancy center, reproductive health consultation center, legal consultation center, integrated crisis center, integrated service center, trauma center, women crisis center, training center, science and technology information center, safe home (shelter), etc.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Women and children as victims of abuse</li> </ul>
Unit for Services for Women and Children (Unit Pelayanan Perempuan dan Anak)- The National Police	<ul style="list-style-type: none"> <li>• Implementation of legal services and protection; investigation of criminal offenses; cooperation and coordination with related institutions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Women and children as victims of abuse, trafficking, smuggling, protection as witness, and other issues</li> </ul>

## Child Friendly City (Kota Layak Anak)



Source: Kementerian Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia

- Child labor is included as a negative indicator – the less children involved in exploitative forms of child labor the higher the score for Child Friendly City.

Figure 5: *Gaps and challenges at the national level*

### 6 Overlapping of Programs

Programs of Ministerial Departments are overlapping with each other. There is a lack of coordination between Departments in planning the programs.

### 5 The Lack of Serious Investment in Mechanisms

Lack of serious investment in planning, monitoring and reporting mechanism

### 4 The Lack of Documentation of Best Practices

Lack of documentation of best practices in the treatment, rehabilitation, and reintegration of survivors of WFCL

### 1 The Lack of Awareness

The community, law enforcers, and decision makers were not fully aware of the problems and existing or ongoing responses. Many people would argue that the main reason for this are (a) lack of visibility and consistency in campaign strategies, and (b) the failure of the state to implement the rule of law.

### 2 The Mistargeted and Mismatched

Mistargeted and mismanagement of the programs. When programs find difficulties in reaching the target beneficiaries (e.g., children living on the street) and yet they have to be implemented, they resort to the existing mechanism that can lead to any children living in poverty or near poverty and deliver the assistance as other (non-conditional) assistance.

### 3 The Lack of Depth

Lack of programs that could reach deep into the working condition of the WFCL CCT may not be appropriate to address the issues related to child labor.





## PROVINCIAL PROGRAMS (RESPONSES)

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### *ON CHILDREN AND THEIR FAMILIES (RPJMD 2013-2017) (Pemerintah Provinsi DKI Jakarta, 2013b)*

- Provide children and their families to accessible health and education services through Conditional Cash Transfer programs (Kartu Jakarta Sehat 2017 and Kartu Jakarta Pintar 2017)
- Developing enabling environment for nurturing child health and education (RPTRA – Integrated Children Friendly Public Spaces) that has learning and health care facilities. DKI Jakarta aspires to build 182 RPTRA by the end of 2017 throughout the Metropolitan city.
- Improve parents' income through stable employment, higher minimum wage, and healthier living conditions.

### *ON WASTE MANAGEMENT*

- Enforced existing Law No. 18 Year 2008 on Waste Management (Government of Indonesia, 2008) and Jakarta Provincial Regulation No. 3 Year 2009 on Waste Management (Pemerintah Provinsi DKI Jakarta, 2013a) through Governor's Regulations No. 50 Year 2016 (Gubernur Provinsi DKI Jakarta, 2016b) and further enforced through Governor's Instruction No 8 Year 2016 on independent waste management and improving the intermediary treatment facilities (Gubernur Provinsi DKI Jakarta, 2016a).
- Improve public sector services through investment in related capacity and facilities
- Support the initiation of Waste Bank in every neighborhood
- Encouraging private sector to manage their own waste and to contribute to provincial waste management through their CSR programs.
- Encouraging private sectors, communities, and schools to established waste banks

## RECOMMENDATIONS

### RECOMMENDATIONS:

Based on the lessons learned from this study, we recommend the following set of actions.

- Continue with the current policy on independent waste management as it is able to eliminate opportunities for children to work in waste supply chain
- Enforcement of laws and programs at RT/RW (neighborhood) level, where most children pick waste as family workers and where children can have alternative activities for education and training.
- Existing government CCT should be made more inclusive, especially to children of migrant families
- The education sector should be more accepting of returning or transferring students
- Provide technical and (if possible) financial incentive for schools and middle men to create Waste bank without involvement of children. The policy should help these actors as agents of change by making Waste Bank profitable and sustainable.
- Involving the private sector to invest in Child Friendly Integrated Public Space (RPTRA in Indonesian), for instance in Bantar Gebang where the Environmental Agency owns unused land.
- Better documentation of child labor
- Improving the capacity of law enforcement agencies.

## REFERENCES

- Badan Pusat Statistik, & International Labour Organisation. (2009). *Working Children in Indonesia*. Retrieved from [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms\\_123585.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms_123585.pdf)
- Badan Pusat Statistik Jakarta Utara. (2017). *Luas Wilayah Menurut Administrasi Pemerintah*. Retrieved from <https://jakutkota.bps.go.id/linkTableDinamis/view/id/2>
- Dinas Komunikasi Informatika dan Statistik Jakarta. (2016). *Data Jumlah Bank Sampah Berdasar Wilayah Administrasi Di DKI Jakarta - Data Bank Sampah 2016*. Retrieved from [data.jakarta.go.id/dataset/data-jumlah-bank-sampah-wil-administrasi-dki-jakarta/resource/2f8e54f6-0f2a-4283-beff-dd3da95ac6f5](http://data.jakarta.go.id/dataset/data-jumlah-bank-sampah-wil-administrasi-dki-jakarta/resource/2f8e54f6-0f2a-4283-beff-dd3da95ac6f5)
- Government of Indonesia. (2000). *UU No 1 Tahun 2000 mengenai Pengesahan Konvensi ILO mengenai Pelarangan dan Tindakan Segera Penghapusan Bentuk-Bentuk Pekerjaan Terburuk untuk Anak*.
- Government of Indonesia. (2001). *Keputusan Presiden Republik Indonesia No 12 tahun 2001 tentang Komite Aksi Nasional Penghapusan Bentuk-Bentuk Pekerjaan Terburuk untuk Anak*. Retrieved from <http://pih.kemlu.go.id/files/kepres%20no%20%2012%20%20-%202001.pdf>.
- Government of Indonesia. (2002a). *Keputusan Presiden No 59 Tahun 2002 mengenai Rencana Aksi Nasional Penghapusan Bentuk-Bentuk Pekerjaan Terburuk untuk Anak*.
- Government of Indonesia. (2002b). *Undang-Undang No 23 tahun 2002 tentang Perlindungan Anak*. Retrieved from <http://peraturan.go.id/uu/nomor-23-tahun-2002.html>.
- Government of Indonesia. (2003). *Undang-Undang No 13 tahun 2003 tentang Ketenagakerjaan*. Retrieved from <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&cad=rja&uact=8&ved=0ahUKEwi1qtixxtfXAhXDI5QKHR3rD0EQFgg2MAI&url=http%3A%2F%2Fperaturan.go.id%2Fuu%2Fnomor-13-tahun-2003.html&usg=AOvVaw1BEU8Zn8ZGNMhgckpiT-sb>.
- Government of Indonesia. (2008). *Undang-Undang No 18 tahun 2008 tentang Pengelolaan Sampah*. Retrieved from <http://pelayanan.jakarta.go.id/download/regulasi/undang-undang-nomor-18-tahun-2008-tentang-pengelolaan-sampah.pdf>.
- Government of Indonesia. (2016). *Peraturan Presiden No 18 Tahun 2016 mengenai Percepatan Pembangunan Pembangkit Listrik Berbasis Sampah di Provinsi DKI Jakarta, Kota Tangerang, Kota Bandung, Kota Semarang, Kota Surakarta, Kota Surabaya, dan Kota Makassar*.
- Gubernur Provinsi DKI Jakarta. (2016a). *Instruksi Gubernur Provinsi DKI Jakarta Nomor 8 Tahun 2016 tentang Penerapan Pengelolaan Sampah Kawasan Secara Mandiri*. Retrieved from [http://www.jakarta.go.id/v2/produkhukum/download/5303/INGUB\\_8\\_TH\\_2016.pdf](http://www.jakarta.go.id/v2/produkhukum/download/5303/INGUB_8_TH_2016.pdf).

- Gubernur Provinsi DKI Jakarta. (2016b). *Peraturan Gubernur Provinsi DKI No 50 tahun 2016 tentang Pembangunan dan Pengoperasian Fasilitas Pengelola Sampah di Dalam Kota/Intermediate Treatment Facility*. Retrieved from [http://jdih.jakarta.go.id/uploads/default/produkhukum/PERGUB\\_50\\_TH\\_20161.pdf](http://jdih.jakarta.go.id/uploads/default/produkhukum/PERGUB_50_TH_20161.pdf).
- International Labour Organisation. (1976). *Convention No 138 concerning Minimum Age for Admission to Employment*. Retrieved from [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C138](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C138).
- International Labour Organisation. (1999). *Worst Forms of Child Labour Convention*. Retrieved from [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C182](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182).
- Irwanto. (2011). *Review on Legislations, Policies, and Programs for the Elimination of Child Labor in Indonesia*. Retrieved from [http://www.ilo.org/wcmsp5/groups/public/@asia/@ro-bangkok/@ilo-jakarta/documents/publication/wcms\\_160835.pdf](http://www.ilo.org/wcmsp5/groups/public/@asia/@ro-bangkok/@ilo-jakarta/documents/publication/wcms_160835.pdf)
- Kementerian Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia. *Kabupaten/Kota Layak Anak: Bahan Advokasi Kebijakan KLA*. Retrieved from <http://www.kemennppa.go.id/lib/uploads/slider/09e6c-kla.pdf>
- Mahkamah Agung Republik Indonesia. (2016). *Keputusan Mahkamah Agung Republik Indonesia No 27 P/HUM/2016*. Retrieved from <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=7&ved=0ahUKEwjpuZPjtdfXAhXEoJQKHbWWCxUQFghbMAY&url=https%3A%2F%2Fputusan.mahkamahagung.go.id%2Fputusan%2Fdownloadpdf%2F5c983d223469a4fa6d741a1176ec8799%2Fpdf&usq=AOvVaw2PLAFKSLjsR4NYu5HCdapQ>.
- Pemerintah Provinsi DKI Jakarta. (2013a). *Peraturan Daerah Provinsi DKI Jakarta No 3 tahun 2013 tentang Pengelolaan Sampah*. Retrieved from <http://pelayanan.jakarta.go.id/download/regulasi/peraturan-daerah-nomor-3-tahun-2013-tentang-pengelolaan-sampah.pdf>.
- Pemerintah Provinsi DKI Jakarta. (2013b). *Rencana Pembangunan Jangka Menengah Daerah Provinsi DKI Jakarta tahun 2013-2017*. Retrieved from [https://www.bappenas.go.id/files/rpjmd\\_dan\\_rkpd\\_provinsi/DKI%20Jakarta/RPJM%20DKI%20Jakarta%202013-2017.pdf](https://www.bappenas.go.id/files/rpjmd_dan_rkpd_provinsi/DKI%20Jakarta/RPJM%20DKI%20Jakarta%202013-2017.pdf).
- United Nations. (1989). *Convention on the Rights of the Child*. Retrieved from <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.
- US Department of Labor. (2016). *2016 Findings on the Worst Forms of Child Labor in Indonesia* Retrieved from <https://www.dol.gov/sites/default/files/images/ilab/child-labor/Indonesia2016.pdf>
- Warga DKI Jakarta Didorong Manfaatkan Bank Sampah. (29, Agustus 2017). Retrieved from <http://kabar24.bisnis.com/read/20170829/78/685417/warga-dki-jakarta-didorong-manfaatkan-bank-sampah>
- Pengelolaan Sampah Diusulkan Jadi Indikator Penilaian Lurah. (19, September 2017). Retrieved from <http://news.metrotvnews.com/metro/ybDR52qK-pengelolaan-sampah-diusulkan-jadi-indikator-penilaian-lurah-dan-camat>
- Pengelolaan Sampah, DKI Jakarta terapkan Program Satu RW Satu Bank Sampah. (8, Februari 2017). Retrieved from <http://www.greeners.co/berita/pengelolaan-sampah-dki-jakarta-terapkan-program-satu-rw-satu-bank-sampah/>
- Pemprov DKI Segera Keluarkan Pergub Insentif Pengelolaan Sampah. (27, November 2013). Retrieved from <https://news.detik.com/berita/2424515/pemprov-dki-segera-keluarkan-pergub-insentif-pengelolaan-sampah>

*Retribusi Sampah Kawasan Komersial Rp. 2,2 miliar.* (20, Desember 2016). Retrieved from <http://wartakota.tribunnews.com/2016/12/20/retribusi-sampah-kawasan-komersil-rp-22-miliar>

*Jakarta Punya Masterplan Pengelolaan Sampah sampai 2032.* (25, Juni 2015). Retrieved from <https://www.kompasiana.com/>

*Mahkamah Agung Cabut Perpres 18 tahun 2016 tentang Pembangunan Listrik Sampah di 7 Kota.* (17, Januari 2017). Retrieved from <https://mediakonsumen.com/2017/01/17/reportase/mahkamah-agung-cabut-perpres-18-tahun-2016-pembangunan-listrik-sampah-7-kota>

## ANNEX

### ANNEX 1: CASE STUDIES

	<b>R</b>	<b>F</b>	<b>B</b>	<b>D</b>
<i>sex</i>	male	female	male	male
<i>age</i>	17	7	16	12
<i>education</i>	informal school	formal education	informal education	formal education
<i>note</i>	transporting household waste from residential areas to intermediary disposal sites (5 years)	picks up waste with her grandparents and her younger brother and uncle. Only scavenge for valuable waste.	had a motorbike accident and was in coma for a month, followed by 6 months of being unable to talk. This accident made him drop out of formal schooling.	picks up waste with his father on the streets and in an intermediary disposal site in the morning and after school.
<i>domicile</i>	Tanjung Priok	Kelapa Gading	Koja	Cilincing

TIME	R	F	B	D
06.00		<p><i>[at F's living space]</i> F and her siblings woke up and got ready to go to school. They showered and had breakfast.</p> <p>Each of them had one small portion of rice and vegetable from a small food joint near the house. Sometimes, they had instant noodle for breakfast or just rice with soup.</p> <p>After that they put on their uniform and went to school by walk.</p> <p>While the children went to school, the adults (their grandparents) wait for them. F's grandfather usually sleep during the day because he had to continued scavanging over the night, while F's grandmother work at a restaurant.</p> <p><i>Note: F's family occupy a 3x7 m space inside the recycling middleman's business site. The family's living space consists of one room where they sleep, watch TV, cook, and eat. The cart is owned by the recycling middleman, and it is to him that the picked valuable goods is sold.</i></p>		<p><i>[at D's living space]</i> D got up. <i>Note : D lives with his father and younger brother in one room where they conduct all activities. There is a matrass, a small television, and a cupboard. The room is one out of eight that are located inside the recycling middleman's house.</i></p>

TIME	R	F	B	D
06.30	<p><i>[at a recycling middlemen site under the bridge]</i></p> <p>Left his house to pick up the cart from the recycling middlemen. The rental fee for the cart is IDR 3 000 (USD 0.22) for morning to noon, and IDR 5 000- 6 000 for morning until the afternoon. The fee is paid when the waste pickers return the cart at the end of their round.</p> <p>R picked up waste with two friends, A and E. All the three boys wear t-shirts, short pants, and flips flops. There is a small towel that is hung on their cart. They started to walk around the neighborhood to collect waste. They shout “waste!” when passing by a house, to inform the inhabitants that they could give the refuse to R and his friends to be thrown away. There is no fixed price for their service, each household pays IDR 2 000-3 000 (USD 0.15-0.22) for a plastic bag of waste, and IDR 5 000- 10 000 (USD 0.37-0.74) for a waste bin, depending on the amount of the refuse.</p>			<p><i>[at D's house]</i></p> <p>D had breakfast.</p>

TIME	R	F	B	D
07.00	<p><i>[in an alley]</i></p> <p>When the cart is 1/5 full, R started to sort the waste in his cart and put them in separate bags that are hung on the outer side of the cart. He selected plastic bottles, plastic biscuit containers, milk cans.</p> <p>He sorted the waste while waiting for his two friends who are collecting waste from small aisles.</p> <p>At the time of observation, R encountered another waste picker who is about 30 years old. R said that he is one of their competitors. Initially, R and his group collected waste in that particular area, but this other person has started to pick waste there too.</p> <p>Then, Both R's friends entered the gate of a house. R said that this practice is why people sometimes accuse him and his friends of stealing things from their houses. However, R and his friends still enter people's gates because the distance between the front gate and the house is too far for the inhabitants to hear them shout.</p> <p>After a while, E is now in charge of the</p>			<p><i>[on the way to intermediate disposal site]</i></p> <p>Walking to an intermediate disposal site with father. The distance from D's house to the intermediate disposal site is quite far.</p>

TIME	R	F	B	D
	<p>cart. He parked it in an alley that is wide enough for the cart. E and A entered smaller alleys to collect waste from the residents. R sorted the waste (plastic bottles and cloth hangers). A friend, a senior in R's former elementary school who used to pick waste too, passed by and they exchanged small talks.</p>			

TIME	R	F	B	D
07.30	<p><i>[in an alley]</i> The cart is parked in an alley. The three friends entered a small store located in a smaller side-alley and bought cookies, donuts and mineral water. The three of them sat in a terrace of the mosque next to the store and consumed their food and drink. None of them washed their hands beforehand even though they did not wear gloves when collecting household refuse.</p> <p>After continuing their journey, they arrived at the house of one of A's customers. This household pays IDR 100 000 (USD 7.9) per month to have their waste collected.</p> <p>During the observation, a cart of meatball vendor passed from the opposite direction. Both parties have difficulty to have their carts pass through because the width of the alley is barely enough for two carts.</p> <p>Then, they pick 4 large bags of refuse from a street-side snack seller. They collect his refuse every other day. R jumped into the cart again and sort the refuse. He also stamped on the waste to make more space in the cart.</p>	<p><i>[at F's school, Obor Bintang School]</i></p> <p>F went to school and spent time at school.</p> <p><i>Note: Detailed activities at school did not get observed because the school did not give permission.</i></p>		<p><i>[at intermediate temporary disposal sites. This disposal sites is located beside a busy road]</i></p> <p>Spend time hanging around and playing with his younger brother in the disposal site.</p> <p>D climbed up a pile of six tires with his younger brother. D also picked a discarded toy from the waste piles and played with it.</p>

TIME	R	F	B	D
08.00	<p><i>[at a mosque]</i></p> <p>They washed their hands and feet in a mosque, drying them with a small towel they carried from home. The cart is parked in front of the mosque.</p> <p>After 20 minutes, they continued their journey and passed a competing waste-picker group.</p>		<p><i>[at B's house]</i></p> <p>B got up and chatted with his family (his parents and older sibling). His mother was doing chores and his father and brother was getting ready to work.</p>	
08.30	<p><i>[in front of houses]</i></p> <p><i>They were reprimanded by a middle-aged lady for parking their cart in front of the house, because of the smell it spread.</i></p> <p><i>Then, they entered the gate of another house to collect waste. The house owner helped them carrying the waste to the cart.</i></p> <p><i>After they finished collecting waste, they were ready to transport them to an intermediate disposal site. On the way to the disposal site, they put the three bags of valuable waste in the house of a lady A knows well. The rest of the cart with non-valuable waste will then be brought to the disposal site. They had to hide the bags because, sometimes, the</i></p>		<p><i>[at B's house and at the street]</i></p> <p>He showered and got ready to go to JALA's Learning House. After that, he walked to the Learning House. On his way to the Learning House, he stopped by to had breakfast in a small food joint near his house. He had <i>uduk</i> rice with fried egg for breakfast. Sometimes, he also had chicken porridge. B does not eat breakfast everyday. He only eat in the morning if he didn't had dinner from the day before.</p>	<p><i>[at D's house and on the way to school]</i></p> <p>Returned home to shower and got ready for school. Then went to school by bike. The distance from D's house to school is not too far.</p> <p><i>Note : There is one shared bathroom for all the inhabitants of the eight rooms. The tap water is dark-colored in their bathroom. D often goes to shower in the neighbor's bathroom where the water is cleaner.</i></p>

TIME	R	F	B	D
	<p><i>people who control the informal intermediate waste disposal site (civilians, people who are not employed by the Environmental Agency) seize their valuable waste, leaving them with nothing to be resold</i></p>			
09.00	<p><i>[at a busy street]</i></p> <p>R and his friends started walking towards the informal disposal site, which is located at a distance from the neighborhood where they collected waste. They have to pass through a busy street where road works are taking place. As a result, the three boys have to run while pushing/pulling their cart so that they won't hinder the traffic.</p> <p><i>[Informal intermediate disposal site]</i></p> <p>After they reached the disposal site, they started to dispose the refuse in their cart. Here, they have to pay the person who controls the disposal site and helps them unload IDR 4 000 (USD 0.30) per cart.</p>		<p><i>[at JALA's Learning House]</i></p> <p>He arrived at the Learning House and studied there.</p>	<p><i>[at Semper Barat 05 Primary School]</i></p> <p>School time. D was quite active at class and could be seen asking questions to the teacher. At lunchbreak, D did salat prayer and then played with his friends.</p> <p><i>Note : D didn't bring his lunch to school so he had his lunch after he got home</i></p>

TIME	R	F	B	D
09.30	<p><i>[at the recycling middleman's business site]</i></p> <p>After emptying their cart, they walked back to the recycling middleman to return the cart. On the way, they pick up the three bags from the lady's house.</p> <p>R and his friends returned the cart and weighed the content of the three bags. The goods are valued at IDR 18 000 (USD 1.33). After deducting the rental fee for the cart, they received IDR 15 000 (USD 1.11) from the recycling middleman.</p>			
10.00	<p><i>[under a bridge]</i></p> <p>They calculated the total amount of money they earned and divided it into three. They have received in total IDR 166 000 (USD 12. 27), thus each of them earned IDR 55 300 (USD 4.09)</p> <p>Then, they returned to their own houses to clean up and get ready to go to JALA's Learning House.</p>			

TIME	R	F	B	D
10.30	R left home and picked up A. Then, R and A bought takeaway lunch from a small food joint			
11.00	<i>[at JALA's Learning House]</i> R and A arrived at JALA's Learning House. R played the guitar, while his friend played the cajon. They are waiting for their instructor to arrive.			
11.30	<i>[at JALA's Learning House]</i> The instructor arrived and they began to study.		<i>[at JALA's Learning House]</i> B and other students had break. During the break, they played guitar, sang along, and played computer game.	
12.00	R and everyone in the Learning House go to the mosque for Friday prayers.	<i>[at F's house]</i>		
12.30	R and everyone returned to the Learning House.	F went home from school and had free time at her home. The first thing she did after arrived at home was changing her uniform. After that, F mostly rested after school. She had lunch (simple rice and vegetable or instant noodle). Sometimes she took a nap or played with her friends in the neighborhood. She rode bicycle around the house with her friends, or played tag or hide and seek. Other times, she also did her homework or studied. During the observation, she was playing with her friends.	<i>[at JALA's Learning House]</i> B and the students continued to study.	
13.00			<i>[at B's house]</i> B returned home, took wudhu, then told his parents that he was going to go collect waste. He asked his mother for a little amount of money to buy drinks.	
13.30	<i>[at JALA's Learning House]</i> The class started. R and the other students were tasked with making an Excel table, following the example given by the instructor.		<i>[at B's hangout place and intermediate disposal site]</i> B met his friends (5 persons) at their hangout place to collect waste together,	
14.00				

TIME	R	F	B	D
			<p>decided on the team and the route. They decided to split into two teams, each with different routes.</p> <p>After that, they went to the disposal site to rent a cart from a cart-renter for IDR 7,000 (USD 0.52)</p>	
14.30	<p><i>[at JALA's Learning House]</i></p>		<p><i>[at the residential area near the disposal site]</i></p>	
15.00	<p>The class ended. R went back to his guitar, together with his friend who plays the cajon.</p>		<p>They collected (and transported) waste from the nearby residential area. They shouted “waste!” to let the residents know that the latter could ask them to carry their household waste to the disposal site. B has many customers who pay IDR 50 000 (USD 3.7) weekly, or between IDR 200 000 (USD 14.8) and IDR 300 000 (USD 22.17) monthly.</p>	
15.30	<p><i>[under the toll way]</i></p> <p>R borrowed the motorcycle of one of JALA's staff to go to his hang out spot under the toll way. After he arrived, he hung out with his friends.</p>	<p><i>[at the streets around the shop houses, malls, and residential areas in Kelapa Gading]</i></p> <p>F picked waste with her whole family. She and her two siblings mostly sit inside the cart that is pulled by her father, while her mother is the one collecting valuable waste.</p>	<p>While collecting waste, B sorted the valuable waste which are plastic bottles and cups, glass bottles, plastic toys, cardboards, and tin cans.</p>	<p><i>[at D's house]</i></p> <p>Returned home, had meatball soup for lunch, changed clothes, went back with father to the intermediate disposal site.</p>
16.00		<p>Inside the cart, F sorted the waste according to the type. She threw away non-valuable waste (the organic waste</p>	<p><i>[in front of a food joint]</i></p> <p>They took a break, bought a drink and a</p>	

TIME	R	F	B	D
16.30	<p><i>[at a football field]</i></p> <p>R and his friends hung out on the side of a field, watching some other friends play football. The location of the field is right next to the toll way.</p>	<p>and residues such as pieces of plastic that cannot be sold) and organized the valuable waste. She also folded and pressed the cardboards so it didn't take too much room in the cart.</p> <p>A few times, F got off the cart to help her mother in finding valuable refuse. She usually did this when they approach rows or blocks of shops. She entered large waste bins containing refuse from shop houses. Then she put the waste inside a sack that her mother carried along. When the sack is full, F helped to put the waste inside the cart.</p> <p>The family rested a few times (15.53, 16.50, 17.28 and 18.41). Each rest lasted about 10 minutes. Mosty of the time F got off the cart and sit near the sidewalk, but sometimes she stayed inside the card. During the rest, F drank drinks that</p>	<p>cigarette in a nearby store. B and his friends smoked while drinking.</p> <p><i>[at the residential area near the disposal site]</i></p> <p>after 15 minutes, they continued to collect waste. During the observation, they encountered 3 other waste pickers and they greeted each other. Sometimes they clashed with adult waste collector, who happened to be drunk. Several times, B experienced physical violence by being beaten and scolded. They also had to go trough small alleys and got scolded by a woman because the cart was smelly and exposed to her laundry.</p>	<p><i>[at intermediate temporary disposal sites]</i></p> <p>Reached the disposal site. D helped father pick up valuable waste.</p> <p>D waited for waste carts to enter the site. Once a cart enters, D either waited for it to be unloaded, or directly jumped into the cart to look for valuable waste.</p> <p>D picked up plastic bottles and cups, cardboard, and cans, and put them in a large bag that he carried on his bag. He used his father's "ganco" (an instrument to pick up waste: a stick with a sharp hook at the end). When the ganco is used by his father, he picks waste with his bare hands, or would use a wooden stick. D didn't wear any gloves, cap, or other protective equipment.</p>

TIME	R	F	B	D
17.00	R and one of his friends returned to the Learning House on the borrowed motorbike. After he arrived, R and his friends played Point Blank (computer game) at the Learning House.	her grandparents brought. They always bring six 1500 ml bottles of mineral water and two plastics of iced tea. Sometimes F ate snacks that were given by people who walked by. She ate the snacks directly without washing her hands first. Her youngest brother sometimes ate the snacks inside the moving cart while the family is scavenging and without washing his		<p>Every time the bag is half full, D went to a particular corner in the disposal site that is assigned to him and his father to store waste, and unloaded the valuable waste from the bag.</p> <p>Even when D was not carrying a bag, he was still looking for valuable goods while sipping a drink that he held with</p>

TIME	R	F	B	D
17.30		<p>hands first as well.</p> <p>During the observation, F and her family encountered four other scavengers, all with their own carts. They greeted each other and exchange friendly short talks such as “<i>oh you got a lot of stuff already</i>” or “<i>why are you started to scavanging this late?</i>”. They had known most of the other scavengers that they encountered that day. Even with the scavanger that they didn’t know, they still greeted each other.</p> <p>Near the end of their scavanging activity, they had to cross the wide busy street near the mall. F and the kids stayed inside the cart, while her grandmother ran to the back or the cart to helped pushing the cart.</p> <p>Based on the interview with F's grandparents, the whole family earns IDR 700,000 per week (USD 51.73) from waste picking.</p>	<p><i>[at the intermediate disposal site]</i></p> <p>They returned to the disposal site to unload the cart. Other waste pickers normally pay between IDR 5 000 (USD 0.37) to IDR 10 000 (USD 0.74) to unload their waste, but because B is close to the person who controls the disposal site, he can unload his cart for free. B then returned the cart and paid the rental fee.</p> <p><i>[at the B's hangout place]</i></p> <p>After that, B met another friends who also collected waste and cunted their earning.</p>	<p>his other hand.</p> <p>In between the arrival of carts at the dumpsite, D went to buy a drink at the small store next to the site, chatted with his father or other adults, or would look for valuable waste. He did not climb the pile of waste, and would only be scavenging the low-lying refuse.</p> <p>By way of resting, D climbed up a tractor that is parked in the disposal site. The tractor is high in comparison to D’s height. D sat at the driver’s seat and played with the steering wheel while chatting to an adult who sat next to him.</p> <p>At around 5.30 pm, D said that he's tired to his father so both of them decided to go home.</p> <p>Since D works with his father, he only got "pocket money" from his father (approximately IDR 2000 - IDR 5000 / USD 0.15 - USD 0.24). His father will be the one who sells all of the valuable wastes collected to recycling middlemen. D doesn't know the total income that his father get from the recycling middlemen.</p>

TIME	R	F	B	D
18.00	R and his friends returned to their respective houses.			[at D's house] Arrived home, showered, then played
18.30			[at B's house]	
19.00		[at F's house] F and her family arrived home. Her father 'parked' the cart outside their house while the waste that has been collected was left inside the cart.  F showered rightaway, then had instant noodle for dinner.	B returned home, took a shower, went to <i>mushala</i> to pray, and had dinner with his family. The dinner was prepared by his mother.	[at D's house] D studied. The television was on at that time so D sometimes took a glance to the television.
19.30		[at F's house and the surrounding area] After the family had dinner, F's grandmother and the kids stayed at home and took some rest. In this free time, F used it to watch TV, played with her friends, and did her homework.	[near B's house] B went to his hangout place to hung out with his friends. They chatted, played on their gadgets, sometimes sang along together, or just jockingly mocked each other.	[at D's house] D had fried rice noodle for dinner. D ate while sitting on the floor. D's food is put on a sheet of wrapping paper, D ate using his hand (without spoon/fork).
20.00				
20.30		Meanwhile, F's grandfather continued to scavage in different area. He scavanged until dawn.		[at D's house]
21.00		[at F's house] F went to bed.	[near B's house] B went to other hangout place to meet other group of friends. They exercised a dance and went home at 11 pm.	D played with his brother before going to bed

## CHAPTER X : PROTECTION, PAYMENT OF WAGES AND WELFARE

### Part One : Protection, Second Paragraph : Children

#### Article 68

Employers are not allowed to employ children.

#### Article 69

- (1) Exemption from what is stipulated under Article 68 may be made for the employment of children aged between 13 (thirteen) years old and 15 (fifteen) years old for light work as long as the job does not stunt or disrupt their physical, mental and social developments.
- (2) Employers who employ children for light work as referred to under subsection (1) must meet the following requirements:
- The employers must have written permission from the parents or guardians of the children;
  - There must be a work agreement between the employers and the parents or guardians of the children;
  - The employers must not require the children to work longer than 3 (three) hours [a day];
  - The employers shall employ the children to work only at day or during the day without disturbing their schooling;
  - (In employing the children, the employers shall meet) occupational safety and health requirements;
  - A clear-cut employment relation [between the employers and the child worker/ his or her parent or guardian] must be established; and
  - The children shall be entitled to receive wages in accordance with valid rulings.
- (3) The rulings that are referred to under point a, b, f and point g of subsection (2) shall not apply to children who work for [their parent] in a family business.

#### Article 70

- (1) Children may [be allowed to] do a job or a piece of work at a workplace as part of their school's education curriculum or training which has been made legal by the authorities.
- (2) The children as referred to under subsection (1) shall not be younger than 14 (fourteen) years of age.
- (3) The job or the piece of work as referred to under subsection (1) may be given to the children on the condition: a. That the children are given clear-cut instructions on how to do their job as well as guidance and supervision on how to carry out the work; and b. That the occupational safety and health of the children are protected.

#### Article 71

- (1) Children may work or have a job in order to develop their talents and interest.
- (2) Entrepreneurs who employ children as referred to under subsection (1) are under an obligation to meet the following requirements:
  - a. That the children are put under direct supervision of their parents or guardians;
  - b. That the children are not required to work longer than 3 (three) hours a day; and
  - c. That the working conditions and environment where the children work do not disrupt their physical, mental and social developments as well as their education and attendance at school;
- (3) Provisions concerning children who work to develop their talents and interest as referred to under subsection (1) and subsection (2) shall be regulated with a Ministerial Decision. 20

#### Article 72

In case children are employed together with adult workers/ labourers, the children's workplace must be kept separate from that for adult workers/ labourers.

#### Article 73

Children shall be assumed to be at work if they are found in a workplace unless there is evidence to prove otherwise.

#### Article 74

- (1) Everybody shall be prohibited from employing and involving children in the worst forms of child labour [literal: in the worst jobs].
- (2) The worst forms of child labour [literal: the worst jobs] as referred to under subsection (1) include:
  - a. All kinds of job in the form of slavery or practices similar to slavery;
  - b. All kinds of job that make use of, procure, or offer children for prostitution, the production of pornography, pornographic performances, or gambling;
  - c. All kinds of job that make use of, procure, or involve children for the production and trade of alcoholic beverages, narcotics, psychotropic substances, and other addictive substances; and/or all kinds of job harmful to the health, safety and moral of the child.
- (3) The types of jobs that damage the health, safety or moral of the child as referred to under point d of subsection (2) shall be determined and specified with a Ministerial Decision.

Article 75

- (1) The government is under an obligation to make efforts to overcome problems concerning or associated with children who work outside of employment relationship.
- (2) The efforts as referred to under subsection (1) shall be determined and specified with a Government Regulation.

**ANNEX 3: ROADMAP TOWARDS A CHILD LABOUR-FREE INDONESIA IN 2022**

Periodization of Action Program Towards A Child Labor-Free Indonesia in 2022.

**PHASE 3 (PERIOD OF 2020-2022)**

<b>MAIN ELEMENTS</b>	<b>TARGET GROUP</b>	<b>PRIORITY ACTION</b>	<b>INDICATORS</b>	<b>AGENCY IN CHARGE</b>	<b>IMPLEMENTING PARTNERS</b>
Evaluation and acceleration of mainstreaming the elimination of child labor.	Policies and regulations and laws on CL and WFCL	Revising or designing new regulations regarding CL	the existence of new regulations on the CL that supports the actions for acceleration of the elimination of WFCL	MOM	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc.
Establishing monitoring, evaluation and reporting systems nationally.	MOM	Developing a monitoring, evaluation and reporting system on CL and WFCL	The existence of reporting of the results of periodic monitoring and evaluation NGO, T/LU, Related institution office, etc.	MOM	Relevant ministries/institutions,
Evaluating rules and policies on CL and WFCL	National, Prov, District/city	Evaluating legislation pertaining to the CL	Elimination of CL and WFCL has strong legal and operating basis.	MOM	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc
Developing the code of conduct to prohibit the CL and WFCL.	NGO, Local Govt., Enterprise.	Developing a code of conduct to prohibit WFCL	Children are protected from WFCL	MOM, Employers	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc.
Strengthening the capacity of CL and WFCL labor norms enforcers through the expansion of education	Labor inspectors.	Developing education and training to the parties involved in the CL and WFCL.	Improvement in quality and quantity of parties who are trained in the enforcement of CL and WFCL labor norms	MOM	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc

MAIN ELEMENTS	TARGET GROUP	PRIORITY ACTION	INDICATORS	AGENCY IN CHARGE	IMPLEMENTING PARTNERS
and training.					
Developing the roles of T/LU in direct assistance for the Elimination of CL and WFCL.	T/LU	Participating in tripartite discussions and collective bargaining	T/LU plays active roles in tripartite discussions and collective bargaining	MOSA, MOM	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc
The provision of education & training by the Employers/Association to children who are vulnerable to be CL.	CL and former CL	Providing education and training to CL and former CL before being placed in the workplace	Every CL has been adequately equipped in the form of education and training before being placed in their workplace	Employers / Association	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc.
Cooperation between educational institutions and others to advocate for educational policies, programs, and budget.	Educational institutions, education offices , NGO	Conducting cooperation between educational institutions and others to advocate for educational policies, programs, and budget	The established cooperation between educational institutions and others to advocate for educational policies, programs, and budget	MOEC	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc
Strengthening the independence of the child care institution for the action of elimination of CL and WFCL.	MOM	Encouraging community institutional independence in direct actions on CL and WFCL	community institutional independence in direct actions on CL and WFCL increases	MOSA, MOM,	NGO Relevant ministries/institutions, NGO, T/LU, Related institution office, etc.
Dissemination of information about various activities related to actions of the elimination of CL and WFCL.	Local Government, NGO, T/LU	Disseminating information on NAP-EWFCL, Roadmap	Information on NAP-EWFCL and Roadmap is known by more people	NACEWFC, LACEWFCL	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc.
Developing direct program and mobilization of funding sources for the	Local government , NGO, etc.	Making a direct program at the level of Local government to address CL and WFCL.	Local government has direct programs to address CL and WFCL.	Local government.	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc

<b>MAIN ELEMENTS</b>	<b>TARGET GROUP</b>	<b>PRIORITY ACTION</b>	<b>INDICATORS</b>	<b>AGENCY IN CHARGE</b>	<b>IMPLEMENTING PARTNERS</b>
Prevention of CL.					
Developing network to the local level for the action of prevention of child labor.	MOM	Encouraging community institutional independence in direct actions on CL and WFCL.	community institutional independence in direct actions on CL and WFCL increases.	MOM, NGO.	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc.
Extending the range of action of actions on CL to remote areas.	Local Government	Enhancing the roles of local stakeholders in actions to address CL and WFCL.	Number of CL receiving rightbased services increases.	MOM	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc..
Developing policies related to CL's talents and interests.	Children working based on talents and interests.	Preventig children entering the world of work at an early stage and providing protection from exploitation.	CL is protected from exploitation in term of talent and interest activities.	MOM	Relevant ministries/institutions, NGO, T/LU, Related institution office, etc
Delivery of microcredit schemes to the families who employ children.	Poor family and CL's family	Providing guidance of small-scale enterprises and seeking to open up access to a wider market.	Families making their children as workers consider to start a business.	MOSA, MOM	Relevant ministries/i nstitutions, NGO, T/LU, Related institution office, etc.
Developing community complaints system for cases involving children in the worst jobs..	KPPA, NGO, Local Govt., Community Health Centre, Enterprise	Building a Community complaints system for cases of CL and WFCL.	Community has a place for complaining the cases of CL and WFCL.	NACEWFCL, LACEWFC L And related parties.	Relevant ministries/institu tions, NGO, T/LU, Related institution office, etc

### **Group Exercise – Prioritized Recommendations**

#### ***Group 1 (Fortum)***

- Continued current policy on independent waste management.
- Education sector should be more accepting of returning or transferring students.
- Involving private sector to invest in RPTRAs
- Adding the number of waste banks.

#### ***Group 2 (Academics, PhD students, representative of the Ministry of Manpower, Representative of Jala Samudera Mandiri)***

- Continued current policy on independent waste management.
- Education sector should be more accepting.
- Existing CCT should be more inclusive.
- Adding the numbers of waste banks.

#### ***Note:***

- *what if, instead of exchanging waste for money in waste banks, waste is exchanged for healthcare?*
- *Peole in RPTRA (Child-friendly Integrated Public Space) need more managerial skills.*
- *Children might not see themselves as working children.*
- *Need to provide alternative activities for working children.*

**Group 3 (Save the Children)**

- Enforcement of law and programs at neighborhood level.
- Involving private sector to invest in RPTRAs.
- Government CCT should be made more inclusive.
- Education sector should accept more returning/transferring students

*Comment:*

- *Overlapping recommendations (2 and 6)*
- *Need to unpack CCT, clarify how education sector could be more accepting*
- *Need to be more precise about the term 'child labor'*

**Recommendation mentioned in three groups:**

- The education sector should be more accepting of returning/transferring.

**Recommendation mentioned in two groups:**

- More investment of the private sector in Child Friendly Integrated Public Space.
- More waste banks.
- Conditional social protection programs should be more inclusive.
- Continued current policy on independent waste management.

*Note: many of the recommendations are overlapping, requiring a holistic approach.*

## **Ways forward**

### *Direct Support*

- Children within the influence area of the waste banks.
- Improved access to basic services and social protection.

### *Capacity Building*

- Through child-friendly integrated public space for children and their families (e.g. life-skills, parenting skills, child-sensitive livelihood, raising awareness of child's rights and waste management, financial literacy, health management)
- Building children's capacity to advocate for themselves.

### *Advocacy*

- Linking direct support to capacity building, and scaling-up

## CORE RESEARCH TEAM

**PROF. IRWANTO, PH.D.** Team Leader & Consultant. A psychologist by training. Earned his Ph.D. in Child Development and Family Studies, Purdue University, West Lafayette – USA in 1992. Contributed significantly in the government ratification of ILO Convention 138 and 182. Pioneered studies in child labour and other child protection issues. Has been hired as a consultant by ILO-IPEC and UNICEF on various issues of child abuse and exploitation. Lead consultant for the National Plan of Action on Child protection 2015-2019. He is going to provide oversight in overall implementation of the study.

**STEFANI HS NUGROHO, PH.D.** Has been trained in various disciplines such as psychology, anthropology, and sociology from major university in Europe and Asia. She has keen interest on Identity formation at the micro and macro level, especially those who live in urban setting in developing countries. She is going to coordinate the stakeholder mapping and field observation of engagement of children in scavenging and waste management in different tiers in the business chain. Together with **EDWIN SUTAMTO, S.Psi.** (psychologist), **HASHELLA KOSTAN, S.Psi.** and, **CARYN YACHINTA, S.Psi.** they are responsible for field work and data management.

**CATHERINE THOMAS, MSc.** She was trained in development psychology and keenly interested in child development. She is currently enrolled in the doctoral program in Psychology at Atma Jaya University.

**ACHMAD MARZUKI.** A child rights activist and regular partner of IPEC-ILO and MoMT on WFCL. He is instrumental in providing free education for children living around the waste dumpsite in Bantar Gebang, Bekasi. He is a contributor to the 2022 Roadmap to eliminate WFCL in Indonesia.