We are still facing the increment number of HIV/AIDS cases, worsened by the increase in unemployment rate which, in turn, has led to the increased risk of the wider spread of HIV/AIDS. We have to take necessary action and with the issuance of the Ministerial Decree, I hope HIV/AIDS prevention in the workplace will be more effective," said Minister of Manpower and Transmigration, Jacob Nuwa Wea, when launching the Ministerial Decree on HIV/AIDS Prevention and Control in the Workplace on 6 May in Jakarta.

Minister Jacob acknowledged that some parts of the community still had a negative perception about people with HIV/AIDS. Thus, he called for a joint effort from the business community and trade unions to support the campaign for the prevention and control of the infection.

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This new Decree, entitled Manpower and Transmigration Ministerial Decree No. KEP/68/MEN/2004 on HIV/AIDS Prevention and Control in the Workplace, is a follow-up to the Tripartite Declaration Commitment of 2003. The Decree was launched at the Indonesia “World of Work” Forum on HIV/AIDS through a joint collaboration by the ILO, the Ministry of Manpower and Transmigration, and USAID’s Aksi Stop AIDS programme.

According to the ILO Country Director, Alan Boulton, the workplace is a key location for HIV/AIDS prevention and care programmes. "The Decree shows the willingness of Indonesia to take the fight against HIV/AIDS a step further. It is an important guide which will help to mitigate the economic impacts of HIV/AIDS on businesses and the economy, and to addressing problems of stigmatization and discrimination against workers with HIV/AIDS through the Occupational Safety and Health schemes," Alan said.

Alan congratulated the Ministry of Manpower and Transmigration, and the National Safety and Health Council, for the issuance of the Decree. He then emphasized the importance of the promotion and socialization of the Decree amongst the Indonesian business community, to ensure the implementation of prevention and care programmes at company level. "With the signing of the Decree, companies are expected to take immediate action by formulating HIV/AIDS prevention policies and programmes."

Responding to Alan’s remarks, Sofjan Wanandi, Chairman of APINDO, pointed out that APINDO is committed to socialize the Decree among its members as a part of the concrete supports from the business community. “This Ministerial Decree is very important considering there is an
indication of a constant increase in the number of people living with HIV/AIDS in Indonesia," he said.

In the interactive discussion titled “HIV/AIDS is Everybody’s Business”, the ILO’s National Coordinator for HIV/AIDS, Tauvik Muhamad, praised the Decree, urging employers not to discriminate against workers with the virus, including desisting from conducting HIV tests on job applicants.

"Conducting HIV tests will only burden companies as, besides being expensive, it does not guarantee that in the following days their workers will not be infected," he was quoted by the Jakarta Post as saying in the discussion. "It would be far cheaper for companies to campaign for the prevention and control of HIV/AIDS and organize education and training on the syndrome for their workers," he added.

In the Forum, the Minister presented awards to selected companies for their concern about HIV/AIDS. The ILO has cooperated with APINDO and several non-governmental organizations in providing these awards to five companies. The companies included the state Bank Tabungan Negara, tire producer Gajah Tunggal, state steel producer Krakatau Steel, garment producer Ricky Putra Globalindo and the Standard Chartered Bank.

The Forum was attended by approximately 300 participants from government agencies, the business community, employer’s organization, trade unions, international institutions, donors, NGOs and the mass media. The interactive discussion included Nina Tursinah and Dr. Harjono from APINDO, A. Halim Mahfuz from Standard Chartered Bank, Djafrar Assegaff from Media Group, and Cherrie Nursalim from Gadjah Tunggal Group. It was moderated by Nurul Arifin, the prominent Indonesian actress, and the ILO’s Tauvik Muhamad.

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The Decree of Minister of Manpower and Transmigration on HIV/AIDS Prevention and Control in the Workplace

Drawing on the ILO Code of Practice on HIV/AIDS and the World of Work and existing government regulations, the Decree comprises seven articles. It bans employers from discriminating against workers with HIV/AIDS and obliges employers to take steps to prevent and control the spread of HIV/AIDS in the workplace through the Occupational Safety Health (OSH) schemes at the workplace.

The Decree requires companies to implement workplace prevention programs and states that workers with HIV/AIDS have the right to occupational health service and employment opportunities equal to that which other workers/labourers are entitled to. It also provides that “employers or officials are prohibited to perform an HIV tests as part of recruitment requirements or working status of workers/labourers or as a compulsory regular medical check up”.

HIV tests can only be performed on the basis of a written agreement from workers/labourers concerned, with a condition that the results will not be used as part of the recruitment requirements or working status. In regard to confidentiality, it also states that any information obtained from counselling activities, HIV tests, medical treatment, medical care and other related activities must be kept confidential just like any medical records.

From Us

Given that many ILO programs include East Java in their coverage, we have appointed a Programme Coordination Officer in Surabaya, who will provide first-line support to activities in the province and liaise closely with our constituents.

In Timor Leste, assistance to the Labour Ministry and employers and unions is being built up under the Labour Relations (SIMPLAR) project. To respond to the major development challenge of the country, which is to create more jobs, the ‘Employment and Vocational Training Fund’ has been re-established and the foundations are now in place to start a major EU-sponsored project on Skills Training and Gainful Employment (STAGE).

The role as ASEAN liaison office gains increased significance for ILO Jakarta with the growing level of ILO/ASEAN collaboration in a range of fields. This comes at a time when ASEAN itself is developing an interesting series of new regional initiatives and expanding its partnerships with countries such as China, India and Japan.

At the opening of the new ILO Jakarta Office premises on 16 April, both the Indonesian Minister of Manpower, H.E. Jacob Nuwa Wea, and Timor Leste’s State Secretary for Labour and Solidarity, H.E. Arsenio Bano, spoke about the important contribution being made by the ILO in the presence of many of our constituents, development partners and friends, the Ministers also referred to the many challenges ahead. An inspiring occasion encouraging further efforts to expand our work in both countries!

We look forward to the continued support and involvement of our constituents in these endeavours.

(From left to right): Alan Boulton (ILO Director), Peter Rademaker (ILO Deputy Director) and Arsenio Bano (Timor Leste’s State Secretary for Labour and Solidarity) informally discussed programmes in Timor Leste during the ILO office opening in Jakarta.

HIV/AIDS and Work: National and Global estimates

- Around 90,000 – 130,000 Indonesians living with HIV/AIDS, of which 79.1% are male and 20.9% are female.
- Between 17 and 20 million Indonesians are at direct risk of HIV infection.
- Ninety percent of Indonesians living with HIV/AIDS is between the ages of 20 and 50 years old.
- Worldwide, 26 million labour force participants/economically active persons aged 15-64 are HIV-positive (18.6 million in Africa).
- Worldwide, 36.5 million persons aged 15-64, the vast majority of whom who are engaged in some form of productive activity are HIV-positive (800,000 additional persons aged 50-64 are HIV-positive) (25.8 million in Africa).
- Economically active workers are dying in large numbers; 28 million deaths of labour force participants globally by 2005; 48 million projected by 2010, and 74 million by 2015 (20, 34 and 50 million of them in Africa).
- Economically active workers drop out of the labour force at some point when they become unable to work because of illness; if they have no access to treatment. At any time in 2005, 2 million workers globally will be unable to work (85% of them in Africa); by 2015, 4 million (over 2 million in Africa).
The debate was jointly organized by the ILO, the Indonesian Children’s Welfare Foundation (YKAI), Rumpun Gema Perempuan and JARAK a network of NGOs on the elimination of child labour. The panellists included Siswono Yudohusodo (Vice Presidential Candidate); Dr. Rachmad Santika (Deputy IV of the Ministry of Women’s Empowerment), Inne Sukaryo (Chairperson of Indonesian Women Congress - Kowani) and Sugito (Chair of Association of Indonesian Domestic Worker’s Agent).

According to Siswono, the economic situations of the country should be taken into consideration before tackling problems related to child domestic labours. “I do not encourage children to work, but how about poor children? That is why, it is important to formulate a regulation which protects children’s rights,” he said, adding that the regulation should cover the obligation for the employers to provide decent salary and meal, time for school and health care.

In the debate, Sugito admitted that the majority of employers prefer to employ children as domestic servants because they are innocent and obedient. He also admitted that child domestic workers are vulnerable to abuse and exploitation. “However, to whom should I report or contact when receiving reports of abuse and exploitation?” he questioned the role of the government in tackling this problem. As someone from the recruitment agency, he said that he would not be able to oppose against the strong market demand of child domestic labours.

Meanwhile, Rachmad pointed out that the elimination of child domestic workers is a must. “It does not need to be discussed. The first thing that we all should do is to treat child domestic workers as children. They must go to school and their rights should be protected,” he asserted.

According to the ILO’s new report, “Helping Hands or Shackled Lives? Understanding child domestic labour and responses to it”, more than two million children are to be found in domestic labour in the Republic of South Africa, 700,000 in Indonesia, 559,000 in Brazil, 264,000 in Pakistan, 250,000 in Haiti, 200,000 in Kenya, and 100,000 in Sri Lanka. In addition, some 300,000 children work in the Bangladesh capital Dhaka alone, and 150,000 in Lima, Peru.
ILO, Indonesia Team Up for a Future without Child Labour

On April 15, more than 400 participants attended the official launch of the new ILO-IPEC Project of Support to the Indonesian National Action Plan for the Elimination of the Worst Forms of Child Labour. In addition to the opening speeches, participants enjoyed a lively programme which included dance performance and songs by former child labourers.

In officially launching the project, Jacob Nuwa Wea, Minister of Manpower and Transmigration, said that the new Project would support steps that are being taken by the Government to seek to eliminate the Worst Forms of Child Labour. “Presidential Decree number 59 Year 2002 on the National Plan of Action for the Elimination of the Worst Forms of Child Labour has now been in force for some time and it is important to take concrete actions to eliminate the worst forms of child labour,” he said.

He stressed that the Government wanted to see action taken at provincial and district level. He then mentioned some of the important initiatives underway in North Sumatra, East Java and West Java.

Sri Redjeki Sumaryoto, the State Minister of Women’s Empowerment, said that the new Project, with its focus on the worst forms of child labour, was extremely important. She also emphasised the need to rescue children who had become victims of trafficking and other forms of commercial and sexual exploitation.

The ILO-IPEC Project has received support from the US Department of Labor. The representative of the US Embassy in Jakarta, Gregory Wiegand, said that the Government of the United States welcomed the chance to help the ILO and the Indonesian government in implementing the National Action Plan on the Elimination of the Worst Forms of Child Labour.

He also emphasised the importance of Act No. 23/2002 concerning Child Protection and the draft Legislation on Trafficking.

Meanwhile, Guy Thijs, the Director of Operations in ILO-IPEC Geneva, referred to four areas in which progress could support Indonesia’s efforts to eliminate child labour. These were strong political commitment; continued progress with formation of provincial and district committees on child labour and a budget for tackling child labour; expanding access to education and increasing enrolment rates; and continuing efforts to tackle poverty. “We will link child labor eradication with other development efforts, including education and poverty alleviation,” he said.

Following the launch, the two ministers and ILO-IPEC Director signed a plaque containing the slogan Working Together for a Future without child labour. It was then followed by the signing of a large banner contained the same slogan by other invitees, including Alan Boulton (Director of ILO Jakarta), Werner K. Blenk (ILO Sub-Regional Director for South East Asia in Manila), Dewi Hughes (actress and Ambassador against Trafficking in Indonesia), former child labourers and local school children.

Representatives of three provinces which have established Provincial Action Committees on the worst forms of child labour (North Sumatra, West Java, and East Java) were present at the launch. While in Jakarta, they met with ILO representatives and representatives of the Directorate of Women and Children in the Ministry of Manpower to discuss ways of strengthening the work of Provincial Action Committees.
Moving Ahead
ILO-IPEC Project of Support Begins Activity

Following the well attended official launch of the ILO-IPEC Project on April 15, a series of activities have been put in place to take forward project implementation.

Early in May the Project supported a workshop with the Ministry of Manpower and Transmigration, which brought together representatives from government agencies in nine provinces. The workshop was officially opened by the Minister of Manpower and Transmigration Jacob Nuwa Wae and ILO Deputy Director Peter Rademaker. The activity reviewed the work of existing Provincial Action Committees (PAC) concerned with the worst forms of child labour, and encouraged the formation of new Committees in provinces where they have not yet been established.

To assist in developing the work of the ILO-IPEC Project of support, during May and June planning workshops were held in Medan, Bandung, Samarinda, Surabaya and Jakarta. The workshops brought together representatives of key government ministries, trade unions, employers and NGOs. Each workshop had its own structure, reflecting the sectors of work to be addressed in the new project. In North Sumatra, the Project will focus on offshore trawler fishing, in East Kalimantan mining, in West Java footwear and trafficking, in Jakarta drugs and trafficking, and in East Java trafficking.

Some of the main issues discussed at these events were:
• The present position and activity of PAC or scope for formation of a PAC.
• Provincial and district level legislation on the worst forms of child labour.
• Progress with government targets on Education for All.
• ILO-IPEC Project of support activities and strategies to use in the new project.

As a follow up to the provincial planning activities, during July and August training workshops are being held in each province, looking at issues relating to the design, monitoring and evaluation of programmes aimed at tackling child labour. These programmes are partly intended to help partners in developing programmes which might be suitable for support from the project.

In conjunction with the ILO-IPEC Fishing and Footwear project, early in June two study programmes were implemented for members of the National Action Committee (NAC) on the worst forms of child labour. One group of five members visited the IPEC Fishing/Gemerals Project in North Sumatra and a second group of five members visited the Footwear Project in Bandung. The visits were aimed at increasing familiarity of members of the NAC with the efforts to tackle child labour at the local level.

Project Chief Technical Adviser Patrick Quinn said, "We are very pleased with the first months of the project. We have enjoyed good cooperation with our partners and have been able to establish a good programme of work. There is an understanding that we need to see action at the local and national levels if we are to eliminate the worst forms of child labour. We now want to move forward with programmes that address these needs.”

ILO Jakarta’s New Office

The ILO Jakarta office has moved since March 2004. To celebrate the new office, the Office held an official opening ceremony on 16 April. The event was officially opened by the Indonesian Minister for Manpower and Transmigration, Jacob Nuwa Wae, and Timor Leste’s Secretary of State for Labour and Solidarity, Arsenio P. Bano.

Minister Nuwa Wae congratulated the Country Director of the ILO Jakarta and all of the staff for the new, spacious office accommodating around 30 personnel, including projects on youth employment, police training and the protection of domestic workers from forced labour and trafficking. He also welcomed all the supports given to the Ministry of Manpower and Transmigration so far. Furthermore, the Minister encouraged that with the new office the ILO would do even better work that meet the needs of the organization’s tripartite constituents in Indonesia.

In line with Nuwa Wae, the Timor Leste’s Secretary greatly welcomed the new office. According to Bano, his country was ready to move forward with decent work objectives under the supports of the ILO Jakarta. Since 1 January 2004, the ILO Jakarta Office has been given responsibility to manage the relations with Timor Leste.

He also stated that the Timor Leste’s Secretary of State would like to continue sustainable works together with the Indonesian Ministry of Manpower in dealing with employment and labour matters. Both Ministers hoped that with the moving to the new office, the ILO would produce even better programme and assistance to the two countries.

The opening was attended by around 80 key constituents from the governments, employer’s organization, trade unions, donors, other UN agencies, and international and national institutions. The invitees were also given tours around the new office and to the new public information center. This informal opening was made lively by the rhythm of traditional Gamelan played by a group of traditional musician.

Alan Boulton - ILO Director (left), Jacob Nuwa Wae - Minister of Manpower and Transmigration (middle), and Arsenio Bano - Timor Leste’s State Secretary for Labour and Solidarity (right).
ILO, Timor Leste Move Forward to Create More Job

Since 1 January 2004, the ILO Office in Jakarta has been given responsibility to manage the relations with Timor Leste. Timor Leste became the 177th Member State of ILO on 19th August 2003. This new Member State has a population of approximately 800,000, with the majority being engaged in subsistence agriculture. One of the major challenges for the country will be to reduce poverty and to create jobs for its population.

The Secretariat of Labour and Solidarity (SLS) is ILO’s focal point for labour and social issues. Arsenio P. Bano, Secretary of State of Labour and Solidarity, is currently in charge of SLS. The State Secretariat is responsible for vocational training, employment promotion, labour relations, formulation and enforcement of the labour laws, and promoting social dialogue.

There are several employers’ organizations in the country. Five employers’ organizations are represented in the three boards, which are: ASSET Lorosae, ACCAIT, Chambers of Commerce and Industry, NCPA (Coffee Growers Association) and UNAPE (organization of small enterprises). There are also several workers organizations in the country. The largest one is the Timor Lorosae Trade Union Confederation (TLTUC), with Jose C. da Costa as the President. TLTUC is receiving assistance from ILO and ICFTU on capacity building and workers’ education activities.

The ILO is contributing to the development process of Timor Leste 1999 and has focused on the following key areas:

- Capacity building of the constituents, including in setting up tripartite institutions and social dialogue;
- Skills training programmes leading to gainful employment through micro-enterprise and small business development, post-training support etc.; and
- Advice and technical assistance on labour law development and implementation.

A programme of technical cooperation for the coming years will develop the ILO programme in Timor Leste. This will include a project called SIMPLAR, financed by the US Department of Labour that will assist in (i) drafting and finalizing a series of relevant labour laws and regulations and (ii) training and upgrading of the State Secretariat staff and members of the tripartite boards.

Another project is a Employment and Vocational Training Fund that has been set-up to finance requests for skills training of communities, NGO’s and other groups, aimed at finding or creating new jobs for the people of Timor Leste. It is foreseen to scale-up this work through a large programme to be funded by the European Commission and the UNDP.

Recently, the Indonesian Minister of Manpower has taken the initiative to develop a collaboration with the State Secretary for Labour and Solidarity. During a visit of the Timorese Delegation to Jakarta on 16 April, both sides looked at how Timor Leste could benefit from the materials and training already available in Indonesia. The fact that Bahasa Indonesia is still widely spoken in Timor Leste facilitates the exchange and also allows the ILO to make use certain publications and tools produced in Indonesia for the development of the programme in Timor Leste.
The ILO Staff Union held a Regional Committee Meeting for Asia and the Pacific in Beijing, China, from 10-14 May, attended by some 17 staff union representatives from Bangkok, Beijing, Colombo, Dhaka, Hanoi, Islamabad, Jakarta, Kathmandu, Manila, New Delhi, Suva and Tokyo. The Regional Meeting has adopted recommendations in terms of recruitment, selection, and career development; equality of treatment; and union democracy. These recommendations will be then communicated and submitted to each Director in the field, the Regional Director, Human Resource Department, Executive Director and the Director General. The next meeting will be held in Hanoi, Vietnam, in 2006.

Bangkok (Ms. Chinda Saengcharnchai and Ms. Tilika Luewiphan), Beijing (Ms. Qiaoling Chen), Colombo (Ms. Saro Thiruppathy), Dhaka (Mr. A.F.M. Jamiluddin), Hanoi (Ms. Le Thi Lam Nga), Islamabad (Mr. Basharat Ahmad), Jakarta (Ms. Ine Indiravitri), Kathmandu (Mr. Udday Poudyal), Manila (Ms. Julita Yap), New Delhi (Ms. Raminder Bhatia and Ms. Kusum Chand), Suva (Ms. Losana Korovulavula) and Tokyo (Ms. Naoko Okumura). Mr. Jean-Victor Gruat, Chair, Mr. Christian Jacquier, Coordinator for the Field and Mr. Basharat Ahmad, 3rd Vice-chair represented the ILO Staff Union Committee.

ILO Staff Union Regional Committee Meeting for Asia and the Pacific

The ILO Jakarta Office is expanding its activities to Surabaya, East Java. Tri Andhi Suprihartono has been appointed as Programme Coordinator Officer in Surabaya since June 2004. Tri Andhi will be in charge of providing first-line support activities in the province and liaise closely with the constituents. The Surabaya Office will cover various activities and programmes on youth employment, child labour, vocational training and skills development, HIV/AIDS, and so forth.

In Brief

Tri Andhi Suprihartono, Programme Coordination Officer in Surabaya

The ILO Jakarta Office
Your Gateway to Labour Information and Resources in Indonesia

The International Labour Office Public Information Center (PIC) specializes in information related to ILO-assisted projects, programmes and activities, specifically in Indonesia. There are approximately 3,000 documents related with labour and employment available in PIC Jakarta. However we only keep the ones published after 1998 for general collection and after 2000 for the ILO annual and series documents. The main labour/employment-related subjects of documents are as follows:

1. Industrial Relations
2. Social Policy/Protection/Security
3. Economic Development + Poverty
4. Human Rights + Workers’ Rights
5. Education and Training
6. Industrial + Informal Sector
7. Entrepreneurship + Small Business + Productivity
8. Working Conditions + Occupational Safety & Health
9. Child Labour
10. Gender + Women
11. Migrant Workers
12. HIV/AIDS + Disability

PIC opens and serves for general public at the working days and hours: Monday - Friday 08.00 - 12.00; 13.00 - 15.30. There is no membership applied. Anybody needs ILO documents are suggested to come or send an enquiry by fax, e-mail or telephone to the Librarian.
Promoting Equal Employment Opportunity in Indonesia

Gender-based discrimination violates fundamental principles and rights at work, human rights and social justice. It weakens economic growth and the optimal functioning of enterprises and labour markets. The ILO shared policy objective on gender equality aims to respond to these challenges by strengthening the capacity of governments, employers’ organizations and trade unions to take positive action on gender equality in the world of work.

In 2003, the ILO launched the Gender Equality Partnership Fund, which supports the implementation of the gender equality objective. The Fund is a practical way of increasing gender equality awareness and capacity within the constituents’ own organizations, as well as of addressing key gender issues in the world of work.

The Fund assists ILO tripartite partners to strengthen their capacity to take positive action to increase gender equality in the world of work. The underlying principle driving the activities under the Fund is “ownership”. Partners turn to the Fund for support on ways to integrate gender into specific world of work contexts. The strategy for the development and promotion of Equal Employment Opportunity (EEO) policy in Indonesia is a combination of four components:

- Needs assessment and action planning;
- Capacity building of gender mainstreaming in the world of work;
- Knowledge management and sharing;
- Creating partnerships.

Support to the Development of a National Policy on EEO in Indonesia

Eleven projects in 21 countries are currently being implemented under the auspices of the Fund. The projects are mostly implemented with labour ministries and other government institutions, employers’ organizations, trade unions and also with relevant associations for women entrepreneurs and other groups of women workers in the informal economy.

In Indonesia, the Fund is used to support the development and promotion of a national strategy on EEO in the World of Work developed by the Ministry of Manpower and Transmigration (MOMT). The strategy is in line with the ratification of ILO Conventions 100 and 111 and the passage of the Manpower Bill into law (Act No. 13/2003).

In October 2003, the Minister of Manpower and Transmigration issued a decree establishing an EEO Taskforce to coordinate the ministry’s technical agencies to prepare programs and activities for the application of EEO in the Workplace, and to oversee their implementation and evaluation. The decree was amended in April 2004 to reflect the changes in membership of the taskforce. The MOMT requested technical assistance of the ILO for the application of EEO in the workplace.

Under the cash surplus fund, the ILO has developed a Project of Support to the Development of a National Policy on EEO in Indonesia. Established in January 2004, the Project is to run for two years to the end of 2005. Through the Project, ILO will assist and advise MOMT on their workplan and program on EEO to ensure a comprehensive and strategic approach to achieve gender equality at the workplace.

ILO will also provide technical assistance in developing guidelines on EEO for the private sector and training for local government officials on EEO and equality principles in the workplace, and will help facilitate the involvement of the employers and unions in consultations and activities.

The employers’ and workers’ organizations place capacity building and extending representation among their priorities for gender mainstreaming and promoting gender equality. For the employers’ organization, the Project will take the form of gender mainstreaming strategic workplans and extending representation to the currently under-served demographic of female entrepreneurs.

The Project will strategically assist the trade unions in their priority issues of mainstreaming gender into collective bargaining and other trade union work, enhancing the negotiation skills of women, and increasing women’s participation at both membership and leadership levels.

Key Milestones of the Project

**Phase I, 2003**
- EEO policies, guidelines, and structures are in development stage.

**Phase II, 2004**
- EEO policies and guidelines endorsed and adopted by the constituents.
- Awareness raising, understanding and action in central area and in 2 provinces on EEO.
- Gender is mainstreamed into the policy, programme and budget of ILO Jakarta and its constituents.

**Phase III, 2005**
- EEO guidelines are tested and implemented in two pilot companies in two districts/cities.
- EEO guideline is adopted by employers’ and workers’ organizations and operationalised in their standard operating procedure (SOP).

For further information, please contact the Secretary of the EEO Taskforce, c/o Center for Administration of International Cooperation at (021) 5260489 or the ILO Jakarta Office at (021) 3913112.
Rights at Work

**Police Trained on Fundamental Labour Rights**

Thirty police officers were trained as master trainers on the ILO fundamental principles and rights at work and national laws that govern the role of police in handling industrial dispute situations. The training was conducted by the ILO Declaration Project on Police Training on 26-30 April in Jatiluhur, West Java.

The one-of-its-kind training was a collaborative effort among the ILO, lecturers and instructors from the Human Rights Center of University of Indonesia and Pelopor Adventure Camp (PAC). Everyone involved in the training regarded the training as a new experience.

Combining traditional classroom lectures and adventure learning exercises, the training aimed to enhance the understanding of participants about labour issues and principles in relations to the role of police in industrial dispute situations, as well as their capacities in developing and conducting training.

ILO/USA Declaration Project Focuses on Sustainability

Phase II (2003-2004) of the Declaration Project financed by the United States Department of Labor has been focusing on ensuring the sustainability of activities it has undertaken for the tripartite constituents since its inception in 2001.

The Project was originally designed to promote and realize freedom of association the right to collective bargaining, assist in strengthening the capacities of the constituents and the proper implementation of the major labor legislation under the labor law reform program, and help establish sound industrial relations for economic progress while respecting workers’ rights.

The Project activities lined up for 2004 adhere to the original objectives of the Project. They consist mainly of continuing and sustaining the activities found relevant and useful by the constituents such as on the subjects of collective bargaining and negotiating skills, gender equality through collective bargaining, basic trade union training, workplace bipartite cooperation and the implementation of the new laws on trade unions, manpower and dispute settlement.

**Workplace Cooperation**

A high point of the activities during the past three months, saw the culmination of the program of the Project to promote effective bipartism and workplace labor-management cooperation in line with the requirements of the Manpower Act. This program started in 2002 under Phase I of the Project with the participation of 16 pilot enterprises.
programme. The main objective of using this combined method was to allow the participants experienced themselves how it feels to be workers and employers and, in turn, to have a new attitude towards the police role in industrial relations in general.

After the training, these master trainers, eight of which are women, will be involved in a number of Project activities, including distant learning exercise, development and conduct of a series of awareness raising training in provinces covered by the Project. It also covers the development of course syllabus on fundamental principles and labour laws and police operational guidelines in handling industrial dispute situations.

More importantly, these master trainers are expected to play important roles in maintaining sustainability of the programme within the National Indonesian Police (Polri) beyond the life of the Project by incorporating labour matters in trainings they are providing under their respective jurisdictions.

Furthermore, the master trainers are expected to be agents of change within Polri, as one of the participants said in his short remarks after receiving the training certificate: “Let us transfer the knowledge we have possessed in the training to our colleagues in the field and let us step up to change towards a reformed Polri!”

Juan Amor F. Palafax of the University of the Philippines. An added feature of this activity was the voluntary participation of about 15 representatives from the American Chamber of Commerce and the international business community.

Other Highlights

In the previous three months, the other activities of the Project centered on providing support to the tripartite constituents in the formulation and adoption of the implementing regulations of the Manpower Act and particularly the Labor Dispute Settlement Act. A substantial number of activities consisted of giving technical assistance mainly in the form of presentations and training materials and publications to the tripartite constituents in the workshops and seminars that they have organized, financed and conducted themselves which can be considered as tangible signs of sustainability.

These activities were organized evenly by employers, the three major labor confederations and the various
Rights at Work

... ILO/USA Declaration Project Focuses on Sustainability

manpower offices in the country. The activities were held in such places as Medan, Surabaya, Balikpapan, Anyer, Tangerang, Puncak and Jakarta. The subjects commanding the highest interest of the constituents were bipartite institutions and workplace cooperation, collective bargaining, good faith negotiations and socializing the provisions of the new legislation. The Project is striving to maintain adequate copies of its publications, posters and training materials which are highly demanded by the constituents.

Future activities

In the coming months, the main activities of the Project are foreseen to center on continuing the technical support to the constituents in activities they deem urgent and which they are organizing themselves, the completion of the remaining implementing regulations of the laws on manpower and dispute settlement, the publication of all the implementing regulations of the major labor laws, the establishment of the new labor judicial system, and in providing the necessary initial training to mediators, conciliators, arbitrators and labor judges appointed under the Labor Dispute Settlement Act. As the Project embarks on the final second half of Phase II, its staff and resources will be gradually concentrated in Jakarta to ensure that more and better activities are continuously provided to the tripartite constituents in line with its objectives.

Launching of the Global Report on Freedom of Association and Major Labor Laws of Indonesia

ILO Jakarta and the Project in close collaboration with the Ministry of Manpower and Transmigration, launched on 26 May 2004, the second Global Report on Freedom of Association and Collective Bargaining under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work. A compilation in English and Bahasa Indonesia of the three major laws of Indonesia—Trade Union Act, Manpower Act, Labor Dispute Settlement Act—to mark the completion of the Labor Law Reform Program of Indonesia was also released on the same date. The publication of the compilation was the joint work of the ILO, the Project and the manpower ministry. The keynote speakers at the launching were Manpower Minister Jacob Nuwa Wea and ILO Director Alan Boulton. Myra Hanartani, Head of the Manpower Ministry’s legal bureau, served as the moderator. At least 100 representatives from the tripartite constituents, the ILO and various organizations as well as the media attended the launching.

ILO Holds Specialized Industrial Relations Education Symposium

The ILO and its project (ILO/USA Declaration) held a two-day Industrial Relations Symposium from 22-23 April in Jakarta to promote and encourage the establishment and development of specialized education on labour studies at Indonesian tertiary education institutions. It was also aimed at enhancing the capacity in the teaching of labour studies and considering the establishment of an Indonesian Labour Studies Lecturers’ association/network.

The symposium was attended by 35 academicians and experts engaged in labour studies covering issues on industrial relations, labour economics and labour law as well as human resource management from 20 universities in Indonesia. The international resource persons were from the University of Philippines, Prof. Jose Gatchalian, and the University of Melbourne, Prof. Joe Isaac. It was officially opened by Alan Boulton, ILO Director, Jakarta.
ILO Global Report: Organizing for Social Justice

“The right to organize is one of the most powerful tools we have for promoting decent work and sustainable poverty-reducing development. This is a fundamental human right at work, a development right that we cannot do without”

ILO Director General - Juan Somavia

This is the first report of the second cycle of Global Reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work. Four years after the first report Global Report on freedom of association and the effective recognition of the right to collective bargaining, this principle and right remain the focus of attention.

The report says that despite continued threats to workers and employers seeking to organize—including killings, detention and violence—the broad, global picture of respect for fundamental rights at work is on balance improving and more encouraging than it was four years ago.

“Violations of freedom of association rights of both employers and workers persist in different forms, including murder, violence, detention and refusal to allow organizations the legal right to exist and function,” says the report. “People continue to lose their lives and their freedom for attempting to organize and defend collectively their fundamental rights.”

Yet there are encouraging signs of progress in assuring fundamental rights at work, the study says, noting that there has been “a general positive trend, linked to the spread of democracy, high rates of ratification of the fundamental international labour standards and increased transparency in global markets.”

In terms of the situation of particular groups, the report notes that despite considerable challenges, progress is being made in protection for public sector employees, migrants, and workers in agriculture, export processing zones, domestic work and the informal economy who face obstacles including exclusion under the law, violence and harassment of those who try to organize, difficult working conditions, physical abuse, and ambiguous and “disguised” employment relationships.

Organizing for Social Justice says in a globalized economy, freedom of association and the right to collective bargaining in particular, “provide a connecting mechanism between social goals and the demands of the marketplace.” It concludes that a growing body of evidence suggests these rights “contribute to improving economic and trade performance and do not have the negative effects often predicted by some economic theorists”.

The report also recalls that under the ILO Declaration, all ILO members States “even if they have not ratified the Conventions in question, have an obligation arising from the very fact of membership in the Organization, to respect, to promote and to realize, in good faith and in accordance with the (ILO) Constitution, the principles concerning the fundamental rights which are the subject of those Conventions” which include freedom of association and the effective recognition of the right to collective bargaining.2 The ILO is ready to offer assistance to all countries, including the large ones, to assist in the process of ratification and implementation.

Prof. Jose Gatchalian briefed the participants on the history of the labour studies institution which has more than 30 years of experience in workers’ education and 20 years of offering graduate courses in industrial relations. Prof. Joe Isaac elaborated on the experience of University of Melbourne and highlighted the core curriculum offered by its School of Management.

Secretary General of APINDO, Djimanto, agreed with the notion to empower and strengthen education programmes on labour studies. Rekson Silaban, Chairman of KSBSI, stressed the urgency for strengthening labour studies in Indonesia in order to respond the globalization issues and other complex subjects affecting the Indonesian workers. He proposed some strategic actions to be taken such as, the strengthening of the relationship amongst universities, trade unions and employer’s organization and initiating exchange programmes involving academicians and practitioners.

The representative from the Ministry of Manpower and Transmigration, Susanto, Head of Sub-Directorate of Empowerment of Industrial Relations Institutions, welcomed the initiative of the ILO and the suggestions of the participants. He said that “Labour studies can help Indonesia to face the challenges on investment and employment.”

At the end of the symposium, it was agreed that there were four main areas of studies that need to be strengthened: industrial relations, labour economics, labour law, and human resources management. The symposium concluded that it is urgently needed to renew the curriculum, incorporate labour studies into other social science majors, introduce labour studies at high school level, develop a Labour Studies Association and conduct trainings on labour studies.

In closing the symposium, the Chief Technical Advisor of the ILO/USA Declaration Project, Carmelo C. Noriel, stated that the development of specialized education on industrial relations is prerequisite for the full and sustained realization of sound labour relations based on freedom of association and collective bargaining in Indonesia.
Trafficking in persons is a growing phenomenon the world over. It occurs for varying reasons, ranging from marriage and organ transplants to forced labour and sexual exploitation. Trafficking in persons occurs within national borders, making the issue of borders and migration channels a non-issue. Trafficking in persons also occurs across national borders, both legally and illegally; hence, the terminologies “regular migrants” and “irregular migrants.” Of particular concern is the fact that most trafficked persons are women and children due to their physical and social vulnerabilities.

Under the UN Convention against Transnational Organised Crime (2000), and the related UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children (commonly known as the UN Palermo Protocol 2000), trafficking in persons is defined as the transfer of a person, under coercion, abduction, fraud, or abuse of power, for the purposes of exploitation—like forced labour or services (e.g. labour and sexual exploitation), slavery-like practices, servitude or bonded labour.

Trafficking in persons is thus a violation of the fundamental human rights of an individual enshrined in the International Bill of Rights and the specific UN Conventions noted above. It is also a violation of the fundamental rights and core labour standards declared in the ILO Declaration, specifically those relating to forced labour, discrimination and freedom of association, and not infrequently, child labour.

It is, thus, the antithesis of any notion of decent work. The victim will be at the mercy of the traffickers with the labour exploited due to fear of disclosure, violence or reprisal. This, in turn, underscores the vulnerabilities of migrant workers.

Meanwhile trafficking for labour and sexual exploitation occurs when there is an abundance of labour supply available to meet either local and/or international demands. For cross-border trafficking, this inevitably leads to the issue of regular and irregular migration of persons which, in turn, impacts on the whole issue of the form of employment, which itself can be illegal and/or underground, where conditions of work that is below the legal minimum is tolerated or ignored. Again, migrant workers are inexorably linked to the whole ‘trafficking for forced labour and sexual exploitation’ debate.

Those who recruit people to be trafficked often create the conditions for forced labour by entering into loan agreements with them. The arrangements will put them into debt-bondage by facilitating their move from place-of-origin to destination, be it within national borders or externally.

For those recruited to be trafficked abroad, such arrangement leaves them vulnerable to threats of deportation. The likelihood of them being given false information on the nature of work they are going to do, or the place of work, leaves them vulnerable to the exploitation of the traffickers. Victims of trafficking, thus, may be in economic sectors where they are hard to detect, such as agriculture, domestic service, and sex work.

As with child labour, there has been a significant convergence of efforts at international level to combat trafficking in persons, with a number of countries taking action. The Government of the Republic of Indonesia is taking action, in collaboration with the ILO, through various projects to address the problem of trafficking in persons for labour and sexual exploitation.

Mobilising Action for the Protection of Domestic Workers from Forced Labour and Trafficking in South-East Asia

It is the most recent of the ILO Jakarta projects and sub-regional in scale. The aim of this UK DFID-funded project is to address the needs and concerns of the domestic workers in Indonesia and the Philippines, both nationally and internationally, as they are the most vulnerable to forced labour and trafficking. This will be done through an integrated programme of: i) law and policy development; ii) advocacy and research on the issue; iii) outreach and empowerment of domestic workers at national and international levels; and iv) targeted interventions to respond effectively to reports of forced labour and trafficking affecting domestic workers. To assist in the initial situational analysis on Indonesia, the ILO, in collaboration with the Ministry for Justice and Human Rights, has commissioned a study to map forced labour and human trafficking for labour and sexual exploitation from, through, and within, Indonesia. It is envisaged that the study will be complete and ready for dissemination come the end of the year.
Helping Hands or Shackled Lives?
Understanding Child Domestic Labour and Responses to It

The report outlines why child domestic labour, including the worst forms, must be eliminated, and the response of the ILO in both policy and action. Studies on child domestic labour show that most children are taken or sent into domestic labour when they are very young. Thus, this report argues that there is a clear need for countries to consider applying a general minimum age for the employment of children in domestic service. The report explores in detail the 'push' and 'pull' factors that result in a child's entering domestic service. Family and child poverty provides a context in which children are invariably vulnerable to exploitation. The report also considers what happens when children enter domestic service as well as asks what can be done to protect children and eliminate child domestic labour, including the worst forms.

Report of Survey on the School-to-Work Transition in Indonesia

This report focuses on the school-to-work transition of Indonesian youth, with the aim of identifying critical issues and suggesting policy actions. The report is based on a large-scale survey that collected information on youth—their personal identification data, education and training, their perceptions and aspirations in terms of employment and their life goals and values, the job search process, the family’s influence in the choice of occupation, barriers to and supports for entry into labour market, the preference for wage employment or self-employment, attitudes of employers towards hiring young workers, their current employment-working conditions, control over resources, work, marriage and family responsibilities, and gender differentials—especially why it is harder for young women than for young men to enter the labour market.

ILO-IPEC Project on Combating Child Trafficking for Labour and Sexual Exploitation - Phase II (TICSA II)

The sub-regional ILO-IPEC TICSA Project complements the new project. Covering six countries, the Indonesia component of the TICSA Project was endorsed by the National Steering Committee on IPEC in June 2003, and is now under implementation. The TICSA project aims to contribute to the progressive elimination of trafficking in children and women’s labour and sexual exploitation in Indonesia. This will be done by:

- assisting children and families in high risk sending areas to reduce children’s vulnerability to trafficking; and
- improving the capacity of social partners to provide services to rehabilitate and reintegrate child victims of trafficking.

It is intended that the programme will provide inputs, good practices and lessons learned that will be up-scaled under the ILO IPEC Time Bound Programme (TBP).

ILO Project to Support the National Plan of Action on the Elimination of the Worst Forms of Child Labour (ILO-IPEC TBP)

Under the auspices of the ILO-IPEC’s TBP, a programme on Child Trafficking has been under implementation. The objective of the programme is to implement small-scale pilot interventions in the areas of prevention of child trafficking, and the rehabilitation and reintegration of child trafficking victims, with good practices being documented for replication in other regions of Indonesia. More importantly, these interventions are aimed at strengthening the development of appropriate policies on child trafficking, including improved law enforcement.

ILO TC-RAM on Child Domestic Workers

Congruent to the TICSA Project, and the IPEC TBP programme on Child Trafficking, the ILO TC-RAM supports the IPEC programme on Child Domestic Workers, a social phenomenon that continues to exist, leaving such children vulnerable to all forms of abuse, including the neglect of their rights. The Action Programme on Child Domestic Workers aims to increase community awareness on the issue, as well as harness their participation in preventing, rehabilitating and reintegrating child domestic workers into “normal” child life, like school, and play. The programme directly targets child domestic workers under the age of 18 years. At the same time, it directs its advocacy and campaign strategies at employers, parents, communities, local government, legislature, the National Action Committee on the Worst Forms of Child Labour, and NGOs—for their support and action for improved policies and law enforcement on the issue of Child Domestic Workers.

For more information, please contact the ILO Jakarta Office.
The ILO and Youth Employment in Indonesia

We all agree that whilst young men and women face the greatest challenges, they also provide the best opportunities for reducing the numbers of families that live and work in poor conditions and with incomes that can raise standards of living.

The Indonesia Youth Employment Network Coordinating Team (IYEN CT) continues to pursue efforts to develop a dynamic and proactive national IYENetwork. The IYENetwork is the primary vehicle for guiding the development and implementation of the Indonesia Youth Employment Action Plan (IYEAP) at the national, provincial and local levels.

The IYEN CT, supported by the IYEN Technical Secretariat (IYEN TS), and with continuing technical support from the International Labour Organisation, is working to stimulate interest and commitment to a coherent strategy and plan that addresses employment issues faced by young men and women.

The ILO has recently appointed a project team to work with the IYEN CT and other IYENetwork partners. Margaret Reade Rounds, Programme Manager, will manage the team of four project staff who will support the IYENetwork to:

- Strengthen the IYENetwork framework of action and expanding its membership
- Finalise the Indonesia Youth Employment Action Plan (IYEAP)
- Pilot the development of youth employment strategies for reflection in national and provincial level policies, programmes and budgets
- Demonstrate the viability of youth focused action programmes linked to national and local level goals and objectives including Indonesia’s Poverty Reduction Strategy, Millennium Development Goals and other international and national commitments. Practical programmes will be the hallmark of this component

- Mainstream gender issues into all aspects of support for youth employment

The ILO will also draw upon a number of its specialists to support the project, with the primary objective on enhancing the capacities of the IYENetwork partners to design and implement innovative and appropriate policies, plans, strategies and programmes that create an environment that young men and women can thrive in.

An entrepreneurial spirit!

The Association of Students of Management of the University of Muhammadiyah (HIMAMA) in Yogyakarta organized a talk show in May and invited Margaret Reade Rounds to participate in a panel to discuss entrepreneurship issues.

A lively dialogue ensued on the opportunities that exist in Indonesia for young men and women entering the world of work to consider starting a business and employing other young people. Approximately 200 young men and women participated and many were interested in the practical steps and products and services to get them started.

Statistics show that approximately 20% of young people have the potential to become successful business people with approximately 5% realizing that potential. The panel encouraged the audience to be proactive and to draw upon their creativity and imagination and to realize that starting small does not mean remaining small. The panelists shared their knowledge and experience of both the practical side of business development, and the corresponding need for a conducive environment to allow business to thrive.

They were encouraged to recognize that an entrepreneurial spirit whilst needed for a successful business also needs to be applied to other aspects of life if economies are to thrive and to create jobs. The panelists also highlighted the need to recognize that young women often face different challenges from young men and those efforts are being made by the IYENetwork partners to reflect and address these challenges in the Indonesia Youth Employment Action Plan.
International Youth Day
and the IYEAP!

The Indonesia Youth Employment Action Plan will focus on a range of issues that have been guided both by internationally identified priorities (the 4 E’s: Entrepreneurship, Equal Opportunities, Employment Creation, Employability) and nationally defined issues gleaned from a series of research activities and public consultations with young people.

The IYEN Coordinating Team, with technical advice and support from the ILO, through the youth employment projects, has stimulated and guided the development of the IYEAP and it is proposed that the IYEAP be officially introduced to the nation during International Youth Day celebrations on the 12th of August, 2004.

Start Your Business (SYB) for enterprise development!

The IYENetwork has supported and encouraged the adaptation and translation of the ILO’s Start Your Business (SYB) in Indonesia with interest. IYENetwork partners in the Ministry of National Education and the Ministry of Manpower and Transmigration have collaborated to adapt, translate and deliver an Indonesian version of the SYB and a team of 14 lead trainers to build capacity to deliver. The latest version was released in May, 2004 and will be introduced into the school curriculum in selected schools in the new school year.

At this point in time the materials are being targeted at young men and women studying in secondary vocational schools (SMK) but keen interest has been shown in making it available to a wider audience of young people, including those in general secondary education and those who have left the school system but need skills to help them create their own jobs.

The use of the SYB materials in conflict affected areas to help young people to be ready to participate in local economic development programmes is also being tested and a workshop was held in May to train a number of trainers in Poso and Palu for this purpose.

Immediate plans include increasing the number of trainers capable of delivering the programme and monitoring the progress of delivery. An assessment of the impact of the programme on young men and women and their capacity to create their own employment will also be supported by the youth employment project.

Making Infrastructure Works For Rural Community

The government of Indonesia has initiated a concerted effort to coordinate programs and activities in rural infrastructure development. The Coordinating Minister for Economic Affairs has issued a decree on the Establishment of Rural Infrastructure Development Team (No. Kep-25/M. EKO N/05/2002). The team is expected to assist the country in reducing poverty in the rural area and improving local governments’ capacity to plan, procure and maintain their infrastructure assets. These twofold objectives will contribute significantly to the PRSP prepared by Poverty Reduction Committee and rural development concept now being prepared by the National Development Planning Agency.

The Coordination Team is working at two levels of activities, namely policy development for rural infrastructure at central and local government level and capacity building/technical guidelines development at local level during an implementation stage. At the policy level, the Coordination Team seeks policies and strategies to enhance and mainstream rural infrastructure development into local government development agenda. At the local level, the Coordination Team will assist local governments by providing technical guidelines on three components of rural infrastructure development. These components are: rural infrastructure planning and budgeting, small scale and community rural infrastructure contracting, and rural infrastructure maintenance strategy. ILO ASIST Asia Pacific has provided a back stop through its technical assistance to the Coordination Team Secretariat. The Secretariat has received supports from Technical Assistance Team (TA) consists of consultants from Gadjah Mada University (UGM), Bandung Institute of Technology (ITB), Bogor Institute of Agriculture (IPB).

Among others, activities of the Secretariat are:

- Development of policy recommendations on the future rural infrastructure development using case studies from:
  - Field research and survey of 10 (ten) districts in East Nusa Tenggara
  - Field study visit of the on-going agropolitan program and fishermen’s village development in 5 (five) districts

- Developing of technical guidelines and manuals to be used by local government agencies, private sector groups and local communities
  - Rural infrastructure planning and budgeting
  - Small scale and community contracting
  - Rural infrastructure maintenance strategy
Employment

The ILO Assistance and Contribution

To assist APINDO in establishing network with other business associations to promote the Compact, the ILO has facilitated meetings between APINDO and representatives of the International Business Chamber (IBC) and the American Chamber of Commerce (Amcham). The purpose of the meetings is to find synergy between these organisations in the promotion of the Compact principles. In addition, the ILO has been establishing contact with the Representative Office of the United Nations Development Programme (UNDP) in Indonesia to explore possibilities of providing support of the UN System in Indonesia to APINDO in the promotion of the Compact.

The promotion of the Compact is also linked up with various programmes underway in the country concerning Corporate Social Responsibility. The ILO participated in a workshop in Balikpapan in May on CSR in the natural resources industries. The workshop was organised jointly by Indonesia Business Links (IBL) and PPM Institute of Management. It received strategic inputs from Pricewaterhouse-Coopers and Ernst & Young, with funding support from Ford Foundation.

ILO also participated with APINDO and Unilever to promote broader understanding of the Compact through presentation before the annual conference of the Indonesian Institute of Corporate Governance (IICG) in June in Jakarta. A number of leading companies, such as PT Astra International, PT Bank Niaga and PT Surveyor Indonesia, participated in the workshop.

Global compact in Indonesia: Progress after the Launch

As part of its commitments to promote businesses in Indonesia to be in compliance with the international standards of the Global Compact, APINDO launched the Compact in Indonesia on 28 February. In his opening address, Sofjan Wanandi, the Chairman of APINDO, encouraged Indonesian business community to sign up to the Compact principles.

To facilitate the promotion of the Compact, APINDO set up its Global Compact Taskforce on 2 April 2004. The mandate of the Taskforce is to coordinate all activities of APINDO in relation to the promotion of the Global Compact among business community in Indonesia. The Taskforce will also be responsible in organising the list of resource persons, who can assist them in understanding and promoting the nine Compact principles

Activities proposed by the Taskforce include:
• Training of trainers;
• Socialisation to target companies;
• Development of promotional and advocacy materials;
• Establishment of network;
• Development of case studies regarding the application of the Compact principles;
• Provision of technical assistance to companies that are interested in signing up to the Compact principles; and
• Establishment of learning forum

PT Bursa Efek Jakarta (BEJ) became the third Indonesian company that has signed up to the Compact on 27 April. It is the first stock exchange company in Asia that has signed up. The other two Indonesian companies are Martha Tilaar Group and PT Mega Kelola Promoindo Indonesia.

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Poverty reduction remains a major challenge in Indonesia. As a follow-up to the ILO submission to the Indonesian PRSP in February, the ILO, in collaboration with the National Poverty Alleviation Committee, held a Coordination Meeting on the National Poverty Reduction Strategy (NPRS) on 28 April 2004 in Jakarta.

In his keynote speech, the Coordinating Minister for Economic Affairs, Dorodjatun Kuntjoro-Jakti, reemphasized the importance of economic stability to encourage economic growth in tackling poverty. “It is impossible to tackle poverty without economic stability,” he said. “Economic growth should reach 7 percent a year to reduce the poverty figures. In addition, inflation must be lowered. Pity the poor people who have to earn a living but are haunted by prices,” he said.

The final draft of the NPRS was prepared and discussed in collaboration with a wide range of stakeholders, including trade unions and employers, who both submitted their recommendations to the Indonesian government at the meeting. The Government of Indonesia had also set a new deadline to re-work the NPRS in order to link it with the national action plan and its corresponding budgetary framework. The NPRS is thus scheduled to be finalized by October 2004.

Given this development, the primary objective of the meeting was, therefore, to bring to the attention of the ILO’s social partners the final draft of the NPRS, for their discussion and final comments, if any.

One important aspect of the PRSP is the manpower and employment issues. More and better jobs, coupled with the protection of workers’ rights, should be the essence of the poverty alleviation strategy to help women and men to work out of poverty.

“The ILO believes that the PRSP process provides a very important opportunity for the development and implementation of pro-poor policies, which addresses the needs of many Indonesian women and men who still live in poverty,” said Peter Rademaker, ILO Deputy Director. He continued that the ILO also believes that providing people with opportunities to earn a decent living is one of the best ways to reduce poverty.

On this occasion, the Indonesian Trade Union Network for PRSP and Indonesian Employers’ Association (APINDO) submitted their recommendations to the Taskforces that were developing the NPRS. The Trade Union Network for PRSP proposed that the government should re-allocate the state budget for labour-based investment programmes, development of rural infrastructure, and workers’ empowerment. The Network also suggested extending the coverage of social security to workers in the informal economy.

APINDO, on the other hand, emphasized the need for the creation of macro-economic stability, the improvement of the financial system and investment climate, the strengthening of the social safety net, the encouraging of sectoral transformation from informal to formal economy, and the promotion of social corporate responsibility.

The ILO has held a series of workshops for trade unions, the Ministry of Manpower and Transmigration, and APINDO, facilitating their involvement in the NPRS process. The workshops and social dialogue were intended to ensure that the voice of the world of work was heard when defining and implementing the Indonesian poverty reduction strategy, as well as to encourage its constituents to influence the process by contributing to it. The ILO itself has submitted strategic employment-related policy recommendations to the NPRS.
Trade Unions and the Indonesia PRSP Process

Since September 2003, Indonesia trade unions have been actively participating in the national PRSP process. The formation of an informal trade union network on the PRSP brought together trade unions from varying employment sectors, concerned with the socio-economic impact of Indonesia’s national development policies and programmes.

In April 2004, the trade unions in the provinces participated in the regional PRSP process. ILO ACTRAV and IFP/DIALOGUE contributed towards regional trade unions PRSP capacity-building workshops. The objective was to: (i) strengthen trade union capacity vis-à-vis labour issues and poverty reduction strategies; (ii) show trade unions how to identify, and prioritise, relevant labour-related poverty reduction measures; and (iii) share with trade unions how they can influence any policy development process in Indonesia, including encouraging their active involvement in the formulation of the national and regional PRSPs and any other government policy.

The PRSP workshops, thus, provided trade unions the opportunity to articulate their concerns, using the Decent Work Agenda as a guideline. Four regional workshops were conducted in 2003: in Bandung, West Java, 19-20 November; Medan, North Sumatra, 21-22 November; Surabaya, East Java, 19-20 December; and Bali, 22-23 December.

The regional workshops convened in 2004 were coordinated around the schedule of the National PRSP Committee’s Public Consultation Meetings for the regions. This provided the trade unions the opportunity to articulate the poverty reduction strategies (PRSs) that they had drafted during the capacity-building workshop. The workshops were held in:

- Manado, North Sulawesi, 1-2 April;
- Batam, Riau Province, 14-15 April; Public Consultation on 16 April 2004;
- Makassar, South Sulawesi, 24-25 April; Public Consultation on 26 April; and
- Yogyakarta, Special Province of Yogyakarta, 29-30 April.

As the Government of Indonesia continues to refine its PRSP, trade unions both at national and regional level still have the opportunity to contribute to the process. The recent trade union involvement in the Indonesia PRSP process can be said to be successful endeavour. Trade unions in Batam, Makassar and Jakarta mobilised to ensure their voice was heard.

It is envisaged that trade unions will take the knowledge acquired from the PRSP capacity-building workshops and apply it to national policy debates that impacts the world of work and, in turn, their lives.

The Launch of the Indonesia Youth Employment Action Plan, Jakarta, 12 August 2004

Regional Corporate Response on the Impact of HIV/AIDS in the Workplace, in Batam, Surabaya and Balikpapan, August - September 2004


The Commemoration of the International Day for the Eradication of Poverty, 17 October 2004*

The Commenoration of the World AIDS Day, 1 December 2004*


* planned

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The Commemoration of the World AIDS Day, 1 December 2004*

* planned

Smart Workers is an interactive talkshow designed to raise awareness of basic rights in the workplace. For those who are interested in learning more about employment and labour issues, just tune in to 95.9 FM!
Safety and Health Culture at the Workplace is Urgently Needed

Throughout the world, thousand workers lose their lives every day as a result of work-related accidents, injuries, or diseases. To reduce or prevent occupational accidents and diseases, there is an urgent need for a new “safety culture” in the world of work, particularly in small and medium enterprises (SMEs).

The Minister of Manpower and Transmigration Jacob N. Suwa Wea pointed out that monitoring the implementation of the programme was not an easy job as the country currently employs only around 1,500 inspectors who would have to oversee around 170,000 SMEs. “Indonesia is in need of at least 3,000 more inspectors,” he said at the opening of a one-day seminar on Occupational Safety and Health Management System (OSH-MS) for Small Enterprises on 7 May at the Ministry of Manpower and Transmigration, Jakarta.

The seminar was part of a series of activities held by the ILO and its constituents in conjunction with the commemoration of the World Day for Safety and Health at Work on 28 April. Other activities were a three-day workshop on OSH in informal sector shoemaking in Bandung from 26-28 April and the Indonesia “World of Work” Forum on HIV/AIDS in Jakarta on 6 May.

According to the Minister, the Ministry of Manpower would only train 90 more inspectors this year due to budget constraints. “With the programme, I hope we can create a safe and healthy working environment, which would eventually reduce, or even prevent fatalities at the workplace,” said N. Suwa Wea.

Meanwhile, the ILO Country Director Alan Boulton stated that SMEs’ workers were vulnerable to work-related accidents, injuries, or diseases. The rate of fatal accidents in developing countries is four times higher than in industrialized countries where most work-related accidents and illnesses occur in primary industries such as farming, fishing and logging, mining and construction.

"Low literacy and poor training regarding safety methods lead to high death rates from fires and exposures to hazardous substances, affecting among others those in the informal economy," he said, adding that commitment to prevention starts with respect for life and recognition of the right to safe and healthy workplaces. “One of the keys to reach this goal is strong advocacy,” he continued.

The Director of Occupational Health Zulmiar Yanri of the Ministry of Manpower and Transmigration said the government would require SMEs to implement OSH in the companies as an effort to reduce the number of workplace accidents. “The government is currently working on a draft regulation and preparing guidelines for its implementation. Hopefully, by the end of the year the draft will be approved by the State Secretary and implemented,” she said, adding that the country was in an urgent need for the regulation otherwise the number of work-related fatalities continues to rise up.

In Indonesia, SMEs are defined as enterprises with assets under Rp 60 million and with less than 50 employees. They comprise of 91% of 169,524 industries reported to Department of Manpower in 2001. The SMEs also employ around 90% of workers in the formal sector. Thus, SMEs play an important role in the country’s economic growth and social welfare.

Indonesia has implemented Occupational Safety and Health Management System since 1996. However, the implementation is not yet satisfactory due to ineffective law enforcement. Data show that of 15,043 big companies, only 317 (around 21%) have complied with the regulation. In addition, data from the workers’ insurance company PT Jamsostek show that the number of occupational accidents in the country rose to 105,846 in 2003, from 103,804 in 2002.

### Occupational Accidents in Indonesia

<table>
<thead>
<tr>
<th>Year</th>
<th>Fatality</th>
<th>Permanent Displacement</th>
<th>Temporary Displacement</th>
<th>Total Cases</th>
<th>% Fatality to Total Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>1,476</td>
<td>11,871</td>
<td>78,163</td>
<td>91,510</td>
<td>1.61</td>
</tr>
<tr>
<td>2000</td>
<td>1,592</td>
<td>12,025</td>
<td>85,285</td>
<td>98,902</td>
<td>1.61</td>
</tr>
<tr>
<td>2001</td>
<td>1,768</td>
<td>12,566</td>
<td>90,440</td>
<td>104,774</td>
<td>1.69</td>
</tr>
<tr>
<td>2002</td>
<td>1,903</td>
<td>10,345</td>
<td>91,556</td>
<td>103,804</td>
<td>1.83</td>
</tr>
<tr>
<td>2003</td>
<td>1,748</td>
<td>10,395</td>
<td>93,703</td>
<td>105,846</td>
<td>1.65</td>
</tr>
</tbody>
</table>

Source: PT Jamsostek

Worldwide, approximately 6,000 workers lose their lives every day of the year as a result of work-related accidents, injuries, or diseases. In addition to the 400,000 deaths attributable to hazardous substances that occur each year, the ILO notes that this is only a percentage of the total of some 2 million work-related fatalities and some 160 million work-related diseases that occur annually. This grim toll requires greater hazard control based on ILO conventions and practical safety measures as a first step toward creating a global “Safety Culture” in the workplace.
Gender Balance in Judiciary is Crucial for New Industrial Relations Court

Gender equality is a fundamental human right and an essential condition for achieving effective democracy. Although more and more women are working outside the home, gender remains an important source of labour market discrimination.

Today, women represent over 40% of the global labour force. Approximately 70% of women in developed countries and 60% in developing countries are engaged in paid employment. In Indonesia, around 51% of women aged 15 and over were in the labour force in the year 2002, with women comprising 37.2% of the total workforce.

The ILO’s “Global Employment Trends for Women 2004”, an analysis of female employment, says that more women work today than ever before. In 2003, around 1.1 billion of the world’s 2.8 billion workers, or 40 percent, were women, representing a worldwide increase of nearly 200 million women in employment in the past 10 years.

However, the growth in the female workforce still hasn’t been accompanied by true socio-economic empowerment for women. Nor has it led to equal pay for work of equal value or balanced benefits that would make women equal to men across nearly all occupations. “In short, true equality in the world of work is still out of reach,” the report adds.

Women are often discriminated against because of their sex, marital status or family responsibilities. Women, in comparison to men, continue to be disadvantaged and vulnerable to exploitation and in need of organization, representation and social protection. Given that an increasing number of the national workforce are women, issues directly relevant to women, which include maternity and family responsibilities, working conditions, rights of non-permanent and vulnerable workers and employment discrimination, should be given more attention.

From allegations of employment discrimination and denial of labour rights, the courtroom is the ultimate place where women seek justice. As more women enter the workforce, the courtroom has become a key element in the fight by women for justice and equality.

However, the number of women judges and mediators in Indonesia is still very low. In the General Court, women judges comprise only 16.2% of the bench, while in the Supreme Court, approximately 15.6% of the judges are women. The statistics received from the Ministry of Manpower and Transmigration show that the total number of women mediators for labour matters is only 15%, or around 150 mediators from a total of 1,012 mediators in Indonesia. In regard to the Dispute Settlement Committees (P4), of some 500 members, less than 15% are women.

Given that presently only around 16% of judges and mediators in Indonesia are women, it is important that proper consideration be given to gender balance in appointments of the new Industrial Relations Court to be established under the Industrial Dispute Settlement Act No. 12/2004.

“There is an urgent need to change attitudes towards women in employment. Women’s concerns have traditionally been overlooked in the legal system,” said Alan Boulton, Director of the ILO in Indonesia, adding that the ILO supports the efforts to give more opportunity to women in the judiciary.

What are some of the positive effects of having women judges in the proposed Industrial Relations Court? First, the very presence of women—or for that matter, any person who is part of a minority—makes or allows the majority to think of issues, and problem-solving, differently. These differences are often subtle, but profound, in their impact. For example, greater sensitivity may be shown to the employee, male or female, who has child care needs or concerns about important events in a child’s life.

Second, when there are women judges, the court system benefits from a wider perspective and heightened awareness of gender issues. One only has to look at the issues of domestic violence and child abuse to see the change in the judiciary’s attitude towards those issues. The same heightening of the judicial consciousness can be extrapolated for gender issues in the workplace, such as sexual harassment, equal employment opportunities and equal pay for work of equal value.

Third, the presence of women judges on the Industrial Relations Court can send a clear message that all employment positions in the legal system are available to women. The work environment increasingly has the capacity to understand and appreciate the unique qualifications, perspectives, and contributions women bring to the judiciary.

Kartini’s day is an important day for the recognition of women in Indonesia. R.A Kartini is one of the outstanding women fighters in gender equality.
Removing HIV/AIDS Discrimination in Indonesian Labor Regulations*

The Thai newspaper, The Nation, reported that while Bangkok prepares to host 20,000 delegates to the first-ever international AIDS conference to be held in Southeast Asia (from July 11 through July 16, 2004), a four-star hotel is separating guests who are living with HIV/AIDS (LWHA) from the rest of its clientele.

Conference participants who are LWHA to be billeted at the hotel have been asked to stay in separate rooms and take their meals apart from other guests. Ironically, the conference the participants are to attend is trying to garner political commitment among world leaders, as well as ratchet up the response of business to the challenge of stigmatization and discrimination in the fight against HIV/AIDS.

Several countries have adopted the rights of workers LWHA (WLWHA) in their law, but the reality is still different. South Africa, for instance, legislatively protects the rights of WLWHA but discrimination and denial still prevail in the workplace in a country that has one of the highest HIV/AIDS infection rates in the world.

“We have the best legal framework around but this has not changed mind-sets. People still get dismissed because of their HIV status,” said Jennifer Joni, an attorney for the AIDS Law Project in Johannesburg. “I handle HIV/AIDS discrimination cases almost every day.”

Victim stigmatization and discrimination is prevalent everywhere in the world. In Indonesia, Yanti, now an HIV/AIDS counselor living with HIV, was asked by her employer to resign as rumors of her HIV status spread soon after the AIDS-related death of her husband. Her coworkers sent a petition to the company, urging them to dismiss her, as they feared infection through sharing their computers, eating or working with her in the same room.

Some migrant workers lose their jobs when they undergo preemployment medical screening, a mandatory procedure. Victim stigmatization and discrimination stems from misunderstanding about how HIV/AIDS is transmitted. Few people are aware that HIV cannot be transmitted by casual contact, only via blood or other, specific body fluids (semen, pre-ejaculate, vaginal fluids, breast milk).

Myths on HIV transmission have contributed to the continuing spread of the epidemic, resulting in an increase in the number of people living with HIV/AIDS (PLWHA). These same people are increasingly losing jobs and finding it more and more difficult to secure new employment. Every day, approximately 14,000 people globally are infected with HIV, 85 percent of whom are at their most productive age. A survey conducted by the Thai Business Coalition on AIDS found that 45 percent of PLWHA surveyed were either unemployed or without a regular source of income, and 95 percent of the same respondents reported loss of income due to the disease.

In Indonesia, discrimination against PLWHA is yet to be reported. This is indicative of the heightened awareness that is occurring in Indonesia. In May 2004, the Indonesian government enacted Ministry of Manpower Decree No. 68 on HIV/AIDS prevention and control in the workplace. The decree, drawing on the ILO Code of Practice on HIV/AIDS and the World of Work, bars employers from discriminating against workers with the virus, and it obliges employers to take steps to prevent and control the spread of HIV/AIDS in the workplace through occupational safety and health schemes.

The decree refers to the Indonesian Labor Law, which clearly stipulates a policy of nondiscrimination. But the challenge ahead lies in making the decree operable, so that it complements other regulations and is adopted by the regions, thus assisting in eliminating victim stigmatization and discrimination in the workplace.

The government must, therefore, produce further implementing regulations and review Ministry of Manpower Regulation PER-05/MEN/1993 on employee social security, which currently excludes PLWHA from workplace medical benefits schemes. In the light of the government’s decentralization plans, provinces and districts are also obliged to adopt similar decrees on occupational health service and employment opportunities.

In addition to these developments in legislation, there is a need to scale up interventions in practice, through strategic awareness-raising and capacity-building, as part of an outreach prevention program in the workplace, for greater impact in the wider community.

It is important that workplaces combat the fear and discrimination that still surrounds HIV/AIDS, by opposing mandatory HIV testing for job applicants and employees, and the continuing employment of HIV-positive workers, ensuring their involvement in workplace responses to HIV/AIDS. Because, for PLWHA, as for many people, getting and maintaining decent employment is one of life’s crucial issues.

In the ILO New Delhi Newsletter, Naveen Kumar, an Indian AIDS activist LWHA, had this to say on HIV/AIDS discrimination in the workplace: “If you take away our jobs, you will kill us faster than the HIV virus will. We can work. We pose no risk to our coworkers. Work is more than home food and medicine.”

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* The article was published in the Jakarta Post on 13 July 2004.
Footwear children in Cibaduyut, Ciomas and Tasikmalaya (West Java) work long hours around 9.5 hours per day and 5-6 days per week. They are also exposed to a number of safety and health hazards, in particular dangerous chemical hazards, such as solvent based glues and leather dust.

“If there were lots of orders, I would work until 7 pm or even 1 am,” said Rosadi, who would finish around 70 pairs of shoes per week, for which he would receive Rp 10,000 (US$ 1).