

Living under Stone Rain

Stories about Indonesian Labors

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Foreword

President of the Alliance of Independent Journalists (AJI) Indonesia

LABOR is a theme marginalized by our very own media. An important social class is ironically neglected by the general public. What emerge to the surface are their daily pains and sufferings, lurking behind dark and drenched alleyways, thick suffocating factory smokes and the clanging sound of the heavy machinery as they exchange bitter jokes as they nurse their broken hearts in loud *dangdut* music.

We see labors move to the factories. Even though they run the engines of the modern days of today's economy, they walk like zombies. It is because they are debilitated by the capital owners investing their money in global and national levels. Labors are paid inadequately by their employers who gain profit from the merchandise made by the labors themselves. As they become poorer and poorer, capital owners become richer and richer.

The media unfortunately do not sharply capture the challenges faced daily by the labors. We rarely see how they cope with impacts from policies and regulations made by the powerful few who do not think about them. In the parliament, even though opportunities are wide open, labors almost have no political parties representing their behalf.

As a result, they become lifeless numbers, statistics. They are digits to place in columns and rows. Their stories of daily struggle interwoven by their sweat and tears remain hidden. They are made known after a UK journalist, John Pilger, captured their life in 2001 right after Indonesia ends its New Order dictatorship. In his book and documentary film, 'the New Rulers of the World,' Pilger told a story on Indonesia as World Bank's 'best students', a status which unfortunately led Indonesia's economy crushed by globalization and crumbled in the 1998 crises. Because the world shrunk, any investment failures in New York can put labors in Indonesia out of job. Any single decision made by capital owners in London can create influx of work orders to South Korea.

Whatever the dynamics of global economy, even though Nike shoes produced by Ujang from Tangerang, are worn by Hollywood star Brad Pitt, the life of labors are no significant changes. They continue to live a dire life, without having any knowledge on how to mobilize their untapped power to change the world.

Here is the role journalism plays. Journalists, also part of the working class in media industry, document and report the life of the working class. They are responsible to create a better life by scrutinizing policies and even criticized the authority that lean too close to capital owners.

There are issues to work on, ranging from mass job loss, capital owners fleeing the country and leaving labors behind, migrant workers, the boom of informal sector with low income and productivity, lack

of social security for labors, protests against contract-based system, outsourcing to union busting.

As the wave of global financial crises hit in the end of 2008 up to 2009, the list of issues become longer and longer. According to Department of Employment and Transmigration, there are 51.000 job terminations. Numbers proposed by Indonesian Businessman Association (Asosiasi Pengusaha Indonesia/Apindo) are even higher, 237.000 – compiled from October 2008 to March 2009. They are labors from garment and textile sector, crude palm plantation, automotive industry, construction and shoes.

Sub-contract workers (outsourcing) are workers vulnerable to mass job loss. These threats also loom on top of 250.000 migrant workers from Indonesia. In December 2008, National Placement and Protection for Indonesian Overseas Workers (Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia/BNP2TKI) notes that there are around 5.8 million migrant workers from the country. About 65 per cent of them leave without proper documentation.

AJI also notes that the lives of media workers are as dreadful. These crises are worsening by lack of salary standards. Some media can afford big remuneration, many the rest cannot. Chained reaction is triggered from this low income. One is the difficulty faced by the workers in the worsening situation.

To raise awareness on this important but often neglected issue, AJI holds a journalistic award on labor issues, in collaboration with American Center for International Labor Solidarity (ACILS), International Labour Organization (ILO) and The Friedrich Ebert Stiftung (FES). We wish to attract the attention of the media and our fellow journalists to stimulate intense and better quality of reporting on the issue.

This award started last year. This year, there is a significant increase of participants, implying enthusiasm of the journalists on the issue of labors. Entries rises from last year's as this year they are 85 entries from

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print media, 13 from television, 33 pictures and 18 from radio stations. In total, there are 149 entries.

This selected anthology offer a glimpse on the complexity of labor issues, hopefully a valuable input for anybody who aims to improve the workers' conditions and dreams for Indonesia's better future. It is hoped that it sparks ideas or wishes to change the situation for the better. It is the roles of the journalists to capture the portrayal of reality and find solutions.

Jakarta, December 2009

Nezar Patria



Foreword

Country Program Director

Solidarity Center Indonesia Office



ONE best practice noted by the Solidarity Center for developing new media initiatives while simultaneously promoting the role of workers and of journalists in a country is through journalism competitions on work and labor issues. In 2008, the Solidarity Center Indonesia office (through a program supported by the National Endowment for Democracy) worked with the Alliance of Independent Journalists (AJI) and the Friedrich Ebert Stiftung (FES) to develop and sponsor a competition on the topic of work, workers, and labor issues in Indonesia. This work not only successfully highlighted the role of workers in Indonesian economy and society but also provided AJI with a platform to promote its work in support of journalists' rights.

With the objective to promote coverage of workers and trade unions in the media, and build support for journalism standards in Indonesia,

the Solidarity Center Indonesia office continues work with AJI and FES to have a “second round” of the competition. For this 2009 competition, ILO Jakarta office also provides some funding support accordingly.

This project has included a series of four workshops. These were conducted in Mataram, West Nusa Tenggara province; in Batam, Riau Islands province; in Malang, East Java province and in Jakarta to promote and extend the goals of the competition and promote labor rights in media coverage as well as to educate journalists and editors about key labor issues.

In the 2009 competition, photography is a new category of the competition, in addition to categories of print, *online*, radio and television. A total of 149 pieces were received by AJI (85 print/*online*, 18 radio, 13 TV and 33 photographs) proves that journalists and the media have provided significant coverage of labor issues, as a way to communicate workers’ stories to a wide audience.

We would like to thank the print, online, radio, television and photograph journalists and the media that have been willing to enter their works in this competition. Without them, this competition might never happen.

We would like to congratulate the winners. It is expected that through this competition, campaigns through the mass media regarding basic rights of workers and other labor issues are becoming widespread. The public in general and especially businesses, government, legislators and labor law enforcers would better understand the issues. In addition, more opportunity and room are created for workers and trade unions, to make all parties hear their voices.

Jakarta, December 2009

James A. Davis

Foreword

Resident Director

Friedrich Ebert Stiftung Indonesia

Friedrich-Ebert-Stiftung or FES is German political foundation committed to ideas and values of social democracy. FES is closely knitted to German Social Democracy Party (SPD) and German labor union movement. Furthermore, in our foundation's mission set up in the year of establishment in 1924, for 85 years FES is dedicated to promote media freedom and independence as one of the most important elements in strong democratic system.

FES strongly supported „2009 AJI Labor Rights Journalism Competition” and the publication of a compilation of selected reports. It is because issues of labour/workers are important in this country, where laws and other related regulations are considered as inclining to businessmen and do not provide sufficient welfare guarantees to workers/labors. In Indonesia, workers are regarded more as means

to achieve economic growth instead of cultural and social class. The development in Indonesia is not steered by neither academics nor politicians but by labors, peasants and fishermen – most of them are women. Journalists also face similar problems as labors in informal sectors, because they are still fighting for decent salary – as campaigned by Alliance of Independent Journalists.

However, labor issues are not popular in the field of literature, culture and also media. The media rarely reveals this issue to the surface. As a result, labor issues remains unnoticed and unfamiliar by the general public.

That is why Alliance of Independent Journalists (AJI) in collaboration with American Center for International Labor Solidarity (ACILS), International Labour Organization (ILO) dan Friedrich-Ebert-Stiftung (FES) view that it is important to have a competition on how the media report or cover labor issues and to published the nominated writings. Hopefully, the issues of labors and the daily life of the common people will have a proper and more appropriate place in the media, as their welfare becomes more and more important in Indonesia. Moreover, this journalistic competition also results in means of information and education to labors/workers and workers unions and to labour and workers analysts, policy makers and the public in general.

We hope that this competition and publicatio would stimulate the media to cover/report labor/worker issues continuously and seriously, in line with professional standards and journalistic code of ethics. It is hoped that public interest would grow, leading to more and more concerns to the issue and better policy making process in general.

We express our appreciation to participating media and congratulation to winners. We hope this competition and publication would serve as useful and valuable contributions to Indonesian journalism and labors/workers issues. We also express our gratitude to AJI, ACILS and ILO for their hard works, particularly to the panel of

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jury for selecting the writings in such a short time.

Last but not least, we congratulate the winners of this competition.
We hope you enjoy this compilation.

Jakarta, December 2009

Erwin Schweisshelm

Foreword

Deputy Director/Officer in Charge

ILO Office for Indonesia and Timor Leste

ARTICLE 19 of Universal Declaration of Human Rights states that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

Media play important roles to raise awareness and to fulfill their responsibilities in promoting social and educational issues. Media should also consider and prevent any chilling effects from social and cultural issues and to advance social issues. Media and communication industries are pioneering sectors to facilitate globalization. It is difficult to envisage how flows and depth of globalization can survive in the last decades without up-to-date telecommunication network.

FES, ACILS and ILO in the collaboration with AJI carried out a number of workshops for journalists in four cities: Mataram, Batam, Malang and Jakarta to promote gender sensitivity and to advocate labor issues through journalism – particularly in related to basic rights and principles in work settings. This is the second time a Compilation of Journalist reports on Labor Issues is awarded to show our appreciation

to journalists who advocate and promote labor issues to facilitate workers, employers and the government to gain better understanding on rights and interests of each stakeholder to create better work environment in Indonesia.

We also wish to congratulate the winners of print/online media, television, radio and pictures categories. Media play important role in achieving the objectives of policies, social and labor programs in Indonesia. In this case, they directly relate with ILO's main constituents – government, labors and employers. These objectives can only be achieved through involvement and support from all elements of the society and stakeholders, particularly research and education institutions and also the media. In Indonesia, the list of priority of labor policy covers issues on reducing unemployment, migrant and domestic workers, foreign investment, mass job termination and outsourcing; ensuring effective implementation of employment laws, reducing and settling labor dispute, improving joint work contract and social dialogs to improve competitiveness, efficiency, social welfare and social justice. We understand that these issues are intensively covered by the media. ILO also intensively involved media in its activities and ensure that the media is well informed with the local and global labor development.

Finally, ILO supports the media to carry out more reports on labor issues involving domestic employers and workers by assigning full time journalists. It is because the media play vital role in promoting national development through labor policies based on social justice to provide decent livelihood to all.

Jakarta, December 2 2009

Peter van Rooij

Living under Stone Rain *Stories about Indonesian Labors*



The Importance of Union

By. Danu Kusworo

On World Labor Day, thousands of workers from all over Jakarta-Tangerang-Bekasi, were walking from the Indonesia hotel boundary to the Indonesian State Palace, Friday (May, 1). Besides fighting for the aspirations of workers, such as the elimination of outsourcing and the provision of employment, they also demanded that the government cares about the fate of the workers.

The third winner of "2009 AJI Labor Rights Journalism Competition" photo category. The photo has been published at Kompas daily newspaper on May 2, 2009



LABOR'S FATE IN MEDIA SECTOR

How the Media Forget Its Own 'Labors'

By. Muhammad Subhan (HALUAN PADANG DAILY NEWSPAPER)

The workers welfare in the media sector is often ignored by the owner. They are also often forgotten to fight for their own fate.

ABDUL MULUK (43-year-old), not his real name, has been the Head of one of the Public Relation Divisions in a District Office in West Sumatera for almost three years. He complains on these so-called journalists. Many of them complain because their names are not listed in his office. When he did a little digging, he found out that those claiming to work from a weekly magazine do not even have proper letters of assignment.

In his division, there are around 70 journalists from print, online, television and radio media. Muluk sees that each and every one of them has their own 'idiosyncrasy.' His public relation division provides monthly fees particularly to journalists writing news on government activities in the district. This kind of fee is limited to journalists registered in legitimate media, indicated with Press ID or letter of assignments.

Every now and then, there are delays in payment of the monthly fee. Some journalists do not understand the delays and accuse public relation officers for pocketing the money. Some even publish these allegations on their media. As a result, the district head is furious

Muluk becomes the sitting duck.

This is not the only problem Muluk faces as he also has to deal with so-called-proposals. There are proposals for travel, for the anniversary of the media they work for, for college financial assistance of journalists and so forth. Any proposal for any kind of money under the sky, you name it. When public relation division does not have the money, journalists become irritated and the relationship between journalist and public relationship division is in trouble. Muluk feels that these journalists are taking advantages of this situation. He is not the only one facing this predicament, similar conditions can be found all over West Sumatera districts.

Is the whole situation related to this so-called journalist really this bad?

FOR media people upholding code of ethics and Indonesian journalist code of ethics, the mess Muluk is having with journalists is a shock. It is however the grim reality of Indonesian journalists. Indeed, they are journalists – some, I believe, are good individuals – whose professional conducts are a disgrace to the reputation of journalists in Indonesia.

This unhealthy situation leads Vice Head of Press Council Leo Batubara in 2009 National Press Day seminar in Century Park Hotel Senayan Jakarta February 9 2009 to quote a piece of writing made by senior journalist Rosihan Anwar stating that 80 per cent of journalists blackmail. But, Leo adds, they blackmail those who blackmail other as well.

A number of news online media quoted Leo's statement. It makes sense considering that in post-reform Indonesia, the number of journalists skyrocket along as press publications mushroom. It is because they no longer need publication permit to start operating their

media business. So as long as the money is there, anybody can set up their own media anytime he or she wants.

New media need new journalists. This huge demand requires huge supply as well. In the past, it is quite an endeavor for someone to become a journalist. Now, an uneducated gang member can be one. Previously, anybody interested in becoming a journalist should go through series of training and education. Nowadays, education is no longer important as long as you can lobby the media CEO and show that you can generate profit to the company.

It is no surprise that a new breed journalist is born, journalists who blackmail, as stated by Leo Batubara. They create bad reputation to professional journalists and collapse the role of the media as the fourth pillar of democracy.

In my observation, compared to New Order regime, reform era leads to an accelerated growth of mass media. In one year, five new media enter the market. Various sources state that in 32-year of New Order there were 289 print media, 6 televisions stations and 740 radio stations. In one-year of reform era, print media rise up to 1.687 media or six times. It means that 140 media emerge in a month or 5 media per day. In 2008, the number of media decrease and now there are 830 print media, while there are now 60 television stations, 2.000 radio stations operates with license and 10 thousand radio stations operates without license. For these media, there are 40 thousand journalists.

Member of Press Council, Wikrama Iryans Abidin, what happens today is integral to the process of press liberalization which follows the swing of Indonesia's political pendulum from authoritarian to democratic regimes. From 40 thousands Indonesian journalists, only 20 per cent of them or 8,000 are aware of journalistic code of ethics and Press Law no. 40/1999. It is obvious that entry to this profession is extremely lenient – no competence, no competition, no ethics and no moral are required. What it takes is only a piece of press ID card.

This grim picture, according to Wikrama, is part of a larger context. Financial crises which blow many countries in the world lead to a sharp decline of profit generated by business players, including the media. As a result, monthly salaries of the journalists are not enough to make ends meet. This leads to survival of the fittest, journalists survive by 'adjusting' their principles.

We should reflect on the situation. Will the press be able to maintain its spirit in such condition?

REFORM leads to an increase of press institutions with 'unhealthy' financial situation. This forces journalists with insufficient salaries, particularly those working for weekly media, to even roll their sleeves and sell the media they themselves produce and to market their media to potential advertisers. All of these 'non-journalistic activities' are said to be part of the journalists' loyalty to the media corporation they work for.

As necessity is the mother of invention, pressure from having insufficient salary leads to 'innovation.' So-called journalists use their ID cards to gain access to government officials or other agencies they can blackmail to ensure their survival.

On the other hand, professional journalists also face problems in the welfare department. Professional journalists dedicate their time and energy night and day to stay ahead in obtaining news that makes their media exclusive. The salary they earn by the end of the month unfortunately does not match with the level of commitment. A new term, 'media labor,' is then coined by the journalists to call themselves.

Law no. 13/2003 defines labor as: "Labor is anyone who received remuneration or any kind of reward for the work they carried out" This definition is quite wide so it actually encompasses professional

journalists.

These professionals however receive labor's salary instead of professionals.' In some cases, their salaries are even lower than labor's regional minimum wage. Every time a Labor Day is commemorated, journalists write about labor that do not make ends meet. Considering that they also experience similar fate, they should be writing about themselves.

Advocating their own livelihood seems to be the road less traveled by the journalists. This path is taken by media workers union, often found in media which are 'financially viable.' These unions however need to be revitalized to be able to fully advocate their interests. Employment Law no 13/2003 defines worker union as "a free, pen, independent, democratic and responsible organization formed from, by and for the worker/labor within or outside a company to advocate, defend and protect the rights and interests of worker/labor and to improve the welfare of worker/labor and his or her family."

Professional associations such as Indonesian Journalist Union (PWI), the Alliance of Independent Journalists (AJI) and other organizations do not have the jurisdiction to interfere in journalists' remunerations as they come within the territory of the media corporation they work for. These associations however have moral obligation to remind the media corporations to ensure the welfare of the journalists who work for them.

Press Council at the moment is working on a minimum standard for media corporations on journalists' remunerations in order to maintain the level of professionalism and to ensure positive images of the profession itself. Compliance to the standard requires compliance from the media corporations.

Attention should also be given to journalists of Jakarta-based media but working for local bureaus. Often they are regarded as freelanced journalists and they do not have a forum to voice their concern.

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Just like fellow labors, 'media labors' also have never-ending problems unknown to many. More and more people should break the silence and pay more attention on them. Intellectuals are part of the people who can determine the progress of the civilization. Viva 'media labors'!

The nomination of "2009 AJI Labor Rights Journalism Competition" print or on line category. This report has been published at Haluan dailly newspaper on November 6, 2009.



Sorry, No Day Off

By. Afriadi Hikmal

Laborers sewing and sorting clothes at a garment factory in Jakarta. Neither the government nor the Indonesian Employers Association gives Indonesian workers the day off on May 1, the commemoration of International Labor Day.

The nomination of “2009 AJI Labor Rights Journalism Competition” photo category. The photo has been published at the Jakarta Globe 2/3 May, 2009 edition.



STANDARD WAGES OF LABOR

Survival to the Fittest in the Prosperous City

By. Ayu Prawitasari (SOLO POS)

The workers in Sukoharjo, Central Java, trying to survive with wages under the decent living standards. The Wages Council was helpless.

A SKINNY pale woman with shoulder-length hair stared at her guest who came to see her in a rented room. Eyes still red, she tried to recognize the guest. She tried to sound awake. At that time, the clock struck nine in the morning that Friday (9/10). She needed a couple of seconds before she finally recognized her guest. Once she did so, she let the guest to come inside. Let's call this 37-year-old woman Yanti. Espos stepped inside, not to a living room but into a studio. A 2.3 x 3.5 square meter black-tiled multi-purpose room was Yanti's bedroom, living room and TV lounge.

The rest one meter plot in the back was used as kitchen and bath room. The wall was decorated with Yanti's pictures – displaying her in various poses.

There was one picture with her late beloved grandma. Another was the young version of herself taken from the yesteryear. Another picture was her pride and joy, a picture when she finished her undergraduate as a Bachelor of Administration Science.

Even though she held a Bachelor degree, she found it difficult to find a job. To survive, she worked as an inner (a labor working to stuff plastic into bags) for three years in a plastic factory in Kota Makmur, or the Prosperous City.

"An inner is not a full-time position, but it is not a contract-based as well. We work in a bundle. Our target is to insert 1,000 plastics into bags per day. For that amount of work, the company gives us Rp. 12.000," she explained.

In one month, the total fee she received reached Rp 300.0000 (around 30 US\$). Yanti added that before she worked in this company, she applied several times to other companies even those in the capital city.

"I changed jobs a number of times to survive. I jumped from one job into another because I found it difficult to adjust. Moreover, I have to come along to my husband. One day he left me. And here I am now."

After working as an inner for three years, Yanti's life started to improve in the fourth year. It was the time when she was appointed as administrative staff with Rp 600.000 (around 60 US\$) per month. She received it in installments, paid to her every two weeks. To make ends meet, she rented a simple public apartment (rumah susun sederhana sewa/Rusunawa) on the third floor. She paid Rp 50.000 (around 50 US\$) rental fee per month.

AGUS had a better life situation. He was also a labor in Kota Makmur. He worked as paint salesmen and lived in Karanganyar District. His salary was Rp 600.000 per month, but he managed to buy a type 29 house in National Housing Complex (Perumnas). "My take-home pay is Rp 600.000 per month. If I manage to achieve the sales target, I received an additional Rp 400.000 per month. My wife had a salary reaching to

standard district minimum wage. So in a month, our incomes totaled to Rp 1.5 million.”

Agus added that with one kid to support, both parents have to work. Labor representative in Sukoharjo Remuneration Council (Dewan Pengupahan Sukoharjo) Joko Sucipto explained that the life Yanti and Agus endured is the daily challenges faced by all labors in this city.

“From at least 400 companies listed in our records, only 80% of them pay standard district minimum wage. The rest don’t,” Joko explained.

A different story however was told by Head of Employment and Transmigration Office (Dinas Tenaga Kerja dan Transmigrasi/ Disnakertrans) of Sukoharjo, Sugiyanto. He claimed that all companies in Kota Makmur offer salary according to district minimum wage.

“Out of more than 200 companies recorded in Disnakertrans, all pay district minimum wage. If a company failed to do so, it means they are not recorded in Disnakertrans, or a non-listed company. It usually is a small or medium enterprise,” he explained

ANY company is obliged to pay the salary of its labor according to district/city minimum wage (upah minimum kabupaten/kota/ UMK). This obligation is stipulated in Employment Law no 13/2003, particularly Article 88 which guarantees the labors’ rights for salaries set by government standards.

In Sukoharjo District, the 2009 minimum wage is Rp 710.000 per month. For next year, the Head of District proposed to the Governor of Central Java a new standard – Rp 769.000 per months. It slightly differs – only Rp 500 – from decent standard of living survey (kebutuhan hidup layak/KHL) carried out in three-party comprising the components of labor, employers from the companies and the government – Rp. 769.500.

According to Head of Employment and Transmigration Office, Sugiyanto, decent standard of living survey in Kota Makmur cover the same aspects with other areas in the country as it is based on Minister of Employment Decree

No PER-17/MEN/VII/2005 on decent standard of living survey guidelines.

However, according to Sigit Hastono from Research and Development division of National Workers Union (Serikat Pekerja Nasional/SPN), something is fishy in these numbers.

"Out of seven components in the decent standard of living survey set by District government, check out the third component – housing," he said in a meeting with Espos, last Thursday (8/10).

He highlighted the housing component, in which Rp 40.000 per month is allocated for the labor to pay his or her rent in a 3 x 3 square meters simple housing. According to Sigit, it did not make any sense.

"Where can you find a rented house with Rp 40.000 fee per months? Or should we pack the labors along with their family in a small rented room? Still, a dodgiest rented room near the factory would cost more than Rp. 80.000 per months."

Sigit concluded that in both Sukoharjo District and the central government through decent standard of living survey created a context in which the labor will never be able to buy a house.

Another strange component, Sigit added, was education. Labors can only spend Rp. 20.000 per months to pay for their readings and radio.

"It means that it is true, poor people are not allowed to go to schools. How can labors pay school fees for their children with Rp. 20.000 per month?" In regards of decent standard of living survey used as baseline for setting the minimum wage, Sigit noticed that there was a fatal flaw right from the beginning. Sample surveyed were single only – both female and male labors.

In this case, Sigit argued, it seemed that the government forbade the labor to get married, have children and put their children to school to get the education they need to have a life better than what their parents have.

“This survey is a systemic measure designed by the government to make the people powerless and stay as labors for generation to generation,” Sigit concluded.

Similar views are voiced by Bandung-based Akatiga NGO researcher from Indrasari Tjandraningsih.

Her collaborative research between Akatiga with National Worker Union (Serikat Pekerja Nasional/SPN) in eight districts in Indonesia – three of them in Central Java, showed that district minimum wage was no longer suitable.

“According to our research, decent standard of living survey particularly in Central Java area ranged from Rp 2 million for single to Rp 6 million to a family of two. Central Java district minimum wage ranges Rp 700.000 from Rp 800.000 per months for single and married workers,” she explained.

The wage can only cover 40% of the daily needs. As a result, labors had to rely on debts every month to make ends meet. Cutting corners through reduction or even completely stop from consuming nutritious food can no longer meet the daily needs.

MAKING ends meet, one debt at a time. That’s life for a labor. That is the mindset of a labor, as described by Sukoharjo Remuneration Council (Dewan Pengupahan Sukoharjo), Joko Sucipto.

Protests are risky as they might lose their jobs. As a result, complaints remain unspoken.

“Our expectation is actually pretty realistic. If the company does

not have the capacity to offer ideal salary for the labor, it can at least try to meet 100% decent standard of living survey to calculate the wage. Therefore, district/city minimum wage is not always below decent standard of living survey”, he said.

“We also expect government to conduct scrutinized monitoring on companies,” he explained to Espos, Friday (9/10).

In the past, Joko explained, Sukoharjo District allocated fund for labor monitoring and dispute up to Rp 1 billion. It shrunk to only one third, or a mere Rp 300 million.

Based on data received by Espos, the total fund for labor agency protection and development in 2008 is only Rp 343 million. Implementation of this fund is unfortunately Rp 298 million. For the same program in 2009, what remained Rp 162 million.

In relation with the 2008 local budget or implemented budget, fund allocated for labor monitoring and report is only Rp 43 million. From the total fund, around Rp 14 million is used for remuneration purpose of the government employers.

“If budget is slashed and slashed, how can we perform effectively?” Joko said with softly.

The third winner of “2009 AJI Labor Rights Journalism Competition” print or on line category. This report has been published at Solo Pos on October 12 – 14, 2009.

THE FATE OF OVERSEAS INDONESIAN WORKERS

Out from the Frying Pan and into the Fire

By. Rusdi Mathari, Adiyanto, Nala Dipa, Teguh Nugroho, Agus Triyono, Kristian Ginting dan Rizky Amelia (KORAN JAKARTA)

Hailed as heroes but treated as numbers, millions of Overseas Indonesian Workers are not fully protected by the government.

MUNTIK binti Bani is a tragedy. She was found unconscious by Malaysian police in the house of her employers in the area of Taman Sentosa, Klang Selangor, in the last week of October, with injuries all over her body. Her hands and feet were tied, her hair was shaven. After six days under treatment, a migrant worker from Jember East Java finally took her last breathe.

This incident, which coincides with the inauguration of President Susilo Bambang Yudhoyono on October 20 2009, triggers public outcry in Indonesia. This is not the first time the same tragedy happens. Siti Hajar, a migrant worker from Garut, West Java, also worked in this neighboring country. She was black and blue because her employees assaulted her. Nurul Widayanti is found hanging lifeless in Kajang, Selangor, Malaysia, because she could no longer bear the torture from her employers.

Indonesian Overseas Workers are indeed a series of tragedy. For years and years, recruitment, placement and protection of Indonesian

Overseas Workers are ignored, abandoned and are never a priority. This is an irony because each year they pour substantial amount of money into State revenue. It is a contrary to the House of Representatives and government representatives, or even Bank Indonesia Liquidity Assistance corruptors, who waste State budget.

In 2006, Indonesian Overseas Workers contributes revenue up to 60 trillion rupiah compared to the last three years. In October this year, the amount of remittance reaches 183 trillion rupiahs. "It was an incredible increase," states Anis Hidayah from Migrant Care.

Contribution paid by Indonesian Overseas Workers to local development is also huge. In East Java for example, their contribution reaches 1.3 trillion rupiahs or more than half of the regional budget in the province of 2,464 trillion rupiahs. Regardless of remittance brought home by Indonesian Overseas Workers, this is a matter of human beings. Protection and support from the government is crucial, no matter how much money they bring home.

Based on Migrant Care records, Overseas Indonesian Workers at the moment are up to 6.9 million people. There are about 3.2 million of workers in Malaysia, 1.8 million in Saudi Arabia, 130 thousands in Hong Kong, 83 thousands in Singapore and 24 thousands in Taiwan. This year, around one million more will leave the country as Overseas Indonesian Workers. It is expected bring State revenue up to 183 trillion rupiahs.

Fact shows that they receive minimum or no protection from the government from abuse ranging from the moment they embark to the moment they arrive back in their home country. Protection, if there is any, is ceremonial in nature, or even political to be honest.

Government ignorance is clearly shown in August 2002, when thousand Indonesian Overseas Workers were deported from Malaysia following a new immigration regulation in the country. Indonesian government was not ready to accommodate massive influx in Nunukan

and other places in Kalimantan, instead it let the workers return to Malaysia without proper documentations. Department of Employment and Transmigration even issued recommendations to Indonesian Overseas Workers without ID to obtain new passports.

The most recent cases are experienced by dozen of female workers who had to leave Saudi Arabia because they were assaulted and sexually harassed in the beginning of October.

BARIYAH buries her dream. She can only earn Malaysian Ringgit for a year. Electronic factory where she works for is bankrupt. Its employees, including Bariyah, lose their jobs. Instead of taking home substantial saving, this 18-year-old brings home painful experience.

Bariyah is lucky because she does not experience physical torture from their employees, common tragedy for Indonesian overseas workers. Their salaries are not paid fully by the factory. However, according to her, Indonesian Embassy in Malaysia does not care for her and her fellow migrant workers.

"Nobody from Indonesian Embassy comes to help us out. They even turn a blind eye to us. While I was there, nobody cares for us," she says.

Bariyah explains that in mid 2007, she and her friends saw an announcement of Special Job Market on overseas workers to Malaysia. Bariyah, a third grade student on a State Vocational School 1 Kebumen, was interested. She wanted to help their parents by working abroad.

Even though they have not yet graduated, Bariyah and her fellows registered using their Junior High School certificate. Their school is in partnership with an Administering Agency for Placement and Protection of Overseas Indonesian Workers. "It was Mutiara Karya Mitra Agency," says Bariyah.

The head quarter of Administering Agency is in Medan with branch office in Yogyakarta. Through this branch office, Bariyah and her mates embarked to Malaysia. She pays less than one million rupiahs – 250 hundred rupiahs for health check-ups and 500 hundred rupiahs for passport fee.

It was a straight-forward administrative procedure. She was 17 years old, an underage. That is easy; she just adds three years to her real age. Bariyah and her fellow workers only spent two days in the shelter. She was equipped with no special skills, only a brief guideline followed by receipt and contact signing and so forth. “No training whatsoever,” she says.

Bariyah and her friends arrived in Malaysia and assigned in an electronic factory in Selangor. She received around 450 Malaysia Ringgit, plus meal and health benefits, overtime and payment per attendance. In total, she pocketed almost three million rupiahs. However, she had to return around 250 ringgit (equals to 750 thousand rupiahs) per months to Administer Agency for ten months as ‘service charged’

As the year ended, production level of the factory where Bariyah worked continued to drop due to global recessions. “The factory issued working shift, we have to come for a week and have a break for a week. Of course, our salary dropped,” she says.

It still did not save the factory as it finally went bankrupt. Bariyah lost her job but still retained her right to an insurance policy of 10 million rupiah. However, she received only four million rupiahs. The insurance company, Poteksi Jakarta, in partnership with the Administering Agency, does not want to pay 100 per cent, they were using mass job termination not to pay it fully.

Up until now, Bariyah claims that she does not receive any money, even though some of her friends do. She still fights for her right for eight months to no avail. “We have reported to the House of Representatives,

but there is no response. Local government also turns a blind eye," she complains.

FOR SOME, becoming Overseas Indonesian Workers are golden tickets out of poverty and unemployment. With minimum educational background and manual labors, the workers can earn valuable currencies of dollars, ringgit or real by working as domestic workers, coolies, drivers and so forth.

Alas, they are often conned by illegal administering agencies. Report from the Government Watch shows that 95 per cent of Overseas Indonesian Workers embark with forged document and data – from education to status and age.

No wonder that in the "land of hope," they face numerous problems, from salary cut, passport seized to assault and sexual harassments. Moreover, they also face competition with more skilled workers, for example from the Philippines. No surprise, they are sitting ducks for illegal agencies.

In Kuwait for example, it is estimated that thousands of Overseas Indonesian Workers become commercial sexual workers or prostitutes. In United Arabs Emirate, Hong Kong, Singapore and so forth, thousand of Overseas Indonesian Workers face similar fate.

Alas, either the government or Central Bureau of Statistics does not have any valid data on Overseas Indonesian Workers. The reason is that records are in the local and not in the national level. Again, the problems are neither in numbers nor in records. They are fellow human beings with human rights to be protected by the State.

The government's favorite excuse is that strict controls are on the hand of Administering Agency. Before a labor embarks, the agency agrees work contracts with its partners abroad to ensure placement.

It is the partner agency who issued a work order approved by local Indonesian Embassy.

Based on the work order, the government issues a recruitment license to Administering Agency. There are a series of tests ranging from health check-up, language training to skills training monitored by University of Indonesia. Only those who pass those requirements can bear the status as Overseas Indonesian Workers.

These, however, are on paper only. Due to time-consuming and complicated procedures, Administering Agency opts for shortcuts. This is what is known as “illegal agency.” Illegal agencies send workers abroad – regardless of type of work, salary and their wellbeing. When they arrive at their countries of destination, they face a number of challenges such as unpaid salaries, being transferred to other countries, sexual harassment and torture with nobody to rely on.

More and more negative treatments are reveals as now Arab countries implement what is called as on arrival visa approved in the country of destination. In this system, Indonesian Administering Agency only needs sponsors or individuals in the designated countries to arrange visas. Once this matter is settled, Indonesian Administering Agency sends bio data of potential workers. It is as simple as that. As a result, workers are left to their own devices.

Anis Hidayah, Migrant Care Executive Director, told about his experience on the middle of 2009 year. She was surprised by a dozen of women in Mumbai Airport India, all wearing veils and perplexed expressions on their faces. She can tell from their facial features that they come from Indonesia. At that time, Anis just attended a regional meeting on migrant workers.

“Where are you heading to?” asked Anis to those women. One of them answers, to Dubai. When Anis continued asking why they went via Mumbai, those women did not answer. Before meeting Anis in Mumbai Airport, those women had been everywhere. A day before

they were in Singapore. When Anis asked for permission to look at their plane tickets, she was astounded to see that the flight to Dubai was scheduled on the next day. It was nine in the evening. It means they would embark at nine in the evening tomorrow.

“Scheduling Overseas Indonesian Workers for an excruciating route of Jakarta-Singapore-Mumbai-Dubai route is a strategy often opted by Administering Agency for Placement and Protection of Overseas Indonesian Workers (Perusahaan Jasa Tenaga Kerja Indonesia) to cut corners,” explained Anis.

Moreover, a winding route is chosen to lead officers astray. From the women, Anis found out that they went abroad from Amanitama Berkah Sejati Agency located on Pengantin Ali Street, Jakarta, without following legal procedures. The visas they obtain were 3-month visit visa. Anis asked them whether they were given any information regarding the visa. They shook their heads. The women explained that they only got their passports and visas right in the airport, moments before they left the country.

This is only one of numerous sad stories of Overseas Indonesian Workers pursuing their dreams abroad. Most of them are ordinary people who do not understand the procedures and protocols of working abroad, they have no idea where they would stay in the country of destination and the salary they are entitled to. Information they have, if there is any, is also partial.

This also occurs to Bariyah, a woman from Kebumen, Central Java. She graduated from a vocational high school two years ago and left to Malaysia as Overseas Indonesian Workers. She says that prior to the departure the administering agency explains that their salaries are going to be cut by the system.

She had to pay 250 thousand rupiahs for health fee and 500 thousand rupiahs for her passport. Bariyah was also informed that she owes the administering agency around 5.5 million rupiahs payable in

10 installments. When she arrived in Malaysia, she was informed that her debt inflated up to around seven million rupiahs.

Anis demands the government to implement important steps in carrying out investigation to protect Overseas Indonesian Workers. This should be part of 100-day agenda of Yudhoyono administration. "It is necessary to set up a one-stop agency to cut the red tapes which lead to expenses and the mushrooming of illegal agencies," says Anis. True, explains Anis, there is a one-stop service system for Indonesian Overseas Workers in 14 locations in Indonesia. They are however more of a reactive measure on recent deportation of thousands of illegal workers. "It has not yet a priority," Anis emphasizes.

One-stop protecting model is possible for Indonesian overseas workers. As we know they have paid various fees under name of protection with their own money.

According to Migrant Care, they are charged with various fees such as 15 US dollar or around 150 thousand rupiahs protection fee and no-fiscal recommendation letter fee of 600 thousand rupiahs. The administering agency is responsible for the charging and the fees are channeled into the account of Department of Finance.

"All are channeled into State revenue. Imagine that in one year, one million workers leave the country," Anis explained.

There are still more. Insurance protection fee is 400 thousands per person. Final departure briefing is 50 thousands per person. Return fee is 25 thousands per people. Anis explained that the last two are no longer charged. However, no explanation on how the fees are used so far.

On the other hand, Anis explains that Overseas Indonesian Workers receives neither protection nor legal aid. Fee charged to them should be used to protect them for example by providing legal counsel to Overseas Indonesian Workers. It should be noted that lawyers are provided free of charge in the country of destination. Therefore, 15 US

dollar fee is charged for nothing.

“The irony is that whenever Overseas Indonesian Workers face legal problems, diplomats in Indonesian Embassy always say that they have no budget. Overseas Indonesian Workers sometimes have no legal counsel whatsoever,” Anis explained.

When confirmed about all the fees, Expert Staff for Coordinating Minister for Economic Affairs Employment Division Arifien Habibie claimed he knew nothing about it. Arifien said that this was the first time he heard about a 15 US dollar fee charged to Overseas Indonesian Workers before they go abroad. “What I know is that the State guarantees employment opportunities for Overseas Indonesian Workers,” he says.

A clearer answer comes from Roswati from Directorate General for Placement of Employment Department of Employment. She explained that 15 US dollar fee charged to Overseas Indonesian Workers is categorized as Non-Tax State Revenue. It is used to improve employee protection, including final briefing prior to the departure, ID card and other forms of protections, including the returning fee of non procedural Overseas Indonesian Workers back to Indonesia.

Roswati also explains that the charged fee is regulated in Government Regulation no. 92/2000 on Non-Tax State Revenue in her department. Why should Overseas Indonesian Workers cover the fee? “We are working on access to banking so it is no longer charged to the administering agency,” she explains.

ACCORDING to Anis, what happens in Overseas Indonesian Workers abroad is a wave in the sea caused by a rock thrown right in their own backyard. Any problems they suffered in other people’s countries start and end here in Indonesia. “So they are out from the frying pan and

into the fire,” Anis argues.

Expert Staff Arifien agrees with Anis. He says that 90 per cents of the myriad of fees charged to Overseas Indonesian Workers start from Indonesia. Arifien shares his experience that in his visit to Kuwait last October, he saw with his own eyes 600 Overseas Indonesian Workers ran away from their employers after working only for two months because they could not do the work anymore. They were placed in an accommodation managed by Indonesian Embassy in Kuwait.

“It shows that Department of Employment has under-the-table deals with the Administering agencies for sending them abroad without any briefing,” Arifien argues.

One official in Department of Employment admits that there are problems in the recruitment and placement of Overseas Indonesian Workers. Many players are involved in the business leading to conflict of interests. Profits are the only objective targeted by these players. In his word, bad coordination.

“Bad coordination happens between implementers, officials, regulators or others. There are also sponsors,” he argues.

So where does this 15 US Dollar charged to each and every Overseas Indonesian Worker? Quoting a research by Volunteers to Democracy (Relawan Penegak Demokrasi), Anis explained that this is a ghostly fund – nobody knows where it comes from and nobody know where it goes. “Department of Finance has never been transparent with fees charged to Overseas Indonesian Workers,” Anis explained. (*)

Reflecting from the Philippines

IN the beginning of December 2002, patience of President of the Philippines Gloria Macapagal Arroyo was reaching its limit. She instructed Patricia Santa Thomas, Minister of Employment to fly to Hong Kong. Her mission is to protect the government of Hong Kong's plan to cut down overseas domestic workers salaries, including the ones from the Philippines. It is expected that there are 1.5 million Filipino overseas domestic workers working in Hong Kong.

Hong Kong government plans to cut down 400 to 500 Hong Kong Dollar from the salaries of overseas domestic workers by the end of 2002. For overseas domestic workers, this policy is unrealistic particularly for those working in informal sectors, who gain 1.500 and 3.670 Hong Kong Dollar per month.

Arroyo also launched diplomatic lobby through Patricia to Indonesia. She aims to involve the government of Indonesia, the country which sends the most overseas domestic workers to Hong Kong to protest policies imposed by Hong Kong government. At the end, Hong Kong government did not fully comply with the requests proposed by the Philippines. Final cut down was around 40 per cent. This action represents a positive precedent on policy making process regarding Filipino migrant workers.

Three months before the incident, Arroyo faced similar test. This time it comes from the Government of Malaysia which planned to deport 80 thousand Filipino overseas workers. Arroyo was furious and issued a statement on behalf of the people of the Philippines through national television broadcast. She endorses the people of the Philippines to provide moral support to their brothers and sisters working in Malaysia.

Oral and written protests are directed to Malaysian Ambassador

for the Philippines, Mohammad Taufik. Arroyo also called Malaysian Prime Minister Mahatir Mohamad. Nobody knows the content of the conversation, Mahatir administration bowed to Arroyo's demand.

It should be taken into consideration that Arroyo also threatened to cut diplomatic ties with United Arab Emirates and Singapore governments when two migrant workers Sarah Balabagan and Flor Contemplation faced death penalties in the same year. Arroyo is known as an icon of protector and defender of Filipino migrant workers facing challenging tasks abroad.

The Philippines is known as a country with great concern to its own migrant workers. "Too bad, Indonesia does not learn from the Philippines. Indonesia treats its migrant workers as if they are goods," says Director of Migrant Care Anis Hidayah.

As fellow South East Asian countries of origin of migrant workers, the Philippines and Indonesia is like heaven and hell. The Philippines sends 7.5 million migrant workers to 140 countries. Meanwhile, Indonesia sends 6 million workers to 20 countries. However, in terms of protecting its migrant workers, the Philippines show much greater care and concern to its own migrant workers. They understand the value of their migrant workers as they contribute one sixth of the Philippines' economic revenue or around eight billion US dollars per year.

The Philippines protects its migrant workers under a strong legal foundation, Omnibus Rules and Regulations Implementing the Migrant Workers and Overseas Filipinos Act of 1995 or known as Republic Act No. 8042. This law is a result from a participatory legislative process through fair debate and consultation with the Parliament. This national policy is supported by the Government of the Philippines which ratified International Convention on the Protection of the Rights of All Migrant Workers and Members of

Their Families in July 1995.

In Indonesia, technical policy used as guidance is Employment and Transmigration Ministerial Decree. Up to now, Indonesia has not ratified International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. "This convention is the foundation of equal rights and protection to migrant workers all over the world," says Director of Institute for Migrant Workers (iWork) Liaison Unit Jakarta Yuni Asriyanti.

Since 1982, The Philippines set up Philippine Employment Overseas Agency (PEOA) chaired by Minister of Employment. This agency frequently promotes caution to illegal Administering Agency for Placement and Protection of Overseas Workers through its program "Anti-Illegal Recruitment Campaign."

Every three months, PEOA performs regular updates to Administering Agency certificates through a number of criteria. This includes Administering Agencies blacklisted for violating or misinforming its migrant workers. Filipino migrant worker to be is charged 100 US dollar fee per person. It is a substantial amount of money, but it will be completely returned when they fail to embark for any reason whatsoever.

Any fee charged to migrant worker to-be is transparent and informed to all Administering Agencies. Administering Agencies can only apply service charge to migrant workers up to one month salary. It is charged in installment until the workers return to their home country in the Philippines.

In Manila airport, groups of returning migrant workers are welcome by government representatives waiting in a special gate, regardless they come from formal and informal sectors, factory workers or executives in multi-national companies.

The nomination of “2009 AJI Labor Rights Journalism Competition” print or on line category. This report has been published at Koran Jakarta on November 8, 2009

THE FATE OF WORKERS IN BANTEN

The Wait is not over Yet

By. Wisnu Nugroho dan Ahmad Arif (KOMPAS)

Workers in Banten often not get THR (Tunjangan Hari Raya/ allowances/bonus in Ied Mubarak). The future of trade unions there was dimmed by the practice of outsourcing.

"IN the spirit of supporting the welfare of the members of Civil Police Unit (Polisi Pamong Praja) of Balaraja Sub District, to welcome Ied Mubarak 1430 H, we ask for your participation and contribution to provide Ied Mubarak fringe benefits for our personnel."

This official letter, signed and sealed by the secretary of the sub district office, is address to one of the factories in Serang, Banten dated August 27 2009.

Another letter bearing similar tone is sent by the Chief of Sub-District Military Command (Komando Rayon Militer (Koramil) also signed and sealed by Chief himself. Quoted in this letter is the following sentence: "Based on Koramil's work plan on territorial monitoring and moral support for our members in the spirit of welcoming Hari Raya Idul Fitri 1 Syawal 1430 H, we ask for your participation and contribution to provide Ied Mubarak fringe benefits for our personnel."

For the factory owners, this is not a simple letter of request. "This is an order. We have to pay," Rano, not his real name, states. Rano is

a human resource officer in home appliances export-import company located in Serang.

Owners of the factories have to allocate at least Rp. 250.000 for each personnel. If there are six personnel listed in the letter, then the factory forks and waves goodbye to Rp. 1.5 million they have made.

Other letters come from the police, district office, local community unit office (kelurahan), local residential office (rukun warga) to local neighborhood office (rukun tetangga). "Some even call us directly," Rano explains. For more than three years, he deals with this kind of 'request for participation.'

Besides religious ceremonies and New Year's celebration, similar request usually emerges when August 17 Independence Day approaches.

"Each month, we have to pay certain fees, although not as substantial as these, to them. Usually, they cost us Rp. 150.000-Rp. 250.000 per institution," Rano explains.

According to Rano, a man with slim posture, these fees have to be paid regardless the company's financial situation. As a result, the company has to cut corners – usually from the post dedicated for the wellbeing of the labor. "It can be concluded that the company is more obliged to pay these fringe benefits to the government officials and other 'security' actors, rather than to their own labors," he explains.

To get away from the company's obligation to their labors, it chooses to let go of their contract-based labors when Ied Mubarak is coming. "After Ied Mubarak, the company opens vacancies for them. The cycle repeats every year," explains Bagus Musharyo, Coordinator of the Secretariat of the Social Institute of Labor (Sekretariat Perburuhan Institut Sosial/SPIS), Jakarta.

This cycle weakens the labor into a powerless and dispensable entity.

The labor has weak bargaining power ever since Empowerment Law no. 13/2003 is enacted, particularly on time-based work contract (Article 56 point 2) and outsourcing company. Since the law is enacted, recruitment and outsourcing are carried out by the Third Party protected or closely related with local hoodlums.

This disempowerment leads and re-establishes the practice of labor broker. In reality, it is comparable to human trafficking rather than a fair system of labor distribution. In Serang, one of the industrial pockets in Indonesia, the picture of powerless and defenseless labor is very obvious.

In Serang, Law no. 13/2003 also opens door to 'the Third Party' who has been a parasite of the people's economy in the region for hundreds of years. Hiding behind the status of labor suppliers, they are village officials, hoodlums, military personnel, the police up to shady work unions with conflict of interest.

Almost all new labors aiming to enter the job market in Serang and Tangerang are required to pay certain fee to this so-called Third Party. Labor-to-be has to buy a work application form from them for Rp 25.000-Rp 60.000 each. The price varies according to the positions applied.

After they get the jobs, they have to pay service fees for Rp 1 million-Rp 3 millions according to the duration of the contract they get. Some charges as a whole, some other monthly installments. When they get new contracts, they have to pay another service fees. In this kind of system, almost half of the income of the labor is given out to the Third Party.

Labors are 'cash cows' to 'parasitical activity' hidden under outsourcing agencies. "When job termination increases, there are more and more opportunities for new recruitments. Recruitment means profit for outsourcing agencies and those 'parasites'," Bagus explains.

The emergence of outsourcing agency, according to SPIS researcher,

creates long-term impact. First, the labor's bargaining power in the job market stemming from collectivism and representation diminishes. Second, industrial relations shift to individualism.

"Workers unions are restricted and weakened. A number of workers unions now transform themselves into contract-based labor supplier agency, just like outsourcing companies. This is an irony, but it is true," Bagus explains.

Because of such disempowerment, labor disputes with the company drag a long way. Bagus mentions the case of Coordinator of Serang Labor Solidarity Forum (Forum Solidaritas Buruh Serang/FSBS) Kahar as example. For two years, his legal case is not yet finished. To support his family throughout the legal process, Kahar work on a contract-based agreement to a company through an outsourcing agency. Another irony.

"For the last five years, there has been no recruitment of full-time labor, all is contract-based," Isbandi Anggoro from Indonesian Metal Workers Union Serang branch (Serikat Pekerja Metal Indonesia wilayah Serang) explains.

Outsourcing system dominated by the Third Party closely related to hoodlums creates work uncertainty. It results in weak spirit to establish workers union and the established unions find it difficult to stay afloat.

Meeting the labors in Serang and Tangerang is a reminder to an exploitative economy – a legacy from the colonials. At that time, hoodlums are the face of primal Banten, connecting two poles of the industrial relationship – the labor and the capital owner.

"In the beginning, hoodlums are similar to Robin Hood. They defend the people from the colonial power. They used to be the warrior

of the local clerics,” Lili Romli explains, he is a researcher of Political Research Center of the Indonesian Institute of Science (Lembaga Ilmu Pengetahuan Indonesia).

Lili explains that when the colonial power came, the hoodlums are divided. Some were loyal to their social origins, others had more pragmatic interests and supported the colonial. “The transformation of the hoodlums later on becomes the perfect instrument of power in the New Order era,” Lili explains.

In ten years of reform era, transformation of the hoodlum increases. Besides leaning with the authority, the hoodlums penetrate into all levels of power and integrate as one. They intercept circles of businessmen, government officials, village authorities, judicial, military, political party and other formal agencies, including labors and their employers.

According to Lili, the hoodlums do not only connect labors and employers just like in the primal Banten. They themselves have become the key players as they secured their position in a number of political parties as they are respected in the culture of Banten. “The hoodlums become the brokers both for the labors and for the bureaucrats,” Lili explains.

According to Lili, Banten hoodlums stay in power even though the dynamics of labor-employer contexts continue to change. Attempts to resist their tentacles of power are so far futile. Lili is hoping for an outside interference, in this case the central government, to install civil society and democratization in Banten.

This is not an easy feat though. Hoodlums seize controls over all fabrics of life in Banten. They also establish a close-knit relationship with the central government. This relationship emerges in the election.

“Therefore, it is necessary for the middle class to break through. At the same time, it is necessary to install alternative leadership engaging the hoodlums as the Robin Hood, to defend the people instead of exploit them,” Lili argues.

Banten is waiting for the end of these years of exploitative relationship. The wait is not over yet.

The nomination of “2009 AJI Labor Rights Journalism Competition” print or on line category. This report has been published at Kompas Dailly Newspaper on October 7, 2009.



Every Little Helps

By. Wendra Ajistyatama

Women clean up green mussels from fishermen in Cilincing, North Jakarta. For every 1 kg of green the mussels, the women get Rp 2,000.

The nomination of "2009 AJI Labor Rights Journalism Competition" photo category. The photo has been published at The Jakarta Post on May 11, 2009.



THE LABORS OF CIGARETTE INDUSTRY

The Fate of the Rollers

By. Aditya Wardhana (VHR MEDIA.COM)

They players of the cigarette industry use labors as excuses to get away from government's tobacco regulations. Their rights remain unfulfilled.

CALL for the morning pray has ended. Ana, 28 years old, just finishes uttering the last words of her prayer. She can still feel the coolness of the water she uses to clean herself in the preparation of the prayer. Now she is ready to start her day.

To save money, this mother of one chooses to walk instead of spending two thousand rupiahs for transportation. She walks through the mist hanging on the streets of Pandanwangi village, Tumpang, Malang, East Java. When she arrives in the main road, she catches a public transportation to Pakis Mas cigarette factory in Arjosari, where she works for the last five years as a cigarette roller.

Ana and hundred thousand others are working as labors in this cigarette factory. Working for low wage with no career prospect, they are the main pillars supporting the giant cigarette industry. Years and years they spent behind the table and cigarette roller machine.

Through fellowship program of Alliance of Independent Journalists (AJI) Jakarta, Pena Indonesia and Tobacco Free Kids Campaign,

journalist Aditya Wardhana VHRmedia.com last August reported the life of the labors of cigarette factories in Malang, East Java. Ana is one of the labors.

Five twenty in the morning, Ana arrives in front of Pakis Mas Cigarette Factory. Green ironed gate is closed. She has ten minutes more before the morning commotion begins. Ana open her breakfast: plain rice and tofu cooked in soy sauce. She enjoys her most important meal of the day in silence.

One by one, Ana colleagues come. They say hi and greet each other. "How are you? Hope you are well."

Five thirty sharp the gate opens. *Sreek...* Without any command, around two hundred labors make their way to pass the gate, including Ana. She finishes her not-so-nutritious meal. Here worn meal plastic box is already in her bag.

Getting the first row is important for Ana and her colleagues. This is the first layer of survival to the fittest in a la cigarette factory. "We have to queue to get the most materials to work on," he Ana. Who sits the closest to the coordinator, that person would have the chance to get more materials.

Also, do not mess with the coordinator. When the coordinator does not feel comfortable with a particular labor, that person's salary can be cut down or even erased completely. "Once he does not like a certain person, she would not get any materials to work on even if she sits right in front of him," Ana explains. Heated discussions between labor and coordinator emerge here and there. But, "The coordinator, of course, has a better position. So we just stay out of trouble," explains this woman from Malang.

In Pakis Mas, each labor rolls 2,500 cigarettes per day. For every one thousand cigarettes, the labor gets Rp. 9.000. So each week, Ana receives 135 thousand rupiahs or 540 thousand rupiahs per months. This is way below regional minimum wage of Malang District of 802

thousand rupiahs.

A note is attached to this salary. She has to work every day. She cannot take any sick absent or any leave. Owner of Pakis Mas Ruchan explain the remuneration system in this factory. “No work, no pay,” he says. It is that simple.

It is only natural that labors fight for more materials by coming early in the morning and maintain favorable relationship with the coordinator, to ensure materials enough for 3,000 cigarettes – 500 more than the usual quote.

QUEUES around the coordinator’s table disperse. One by one labor returns to their work tables. Ana brings a tray of tobaccos, *ambry* (a type of paper for cigarettes) and glue – she is ready for 3,000 cigarettes today. She silently hums songs, she is grateful for today’s blessings.

A cigarette roller table is a small-sized piece of furniture made from teak wood placed on top of a wooden desk. Ana sits behind the desk and with her skillful hands she starts her magic. Her left hand puts a piece of paper on the roller table. At the same time, her right hand pinches tobacco to be placed on top of the paper. *Sreet...*, she places the tobacco neatly. Then, *ceklek*, she pulls a machine lever with her right hand. *Hap*, in less than ten seconds, a cigarette is rolled neatly and falls under the machine.

Time flies that day. All labors are immersed in their work. No chatting, no walking around, no toilet breaks. “I need to achieve my target,” Ana says.

She ties 20 cigarettes she completed into one lot to make the counting easier. After she finishes with the rolling part, she cut both edges neatly with scissors. These cigarettes are ready to be submitted to the coordinator.

In the past, the whole task is performed by two labors. One labor rolls, another cuts. Fees are split between the two, two third for the roller and the rest goes to the cutter.

It was her aunt who introduced her to this 'career.' Ana starts as her cutter. In between rolls, her aunts taught her how to roll cigarette. "It was pretty quick. I learned for a day and got the hang of it," Ana remembers.

Ana works as a cutter for seven years. Later, the factory where Ana and her aunt worked for is closed down for bankruptcy. Ana finds work in another factory, Pakis Mas, and climbs the career ladder as a roller.

In the past few years, Ana explains that now cutting and rolling are performed by one labor only, for the sake of efficiency.

As the afternoon cones, Ana is ready to submit one thousand cigarettes to the coordinator. She makes 20 extras. "Maybe one or two are not selected," Ana explains. Selection is made based on the neatness of the cut, symmetry or standard measurement.

After she submits her work to the coordinator, Ana continues working on the next lot. Her hands perform the same ritual. Another thousand of cigarettes wait.

There is no official break for the labors. Their main target is to roll as many as cigarette as possible. So they can take a break whenever convenient. "I usually take a break at one then I start working again," Ana mentions. In this 30-minute break, Ana eats her meager lunch, goes to the toilet and performs afternoon pray. After that Ana returns to her desk and starts rolling. No fuss.

At four in the afternoon, all work is done. Today's quota is met. In total, Ana and her colleagues work for eleven hours a day. It is three hours more compared to a normal work hour. No overtime fee though. "It is because they are paid for what they produce, not for the hour they clock in," Ruchan explains.

It means no work for them when the factory stops its production.

Delapan Wijaya cigarette factory for example, temporarily stops its production for four months. No work, no payment.

This of course affects the life of Tutik and approximately 200 others who work for Delapan Wijaya factory. They received half of their salary when the factory temporary stops. "Thanks to the workers union, we got paid. In the past, because there was no workers union, we did not get paid at all," explains Tutik who has been working for more than 10 years for Delapan Wijaya.

To make ends meet, Tutik *moncok* to another cigarette factory. *Moncok* is a term for temporary work contract known since the colonial times. It means the labor works on a temporary basis and gets paid for what they produce. This way, the factory does not have to recruit full-time labor. When Delapan Wijaya re-starts its production, Tutik will end her *moncok* and return to the Delapan Wijaya.

So far there is no information on when the day will come. Tutik, a middle-aged woman, shrugs her shoulders when asks about what awaits in the future. "I heard that the factory is up for sale. I can only be patient," Tuti says. "If I am laid off from the job, I hope I receive the compensation I am entitled to."

CIGARETTE is a commodity with special flavors. This industry puts the owners on the global list of the wealthiest around the world. For example, Forbes Asia in 2007 puts two of them on the list: the family of Gudang Garam owner Rahman Halim sits comfortably in the rank of 538 with US\$ 1.9 billion assets. Another is the family of Djarum owner Budi Hartono, who is the rank of 664 with US\$ 1.5 billion assets.

The gap between owners and labors is gigantic. Ana and millions of labors are small screws in the machinery which profits are enjoyed by the owners.

In small-scale cigarette factory, things are more complicated. Labors working for this type of factory get paid only on the basis of work done. Geng Wahyudi, Head of Association of Small Scale Cigarette Industry (Paguyuban Pengusaha Rokok Kecil/Paperoki) explains that this arrangement means there are no other strings attached.

M Rully, officer from Work Security and Safety Regulations (Norma Keselamatan dan Kesehatan Kerja) Office of Employment, Malang District, expresses similar view with Geng. "If they agree to perform the job, well, then go ahead. If not, they can look for another job" he states. When they stop working, they receive no compensation whatsoever for the service they have provided for the factory.

This puts the labors in weak position. Andy Irfan, Secretary General of Alliance of Indonesian Labor Union Congress in East Java, heavily criticized this kind of relationship. "Those owners turn a blind eye on the law," he insists.

This system only covers production-based payment, or freelance. According to Law no. 13/2003, they are actually three kinds of work relationship: full-time, contract-based and freelance. This is the core of his argument, "Labors of cigarette factory should be entitled for full-time work relationship," Andy argues. "It is because they are the indispensable element of the whole production, which is a long-term continual process."

Because their work relationship is unclear, Andy argues that the owners escape their obligations. As a result, rights to leave, fringe benefit and social security are prone to violation.

Most of the labors, 90 of them are women, almost never take proper either menstruation or maternity leave. If they do not come to work, they have no salary and no benefit. "Procedure to apply for menstruation leave is very complicated so they simply ignore it altogether," explains Bambang Edy, Head of Advocacy Division of Indonesian Labor Solidarity Struggle (Solidaritas Perjuangan Buruh Indonesia/SPBI) in

Malang district.

Social security (Jaminan Sosial Tenaga Kerja/Jamsostek) also is non-existent. Owner of Pakis Jaya cigarette factory Ruchan admits that he do not enroll his labors to the program. "We have to calculate everything to make sure we can afford it," says Ruchlan.

To fight for their rights, Pakis Mas labors unite themselves in Pakis Mas Indonesian Labour Solidarity Struggle (Solidaritas Perjuangan Buruh Indonesia Pakis Mas) to demand proper work contract. "The owner says that all of us are already full-time, but we don't know whether we are documented in the Office of Employment," Ana says. At the moment Pakis Mas Indonesian Labour Solidarity Struggle is negotiating for social security for its employers.

Geng Wahyudi admits that 70 per cent from 194 small scale cigarette factory in Malang give their employers below minimum wage salary to their labors, ranging from Rp 7.000 to Rp 10.000 per a thousand cigarettes. Market demand is uncertain and competition against big companies is tough. Geng argue those are the reasons why cigarette factories cannot provide decent salary.

Bambang and Andy also see that business calculation is not the only reason for lack of compliance. The government also fails to conduct rigorous monitoring. "There are failures from the Office of Employment to carry out its role in monitoring and protection," Andy argues.

Head of Work Security and Safety Regulations of the Office of Employment of Malang District provide no rebuttal. "We do not have enough manpower," Rully admits.

The problems do not stop at lack of monitoring. According to Rully, Office of Employment is under pressure every time it attempts to improve labor system in cigarette industry. Some cases remain unsolved or swept under the rug. "When it comes to cigarette labor, we turn a blind eye," Rully admits. Laws and regulations are no longer important, "What matter is how the factory remains in operation and

how labor can continue working,” he says.

Cigarette industry is, in other words, untouchable. Lobby and pressures on the Office of Employment, as Rully admitted, are old news. It is because this industry generates substantial revenue for the local government.

For Malang local government, cigarette industry is the super star of the local economy. In three decades, this industry absorbs the biggest labor in Malang, followed by Overseas Indonesian Workers. “Cigarette industry plays a key role here,” according to Djaka Ritamtama Head of Office of Employment and Population Mobility Malang District.

From 2007 to 2008, there are 58,632 labors in Malang scattered around 375 small, medium and big scale cigarette factories.

In general, cigarette industries in Malang contribute 54 per cent of tax return in Regional Office III in East Java– which covers Trenggalek, former Besuki Residency, Malang, and Kediri. In 2008 up to August, tax return revenue from cigarette industry reach Rp 8.33 billion from the Rp 1.8 trillion targeted.

It should be remembered however, no one is above the law, including cigarette industry with substantial contribution of local revenue. But for years, players of the cigarette industry exploit their economic privilege to steer away from compliance with labor regulations (See: Tobacco and Labor Control). But, as Andy explains, “In reality, labor rights are ignored.”

Tubagus Haryo Karbyanto, activist of Indonesian Tobacco Control Network (Jaringan Pengendalian Tembakau Indonesia), sees that industries are hiding behind the labor excuse. “It is an empty propaganda,” Tubagus says. Cigarette factories are now pressing their pedals to shift from manual labor to machinery.

As owners continue to exploit cheap labor, they are ready to change gear into using non-human labor – machines. The goal remains

– increasing profit to the max. So, Tubagus asks, “Who are we fighting for?”

Tobacco and Labor Control

UP to now, Indonesia is the only Asian countries not ratifying FCTC or Framework Convention on Tobacco Control, an international agreement on tobacco controls, signed by 192 State members of World Health Organization (WHO) on 2003. It is ratified by 137 countries.

The objective of this convention is to protect the people from health, social, environmental and economic hazards caused by tobacco consumption and exposure to tobacco smokes.

For the industry players, FCTC represents a threat to their profit. It is because labor rights are part of the package. So far, the cigarette factories have enjoyed lenience in compliance with these rights. They are hiding behind the excuse that labor rights contribute to production costs.

Resistance also comes from KeluHarianto Swara Mardani, CEO of PT Karya Niaga Utama, a cigarette factory in Malang. “If production costs increase, we have to increase our price as well. However, we have to comply with the standardized price,” he explained to Sinar Harapan last August. To survive, Harianto added, they would have to cut labors’ working hours. “Mass job termination would be our very last resort,” Harianto explained.

In the past few weeks, discourse on religious fatwa claiming that cigarette is *haram* (sinful for consumption) emerges. Observers, workers union activists and even fellow clerics reject the proposal – each bringing their own ammunitions.

Bisnis.com quotes Piet Abdullah, Director of Training and

Education of Food, Beverage, Tobacco and Cigarette Workers Union (Serikat Pekerja Rokok Tembakau Makanan dan Minuman/ SPRTMM) in Kudus. "If MU issues this *fatwa*, we would be the first to reject it," Piet expresses his thought. "Cigarette is not a simple health hazard, but it creates job opportunities and revenue. Even former President Abdurrahman Wahid joins the bandwagon by stating that *haram fatwa* would lead to increased unemployment.

In cigarette industry, labors are like a magic bullet. They are used, or abused to be precise, to get away from any kind of tobacco control. Old songs are repeated over and over – cigarette industry will collapse, hundred thousand of labors will lose their jobs, unemployment will skyrocket and tobacco peasants will lose their earnings.

Are they simply myths or facts?

Abdillah Ahsan from Demography Institute (Lembaga Demografi) University of Indonesia tries to separate the two. In 2004, there are 259 thousand people working in big- and medium-scale cigarette industries, or 1.16 per cent of the overall industrial workers and 0.3 of the total employment in the country. Cigarette industries sit on rank 48 out of 66 intensive labor industries. "It means," Abdillah concludes, "the contribution of cigarette industry to national employment is not that significant."

Abdillah also highlights that in 2000-2006, monthly salary of cigarette labor workers are lower compared to food and other industries. A labor working for a cigarette factory receives Rp. 452 thousands each month. A fellow labor in food industry receives Rp. 547 thousands monthly. On the average, industrial workers in general received Rp 728 thousands monthly salary.

While the industries are reluctant to pay the salaries of the labors, they are more than willing to fork for promotional fees.

Bentoel International Investama 2007 financial report for example, shows that this company spends Rp 256,265 billion for promotion, twice from its budget for labor cost – Rp 105,804 billion.

Tubagus Haryo Karbyanto from Indonesian Tobacco Control Network also criticized this old excuse. “This is an empty propaganda,” Tubagus insists.

Worse, nowadays, cigarette industries are moving toward machinery for production efficiency. Labor cost will continue to be cut. So, “Who are we defending anyway?”

In 2006, 132 billion machine clove cigarettes are produced while non-clove cigarettes are 16 billions. Meanwhile hand-rolled cigarettes are only 95 billion. This shows that the use of machine in the production is inevitable.

Tubagus also sheds a light on the now-popular labels of mild, light, low tar and low nicotine, creating an impression that these types of cigarettes are a healthier option. “It is a lie. It stimulates people to smoke even more,” Tubagus says. Consumption increases and moreover, mild, low tar and low nicotine types of cigarettes are made by machines, not by hands of the labors.

Abdillah and Tubagus are sure that tobacco control will not create a devastating situation as pictured by the industry for years. World Bank publication titled “Curbing the Epidemic: Government and the Economic of Tobacco Control” states that research shows no unemployment influx ever happen to countries applying tobacco control. On the contrary, the countries gain for improved health and productivity of the citizens.

Tobacco control, Abdillah emphasizes, will not reduce consumption. “It is an addictive substance so it caters to a very loyal group of users,” he argues. Increase of excise for 10 per cent for example only cut down the level of consumption for 3.5 to 6 per cent.

Increase of excise also creates positive impact on the growth of employment. Once cigarette consumption decreases, the household spending will turn to other goods such as milk, meat or even education fund. This will stimulate other sectors to grow.

Abdillah's research simulates that a 10 per cent excise increase will open 281.135 employments on other areas. Abdillah agrees that from 66 industry sectors, 6 sectors interrelated with cigarette industries will experience 168.000 job cuts. However, 60 others will rise and provide 449.144 job opportunities.

Abdillah argues that job cuts themselves are long-term impact. "The whole thing will only be felt in the next 10 years," he says. So the government has enough time to prepare, including setting up capital support and technical assistance. "This can be done for example by shifting small scale cigarette factories to a more viable business sectors," argues Abdillah.

Moreover, Abdillah adds, so far cigarette industries are concentrated in two provinces – Central and East Java. In East Java, factories are also clustered in Kediri and Malang only. "So," Abdillah continues, "the job cuts impact should be uncomplicated." One requirement though: government will to do so.

The nomination of "2009 AJI Labor Rights Journalism Competition" print or on line category. The report has been published at www.VHRmedia.com on November 28, 2008.

THE STRUGGLING OF DOMESTIC WORKERS

Protection for Domestic Workers

By. R. Fitriana (BISNIS INDONESIA)

DARTI, a mother of one from Wonogiri, chooses to leave her job as domestic helpers worth Rp 700.000 monthly salary in a young rich family

It is because she cannot take a day off every Sunday to be with her kid and husband who is now working as a car washer in Slipi, West Jakarta. Moreover, her employers provide food of different quality for her, separate from their family. Furthermore, Darti is not allowed to go outside her house except for going to the market or tagging along her employers to take care of their kids. Worse, she works more than 8 hours, the maximum working hour in a day.

This 25-year-old woman opts for similar position in another young family with only Rp. 400.000 monthly salary plus 5 kilogram of rice each month.

“Even though I am paid less here, I have the chance to meet with my kid and husband every single day. It is because I work from the morning to the evening only, taking care of my boss’s children and

cleaning the house,” she explains to me recently. For most domestic workers in Indonesia, particularly those who are still single, big salary is their main objectives. But once they have a family and they cannot bring their kid to the houses they work for, salary is no longer the main priority as family time becomes more important.

A decent working hour and a day off, those are some of best practices of domestic workers according to the standard of International Labour Organization (ILO).

Other best practices are minimum wage for domestic workers, work contract and collective agreement, along with right to leave and social security for domestic workers.

There are a number of regulations formulated by the Government of Indonesia to regulate Overseas Indonesian Workers abroad. However, 2.59 millions others working in the country are out from the jurisdiction of formal legislation system.

Consequently, domestic worker-employer relationship is based on trust.

For most of domestic workers, this trust-based relationship is enough, especially when they are treated as family members, become part of new exciting experience and are allowed to return to their hometown to bring remittance back home.

UP to now, there is no specific law for domestic workers. Protections are offered from other legislations. However, Indonesian culture hampers the formulation of a formal regulation for domestic workers. According to ILO reports on domestic workers in Indonesia, they are known as helpers because the society in the country hardly ever calls them as workers – a much more formal status.

Moreover, in many cases both employers and domestic workers

come from the same hometown or from a family line. This creates more cultural impediments to formalize the relationship between the two.

As a consequence, employers as service users adopts paternalistic roles – provider of protection, food, accommodation, allowance and salary for the chores completed. The paternalistic aspect of this work relationship is combined that most of the works are unproductive and performed inside domestic settings of a household - a private sphere.

Because of its informal, familial and paternalistic natures of the relationship, therefore, any disputes regarding rights and obligations are often settled in an informal manner. It means domestic workers have no access to judicial mechanism such as industrial court set up to settle disputes involving workers in formal sector.

Even Employment Law no. 13/2003 cannot include domestic workers. There are other national legislations offering protections in certain areas, but they are partial and limited. Those are Elimination of Domestic Violence Law no.23/2004, Child Protection Law no. 23/2002 and Human Rights Law no. 39/1999.

There is no regulation on domestic workers. Consequently, they have weak position vis-à-vis their employers. Employers often demand them to work long hours with small or even no salary. ILO IPEC (International Programme on The Elimination of Child Labour) estimates that there are 2.593.000 domestic workers in Indonesia. In March 2008, ILO Executive Committee decides to put domestic workers into its conference agenda in 2010.

An important step for the government in protecting domestic workers is through the establishment of inter-department task force with joint communication forum connecting members of the Parliament and the people.

The government, both in the national and local levels, can support the public through rigorous public consultation to gain technical inputs on the drafts, local governments and other forms of regulations.

Another way is to work together with the people to set up an accredited mediator system between domestic workers and employers, to set up national action plan on international laws in Indonesia to discuss legal obligation and to expand commitments through numerous ratifications.

It is obvious that Indonesia needs a specific law to protect not only domestic workers working abroad but also those working in the country.

The questions are where should we start and when? Let the time answer these questions. (*)

The nomination of "2009 AJI Labor Rights Journalism Competition" print or on line category. The report has been published at Bisnis Indonesia on May 28, 2009

Empty Promises to Korea

By. Sudrajat, Anton Septian, Eko Ari Wibowo, Joniansyah, Sorta Tobing dan Dianing Sari (KORAN TEMPO)

Around 600 workers scammed. As a result, they failed to embark to South Korea. Billion of rupiahs have been spent to labor supplier office. Police now interferes into the matter. A number of organizations and public figures are allegedly involved. Tempo Tracking Team reports in the following series starting today.

GUNAWAN JOHAN, Head of Association of Wijaya Kusuma Workers (Paguyuban Persatuan Tenaga Kerja Wijaya Kusuma) from Cilacap, Central Java , still remembers the tempting offer. An important guest came, February 6 2008, with pleasant news.

“There is a project for our cadres,” said the guests, enthusiastic, as mimicked by Gunawan in the National Police Headquarter, last two Mondays.

That special guest was Tri Suwanto, Vice Head of Human Resources Development of Collaboration Cooperation (Koperasi Gotong Royong/ Kosgoro), a subsidiary of Golkar Party.

In front of the whole members of the Association, Tri introduced himself also as a representative of Kosindo Pradipta Corporation – a Kosgoro business unit on the sector of human resources placement in Indonesia – Central Java area.

He had two letters of assignment to recruit Indonesian Overseas Workers to be sent to Korea. One letter from General Director of

Kosindo, Zeid Arifin, dated February 5 2008. Another is from General Head of Kosgoro H. Effendi Jusuf, dated February 19 2008.

In this meeting Tri, according to Gunawan, offered skilled members to work in a number of companies in South Korea. One of them is an automotive corporation Daewoo. "Free of charge," Tri said at that time.

Salary offered for welders, painters, plumbers, carpenters and construction workers were very tempting: from Rp 7-10 million per month. This offer was too good to pass.

Cautious, Gunawan after the meeting came to Mas Isman building, Head Office of Kosgoro on Teuku Cik Ditiro street, Central Jakarta. He met some of Kosgoro high-ranked officials.

Gunawan was shown a number of pictures, displaying Tri along with Kosindo board of director, members of Finance Commission of the House of Representatives, Ardy Muhammad, and Korea businessmen.

Gunawan found these to be convincing. In no time, members of the Association registered for job opportunity in Korea.

Once the registration started, around 2,000 applicants put their names on the list. "The final number was 106 though," explained Gunawan, who used to work for Trakindo, Jakarta, for seven years since 2001.

PROMISES from Tri started to feel a bit sour. He set an administration fee, Rp 10 million per person. This is not a small amount of money. Nevertheless, 100 members of the Association were willing to pay the fee in installments. "In total, I gave him Rp 800 million," Gunawan explains.

He showed a pile of transfer receipts to Tri via BNI Bank and Mandiri Bank Cijantung branch. The receipts vary from Rp 5 million to 35 million

from the end of February to May 2008. Besides administration fee, there were other miscellaneous fees. In total, it reached Rp. 60 millions

Going all out, around 20 workers were applying for credit to People's Credit Bank (Bank Perkreditan Rakyat/BPR) BKK Cilacap. Land, house, car certificates and other assets are used as collateral. They used these assets to authorize the bank to pay their fees to Korea via Kosindo.

According to General Director BPR BKK Slamet Edi Astar, based on these letters of authorization, his bank immediately transferred the money to Zeid Arifin. "In total, Rp 1.4 billion was transferred," he explained.

The money was transferred to Zeid's BNI account on July 3 2008 (Rp 545 million), July 8 (Rp 495 million), and May 28 (Rp 139 million). In Kosgoro, Zeid is listed as the Head of Human Resources Development Division.

As a whole, Rp 2.2 billion has been poured. However, until today, no one from the Association embarks to Korea.

That is why Gunawan, along with four other members, on March 23, reported this case to the Police Headquarter. They represent 106 out of 604 workers victimized by Kosindo scam. "We had paid our fees, but there is no news on our departure," argues Gunawan in Department of Employment and Transmigration, Friday last week.

They took this option because Tri and Zeid disappeared in the thin air. They cannot be found in their offices or residences. "I have waited in his house from dusk until dawn," Gunawan shares his story, "still Zeid is nowhere to be found."

Tempo contacted Tri Suwasto, last two Thursday and he said that he had received fees transferred by them. But he had submitted every cent to Kosindo. "I am also a victim," he said, "The con man is Zeid."

Since this case emerges, Tri claimed that he cannot communication with Zeid. Zeid's mobile phone cannot be contacted. He also cannot be found in his office or Kosindo office.

"I am ready to testify to the police," he states enthusiastically.

It is difficult to locate Zeid. Our reporters visited his house and his Kosindo in Perdatam, Kalibata to no avail.

Effendi Jusuf, who was assigned by Tri to recruit the workers, also gave up. He claims he knows nothing about this problem. "I will consult with Zeid to find out more about this," he said.

Thursday afternoon last week, Zeid finally reached *Tempo* via phone. This Arab-descendent man from Alatas family insists that he is no con man.

This, according to Zein, was because Korean companies cancelled the contracts. "They were bankrupt because of global financial crisis," he explains.

Another factor is that from around a hundred people transferring the money, only 20 have Korean visa. "The rest chooses to pull out," he says.

In brief, Zeid insists that he is doing everything by the book. He promises he will return all fees transferred by the workers.

FOR Haris Aritonang, legal representative to Gunawan and his friends, there is still another man to be held accountable. They all point their fingers to M. Jumhur Hidayat.

As head of National Placement and Protection for Indonesian Overseas Workers (Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia/BNP2TKI), Jumhur on July 2 2008 gave his blessing to Kosindo to send their workers to South Korea. "We support the selection process to identify high skilled workers to be sent to Korea," Jumhur writes this statement in his letter of endorsement.

This is the core of the problem. Since the last two years, placement to South Korea requires Government to Government agreement or G

to G. The cost is Rp 5.5 million per person. It includes training fee, visa and Jakarta-Seoul-Jakarta plane tickets.

Because it is a G to G program, there is no opportunity for any private actors to send workers to Korea "Jumhur should know better. He should warn Kosindo for breaching the regulation," he states, "instead of giving endorsement."

Director of Human Resource Placement Abroad Department of Employment Abdul Malik Harahap backs the argument. He explains that placement to Korea is done through industrial trainee system.

Korean government in this case directly appoints private recruitment enterprises from various countries, including Indonesia, to be placed in Korea.

This system allegedly increases the number of illegal workers. "Korean government then issued new G to G placement policy," explains Abdul Malik.

How Jumhur reacts to this? He believes he does nothing wrong. G to G channel applies only to semi-skilled overseas workers – minimum junior high school graduate, speak Korean language and are eligible to leave to Korea.

If Korean government needs high skilled workers, such as nurses or welder, "They are not part of the criteria above," he says.

Still, hundreds of workers cannot chase their dreams in Korea. Two agencies are saying 'we say, they say' and the workers have nowhere to go.

IT is not just Association of Wijaya Kusuma Workers (Paguyuban Persatuan Tenaga Kerja Wijaya Kusuma) from Cilacap, Central Java who became victims of this problem. Report came from Mochamad Archan and his colleagues representing 498 Overseas Indonesian

Workers to South Korea. They accused Ardy to be involved with the recruitment scam.

The dispute emerges as the workers for Korea came to police headquarter early last year. Around 604 workers claimed to be victims of a scam carried out by an Administering Agency to Korea. Dozens of billions are transferred already.

Similar complaint is also filed by Gunawan Johan, Head of Association of Wijaya Kusuma Workers, representing 106 workers last March against Kosindo Pradipta corporation, a business unit of Kosgoro in Overseas Indonesian Workers Placement service (read: Selusur, 7 April).

The series of complaints push the case to the court. What's interesting is that in the copy of verdict of Tangerang State Court in which Abdullah Ali was found guilty, Ardy were also involved.

INDICTMENT against Ardy comes from Abdullah Ali, Commissionaire of Mitra Munara Kencana Lestari corporation, a recruitment of Overseas Indonesian Workers. Abdullah does not want to go down along, he drags Ardy along with him. According to Ali, a Senayan parliament member backstabbed him by breaking his promises to assist in sending workers overseas. Ali says, "I have transferred Rp 1.1 billion to Ardy through his staff, Fahmi, for 16 times."

The annoying part is that Ardy is like Teflon - nothing sticks to him. While Ali and his friends are put behind bars for 2-3 years in August 2008, Ardy is free as a bird. According to the judges, Mitra Munara is fully responsible for the alleged Korea scam.

Head of Honorary Council Irsyad Sudiro states that he would summon Ardy once recess period is over in the middle of this month. "We would request clarifications from the relevant parties for all

complaints we receive,” he explains to *Tempo*, last Friday.

The document revealed that Ardy with his expert staff, Fahmi, set up Persada Nusantara Jaya Foundation on August 14 2007. In the organizational structure, Ardy and Fahmi, are steering member and head of the organization.

Still according to the court document, Ardy is related to Imron Haji Tavadjio, General Director of Mitra Maju Mulyo Lestari corporation. For years, this corporation recruits potential workers to be placed to various countries. Ardy requests for this corporations’ ‘service’ to depart the workers to Korea.

“ In the process, Imron was trapped in debts to Abdullah Ali. To pay off his debts, he transferred the project Ardy ‘ordered’ to Mitra Munara Kencana Lestari, jointly established by Imron and Ali.

In this corporation, Imron and Ali are commissionaires. General Director is on the hand of Ade Rully Agustina, Ali’s daughter.

This corporation has obtained neither a license for Overseas Indonesian Workers placement nor a letter of appointment from the government to conduct the placement to South Korea. Still, Mitra Munara corporation managed to recruit 498 workers, including those previously recruited by Mitra Maju corporation. Fee charged to workers are around Rp 35-60 million.

Archan, for example, claims that he transferred Rp 52 million to be able to work in Korea. “I was promised that I would be able to earn Rp 20 million per months working as a factory operator,” says Archan who got his Bachelor degree in Economics in Indonesian Islamic University in Yogyakarta.

Now his dreams are crumbled to pieces. He even has to take a series of temporary works to make ends meet. Previously, Archan settled down in a credit finance company in Malang and pocket a decent salary.

Fees charged to work in Korea are used to provide skills and Korean language trainings. Mitra Munara corporation partners with

Ardy's Persada Foundation, which cover any arrangement necessary to send the workers to Korea.

In court, Fahmi admitted the involvement of Persada Foundation. "I establish a partnership with a Korean businessman," explains Ardy's staff. This Korean businessman named Jo Yoen Sup finds job opportunities for workers from Indonesia. Fahmi claimed that he handed Rp 500 million from Mitra Munara corporation to Yoen Sup.

Still they cannot leave to Korea because any placement should fall into G to G scheme, and not through private channels.

To find solutions, Imron and Ade Rully seek help from Ferry Joko Juliantono, known to have a close relationship with National Placement and Protection for Indonesian Overseas Workers (BNP2TKI) M. Jumhur Hidayat.

"I along with Imron, Ali Ronjikin, Doddy Matondang (Jumhur Hidayat's private secretary), and Ferry Joko Juliantono (Jumhur's crony) met Ardy Muhammad in the House of Representatives on May 14 2007 with files on potential Overseas Indonesian Workers and a bag of money," Ade Rully said. Ardy refused to accept money handed from Imron so this bag of money changed hands to Fahmi.

In police examination on February 11 2008, Ferry admitted that he received Rp 250 million from Imron and Ade Rully. He used around Rp 50 million to go to Korea to find out more on workers placement mechanism in Korea. "Still, it has to go through G to G scheme," Ferry explains. He then returned the rest of the money, Rp 200 million.

Ferry did not deny that his relationship with Jumhur was the reason why he was asked to jump into the problems and find solutions. "Yes, perhaps it was because Imron was close to Jumhur," he explained as written down in police examination.

He admitted that his friendship with Imron started since April 2007 in a meeting in BNP2TKI to Korea. "I was invited by Jumhur," Ferry says.

When contacted on March 29 evening, Ferry who was under city arrest as agent provocateur of anti fuel price hike rally, agreed to the content of the police examination report. Jumhur also admits his relationship with Ferry. "We share similar background in social movement," Jumhur admits.

Still, Ferry insisted that he never promised anything to Imron. "I have returned every cent of the money I had," he said. Ferry claimed he has already forgotten the case.

Ardy also denied all accusation. He denied signing a letter dated February 27 2007 requesting Indonesian workers departing from Jakarta to prepare for their Korean placements.

In the office of PNI Marhaenisme in Gudang Peluru, Tebet, Jakarta, he pointed his fingers to Abdullah Ali for signature forgery.

He also denied that when he was appointed by Employment Commission IX of the House of Representatives, he never owned any official letterhead. "Everything is forged, they are all scams. Once they complete their sentences, I will report them to the police," Vice Head of Indonesian Democracy Pioneer Star (Bintang Pelopor Demokrasi Indonesia) threats.

On the accusation of ill-gotten fund, this man who was born in Ujung Pandang, October 13 1949 did not budge. He challenged anyone accusing him to produce any receipt or proof of transfers. "In the name of Allah the Almighty, I shall not be saved if I took any dime from Overseas Indonesian Workers fund," he insisted. "This is all a big lie!"

7 January 2009, 19.03 local time. A brief message arrived at Syafrida Isnaini Daulay's mobile phone. The message required General Director of Victory Asia Perkasa to transfer a certain amount of money to Muhammad Pasha Nasution's account in BNI Kramat branch.

The sender, Syawal Nasution, is Pasha's father. He works as a protocol staff member of National Placement and Protection for Indonesian Overseas Workers (BNP2TKI) M. Jumhur Hidayat.

Syafrida fulfilled the request in the next three days. Out of a total Rp 13 million transferred, Rp 10 million is sent around 08.00 in the morning. The rest, Rp 3 millions, followed the next five minutes.

The money was transferred from an ATM in Buaran, Klender, East Jakarta. Syafrida even forked her own saving up to Rp 703 million from September 2007 to mid January 2008.

She transferred this money to Buche Rahman, Husnu, and Syawal. Two first names are Head and Vice Head of Sub directorate of the Return of Overseas Indonesian Workers of National Placement and Protection for Indonesian Overseas Workers (BNP2TKI).

"We transferred the money to Syawal, authorized by Jumhur, Dodi, and Hendra S.," Syafrida explained in her written statement with revenue stamp dated January 30 2009.

The money transferred Syafrida aims to obtain an extra quota of transportation in Selapajang Special Gate for Overseas Indonesian Workers in Soekarno-Hatta Airport, Cengkareng, from 8 to 20 cars. Since July 20 2007, Victory was one of a dozen of transportation services for the return of Overseas Indonesian Workers from Selapajang to a number of regions.

Syafrida claimed that all requirements for this quota increase request were submitted from August 2007. She believes that the substantial amount of money slipped into pockets of Jumhur's staff and trusted aides, her request would be quickly approved.

"Until today, we do not get the quota we request," she says. Each month she forked Rp 54 million to pay installments of 12 ELF he already purchased.

Syafrida became more and more irritated when she found out that on March 5 2008, BNP2TKI decided to add five transportation service

operators more. Two out of five operators even had bigger quota compared to Victory.

The next day, General Director of Association of Overseas Indonesian Workers Return Service Companies (Asosiasi Perusahaan Pelayanan Pemulangan TKI/AP3TKI) Erwindra, sent a letter to Jumhur, requesting that a total 21 transportation operators is enough for the time being. The total quota of transportation itself already reached 333 units.

There was no respond from Jumhur's office. Refusing this unfair treatment, Syafrida files a legal warning letter to Jumhur on March 10 and 12 2008. One of the demands is a request for cancellation on the additional transportation operators and unit quotas.

This led to no avail as well. The number of transportation operators and units continue to increase. In a letter issued by Jumhur dated February 6 2009, the number of transportation in Selapajang rose to 29 operators comprising of 368 quota units.

This irritated Syafrida. She could not accept this. Accompanied by Operational Director of Victory Immanuel Djoeang, Syafrida finally opened up to the press in mid March. "Since friendly approach no longer works, I speak to the press then," she said. "Hopefully this would help break the ice."

A LEGAL warning letter landed on the desk of M. Jumhur Hidayat on March 12 2008. Head of National Placement and Protection for Indonesian Overseas Workers (BNP2TKI) received two ultimatums from two general directors.

One came from Syafrida Isnaini Daulay, General Director of PT Victory Asia Perkasa. Another came from Hj Adjidah, General Director of PT Raanan Loka Sejahtera.

“Selapajang service activities should be free from private agencies and illegal fees, both for Indonesian Overseas Workers and transportation operator,” Syafrida and Adjidah wrote the statements in their letters.

The problem lies on the appointment of Damri on March 4 to provide transportation services for Overseas Indonesian Workers from their arrival gates in Terminal 2D to Overseas Indonesian Workers Arrival Site in Selapajang Soekarno-Hatta Airport, Cengkareng.

This appointment violates a regulation issued by National Placement and Protection for Indonesian Overseas Workers (BNP2TKI) itself the last two months, on January 23 2008. In Chapter I of the regulation, it is stipulated that Angkasa Pura II is the appointed agency to provide such service.

Another point which makes them angry is that in the BNP2TKI-Damri partnership agreement, it is stipulated that service fee is covered by Association of Overseas Indonesian Workers Return Service Companies (Asosiasi Perusahaan Pelayanan Pemulangan TKI/AP3TKI). It is Rp 10 thousand per workers, applicable to all except those with special cases. This agreement is signed by Jumhur and General Director of Damri Twidjara Adji on March 11 2008.

They immediately reject this agreement. It is because the regulation states that the service is free of charge. That is why they file a legal warning letter and demanding Jumhur to cancel this agreement.

Jumhur argued that the State budget do not allocate any fund to finance transportation service fee for Overseas Indonesian Workers to Selapajang. “Zero, not even one single rupiah,” he explains.

That is why he requests the Association to pay their contribution. Why not, in his opinion, anyway they would later on transport Overseas Indonesian Workers to their hometowns and charge hundreds of thousands of rupiahs as service fees.

Transportation companies are requested to contribute Rp 10

thousand for Damri. "If there is no Damri, (Overseas Indonesian Workers) they would never arrive over there (Selapajang)," Jumhur argued.

The appointment of Damri, according to Jumhur, is based on the quality and design of the bus and also because this government-back company offered the lowest price. They accept the fee of Rp 10 thousand per person for 5-6 kilometer ride. Another competitor, Satya Ardhia Mandiri (Kosami) Cooperation owned by Angkasa Pura II employees cooperation charged Rp 12.500 per person with poor bus condition.

"Sorry to say, Kosami busses are so-so and the price their charged are quite expensive," Jumhur argued. That was his reason. "We choose a sure option. Moreover, Damri is a State-Owned Enterprise, it is easier for us to build partnership with fellow government agencies."

Responding Jumhur argument, Kosami Manager Bambang Akdianto could only shake his head. His company never submitted any proposal whatsoever.

General Director of Kosami M. Hasanuddin, according to Bambang, indeed filed a letter of intent for partnership on Overseas Indonesian Workers transportation service to Selapajang on February 27 2008. No number came up in this letter.

Kosami filed this proposal based on its experience transporting Overseas Indonesian Workers from Terminal II Soekarno-Hatta airport since 1999. "No respond was given to the letter," Bambang said, "out of the blue, Damri got the job."

Bambang explains that Kosami was in charged to transport around 800 Overseas Indonesian Workers from Terminal II to Terminal III, both in airport premises 2 kilometers from one another. Angkasa Pura II covered the whole operational fee.

"The cost was Rp 148 million per month for four busses," he explains.

Regarding the price charged by Damri compared to its route,

Bambang declined to comment. "They have their own calculation, we are not privy to it," he ended the conversation.

AN immediate reaction came from Buche Rachman and Syawal, contacted by *Tempo* last March. They views Syafrida's statement did not make any sense. The reason was that transportation quota was the prerogative of head of National Placement and Protection for Indonesian Overseas Workers (BNP2TKI) Jumhur Hidayat. "He can give me all the money in the world, still I will not issue a license for more quota," Buche explains, last Thursday.

He affirmed that even though there is an increase of quota, transportation operators would not jump to catch the offers. It is because in a day, arrival of Overseas Indonesian Workers in Selapajang is limited to only 800 people.

According to him, his involvement in the return of Overseas Indonesian Workers is based on his assignment from his agency – State Intelligence Agency.

He took the position as Hed of Overseas Indonesian Workers Return Service Sub Directorate of National Placement and Protection for Indonesian Overseas Workers (BNP2TKI) since May 2007. After 11 months in the position, he resigned because he could not bear the bureaucracy in Selapajang. "I resigned," he explained, "and my decision has nothing to do with money."

Syawal showed a firmer response. He threatened to sue Syafrida for defamation. He said he was asked to help facilitate a request for quota increase. He could not do anything because he was only a staff member of protocol section. "Now she is telling nothing but lies," he states. "I will sue her then."

The strange part was Syawal showed Syafrida a different persona

on April 1. That afternoon, when *Tempo* met with Syafrida to confirm the challenges, he directly called Syawal by using speaker feature from his mobile phone.

There was no angry tone whatsoever from Syawal. Syawal even promised that quota Syafrida requested will soon be issued once a copy of verdict from the Supreme Court regarding Ministerial Decree of Employment and Transmigration no 22/2008 is issued.

"If God's willing, after a copy of Supreme Court verdict is issued, you can have your quota," he guarantees.

"Ah, I am tired with promises," Syafrida replies. "Let's do this instead. To show that you indeed have good will, just return all my money."

Syawal raised his voice. He said he had to discuss with Dody and Hendra if she wish to have her money returned.

"But I also expect you would clear our reputation in front of the press," Syawal insisted.

What does Jumhur say about this cacophony involving his men? In his interview last March, he admits that there were issues on money received by his subordinates from partner agencies.

Jumhur gave his words that he would immediately fire his men if strong evidence showed their involvement in ill-gotten money. He thought it is better than reporting them to the media. "That would be negative campaign," he said.

Well, in this case, Anti-Corruption Commission should interfere.
(*)

Jumhur Hidayat: Anyone can Use My Name

SINCE his appointment as head of National Placement and Protection for Indonesian Overseas Workers (Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia/BNP2TKI) on January 11 2007, M. Jumhur Hidayat claimed he made several breakthroughs in improving the livelihood of Overseas Indonesian Workers.

However, because he handed his recommendation to Persada Nusantara Foundation and Kosindo corporation, he was dragged down with the case of scam involving hundreds of workers aiming to work in Korea.

After watching the grand finale of Little Idols singing contest (Idola Cilik) in Mega Glodok Kemayoran, last two Saturdays, this man his friends called Dince provides his side of the story to Tempo.

What have you done since you took the leadership in BNP2TKI?

Based on a number of analyses on interrelated problems of Overseas Indonesian Workers, I concluded a systematic exploitation on the workers in and outside the country. Exploitations start from the education process, recruitment, health check-up, training to their departure to the country of destination. For years, this country creates a machine of exploitation. I am taking down this machine one part at a time.

Can you give a concrete example?

For the last 20 years, salaries received by Overseas Indonesian Workers in Middle East stay the same 600 real per month. The

argument is that the prices of water or cigarette in Saudi Arabia also stay the same since 1980s, 1 to 5 real. So, there is no inflation. At first, it seems logical. But it takes one to know one. I said let's check the income per capita of Saudi Arabia compared to the last 20 years. Finally, since 2007 Overseas Indonesian Workers enjoy an increase of salary up to 800 real. In Singapore, their salaries rise from 280 Singapore Dollar to 350 per month.

What about internal improvement?

Health check-ups of Overseas Indonesian Workers used to be mere transaction, in which health certificates are sold for certain prices instead of objective results according to norms laid by the Department of Health. So, we create finger-print based system.

Training is another point for exploitation. Nobody come to the training centers, what can be found over there are lists of names. Then someone will put a seal on the list. So, on paper, everybody listed has officially been trained. Thousands of people depart to a number of countries in the world each month without any proper training. Now, 50 per cents of private training centers are banned from operations until they fit the government standards.

Sure, there are resistances against these breakthroughs. What they do is they backstab me through legislation channels. Ministerial Decree no 22/2008 puts restriction to the function of BNP2TKI so I am no longer authorized to deal with Administering Agency. My jurisdiction only covers Overseas Indonesian Workers under Government to Government, for example to Korea and Japan, a mere 30 thousand of them to be precise.

In this G to G mechanism, applicable to Korea, can private sectors participate?

Korea has two mechanisms, G to G and non G to G. The last one is for high skilled labor. Overseas Indonesian Workers under G to G scheme are 'unskilled or semi-skilled labors' –at least junior high school graduates, able to speak Korean and are legitimate to arrive and stay in Korea. Korea needs nurses and welders – in other words, skilled or high skilled labor. They are not covered under this (non G to G) scheme

So, they are not covered in this G to G scheme?

That's right. We can use visa E-7. We are now working for this opportunity.

Is there any base for this scheme?

It is related to internal rules of the game in Korea. If construction workers are needed in Korea, it can request from other countries after it receives endorsement from Korean Department of Public Works. If nurses are needed, it has to have endorsement from Department of Health. If they request workers from Indonesia, I would be more than happy to endorse the proposal.

Is that the reason why you handed your recommendation to Kosindo?

Here is the thing. I endorse anyone. Anyone can use my name. It is the nature of the beast, that's the rule of the game. Let's say you sit next to me in front of a labor supplier to Korea. Then we part. If after our meeting you come to the supplier and ask for Rp 25 million per person and there are one thousand or one hundred workers, I am sure that within the period of 24 hours, you got the money.

What is your role as BNP2TKI if there is a scam?

Oh, we get them. Once we get the information, we contact the

police and we get them.

What about Kosindo victims who reported to the police but they are ignored by BNP2TKI?

Be careful. We have got the man. It is the workers who choose to have their moneys returned. (*)

The first winner of “2009 AJI Labor Rights Journalism Competition” print or on line category. The report has been published at Koran Tempo on 7 – 9 April 2009





Tono, A Brick Printers Child Labor

By. Raden Yusuf Hidayat

AHMAD Sutono (9 years old), student grade I Madrasah Ibtidaiyah Al-Ikhlash, Mangsang Kavling, District Sebeduk, Batam, along with his mother Darwati (48 years old, left) became laborers in the brick printers Mangsang Garden. Sutono has become child labor since three years ago. Although he has to school, but he also should worked after school to help his parents pay for his expensive school fee. Sutono is printing the brick manually on Saturday (31 Dec) afternoon. Like the others informal labor, they are not touched by the social welfare services or insurance.

The second winner of "2009 AJI Labor Rights Journalism Competition" photo category. This photo has been published at Batam Pos on November 1, 2009





CHILD LABOR

Crisis Sends School-age Children to Work

By. Ridwan Max Sijabat and Yemris Fointuna (THE JAKARTA POST)

The global economic downturn has taken its toll on East Nusa Tenggara, with impoverished families pulling their children from school and sending them to work at a young age to augment the family income

YOUNG, scrawny cart driver Melky Litbani looks pale and resigned to his new circumstances, blaming no one and nothing for the social system that has landed him at the Kasih traditional market in Oepura sub district in the city at such a young age.

From daybreak at 4 a.m., this state elementary school dropout from a remote village in Soe, South Timor Tengah, is always at the market with his rented handcart to help traders and shoppers transport their goods. Wearing a T-shirt and shorts, but no footwear, he works at the market from early in the morning until late at night for a paltry Rp 10,000 (US\$1). He is paid Rp 2,000 each time he carries goods to and from the market, and has to pay Rp 10,000 in daily rental fees to the cart's owner.

But his experiences in the past two months have accustomed him to the hard way of life on the streets, and to the rules of the game in the market. After adapting to his new work environment, he hopes to be able, like his peers, to save around Rp 200,000 a month that he can send



to his family back in his home village.

Melky, the youngest son of Petrus Litbani and Laura, a farming family in Soe, ended his education abruptly after his father pulled him out of school and told him to join other youngsters working in the city to seek an additional income to support the family.

Just one of dozens of child laborers plying the same trade at the market, Melky is not alone. The working children are easily spotted and identifiable among the older cart drivers.

Salmon Artauro, an ojek driver who manages 12 boy carters in the market, defends the employment of the child laborers he brought to the city with the permission of their parents, saying they had no jobs in their home village.

Like Melky, Immanuel Holo, a 9-year-old from an impoverished family in Kodi, Southwest Sumba regency, has to work more than 12 hours a day as a paper courier in front of the luxurious new governor's residence in the city to help support his family back home.

Nicknamed Nuel by his fellow paper couriers, he is paid Rp 8,000 for every 10 copies he sells, taking home between Rp 16,000 and Rp 20,000 a day. He sends about Rp 100,000 of his monthly income to his family, and lives a hard life in the city with his two older brothers in a rented room.

Dropping out of school in the third grade, Nuel came to the city after his parents pulled him out of school.

"My father took me out of school because we are a disposable family and they could no longer afford my uniforms and school supplies. He asked to join my older brothers working in the city. I wanted to stay in school, but I have nobody to support me," he tells The Jakarta Post.

He seems grateful for his new job because of the rare chance it first gave him to put money in his pockets; now he makes just enough to manage to scrape a living and support his extended family back home.

He says he has had to adapt to the harsh environment on the streets, which frequently sees him involved in brawls and bickering with fellow couriers.

Before going back home late at night, the child paper couriers join their fellow villagers at a billiards hall in the Kasih traditional market, where they get free access to cigarettes, alcohol and various kinds of gambling.

Petrus Dangatobo, an 11-year-old fifth-grade dropout from Southwest Sumba, came to the city in December 2008 with the similar intention of supporting his family. He still works as a paper courier with an uncertain daily income.

He admits he enjoys his new profession making money with the support of fellow villagers working in the city.

With similar backgrounds as migrant child laborers, youths who dropped out of junior high school in the fishing and farming communities of Kelapa Lima, Alak and Maluafa - three of four districts in Kupang municipality - in the second semester of 2008, have joined the job world with their parents at an early age because of severely strained finances.

Azaro Lapanasa, 45-year-old fisherman and father of seven school-aged children, said he took three of his children out of junior high school last November to accompany him fishing every night.

"My wife and I have no other choice but to take the three children out of school. Education is important, but food is more important for survival," he says.

Hasan Rusli, 45, and his wife Salamah, 44, in the coastal district said they were shocked by the soaring prices of rice, which topped Rp 8,000 per kilogram last August from the previous Rp 3,800, as well as of cooking oil.

"During those difficult times, my husband didn't go out fishing because of the high fuel price and the shortage of kerosene. How can

we afford to educate our children while we're running short of rice and other basic commodities to survive?" says Salamah, who works with her daughter as roadside fish vendors to help the family pay off debts to loan sharks.

The soaring prices of basic commodities - mainly rice - as well as increased fuel costs, high unemployment and the extreme prolonged drought between August and December 2008 have severely impacted vulnerable families in slum areas and outskirts in the municipality.

"High food prices, high fuel and transportation costs, debt payments and job losses were four major difficulties last year that forced many parents to take their children out of school and send them to work to support the family," says Maluafa district head Andreas Dominggos.

He adds dozens of school-aged children in Maluafa and neighboring districts had to drop out of school and start working because their families could not afford the education during the protracted economic slowdown of the past two years.

DESPITE the school operational fund program (BOS) and the increase in the education budget, the government has responded too late to the crucial child labor issue in the country's least-developed province of East Nusa Tenggara.

The Kupang municipal authorities admitted to monitoring the influx of migrant child laborers from remote regencies and the emergence of child laborers in the city over the past nine months, but said they could not do much to keep them in school, due to the limited budget allocation.

"The city authorities have monitored the child labor issue and high number of school dropouts in the city since last June, but we are not authorized to prevent anyone, including child workers, from migrating

to the city to seek jobs, and we cannot be blamed for it," Enos Ndarapoka, head of the city's manpower and transmigration office, told The Jakarta Post at his office recently.

He added hundreds of children had migrated to seek jobs in the city because of financial pressures on their impoverished families in their home villages in remote regencies. The jobs they eventually landed were in the agriculture, trade and domestic work sectors, leaving them underpaid and overworked because of their lack of skills.

Enos also admitted thousands of children in the city and outskirts began working at an early age after being forced to drop out of school because of the food and fuel crisis that hit the province early last year.

"Many parents pulled their children from schools and sent them to work to help support the family; this is considered not only a coping strategy, but a last resort to survive the protracted crisis," he said, adding most impoverished families had abandoned any hopes of bettering their children's futures through education.

The results of a study conducted in January by the Manpower and Transmigration Office indicated that child laborers came mostly from impoverished families living in vulnerable areas in the city and outskirts, who earned a living from fishing, farming, selling produce and working as manual laborers, while living costs in the municipality were very high because most consumer goods, mainly basic commodities, were brought in from Java and Sulawesi.

Enos also criticized the free education program which he said was only a concept and political jargon rather than actual free education, because despite the financial assistance under the BOS, school committees representing parents and school managements had imposed additional charges on students to finance extracurricular activities and pay the salaries of non-permanent teaching staff. In addition, parents had to purchase children's uniforms, books and shoes, and pay for their transportation to and from school.

He said his office, in cooperation with ILO East and other international agencies, had launched a shelter program to provide special training for school dropouts; but its capacity was limited and so far only 30 children were housed at the shelter, while the number of children dropping out of schools in the city had reached into the hundreds.

The city education service lauded the high school attendance rate that reached almost 98 percent in the past five years due to the increase in the education budget and the BOS.

"The dropout figure was only 0.18 percent in junior high schools last year, but a small part of elementary school graduates did not continue on to secondary school because of the prolonged crisis hitting the province," said city education office secretary Yaved Leo.

The administration has increased the education budget from Rp 124.5 billion in 2007 to Rp 168.7 billion in 2008 and Rp 162.8 billion (still to be revised) in 2009, while the BOS has risen from Rp 13.3 billion in 2005 and 2006 to Rp 15 billion in 2007, Rp 15.5 billion in 2008 and Rp 16 billion in 2009, to cover around 82,000 students at 152 elementary and junior high schools in the city.

Yaved said the administration had proposed to the government to double the funding to help impoverished families keep their children in school, but no immediate response was given.

"The lack of a response from the government has discouraged remote regency administrations from stopping residents migrating, including children, to seek jobs in the city," he said.

EAST Nusa Tenggara (NTT) will likely fall down deeper into crises this year as the government has no action plans and makes no concrete actions to cope with the food crisis worst hitting the province in the

past two years, a social and political analyst warns.

“Not only the number of school dropouts and child labor will be on the rise but that of vulnerable families and the jobless will get increasing because the food crisis is still looming and the economic growth is seen to reach only 4.5 percent, down from 6.1 percent in 2008, amid the global economic downturn and on the eve of the general election,” the head of the Centre for Social Studies and Political Reforms at the Nusa Cendana University in Kupang, Yanuarius Kolibau, told The Jakarta Post here recently.

Referring a result of a study conducted by the center recently, he said starvation and malnutrition were still looming because the poverty was expected to reach up to 30 percent, or 1.3 million, this year, from 27 percent in 2008 while the unemployment rate was expected to reach five percent from last year’s 3.7 percent.

He cited the poverty has affected 27 percent of people living rural areas in the province and 25 percent of those in urban areas and so far no actions have been taken to alleviate it.

“The figure of school dropouts will likely rise into 50,000 this year from 40,000 in 2008, prompting many vulnerable parents to send their children to work,” he said, adding that the increase in the education budget would not gave a significant contribution to retaining students’ attendance in school because the government had yet to take concrete actions to increase the school feeding funds nor made action plans to empower vulnerable families.

Januarius criticized the government which was focusing on the formation of new regencies across the Nusa Tenggara archipelago, saying the people were in dire need of infrastructures such as road networks to break the isolated remote areas, irrigation system to revitalize the agriculture and make the people food-secure and explore the province’s maritime resources to provide jobs and improve the people’s social welfares.

According to him, the government should enhance and extend the existing cooperation with foreign countries and international agencies such as FAO, UNICEF and ILO to design action plans to cope with the food crisis and unemployment and empower the vulnerable families and retain school attendance at the elementary and secondary education.

Another survey conducted by the World Food Programme in Jabodetabek (Jakarta, Bogor, Tangerang and Bekasi), East Java, West Nusa Tenggara and the province, in August throughout November 2008, found out high food price, high fuel/transport, debt payment and employment loss as four major difficulties which raised a severity of shocks among rural households.

Although the prices of food and essential non-food items have reduced or stabilized since Sept. 2008, no improvement has been seen in food consumption and food expenditure and even the consumption has worsened in rural areas since October.

According to the survey, 35 percent of households in rural, 25 percent in urban and five percent in big cities are likely food insecure and vulnerable and they include agriculture wage laborers, agricultural product and handicraft sellers and relatives of migrant workers who have reduced meals or the content of their food basket as a coping strategy. A part of the vulnerable families are not registered to be entitled to the government's cash aid, free healthcare and subsidized rice programs.

Despite the high school attendance, many vulnerable families in rural and urban areas have taken their children out of school and sent them to work to seek additional income to support their family. (*)

CHILD LABOR Crisis Sends School-age Children to Work

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Living Merapi

By. Roni Zakaria



MID-2006, the disaster came. The eruption of Mount Merapi forced the inhabitants who lived in the slopes to flee to save themselves from the anger of the Mount Merapi for the umpteenth time.

Two and a half years after the roar and dust had passed. When peace replaces anger, felt the blessing back to the population who lives around the slopes of Mount Merapi. Active lava flowing constantly around the slopes and changed become volcanic rocks and sand with high quality. Many residents in villages around the slopes of Merapi earn their living as sand and stone miners.

They're not just making a living, but also indirectly keep the balance. Without the miners and mud flowing continuously, the hill at the slopes of Merapi will sink in the cold lava. This is the way of Merapi mountain's people lives with the nature. Harmonious and balanced. Living in Merapi.

Living under Stone Rain Stories about Indonesian Labors





The nomination of "2009 AJI Labor Rights Journalism Competition" photo category. Photo has been published at Koran Tempo on August 10, 2008.



Fashion Victims

By. Afriadi Hikmal



WITH heads bent down, rows of men work meticulously behind their machines at the Al-Mia garment factory in Jakarta. They have left their families behind and moved to the big city in search of the so-called Jakarta dream. Instead, they find themselves earning only Rp 300,000 to Rp 500,000 (\$27 to \$45) a week, eating meals in a small shop besides the factory and retiring to a bare dormitory upstairs at the end of an 8-to-5 work day. For them, the Jakarta dream is a distant one.

Living under Stone Rain Stories about Indonesian Labors







The first winner of “2009 AJI Labor Rights Journalism Competition” photo category. Photo has been published at Jakarta Globe, 22/23 November 2008 edition.