

TRAFFICKING OF WOMEN
AND CHILDREN IN INDONESIA

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Ruth Rosenberg, Editor



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Table of Contents

I.	BACKGROUND	Page 01
II.	OVERVIEW Ruth Rosenberg	Page 11
III.	FORMS OF TRAFFICKING IN INDONESIA	
A.	Migrant Workers Neha Misra and Ruth Rosenberg	Page 38
B.	Domestic Workers Fatimana Agustinanto and Jamie Davis	Page 56
C.	Commercial Sex Workers Rebecca Surtees	Page 63
D.	Servile Marriage and Mail Order Brides Neha Misra and Ruth Rosenberg	Page 103
E.	Other Forms of Exploitation and Trafficking Jamie Davis	Page 110
IV.	FACTORS THAT LEAD TO TRAFFICKING	
A.	Poverty Jamie Davis	Page 119
B.	Lack of Birth Registry Jamie Davis	Page 120
C.	Girl's Education – Illiteracy Neha Misra	Page 122
D.	Cultural Context Rebecca Surtees	Page 124
E.	Gender Biased Policies and Laws Anis Hamim	Page 138
F.	The Impact of Corruption on Trafficking Anis Hamim	Page 145
V.	PROVINCIAL ASSESSMENTS	
A.	Bali Fatimana Agustinanto	Page 151
B.	Central Java Wahyuningrum and Farida Mahri	Page 155

C.	DKI Jakarta Ranggoaini Jahja	Page 158
D.	East Java Neha Misra and Farida Mahri	Page 162
E.	East Kalimantan Fatimana Agustinanto	Page 166
F.	Lampung Ira Soedirham	Page 169
G.	North Sulawesi Ranggoaini Jahja	Page 171
H.	North Sumatra Fatimana Agustinanto	Page 174
I.	Riau Fatimana Agustinanto	Page 178
J.	West Java Ira Soedirham and Anna Puspita	Page 152
K.	West Kalimantan Neha Misra and Ika Inggas	Page 185
L.	West Nusa Tenggara Wahyuningrum and Anna Puspita	Page 190
VI.	REVIEW OF INDONESIAN LEGISLATION Anis Hamim and Ruth Rosenberg	Page 197
VII.	NATIONAL PLAN OF ACTION Neha Misra	Page 219
	REFERENCES	Page 225
	APPENDICES	
A.	INTERNATIONAL INSTRUMENTS RELEVANT TO TRAFFICKING Rebecca Surtees	Page 237
B.	GLOSSARY OF TRAFFICKING TERMS Rebecca Surtees and Martha Widjaja	Page 243
C.	OVERVIEW OF ICMC AND SOLIDARITY CENTER COUNTER TRAFFICKING PROJECT	Page 261
D.	LIST OF PARTNERS AND PROJECTS	Page 267
E.	INTERNET-BASED COUNTER TRAFFICKING RESOURCES	Page 285

LIST OF TABLES

Table 1: GDP by Economic Sector	Page 6
Table 2: Number of Women and Children in Sectors Vulnerable to Trafficking	Page 27
Table 3: Number of Children in Sectors Vulnerable to Trafficking	Page 27
Table 4: Known Sending, Receiving and Transit Areas for Trafficking and Migration	Page 29
Table 5: Domestic Trafficking and Migration Routes	Page 31
Table 6: International Trafficking and Migration Routes	Page 32
Table 7: Indonesian Transit Routes for International Trafficking	Page 32
Table 8: Common Routes by Type of Work	Page 33
Table 9: Number of Indonesian Overseas Workers Processed by the Ministry of Manpower	Page 38
Table 10: Sex Ratios of In and Out Migrants by Province	Page 39
Table 11: Trafficking Practices within the Indonesian Labour Export System	Page 54
Table 12: Number of registered sex workers in Indonesia	Page 65
Table 13: Earnings in the Sex Industry in Bandung, West Java	Page 81
Table 14: Range of Prices for Sex Services in Different Locations in Indonesia	Page 81
Table 15: Monthly Salaries (IDR) of Women according to their Educational Attainment, by Sector, 2001	Page 82
Table 16: Literacy Rates in Selected High Sending Districts by Gender	Page 123
Table 17: Percentage of children who work outside the home	Page 130
Table 18: Percentage of Women Married Before 16 Years of Age (by Age)	Page 133
Table 19: Women.s Age at First Marriage	Page 133
Table 20: Indicators of Socio-Economic and Political Development (1993-1998)	Page 138
Table 21: Percentage of Female & Male Participation In Education 1980-1990	Page 139
Table 22: Development and Gender Indicators - 1999	Page 151
Table 23: Development and Gender Indicators - 1999	Page 155

Acronyms

ACILS	–	American Center for International Labor Solidarity (also: Solidarity Centre)
AFL-CIO	–	American Federation of Labor – Congress of Industrial Organizations
BPS	–	Central Bureau of Statistics
CRC	–	Convention on the Rights of the Child
CSWs	–	Commercial Sex Workers
CTP	–	Counter-Trafficking Program of ICMC and ACILS, funded by USAID
DEPNAKER	–	Departemen Tenaga Kerja (Ministry of Manpower)
DEPNAKERTRANS	–	Departemen Tenaga Kerja dan Transmigrasi (Ministry of Manpower and Transmigration)
Disnaker	–	Dinas Tenaga Kerja (Local Government Manpower Offices)
DKI	–	Daerah Khusus Ibu kota (Special Area Capital)
DPR	–	Dewan Perwakilan Rakyat (Indonesian House of Representatives)
DW	–	Domestic Worker
HIV/AIDS	–	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
ICMC	–	International Catholic Migration Commission
ICW	–	Indonesia Corruption Watch
IDR	–	Indonesian Rupiah
ILO	–	International Labour Organisation
ILO-IPEC	–	International Labour Organisation – International Programme on the Elimination of Child Labour
IMF	–	International Monetary Fund
KPP	–	Kementerian Pemberdayaan Perempuan (Ministry of Women’s Empowerment) (also: MenegPP – Menteri Negara Pemberdayaan Perempuan)

KUHP	–	Kitab Undang-Undang Hukum Pidana (Indonesian Penal Code)
KUHAP	–	Kitab Undang-Undang Hukum Acara Pidana (Indonesian Legal Procedures Code)
Menkokesra	–	Menteri Koordinator Kesejahteraan Rakyat (Coordinating Ministry for People’s Welfare)
MOU	–	Memorandum of Understanding
MPR	–	Majelis Permusyawaratan Rakyat (Indonesian People’s Consultative Assembly)
MW	–	Migrant Worker
NGO	–	Non-Governmental Organisations
NPA	–	National Plan of Action
NTB	–	Nusa Tenggara Barat (West Nusa Tenggara)
NTT	–	Nusa Tenggara Timur (East Nusa Tenggara)
PJTKI	–	Perusahaan Jasa Tenaga Kerja Indonesia (Labor Recruitment Company)
PSK	–	Pekerja Seks Komersial (Commercial Sex Worker)
RAN	–	Rencana Aksi Nasional (National Plan of Action)
RI	–	Republik Indonesia (Republic of Indonesia)
Rp.	–	Indonesian Rupiah
RPK	–	Ruang Pelayanan Khusus (Special Services Room)
STD	–	Sexually Transmitted Disease
TI	–	Transparency International
TKI	–	Tenaga Kerja Indonesia (Indonesian Migrant Worker)
TKW	–	Tenaga Kerja Wanita (Women Migrant Worker)
TU	–	Trade Union
UDHR	–	Universal Declaration of Human Rights
UN	–	United Nations
UNHCR	–	United Nations High Commission for Refugees
UNICEF	–	United Nations International Children’s Emergency Fund
USAID	–	United States Agency for International Development
US\$	–	United States Dollar
UU	–	Undang-Undang (Law)
WTS	–	‘Wanita Tuna Susila’ (Commercial Sex Worker)

I. BACKGROUND

A. Purpose of the Report

Information about trafficking of Indonesian women and children is limited. Many newspaper articles have been written and research on related topics conducted, but it has not yet been consolidated or analyzed as a whole. The purpose of this report is to consolidate the information that already exists about trafficking in Indonesia into one comprehensive report and disseminate this information widely.

It is anticipated that this report will be helpful for people working on counter trafficking in Indonesia, as well as people interested in trafficking worldwide. Not only does the report provide a fairly comprehensive overview of the problem, but it also includes a variety of resources to help combat trafficking, including: a review of existing Indonesian legislation; a list of international agreements which contain articles relevant to combating trafficking; an overview of the Indonesian National Plan of Action for the Elimination of Trafficking of Women and Children; a list of our Indonesian partner organizations working on trafficking in Indonesia; a list of Internet-based resources for trafficking; and a bilingual glossary of trafficking-related terms. It is our hope that a better understanding of the nature of trafficking in women and children in Indonesia will lead to more effective interventions to prevent trafficking and to assist trafficking survivors.

This report was produced by the staff of the International Catholic Migration Commission (ICMC) and the American Center for International Labor Solidarity (Solidarity Center). ICMC and the Solidarity Center are jointly implementing a project to counter trafficking of women and children in Indonesia, with funding from the United States Agency for International Development (USAID). More information about the project is included in Appendix C.

B. Methodology

This report is the result of a collaborative effort between ICMC and the Solidarity Center. It was assembled based on data gained from three types of resources. First was an extensive review of relevant published materials. Project staff reviewed articles, websites, journals, NGO and government reports, and other sources both Indonesian and international, in English and in Indonesian, on a wide variety of topics related to trafficking in persons.

These topics included studies of domestic workers, child workers, women workers, migration and migrant workers, sex workers and the sex industry, and Indonesian culture. For a complete list of these reports, see References.

The second principal resource was interviews with primary sources (e.g., victims, sex workers, migrant workers) conducted during regional assessment missions to 12 provinces in Indonesia most known as sending, transit or receiving areas for international and domestic trafficking. These provinces included Bali, Central Java, East Java, East Kalimantan, Jakarta, Lampung, North Sulawesi, North Sumatra, Riau, West Java, West Kalimantan and West Nusa Tenggara. Project staff made visits to migrant worker holding centers, brothels, and red light districts (*lokalisasi*), sending communities, border areas, shelters for trafficked women and children, and the homes of former sex workers and returned migrant workers. We held discussions with women and children at these locations to learn about their lives and motivations, and to note first hand their work and living conditions. The resulting impressions, though only anecdotal, are incorporated as appropriate into this report, verifying in some cases information from other sources.

The third source of data was interviews with secondary sources of information. ICMC and Solidarity Center staff met with NGOs, trade unions and other organizations advocating for and working with domestic workers, migrant workers, women workers, sex workers, and vulnerable women and children in Indonesia. Meetings were also arranged with the women's studies centers of local universities, and with local government including the Bureaus of Women's Empowerment, Departments of Social Welfare, Departments of Manpower, district and regional police and others.

C. Economic and Social Context ¹

The population of Indonesia is estimated to be just under 230 million people. Population densities vary as much as topography and economic development. There are sparsely populated and undeveloped regions in Papua (Irian Jaya) and Kalimantan (Borneo) where some still earn their livelihood as hunter-gatherers or slash-and-burn farmers. Sumatra, with 25% of Indonesia's land area and 22% of the population is home to extensive plantations, small-hold farmers, and pockets of industry. Java, with its highly fertile soil supports nearly 60% of the population on under 7% of Indonesia's land mass. But Java also has a highly urbanized population compared to the rest of Indonesia, and the greatest variety of occupational types.

The above figures mask the rapidly changing dynamics of Indonesia and its population. Traditional societies and small-scale land holders are being pushed out and off their lands by deforestation, changes in land use (degradation of land, transition to large-scale industrial

¹ This sub-section on economic and social context was written by Jeremy Gross.

plantations) and inter-communal conflicts. Seven major conflicts have erupted since 1998, resulting in the internal displacement of over one million people from the provinces of Maluku, North Maluku, West Kalimantan, Central Kalimantan, Central Sulawesi, Papua, and Aceh. The conflicts are generally viewed as vertical (tension between the national government and the local populations: as in Aceh and Papua) or horizontal (tension between community groups: as in Maluku, North Maluku, West Kalimantan, Central Kalimantan, and Central Sulawesi), and share many of the same contributing factors that result in violence and displacement. One example of these contributing factors is the state policy of transmigration, where in an attempt to reduce overpopulation in certain areas, people were either moved or encouraged to move from their homes and to settle in less densely populated parts of the country, with little consideration of the impact on local, indigenous populations.

The most radical change in Indonesian demographics came with economic development from oil and gas revenues since the 1970s. This enabled Indonesia to develop infrastructure such as roads and communication networks. Simultaneously, Indonesia was seen as a politically safe place for international investment, with a bountiful supply of cheap, controlled labor. It became a site to relocate labor-intensive industries, such as textile, footwear and metals manufacturing, from Europe, North America and North East Asia. The rise of global industrialization was most noticeable in the Jakarta area, Surabaya, Semarang, Medan and Riau (the latter also benefiting from forming one side of a growth triangle linking it to Singapore and Johor Baru in Malaysia, as well as the site of oil and gas reserves).

Patterns of economic and social development were strongly affected by the Asian economic crisis that first hit Thailand in July 1997, and then rapidly spread to all other East and South-east Asian countries. Before the economic crisis people were being drawn to the new industrial, business and financial centers, away from the land and the informal sector, in search of waged employment and higher levels of income, welfare and prosperity. These patterns changed and took on new dimensions with the economic crisis.

Of all countries affected by the 1997 economic crisis, Indonesia was one of most devastated and endured some of the most far-reaching consequences. In other states, for example Malaysia and South Korea, the governments managed to stabilize economies following a mixture of orthodox (cutting state spending in South Korea) and controversial (currency controls in Malaysia) measures. In Indonesia, however, the economic crisis was more basic than an imbalance in economic fundamentals. Rather, the crisis exposed the very weaknesses of the Indonesian state.

Indonesia's development occurred under a strong authoritarian government that was supported by a crony-capitalist elite. All state institutions were tamed to serve the interests of the elite rather than to act as independent bodies with their own roles and functions. Regulatory bodies that could check for financial or legal impropriety were weakened to such an extent that the rule of law effectively ceased to exist. With the onset of the financial crisis, the national economy could no longer shelter from international realities, and the true extent of the weaknesses of the Indonesian economy was revealed. The Indonesian rupiah lost

eighty percent of its dollar value (making companies unable to repay their dollar-denominated loans), the value of company assets were wiped out overnight, and all but a few businesses sank into negative equity.

The economic implosion acted as a catalyst for the collapse of the New Order authoritarian regime that ruled Indonesia for over thirty years. With the collapse of the regime came the collapse of the legitimacy of the political, bureaucratic, judicial, business and military elites. Therefore, at a time of economic devastation, Indonesia also had to go through a transition to establish a more democratic polity based on the rule of law. Yet, with the weaknesses of the state exposed, it has become far more difficult to rebuild governance in Indonesia, or to exert any kind of control over restive civil servants or regions.

The new lack of confidence in Indonesia is both a national and international phenomenon. One indicator is the collapse of investment in Indonesia. In 2001, foreign direct investment stood at over US\$15 billion; by 2002, it declined to approximately US\$9.7 billion. Domestic investment approvals dropped by 57%, falling from IDR 58.62 trillion (approximately US\$6.66 billion) in 2001 to IDR 25.26 trillion (approximately US\$2.87 billion) in 2002 ('FDI Plunged,' 2003). Such statistics do not bring to life the realities of the situation on the ground. In addition to indicating the paucity of new development, and hence employment and welfare opportunities for ordinary citizens, it shows that new money is not being ploughed into existing enterprises to make them more competitive and able to cope with future demand. Indeed, there are fears of a possible de-industrialization in Indonesia in the years ahead – with only the extractive industries (i.e. mining, oil and gas) retaining the interest of the global economy. Such economic difficulties are reflected in the countries GDP figures and are shown clearly by comparing GDP at constant prices over the years from 1993 (as shown in Table 1).

This economic weakness is devastating for an economy that needs to create over 2 million new jobs a year just to absorb new job seekers. Indeed, the labor market has grown from just under 81 million people in 1993 (KOMINFO, 1999) to 97.6 million people in late 2000 (Witular, 2002). Other socio-economic data highlight the profound impact of the economic crisis. For example, at the onset of the crisis, although sixty percent of the population was still rural and working in the agricultural sector, two-thirds of the other forty percent of the population were working in the formal sector – in offices, factories or the civil service. However, as workers have been retrenched, this has been reversed. Many of the new unemployed have had to find new ways to make a living, and since 1997, the informal sector has grown to account for seventy percent of the non-agricultural working population. Many unemployed have also had to return to hometowns and villages to work as casual laborers or to work back on the land (and so again increasing rural poverty).

One sector that has long been an important outlet for the rural unemployed is migrant labor. There are an estimated 3 million Indonesian migrant laborers (see section III A, Migrant Workers), and in 2001, they remitted an equivalent of over one billion US dollars in hard currency to Indonesia (BI, 2003). However, even migrant work is insecure during a global

economic downturn, or as relations between states sour. For example an estimated half-million Indonesian migrant workers were expelled from Malaysia in early 2002, and migrant workers living in the Gulf states are likely to be evacuated from the region in fear of international conflict with Iraq in 2003.

According to the Central Bureau of Statistics, the number of Indonesia's poor now stands at 37.7 million people (including 13.2 million in urban areas), up from 22.5 million in the pre-crisis year of 1996. The total number of unemployed is now 8 million people ('Majority,' 2002). Yet many independent experts estimate the real number of unemployed and underemployed to be at 40 million (Witular, 2002). These alarming employment figures are matched by the poverty levels found in Indonesia, where two-thirds of the population is estimated to live on fewer than two dollars a day, and about 15 percent of the population on less than one dollar a day.

It is very difficult to obtain reliable data and statistics for the levels of economic hardship endured by Indonesian citizens since 1997. However, it is clear that the conditions for trafficking and exploitation and abuse of workers, potential workers, women and children are ideal, as many people are caught up in situations of urban and rural poverty in a country that has changed drastically over thirty years, and more dramatically over the past five years.

Table 1: Gross Domestic Product (GDP) by Economic Sector 1997 – 2002

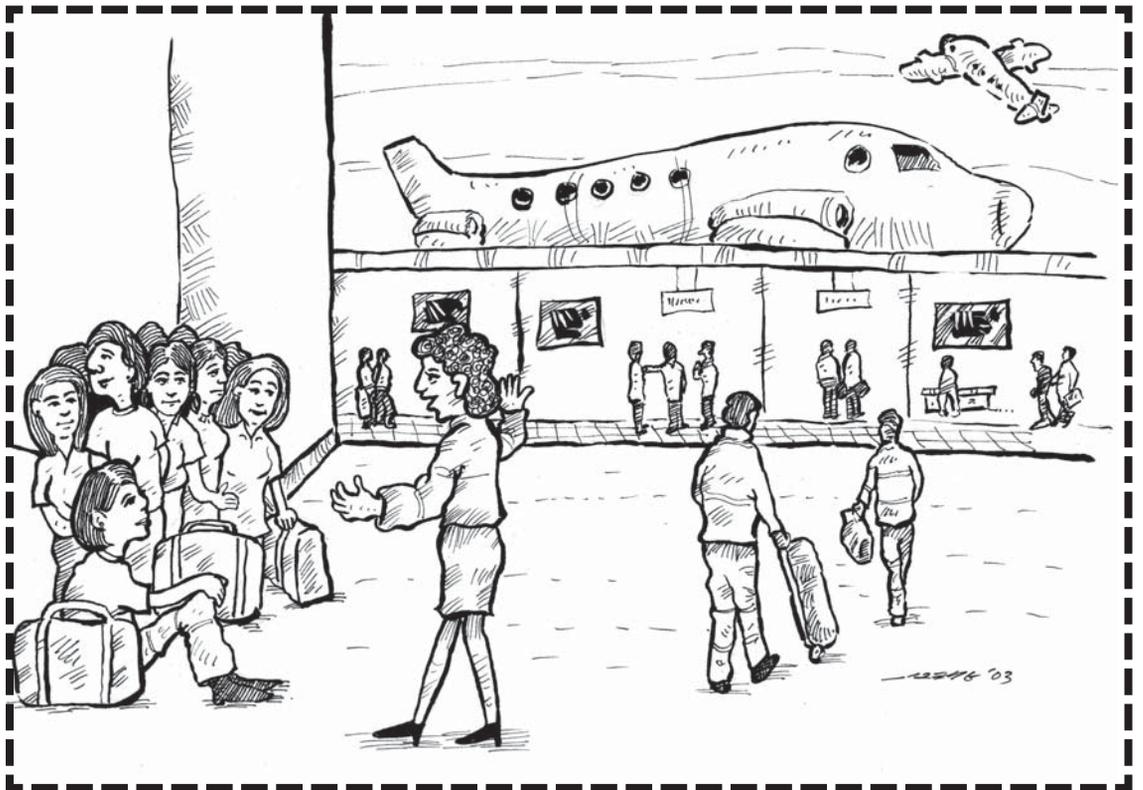
Gross Domestic Product at constant prices 1993 (IDR Billion)	1997	1998	1999	2000	2001	2002 Jan-Sep
Total GDP	433,246	376,375	379,353	397,934	411,132	318,781
Agriculture, Livestock, Forestry & Fisheries (ALFF)	64,468	63,609	64,985	66,088	66,504	53,550
Farm Food Crops	32,688	33,350	34,013	34,312	33,932	28,233
Non-food Crops	10,497	10,502	10,702	10,871	11,096	8,696
Livestock & Products	7,483	6,440	6,837	7,052	7,322	5,975
Forestry	7,190	6,581	6,288	6,365	6,432	4,636
Fisheries	6,610	6,737	7,146	7,489	7,722	6,010
Mining & Quarrying	38,538	37,474	36,866	38,730	38,483	28,850
Crude Petroleum & Natural Gas	23,920	23,340	22,137	22,658	21,707	16,291
Mining excl. Petroleum & Gas	7,646	9,678	10,358	11,459	11,966	8,850
Quarrying	6,973	4,455	4,371	4,613	4,810	3,709
Manufacturing Industries (Mfg)	107,630	95,321	99,058	105,103	109,641	84,197
Petroleum & Gas	10,650	11,042	11,797	11,600	11,271	8,338
Petroleum & Gas: Petroleum Refinery	5,926	6,310	6,607	6,843	6,964	5,189
Petroleum & Gas: Liquefied Natural Gas	4,725	4,732	5,191	4,756	4,307	3,150
Manufacturing excl. Petroleum & Gas	96,980	84,278	87,261	93,503	98,370	75,859
Food, Beverage & Tobacco	48,949	48,837	51,106	52,338	52,784	40,434
Textile, Leather Products & Footwear	8,411	7,161	7,769	8,611	9,255	7,153
Wood & Wood Products	5,710	4,254	3,678	3,925	3,837	2,803
Paper & Printing	3,955	3,795	3,882	4,110	3,903	2,967
Fertilizers, Chemicals & Rubber	11,908	10,002	11,029	12,181	14,293	11,377
Cement & Non-metallic Mineral	3,273	2,299	2,419	2,573	3,009	2,685
Iron & Basic Steel	3,148	2,301	2,296	2,597	2,585	1,987
Transport Equipment Machinery & Apparatus	11,073	5,277	4,735	6,766	8,207	6,082
Other Manufacturing Products	552	353	347	402	497	370
Electricity, Gas & Water Supply	5,480	5,646	6,113	6,649	7,210	5,654
Electricity	4,463	4,608	5,013	5,459	5,968	4,639

Table 1: Gross Domestic Product (GDP) by Economic Sector 1997 – 2002

Gross Domestic Product at constant prices 1993 (IDR Billion)	1997	1998	1999	2000	2001	2002
						Jan-Sep
City Gas	270	225	227	271	282	262
Water Supply	747	813	873	920	961	753
Construction	35,346	22,465	22,036	23,247	24,168	18,644
Trade, Hotel & Restaurant	73,524	60,131	60,094	63,449	66,692	51,769
Wholesale & Retail Trade	58,842	47,846	47,575	50,284	52,859	40,962
Hotels	2,729	2,486	2,593	2,669	2,760	2,094
Restaurants	11,952	9,799	9,926	10,495	11,073	8,713
Transport & Communication	31,783	26,975	26,772	29,284	31,483	24,907
Transport	25,609	20,504	19,738	21,431	22,747	17,847
Transport: Railways	304	327	364	389	419	323
Transport: Road Transport	14,730	10,988	10,001	10,922	11,406	8,902
Transport: Sea Transport	2,624	2,541	2,776	3,033	3,328	2,656
Transport: Inland Water Transport	1,665	1,521	1,510	1,613	1,699	1,274
Transport: Air Transport	1,919	1,209	1,063	1,160	1,288	1,023
Transport: Services Allied to Transport	4,366	3,918	4,023	4,313	4,606	3,669
Communication	6,174	6,471	7,035	7,854	8,736	7,060
Financial, Ownership & Business Services (FOB)	38,543	28,279	26,245	27,383	28,201	21,755
Banks	16,195	10,058	8,686	9,151	9,509	7,333
Non-bank Financial Institutions	3,499	2,897	2,949	3,043	3,145	2,433
Services Allied to Financial	262	218	226	236	244	191
Building Rental	11,826	9,476	8,906	9,188	9,373	7,223
Business Services	6,761	5,630	5,477	5,765	5,929	4,575
Services	37,935	36,475	37,184	38,002	38,750	29,455
General Government	23,617	21,888	22,251	22,555	22,795	17,152
Administration & Defense	17,833	16,320	16,466	16,682	16,819	12,658
Others	5,784	5,567	5,785	5,874	5,976	4,493
Private	14,318	14,588	14,933	15,446	15,955	12,304
Social & Community	2,767	2,512	2,638	2,751	2,864	2,233
Amusement & Recreation	788	693	647	684	706	552
Personal & Household	10,764	11,383	11,648	12,012	12,384	9,518

Source: (BPS, n.d.)

OVERVIEW



II. OVERVIEW

By Ruth Rosenberg

A. Definition of Trafficking

Trafficking in persons means different things to different people. It encompasses a complex array of problems and sensitive issues which many people interpret in different ways depending on their individual or organizational perspective. However, as international trafficking experts Wijers and Lap-Chew state, "...the issue of definition is anything but an academic question. Depending on how the problem is defined, different measures to prevent and combat "trafficking" will be proposed..." (1999: 23). In Indonesia, this is particularly important because many of the manifestations of trafficking are also accepted practices so that they are not considered exploitative let alone as acts of trafficking.

Historically, trafficking was viewed as the coerced movement of women across international borders for prostitution, with early conventions on trafficking focusing only on this aspect. More recently trafficking has been defined as the movement of persons (especially women and children), with or without their consent, within a country or internationally, for all forms of exploitative labor, not only prostitution and servile marriage, thus broadening the definition to encompass a much wider range of issues and abuses (Wijers & Lap-Chew, 1999: 23-45).

Broadening the definition in this way means that more forms of exploitation experienced by Indonesians are now categorized as trafficking than was previously the case. By highlighting these conceptual changes we can better understand how this influences our understanding of trafficking in Indonesia. This new conceptual framework for trafficking represents a shift on several fronts as described below. The following points are based on Wijers and Lap-Chew, 1999: 23-45.

- *From Recruitment to Exploitation:* The framework has expanded from conceptualizing trafficking as merely recruitment so that it comes to include the exploitative conditions people faced as a result of their recruitment.

In 1904, the first international convention against trafficking was written – the International Agreement for the Suppression of the White Slave Trade. This convention was targeted at the international recruitment of women, against their will, for the purpose of sexual exploitation. A new convention in 1910 broadened this convention to include domestic trafficking of women. Both conventions addressed only the coercive and abusive

recruitment process of adult women for sexual exploitation. This expansion of the conceptual framework reflects a transition from viewing recruitment as a discrete act to a more sophisticated notion of trafficking as a process that includes both an act of recruitment and the ultimate working conditions that recruits experience. Within this framework, a woman can be trafficked into work which she has voluntarily chosen. Domestic work provides a good illustration of this point. Domestic work is not generally considered exploitative and many women voluntarily choose to migrate for work as domestic helpers. However, the way in which women are recruited for the work and the conditions under which they work can turn domestic labor into forced labor. Many Indonesian women and children voluntarily migrate for work. In some cases, they even pay recruiters a fee to find them jobs. It is not until they arrive at their destination that the exploitative nature of the work and conditions become apparent.

- *From Coercion to 'with or without Consent'*: The framework has also changed from requiring that trafficking involve deception, force or coercion, to a recognition that a woman can be a victim of trafficking even if she has consented to her own recruitment and transportation.

In 1949, the UN adopted the Convention for the Suppression of the Trafficking in Persons and of the Exploitation of the Prostitution of Others. This convention condemns both domestic and international trafficking, eliminates the requirement that recruitment be coercive or abusive, making trafficking possible even with the consent of the victim, and makes profiting from prostitution illegal. However, because of these broader developments, many states refused to sign this convention.

In Indonesia, people commonly consent to their own recruitment, and even seek it. However, they are unaware of the ultimate conditions of work. They may be forced to work for little or no wages due to inflated debts, to work in unsafe or unhygienic conditions, or be forced to work in a job other than that which was initially promised.

- *From Prostitution to Informal and Unregulated Labor*: In 1994 the UN adopted a resolution on "Trafficking in Women and Girls" which broadened the definition of trafficking to include exploitation not only for purposes of prostitution but for all types of forced labor. This resolution recognized that often women knowingly agree to be transported across or within borders, legally or illegally, but are unaware of the exploitation that awaits them. This resolution states that trafficking be defined by the "end goal of forcing women and girl children into sexually or economically oppressive and exploitative situations" (Wijers and Lap-Chew, 1999:28).

Although trafficking for sexual exploitation certainly exists in Indonesia, far more women are trafficked for other forms of labor. Of the nearly a half million Indonesians who migrate officially for work each year, 70% are women (Hugo, 2001: 109); many more are thought to migrate through irregular channels. A large majority of the women migrate for work as domestic helpers; others for work in restaurants, factories or plantations. From research as well as NGO accounts of migrant workers, we know that many of

these women find themselves facing conditions of exploitation, debt bondage, confiscation of identification, and restrictions on their movement that constitute trafficking.

- *From Violence Against Women to Violation of Human Rights:* This change in the conceptual framework demonstrates a shift from thinking of trafficking as an issue which has often been considered domestic and outside the jurisdiction of the state, to thinking of it as a violation of basic human rights and therefore a matter over which states can be held accountable.

This evolving perspective of women's rights as human rights was most visible at the 1993 UN World Conference on Human Rights and the 1979 Convention of the Elimination of All Forms of Discrimination Against Women. Similarly, the Vienna Declaration / Programme for Action (VDPA) stressed the need to conceptualize trafficking violations as human rights violations (Article I [18]).

- *From Trafficking in Women to Illegal Migration:* This shifting paradigm demonstrates primarily a change in the receiving countries' perception of trafficking as an issue of illegal migration and human smuggling. This has negative consequences. By concentrating solely on migration status, this changing framework ignores some important aspects of trafficking in women. Firstly, there are many cases of trafficking in which the women enter the destination country legally. Such a perception also dismisses the possibility of domestic trafficking. Perhaps most importantly, this framework shifts the focus away from the victim. The crime becomes one of illegal migration in which the victim is the perpetrator and the state becomes the victim.

As the following chapters will demonstrate, in Indonesia as in many countries, the line between migration and trafficking is fluid, with women often moving from states of voluntary migration for legitimate work to conditions of exploitation. Those involved in their recruitment and transportation may or may not be involved in the final stages of exploitation. According to some reports, recruits may be handed over to recruiters in other countries who then arbitrarily move some of them into brothels and some into the work they had been promised by the original recruiters (Jones, 2000: 76). Understanding the connection between migration and trafficking, and the fluidity between legal and illegal migration is critical to understanding trafficking in Indonesia.

In response to the limitations of earlier conceptualizations of trafficking and the broad scope of the issue, Wijers and Lap-Chew recommend the following working definitions:

Trafficking in Women: All acts involved in the recruitment and/or transportation of a woman within and across borders for work or services by means of violence or threat of violence, abuse of authority or dominant position, debt bondage, deception or other forms of coercion.

Forced Labour and Slavery-like Practices: The extraction of work or services from any woman or the appropriation of the legal identity and or physical person of any woman by means of violence, abuse of authority or dominant position, debt bondage, deception or other forms of coercion (1999: 45).

In response to the lack of a concrete internationally accepted definition, the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), a supplement to the United Nations Convention against Transnational Organized Crime, includes the following definition of trafficking:

(a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) "Child" shall mean any person under eighteen years of age.

Both definitions are valuable in that they highlight not only the recruitment and transportation process that is pivotal to trafficking, but also the associated exploitative conditions into which people are trafficked. To date, the Indonesian government has not yet articulated a definition of trafficking tailored specifically for the Indonesian context. In the development of the National Plan of Action for the Elimination of Trafficking of Women and Children the Government utilized the UN Protocol definition above, and tried to clarify it by delineating prevalent types of trafficking of Indonesian women and children (see section VII National Plan of Action). As of the writing of this report, a definition for use in a new Indonesian anti-trafficking bill is still under development.

Although the recruitment and transportation process can be separated from the related abuses in the definitions, it is not so easy to separate these in the reality of analyzing who is involved in trafficking and how to define actual cases of trafficking. As noted above, there is fluidity between the trafficking and migration processes. Those who recruit and transport victims of trafficking may in some cases be unaware of the exploitative conditions that await their recruits. It is critical, therefore, to examine trafficking and the exploitative conditions into which people are trafficked as an integrated whole. The chart below, developed by ICMC and the Solidarity Center and extrapolated from the UN definition above, is a useful tool to analyze individual cases to determine if they are or are not trafficking. Throughout this report, we will examine both the process of trafficking and the forced labor and slavery-like conditions into which women and children are trafficked.

ICMC and Solidarity Center Trafficking Framework

Process	+	Means	+	Purpose
Recruitment		Threat		Prostitution
OR		OR		OR
Transportation		Coercion		Pornography
OR		OR		OR
Transferring	AND	Abduction	AND	Violence/Sexual Exploitation
OR		OR		OR
Harboring		Fraud		Forced Labor
OR		OR		OR
Receiving		Deceit		Slavery/Similar Practices
		OR		
		Deception		
		OR		
		The Abuse of Power		
1		1		1

If one condition from each of the three categories above is met, the result is trafficking. Consent of the victim is irrelevant if one of the means above is employed. For children consent is irrelevant with or without the above means.

B. Summary of the Forms of Trafficking in Indonesia

As in many countries of Southeast Asia, trafficking of women and children takes many forms in Indonesia. Just as the international definitions of trafficking recognize a boarder spectrum of abuses, so in Indonesia there is growing recognition that many previously accepted forms of exploitative labor, child labor, recruitment practices into the sex industry, and servile marriages may in fact be forms of human trafficking and infringements on the human rights of the individuals involved.

Although trafficking of persons in Indonesia includes the trafficking of men, women, and children of both sexes, this report will focus only on trafficking of women and children, as that is the focus of the counter trafficking project and of the organizations’ efforts to combat trafficking in Indonesia. This should not be read as a comment on the prevalence or seriousness of trafficking of men in Indonesia, but only a recognition that it falls outside the scope of the current work.

The most commonly recognized sectors into which women and children are trafficked in Indonesia include:

- Migrant work
- Domestic work
- Sex work
- Servile marriage in the form of mail order brides
- Child labor

The brief summary below introduces the predominant forms of trafficking, the methods of recruitment and the manifestations of exploitation. The chapters which follow will go into greater depth and analysis of the different forms of trafficking in Indonesia.

Since dropping out of school, Dewi (not her real name) and her family have been trying to find a good job for her to earn money to help the family. She was 16 years old when an agent came to the village looking for women who were interested in going to Singapore to work as housemaids. The salaries were higher than anything Dewi, a young woman with only a junior high school education could ever hope to earn in Indonesia. She and her family jumped at the offer. The agent told her not to bring her identity card, because a new one would be made for her. In Batam she stayed at the migrant worker holding centre for several weeks as her papers were being processed. Before leaving for Singapore the manager of the centre gave Dewi her new identity card. The date of birth had been changed to make her 18 years old, old enough to enter Singapore on a work visa.

Once in Singapore, her problems began. Her employer was very difficult to please. He began to sexually harass her and asked for 'special favours'. When Dewi refused he sent her back to the employment agency claiming she was a lazy worker. The agent got very angry and threatened to send her to Batam as a sex worker. She asked to be sent home. He agreed, but only if she repaid all of his expenses which amounted to over IDR 10 million (over US\$ 1,000). Instead, he sent her to another agency in Batam, and they too insisted that she repay their expenses before she could go home. As she had no money, they planned to send her to Malaysia to work as a domestic helper with the other girls in the centre.

Dewi was afraid and anxious to return home. She wrote her father about her predicament. Her father contacted a legal aid organization. This organization contacted Solidaritas Perempuan, who together with a Batam-based NGO, Karya Migran, and the local police started working on Dewi's case. Luckily they found Dewi still in the holding centre. They were able to convince the centre to release her. The police found a passport in which her date of birth had been changed to make her 25 years old, the age required for a work visa in Malaysia. Dewi is now back home with her family. She left behind many other underage girls at the holding centre waiting to be sent to Malaysia as migrant workers.

Source: Interview 2003 with Solidaritas Perempuan

Migrant Work

The number of women migrating for work from Indonesia has steadily risen since the mid 1980's. The number of migrant workers officially registered with the government throughout the 1980's was less than 90,000 per year. By the year 2000 the total had increased to over 435,000, with nearly 70% women (Hugo, 2001: 109). It is widely maintained that large numbers of people, including underage children, migrate without the knowledge of the Ministry of Manpower, either through informal or irregular channels, increasing the number of women and child migrant workers significantly. Women and children tend to migrate for work in the following sectors:

- Domestic work
- Restaurant help
- Factory and plantation work
- Entertainment industry / sex work

Migrants are exploited throughout the migration process, from recruitment to pre-departure processing, while working, and upon their return. Women and children are recruited through both legal and illegal channels, and often the migrants are themselves unaware of the difference. Studies have shown that both legal and illegal brokers use similar methods of recruitment and transportation. In order to speed up processes and change critical information – especially children's ages - workers documents are often falsified even when migrating through legally-registered brokers. This puts migrants at risk in the destination country for a variety of immigration violations. Migrants also incur large debts to agents, often from illegal fees and high interest rates. Salaries are cut to pay back these debts, and in extreme cases, workers find themselves in a situation of debt bondage from which they can never escape. Conditions of work often violate local labor laws with migrants working long hours, having no days off, and being housed and fed in unsanitary conditions. Workers who may wish to return home, either for personal reasons, due to the conditions of work, or for fear of sexual harassment and abuse, are commonly forced to continue working in order to repay agents for the cost of their recruitment and transportation. It is not unusual for employers or agents to hold passports and other documents to ensure workers do not try to escape (Jones, 2000: 44-52).

Many of these forms of exploitation result in voluntarily recruited migrant workers becoming victims of trafficking. Yet, many of these practices are so commonplace in Indonesia that they are not recognized as exploitative, let alone as trafficking violations. By not recognizing these forms of trafficking, the government is allowing the exploitation of Indonesian women and child migrant workers to continue unchecked. The case of Dewi, above, is illustrative of this problem. The recruitment of underage girls is considered a necessity in a country with massive un- and under-employment. With few economic alternatives available for girls like Dewi, the falsification of her age in official documents is an accepted practice which is viewed as benefiting both the girl and her family, and is thus ignored by not only government, but also by many NGOs assisting migrant workers. It is also an accepted practice to require women and children to continue working to repay their debts rather than allowing them to

return home and repay these debts through other means, and if they prove incapable or unwilling to repay them, requiring companies to pursue them through the legal system. Until such practices are recognized as forms of forced labor and trafficking, the true extent of trafficking within the migrant labor system will be unknown, traffickers will go unpunished and the rights of women will continue to be violated.

Domestic Work

The largest demand for Indonesian women migrant workers is for unskilled domestic help. Domestic workers are often at particular risk because the nature of their work is in private homes and thus closed to public scrutiny or access to assistance. Reports of sexual assault from employers are not uncommon. Often workers' movements are restricted. They are limited in where they can go, and are frequently locked in the home when the employer is out. As domestic work occurs in the informal sector, it is often unregulated by governments and falls outside the purview of national labor laws. Some of the abuses typically suffered by domestic workers are:

- Long working hours
- No time off
- Illegal confinement
- Non-payment of wages or reduced wages
- Physical and psychological abuse
- Sexual assault
- Lack of proper sleeping area / accommodation
- Denial of food or insufficient food
- Denied ability to practice religion or required to violate religious practices (Wijers and Lap-Chew, 1999:89-90; Jones, 2001: 64-76)

In-country domestic workers are also subject to similar abuses, including illegal confinement, debt bondage and non-payment of wages which make their recruitment into such exploitative conditions cases of trafficking. Additionally, some studies have reported over 25% of domestic workers in Indonesia are under 15 years of age (the legal minimum working age in Indonesia) (Susilo and Soeparno, 1993:9; YKAI, 2001:1), while other studies report rates of underage workers exceeding 50% (Blagbrough, 1995:15). In such cases, the working conditions – long working hours, no time off, no schooling, etc. - violate the UN Convention on the Rights of the Child, which include the right to an education (Article 28), the right to rest and leisure (Article 31), and the right to protection from economic exploitation, especially if it interferes with the child's education or development (Article 32) and is therefore exploitative labor. Thus the recruitment and transportation of children for employment as full time, live-in domestic workers constitutes trafficking in persons. However, a tradition of sending girls to work in the homes of relatives or family acquaintances as well as a lack of economic alternatives for the children's families, has normalized this practice through much of Indonesia (Habsyah et al., 1995: 1; ILO/IPEC, 2001: 30), resulting in a lack of recognition of the exploitative nature of the work, especially for children.

Sex Work

Recruitment into the international sex industry appears to be similar to that of other migrant workers, and in fact is often disguised as migrant work. Anecdotal evidence, as well as studies of migrant workers, indicate that many women are recruited for domestic work, work in restaurants or other entertainment sectors and are then forced into the commercial sex industry. Many of these women have paid fees to recruiters to find them jobs overseas, and are unaware of the true nature of the work until their arrival in the destination country. Traffickers falsify their documents so that victims will be afraid to go to the authorities for fear of being arrested or deported. They use force or the threat of force to keep women and girls from running away. Victims may also be forcibly confined and guarded, and burdened with manufactured or inflated debts, resulting in the withholding of any income for the services they are forced to provide (Jones, 2000: 76-80; Project field assessments).

A more recent manifestation of trafficking is the recruitment of young women from Bali and Java for cultural or dance missions to Japan. The dancers are told that they will perform traditional dance in entertainment centers in Japan. Once there, they are put to work in karaoke bars and strip clubs. At first they may work as waitresses or hostesses but are eventually required to provide sexual services to customers (Kurniawan & Santosa, 2002; Interviews, 2002; Project field assessments).

Entry in the sex industry within Indonesia appears to take many different forms and not all involve trafficking. Some women enter knowingly, feeling that few other options are available to women with little education and few skills. Many have families to support and can find no other viable way to support them. In other cases, women and girls who leave their villages for the big cities to find jobs are approached by taxi drivers offering them lucrative jobs, and are then brought to brothels where they are either coerced or persuaded to remain. Though often not recognized, parents can traffick their children through the abuse of their formal and informal parental authority. In some districts of Indonesia, especially in Java, there are sub-cultures where the families of underage girls arrange for them to move to the cities to enter the sex industry in order to earn higher incomes than would otherwise be possible. These are clear cases of trafficking. In yet other places, such as North Sulawesi, young women and girls knowingly sign contracts to work as dancers, strippers or sex workers, but are deceived about the conditions of work, are burdened by manufactured or inflated debts, are forcibly confined, or not allowed to refuse work, thus ending up in exploitative conditions that constitute trafficking (Project field assessments). There is also some consistency amongst reports that 30% of sex workers in Indonesia are under 18 years of age (Irwanto et al., 2001: 30). Children under 18 who are recruited and transported into the sex industry are victims of trafficking, making issues of consent or voluntary entry into the sex industry irrelevant.

Mail Order Brides

Forced marriages have a long history in many parts of Indonesia. There are many Indonesian sub-cultures in which marriages are traditionally arranged by the parents with little consideration

of their children's preferences. Although these practices are less common today than they once were, they still persist and violate individuals' right to marry with free and full consent (Article 16, Universal Declaration of Human Rights). Mail order brides are a modern manifestation of arranged marriage and may constitute trafficking when the girl is pressured by her family (especially if she is under 18), and ends up in servile or exploitative conditions. The mail order bride phenomenon in Indonesia appears to take place primarily within the Chinese Indonesian community in West Kalimantan province (although there have also been cases reported in East Java), with men from Taiwan as prospective husbands. While some young women who have become wives through this process end up in successful marriages, others have reported working like a slave in the home of her new husband and his parents, with long hours and no salary and not being treated as a member of the family. In some of the more notorious examples, women are forced by their husbands into the sex industry or sold outright to a brothel. Although not all cases of mail order brides end badly or involve trafficking, many cases involve underage women, and the falsification of documents. Most marriages are facilitated through brokers in the community in Singkawang, West Kalimantan, with marriage ceremonies taking place in Indonesia. In some cases, on arrival in Taiwan, the bride's citizenship is changed – sometimes without her knowledge – making her return to Indonesia should she run into trouble, quite difficult (Arsana, 2001; Dzuhayatin and Silawati, 2002; Kearney, 2002).

Other Forms of Child Labor

As the following chapters will show, there are certain forms of child labor in Indonesia which could be classified as acts of trafficking. Of particular note is the case of young boys working on the fishing platforms (*jermal*) off the coast of North Sumatra. Young boys are recruited from the villages with promises of large salaries to work with three month contracts on off-shore fishing platforms. However, the conditions of work are not made clear, and the boys suffer from lack of hygiene, physical and sexual abuse from adults on the platform, and long working hours. They do not attend school and cannot leave the platforms once on them. NGOs also report cases children being trafficked for forced work as beggars or to sell narcotics (Project field assessments). Other forms of child labor, such as for domestic work and for commercial sexual exploitation are addressed in other sections, but are flagged here as equally relevant and abusive forms of child labor to be considered within the trafficking paradigm.

The Traffickers

In discussions of trafficking in persons, traffickers are often portrayed as a part of a highly organized transnational criminal organization. Although this may be true in some cases, it is equally clear that many traffickers are not part of organized criminal groups; some operate independently, while others are respected members of their communities. Each of the sectors in which trafficking takes place also has its own unique set of actors involved in it. Just as not all of the women and children involved in these sectors are victims of trafficking, so too, not

all of the actors are traffickers. However, many of them are and some may be directly involved in the trafficking of women and children and not even be aware of it. Below is a brief description of the various categories of people and organizations involved in trafficking of women and children in Indonesia. A more detailed list of actors and in depth discussion of them can be found in sections III A-E.

- **Recruiting Agencies:** Recruiting agencies (PJTKI) pay agents to find workers in Indonesian villages, run holding centers, obtain identification and travel documents, provide training and medical tests and transport workers to jobs in the destination country. Both registered and unregistered recruiting agencies engage in illegal and exploitative practices, such as facilitating the falsification of passports and identity cards and illegally confining workers in holding centers. They become traffickers when they force women to continue working even after they ask to return home, when they send workers into a different kind of work from that which was promised and when they send women, knowingly or unknowingly, into forced employment in the sex industry.
- **Agents:** Agents may be strangers who come to the village, neighbors, friends, or even village chiefs. Agents may work simultaneously for registered and unregistered recruiting companies, earning a fee for every worker recruited. They often engage in illegal practices such as falsification of documents. Agents may knowingly engage in the trafficking of women when they lie to their recruits about the true nature of the job or their expected remuneration. Some agents knowingly recruit women for the sex industry. On the other hand, many may assist in the trafficking of women for the sex industry without being aware of it. Agents may have no idea of the true nature of work for which they are recruiting.
- **Government:** Government officials also play a role in the exploitation and trafficking of migrants. Their involvement includes the falsification of documents, ignoring recruitment and labor violations, or facilitating illegal border crossings. They may or may not be aware that the women whose recruitment and transportation they are facilitating are victims of trafficking.
- **Employers:** Employers, whether they are involved or not in recruitment, are involved in trafficking if they force the recruits to work in exploitive conditions. Employers are involved in trafficking by withholding salary, illegally confining workers to the premises, sexually and physically abusing workers, forcing workers to continue working against their wishes, or holding them for debt bondage.
- **Brothel Owners and Managers:** As with the employers above, brothel owners and managers are involved in trafficking if they force women to work against their wishes, hold them for debt bondage, keep them illegally confined, restrict their freedom of movement, withhold salary, or recruit and hire children under 18 years old.
- **Marriage Brokers:** Marriage brokers involved in the mail order bride system are

involved in trafficking when they arrange marriages which result in servile and exploitative conditions for the new wife. The marriage broker may or may not be aware of the exploitative nature of the pending marriage.

- **Parents and Relatives:** Parents and other relatives become traffickers when they knowingly sell their children or relatives to any employer – whether in the sex industry or other sectors. Parents also traffick their children when they accept payment in advance on their children’s future earnings, or offer the services of their children in repayment of debts they already owe – thus forcing their child into debt bondage.
- **Husbands:** Husbands who marry and transport women to a new location with the purpose of exploiting them economically, keeping them in servile status, or forcing them into prostitution are engaged in trafficking.

C. Summary of the Factors that Lead to Trafficking

Trafficking is not a simple phenomenon, and those factors that make women and children more vulnerable to trafficking are complex and interwoven. In the course of this book we will examine in more depth a range of factors that lead to vulnerability to trafficking. These include poverty; low levels of education; cultural issues related to women’s roles in the family; relative status and power; children’s role in the family; historic precedents of bonded labor; traditions of early marriage; gender biased laws; and the impact of corruption.

Poverty

Poor people may be more vulnerable to trafficking not only from having fewer alternatives to earn income, but also by holding less social power, thereby having access to fewer avenues of assistance and redress. A study of trafficking in 41 countries demonstrates that a desire to improve one’s economic standing and a lack of opportunities to do so at home is one of the main reasons women choose to migrate for work (Wijers and Lap-Chew, 1999: 61). However, a review of economic conditions in Indonesia also shows that although some high sending communities have lower median incomes than the national average, other high sending communities have relatively high median incomes. Clearly, then poverty is not the only factor that contributes to vulnerability to trafficking. However, a desire to earn higher income does push people into the migration cycle, putting them at risk for trafficking. With their lower social status, poor people also have less power to voice complaints or access assistance from state authorities.

Low Levels of Education

Although Indonesia has seen improvement in the past decades in increasing the country’s education levels, there are still many people who do not reach more than a few years of basic primary school education. Additionally, in families that cannot afford to send all of their children to school, priority will generally be given to boy’s education. There is also a strong

urban-rural divide in educational achievement, with rural women being the least educated of all. Although Indonesia's national literacy rates have improved [80.5% for women, 90.9% for men (UNDP/BPS, 2001:79)], there are pockets of illiteracy in many parts of the country. Many of these areas where low education and high levels of illiteracy are common, are also high sending communities for trafficking. For example, Indramayu in West Java province, known as a sending community for migrant workers and especially for sex workers, has a female literacy rate of only 55.5% (UNDP/BPS, 2001:92), far below the national average. Low education and illiteracy puts women at greater risk of exploitation and trafficking, being unable to read or understand work contracts or immigration documents. It also makes it harder for them to seek assistance, not knowing their rights, being unable to read signs, or in some cases to speak the local language.

Women's Roles in the Family

In Indonesia, women's roles in the family center on the home. Women's main tasks are as a wife and mother; to care for the family and home. However, this responsibility also extends to ensuring that the family has income to sustain it. Many women are the main income earners in their households. If a family needs income, a woman may decide to leave her family and migrate for work in order to send home income to sustain them. In leaving her family and migrating for work, a woman may become vulnerable to abuse, exploitation, and trafficking in the migration process.

Status and Power

Many factors including, age, gender, wealth, education and class determine social status and power in Indonesia. Older people have more status than younger, men more than women, the wealthy more than the poor, the highly educated more than those without education, and those of high social classes more than those of lower classes (Brenner 1995: 25, Gijns 1992: 109). All of these factors combine to determine one's relative social status. For example, a young, wealthy woman from a higher class family may have more status than a poor, elderly man. Young rural women with little education have little social power or influence. They may not feel empowered to speak out against those in higher positions. Trafficking uses this power both subtly and coercively. Village chiefs, family members, or respected neighbors, may use their higher position to assist recruiters by persuading or deceiving the victims or their family; others may use their power in the form of violence or threats of violence, or to bribe officials and gain their cooperation.

Children's Role in the Family

In Indonesian society, children are expected not only to honor and obey their parents, but also to assist them. This assistance can take many forms, from watching their younger siblings or helping the family in the fields after school, to working full time. One study indicates that 8.3% of children in Indonesia between the ages of 10-14 years old and 38.5% of those 15-19 are working outside the home (Irwanto et al., 2001: 28). Because of this cultural tradition,

many forms of child labor which would be defined as trafficking using international standards, are normalized in Indonesia.

Historic Precedents of Bonded Labor

Trafficking in Indonesia often takes the form of bonded labor, which has historical precedents in Indonesia and throughout Southeast Asia. There are many historical forms of bonded labor which continue to manifest themselves in some form. The traditional practice of sending young girls to the king's court as concubines is one such example. Eleven of the communities in Java that were significant sources of concubines (*selir*) for the royal courts are high sending communities for sex workers today, including Indramayu, Karawang, and Kuningan in West Java; Pati, Jepara, Grobogan and Wonogiri in Central Java; and Blitar, Malang, Banyuwangi, and Lamongan in East Java (Sulistyaningsih 2002: 4, Hull et al., 1999: 29).

Child domestic work also has historical precedents. Children may have been sent to a wealthy family or urban relatives to work for them or help in their homes. Today, children are still sent by family, relatives and neighbors to the cities to work as domestic workers. In some cases the family is given a prepayment on the child's future earnings, which the child must then work off; in other cases, the child's salary may be sent directly to her parents. Because of their traditional character, many of these practices are accepted as normal in many communities and not viewed as trafficking or exploitative in nature (Project field assessments).

Early Marriage

Early marriage also has historical precedents in Indonesia. The 1974 marriage law established a minimum age of 16 for women to marry, and has led to an increasing average age at first marriage. However, exceptions to the law are possible with permission of the parents and the religious court, and the practice continues to the present, with a 1995 study indicating that 46.5% of women had been married before the age of 18 (Oey-Gardiner, 1999: 8). Married girls achieve very low levels of education, usually ending their education upon marriage. They also have higher than average rates of divorce (ESCAP, 1998: 45). Early marriage and high rates of divorce make girls vulnerable to trafficking because, once divorced, they must often fend for themselves, even though they are still children. Their lack of education and skills means that they have few economic alternatives, and because of their youth are often not prepared emotionally, economically or socially to live on their own.

Gender Biased Policies and Laws

There are a number of gender biased policies and laws in Indonesia. Here we will highlight only a few which are particularly demonstrative of how laws and policies can increase women's vulnerability to trafficking. For example, under the marriage law, women are not eligible for alimony if they initiate a divorce from their husbands, regardless of the reason for the divorce. Thus women who request a divorce from abusive husbands are not eligible to receive support from those husbands and must find a way to support themselves. For those with little education

or work experience, options would be limited, resulting in their increased vulnerability to trafficking. Another example of what appears to be a neutral policy having differential impacts on men and women is the agricultural industrialization policy of the 1970s and 1980s. In an effort to increase Indonesia's rice production, a new government policy to industrialize agricultural production was put forward. One result of this policy was to push women out of their traditional roles in agricultural production, as the use of farm machinery was seen as a male domain (LBH-APIK, n.d.). This may have led to more rural women leaving family and village to seek employment in urban areas.

Corruption

Corruption plays a pivotal role in facilitating the trafficking of persons in Indonesia. Corruption allows recruitment agents to falsify identity papers, passports, and visas. Not only does this play a role in the recruitment or transportation of migrant workers and sex workers, but allows for the recruitment and transportation abroad of minors. A recent study by UNICEF estimates that 37% of children under 5 in Indonesia have not had their birth registered (UNICEF Australia, n.d.). Lacking a birth certificate, Indonesians seek a letter of identity from their village chiefs. This is then submitted as proof of birth to obtain an identity card that is then used to issue a passport. Throughout this process, government officials can be persuaded to falsify information in the documents to make the girls older or change their place of origin (Project field assessments). Traveling on falsified documents makes migrants particularly vulnerable to abuse. Traffickers will use fear of imprisonment by authorities for migration violations to keep women in exploitative conditions.

Corruption results in the reduced effectiveness of the legal system to investigate and prosecute trafficking cases. Corruption can lead to authorities closing their eyes to abuses, reducing charges or sanctions against perpetrators, or manipulating legal documents. NGOs trying to assist victims have also reported numerous cases in which police require fees from parents or families of victims in order to investigate their allegations (Interviews 2002). This is not to say that cases of trafficking have not been prosecuted in Indonesia, or that all police or law enforcement authorities are corrupt. In fact there have been several cases of trafficking investigated and prosecuted, some even ending in the conviction of traffickers, albeit with fairly light sentences. However, corruption does appear to play a significant role in the perpetuation of trafficking that cannot be ignored.

D. Prevalence of Trafficking and its Related Abuses

Quantifying the scope of the problem of trafficking anywhere in the world is a daunting task. In researching the phenomenon of trafficking in over 41 countries, Wijers and Lap-Chew identify several reasons for this dearth of quantifiable information about trafficking. These include:

1. Lack of systematic research;
2. Differing definitions of the problems investigated;
3. The illegal and clandestine nature of trafficking;
4. Official neglect because prostitution is often considered illegal or immoral and marriage and domestic work are considered private issues;
5. Lack of statistical documentation, especially in the informal sectors such as domestic work and prostitution (1999: 18).

Dramatic statistics abound with a wide range of estimated numbers of Indonesian victims of trafficking, from 74,616 people (Susilo, 2002) to 1 million (US State Department, 2001). Many reports on trafficking in Indonesia include numbers and statistics whose origin is unknown. Once published, these numbers are then referred to again and again as if they are fact, when in reality the origin and source of the numbers has never been established, nor is the methodology of the research used to obtain the numbers known. Rather than repeating unreliable or unverifiable data in this report, we will examine the general prevalence of certain forms of labor which are prone to trafficking.

To start, let us look at the number of migrant workers, sex workers and child domestic workers, in Indonesia. Sections IIIA, IIIB and IIIC provide more information on how these numbers are derived and their sources. However, it is important to note that a large portion of the work performed in these sectors is informal, illegal or irregular and therefore accurate statistics do not exist. For now, however, Tables 2 and 3 below provide a range of the potential number of people in sectors closely related to trafficking.

Table 2: Number of Women and Children in Sectors Vulnerable to Trafficking

Sector	Numbers of Women and Children
Domestic sex workers	130,000 - 240,000
Migrant worker women (assumes 70% of total migrant worker population)	1,400,000 – 2,100,000
In-country domestic workers	860,000 -1,400,000
Total	2,390,000 – 3,740,000

Table 3: Number of Children in Sectors Vulnerable to Trafficking

Sector	Number of Children
Child sex workers (under 18 years of age and assuming 30% of the total number of sex workers)	39,000 – 72,000
Child domestic workers (under 15, and based on 25% of the total domestic workers)	215,000 – 350,000
Total Number of Children	254,000 – 422,000

The total number of people working in the most common fields from which women trafficking victims are recruited – namely, migrant workers, domestic workers, and sex workers – is approximately 2.4 – 3.7 million, with a quarter to half a million of these being children. The authors do not wish to imply that these women are all victims of trafficking. However, based on interviews and reports, we believe that trafficking of women and children in these sectors is widespread. Thus, these numbers illustrate that the problem of trafficking and labor exploitation has the potential to impact a large number of women and children.

E. Domestic and International Routes

Research, as well as discussions with government officials and NGOs at the national and local level, indicates that Indonesia is both a site of extensive domestic trafficking and a sending area for international trafficking. There are also indications that Indonesia may be becoming a receiving area for trafficking in persons. The information which follows traces the domestic and international migration patterns of women for domestic work, sex work, and mail-order brides, as well as migration patterns for certain forms of child labor such as work on fishing platforms. This information is based primarily on interviews with local NGOs, trade unions, academics, and government officers in each of the 12 provinces during our project field assessments. Additional data is drawn from research studies conducted on internal and international migration in Indonesia, such as Graeme Hugo's study of the impact of population mobility on HIV/AIDS (Hugo: 2001, pp 153 - 154), the ILO's report on trafficking of children in Indonesia (Irwanto et.al., 2001:65) and reports on the sex industry in Indonesia (Sulistyaningsih 2002: 4, Hull et al., 1999: 29).

It is interesting to note that there does not seem to be a difference between the migration routes of traffickers and those for migrant workers. Women and children migrate and are trafficked from districts throughout the archipelago to work as commercial sex workers, domestic workers or migrant workers. Listing every possible site of trafficking would be tantamount to including every district of Indonesia, and not particularly useful in highlighting trafficking trends and patterns. Therefore, the areas noted here are only those which appear to have high incidences of sending, receiving or transit for the categories of work indicated.

Domestic Routes

Internally, within Indonesia there are areas which are primarily sending communities, others which are primarily receiving areas and still others that serve as transit areas. At the same time, it is not uncommon to find that one province may contain some districts which are sending areas and others which are receiving or transit areas. For example, Bali is a known receiving area for sex workers from around Indonesia, although primarily from East Java. At the same time, recent reports indicate cases of trafficking of women from certain parts of Bali to Japan for the "entertainment" sector. Similarly, certain rural districts in East Java are

known for sending large numbers of domestic workers and sex workers to other parts of Indonesia, while Surabaya, the capital of the province, is a receiving area for domestic trafficking and a transit area for some international routes. Table 4 below illustrates the provincial and district break-down of known trafficking areas in Indonesia. Please note that this includes only provinces well known for trafficking in Indonesia; it does not include all of the provinces of Indonesia. In addition, each province contains many more districts than are included in the chart. Only those districts which are significant sending, receiving or transit locations are included.

Table 4: Known Sending, Receiving and Transit Areas for Trafficking and Migration
(DW = domestic work; SW = sex work, M = servile marriage / mail-order bride; O = other)

Province	District	Sending	Receiving	Transit	DW	SW	M	O
Bali								
	Bangli	✓				✓		✓
	Denpasar		✓	✓		✓		
	Gianyar		✓			✓		
	Karangasem	✓				✓		✓
	Legion		✓			✓		
	Nusa Dua		✓			✓		
	Sanur		✓			✓		
	Singaraja	✓				✓		
	Tuban		✓			✓		
Central Java								
	Ambarawa	✓			✓			
	Banyumas	✓			✓	✓		
	Banjarnegara	✓				✓		
	Baturaden		✓			✓		
	Brebes	✓			✓	✓		
	Cilacap	✓		✓	✓			
	Grobogan	✓			✓	✓		
	Jepara	✓			✓	✓		
	Klaten	✓			✓			
	Pati	✓			✓	✓		
	Pekalongan	✓			✓	✓		
	Purbalingga	✓			✓			
	Semarang	✓				✓		
	Solo	✓		✓	✓	✓		
	Sragen	✓			✓			
	Wedoro	✓			✓			
	Wonogiri	✓			✓	✓		
	Wonosobo	✓			✓			
East Java								
	Banyuwangi	✓				✓		
	Blitar	✓			✓	✓		
	Bondowoso	✓			✓			
	Jember	✓			✓			

Province	District	Sending	Receiving	Transit	DW	SW	M	O
	Kediri	✓			✓			
	Lamongan	✓				✓		
	Lumajang	✓			✓			
	Madiun	✓			✓			
	Madura	✓			✓			
	Magetan	✓			✓			
	Malang	✓			✓	✓		
	Ngawi	✓			✓			
	Ponorogo	✓			✓			
	Probolinggo	✓			✓			
	Situbondo	✓				✓		
	Surabaya	✓	✓	✓	✓	✓		
	Tuban	✓			✓			
	Tulungagung	✓			✓			
East Kalimantan								
	Balikpapan		✓	✓	✓	✓		
	Nunukan			✓	✓	✓		
	Samarinda		✓			✓		
	Tarakan			✓	✓	✓		
Jakarta								
	All		✓	✓	✓	✓	✓	✓
Lampung								
	South Lampung	✓	✓	✓	✓	✓		
	Bandar Lampung	✓				✓		
North Sulawesi								
	Amurang	✓				✓		
	Bitung			✓		✓		
	Bolaang Mongondow	✓				✓		
	Langowan	✓				✓		
	Manado	✓				✓		
	Minahasa	✓				✓		
	Motoling	✓				✓		
	Sangihe Talaud	✓			✓			
	Tomohon	✓				✓		
	Tondano	✓				✓		
North Sumatra								
	Belawan	✓				✓		
	Binjai	✓				✓		
	Deli Serdang		✓			✓		
	Kec. Belawan	✓				✓		
	Kec. Tembung	✓				✓		
	Medan	✓	✓	✓	✓	✓		
	Nias	✓			✓			
	Pulo Brayan	✓				✓		
	Sei Beras	✓				✓		
	Sekata Sunggal	✓				✓		
	Tanjung Morawa	✓				✓		
	Tebingtinggi	✓				✓		

Province	District	Sending	Receiving	Transit	DW	SW	M	O
Papua								
	Biak Numfor		✓			✓		
	Fakfak		✓			✓		
	Timika		✓			✓		
Riau								
	Batam		✓	✓	✓	✓		
	Tanjung Balai Kaimun		✓			✓		
South Sulawesi								
	Makassar			✓				
Southeast Sulawesi								
	Kendari	✓				✓		
West Java								
	Bandung	✓		✓	✓			
	Cianjur	✓			✓	✓		
	Cimahi	✓			✓			
	Cirebon	✓			✓	✓		
	Garut	✓				✓		
	Indramayu	✓			✓	✓		
	Karawang	✓				✓		
	Kuningan	✓				✓		
	Majalengka	✓			✓			
	South Bandung	✓			✓	✓		
	Subang	✓			✓	✓		
	Sukabumi	✓			✓	✓		
West Kalimantan								
	Bengkayang	✓			✓			
	Entikong			✓	✓	✓		
	Landak	✓			✓			
	Mempawah	✓			✓			
	Ngabang	✓			✓			
	Pontianak	✓	✓	✓	✓	✓		
	Sambas	✓			✓			
	Sanggau	✓			✓			
	Singkawang	✓					✓	
	Sintang	✓			✓			
West Nusa Tenggara								
	Central Lombok	✓			✓			
	Mataram			✓	✓			
	Senggigi Beach		✓			✓		
	Sumbawa	✓	✓		✓	✓		

(DW = domestic work; SW = sex work, M = servile marriage / mail-order bride; O = other

There are also certain known transportation routes for domestic migration and trafficking between provinces. Table 5 below illustrates some of these domestic routes:

Table 5: Domestic Trafficking and Migration Routes

Central Java	→	Jakarta, Lampung, North Sumatra, Riau, Surabaya, West Kalimantan
East Java	→	Bali, East Kalimantan, Jakarta, Papua, Riau, Lampung, Surabaya, Solo, West Kalimantan
Lampung	→	Java, Riau
North Sulawesi	→	East Kalimantan, Jakarta, Lampung, Papua, Riau,
North Sumatra	→	Riau
West Nusa Tenggara	→	Bali, East Kalimantan, Jakarta, Lampung, Surabaya
East Nusa Tenggara	→	East Kalimantan
South Sulawesi	→	East Kalimantan
West Java	→	East Kalimantan, Lampung, Riau, West Kalimantan

International Trafficking - Sending Country

Indonesia is known primarily as a sending country for international trafficking. The chapters that follow will give numerous examples of trafficking of women and children to Southeast Asia, the Middle East, Japan, Australia and North America for the purposes of sex work, domestic work and other forms of forced labor and servile marriages. While trafficking routes are numerous and women and children from any part of Indonesia might end up in any of the receiving countries, there are certain heavily traveled routes for trafficking of women and children from Indonesia. These routes are illustrated in Table 6 below:

Table 6: International Trafficking and Migration Routes

Bali	→	Japan
East Java	→	Hong Kong, Malaysia, Saudi Arabia, Singapore, Taiwan
Central Java	→	Malaysia, Saudi Arabia, Singapore, Taiwan
East Kalimantan	→	Brunei, Malaysia
Jakarta	→	Hong Kong, Japan, Malaysia, Saudi Arabia, Singapore, Taiwan
Lampung	→	Hong Kong, Japan, Malaysia, Saudi Arabia, Singapore, Taiwan
North Sulawesi	→	Hong Kong, Malaysia, South Korea, Philippines
North Sumatra	→	Malaysia, Singapore
West Nusa Tenggara	→	Brunei, Hong Kong, Malaysia, Saudi Arabia, Singapore, Taiwan
Riau	→	Malaysia, Singapore
West Java	→	Hong Kong, Japan, Malaysia, Saudi Arabia, Singapore, Taiwan
West Kalimantan	→	Taiwan, Malaysia, Singapore

Table 7 illustrates some of the common transit locations in Indonesia for international trafficking.

Table 7: Indonesian Transit Routes for International Trafficking

Central Java	→	East Kalimantan (Nunukan), West Kalimantan
East Java	→	Surabaya, Solo, Jakarta, Batam, East Kalimantan (Nunukan), West Kalimantan (Entikong)
North Sulawesi	→	East Kalimantan (Nunukan)
South Sulawesi	→	West Nusa Tenggara, Jakarta, Surabaya
West Java	→	East Kalimantan (Nunukan)
	→	Jakarta, Batam, East Kalimantan (Nunukan), West Kalimantan (Entikong)

Table 8: Trafficking Routes by Type of Work

Sector	Sending Area	Domestic Destination	International Destination
Migrant Work	East, Central and West Java, West Nusa Tenggara, North Sumatra, Lampung, West Kalimantan	Not Applicable	Hong Kong, Malaysia, Saudi Arabia, Singapore, Taiwan
Domestic Work	East, West and Central Java, Lampung, Sumatra	Jakarta, other large cities	Hong Kong, Malaysia, North America, Saudi Arabia, Singapore, Taiwan, other countries of the Middle East
Sex Work	East, West and Central Java, Bali, North Sulawesi	Bali, Bintan, Jakarta, Jambi, Papua, Riau, Surabaya	Australia, Japan, Malaysia, North American, Singapore, South Korea
Mail Order Brides	East Java, West Kalimantan	Not Applicable	Taiwan

International Trafficking – Receiving Country

In addition to being a sending area, there have been recent indications that Indonesia may also be a receiving and/or a transit country for international trafficking. Newspaper articles report that women from other countries are coming to Indonesia to work as sex workers. For example, in October 2002 newspaper accounts reported that 34 Chinese citizens, many of whom were sex workers, were deported for violating their visas and that 25 other Chinese women had been deported only the week before. Police found the women after raids on a hotel and an international trade center (“Chinese Citizens,” 2002). Also in October, five Uzbek women were arrested for working as prostitutes. The Jakarta Post reported that the police were investigating the presence of an international vice ring controlling sex workers in Indonesia, including foreign women from the Netherlands, Poland, Russia, Venezuela, Taiwan,

Spain and Ukraine (Harsanto, 2002). Most recently, a newspaper reported that 150 foreign sex workers were operating out of hotels in Batam in Riau province. The women were said to be from Thailand, Taiwan, China, Hong Kong, and several European countries including Norway (Fadli, 2002).

It is not clear to what extent the women came voluntarily to Indonesia. However, some of the countries of origin of these women are countries with high rates of trafficking, possibly indicating that these women may in fact be victims of trafficking to Indonesia. Similar reports from Malaysia have also indicated a recent influx of sex workers from China, many of whom made statements indicating that they had been victims of trafficking (“Chinese Girls ‘Tricked,’” 2003).

The previous discussion provides a brief overview of the prevalence, forms and routes for trafficking in and from Indonesia, as well as some of the factors which make women and children vulnerable to trafficking in Indonesia: poverty and the search for economic gain; poor education and illiteracy; cultural traditions; gender biased laws and policies; and the impact of corruption. In the following chapters, all of these issues will be discussed in greater detail and illustrated by case studies and first hand accounts. At the end of the report, additional resources are included for use by counter trafficking practitioners, including a review of existing Indonesian legislation, a summary of the Indonesian National Plan of Action to Eliminate Trafficking in Women and Children, a glossary of trafficking terms in English and Indonesian, a list of counter trafficking resources, and a list of ICMC and Solidarity Center partner organizations in Indonesia.

FORMS OF TRAFFICKING IN INDONESIA



III. FORMS OF TRAFFICKING IN INDONESIA

A. MIGRANT WORKERS

By Neha Misra with Ruth Rosenberg

Prevalence

Migration and trafficking are often distinguished from one another by the notion that migration is characterized by choice and trafficking by coercion, deception or force. However, in today's global economy, migration and trafficking exist along a continuum. Indeed, women and children may start out migrating for the promise of well-paid jobs and end up being coerced to work under exploitative conditions such as in sweatshops, on plantations, in domestic work, or in sex work. Given the large number of Indonesian women and children who migrate for work, this peculiar vulnerability of migrant workers to trafficking is significant.

Labor migration is not a new phenomenon in Indonesia. During the colonial period and continuing into the New Order regime, internal migration was an established policy under the direction of the Ministry of Transmigration. Workers from Java, the most densely populated of Indonesia's islands, were relocated to the 'outer' islands to work on plantations, farms, and in the wood industry.

Beginning in the early 1980s, the government expanded this internal migration program to include a large labor export program to countries such as Saudi Arabia, the Gulf States, Malaysia, Singapore, Hong Kong, Brunei Darussalam, Taiwan and Japan. Today, Saudi Arabia and Malaysia are the countries with the largest numbers of Indonesian migrant workers, with 38.1% and 37.7 % respectively during the period 1994-1999 (Hugo, 2002: 159). The demand for unskilled, cheap labor in these destination countries, combined with high levels of unemployment in Indonesia, has led to a government policy of increasing the supply of Indonesian migrant workers. The income earned by migrant workers has become a significant factor in the Indonesian economy, with official statistics registering remittances from migrant workers of over US\$1 billion in hard currency each year since 1999 (BI, 2003). The government of Indonesia arguably views labor migration as a form of economic development (Suryakusuma, 1999: 4). For example, the economic role of Indonesian migrant workers was, for the first time, explicitly written into the government's Fourth National Five Year Development Plan (Repelita IV, 1984-1989) (Jones, 2000: 18). The government utilizes labor migration as a strategy to overcome rising unemployment and to boost national income

(Dzuhayatin and Silawati, n.d.a: 18). The increasing reliance on overseas migration can be seen in the rising number of people migrating each year, especially after the Economic Crisis in 1997, as illustrated in Table 9. The table also illustrates the increasing feminization of migration (as indicated by a sex ratio less than 100).

It should be noted that the numbers in the table refer only to officially registered migrant workers and do not include those who either migrate illegally or migrate legally but through unofficial channels. Official government statistics indicate that in 1997/1998, there were approximately 235,000 Indonesians who migrated for work. However, The Consortium for the Defense of Indonesian Migrant Workers (KOPBUMI) estimates the number to be higher, at around 400,000 workers per year (Coalition of Indonesian NGOs, 2002: 7). KOPBUMI includes undocumented migrant workers in their estimates, though how they estimate that

Table 9: Number of Indonesian Overseas Workers Processed by the Ministry of Manpower

Year	Total	% change over previous year	Sex Ratio Males / 100 Females
2000	435,219	+2	46
1999	427,619		41
1999-2000	404,523	-2	44
1998-99	411,609	+75	28
1997-98	235,275	-55	20
1996-97	517,269*	+328	79
1995-96	120,896	-31	48
1994-95	176,187	+10	32
1993-94	159,995	-7	36
1992-93	172,157	+15	54
1991-92	149,777	74	48
1990-91	86,264	3	73
1989-90	84,074	37	35
1988-89	61,419	1	29
1987-88	61,092	11	35
1986-87	68,360	23	61
1985-86	54,297	21	44
1984-85	46,014	57	79
1983-84	29,291	38	141
1982-83	21,152	18	
1981-82	17,604	11	
1980-81	16,186	56	
1979-80	10,378		

Source: Suyono, 1981; Singhanetra-Renard, 1986; Pusat Penelitian Kependudukan, Universitas Gadjah Mada, 1986; AKAN Offices, Bandung and Jakarta; AKAN; Departemen Tenaga Kerja, RI, 1998 as cited in Hugo, 2001: 109

*In 1996-97, 300,000 labor migrants in Malaysia were "regularized" – undocumented workers were given amnesty and officially registered as migrant workers, thus causing a large increase in the official numbers of migrants for that year.

number is unclear. Exact figures on migrant workers from Indonesia are difficult to find as many of these workers migrate through irregular channels, without proper documents.

The Feminization of Migration in Indonesia

More and more Indonesian migrants, both domestic and international, are women. The number of Indonesian women migrating for work has increased dramatically over the last decade. This 'feminization of migration' is a trend prevalent not only in Indonesia, but throughout the world.

Table 10 below charts the trends in internal migration in Indonesia between 1990 and 1995. This table demonstrates that there is an increasing trend for women to migrate for work,

Table 10: Sex Ratios of In and Out Migrants by Province

Province	1990*		1995*		Index on feminization**	
	IM	OM	IM	OM	IM	OM
North Sumatra	78	81	104	91	134	111
Riau	82	76	96	74	117	98
Lampung	81	77	97	95	119	122
Jakarta	123	89	130	93	106	104
W. Java	92	96	96	99	104	103
C. Java	81	103	87	115	108	112
E. Java	69	90	86	101	125	113
Bali	71	74	92	102	131	138
W. Nusa Teng.	76	69	83	83	109	121
W. Kalimantan	66	79	73	81	111	103
E. Kalimantan	81	71	100	81	124	116
N. Sulawesi	75	97	72	97	96	100

*Sex ratio of in and out migration is females/100 males

** Ratio of sex ratios 1995/1990

(Source: BPS, 1990 Population census; 1995 SUPAS as cited in Oey-Gardiner, 1999: 43)

with female migration increasing relative to male migration (index greater than 100) and in many provinces female migration is actually greater than male migration in absolute terms (sex ratio for year 1990 or 1995 greater than 100) (Oey-Gardiner, 1999:43-44).

While Table 10 exemplifies the phenomenon of the feminization of internal migration in Indonesia, Table 9 demonstrates the feminization of international migration. Women comprised nearly 70% of Indonesian migrant workers in 1999 and 2000.

Indonesian women migrants to Malaysia outnumber men only slightly, but female migrants to Saudi Arabia outnumber male migrants by nearly twelve to one. Women also make up the bulk of migration to Singapore and Hong Kong, whereas Indonesian men predominate in migration to South Korea and Taiwan (Hugo, 2002: 159). The reason may be due to the type of work demanded in the receiving country. Countries to which a majority of women migrate demand unskilled domestic labor, thus favoring women's employment; countries such as

South Korea and Taiwan have a greater demand for factory workers or formal sector workers for which male workers may be preferred.

The feminization of migration in Indonesia is due to several factors. In *A Comparative Study of Women Trafficked in the Migration Process*, researchers from the Philippines list several factors that have contributed to the rise in female overseas migration in the Philippines (Santos et. al., n.d.). Some of these factors are also relevant to Indonesia:

(1) *The economic boom in destination countries and increased demand for female migrant workers.*

Destination countries, such as Saudi Arabia, Hong Kong, Malaysia, Singapore and Taiwan have increased their demand for unskilled women workers, a demand to which Indonesian workers have responded. Economic conditions in destination countries are providing alternative, higher skilled employment for local women, leaving few women interested in the low paid field of domestic work. At the same time, as more women enter the work force, more of these women and their families need to hire someone to assist them at home, increasing the demand for foreign domestic workers. Many destination countries, such as Singapore, Taiwan, and Hong Kong, are more highly developed and economically better off than Indonesia. Economic prosperity combined with the inexpensive cost of Indonesian migrant labor in the domestic sector allow even middle class families in destination countries to hire live-in housemaids, nannies, or caregivers.

In 1991 there were only 585 permits given for Indonesian domestic workers in Malaysia; by 1997 there were an estimated 90,000 (Jones 2000: 65). According to a Coalition of Indonesian NGOs, Indonesian migrant workers in Hong Kong have increased in numbers, growing from the third largest group of migrants in 1993 to the second largest by 1994. They also state that the shift from male to female migrants is also dramatic with men outnumbering women 3:1 in the 1970s and women currently outnumbering men by more than 2:1, comprising 70% of migrants (Coalition of Indonesian NGOs, 2002: 5).

In addition, NGOs working with migrant workers in Taiwan and Hong Kong have provided anecdotal evidence that suggests employers and recruiters in these destination countries prefer to hire women migrant workers from Indonesia because they believe that Indonesian migrant workers “tend to know less about their rights, do not speak English like their Filipina counterparts (and therefore are easier to take advantage of), report complaints and violations less often, have less support from their Embassy or Consulates, and can be paid less than migrant workers from other countries” (ACILS, 2001).

(2) *Official labor migration policies of the government in which recruitment of women is actively promoted in collaboration with recruitment agencies.*

As mentioned above, the Government of Indonesia has explicitly promoted Indonesian migrant work to address employment problems at home. In the mid

1980s, amid public outrage over reports of the abuse of Indonesian migrant women in Saudi Arabia, the government officially called for a reduction in the numbers of women migrant workers, requiring licensed companies to increase the ratio of male to female workers and declaring that Indonesia would no longer send unskilled workers abroad. However, demand for unskilled women for domestic work was such that the regulations were largely ignored (Jones 2000: 18-19, 80-82), and women continue to constitute a large percentage of the migrant workers sent to Saudi Arabia, as well as to other countries, to work in the informal sector.

However, in February 2003, the Ministry of Manpower and Transmigration again ordered a temporary ban on sending women for work in the informal sector abroad. The Minister of Manpower and Transmigration, Jacob Nuwa Wea, said that the ban is needed because “Indonesian workers were ‘psychologically immature’ and lacked language skills, as well as the understanding of foreign cultures to equip them to work overseas” (Kearney, 2003). He emphasized the need to impose the suspension to improve the “quality of Indonesian migrant workers.” He did not, however, discuss the problem of exploitation and trafficking of Indonesian migrant workers (Sijabat, 2003). Indonesian NGOs argue that such bans violate Indonesian women’s human right to freedom of movement. The NGOs also believe that such bans are only short-term remedies; instead, they argue that the government should focus on passing the Protection of Migrant Workers Bill that has been in the national legislature for the past four years (“Tanpa UU,” 2003).

Hugo contends that “Indonesian female [migrant workers] are often unfairly given the total blame for the problems they experience. Officials in destination areas cite their unskilled status and low education levels as reasons for their problems. The answer to improving the situation of [migrant workers],” however, argues Hugo, “does not lie in placing bans on migration . . . Such bans usually only result in women [migrant workers] being forced to move as undocumented migrants, increasing their vulnerability” (Hugo, 2002: 177).

- (3) *Gender stereotyping of women in work situations that echo their traditional roles as caregivers and “entertainers”.*

Indonesian women are traditionally seen in the role of wife and mother, taking care of the family and the household, or as sexual objects. As in much of the world, such stereotypes carry over to work that women do in the job market, both within Indonesia and as migrant workers, taking jobs such as domestic workers, baby sitters, caregivers for the elderly, dancers, and sex workers. Low education and a lack of marketable skills leave women with few choices other than work that mirrors these traditional roles.

- (4) *Growing poverty in the context of structural adjustment programs that produce landlessness and impoverishment among rural populations, and push more women to join the labor force.*

The Asian economic crisis that began in 1997 had a devastating impact upon workers

and their families in Indonesia. Workers were confronted not only with layoffs and high unemployment, but also with displacement from the land (caused by policies of industrialization and agricultural reform), high inflation, the elimination of subsidies, and the privatization of formerly public services. These conditions affected workers' abilities to feed their families, send their children to school, and to obtain basic services, forcing many to find ways to earn money outside of the home or village. This was a catalyst for migration for work abroad, often through illegal channels. The growing demand for women workers, combined with limited economic opportunities at home, resulted in increasing numbers of women searching for work outside of their villages in larger cities in Indonesia, and in other countries.

- (5) *Lack of opportunities for local employment that would allow women to explore better jobs, acquire greater skills and obtain a more secure future.*

Indonesian women are increasingly facing a lack of employment opportunities in their home villages and neighboring areas. Traditionally, women worked in the fields and on plantations. Such work, however, has diminished over the past decade in Indonesia. In addition, during the past year, factory jobs for women, primarily in the textile and garment industry, have decreased dramatically, resulting in significant layoffs of women workers and reduced job opportunities for young women. Many of these women are turning to migration to find work.

- (6) *Growing family dependence on women for income, especially among poorer households;*

Indonesian women have traditionally helped to support their families by working in the fields or on plantations, or by working at home in cottage industries. Since the income from such pursuits has become inadequate to support families, or as families have been displaced from the land, family members are migrating in search of work. To support their families, women are migrating to larger cities and abroad to work as housemaids or caregivers.

Although there are many risks inherent in migrating for work, and many women feel pressured to work abroad in order to earn enough money to support their families, working abroad can also be an empowering experience. Women gain independence, earn their own money and may have more control over how that money is spent and experience the adventure of living and working in a new country. A study by Raharto indicates that many women migrants cite "escape from the constraints of the family" as an important motivation for migration (Hugo, 2002: 173). Care should be taken not to view all migrant worker women as victims of exploitation and abuse or as women who have no control over their own choices and destinies. Labor migration is a valid choice, and the freedom of movement is a basic human right stipulated in the Universal Declaration of Human Rights, Article 13 (UNHCR: 99).

Reni (not her real name) lived with her mother, two siblings and her unemployed stepfather in Indramayu, West-Java. Her mother sold snacks to provide for the family. Reni was 14 years old, a graduate from junior high school, when she was approached by a labor agent. He offered her work in an electronics factory in Malaysia. Reni would be making 600 Malaysian Ringgit per month [approximately US\$150]. This was a great opportunity for Reni to help her mother provide for the family.

The Jakarta labor agency charged her IDR1.5 million (US\$150) as a recruiting fee and then sold her to another agency. This second agency held her in a detention center for five months before sending her to Malaysia. Upon arrival at a fish-canning factory the counterfeited passport from the agency was taken from her. Her name and date of birth had been changed.

A working day at the factory was 12 hours, standing the entire time. Reni had to work with chemicals but no protective gloves or mask were provided. “My hands were injured because of the chemical substances. The company refused to give me medical treatment and forced me to continue work. After 11 months I could not stand it anymore, I ran away. Arrested by the Malaysian police, I was detained for five months because I was a migrant worker without documents. I was then deported to Medan. There I worked for a shopkeeper for two months to save enough money for my trip home.”

Source: Safitri, 2001

Types of Migrant Work

Indonesian women tend to migrate for work as/in:

- domestic helpers (housemaids, nannies, care-givers to the elderly)
- entertainment industry (singers, traditional dancers, sex work)
- service industry (waitresses, dishwashers, cooks)
- factories/plantations (palm-oil, plywood, canning)

Profiles of Women Migrant Workers

Due to the large numbers of undocumented Indonesian migrant workers and the lack of official statistics on documented migrant workers, it is difficult to develop an exact profile of Indonesian women migrant workers. Indeed, as demonstrated below, experts often disagree about the origins and background of Indonesian migrant workers or present estimates or educated guesses based on small surveys and information obtained from deported or returned migrant workers. With that said, however, it is possible to draw a general profile of women migrant workers in Indonesia, extrapolating trends from the available research.

Origins: Indonesian migrant workers may come from any part of Indonesia, however, the large majority of women come from only a few provinces, namely East and West Java, West Kalimantan, Sumatra, North and South Sulawesi, East Nusa Tenggara (NTT), and West

Nusa Tenggara (NTB):

- According to a report by Suryakusuma, the majority of Indonesian women migrant workers come from villages in Java; however, others migrate from Kalimantan, Sumatra, Sulawesi, NTB, and NTT (1999: 7).
- According to a study by Dorall and Paramasivam of Indonesian women migrant workers in Kuala Lumpur, Malaysia, 50.3% are from Java, 43.2% from Sumatra, 1.4% from Lombok (NTB) and 0.7% from Flores (NTT) (Hugo, 2002: 166).
- A study by Nasution of workers registered with the Indonesian embassy in Kuala Lumpur, indicates that 70% are from Java, 13.1% from Sumatra, and 14.4% from Lombok (NTB) (Hugo, 2002:166).
- According to a study of migrant workers returning through the Jakarta International airport by Pujiastuti, female migrant workers come mainly from Java 87.5% and Lombok (NTB) (12.5%) (Hugo, 2002:166).
- According to data from deportations from Sabah, Malaysia between 1994 and 1996 of the undocumented female workers, 40% were from South Sulawesi, 33% from NTT, 13% from East Java, and 7% from NTB (Hugo, 2002:165).
- Jones estimates that the majority of women trafficked for prostitution to Sabah, Malaysia are from East Java, but also from Kalimantan (Jones, 2000: 76).

Age: Most reports indicate that Indonesian women migrant workers tend to be in their mid-twenties and thirties although there are exceptions.

- Suryakusuma estimates that the majority are under 25 years of age, but that women from rural areas migrate at a much earlier age, between 15-25, compared to urban areas, 25-30 (Suryakusuma, 1999: 7-8).
- Hugo, however, indicates that women tend to be in their 20s or early 30s. (Hugo, 2002: 164).
- Children also migrate for work both domestically and internationally in order to help support their families. While the legal age for labor migration in Indonesia is eighteen and sometimes up to 25, depending on the laws of the destination countries (see Chapter VI, Review of Indonesian Legislation), many Indonesian children still migrate through irregular channels. As will be discussed in more detail later, agents and families, in cooperation with village leaders and government officials, will often falsify birth certificates, identity cards, and passports so that underage children can migrate abroad. In addition, many underage children migrate from villages to larger cities in Indonesia to work in the informal sector (as housemaids, for example) (Project field assessments).

Education: The majority of women migrant workers have limited education – the vast majority having at most a primary school education.

- Most female migrant workers have an education level not higher than secondary high school, with about 60% only graduating from elementary school (Suryakusuma, 1999: 7).
- According to a study by Dorall and Paramasivam, 13.4% of female migrant workers in Kuala Lumpur have no education, 57.4% have only a primary school education, 19.2% lower secondary school and 9.2% secondary school (Hugo, 2002: 167).
- According to a study by Pujiastuti, 20% of female migrant workers returning through the Jakarta international airport have no education, 42.5% have been to primary school, 18.5% to lower secondary school and 20% to upper secondary school (Hugo, 2002: 167).
- A study by the Rural Development Foundation reports that 64.8% of women migrants studied had primary school education, 27.5% lower secondary school and 13.7% upper secondary school (Hugo, 2002: 167)

Marital Status: From the limited information available it appears that women migrant workers tend to be unmarried or divorced, yet it should be noted that many are also married.

- A study of the relationship of migrant workers to the head of the household in the village of origin by Raharto indicated that of the female migrants still overseas, 91.7% were the unmarried child of the head of the household. However, of the female migrant workers who had returned, 55.9% were wives of the household head and another 8.8% were the head of the household themselves, possibly indicating a pattern of migration whereby women tend to migrate overseas prior to marriage (Hugo, 2002: 165-167).
- Solidaritas Perempuan contends that while the marital status of the majority of Indonesian women migrant workers is unknown, due to the tendency for Indonesian women to marry early, most migrant workers are likely to be married or divorced (Suryakusuma 1999: 7). Some studies have found higher than average rates of divorce in families with a migrant worker spouse, though this finding is not consistent (Hugo, 2002: 175).
- According to several sources, the majority of Indonesian women working in Saudi Arabia were married (Suryakusuma 1999: 7; Heyzer and Wee as cited in Hugo, 2002: 174).

Exploitation and Trafficking in the Various Stages of Migration

As described previously, the increase in numbers of Indonesian women and child migrant workers is of potential concern, as due to the nature of their work and their weak bargaining position, women and child migrant workers are vulnerable to trafficking. In addition, the increase in undocumented or irregular migration of Indonesian women and children has also led to their increased vulnerability to trafficking. When workers are forced to migrate through unofficial channels, they are often targeted by traffickers, agents, and employers who want to

exploit them. Even if they migrate legally, migrant workers are still vulnerable, as they are often afforded less protection in the destination countries than other workers, especially if they work in the informal sector. The following is a review of the exploitation and trafficking practices that migrant workers face during the various stages of migration: recruitment, pre-departure, transit, destination, and return.

Recruitment Stage

Many actors and many steps are involved in the recruitment of migrant workers. The largest agencies involved are the migrant worker recruitment agencies, known as *Perusahaan Jasa Tenaga Kerja Indonesia* (PJTKI). These agencies are under the supervision of the Ministry of Manpower, and must have a license from the Ministry to operate legally. Over the years, the number of legally licensed companies has gone up and down, according to changing requirements from the Ministry. According to some sources, companies pay large amounts of money to the Ministry to obtain these licenses, a strong indicator of the lucrative profits to be made in the recruitment of migrant workers. There are also recruitment companies operating without license due to the difficulty and high cost of obtaining them. However, just because a company has a license does not mean that all workers sent by them have the necessary legal documents to migrate or that workers are not being deceived about the nature or conditions of work (Jones, 2000: 24-30, 44-46).

Recruitment agencies hire agents to recruit workers from the villages or pay freelance or independent agents per worker recruited. These agents sometimes have their own networks of village level agents who recruit for them in their own villages. Each agent is paid an established amount either from the agent above them or from the company for each worker recruited. Workers themselves are also often required to pay a recruitment fee to the agents, even though PJTKI often also pays a recruitment fee to the agent, and the employer in the destination country pays a recruitment fee to the agency, which is supposed to cover costs related to recruitment and transportation. Recruiters and agents have also been linked with transportation companies, such as bus and shipping lines. These transportation links are used to move workers legally or illegally across borders, charging each worker for the cost of their transportation, often at inflated prices (Jones, 2000:39-52).

The distinction between illegal versus legal agents is a misleading one. Even if a legal or registered agent or PJTKI recruits an Indonesian migrant worker, the migrant worker may be susceptible to exploitation or trafficking during the various stages of migration. During the recruitment stage, Indonesian migrant workers may be misled about the nature of the work or the compensation provided, and have their documents falsified. Recruiters often provide very few details to the workers and their families prior to a worker leaving their village. In many cases, migrant workers do not know the details of the work that they will be performing, the location of the work, or the transportation process that they will be undergoing. In addition, many migrant workers are not given a contract to read, sign or review with their families at the time of their recruitment (Project field assessments).

There have been many documented cases of legal agencies processing false documents, leaving workers in vulnerable positions with illegal status in the destination country. Other licensed companies engage in illegal practices such as debt bondage and illegal confinement, and deception about the type of work and conditions of work. Workers have no way of distinguishing between legal and illegal agents or in knowing if they will be the victims of illegal practices (Jones, 2000: 44-52). Agents often fail to inform migrant workers of their rights, such as the minimum wage, maximum work hours, and the illegality of restrictions on their freedom of movement. Agents are also known to promise work that in reality turns out to be quite different than the actual jobs that workers find themselves in. Indonesian migrant workers have been coerced, forced or tricked into sex work, domestic work under slavery-like conditions or jobs as bonded laborers in factories or on plantations.

During the recruitment stage, workers may be exploited in the following ways:

- Illegal fees
- Debt bondage
- Falsified documents
- Deception about type or conditions of work
- Misleading or no work contract

Pre-departure Stage

After recruitment, women migrant workers generally spend time in PJTKI holding or training centers. These centers serve as dormitories for the aspiring migrant workers while the documentation needed to work abroad is processed on their behalf. In addition, PJTKI is required by the Ministry of Manpower to provide training at the centers on skills such as using washing machines and rice cookers, and learning basic foreign language skills. The training, however, does not always take place, and there is little control or regulation of the quality of the training provided. In addition, the training does not generally include information about problems migrant workers may encounter abroad, how to protect themselves or where to seek assistance. For example, the women are seldom informed of their rights, and are often told to “behave,” be “subservient,” and “obey their boss.” In addition, the migrant workers are usually only given the number of the partner agent in the destination country in case they encounter problems, or the number for the Indonesian Embassy/Consulate. They are rarely provided with information about shelters, or other protection services of the host country government or NGOs in the destination country (Project field assessments).

During the pre-departure stage, workers may be exploited in the following ways:

- Illegal fees, inflated prices for services
- Debt bondage
- Falsified documents
- Illegal confinement
- Poor and unhygienic living conditions

- Sexual harassment or assault
- Physical abuse or violence
- Dangerous or overcrowded transportation

Migrant worker activists in Indonesia report that debt bondage is common and that the longer the workers remain in the holding centers the more indebted they become paying for food, accommodation and medical care. In addition, within these holding centers, living conditions are poor and women migrant workers often experience sexual harassment and sexual assault, including rape (Coalition of Indonesian NGOs, 2002).

Equally egregious is that in the majority of PJTKI holding centers, freedom of movement is restricted. Migrant workers are not permitted to leave the premises unaccompanied for the duration of their stay (which may last from 6 weeks to 3 months or more). The staff of a PJTKI holding center visited in Batam indicated that this policy was in place so that the migrant workers did not run away, as the PJTKI has already invested money in their recruitment and transportation. Once recruited, migrant workers are not allowed to change their minds about migrating without repaying the cost of their recruitment, transportation, lodging and other expenses. In 2001, a women migrant worker in Batam allegedly jumped from the third story of a holding center and died in an attempt to run away because she could not afford to repay her debts (Interview 2001).

Local Government Manpower Offices (Disnaker) are tasked with inspecting migrant worker holding centers, registering agents, and identifying illegal agents. Disnaker, however, is often under staffed, under funded, and its employees insufficiently trained to handle this function. In addition, there is anecdotal evidence that Disnaker officials are sometimes complicit in the trafficking and migration process, with some Disnaker officials receiving payment from the PJTKI to ignore problems such as unsafe holding centers or unscrupulous agents. Disnaker has also been accused of receiving payments from illegal or unregistered agents to ignore their activities (Project field assessments). As attention to issues of trafficking and labor exploitation increase, some efforts have been made to better regulate labor exporting companies, with the Ministry of Manpower and Transmigration revoking the licenses of ten companies in 2002. It is important to note however, that licenses have been revoked in the past and may have political or economic significance rather than being a straightforward response to trafficking or labor exploitation (Jones, 2000:26-30).

There is also anecdotal evidence that in the pre-departure stage other Indonesian government officials, from immigration and customs officials to municipal government employees to the police and military, are complicit in the trafficking and exploitation of migrant workers, if not directly involved. Such involvement includes helping to issue false or fake documents¹, such as passports and identity cards, working with traffickers to transport victims, receiving bribes to ignore violations, running or profiting from local brothels, or “selling” of victims for prostitution (Project field assessments).

¹ False documents are legal documents issued by the official issuing agency but containing falsified information. Fake documents refer to illegally manufactured documents.

Migrant workers also face dangers during transit from holding centers to their employment in the destination country. Boats used to transport migrant workers illegally are often overcrowded. Many are not designed for human cargo, and may travel without lights to avoid detection. This has resulted in numerous accidents leading to the drowning deaths of hundreds of migrant workers on their way to Malaysia (Jones, 2000: 6, 52). In addition, migrant workers are vulnerable to trafficking during transit as they often change agents at the border, and the new agent may change the destination of the worker within country or alter the type or conditions of work. In fact, there is anecdotal evidence that while the agent in Indonesia may recruit a woman to work as a domestic worker abroad, the agent in the destination country may traffic the woman into sex work or some other form of forced labor (Jones 2000: 65; Project field assessments).

Conditions in the Destination Country

Upon arrival in the destination country, migrant workers, especially women and children, encounter significant problems of exploitation. Employers in destination countries have a steady demand for cheap Indonesian labor, often exceeding the government allotments for migrant labor, leading to increased illegal migration.

Examples of exploitation of migrant workers in the destination country include:

- Violations of labor rights
- Unsafe working conditions
- Physical, psychological and sexual abuse
- Illegal confinement
- Withholding of identification and immigration documents
- Debt bondage
- Reduced or withheld wages
- Deceit about conditions or type of work
- Detention and imprisonment

Mauwanatul was 17 years old when she arrived in Singapore in 2000, weighing 50 kilograms. She had been recruited as a housemaid, a job that would help support her family back home Indonesia.

In December 2001 she was found by police, weighing 36 kilograms and bearing the scars of 200 separate injuries. There were burn marks, cuts, bruises and open wounds. She had been burned with cigarettes and boiling water, bashed with fists, cane and hammer. Her employer, a 47-year old tour guide told police: "There were so many times I beat her, I lost count of them".

Like most maids in Singapore Mauwanatul was not guaranteed a minimum wage, she could be required to work all her waking hours and was not automatically entitled to one day off each week.

Her employer would starve Mauwanatul. Often all she would eat for lunch and dinner were packets of instant noodles. It was hunger that provoked the assault that ended her life. Accused of stealing leftover porridge from the tour guide's infant daughter, the maid was kicked so severely that her stomach ruptured. Several days later she was found lying in agony in a vomit-stained T-shirt. Police had arrived too late to save her.

(Source: Baker, 2002)

A number of studies have demonstrated that many women return to Indonesia prior to the end of their two-year contract period, especially those who have gone to the Middle East; some studies indicate that more than 60% of women return within one year. Given the potential financial losses and debts migrants face in returning early, this might be an indicator of the difficulties they encounter in destination countries and the harsh conditions of work (Hugo, 2002: 170-171).

Indonesian migrant workers are subject to many abuses in the countries of destination. The illegal status of many workers makes them more vulnerable to abuse and less likely to seek assistance for fear of deportation or imprisonment. One commentator noted that employers often prefer employees with illegal status as they are less expensive to employ and less likely to complain. "By hiring Indonesians illegally, employers could pay low wages without offering benefits such as workmen's compensation or insurance, avoid a government levy on foreign workers, and, in some cases, force long hours under harsh conditions, knowing that the workers would never complain to authorities for fear of being deported" (Jones, 2000: 4).

Domestic workers are particularly vulnerable due to isolation of their work in the private home of the employer, and the lack of legal protection for informal sector workers. Workers frequently complain of withholding of wages, working 15 or more hours a day with no days off, unsafe and unhygienic living conditions, being locked in the home, and sexual abuse or harassment. Indonesian migrant workers also report experiencing physical, psychological, and sexual abuse while working abroad (Coalition of Indonesian NGOs, 2002: 7-8). There have been many cases reported in the media of severe abuse of Indonesian domestic workers in Singapore – with several employers being arrested for the physical abuse they inflicted on their housemaids. Also in Singapore, 36 Indonesian domestic workers fell from high-rise buildings between 1999 and 2001. Some were accidents caused by unsafe working conditions, while 10 of the cases are reported suicides ('S'pore offers', 2003; 'RI maid dies,' 2003). In addition, Indonesian migrant workers have been subjected to restrictions on their freedom of movement, including being locked in homes or rooms for 24 hours a day. Migrant workers also have been denied proper nutrition, sometimes given only one meal a day, and denied access to medical care when sick or injured.

Forced and bonded labor is another form of exploitation of migrant workers in the destination country. Migrant workers, both illegal and legal, frequently incur debts to their recruitment agents and PJTKI for recruitment fees, transportation, housing, meals, passports, medical tests, and other expenses. These debts are deducted from their wages, usually withheld by the employer and paid directly to the agent. In many cases, records are not kept and employees have no way of knowing the extent of their debt or when it is paid off. Additionally, many employers and PJTKI charge high interest rates to employees or require them to pay illegal fees. For example, one study found that it was not uncommon for employers to deduct the levy on foreign workers from the employee's salary even though this is illegal as the fee is imposed on employers. Migrant workers often work for three to six months without pay to reduce their debt; some workers, particularly domestic and plantation workers, work without

pay for much longer. In addition, researchers also noted that bonded labor also occurs amongst deportees, who are told they must work to reimburse the costs of their accommodation in the deportation centers (Jones, 2000: 7).

In the destination country, Indonesian women migrant workers are at risk to trafficking for sexual exploitation. Women recruited for domestic work are sometimes forced to engage in prostitution in destination countries. Although the recruiter in Indonesia may have known of the deception all along, there are also cases where the agent in the destination country determines which worker will go into domestic services and which will be sent to brothels (Jones 2000: 65). The Indonesian language newspaper *Kompas* reported in March 2000 that “20 female migrant workers were intimidated and tortured by their agents because they refused to engage in prostitution” (“TKW Diperkosa,” 2000). There is also evidence that women migrant workers are trafficked to places like Sarawak and Johor, Malaysia, to work as sex workers to service Indonesian male migrant workers in the plantation fields (Dzuhayatin and Silawati, n.d.a: 17). The number of women trafficked into prostitution is not known, but newspapers frequently report new cases. (For more information on trafficking for sex work, see section III C, Commercial Sex Work.)

Indonesian migrant workers have also been subject to detention and imprisonment, often without access to legal counsel, assistance, or translation. Solidaritas Perempuan estimates that “between 1995 to 2001, there were a total of 223,146 Indonesian migrant workers who were tried and put in jail. They are mainly in prisons in Malaysia, Saudi Arabia, and Singapore,” (Coalition of NGOs, 2000: 9). The detention and imprisonment of migrant workers in destination countries is another important issue. Many migrant workers who are charged with crimes in destination countries may be victims of trafficking or exploitation. For example, a young girl charged with prostitution after a raid of a brothel in a destination country may have been trafficked or forced into working as a sex worker. However, officials in many destination countries often are not properly trained to deal with victims of exploitation or trafficking who end up in the legal or criminal system. Additionally, many countries do not have special regulations in cases of trafficking or exploitation according to which mitigating circumstances can be applied.

In countries such as Japan, Saudi Arabia, and other countries in the Middle East, there are very few resources available to assist Indonesian migrant workers who encounter problems. Moreover, the Indonesian embassies and consulates abroad do not have sufficient funding or training to address problems of exploitation and trafficking encountered by Indonesian migrant workers. NGOs in some countries such as Hong Kong and Taiwan have also alleged that officials from Indonesian consulates and embassies are complicit in the exploitation or trafficking of Indonesian migrant workers, working with or in cooperation with agents and recruiters (ACILS, 2000). Some Indonesian consulates, however, such as the ones in Kuching and Tawao, Malaysia, provide temporary shelter and repatriation for Indonesian migrant workers who encounter problems. The consulate in Tawao has also cooperated with Malaysian police in collecting evidence on traffickers or employers who exploit or abuse workers (Project

field assessments). Since the new immigration law went into effect in Malaysia, however, the consulates are now required to report all migrant workers who do not have the proper immigration documents, raising concerns that victims of trafficking may be re-victimized and treated as criminals by Malaysian authorities.

Although Indonesia has signed a Memorandum of Understanding (MOU) with Malaysia (and is currently in the process of negotiating a new one), the governments have yet to sign any binding bilateral or multilateral agreements to protect Indonesian migrant workers abroad. Additionally, Indonesian NGOs contend that the MOU covers only procedural matters regarding recruitment of Indonesian migrant workers by Malaysians, and not issues of protection for workers (Coalition of NGOs, 2002: 12). Therefore there are few avenues available, other than ad hoc negotiation, for the Indonesian Consulates or other government entities to seek redress for these workers.

Return and Reintegration Stage

Migrant workers are also subject to abuses and exploitation on their return to Indonesia. Workers returning through Jakarta Soekarno-Hatta International Airport Terminal 3 (a special terminal for migrant workers) are subject to extortion from both government and private agents, in the form of demands for illegal fees and through poor currency exchange rates. Returning migrant workers are also vulnerable to *preman* (“thugs”) who use intimidation to extort money from them, and force them to use their transportation at inflated prices. Due to complaints from NGOs and trade unions about the inability to monitor the activities of Terminal 3 and the continued exploitation of the migrant workers in the Terminal, the government is reconsidering the use of the special terminal, and is currently processing some migrant workers through the regular terminals, using special lines and offices, while others continue to be processed in Terminal 3. NGOs report, however, that abuses and exploitation continue, regardless of which avenue is used.

Workers have also been subject to forcible returns – especially through mass deportations from Malaysia. During forcible returns workers are further subjected to illegal fees, inflated transportation costs, poor living conditions, and unsafe transportation (Jones 2000: 20-21, 36, 37).

In the post-migration stage, returning migrant workers often experience post-traumatic stress. According to one source, “The Central Police Hospital, which has been assigned as a referral hospital for sick and injured returnees coming through the main international airport in Jakarta, has documented a total of 560 patients who are migrant worker returnees for the years 2000-2002. All of them are women, and 80% of them are treated because of some form of violent act, physical as well as psychological,” (Coalition of NGOs, 2000: 9). The types of physical injuries being treated in the hospital include: fractures/dislocations, burn injuries, head injuries, trauma from blunt objects, and open wounds. Psychological injuries included treatment for psychosis and depression (Coalition of NGOs, 2000: 10).

While the Indonesian government recognizes the problems and exploitation faced by Indonesian migrant workers, it has expressly prohibited migrant workers from publicizing problems and abuses that they encounter abroad to the media. In the mid-1980s, there was public outcry in Indonesia over newspaper accounts of widespread abuse of Indonesian housemaids in Saudi Arabia. As a result, Indonesia, in a move that appeared to express more concern about Indonesian-Saudi relations than Indonesian migrant workers, decreed that migrant workers would be required to sign a statement before they go abroad which states, “I will not say anything to newspapers at home or abroad or to anyone else except the authorities concerned, about problems, if any, that I experience while working abroad, because I am fully aware that these problems are sensitive ones that could jeopardize friendly relations between Indonesia and the country where I am to be employed” (Jones, 2000: 18)

Actors in the Industry

- **Recruiting Agencies:** Recruiting agencies (PJTKI) are companies which fill orders for workers for companies or employers abroad. These agencies pay agents to find workers in Indonesian villages, run holding centers, obtain identification and travel documents, provide training and medical tests, and transport workers to the destination country. Since the Asian economic crisis in 1997, the number of registered and unregistered recruiting agencies/agents in Indonesia has increased rapidly as many Indonesian workers have been forced to look for work outside of their home villages or cities (Coalition of Indonesian NGOs, 2002). PJTKI are often involved in the exploitation and trafficking of migrant workers, including the systematic falsification of documents, illegal confinement in holding centers, charging workers with inflated debts, and engaging in forced labor to ensure those debts are repaid.
- **Agents, Recruiters, and Brokers:** Agents, recruiters, or brokers are the people who recruit workers for jobs overseas. Sometimes, they are people living in a village, other times they travel from village to village looking for potential employees. Agents may work simultaneously for legal and illegal recruiting companies, making it nearly impossible for workers to know the difference (Jones 2000: 44). From interviews as well as visits to holding centers, it would appear that the government of Indonesia applies little control over the performance and practices of these agents (Project field assessments). In cases of trafficking, agents may or may not be aware that they have recruited workers into exploitative conditions.
- **Village Leaders/Chiefs, Family, Neighbors, and Friends:** Village leaders/chiefs, family, neighbors, and friends may also play a role in trafficking by helping agents recruit migrant workers. Often these players receive a small fee from agents or PJTKI for signing up new workers. These actors may or may not be aware of any abuses or deception inflicted on the workers. In addition, these actors may be involved or assist in the falsification of documents.

- **Government Officials:** Government officials also play a role in the exploitation and trafficking of migrants. Disnaker, the police, the military, immigration/customs officials, embassy and consulate officers, and local government employees have all been cited as either directly or indirectly complicit in the exploitation of migrant workers. The role of government employees may range from falsifying documents, ignoring recruitment and labor violations, or facilitating illegal border crossings, to actively participating in the recruitment, transportation, and exploitation of migrant workers.

Table 11 below, gives a summary of the elements of trafficking and the actors involved for each stage of the migration process.

Table 11: Trafficking and Exploitative Practices within the Indonesian Labor Export System

Stage	Identified Elements of Human Trafficking	Perpetrator
Recruitment	<ul style="list-style-type: none"> • False information about jobs • Falsification of official documents (ID card, passport, family permission) • Illegal fees / debt bondage 	Broker Recruiting agency Village Chief Immigration Officer
Pre-departure	<ul style="list-style-type: none"> • Restrictions on freedom of movement • Sexual harassment and assault • Debt bondage 	Recruiting agency Center management Local authorities
In destination country	<ul style="list-style-type: none"> • Work conditions or type of employment violates contract and/or verbal agreement with the worker, including placement in brothels • Assignment to new employer in the recipient country carried out without worker's consent, and in some cases, through coercion and physical abuse, including for prostitution • Physical, psychological and sexual abuse • Illegal confinement • Withholding of identification and immigration documents • Debt bondage • Reduced or withheld wages 	Employer Placement agency Embassy officer Immigration officer Police
Upon return	<ul style="list-style-type: none"> • Deception, extortion, and sexual harassment upon arrival at airports or other transportation transit areas 	Government officer Police Airport authorities Broker Mafia/thugs

Source – Coalition of Indonesian NGOs, 2002

Given the lack of control over recruiting agents/agencies, ease of operation of illegal agents, corruption, and the lack of labor rights and standards, Indonesian migrant workers, especially women and children, are extremely vulnerable to trafficking and exploitation, both within Indonesia and abroad. Many of the exploitative practices they face have become so normalized in society that they are considered neither illegal nor a violation of the employees rights by society at large or even by the workers themselves. In order to address these problems, not only does the government have to better regulate the migrant worker process, but it must also train all of the staff involved – from Department of Manpower inspectors, to police, to the recruitment agents themselves – about the rights of the employees, changing attitudes about debt bondage, illegal confinement, and other practices which violate the rights of women migrant workers.

There is currently no law in Indonesia on the protection of migrant workers. The National Legislature (DPR), however, is deliberating a bill on migrant worker protection that was drafted and advocated by Indonesian migrant worker NGOs. In the meantime, policies and regulations on Indonesian migrant workers continue to be made by the Ministry of Manpower and Transmigration.

B. DOMESTIC WORKERS

By Fatimanah Agustinanto with Jamie Davis

Prevalence

Women as well as children in Indonesia often work in the informal sectors of the economy which excludes them from rights and benefits afforded to formal sector workers. It also renders them more vulnerable to exploitation and abuse. Indonesian women and children in the informal sector work in many different areas, including work as caregivers and house maids. Because so many domestic workers are unregistered, there is little accurate data about the number of domestic workers in Indonesia. Based on the examples below, the range could be from 861,337 to several millions.

- Population Census 1990: 861,337 domestic workers in Indonesia (Susilo and Soeparno, 1993: 6);
- Labor Survey Data 1999: 1,341,712 domestic workers in Indonesia (YKAI, 2001: 1);
- Atma Jaya University Rapid Assessment 1995: over 1.4 million domestic workers in Jakarta alone. (Extrapolated from a survey of 287 middle to upper income households, 53% of which employed domestic workers (Blagbrough, 1995: 15).

Data on the number of children who work as domestic workers is equally inconsistent, with estimates ranging from 23% to 55% of the total number of domestic workers, as seen from the data below:

- 27%: Population Census 1990 – less than 234,000 children out of 861,377 domestic workers (Susilo and Soeparno, 1993: 9).
- 42.5%: Population Survey Inter-Census 1995 – 334,050 children worked as domestic workers out of a total of 786,000 (Adiningsih, 2002).
- 23%: Labor Survey 1999 – 310,378 out of 1,341,712 (YKAI, 2001: 1).
- 55%: Atmajaya University Rapid Assessment 1995 – estimate 770,000 child domestic workers in Jakarta (Blagbrough, 1995: 15).
- Central Statistics Bureau 1995 – 70,792 child domestic workers in Jakarta (“YKAI: PRT Harus,” 2002).

One of the reasons for the lack of consistency in the data on domestic workers and child domestic workers may be that the studies all use different methodologies. For example the statistics bureau data relies on the number of people registered as domestic workers while the rapid assessment done by Atma Jaya University used a household survey method. Methodologies which do not take into account unregistered domestic workers may be significantly under-estimating the actual number.

As women's participation in the workforce changes, demand for domestic workers is arguably increasing. Data from National Work Force Condition Survey shows that women's work force participation level in DKI Jakarta increased to 42.69% in 1999 from 40.62% in 1998

(SAKERNAS). As more and more women are working outside the home, families, especially those with economic means, hire domestic workers to lighten the burden of domestic work for women working outside the home, thereby increasing the demand for domestic workers.

The number of women migrating for jobs as domestic workers overseas has also increased substantially over the past years. For example, in Malaysia in 1991 there were only 585 registered Indonesian domestic workers. By 1997 this had increased to an estimated 90,000 (Jones, 2000: 65). The number of Indonesian migrant workers has increased from less than 100,000 per year in the mid- 1980s to a half million per year in the late 1990s. These numbers include only migrant workers official registered with the Ministry of Manpower. It is widely believed that many more migrate each year through unofficial and illegal channels (Hugo, 2002: 159). Government records indicate that during a 2.5 year period, from 1999 to June 2001, 968,260 officially registered Indonesia workers were placed abroad the majority as domestic workers. Women were sent to ASEAN countries (47%), the Middle East (34.5%), Asia Pacific (17.5%), Europe and America (0.8%) and to other countries (0.1%). Over 70 % of the migrant workers placed are women (NakertransNet, 2001).

Methods of Recruitment

International Domestic Work

The recruitment of international domestic workers generally follows the same patterns as that for other migrant workers. Large recruitment agencies (PJTKI) located in major cities employ agents to recruit workers from rural and semi-rural villages. These agents sometimes have their own networks of village-level agents who recruit workers from their own villages. Agents are paid a fixed fee either from the agent above them or from the PJTKI for each worker recruited. Sometimes those recruited are asked to pay a fee to the agents, even though the employer in the destination country also pays a recruitment fee for each worker delivered. Because workers are often not able to afford the recruitment fee, the agent will write the fee into the work contract as a debt which must be repaid from a worker's future earnings (Jones, 2000: 39-61).

After recruitment, workers are transported to a holding center to await processing of documents and finalization of job placement. Waiting periods can last from a few weeks to several months. During this time, workers are supposed to receive training mandated by the Ministry of Manpower in such areas as use of electrical appliances and foreign language skills. In reality, training is not always given and workers incur substantial debts for their accommodation, food, and medical expenses. Additionally, most worker holding centers place severe restrictions on the movement of the women and some women have reported being subjected to sexual abuse and harassment (Project field assessments).

Trying to make a distinction between legal and illegal agents is misleading. There have been many documented cases of legal agencies using falsified documents, exposing workers to the risk of entering the destination country and working there illegally. Other licensed companies

engage in illegal and exploitative practices such as debt bondage, illegal confinement, and deception about the type of work and conditions of work at the destination. Workers have no way of distinguishing between legal and illegal agents or in knowing if they will be the victims of illegal practices. According to some reports, agents in the destination country have sometimes sent newly arrived women to work in brothels rather than to jobs as domestic workers as promised by the recruitment agency (Jones, 2000: 64-65). For more information please refer to section III A on Migrant Workers.

In-Country Domestic Work

There are two ways for children and adults to be recruited into domestic work. The first is the informal way through friends, relatives, current domestic workers, and through informal or illegal agents and brokers. The second is a more formal way through legal agents or brokers.

According to the SAMIN survey conducted in 1995 in Termalang, a small rural village in the district of Bantul, Yogyakarta province (central Java), the recruitment of child domestic workers is generally informal, with two basic approaches. In the first case, and the most prevalent, recruitment is through an acquaintance currently working as a domestic worker. In the second, recruitment is through informal brokers. The SAMIN survey found two types of informal brokers: a citizen of the village who acts as a local agent to whom prospective employers or outside recruiters may come, and informal brokers from outside the village who may recruit directly from the village themselves or may use the local broker as an intermediary (Blagbrough, 1995:19).

These findings are confirmed in the 1995 Atma Jaya survey of child domestic workers in Jakarta province, which found that recruitment of child domestic workers was most commonly made through other domestic workers or neighbors, through friends, relatives, and informal agents or brokers, with only a small number recruited from legal agents and brokers (Blagbrough, 1995:19).

A research project conducted in 2000 by the Tjoet Njak Dien Foundation (an NGO working with domestic workers in Yogyakarta,) also confirms these other reports for domestic workers in three big cities in Java – Jakarta, Surabaya and Yogyakarta.– The following recruitment patterns were noted in interviews with 150 domestic workers:

- 66% (99 persons) recruited by friends
- 24.67% (37 persons) found their own job
- 9.33% (14 persons) recruited through formal or legal agents and brokers (Astuti et. al., 2000: 46).

Most of the child and adult domestic workers interviewed preferred to get jobs through relatives, friends or neighbors, who already work in town because they believe that these relations can be trusted to find better employment than a broker. Employers also prefer to

recruit from individuals who have worked with them before (or who are currently in their employ) in order to feel that the employee can be trusted. They can also then avoid agents and brokers, who frequently rotate domestic workers for their profit (Wibawa and Moeliono, 2002: 6).

Clearly, the role of the agent for child or adult domestic workers in-country is far less significant than for domestic workers looking for work abroad. Another aspect of child domestic work bears mentioning at this point: in some parts of Indonesia, there is a cultural tradition for poor families to send their children to be raised by more prosperous family members. The new family takes care of the child in exchange for assistance in the household. This tradition forms the cultural ground work for the general acceptance of child domestic workers seen in Indonesian society today (Habsyah et al., 1995: 1; ILO/IPEC, 2001: 30).

Profile of Domestic Workers

The profile below describes only in-country domestic workers. For a profile of women migrant workers, the vast majority of whom work as domestic helpers, please refer to section III A, Migrant Workers.

Origins: Although domestic workers come from throughout Indonesia, the largest number, both child and adult, are female and come from Java.

- Tenaga Kerja Indonesia Foundation research of 200 in-country domestic workers in Jakarta found that 97.5% come from Java (60.5% from Central Java, 16.5% from West Java, 16% from East Java, and 4.5% from Jakarta): 1.5% from Lampung; and 1% from Sumatra (Tenaga Kerja, 1992).
- The 1995 Atma Jaya survey in Jakarta had similar results, with 93% of child domestic workers coming from Java (63.6% from Central Java, 13.6% from West Java, and 15.9% from East Java) and 6.8% from Lampung (Blagbrough, 1995: 17).

Gender: The great majority of domestic workers are female. However, data indicate that there are also males working in the sector.

- Tjoet Njak Dien's study of 150 domestic workers in Jakarta, Surabaya, Yogyakarta found that 137 (91%) were female and 13 (9%) were male (Astuti et. al., 2000: 34).
- UNICEF and BPS found in their survey of 912 domestic workers in 27 provinces in Indonesia in 1993 that 843 (92%) were female and only 69 (8%) were male (Susilo and Soeparno, 1993: 8).

Poverty: Most domestic workers come from low-income, rural families. They migrate to cities to support their families back home.

- Many poor families in rural areas are not able to meet their basic economic needs. There are many areas in Java where the land is not suitable for farming, or where

people have lost agricultural jobs due to industrialization of the rural areas. Women and children often migrate to urban centers like Jakarta to provide a better quality of life for their family.

- The Tjoet Njak Dien research in 2000 found that in Jakarta, Surabaya and Yogyakarta, most of the domestic workers are migrants. Of the 150 domestic workers who responded, 90% in Jakarta (45 person), 82% in Surabaya (41 person) and 68% in Yogyakarta (34 person) were from other areas (Astuti, 2000:30). They hope that by becoming a domestic worker they can help their children or siblings continue their education and can increase their family status in the community.

Education: Families with limited resources tend to prioritize boys' education and will keep their sons in schools longer than their daughters. Their lower level of education leaves poor women with few employment alternatives. Therefore, they tend to look for work in the cities as domestic workers where skills and education are not required.

- UNICEF records from 1985 indicate that of the 23 million illiterate people in Indonesia, more than two thirds or 15.7 million were women (Katjasungkana, 1992).
- The Central Statistics Bureau in 1999 records literacy levels of 78.3% for women who live in rural areas compared to 89.7% for men (Irwanto et. al., 2001:21).
- Tjoet Njak Dien research in Jakarta, Surabaya and Yogyakarta found that domestic workers generally have limited education. Of the 150 domestic workers studied, 50% (76 respondents) had attended only elementary school, only 7% (10 respondents) attended high school (Astuti, 2000: 37).

Age: The age of in-country domestic workers is not clear, with some studies indicating large numbers of children working as domestic workers and others indicating that it is primarily adults or children over 15, as indicated below:

- Atma Jaya survey found that over 50% of domestic workers in Jakarta were below 18 years of age (Blagbrough, 1995: 15).
- Tjoet Njak Dien research in Jakarta, Surabaya and Yogyakarta found that 30% of domestic workers interviewed were between 15 and 20 years old, 9% between 21 and 25, 10% between 26 and 30, and 42% over 30.
- Tenaga Kerja Indonesia Foundation found that 76.5% of 200 domestic workers interviewed were between 13 and 25 years old (Tenaga Kerja, 1992: 5).

Marital Status: Most in-country domestic workers are unmarried.

- Tenaga Kerja Indonesia Foundation research in 1992 found that 71% of the 200 domestic workers interviewed were unmarried (Tenaga Kerja, 1992: 6).
- Similarly, the results of the Tjoet Njak Dien Foundation research found that 56% of the 150 respondents in Jakarta, Surabaya and Yogyakarta were unmarried (Astuti, 2000: 39).

Working Conditions / Incidence of Trafficking and Exploitative Practices

Most domestic workers are required to do all household cleaning tasks, shopping, cooking, taking care of children, gardening, laundry and ironing. ICMC and Solidarity Center interviews with NGOs working with domestic workers and with domestic workers themselves indicates that typical working hours are from 5 am until 9 pm or later, although this depends on the family, the number of family members, and the number of other household staff. According to Tjoet Njak Dien, domestic workers are often subject to many forms of exploitation including:

- Long hours, limited time off
- Wages far below minimum wage
- Withholding of wages
- Restricted freedom of movement
- Physical and psychological abuse
- Sexual harassment and rape (Interview, 2002).

These conditions have been noted for both international and in-country domestic workers. A report from the Special Rapporteur for the UN Commission for Human Rights, Gabriela Rodriguez Pizarro, stated that:

The isolation of domestic workers, most of them women, who are as a rule excluded from national labour laws, is conducive to serious violations of human rights. The conditions of domestic workers can be comparable to slavery: unduly long working hours, poor remuneration, no access to social security, inadequate food and isolation because they are afraid of the authorities and often do not speak the local language. As with trafficking, they are lured by the empty promises of agencies that are well organized and operate world wide (Wickramesekera, 2002: 18-19).

Working relationships between domestic workers and their employers are often very informal. There is usually no working contract between them, resulting in less protection for the worker. Because there is no working contract the employer has the ability to arbitrarily decide when the salary will be given and what benefits the employee will or will not receive. Tjoet Nyak Dien's research results in 2000 found that many domestic workers do not receive their salary for several months at a time. Often the employer withholds the salary until the employee returns to her village and asks the employer for her unpaid wages (Astuti, 2000: 77). Tenaga Kerja Indonesia Foundation's research results in 1992 found that most domestic workers are paid monthly or weekly, but some only once a year (when they go home to their village), some only if the worker presents a significant need for the funds, and others once every 6 months (Tenaga Kerja, 1992). Both the Atma Jaya and SAMIN surveys of child domestic workers found that most child domestic workers passed on at least part of their salary to their parents. Some cases were noted in which the child's wages were paid directly by the employer to the child's parents (Blagbrough, 1995: 17).

Although domestic work falls outside of the current labor regulations, there are some local regulations governing domestic work. For example, Jakarta provincial regulation number 9/1993 provides some protections for domestic workers in Jakarta. According to this regulation, for example, it is prohibited for placement companies to collect fees of any type from domestic workers; workers are entitled to annual leave, regular payment of salaries, food, housing and other benefits. Employers who violate these regulations are subject to a maximum sanction of three months in prison or a fine of IDR 50,000 (equivalent to just over US\$5 at the current exchange rate). It is unclear how effective this regulation has been in addressing the problems of domestic workers. For more information see section VI Review of Indonesian Legislation.

ILO Conventions 182 and 138, as well as Indonesian law, do not specifically mention the widespread prevalence of child domestic work. They do specify that children under 18 should not be doing hazardous work and that children under the age of 15 should not be doing any work that would interfere with school attendance or be harmful to their health and development. Domestic work, in most cases, does interfere with school attendance (Wibawa and Moeliono, 2002: 5), thus making it easy to argue that children under the age of 15 should be protected under current law in Indonesia from working as full-time domestic workers. However for children between the ages of 15 and 18, Indonesian law and the conventions are vague. Although not all domestic work for children between 15 and 18 is problematic, in many cases the working conditions are such that it can be regarded as hazardous and thus potentially one of the worst forms of child labor. Article 3 (d) of ILO Convention 182 defines work that is “likely to harm the health, safety or morals of children” as one of the worst forms. Furthermore, Paragraph 3 of the Convention’s Recommendation states that consideration should be given to “work which exposes children to physical, psychological, and sexual abuse”, “work for long hours and during the night”, and “work where the child is unreasonably confined to the premises of the employer”. Research in both Indonesia and internationally has clearly documented that many child domestic workers work 12-18 hour days, are confined to the premises of the employer, do not attend school, and are subject to rape and sexual harassment.

The government has taken steps to address the problems faced by domestic workers. In 1997, through the department of Justice and Law, the Government established a team of academicians, NGO’s, activists and law experts to analyze existing labor laws and make recommendations. One of the recommendations was to conduct research as a first step to identifying the central issues, then developing new legislation to protect domestic workers. NGOs concerned about domestic workers and child labor issues have also conducted awareness raising campaigns to increase public concern, and have implemented programs to empower domestic workers themselves.

C. Commercial Sex Work

By Rebecca Surtees

Clarifying Definitions

Prostitution/commercial sex work is the provision of sexual services for reimbursement or material gain (Lim 1998: 1).

There is much debate about the choice of terminology when speaking of ‘prostitution’ as opposed to ‘commercial sex work’, with terminology often reflecting the ideological position of the speaker. That is,

The term ‘prostitution’ captures the features of commercialised sexual activity that are most prominent to people who are concerned about the encroachment of materialistic norms, while the term ‘sex work’ captures features more prominent to those who recognize the analogous nature of commercially oriented sex and other commercially oriented activities. Therefore, when we employ one of these terms for ethnographic description, we emphasize a particular sub-cultural perspective on prostitution (Shrage 1994: 122).

That is, the development of the term ‘commercial sex work’ was an initiative of sex industry activists to force recognition of prostitution as an economic option, rather than an identity (Kempadoo 1998: 3). Further, ‘commercial sex work’ implies an element of choice which is often presumed lacking in ‘prostitution’.

In the context of this document, we speak of commercial sex workers (rather than prostitutes) and the commercial sex industry or sector (rather than prostitution). This should not be read as an ideological statement or alliance on the part of ICMC or the Solidarity Center. We choose this terminology to avoid projecting any negative associations on the individuals who work as commercial sex workers (CSWs), and also to make the comparison, in terms of trafficking, with other forms of forced labor. This caveat is particularly important to highlight in the context of child sex work/prostitution where the issue of choice and consent are irrelevant.

A Brief History of the Sex Industry in Indonesia¹

The sex sector, albeit in a less formal and commercialized structure, dates to Indonesian pre-colonial history. Examples of the commodification of sexual services include, but are not limited to, the common practice of concubinage in Javanese kingdoms and, in Bali, the King’s sexual rights over low caste widows² (Sulistyaningsih, 2002: 3-5, Hull et al., 1999: 29).

In the Dutch colonial period the sex industry both expanded and became more organized. While early legislation sought to limit and even end commercial sex work, by 1852 the colonial government’s legislation focused on regulation of the industry rather than abolition, with a

¹ For a thorough exploration of this subject see Hull et al., 1998, 1999 and Hesselink, 1992.

² For a discussion of this point, see section IV D, Cultural Traditions. Cf. Sulistyaningsih, 2002 & Hull et al., 1999.

series of regulations seeking to avoid the harm caused by sex work. These regulations included the registration of sex workers, their regulation under the supervision of police/local government, the requirement that they carry identity cards and undergo regular medical examinations (Hull et al., 1999: 30-31).

It is essentially this regulatory and administrative framework which endures in the present. Throughout Indonesia there are regulated establishments or brothel complexes (*lokalisasi*) which situate sex work in one designated area, managed by the local or provincial government and under the authority of the Social Affairs Office (*Dinas Sosial*) (Lim, 1998: 4, Hull et al., 1998: 31).³ These official brothel complexes are an important aspect of the sex sector today. However, they do not exhaust the range of sex establishments in the Indonesian industry. Less formal and unregulated sex work is as common as its regulated counterpart.

It is interesting to note that presently in Indonesia there is no law which prohibits sex work. However, the criminal code does prohibit the facilitation of illegal sexual activity (Article 296), the trade in women or underage males (Article 297) and the earning of profit from the prostitution of women (Article 506) (Hull et al., 1998: 57). For more information about the laws governing sexual exploitation and the sexual exploitation of others, see section VI, Review of Indonesian Legislation.

Scope of Sex Work in Indonesia

Identifying the scope of the sex industry in Indonesia is a daunting task. The very nature of the sex industry, even with its semi-legalized status in Indonesia, is largely informal and underground. Thus, it is hidden and difficult to document. As such, when discussing the scope of sex work, we must begin by acknowledging that there is a dearth of comprehensive information and, thus, a limited understanding of the real scope of the industry in Indonesia.

This is not to say that there is no information about sex work. There are statistics compiled by the Ministry of Social Affairs as presented in Table 12 (below). According to this data there were 70,781 sex workers in Indonesia in 2000. However, it is important to note that these statistics represent only those working in the government regulated *lokalisasi*. It does not capture women working outside of these complexes (i.e. massage parlors, discos, nightclubs), nor does it capture the freelance workers and streetwalkers. As significantly, such statistics also fail to capture women for whom the sex sector is a supplementary part of their income, such as soft-drink sellers and waitresses in some snack bars and truck stops.

³ The presence of *lokalisasi* is not uncomplicated and their existence is not universally accepted. Indeed, since 1998 community and religious groups' demands to close these establishments have increased in frequency and tenor (Sulistyaningsih, 2002: 38). For example, in 1999 the government of Jakarta closed the Kramat Tunggak *lokalisasi* due to pressure from community and religious groups. In 1999 in Tangerang, 30 kilometres west of Jakarta, protesters set brothels alight, with similar attacks occurring at sex work compounds and associated establishments in Bekasi, east of Jakarta, as well as Tasikmalaya and Ciamis in West Java (Yamin, 1999, cf. Hull et al., 1999: 64-66 and Sulistyaningsih, 2002: 38). In the course of our field assessments, sources related similar attempts in other provinces, some successful and some unsuccessful. For example, in Pontianak, West Kalimantan, the *lokalisasi* was disbanded through violent community protest. Similarly, Jalan Jaksa in Jakarta, a hangout for foreign backpackers and sex workers, was subjected to a number of violent attacks in 2001 and 2002.

Table 12: Number of registered sex workers in Indonesia

Year	Number	Annual Growth
1989-90	64,445	
1990-91	49,619	-23.0
1991-92	52,389	+5.6
1992-93	47,545	-9.4
1993-94	65,059	+37.1
1994-95	70,681	+8.6
1995-96	71,969	+1.8
1996-97	72,444	+0.7
1997-98	75,105	+3.7
1998	75,466	+0.1
1999	70,932	-6.0
2000	70,781	-0.2

(Hull et al., 1998: 141, Sulistyarningsih, 2001, Hugo, 2001: 150)

Different sources have estimated the number of sex workers working in both the regulated (and thus documented) and the unregulated (and thus undocumented) sections of the sex industry. The difficulty is that often these estimates seem to have little statistical basis. For example, a number of sources estimate that there are 500,000 sex workers in Indonesia, although no source for the data is provided (Hull et al., 1998: 51, Galpin, 2002). Similarly, in Bandung estimates for the number of sex workers range from 1,500 to 6,000 (Hull et al., 1998: 47), a dramatic and somewhat questionable statistical span. As well, the number of CSWs in Batam ranges from 2,000 to 3,000 (Hull et al., 1998: 49). Likewise, there have been numerous media and NGO accounts that have radically divergent, frequently sensationalistic and, arguably, inflated estimates.

Discussions of sex work throughout Asia typically suffer from such divergent statistics. For example, estimates of the number of CSWs in Bombay range from 100,000 to 600,000, while in Thailand figures for child sex work range from 2,500 to 800,000 with an equally imprecise age range (Surtees, 2000). As Kempadoo observes, “to any conscientious social scientist, such discrepancies should be cause for extreme suspicion of the reliability of the research, yet when it comes to sex work and prostitution, few eyebrows are raised and the figures are easily bandied about without question” (1998:15).

An arguably more realistic number for Indonesia is that there are between 140,000 and 230,000 sex workers (Lim, 1998: 7, Hull et al., 1998: 52). This number is based on an assumption that the official statistics account for only the middle and some of the lower range sex workers, leaving out almost all of the higher range, most of the lower range and a significant portion of the middle range. There are roughly 75,000 registered sex workers in Indonesia and one could assume that at least an equal number of women are working in the industry but are

unregistered. That being said, again it merits highlighting that this is an extrapolated estimate and not statistically derived.

A number of studies have been undertaken in recent years providing us with some regionally specific data, including the following statistics:

- Estimates suggest 2,500 women are engaged in sex work throughout Bali (Ford & Thorpe, 1997:183). On Bali the female population between the ages of 10 and 49 years is 1,028,409 (BPS, 2000b: 63).
- An estimated 1250 Balinese sex workers are based in Denpasar city in Bali (Ford et al., 2000). The female population of urban Denpasar is 261,514 (BPS, 2000b: 70)
- In 1993 there were an estimated 10,000 sex workers in the city of Surabaya and perhaps 20,000 female sex workers in metropolitan Surabaya (Hull et al., 1998: 42). In 2002 NGO Hotline Surabaya reported that this number had declined to about 11,000 (Interview, 2002). The urban female population of Surabaya in 2000 was 1,309,375 (BPS, 2000d: 70).
- The estimated number of sex workers working in Bandung ranges from 1,500 to 6,000 (Hull et al., 1998: 47). The female population in urban Bandung is 1,056,502 (BPS, 2000c: 70)
- Batam, in 1993, had a total population of 100,000 and between 2,000 to 3,000 sex workers (Hull et al., 1998: 49).
- In Palopo District, South Sulawesi, there are approximately 16 bars, hotel, restaurants and houses from which sex workers operate and researchers found approximately 73 sex workers (Ruddick, 2000: 23). The female population of urban Luwu District in which Palopo is located is 51,589 (BPS, 2000e: 70).
- In Mamuju District, South Sulawesi, there are approximately 19 sex sector establishments with an estimated 85 sex workers (Ruddick, 2000: 25). The female population of urban Mamuju is 10,412 (BPS, 2000e: 70).
- In the Bando Baru *lokalisasi* near Medan, there are between 200 and 300 women and girls working as CSWs (Sofian, 1999).

Beyond the estimated numbers of women working in the sex sector, an equally revealing statistic is the economic scope of the sex sector. Based on an overview of the sex industry, Hull et al. calculate that each year the sex sector earns between US\$1.18-\$3.3 billion (1998: 53).⁴ This amount does not include spin off industries such as hotel, restaurant and bar revenue, or beer and alcohol sales. As a basis for comparison, in 2001 the hotel industry generated IDR 7.7 trillion, which, at an exchange rate of IDR 9000 to US\$1, translates into approximately US\$854 million. Similarly, the forestry industry generated approximately US\$1.7 billion (IDR 15.40 trillion) and business services generated approximately US\$2.2 billion (IDR 19.7 trillion) (BI, 2001). Clearly, then, the sex sector is not an insignificant portion of the Indonesian economy.

⁴ The difference in economic estimates is due to different estimates of the number of sex workers in the industry. With an estimated 140,000 sex workers, the annual financial turnover is estimated to be US\$1.18 billion whereas with an estimated 230,000 sex workers in the industry the turnover was estimated to be US\$3.3 billion (Hull et al., 1998: 53).

While the above information offers a glance at both the number of women and the economic earnings of the Indonesian sex sector, it affords no data on the migration and trafficking of women for sex work both domestically and across international borders. This is largely due to the illegality and covert nature of these movements. Further, there is no concrete data about the number of Indonesian women working overseas in the sex industry and what percentage of these women were trafficked. Even where the out-migration is legal there have been many reports of women forced to work in the sex sector in their destination country. For example, there are many allegations that Balinese women recruited as cultural dancers are forced to work in the sex industry in Japan. Similarly, many women promised jobs as domestic workers or laborers in Malaysia, Singapore and beyond also find themselves forced to work in the sex sector of these countries. Other women choose to work in the sex industries of Malaysia and Singapore because they can earn more money than in Indonesia. Some of them may experience trafficking in the process while others may not. Regardless of the migration/trafficking process for international sex work, it remains true that the scope of this phenomenon is almost impossible to gauge.

Socio-Demographics of Sex Workers

Given the dearth of reliable statistics about the sex industry, it is impossible to provide a comprehensive demographic profile of sex workers. However, information extracted from various studies provides a snapshot of the profile of CSWs in select areas. Drawing on this information as well as more experiential data from the work of ICMC and the Solidarity Center on this issue, it is possible to prepare a very general composite of sex workers in Indonesia. Clearly this is only a general framing; the data come largely from qualitative research and should be read within this methodological framework.

Gender: Sex workers in Indonesia are primarily female, although there are examples of male as well as transvestite sex workers.

- There were an estimated 275 male sex workers in Surabaya, East Java along with another 100 male freelancers primarily working as streetwalkers in 1993 compared to 20,000 female sex workers and 700 transvestites, the bulk of whom offered sexual services (Hull et al., 1998:42)
- The 'Kuta Cowboys' are, arguably, informal sex workers. They are young Balinese men who befriend and have sex with female tourists to Bali in exchange for gifts. They are few in number (Law, 2000: 7-10, cf. Irwanto et al., 2001).
- In Kuta, Bali there are male and female street children (generally between 12 and 17 years of age) who may also work informally as sex workers. Responsibility for generating income for their families in the villages often leads these children to sex work. Also in Kuta, a few of the boys working as hawkers and vendors reported having been pressured to have sex with foreign men (Ruddick, 2000: 12).
- In an STD/HIV risk behavioral surveillance survey in Bali, East Nusa Tenggara (NTT) and South Sulawesi, CSWs interviews indicated the presence, though not the prevalence, of transvestite sex workers (Ruddick, 1999: 8).

Age: Variable and can range from underage to middle age. However, sex workers tend to be young women in their late teenage years and twenties. Underage sex workers are not uncommon.

- Of 30 women surveyed in the Kramat Tunggak *lokalisasi* in Jakarta, eleven were under 20 years of age, eight were between 21-25 years of age and eleven were over 25 years of age (Sedyaningsih-Mamahit, 1999: 1106).
- The mean age of the 631 CSWs surveyed in a study in Bali was 25.8 years, with ages ranging from 14 to 47 years of age (Ford et al., 2000).
- In a survey of 52 female sex workers in the Dolly brothel complex in Surabaya, East Java, more than 25% were under 18 years when they began to work as CSWs, 40% were between 18 and 20 years and more than 20% were between 21 and 23 years (Hull et al., 1998: 42, Hull et al., 1999: 70).
- A 1997 study of sex workers in Bali found the mean age of respondents was 27 years (Ford & Thorpe, 1997: 184).
- According to 1999 data from the Ministry of Social Affairs, there are 70,000 children involved in sex work (ILO/IPEC, 2001b: 9), which is generally consistent with the assertion made by Farid that 30% of sex workers are under the age of 18 years (Irwanto et. al., 2001: 30).
- Of 30 female sex workers working in Palopo, South Sulawesi, most were between the ages of 15 and 25 years, indicating the presence, if not prevalence, of underage sex workers (Ruddick, 2000: 23).
- The 30 female CSWs working in Mamuju, South Sulawesi, ranged in age from 17-28 years (Ruddick, 2000: 25).
- In a 2000 survey of 1502 CSWs (both *lokalisasi* and non-*lokalisasi*) in Jakarta, Surabaya and Manado, 13.6% were 19 years of age and under (an increase from 12% in 1996), 30.8% were between the ages of 20 and 24, 24.2% were between 25 and 29, 26.5% were between 30 and 39 and 5% were over the age of 40. This same survey also indicated that age at first sex for CSWs was around 17 years with brothel based CSWs reporting lower ages of first sex than their non-brothel based counterparts (Dharmaputra & Utomo, 2001: 12).

Marital Status: Varies significantly, however, there is a noteworthy representation of divorced women in the sex industry.

- Of 30 CSWs surveyed in Kramat Tunggak, nine were never married, four were married and seventeen were divorced (Sedyaningsih-Mamahit, 1999: 1106).
- Of the 631 sex workers surveyed in Bali, 66% of women were divorced, 7% separated, 6% married and 9% never married (Ford et al., 2000).
- In a survey of 52 female sex workers in the Dolly brothel complex in Surabaya, just over 50% of the women had been married (Hull et al., 1998: 42). Of the women who were or had been married, all had one or two children (Hull et al., 1999: 71).
- In a 1997 survey of sex workers in Bali, the majority were divorced, 21% were

married and 10% had never been married (Ford & Thorpe, 1997: 184).

- Of 50 sex workers from Indramayu, West Java, 44 were divorced (Hull et al., 1999: 84).
- In a survey of 90 sex workers in South Sulawesi, the majority were divorced women from Java (Ruddick, 2000: 20).
- In a 2000 survey of 1502 CSWs (both *lokalisasi* and *non-lokalisasi*) in Jakarta, Surabaya and Manado, 26.3% were never married, 13.6% were married, 52.9% were divorced and 5.4% were widowed (Dharmaputra & Utomo, 2001: 9).

Educational Background: Education levels of sex workers tends to be quite low with many not having completed the 6 years of elementary school.

- Of 30 CSWs surveyed in the Kramat Tunggak *lokalisasi* in Jakarta, fifteen had less than six years of education, nine had between seven and nine years of education and six had more than nine years of education (Sedyaningsih-Mamahit, 1999: 1106).
- Of the 52 female sex workers surveyed at the Dolly complex in Surabaya, the majority had not graduated from primary school (six years) and only 8% had completed three years of secondary school (Hull et al., 1998: 42). Of the respondents, 46% cited economic reasons for not continuing their education (Hull et al., 1999: 71).
- In a 1997 survey of sex workers in Bali, the average level of education was six years (Ford & Thorpe, 1997: 184).
- Of 50 sex workers from Indramayu interviewed, 47 had no education or had failed to complete primary school (Hull et al., 1999: 84).
- Based on a 2001 survey of 50 sex workers in Surabaya and Semarang in Java, education was generally junior high school or primary level (Sulistyarningsih, 2002: 60).
- Of 30 CSWs working in Mamuju, South Sulawesi, most had not graduated from primary school (Ruddick, 2000: 25).
- In a 2000 survey of 1502 CSWs (both *lokalisasi* and *non-lokalisasi*) in Jakarta, Surabaya and Manado, the level of education was quite low, although improved over previous studies. Almost 50% of respondents had completed junior or senior high school with the remainder only having completed primary school or having no education at all (Dharmaputra & Utomo, 2001: 8-9).

Place of Origin: Sex workers come from throughout Indonesia, however, a dramatic number of sex workers are originally from Java.⁵

- Of 30 CSWs surveyed in the Kramat Tunggak *lokalisasi* in Jakarta, fourteen were from West Java and Jakarta, eleven were from Central Java and Yogyakarta and five were from East Java (Sedyaningsih-Mamahit, 1999: 1106).
- Of 90 sex workers in South Sulawesi, the majority were from Java, although there were also some women from South and North Sulawesi (Ruddick, 2000: 20-25).

⁵ Java has the largest population in Indonesia accounting for 60% of the Indonesian population in 1993 (Hugo, 2001: 54). As such, it is not surprising that the bulk of sex workers originate from Java. Whether or not Javanese representation in the sex industry is proportional to population is unclear.

- In a survey of 52 female sex workers in the Dolly brothel complex in Surabaya, East Java, 75% were from rural East Java (Hull et al., 1998: 42).
- A 1997 study of sex workers in Bali found that the majority (86%) were from East Java and 5% from Bali (Ford & Thorpe, 1997: 184).
- In a survey of sex workers in Papua about 50% of the sex workers in the entertainment businesses were from North Sulawesi and about 75% of sex workers in Papuan brothels were from East Java (Wiebel & Safika, 2001: 3).
- Of 30 CSWs working in Palopo, South Sulawesi, about half were from South Sulawesi and the other half from North Sulawesi and Java (Ruddick, 2000: 20).
- See section II Overview, for more information about sending and receiving areas for trafficking into the sex industry.

Economic Background: Sex workers come from all economic sectors but primarily from the poorer segments of society.

- In a survey of 52 female sex workers in the Dolly brothel complex in Surabaya, most were from agricultural families. More than 50% of their fathers and more than 33% of their mothers worked as farmers. In addition, more than 33% of their mothers were domestic workers and 20% were traders (Hull et al., 1999: 71).
- A recent and noteworthy exception to the trend is the presence of middle class, educated young women working in the urban sex sector. Examples of this trend, include, but are not limited to, *perek*, *pecun*, and ‘Secretary Plus’. See section: Different Types of Sex Work in Indonesia, below. Cf. Murray, 1991; Hull et al., 1998.

Urban/Rural Composition: There appears to be a significant rural to urban flow of women for sex work.

- In a survey of 52 female sex workers in the Dolly brothel complex in Surabaya, 75% came from rural villages (Hull et al., 1999:71).
- In a 1993 survey of sex workers in Bali, the majority had purchased land and/or a house in their home villages, indicating their rural roots (Fajans & Wirawan, 1993).
- NGO Hotline Surabaya reported a significant flow of young women from rural villages coming to Surabaya in search of work (Interview, 2002). This finding is consistent with reports from other NGO and government sources. For example, PKBI in Lampung noted that a large number of the women working as sex workers in that area were from rural West and East Java (Interview, 2002). Likewise, a government source in East Kalimantan indicated that the bulk of women working at the Kilometer 10 and Kilometer 17 *lokalisasi* were from rural East Java (Interviews, 2002).

Religion: Given that the majority of the population is Muslim, it is not surprising to find many sex workers of the Islamic faith. However, women of other faiths are also represented in the sex sector.

- Of the 631 sex workers surveyed in Bali, 95% of women were Muslim (Ford et al., 2000).
- In a survey of sex workers in Papua, 50% of the sex workers in the entertainment business were from the predominantly Christian province of North Sulawesi and about 75% of sex workers in brothels were from the predominantly Muslim province of East Java (Wiebel & Safika, 2001: 3).

Contact/Relations with Family and Community: Generally it appears that women working in the sex industry maintain contact with their families throughout their tenure as sex workers as well as remit a portion of their salary to their families to assist them economically.⁶

- In a 1997 survey of sex workers in Bali, 84% of women reported that they visited their home villages on a regular basis and/or sent money home to support their family (Ford & Thorpe, 1997: 184).
- In another 1993 survey of sex workers in Bali, the majority economically supported their families and many had purchased land (85%) and/or a house (90%) in their home villages with the intention of returning there once they left sex work (Fajans & Wirawan, 1993). This indicates continued contact as well as the intention to reintegrate and possibly remarry into the home environment in the future.
- In a survey of 52 female sex workers in the Dolly brothel complex in Surabaya, East Java, most visited their home villages at least once a month (Hull et al., 1999:71).
- CSWs interviewed in a *lokalisasi* in Lampung, indicated that they visited home at least once a year and sent home money regularly to help support their families. Sending money home was particularly important for women who had children living with their families (Interview, 2002).
- In a study of brothel workers in Papua, it was noted that many sex workers cut ties with their families and did not indicate their intention to resume relations in future (Wiebel & Safika, 2001: 4). It is unclear if this was because they had been deceived or forced into the work or due to shame over the type of work they now did.
- In a 2000 survey of 1502 CSWs (both *lokalisasi* and non-*lokalisasi*) in Jakarta, Surabaya and Manado, many women supported their children. For example, 53% of CSWs in Jakarta's brothels and 29% in Surabaya reported having children in their immediate care. Overall 62.3% of CSWs had children and 44% of CSWs were caring for children, an increase from 19% in 1996 (Dharmaputra & Utomo, 2001: 9-10).

Mobility: It is noteworthy that sex workers did not generally work in their areas of origin. Further, there is evidence to suggest that they tend to move locations over the course of their working tenure, although it does not appear to be an organized or standardized circulation of sex workers by brothel owners or brokers.

⁶ This is consistent with research from throughout Southeast Asia where women engaged in the sex industry have contact with their families in spite of the socially 'stigmatised' nature of their work. For example, in Cambodia, a sex worker's ability to contribute economically to her family plays a role in the success of her reintegration upon her return home (Derks, 1998: 39). This is also consistent with data from North Thailand where women's responsibility to economically support their families mediates the culturally problematic dimensions of sex work (Muecke, 1992, cf. Pasuk, 1984).

- In a study of sex workers in Papua, it was noted that a minority had been sex workers prior to arriving in Papua. Apparently the decision to move to Papua was fuelled by desire to escape stigma attached to sex work in an area where they were known and to attain greater earnings (Wiebel & Safika, 2001: 4).
- According to research in 2001 in Surabaya and Semarang, Java, sex workers tend to remain in one place for 4-6 months and even a year or more if they are comfortable. The decision to stay or move will depend on the degree of harassment by police and success in trade (Sulistyaningsih, 2002: 65).
- It was reported by NGO Hotline Surabaya that it is common for women who leave the Dolly Complex to go to other regions to continue working in the sex sector. Women from Surabaya tend to go to Ambon, Papua, Batam and East Kalimantan. Further, there is also a 'downward mobility' of women as they age, from higher scale brothels to lower scale ones (Interview, 2002).
- In a survey of the sex industry in Watampone, a district capital in South Sulawesi, it was observed that there does not appear to be a formal network that rotates women around: women move freely and their ties to managers are temporary. That being said, lower end sex workers (those earning IDR15,000 to 20,000 per transaction) tend to stay in one location. Further, inter-district mobility was quite low but there was some mobility within the district (Ruddick, 2000: 20).
- In a 2000 survey of 1502 CSWs (both *lokalisasi* and non-*lokalisasi*) in Jakarta, Surabaya and Manado, CSWs in brothels were more mobile than those working in non-brothel locations, having worked an average of 12-14 months in their current location as compared to the 15-20 months reported by non-brothel CSWs (Dharmaputra & Utomo, 2001: 9).
- One research source noted that, to her knowledge, there is not an organized circuit for CSWs. However, sex workers do tend to move to new brothels, cities and even provinces as there is a demand amongst sex consumers for different sex workers over time. There is high demand for newly arrived CSWs and therefore moving to new locations may be a business strategy of either the sex worker or the broker (Interviews, 2003). This assertion was corroborated by a number of sources (Interviews, 2003, cf. Dharmaputra & Utomo, 2001: 9).

Different Types of Sex Work in Indonesia

Commercial sex work in Indonesia is most visibly manifested in official brothel complexes (*lokalisasi*). However, this is not the only manifestation, with the sex industry operating in ever expanding locations and constellations, including brothels, hotels, bars, restaurants, snack bars, karaoke bars, escort services, and massage parlors. Further, sex sector activities include any provision of sexual services for payment, even when it occurs in locations not designated as sex establishments (Sulistyaningsih, 2002: 24). As such, this must also include the range of indirect and even part-time sex work. Below is a brief look at the more direct types of sex work.

- **Official brothel complexes (*lokalisasi*):** This is the most formal and regulated manifestation of the sex sector, comprised of a collection of establishments which are run by owners or managers and overseen by the government. These differ from brothel houses (*rumah bordel*) which tend to be outside the *lokalisasi* and are not regulated by government.
- **Entertainment complexes:** These are locations where sexual services are often available in addition to other forms of entertainment; they include night clubs, discotheques, billiards halls, bars and karaoke bars. In some cases, CSWs are independent operators while in other situations the sexual services are available through the establishment management.
- **Streetwalkers (*wanita jalanan*):** These are CSWs who sell sexual services on the street or in the open (i.e. parks, railways, etc.).

Child Tea Seller in Jakarta

Suzi (not her real name) comes from Cianjur, West Java. Her father is a worker in a rice factory and her mother is a housewife. Suzi is the fourth eldest in a family of eight boys and girls.

Suzi had her first sexual experience with her boyfriend in her second year of junior school when she was 13 years old. She chose to leave school at the age of 14 because she was offered a job in Jakarta by her neighbour as a worker in t-shirt factory. Her family was not in favour of this decision but she chose to go nonetheless. Once in Jakarta her neighbour forced her to work as a tea seller in the park. He received IDR150,000 from a pimp as compensation for bringing her to Jakarta.

Suzi works every day from 7 pm until 4.30 am. She serves and entertains the clients and also has sexual relations with them. Her salary each month is IDR75,000 and she also receives IDR3,000 per day for her meals. In addition, she earns IDR1000 per bottle of tea and IDR3000 per bottle of beer. Each night she can earn IDR70,000 from selling tea or beer to between three to six customers. Each time she has sexual relations with a client - which is generally one client a night - the pimp earns between IDR 150,000 and IDR 200,000 of which she receives none. However, she occasionally receives a tip from the client of about IDR 50,000. She also has a 'boyfriend', a military officer, who is also one of her clients. He gives her IDR100,000 every month. She uses her income to support her daily needs such as food, clothes, make up and medicine. She also sends IDR100,000 per month to her family in the village. Her salary is not paid regularly and for the first month the pimp did not pay her salary at all.

Suzi is often sexually harassed by the police and government officers. She has also experienced verbal abuse from her clients and her pimp. Her pimp sometimes withholds meals and salary as punishment. Suzi contracted an STD which her pimp initially misdiagnosed as a stomach ache.

Suzi generally visits her family every six months. Her family knows that she is now working as a tea-seller. They do not know that she also provides sexual services to her clients because she fears their disapproval.

Source: *Agustinanto, 2001: 96-116*

In addition, there are more indirect and often casual types of sex work,⁷ which are worth considering and exploring. Significantly, some of these examples of sex work are new types emerging in response to economic needs as well as evolving social and sexual discourses.⁸ These are particularly focused in the urban environment, most visibly in the larger cities. They include:

- **Soft drink and tea sellers:** Young girls working in small food stalls are often also engaged in the sex sector, albeit in a less forthright manner. Earnings from these drink stalls are generally inadequate to meet survival needs and, thus, many provide sexual services to earn additional income.⁹ These services range from allowing their customers to touch and kiss them to penetrative sexual relations (Interview, 2003; Yuliandini, 2002). In many cases, underage tea sellers are bound to their agents by debts incurred by their parents and are unable to pay off their debt without also engaging in sex work.
- **Waitresses at truck stops and snack bars:** There are some locations such as roadside beer-halls or snack bars (*warung*), catering to long-distance truck drivers where women and young girls may be available for looking, touching and sexual transactions. These services are conducted in addition to their role as waitress (Hull et al., 1998: 41; Sulistyaningsih, 2002: 64).
- **Women employed in businesses (i.e. PR representatives):** There have been allegations that in the context of some business transactions in Indonesia, women staff may be required (or ‘encouraged’) to provide sexual services as part of, or to smooth the way for, the signing of contracts in legitimate commercial enterprises (Hull et al., 1998: 35). For example, according to one source a real estate agent may attempt to smooth the sale or rental of a property by offering sexual services as she will earn a commission from this transaction. Similarly, another source indicated that marketing staff in the service sector employ similar techniques in efforts to secure a business transaction. Again, profit is gained through the earning of commission from the business transaction (Interviews, 2003).
- **‘Secretary Plus’:** This is a ‘service’ for foreign executives working in Jakarta. The service provided is for a professional secretary to handle administration as well as the provision of sexual services to the client. The fee for such an arrangement is 3 million per day for a minimum of one week with the employee earning 60% of that fee. The woman must be equipped with fluency in English, a university degree and physical attractiveness (Sulistyaningsih, 2002: 39, Interview, 2003).

⁷ Direct sex workers are those who engage in overt forms of sex work, such as brothel based sex workers, whereas indirect sex workers are those who engage in more oblique forms of sex work, such as waitresses or tea sellers.

⁸ For further exploration of these emerging sexual and social discourses, see section III B Cultural Traditions.

⁹ According to NGO Bandungwangi, a tea-seller in Jakarta earns IDR60,000 per month as salary. She also earns a portion of the cost of the drinks consumed by clients. In the case of a freelance tea-seller, she earns IDR3,500 while a tea-seller with a pimp earns only IDR 1,000 of the IDR5,000 that the drink costs. Sexual services can be purchased for approximately IDR 150,000, although this varies according to the tea-seller’s bargaining skills. In the case of a tea-seller with a pimp, the pimp keeps the full fee and the girl earns only what the customer provides as a tip, generally IDR 50,000. In the area that Bandungwangi works, there are 30 child tea-sellers working for 10 pimps and 26 children working as freelance teasellers (Interview, 2003).

- ***Pecun and perek***: A separate category of women who engage in sex as a remunerative activity are known in Indonesian as *pecun* (*perempuan cuma cuma* or ‘woman for free’) or *perek* (*perempuan eksperimen*, ‘experimental women’). These are young urban women, often teenagers (called ABG, *anak baru gede*, ‘just-got-big kids’), who engage in indirect sex work, having sex with men for cash or, often, gifts. These girls and women generally have a higher level of education, junior or senior high school; indeed, *pecun* are usually still in school. They can be found flirting and hanging out at bus stops, malls, pool halls, *warung* and other locations (Hull et al., 1999: 58; Hull et al., 1998: 34; Sulistyarningsih, 2002: 23; Interview, 2003).¹⁰ According to NGO Yayasan Pelitailmu, the profile of *pecun* as well as their reason for becoming *pecun* varies. For example, some *pecun* are lower middle class and may engage in this type of activity for economic reasons, such as to buy clothes or schoolbooks or to meet other needs. By contrast, other *pecun* are from more affluent backgrounds and engage in this activity more as a lifestyle choice and to enjoy consumer products, such as mobile phones, expensive restaurants, designer clothes and other consumer products. This phenomenon is specific to larger urban centers like Jakarta, Yogyakarta, Surakarta, Medan, Semarang and Surabaya.¹¹

Pecun

Dewi (not her real name) is a pretty girl of fifteen. She frequents a mall in South Jakarta where she works as a *pecun*. She has one sister and her parents are divorced. Her family is not rich but nor is it poor. Dewi was originally introduced to the *pecun* lifestyle by her sister who is a few years older than her and worked as a *pecun*. Through her sister she began to hang out at the mall doing *peres-peres* which meant she would accompany a man while they eat and let them touch her. By doing this Dewi earned money to buy consumer items she enjoyed, like clothes, cosmetics and accessories. She also spent her money on entertainment, going to clubs, watching films and hanging out at hotels. She dropped out of school. Over time, hanging out in this environment, she also began to engage in sexual relations and work as a *pecun*. She was very popular amongst clients because she was young, pretty and slightly western looking. She was able to charge between IDR 300.000 and IDR 500.000 per transaction. Her earnings allowed her to live independently at a boarding house with her sister and pay for basic needs as well as entertainment and consumerism. She also occasionally takes drugs for recreation. Dewi is happy with her life at the moment.

Source: Interview 2003 with YPI

- **Contract Wives**: It is not uncommon for local women to live and enjoy the financial support of foreign men working in Indonesia on short-term contracts, generally up to three years (Murray, 1991: 105, 116). According to one NGO source in East Kalimantan this is a relatively common practice where there are significant numbers

¹⁰ There is fluidity between what in the West might be termed ‘casual sex’ or a ‘singles lifestyle’ and what here is being deemed sex work. For example the term *perek* refers to a woman who has sexual relations with different men for pleasure and in a spirit of adventurism and experimentation and may also receive some sort of remuneration or gifts is a subject which merits further exploration, but one which is outside the scope of the current study. However, it is noted in section IV D, Cultural Traditions, that evolving social and sexual discourses are a critical phenomenon in contemporary Indonesian society.

¹¹ Terminology varies according to region. For example, according to NGO Yayasan Pelitailmu, the term *pecun* is used in Jakarta, while in Semarang, Solo and Yogyakarta the term used is *ciblek* (*ciliketan betah meleke* or ‘kid that stays up all night’) (Interview, 2003).

of overseas experts working in the oil industry, with many young women aspiring to this status (Interview, 2002). Jakarta NGO Bandungwangi observed that the practice is also known in West Java. For example, men from Singapore, Malaysia and the Middle East who work temporarily in Jakarta are known to make arrangements to have an Indonesian ‘wife’ for the duration of their time in the country. While the couple legally marries, in most cases, this arrangement is a business agreement with the ‘wife’ to receive a sum (generally a house valued at a specified amount) when the ‘husband’ returns to his home country (Interview, 2003).

- **Massage parlors:** Massage services may include a range of sexual services. This practice is common and found at numberless locations throughout Indonesia, including upper class hotels and spas (Greenbury, 2000).
- **Models and film actresses:** Some models and actresses supplement their incomes by working also as call girls (Murray, 1991: 105-6). There are often rumors that among Indonesia’s top actresses and models this is a common practice, although to what degree this is true is difficult to say. According to one source, it is possible for Indonesian business executives traveling abroad to hire these women as escorts. Whether or not sexual services are also a part of the contract varies (Interview, 2003).
- **Hotel receptionists:** NGO Hotline Surabaya spoke of some hotels where women working at the front desk reception are available for sexual services for the guests upon request (Interview, 2002). According to other sources, this practice is common throughout Indonesia at certain hotels (Interview, 2002).
- **Street children, hawkers and peddlers:** According to a STD/HIV Risks behavioral survey done in Kuta, Bali, there are a number of young boys and girls (ages 12-17 years) who work as ‘informal sex workers’. They service a range of clients including Indonesian and foreign visitors to the island. It is also reported that some younger street children working as beggars, bracelet sellers and pickpockets have been pressured to have sexual relations with foreign men (Ruddick, 2000: 12).

Different Types of Entry into Sex Work in Indonesia

There are three types of ways women generally enter sex work – bonded (payment to parents or guardian), involuntary (by coercion or deception) and voluntary (by choice). While valuable categories, these classifications do not exhaust the full spectrum of possible reasons for entering the sex sector, nor do they allow for the subtlety which is often the case when it comes to entry into sex work. That is, how do we define ‘voluntary’ entry into sex work? When a woman is forced by economic circumstance, can she be said to be freely choosing sex work? When economic opportunities are so constrained, how do we define what is and is not voluntary? That is,

[t]he question of consent is a complicated one because most women who enter prostitution, even when they are not literally forced..., have such a reduced menu of options that they can be said to have chosen only in a reduced sense... It is

especially important to link the analysis to a consideration of the economic options of poor women (Nussbaum, 1999: 23).

These are important issues to explore and discuss and there are certainly no easy answers. But this document can not take up these more conceptual issues surrounding entry, as they fall outside of its practical scope. Rather, what will be discussed here are some trends in women's entry into the Indonesian sex industry.

'Voluntary' Sex Worker

Hariyanti (not her real name) is 32 years old. She was born and raised in East Java where she lived with her mother, step father and four brothers. Her father died when she was quite young and her mother remarried. She attended school until the end of elementary school but there was not enough money for her to continue her education any further. Even when she attended school she was expected to help with household finances, and had already begun to work in the second grade. During her childhood she was raped by her step father and brothers.

She first left home when she was 14. She went to Surabaya to work as a seamstress, a job she had been offered through a neighbour. Once in Surabaya she worked initially as a seamstress in a factory. She then became as domestic worker, working initially with a local family and subsequently in a brothel. Throughout this period she sent money home to help her family. Then her mother fell ill and her family requested more money from her to help pay the medical expenses. Her salary as a domestic worker was not enough to provide this assistance to her family. So when her boss at the brothel approached her she agreed to have sexual relations with a client even though she thought it was a sin. She thought she could do it one time and then would have enough money for her mother's medical expenses. After this experience, the man who had arranged the meeting took her to his brother's house where she was offered work. She was free to leave but did not know where to go and she was anxious to assist her mother with her medical expenses so she stayed and agreed to work. She lived in one boarding house and then visited clients at their hotels when her boss received orders. She generally serviced 8 clients a week but sometimes had up to 3 or four clients a day. Her clients were mostly foreigners – from the Middle East and Japan. Her employer kept her money and deducted her living costs and salary. She never kept track of what she earned, she just trusted her employer. During this time she was free to move around but she didn't leave the house too much because she didn't really know the area.

After a couple of years a friend suggested that she go to Jakarta to work. She was told she could earn more money there and that the conditions were better. She agreed and went to stay at Kramat Tunggak. On the way to Jakarta she was charged IDR 300,000 for the transportation and expenses en route which she had to pay back to the brothel owner. But she knows she was cheated because she was never given food en route and it was quite expensive for the travel costs. She was not happy at the new brothel because she told her pimp that she only wanted to entertain the clients, not have sex. He became angry at this and threatened her. He said she owed him IDR 300,000 for the cost of her travel. When she moved to another brothel she was arrested by the police and returned to the brothel owner where she had to stay for four months to pay back the IDR 300,000. At the new brothel she only occasionally provided sexual services, she generally only served drinks which meant she did not earn very much money – only IDR 30,000 to 40,000 per day. She was not happy at the new brothel finding the market was quite small, the wages low and it had an unappealing clientele. While she was at Kramat Tunggak she contracted a sexually transmitted disease which one of her clients gave her money to treat.

Hariyanti is no longer a sex worker. In all she worked for 4 years as a sex worker. She says that this time in sex work was a sad and difficult time in her life. Her family does not know what type of work she did. They think she only worked in a factory and as a domestic worker. She visits her family maybe one time a year but not too often because she still has difficulty to see and talk to her father and brothers. She only talks to them when it is necessary. In her village she thinks maybe some people know that she has been a sex worker but they never say anything or criticise.

Source: Interview 2003 with Bandungwangi

In Indonesia entry into sex work varies according to individual circumstance. However, some sample surveys provide some insight.

- **Kramat Tunggak, Jakarta:** Research conducted at this *lokalisasi* found that 16 of 30 female sex workers interviewed said they were forced into the work by circumstance (i.e. had no money and had debts; nobody to support them; insufficient education to do other work or no better paying jobs available; had to support families as sole breadwinner). Another eight women entered sex work because of personal or family conflict (i.e. four had been raped and four had suffered physical abuse), situations which arguably also suggest that they were ‘forced by circumstance’. Six of the women had voluntarily entered sex work because of the encouragement of friends or sisters and, in general, were happy with their jobs because their friends did similar work and they had their parent’s consent. None of the women had been sold into sex work (Sedyaningsih-Mamahit, 1999: 1106-1107).
- **Papua:** A survey of sex workers in Papua noted that brothel-based respondents generally entered sex work due to difficult circumstances, such as early marriage, intra-familial abuse, widowhood or abandonment and extreme poverty. Other women had been deceived by friends and relatives (Wiebel & Safika, 2001: 3-4). By contrast, amongst entertainment-based workers (i.e. karaoke, bars, massage parlors and discos) the most common reason for entering sex work was economic, to earn money. Women often came to the decision independently and some even saw the work as an ‘adventure’ (Wiebel & Safika, 2001: 5-6). Unfortunately, no numbers are given in this study and it is impossible to appreciate the scope of the trend.
- **Bali:** In a survey of 71 sex workers on the island, a common reason given for entering the sex sector was divorce or abandonment of husband, which resulted in economic hardship. Many of the women had been promised other jobs but were deceived into sex work (Fajans & Wirawan, 1993).
- **Dolly Complex, Surabaya, East Java:** In a survey of 52 sex workers at this location, 29% of the women reported they had been coerced into the work and almost 50% cited economic reasons, such as extreme poverty of parents (19%) and the need to support children or siblings (29%) (Hull et al., 1998: 43).
- **Surabaya, East Java:** NGO Hotline Surabaya reported that in the city of Surabaya it is a common pattern that young girls who have come to the city in search of work are lured by brokers to brothels where they are ‘sold’, representing, at best, involuntary entry and, at worst, bonded entry (Interview, 2002).
- **Malaysia:** Solidaritas Perempuan compiled data from various media sources and reported one instance of 319 female migrant workers who had been deceptively recruited into the Malaysian sex industry (Dzuhayatin & Silawati, 2002a: 16).
- **North Sumatra:** In a report on child sex work, the recruitment process involved ‘collectors’ who befriended lower to middle class teenagers in public places such as shopping malls, and lured them with promises of a meal or an entertainment activity. They were then sold to brothels. The prevalence of this practice has not yet been

established. Also in North Sumatra, NGOs found evidence of young women lured into the sex sector by promises of jobs in restaurants by friends and relatives (Sofian, 1999).

The above data highlights the diversity of women's experiences of entry into the sex industry in Indonesia. It also highlights the significance of the debate surrounding what can be seen as 'voluntary' and 'involuntary' entry. Those questions aside, where bonded entry occurs – and it is not uncommon – great attention must urgently be paid to arresting its continuation.

One final point should be made about entry into sex work and that is with regard to age. There is a significant portion of sex workers who, at the time of their entry into sex work, were under the age of 18.¹² For example, in a survey of 52 women at the Dolly complex in Surabaya, it was noted that about 10% were under 17 years of age. Further, when sex workers were asked about the age they entered sex work, 17% reported being under 17 years, which means 27% of sex workers were under age when they started their work (Hull et al., 1999: 70). This information is consistent with other sources cited earlier (cf. ILO/IPEC, 2001b: 9; Imelda et. al., 2001).

For this segment of sex workers – those who are under age – we cannot speak of voluntary entry into sex work, even where girls themselves say they chose this option. It is internationally recognized that in the case of children, it is impossible to 'consent' to enter any type of work, including sex work.

Working Conditions of Sex Workers

Given the diversity and scope of the sex industry in Indonesia, it is difficult to generalize about work conditions for sex workers. Conditions are specific not only to the type of establishment or work one does but also to regional and individual variables. Treatment and conditions also vary significantly between women who have voluntarily entered sex work and those who were forced and/or are forcibly detained. Further, the more abusive conditions and practices tend to be more hidden and, thus, it is difficult to assess their prevalence and scope. In the course of field assessments for this project, staff visited a range of sex industry locations throughout 12 provinces.¹³ Conditions varied significantly. In the absence of an overview and in an effort not to distort the reality of work conditions in the sex industry, it is advisable to speak only about individual cases and situations, emphasizing that these are only snapshots of specific circumstances.

That being said, it was the overall observation of one source researching the regulated sex sector in Surabaya that,

¹² ILO Convention 182 on the Worst Forms of Child Labour, which Indonesia ratified in 2000 as Law No. 1/2000, specifies that child prostitution (prostitution for those under the age of 18 years) is among the worst forms of child labour.

¹³ These provinces are West Java, East Java, Central Java, Lampung, North Sulawesi, East Kalimantan, Bali, West Nusa Tenggara, West Kalimantan, Riau, North Sumatra and Jakarta. See section V for more details about these provinces and the field assessments conducted by ICMC and Solidarity Center staff.

working conditions in the sex sector were considerably better than those enjoyed by most of the Indonesian labor force at a comparable level. Some 85 per cent of the respondents stated that their employers clearly explained the terms of their employment including duties of the job, remuneration system, payment for sex service, working hours, location of work and other additional benefits or work facilities (Hull et al., 1998: 44).

A similar observation is made by Murray in her comparative study of street traders and sex workers in Jakarta in which she favorably contrasts the situation of CSWs *vis-à-vis* petty traders, while not failing to acknowledge that sex workers themselves are often in vulnerable positions. That is “while their chances of ‘making it’ are precarious, they are a great deal better than a *kampung* street trader’s prospects” (1991: 125).

This should not be read as a glorification of the sex industry. Nor should it be seen as an attempt to gloss over the violations and abuses to which many women are subjected while working as sex workers. Further, there is wide variation of conditions within the sex sector and it is not claimed that all experiences in the sex sector can be considered preferable to other labor sectors. Rather, these observations highlight that Indonesian women, especially poor and uneducated women, have limited options and often work in very poor conditions and for low wages, regardless of the type of work they choose. The decision to enter sex work is not in and of itself a panacea for Indonesian women.

For further insight and detail, let us explore various features of working conditions. This will enable us to better understand the working realities of sex workers in Indonesia. Below we will consider earnings/income; working hours and days; number of clients; freedom of movement and choice; reproductive and general health; prevalence of abuse, violence and harassment; and indebtedness of sex workers, in our effort to capture a more holistic picture of the working lives of sex workers.

Earnings/Income

Research indicates that earnings for female sex workers compare favorably to other occupations in which poorly educated women work (Papanek, 1976: 59-83). For example, the IDR1. 14 million earned monthly by CSWs in a survey in Jakarta, Surabaya and Manado is more than twice the amount earned by full time domestic workers (Dharmaputra & Utomo, 2001: 15). In fact, salaries are often higher than those for mid-level government officials (Hull et al., 1998:53). Take for example the situation in the Dolly complex in Surabaya, where 76% of respondents revealed their gross monthly earnings exceeded US\$150 and 52% earned more than US\$250 (Hull et al., 1998: 44-5). In Bali, lower end sex workers earned on average US\$90 per week with a range from US\$18 to US\$280, while sex workers in Kuta earned US\$7.50 for a short time and US\$15 for all night with an average earning of US\$160 for a week. In the mid-higher end, the prices were US\$75 for short time and US\$125 for all night and a mean weekly income in excess of US\$400 (with a range from US\$45-1400 per week) (Fajans & Wirawan, 1993).

More recent information on earnings comes from a 2000 study of 1502 CSWs in Jakarta, Surabaya and Manado. CSWs reported being paid a mean amount of IDR 96,000 by their last client in 2000, an increase from IDR 62,000 in 1998. There were regional variations in earnings with CSWs in Manado receiving higher pay than their counterparts in Jakarta and Surabaya. Similarly, respondents working outside of brothel complexes reported higher earnings than their counterparts based in *lokalisasi*. Overall CSWs reported a steady rise in monthly earnings after the economic crisis of 1997, and by 2000 reported an average monthly income of IDR1.14 million (Dharmaputra & Utomo, 2001: 15).

Although some women are able to earn relatively good incomes, there are other sex workers whose earnings are minimal at best. For example, in Watampone, a district capital in South Sulawesi, lower end sex workers earned between IDR15,000 to 20,000 per transaction, including the cost of the room rental (Ruddick, 2000: 20). Further, there is a significant difference between gross earnings and net profit. Whether or not a sex worker has a pimp, broker or brothel owner to whom she owes money or a percentage of her earnings significantly effects what she is able to earn and save.

To highlight the various salary ranges in the sex industry, see the tables below. Table 13 presents earnings specific to the sex industry in Bandung West Java, while Table 14 refers to a sample of different types and levels of sex work in different locations.

Table 13 : Earnings in the Sex Industry in Bandung, West Java*

Lowest Class	US\$100 per month
Low Class	US\$250 per month
Middle Class	US\$500-750 per month
High Class	US\$1,000-1,500 per month
Highest Class	US\$3,000 per month

**It is unclear if these amounts, include benefits such as housing, food, etc., which some CSWs may receive under their employment contracts. In some situations women receive such benefits, while in others they do not. (Source: Hull et al., 1999: 78)*

Table 14: Range of Prices for Sex Services in Different Locations in Indonesia

Type of Sex Work	Price
Low-end brothel	Avg. US\$2.50 for short time (as low as US\$1.50)
'Waitresses' at <i>warungs</i> for truckers (Cikampek area)	Avg. US\$5-6 for short time (IDR50,000 2001 est.)
Average price brothel (Surabaya and Semarang)	Avg. US\$5 (1994 est.)
Streetwalkers in Surabaya & Yogyakarta	Between US\$2.5-\$5 (1992 est.)
Mid-range brothels (including Dolly, Kramat Tunggak, etc.)	Between US\$12.5-\$15 (1994 est.)
Massage parlors in Surabaya	Between US\$15-30
From bars and discos	Between US\$15-25
High-range segment (including nightclubs and call girl establishments)	Between US\$50-150

(Source: Hull et al., 1998: 54; Sulistyarningsih, 2002: 64)

Having flagged the range of earnings for women in the sex sector, it seems appropriate here to note also how these compare with women's earnings and income in other economic sectors. See Table 15 (below). A comparison of Table 13 and 15 reveals that women in all sectors have earnings which fall well short of minimum wage standards¹⁴ and that in many instances commercial sex workers have earnings which compare favorably with, and even exceed, these other sectors.

Table 15: Monthly Salaries* (in IDR¹⁵) of Women according to their Educational Attainment, by Sector, 2001

Economic Sector	Women with no schooling	Women with incomplete primary schooleducation	Women with primary school education	Women with junior high school education	Women with senior high school
Agriculture, Forestry, Hunting and Fishery	130,413	161,522	162,918	205,233	219,189
Manufacturing Industry	192,110	221,646	300,478	381,653	510,371
Construction Industry	328,857	190,913	387,318	383,380	536,461
Wholesale Trade, Retail Trade, Restaurants and Hotel	166,830	265,657	257,101	371,842	435,715
Transportation, Storage and Communication	N/A	492,606	679,356	417,766	814,131
Financing, Insurance, Real Estate and Business Services	—	548,225	339,996	270,418	689,721
Community, Social and Personal Services	193,765	185,663	201,717	282,836	540,360
Mining, Quarrying, Electricity, Gas and Water	219,412	165,780	214,907	423,011	857,090
Total	151,968	183,002	232,726	340,685	517,350

*It is unclear if these amounts include benefits, such as housing and per diem, to which some employees may be entitled under their employment contracts.

(Source: BPS 2000a: 55)

¹⁴ Indonesian minimum wage standards vary by region, from IDR 591,266 in Jakarta, IDR 464,000 in North Sumatra and IDR 500,000 in East Kalimantan to IDR 245,000 in East Java, IDR 280,799 in West Java, IDR 341,000 in Bali and IDR 320,000 in West Nusa Tenggara with a national average of IDR 362,743. It is also important to note that the national average of minimum life needs in Indonesia is IDR 422,347, with significant variations by region including IDR 519,931 in Jakarta, IDR 277,783 in East Java, IDR 633,625 in East Kalimantan, IDR 340,154 in NTB, IDR 433,640 in Bali and IDR 453,000 in North Sumatra. Please note in a number of cases the minimum needed to live in the area exceeds the minimum wage standard as in the case of East Kalimantan and Bali (Depnaker 2002).

¹⁵ During 2001 the rupiah to dollar exchange ranged from approximately 10,000 to 8,500:1

Working Hours and Days

Working hours per day and the number of days worked per week vary from situation to situation and according to whether one is in 'low-end' or 'high-end' sex work. For example, findings from a survey in Bali indicated that low price sex workers tended to work 6.5 days each week while Kuta based sex workers worked 5.3 days a week (Fajans & Wirawan, 1993). In the Dolly complex in Surabaya, research found that sex workers worked from 6 pm until midnight, had one day off each week, received two weeks annual leave, twelve months maternity leave, and sick leave (with a doctor's note). Further, national laws on menstrual leave were normally observed, as were national holidays. On major religious holidays women were generally given holiday time and permitted to leave the brothel site (Sulistyaningsih, 2002: 61). As such, all respondents received benefits and leave which were felt to be favorable relative to many other sectors of the Indonesian economy (Hull et al., 1998: 44-5). Such conditions compare favorably with those of young female factory workers in Jakarta who, according to one study, generally work without a contract, are required to work through their 'compulsory' menstruation leave and are dismissed if they become pregnant (Murray, 1991: 99).

That being said, such regularized (and favorable) working hours and days are not always consistent with unregulated types of sex work, such as street-based CSWs, tea-sellers and entertainment sector sex workers. For example, according to one NGO source tea-sellers with pimps work seven days a week from about 7 pm to 3 or 4 am. While they may be permitted to take some time off due to illness, this is strictly limited and usually results in deductions from their salary. Generally these tea-sellers would be allowed two weeks leave during *Lebaran* (*Idul Fitri*) to visit their families¹⁶ (Interview, 2003).

Number of Clients

Overall findings in Indonesia indicate that sex workers tend to service an average of one client or less a day (Joesoef et al., 1997 as cited in Sedyaningsih-Mamahit, 1999: 1112). Certainly this number varies according not only to geographical area but also whether the sex worker is found in the low, medium or higher end of the sex sector. For example, in Bali 'lower priced' CSWs served an average of 4.6 clients per day, with a range from 1-8 clients; CSWs in Kuta, Bali, served an average of 1.7 clients a day, with a range from 1-6 clients; and 'mid-higher end' sex workers served an average of 1.4 clients a day, with a 1-3 client range. (Fajans & Wirawan, 1993). In the Dolly brothel complex in Surabaya, East Java, a survey of 52 female sex workers found that almost 50% of respondents had between 11-20 sexual transactions the previous week, a number consistent with other studies, while 12% had had in excess of 30 sexual transactions (Hull et al., 1998: 44-5). Another survey of 973 female and transvestite sex workers in Bali, Kupang and Ujung Pandang (Makassar) found CSWs served between 2-3 clients daily (Ruddick, 1999: 8). A follow-up survey found the mean number of

¹⁶ Freelance tea-sellers have more autonomy in terms of working hours and days than their counterparts with pimps. As such, they are free to take a day off for holiday or menstruation, as needed. The choice to do so is largely dependent on their individual economic situation. Working hours for freelance tea-sellers are generally slightly less than those working with a pimp (i.e. 9 pm to 2-3 am) and more flexible in that the tea-seller is free to decide upon her own hours.

clients each week ranged from seventeen in Bali to nine in Makassar, which represented an overall decrease from 14 to 13 clients per week (Ruddick, 2000: 7). In Mamuju, South Sulawesi, a survey of 85 female commercial sex workers found that women had three to four clients a day, with more clients during the harvest season (Ruddick, 2000: 25).

Freedom of Movement and Choice for Sex Workers

It is difficult to assess choice and freedom of movement in the sex sector. This is because there is so much variation and because the locations where choice and freedom are most limited are also among the locations to which researchers and NGOs seldom have access. As such, it is all the more significant when there are limitations placed on sex workers freedom and choice in this 'open' part of the sex industry.

On the subject of 'choice' it is an important finding that in one study of brothel-based sex work in Surabaya, more than half of respondents were not permitted to refuse to service clients (Hull et al., 1999: 73). In another study it was observed that in cases of dispute, management is more likely to support the client, as the brothel is primarily concerned with profit rather than the health or safety of the individual workers (Sulistyaningsih, 2002: 66). Both points are consistent with information from an NGO source which noted that at the Dolly complex in Surabaya there is tight control over the actions of sex workers and that they do not have the right to refuse clients (Interview, 2002). As such, choice for most sex workers is limited by economic demands and the overall conditions/terms of their work.

Freedom of movement is also quite variable. In our own field assessments we found sex workers enjoyed varying degrees of freedom of movement. For example, in the Km 10 and Km 17 *lokalisasi* in East Kalimantan we were told by local authorities that, while girls were 'permitted' to leave the area, they could only do so with the written permission of their brothel owner and that they must designate the exact time they would return. Similarly, in North Sulawesi one NGO asserted that when girls from North Sulawesi work in clubs in Jakarta they are always 'escorted' by an employee of the club to ensure that they return for work (Interview, 2002). Likewise, in a study of 25 women trafficked into the sex industry, women's freedom of movement was severely curtailed with women unable to leave without their boss' permission (Dzuhayatin & Silawati, 2002b: 82).

One interesting phenomenon in Lampung was that girls were permitted to leave the *lokalisasi* for medical check-ups, but their time away was closely monitored. More significant was an observation made by one NGO staffer working in the area, that the workers often had very limited knowledge about how to get around town, indicating that they seldom left the *lokalisasi* area (Interview, 2002). One study on sex work noted that while sex workers may enjoy free time when clients are not present, there is a tendency for management to restrict the time they spend away from the brothel for fear that they will solicit clients outside of the brothel complex (Sulistyaningsih, 2002: 61). Another source reported that by paying girls on a fortnightly or monthly basis, their ability to move at will is limited (Interview, 2002).

Reproductive and General Health

Women's reproductive health is an important indicator of the conditions in which they work and live as sex workers. Research conducted on STDs and HIV/AIDS in Bali, South Sulawesi and East Nusa Tenggara provides some insight into women's vulnerability to reproductive health problems. For example, it was found that the percentage of women who had ever contracted an STD increased from 20% in 1998 to 29% in 2000. Strikingly, in the 2000 survey, 43% had symptoms within the previous year. Further, treatment by medical personnel decreased from 75% to 38% (Ruddick, 2000: 7). These findings signal that women sex workers are not accessing medical services when facing reproductive health issues.

An equally compelling finding of the study in Bali, South Sulawesi and NTT was an increase in condom use in the last sexual encounter. Respondents noted that over 50% of clients used condoms, although consistent condom use remained low at 9% (Ruddick, 2000: 8). In a 2000 survey of 1603 male sex consumers in Jakarta, Surabaya and Manado, 22.1% reported using condoms in last contact with a sex worker and 6.9% reported always using a condom in sexual encounters with a sex worker during the last year (Dharmaputra & Utomo, 2001: 13). Significantly, client refusal was the primary reason (72%) reported by CSWs for not using a condom during sexual intercourse with clients (Ruddick, 2000: 7).

A number of NGOs are active in trying to meet the reproductive health needs of sex workers in most provinces that ICMC and the Solidarity Center work. However, significant gaps in reproductive health care service provision exist. One finding of a recent social research project in South Sulawesi is that health care providers and the departments responsible for HIV/AIDS control in Watampone require training on the treatment and provision of care for people afflicted with STDs and HIV/AIDS. As well, it was noted that women in Mamuju have limited access to health services (Ruddick, 2000: 25).

Just as critical is the issue of women's overall health. Clearly sex workers' general health is tied closely with their conditions of work. One key finding of a survey of 25 women trafficked into the sex industry was that they experienced extensive violence and sustained serious injuries, which necessarily negatively and severely impacted their overall health (Dzuhayatin & Silawati, 2002b: 82-83). Similar violence (and thus poor health) might reasonably be expected in some segments of the sex sector (i.e. street-based sex work, tea-sellers, etc.) whereas those in the *lokalisasi* brothels apparently enjoy better working conditions in general.

Incidence of Abuse, Violence and Harassment

It is difficult to assess the degree of violence and abuse experienced by women sex workers. There has been little research on the subject and, as such, it becomes necessary to rely on more experiential accounts.

In Jakarta's Kramat Tunggak *lokalisasi*, it was reported that every night there was violence and every three months, on average, there was one murder. The victims were usually sex workers killed by their clients/lovers or the clients themselves who had a tendency to fight amongst

themselves. This violence occurred in spite of the guards and police who were tasked with security in the *lokalisasi* (Sedyaningsih-Mamahit, 1999: 1103). It is a reasonable assumption that such patterns of violence in brothels and brothel areas is common. For example, in East Kalimantan, one brothel owner observed that fighting between clients was a nightly occurrence and that sometimes they also hit the sex workers (Interview, 2002). Likewise, in one *lokalisasi* in Lampung the head of the village said that clients were often quite violent, so the community had established a security detail. In Surabaya, NGO Yayasan Abdi Asih reported one incident where a sex worker was punched in the face by a client when she attempted to insist that he wear a condom (Sulistyaningsih, 2002: 57). A Yogyakarta-based NGO also considers violence to be common in the local sex sector (Interview, 2002). And again in Yogyakarta, PKBI reports that many sex workers hire security to protect themselves from violence (Interview, 2002).

An associated issue is the abuse and violence perpetrated by pimps, brothel owners and security guards. Most information on the subject is anecdotal and focuses on women trafficked into sex work, rather than those who entered voluntarily. As such, the findings must be read with this caveat in mind, as this segment of the industry likely experiences greater degrees of violence and force than may be normal in the sex industry more generally. Nevertheless, the data is illustrative and observations from this study of 25 women trafficked into sex work (Dzuhayatin & Silawati 2002b: 82-83) include the following:

- Women reported experiencing a range of physical violence at the hands of pimps, bodyguards and consumers.
- Expressions of violence used against the women included punching, slapping, being hit with objects and being coerced to drink alcohol
- Some women reported experiencing violence every day.
- Violence was particularly pronounced when women made ‘mistakes’ or attempted to escape. In such circumstances, women were beaten with sticks, belts, bats and fists.
- Women also experienced other violence which included isolation (solitary confinement), withholding of money and verbal threats to report them to the police.
- Sexual violence, including rape, was also used against many of the women.

Similarly, research from around the world indicates the elevated vulnerability of sex workers to abuse and harassment by police and local authorities. While we do not have substantive information on this subject, it is worth noting that one NGO – Yayasan Abdi Asih Surabaya – which works directly with sex workers found that their clients were subject to harassment by police (including arrest) during frequent raids (Sulistyaningsih, 2002: 57). Likewise, another research study of brothels in Semarang and Surabaya, Java, observed that regular payments were made to local authorities to smooth business and avoid raids and harassment (Sulistyaningsih, 2002: 70). And one NGO which works with sex workers in Yogyakarta reported that streetwalkers were particularly vulnerable to harassment by police and local authorities (Interview, 2002).

Indebtedness of Sex Workers

A common practice in the sex industry is the practice of debt bondage. This practice of creating or profiting from a debt which then has to be paid off is a means by which brothel owners and pimps can bind the sex worker to them and thus profit from their earnings over longer periods of time. Among the more sensational and, disturbingly, very common examples of this trend of debt bondage is when parents receive payment in advance for their daughter's labor,¹⁷ creating a substantial debt that the woman must pay off under disadvantageous circumstances. For example, according to Jakarta NGO Bandungwangi and university researchers, it is common for children employed as tea-sellers to be bound by debt to their employer. The general pattern for recruitment from Indramayu, West Java, is that (poorer) parents are approached by a broker, generally someone local and known to them, who offers employment for their daughter as a tea-seller or waitress. According to one source, brokers are often quite strategic in their timing for approaching parents, preferring to target poorer families in periods of weak household economy. Parents who agree to the arrangement are given a sum of money which is later deducted from their daughter's salary (Interview, 2003).¹⁸ In terms of entry into brothel-based sex work, there is a practice in Surabaya, East Java, by which girls are registered at the *lokalisasi* at ages of 10 and 12 years for future work in the brothel. At this stage their parents generally receive an advance on their future earnings and may continue to accrue debt to the broker and/or brothel owner over the successive years. The young women generally enter the *lokalisasi* when they are about 15 or 16 years and are bound to their employer by this debt (Interview, 2003).

There are also debts which the sex worker herself accrues. In a survey of 52 female sex workers in the Dolly brothel complex in Surabaya, 60% of respondents had borrowed money from the *mamasan* or madame for family needs or medical check-ups (Hull et al., 1999:71). No mention is made of the terms of the loans; however, it is clear that such practices can potentially create vulnerability amongst sex workers. Another NGO source in Surabaya noted that in many of the brothels sex workers borrowed money at interest rates as high as 25-40% per month (Interview, 2002).

Further, in the course of field assessments, we found that in many brothels fees for food and board were quite high, which represents another potential tool to create or maintain debt. In one brothel in Samarinda, East Kalimantan, the sex workers were charged high prices for food and drink. For example, sex workers were charged IDR 10,000 for a can of soda, although we had purchased the same item for IDR 4,000 in a shop in town. This was compounded by the fact that they were not permitted to cook for themselves in the brothel. NGO Hotline Surabaya confirmed that this practice was also common in other brothels as a tool to retain the services of the women (Interview, 2002).

¹⁷This practice of debt bondage is not unique to the sex industry but is a practice widely used by agents and recruiters to entrap all types of migrant workers, see sections III A, Migrant Workers, and III B, Domestic Workers. Historical and cultural precedents for this practice is discussed in section IV D, Cultural Traditions.

¹⁸Some parents are aware of the bonded nature of this contract and that their daughter's future earnings will be docked for the amount they have already received. Other parents are (naively) unaware that the amount paid to them up front is a loan which binds their daughter to the employer (Interview, 2003).

Similarly, according to an investigation by the Study Centre for Child Protection in Medan, one girl of 16 years who was working in a brothel in Tanjung Balai Karimun, North Sumatra, had half of her wages taken by the brothel owner and the other half was given to her in vouchers which she could redeem only after four months. She was forced to pay for food, medical services and clothes from her tips. As she explained in her interview with the NGO, “Every girl owed money to Aunt Merry [brothel owner]” (Sofian, 1999).

Another practice which contributes to indebtedness of sex workers is that each actor in the chain takes a portion of her salary, thus reducing the amount that she is able to save and/or pay back. NGO Hotline Surabaya reported that in situations where a broker brings the sex worker to the brothel, the broker will continue to earn a percentage of her income, a percentage which is deducted from her earnings and which exacerbates her debt burden (Interview, 2002). Similarly, one researcher in Bandung, West Java, found that brothel-based CSWs continued to pay 30% of their earnings to the broker throughout their tenure as sex workers (Interview, 2003). All of the above practices can reasonably be described as efforts to ensure a degree of indebtedness and these are not unusual practices in the Indonesian sex sector.

The preceding discussion has offered a brief exploration of the various components of conditions faced by sex workers in Indonesia. In conclusion, two important caveats need to be stated and emphasized. First, the information available about work conditions and earnings of the sex industry are from those segments which are relatively open and well paid. Those women working in the lower end as well as the less obvious manifestations of the sex sector (i.e. tea sellers, waitresses, etc.) arguably earn considerably less. Their working conditions are likewise poorer and they are generally more exposed to abuse by authorities, police, brothel owners, pimps, brokers and customers. This is an important issue to which must be attended to. Secondly, even where sex workers earn reasonable wages, this does not translate directly into the amount they themselves actually see. As described above, the sex sector is replete with intermediaries who can siphon off significant proportions of a commercial sex worker’s gross earnings.¹⁹

Sex Work Consumers – the Clients

An important but often overlooked aspect of the sex industry is the consumption end of the transaction. Who are the consumers of sexual services? What is their profile? Unfortunately, there is limited information on consumption patterns, which represents a significant gap in our understanding of the sex sector. However, below are some general observations from social research which allow us to begin developing a profile of commercial sex consumers in Indonesia.

¹⁹ In some establishments the CSW keeps the full fee with the establishment profiting from the hire of rooms and sale of drinks. In call girl establishments the sex worker generally keeps 50%. Streetwalkers and free lancers generally keep the full fee but may have to pay for the services of taxi drivers and others who assist them in locating clients (Hull et al., 1998: 55). According to Jakarta NGO Bandungwangi, a child tea-seller keeps only her tips (IDR 50,000) from any sexual transaction she has with clients, while the pimp keeps the full fee (IDR 100-150,000) (Interview, 2003). From our field assessments we also learned that tips from customers may constitute the full sum or a substantial portion of CSWs’ earnings. In some cases, the full fee may go to the brothel owner with only tips going to the CSWs (Interview, 2002).

Mainly Indonesian Males

- Research conducted on all aspects of the sex sector highlight that the main consumers of sexual service in Indonesia are Indonesian males.
- The number of sex workers who are engaged in sexual relations with foreigners is only a small percentage of the nation's sex industry. Tourists are predominantly destined for Bali and it is in locations like Kuta, Bali, where one finds examples of foreigners using sex workers. The bulk of sex workers, even in Bali, are frequented by Indonesian males (Ford & Thorpe, 1997: 183).
- In addition, Batam is a sex industry destination for foreign men who have come to Indonesia on holiday or business (Fadli 2002).

Primarily Heterosexual

- The bulk of consumers are men who purchase the sexual services of women.
- There are male sex workers and transvestite sex workers who also offer sexual services to male clients (see Ruddick, 2000; Ruddick, 1999; Hull et al., 1998: 42; Hull et al., 1999), although the prevalence of this practice is difficult to establish given the limited research available.

Percentage of Men who consume Commercial Sex

- In one household study of 2000 men in East Java, 8% of men in urban areas said that they had ever had sex with a sex worker (Hugo, 2001: 148).
- Hull et al. calculate that each month, between 2.7-4.3 million men are frequenting sex workers, which is between 5-8% of adult Indonesian men (1998: 52-53).
- In a 1998 survey of 2052 sex consumers (sailors and truck drivers) in Bali, Kupang and Ujung Pandang, 45-63% reported having purchased commercial sex within the last twelve months (Ruddick, 1999: 8).
- In a survey of 1603 men in Jakarta, Surabaya and Manado, there was an increased number of men reporting having ever had sex with a sex worker, an increase from 49.5% in 1996 to 70% in 2000. Just under 50% of respondents reported having sex with a CSW in the past twelve months, with an average of ten commercial contacts (Dharmaputra & Utomo, 2001: 12-13).

Marital Status of Sex Consumers

- Based on a survey of 1600 respondents from Surabaya, Jakarta and Manado, married men were more likely than unmarried men to have had paid sex within the past year (Hugo 2001:1 48).
- In a survey of 401 sex consumers on the island of Bali, 50% of clients were never married, 41% were currently married and 7% were separated or divorced (Fajans et al., 1994).
- Of 30 sex industry clients interviewed in Palopo, South Sulawesi, slightly more than 50% were married. Similarly, in Watampone, South Sulawesi, the majority of the 30 sex industry consumers surveyed were married. In Mamuju, South Sulawesi, about 75% of the clients were married (Ruddick, 2000: 20-25).

- In a survey of 225 clients of brothel-based sex workers, 75% were married but not living with their wives due to their work (Ruddick, 2000: 33).
- In a 1998 survey of 2052 sex consumers (sailors, interstate truckers, direct clients and urban transport drivers) in Bali, Kupang and Ujung Pandang (Makassar), the majority were married (Ruddick, 1999: 8).
- In a 2000 survey of 1196 sailors and seaport laborers in Jakarta, Surabaya and Manado, two thirds were married and the majority of the remaining respondents were unmarried (Dharmaputra & Utomo, 2001: 8).

Employment/Occupation

- In a survey of mobile men (that is, sailors, port workers and truckers), more than 50% of 1600 respondents reported having paid for sex within the last year (Hugo, 2001: 1-48).
- In a survey of 401 sex consumers in Bali, occupations included business people and employees, traders, skilled and unskilled laborers, drivers, farmers, students and unemployed (Fajans et al., 1994).
- In a survey of 30 sex industry clients interviewed in Palopo, South Sulawesi, the majority worked as drivers, merchants, sailors, private employees and military and police officers. Of the 30 sex sector clients interviewed in Watampole, most were traders and drivers. Mamuju sex industry clients worked as traders, drivers, teachers, police and military (Ruddick, 2000:20-25).
- In a survey of 120 female sex work clients in Bali, almost 50% worked in construction, while the remaining clients worked as truck drivers, civil servants, gamblers and farmers (Ruddick, 2000: 33).
- In a survey of 1603 men in Jakarta, Surabaya and Manado, it was noted that sailors and truck drivers report a much higher level of sexual contact with sex workers than other male groups (Dharmaputra & Utomo, 2001: 12).
- Research indicates that migrant males are significant users of commercial sex work services in cities (Hugo 2001: 91).

Age

- Information drawn from 401 male clients in Bali indicated that the mean age was 29 years with a range from 16-65 years and almost 50% under the age of 26 years. (Fajans et al., 1994)
- Of 30 sex industry clients interviewed in Palopo, South Sulawesi, two thirds were between the ages of 31 and 45 years (Ruddick, 2000: 23).

Education:

- In a survey of 401 sex consumers in Bali, the mean education level was 8.4 years with 37% having elementary school education or less (Fajans et al., 1994).
- In a survey of 30 sex industry clients interviewed in Palopo, South Sulawesi, 75% had attended high school. Similarly, the majority of the 30 clients interviewed in Mamuju, South Sulawesi, had secondary education or above (Ruddick, 2000: 23-25).

- In a survey of male consumers of sex services in Jakarta, Surabaya and Manado, 45% had completed senior high school or above (Dharmaputra & Utomo, 2001: 8).

Religion and Place of Origin

- Information on religion drawn from 401 male clients in Bali, indicates that 45% were Balinese and Hindu, 49% were Muslim (generally migrants or visitors from elsewhere in Indonesia) and the remainder were primarily Buddhist (Fajans et al., 1994)
- The place of origin for 30 sex work clients surveyed in Mamuju, South Sulawesi ranged from Sulawesi to Java and Kalimantan (Ruddick, 2000: 25).
- In a survey of 120 clients of female sex workers in Bali, about half came from Bali with the other half originating from Java and other islands (Ruddick, 2000: 33).

Rural/Urban Residence

- A survey of 401 sex consumers in Bali found that 50% were urban dwellers (47% from Bali and 3% from other provinces) and 50% were rural dwellers (45% from Bali and 5% from other provinces) (Fajans et al., 1994).

Motivation for consuming Commercial Sex

- According to a survey of 240 commercial sex consumers in Bali, reasons given for consuming commercial sex include: a desire to prove one's masculinity, wife is menstruating, wife is living elsewhere, bored with sex with wife, invited to a brothel by friends, looking for sexual variety, and not having a girlfriend (Ruddick, 2000: 33).

Transvestite and Homosexual Sex Consumers

- The majority of clients of homosexual male sex workers in Bali are unmarried (Ruddick, 2000: 33).
- Approximately 75% of the clientele of transvestite sex workers surveyed in Bali are married (Ruddick, 2000: 33).
- 75% of clients of homosexual men and transvestite sex workers were Balinese in a survey conducted in Bali (Ruddick, 2000: 33)
- In a survey in Bali, 75% of homosexual sex consumers and 50% of transvestite sex consumers were still in high school (Ruddick, 2000: 33).
- Educational levels of consumers of homosexual and transvestite sex workers ranged from no school to university level with the bulk having at least completed primary school (Ruddick, 2000: 33).

Child Sex Worker in a Jakarta *lokalisasi* (Red-Light District)

Inem (not her real name) is the eldest daughter in a family of five children from Central Java. After her parents divorced she lived with her mother and step-father. Her mother works as a housewife and her step-father works as a *becak* driver and occasionally also as a labourer on other people's farms. Inem has completed elementary school and throughout her schooling also worked in a pharmaceutical factory in her village to supplement the family income. She had sexual intercourse for the first time with her boyfriend while still living with her family.

When she was 15 years old Inem was offered work as a domestic worker in Jakarta by a broker who came to her village. She was first sent to a holding centre where she was recruited by an employer to work as a waitress in a Japanese restaurant for a high salary. However, instead of working as a waitress she was transported to a *lokalisasi* where, in her first night, she was forced to receive 25 clients. Following this she was forced to work every day from 6 pm until 3 am and was limited to fifteen minutes with each client to enable her to serve as many clients as possible. She served between 10 to 20 clients a day. She earned IDR22,500 per client (approximately US\$2.50) and about IDR1.500.000 per month (US\$150) while her pimp received IDR7.500 per client for the room. She worked in this *lokalisasi* for five months because she was bound in debt to the brothel owner who had paid the broker who recruited her. She has since moved to another *lokalisasi*. Each month she sends money to her family to pay her younger brother and sister's school fees. Her family does not know what type of work she does in Jakarta.

Source: Agustinanto, 2001: 96-116

Other Actors in the Sex Industry – Pimps, Brothel Owners, Taxi Drivers, etc.

The sex industry is comprised of a range of different actors with their own specific roles. These include:

- *Germo* (brothel proprietor) – Provides the facilities for the sex worker to pursue her business. In exchange for the facilities, the *germo* receives a portion of earnings (Hull et al., 1998: 39-40)
- *Mucikari* (pimp or procurer) – Provides the sex worker with protection and contact with customers in exchange for a portion of her salary (Hull et al., 1998: 39-40).
- *Calo* or *taikong* (broker) – Recruits women and girls from home communities and transports them to sex industry employment. In rural areas, the broker is generally a local person who is known and trusted in the community. The broker earns a fee for this service from the brothel owner or *mucikari* or alternatively receives a portion of the sex workers earnings throughout her tenure in sex work (Interviews, 2003).
- *Taxi drivers* – Play a role in marketing sex services by providing information to clients about location, 'rules of the game', types of services available and the price of sex services. They may also act as an intermediary, bringing the client to the sex worker or *vice versa* (Hull et al., 1998: 40).
- *Security guards* – Play a protection role for sex workers from their clients and other denizens of the *lokalisasi* area. In situations where the sex worker is not free to leave the brothel, they are also tasked with ensuring that they do not 'escape' (Interview, 2002).

- *Local government authorities* – Local authorities are involved in the sex industry in that they are responsible for regulating the sex sector as well as offering rehabilitation programs to female commercial sex workers who wish to transition out of sex work. In practice, however, local authorities have a varied record in their work in the *lokalisasi*.
- *Police* – The central role of the police is to enforce all laws relating to the sex sector. While sex work is not illegal in Indonesia, a common activity of the police in the *lokalisasi* is brothel raids. Similarly, they are known to harass CSWs and extort money.²⁰ As is the case with local authorities, in practice the police have a varied record in the *lokalisasi* and abuse and harassment by police has been reported by sex workers.

Government Involvement in the Sex Sector

As noted above, the government (i.e. local authorities, police, etc.) plays a significant role in the Indonesian sex industry. Within the Ministry of Social Welfare there is the Directorate General of Social Rehabilitation which is assigned responsibility for the welfare of commercial sex workers²¹ as well as other ‘social problems’ such as handicapped persons, criminals and beggars (Sulistyaninsih, 2002: 41).

Government involvement in the sex sector is most vivid in the context of the social rehabilitation programs and centers. In some instances rehabilitation centers are located in a separate location from the brothel areas and the police generally bring women who they have detained in the brothel areas to be rehabilitated here (Hull et al., 1999: 36). There are also rehabilitation centers located within *lokalisasi*, such as at Kramat Tunggak, where women are offered vocational training (sewing, typing, cooking, etc.) as well as moral and religious instruction while they continue to do sex work. The training is a skills-building program to equip women to transition out of the sex industry. Many women also receive small loans to assist them in setting up small businesses upon leaving the sex industry.

Alongside the work of the provincial level authorities, local government also deals with the sex industry. For example, they enact and enforce local regulations²² which are often used to control the behavior of sex workers (Sulistyaninsih, 2002: 41; Hull et al., 1999: 29). Among the types of regulations which impact (and control) sex workers are prohibition of a sex

²⁰ According to one source, “police sometimes pick up the women as they are going home or between bars and take them to a police station for a few hours or longer if they fail to produce any money” (Murray, 1991: 111). Another source explained that “it’s like a game. Everyone knows the rules. The police arrest the girls, the pimp comes to the station and pays the police and then the girl are released. Then they go back to work until the police come back again to arrest them” (Interviews, 2003).

²¹ Responsibility for the sex sector has been a confused issue. Until 2000, the Directorate of Social Rehabilitation for Sex Workers within the Ministry of Social Affairs was tasked with the ‘rehabilitation’ of women who were ‘picked up’ according to regional regulations. In 2000 there were a number of structural changes within the administration which had a direct impact on the sex sector. The National Social Welfare Board (BKSN) was established, dissolving the Ministry of Social Affairs. Later that year BKSM was merged with the Ministry of Health and Directorate General of Social Rehabilitation, under the Ministry of Health and Welfare, was established and assigned responsibility for the welfare of commercial sex workers. In 2001, the government once again separated the Ministry of Health from the Ministry of Social Welfare, with the Directorate under the umbrella of social welfare (Sulistyaninsih, 2002: 41)

²² It is also important to note that there is a gendered double standard which overlooks or ignores that men consume commercial sex in spite of its unacceptability in Islam and hegemonic cultural discourse. One example of this double standard is “revealed by the lack of a term to indicate that the customers of WTS are lacking morals” (Hull et al., 1999: 33).

worker changing her pimp, requirement to notify local authorities of changes of address, a prohibition on soliciting, migration regulations and hours which women are permitted to be out at night. These regulations are primarily targeted at women who work outside the official brothel complexes (Sedyaningsih-Mamahit, 1999: 1102).

Further, it is important to point out that government corruption and complicity in the sex industry appears normalized in many provinces. For example, in our field assessments it was noted that many local authorities were not only ‘monitoring’ the area but were in fact brothel owners themselves (Interview, 2002). This does not mean that all government officials are complicit in or exploitative of the sex industry. In our field assessments we also met with officials who were genuinely concerned with the well-being of CSWs. However, there can be no question that government involvement has both negative and positive features and a varied record of benefit.

In conclusion, it seems critical to flag that the very notion of ‘rehabilitation’ and the associated practice of providing moral training is premised on the assumption that women sex workers are somehow deviant and require assistance to restore their honor and morality. For example, the rehabilitation centre at Kramat Tunggak was named ‘*Panti Rehabilitasi Wanita Tuna Susila*’ (Center for the Rehabilitation of Immoral Women), denoting a moralistic tone. The attitudes and perceptions of the government mirror in important ways social attitudes more generally. It is to this topic that we turn our attention now.

Social Perceptions of Sex Work and Sex Workers

As in many societies and certainly in Southeast Asia, social attitudes to sex work are complicated and often ambiguous. On the one hand, there is a generalized social perception that sex workers lack morals, are the source of disease, such as STDs, the cause of family and marriage break-ups and lead to male moral corruption (Sedyaningsih-Mamahit, 1999: 1101).

On the other hand, Indonesian men are prolific purchasers of commercial sex services and communities at large benefit both directly and indirectly from the presence and revenues generated by the sex industry and sex workers.

In terms of morality discourse, sex work is unacceptable as it contradicts socially valued traits such as virginity in unmarried women and fidelity in married women. Condemnation of this behavior is manifested in brothel raids and other attacks on sex workers and brothel areas.

However, it is also important to note that it is through sex work that many women realize their most critical social obligations— that is, to care for and support their families. Young women speak of their families giving consent to their employment in sex work due to the exigencies of their socio-economic situation. Take, for example, the case of one young Jakarta woman who supports her entire family with her earnings, a fact of which her family is aware and accepting (Galpin, 2002). Similarly, that so many women regularly visit home and generally return home after their tenure as sex workers, there to marry and raise families, lends further

credence to the tacit acceptance of this economic strategy. As such, it is reasonable to say that while sex work is not socially condoned or encouraged, it is certainly tacitly accepted.

Social treatment of sex workers often betrays a very moralistic tone, but one which is essentially non-condemnatory. For example, as one source observes,

Even the terminology used to describe the women in the laws and regulations reveals much about official attitudes. Framers of the regulations avoid the term *pelacur* (prostitute), because it is considered pejorative. Instead they have promoted the term *WTS* (*wanita tuna susila*) which is translated as a ‘woman lacking in morals’, in a concept parallel to other terms such as *tuna netra* for blind people and *tuna wisma* for the homeless. This wording indicates an unfortunate lack rather than an overt behavior for which they can be blamed as individuals (Hull et al., 1999: 33).²³

However, this does not mean that being a sex worker in Indonesian society is uncomplicated. It is a common observation in research on the sex industry that a large number of sex workers feel great shame over their choice of work and would quit at the earliest opportunity (Sedyaningsih-Mamahit, 1999: 1106). As one former sex worker observed to us, “I did not like to do this work. I felt that it was a sin” (Interview, 2003). Similarly, feelings reported by women trafficked into the sex industry included feeling they had dishonored their families and that they had committed an unforgivable sin (Dzuhayatin & Silawati, 2002b: 87). This is a very salient illustration of the social attitudes which prevail on the subject – that is, sex work is acceptable, but only within the framework of economic need and only if there is ultimately the intention to stop.

International Trafficking for the Sex Industry

It is impossible to gauge the extent of international trafficking in women for the sex industry. This is because this type of ‘migration’ is illegal and underground and, therefore, difficult to chart and document. Further, a good deal of what appears on the surface to be ‘legal migration’ can, in practice, translate into trafficking (i.e. a woman may be promised a job as a domestic worker but is then forced into the sex industry). However, based on research, accounts by returned victims and the experience of NGOs working in the field, there can be no question that there is extensive international trafficking for sex work from Indonesia. Women are trafficked into the sex industry abroad as both direct sex workers (i.e. brothel based, working out of a private house, etc.) and indirect sex workers (i.e. waitresses, hostesses, entertainers, etc.). There appear to be two major trends in the recruitment/trafficking of women as CSWs to Malaysia which might be provisionally extrapolated to the general trafficking of Indonesian women as sex workers abroad. The first instance involves the intentionally deceptive

²³ One source asserts that the bulk of these women are from East Java, although there is also evidence of women trafficked from Kalimantan (Jones, 2000: 76).

recruitment by Indonesian agents of women for sex work.²⁴ In such circumstances women are promised lucrative positions as domestic workers which they accept only to find themselves channeled into brothels and other sex sector locations. In the second instance women who migrate as domestic workers are trafficked into the sex sector by their Malaysian agents rather than into the promised position (Jones, 2000: 76).²⁵

Little information is available on the specific conditions of women trafficked abroad for sex work. However, experiential accounts indicate that work and living conditions are quite difficult, although this varies from situation to situation. In extreme cases – and these are not uncommon – women’s movements are restricted, indebtedness is normal and extensive, wages are low, violence is prevalent, and work and living conditions are poor. For example, in one cases in Tawau, Malaysia, nine women between the ages of 16 and 22 years had been locked up at Hotel Tawau for two months. They were refused food when they would not service clients and they were kept under constant guard. All women had been promised jobs as waitresses. In total 40 Indonesian women were forcibly confined in the same hotel by 4 pimps (Jones, 2000: 77). Similarly, one young woman of 17 reports being sexually, physically and psychologically abused by the owners of the bar where she was trafficked for work. She was given only one meal daily and forced to service 17 clients each day (Darwin et al., 2003: 24).

In addition to this more general trend outlined above, there are three other manifestations of international sex migration and trafficking which merit special mention and are discussed briefly below. These are: ‘Cultural Dancers’, ‘Mail Order Brides’ and ‘Foreign Women in the Indonesian Sex Sector’.

‘Cultural Dancers’

There has been a recent trend of Indonesian women being trafficked into the sex industry in Japan under the guise of migrating as traditional cultural dancers. To date information on the subject has been limited. However some general information can be gleaned from NGO and local sources as well as media accounts. Significantly, this trend of entertainers to Japan is not unique to Indonesia but in fact corresponds with a similar pattern in the Philippines.²⁶

- **Scope of the trend:** According to one local source in Indramayu, 1000 girls had been sent to Japan from Indramayu over the previous three years (Kurniawan & Santosa, 2002). NGO sources in Bali also indicate that there is a prevalent trend of cultural dancers from Bali, although no concrete numbers can be confirmed (Interview, 2003).

²⁴ One trafficking route outlined by Jones involves women from East Java travelling by bus to Surabaya and from there to Ujung Pandang (Makassar), South Sulawesi, by boat or airplane. From there they travel overland through Pare-Pare and across to Nunakan in East Kalimantan where they can travel into Malaysia (2000: 76).

²⁵ For further information about trafficking in Filipina women as entertainers to Japan, see Santos, 2002 and DAWN, 2002.

²⁶ This is consistent with other countries in Southeast Asia, such as Cambodia and Thailand, where there is evidence of women from Eastern Europe, the former Soviet Union and, to a lesser degree, Western Europe working in the sex industry. It is also unclear whether these circumstances involve trafficking.

- **Source areas for ‘Traditional Dancers’:** Indramayu (particularly the western districts of Bongas, Gabus Wetan, Anjatan and Karangsinom), Bandung and Karawang in Java, and Bali (Kurniawan & Santosa, 2002).
- **Destination area:** Primarily Japan, although one source reported that there had also been ‘dance missions’ to Australia (Kurniawan & Santosa, 2002).
- **Recruitment process:** Women are recruited by migration companies as dancers to be sent to Japan. They are told that they will work as dancers and are trained in different types of dance including Balinese and Javanese traditional dance. Training periods range from one to three months (Kurniawan & Santosa, 2002).
- **Status in Japan:** According to some sources, women enter Japan on tourist visas which do not entitle them to work legally in the country (Kurniawan & Santosa, 2002). There are ‘cultural’ and ‘entertainers’ visas available through the Japanese Embassy. A cultural visa is for a period of 6 months to one year but does not allow the visa holder to earn income from their cultural activities. The entertainer visa is for a period of 3 months to 1 year and does allow for income to be earned, although certain criteria must be met (Interview, 2002). We have been unable to confirm which type of visa is currently used for women traveling to Japan as cultural dancers. Where Indonesian women are entering Japan on tourist or other inappropriate visas, their illegal status renders them vulnerable to abuse and rights violations while in Japan. Similarly, as visas (whether tourist or cultural) are short term, overstaying visas also renders the worker’s status illegal and, therefore, more vulnerable to exploitation.
- **Type of work in Japan:** Women generally did not work as ‘cultural dancers’ in Japan but rather at nightspots where their tasks ranged from serving food, dancing, sitting with guests to having sexual relations with clients (Kurniawan & Santosa, 2002). Similarly women trafficked from the Philippines as entertainers experienced similar types of work and exploitation. According to one NGO source in Japan, there are no cases in which these women have in fact been employed as traditional Indonesian dancers in Japan (Interview, 2002).
- **Experiences in Japan:** Women’s experiences in Japan varied a great deal from case to case.
 - In some instances women were subjected to sexual harassment and even violence as in the case of two Balinese women who upon return from Japan filed a complaint against the company that had deployed them, claiming that they had been deceived and had been sexually harassed at the nightspot at which they had been forced to work (‘Balinese dancers,’ 2002). This is consistent with information about Filipina women working as entertainers in Japan (DAWN, 2002).
 - In some instances the girls reported being well paid and decently treated and that sexual intercourse with clients was actually discouraged by their employer (Kurniawan & Santosa, 2002). That being said, the work was not as cultural dancers as had been promised prior to departure.

'Mail Order Brides'

A thorough discussion of this topic is undertaken in section III D Mail Order Brides. It is flagged herein because, while not all women who are mail order brides are traded into the sex industry, it is also not uncommon for this to occur. In the case of Indonesia there is considerable anecdotal evidence to suggest that many Indonesian women are transported for sex work under the guise of marriage to a foreign national. The potential interplay between the trend of mail order brides and the sex industry is thus highlighted here.

Foreign Women in the Indonesian Sex Industry

There is some anecdotal information to indicate that there is trafficking of women into Indonesia for sex work. Newspaper accounts and television news have, on a number of occasions, reported incidents involving women from a range of countries, including Thailand, Romania, Russia, the former Soviet Union, China, Norway and Taiwan, working in the Indonesian sex sector (Popular Magazine, 2002; Harsanto, 2002; Fadli, 2002). However, it is unclear to what degree these are cases of trafficking as compared to illegal migration.²⁷ For example, in one case, Romanian women who entered Indonesia on tourist visas were working in the entertainment sector ostensibly as 'singers' but also in the capacity as hostesses, strippers and sex workers (Interview, 2003). Similarly there was another instance of women from Uzbekistan providing sexual services at hotels in Jakarta. These women were arrested and charged with violating immigration law and under Article 281 of the Criminal Code for impropriety. And in October 2002, five Chinese women who entered the country on tourist visas were arrested for sex work (Harsanto, 2002; 'Chinese citizens', 2002).

What is unclear in these cases is the agency of the foreign women in the process. We do not know to what degree they chose this work; whether they were deceived at any stage of the immigration process; whether they have been exposed to coercion, exploitation or threat; or whether they were exposed to any other trafficking abuses. And to our knowledge there was no exploration by authorities of whether or not these women have experienced trafficking or associated abuses in the course of their migration to or work in Indonesia. Such instances of foreign women working in various aspects of the Indonesian sex industry merits attention and study as elsewhere in the world such trends often signal trafficking in women.

Pedophilia, the Sex Industry and Trafficking

There are some issues which fall within the general scope of the sex industry in that they involve the exchange of money for sexual services, but which cannot be seen as voluntary sex work or even as a normalized aspect of the sex industry. The supply of children to pedophiles is a case in point. This trend is a very particular manifestation of sexual service

²⁷ This is consistent with other countries in Southeast Asia, such as Cambodia and Thailand, where there is evidence of women from Eastern Europe, the former Soviet Union and, to a lesser degree, Western Europe working in the sex industry. It is also unclear whether these circumstances involve trafficking.

consumption in terms of the profile of consumers, the type of sexual services sought, the profile of the victim and the lack of ‘voluntary’ entry into this commercial transaction.

In research reports and discussions with NGOs in a number of provinces, sources had a tendency to confuse and blend pedophilia, child prostitution and child sexual abuse. Certainly there is a degree of fluidity between these definitions. For example, pedophiles sexually abuse children. However, not all cases of child sexual abuse are cases of pedophilia. Similarly, a pedophile may offer money to a child to engage in sexual acts, a case of child prostitution. When a similar exchange takes place between an adult and adolescent child, this act must also be deemed child prostitution, but is not pedophilia. These are all important distinctions toward a more nuanced understanding of the issues and more appropriate interventions. Below is a brief discussion of pedophilia in Indonesia including how it operates and how it relates to the Indonesian sex industry.

Pedophilia is defined as reoccurring sexual arousal and desires or fantasies involving sexual impulses toward a pre-adolescent child or children (University of Missouri, 2003). As such, pedophilia applies to the psychological condition of a person with sexual impulses toward children in their pre-adolescent years, generally under the age of 12 or 13 years. When an adult sexually abuses an adolescent child this must more accurately be deemed child sexual abuse.

A trend of pedophilia has been reported in a number of places in Indonesia such as Bali, Jakarta and Medan. The bulk of information on the subject is from Bali, although it is also worth noting that research has been limited. As such, it is difficult to gauge the true extent of the problem as well as anything beyond experiential accounts of the nature of pedophilia in Bali and, to a lesser degree, in North Sumatra. Further, reports to date have sometimes confused pedophilia and sexual abuse of adolescent children and, thus, some reported instances of pedophilia may, in fact, be cases of sexual abuse. That being said, some experiential data gleaned from NGO and newspaper accounts is informative and provides a general understanding of the issue:

- **Scope of the pedophilia problem:** In terms of the scope, we must rely on NGO sources. According to Balinese NGO Yayasan Anak Kita Foundation, between 1992 and 2002, they documented 13 suspected pedophiles openly operating in Bali and at least 60 victims between the ages of five and thirteen years (Damayanti & Nusantara, 2002a). Similarly, another source from a clinic in Bali reported treating at least 21 children between the ages of 12 and 13 years who had been sexually abused (Juniartha, 2002).
- **Victim profile:** Both girls and boys are victims of pedophilia, although the majority of NGOs in Indonesia reports focus on boy victims. Victims are under the age of puberty. Reports from Bali indicate that victims tend to come from poor families. As well, street children, beggars and hawkers are vulnerable to pedophilia (Ruddick, 2000: 12; Irwanto et al., 2001: 60).

- **Perpetrator profile:** According to a number of sources the majority of pedophiles are foreign men (Juniartha 2002). Australia, Germany, Canada, Netherlands, Italy and France are among the countries of origin for pedophiles in Indonesia. However, Indonesian men are also involved and guilty of pedophilia (Irwanto et al 2001: 62), and it is important that equal attention be paid to instances of Indonesian males sexually violating children.
- **Source communities for pedophiles:** According to NGO and media sources, places which are popular among pedophiles include the villages of Ban, Tianyar and Pedaha in Karangasem, in East Bali and the villages of Lovina, Kalibukbuk, Kaliasem, Kayu Putih, Selata and Anturan in Buleleng Regency in North Bali. Ubud, Seminyak, Kuta and Karangasem are also said to be areas for pedophiles (Damayanti & Nusantara, 2002a). A number of sources report that poverty is a central cause of pedophilia and it is from poor villages that many children are sourced for this purpose, as evidenced by the villages listed above (Irwanto et al., 2001: 59).
- **Composition of networks:** According to sources in Bali, pedophile networks are well organized within Bali (Juniartha, 2002, Nusantara & Damayanti, 2002a).
- **Recruitment by pedophiles:** One source reports that pedophiles may gain access to children by approaching traditional leaders, community figures and parents of children, offering assistance. Some pedophiles marry divorced women with children as a means to access young children (Irwanto et al., 2001: 62).
- **Pedophilia and the sex industry:** Most instances of pedophilia involve money or some financial support given to the child in exchange for sexual contact of some sort. For example, one young boy in Medan was given 10,000 Rupiah after being touched and photographed naked (UNICEF, 2001: 5). Similarly, another boy in Bali received 100,000 Rupiah a day from his 'benefactor' (Nusantara & Damayanti, 2002b). As well, many accounts of pedophilia in Indonesia include the production of child pornography which is sold and consumed abroad (UNICEF, 2001: 5). As such, this activity falls within the scope of the sex industry and the child, by virtue of being under the age of consent, must be deemed in a situation of force.
- **Trafficking for pedophilia:** Children are recruited to service pedophiles in Bali. As well, other children are sent overseas where they are sexually exploited (Juniartha, 2002). In terms of the relationship between trafficking and pedophilia, in many cases these are clear instances of trafficking in that the child is removed from their support network by means of an abuse of power or trust for the purpose of sexual exploitation. However, there are other instances in which the child is abused by the pedophile while still living with its family, who may or may not be aware of the sexual relationship between child and adult.

The sexual abuse of children and child prostitution are both illegal in Indonesia²⁸ and are issues which merit immediate attention. In terms of the protection and prosecution of

²⁸ See UNICEF (2001: 6) for a brief discussion of which laws are relevant and could be mobilised in the prosecution of such cases, and section VI, Review of Indonesian Legislation, for an examination of which articles of the criminal code are violated in cases of sexual exploitation and abuse of minors.

pedophilia cases, there are a number of NGOs in Bali which have organized to work on this issue. In August 2002 an Italian man was found guilty of pedophilia in Bali and sentenced to 10 months in jail (Nusantara & Damayanti, 2002a).

The Link between Commercial Sex Work and Trafficking

The discussion above has attempted to explore and highlight disparate aspects of the sex industry in Indonesia and, to a lesser degree, Indonesian women working as CSWs abroad. In so doing, at various stages we have flagged the issue of trafficking as well as sex workers vulnerability to this violation. However, it is critical that in conclusion we make explicit the connection between these two issues as well as highlight the ways and reasons why the sex industry is such a critical issue in the trafficking debate.

We have discussed in detail the range of experiences of Indonesian sex workers. There are numerous ways and reasons by which and for which women enter the sex industry. Let us highlight herein some possible scenarios in which sex workers find themselves and why these may or may not simultaneously be situations of trafficking.

- Scenario 1: When a woman willingly chooses to migrate as a sex worker and finds that the work and living conditions which she was promised are what she receives.
This is not trafficking into the sex industry.
- Scenario 2: When a woman willing chooses to migrate as a sex worker and finds that the work and living conditions (i.e. wages, freedom of movement, etc.) which she was promised are not what she receives.
This is a case of trafficking into the sex industry because she was deceived about the conditions in which she would work and live.
- Scenario 3: When a woman is promised work as a domestic worker and then is forced to work in the sex industry.
This is a case of trafficking because she has been deceived about the type of work she was agreeing to, and was transported for the purpose of sex work.
- Scenario 4: When a woman, who has been forced into sex work by debt bondage, is able to leave the brothel area after having paid her debt and chooses to continue working within the sex industry.
While her initial entry into sex work was trafficking, her decision to continue to work as a CSW after her debt was paid is not a trafficking case.
- Scenario 5: When a young woman of 16 years of age is encouraged by her family to move to the capital city to work as a sex worker and she does so willingly.
This is trafficking. Under our working definitions, a child under the age of 18 years of age cannot consent to sex work.
- Scenario 6: When a woman agrees to and signs a contract to work as a dancer and stripper at a club in Jakarta. When she arrives in Jakarta she is forced also to provide

sexual service to clients who frequent the club.

This is a case of trafficking because she is forced to do work to which she did not agree when signing the contract. Had she worked only as a stripper, this would not be a case of trafficking as she agreed to the work and conditions beforehand.

The above scenarios by no means exhaust the potential interconnectedness of trafficking and the sex industry. What they do illustrate is that there are many situations in which CSWs are at risk of becoming victims of trafficking. As such, attention must be paid to the ways in which the operation of the sex sector and the behaviors of actors within this industry facilitate and create situations of trafficking.

For example, we have discussed above women's entry into the sex industry. We know that according to the UN 2002 Protocol's definition on trafficking in persons, any recruitment into the sex industry which involves any one or a combination of the following – threat, coercion, abduction, fraud, deceit, deception or abuse of power – is potentially a situation of trafficking. As such, many of the situations of entry into sex work explored above can clearly be classified as cases of trafficking. This indicates both the prevalence of trafficking generally and the strong links between the two issues.

It is imperative to remain cognizant of the potentially voluntary nature of women's entry into the sex industry. This is particularly important in Indonesia where women's economic and employment options are so heavily constrained and conditions so poor that the sex industry is often a 'best of a worst case' choice. Recognizing whether sex work is voluntary or involuntary allows us to appropriately understand the specific context and, thus, meet the needs and interests of sex workers as clients.

At the same time, we must closely and carefully attend to the risks of trafficking inherent in the sex sector which is, by its nature, underground, quasi-illegal and difficult to monitor and regulate. And, in so doing, we are able to understand the experiences of women trafficked into the sex industry as well as meet their needs and interests through advocacy and programmatic interventions.

D. SERVILE MARRIAGE AND MAIL ORDER BRIDES

By Neha Misra and Ruth Rosenberg

Women and young girls subjected to servile or forced marriages may become vulnerable to or end up being victims of trafficking. Numerous countries have cultural traditions that lead to servile marriages for many women. A variety of factors may contribute to the particular nature of a servile marriage. In a study of servile marriages in various countries around the world, Taylor identifies several factors involved in servile marriage, including:

- 1) the marriage includes an exchange of significant economic value over which the bride has no control;
- 2) the bride has no input into the choice of husband and no right of refusal;
- 3) the wife is a minor, her husband significantly older, and / or the bride lives with her in-laws;
- 4) the wife is not allowed to control her own fertility;
- 5) the wife does not have equal parental rights;
- 6) the wife has less control of or access to inherited property or income;
- 7) the wife is subject to physical abuse and violence without legal or societal recourse;
- 8) the wife may be subjected to humiliation or abuse by her husband which is condoned by society because of her inferior position.;
- 9) the wife is secluded and her behavior restricted;
- 10) the wife is threatened with violence, divorce or withholding of necessities in order to make her work more;
- 11) the wife is not allowed to leave the marriage either by threat of force or social disapprobation (as cited in Wijers & Lap-Chew, 1999: 73-74)

Prior to 1974 marriages in Indonesia were governed in two ways: through Islamic law for Muslims, and through local custom, or *adat*, for everyone else. *Adat* varied widely in its treatment of women in marriage, with some customary law demonstrating high levels of equality and others not. During this time arranged and early marriage for women was common (Berninghausen & Kerstan, 1991). The 1974 Indonesian Marriage Law (UU Perkawinan NO. 1/1974), unified the rules governing marriage and divorce. Under this law men are defined as the head of the household and provider for the family; a woman's role is as wife and mother. However, the 1974 law gave women equal rights to decisions regarding common property, equal rights to divorce, and equal rights to make legally binding decisions. The law also did much to increase women's age at first marriage and generally served to increase women's standing within marriage. (Berninghausen & Kerstan, 1991: 107-108) However, servile marriage does continue to exist in Indonesia. Below we examine some types of servile marriage in existence today.

Types of Forced Marriages

There are four commonly recognized types of servile or forced marriages widely practiced today.

- Kidnapping and sale of women for marriage;
- Forced / arranged marriages;
- Pretended marriages;
- Mail-order bride system (Wijers & Lap-Chew, 1999: 75).

We can better understand these types of servile or forced marriages by studying their manifestations in Indonesia as well as in other Asian countries.

Kidnapping and sale of women for marriage

In China, the shortage of women in the rural areas is so pronounced that families will go to great lengths to procure a wife for their son. It is apparently not uncommon for rural women to be kidnapped when they are traveling away from their homes and forced into a marriage (Wijers & Lap-Chew, 1999: 75-76).

Kidnapping of women for marriage is illegal in Indonesia (Article 32 of the Indonesian Criminal Code – see section VI, Review of Indonesian Legislation). Although our project field assessments have not revealed this sort of practice in any numbers in Indonesia, there are a number of cultures in Indonesia who still use ritual ‘kidnapping’ as part of the courtship or marriage process, so there is a cultural and historical precedent for this practice. For example, in Lombok, a woman cannot marry a man of a lower caste. However, the process of ‘kidnapping’ the bride allows the couple to marry, and reduces the cost of the wedding ceremony (‘Going Native’, n.d.). Bali has similar customs which sanction the kidnapping of women for marriage (‘Bali Weddings’, n.d.). In most cases today, the woman and her family are aware of and agree to the planned kidnapping. However, this may not always be the case.

Forced/Arranged Marriages

In China, families often force their daughters into marriage through the exchange of wives for money or goods, or through the mutual exchange of wives where two families each with a daughter and a son will both marry their daughter to the other family’s son (Wijers & Lap-Chew, 1999:78).

Arranged marriages are also a cultural tradition in many parts of Indonesia (Oey-Gardiner, 1999:10). Although this practice may not be as prevalent today as it was in the past, there is evidence that it continues to some extent, especially amongst rural communities (Berninghausen & Kerstan, 1991; Neihof, 1992; Williams, 1998). The tradition of arranged marriage appears to serve different functions in different Indonesian cultures, including ensuring the girl is married young (at the onset of puberty – to ensure her virginity on her wedding day), establishing family alliances, earning a bride price, reducing the family burden caused by an additional mouth to feed, or adding to the family workforce.

“After I got out of school, I moved to Semarang for a few years and sold *jamu* until I was married off. Pak Marmo, a relative, arranged the marriage. He and my father’s uncle were work colleagues. One day, I was ordered to come home to my village. I had to go to my husband’s uncle’s house, where he was already waiting for me. How did I feel? Before I met my husband for the first time, I dreamed that I was being chased by a snake. A week after that dream, I got the letter telling me to come home and be married. That was a bad sign. But I was obedient, because if you listen to your parents, they’ll help you later when you’re having a difficult time.”

Source: Ibu Timi as cited in Berninghausen & Kerstan, 1991: 113

A study of marriage in Madura revealed that arranged and early marriages are a common practice. In the two villages studied, two thirds of the female respondents were married before the age of 18. The reason for the tradition of early marriage appeared to be to ensure that girls are married before they reach puberty and risk losing their virginity outside of marriage, thus shaming themselves and their family. The study also revealed the importance of kinship ties in Madurese marriages, which may explain the importance of arranging marriages to maintain these ties or extend family alliances. Analysis of the proposal process showed that the bride’s role is quite limited and that in some cases she may not be aware that her marriage is being negotiated (Neihof, 1992: 166-171).

A historical study of marriages in North Sulawesi also reveals a tradition of arranged marriage with the girl only being able to influence the decision indirectly. The boy’s family paid a bride price, *harta*, to the girl’s family as a symbol of the marriage. However, within the marriage women maintained considerable influence, had essentially equal rights to inheritance and could divorce for the same reasons as men and without much social stigma. There may have been some force exerted on girls to stay in unhappy marriages if their *harta* would have to be given back in case of divorce. However, the *harta* only had to be returned in cases when the request for divorce from the woman was seen as unsubstantiated. Women were also free to remarry and often did so. Women and men were free to choose their own partners in second marriages, which were not arranged by their families (van Bemmelen, 1992: 181-199).

Another study of individual women’s stories and interviews in villages and with Indonesian leaders and academics reveals continuation of the arranged marriage tradition in Java and Sumatra. However, changing economic and social circumstances are altering these social norms. As young women become more educated and seek work outside the home, they are delaying marriage and even, in some cases, refusing to accept marriages arranged by their parents (Williams, 1998: 9, 289, 291, 299).

Pretend Marriages

Pretend marriage is a practice which can be illustrated with an example from Bangladesh. In these cases of ‘fake’ cross-border marriages, the wife does not meet the husband until they are at the border with India. Once in India she is forced to work in a factory or sold to another man or brothel (Wijers & Lap-Chew, 1999:79-80).

While our project field assessments have not revealed evidence of this practice in Indonesia there are other types of pretend marriages taking place here. Some NGOs reported that young women have married foreign men in Jakarta in “religious” ceremonies that turned out not to be legal. The men apparently abandoned these young women after a few months (Interview, 2002). There are also reports of women marrying foreign men for the duration of their stay in Indonesia. Through mutual agreement, they divorce once the foreign man’s contract in Indonesia is over, and the ‘wife’ is given a settlement (Interview, 2003). See also section III C, Commercial Sex Work, for more information about this phenomenon.

In addition, there is evidence that Indonesian women migrant workers are sometimes coerced into marrying local men in Malaysia and Hong Kong to circumvent local immigration and tax laws. Some of these women and girls had migrated illegally searching for work as domestic workers or in restaurants. Taking advantage of their vulnerable position, the men that offer to marry them in order to allow them to stay in the country may end up forcing them into sex work, domestic servitude, or forced labor. Referred to as a “contract marriage” in Malaysia, Indonesian women migrant workers are forced by the agent or male employer to marry in order to avoid paying a special levy on foreign workers, which is about 1000 Malaysian Ringgit. In Malaysia, a foreign migrant worker who gets married with a local Malaysian is no longer obliged to pay the levy (Susilo, 2002: 3).

Mail Order Bride System

There appears to be an increasing trend for men from industrialized countries to find brides from developing nations. A simple search of the Internet on December 10, 2002 found 117,000 sites for mail order brides. A sample of these sites showed that they market women as potential wives to men; none of the visited sites advertised potential husbands for women. The women were primarily from Eastern Europe and Asia and were advertised on the site primarily for men from industrialized countries. This system of finding a wife is often referred to as the “mail order bride system,” referring to the similarities between this system and buying goods through a mail order catalogue.

A study by Taylor reveals that most women who are marketed as mail order brides come from Southeast Asia, Eastern Europe and Latin America. The men tend to come from Western Europe, Japan, China, Australia, and North America. Hundreds of companies operate mail order bride services and yet there is little regulation of the industry. Although many mail order bride marriages are successful and happy, there are numerous cases of physical abuse and violence or slavery like practices where the wife is bought simply for the provision of domestic work and sexual services (Wijers & Lap-Chew, 1999: 81).

Although little research has been conducted on mail order brides in Indonesia, the Indonesian press is increasingly reporting cases. These cases often involve trafficking of women and young girls as mail order brides to Malaysia, Hong Kong and Taiwan. While there have been cited cases of victims from East Java and other parts of Indonesia, the most commonly reported cases of mail order bride trafficking in Indonesia involve young women from the

city of Singkawang and its surroundings in the province of West Kalimantan, with potential husbands from Taiwan.

Singkawang has a large ethnic Chinese community, with 85% of the 163,000 population being of Chinese descent, and another 300,000 ethnic Chinese living nearby (Arsana, 2001). Because of the large number of ethnic Chinese living in the area, Singkawang has become a location visited by Taiwanese men in search of wives. According to NGOs working in the area, Taiwanese men prefer Indonesian women and girls from Singkawang because their appearance is similar to Taiwanese women, they may speak a dialect of the Taiwanese language, and they believe they will have less difficulty adjusting to Taiwanese culture (Interview, 2002). Reports indicate that Taiwanese men also prefer women from Singkawang because they think they will be more servile and obedient than Taiwanese women, and more skilled at housekeeping. Additionally, families from Singkawang are often willing to accept a smaller dowry than a family in Taiwan, and because of their relative poverty, may be more willing to overlook a prospective husband's shortcomings or faults (Dzuhayatin & Silawati, n.d.(b): 78).

Singkawang families may find contract marriages for their daughters to Taiwanese men attractive because of the relative affluence of Taiwan in comparison to Singkawang, which is poor, even by Indonesian standards. Agents' promises of money remitted by daughters who marry wealthy Taiwanese men, and the success of such marriages evidenced in the larger houses and consumer goods of neighbors, entice families to arrange marriages for their daughters to Taiwanese men (Arsana, 2001).

Although all of these aforementioned types of servile marriages have cultural precedents in Indonesia, most of them do not involve trafficking of women. The primary focus of the discussion in this chapter, therefore, will be on the phenomenon of mail order brides or contract marriages, especially between Indonesian women of Chinese decent and Taiwanese men. Although more information is still needed to clearly understand this phenomenon, it is clear that a significant number of women and girls are being trafficked under the guise of these contract marriages.

Prevalence of Mail Order Brides

Although no in-depth studies of the mail order bride phenomenon in Indonesia could be found at the time this chapter was written, many newspaper articles have appeared that deal with the phenomenon. These articles give us some sense of the scope and nature of the problems:

- In 1993, a local Indonesian newspaper reported that approximately 34,000 women aged 14-18 were sent to Hong Kong as brides for HK\$45,000-65,000 (US\$5,770-8,350 (Dzuhayatin & Silawati, n.d.(a):19)
- In 1994, another newspaper reported that 25 women from East Java were recruited for marriage to Taiwanese men (Dzuhayatin & Silawati, n.d.(a):19).
- In 2002 another reported that since 1987, 27,000 ethnic Chinese Indonesian girls had been married to Taiwanese men (Kearney, 2002).

- In 2002 an article reported that Indonesian government records indicate that during a one year period between 1993 and 1994, over 2,000 women went from Singkawang to Taiwan (Arsana, 2001). If one assumes approximately 2,000 such marriages per year this number is not inconsistent with the 27,000 figure cited above.

Actors and Methods

Local NGO sources as well as the newspaper articles all site three levels of agents working in the mail order bride system. There is a tour agent in Taiwan, an agent in Singkawang, and local marriage brokers in the villages. Articles on the subject indicate that the “husbands” or “buyers” from Taiwan tend to be workers or retired military men. Some of these prospective husbands arrive on trips organized by tour agents in Taiwan who work with brokers in Singkawang. According to one source Taiwanese men pay brokers up to IDR90 million (Kearney, 2002) (about US\$9,000), another broker claims to charge 60 million (US\$6,000), almost 40 million of which (US\$4,000) is profit for the agent (Arsana, 2001). The price includes accommodation, the wedding party, and fees to immigration officers, police and local brokers.

According to one article, the Taiwanese government has put a limit on the number of foreign women who can enter Taiwan for marriage each year. Indonesia is allowed only 360 such visas. In order to circumvent the quota, agents in Singkawang are often registered as migrant worker sending agents (PJTKI), which allows them to send girls to Taiwan on work visas. In the case study used in this article, the young Indonesian girl was sent to Taiwan using a fake Indonesian passport to falsify her age, as she was too young to marry, let alone migrate according to Indonesian law. Papers were also falsified which allowed her citizenship to be changed without her knowledge (Arsana, 2001).

Yuen is a daughter of a very humble family in Singkawang, Kalimantan. In November 1993 she got married with the help of a broker. She was 17 years old at the time. The prospective husband was 35-year old mechanic from Taiwan. Yuen's parents received IDR1.5 million for the marriage contract. After their marriage Yuen and her husband lived in a flat in Taipei. Yuen became pregnant five months later and delivered a son in December 1994. It turned out that her new husband was an alcoholic and a gambler which caused them financial difficulties. An Indonesian friend who was also married to a Taiwanese man helped her to find illegal work at an electronics factory. Yuen was able to save part of her salary and sent money to her parents every 2-3 months.

One night in March 1995 her husband came home drunk. He had found out about Yuen's savings and wanted her to give it to him. Yuen refused at first but after he beat her she was forced to give him all the money she had tucked away. She called her mother back in Indonesia to tell her what happened. Her mother advised her to be more patient and concentrate more on her son. Her husband however continued to beat her and forced her to hand over all of her salary. He also started to lock her in the house worried that Yuen would run away.

With help from her friend she managed to smuggle her jewelry and clothes from the house every time she went to work. After she saved enough money to buy her ticket home, she and her son returned to Indonesia in September 1996. Yuen's father showed no remorse and blamed Yuen for not being able to keep the marriage together. He felt burdened by her coming back home.

Source: Safitri, 2001

Abuses Suffered

According to research done by the Women's Studies Center of the Tanjung Pura University, approximately 50 women return to Singkawang each year from Taiwan with reports of abuse and fraud. No one knows how many others may also suffer abuses but are unable to return home or unwilling to file a report. Abuses and deceptions reported range from being married to men much older than they had been told or to men with severe physical or mental handicaps which had not been disclosed, or having never been legally married but kept as mistresses, to living as unpaid servants, forced to work without pay in factories or home industries, being physically and emotionally abused, or forced to work in prostitution (Arsana, 2001).

Many of the women who marry through the mail order bride system are not aware of the hardships that they may face and their lack of bargaining power to address problems. A woman's legal status after marriage to a foreign man can also put her in a vulnerable position. However, few women who planned to marry Taiwanese men, interviewed for one article, had any idea of the contents or implications of these laws. In Taiwan, husbands have what are called 'management rights' over family decisions such as those related to the children or to use of assets, including the wife's (Arsana, 2001). Indonesians are not allowed to have dual citizenship, which means that if they assume Taiwanese citizenship they lose their right to return to Indonesia. Under Indonesian law, children take the citizenship of their father so that the children of Indonesian women and foreign men have no right to live in Indonesia or own land (Arsana, 2001).

Other Servile Marriage Issues

In various regions of Indonesia, the marriage of girls at an early age (12 or 13 years old) is still a cultural tradition. This practice may lead to early divorce that may leave young girls vulnerable to trafficking for sexual purposes. Early age at first marriage has been closely related to high divorce (Oey-Gardiner, 1999: 9). While there is little or no stigma due to divorce in Indonesia, young girls who are married and then divorced at an early age are vulnerable to trafficking for economic reasons. When they marry at an early age, girls leave school. Without an education, many young girls lack skills to find jobs or other economic means of survival. In addition, a girl divorced at a young age usually does not have an independent source of income and many end up, or return to, living in poverty. These factors make them vulnerable to trafficking as many divorced young girls leave their home villages in search of work to support themselves and their families. If the divorced girls have children themselves, they often leave the children with their parents or another relative while they work abroad or in a large city in Indonesia. See section V J, West Java, section IV D Cultural Traditions, and section III Commercial Sex Work, for more information.

E. OTHER FORMS OF EXPLOITATION AND TRAFFICKING

By Jamie Davis

Jermal

The ILO-IPEC estimates that up to 500 children (mostly boys) between the ages of 13-18 years old are currently working on fishing platforms (*jermal*) off the coast of North Sumatra in the Straits of Malacca (ILO-IPEC, 2001a). Most *jermal* are situated 15-25 kilometers from shore, though some reach out to as far as 50 kilometers. The wooden structures are approximately the size of a basketball court – on average 20 by 40 meters in area – perched above the water on stilts. Each platform is serviced by a crew of between 8-12 men and boys, the latter being as many as 3-4 (Interviews, 2000).

Work on *jermal* is hazardous. An investigation undertaken between November 1998 and July 1999 by KKSP Foundation found that three children had died while working on *jermal* during the nine-month period (UNCHR, 2000). The daily routine consists of lifting heavy nets filled with *teri* (small anchovy-like fish) by hand winches in a process called milling. The nets are milled with all hands pulling together, each of them holding a winch, of which there are about 10-15 on each *jermal*. The safety of a worker in this process largely depends on cooperation with the other workers while milling. Workers run the risk of falling into the sea or being struck by a winch they are holding. Besides the milling process which is done every two hours, workers sort the *teri* from stinging jellyfish and sea snakes, after which they boil, salt and dry each catch. The hours of work are not constant, depending largely on the season and tides. When tides are running high, for instance, work can start at 2 a.m. and not finish until midnight, while during low tidal cycles work may start at 7 a.m. and finish by 3 p.m. During these working periods, there is little opportunity to take rest breaks (Saufian).

Living conditions are isolating, as well. Apart from a supply boat that comes every two weeks, there is no contact with the shore. Children working on the platform have no opportunity to go to school, play with friends, or see their family. Such isolation puts children in a position in which they may suffer from emotional problems and can leave them exposed to physical abuse. Fights often break out amongst the children on the platform and there are reports of emotional, verbal, physical and even sexual abuse by the older hands or the foreman (Bangun & Sprague, 2003).

Shelter from the elements comes only in the form of a small shack situated in the middle of the platform, spanning about a third of the deck space. There are no beds, except perhaps one for the foreman, and there is no differentiation between living space and work space, as fishing and sorting equipment, as well as the huge boiling pots, must be kept in the shack (Interviews, 2000). The crew also must endure the harsh elements of the sea. One 14-year-old child who worked on a *jermal* for seven months described his fear of the storms: "I didn't like the waves, the winds and the storms. I was afraid the *jermal* would break because it would shake so much" (Fanning, 2003). Some boys working on *jermal* have also mentioned being afraid of robbers (UNCHR, 2002).

Nutrition for the crew is poor, with meals consisting almost entirely of fish and rice. Vegetables and fruit are a rarity (Interviews, 2000). The lack of nutrition combined with the backbreaking work and irregular sleeping hours tend to make the children chronically tired, increasing the probability of accidents and injuries. There is also very little in the way of safety and medical equipment. There are no life jackets on the platform and fresh water is not available for bathing wounds, so cuts can take a long time to heal and easily turn septic (UNCHR, 2002).

The pay and conditions of such hard work fall well below minimum levels required by law and are illegal for children under Indonesian Law No. 1/2000 on the Worst Forms of Child Labor. Beginners receive the equivalent of between US\$7.50 to US\$9 per month, while an experienced boy may get between US\$12 to US\$25 per month (Saufian; Bangun & Sprague, 2003). Crew members must work for a minimum of 3 months per contract, the pay being withheld until the contract is successfully completed. Boys who wish to leave before their three month term is up forfeit their pay (Bangun & Sprague, 2003). Once aboard, though, there are indications that it is difficult to leave. In a series of interviews conducted on behalf of the US-based International Labor Rights Fund in 1999, two children specifically said that they had asked to leave the platforms. One was told that he would have to wait until a replacement could be found and the other was told that if he left they would catch him and take him to another *jermal* (UNCHR, 2002). There have also been instances of children jumping off the platforms in an attempt to swim to shore or to be picked up by fishing boats (Saufian).

Few children who work a full three-month contract wish to continue working on the platforms. To fill vacancies, the owners pay recruiters to find new crew members. Some recruiters use deception, offering children work in factories or promising tantalizingly high salaries (Saufian). Many of the children are recruited from far-away inland villages and although parents may knowingly allow their child to go to work on a *jermal*, the most are ignorant of the types of hazards to which their child could be exposed (Interviews, 2000).

Since the fall of the Suharto government in 1998, both local and national government officials have recognized that child labor on *jermal* is one of the worst forms of child labor and, as such, is prohibited under law. It is also a form of trafficking since children are removed from their families to work in exploitative and isolating conditions – though this term has rarely, if ever, been used in describing child labor on *jermal*. Actions by Indonesian law enforcers and NGOs over the last two years have resulted in the removal of some children from the platforms. Yet trafficking continues (ILO-IPEC, 2001a) as recruiters and employers have not been punished or penalized, and there is always a ready supply of impoverished young boys ready to believe the false promises and accept these hazardous jobs (Interviews, 2000).

Street Children

Estimates on the number of street children in Indonesia vary dramatically. The Ministry of Health's National HIV estimation process in 2002 put the estimated number of street children at 70,900 nationwide (Republic of Indonesia, 2003). The National Commission for Child

Protection (KOMNAS PA) estimated in 2000 a much larger figure of 1.7 million street children countrywide, with 40,000 in Jakarta alone (Dursin, 2000). There are indications that the number of street children drastically shot up as the economic crisis which began in 1997 deepened. KOMNAS PA, for example, believes that Jakarta had only 15,000 street children before 1997 (Dursin, 2000). A survey of street children by Atma Jaya University in 2000 entitled "Situation of Street Children in Indonesia: Results of Social Mapping and Survey in 12 cities" found that almost half of the children surveyed were new entrants on the streets since the beginning of the financial crisis (Dursin, 2000).

"My friends call me Gde. I was born in Buntut, Trunyan-Bangli, Bali. Last year, when I was 13 years old, an older man offered work in Denpasar. I had never seen him before. He promised to finance my study in the Evening Junior High School in Denpasar. Although I was doubtful of his generous offer, I accepted it. I was so happy and so were my parents. The man took me to Denpasar. Together with children from Madya and Karangasem village we were sleeping in one room. The children told me the man's name is Pak De. The next day he told us to beg. He was so fierce and threatening to us, I had no choice but to do what he told me.

Every morning we are brought to an area by car. We spend the day begging door to door. In the evening he picks us up in a pre-appointed place. We do this job everyday for Pak De and have to give all the money to him. He only gives us a small part of the money. Everyday I do *ngangendong* (begging for "in kind" gifts, not cash) and get about 5-10 kilos of rice. He must get a lot of money if he exchanges the rice for cash.

Source: *Irvanto, et. al., 2001*

Most street children in Indonesia are engaged in some form of economic activity such as begging, scavenging for recyclable garbage, shining shoes, selling newspapers, touting drinks or other consumables to motorists, petty theft, loaning umbrellas when it rains, and other activities including selling illegal drugs and even sex (Dursin, 2000). The ILO-IPEC reports that many street children work on average for 10 hours each day. Those still in school mostly spend 5 hours a day working on the streets (ILO-IPEC, 2001). Although many of these children have left their homes due to abuse or neglect, the majority still live with their parents or have regular ties with them. Of the 39,861 street children surveyed in 12 major cities in Indonesia by the Atma Jaya University survey in 2000, 80 percent reported that they still had ties with their families (Dursin, 2000).

The hazards facing street children in Indonesia are numerous, including abuse and random arrests by law enforcement officials, exploitation and control by local *preman* (thugs), being grazed or hit by passing motor vehicles, falling into drains or other street hazards, and everyday exposure to street pollution (ILO-IPEC, 2001a). One 14-year-old street child said that the biggest of these dangers was private security guards and police, who pick up kids for illegal panhandling and take them to child detention centers for supposed rehabilitation where they are instead asked for large sums of money before they are released (Kearney, 1999). In 1999, then Asia director for UNICEF, Stephen Woodhouse, stated that police were one of the main hazards to street children (Kearney, 1999). However, local *preman* also appear to control

many of the buskers and beggars, taking large cuts of the children's earnings in return for 'protection'. One of the dangers of the presence of *preman* and other adults in street children's lives is also sexual exploitation. For children that are new to the streets and unaware of how to protect themselves, this danger is very real (Kearney, 1999).

Although street children have not, in most cases, been trafficked into their situation, they are potentially vulnerable to being trafficked, particularly for sexual exploitation, due to their precarious economic position and lack of physical security. A study supported by the ILO-IPEC states that many street children have been trafficked – mostly from rural regions to more urban areas – usually for the purpose of organized street begging by profiteers (Irwanto et. al., 2001). Many of these children's families were promised that the child would be placed in a decent job in the city. The same report also states there are indications that babies and children have been abducted in Indonesia for the purpose of renting them out for begging props.

Plantations / home industry

It is well-documented that child labor is used in coffee, tea, sugar cane, palm oil, and other types of plantations. Although the authors know of no estimate of the overall number of children working in plantations throughout Indonesia, LAAI in North Sumatra counted up to 1,362 children working in the Sei Semayang sugar plantation alone and estimated that more than 4,500 children worked in plantations throughout North Sumatra (LAAI, 2000). Most documentation show children working part-time or seasonally and alongside their parents in order to help the family. The average child living in a plantation area drops out of school after completing their elementary education, as secondary schools are generally difficult to reach and many parents do not see the value in further education (ILO-IPEC, 2001a; Yayasan AKATIGA, 2002). There has been little documentation of the trafficking of children for work in plantations, as research has generally only focused on children living and working with their families on plantations. NGOs and trade unions in Lampung suspect some children have been trafficked from Lampung to Java and Malaysia to work on plantations, however they could not provide any definitive documentation to support this (Project field assessment, 2002). The ILO-IPEC also believes that children are trafficked in parts of Indonesia for plantation work, but has no documentation of this (ILO-IPEC, 2001a). Studies have shown that children working in plantations usually work in the same capacities as adults, requiring them to wield sharp harvesting tools or machinery and work particularly long hours during harvesting and planting seasons (LAAI, 2000). Children who have been trafficked to work in such places find themselves geographically isolated and vulnerable to physical hazards as well as psychological abuse.

Statistics on the overall number of children working in illegal, hazardous conditions are not available in Indonesia. The Indonesian Central Bureau of Statistics (BPS) estimated in 1997 that there were around 1.6 million children between the ages of 10-14 years who were economically active (ILO-IPEC, 2001a). However children under the age of 10 as well as

unpaid family workers were not included in this statistic – and not all of these children were involved in hazardous work. The economic and political crisis that Indonesia has experienced since 1997, however, has likely increased the number of children working. The ILO-IPEC has estimated that a significant number of the 11,768,019 children between the ages of 7-15 years who have been reported as not active in school by the BPS are likely to be economically active (ILO-IPEC, 2001a).

Other forms of child labor in Indonesia include work in family farms; chemical industries; brick, pottery and tile manufacturing; construction; garment and textile production; fireworks production; pearl diving; shoe manufacturing; cigarette production; scavenging; mining; and in armed conflict areas as camp workers or combatants (ILO-IPEC, 2001a). Although there is little evidence to indicate that significant numbers of children are trafficked for these economic activities, as most of them seem to continue to live with their families, it is possible that some trafficking for these purposes may occur.

Adoption¹

Trafficking of Indonesian babies for adoption has received media attention in recent months in Indonesia. For example, the government recently uncovered an operation in Malaysia in which at least 30 Indonesian women were reportedly being held until they gave birth, and then their babies sold. “Poor Indonesian women come searching for jobs. Often, they end up working as day laborers or housemaids. Because they often lack work permits, they’re reluctant to go to authorities for help. If they become pregnant and single, they are easy targets for baby-selling syndicates” (Djuhari, 2002). The buyers for the babies are often childless Malaysian couples for whom formal adoption is too complicated or takes too long (Djuhari, 2002). As the practice of trafficking babies for adoption is a relatively new issue to come to public attention, there is currently not a lot of information available about the practice. Reports of the phenomenon should be read with caution. Some of the interviews conducted during our field assessments led us to believe that many women might be voluntarily relinquishing their children for adoption, rather than being overtly coerced, but are ashamed or afraid to tell the truth when found by the authorities. This is of course still the trafficking of children; however, the mothers may be complicit in the sale, and not victims of coercion or force.

International Drugs Trafficking²

Another potential form of trafficking that is not well documented is the trafficking of women to force them to sell or transport drugs (drug trafficking). Preliminary findings from research conducted by the University of Indonesia’s Women and Gender Studies Center indicate that both Indonesian and foreign women have been deceived or forced into trafficking drugs to

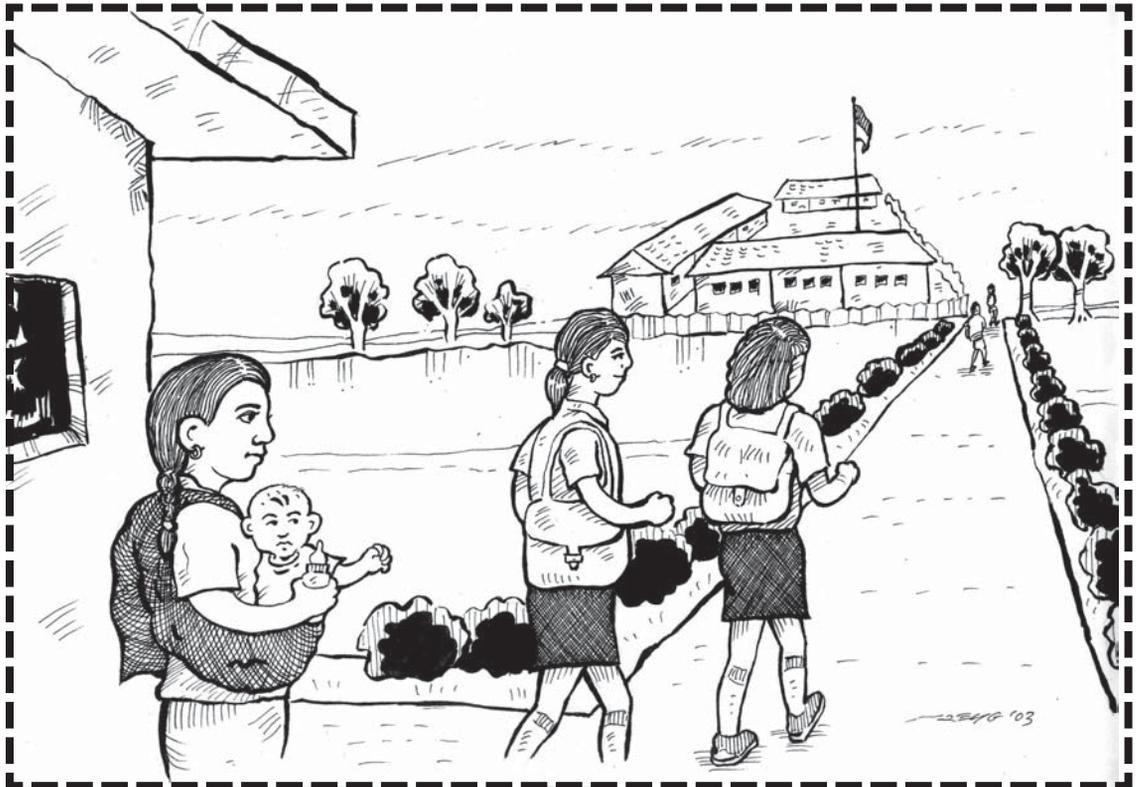
¹ This sub-section on adoption was written by Neha Misra.

² This sub-section on international drugs trafficking was written by Ruth Rosenberg.

and from Indonesia. It appears that international drugs traffickers first develop personal relationships with the women, who were then manipulated or forced into transporting drugs. The preliminary findings indicate a variety of methods used by the traffickers, including the use of force and intimidation; drugging women and forcing them to swallow capsules containing drugs and then forcing them to board planes; and deceiving women so that they transported drugs without their knowledge when returning from what they thought was a brief vacation abroad. All 11 of the women studied were caught at the international airport in Jakarta. Most were bringing drugs into Indonesia, although two were caught before boarding a flight to London. Six of the 11 women studied were foreign women, four from Thailand, one from Burma and one from Nigeria (Interview, 2003).

The study was conducted at a women's prison in Jakarta where six of the women have been given death sentences for their involvement in drugs trafficking. The judicial system did not appear to give special consideration to the possibility that some of the women had been forced or deceived into trafficking drugs and may themselves have been victims of human trafficking. In addition to flagging the possibility that women are being trafficked for use in the drugs trade, the study also illustrated the failure of the judicial system to accommodate foreign suspects. Of the six foreign women in the study, most indicated that because they did not receive interpretation or translation, they did not understand the severity of the crime with which they were charged, did not understand questions put to them during their trial, signed documents without being able to read them, and had little contact before their trial with the lawyer assigned to them by the state (Interview, 2003). Given the severity of the penalties imposed on the women, it is critical that this development be studied more closely. The legal apparatus may need to be trained to recognize and respond to human trafficking in the drugs trade.

FACTORS THAT LEAD TO TRAFFICKING



IV. FACTORS THAT LEAD TO TRAFFICKING

A. POVERTY

By Jamie Davis

Yuni Mulyono, who was trafficked for domestic work in Jakarta and then in the United States, explains in her testimonial to the US-based Labor Defense Network why she became a domestic worker:

I became a domestic worker in Indonesia because my family is poor – I had no choice. My father is a farmer and furniture maker, and I have six brothers and one sister, all younger than me. There were no jobs in the little town in Sumatra where I grew up, so when I was 15 the girl who lived next door took me to Jakarta and found me a job (Bacon, 1997).

The Indonesian Central Bureau of Statistics (BPS) estimates that approximately 38 million Indonesians currently live below the official poverty line, earning less than US\$1 per day. There is at least an equally large number of people unemployed ('Bombings', 2002). According to some estimates, nearly half of all Indonesians live on earnings of less than US\$2 per day (Uchida, 2002a).

Indonesia's economic situation has not shown much improvement since the onset of the economic crisis in 1997. In late October 2002 the government reduced its official economic growth estimates for 2003 from five percent to four percent due to the Bali bombings earlier that month. World Bank Country Director for Indonesia, Andrew Steer, announced that up to three million more Indonesians could drop below the poverty line following the Bali bombings ('Bombings', 2002). It is estimated that the Indonesian economy must grow between five and six percent to effectively reduce unemployment and poverty ('Govt., House Agree', 2002).

Such acute poverty and lack of employment opportunities encourages millions of Indonesians to migrate both domestically and internationally to find a way to support themselves and their families. A study of trafficking in 41 countries demonstrated that a desire to improve their economic conditions combined with a lack of economic opportunities at home was one of the main reasons women seek work abroad (Wijers and Lap-Chew, 1999: 61). Researchers in Indonesia also report that the primary motivation for most workers to migrate

is economic (Hugo, 2002: 173; Suryakusuma, 1999: 7). Interviews with sex workers throughout the country have also indicated that economic hardships were the main reason they entered the sex industry (Interviews, 2002). Impoverished families may not be able to afford to send their children to school and will generally prioritize boy's education if able to send only some of their children (Oey-Gardiner, 1999). With parents unable to find work, families put their children to work, either in fields or factories close to home, or in more dangerous situations far from home such as in mines, on fishing platforms, in domestic service, even in brothels. In all of these ways, poverty makes women and children more vulnerable to trafficking.

It should be noted, however, that poverty alone is not an indicator of individual vulnerability to trafficking. Millions of Indonesians who live in poverty will not become victims of trafficking. Still others who are relatively better off and not living in absolute poverty do become victims of trafficking. Many people migrate for work not because they do not have enough money to feed the family, but in an effort to improve their economic conditions and increase their material wealth. A look at the median income of several Indonesian provinces known for their high rates of migration – and also as high sending areas for migration and trafficking – supports this premise. BPS statistics for September 2000 show that the provinces of Central Java, East Java, and North Sulawesi had median incomes well below the IDR78,000 per week national average – at IDR57,900, IDR47,300 and IDR58,500 per week respectively. As the median income of a province is a measure of poverty, these figures indicate that these three provinces may suffer from greater levels of poverty compared to other parts of the country. However North Sumatra and West Java, two other provinces known to be high sending areas for trafficking, had median incomes well above the national average – at IDR95,500 and IDR90,300 per week respectively (BPS, 2000h). This data demonstrates that poverty is not the only factor which makes women and children vulnerable to trafficking. There are also indications that lack of employment alternatives or opportunities in home villages, and not simply poverty, are factors that lead women to migrate and become vulnerable to trafficking.

However, poverty, and the desire to improve one's economic condition, is still an important factor to consider when developing policies and programs to eliminate trafficking. Poverty places people in a desperate position, making them more vulnerable to exploitation.

B. LACK OF BIRTH REGISTRY

By Jamie Davis

A study released by UNICEF in May 2002 estimated that 37 percent of Indonesian children under five had not been registered as of 2000 (UNICEF Australia website). Article 9 of the UN Convention on the Rights of the Child stipulates that all children should be registered immediately after birth and should also acquire a name and a nationality. The report calls for free birth registration for all children, adding that universal registration is a goal within the reach of all states. The Convention was ratified by Indonesia in 1990.

Unregistered and undocumented children and adults are extremely vulnerable to exploitation. People who have no birth registration often lose the protection that the law affords since they technically do not exist in the eyes of the state. Without a birth certificate a person could find it difficult to prove their age, receive special protection as a minor, prove their nationality or residency, be admitted to school, obtain a passport, open a bank account, receive health care, be adopted, take exams, marry, hold a driving license, inherit money or property, own a house or land, vote or stand for elected office.

The reasons why so many children go unregistered are varied. Poor parents may find the registration fee too expensive or are unaware of the importance of a birth certificate. Many do not know how to register a new baby. The UNICEF study stated that rural families are less likely to register their babies than families in more urban areas. Rural women may be more likely to deliver their babies at home using a midwife, instead of in hospitals with a doctor. While hospitals may assist in the registration of a newborn or automatically register a baby, home births may go unregistered. Anecdotal evidence also suggests that in Indonesia children go unregistered due to a lack of access to government offices for birth registration (located too far from home), corruption among government officials requiring bribes when trying to register and a lack of understanding of the need to register a newborn child (Project field assessments).

The lack of birth registration, especially among rural communities, facilitates trafficking in persons. Agents and traffickers take advantage of the lack of official birth certificates to falsify the age of young women to allow them to work overseas. For example, as noted in the West Kalimantan section of this report (section V K), both legal and illegal agents use the immigration office in Entikong, West Kalimantan, to process fake passports for underage girls. The immigration office has reported that it must issue the passports, despite how young the girls look, because they cannot question an identity card issued by the district office. The district office in Entikong also reports that it must issue an identity card if the young girl has a letter of birth date from the head of the village. Village heads often issue letters with false birth dates in order to help young girls migrate. Such practices are found in many other parts of Indonesia. In other areas, government officials, including village leaders, may receive payment from agents for issuing the false document (Project field assessments). The lack of birth registry makes it difficult to prove fraud on the part of any of these officials.

Traveling with false documents is dangerous for the migrant or victim. While abroad, Indonesian migrant workers found with false documents may be prosecuted and/or deported. Trafficking victims have also reported that their lack of proper documents has been used by traffickers, employers, brothel owners, immigration officials, and police as a way to extort money from them and/or force them to stay in deplorable conditions. Many victims do not leave or report abuse to authorities for fear of being deported or jailed (Project field assessments).

C. GIRL'S EDUCATION – ILLITERACY

By *Neha Misra*

When one interviews Indonesian victims of trafficking, it becomes clear that many of these young women and girls (especially those from rural areas) are barely literate and have only a few years of schooling. Many of them only speak their local language and not the Indonesian national language that is normally taught in schools.

Indonesian government policies such as the *SD Inpres* program (Special Primary School program) which invested in public primary schools, targeting at least one school per village, and the *Program Wajib Belajar 6 Tahun* (Six Years Compulsory Education Program), the goal of which was to abolish school fees at the primary school level, have helped to increase the education of both boys and girls at a basic level. For example, between 1986 and 1994, the working age population with little or no schooling declined from 50 to 38 percent, and those who had completed primary school increased four percentage points to 35 percent (Oey-Gardiner, 1999: 32-33).

As is the case in most developing nations, urban workers in the formal sector in Indonesia are better educated (57 percent in 1997 having graduated from junior high school, with a total of nine years of schooling) than rural workers (21 percent having graduated from junior high school). Males are better educated (37 percent having completed junior high school) than females (27 percent) (Oey-Gardiner, 1999: 113). According to Mayling Oey-Gardiner rural women in Indonesia are falling further behind their urban counterparts, “the gender gap is narrowing faster than the urban rural gap. The urban rural gap for males remained fairly stable at 35 percentage points but widened for females from 26 to 35 percentage points.” (1999: 113)

Although Indonesia has seen significant improvements in girls education, in Jakarta, since the onset of the financial crisis in 1997, anecdotal evidence has suggested that “for the first time since the 1990s enrollment in elementary and secondary school is lower for girls than boys” (Oey-Gardiner, 1999: 39). Parents tend to prioritize boys’ education under conditions of financial limitations, and it seems that the economic downturn in Indonesia may be adversely affecting the education of girls (Oey-Gardiner, 1999: 39).

The government of Indonesia has also implemented programs to increase literacy in Indonesia. In fact, the overall literacy rates in Indonesia are quite impressive for both men and women, especially when compared to other developing nations in the region: 90.9% for men and 80.5% for women (UNDP/BPS, 2001). However, there are certain populations that have been excluded from these advancements, demonstrating surprisingly low literacy levels. As Table 16 below illustrates, the literacy rate in certain districts of Indonesia is much lower than the national norms. Many of these districts also have particularly high levels of migration and are known sending areas for trafficking.

Table 16: Literacy Rates in Selected High Sending Districts by Gender

Province/District	Adult Literacy Rate (%)		Mean Years of Schooling	
	Female	Male	Female	Male
Indonesia	80.5	90.9	5.6	6.9
West Java	89.2	95.2	6.2	7.3
Indramayu	55.2	78.6	3.1	4.7
Central Java	78.4	91.4	5.4	6.7
Cilacap	77.2	91.1	4.7	6.1
Wonogiri	68.3	85.0	4.8	6.4
Sragen	62.5	81.4	4.5	6.2

Source: UNDP/BPS, 2001

Clearly, illiteracy and low education are contributing factors to vulnerability to trafficking. Lack of education and skills makes it hard for young girls to find alternative employment or other ways to help support their family. An Indonesian commentator notes, “Girls are encouraged to gain income as soon as they leave school, both to become financially independent [so that their families do not have to support them] and to support their families. Having little formal education, many can obtain only low paying jobs, mostly as waitresses, [housemaids], sales girls or karaoke singers.” (Dzuhayatin & Silawati, n.d.(b): 77)

Many of these low-skilled jobs require migration to larger cities or abroad where young girls and women may become targets of traffickers and others who wish to exploit them. With a low level of literacy, without an education and lacking viable job skills, young girls from villages such as those listed above look for work in the informal sector. Workers in the informal sector, such as housemaids or drink sellers at roadside stalls, do not receive protection from the government and labor regulations, through trade unions, or from employers. Similarly, women migrant workers, especially those migrating through illegal channels or with irregular status, can easily fall outside the protections of the law, or are unaware of their rights, and therefore vulnerable to exploitation.

A lack of education and a low level of literacy make it more difficult for some women, young girls, and children to seek help in case they encounter trouble while migrating or looking for work. They may not know how to access available resources, be unable to read or understand leaflets or other public advertisements about shelters or help lines, or feel confident enough to search for help. In addition, women or children who are illiterate or have only a low level of education may not be able to understand their employment contract or other official documents (such as travel documents and passports). Often, migrant workers are verbally promised a certain type of employment or salary by an agent, but the contract that they sign (and may not be able to read) provides significantly different terms of employment and compensation, leading to exploitation.

D. CULTURAL CONTEXT

By Rebecca Surtees

Indonesia, an enormously populous nation of 230 million people, is characterized in many ways by its diversity. Geographically, Indonesia is comprised of more than 17,000 islands and 30 provinces. While 88 percent of the population is Muslim, the country is also home to other religions, including Protestant (5%), Roman Catholic (3%), Hindu (2%), Buddhist (1%), and other (1%). In some provinces, including Bali, West Papua, and East Nusa Tenggara (NTT), these other religions predominate. Ethnically the country is also diverse, with the population comprised of Javanese (45%), Sundanese (14%), Madurese (7.5%), coastal Malays (7.5%) and a range of other ethnicities (26%) (CIA, 2002). While Indonesian is the official language, there are over 400 different languages spoken in the country. Further, cultural diversity is manifested in a wide variety of lineage, inheritance and residence patterns, which in turn result in a range of cultural and social constellations.¹ In many ways, then, Indonesian culture is characterized by its diversity.

Regional and cultural variations notwithstanding, it is possible to sketch out a general framework of Indonesian identity and culture. By considering such topics as women's role within the family; power, hierarchy and social order; children's roles and responsibilities; historical precedents of bonded labor; early marriage; and evolving cultural discourses and world views, we can, at least schematically, frame cultural identity and see how these function to facilitate and mitigate trafficking in women and children. In appreciating the cultural context in which trafficking and bonded labor occur, we can better understand its meanings, which in turn enables us to identify interventions which are able to respond to cultural as well as human rights needs.

Each of the above topics will be discussed in turn, with the essential caveat that this discussion does not presume to exhaust the depth or breadth of Indonesian or regional cultural identities. Rather, it is a schematic framing of aspects of Indonesian cultural discourses as a first step toward appreciating how cultural and social factors impact a person or group's vulnerability to trafficking and associated practices.

Women's Role in the Family

Among middle-class, urban Indonesians, the image of the ideal woman² is as devoted wife and mother. The role of housewife is socially praised, the housewife herself endowed with

¹ In Indonesia as a whole, the most common descent pattern is bilateral, with patrilineal being second most common (ESCAP, 1998: 35). However, there is much variation. For example, the Minangkabau of West Sumatra are matrilineal (designating kinship through the mother's family) with matrilocal residence (residing with the wife's family after marriage) (Postel-Coster, 1992:224). The Minahasa of North Sulawesi are generally neolocal (residing independently after marriage) (van Bemmelen, 1992:189), the Madurese have bilateral kinship and inheritance patterns but exhibit patrilineal traits (Niehof, 1992: 167) and Javanese descent and inheritance patterns are bilateral (Brenner, 1995: 24).

² 'Women' refers to adult women, which generally implies women over 18 years of age. In Indonesia, entry into adulthood is, at least conceptually, tied to marriage. That is, when a girl is married, she is socially considered to be a woman (Grijns, 1992: 111). Under Article 7 of the 1974 Marriage Law (UU Perkawinan No.1/1974), marriage was legal for girls over 16 years of age or for girls under, 16 years of age with the consent of the court. See Chapter IV E, Gender Biased Policies and Laws.

the title of ‘Queen of the Household’ (Sitepu, 2000: 190). It is the wife and the mother who is the center of the household and family – she controls the family finances, makes major decisions about household and family, is tasked with all aspects of child-rearing (including their choice of schooling, profession and spouse) and deals with all problems from economic difficulties to more general family crises (Magnis-Suseno, 1997: 167; Hatley, 1990: 180; Keeler, 1990: 129). While manifestations of the privileging of women in the domestic sphere vary from region to region in Indonesia,³ it is a national constant that women’s domain is essentially the domestic and that her importance and power within this sphere are undisputed.⁴ This does not mean that women’s power within the home is absolute or that she, rather than her husband, is the household head. Rather, it suggests that it is in this domestic sphere that women most clearly manifest their social value and power – as wives and as mothers.⁵

Such domestic images have been further entrenched by state policies and principles. For example, in 1978 the *Pembinaan Kesejahteraan Keluarga* (Family Welfare Movement) articulated the *Panca Dharma Wanita* (The Five Tasks of Women) which are: as wife, standing by her husband; as household manager; as mother, responsible for reproduction and education of children; as supplementary wage earner; and as citizen of Indonesia (Aripurnami, 2000: 58; Bianpoen, 2000: 159).

These ‘tasks’ are significant in that they stress women’s place within the home, while simultaneously acknowledging circumstances where she is only able to fulfill her socialized responsibilities by stepping outside of the domestic sphere.⁶ Interestingly, often the type of work women undertake outside the home is similar to their household tasks and role (i.e. domestic work and caregiver) (Hatley, 1990: 182). Equally interesting is that women’s income is considered supplementary to that of the husband, a social perception which often belies reality.⁷

As is clear from the above discussion, Indonesian women bear significant socialized responsibility for family development and household economy. Since the economic crisis of

³ Women’s privilege in the domestic sphere is manifested in different ways. For example, in Sundanese culture there are religious ceremonies which celebrate the centrality of mother in social life (Grijns, 1992: 111-112). Similarly, in Java it is often the mother’s rather than the father’s grave which is the site of annual pilgrimage, signalling her special relationship to her children (Mulder, 1996a: 96). More generally, the overarching kinship pattern of bilateralism serves to value the role of mother (and woman) in the social order (Mulder, 1996a: 91).

⁴ Women’s centrality within the home is further reinforced through literary representation (Oey-Gardiner & Sulastri, 2000: 17). For example, novels and films focus primarily on the importance of harmony within the home with hardships for women being such ‘domestic tragedies’ as divorce, widowhood and childless marriages (Sumardjo, 2000:30, 38, 53,57).

⁵ Brenner observes of Javanese households, “the reality of the situation is that in many Javanese households, women enjoy *de facto* power which far outweighs that of their husbands... Regardless of social class or occupation, the wife continues to manage the household finances” (1995:23).

⁶ This is tied closely to an ideology which Djajadiningrat-Nieuwenhuis describes as ‘Ibuisim’, where any action or activity is sanctioned as long as it is done as a ‘mother’ who is looking after her family, group or class (1992: 44).

⁷ For example, in one survey of 147 women, 80% regarded their work as supplementary income and yet, ...a closer examination revealed that ‘helping my husband’ in fact meant running small businesses, working as laundry women or in other home-based industries. Some women confirmed that they had multiple tasks: while taking care of the household, they also engaged in some kind of economic activities, such as making cookies to sell at neighbouring *warungs* or food stalls. Only 20 per cent of respondents did only household chores and had no income (Djamil, 2000: 172-173).

Further, in the same survey, “70 per cent of the women in the informal sector earned more than their husbands. Some even had significantly larger incomes” (Djamil, 2000: 173, cf. Hartiningsih, 2000).

the late 1990s, women's economic participation has been a central survival strategy for many households (ILO 1999 as cited in Hugo 2001: 108). Thus, Indonesian women's desire and obligation to support their families can arguably be linked directly with the feminization of migration and thus women's vulnerability to trafficking and associated abuses. Take, for example, the innumerable cases of women whose rationale for migrating abroad is the care of their families. In many of the twelve provinces where ICMC and the Solidarity Center have conducted assessments, female migration has been a central economic family strategy. The situation in West Nusa Tenggara (NTB) is a particularly striking case in point, with the province heavily depopulated of women due to out-migration. A significant percentage of these female migrants are wives and mothers who have migrated abroad for work to support their families (Interviews, 2002).⁸

Power, Hierarchy and Social Order

Notions of social power and hierarchy are important in understanding vulnerability of certain groups or persons to trafficking and associated abuses. Social hierarchy in Indonesia is a complex web of relationships and positions. One's place in the hierarchy depends upon one's social identity which is, in turn, determined by a range of factors including age, gender, descent, education, occupation, wealth, ethnicity and place of origin (Brenner, 1995:25, Grijns, 1992: 109). It is the interplay of these factors which determines one's social identity. That is, it is not merely a question of a woman vs. a man or rich vs. poor. Rather, it is a question of a wealthy, educated woman vs. a poor, rural man or a wealthy, noble male vs. a wealthy but not noble male.

Equally important, social status is not absolute. One is not 'powerful' or 'powerless'. Rather, it is an ever-evolving set of relationships with one's position changing relative to the person with whom one is interacting (Mulder, 1998: 64). For example, a female, university-educated, urban schoolteacher is certainly 'socially powerful' and of higher status than a rural, male rice farmer. However, relative to a male (or female) government minister, she is the 'less powerful'.

That being said, some factors are particularly important signifiers of status. Certainly gender is one. In Indonesian social hierarchy, it is acknowledged that men are more socially valued than women (Grijns, 1992; Mulder, 1996a, 1996b). However, such an overt and simplistic dichotomy fails to adequately represent real expressions of social hierarchy as well as the subtlety of gender relations in Indonesian society. When one speaks of gender relations in Indonesia one must speak in terms of complementarity, and one must speak with subtlety.

This does not mean that women are less appreciated than men. They share in the same humanity, complementing each other. Unlike in China or India, there is no preference for male children – many parents prefer a daughter as their first child because they can rely on her for her care, even after marriage – and the

⁸ The out-migration of women from NTB has been so pronounced that one NGO initiated an awareness raising campaign on migration in the province. The posters were targeted at migrating mothers with the message that caring for your family also means staying home (Interviews, 2002).

ranking of the children is on the basis of their relative age. If resources permit, both sexes receive the same educational opportunities and there is nothing comparable to the active disdain women are subject to in the above regions (Mulder, 1996a: 84).

As noted above, of a range of critical determinants, gender is only one, albeit an important one. As Moore queries, “when has gender ever been pure, untainted by other forms of difference, other relations of inequality? Lives are shaped by a multiplicity of differences which may be perceived categorically but are lived relationally” (1994: 20). As such, to appropriately capture social identity and status in Indonesia, we must speak of the interplay of different factors (Grijns, 1992: 108). Thus, a woman is never merely a woman. She is a woman who is also of a certain age, class, level of wealth or educational attainment. It is in attending to this package of identities that we can assess her position in the social hierarchy.

Age is another particularly significant social signifier with older persons afforded respect and deference. As such, while women may inhabit the subordinate position *vis-à-vis* men, the addition of age as a variable can potentially rearrange this hierarchy. For example, an older woman is (potentially) of higher status than a younger man. And in their advanced years husbands and wives more commonly use terminology in terms of their relationship to their kin (based on age) rather than their relationship to each other (based on gender) (Grijns, 1992: 110).

Indonesian language is vividly illustrative of the interplay of identities in social status (Mulder, 1998: 64). Kinship terms, which also serve as personal pronouns – for example, terms for an older sibling (*kakak*) or younger sibling (*adik*) – have no inherent gender meaning, but are structured on age and birth order. Rather, these terms must be qualified with ‘male’ (*laki-laki*) or ‘female’ (*perempuan*) to designate gender. Most relatives are addressed according to age (or generational status), rather than by gender specific terms (Grijns, 1992: 110).

Nevertheless, this linguistic hierarchy is intricate and we must be cautious not to overstate assertions of gender neutrality. As has been observed elsewhere in Southeast Asia, “the terms and values used to discuss differences between men and women are often the same ones that are used to discuss people in other differently valued categories, such as age groups, and occupational or class categories” (Ledgerwood 1990:11). Illustrative of this point is that married couples often refer to each other with sibling terminology which finds the man in the superior position (as older brother) and the wife in the subordinate position (as younger sister) (Grijns, 1992: 110; cf. Niehof, 1992).

How do these features of power and social hierarchy help us to understand vulnerability of women and children to trafficking and associated abuses? Social hierarchy determines who holds power in Indonesian society and trafficking uses power (both coercively and more subtly) in the perpetuation of these trends. In understanding how people gain and hold power in a society we are better able to identify sites of vulnerabilities and abuses.

Trafficking certainly involves overt expressions of power by the socially (and economically) powerful – the wealthy, higher class, government officials, etc. The ability of such persons to exploit individuals must be acknowledged. However, in Indonesia it is arguably more common that power and social position are exercised more subtly. It could be a ‘successful migrant’ who deceives people into trafficking or misleads them about the type of work or conditions. It may be community leaders encouraging (and perhaps profiting from) recruitment of labor in their villages. It may be a parent stressing to a child its obligation to contribute to the family income. It may be a husband or mother-in-law stressing to a woman her responsibility to support her family. In Indonesia, social power is tied to a number of factors including wealth, social standing, age and class. Complicity of, or lack of intervention from, ‘the powerful’ – whether they be parents, family, neighbors, village chiefs – contributes to trafficking.

Vulnerability to trafficking may be centered around:

- **Age** – Children are vulnerable to demands and expectations of older people, particularly their parents. However, they also may submit to the wishes or demands of other older persons, believing their youth does not allow them to question the older person’s authority. These persons might include relatives, family friends, neighbors, village chiefs or employment agents.
- **Gender** – Women are vulnerable to trafficking because of the social expectation that they must support and care for their children, contribute to family income and provide support and assistance in their role as daughters. This vulnerability is arguably exacerbated by their ‘relatively unequal’ (secondary) status in the family and society more generally.
- **Wealth/class** – Poor people (women and men) are vulnerable to trafficking and associated abuses by virtue of holding little social power and having few avenues to earn income. They may also not feel adequately empowered to challenge social superiors in terms of migrant contracts and work conditions.
- **Low education** – People with limited education or who are illiterate will likely suffer limited economic options. As well, they will not have the knowledge or confidence to inquire about terms of their contracts and work conditions

In appreciating that power is held not only by public officials and wealthy traffickers but also by parents *vis-à-vis* their children, village chiefs *vis-à-vis* their community, or families *vis-à-vis* their female members, we identify sites of vulnerabilities and, thus, identify key entry points for change and intervention.

Children’s Roles and Responsibilities

Age is an important signifier of status in Indonesian society and older persons are to be respected and revered. This social valuing is manifested in the popular Javanese dictum – “Whoever honors his parents, his elder siblings, his teacher and his ruler, already honors

God” (Mulder, 1996a: 112). A particularly privileged category of older persons to whom children owe deference, obedience and respect is their parents.⁹

In daily life not only are children expected to pay their parents deference but also to give them support and assistance, as needed. For example, one research study found that support in old age and help in the household were the two main reasons why people had children (Berninghausen & Kerstan, 1991: 147). Within and outside of the household, children assume responsibility for a variety of tasks as necessity dictates. For example, younger siblings are generally cared for by their older siblings or grandparents while mothers are at work. This obligation is particularly compelling for girls who, at ages as young as 6-8 years, spent a daily average of 1.7 hours on babysitting tasks (Berninghausen & Kerstan, 1991: 152).¹⁰ As one source described,

In my elementary school days, I had a very close friend whose name was Harni. Although she was only eight years old, she rarely played with the rest of us. If she happened to be among us, her mother would shout in her special way to call her home to look after her younger sisters and brothers, to help with cooking or the laundry, or, more often than not, to glue *jamu* packaging (Hartiningsih, 2000: 204)

Indonesian society has a long history of child labor to fulfill familial and social obligations and needs.¹¹ For example, Javanese children might be sent at a young age to work with relatives as a means of teaching them to become responsible adults (*ngenger*) (Habsyah et al., 1995: 1). In West Java, children of farm families customarily worked in the rice fields during harvest time (*ndrep*) and planting season (*nandur*) to earn extra income for the household, a practice which continues today.

In the present there is continued social acceptance of child labor. One research study indicated that children were perceived to be of an adequate age to ‘help’ their parents and assume some economic responsibility after the completion of primary school (Habsyah et al., 1995: 117). The prevalence of child labor, as documented by Irwanto et al., 2001, in research on child trafficking, serves to corroborate this assertion (see Table 17 below).

⁹ This is manifested in Java in what anthropologist Mulder refers to as the ‘cult of the parents’. That is, it is traditional that at the end of the holy season of Ramadan (*Pasa*), at the Lebaran festival, children gather at their parents home to receive forgiveness and blessings from their parents. This is the case even when children are grown and financially independent (Mulder, 1996a: 111). That being said, obligations do not merely flow from inferiors to superiors. Rather, “parents also have their obligations *vis-a-vis* their children, whom they have to rear and protect, to teach and worry about” (Mulder, 1996a:110).

¹⁰ It is a noteworthy trend that when girls assume ‘working’ responsibilities they are generally consistent with their later role in life. Thus, it is girls who care for younger sibling or are responsible for housework as well as other types of work (Berninghausen & Kerstan, 1991: 152). Similarly, the eldest sister in Javanese households is often like a second mother to her younger siblings (Magnis-Suseno, 1997: 167-8).

¹¹ For a further discussion of this subject, see the section on Historical Precedents of Bonded Labour (below).

Table 17: Percentage of children who work outside the home

Province	Percentage of Children between 10-14 years that work outside the homework outside the home	Percentage of Children between 15-19 years that
Sumatra	8.0	37.4
Java/Bali	7.2	37.2
Kalimantan	9.7	44.4
Sulawesi	10.9	41.2
All Other Provinces	14.1	47.5
Indonesia	8.3	38.5

(Source: Irwanto et al., 2001: 28)

It is important to note that the acceptance of child labor is tied as much to necessity as cultural practice. Indeed, in a survey of 800 working children most parents were not in favor of their children working at an early age and felt that they should not join the labor force until they were 16-20 years old, a preference manifested by children and parents alike (Habsyah et al., 1995: 8, 133-34). However, the socio-economic reality requires different levels of child labor. As one survey respondent explained, “I prefer going to school rather than working, because [from school] you get knowledge, but to be able to pay for the costs I have to work part-time” (Habsyah et al., 1995: 134).

Social acceptance of a child’s obedience to their parents and their obligation to help support their families renders children vulnerable to trafficking and its associated abuses. That is, in their desire to meet these socially prescribed obligations and given that child labor carries no inherent social stigma, children (and parents) often perceive bonded labor and trafficking as an acceptable, even honorable, means to generate income. Trafficking, then, is seen as a family survival strategy or work option rather than as exploitation.

Historical Precedents of Bonded Labor

Bonded labor and other forms of servitude are not without historical precedence in Southeast Asia. The practice of loaning or renting out one’s own labor, or that of a family member, to pay off a debt or earn income was not uncommon as a survival strategy. Bonded labor (or ‘slavery’) in Southeast Asia traditionally existed on three levels – slaves who would always be slaves; slaves who could buy or earn merit for their freedom; and slaves who had temporarily sold their labor (Osborne, 1995: 59; Sadli, 1999: 11).¹² This last example fits with contemporary concepts of debt bondage or bonded labor¹³.

¹² For a historical discussion of ‘slavery’ in Southeast Asia, see Osborne (1995) and Turton (1980). On this subject, Osborne argues, “Western observers to the traditional world of Southeast Asia seldom understood the difference, for instance, between ‘true’ slaves condemned to a life of servitude and those who had voluntarily, but temporarily, given up their freedom in order to meet a debt or other unfulfilled obligations” (1995: 59).

¹³ Bonded labor/debt bondage is when a person’s labor, or its fruits, is demanded as a means of repayment for a loan.

In Indonesia there are a number of traditional practices which can be categorized as trafficking, bonded labor and associated practices encompassing various types of work, including sex work, domestic work, and manual labor. For example, the practice of concubinage in the Javanese cultural area is arguably a precursor to trafficking in women and children for sexual purposes. The king's court included large numbers of women called *selir*¹⁴ who were given to the king by noblemen as tokens of loyalty or as tribute from other kingdoms. Girls were also commonly 'sold' or given by their families to assume minor positions in the royal household (Sulistyaningsih, 2002: 3-5; Hull et al., 1999: 29). Similar patterns of concubinage occurred in princely and regional households throughout the region.

Eleven communities in Java were significant source communities for royal courtesans in the past – Indramayu, Karawang and Kuningan in West Java; Pati, Japara, Grobogan and Wonogiri in Central Java; and Blitar, Malang, Banyuwangi and Lamongan in East Java (Sulistyaningsih, 2002: 4; Hull et al., 1999: 29). In an extension of this practice among the Balinese, when lower caste women were widowed and lacked family support, the widow came under the control of the king. In the event that he did not wish to incorporate the widow into his household, she could be sent to work as a sex worker, with a portion of her salary remitted to the king (Sulistyaningsih, 2002: 4).

Bonded labor in the guise of domestic work is also customary. In Java, the traditional practice of *ngenger* involves children sent from home at a young age to work with relatives (Habsyah et al., 1995: 1). Another source reports the traditional practice of rural parents placing their children in the 'care' of urban based relatives as servants (ILO/IPEC, 2001b: 30). Also in Java, royal households were staffed by *abdi dalem* (retainers) who took up these positions to pay tribute and express their devotion to the king or as compensation for their inability to financially express their tribute to the king. Among the positions under this title were dancers, singers, attendants and servants (Sadli 1999: 12).¹⁵

Today, many of these forms of bonded labor and slavery-like practices continue to exist throughout the country with ramifications for a broad cross-section of the populace. Rural parents continue to place their children in the 'care' of urban based relatives as servants (ILO/IPEC, 2001b: 30) and one study on working children reports that "many participants came to the cities because uncle or aunts or simply a friend or neighbor who worked in the cities came to the village to pick them up" (Habsyah et al., 1995: 119). An associated aspect of this type of recruitment is the practice of parents being 'paid in advance' for their children's future earnings when the children are sent away to work as domestic workers. This appears to be a normalized practice and is not necessarily seen as a form of bonded labor.

Similarly, it has been argued that the historical practice of selling family members in Southeast Asia "provides important precedents for the current practice" of selling women, especially

¹⁴ In Javanese courts, it was common for the King to have hundreds of *selir* over the course of his lifetime (Utomo, 1999: 10).

¹⁵ It is noteworthy that in many situations a female servant was also expected to provide sexual services to her employer or king as was observed by Hirschfeld in noting that the "Susuhunan lives in his palace as sole lord over four hundred and fifty women, of whom only thirty four are wives. All the rest are dancers and servants, but, when their master desires it, they must also be ready to serve as concubines," (1935: 132 as cited in Utomo, 1999: 8).

daughters, for economic gain (Muecke, 1992: 892). This argument has credibility in Indonesia where the sex industry pre-dates the Dutch colonial period and where, as noted earlier, at least eleven of the Javanese communities known to have been source areas for *selir* are, in the present, significant sending areas for urban sex workers (Sulistyaningsih, 2002: 4; cf. Hull et al., 1999). In 1994, there was evidence of the continued practice of selling under age daughters into two year indenture periods in brothels in West Java (Hull et al., 1999: 52). Currently, many women 'sold' into the sex industry do not equate this practice with slavery, but rather see it as a 'contract' for work (Hull et al., 1998:39).

The continuation of such practices in the present highlights that they do have social meaning and purpose in Indonesian society and, thus, cannot be seen only as exploitation or human rights abuses. The difficult economic circumstances of people throughout Indonesia further contribute to the continuance of trafficking and bonded labor in both historical and updated forms. These practices have developed into what Kleinman & Kleinman (1991) call the 'local moral world' where such behaviors are normalized.

This should not be taken to mean that the presence of such practices in the past validates their continuation in the present. Both the legal and social contexts have changed significantly and such practices must be recognized as human rights abuses as well as criminal acts under current international norms. However, an awareness of these practices as customary and historical goes a long way toward explaining their continuation in the present and their seeming acceptability amongst some segments of society. The fact that bonded labor is historically a part of Indonesian social structures is a significant facilitator in its preservation and perpetuation.

Early Marriage

Under the 1974 Marriage Law (UU Perkawinan No.1/1974), Indonesian women are permitted to marry at the age of 16 and earlier with consent of the court. The introduction of this law has resulted in a national decline in early marriage. See Table 18, below. Nevertheless, early marriage does continue in the present with 46.5% of women married before reaching 18 years of age and 21.5% before reaching 16 years of age. See Table 19, below. Noteworthy as well is that the incidence of early marriages is much higher in rural areas than urban areas (ESCAP, 1998: 39).¹⁶

¹⁶ There is regional variation in the age of first marriage. The highest incidences of women marrying between the ages of 10-16 years were in the provinces of West Java, East Java and South Kalimantan. The lowest incidences were found in East Nusa Tenggara, Bali, Maluku and North Sulawesi (ESCAP, 1998: 39).

Table 18: Percentage of Women Married Before 16 Years of Age (by Age)

Age	1980	1985	1990	1995
10-14	0.8	0.1	0.2	0.1
15-19	10.7	5.1	5.5	4.6
20-24	20.2	13.2	11.5	9.0
25-29	26.3	19.1	17.5	15.1
30-34	32.4	21.5	21.3	18.9
35-39	33.3	23.2	23.1	22.0
40-44	33.7	24.6	26.6	23.2
45-49	33.1	25.7	26.9	25.4
50-54	35.2	27.2	29.2	27.6

(Source: BPS, 1980 and 1990 Population censuses, 1985 and 1995 SUPAS as cited in Oey-Gardiner, 1999: 7)

Table 19: Women's Age at First Marriage

Age at First Marriage	1980	1985	1990	1995
<16	31.9	23.1	23.4	21.5
16-17	27.1	28.6	26.5	25.0
18-19	19.1	21.8	21.4	21.8
20>	21.9	26.5	28.7	31.7
Total	100.0	100.0	100.0	100.0

(Source: BPS, 1980 and 1990 Population censuses, 1985 and 1995 SUPAS, and 1995 as cited in Oey-Gardiner, 1999: 8)

Reasons given for early marriage include:

- Belief in many communities that women reach maturity with their first menstruation and should then be married. This practice is apparently still common in Javanese and Sundanese families (Anwar et al., 1999: 47)
- Fear that a woman will not marry, that she is not *laku* (marketable, in demand) (Oey-Gardiner, 1999: 5). To become an 'old maid' is said to bring disgrace to the woman's parents. Given the importance of a woman's social role as wife and mother, to not marry is to be socially stigmatized (Niehof, 1992: 168; ESCAP, 1998: 39).
- Concerns about the daughter's virginity. Given that family honor is linked to the virginity and virtue of the woman, this is of great significance (Niehof, 1992: 168)
- Poverty. The earlier a girl marries the earlier her parents will be relieved of the burden of supporting her (ESCAP, 1998: 39), although this rationale would only apply in groups where the woman moves from home after marriage (that is, patrilocal or neolocal residence patterns).

Indonesian cultural traditions of early marriage pose socio-economic problems for both the male and female marriage partners. However, implications are particularly pronounced for girls/women. Among the potential problems for women and girls identified with early marriage are:

- Negative impact on health – Premature pregnancy causes higher rates of maternal mortality and young women are particularly susceptible to sexually-transmitted infections, including HIV/AIDS.
- End of educational achievement – Girls usually leave school once they are married and seldom return (or are permitted to return), even in the event of a divorce.
- Limited economic opportunity – Due to their low educational achievement, poor literacy and limited work experience, girls suffer limited work options and generally poor working conditions and salaries.
- Disruption to personal development – Girls are not emotionally, socially or economically equipped to live on their own, an issue exacerbated when early marriage is accompanied by early divorce.
- High rates of divorce – There is a strong correlation in Indonesia between early marriage and divorce.¹⁷

Each of the above issues is of social concern for the well being of the girl and of particular significance in terms of vulnerability to trafficking. The correlation with vulnerability to trafficking is explained briefly in the points below:

High rates of divorce and social stigma: Divorced girls lack the financial support and income of their husband's family as well as their own families to whom they are often unable to return after marriage due to social custom.¹⁸ This often translates into severe economic vulnerability of the woman/girl. Further, while divorce is common it does have social implications. Given the privileged status of wife and mother, divorce brings at least a degree of social stigma¹⁹ (Berninghausen & Kerstan, 1991: 136). Similarly, a woman who does not conform to this ideal image – as wife and mother – may not enjoy any social protection, thus increasing her risk of abuse and violation.

Disruption to personal development: This means that many girls will not have adequately developed basic living and working skills and, thus, are not equipped to negotiate working conditions and contracts, or to seek assistance in situations of violence or exploitation.

Limited Educational Achievement: Due to low education, girl's economic options and bargaining power are very weak. As such, they are often vulnerable to exploitative employment and trafficking. Further, given their limited education they are generally not well versed on their rights.

¹⁷ For example, a 1997 study found that one third of all women who had married early had been divorced or had their marriage annulled. Further, early marriages were three times more likely to be dissolved than later marriages (Savitridina, 1997 as cited in ESCAP, 1998: 45). Other research reveals higher rates of divorce for girls married at age 10-14 years (9.5%), as compared with girls who married at 15-19 years of age (4.9%) (Oey-Gardiner, 1999: 6).

¹⁸ According to the Child Welfare Law, those who are married (no matter what age) are no longer considered children (Tjandraningsih & White, 1998: 15). As such, a young divorcee does not generally return to her family to live but rather is expected to care for herself. Further, generally she is not permitted by school administrators to return to complete her education (Interview, 2002).

¹⁹ Divorce, while not heavily stigmatised, is also not socially desirable. Likewise, while Islam permits divorce, it is not encouraged.

Limited Economic Opportunity: Given their limited economic options and bargaining power, girls are vulnerable to exploitative employment and trafficking.

Evolving Cultural Discourses and Alternative Worldviews

The above discussion has explored various dominant cultural patterns and discourses in Indonesia which contribute to the trend of trafficking and slavery-like practices. However, an exploration of cultural factors would be remiss if it did not at least acknowledge the divergent discourses in any culture and the constancy of cultural change.

As noted at the beginning of this section, Indonesian culture is far from homogeneous. The diversity of ethnicity, language, geography, and religion inevitably results in a range of cultural identities and worlds. Further, even within one seemingly homogeneous culture group, there is divergence. As Nussbaum argues,

Any living culture contains plurality and argument; it contains relatively powerful voices, relatively silent voices and voices that cannot speak at all in the public space. Often some of these voices would speak differently, too, if they had more information or were less frightened – so part of a culture, too, is what members would say if they were freer or more fully informed (Nussbaum, 1999: 8).

Alternative worldviews in Indonesia are currently nurtured and facilitated by expanding communications, education and mobility, which have simultaneously disrupted traditions of social order and behavior (Mulder, 1996b: 146). For example, in Indonesia as in Malaysia, “for the first time village girls had the chance to go away to work, to handle their own money, save for higher education and choose their own husbands” (Ong, 1991: 288). Such trends cannot help but shape senses of cultural identity and order. For, as Ong & Peletz have observed, “in the late twentieth century world . . . identities are made not exclusively according to local knowledges, but in ever widening geographies of production, trade, and communications” (1995: 8). It is in this globalizing world, after all, that people are exposed to ways of being and values which differ significantly from traditional values.

Emergent cultural patterns must be explored in terms of their impact on trafficking in women and children. Alternative ways of knowing and seeing expand the potential for maneuvering within the cultural domain and provide space to subvert, to negotiate and to create. At the same time, these alternative cultural discourses may also represent new sites of vulnerability to trafficking. As such, let us consider two types of emerging cultural expressions – an evolving sexual and youth discourse and alternative access to power – with attention to the role of these discourses in creating and/or mitigating vulnerability to trafficking.

Evolving Sexual Discourse

One dramatic manifestation of evolving alternative discourses is in the context of sexuality. Sexuality is a central social field in Indonesia with particular attention paid to the virginity of unmarried women and the fidelity of married women (Magnis-Suseno, 1997: 173, 177).

However, in contemporary urban culture there is an evolving sexual identity. Recent research indicates that premarital sex is an increasingly common trend for Indonesian women (Sastramidjaja, 2001; Yamin, 1998). Similarly, one young Indonesian male observed that it is increasingly common for young, educated women to have pre-marital sexual relations with boyfriends (Interviews, 2002). As significant is the emergence of new sexual identities – particularly that of *pecun* (*perempuan cuma cuma* or ‘woman for free’), urban teenage girls, generally high school students, who may have sex with men for cash or, more often, gifts (Hull et al., 1999: 58; Hull et al., 1998: 34; Sulistyaningsih, 2002: 23). Noteworthy as well are emergent gay and lesbian sexual and political identities, vividly manifested in one instance in a community organized drag show for the end of the holy month of Ramadan (Jeumpa & Ulil, 2001; Oetomo 1996). Clearly such activities contradict social and sexual norms and signal in important ways the fact that sexual culture is increasingly manifesting behavior and tolerance to action which are untenable according to dominant social and sexual discourse.

What this means in terms of trafficking is neither direct, nor inevitable. For example, the increasingly permissive sexual discourse in urban Indonesia may contribute to the ‘de-stigmatization’ of pre-marital sexual activity which, in turn, could decrease the demand for sex workers. Alternatively, the ‘normalization’ of commercial sex work may create an environment in which the industry is more controlled and less subject to abuses such as trafficking in women for sex work.

Alternative Access to Power

As noted above, the abuse of power by the hierarchically well positioned is a critical contributor to trafficking in women and children. As such, it is useful to explore how access to social power is shifting in the current context and what impact this might have on vulnerabilities to trafficking.

In Indonesia, recent years have seen a privileging of money and material wealth over more traditional avenues to power (Mulder, 1996a: 156-7). For example, Murray notes the emergence of an increasingly wealthy middle class and the prevalent image of Jakarta’s elite with their new luxury cars sealed off behind tinted windows from the reality of the street (1991: 92). Murray also notes the desire in her circle of sex worker friends to earn money and experience consumerism, manifested in air conditioned houses, pools, videos and other aspects of luxury living (1991: 115). Observed one Jakarta call girl “what sort of wage can a girl like me make, who can only type and answer the phone? It’s nowhere near enough to buy dresses that are a bit up-to-date or decent make-up. Yeah, I want something better. That’s why I do this work” (Krisna, 1978 as cited in Murray, 1991: 107). Clearly this discussion is most salient for urban Indonesians, for it is in the large cities where this trend is most pronounced. However, it is not exclusively an issue of urban dwellers, as evidenced by the increased desire for consumer products and material wealth throughout rural Indonesia and the resultant out migration for work. As one returned migrant worker in rural Lombok observed, “the most

important thing is to arrive home in a taxi, not by bus or walking. That means you are a success” (Interview, 2002). This success – due to money – affects their status upon return.

In addition to this emerging consumerism, there are other views and values which challenge traditional avenues to power. For example, Mulder observes of Javanese youth that “they have grown up in a different environment and acquired a distaste for hierarchical relationships and circumspect behavior, which they experience as anti-democratic and out-of-date” (1996a: 155). As such, it is worth noting that wealth, modernity and other alternative signifiers are increasingly finding a space in the greater social terrain and as avenues to social power.

Similarly, alternative access to social power may lead to different expressions of vulnerability to trafficking. With access to power increasingly dictated by determinants such as education and wealth, the power of traditional leaders may be eroded. For example, village chiefs, known to be complicit in trafficking through the recruitment of workers and the forgery of birth certificates, may not have sufficient power to influence their constituents in the future. Likewise, social interlocutors, such as teachers and doctors, who hold status by virtue of their modern ways or education, may challenge practices, such as early marriage or child labor, which contribute to trafficking in women and children.

This does not mean that emerging social discourses always mitigates vulnerability to trafficking in women and children. The impact will vary according to the specifics of the alternative cultural discourse itself. What is critical is to consider how emergent cultural expressions interact with and impact upon trafficking vulnerability. That is, while social norms do constrain, “cultures are non-monoliths; people are not stamped out like coins by the power machine of social convention. They are constrained by social norms, but norms are plural and people are devious. Even in societies that nourish problematic roles for men and women, real men and women can also find space to subvert such conventions” (Nussbaum, 1999: 14).

In conclusion, the importance of understanding and appreciating the local cultural world(s) – hegemonic and emerging – cannot be overemphasized. It is, after all, in and through culture that we understand and attribute meaning to life and experience (Mulder, 1996b: 127). Significantly, attention to cultural discourses provides a framework toward understanding the presence of specific trends and behaviors, like trafficking and associated practices. As significantly, it holds the potential to equip us with the skills and insight to locate points of intervention toward alleviating and remedying trafficking and its associated abuses.

E. GENDER BIAS POLICIES AND LAWS

By *Anis Hamim*

Women in Indonesia are generally given gender equity under the law. The Constitution guarantees equal rights for men and women. Indonesia has also ratified several UN conventions that guarantee equal rights for women, including the ratification in 1952 of the UN Convention on Political Rights of Women, and in 1984 ratification of the Convention for the Elimination of Discrimination against Women (CEDAW) (ESCAP, 1998: 3). In spite of this, however, gender equality has not yet been completely realized. Much of the available research and studies reveal that Indonesian women have been left behind compared to men socially, politically and economically, as Table 20, below, illustrates.

Table 20: Indicators of Socio-Economic and Political Development (1993-1998)

	Life expect tancy at birth		Adult literacy rate (%)		Share of earned income		Professional and technical workers		Administrators and managers		Seat in Parliament	
	F	M	F	M	F	M	F	M	F	M	F	M
1993	64.8	61.3	76.9	89.1	31.9	68.1	40.8	59.2	6.6	94.4	12.2	87.8
1994	65.3	61.8	77.1	89.4	32.9	67.1	40.8	59.2	6.6	94.4	12.6	87.4
1995	65.8	62.2	78.0	89.6	33.1	67.0	40.8	59.2	6.6	94.4	11.4	88.6
1997	67.0	63.3	79.5	90.6	33.77	66.33	40.8	59.2	6.6	94.4	11.4	88.6
1998	67.5	63.7	80.5	91.1	33.55	66.45	44.3	55.97	34.9	65.1	8.0	92.0

Source: UNDP, 2001

Education

Indonesia has given priority in the past couple of decades to the education of the population. In 1974, the government embarked on a program to make primary school more accessible by building thousands of new schools and training new teachers throughout the country. In 1984 it launched a program of compulsory basic education, eliminating fees for primary school. These programs have gone a long way towards increasing the educational attainment and literacy of the population (ESCAP, 1998: 13). However, data still indicate that female participation in schools tends to be lower than male. Although at the elementary school level Indonesia is coming closer to gender parity, this is not the case for secondary and higher education. The higher the education level, the higher the gap between female and male participation. For instance, in elementary school girls comprise 49.18% of students, while at the tertiary level women constitute 33.28% (Azkiyah, 2002).

Table 21: Percentage of Female & Male Participation In Education 1980-1990

	PRIMARY SCHOOL		JUNIOR HIGH SCHOOL		SENIOR HIGH SCHOOL		UNIVERSITY	
	F	M	F	M	F	M	F	M
1980	49.12	50.88	45.73	54.27	38.32	61.68	6.34	93.66
1981	49.09	50.91	45.83	54.17	38.66	61.34	29.97	70.03
1982	49.09	50.91	45.95	54.05	38.92	61.08	30.53	69.47
1983	49.06	50.94	46.07	53.93	39.13	60.87	31.05	68.95
1984	49.03	50.97	46.13	53.87	39.41	60.59	31.21	68.79
1985	49.00	51.00	46.24	53.76	39.61	60.39	31.68	68.32
1986	48.59	51.41	47.01	52.99	44.33	55.67	36.66	63.34
1987	48.82	51.18	46.52	53.48	44.98	55.02	39.57	60.43
1989	48.51	51.49	47.64	52.36	45.75	54.25	40.51	59.49
1990	49.05	50.95	47.18	52.82	45.36	54.64	40.02	59.98

Adapted from Bappenas 1997 statistics as cited in Azkeiyah, 2002.

There are many reasons for this gender disparity in education. Some studies have revealed that families which can not afford to send all of their children to school tend to prioritize education of boys (ESCAP, 1998: 24). Secondary schools are also primarily located in urban areas, requiring rural children to travel long distances to attend. This serves as a deterrent to girls, as families are more likely to send girls to school if the schools are closer to home (ESCAP, 1998: 22).

Early marriage also interrupts girls' education. The 1974 Marriage Law raised the minimum age for a girl to marry to 16. However, younger marriage is possible with consent of the court. Although the trend for early marriages is declining, it is not uncommon today. In a 1994 demographic and health survey, 56% of ever-married women over 10 reported being married before age 19 (ESCAP, 1998: 39). Once married, girls are no longer regarded as children, regardless of their age. The Marriage Law classifies them legally as adults, even if they are still under 18 years old. The law states "both parents have a responsibility to provide the best support and education for their children until the child is married or is able to become an independent person" (Article 45).

Even though there is no prohibition for married children to attend school, it is only in rare cases that married girls continue their education. It is not clear if this is a restriction imposed by schools or by custom. Law No.2/1989 on the national education system does not address this issue directly. This law states "every citizen has an equal right to receive education" (Article 5). Article 7 states that "the acceptance of a person as a student in an educational unit should be held [sic] without discrimination against sex, religion, ethnicity, race, social status and level of economic power, taking into consideration the specific characteristics of any special education unit". The law does not address marital status. Therefore, this may be read to mean that there is no obligation for a school to accept married children as students. See section IV D Cultural Traditions, for more information about early marriage and its impact on girls' vulnerability to trafficking.

Employment

Indonesian law provides *de jure* protection for women against discrimination in the workplace. According to the law, women are protected from discrimination on the basis of gender, are to receive equal pay for equal work, cannot be terminated due to marriage or child birth,¹ are to be precluded from doing dangerous work, and must be granted extended leave for maternity. However, some of these special protections may actually result in discrimination in hiring practices, as employers may prefer not to hire married women to avoid lengthy absences due to maternity leave (ESCAP, 1998: 47).

Although women's participation in the workforce is lower than men's, it has been steadily increasing. In last three decades women's labor force participation rate has increased significantly from 33% of the workforce in 1980 to 39% in 1990 and 43.5% in 1999 (Sulaeman, 1997; ESCAP, 1998: 48). Although rising, women's participation in the workforce is still significantly lower than men's.

In addition, women tend to be employed within informal labor sectors. In the 1990 census, 68.5% of women categorized as employed were in the informal labor market which includes the self-employed and unpaid family workers. Men were also highly represented in the informal sector; however, men were mostly self-employed (49.4% men, 33% women) while 35.5 % of women were in unpaid employment, compared to 11.3% of men (ESCAP, 1998: 55-56).

Women's work in the informal and unregulated sectors of the labor market includes domestic workers, street vendors and workers in home-based industries. According to the 1990 census, 34% of urban female employment was as traders in markets and street stalls, a sector requiring few skills and low capital (ESCAP, 1998: 53). Murray also found in her 1984 research in Manggarai, Jakarta, that about 30% of female workers were street vendors, 30% were employed in non-permanent production jobs, 25% as domestic workers, and only 15% (mostly young women) worked in the formal sector (Murray, 1994: 2). Hartiningsih also reported that home-based work in East Java is dominated by women, as such work can be done at home, does not require any special skills or education and has no age limits (2000: 213).

In these informal sectors, women lack labor protections. Women tend to be employed on a temporary basis without contracts, protections or benefits (ESCAP, 1998: 57). Often their employment is seasonal and their income irregular. Women workers disproportionately receive neither social benefits nor a share of company profits (Hartiningsih, 2000: 213)

Although women's participation in the workforce is increasing, inequality continues in the wages women and men earn. On average women earn 50-70% of men's earnings. This gap decreases with higher educational attainment, with uneducated males earning double their female counterparts while amongst the university-educated, men earn 32% more than women (ESCAP, 1998: 58).

¹ It is interesting that the labor law protects women from termination due to pregnancy, yet women migrant workers in Malaysia are required to sign contracts which allow the employer to terminate the contract if the employee becomes pregnant (Jones, 2001: 74).

There may be various causes for women's lower salaries. Men have been in the workforce longer than women, and their educational attainment is higher on average, thus resulting in higher wages. The discrepancy may also result from discrimination in family allowances and benefits (ESCAP, 1998: 58). Because men are categorized as heads of household, married women workers are not entitled to the family allowances that their married male colleagues receive (Sulaeman, 1997). Ministry of Mining regulation No. 2/P/M/P/1971 and Ministry of Labor circular letter No. 7, year 1990, on the classification of the components of wage and non-wage incomes, state that all married women shall be classified as single and all allowances earned should be for herself alone and not for her family. Although a married woman could change her status if she becomes a widow or her husband becomes unable to work (Sulaeman, 1997), many women may be hesitant to do this because of shame or embarrassment.

Property and Resources

The gender division of labor has an impact on women's access to and control of resources and property. Resources are allocated based on men and women's culturally-prescribed roles in the household. For example, within some communities, according to tradition, women are not allowed to own land, and access to the land to plant food is determined by her male relatives or husband (Hamim, 1999). It should be noted, however, that there is no national law prohibiting women's rights to own land, and in many communities, women not only own land, but also inherit land from their families.

Women have a more difficult time obtaining access to credit than men. According to the ESCAP survey of women in Indonesia, women make up 20-30% of borrowers from government credit programs, 55-60% from non-banking financial institutions, and 80% from pawnshops. It is difficult for a woman to get credit from a bank because banks usually require collateral, and title to property accepted as collateral, such as land, is generally held in men's names as heads of household (ESCAP, 1998: 59-60). Additionally a married woman cannot have her own Tax Payers Number (NPWP), but is included in her husband's, as the head of family ('Lelaki Rendah,' 2002). Although women have a more difficult time obtaining loans through financial institutions, there are a number of micro-credit programs run by the government available to women.

Inheritance Laws

Indonesia has three inheritance law systems which are optionally binding, namely those regulated by Customary law, Indonesian Private Law (KUH Perdata) and the Islamic Law Compilation. Customary law (*adat*) comes from the traditions of the local community, which are often unwritten, and vary in their treatment of women's inheritance. Indonesian Private Law is known also as Dutch Law, because it was originally issued by the Dutch colonial government. Essentially, the law provides to male and female heirs equal portions of the inheritance. Article 852 of the law states that, "children or any of their descendants, even though they are born in different marriages, inherit from their parents, their grandfather,

their grandmother or from all their ascendants upwards in a straight line, without any differences between male or female and without any differences based on the order of births.”

The Islamic Law Compilation is formulated based on Islamic *shari'ah*. Although the distribution system is complicated, the basic tenant of Islamic Law Compilation applies a principle of 2:1 for male and female descendants of the same level of relationship with the deceased. For example, Article 176 of the Compilation states that, “if one daughter is along with one son (of the deceased), then the son’s portion is twice as much as the daughter’s” (Pustaka Tinta Mas, 1994: 133)

There are various reasons articulated for this principle. One of the most popular is the traditional role of men as the breadwinner for the family. When criticized as to issues of gender equality, one Islamic scholar argues that

...equality should not be interpreted narrowly by assuming to distribute the same portion in number, since justice is to give [the inheritance] to anyone who is entitled to it. Justice means also placing a thing within the right place proportionally. The difference in the correct portion in the Islamic inheritance system between sons and daughters results from consideration of the different burden of each of their life roles both within the family and society. Within the family, a husband, who is burdened with being a breadwinner, is given more portion than the wife, who, according to the law, has no such burden. Thus, according to Islamic law it is quite proportional if a son earns a greater portion of the inheritance than a daughter (‘Hukum Waris,’ 2002).²

Although Indonesians may choose which legal system to follow, the government has encouraged people to comply with their religious-based inheritance systems. In this respect, Muslims are encouraged to deal with their inheritance issues according to the Islamic Law Compilation. Any disputes on these issues are resolved in Islamic courts.

Regardless of the inheritance system used, however, wives and daughters are not left without resources upon the death of their husband or father. Under the main systems of inheritance used in Indonesia, women receive a share of inheritance, even if not an equal share. It is also worth mentioning that in some Indonesian regional cultures, such as the Minangkabau of West Sumatra, women may receive more inheritance than men. The Minangkabau are a matrilineal society, and all ancestral lands and property are passed down through the women of the family. Men may also receive a share of inheritance, but only of property earned by their parents (Williams, 1998: 4-8).

Divorce

The vulnerability of women becomes higher during a divorce, especially for those who have children and those who are still girls themselves, having been married while underage. The Marriage Law and its associated regulations allow men and women to divorce for the same reasons (Berninghausen & Kerstan, 1991: 108). However, it puts the divorced women in a

²This argument is typically articulated by proponents of the Islamic inheritance system.

disadvantaged position in terms of support from her husband after divorce. If a husband divorces his wife, the wife is entitled to get an allowance of up to one third of the husband's salary, unless the husband requests the divorce because his wife committed adultery. This allowance is not given if the wife initiates the divorce against her husband, regardless of her reasons (Katjasungkana, n.d.).

Rifka Annisa, a women's crisis center in Yogyakarta, found that in 1998 the number of lawsuits for divorce initiated by women were higher than those which were initiated by men. Many of these women are victims of domestic violence, subject to frequent violence and threats of violence by their husbands ('Kekerasan,' 1998). If a woman initiates a divorce because of domestic violence, she is still not eligible for alimony from her husband.

Agricultural Reform

The gender gap has also been exacerbated by government development policies. LBH APIK Jakarta, a women's NGO that is actively involved in gender policy studies, stated that the industrialization of agriculture policy in rural areas, called the 'Green Revolution,' in the late 1970's and 1980's led to further economic marginalization of women. Most rural women who traditionally took significant roles within family-based agricultural practices were pushed out of farming when modern equipment was introduced, as these devices were associated with male roles (LBH-APIK).

Fakih has also demonstrated that the 'Green Revolution,' though having a positive impact Indonesia's rice output, had negative economic consequences. It increased poverty and led to increased migration from rural areas to urban areas. A study by Hüsken in 1987, using available census data from 1961, 1971 and 1980, confirmed these findings. In 1963 about 73% of families in rural areas owned more than 0.1 acre of land. In 1983 this decreased dramatically to only 57% of families, demonstrating a dramatic increase of landless farmers within 20 years (Fakih, 2002).

The uprooting of many women from their traditional agricultural roles in village life was not compensated by providing them with sufficient skills for working in industrial sectors, for which most of the jobs were situated in cities. As a consequence, many women migrated to the cities or abroad with few skills and there found few work options available to them. Usually those jobs available for unskilled women were working in informal sectors such as domestic work (LBH-APIK).

Regional Autonomy

Following the fall of the New Order regime in 1998, new policies were implemented to correct previous failings. One of the most important reforms was to decentralize the country's governance in what is called the regional autonomy policy. The policy was regarded as an opportunity not only to provide more space for provinces to govern themselves autonomously, but also to give recognition to local norms and cultures.

In the last five years, some provinces and districts have been actively formulating traditional customs into new local regulations. In some cases these new regulations have discriminated against women. For example, Nursyahbani Katjasungkana, a prominent woman activist, has reported that there is a regional regulation (*rapenda*) on the prohibition and suppression against adultery which stipulates that a woman is prohibited from leaving her home at night without the escort of a male relative ('Otonomi Daerah Bisa Merugikan,' 2001).

There are also local regulations in Jakarta and Kendal districts, which stipulate that only the head of the family is eligible to be appointed as the Village Council Representative ('Otonomi Daerah dan Rentannya,' 2001). Because only men can be designated as heads of households, under the 1974 Marriage Law, this regional regulation would prevent women holding positions as Village Council Representatives.

How Gender Biased Policies Increase Vulnerability to Trafficking

As the above examples demonstrate, there are still many Indonesian laws and policies which are gender biased. Both the laws and the policies are reflections of cultural roles and expectations of women and men. The gender biased laws and policies have real consequences in making Indonesian women and girls more vulnerable to trafficking and economic and sexual exploitation.

Hindrances to women's access to education, discriminatory access to property and to employment opportunities, and reduced rural employment resulting from agricultural reforms, all result in women having fewer opportunities to earn a living. Divorce initiated by a woman or a girl can also leave her with no financial assets. With no education and few skills, no access to property or credit, women must find alternative ways to earn a living. These opportunities are often in the unskilled labor market, such as domestic work, low-skilled work in factories, or through sex work – all sectors that generally require rural women to migrate to cities. As women migrate to other areas and across borders in search of better opportunities to earn a living and support their families, they become vulnerable to trafficking networks. For more information please see sections III A, Migrant Workers, III B, Domestic Workers, and III C, Commercial Sex Work.

F. THE IMPACT OF CORRUPTION ON TRAFFICKING

By Anis Hamim

Indonesia is classified as one of most corrupt countries in the world. According to Transparency International's Corruption Perceptions Index 2002, Indonesia ranks 96 of 102 countries, or in other words, the seventh most corrupt country in the world (Transparency International, 2002). When the UN Investigator on Judiciary Independence came to Indonesia, he stated midway through his mission that the situation was worse than he had expected; that it was extremely corrupt; and that there was no real justice in the country (Uchida, 2002b).

These studies have found that corruption in Indonesia has a broad impact on most aspects of Indonesian governance and people's everyday lives. Corruption in Indonesia involves almost all institutions in the country, including the executive, legislative and judicial branches of government. Corruption occurs within all levels of government, from the highest levels, including the presidential office, to the lowest government levels, such as the sub-district and village apparatus. As a result of corruption, many accepted regulations are not implemented as intended, and many state-run institutions and public services are not working efficiently. The practice of bribery between bureaucrats and society has become normalized and is an expected part of ordinary life, making corruption very difficult to combat ('Hand in Hand,' 2000).

As corruption has become normal part of daily life in Indonesia, so it plays an integral part in facilitating the trafficking of women and children in Indonesia, as well as in preventing the investigation and prosecution of trafficking cases. The following section will illustrate in more detail, the role and impact of corruption in trafficking.

Illegal Fees and Falsification of Documents

Studies have shown that migrant workers are often required to pay numerous illegal fees to government authorities in order to obtain the documents necessary to migrate. One study showed that in Jakarta a passport can cost three times the official fee even under normal circumstances ('Pungli Paspor,' 1996). Recruiters have stated that they pay illegal fees to immigration, police, and army personnel at Malaysian border crossings every time they bring a vehicle across with women and girls going to work illegally in Malaysia (Jones, 2000: 50-51).

In addition to the payment of 'normal' illegal fees, bribing public officials in order to get them to cooperate in falsifying information on official documents such as ID cards, birth certificates and passports is not uncommon. Salma Safitri, Director of Solidaritas Perempuan Jakarta, states that they have found numerous cases of under-age girls, very often 15 – 17 years old, who were recruited as migrant workers. Indonesian law does not allow citizens under the age of 18 to travel abroad on work visas. Many destination countries also restrict work visas to people over 18 or even over 25. In order to send these underage girls overseas, agents falsify their identity cards in cooperation with both the village head and the sub-district head (Interview, 2002). This information is corroborated by many NGOs in different

regions of Indonesia (Project field assessments), as well as by the national press. According to official procedures, to get a passport requires not only an identity card, but also a birth certificate and an interview, during which the applicant should explain the reason for his or her travel abroad. However, news accounts report that anyone with an identity card can purchase a passport by paying IDR2.5 million (about US\$250), even though the official charge for a passport is only IDR115,000 (about US\$12). The money is taken by the agent and shared with the immigration officers and other government officials with whom the agent cooperated ('Manakala Oknum,' 2002).

The impact of this on women and child migrant workers must be examined in light of both their young age and inexperience, and their illegal migration status. It is usually young rural women who are recruited for these positions. According to NGOs who support them, they are generally not psychologically prepared to handle the independence required of working overseas. They do not know how to care for themselves in case of emergency, are not used to large cities, and are often too timid to seek assistance of strangers in a foreign land. Regardless of their age and inexperience, those who migrate on falsified documents fear that their illegal status will get them in further trouble with authorities or may cause them to be deported. Traffickers use this fear of deportation or arrest to keep the women and girls in conditions of exploitation (Project field assessments).

Legal Process

Corruption within judicial bodies is also well documented. The police, the attorney general and the courts have served as what Indonesian Corruption Watch (ICW), a prominent national NGO advocating against corruption in Indonesia, has called the 'judicial mafia'. Research conducted by ICW indicates that judicial corruption involves most, if not all, actors in the legal process. According to this report, corruption in criminal courts involves police, clerks, lawyers, prosecutors and judges, as well as officers in the penal institutions. In civil and commercial courts, corruption involves lawyers, clerks and judges (ICW, 2002).

The corrupt practices take various forms ranging from low-level corruption, such as asking for service payments from the case reporter, to high-level corruption, such as cooperation with police, attorneys or court officials to negotiate the criminal charges which will be applied against the suspect. The smaller the sentence, the higher the financial compensation proposed by the investigator (ICW, 2002:7)

In cases of trafficking in persons, there are several categories of corrupt practices in the investigation and prosecution processes which have been documented by NGOs working with victims:

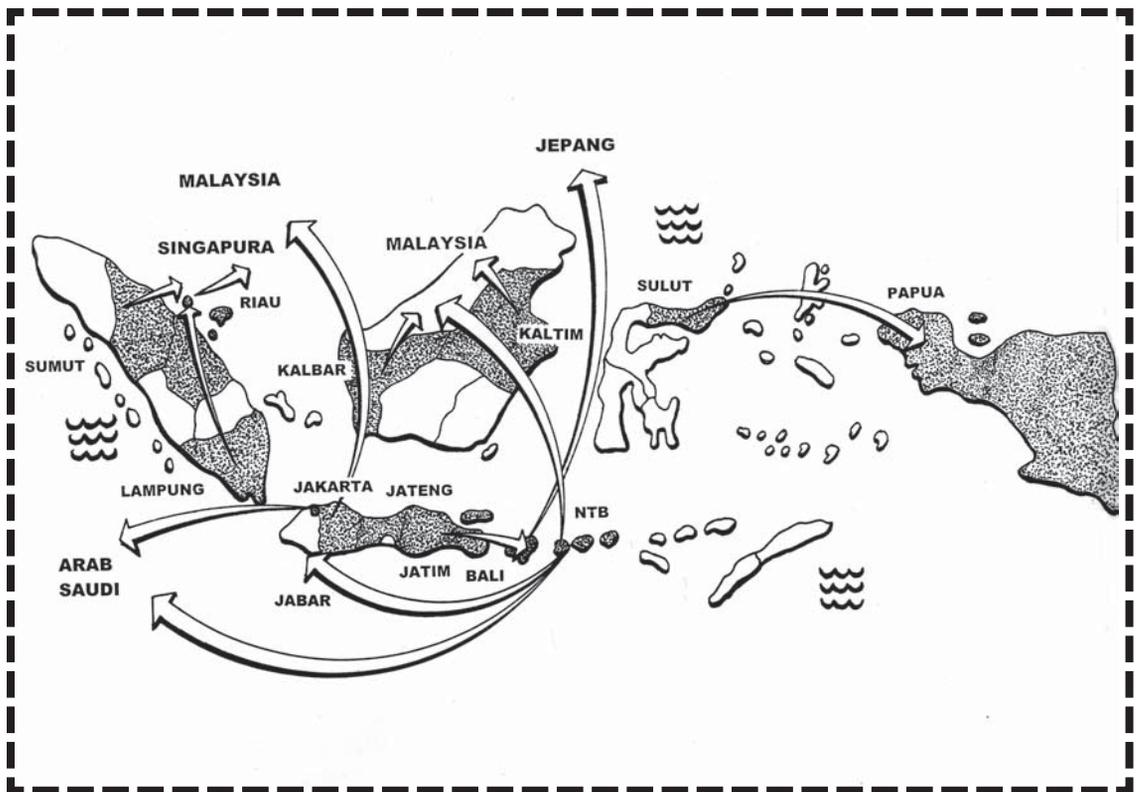
- **Reducing charges:** Prosecutors or judges have been known to change serious violations with high sanctions into lesser charges carrying lower sanctions. For instance, in a case of trafficking in women for sexual exploitation by means of deception and violence, conviction could lead up to six years imprisonment. By

changing the charge to deception, the maximum sanction imposed is only four years imprisonment.

- **Manipulating the investigation report:** NGOs report that in making the investigation report, information from witnesses is sometimes manipulated to reduce the charges against the suspect so that there would not be enough evidence to charge him with a higher offense.
- **Police charge fees in order to investigate criminal allegations:** Although police services are supposed to be free, in practice they are not. ICW reports that when a victim reports a crime to the police, the police may not investigate unless they are paid to do so (ICW, 2002). A Medan-based NGO, PKPA, which assists trafficking victims through the legal process, described how police responded to a case of trafficking reported to them. The case began when the parents in Medan Province learned that their daughter had been sent to a district in Riau Province and forced to work in a brothel. They reported their daughter's case to the sub-district police authority and requested them to rescue her and bring her home. The police not only did not respond appropriately, but even accused the parents of lying, and refused to follow up on the report. Having been refused, the parents brought the case to a higher level, the district police, who said they were willing to rescue the girl on condition that the parents pay IDR800,000 for transportation expenses (Interview 2002).
- **Bribing Judges to Ensure Outcomes:** There have been numerous police reports over the years of judges being bribed many millions of *rupiah* to ensure outcomes for the highest bidder (see 'Pemantau Peradilan' 2001; 'Terima Suap,' and 'Ketua Ikadin,' 2003 for a few examples). ICW also found examples of such corrupt practices during its research. The ICW reported that in many courts, the verdict imposed by the judge can be arranged for a fee by the defendant or his or her lawyer (ICW, 2002:11). In a state court in Medan, where some trafficking cases have been adjudicated, there is a practice known as an 'invisible trial'. In these cases, the trial is held at 08.00 in the morning when the court is still quiet. A verdict is imposed and the judge, prosecutor, clerk and lawyer directly sign the trial notes. The trial is held without an audience; at times the defendant does not even come to court because all matters have been decided in advance and delegated to the lawyer (ICW, 2002:11).

For the investigation and prosecution of trafficking cases, the legal system has to date been weak, slow and expensive. There is so little transparency that few victims trust the system to protect their interest. Criminals have the resources and connections to use the system to their advantage. As a result, many trafficking survivors are not interested in solving their problems through the legal process (Interview, 2002). As a consequence, few cases of trafficking have yet been resolved in the criminal courts. However, in some cases, NGOs have used the media to raise a public outcry to pressure the police to investigate cases and the legal system to prosecute them (Interview, 2002). Of those that have made it to the courts, sanctions against the perpetrators have been minimal. For more information see the provincial reviews, Section V, for a description of selected cases.

PROVINCIAL ASSESSMENT



Key:

JATENG = Central Java
JATIM = East Java
JABAR = West Java
JEPANG = Japan
KALBAR = West Kalimantan

KALTIM = East Kalimantan
NTB = West Nusa Tenggara
SINGAPURA = Singapore
SULUT = North Sulawesi
SUMUT = North Sumatra

V. PROVINCIAL ASSESSMENTS

A. BALI

By *Fatimana Agustinanto*

Bali is a small island, only 100 miles from north to south, and 175 miles from West to East . Bali's population of 3.15 million people is comprised mainly of ethnic Balinese (88.6 %). The second largest ethnic group is from Java (6.8%), with approximately equal numbers of Baliaga, Madurese, Malay, Sasak and Chinese (less than 1% each), amongst others (BPS, 2000b). In 2000 the population density was 559 people per square kilometer (BPS, 2000g). The population is split nearly 50% between urban and rural communities. Approximately 15% of the total population are migrants from other provinces of Indonesia. In Denpasar, the capital city, almost half the population are migrants (BPS, 2000b). Bali has the largest Hindu population in Indonesia with 93.18% of the population. The remaining population consists of Muslims (5.22%), Protestants (0.58%), Roman Catholics (0.47%) and Buddhists (0.55%) (Indonesian Embassy – Canada, 1996).

The main contributors to Bali's economy are tourism and agriculture. Agriculture products include coconut, clove, coffee, rubber, vanilla and fruits and forestry products, such as *cayuput* oil, rattan and incense (Indonesian Embassy – Canada, 1996).

Compared to Indonesia as a whole, Bali ranks well in development and gender indices, as demonstrated in Table 22. Although the education and income of the province is equal to the average of Indonesia as a whole, access to health care and clean water is much higher than average.

Table 22: Development and Gender Indicators - 1999

Index	Bali	Indonesia
Literacy (Female)	75.4	84.1
Literacy (Male)	90.2	92.9
Mean Years of Schooling (Female)	5.9	6.1
Mean Years of Schooling (Male)	7.7	7.3
Per Capita Expenditure (1,000 IDR)	587.9	578.8
Population without access to safe water (1998)	34.2%	51.9%
Population without access to healthcare (1998)	14.9%	21.6%

Source: UNDP/BPS, 2001: 78, 80, 82

Forms of Trafficking

Bali appears to be a receiving area for domestic trafficking, a sending area for international trafficking, and a transit area for both. Although trafficking into and out of Bali appears to be primarily for the sex industry, for other forms of labor exploitation Bali may act as a transit area, with people from other parts of Indonesia coming to Bali to find a job and being recruited by traffickers to other cities or abroad.

Commercial Sex Work – Domestic

Commercial sex work seems to be the main purpose for both domestic and international trafficking into and out of Bali. Women come primarily from East Java to Bali. Sometimes these women are promised work in a factory or hotel, and then are forced to work as commercial sex workers. Other women come to Bali with few resources and a family to support back home. Upon arrival at the port, they are met by taxi drivers and agents who claim to know where they can get a good job and then deliver them to a brothel instead. The women may feel afraid in an unknown place, believe that they have no alternative ways to earn money, and are unable or unwilling return home.

Commercial Sex Work – International

Bali has an official art and cultural exchange program called *Impesariat*. This program facilitates the travel of Balinese cultural groups to other countries. Many recent reports indicate that traffickers are using this program as a way to bring women from Indonesia to Japan for work in the commercial sex industry. Women are recruited as dancers, and promised that they will work performing traditional Balinese dances in Japanese clubs. Women generally do not work as cultural dancers in Japan but rather at nightspots where their tasks range from serving food, dancing, sitting with guests to having sex with clients (Kurniawan & Santosa, 2002). According to one NGO source in Japan, they know of no cases where these women have in fact been working as traditional Indonesian dancers in Japan (Interview, 2002).

The women typically enter Japan on tourist visas that do not entitle them to work legally in the country (Kurniawan & Santosa, 2002), or on short-term work visas which they may overstay. Given their illegal status they are very vulnerable to abuse while in Japan. Women's experiences in Japan varied a great deal from case to case. In some instances women were subjected to sexual harassment and even violence, as in the case of two Balinese women who upon return from Japan filed a complaint against the company that had deployed them, claiming that they had been deceived and had been sexually harassed at the nightspot at which they had been forced to work (Jakarta Post, 2002). In other instances the girls reported being well paid and decently treated and that sexual intercourse with clients was actually discouraged by their employer (Kurniawan & Santosa, 2002).

Sexual Exploitation of Children

There have been numerous media reports in the past year about an increasing number of cases of the sexual abuse of children by foreign men coming to Bali specifically to befriend and recruit young boys and girls from the rural villages. Some newspapers and NGOs have reported that children are taken from rural villages to the larger towns of Bali and in some cases to Europe. The Balinese NGO Yayasan Anak Kita Foundation, between 1992 and 2002, documented 13 suspected pedophiles openly operating in Bali and at least 60 victims between the ages of five and thirteen years (Damayanti & Nusantara, 2002a). Similarly, another source from a clinic in Bali reported treating at least 21 children between the ages of 12 and 13 years who had been sexually abused (Juniartha, 2002). Although there have been numerous reports about pedophilia there have been no arrests by the police. According to local NGOs, one of main impediments is that children and their parents are reluctant to file reports, and there is no other evidence which could be used, such as bodily fluids or injuries (Project field assessments, 2002).

Trafficking of children for sexual work in Bali has been reported primarily in two areas, Karangasem and Singaraja, some of the poorest areas of Bali. Pedophiles come to the villages claiming to be conducting humanitarian assistance activities (both individual and institutional) to help families and the local government to reduce poverty. Families begin to trust them, appreciate the presents they give the children, and let the children spend more and more time with them. This can become trafficking of children in cases where families let their children go with the men to cities in Bali (such as Ubud and Denpasar) or even abroad, promising to pay for the child's education (Project field assessments, 2002).

According to a number of sources the majority of pedophiles are foreign men (Juniartha, 2002). Australia, Germany, Canada, Netherlands, Italy and France are among the countries of origin named for pedophiles in Indonesia. However, Indonesian men are also involved and guilty of pedophilia (Irwanto et. al., 2001: 62), and it is important that equal attention be paid to instances of Indonesians sexually violating children. For more information on pedophilia in Indonesia see section III C, Commercial Sex Work.

Begging and Drugs Dealing

NGOs also report cases of children being recruited for begging and drugs dealing. There are several methods that are reportedly used by traffickers to push children into dealing drugs. Some children are influenced by their friends to use drugs. Traffickers encourage their drug use until they become addicted. Once addicted, they become dependent on the traffickers and sell drugs for them. In other cases, the traffickers will pay for the children's living costs and train them to sell drugs.

Trafficking and Migration Routes

Transportation into and out of Bali is facilitated by an international airport, as well as by passenger ships.

International Airport: Ngurah Rai airport is located at Denpasar. This airport has flights to and from locations throughout Indonesia, as well as international flights to and from Singapore, East Timor, Japan, Australia, England, Russia and Holland.

Gilimanuk harbor is located in Jembrana district in the western part of Bali. This harbor is the main port in Bali for passenger ferries from Java.

Padang Bay harbor is located in eastern Bali (in Karangasem district). Ferries from West Nusa Tenggara bring people to Bali through this harbor.

Bali has a bus terminal, Ubung, for travel to and from Java and West Nusa Tenggara. This terminal is located in Denpasar (in Badung district).

Purpose	From	To
Commerical Sex Work – Domestic	Banyuwangi and Jember districts, East Java	Denpasar, Sanur and Nusa Dua
Pedophilia and begging Child Drug Dealers	Singaraja, Karangasem, Buleleng, Bangli, Ubud, Seminyak, Kuta	Denpasar, Kuta, Legian, Gianyar and Tuban, Europe
Commerical Sex Work – International	Sanur Many districts of Bali	Denpasar, Kuta and Legian Japan

Transit: For other forms of labor exploitation victims come from poor districts in East Java such as Banyuwangi and Jember, as well as from West Nusa Tenggara (NTB), and transit through Bali on their way to Batam, in Riau province, Malaysia, Hong Kong and Taiwan.

My name is Luh Putu Weni. I am 16 years old now. I am the eldest child from a very poor family. I decided to quit school and find a job so that my younger brother and sister could go to school. I thought I was very lucky because just when I thought I would not be able to find a job, someone came to our house looking for a maid. I don't know how that person knew my house. Pak Chandra was very nice and willing to help us out of our economic difficulties. He promised to pay for my school fees all the way through senior high school.

My parents and I agreed that I would go with Pak Chandra and stay with him. He explained how to take care of his house. I continued going to school and graduated from junior high. When I entered senior high school Pak Chandra started to force me to sell drugs. I was very scared and could not refuse him. He trained me how to do it like an expert. As long as I cooperated he would protect me but he would kill me if I ran away. I continued going to school and tried to get away but I always failed. It was very stressful and eventually I started using the drugs myself. Once I ran from school and went to Jakarta for almost two weeks before Pak Chandra's bodyguard caught up with me. He and his friend threatened to rape me and kill me the next time I tried to escape. In the end I just gave up and faced whatever came my way. Now I am a drug dealer working for Pak Chandra and his gang. I am also a drug addict myself.

(Adapted from Gerakan Anti Narkoba Bali – Reconstructed by Yayasan Anak Kita Bali) (Irwanto, et.al., 2001: 76).

B. CENTRAL JAVA

By Wabyuningrum and Farida Mabri

Central Java is a large province on the island of Java covering 34,206 sq. km. It is bordered by the Java Sea in the north, the Indian Ocean and the province of Yogyakarta in the south, the province of West Java in the west, and the province of East Java in the east. The province of Central Java is divided into 29 regencies, 6 municipalities and 3 administrative towns, with Semarang as its capital city. The total population of Central Java in 1994 was 29,674,076 people. In 2000 it had a population density of 959 people per sq. km. (BPS, 2000g). It is comprised mainly of ethnic Javanese. The population of Central Java is 97% Muslim. The remaining population is Protestant (1.60), Catholic (0.20%), Hindu (0.40%), Buddhist (0.10%), and others (Deppen, 1992: 55-72).

Compared to Indonesia as a whole, Central Java does not rank well in development and gender indices, as demonstrated in Table 23. Although the per capita expenditure in the province is slightly higher than the average of Indonesia as a whole, the education and literacy rates are well below average and access to health care and clean water is only slightly better than average.

Table 23: Development and Gender Indicators - 1999

Index	Central Java	Indonesia
Literacy (Female)	78.4	84.1
Literacy (Male)	91.4	92.9
Mean Years of Schooling (Female)	5.4	6.1
Mean Years of Schooling (Male)	6.7	7.3
Per Capita Expenditure (1,000 IDR)	583.8	578.8
Population without access to safe water (1998)	47.8%	51.9%
Population without access to healthcare (1998)	17.1%	21.6%

Source: UNDP/BPS, 2001: 78, 80, 82

Forms of Trafficking

Central Java is primarily a sending area for domestic and international trafficking, but in some of the larger urban centers, it may also be a transit and receiving area. International trafficking in women and children from Central Java is reported for purposes of sex work and domestic servitude.

Domestic trafficking is primarily for the purpose of domestic work, factory work, begging, child labor and prostitution. For example, the Setara Foundation (SF) reported that in 1999, ten girl children from Central Java were sold by an agent to a brothel on the island of Batam for the purpose of child prostitution. In 2001, SF handled a case of child trafficking from

Brebes, Central Java to Medan, North Sumatra also for child prostitution. A report from the Perisai Foundation in Central Java indicates that two brokers trafficked six girl children from Central Java to Jakarta and Surabaya for child prostitution. The report also states that in July 2002, young women from Purbalingga, Central Java were trafficked by an illegal agent to West Kalimantan for prostitution.

Trafficking and Migration Routes

Domestic: According to NGO and media reports, women and children victims of trafficking come from many parts of Central Java including Wedhoru (Purwodadi), the north coastal areas, Solo, Wonosobo, Purbalingga, Klaten, Brebes, Banyumas, Cilacap, Ambarawa, Jepara, Pati, Wonogiri, Grobogan, Sragen, Pekalongan and Semarang. These are high sending areas for migrant workers.

Victims are usually sent to Jakarta, Surabaya, West Kalimantan, Batam, or Medan in North Sumatra. They mainly become beggars, factory workers, and domestic workers or are forced into commercial sex work. Many of the young women transit through Jakarta, ending up in other parts of Indonesia such as Medan or Batam.

International trafficking: Saudi Arabia, Singapore, Malaysia and Taiwan are the primary destination countries of trafficked women and children from Central Java. Women and children go to these countries to earn money as migrant domestic workers. Many of these women and children end up being trafficked into sex work or into domestic servitude or forced labor, primarily as housemaids, but there are also reports that they are sometimes trafficked into plantation or factory work.

After the agents recruit a migrant worker, they take them to a branch office in Semarang, Klaten, Cilacap or Solo to process their travel documents. Many NGOs in Central Java have indicated that Cilacap is the main center for processing of false documents for illegal migrants or trafficking victims in Central Java. Sometimes the migrant workers are taken to Jakarta, Pontianak in West Kalimantan, or Batam in Riau to process their documents. NGOs in Central Java have reported that women and children from Central Java recruited to work in Malaysia often transit through Pontianak, West Kalimantan, to process and produce fake passports and other forged travel documents before crossing the border into Malaysia by land from West Kalimantan.

Airports: Major airports in Central Java include international airports in Solo and Semarang. Many villages in Central Java are also a short trip to the international airport in Yogyakarta.

Seaports: Semarang is the main port on the central coast of Java. Boats from the port, including commercial and transport vessels, travel to and from the Kalimantan ports of Sampit, Kumai, Banjarmasin, and Pontianak. Other boats travel to and from Banyuwangi and South Sulawesi (Makassar). Other ports in Central Java include, Kalipucang, Cilacap, and Jepara.

Trains/Buses: As with the other provinces in Java, Central Java may also be accessed through various train and bus services, traveling within Central Java and throughout Java and Bali. The main train line on Java is Jakarta—Yogyakarta—Surabaya. Solo and Semarang in Central Java are stops on this main train line.

Yamina (not her real name) is a 17-year old girl from Blora, Central Java. She was promised employment as a waitress in a fancy restaurant in Kalimantan. Heri, a stranger, presented himself as an employment agent. He said she would earn RP 350,000 per month (approximately US\$35). Convinced by the many success stories Heri told her, Yamina agreed to meet him in Kedongdoro. From there they proceeded to Surabaya by bus. Heri took her to the house of his relative. It was a big house and Yamina met many other girls her age waiting to depart for Kalimantan. Yamina was taken to Nunukan, East Kalimantan. There she spent a night in a small house while Heri arranged all her travel documents. Yamina had not brought her identity card as there had been little time to prepare for her trip in Blora.

Eventually, Yamina was taken the short distance to Tawao, Malaysia. There she and some other girls were taken to a house owned by Sri (a Malaysian national, originally from Indonesia). Sri turned out to be a *mama ayam* (brothel manager, madame). Yamina was told that Sri had bought her from Heri for MR2,000 (Malaysian *ringgit*) (US\$525). Sri made her wear sexy clothes and provide sexual services to customers of a local hotel. Yamina was shocked that she would not be working as a waitress as Heri had promised.

Sri would receive a phone call from a customer and escort Yamina to the customer's hotel. Sri would collect the payment and leave. A bodyguard would wait until Yamina was finished to escort her back to the house. She was never given any money for the work. Supposedly all the money went to paying her debt to Sri. After two months Yamina met Nasir who bought her from Sri for MR1,500 (US\$400). She continued working as a call girl, never receiving payment from her pimp. She was allowed to keep tips only, which she used to pay for her meals. Again after two months she was sold to another pimp. This one told her it would take no less than 10 months for her to pay of her debt to him.

After working for a month Yamina was rescued by officials from the Indonesian Consulate. She and other trafficking victims stayed in the Consulate's holding center for a week before Yamina was taken home to Blora.

(Source: Interview, 2002 – Project Field Assessment)

C. DKI JAKARTA

By Ranggoaini Jahja

Jakarta is located 7 meters above sea level, with total land area of 664 square kilometers. Jakarta is the capital city of Indonesia. In addition to the city of Jakarta, the province also includes 110 widespread islands in the Bay of Jakarta, called Kepulauan Seribu. According to the provincial census in 2000, Jakarta's population was estimated at 13.6 million (Bappeda Jakarta, n.d). The province has the highest population density in the country, recorded in 2000 to be 12,635 people per square kilometer (BPS, 2000g).

The majority of Jakartans are Muslim (85.5%). The remaining population includes Protestants (5.20%), Roman Catholics (4.77%), Buddhists (3.56%) and Hindus (0.97%) (Indonesian Embassy - Canada, 1996). According to the Provincial Statistics Bureau 2002 census, in the third quarter of 2002, there were three sectors which contributed 68.56 % of Jakarta's economy –trading, hotels and restaurants (23.96%), manufacturing (21.42%) and financial sector and business services (23,18%) (BPS DKI, 2002).

Compared to Indonesia as a whole, Jakarta ranks well in development and gender indices, as demonstrated in Table 24. Per capita expenditures and access to education, health care, and clean water are much higher than the average.

Table 24: Development and Gender Indicators – 1999

Index	Jakarta	Indonesia
Literacy (Female)	96.8	84.1
Literacy (Male)	98.9	92.9
Mean Years of Schooling (Female)	9.0	6.1
Mean Years of Schooling (Male)	10.4	7.3
Per Capita Expenditure (1,000 IDR)	593.4	578.8
Population without access to safe water (1998)	40.2%	51.9%
Population without access to healthcare (1998)	2.0%	21.6%

Source: UNDP/BPS, 2001: 78, 80, 82

Forms of Trafficking

Jakarta is primarily a receiving and transit area for trafficking. There are many forms of trafficking found there. Domestic trafficking includes primarily trafficking of women and girls for sexual exploitation and as domestic workers. There are also cases reported of trafficking of children for begging and trafficking of women for illegal drugs trading. As a transit area for international trafficking, women and girls transit through Jakarta to work abroad as domestic workers, sex workers and in other forms of the entertainment industry, such as dancers.

Commercial Sex Work-Domestic

Women and girls are brought to Jakarta from many parts of Indonesia. To work in the sex industry in Jakarta, they come from all parts of Java, but especially from certain communities

in East and West Java, from North Sulawesi, South Sulawesi, and from Chinese communities throughout Indonesia (Moeliono & Anggal, 1996).

A number of studies of brothel areas in Jakarta have indicated a large percentage of women originate from West Java. In one study of the Kramat Tunggak brothel complex, more than half the population came from West Java (Sedyaningsih-Mamahit, 1999). See section V J, West Java, for more information about the phenomenon of trafficking in girls from West Java for the commercial sex work industry.

During 2002 and early 2003, the media reported that police succeeded in exposing syndicates of trafficking of women and adolescents in Jakarta. In December 2002, a local television program relayed the story of district police in Indramayu preventing four cases of trafficking from villages in Indramayu. The victims, aged 16-18, said that the traffickers offered them work as waitresses in restaurants and bars in Riau province. However, the investigation revealed that the traffickers planned to send the girls to Riau and Jakarta to work in the sex industry ('Derap Hukum,' 2002).

Commercial Sex Work-International

Media reports have been growing of girls being trafficked to Japan under the guise of traditional dancers then forced to work as commercial sex workers. Media reports have indicated that women from Bali and West Java have been sent by agencies in Jakarta or through Jakarta to Japan for work in the sex industry ('Pengiriman Artis,' 2002). See section III C, Commercial Sex Work, for more information about trafficking of Indonesian women to Japan in the guise of traditional dancers.

Domestic Work – International

Jakarta is the major transit point for Indonesian migrant workers. Many migrant worker recruiting companies are based in Jakarta, and many holding centers are located here. Migrant workers leave from the Jakarta international airport primarily for the Middle East. Others may pass through Jakarta on their way to other transit points to travel by passenger ships to Singapore, Malaysia, Hong Kong, or other destinations. See section III A, Migrant Workers, for more information about trafficking within the migrant worker system in Indonesia.

Child Domestic Workers

Jakarta is a receiving area for child domestic workers. There are varying reports about the number of children working as domestic workers, ranging from 23 to 55% of the total (Susilo & Soeparno, 1993:9; Adiningsih, 2002; YKAI, 2001:1; Blagbrough, 1995:15). One study estimated that 70,792 children (10-18 years old) worked as domestic workers in Jakarta in 1999 ('YKAI: PRT Harus,' 2002). Another study by Atmajaya University estimated a significantly higher number, stating there could be as many as 770,000 child domestic workers in Jakarta (Blagbrough, 1995:15). All of the studies indicate that the children are predominantly

girls (over 90%) and have low levels of education ('YKAI: PRT Harus,' 2002; Astuti et. al., 2000: 34; Susilo & Soeparno, 1993:8).

Domestic workers in Jakarta come primarily from other parts of Java. In most cases, family or friends recruit the children for jobs in the cities. Salaries may be paid to the parents, or held by the employer until the child returns home. Child domestic workers are subject to numerous abuses including long hours, limited time off, wages far below minimum wage, withholding of wages, restricted freedom of movement, physical and psychological abuse, and sexual harassment and rape (Interview 2002). For more information please see section III B, Domestic Workers.

Child Prostitution

The extent of child prostitution in Indonesia is not clear. However, there are indications that up to 30% of all sex workers may be under 18 years of age (Irwanto et. al., 2001: 30; Hull et al. 1998: 42; Hull et al. 1999: 70). In Jakarta, child sex workers may be found in public parks, on street corners, and in cafes and discotheques, as well as in brothels within the authorized red light districts (Irwanto, et. al., 1998). Girls may be deceived or tricked into sex work. However, there are also indications of parents from some parts of Java knowingly sending their daughters to Jakarta to work in the sex industry (Interviews, 2002).

One form of sex work unique to Jakarta is the sexual exploitation of young girls at food and drink stalls in North Jakarta. Girls are either deceived by recruiters or sold by their parents to work at these food stalls. The stall owners do not provide the girls a living wage. Therefore, in order to survive the girls are forced to engage in sexual conduct with the customers to earn additional income (Irwanto et. al., 2001). See section III C, Commercial Sex Work, for more information about the sex industry in Indonesia.

Drugs Trafficking

There are also some indications that women are forced to work as drugs traffickers, moving drugs into or out of Indonesia. A research team from the Women and Gender Studies Center of the University of Indonesia studied the cases of 11 women, aged 22-45, in Tangerang women's prison in Jakarta on drugs trafficking charges. Of these cases, there are 6 foreign women, from Thailand, Burma and Nigeria. Most of these women were recruited through personal relationships with the traffickers, who befriended or dated them prior to involving them in the drugs trade. Several of the women described circumstances and events which indicate that they may be victims of trafficking in persons, having been tricked or forced into carrying drugs into or out of Indonesia. All of the foreign women stated a lack of understanding of the criminal proceedings against them. Most did not receive interpretation during their trial and many signed documents they could not read. Six of the women studied have been sentenced to death for their involvement in drugs trafficking (Interview, 2003). See section III E, Other Forms of Trafficking, for more information about this study.

Dim (not her real name), a 45-year-old widow from Bangkok is awaiting execution in the Tangerang Women's Prison. She was caught bringing 400 grams of heroin into Indonesia. During the trial she was found guilty and received the death sentence.

Since her husband had divorced her 10 years earlier her life had not been easy. Every morning when her two children had set off for school, she would push her food trolley onto the corner of a busy street in Bangkok. As an informal vendor she often had to play hide and seek with the police. Some days nobody would buy and she had to go home empty-handed.

One day, Dina, a friend, came by with Omar, her Nigerian boyfriend. Dina asked her how the business was doing. Dim told her that she was having trouble making ends meet, and that she could only dream of having enough money one day to send her children to college. Dina offered her a good job with good pay. Dim was invited to Omar's house to discuss it. He treated her to a delicious meal with wine. Very soon she felt her body fly, like she was in heaven. All her problems flew away. When she was half conscious she found herself being locked up in a room. There she was forced to swallow 45 pills, each as big as your little finger. She was put on a plane to Indonesia and asked to go to a hotel to empty her bowels.

As a first time traveler to Indonesia she was not familiar with the Sukarno-Hatta airport. She desperately wanted to go to the toilet when she was pulled aside by airport security. A narcotic test confirmed that she was smuggling heroin into Indonesia.

At the trial she had great difficulty understanding what was happening, as she speaks neither English nor Indonesian. She was shocked to learn she had been sentenced to death.

Source: Interview 2003 with Women and Gender Studies Center, University of Indonesia

Trafficking and Migration Routes

Soekarno-Hatta Airport in Jakarta is the international gateway for direct and connecting flights to and from major locations throughout the world, and for domestic flights throughout Indonesia.

Jakarta's Tanjung Priok Harbor, directly north of the city center, services cargo ships as well as the national passenger service to most areas of the country.

Buses and trains also connect people in Jakarta to most other cities throughout Java and to Sumatra and Bali with ferry connections.

Purpose	From	To
Commercial Sex Work-Domestic	Indramayu, Karawang, and Cianjur in West Java, North Sulawesi, East Java, and Central Java	North Jakarta (Mangga Besar and Hayam Wuruk), and other locations throughout Jakarta
Commercial Sex Work-International	West Java, East Java, North Sulawesi	Via Jakarta to Japan, Malaysia, Singapore
Domestic Work - International	West Java, East Java, Central Java, NTB	Via Jakarta to Middle East, Hong Kong, Singapore, Malaysia
Child Domestic Workers	Central Java, West Java, East Java	Jakarta
Child Prostitution	West Java and East Java	Jakarta
Drugs Trafficking	Jakarta, Thailand, Burma, Nigeria	Jakarta

D. EAST JAVA

By Neha Misra and Farida Mabri

East Java is one of five provinces on the island of Java, and includes the island of Madura off its northwest coast. The province of East Java lies between Central Java and Bali. The north border of East Java is the Java Sea, while the south border is the Indian Ocean. The total area of the province is about 47,921 sq km. East Java is one of the most populated provinces in Indonesia. Based on 1999 statistical data, East Java's population is about 35 million. In 2000 it had a population density of 726 persons per sq. km. (BPS, 2000g). The majority of the population is concentrated in Surabaya, the provincial capital, which is second only to Jakarta in size and economic importance. Surabaya, which has over two million inhabitants, is the most populous city in East Java, followed by Malang and Jember. The Indonesian Navy uses Surabaya as its main base. East Java is comprised mainly of ethnic Javanese (majority), Madurese, Chinese, Osing and Hindu Tenggerese. Most of East Java's population is Muslim (96.18%) followed by Protestants (1.153%) and Catholics (1.01%), while the remainder is Hindu (0.54%), Buddhist (0.29%) and other (.001%).

The main contributors to East Java's economy are agriculture and industry. In 1995, East Java contributed 20-32% of the national rice supply. In addition, other commodities of East Java include sugar, coffee, tobacco, cocoa, rubber, ebony wood, farming products, shipping, cement, iron, artificial manure, electronics, pharmaceutical products, and machines.

In 1999 the total size of the work force in East Java was 17,554,632. From this number, 46.18% were absorbed in the agricultural sector, 22.32% in the industrial sector, 12.70% in the services sector, and 8.80% in the trading sector. Based on statistics from the Provincial Department of Manpower, in 1999, 720,234 people were unemployed. Migration for work abroad is also a major component of the employment structure in East Java. In 2000, 38,465 migrant workers officially traveled abroad for work to countries such as Saudi Arabia, United Arab Emirates, Korea, Taiwan, Hong Kong, Malaysia, and Singapore.

Compared to Indonesia as a whole, East Java ranks poorly in development and gender indices, as demonstrated in Table 25 below. Although the per capita expenditure of the province is equal to the average of Indonesia as a whole, the level of education, access to health care and clean water is much lower than average.

Table 25 : Development and Gender Indicators -1999

Index	East Java	Indonesia
Literacy (Female)	74.5	84.1
Literacy (Male)	88.6	92.9
Mean Years of Schooling (Female)	5.3	6.1
Mean Years of Schooling (Male)	6.7	7.3
Per Capita Expenditure (1,000 IDR)	579.0	578.8
Population without access to safe water (1998)	43.0%	51.9%
Population without access to healthcare (1998)	17.1%	21.6%

Source: UNDP/BPS, 2001: 78, 80, 82

Forms of Trafficking

East Java is a sending, receiving and transit area for trafficking. As one of the largest sending areas for migrant workers in Indonesia, especially women migrant workers, there are many forms of trafficking found in East Java. The capital of the province, Surabaya, is well known as a destination for sex workers. There are also reported cases of trafficking of children for labor (begging, food and drink stall sellers, etc.). As a transit area for both domestic and international trafficking, women and girls transit through Surabaya to obtain documents (such as identity cards and passports) and wait in PJTKI holding centers to be sent abroad to work as domestic workers, entertainers, waitresses/restaurant workers, factory workers, and plantation workers. Many of these migrant workers end up being trafficked into sex work, debt-bondage and forced labor, either abroad, in Surabaya, or to other areas of Indonesia, such as Papua.

Migrant Workers

East Java is one of the largest sending areas for migrant workers in Indonesia, especially undocumented or illegal migrants. Within East Java, high sending areas for migrant workers include: Malang, Jember, Ponorogo, Lumajang, Bondowoso, Ngawi, Magetan, Probolinggo, Madiun, Blitar, Kediri, Tulungagung, Tuban, the city of Surabaya, and the island of Madura. While most of these migrant workers plan to work abroad, some end up as domestic workers to Jakarta and other major cities within Indonesia. Many of these workers migrate through irregular channels. Regardless of whether they travel through legal or irregular means, there is clear evidence that migrant workers from East Java have become victims of trafficking for sex work, debt bondage, and forced labor.

There is also anecdotal evidence that friends, former migrant workers or neighbors from villages are hired by traffickers to recruit young girls from their village. They use deception or trickery to induce the girls to “migrate”. Some of these neighbors and friends, however, often do not know that they are recruiting girls for imaginary positions abroad, and instead believe that they are helping the girls and their families earn a living (Project field assessment, 2002).

Young girls in East Java are often given fake identification to make them older so that the recruiters can send them abroad or to work in other parts of Indonesia without running into trouble with immigration or government officials. A district government official from Blitar reported that underage girls receive their fake identification from other districts and provinces in Indonesia. He said that the difficult part for government officials was to trace or find the agents responsible for the forgeries as most are based in Jakarta, Bandung or Surabaya. He gave an example of a case in which a migrant worker from Blitar died while working in Saudi Arabia. Because her identification indicated that her hometown was in Cimahi, West Java, her body was taken there instead of home to her parents in Blitar (Project field assessment, 2002).

Commercial Sex Work –Domestic

As mentioned above, East Java is both a sending and receiving area for trafficked commercial sex workers. The “Dolly District” in East Java is renowned throughout Indonesia as one of the most famous *lokalisasi*. Anecdotal evidence suggests that this area is frequented by Indonesian businessmen, who come to Surabaya for work. In addition, a study of the migration patterns of sex workers in Papua concludes that up to three-quarters of brothel based sex workers in Papua originate from East Java, many of them having been trafficked into sex work (Safika & Wiebel, 2001: 3). Most East Javanese commercial sex workers in Papua report that it was a friend or relative – not a commercial agent or middleman – who betrayed them by putting them in a situation where they had no recourse but to engage in sex work (Safika & Wiebel, 2001: 4). Anecdotal evidence from NGOs in Surabaya also suggests that women and girls working in prostitution in Surabaya are sometimes sent to Papua and the Maluku on short-term contracts to service men in the Indonesian military.

Human Rights Watch has reported twenty-four cases of women from East Java who were trafficked for prostitution between 1991-1994. Many other cases go unreported and undocumented. The Human Rights Watch Report specifically found that:

- In 1991, there were ten reported cases of trafficking in women to Tawau, Malaysia.
- In June 1992, nine young women were trafficked into prostitution without any payment. Their recruiter was an agent from Tuban, East Java, who sold them to brokers on their arrival at a hotel. These women were able to escape and reported to the police that forty other women were still held by eight pimps in the same hotel.
- In 1992, Tarakan Police officers (East Kalimantan) arrested two traffickers who were trying to smuggle two young women, aged 17 and 15, from East Java. (Dzuhayatin & Silawati (a): 16).

Commercial Sex Work – International

Recently, there have been numerous high profile cases of the rescue of young girls from East Java who were trafficked into sex work in East Malaysia. The Indonesian Consul General in Tawao, East Malaysia, has been focusing his efforts in recent months on repatriating young Indonesian female migrant workers who have become “entrapped in the clutches of a prostitution syndicate,” (“Thousands,” 2003). Together with an ad hoc team of representatives from various government ministries, called Team 7,¹ and in cooperation with the police in Nunukan, East Kalimantan, the Consulate recently repatriated fourteen girls from Tawao to their home villages in East Java. The Consul estimates that over 5,000 Indonesian female migrant workers are still in need of immediate help to escape from sexual slavery, and that 90% of these women are from Java (“Thousands,” 2003).

¹Team 7 included representatives from the Ministry of Women's Empowerment, the Coordinating Ministry for Social Welfare, the Ministry of Foreign Affairs, including the Immigration Dept., the Ministry of Social Welfare, and the National Police.

Trafficking and Migration Routes

Sex workers in Surabaya come from all over Indonesia, but primarily from East Java and other parts of Java. There is also evidence that women and young girls from East Java are being trafficked to Papua, Batam, other parts of Indonesia, and abroad for the purpose of prostitution. Migrant workers from villages in East Java usually transit through Surabaya in East Java or Solo in Central Java, and remain in holding centers in Surabaya, Solo, Jakarta, or Batam. From these holding centers, migrant workers from East Java are eventually transported to countries such as Malaysia, Singapore, Hong Kong, Taiwan, and Saudi Arabia. Many migrant workers who plan to work abroad become vulnerable to trafficking while in transit or after arriving in the destination country.

Traffickers and illegal agents use both land and sea routes from East Java. Land routes are used to send women and children to Surabaya, Jakarta and other large cities on the island of Java. Sea routes are used to go to Bali, Kalimantan, Batam, Papua, the Maluku, Malaysia, and Singapore. Larger cities in East Java, such as Surabaya and Ponorogo, are often used as transit points for migrant workers in order to process documents, often forged, and to hold migrant workers in PJTKI holding centers.

Juanda Airport: The Surabaya airport is one of the busiest airports in Indonesia with flights to and from cities throughout Indonesia including Denpasar, Jakarta, Bandung, Yogyakarta, Makassar, Balikpapan, Banjarmasin, as well as international flights to and from Singapore, Kuala Lumpur, Bangkok, and Hong Kong.

Tanjung Perak: The main harbor in East Java is located near Surabaya. Passengers travel to and from Kalimantan, Sulawesi, Bali, and NTB from this harbor. It is an important port and a major travel hub for ships to the other islands; and also a major industrial harbor.

Ketapang: Located in Banyuwangi, this small harbor is primarily used for transport to Bali.

Trains/Buses: Surabaya and most major cities/villages in East Java are linked to each other and the rest of Java through a widely used railway system. Buses are also widely used to transport people throughout Java and also to Bali and NTB. Surabaya's main bus terminal is Purabaya, 10 km south of the city center.

Lilis (not her real name), a 17-year-old girl from East Java was offered by an agent to work as a waitress in Kalimantan. He promised her a high salary. "I had no idea that I was being brought to Tawau to be forced into becoming a sex worker," Lilis reported. Lilis was trafficked along with 25 other young girls, mostly from Java, to conduct sex work in Tawau, East Malaysia. "The girls, all under 20 years of age, said they were treated poorly by their employers, who also seized their belongings and banned them from walking outside their workplace. The girls were sold by Indonesian agents for about MR1,000 [approximately US\$260] to employers in Malaysia." The trafficking of the girls was uncovered after some of the girls ran away from their workplace and took refuge at the Consulate of Indonesia in Tawau, Malaysia. All of the girls were placed under police protection and either returned to their respective hometowns or placed in shelters.

(Source: "TKIs Sold as Sex Slaves," 2002)

E. EAST KALIMANTAN

By Fatimana Agustinanto

East Kalimantan is 202,440 sq km in area, includes 12 regencies, and has over a hundred rivers. In 1990 the population of the province was two million (Indonesian Embassy - Canada, 1996), with a low population density of 11 people per sq km (BPS, 2000g). The indigenous population is made up of a number of ethnic groups, generally labeled Dayak, but include other groups such as Bugis, Banjar, Madura, Jawa, Kutai and ethnic Chinese (KalTim Web, n.d.).

The population of East Kalimantan is predominantly Muslim (85.68 %). The remaining population includes Protestants (9.54%), Roman Catholics (4.01%), and approximately equal numbers of Buddhists, Hindus, and Kong Hu Cu (less than 1%) (Indonesian Embassy - Canada, 1996).

The main contributors to East Kalimantan's economy are mining and forestry. These natural resources are important contributors of foreign exchange for Indonesia. The total value of exports from East Kalimantan in 1990 was US\$ 2,561,952,000, with US\$ 475,402,000 in imports. The main products from East Kalimantan include food crops such as rice, corn, peanut, soybean and cassava; commercial crops such as coconut, clove, rubber, cacao, oil palm, coffee, and pepper; animal husbandry; fisheries; handicrafts; and mining operations, including petroleum, LNG, and coal.

Compared to Indonesia as a whole, East Kalimantan ranks well in development and gender indices, as demonstrated in Table 26. Although the education and per capita expenditures of the province are equal to the average of Indonesia as a whole, the majority of the population have better access to education, healthcare and clean water.

Table 26: Development and Gender Indicators - 1999

Index	East Kalimantan	Indonesia
Literacy (Female)	90.0	84.1
Literacy (Male)	96.8	92.9
Mean Years of Schooling (Female)	7.1	6.1
Mean Years of Schooling (Male)	8.5	7.3
Per Capita Expenditure (1,000 IDR)	578.1	578.8
Population without access to safe water (1998)	35.8%	51.9%
Population without access to healthcare (1998)	19.6%	21.6%

Source: UNDP/BPS, 2001

Forms of Trafficking

East Kalimantan is primarily a transit and destination area for trafficking. Because it shares direct land-borders with Malaysia (and is near Brunei), this province is a transit area of trafficking to Malaysia. The critical transit areas are Nunukan and Tarakan, near the Malaysian

border. Because East Kalimantan is a prominent industrial area, many people want to move there in search of work. People come from both within and outside the province, and traffickers take advantage of these vulnerable migrants.

The trafficking of women and children to and through East Kalimantan is primarily for the purpose of commercial sex work and for migrant work as domestic helpers. There are some reports of contract marriages between foreigners and local women, and of trafficking of children for begging; however, the extent of these trends is unclear.

Commercial Sex Work – Domestic

Traffickers lure women to East Kalimantan with deception and fraud. A number of informants indicated that women are frequently told they will work in restaurants or in factories in East Kalimantan, and are then taken to the local brothel areas on arrival. Other women are told by agents that they are going to Batam in Riau province or to Singapore, but are then sent to East Kalimantan instead. Sometimes women arrive for jobs in factories only to discover that they do not have the required education and skills to work in the factories or other industries and are then stranded with debts to repay and no way to return home. These circumstances may push them into sex work. According to a survey by Planned Parenthood International in 2002 in two red-light districts in East Kalimantan, 73% of the 500 CSWs interviewed were forced to become sex workers. Most of them came from outside of East Kalimantan province (Interview, 2003).

According to pimps in the official brothel areas, women arrive with identity cards stating that they are of legal age, even if they are not. This implies complicity of local officials in issuing these cards. There is also the issue of officials accepting dubious identity cards of women who are clearly under the age of majority.

Agents bring women and children to East Kalimantan from many parts of East Java, North Sulawesi, South Sulawesi, NTB and NTT. Each sending area has a certain trend as to the purpose for which women and children are trafficked. For sexual exploitation purposes, women tend to come from rural areas in Banyuwangi district in East Java. Samarinda and Balikpapan are the primary destination areas in East Kalimantan for CSW. Where there are a lot of male migrant workers, such as forestry or mining camps and plywood factories, there are also a lot of brothels and much movement of women for sex work.

International Trafficking – Commercial Sex Work and Domestic Work

Malaysia and Brunei were reported as the primary destination countries of international trafficking from East Kalimantan. There may be onward connections from these points but none of the sources with whom we met on our assessment missions had information about this phenomenon. Nunukan, on the Malaysian border, is the transit point for movement into Malaysia. There are ferries that run directly from Java and Sulawesi to Nunukan. There are numerous reports of women being trafficked through East Kalimantan to be both domestic workers and commercial sex workers in Malaysia. The Indonesian Government recently helped

repatriate 16 women who had been forced into commercial sex work to their home villages in East Java. The Women's Police Desk of Samarinda also recently uncovered a case of trafficking involving 15 women from West Kalimantan. All had been trafficked for domestic work to Malaysia. Traffickers held the women in illegal confinement in Tarakan and Nunukan before sending them to Sabah, East Malaysia.

At the end of 2002, 15 women from West Kalimantan were lured by a broker to work as domestic workers in East Malaysia. Amir promised them a lucrative salary. For the costs he would incur for transport and the necessary papers Amir charged the women each Rp 2.5 million (approximately US\$250). The women were taken by boat from Sampit, West Kalimantan to Tarakan, East Kalimantan where they were detained for two months in a holding center. During this time they were intimidated and beaten. Then they were smuggled into Sabah, Malaysia without proper documentation.

In Sabah they worked as housemaids. As time went by and they did not receive any salary they started to realize that they were being exploited. One of the women decided to run away. She stowed away on a boat heading for Balikpapan, but was discovered by the crew and thrown overboard close to the harbor. She was found barely conscious and was taken to a hospital. The hospital staff notified the police who contacted a legal aid NGO to assist her. The police are still investigating this case, but are having trouble locating the perpetrators, as the victims are too afraid to return to the border to identify them.

Source: Interview 2003 with Police, Balikpapan

Trafficking and Migration Routes

Transportation into and out of East Kalimantan is facilitated by an international airport, as well as by passenger ships.

International Airport: The international airport located in Balikpapan has flights to and from locations throughout Indonesia such as Jakarta and Surabaya, as well as international flights to and from Singapore.

Harbor: The busiest passenger harbor located at Balikpapan is Semayang. This harbor is one of the main entrance points for people from Manado and Bitung in North Sulawesi and Surabaya in East Java. There is also a harbor in Nunukan, near the Malaysian border, which has direct passenger ferries to and from Toli-toli, Makassar, Pantoloan and Pare-Pare in South Sulawesi, Palu in Central Sulawesi, Surabaya in East Java, Balikpapan in East Kalimantan, and Jakarta.

Purpose	From	To
Commercial Sex Work-Domestic	Banyuwangi in East Java, Kutai Barat and Malino in East Kalimantan	Balikpapan and Samarinda Via Jakarta to Japan, Malaysia, Singapore Via Jakarta to Middle East,
Domestic Worker - International	East Java, Sulawesi and West Kalimantan	East Malaysia (Sabah and Sarawak) and Brunei

F. LAMPUNG

By Ira Soedirham

Lampung, “Sumatra’s southernmost province, was not given provincial status by the central government until 1964. The Lampungese, however, have a long history as a distinct culture,” (Turner et. al., 2000: 627). Lampung has been a sending area for many of Indonesia’s transmigration plans, making Lampung culturally diverse, including many Javanese and even Balinese. The majority of the approximately eight million people in Lampung live in the capital city of Bandar Lampung, and in the transmigration settlements to the east of the city. The population density in 2000 was 191 people per sq km (BPS, 2000g). The population of Lampung is 94.4% Muslim, 2.37% Hindu, 1.6% Protestant, 1.0% Catholic, and 0.6% Buddhist.

Lampung is bordered by South Sumatra to the north, the Sunda Strait in the south, Bengkulu in the west, and the Java Sea to the east. Coffee and timber are Lampung’s most important sources of income, followed closely by pepper. There are also large areas of rubber and palm oil plantations.

Compared to Indonesia as a whole, Lampung lags behind in development and gender indices, as shown in Table 27. Although the literacy rate in the province for both males and females is higher than the national average, access to education, safe water and healthcare is lower.

Table 27: Development and Gender Indicators – 1999

Index	Lampung	Indonesia
Literacy (Female)	88.3	84.1
Literacy (Male)	95.1	92.9
Mean Years of Schooling (Female)	5.9	6.1
Mean Years of Schooling (Male)	6.8	7.3
Per Capita Expenditure (1,000 IDR)	567.0	578.8
Population without access to safe water (1998)	54.4%	51.9%
Population without access to healthcare (1998)	34.5%	21.6%

Source: UNDP/BPS, 2001: 78, 80, 82

Forms of Trafficking

Lampung is a sending, transit, and receiving area for trafficking in women and children. Women and children from Lampung are trafficked for sexual exploitation within Indonesia, and internationally to be sex workers or domestic workers overseas. Lampung is also a destination point for trafficking for sex work. In addition, there have been reported cases of trafficking for labor exploitation in factories, usually through illegal migration that is facilitated by brokers and results in debt bondage or forced labor. There is also child labor, especially in the plantation areas and in fisheries.

Lampung used to be one of the destination points for transmigration programs for workers from Java, Bali and Sulawesi. It is estimated by some university researchers that only 20% of

this province's population is originally from Lampung. For this reason, relatives and friends in other provinces may help to facilitate trafficking and migration to and from Lampung.

Trafficking and Migration Routes

Women and children come from all parts of Lampung to find work. Pringsewu Sub-District, Tangumuas, Pulau Pahawang, Kedondong Selatan Sub-District, and Lampung Selatan are all known as sending places for commercial sex workers, child workers, and domestic workers.

Domestic: Women and children who are trafficked to Lampung for sex work are often transported by boat from Java. There are also reported cases of victims coming from as far as Bali, West Nusa Tenggara and Sulawesi. Victims who are trafficked from Lampung for sex work, factory work or domestic work are transported by land or by sea to Batam in Riau province (for sex work and factory work), and to Java (for domestic and sex work).

International: Routes for trafficking to international destinations such as Japan, Saudi Arabia, Malaysia, Singapore, Hong Kong, and Taiwan include using Lampung as a transit point for the trafficking of victims from Java, then to Batam, and finally to the destination country. Routes from Lampung generally go by land to Jambi Province (Muaratunga Harbor) and then by sea (generally by fishing boats) to Batam. Victims from Lampung are also transported from Lampung by sea to West Kalimantan and then overland to Malaysia. Other victims are transported from Lampung through Jakarta, sometimes being held in PJTKI holding centers in the capital. There is also a route via the island of Tanjungtinang (near Kijang Island) that is said to house trafficking victims as a transit and purchase point. The navy is said to be complicit in this trade.

Transit: Lampung is primarily used as a transit point for domestic trafficking from Java to Riau, or for international trafficking to Malaysia, Singapore, Japan, Saudi Arabia, Hong Kong, and Taiwan. A number of sources have spoken of transit points along the routes where victims are sold and purchased by traffickers. One agent takes the victim to Lampung where other agents purchase them and transport them onward.

Airport and Seaport: The airport in Lampung is Tanjungkarang Airport about 22 km north of Bandar Lampung. Most flights, however, are between Lampung and Jakarta. The main port in Lampung is Bakauheni, with ferries to and from Merak in West Java.

Train/Bus: Lampung is one of the few places in Sumatra where it is possible to take a train; however, the only destination is to Palembang in South Sumatra. Lampung's Rajabasa bus terminal is one of the busiest in Sumatra, with departures 24 hours a day, south to Jakarta, and north to all parts of Sumatra.

G. NORTH SULAWESI

By Ranggoaini Jahja

North Sulawesi has an area of approximately 19,000 sq km and in 1990 a population of approximately 2.5 million people. In 2000 the population density was 132 people per sq km, quite low for Indonesia (BPS, 2000g). The population of North Sulawesi includes Protestants (49.1%), Muslims (44.1%), Roman Catholics (2.9%), Hindus (.58%) and Buddhists (0.2%) (Indonesian Embassy - Canada, 1996).

North Sulawesi has a large portion of arable land. The agricultural and fisheries sectors are large contributors to North Sulawesi's economy, especially for coconut, nutmeg, fish and timber. Other large contributors to the economy include trade, manufacturing, and mining of sulfur, copper, gold and iron (Indonesian Embassy - Canada (1996).

Compared to Indonesia as a whole, North Sulawesi ranks well in development and gender indices, as demonstrated in Table 28. Although per capita expenditure of the province is equal to the average of Indonesia as a whole, the majority of the population have better access to education, clean water, and healthcare. In fact, education and literacy rates, especially for women, are much higher than average.

Table 28: Development and Gender Indicators - 1999

Index	North Sulawesi	Indonesia
Literacy (Female)	97.3	84.1
Literacy (Male)	97.2	92.9
Mean Years of Schooling (Female)	7.5	6.1
Mean Years of Schooling (Male)	7.6	7.3
Per Capita Expenditure (1,000 IDR)	578.3	578.8
Population without access to safe water (1998)	44.5%	51.9%
Population without access to healthcare (1998)	26.1%	21.6%

Source: UNDP/BPS, 2001: 78, 80, 82

Forms of Trafficking

North Sulawesi is primarily a sending area for trafficking. According to the local police and news reports, there are many cases of trafficking from the province. Minahasa district in particular, is known as a popular supplier for sex workers in many brothels and sex work locations throughout Indonesia, but particularly to entertainment areas in Papua. In addition to trafficking for sexual exploitation, North Sulawesi's women and children also migrate for other forms of often exploitative labor such as domestic work.

Commercial Sex Work-Domestic

Women and girls are trafficked from North Sulawesi to several provinces within Indonesia. NGOs in North Sulawesi report large numbers of girls being sent to Papua for commercial sexual exploitation (specifically to Timika, Fak-Fak, and Biak in Papua province). They are

sent there to provide sexual services for the many migrant workers in the local mining companies. Most of these women are entertainment-based workers who are brought there for jobs in karaoke bars and restaurants. A study of sex workers in Papua, found that 50% of the sex workers in entertainment centers in Papua were from North Sulawesi (Safika and Weibel, 2001). There are also many reports of girls from North Sulawesi being sent to Batam in Riau province, to Jakarta to work in brothels and karaoke bars, and to Makassar, South Sulawesi province. Most of those who are trafficked for sexual exploitation purposes come from several districts in North Sulawesi including Minahasa, Tomohon, Manado, Langoan, Bolang Mongondo, Aimorang, Motoleng, and Tondano.

NGOs report that most women are lured with promises of high salaries and good jobs, and may look forward to an exciting life in the entertainment industry – as dancers for example.

The traffickers recruit the girls and women by using advertisements on the radio, in newspapers, at churches and through door to door recruitment in villages. For the latter, they use brokers or go directly themselves to the target villages. They take advantage of economic pressures on the victims' families by approaching their parents to allow their daughters to work in another province or abroad. The parents are asked to sign a consent letter stating that they permit their daughters to work for the agents. During this process, the agents give the parents a "down payment" on their daughters' future earnings. The consent letters are used as legal protection if they are accused of trafficking or other related crimes (Project field assessments, 2002 and 2003).

Domestic Work – International

Although reports of girls being trafficked abroad are fewer, there are girls and women from North Sulawesi migrating for work as housemaids to Malaysia, Hong Kong and South Korea. Most of these women and girls are from the Sangihe Islands of North Sulawesi.

Women and girls recruited for domestic work abroad are brought first to Manado. In Manado, they are kept in holding centers for up to three months while awaiting the necessary documents. There they are taught how to be domestic workers, how to use modern appliances, and language skills, if necessary. During their time in the holding center, the young women incur sometimes inflated debts for their room and board which is then taken out of their future earnings. For more information about Indonesian migrant workers see section III A.

All 23 young women working in Fiska's bar in Timika, Papua had been lured there by promises of exciting, well-paid work as dancers and waitresses in a karaoke bar. Upon arrival they learned that the job required them to provide sexual services to the bar's customers. The owner's of the bar claimed that the girls owed them debts for the transportation to Timika, as well as for their room and board. Three to four girls shared a room and were responsible for each other to the bar owners. If one tried to escape, the others would be forced to pay for her lost wages. One day, Sri (not her real name) did manage to escape. Sri ran to the Manado community in Timika. They contacted the local police who contacted the Manado police. Together, they began working on the case. The girls' parents were contacted and they lodged a formal complaint with the police which allowed the police to pursue the case on kidnapping charges. The police appealed for help to the provincial Governor's office in North Sulawesi. Through the assistance of the governor's wife, funding was found to bring the girls back from Papua, and to provide them with shelter, medical care, counseling, and alternative job skills training. The police in Manado and Timika jointly investigated the case which resulted in the arrest of both bar owners. Both owners were convicted of abduction of underage girls and sentenced to 6 months in jail (inclusive of time already served during the investigation and trial).

Source: Interview 2003 with Police, Manado

Trafficking and Migration Routes

Sam Ratulangi Airport has limited international service including to and from the Philippines and Singapore. There are also direct domestic flights daily to and from the largest cities in Java and Papua, as well as limited flights to Ternate and Ambon in the Malukus.

Transportation by land routes is available to other parts of Sulawesi. Passenger ships run regularly to islands in Maluku province from Bitung port.

Purpose	From	To
Commercial Sex Work-Domestic	Minahasa, Tomohon, Manado, Langoan, Bolang Mongondo, Aimorang, Motoleng, and Tondano districts in North Sulawesi	Timika, Fak-Fak, and Biak in Papua, Batam in Riau and Jakarta
Domestic Work - International	Sangihe Islands	Malaysia, Hongkong, and South Korea.

H. NORTH SUMATRA

By Fatimana Agustianto

North Sumatra has an area of 70,787 sq km and a population of approximately 11 million people (Indonesian Embassy – Canada, 1996). Population density in 2000 was 158 people per sq km (BPS, 2000g). The capital city of the province, Medan, is the third largest city in Indonesia. The population is comprised mainly of ethnic Bataknese, but also includes Melayu, Batak Toba, Simalungun, Karo, Mandiling, Dairi, Pakpak, and Nias people ('Sumatera Utara,' 2001). 85.5 % of the population of North Sumatra is Muslim. The remaining population consists of Protestants (27.96%), Roman Catholics (4.60%), Buddhists (3.68%), and Hindus (0.41%) (Indonesian Embassy - Canada, 1996).

The main contributor to the North Sumatra economy is agricultural products, such as palm oil. Other contributions to the economy come from petroleum and natural gas ('Sumatera Utara,' 2001).

Compared to Indonesia as a whole, North Sumatra ranks well in development and gender indices, as demonstrated in Table 29. Although per capita expenditures in the province is slightly below the average of Indonesia as a whole, the majority of the population have better access to education, healthcare and clean water.

Table 29: Development and Gender Indicators - 1999

Index	North Sumatra	Indonesia
Literacy (Female)	93.6	84.1
Literacy (Male)	98.0	92.9
Mean Years of Schooling (Female)	7.5	6.1
Mean Years of Schooling (Male)	8.5	7.3
Per Capita Expenditure (1,000 IDR)	568.7	578.8
Population without access to safe water (1998)	47.9%	51.9%
Population without access to healthcare (1998)	20.9%	21.6%

Source: UNDP/BPS, 2001: 78, 80, 82

Forms of Trafficking

North Sumatra province is a sending, transit and receiving area for trafficking. Victims of trafficking come from rural areas in North Sumatra as well as from other provinces, such as West Java, Central Java and East Java. Trafficking in North Sumatra includes trafficking for sexual exploitation, domestic work, child labor and illegal adoption abroad.

Commercial Sex Work-Domestic

Some victims of trafficking for sexual exploitation are forced to work in red light districts located in North Sumatra. Destination areas include Bandar Baru, Deli Serdang, Sicanang, Belawan, Warung Bebek, Firdaus and Rampah districts in North Sumatra. However, North Sumatra is also a sending and transit area, with victims passing through Belawan harbor

before being transported on to other places, especially Tanjung Balai, Karimun, Batam and Dumai in Riau province. The women and children come from several areas in North Sumatra such as Binjai, Tanjung Morawa, Pulo Brayan, Medan, Sei Beras Sekata Sunggal, and Tebing Tinggi districts, as well as from other provinces such as East and West Java.

For commercial sexual exploitation, the traffickers have several methods to trick victims. Traffickers go to villages to persuade parents to let their children go with them by promising them good jobs. The traffickers do not only concentrate in rural areas but also find victims in the city by promising jobs to street children and by tempting young women in shopping centers with offers of lucrative jobs and an exciting lifestyle. They are then forced into sex work to pay off expenses incurred in their recruitment and transportation. This debt bondage system requires that the women pay off all of the expenses supposedly incurred by the 'pimp' before they can obtain their freedom. For more information about the sex industry in Indonesia, see section III C, Commercial Sex Work.

Commercial Sex Work and Domestic Work – International

Women are sent from North Sumatra to other countries, especially Malaysia, but also to Singapore, for the purposes of sex work and domestic servitude. As noted in previous sections, the women are often led to believe that they are migrating for domestic work or other jobs, only to find themselves forced to work in the sex industry. In other cases, women are put into domestic service, but under conditions of exploitation and forced labor. Women come not only from North Sumatra province but also transit through North Sumatra from Java. Some of the victims transit in Belawan harbor before being sent to Kuala Lumpur in Malaysia. For more information about this process see section III A, Migrant Workers, and section III C, Commercial Sex Work.

Child Labor on Off-Shore Fishing Platforms

Many young boys are trafficked for work on off-shore fishing platforms in North Sumatra. The ILO-IPEC estimates that up to 500 children between the ages of 13-18 years old are currently working on the fishing platforms (*jermal*) off the coast of North Sumatra (ILO-IPEC, 2001a). Children work on three-month contracts and are unable to leave the platform during this time. Victims of trafficking for off-shore fishing platforms come from rural areas outside Medan. They are sent to off shore areas in North Sumatra such as Pantai Cermin, Sialang Buah, Langkat, Deli Serdang and Labuhan Batu.

Reports show that although most parents knowingly allow their children to be recruited for work on *jermal*, the majority is ignorant of the types of hazards to which their children will be exposed. Children working on *jermal* are very isolated as most platforms range between 15-25 kilometers from the coast. During the stint of a three-month contract it is impossible for the child to leave the platform. Such isolation and the nature of the hazardous work exposes these children to physical and psychological hardships. Incidents of physical or sexual abuse by fellow adult workers are not unknown. Children regularly work 12-13 hours from

approximately 4 a.m. to midnight, taking breaks at odd times between the setting and taking in of heavy nets, and the sorting and processing of the catch (Interviews). (See section III E, Other Forms of Exploitation and Trafficking, for more information about children working on fishing platforms.)

Other Forms of Child Labor

Other forms of child labor in North Sumatra include work on plantations, in restaurants and as domestic workers in private homes. In most cases on the plantations in North Sumatra children work side by side with their parents. However, there are some indications that children may be recruited for this work and sent to plantations away from their families. More information on the incidence of trafficking in plantation work is not currently available.

Children working in restaurants tend to work long hours and live and sleep in the dirty kitchens. Children are also brought to Medan to work as domestic workers in private homes. Usually these children come from rural areas outside Medan, as well as occasionally from parts of Java. As noted above, in addition to working long hours, children in these jobs do not usually attend school, receive low wages and may be vulnerable to physical and sexual abuse.

Illegal Adoption Abroad

According to NGOs, local police in Medan have uncovered several cases of babies from North Sumatra being sold for illegal adoption in Malaysia. Police arrested traffickers in Belawan harbor in the process of taking the babies, who came from rural areas of North Sumatra, to Malaysia. The traffickers apparently planned to sell them to families in Malaysia for Rp10-20 million per baby. More information on how the process works, how the traffickers obtain the babies or locate the buyers, is not yet clear (Interview 2003).

Imran (not his real name) was only 13 years old when he was recruited to work on an off-shore fishing platform named Lian Hok in Tanjung Tiram, Asahan. There he worked the whole day and evenings too, sorting, cleaning, drying and cutting the fish. He was not the only child working on the Lian Hok, there were at least 6 other children under 17 years old. After working very hard for two months Imran could not stand it any longer and was able to leave the platform. His contract however said he would only be allowed to return to his village and entitled to his salary after completing a three-month term on the platform. Imran was assisted by Kelompok Kerja Sosial Perkotaan (KKSP), an NGO that tried to help him bring the case to court. The case was rejected because Imran did not have an identity card or a birth certificate to prove he was under 18.

(Source: Interview with KKSP May, 2000)

Purpose	From	To
Commercial Sex Work-Domestic	Binjai, Tanjung Morawa, Pulo Brayan, Medan, Sei Beras Sekata Sunggal, and Tebing Tinggi districts, as well as from other provinces such as East Java, and West Java	Bandar Baru, Deli Serdang, Sicanang, Belawan, Warung Bebek, Firdaus and Rampah districts of North Sumatra, and Tanjung Balai, Karimun, Batam, and Dumai in Riau province
Commercial Sex Work and Domestic Work – International	North Sumatra	Malaysia and Singapore
Child Labor on off shore fishing platform.	Rural areas in North Sumatra	Fishing platforms near Pantai Cermin, Sialang Buah, Langkat, Deli Serdang and Labuhan Batu in North Sumatra
Child Labor on plantations	Rural area in North Sumatra	Plantation areas throughout North Sumatra
Child Labor in restaurant and for domestic work	Rural areas in North Sumatra, Java.	Medan
Illegal adoption abroad	North Sumatra	Malaysia

Trafficking and Migration Routes

People can access North Sumatra by bus, plane and ship. There is an international airport, a harbor for passenger ships, and bus terminals.

International Airport: Polonia airport is located about 4 km from the center of Medan. The airport has flights to and from locations throughout Indonesia such as Jakarta and Aceh, as well as international flights to and from Malaysia and Singapore.

Harbor: North Sumatra has the 3rd biggest harbor in Indonesia, named Belawan harbor. This harbor is located about 25 km to the north of Medan. From this harbor passenger service is available to and from Riau province and Jakarta as well as to Malaysia.

Bus Terminal: There are two bus terminals in Medan. Pinang Baris terminal is located in the north of Medan; Amplas terminal is located in the south. These two terminals have passenger service to and from all of the major cities on the island of Sumatra as well as to Java.

I. RIAU PROVINCE

By Fatimana Agustinanto

Riau Province has a total land area is 94.561 sq km (Indonesian Embassy - Canada, 1996). There are 3,214 islands, the majority of which are widely spread throughout the South China Sea and are not inhabited. In 2000 there were approximately 4.7 million people living in the province (Riau Government), with a population density of 52 people per sq km (BPS, 2000g). The majority of the population of Riau are Muslim (87.3%), with the remaining population consisting of Protestants (2.3%), Roman Catholics (0.5 %), Hindu (1.31 %), and Buddhists (7.3%) (Indonesian Embassy - Canada, 1996).

The main contributors to Riau's economy are petroleum and natural gas, light industry, trade, hotels and restaurants (Riau Government). Riau is strategically located only a short distance from Singapore. From the island of Batam, for example, Singapore can be reached by ferry in less than 1 hour. The province of Riau also includes a free trade zone in Batam.

Compared to Indonesia as a whole, Riau ranks well in some development and gender indices and poorly in others, as demonstrated in Table 30. The per capita expenditure of the province is equal to the average of Indonesia as a whole, the majority of the population is literate and more highly educated than average, while access to healthcare and clean water is limited.

Table 30: Development and Gender Indicators - 1999

Index	Riau	Indonesia
Literacy (Female)	93.7	84.1
Literacy (Male)	97.4	92.9
Mean Years of Schooling (Female)	6.9	6.1
Mean Years of Schooling (Male)	7.8	7.3
Per Capita Expenditure (1,000 IDR)	579.6	578.8
Population without access to safe water (1998)	71.8%	51.9%
Population without access to healthcare (1998)	39.2%	21.6%

Source: UNDP/BPS, 2001: 78, 80, 82

Forms of Trafficking

Batam Island in Riau Province is a receiving area for domestic trafficking and a transit area for international trafficking. There are also recent reports of foreign women working in the sex industry in Batam, possibly indicating that Batam is also becoming a destination area for international trafficking. The island's position is very strategic because it is very close to Singapore and Malaysia. Two major forms of trafficking take place on this island. Domestic trafficking includes primarily trafficking of women and girls for commercial sexual exploitation. International trafficking includes primarily trafficking of women and girls for domestic work and possibly for sexual exploitation. Batam has many migrant worker holding centers where young women are housed for up to three months before being sent abroad as domestic workers. According to Batam Police data from January through September 2002, there were

6 cases of trafficking for sexual exploitation and 30 cases of trafficking for domestic work and migrant work. As it is believed that most cases of trafficking are never reported to or investigated by the police, these numbers are not insignificant.

Commercial Sex Work-Domestic

As a free trade zone, Batam has many factories and businesses and is home to many migrant workers from all over Indonesia. Agents sometimes use the promise of work in these factories to lure female migrant workers to Batam to work in the sex industry.

Victims of commercial sexual exploitation come from North Sumatra, North Sulawesi, West Java and East Java, Lampung, West Kalimantan, and Central Java, to work in karaoke bars, brothels, massage parlors and hotels in Jodoh, Batam Center, Nagoya in central Batam, in tourist resorts in the north of Batam and in Tanjung Balai, Karimun Island. A disproportionately large number of girls seem to come from Indramayu in West Java (see section V J, West Java). Most women are brought to Batam by ship.

Victims of trafficking for commercial sexual exploitation are generally very young women, from 12-24 years old, who drop out of school. Most come from poor, rural villages. Traffickers go to the villages and promise the victim good jobs, often as a worker in a factory or as a waitress in a restaurant or bar. Traffickers also work with village chiefs to convince parents to send their children away with promises of high salaries. Young women report being sent to Batam to work in brothels by their extended family members or trusted family friends (Project field assessments). For more information on this process see sections III A, Migrant Workers, and III C, Commercial Sex Work.

Male migrant workers in Batam are users of local sex workers. In addition, men from Singapore who come to Batam and its neighboring islands for business and holidays are also consumers of commercial sex.

Domestic Workers-International

International domestic workers come primarily from North Sumatra, West Java and East Java, and transit in warehouses and holding centers run by labor supply companies in Batam before being sent to Malaysia or Singapore.

As with the sex industry, agents go to villages and promise young women good jobs and high salaries. If the agents find that the women are less than 18 or under the legal age for migration, they will work with village chiefs to falsify the girl's age. False documents may be issued in their places of origin or in transit locations.

Once in Batam migrant worker women are kept in holding centers run by labor supply companies for up to 3 months. Conditions in the holding centers can be very bad. The young women live in cramped quarters and are kept locked inside, only allowed out of the center with special permission. The girls are kept there with both promises of the good jobs which await them abroad, and with threats of debt bondage. Every day in which they are kept they

incur debts for their transportation, housing and food costs. Girls are not allowed to return home unless they pay these debts. See section III A, Migrant Workers, for more information.

Before the Christmas celebrations, Lily*, working as a striptease dancer in Batam talks to her madame, Chandra. She wants to go visit her family in Manado. Chandra agrees, and tells her that there is room for some new dancers and promises Lily a nice bonus if she brings in new talent.

In Manado Lily meets her friend Kara who works as a waitress and does sex work on the side. Kara can help Lily with her search for new talent. They go out to meet Ani at a small warung and offer her work in Batam. Ani likes the idea, and she has nothing else to do as she dropped out of the second year of junior high school and does not get along well with her family...

Ani, who is only 13 years old, leaves with Lily and Kara without informing her parents or relatives. The journey by boat takes them almost a week. Upon arrival in Batam Ani is taken to a rented house in Nagoya with Kara and the other dancers. Ani soon realizes she will not be exploring her dream of traditional dancing, but instead will be stripping. In a meeting with Chandra they come to an arrangement where she will do only a half striptease and that she will receive half of everything she earns, the other half going to Chandra.

Ani works as a dancer in five different clubs until one day her newest employer tells her he wants to celebrate her birthday at a discotheque with his friends and some regular guests from Singapore. She is forced to drink alcohol and is raped by six men.

Ani becomes very depressed and angry. At the housing complex she would wander around in a rage. It was there that she was found by an employee of Mitra Kesehatan and Kemanusiaan Foundation, who took her to a shelter, provided her with medical services and counseling and arranged for her return to Manado.

*All names have been changed.

Source: Mitra Kesehatan and Kemanusiaan Foundation

Trafficking and Migration Routes

Batam can be easily accessed by air and by sea. Batam has an international airport and harbors for passenger ships.

International Airport: Batam has an international airport named Hang Nadim. Located about 45 minutes from Batam Center this airport has more than 150 flights scheduled per week for domestic flight services to and from locations throughout Indonesia such as Jakarta, Medan, Palembang, Pontianak and Pekanbaru, as well as international flight services to and from Singapore, Jeddah, Bangkok, Manila, Japan, London and Malaysia.

Harbor: Batam has 5 passenger ferry terminals located at Batu Ampar, Nongsapura, Sekupang, Telaga Punggur and Waterfront City. These provide service to and from Singapore, as well as a variety of destinations in Malaysia, service within Riau Province and to and from other provinces including to Medan in North Sumatra, to Jakarta and to Surabaya in East Java.

Purpose	From	To
Commercial Sex Work-Domestic	North Sumatra, North Sulawesi, West Java, East Java, Lampung, West Kalimantan, Central Java	Jodoh, Batam Center, Nagoya in central Batam, in tourist resorts in the north of Batam and in Tanjung Balai Karimun island
Domestic Workers-International	North Sumatra, West Java and East Java	Malaysia and Singapore
Commercial Sex Work-International	North Sumatra, West Java and East Java	Malaysia, Singapore

J. WEST JAVA

By Ira Soedirham and Anna Puspita

The province of West Java has an area of 46,229 sq km. It has a population of approximately 40 million people. The population density is high and in 2000 was 1033 people per sq kmsq km (BPS, 2000g). The indigenous ethnic groups in West Java are Sundanese, Javanese, and Badui; each group has its own culture, customs and traditions, arts and language. The province of West Java is divided into 20 regencies, 5 municipalities and 6 administrative towns with Bandung as the provincial capital. The majority of the population is Muslim, but also includes Protestant, Hindu, Buddhist and Catholic. Bandung has a population of about 2 million and is Indonesia's fourth largest city.

The greatest contribution to the Gross Regional Domestic Product (GRDP) of West Java is from the manufacturing sector, hotel industry, trade and agricultural with 68% share of the total GRDP. The province of West Java is a center of industries in manufacturing since there are 51 industrial zones scattered throughout the districts of Bekasi, Kerawang and Purwakarta. There are high concentrations of textile factories in these areas.

West Java ranks on a par with Indonesia as a whole in gender and development indices, as demonstrated in Table 31. Education, per capita expenditures, and access to health care in the province are equal to the average of Indonesia as a whole, while access to clean water is lower than average.

Table 31: Development and Gender Indicators - 1999

Index	West Java	Indonesia
Literacy (Female)	89.2	84.1
Literacy (Male)	95.2	92.9
Mean Years of Schooling (Female)	6.2	6.1
Mean Years of Schooling (Male)	7.3	7.3
Per Capita Expenditure (1,000 IDR)	584.2	578.8
Population without access to safe water (1998)	62.1%	51.9%
Population without access to healthcare (1998)	22.4%	21.6%

Source: UNDP/BPS, 2001: 78, 80, 82

Forms of Trafficking

Along with East Java and West Nusa Tenggara, West Java is one of the largest sending areas for migrant workers in Indonesia. It follows, therefore, that many of the Indonesian victims of trafficking come from West Java. Women and children from West Java are usually trafficked for sexual exploitation, child labor, or for exploitative work as housemaids.

Recently in West Java, there have been large numbers of lay offs of workers in the textile industry. The textile factories were one of the largest sources of employment for workers, especially women workers, from West Java. Trade Unions in the region have reported that since the massive lay-offs that began in 2001, recruiting agencies and agents have been

approaching the trade unions for assistance in recruiting young women and girls to work abroad as migrant labor. The trade unions have been reluctant to help the agents, as they do not feel that they represent the workers' interests. In addition, they fear that the workers will be vulnerable to exploitation and/or trafficking.

Commercial Sex Work — Indramayu

West Java is infamous for a district called Indramayu. As mentioned earlier in section IV C, Girl's Education – Literacy, Indramayu has among the lowest female literacy rates and the lowest levels of schooling for girls among districts in Indonesia. Early marriage and high rates of divorce also characterize the district.

For the purpose of sex work, West Java is renowned as an area from which many young women migrate, often through illegal channels, and with the complicity or involvement of their parents, for sex work. This practice may have been in place for many years in Indramayu, going back to the time of the earlier kingdoms when it was considered an honor to have a daughter enter the sultan's household (Hull & Sulistyansih, 1998). Some people even claim that parents are proud if their daughters become successful commercial sex workers. The validity of these stereotypes of Indramayu has yet to be systematically studied. However, studies of sex workers in Indonesia seem to indicate a disproportionately large number of women from Indramayu working in brothels around the country, and this has been confirmed by Solidarity Center and ICMC's field assessments.

There is also anecdotal evidence that some girls/young women from other areas of West Java are promised jobs abroad or in other provinces in Indonesia, but then end up being sold to pimps, brothels, or karaoke bars to become sex workers.

Early Marriage & Divorce

In some parts of West Java, the marriage of girls at an early age (12 or 13 years old) is still a cultural tradition. This practice may lead to early divorce that may leave young girls vulnerable to trafficking for sexual purposes. Early age at first marriage has been closely related to high divorce (Oey-Gardiner, 1999: 9). While there may not be much stigma to being divorced in Indonesia, young girls who are married and then divorced at an early age are vulnerable to trafficking for economic reasons. When they marry at an early age, girls leave school. A girl divorced at a young age usually does not have an independent source of income and, without an education, may lack the skills necessary to find a job or other economic means of survival. These factors make them vulnerable to trafficking as many divorced young girls leave their home villages in search of work to support themselves and their families. If the divorced girls have children themselves, they often leave the children with their parents or another relative while they work abroad or in a large city in Indonesia.

In some areas, such as Indramayu, there are reports that traffickers use marriage proposals as a modus operandi. These young girls are married off young and the husbands then sell them to brothels.

Trafficking and Migration Routes

Domestic: Domestic trafficking is primarily for sex work (although there is also domestic trafficking of young girls from West Java for domestic servitude). Young girls and women are recruited and taken from their homes in the villages of Indramayu, Cirebon, Cianjur, Bandung Selatan, Cimahi and Majalengka districts and then brought to Jakarta, Kalimantan (both East and West), and Batam or Tanjung Balai Karimun in Riau province.

International: Women and girls from West Java are often sent to Singapore, Malaysia, Hong Kong, Taiwan, Japan, and Saudi Arabia to work as domestic workers (in forced or bonded labor situations), or in the sex industry.

Transit: Bandung and Jakarta are transit areas for women from West Java being sent to other islands in Indonesia or abroad.

Airports & Seaports: Husein Sastra Negara Airport is located in Bandung with flights to Jakarta and Surabaya. Merak Harbor is located on the north-western tip of Java, 140km from Jakarta. It is the main terminal for ferries to and from Bakauheni on the southern tip of Sumatra.

Trains/Buses: As in most of Java, travel to and from villages within West Java and throughout Java is conducted by train or bus.

Dian (not her real name) is a very pretty and very tall 14 year old girl from Bongas Village in Indramayu. Together with 50 others she was recruited to work as a dancer in Japan. She travelled on a 6-month tourist visa arranged by the recruiting agent. The agent was registered with the Ministry of Manpower and held an official permit (PJTKI).

Dian had been very excited to go to Japan. Not only would she be a cultural ambassador for Indonesia, she would also be earning about Rp 15 million per month (over US\$1,500). That money would really help out her parents and pay for the education of her two younger siblings.

One thing worried Dian, however. Among the girls she met Ina, a friend from a neighboring village. Although Ina was very pretty and almost as tall as Dian she did not know how to dance. People always admired Ina because she looked very much like Tracy Trinita, Indonesia's leading fashion model. And Ina was not the only one among them who couldn't dance. But with the nice salary and the prospect of dancing professionally Dian pushed her worries aside.

Once in Japan, Dian was taken to an "entertainment club". All the conversations were in Japanese so she didn't know what was going on. She did see the agent and the club owner exchange money. The club owner kept her passport. She was living and working at the club. It made Dian uncomfortable that so many "sexual activities" were going on in the club. After a few weeks she realized she was not brought to Japan for her traditional dancing talent. She ended up being forced to provide sexual services to the customers of the club and received very little money in return.

(Source: Interview with NGO in West Java)

K. WEST KALIMANTAN

By Neha Misra and Ika Inggas

West Kalimantan covers an area of 146,760 sq km. This province is one of four provinces in Kalimantan (West, East, Central and South Kalimantan). Kalimantan, also known as Indonesian Borneo, covers the Southeastern two-thirds of the island of Borneo, with Brunei and Malaysia making up the rest of the area. The province of West Kalimantan borders East Malaysia (Sarawak) and the Natuna Sea in the north, the Java Sea in the south, the South China Sea and Karimata Strait in the west and provinces of Central and East Kalimantan in the east. The government administration is divided into seven regencies with Pontianak as its capital city.

The provincial capital of West Kalimantan, Pontianak, lies exactly on the equator. It is a fast growing city divided into three parts by the Kapuas and Landak rivers. Pontianak is the main gate to enter this province through Supadio Airport, 18 km from the city. The Kapuas river, about 1,143 km in length, is the longest river in Indonesia. It connects Pontianak with the Sanggau, Sintang and Kapuas Hulu Regencies. In West Kalimantan, there are more than 100 rivers that play a vital role in communications and the economy.

West Kalimantan has a population of approximately 3.5 to 4.1 million people and is the most highly populated among the four provinces in Kalimantan. Population density is low and in 2000 it was 27 people per sq km (BPS, 2000g). The population consists of ethnic Dayaks, Malays, Chinese Indonesians, Bugis originating from South Sulawesi, and Javanese and migrants from Madura (Asian Human Rights Commission, 1997). The various Dayak groups, which are indigenous to Kalimantan, make up about 40 % of the population, and are the majority ethnic “group” in Kalimantan. They are a marginalized group, primarily Christian, poor and from rural areas. The other main ethnic group is Muslim Coastal Malays that originated from Muslim migrants from Sumatera, Sulawesi and the Malay peninsula and who have settled over the centuries along the Kalimantan coast (ICG Asia Report, 2001). West Kalimantan has the highest concentration of ethnic Chinese people in Indonesia. The proportion of Chinese residents is estimated to be 35% in Pontianak and 70% in Singkawang. The Madurese are the minority ethnic group in West Kalimantan with less than 3 percent of the provincial population.

West Kalimantan’s population is made up of about 54% Muslims, 19% Catholics, 9% Protestants, 2.7% Buddhists, 0.12% Hindus and about 14.87% of its populations maintain indigenous beliefs and practices (Akhmadi, 2002; Frederick & Worden, 1992).

Most of West Kalimantan’s Gross Regional Domestic Product (GRDP) comes from the agriculture, manufacturing, trade, hotel and restaurant industries, comprising about 65.97% of the total GRDP (BKPM, 2001). The main export commodities of the province are wood products and logs. Other export products are rubber, fishery, and forest products (BKPM, 2001). In terms of income, however, West Kalimantan is below the average of other Indonesian

provinces. This province also has a greater percentage of the population with limited access to safe water and health care.

Regarding Development and Gender Indicators, West Kalimantan does not perform well compared to Indonesia as a whole, as indicated in Table 32. For example, in terms of years of schooling, of the 26 provinces in Indonesia, West Kalimantan ranked 3rd lowest in 1999, just slightly better than West Nusa Tenggara and Irian Jaya (Papua) (UNDP/BPS, 2001).

Table 32: Development and Gender Indicators - 1999

Index	West Kalimantan	Indonesia
Literacy (Female)	76.1	84.1
Literacy (Male)	90.2	92.9
Mean Years of Schooling (Female)	5.0	6.1
Mean Years of Schooling (Male)	6.2	7.3
Per Capita Expenditure (1,000 IDR)	571.2	578.8
Population without access to safe water (1998)	78.4%	51.9%
Population without access to healthcare (1998)	43.3%	21.6%

Source: UNDP/BPS, 2001: 78, 80, 82

Forms of Trafficking

Migrant Workers

West Kalimantan is a sending, transit, and destination area for trafficking. Migrant workers from within West Kalimantan and throughout Indonesia are often housed in holding centers in Pontianak, West Kalimantan. The majority of these migrant workers are women being recruited to work as domestic helpers in Malaysia, Singapore, Hong Kong, and Saudi Arabia. Due to the porous border, a significant amount of illegal migration occurs from and through West Kalimantan to Malaysia. Illegal agents and traffickers often use West Kalimantan (particularly Entikong and Pontianak) as holding areas in which to process false or fake documents for Indonesian migrant workers.

Holding centers in West Kalimantan have been cited as places for exploitation and abuse of migrant workers, including restrictions on their freedom of movement, accumulation of debt resulting in debt bondage, sexual harassment, abuse and exploitation, and violence.

Agents take advantage of the porous border and lax Indonesian immigration controls. On any given day in Entikong one can find agents, usually young men, waiting in front of the immigration/customs office at the border crossing for prospective migrant workers to arrive by bus. These agents manipulate the migrant workers by promising assistance in crossing the border and in finding employment in Malaysia. Young women sent to Malaysia report that once over the border, they were transferred to a Malaysian agent who brought them to an employer and either gave their passport to their employer to hold or kept it themselves, ensuring that the young women had no way of returning home without their permission.

Agents and traffickers use the immigration office in Entikong to falsify passports for underage girls. The immigration office has reported that it must issue the passports, despite how young the girls look, because they cannot question an identity card issued by the district office. The district office in Entikong also reports that it must issue an identity card if the young girl has a letter of birth from the head of the village. Village heads often issue letters with false birth dates in order to help young girls migrate (Project field assessment, 2002). Because of the ease of forging the aforementioned documents, agents and traffickers often use West Kalimantan as a transit route and holding area for victims from all over Indonesia.

Commercial Sex Work – Domestic & International

Workers (from and through West Kalimantan) have been trafficked as sex workers, domestic workers, and bonded and forced labor on plantations and in plywood factories in Malaysia. In addition, there are reports that young girls trafficked from Java are forced into sex work in Pontianak or sent to Batam, Malaysia or Singapore as sex workers. There is also evidence that young girls and women are trafficked through West Kalimantan to work as sex workers in Sarawak, East Malaysia servicing Indonesian migrant laborers working on palm-oil plantations. The cities of Pontianak, Singkawang and Pemangkat in West Kalimantan have been cited as part of the trafficking routes for young women to Malaysia, Singapore and Hong Kong, with children from these villages becoming victims of trafficking for sex work (Project field assessments).

Mail-Order Brides

The district of Singkawang, West Kalimantan, is well known for the practice of “mail-order brides.” As described in more detail earlier in this report, it has become more and more common for young ethnic Chinese girls from Singkawang to marry Taiwanese men. The people of Singkawang speak a local dialect of Taiwanese and are viewed as “more subservient” than Taiwanese women. Anecdotal evidence suggests that some of these girls end up being trafficked for sex work or other slavery-like practices. See section III D, Mail Order Brides, for more information.

Trafficking of Babies

Recently, cases of trafficking of babies for illegal adoption have made the news. The reports indicate that West Kalimantan is used as a transit area through which to traffic pregnant women to Malaysia in order to sell their babies to couples looking to adopt. See section III E, Other Forms of Trafficking and Exploitation, for more information.

Internally Displaced Persons

There were several ethnic conflicts in West Kalimantan between the Dayaks and the Madurese in 1996 and 1997 (ICG Asia Report, 2001) and between Malays backed by Dayaks against Madurese in 1999. The seeds of the conflicts can be traced back to three central government

programs: (1) exploitation of natural resources and the forest, in particular by the central government and foreign investors, causing marginalization of the local population; (2) transmigration programs, placing Javanese and Madurese inhabitants in Kalimantan without adequate preparation and consideration for the local people; and (3) the relocation of the local populations to transmigration villages resulting in social uprooting of the indigenous people and the relative exclusion of the local people from political power (Akhmadi, 2002)

In recent years, large numbers of internally displaced persons, primarily ethnic Madurese, have been sheltered in Pontianak, West Kalimantan. Many of these people were displaced when conflict broke out between the ethnic Dayaks in West Kalimantan and the ethnic Madurese who lived in West Kalimantan (originally coming to the province as transmigrants under the Indonesian government policy). Unfortunately, at this time, there have been no studies or research done to determine the vulnerability of these internally displaced persons to trafficking. Anecdotal evidence indicates, however, that many of these persons have been approached by agents, including ethnic Madurese agents, to migrate to Malaysia and Brunei for work. Some of the girls targeted may have ended up in sex work.

Trafficking and Migration Routes

Domestic: Young girls and women from Java are sent directly to Pontianak by boat to work in the sex industry in the city. Pontianak may also be used as a transit area to traffic women to other parts of Indonesia such as Batam.

International: As noted above, young women from Singkawang West Kalimantan are sent to Taiwan for servile marriages. In addition, many migrant workers are sent to nearby Malaysia which shares a land border with West Kalimantan. High sending areas for migrant workers in West Kalimantan include the districts of Landak, Sanggau, Bengkayang, Sambas, Singkawang, Mempawah, Ngabang, Sintang, and the city of Pontianak.

Transit: Because of its geographic location on the border with Sarawak, East Malaysia, West Kalimantan is a popular land route for traffickers. According to the West Kalimantan Immigration Office 500,371 Indonesians crossed through the gateway of Entikong-Taebudu and 16,062 through other borders in West Kalimantan in the year 1999-2000. (Coalition of Indonesian NGOs, 2002: 21). The routes go through Entikong in West Kalimantan to Sarawak and Sabah in Malaysia, and are accessible by public bus from Pontianak and other areas within West Kalimantan.

Airport and Seaports in West Kalimantan: There are five (5) airports in this province, the largest of which is Supadio Airport in Pontianak. There are weekly flights between Pontianak and Kuching in Sarawak, East Malaysia, and daily flights between Pontianak and Jakarta as well as other points in Kalimantan.

Seaports in West Kalimantan include Pontianak, Teluk Air, Ketapang and Sintete Ports. These ports have boats that travel within Kalimantan and to Java, Sulawesi, and Malaysia.

Su Phin, a young ethnic Chinese girl from a small village near Singkawang, Kalimantan, was fifteen years old when an agent arranged for her to marry a Taiwanese business man three times her age. The agent promised her parents Rp. 25,000,000 (approximately US\$ 2,500) for the contract marriage.

Her first few months in Taipei were fine. Su Phin and her husband spoke different dialects, but his parents taught her their language. They treated her well. It was only after the large wedding celebration in Taipei that things started to change.

Her husband had lied about being from Taipei. The house that they had been living in for the last three months was rented. The family actually lived in a small village in the countryside. He had also lied about his employment. He was not a businessman but rather a minimum wage factory worker. They all moved to his parents' house in the village. Su Phin was told to clean the house every day and then work in the rice fields until the evening. She didn't mind the work. She was determined to be a good wife and daughter-in-law.

Half a year later Su Phin's husband claimed he was fired. He told her that he "sold her" so he could continue to feed the family. Every night he would take her to the brothel to which he had sold her. In a local nightclub Su Phin was forced to sexually entertain men. If she did not entertain enough customers her husband would beat her. Su Phin managed to escape after three months by convincing her husband to take her to visit her family in Singkawang for the Chinese New Year celebrations.

She arrived back in Indonesia pregnant. She told her family about her horrific situation and they supported her. However, this was not the end of her problems. Without her knowledge, her citizenship had been changed to Taiwanese. The agent who had arranged the marriage reported her to immigration officials and she could be deported back to Taiwan. Su Phin and her family reported the agent and her husband to the authorities, but neither was ever brought to justice.

Source: Arsana, 2001

L. WEST NUSA TENGGARA

By Wahyuningrum and Anna Puspita

West Nusa Tenggara (NTB) is a province in East Indonesia with an area of 20,177 sq km and a total population of approximately 3.5 million people. The population density in 2000 was 199 people per sq km (BPS, 2000g). The province is divided into two large islands, Lombok and Sumbawa, and several small islands. It is arranged into six regencies and one administrative town, with Mataram as its capital city. The original inhabitants of NTB province, include Balinese and Sasak (90% of the population), most of whom reside on Lombok island and have a variety of cultural traditions. There are also minority populations of Chinese, Javanese, and Arabs, and some Buginese that live along the coast of Lombok. Muslims form a majority on Lombok and Sumbawa. Catholics, Christians, Hindus and Buddhists are a minority, while in isolated areas such as the western half of Sumbawa, a large section of the population still adheres to traditional animist beliefs (Turner, 2000: 634).

Agriculture accounts for the largest share of the Gross Regional Domestic Product (GRDP) of NTB Province with (38.23%); the hotel industry and trade (16.21%), and services (16.94%) are the other major source of income in the province, besides migrant worker remittances.

Compared to Indonesia as a whole, NTB does not rank well in development and gender indices, as demonstrated in Table 33. Education and income in the province is lower than the average of Indonesia, literacy rates are low, especially for women, and a large portion of the population does not have access to clean water.

Table 33: Development and Gender Indicators - 1999

Index	NTB	Indonesia
Literacy (Female)	65.4	84.1
Literacy (Male)	81.2	92.9
Mean Years of Schooling (Female)	4.5	6.1
Mean Years of Schooling (Male)	6.0	7.3
Per Capita Expenditure (1,000 IDR)	565.9	578.8
Population without access to safe water (1998)	62.5%	51.9%
Population without access to healthcare (1998)	17.5%	21.6%

Source: UNDP/BPS, 2001: 78, 80, 82

Forms of Trafficking

NTB is a high sending area for international trafficking to Malaysia, Hong Kong, Singapore, Taiwan and Saudi Arabia. Trafficking internationally includes exploitation for the purpose of sex work, domestic work, and slavery-like work on plantations or in factories. NTB is also a sending area for domestic trafficking to large cities like Jakarta, for domestic servitude or sexual exploitation. The province is also a receiving area for commercial sexual exploitation.

Migrant Workers

The two main islands of NTB, Lombok and Sumbawa, are among the highest migrant worker sending areas in Indonesia. People originally from Lombok tend to migrate for work to Malaysia or Singapore, while people from Sumbawa Island tend to migrate to Saudi Arabia.

Migration has been a part of the culture of the Sasak ethnic group of Lombok as they have been migrating for centuries. The Sasak ethnic group is predominant in NTB. The mobility of the Sasak people began after the Karangasem kingdom from Bali defeated the Selaparang Kingdom in Lombok. Karangasem imposed high taxes on the people. Since then, many Sasak people from dry and poor areas who could not pay the high taxes made an exodus to other areas or crossed the island to find a better life. After Dutch colonization, migration increased significantly, and the pattern of migration changed. Many migrants from NTB offered themselves as middlemen for Sasaks who intended to migrate. Nowadays, the middlemen are known as *taikong* (Haris, 2002: 68-85).

As with other high-sending areas for migrant workers in Indonesia, research has shown that many migrant workers from NTB have been abused, tortured and raped in the destination countries or while in transit within Indonesia. Based on information from victims, agents/brokers use deceit and false promises to induce women and young children to migrate. They promise big salaries for domestic work in Malaysia or Saudi Arabia, so that they can buy rice fields for their families or rebuild their homes. These promises are often not fulfilled. Victims have reported incidents such as having their passports kept by the employer, being locked in the house 24 hours a day, receiving a salary much smaller than promised, or not receiving a salary at all for the first 6 months of work or not until the contract is completed (usually two years). There have also been reports that the conditions of work were not the same as described in the contract signed by the migrant workers while they were in Indonesia. A victim interviewed by Solidarity Center and ICMC staff stated that she was forced to work for three big houses in a week as her employer had one sister and two wives. This resulted in the victim sometimes working 24 hours a day without rest.

Commercial Sexual Exploitation — Domestic

Senggigi Beach in Lombok and Malukh Beach in Sumbawa are destination areas for domestic trafficking for the purpose of sexual exploitation. These beaches are tourist areas and cater to both foreign and local users.

Trafficking and Migration Routes

Domestic: Women and children are brought by ship from East and Central Java to NTB. They usually transit through Bali, Surabaya or Jakarta before being brought to Malukh or Senggigi Beach to work as sex workers. In some cases they are brought directly to Lombok. Domestic workers from Lombok and Sumbawa usually travel by boat to Java, where they work in large cities such as Surabaya and Jakarta, or transit in these large cities to be taken again by boat to other places in Indonesia such as West Kalimantan and Batam.

International: Women and children recruited by agents and brokers from their homes in either Lombok or Sumbawa are usually registered in Mataram (the capital of NTB), then sent to a holding center in Surabaya or Jakarta. While at the holding center, the agents sometimes process false documents for the migrants, often in collusion with Immigration officials in Surabaya or Jakarta. The migrants are then sent to destination countries such as Malaysia, Hong Kong, Singapore, Taiwan and Saudi Arabia.

Airports and Seaports: The Selaparang Airport in Mataram has daily flights to Bali, Jakarta via Yogyakarta, Surabaya, Sumbawa Besar and Bima. The seaport at Pelabuhan Lembar has ferries daily between Lombok and Padangbai (Bali), Pelabuhan Benoa (Bali). The port at Labuhan Lombok (Lombok) has boats running 24 hours a day to and from Poto Tano (Sumbawa). Passenger ships also travel between Lembar (Lombok) and other islands of Nusa Tenggara, Kalimantan and Sulawesi.

Buses: Public buses travel daily between Mandalika terminal in Bertais (Mataram) and the major cities in Sumbawa, Bima, Java, and Bali.

REVIEW OF INDONESIAN LEGISLATION



VI. REVIEW OF INDONESIAN LEGISLATION

By Anis Hamim and Ruth Rosenberg¹

Background

Trafficking of women and children is a violation of human rights, child rights and labor rights that reduces victims to mere commodities to be bought, sold, transported, and resold. This worldwide phenomenon is growing and changing in form and complexity – the only constant being the exploitative conditions it places on human beings. Traditionally, trafficking is associated with forced prostitution, yet the reality encompasses many more forms of forced labor and servile marriage. See section II Overview for a more in-depth discussion of the definition of trafficking.

Just as trafficking agents and syndicates are becoming more organized and international, the response to trafficking also needs to become more organized and international. Countries need to update their legal systems to allow for the prosecution of traffickers and compensation and assistance to victims.

Currently, there is neither a legal definition of trafficking in the Indonesian criminal code, nor a specific trafficking law, although both are currently being developed by the government. However, laws do exist which criminalize many of the acts that perpetrators of trafficking inflict on their victims, and which could be used, and in some cases have already been used, to prosecute trafficking cases. This section outlines those articles of Indonesian law that are applicable to trafficking and related criminal offenses, and can be used to:

- Develop guidelines for those interested in prosecuting cases of trafficking using existing laws.
- Develop recommendations for the reform of national law, particularly the Indonesian penal code, in order to comply with applicable international instruments including UN conventions to which Indonesia is signatory.

The analysis that led to the development of this paper included a review of the Indonesian Criminal Code (KUHP), the Indonesian Criminal Code Procedures (KUHAP), Law No. 39/1999 on Human Rights, Law No. 26/2000 on the Court of Human Rights, Government Regulation No. 2/2002 and Government Regulation No. 3/2002 on Implementing Regulations of Law No. 26/2000, Law No. 37/1999 on foreign affairs, Law No. 24/2000 on International

¹ With contributions from Joni SH, LAAI and Ratna Batara Munti, LBH-APIK

Agreements, Law No. 02/2002 on the Police Force of the Republic of Indonesia, Law No.5/1991 on the Public Prosecution Service of the Republic Of Indonesia, Law No. 31/1999 on Combating Criminal Acts of Corruption, Law No. 1/2000 on the Ratification of the ILO Convention No. 182, Law No.7/1984 on the Ratification of Convention on the Elimination of All Forms of Discrimination Against Women, Law No. 1/1974 on Marriage, Law No. 2/1989 on National Education System, Law No. 19/1992 on Immigration Affairs, Law No. 15/2002 on Criminal Acts of Money Laundering, Law No. 1/1979 on Extradition, Presidential Decree No. 36/1990 on the Ratification of the Convention on the Rights of the Child, Decree of the Minister of Manpower No KEP-204/MEN/1999 on Placement of Indonesian Workers Abroad, and Provincial Regulation of the Special Territory of Jakarta on Domestic Workers.

Specific Counter Trafficking Legislation

Trafficking is already criminalized in Indonesian law. Trafficking, which is stated as “memperdagangkan” or “making an object of trade” in Indonesian, is mentioned explicitly in both the Criminal Code and Law No. 39/1999 on Human Rights as follows:

Article 297 of the Criminal Code asserts that “trafficking in females (age not specified) and trafficking in underage males are threatened by a penalty of up to 6 years in jail”.

Article 65 of Law No. 39/1999 on Human Rights states that “Every child has a right to enjoy protection from exploitation and sexual harassment, abduction, child trafficking, and from various forms of misuse of narcotics, psychotropic drugs, and other addictive substances”. There are no sanctions specified for the perpetrators and/or their accomplices.

Although trafficking is explicitly stated, and therefore criminalized, there is no official definition of trafficking included in article 297 of the Criminal Code or in Law No. 39/1999 on Human Rights, making these articles difficult to use in practice. In addition, these articles do not provide for protection of victims or other witnesses, compensation for victims, and other important aspects of counter trafficking legislation recommended by international standards.

Trafficking components in the Indonesian Penal Code (KUHP)

Sexual Exploitation

Although prostitution is not a criminal offence in the Indonesian criminal code, gaining from the prostitution of others is criminalized. Several articles of the KUHP which criminalize the prostitution of others and which impose penalties on those who sexually exploit adult women and children could be used to bring to justice cases of trafficking for the purpose of sexual exploitation. These include:

KUHP Article 285: Anyone who by means of violence or threat of violence forces a woman to have sexual intercourse with him outside a marriage institution is liable to a maximum penalty of 12 years in jail.

Article 287: Anyone who has sexual intercourse with a woman outside a marriage institution, whereas she is recognized or should be presumed to be less than 15 years of age, is liable to a maximum penalty of 9 years in jail.

Note: Prosecution can only be executed upon a complaint if the victim is under 12 years of age.

Article 288: Anyone who has sexual intercourse with a woman within a marriage institution, who is recognized or should be presumed to be underage, is liable to a maximum penalty of 4 years in jail, if the act results in injuries.

Note: If the injuries are serious, the maximum penalty becomes 8 years; if the injuries result in death, the penalty will become a maximum of 12 years in jail.

Article 289: Anyone, who by violence or threats of violence, forces a person to commit, or allows someone else to commit, an act of obscenity is liable to a maximum penalty of 9 years in jail.

Article 290, Paragraph 2: anyone who commits an act of obscenity with a person who is recognized, or should be presumed to be, less than 15 years of age, is liable to a maximum penalty of 7 years in jail.

Paragraph 3: anyone who persuades a person who is recognized or should be presumed to be under 15 years of age, to commit or to permit an act of obscenity to be committed, or to have sexual intercourse outside a marriage institution with another person is liable to a maximum penalty of 7 years in jail.

Article 291: if the offence from 290 above causes the victim serious injury, the perpetrator is liable to a maximum penalty of 12 years in jail, and if the offence brings death to the victim, the perpetrator is liable to a maximum penalty of 15 years in jail.

Article 292: Anyone who is a person of age, who commits an act of obscenity with another person who belongs to the same sex, who is recognized or should be presumed to be underage, is liable to a maximum penalty of 5 years in jail.

Article 293: Anyone who gives or promises money or goods, or abuses their position of authority, or by deception deliberately causes an underage person to perform or to permit an act of obscenity to be committed to him/her, is liable to a maximum penalty of 5 years in jail.

Note: Prosecution shall be carried out only on a complaint from the person against whom such criminal act was committed.

Article 294: Anyone who commits an act of obscenity with his/her child, his/her step child, his/her adopted child, a child under his/her custody, or with a child whose custodianship, education, or guardianship is assigned to him/her, or even with his/her attendant or his/her subordinate who is underage, is liable to a maximum penalty of 7 years in jail. Also liable to a similar penalty is an official who commits an act of obscenity with a person that, as a result of his/her position, is a subordinate of the official, or with a person whose guardianship is trusted or assigned to the official. Also liable to a similar penalty, a caretaker, a doctor, a teacher, an employee, a supervisor or an attendant in a prison, a place of state work, a place of education, an orphanage, a hospital, a mental hospital or a social institution, who commits an act of obscenity with a person admitted into the institution.

Article 295: 1:1: Anyone who deliberately causes or facilitates the committal of an act of obscenity with another person by his/her child, his/her stepchild, his/her foster child, a child under his/her supervision, a child whose custody, education or guardianship is entrusted to him/her, or even by his/her attendant or his/her subordinate who is underage, is liable to a penalty of 5 years in jail;

Article 295: 11:2: Anyone who deliberately commits or facilitates an act of obscenity, other than the ones referred to in point 1 above, committed by a person who is recognized by him/her to be underage or should be presumed as such, with another person is liable to a penalty of 4 years in jail.

Article 295: 12:2 If the crime is his/her livelihood or is habitual he/she is liable to a penalty of 4 and 1/3 years.

Article 296: Anyone who deliberately connects or facilitates an act of obscenity committed by another person with another person, and performs it as a livelihood or a habitual act, is liable to a maximum penalty of one year and 4 months in jail or a maximum fine of one thousand rupiah.

Article 297: Anyone who engages in trafficking of females (age not specified) and underage males is liable to a maximum penalty of six years in jail.

Article 298: As consequences of his/her crime, the right of guardianship of the perpetrator of child trafficking can be revoked.

Article 506: Anyone who earns profit from an act of obscenity of a woman and makes it as a livelihood is liable to a maximum penalty of one year of imprisonment.

Labor Exploitation

Indonesian labor law does provide many protections of the rights of workers, including number of hours per week which can be worked, leave days, sick leave and minimum wages.

All of these articles could be applicable for prosecuting trafficking cases involving labor exploitation. These articles can be found in Law No. 1 year 1951, on Statement of the Enactment of Law of Work Year 1948 No 12. For example, section IV, article 10 on period of work and rest, states that a worker is not allowed to work more than 7 hours a day and 40 days a week, and must be allowed at least one day of rest per week. This could be used to prosecute cases of trafficking where such labor violations have occurred, especially in cases of trafficking for domestic work where such violations are not uncommon.

Child Labor

There are many laws that would be applicable to combating trafficking of children. Many of the articles mentioned above on sexual exploitation specifically address the exploitation of minors. For other forms of trafficking, other laws may be applicable. For example, the minimum working age in Indonesia is defined as 15 for most types of work and 18 for more hazardous work. Indonesia has ratified ILO Convention No. 138 Year 1973 on Minimum Age for Admission to Employment by Law No. 20 Year 1999. Article 3 of this convention states that “The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons shall not be less than 18 years.” Under this law, the employment of children under age 15 for any purpose would be illegal.

For trafficking of children for the purposes of begging, the Indonesian penal code prohibits anyone from involving children in the occupation of begging or other harmful occupations. Under article 301 of KUHP: anyone who gives or surrenders to another person, a child under his/her legal guardianship who is under 12 years of age and, whereas it is recognized that the child is to be mobilized for begging or for hazardous work, or for work that may harm his/her health, is liable to a maximum penalty of 4 years in jail.

Abduction

Relevant codes for crimes involving abduction include the following:

KUHP Article 332: Committing a criminal act of abducting a woman is liable to a penalty of imprisonment:

For a maximum of 7 years, anyone who abducts an underage woman, without the consent of her parents or her guardian but with the consent of the related woman. For the intention of ensuring power over the woman, either within or outside a marriage institution;

For a maximum of 9 years, anyone who abducts a female (no age specified) by means of fraud, force or threat of force, for the intention of ensuring his power over the woman, either within or outside a marriage institution.

Note: Prosecution shall only be carried out upon complaint. If the person who abducts the woman then marries the woman he had abducted according to applicable rules, then criminal sanctions cannot be imposed unless the marriage is annulled.

Article 330: (1) Anyone who deliberately removes an underage person from his or her legal guardian, or from the supervision of a person authorized for that purpose, is liable to a maximum penalty of 7 years in jail. (2) In the event that this act is committed by means of fraud, force or threat of force, or if the child is under 12 years of age, a maximum penalty of 9 years in jail is imposed.

Article 328: Anyone who abducts a person from his/her residence or from his/her temporary domicile for the intention of placing him/her illegally under his/her power or under another person's power, or of placing him/her in a situation of misery is threatened for an act of abduction with a maximum penalty of 12 years in jail

Article 329: anyone who deliberately and illegally transports a person to another area, whereas that person has entered an agreement to work in a certain place – we need to clarify this...., is liable to a maximum penalty of seven years in jail.

Illegal Confinement / Detention:

Article 331: Anyone who deliberately hides an underage person, who is removed or removes himself/herself from their legal guardian, or from the supervision of a person authorized for that purpose, or deliberately removes him/her from further investigation by justice officials or the police, is liable to a maximum penalty of 4 years in jail. If the child is below 12 years of age, the perpetrator is liable to a penalty of up to 7 years in jail.

Article 333: (1) Anyone who deliberately and illegally deprives a person of freedom or continues such deprivation of freedom, is liable to a maximum penalty of 8 years in jail. (2) if the act causes serious injuries then the guilty party is liable to a maximum penalty of 9 years in jail. (3) If it results in death, it is liable to a maximum penalty of 12 years in jail. (4) Penalties stipulated in this article shall also be applied to anyone who deliberately and illegally provides premises for deprivation of freedom.

Article 334: (1) Anyone who, due to his/her negligence, causes a person to be deprived of his/her freedom by illegal means, or causes the persistence of such deprivation of freedom, is liable to a maximum penalty of 3 months imprisonment or a maximum fine of three hundred rupiah. (2) If the act causes serious injuries, then the guilty party is liable to a maximum penalty of nine months imprisonment. (3) If it results in death, it is liable to a maximum penalty of 1 year imprisonment.

Slavery:

There are a number of articles in the KUHP related to slavery which go back to the early colonial days before Indonesia's independence from the Dutch. These articles impose severe punishment for the perpetrators, their accomplices, and for anyone who is directly or indirectly associated with the slave trade. However, it is assumed now that slavery no longer exists in Indonesia, consequently these articles on crimes against human liberty, in practice, are no longer applied. Article V of Law No. 1/1946, states that "regulations of criminal code, which on the whole or in part are no longer applicable, or are contradictory to the status of the Republic of Indonesia as an independent Country, or no longer have any meaning, have to be presumed to be entirely or temporarily not applicable" (Moeljatno, 2001: 118).

If they were still applicable, the article which would be most relevant to trafficking is Article 324 of KUHP. This states that anyone who, at his/her own expense or at another person's expense, runs slave trade or commits an act of slave trade or deliberately participates in a direct or indirect manner in one of the crimes referred to above, is liable to a maximum penalty of 12 years in jail.

Definition of Perpetrators and Accomplices:

Under Article 55 the following people will be considered as a perpetrator, subject to the maximum penalties mentioned above:

- those who commit, who order to commit; and who participate and commit the acts;
- those who by giving or promising something, by abuse of power, by means of force, of threat of force, or of deception, or by giving opportunities, facilities or information, deliberately suggest to other people to commit the acts.

Under article 56, the following people will be considered as accomplices, subject to the maximum principal penalty deducted by a third of the penalty:

- those who deliberately provide assistance at the moment the crime is committed;
- those who provide opportunities, facilities or information to commit a criminal act.

Multiple / Concurrent Offences

It is very likely that in the course of trafficking more than one kind of crime is committed, such as the occurrence of fraud, harboring, battery or even rape concurrently. In other words, the perpetrator may have committed many kinds of crimes against one or more victims. However, under article 63 of the Indonesian Criminal Code, Indonesian law will only impose one of the rules and the perpetrator will be subject to a maximum principal penalty on only one of the crimes committed.

Organ Transplants

Law No. 23/1992 on Health, without specifically mentioning trafficking, in essence, criminalizes the trafficking of people for the purpose of the removal of organs, as illustrated in the following articles:

Article 80 (3): “Anyone who deliberately commits an act for commercial purposes in the conduct of transplantation of human organs or body tissues or transfusion of blood as referred to in Article 33 (2) is liable to a penalty of maximum 15 years in jail and a fine of maximum Rp. 300,000,000 (three hundred million rupiah)”

Article 81 (1): “Anyone without expertise and authority who deliberately: (a) performs a transplant of organs and or body tissues (without expertise and authority) as referred to in article 34 (1) is liable to a maximum penalty of 7 years in jail and or a maximum fine of Rp. 140,000,000 (one hundred and forty million rupiah).”

Law No. 19/1992 on Immigration Affairs

Indonesian immigration law can be used to prosecute international trafficking cases into or from Indonesian borders. Below are articles of this law relating to trafficking.

Article 17 prohibits foreigners from entering Indonesian territories under the following conditions:

- a. If the person is known or suspected to be involved in international organized crime;
- b. If the person is suspected of conducting activities which disturb public security and order, morality, religion, and customs of Indonesian societies;
- c. Upon request of a country, because the person tried to escape from legal prosecution within the said country for committing crimes which are also criminalized in Indonesia, based on existing legislation;
- d. If the person has, in the past, been expelled or deported from Indonesian territories

Article 55 can be used to prosecute individuals, corporations or government apparatus who commit or are accomplices in misusing or falsifying Indonesian travel and identity documents, specifically criminalizing the following:

Anyone who is intentionally:

- using an Indonesian passport which he or she knows, or should assume to be, fake or falsified, shall be punished by a maximum penalty of 5 years imprisonment or a maximum fine of IDR 25,000,000;
- using another person’s passport or a revoked or invalid passport, or giving to

another person a passport issued to him/her, for the purpose of using it unlawfully, shall be punished by a maximum penalty of 5 years imprisonment or maximum fine at of IDR 25,000,000;

- submitting illegal data or incorrect information in order to obtain a passport for him or her self or for others, shall be punished by maximum penalty of 2 years imprisonment or a maximum fine of IDR 10,000,000;
- owning or using unlawfully 2 (two) or more valid Indonesian passports shall be punished by maximum 2 years imprisonment or a maximum fine of IDR 10,000,000.

Article 59 can be used to prosecute government officials who commit or assist or cooperate in processing immigration documents unlawfully.

Any official who intentionally and unlawfully gives or extends the validity of an Indonesian passport or an immigration document for any person known to be ineligible, shall be punished by imprisonment at maximum 7 years..

Law on Foreign Relations

Law No. 37/1999 on Foreign Affairs can be applied as an instrument to protect Indonesian women and children who are trafficked to foreign countries.

Article 19 states that the representative of the Republic of Indonesia has a responsibility to provide protection and legal aid to Indonesian citizens and Indonesian legal entities abroad, in conformity with national legislation and international law and practices.

Article 21 of this Law provides that: “In cases where Indonesian citizens are threatened with apparent danger, the Representative of the Republic of Indonesia has a responsibility to render protection, to assist and to assemble them in a safe area, as well as to endeavor to repatriate them to Indonesia at the expense of the state.”

According to this law, the Indonesian representative is obligated to provide protection including safe shelter and repatriation, to Indonesian citizens abroad. However, no sanctions are put forth in this law against foreign affairs apparatus who intentionally or unintentionally, fail to fulfill their obligations to protect Indonesian woman and children in foreign countries.

Other Related Laws and Regulations

Money Laundering:

Another law relevant to trafficking is Law No.15/2002 on the crimes of money laundering. This law states that wealth which comes from trafficking practices is categorized as assets gained from criminal acts and is punishable under this law.

This law refers to proceeds from criminal acts amounting to IDR500,000,000 or more or equivalent in value, gained directly or indirectly from crimes of: corruption; bribery; smuggling

of goods; smuggling of workers; smuggling of migrants; banking; narcotics; psychotropic drugs; slave trade, trafficking of women and children; illegal arms dealings; abduction; terrorism; theft; embezzlement; or fraud, committed within the territory of the Republic of Indonesia or beyond the territory of the Republic of Indonesia when the crime constitutes a criminal act under the Indonesian law.

Article 3 verse 1 of this Law threatens anyone who places, transfers, spends, grants, deposits in his/her own or another person's name, exchanges or brings the money abroad, with a charge of money laundering and a minimum penalty of 5 years and a maximum of 15 years in jail, and a minimum fine of IDR5,000,000,000 and a maximum of IDR15,000,000,000.

Article 3 verse 2 provides that a similar penalty also applies to anyone who commits attempts, assists, or conspires to commit criminal acts of money laundering.

Law No. 1/1979 on Extradition

In the Appendix of Law No. 1/1979, crimes of trafficking are included in the list of crimes in which perpetrators are extraditable, including:

- Abducting a woman by means of force, of threat of force, or of fraud, or deliberately abducting an underage person;
- Trafficking of women and trafficking of underage boys;
- Abduction and illegal detainment;
- Slavery

Thus, all perpetrators of crimes of trafficking committed against Indonesian citizens in Indonesia or abroad by perpetrators who hold citizenship in Indonesia or in other countries can be extradited and tried in Indonesia as long as those countries have extradition agreements with Indonesia. Traffickers found in Indonesia who have committed crimes of trafficking in other countries can also be extradited to those countries where extradition agreements exist.

Currently, Indonesia has extradition agreements with several countries, including Australia by Law No. 8/1994, the Philippines by Law No.10/1976, Hong Kong, Malaysia and Thailand.

Regulation on Indonesian Labor Placement Agencies

Another regulation which provides protection for women and children from exploitation from labor recruitment agents is Labor Minister Regulation on Indonesian Labor Placement Abroad (KEP-204/MEN/1999), especially the rules concerning protection of Indonesian migrant workers (TKI, *Tenaga Kerja Indonesia*). Because this regulation was issued by executive order it can only impose administrative sanctions against those who are under the administrative coordination of the Ministry of Manpower. Administrative sanctions may include suspension or rescinding of a company's license. Articles of the regulation that are particularly relevant to trafficking include the following:

Article 29: Employment agencies (PJTKI) are prohibited from placing migrant workers in employment that violates their decency.

Article 33: Every potential migrant worker has to be at least 18 years of age, except if regulations of the country of destination state otherwise.

Article 42: PJTKI shall enroll potential migrant workers in the migrant worker's protection insurance program.

Article 54: The Representative of the Republic of Indonesia processes data of migrant workers, monitors the whereabouts of migrant workers, and provides assistance as part of the development and protection of migrant workers in its accredited territory.

Migrant workers are often charged fees that lead them into bondage with agents. Labor Minister Regulation (KEP-204/MEN/1999) also regulates the payment of fees. Article 47 (1) of the regulation states that all fees for the placement of migrant workers are the responsibility of users unless approved by the general director. However, it goes on to allow certain expenses as detailed below.

Article 47 (2) expenses which may be charged to the migrant workers candidates include:

- documents of the curriculum vitae of the migrant worker;
- health check up;
- employment visa;
- local transportation;
- accommodation and meals;
- guarantee money - which depends on the destination country.

(3). The amount of the fees as mentioned in sub article (2) number a, b, c, d is determined by the general director in coordination with related sectors and institutions.

Article 48 states that the PJTKI is prohibited from charging fees to the migrant worker candidate over the amount regulated in article 47 sub article (2) and (3).

Article 50 states that "the payment of fees charged to migrant worker candidates may be done either by cash or installment depending on the agreement between the candidate and the PJTKI." However, sub article (2) states that if the payment is done by installment, the amount of each installment every month is not allowed to exceed 25% of the migrant's salary which she/he takes each month.

The regulation also does not address the repayment of expenses if the migrant worker candidate breaks the contract.

The regulation also addresses the holding centers. Article 41 of this regulation states that: “in preparation for the migrant worker candidate’s departure, the PJTKI shall provide accommodation in a holding center in compliance with the existing regulations.” However, it does not go on to specify the regulations or conditions for the holding centers. Issues of illegal confinement are not included.

Jakarta’s Provincial Regulation No. 9/1993 on Domestic Workers

Regulations are also produced by provincial governments and legislative councils. These regulations only have a binding power over the jurisdiction of the particular province. Some of these provincial regulations may be relevant to fighting trafficking, for example, the provincial regulation of the Special Territory of Jakarta No.9 Year 1993 on Domestic Workers. This regulation has several articles which could be used against an agent or employer of domestic workers in Jakarta who has violated the employees’ rights.

Articles 4, 5, 6, and 14 on the Responsibilities of Domestic Workers’ Placement Companies that require them to provide holding centers, train potential domestic workers, secure operating licenses, guarantee that a domestic worker will work for a minimum of 6 months, and establish a work agreement between an employer and the domestic worker that contains the rights and responsibilities of each party.

Article 8 prohibits placement companies from collecting fees in any form from domestic workers or placing domestic workers through brokers, and prohibits them from placing domestic workers beyond the Special Territory of Jakarta.

Article 12 outlines the responsibilities of an employer to a domestic worker to pay his/her salary, provide meals, beverages, and annual leave, provide a minimum of one set of clothing per annum, provide guidance in performing tasks that are related to safety at work, provide a decent bedroom, and exhibit humane treatment.

Article 27: Sanction against employers and placement companies who violate the rights of domestic workers include a maximum penalty of 3 months imprisonment or a maximum fine of fifty thousand rupiah.

Witness Protection and Compensation

There is currently no legal basis in the Indonesia criminal code for compensation to victims or for the protection of witnesses. The only place where these are provided for is in the law on Human Rights, Law No. 26/2000, together with its implementing regulations, Government Regulation No. 2/2002 and Government Regulation No.3/2002. This law provides that victims can receive compensation (from the government), restitution (from the perpetrators or third parties) and rehabilitation. However, because trafficking in Indonesia cannot usually be categorized as an act of genocide or a crime against humanity, this law does not apply.

Regulations on protection for witnesses and victims are not available for ordinary crimes (crimes not categorized as serious violations on Human Rights). The KUHAP only regulates compensation for anyone who is arrested, detained, tried or subjected to other actions without cause. In addition, it regulates compensation from defendants to third parties who suffer damages due to their criminal acts (KUHAP Article 95 – 97). It does not provide for compensation to the direct victims of criminal acts.

Although not currently available, a separate law on witness protection is under development now in Indonesia, and should provide protection for witnesses of all serious crimes, including those related to trafficking. In addition, the new Anti-trafficking Bill is expected to include articles on protection for witnesses and victims, as well as compensation for victims.

Treatment of Trafficking Victims From Other Countries:

There are few articles of law related to the treatment of victims and suspects who are citizens of other countries. The only service provided for foreign victims or suspects is the right to a translator during legal proceedings if she/he cannot understand Indonesian. Article 177 the KUHAP stipulates that “if the suspect or witness cannot understand Indonesian, the judge instructs a translator who should swear to translate correctly”.

The preliminary results of a study by the Women’s Study Center of the University of Indonesia of women in prisons in Jakarta for drugs trafficking, indicates that few of these women understood the legal process. They state that they signed documents they could not read, and, in court, answered yes to questions without understanding them. The court did not provide translation, though in some cases, the women’s Embassy provided someone for part of the trial (see section III E Other Forms of Trafficking for more information). This issue of support for foreign victims of trafficking in Indonesia is expected to be addressed by the new Anti-Trafficking Bill.

Regulation for Asylum Seekers in Indonesia:

Existing Indonesian legislation recognizes the right to asylum as a part of human rights. The recognition is declared in article 28G of the Indonesian Constitution which states: “every person has the right to be free from torture or from degrading treatment and has the right to political asylum from another country.” The right to obtain asylum is also declared in Human Rights Law No. 39/1999. Article 28 (1) of the law states, “every person has the right to obtain asylum in order to get political protection from another country.”

The procedure for anyone who seeks asylum, according to Law No. 37/1999 on foreign relations, will be regulated by a presidential decree. Article 25 of this law states that: (1) the jurisdiction for asylum giving to foreign citizens is in the hands of the President by taking into account the Minister’s advice. (2) The implementation of the jurisdiction as mentioned in sub article 1, will be regulated by presidential decree. Furthermore article 26 states that “the giving of asylum to foreign citizens is implemented in compliance with existing national legislation as well as by taking into account international laws, conventions and practices.

Article 27 of this law also stipulates that policy on refugee issues is under the President's responsibility, and that the basic policies for this will be regulated by presidential decree.

However, a presidential decree on giving asylum and on policies for refugee issues, as instructed by the law, has never yet been issued. Therefore, Indonesia does not have clear procedures for granting asylum. Currently, asylum seekers are assisted in cooperation with the United Nations High Commission for Refugees (UNHCR). The procedure to get asylum through the UNHCR is regulated by a Public Letter (SE) from the Indonesian Director-General of Immigration Affairs No. 30/September/ 2002. In theory, a foreign victim of trafficking in persons in Indonesia could seek asylum from UNHCR if she/he feared for her/his safety if returned to her/his country of origin. To date, UNHCR has not had any such cases in Indonesia (Interview 2003).

Gaps in Existing Legislation

As can be seen from the review of existing legislation, there are ways in which both the state and trafficking victims can seek justice using existing law. While there are laws which already criminalize trafficking, there are many other laws which can be used to prosecute trafficking cases and associated abuses. Numerous other criminal violations occur in the course of trafficking. For example, many laws exist which criminalize the sexual exploitation of others, and particularly of children. Laws also exist which criminalize the abduction and detention of adults and children. These can be used against those who traffic in women and children, especially for the purposes of sexual exploitation. Laws also exist which criminalize the use of child labor, restrict the number of hours a person can work, and require employers to provide safe and healthy conditions for employees. These could be used to prosecute cases of trafficking for domestic work, work on *jermal* and other forms of labor exploitation.

Although these laws already exist and can and should be used to act now against those who traffic in people, there are many gaps in the existing legislation. For example, the sanctions imposed are, in most cases, too small to act as a deterrent. There are no provisions for witness protection, no compensation for victims, and no special services for foreign victims of trafficking. The section below outlines where some of these gaps exist. These should be taken into account as Indonesia develops new laws and policies to combat trafficking.

Recommendations for Reforms to the Legislation

The following are suggestions which should be considered in any new trafficking legislation developed or in the reform of existing legislation. These suggestions are based on international standards.

Establishment of Criminal Acts

1. Finding: Frequently, sexual abuse or exploitation against wives by their husbands cannot be brought into the courts since the action is regarded as a personal or domestic matter and not a criminal offence. The penal code, for example, only criminalizes acts of rape outside

marriage unless the wife is underage and incurs injuries as a result. Please refer to articles 285, 287, and 288 of the KUHP.

Recommendation: Establish rape or sexual violence within a marriage as a criminal offence.

2. Finding: Article 297 of the KUHP criminalizes trafficking, but does not define what constitutes trafficking, making it difficult to apply in practice. For example, it states only that “Anyone who engages in trafficking [*perdagangan*, also means ‘sale’] of women (age not specified) and underage boys, is liable to a maximum penalty of 6 years in jail,” without defining *perdagangan*.

Recommendation: Establish a legal definition of trafficking which criminalizes all forms of trafficking against all people – women, men and children. Definitions included in other countries’ legislation and in international legislative reviews include:

The Annotated Guide to the Complete UN Trafficking Protocol suggests the following definition for use in criminal law: “Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring, or receipt of persons, by any means, for forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs (Jordan, 2002: 7).

The Memorandum of Understanding between Cambodia and Thailand incorporates the UN definition, but adds a list of examples of the purposes for which people may be trafficked, as follows: prostitution; domestic work including forced or exploitative domestic labor; bonded labor; servile marriage; false adoption; sex tourism and entertainment; pornography; begging; and hard, serious, or exploited services for use in criminal activities.

The Anti-Trafficking Act of 2000 from the Philippines includes the following definition: “All acts involving the recruitment, transfer, or deployment of a person, especially women and minors.”

The recruitment, deployment, transfer may be done through:

- legal or illegal means;
- with or without the victims consent or knowledge;
- within or across national borders.

The recruitment, transfer or deployment often involves any of the following acts:

- fraud or deceit;
- coercion;
- violence;
- intimidation;
- abuse of power or authority.

The Cambodian Law on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Beings defines the trafficking crime in terms of kidnapping and prohibits the kidnapping of persons for trafficking/sale or for prostitution and the exploitation of persons. An offender is defined as a person who lures another person, male or female, minor or adult, in order to kidnap the person for the purpose of trafficking, sale or prostitution. It does not further define what is meant by ‘trafficking’.

3. Finding: The existing legislation does not clearly criminalize those who facilitate or are accomplices to trafficking in persons, especially government officers (police, immigration officers, customs officials) who fail to prevent or assist in committing, trafficking crimes against Indonesian citizens.

Recommendation: Ensure that trafficking cases involving public officials are prosecuted, and involve not only disciplinary consequences, but also sanctions under criminal law (Jordan, 2002: 109). The state must also ensure that government officers involved in acts of corruption which facilitate trafficking, such as those who make false identity cards, provide fake passports, or allow groups of trafficking victims to illegally cross borders, must be prosecuted and given sanctions severe enough to act as a deterrent.

4. Finding: The law on foreign relations states that representatives of the Republic of Indonesia have a responsibility to provide assistance, protection, and legal aid to Indonesian citizens and legal entities abroad, in conformity with national legislations and international law and practices. As well, the law provides that, “In cases where Indonesian citizens are threatened with apparent danger, the Representative of the Republic of Indonesia has a responsibility to render protection, to assist and to assemble them in a safe area, as well as to endeavor to repatriate them to Indonesia at the expense of the state.” According to this law, the Indonesian representative is obligated to provide protection including safe shelter and repatriation, to Indonesian citizens abroad. However, no sanctions are put forth in this law against foreign service officers who, intentionally or unintentionally, fail to fulfill their obligations to protect Indonesian woman and children in foreign countries.

Recommendation: Clarify and expand the roles of consulates and embassies to provide services and protection for Indonesian citizens trafficked to other countries. Ensure that consular and embassy staff has the necessary training and resources to fulfill these responsibilities.

5. Finding: Existing legislation assumes that those who commit trafficking are working as individuals or unorganized groups. However, these crimes are often committed by groups of organized people, such as organized criminal syndicates or networks of migrant placement agencies (PJTKI).

Recommendation “Specifically establish the activities of organized criminal groups involved in trafficking as a criminal offence.” (Jordan, 2002: 109).

Sanctions

6. Finding: The existing article criminalizing trafficking in the criminal code has a maximum penalty of 6 years imprisonment. Other crimes against sexual exploitation, except those resulting in the death of the victim, have sanctions of 1 to 7 years depending on the age of the victim and the severity of the crime. In reality, maximum penalties are rarely imposed. In a case in 2001 in North Sumatra province, traffickers received only 20 months imprisonment, and in a case in 2002 in North Sulawesi province, only six months.

Recommendation: Increase sanctions to make them serious enough to serve as a deterrent. In addition to imprisonment and fines, sanctions against both individuals and legal entities should include confiscation of assets, closure of establishments, exclusion of the entitlement to public aid or tax benefits, placement under judicial supervision and disqualification from the practice of commercial activities. The State should also establish criminal and civil liabilities against entities involved in trafficking without prejudice to the liability of the individuals involved. (Jordan, 2002: 109).

Prosecution

7. Finding: Special units exist within police departments to assist women victims of violence (*Ruang Pelayanan Khusus, RPK*). These units mark an important step forward and are potentially able to provide better services for women and children who are victims of trafficking. However, the special units are often marginalized within the police departments, they are not integrated into the national police organization, and the staff not given the authority or resources needed to properly investigate cases.

Recommendation: Establish specialized units within the police and prosecutors offices (or use existing specialized units like the violence against women response units – RPK) for investigating and prosecuting cases of trafficking. Provide special training to these units in how to handle trafficking cases and how to be sensitive to victims' needs and trauma. Ensure that these units receive funding and resources in order to properly prosecute cases. Incorporate training about counter trafficking legislation into the general police training and prosecutors' training curriculum.

8. Finding: Articles within the existing legislation are sometimes used to charge trafficking victims with crimes, especially for those who are trafficked for prostitution. Although the Indonesian criminal code does not criminalize prostitution, some district regulations indirectly do so. For example, in West Sumatra there is curfew on women, restricting their travel outside of their home between the hours of 10:00 pm and 4:00 am. These regulations are used to harass and prosecute sex workers.

Recommendation: Do not prosecute trafficking victims for trafficking-related offences, such as prostitution, holding false passports, or immigration violations (Jordan, 2002: 112). Establish criteria in the legislation which would be used to determine whether or not a person should be treated as a victim of trafficking.

Victim Compensation

9. Finding: the existing legislation does not provide compensation to victims for unpaid wages, or the pain and suffering they endured.

Recommendation 9.1: As noted above, in addition to imprisonment and fines, include confiscation of assets and closure of establishments as sanctions against traffickers, and use these confiscated assets to pay compensation to victims and to support provision of services to victims. The State should also establish criminal and civil liabilities against entities involved in trafficking without prejudice to the liability of the individuals involved (Jordan, 2002: 109)

Recommendation 9.2: For Indonesian citizens abroad, establish a mechanism within the state structure – for example, through Indonesian consulates – to assist victims of trafficking or exploitation to sue employment agencies or employers for damages and unpaid wages.

Victim Protection and Assistance

10. Finding: The police tend to rely on victims' testimony and reports in order to investigate and prosecute crimes of trafficking. As a result, victims have to go frequently to the police office or to the court. In addition to being expensive for the victims in terms of transportation costs and lost wages, this can also retraumatize the victim.

Recommendation 10.1: Legal actors should interrogate trafficking victims only as much as is necessary to proceed with criminal proceedings. States should rely on other sources of information, such as other witnesses and clients. (Jordan, 2002: 113) The legislation should allow the state to prosecute cases of trafficking even without a complaint by the victim.

Recommendation 10.2: The state should provide financial assistance to victims willing to assist in prosecuting trafficking cases. States should arrange for, or work with NGOs to provide transportation, decent accommodation and meals for victims.

11. Finding: Currently, in order to give testimony, victims must appear themselves in court, potentially retraumatizing the victim by forcing them to speak publicly about their experiences and by making them confront their traffickers.

Recommendation: Allow trafficking victims to provide testimony without having to confront their traffickers, such as through audio or video testimony (Jordan, 2002: 113).

12. Finding: NGOs have reported improper treatment of victims by police and retraumatization and intimidation of the victim during police interrogation and investigation.

Recommendation: Establish guidelines for interrogation of victims to ensure that they are treated sensitively and are not retraumatized.

13. Finding: Existing legislation does not provide protection to victims or witnesses from intimidation by traffickers. As a result many victims and witnesses are reluctant to speak about their experiences for fear of retaliation against themselves or their families.

Recommendation: Provide trafficking victims and witnesses, their families and staff of supporting NGOs with police protection to ensure their security and to ensure they are protected from threats and intimidation (Jordan, 2002: 113).

14. Finding: Victims are not protected from public exposure, so that the media sometimes publish details of the case and the victim's identity. Not only does this make the victim more vulnerable to threats and intimidation by traffickers, but also exposes victims to shame and humiliation, making return and reintegration to their communities more difficult.

Recommendation: Protect the personal information and identity of the victims, not allowing their names, addresses, or photographs to be made public (Jordan, 2002: 113).

15. Trafficking: Police tend to treat the victim as a passive third party. They do not invite the victim to actively participate in the case handling process because the existing legislation does not instruct the police and the attorney to inform the victim about the progress of her/his case. It is especially important that victims know the results of the case and if the traffickers have been jailed or are still at large, potentially posing a threat the victim or her/his family.

Recommendation: Inform victims about the outcome of investigations and especially to notify victims and their families if the trafficker is set free (Jordan, 2002: 112).

16. Finding: Because the victim is already "represented" in the legal process by the attorney general (on behalf of the state), the existing legislation does not allow the victim to have other representation escorting and assisting her/him during the legal process. It is reported by NGOs that many courts prohibit the victim from being escorted by NGO personnel. As a consequence, the victim may feel afraid of the legal process and may fear that her/his safety and interests are not being represented.

Recommendation: Allow trafficking victims to be assisted and escorted throughout the entire legal proceedings by legal representatives or NGOs providing assistance, including during the police inquiry and court testimony processes.

17. Finding: NGOs have reported that during the legal process, victims must pay their own costs for transportation to and from the police or the court. They must also pay for accommodation and meals. It is also not uncommon for victims or their families to be asked to pay money to the police to investigate the case.

Recommendation: Ensure that the trafficking victims and/or legal council are not required to pay any fees associated with bringing the case to the legal system. Provide financial support for trafficking victims to engage in the legal process, such as transportation to and from their domicile to the court, and accommodation and meals if necessary. States should support NGOs in providing these services, as well as counseling and medical care to victims.

Other

18. Finding: The state currently has no accurate statistics on the number of cases of trafficking brought to the courts.

Recommendation: The state should require that police and the legal apparatus collect statistics on trafficking cases entered into the legal process (Jordan, 2002: 114).

19. Finding: There is no complaint mechanism for victims to report instances of improper treatment by the police or the attorney general. The only mechanism provided is through a pre-court process which is so complicated and time-consuming that it is rarely utilized.

Recommendation: Provide a complaint mechanism for cases where police, prosecutors or other Indonesian representatives are reluctant to proceed with the reported case, or mistreat the victim or her/his family. Ensure that investigations into complaints are made and that officers found negligent face significant sanctions and reprimands.

20. Finding: There is no effective control by the state of the police or the attorney apparatus to ensure that reported cases are handled appropriately and relevant laws are applied.

Recommendation: The state should set up a monitoring system to ensure that trafficking cases are being properly investigated and the relevant laws enforced. The state should ensure that sanctions are brought to bear against those who obstruct the enforcement of these laws.

Treatment of Trafficking Victims from Other Countries

There have been a number of cases recently reported of women from other countries being arrested or deported from Indonesia for crimes that may relate to trafficking, such as drugs trafficking and prostitution. Some of these women may be victims of trafficking forced to carry drugs into or out of Indonesia, or to work in the sex industry. This might represent a shift in Indonesia, from a sending country only to becoming a destination country for trafficking as well. As such, it is important that any new legislation developed should anticipate the possibility that citizens of other countries may be trafficked to Indonesia, so that the law can appropriately provide for prosecution of the crime and protection of the victims.

21. Finding: Women from other countries are being deported on visa violations when found to have been engaged in prostitution in Indonesia.

Recommendation: Do not immediately deport possible victims of trafficking from the country because of their irregular visa status. Trafficked victims should be allowed to stay in country for at least six months in order to give them enough time to receive appropriate psychological and medical assistance before deciding how and if to return home. If there is reason to believe that the victim's life could be endangered by returning to her country of origin, she should be given permanent residence status or asylum in Indonesia. Those who are willing to assist in the investigation of a criminal case should be given special residence status to stay in country throughout the duration of the legal proceedings. Any deportations

should be handled, or voluntary returns should be carried out, with due regard for the victim's safety (Jordan, 2002: 110)

22. Finding: Several foreign women have been tried and sentenced in Indonesia on drugs trafficking charges. Many are from countries with high rates of trafficking in women, and have made statements which indicate that some of them may be victims of trafficking. These women are in jail in Indonesia on criminal charges which include very severe sanctions, even the death penalty.

Recommendation 22.1: Do not prosecute trafficking victims for trafficking-related offences, such as prostitution or holding false passports. Additionally, if trafficking victims are prosecuted for crimes committed while they were in the trafficking cycle, they should be allowed to use the defense of having been psychologically coerced, deceived, physically forced or threatened with force.

Recommendation 22.2: The state should provide legal counsel and translation/interpreter facilities so that foreign victims of trafficking can follow the legal proceedings in a language they understand. Any new legislation should reaffirm article 177 of the Indonesian criminal code which states that if the defendant or witnesses do not understand Indonesian, the judge will assign a translator.

THE NATIONAL PLAN OF ACTION



VII. THE NATIONAL PLAN OF ACTION

By Neha Misra

The Indonesian National Plan of Action for the Elimination of Trafficking in Women and Children (NPA) was enacted on December 30, 2002 through Presidential Decree Number 88, 2002. The NPA is the “foundation and guidance for the government and the public in the implementation of the elimination of trafficking in women and children.” (KPP, 2002: 4). It is designed to be implemented over a five-year period and then reviewed and revised every five years thereafter.

At the General Assembly session of the Indonesian People’s Consultative Assembly (Majelis Permusyawaratan Rakyat, MPR) in August 2001, the representatives tasked President Megawati Soekarnoputri with developing policies and programs to combat trafficking of Indonesian women and children. President Megawati assigned the Ministry of Women’s Empowerment (Kementrian PP) as the lead focal point agency for policy-making and implementation of counter-trafficking programs. The President designated the Coordinating Ministry for Social Welfare (Menkokesra) as the coordinating body for the counter-trafficking policies and programs among the different ministries.

The NPA was developed through the leadership of the Ministry of Women’s Empowerment as its first major activity in its role as the focal point on counter trafficking initiatives for the government of Indonesia. To ensure broad input and acceptance into the NPA, the Ministry organized a task force (later referred to as the “Small Team”) to assist in the drafting and to solicit input for the draft NPA. The Small Team was composed of representatives from various government ministries and civil society.¹ After working together to develop a draft NPA, the Ministry and the Small Team coordinated efforts to hold a series of workshops in

¹ The “Small Team” included representatives from:

- Ministry of Women’s Empowerment
- Coordinating Ministry for Social Welfare
- Ministry of Foreign Affairs
- Ministry of Manpower and Transmigration
- Ministry of National Education
- Komnas Perempuan (National Commission for Women)
- Komnas Perlindungan Anak (National Commission for Child Protection)
- JARAK (The NGO Consortium for the Elimination of Child Labor)
- KOPBUMI (The Consortium for the Defense of Indonesian Migrant Workers)
- Koalisi Perempuan (Women’s Coalition)
- LAAI (Lembaga Advokasi Anak Indonesia)
- Serikat Buruh Sejahtera Indonesia (Indonesian Workers Welfare Union) (SBSI)
- Solidarity Center (ACILS - American Center for International Labor Solidarity)
- ICMC (International Catholic Migration Commission)

Jakarta, West Kalimantan, North Sumatra, and East Java to get reaction and input from local stakeholders (local government, academics, NGOs, trade unions, etc.) Together, they also were able to solicit input for the NPA from a wide variety of sources throughout Indonesia, as well as comments from international experts on the NPA's compliance with international standards on counter trafficking. As such, the NPA was launched at the end of December 2002 with broad-based input.

The Contents of the NPA

One of the most important tasks for the Small Team was to develop a working definition of trafficking within the NPA to be used to guide counter trafficking initiatives in Indonesia. As discussed earlier in this report in Chapter II on the Definition of Trafficking, there has been a shift in international discourse on defining trafficking only in terms of sexual exploitation to defining trafficking in terms of other forms of forced labor and slavery-like practices. In addition, more recent and widely accepted definitions of trafficking, such as the one in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, highlight not only the recruitment and transportation process that is pivotal to trafficking, but also the associated exploitative conditions into which people are trafficked. Recognizing the broad scope of trafficking of Indonesian women and children, the NPA accepts these international norms in defining trafficking by stating, "Until now, trafficking has been considered confined only to forms of prostitution; whereas in reality it encompasses many forms of forced labor" (KPP, 2002: 1, Lampiran I, Bab I). Furthermore, the NPA defines trafficking as follows:

Trafficking in women and children within the meaning of this National Plan of Action encompasses all forms of actions undertaken by perpetrators of trafficking that have one or more of the elements of recruiting, transporting between regions and countries, transferring, sending, receiving and temporary placement or placement at their destination of women and children. It includes using threats, verbal and physical abuse, abduction, fraud, deception, misuse of vulnerability (e.g. if someone has no alternative, is isolated, addicted to drugs, trapped in debt), giving or receiving payments or profits in cases involving women and children who are used for prostitution and sexual exploitation (including pedophilia), legal or illegal migrant workers, child adoptions, fishing platform work, mail order brides, domestic helpers, begging, pornography, drug dealing, selling of body organs as well as other forms of exploitation. (KPP, 2002: 8, Lampiran I, Bab I).

The definition above tracks closely the types of trafficking prevalent in Indonesia, including trafficking for purposes other than sexual exploitation such as contract marriages, work on fishing platforms (*jermal*), on plantations, and for domestic help. The definition also highlights the exploitative conditions of trafficking along with the recruitment and transportation process. The definition shows the government of Indonesia's acceptance of international norms on trafficking in persons.

The overall objectives of the NPA are:

- To guarantee improvement and advancement in efforts to protect the victims of trafficking in persons, especially women and children.
- To formulate preventive as well as punitive measures in the campaign to prevent and combat trafficking in persons, especially trafficking involving women and children.
- To encourage development and/or improvement in the laws dealing with trafficking in persons activities, especially such activities that involve women and children.

In order to meet these objectives, the NPA is divided into five themes, based on the main interventions to counter trafficking:

- Legislation and Law Enforcement: establishing legal norms and empowering law enforcers against traffickers
- Prevention of all forms of trafficking
- Protection and Victims Assistance: providing rehabilitation and social reintegration for victims of trafficking
- Participation of Women and Children (Empowerment)
- Building Cooperation and Coordination (National, Provincial, Local, and International and Regional: Bilateral and Multilateral)

Each theme contains a list of activities to be conducted by government at the national, provincial, district and local levels.

While one could argue that the NPA is general in scope, as the first blueprint of its kind to address trafficking of Indonesian women and children, it nevertheless creates a useful framework and provides guidance on the major steps and actions that need to be taken by both the government of Indonesia and civil society in countering trafficking in Indonesian women and children. The NPA effectively lays out the opportunities and challenges that Indonesia faces in addressing the problem of trafficking, recognizing that significant efforts were not taken in the past to address the issues. It also provides an outline for actions that must be implemented by the government and other stakeholders. For example, the NPA details that an important next step in the counter trafficking process in Indonesia is to develop local/grassroots initiatives and legislation at the national level to raise the level of law enforcement to respond to cases of trafficking.

The NPA recognizes that “to develop and implement [the] NPA, an integrated approach is to be taken between agencies, across sectors, and between and across regions” and that “a bottom-up approach is also to be taken that accommodates aspirations from ‘below’ by constructing genuine pillars of openness, transparency, and access to information and by developing civil society-based management in dealing with trafficking in women and children.” (KPP, 2002: 15, Lampiran I, Bab II). Together with the broad structure of the NPA, such language provides civil society, especially NGOs, trade unions, academics, and activists, with an opportunity to impact the more specific initiatives, activities, policies, and laws that arise in implementing the NPA. It also requires that the revised NPA that must be developed in 2007

to build on these new initiatives and to highlight areas for improvement and further action by being more specific and detailed about activities, timelines, budgets, and responsibilities.

Legislation

Recognizing that there is currently not a comprehensive and specific trafficking law in Indonesia, the NPA lists amongst its objectives the passage of laws to punish trafficking and traffickers and to protect victims of violence, witnesses, and migrant workers. It also outlines the need to ratify the Convention against Transnational Organized Crime of 2000 and two associated international protocols related to trafficking in persons in order to meet international standards. The NPA also states among its objectives to “synchronize international standards on trafficking with national laws through revision of the Criminal Code, Criminal Procedural Code, Marriage Law, Immigration Law, and the Law on the Human Rights Tribunal.”

The government of Indonesia, through both the Ministry of Women’s Empowerment and the National Legislature (DPR), has accepted the mandate in the NPA to develop and pass more comprehensive laws to punish traffickers and trafficking activities. As its first major activity after developing the NPA, the Ministry of Women’s Empowerment is currently working with various other ministries and civil society to develop a draft law on countering and criminalizing trafficking in persons. The DPR has agreed to make deliberations on the draft counter trafficking legislation a priority before elections in 2004. For more information on the laws in Indonesia which criminalize trafficking and related acts, and a discussion of the gaps in the existing legislation see section VI, Review of Indonesian Legislation.

The NPA National Task Force

In addition to enacting the NPA, the Presidential Decree mandates the formation of a Task Force to “guarantee the implementation of the NPA.” (KPP, 2002: 5). The Task Force consists of a Steering Committee headed by the Coordinating Minister of Menkokesra and an Implementing Committee headed by the Minister of Kementrian PP. Both Task Force Committees are composed of representatives from a wide range of government ministries; the Implementing Committee, however, also includes representatives from civil society. The inclusion of civic organizations again provides an opportunity for broad-based input into counter trafficking policies and activities in Indonesia.

Regional Task Force

Recognizing the need for counter-trafficking initiatives at every level of government, the Presidential Decree also mandates that “to ensure the implementation of the NPA at the regional level, NPA Task Forces shall be formed through Governor’s Decrees at the provincial level and through Regents’ or Mayoral Decrees at the regency/mayorality level of government.” Indonesian civil society, such as NGOs and trade unions, may be able to play a pivotal role in development of regional counter trafficking initiatives by advocating to the provincial and local government regarding the composition of the local Task Force (as in accordance with

Regional Autonomy the composition of each regional Task Force is left up to the local government), the policies and initiatives of the local government, and the role of civil society in cooperating and coordinating with local government.

Other Relevant National Plans of Action for Counter Trafficking Efforts

During the process of drafting the NPA for the Elimination of Trafficking of Women and Children, two other related National Plans of Action were also developed:

- The National Plan of Action on Elimination of Sexual Exploitation of Children, and
- The National Plan of Action on the Elimination of the Worst Forms of Child Labor.

In order to ensure that the three NPAs did not overlap or contradict each other, Kementrian PP conducted a meeting entitled, “Harmonization among the Three Draft National Plans of Action.”

In the context of counter trafficking efforts in Indonesia, all three of the aforementioned National Plans of Action should be reviewed, as all three are currently in force and cover important issues related to trafficking².

² The NPAs are available by contacting the Ministry of Women’s Empowerment, the Ministry of Labor, the Solidarity Center or ICMC.

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APPENDICES

Appendix A: International Instruments Relevant to Trafficking

By Rebecca Surtees

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law...

Universal Declaration of Human Rights (UDHR), Preamble, Paragraphs 2 & 3

Introduction

Human rights are the basic rights to which every person is entitled by virtue of being born a human being. These human rights are enjoyed without distinction of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Human rights are legally guaranteed by human rights law, protecting individuals and groups against actions which interfere with fundamental freedoms and human dignity. They are articulated in international norms and standards, bodies of principles and other sources of law. These instruments obligate States to act in such a way as to guarantee and protect these rights and likewise prohibit States from engaging in any activities which violate these rights. Key human rights, which have critical relevance for migrants and trafficking victims, include the right to life, the right not to be subject to torture, the rights not to be held in slavery and servitude, the right to liberty and not to be arbitrarily detained, the right of security of person, the right to freely consent to one's own marriage, and the right to free choice of employment.

As a member of the United Nations and a signatory to a number of international instruments, Indonesia has stated an unequivocal commitment to international human and labour rights standards and treaties. These internationally stated commitments are of great importance. However, in and of themselves they are not sufficient to protect the rights of Indonesian citizens. As signatory to a number of international instruments, Indonesia has an obligation to formulate national legislation and policy to protect the rights articulated in these international treaties.

This document outlines international norms and standards which have potential relevance for trafficking and its related abuses and violations. Some are binding treaties to which signatory nations must adhere. Other instruments are less formal than treaties and conventions and are recommendations, declarations and resolutions also adopted by the United Nations and other international organisation. These can be precursors of treaties and set out guidelines which can orient national police and action. Others are developments or events - such as the appointment of the Special Rapporteur on Violence against Women or the Beijing Conference – which have forced a rethinking of international responsibilities. Included here is a list of international instruments and developments which have relevance for counter trafficking work.

This document is intended as a tool and reference for civil society actors and governments toward a greater understanding of the use and importance of international instruments. Indonesian civil society has a critical role to play toward ensuring that the rights promulgated in the international instruments accepted by their government are codified into appropriate national legislation and policy within Indonesia and enforced. Likewise, NGOs must advocate for the revision of legislation which does not meet these standards. The government of Indonesia has an equally important role to play. For signatories to select conventions, implementation and revision of national legislation to protect rights outlined in international instruments is obligatory, as is the enforcement of this national legislation and policy. Further, the government has a moral obligation to ratify further international treaties which codify the basic rights and freedoms to which all humans are entitled.

International Instruments

Listed below are international norms and standards promulgated by the United Nations (UN) and other inter-governmental Organisations (IGOs). All of these texts – declarations, resolutions, recommendations, and treaties – by any name are generically called instruments. These instruments have been developed by the international community in response to gross and systematic human rights violations and crime situation throughout the world. The instruments below are critical human rights and criminal instruments which have relevance as tools to combat trafficking in women and children, forced labour and slavery-like practices. The full text of most of these instruments can be found on the Internet at the Office of the High Commissioner for Human Rights web page entitled Human Rights Instruments <http://www.unhcr.ch/html/intlinst.htm> and at the United Nations web page entitled *List of Conventions, Declarations and Other Instruments contained in General Assembly Resolutions (1946 onwards)*, <http://www.un.org/Depts/dbl/resguide/resins.htm>.

- 1926 - Slavery Convention, League of Nations Convention (entry into force 1927)
The convention has not yet been ratified by Indonesia.
- 1948 – United Nations Declaration of Human Rights (UDHR)
- 1949 - Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (entry into force 1951)

This convention has not yet been ratified by Indonesia.

- 1953 - Protocol amending the Slavery Convention (entry into force 1953)
Indonesia has not yet ratified this protocol or the original convention.
- 1956 - Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (entry into force 1957)
Indonesia has not yet Ratified this Protocol or the original Convention
- 1957 - Convention on the Nationality of Married Women (entry into force 1958)
This convention has not yet been ratified by Indonesia.
- 1962 - Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (entry into force 1964)
Indonesia has not yet ratified this treaty.
- 1965 – Convention on the Elimination of all forms of Racial Discrimination (CERD) (entry into force 1969)
Accession by Indonesia, July 25, 1999.
- 1966 – International Covenant on Civil and Political Rights (ICCPR) (entry into force 1976)
Indonesia has not yet ratified this treaty.
- 1966 – International Covenant on Economic, Social and Cultural Rights (ICESCR) (entry into force 1976)
Indonesia has not yet ratified this treaty.
- 1966 - Optional Protocol to the International Covenant on Civil and Political Rights (entry into force 1976)
Indonesia has not yet ratified this protocol or its associated covenant.
- 1979 - Convention on the Elimination of Discrimination Against Women (CEDAW) (entry into force 1981)
Ratified by Indonesia in 1984 as Law No. 7/1984S
- 1984 – Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (CAT) (entry into force 1987)
Ratified by Indonesia on November 27, 1998.
- 1985 - Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live
Adopted by General Assembly Resolution 40/144 of 13 December 1985
- 1985 - Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power
Adopted by General Assembly Resolution 40/34 of 29 November 1985.
- 1989 - Convention on the Rights of the Child (CRC) (entry into force 1990)
Ratified by Indonesia through Presidential Decree No. 36/1990

- 1990 - Convention on the Protection of the Rights of all Migrant Workers and Members of their Families.
Indonesia has not yet ratified this treaty.
- 1992 – Recommendation No. 19 on Violence Against Women, the UN Committee to End Discrimination Against Women (CEDAW)
- 1993 – Declaration on the Elimination of Violence against Women (DEVAW)
General Assembly Resolution 48/104 of 20 December 1993
- 1993 – Vienna Declaration and Programme for Action (VDPA)
- 1993 – Recommendation of the UN Commission on the Status of Women
- 1994 – Appointment of UN Special Rapporteur on Violence against Women
- 1994 - Resolution 38/7 - Violence against women migrant workers, Commission on the Status of Women
- 1995 - Resolution 39/6. Traffic in women and girls, Commission on the Status of Women
- 1995 – The Fourth World Conference on Women (Beijing) and the Beijing Declaration and Platform for Action
- 1996 - United Nations General Assembly (UNGA) Resolution 51/66: Traffic in women and girls
- 1998 – United Nations General Assembly (UNGA) Resolution 52/98: Traffic in women and girls
- 1998 - Rome Statute for International Criminal Court
Indonesia has not yet ratified the Rome Statute
- 1999 – Optional Protocol to the Convention on the Elimination of Discrimination against Women (entry into force 2000)
Indonesia ratified the protocol in February 2000.
- 2000 – Convention against Transnational Organized Crime
Signed by Indonesia in December 2000. To date the treaty is without sufficient ratifications to enter into force.
- 2000 - United Nations General Assembly (UNGA) Resolution 55/67: Traffic in women and girls.
- 2000 – Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplement to the United Nations Convention against Transnational Organized Crime.
Signed by Indonesia in December 2000. To date the treaty is without sufficient ratifications to enter into force.
- 2000 - Optional Protocol to the Convention on the Rights of the Child on the sale

- of children, child prostitution and child pornography (entry into force 2002)
Ratified by Indonesia on September 24, 2001.
- 2002 – United National Recommended Principles and Guidelines on Human Rights and Human Trafficking
 - 2002 – United Nations General Assembly (UNGA) Resolution: Traffic in women and girls

International Labour Organisation (ILO) Conventions

The International Labour Organisation (ILO) is one of the United Nations specialized agencies. It was created in 1919 to work on labor issues, with attention to human rights, social justice and gender equality. The ILO is responsible for formulating international labor standards and guidelines to redress labor abuses and maltreatment in the workforce. These standards take two forms - conventions and recommendations. The ILO's conventions are international treaties, subject to ratification by ILO member States. Its recommendations are non-binding instruments that set out guidelines for national policy and action. Both forms are aimed at impacting working conditions and practices. Countries which have ratified ILO conventions are obligated to submit periodic reports to the ILO on their application in law and in practice. These reports are further supplemented by information from employers' and workers' organizations to ensure that they correctly reflect the national situation. ILO provides technical assistance and support to nations who require and request assistance toward meliorating their application of ILO standards.

In the context of trafficking the ILO focuses on improvements in the labor market toward increased employment and improving working conditions. The provision of full, productive and freely chosen decent work cannot help but positively impact the prevalence of trafficking on persons. ILO also focuses on the promotion of gender equality given the strong links between women's employment status, child labor and trafficking.

The ILO has a number of conventions which proscribe international standards in the areas of forced labor, migration, trafficking and slavery. These conventions have potential relevance as counter-trafficking tools. The list below includes ILO Conventions in which tools for counter-trafficking may be found. The full text of these instruments can be found at the ILO web page entitled Overview of ILO Activities against Trafficking in Persons <http://www.ilo.org/public/english/protection/migrant/projects/traffick>. This is not an exhaustive compilation but rather represents examples of potential tools in counter-trafficking work.

- 1930 - Forced Labour Convention (no. 29)
Ratified by Indonesia in 1950.
- 1949 - The Protection of Wages Convention, 1949 (No. 95)
This convention has not yet been ratified by Indonesia.
- 1949 - The Migration for Employment Convention (Revised), (no. 97)

This convention has not yet been ratified by Indonesia.

- 1957 – The Abolition of Forced Labour Convention (no. 105)
Ratified by Indonesia in 1999.
- 1958 - The Discrimination (Employment and Occupation) Convention (no. 111)
Ratified by Indonesia in 1999.
- 1964 - Employment Policy Convention, (no. 122)
This convention has not yet been ratified by Indonesia.
- 1973 - Minimum Age for Employment Convention (no. 138)
Ratified by Indonesia in 1999 as Law No. 20/1999
- 1975 – The Migrant Workers (Supplementary Provisions) Convention, (no. 143)
This convention has not yet been ratified by Indonesia.
- 1989 – Indigenous and Tribal Peoples Convention (no.169)
This convention has not yet been ratified by Indonesia.
- 1997 – The Private Employment Agencies Convention, (no.181)
This convention has not yet been ratified by Indonesia
- 1998 - Declaration on Fundamental Principles and Rights at Work
- 1999 – Convention on the Worst Forms of Child Labour Convention (no. 182)
Ratified by Indonesia in 2000 as Law No. 1/2000.

Appendix B: Glossary of Trafficking Terms

By Rebecca Surtees and Martha Widjaja

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
Agents	Person acting for another. Migration agent is someone who facilitates the migration process. There are both legal and illegal migration agents in Indonesia.	Agen	Orang yang bertindak atas nama pihak lain. Agen imigrasi adalah seseorang yang memfasilitasi proses imigrasi. Di Indonesia, ada agen imigrasi yang sah dan tidak sah.
Arbitrary Detention	The detention of an individual without cause	Penahanan Sewenang-wenang	Penahanan seseorang tanpa sebab
Arbitration	The settlement of a dispute by a person or persons chosen to hear both sides and come to a decision.	Arbitrasi	Penyelesaian suatu sengketa oleh satu atau beberapa orang yang dipilih untuk mendengarkan kedua belah pihak dan mengambil sebuah keputusan.
Battery	A physical attack on another person	Pemukulan (pukul)	Serangan fisik terhadap seseorang
Blackmail	A payment or other benefit extorted by pressure or threats	Pemerasan	Peras uang atau dalam bentuk lain dari seseorang demi kepentingannya dengan cara mengancam atau menindas
Bonded Labour	Bonded labour (also known as debt bondage) is when a person's labour is demanded as a means of repayment for a loan.	Sistem Ijon	Sistem ijon (juga dikenal sebagai perbudakan karena terjerat utang) adalah ketika seseorang dituntut untuk bekerja sebagai cara untuk melunasi pinjamannya.
Brokers	A person who buys or sells on behalf of another.	Broker	Seseorang yang membeli atau menjual atas nama pihak lain.
Child Labour	Child labour consists of both economic and non-	Pekerja Anak	Pekerjaan yang dilakukan pekerja anak terdiri dari

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
	<p>economic activities. The broad definition of child labour includes any form of economic activity for at least one hour per week, and/or domestic chores for at least seven hours per week, and/or school labour for at least five hours per week. The 'higher risk' definition of child labour has the same cut-offs for non-economic activities but at least three hours per week for economic activities. In Indonesian this applies to children under the age of 15 years while according to the ILO this applies to persons under the age of 18.</p>		<p>aktivitas ekonomi dan aktivitas non-ekonomi. Definisi luas dari pekerja anak termasuk setiap bentuk aktivitas ekonomi paling tidak selama satu jam setiap minggu, dan/atau melakukan pekerjaan-pekerjaan rumah tangga setidaknya selama tujuh jam setiap minggu dan/atau pekerjaan di sekolah selama paling tidak lima jam setiap minggu. Definisi 'risiko yang lebih tinggi' dari pekerja anak mempunyai batasan yang sama bagi aktivitas non-ekonomi namun setidaknya tiga jam setiap pekan bagi aktivitas ekonomi. Di Indonesia definisi ini berlaku bagi anak yang berumur di bawah 15 tahun sementara menurut ILO definisi ini berlaku bagi orang yang berumur di bawah 18 tahun.</p>
Child Prostitution	<p>Prostitution by a child, which constitutes one of the worst forms of child labour</p>	Pelacuran Anak	<p>Pelacuran yang dilakukan oleh seorang anak, yang merupakan salah satu bentuk pekerjaan terburuk bagi anak</p>
Child Trafficking	<p>Movement of child(ren) from their family support or other original support through recruitment, transportation, transfer, harbouring or receipt; by means of threat, coercion, force, abduction, fraud, deception or abuse of power; for the purpose of prostitution, pornography, sexual abuse/exploitation,</p>	Trafiking Anak	<p>Pergerakan anak (-anak) yang meninggalkan dukungan keluarganya atau dukungan lain sebelumnya melalui perekrutan, pengangkutan, perpindahan, penyembunyian atau penerimaan; dengan menggunakan ancaman, paksaan, kekerasan, penculikan, penipuan, kebohongan atau</p>

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
	forced labour/unfair wages or slavery or similar practices.		peyalahgunaan kekuasaan untuk tujuan pelacuran, pornografi, penganiayaan/eksploitasi seksual, kerja paksa/upah yang tidak layak (unfair wages) atau perbudakan atau praktek-praktek lain yang serupa.
Choice	The ability to freely select between a range of options	Pilihan	Keleluasaan untuk memilih dengan bebas dari sejumlah alternative
Civil Law	The body of codified law developed from Roman law and still in force in many European and American nations. It is distinguishable from Common Law which is the legal code in the UK and former British colonies.	Hukum Perdata	Bagian dari hukum yang dikodifikasi yang dikembangkan dari hukum Romawi dan masih berlaku di banyak negara Eropa dan Amerika. Hukum Perdata dapat dibedakan dari Hukum Adat yang merupakan hukum resmi di Inggris dan negara-negara bekas jajahan Inggris.
Civil Society	An intermediate realm situated between state and household, populated by organised groups or associations which are separate from the state, enjoy some autonomy in relations with the state, and are formed voluntarily by members of society to protect or extend their interests, values or identities. NGOs and TUs are civil society organisations.	Masyarakat Madani	Sebuah wilayah tengah yang berada di antara negara dan rumah tangga, beranggotakan sejumlah kelompok atau asosiasi terorganisir yang terpisah dari negara, menikmati otonomi hingga tahap tertentu dalam hubungannya dengan negara, dan dibentuk secara sukarela oleh anggota masyarakat untuk melindungi atau memperluas kepentingan, nilai atau identitas mereka. LSM dan Serikat Buruh adalah organisasi masyarakat madani.
Coercion	To compel someone to act by force or threat of force OR Threats of	Pemaksaan	Memaksa seseorang untuk melakukan suatu tindakan dengan

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
	serious harm to or physical restraint against any person; or Any scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against an persons; or The abuse of threatened abuse of the legal process		kekerasan atau ancaman kekerasan
Complicity	Involvement in acts(s) of wrongdoing (including failure to stop in acts(s) of wrong-doing).	Ketersangkutan	Keterlibatan dalam perbuatan (-perbuatan) yang keliru (termasuk kegagalan untuk menghentikan perbuatan (-perbuatan) yang keliru
Commerical Sex Worker	A person who engages in sexual acts for money	Pekerja Seks Komersial	Seseorang yang melakukan tindakan seksual untuk memperoleh uang
Common Law	The law of a country or state based on custom, usage, and the decisions and opinions of law courts: it is now largely codified by legislative definition.	Hukum Adat	Hukum sebuah negara atau negara bagian berdasarkan kebiasaan, adat, dan keputusan serta opini pengadilan hukum: kini sebagian besar hukum adat sudah dikodifikasi berdasarkan definisi legislatif.
Convention	An international agreement between countries, which is binding in international law. For example, the Convention on the Elimination of Discrimination Against Women (CEDAW).	Konvensi	Suatu kesepakatan internasional antarnegara, yang mengikat dalam hukum internasional. Contohnya, Konvensi mengenai Penghapusan Diskriminasi terhadap Perempuan (CEDAW).
Crime	An action or omission which contravenes the law	Kejahatan (melanggar hukum)	Suatu tindakan yang bertentangan dengan hukum dan undang-undang
Criminal Law	That area of law which deals in any way with	Hukum Pidana	Bidang hukum yang menangani dengan segala

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
	crimes and their punishments.		cara, kejahatan dan hukuman mereka
Criminal syndicates	Association of persons based on criminal activity.	Sindikrat kriminal	Perkumpulan dari sejumlah orang yang terbentuk untuk melakukan aktivitas kriminal
Cruel, inhuman or degrading treatment	Treatment which violates an individual's human rights	Kelakuan kejam (atau Perlakuan yang kejam, tidak manusiawi atau merendahkan martabat)	Perlakuan yang melanggar hak asasi manusia seseorang
Debt Bondage	See Bonded Labour	Sistem Ijon	Lihat Sistem Ijon di atas
Deception	To cause a person to believe what is false	Kebohongan	Membuat seseorang mempercayai sesuatu yang tidak benar
Discrimination	Unfavourable treatment based on prejudice	Diskriminasi	Perlakuan merugikan yang didasarkan atas prasangka
Evidence	Testimony or material which is presented to prove a fact	Bukti	Pernyataan atau materi yang disampaikan untuk membuktikan suatu fakta
Exploitation	To make unethical use of someone for one's own advantage or profit	Eksplorasi	Memanfaatkan seseorang secara tidak etis demi kebaikan atau keuntungan seseorang
Force	Compel someone to act against their will	Pemaksaan (dengan kekuatan fisik)	Memaksa seseorang untuk bertindak di luar kemauan mereka
Forced Labour (& Slavery Like Practices)	The extraction of all work or services from any person by means of violence or threat of violence, abuse of authority or dominant position, debt bondage, deception or other forms of coercion. Forced labour can be for the benefit of governments, private individuals, companies or associations.	Kerja Paksa (& Praktek-Praktek Serupa Perbudakan)	Memerintah seseorang untuk bekerja atau memberikan jasa dengan menggunakan kekerasan atau ancaman kekerasan, penyalahgunaan wewenang atau posisi yang dominan, jeratan utang, kebohongan atau bentuk-bentuk pemaksaan lainnya. Kerja paksa dapat dilakukan demi keuntungan pemerintah, individu pribadi, perusahaan atau asosiasi.

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
Forced Prostitution	To compel (force) someone to work as a prostitute	Pelacuran Paksa	Mendesak (memaksa) seseorang untuk bekerja sebagai pelacur.
Formal Economy (or Sector)	Economic activities within the framework of government regulation including taxation and labour laws.	Ekonomi (atau Sektor) Formal	Aktivitas-aktivitas ekonomi yang termasuk dalam kerangka peraturan pemerintah termasuk undang-undang perpajakan dan perburuhan.
Gender	Refers to those characteristics of women and men that are socially constructed (as compared to biological characteristics which are denoted as 'sex').	Gender	Karakteristik wanita dan pria yang dibangun melalui interaksi sosial (dibandingkan dengan karakteristik biologis yang disebut sebagai 'jenis kelamin')
Gender-based Violence – GBV (also known as Violence against Women)	Any act of violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. This includes physical, sexual, emotional and psychological violence such as wife beating, sexual abuse, female feticide and infanticide, coercion and abduction of women and girls for prostitution and forced marriages GBV occurs in the family, the workplace, the general community and is sometimes also condoned or perpetuated by the state through a variety of policies and actions.	Kekerasan berdasarkan Gender – GBV (disebut juga Kekerasan terhadap Wanita)	Setiap tindak kekerasan yang mengakibatkan, atau kemungkinan besar mengakibatkan cedera fisik, seksual atau psikologis atau penderitaan kepada wanita, di antaranya ancaman akan tindakan semacam itu, pemaksaan atau perampasan kebebasan secara sewenang-wenang, baik yang terjadi dalam kehidupan publik atau pribadi. Hal ini di antaranya adalah kekerasan fisik, seksual, emosional dan psikologis seperti pemukulan terhadap istri, penganiayaan seksual, pembunuhan janin perempuan dan pembunuhan bayi, pemaksaan dan penculikan wanita dan anak perempuan untuk pelacuran dan kawin paksa

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
Globalisation	<p>The process by which countries' economies become increasingly interwoven and affected by each other. This comes about by the increased flow of goods (trade), companies (foreign direct investment), money (finance) and/or people (migration) across national borders. Globalisation is not new, but the speed, depth and breadth of the changes aided by technology is new.</p>	Globalisasi	<p>Proses di mana perekonomian sejumlah negara menjadi semakin saling terkait dan terpengaruh oleh satu sama lain. Hal ini tercipta dari meningkatnya aliran barang (perdagangan), perusahaan (investasi asing langsung), uang (keuangan) dan/atau orang (imigrasi) lintas batas negara. Globalisasi bukanlah sesuatu yang baru, namun kecepatan, kedalaman dan keluasan dari perubahan yang dibantu oleh teknologi merupakan sesuatu yang baru.</p>
Human Rights	<p>The basic rights and freedoms to which all humans are entitled, often held to include the right to life and liberty, freedom of thought and expression, and equality before the law.</p>	Hak Asasi Manusia	<p>Hak-hak dan kebebasan-kebebasan dasar yang berhak dimiliki setiap manusia, yang kerap juga termasuk hak untuk hidup dan merdeka, kebebasan berpikir dan berpendapat, dan persamaan di depan hukum.</p>
Illegal migrant	<p>A person who migrates without the legal authority to do so (i.e. without proper documentation)</p>	Imigran gelap	<p>Seseorang yang bermigrasi tanpa wewenang sah untuk melakukannya (yaitu tanpa dilengkapi dokumen yang sesuai)</p>
Informal Economy or Sector	<p>Economic activities that take place outside of the government regulatory framework. This often refers to small businesses (like warungs), micro-entrepreneur, day labourers, piece workers, home workers, and domestic workers. All work which is, by the nature and size of the work, are not</p>	Sektor atau Ekonomi Informal	<p>Aktivitas-aktivitas ekonomi yang terjadi di luar kerangka peraturan pemerintah. Aktivitas yang dimaksud ini kerap merujuk kepada usaha kecil (seperti warung), perusahaan berskala mikro, buruh harian, pekerja borongan, pekerja rumahan, dan pembantu rumah tangga.</p>

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
	counted, monitored or protected by governments.		Semua pekerjaan, yang berdasarkan sifat dan skala pekerjaan, tidak tercakup, dipantau atau dilindungi oleh pemerintah
Imprison	To confine or place in prison	Memenjarakan	Mengurung atau menempatkan dalam penjara
Inalienable	Refers to rights that belong to every person and cannot be taken from a person under any circumstances	Tidak dapat dicabut	Mengacu kepada hak-hak yang dimiliki setiap orang dan tidak dapat diambil dari seseorang dalam situasi apapun
Indictment	To accuse someone formally of a crime	Dakwaan	Menuduh seseorang secara resmi atas suatu kejahatan
Indivisible	Refers to the equal importance of each human rights law. A person cannot be denied a right because someone decides it is “less important” or “nonessential.”	Tidak dapat dipecah-pecah	Mengacu kepada kedudukan setiap hak asasi manusia yang sama pentingnya. Sehingga suatu hak tidak bisa dicabut dari seseorang karena orang lain memutuskan bahwa hak itu “kurang penting” atau “tidak diperlukan.”
Instrument	A generic term to denote either a treaty or another standard-setting document, such as a declaration, body of principles, guidelines, etc. These instruments outline international norms and standards in the area of human rights, humanitarian law, and crime.	Instrumen	Sebuah istilah generik yang berarti sebuah traktat atau dokumen penetapan standar lain, seperti deklarasi, azas, pedoman, dsb. Instrumen-instrumen ini menjabarkan norma-norma dan standar-standar internasional di bidang Hak Asasi Manusia, undang-undang kemanusiaan, dan kejahatan.
International Labour Standards (also known as Core Labour Standards)	These are international standards for work and workers including freedom of association, the right to organise and	Standar Buruh Internasional (juga dikenal sebagai Standar Buruh Inti)	Merupakan standar-standar internasional bagi pekerjaan dan pekerja termasuk kebebasan untuk berkumpul, hak

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	bargain collectively, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour and the elimination of discrimination in employment and occupation.		untuk berorganisasi dan melakukan tawar-menawar secara kolektif, penghapusan semua bentuk kerja paksa atau kerja wajib, abolisi efektif pekerja anak dan penghapusan diskriminasi dalam pekerjaan dan jabatan.
International Law	A set of rules generally regarded and accepted as binding in relations between states and nations. (Also called law of nations)	Hukum Internasional	Serangkaian peraturan yang umumnya dianggap dan diterima sebagai mengikat dalam hubungan antara negara-negara dan bangsa-bangsa. (Juga disebut sebagai hukum bangsa-bangsa)
Intimidation	To influence someone by frightening or threatening them	Intimidasi	Mempengaruhi seseorang dengan menakut-nakuti atau mengancamnya
Investigation	To study an issue carefully	Penyelidikan	Mempelajari suatu isu dengan cermat
Labour Exploitation	To make a profit from the labour of others without giving a just return	Eksplorasi Buruh	Mendapat keuntungan dari hasil kerja pihak lain tanpa memberikan imbalan yang layak
Labour Rights	The basic rights within the workplace, to which all workers are entitled. These include the right to work, the right to a fair wage, freedom of association, freedom from discrimination in the workplace, etc. These are also known as 'workers' rights'.	Hak Hak Buruh	Hak-hak dasar di tempat kerja, yang berhak dimiliki semua buruh. Hak-hak ini di antaranya adalah hak untuk bekerja, hak untuk mendapat upah yang layak, kebebasan untuk berkumpul, kebebasan dari diskriminasi di tempat kerja, dll. Hak-hak ini juga disebut sebagai 'hak-hak pekerja'.
Mediation	The act of friendly or diplomatic intervention, usually by consent or invitation, for settling	Mediasi	Tindak intervensi yang bersahabat atau diplomatis, biasanya berdasarkan ijin atau

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
	differences between persons, nations, etc.		undangan, untuk menyelesaikan perbedaan di antara sejumlah orang, negara, dsb.
Migrant	A migrant is a person who leaves his or her country or community of origin for political, economic, social, religious or other reasons. There are different types of migration – legal and illegal, urban and rural, international and domestic.	Migran	Migran adalah seseorang yang meninggalkan negara atau masyarakat asalnya untuk alasan politik, ekonomi, sosial, keagamaan atau alasan lainnya. Ada beberapa tipe migrasi – legal dan ilegal, kota dan desa, luar dan dalam negeri.
Migration	Movement from one community or country and settling in another.	Migrasi	Perpindahan dari satu masyarakat atau negara dan menetap di masyarakat atau negara lain.
Monitor	Maintain regular surveillance over an issue or person	Monitor	Melakukan pengawasan secara teratur terhadap suatu isu atau seseorang
Non-government organisations (NGOs)	An organisation which works for the welfare benefit and/or development of society or certain section of society. It is usually ‘non profitable’, which means that its members are not entitled to any profit from the earning or income that it generates.	Lembaga Swadaya Masyarakat (LSM)	Suatu organisasi yang bekerja untuk kesejahteraan dan/atau pembangunan masyarakat atau bagian tertentu dari masyarakat. Lazimnya bersifat ‘nirlaba’, yang berarti para anggotanya tidak berhak atas keuntungan dari penghasilan atau penerimaan yang diperolehnya.
Perpetrator	To commit an act. For example, to perpetrate an act of trafficking is to commit the crime of trafficking	Pelaku kejahatan	Orang yang melakukan suatu kejahatan. Contohnya, melakukan tindak trafiking berarti melakukan kejahatan trafiking
Persecute	To afflict or harass constantly so as to injure or distress, OR To	Menganiaya	Mengakibatkan penderitaan atau melakukan pelecehan

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
	oppress cruelly, especially for reasons of religion, politics, or race.		secara terus menerus dengan tujuan untuk melukai atau mendatangkan kesusahan, ATAU menindas dengan kejam, khususnya dengan alasan agama, politik atau ras.
Punishment	Discipline or penalty imposed for wrongdoing	Hukuman	Tindakan disipliner atau sanksi yang dijatuhkan atas suatu kesalahan
Prosecute	To institute legal proceedings against, or conduct criminal proceedings in court against.	Menuntut	Mengambil tindakan hukum terhadap, atau mengajukan gugatan pidana ke pengadilan
Prostitution	A sexual act engaged in for money	Pelacuran	Tindakan seksual yang dilakukan untuk memperoleh uang
Protocol	A treaty which expands or modifies the effect of the convention, covenant, or other treaty with which it is associated. Protocols are often drafted after the main convention was adopted to further define a related issue, and fill gaps as new developments prompt the international community to take action.	Protokol	Traktat yang memperluas atau memodifikasi efek dari konvensi, permufakatan, atau traktat lain yang berkaitan dengannya. Protokol kerap disusun setelah konvensi utama diadopsi untuk memberikan penjelasan lebih lanjut mengenai suatu isu yang berkaitan dan mengisi celah-celah yang ada sehubungan dengan perkembangan baru yang mendorong masyarakat internasional untuk mengambil tindakan.
Rape	Non-consensual sexual intercourse	Pemeriksaan	Persetubuhan yang terjadi tanpa ijin salah satu pihak yang terlibat
Recruitment	The act of enlisting persons for work or an activity	Perekrutan	Tindakan mendaftarkan sejumlah orang untuk suatu pekerjaan atau aktivitas

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Servitude	A state of subjection to an owner or master; or Lack of personal freedom, as to act as one chooses.	Penghambaan	Seseorang yang berada di bawah penguasaan seorang pemilik atau majikan; atau hilangnya kebebasan pribadi, untuk bertindak sebagaimana yang dikehendakinya.
Sexual slavery	When a person owns another and exploits them for sexual activity	Perbudakan seksual	Adalah ketika seseorang memiliki orang lain dan mengeksploitasinya untuk aktivitas seksual
Sexual violence	Violence or force exerted for the purpose of sexually violating, damaging, or abusing	Kekerasan seksual	Kekuatan kekerasan yang dikeluarkan dengan tujuan untuk melakukan kekerasan, melukai, atau menganiaya secara seksual
Shelter	Refuge or haven; orSomething that provides cover or protection	Shelter	Tempat berlindung atau tempat yang aman; atau sesuatu yang memberikan keteduhan atau perlindungan
Slavery	The state of one bound in servitude as the property of a slaveholder or household; orpractice of owning slaves; or mode of production in which slaves constitute the principal work force.	Perbudakan	Keadaan di mana seseorang terbelenggu dalam penghambaan sebagai milik dari seorang penguasa budak atau suatu rumah tangga; atau praktek untuk memiliki budak; atau metode produksi di mana budak merupakan tenaga kerja pokok
Smuggling	The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of illegal entry of a person into a State Party of which the person is not a national or permanent resident	Penyelundupan	Memasukkan seseorang, agar dapat memperoleh, secara langsung maupun tak langsung, keuntungan finansial atau materiil lainnya, secara illegal ke suatu negara di mana orang itu bukan warga negara atau penduduk tetap dari negara bersangkutan
Survivor	Someone who continues to live in spite of acts	Survivor	Seseorang yang selamat dari kejahatan yang

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
	perpetrated against them which have endangered their life		diperbuat terhadapnya, di mana perbuatan itu membahayakan kehidupannya
'Sweatshop'	A factory or workplace where one or more international labour standard is violated. Such violations may include forced labour, compulsory overtime, unfair wages, sexual harassment or exploitation, unsafe working conditions or child labour, etc.	Sweatshop	Suatu pabrik atau tempat kerja di mana satu atau lebih standar perburuhan internasional dilanggar. Pelanggaran itu dapat berupa kerja paksa, kerja lembur wajib, upah yang tidak adil, pelecehan atau eksploitasi seksual, kondisi kerja yang tidak aman, atau buruh anak, dsb.
Testimony	Declaration, supporting evidence	Kesaksian	Pernyataan, bukti pendukung
Trade Unions (TUs)	A voluntary organisation of workers that exercise its rights of freedom of association to engage an employer in collective bargaining for the purpose of improving wages, hours and working conditions. TUs also engage in political and social activities to advance their shared interest and concerns. TUs are generally organised by industrial sector or trade. TUs are also referred to as 'Labour Unions'.	Serikat Buruh (SB)	Suatu organisasi sukarela dari para buruh yang menggunakan hak kebebasannya untuk berkumpul untuk melibatkan majikan dalam proses tawar-menawar kolektif yang bertujuan untuk memperbaiki upah, jam kerja dan kondisi kerja.
Trafficker	A person who commits the crime of trafficking in persons	Pelaku trafiking	Seseorang yang melakukan kejahatan trafiking terhadap manusia
Trafficking (in persons)	Movement of persons from their family support or other original support through recruitment, transportation, transfer, harbouring or receipt; by	Trafiking (terhadap manusia)	Pergerakan sejumlah orang yang meninggalkan dukungan keluarga mereka atau dukungan lain sebelumnya melalui

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
	means of threat, coercion, force, abduction, fraud, deception or abuse of power; for the purpose of prostitution, pornography, sexual abuse/exploitation, forced labour/unfair wages or slavery or similar practices.		perekrutan, pengangkutan, perpindahan, penyembunyian atau penerimaan; dengan menggunakan ancaman, pemaksaan, kekerasan, penculikan, penipuan, kebohongan atau penyalahgunaan kekuasaan untuk tujuan pelacuran, pornografi, penganiayaan/eksploitasi seksual, kerja paksa/upah yang tidak layak atau perbudakan atau praktek-praktek serupa lainnya.
Trauma	An emotional wound or shock that creates substantial, lasting damage to the psychological development of a person; or An event or situation that causes great distress and disruption	Trauma	Suatu luka atau guncangan emosional yang menciptakan kerusakan mendalam dan permanen terhadap perkembangan psikologis seseorang; atau suatu peristiwa atau situasi yang menyebabkan penderitaan dan gangguan hebat
Treaty	An international agreement between countries, which is binding in international law. Treaties can be called a number of things including 'Convention', 'Covenant', 'Protocol', and 'Agreement'.	Traktat	Suatu kesepakatan internasional antara sejumlah negara, yang sifatnya mengikat dalam konteks hukum internasional. Traktat dapat disebut dengan beberapa nama lain, di antaranya adalah 'Konvensi', 'Permufakatan', 'Protokol', dan 'Kesepakatan'.
Underground Economy	Illegal economic activities such as prostitution, certain forms of gambling, trafficking in persons and drugs, etc. Also	Perekonomian Bawah Tanah	Aktivitas-aktivitas ekonomi ilegal seperti prostitusi, bentuk perjudian tertentu, trafiking terhadap manusia dan obat-obatan

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
	known as the 'black market' economy.		terlarang, dsb. Juga disebut sebagai perekonomian 'pasar gelap'.
United Nations	An international organization composed of most of the countries of the world. It was founded in 1945 to promote peace, security, and economic development.	Perserikatan Bangsa Bangsa	Suatu organisasi internasional yang terdiri dari kebanyakan negara di dunia. Didirikan pada tahun 1945 untuk mendorong terciptanya perdamaian, keamanan, dan pembangunan ekonomi.
Victim	Person injured, killed or made to suffer	Korban	Orang yang dilukai, dibunuh atau dibuat menderita
Violence (physical)	Physical force exerted for the purpose of violating, damaging, or abusing; or Abusive or unjust exercise of power.	Kekerasan (fisik)	Kekuatan fisik yang dikeluarkan dengan tujuan untuk mengganggu, melukai, atau menganiaya; atau penggunaan kekuasaan yang sifatnya menganiaya atau tidak benar.
Vulnerable	Likely to injure or open/ susceptible to attack.	Rentan	Menghadapi kemungkinan besar untuk terluka atau mudah untuk diserang
Witness	A person who see or hears something. In the context of legal proceedings, this person gives testimony in court.	Saksi	Seseorang yang melihat atau mendengar sesuatu. Dalam konteks proses hukum, orang ini memberikan kesaksian di pengadilan.
Worst Forms of Child Labour	These include:(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;(b) the	Bentuk-Bentuk Pekerjaan Terburuk Bagi Anak	Di antaranya:(a) seluruh bentuk perbudakan atau praktek-praktek yang serupa dengan perbudakan, seperti penjualan dan trafiking anak, buruh ijon dan budak belian dan kerja paksa atau kerja wajib, termasuk perekrutan paksa atau wajib terhadap anak-anak yang

English Language Term	English Language Definition	Istilah Bahasa Indonesia	Definisi Bahasa Indonesia
	<p>use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children (in Indonesia, this is considered to include mining/ extractive industries, jermals, and plantation work). In Indonesian this applies to children under the age of 15 years while according to the ILO this applies to persons under the age of 18.</p>		<p>dikerahkan dalam konflik bersenjata;(b) pemakaian, pengadaan atau penawaran seorang anak untuk pelacuran, untuk produksi pornografi atau untuk pertunjukan pornografi;(c) pemakaian, pengadaan atau penawaran seorang anak untuk aktivitas-aktivitas terlarang, khususnya bagi produksi dan trafiking obat-obat terlarang seperti yang didefinisikan dalam sejumlah traktat internasional terkait;(d) pekerjaan yang, sifat atau kondisi dalam mana pekerjaan itu dijalankan, kemungkinan besar akan mengganggu kesehatan, keselamatan atau moral anak (di Indonesia, yang termasuk dalam definisi ini adalah industri pertambangan/ penggalian, jermal, dan pekerjaan di perkebunan). Di Indonesia definisi ini berlaku bagi anak yang berusia di bawah 15 tahun sementara menurut ILO definisi ini berlaku bagi orang yang berumur di bawah 18 tahun.</p>

Sources: Definitions, concepts and translations for this glossary were drawn and adapted from the sources listed below

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Appendix C: Overview of Solidarity Center and ICMC Counter Trafficking Project

In October 2001, the American Center for International Labor Solidarity (Solidarity Center) and the International Catholic Migration Commission (ICMC) began a two-year counter trafficking project funded by USAID, entitled, “Creating an Enabling Environment to Overcome Trafficking of Women and Children in Indonesia” (CTP). In order to maximize the strengths of each organization, the Solidarity Center and ICMC formed a partnership to address the trafficking of Indonesian women and children. As trafficking is an issue of both labor exploitation and social vulnerability, the Solidarity Center contributes its significant experience with worker rights and worker networks to the project, while ICMC contributes its significant experience with protection of vulnerable, uprooted persons. Together, the Solidarity Center and ICMC developed the following mission statement for the project:

Out of respect for human dignity and in solidarity with workers and uprooted people, the Solidarity Center and ICMC seek the elimination of exploitation or vulnerable people. To that end, we seek to counter trafficking of Indonesian women and children by working in partnership with trade unions, NGOs, and the government to implement prevention programs, provide services to victims, and improve counter trafficking policies, legislation, and law enforcement.

In order to assist Indonesia in developing a stronger framework to hold traffickers accountable, to implement prevention programs, and provide services to trafficking victims, the Solidarity Center and ICMC have developed a multi-faceted approach of providing expert technical assistance, training and financial assistance to government agencies, non-governmental organizations and trade unions on counter trafficking policies and programs.

The project aims to strengthen governmental and non-governmental institutions and support their efforts to establish a proactive framework of counter-trafficking initiatives that, in the long-term, should reduce the level of trafficking among vulnerable women and children in Indonesia. The CTP has four main components to achieve this objective:

- (1) Support to the Ministry of Women’s Empowerment (Kementrian PP) to assist in the development of a framework for counter trafficking in the form of a national plan of action, the drafting and passage of appropriate legislation, building an intergovernmental coalition to ensure arrest and prosecution of traffickers, and working with civil society to provide services for victims and prevention programs for vulnerable groups. Such support includes technical assistance, training, and activities related to:
 - (a) Strategic planning
 - (b) Capacity-building of government staff
 - (c) Development of a national plan of action (see section VII, National Plan of Action)
 - (d) Drafting and passage of counter trafficking legislation, including:

- A review of existing legislation in Indonesia that could be used to prosecute trafficking and its related abuses, and recommendations for legislative reform that are based on international standards and guidelines related to the Indonesian context (see section VI, Review of Indonesian Legislation).

While the creation of a national plan of action and the development of appropriate new legislation are significant steps forward in the fight against trafficking, these efforts will only be successful if the laws and policies are implemented as intended and enforced. Significant political will, however, is required on the part of senior government officials to exert pressure on law enforcement to ensure investigation and prosecution of trafficking cases, and to impose severe enough sanctions on traffickers so as to serve as a deterrent.

As the Ministry of Women's Empowerment is the lead focal point on trafficking initiatives for the government of Indonesia, CTP focuses primarily on efforts in cooperation with Kementrian PP. In order to ensure a comprehensive approach to counter trafficking in Indonesia, however, CTP also provides ad hoc support to other government agencies, such as the Ministry of Manpower and the Coordinating Ministry of Social Welfare. Such support includes technical assistance and capacity building on issues related to inspection of migrant worker holding centers and reintegration/repatriation of victims.

The CTP also assists the government of Indonesia in its efforts to build networks and coordination with provinces within Indonesia and to other countries in Southeast Asia. Together with staff from Kementrian PP, Menkokesra, and Depnaker, the Solidarity Center and ICMC have conducted assessment missions to twelve provinces of Indonesia to review the patterns of trafficking in each province, and to better understand which local NGOs, trade unions, universities, and government agencies are working in these provinces on issues related to trafficking. These provinces include Riau, North Sumatra, Lampung, Jakarta, West Java, Central Java, East Java, West Kalimantan, East Kalimantan, North Sulawesi, Bali and West Nusa Tenggara (NTB). Such support allows national government staff to travel to the provinces to see first hand the situation faced by women and children and to meet with the provincial level counterparts. It increases their understanding of the issues and helps improve coordination of government efforts. The results of these assessment missions are summarized in Chapter V, Provincial Assessments.

CTP facilitated a regional study trip for Kementrian PP staff to the Philippines, Cambodia, and Thailand to learn more about other government and civil society efforts and best practices to counter trafficking, and to develop networks with counterparts in other Southeast Asian countries. CTP also funded the participation of representatives from the Government of Indonesia (from Kementrian PP, Menkokesra, and Depnaker) at a regional counter-trafficking conference in Honolulu, Hawaii. The conference, organized by the Globalization Research Center of the University of Hawaii and the East-West Center, brought together government and civil society representatives from all over Southeast Asia and the Pacific.

- (2) Support to NGOs, Trade Unions, and Universities who are implementing programs to prevent trafficking in women and children or are providing services to victims of trafficking. After a competitive process for review of proposals, the Solidarity Center and ICMC awarded small grants to organizations in the twelve provinces mentioned above. CTP provides technical assistance and training to those organizations receiving funding. These grants support a range of activities, such as:
- awareness raising programs and campaigns for vulnerable communities and persons;
 - prevention programs to empower vulnerable women and children to protect themselves;
 - legal assistance and case-handling for victims;
 - safe shelter for victims of trafficking;
 - medical services and counseling; and,
 - research into the causes of trafficking, the role of different stakeholders in trafficking, and the demographics of victims and users.

A complete list of small grant recipients is found in Appendix D. In addition to the grants, CTP also provides these organizations, as well as national and local government officers, as appropriate, with training in a range of topics, including:

- Basic Trafficking Concepts
 - Victim Sensitization
 - How to Conduct Counter Trafficking Awareness Raising Campaigns
 - How to Collect Trafficking Data and Conduct Trafficking Research
 - How to Conduct Counter Trafficking Advocacy Campaigns; and
 - Providing Legal Services to Victims of Trafficking
- (3) Enhanced communication and coordination on trafficking in Indonesia among government and non-governmental actors as well as to increase the public's understanding and awareness of the problem. Activities included to support this objective include:
- launching a national spokesperson on trafficking;
 - disseminating information on trafficking in Indonesia
 - organizing opportunities for government and civil society to discuss trafficking
- (4) Strengthening worker networks to counter trafficking of marginalized workers. Working with four worker networks, KOPBUMI, JARAK, SBSI-Dept. of Women Workers and Child Labor, and SP TSK-Dept. of Women Workers, CTP addresses the increasing problem of trafficking of Indonesian women and child workers. Specifically, this component targets women and child migrant workers, women workers, and child laborers, and takes a labor rights approach to countering trafficking. The component focuses on six provinces: North Sumatra, West Java, Central Java, East Java, West Kalimantan, and NTB. Among different outputs, CTP together with the four networks will produce an Activist Tool Kit for Counter-Trafficking, a mapping of services available in the six provinces, and various awareness raising activities.



The mission of the American Center for International Labor Solidarity (Solidarity Center or ACILS) is to advance and strengthen the rights of workers around the world and to foster the development of free, independent trade unions. The Solidarity Center strives to build democracy, foster human rights, and to raise the capacity of trade unions, NGOs, and the government to eliminate labor exploitation, including trafficking and the exploitation of migrant workers, child laborers and women workers, and to improve worker welfare and rights.

The Solidarity Center is the international development and technical assistance arm of the American labor movement. The Solidarity Center is a registered non-profit organization headquartered in Washington, DC. It is affiliated with the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), a federation of 65 American unions representing over 12 million members. The Solidarity Center conducts programs in 62 countries, with offices in Indonesia, the Philippines, Bangladesh, Thailand, Cambodia, Sri Lanka, and India, as well as 20 other countries in Africa, Latin America, and Central and Eastern Europe.

The Solidarity Center has been active in Indonesia for more than 25 years, and now works with the government of Indonesia and over 100 partner trade unions and NGOs from all provinces of the country. Currently, the Solidarity Center conducts programs in the following areas:

- Protection of Marginalized Workers: counter-trafficking programs, protection of migrant workers, the elimination of child labor, and empowerment of women workers
- Political Participation Education: civic education, lobbying/advocacy, labor law implementation, economic literacy, elections
- Trade Union Professionalism: internal union democracy, organizing, collective bargaining, negotiation skills, leadership training, finance and administration
- Dispute Resolution: legal aid, worker rights/human rights, grievance-handling
- Empowering Trade Unions to engage with International Financial Institutions (IFIs)

In counter-trafficking projects, the Solidarity Center utilizes a labor-rights/human rights approach to prevention, protection, and law enforcement activities. The Solidarity Center's experience of working with organizations that support migrant workers, women workers, and child laborers provides an effective base from which to build activities and services for vulnerable groups.



The International Catholic Migration Commission (ICMC) was founded in 1951 to assist and serve refugees, internally displaced persons (IDPs), trafficked victims, and migrants by promoting solutions that are just, dignified, and sustainable. Within these population groups, ICMC gives priority to those that are most vulnerable and marginalized, regardless of creed, ethnicity, race or political beliefs.

Worldwide, ICMC implements an array of core activities that include: protection and care for trafficked women and youth; individualized return facilitation for displaced groups; capacity development for local and international organizations working towards ICMC's aims; trauma identification and recovery; tolerance building in communities divided by strife; community-based credit and non-credit economic revitalization and job creation initiatives; small reconstruction and community infrastructure development; emergency assistance; and refugee resettlement. Concurrent themes for all of ICMC's work include beneficiary participation throughout the project design and implementation cycle; involvement and specific targeting of women; and protection of the human rights of the forcibly uprooted.

ICMC began operations in Indonesia in September 1999 to respond to the urgent needs and protection issues faced by East Timorese people displaced from their homes and communities. Since that time, ICMC/Indonesia has retained the focus of targeting vulnerable forced migrants, while expanding to eighteen provinces and the following six program sectors:

- prevention/protection services for trafficked women and children,
- trauma recovery services for conflict-affected persons,
- advocacy and community projects to address the protection concerns of marginalized and vulnerable females,
- economic empowerment micro-grants for female-headed households,
- peacebuilding / community recovery programs for displaced populations, and
- capacity building for local organizations.

Based in Geneva, Switzerland ICMC has field offices in over 25 countries, and through collaboration with local partners is active in over 80 countries worldwide. In addition to Indonesia, ICMC has Asian and Middle Eastern field offices in East Timor, Thailand, India, Pakistan and Lebanon.

Appendix D: List of Partners & Projects

BALI

- **Manikaya Kauci**
Mr. Gunadjar, SH
 Jl. Noja Gang XXXVII No. 16, Denpasar Bali
 Phone / Fax: 0361-249630
 Email : ally_alor@yahoo.com

Project Title: Prevention of Women Trafficking in Dance Groups in Bali

Project Description: Manikaya Kauci is conducting a prevention program for women dance group members in two regions of Bali – Gianyar and Karang Asem districts. Dance group members may be vulnerable to trafficking under the guise of dance or cultural missions. They will train dance members, their community leaders, and families, and develop awareness raising materials.

- **Women’s Study Center – Udayana University (PSW Udayana)**
Dr. Tjok Istri Putra Astiti, SH, MS
 Udayana University, Women’s Study Center, Jl. PB Sudirman, Denpasar, Bali
 Phone / Fax: 0361: 0361-231223
 Email: pswunud@yahoo.com

Project Title: Profile of Women and Child Migration from Bali

Project Description: PSW Udayana is conducting research on trafficking and migration from two districts of Bali – Kareng Asem and Buleleng. They are assessing the victim demographics and trafficker profiles, studying the routes and processes used by traffickers, and the reasons victims are lured into trafficking.

CENTRAL JAVA

- **Yayasan Kelompok Studi Perempuan Indonesia (KSPI)**
Ms. Dhinar Sasongko
 Jl. Jetis Permai VII No. 2 Gentan Solo
 Tel/Fax : 0271-723009

Project Title: Creation of Two Village-Level Community Organizations to Monitor and Protect Migrant Workers in Wonogiri District

Project Description: KSPI will develop and conduct workshops on trafficking issues. Workshop participants will be largely Village Heads, other village-level officials, as well as officials from the kecamatan and district level. KSPI will also

produce written materials on trafficking that will be distributed to project participants and other village-level institutions and leaders in Wonogiri District. It is expected that, by raising the awareness of village and local-level authorities, trafficking in the district can be curbed.

- **Aliansi Jurnalis Independen (AJI) – Solo**
Mr. Anjar Fahmiarto
 Jl. Teratai 16 Badran Laweyan Solo
 Tel/Fax: 0271-716219
 aji_ska@indo.net.id

Project Title: Journalists' Project on Investigative Reporting Opposing Trafficking

Project Description: The Alliance of Independent Journalists in Solo will organize three workshops on the investigative reporting of trafficking. The workshops will be led by journalists who have extensive experience in investigative techniques, and experts on trafficking. Participants will include journalists from the print and electronic media in Central Java. Participants will be expected to produce stories about trafficking in Central Java, and the best examples will be collected and published in book form at the end of the project period.

- **Yayasan Kakak**
Ms. Emmy LS
 Jl. Slamet Riyadi No. 534 B Kerten Surakarta
 0271-711453

Project Title: Program of Child-Centered, Action-Oriented Research to Handle the Trafficking of Children for Sexual Purposes in Solo

Project Description: Yayasan Kakak will work with children and adolescents at risk of trafficking (or who have survived trafficking) to provide them with the skills and confidence needed to engage in a program of child-centered, action-oriented research into the trafficking of children for the sex industry in Solo. The information and recommendations generated from this research will be provided to local officials, members of the district and provincial legislatures and the police.

EAST JAVA

- **Konsorsium Pembela Buruh Migran Indonesia – Blitar (KOPBUMI)**
Ms. Tina Suprihatin
 Perum Pondok Delta Blok A No. 1 kaweron Talun Blitar Tromol Pos 6 Wlingi
 Tel/Fax: 0342-693686/691111
 tina_sp@telkom.net

Project Title: Counter-Trafficking in the Process of Recruiting Migrant Laborers in East Java

Project Description: The Consortium for the Defense of Indonesian Migrant Workers in East Java aims to raise awareness of trafficking issues among migrant workers, as well as to provide assistance to victims of trafficking. In order to do so, KOPBUMI will organize workshops and focus group discussions in which participants will be former migrant workers or survivors of trafficking, individuals at risk of being trafficked, including potential migrant workers, and other stakeholders. In addition, KOPBUMI will provide paralegal training to individuals linked with its member organizations in East Java so that they are better able to provide legal assistance to trafficking survivors and individuals at risk of being trafficked.

- **Yayasan Hotline Surabaya**
Ms. Esthi Susanti
 Jl. Indrapura No. 17 Surabaya
 Tel/Fax: 031-3566232/3566233
 did@indo.net.id

Project Title: Program on Women and Children Trafficking

Project Description: Yayasan Hotline Surabaya will work with a professional theatrical producer and director to stage a play about trafficking of women and children for the sex industry. The actors will be commercial sex workers from Surabaya who have personal experience with trafficking. The play will be staged in four cities (Banyuwangi, Bojonegoro, Sampang and Jakarta) and the project includes funding for filming the play and the production of 200 DVDs of the play. In addition, Yayasan Hotline Surabaya will also organize a public discussion about the trafficking of women and children for the sex industry, and will invite local government officials, members of local legislatures and other public figures to participate in this event.

- **Social Analysis and Research Institute (SARI) – Solo**
Mr. Mulyadi
 Jl. Jambu No. 64 Perum RRI Jajar Surakarta
 Tel/Fax: 0271-714705
 sari_solo@hotmail.com

Project Title: Prevention of Trafficking of Women and Children

Project Description: SARI will carry out awareness raising activities in two districts (Ngawi and Magetan) in East Java. The organization will implement a general public awareness campaign through the creation and distribution of information posters and leaflets, as well as provide training in community

organization and paralegal skills to leaders within migrant workers networks (such as the “Cahaya” network in Madiun and Ponorogo). It is expected that these trained leaders will be better able to provide legal aid to individuals affected by trafficking. It is also expected that the leaders will be better able to mobilize the migrant worker community, as well as other concerned individuals, to put pressure on the provincial and district authorities to control trafficking in East Java.

- **Solidaritas Buruh Migran Indonesia – Jawa Timur (SBMI-Jatim)**

Mr. Aak Abdullah Al-Kudus

Jl. Linduboyo No. 139 Klakah Lumajang

Tel/Fax: 0334-442805

sbmi_jatim@telkom.net

Project Title: Action to Counter Women and Children Trafficking to Other Countries

Project Description: SBMI-Jatim will conduct activities to empower Indonesian migrant workers, especially undocumented women and children, with the knowledge and skills necessary to keep them from becoming victims of trafficking. The project will be implemented in four villages in Lumajang District and will consist of conducting community organizing training targeted at individuals at risk of being trafficked, providing training in trafficking itself (i.e., how to recognize it, avoid it, take steps to protect oneself if one becomes a victim, as well as how to obtain justice and assistance if one is a survivor of trafficking).

EAST KALIMANTAN

- **Planned Parenthood Indonesia - Samarinda (PKBI)**

Drs. Sumadi Atmodiharjo

Jalan Letjen Suprpto No. 1 Samarinda

Tel/Fax: 0541-734751

email: pkbi-kaltim@samarinda.org

Project Title: Integrated Services for Victims of Trafficking in East Kalimantan

Project Description: PKBI will lead a coalition of government and NGO partners for the provision of services to victims of trafficking – particularly for sex work, in Samarinda. In addition to victim services, the partnership will lead an awareness-raising campaign to increase the awareness of sex workers and those in contact with them about the services of the network.

JAKARTA

- **Yayasan Jurnal Perempuan
Gadis Arivia**

Jl. Tebet Barat VIII No. 27 Jakarta Selatan
Tel/Fax: 021-8370-2005/021/021-829-0328
email: yjp@yjp.or.id

Project Title: Advocacy on Women trafficking Through the Press

Project Description: YJP is conducting a counter trafficking awareness raising program. They are conducting investigations of trafficking in three regions – Riau, West Kalimantan and Jakarta - and using the information and interviews from these investigations to develop media programs. These include a radio program that will be broadcast throughout Indonesia, a counter trafficking documentary video, and an edition of YJP monthly publication dedicated to trafficking.

- **Atma Jaya University, Center for Societal Development Studies
Dr. Harimurti Kridalaksana**

Jl. Jendral Sudirman 51, Jakarta, Indonesia 12930
Tel/Fax: 021-5703306/021-5734355
email:

Project Title: Research on Child Trafficking for Domestic Work in Jakarta

Project Description: Atma Jaya University is conducting research into trafficking of child domestic workers in Jakarta. The research will examine the percentage of child workers amongst the domestic worker population, the conditions in which they work, and the economic, social and psychological impact on the children. They will also analyze government policies and legislation relevant to trafficking of children for domestic workers.

- **Women and Gender Studies Center University of Indonesia (Pusat Kajian Wanita dan Gender Universitas Indonesia)**

Dr. Sulistiowati Irianto, MA
Gedung Rektorat Lama UI Lt. 4
Jakarta 10430
Tel/Fax: 021-3924392/021-3924392
email: cedawui@pacific.pacific.net.id

Project Title: Research and action program: Women trafficking and drugs dealing in feminist law perspective

Project Description: UI is conducting research in the Tangerang Women's Prison

in Jakarta. They are investigating whether women convicted on drugs trafficking charges may be victims of trafficking themselves who were forced to traffic in drugs.

- **Solidaritas Perempuan**
Salma Safitri
Jl. Jatipadang Raya Gg. Wahid No. 64
Jakarta Selatan
Tel/Fax: 021-7802529/021-7802529
email: soliper@centrin.net.id

Project Title: Research on Child Trafficking for Domestic Work in Jakarta

Project Description: SP is providing legal assistance to women migrant workers who are survivors of trafficking or of serious labor and human rights violation. SP provides legal assistance, shelter services and other assistance for survivors.

LAMPUNG

- **Lembaga Advokasi Perempuan Damar (Damar)**
Ms. SN. Laila
Jl. Jl. Wijaya Kusuma No. 1 Rawalaut Bandar Lampung
Tel/Fax: 0721-255093
damar-pr@indo.net.id

Project Title: Advocacy for Female Trafficking Victims

Project Description: In this project, Damar will focus on assistance to female survivors of trafficking in Bandar Lampung. The organization will provide assistance in the form of legal aid to survivors who are involved in legal proceedings stemming from their trafficking experiences. In addition, Damar will also provide medical care and psychological counseling to survivors in need of these services. Project funding will also be used to fund a shelter for survivors of trafficking and other women in crisis (chiefly women who have left abusive relationships). Damar will work with the city government to press for ongoing funding of this shelter through the municipal budget after project funding ceases.

- **Kantor Bantuan Hukum Lampung (KBH Lampung)**
Mr. Grace P. Nugroho
Jl. Letjen Suprpto No. 54/78 Kel. Pelita Kec. Tanjungkarang Pusat
Bandar Lampung 35117
Tel/Fax: 0721-267965/241149
kbh_lpg@indo.net.id

Project Title: Legal Aid and Policy Dialogue

Project Description: KBH Lampung will identify five significant cases of trafficking in Lampung Province and will launch legal proceedings in each of these cases. The procedures followed and other important issues arising from the legal procedures will be documented and analyzed in order to develop a more comprehensive understanding of the strengths and weaknesses of legal and official responses to trafficking in the province. This analysis and other recommendations will be shared with key players in counter-trafficking efforts (such as the police, public prosecutors, judges, lawyers and legal associations, legal experts and other NGOs) in two meetings.

- **Perkumpulan Keluarga Berencana Indonesia (PKBI Lampung Barat)**
Drs. Tono Suparman
 Jl. Mawar No. 5 Liwa Lampung Barat
 Tel/Fax: 0728-21326

Project Title: Awareness Raising Regarding the Trafficking in Women and Children in West Lampung

Project Description: The Indonesian Family Planning Association in West Lampung District will develop a training program and materials which they will provide to local-level leaders and other respected figures in the district. Participants will include village and neighborhood chiefs, as well as staff from village-level Puskemas and Posyandu clinics. It is expected that, by targeting individuals associated with existing village-level institutions, project sustainability will be enhanced and there will be a greater likelihood that those at risk of being trafficked will be identified and counseled appropriately.

- **Lembaga Advokasi Anak (LADA)**
Ms. Diah D. Yanti
 Jl. Kamboja no. 67/59, Bandar Lampung
 Phone/ Fax: 0721-264395
 Email: lada_damar@yahoo.com

Project Title: Assistance to Children Victims of Trafficking (Pendampingan Anak Korban Trafficking)

Project Description: LAdA, a children welfare and protection NGO, will focus on the rescue, repatriation, and reintegration of child victims of trafficking. LAdA will also advocate for a new *Perda (Peraturan Daerah)*(Regional Regulation) to the regional government in Lampung on the protection and welfare of children, including the trafficking of children and protection of victims.

NORTH SULAWESI

- **Sehabat Perempuan**
Dr. Jane M. Pangemanan, MS
 Jl. Langsung No. 10 Tikala Baru
 Manado 95126
 Telp/Fax: 0431-860750/0431-860750
 E-mail: ysp@telkom.net

Project Title: Counter Trafficking in North Sulawesi

Project Description: Sehabat Perempuan will work with government and NGOs in North Sulawesi to develop a network / referral system for the provision of a comprehensive package of services to victims of trafficking. In addition, they will train highschool teachers about trafficking and develop awareness raising materials for use in highschools.

- **Yayasan Maupusan Minahasa**
Venal pangau
 Jl. Raya Sendangan Kec. Remboken
 Kab. Minahasa Sulawesi Utara
 Hp: 08124417877
 email: kalia_computer@yahoo.com

Project Title: Counter Trafficking Prevention Program

Project Description: Yayasan Masyarakat Minahasa will conduct a prevention program targeted to highschool students and the community at large in 5 sub-districts in Minahasa. They will provide training for students, hold public discussions, and develop awareness raising materials for students and the community.

NORTH SUMATRA

- **Pusat Kajian dan Perlindungan Anak (PKPA)**
Ahmad Sopian
 Jl. Mustapa No. 30
 Medan 20238
 061-6611943/061-6611943
 pkpamdn@indosat.net.id

Project Title: Cooperation between Batam and Medan in the Prosecution of Trafficking Cases

Project Description: PKPA is providing legal assistance and support for children from North Sumatra who were trafficked for the purpose of sexual exploitation

to Riau. PKPA is providing assistance on their return, developing mechanisms of cooperation between officials from both regions, and providing legal assistance to help survivors bring their cases to the courts.

- **Yayasan Pondok Rakyat Kreatif (YPRK)**
Oktoviana SP
Jl. Panglima denai No. 128 (Seksama Ujung)
Medan 20228
Tel/Fax: 061-7875547/061-7875547
email: yprknet@indo.net.id

Project Title: Prevention of Trafficking of Girls in 3 Fishing Communities in Belawan (Belawan Lama, Kampung Nelayan and Bagan Tanjung Ujung)

Project Description: YPRK is conducting a prevention program in three fisherman communities in North Sumatra. As part of this program they will hold a community theater on trafficking with vulnerable children as the actors, conduct community awareness raising activities, and conduct house to house and community meetings to discuss how to protect your children from becoming victims of trafficking.

- **Lembaga Advokasi dan Pemberdayaan Rakyat (LAYAR)**
Junita Lila Sinaga
Jl. Pattimura No. 26
Pematang Siantar
Sumatera Utara
Tel/Fax: 0622-26442/0622-26442
email: bebas_s@hotmail.com

Project Title: Trafficking Prevention in 7 sub districts in North Sumatera

Project Description: LAYAR is conducting a prevention program in 7 communities in North Sumatra. They will develop a core team of three people from each community to act as the peer group leaders for that community, informing their community about trafficking. They will also develop awareness raising materials, conduct radio talk shows and hold workshops for community leaders and families of vulnerable children.

RIAU PROVINCE

- **Yayasan Mitra Kesehatan dan Kemanusiaan (YMKK)**

Lola Wagner

First City Komplek Blok 2, 2nd Floor No.9

Batam Center, Batam

Tel/Fax: 0778-464195/0778-464195

email: ymkk@batam.wasantara.net.id

Project Title: Victims Support and Reduction of Trafficking of Women & Children in Batam

Project Description: YMKK is providing assistance to commercial sex workers including victims of trafficking. They provide primarily safe shelter, counseling, and medical assistance in Batam.

- **Forum 182**

Irwan

First City Komplek Blok 2, 2nd Floor No.9

Batam Center, Batam

Tel/Fax: 0778-464195/0778-464195

email: forum182@plasa.com

Project Title: Building the Strength of Forum 182 to address Trafficking Issues in Batam

Project Description: Forum 182, which is a coalition of NGOs in Batam, is conducting an awareness raising campaign to increase the government and the public's knowledge and understanding of trafficking in order to get local government resources committed to combat trafficking.

- **Pusat Pelayanan Tenaga Kerja Wanita di Batam (PP Nakerwan)**

Vike Karundeng

Jl. Raden Patah 51 Nagoya Batam

Tel/Fax: 0778-425993/0778-427895

email: ppnakerwan@plasa.com

Project Title: Advocacy to Prevent the Trafficking of Women Migrant Worker

Project Description: PP Nakerwan is conducting an awareness raising campaign to improve conditions for migrant worker women in the holding centers and to stop trafficking-like practices. They are conducting a special workshop for government employees involved in regulating the holding centers, producing awareness raising materials and conducting investigations of the conditions in the holding centers.

- **Ketua Komisi Migran dan Perantau (Karya Migran)**

Father J.W Langenhuiser

St. Theresa Church Jl. Kartini III Sungai Harapan

Sekupang Batam 29422

Tel/Fax: 0778-310958/ 0778-321800

email: sscprop@telkom.net

Project Title: Shelter for Migrant Worker Victims of Trafficking

Project Description: Karya Migran is providing assistance to migrant workers who have returned from working abroad. They provide safe shelter, counseling, and assistance for return to their home communities.

WEST JAVA

- **Institut Perempuan Bandung**

Ms. Rotua Valentina

Jl. Pada Asri No. 8 Pav Bumi Asri Padasuka Bandung

Tel/Fax: 022-7206289

institut_perempuan@yahoo.com

Project Title: Radio and Leafleting Campaign to Eradicate the Trafficking of Women and Children

Project Description: Institut Perempuan Bandung will produce a public service announcement (PSA) and a leaflet designed to raise the awareness of vulnerable groups in West Java about the issue of trafficking and how it can be eradicated. In order to ensure that the PSA and leaflet are appropriate for the target audience (those at greatest risk of being trafficked), Yayasan Institut Perempuan will organize focus group discussions with the target audience to develop and design the messages to be transmitted. In addition, the PSA and leaflet will be produced in both Bahasa Indonesia and Bahasa Sunda in order to increase the reach of the counter-trafficking message of this campaign.

- **Lembaga Perlindungan Anak (LPA)**

Dra. Yusi Riksa, M.Pd

Jl karangtinggal 33 Bandung 40162

Tel/Fax: 022-2032525

lpajabar@bdg.centrin.net.id

Project Title: Elimination of the Worst Forms of Child Labor through Training and Awareness of Child Trafficking Issues

Project Description: LPA will conduct a survey of child trafficking issues in

West Java and create a database of child trafficking issues (vulnerable groups, individuals and institutions involved, services available) in the province. This information will be used in training programs that will be provided to government officials and other NGOs working in the field of child labor and trafficking in children. It is expected that the information generated, and the training provided in the project will result in a strengthened capacity to combat the worst forms of child labor and trafficking in children at the community, organizational and official levels in West Java.

- **Lembaga Advokasi Hak Anak (LAHA)**
Ms. Distia Aviandati
 Jl. PLN Dalam 108 / 203 D Moh. Toha Bandung 40225
 Tel/Fax: 022-5221151
 lahabdg@indosat.net.id

Project Title: Legal Responses to the Problem of Trafficking of Children in West Java

Project Description: Working with the police, public prosecutors, judges, lawyers, legal experts and other stakeholders, LAHA will develop a “standard operating procedure” to handle cases of child trafficking in West Java. It is anticipated that this standard operating procedure will be adopted by all individuals and institutions involved in counter-trafficking efforts in West Java, thus increasing the effectiveness and synergy of these efforts.

- **Yayasan Bina Sejahtera Indonesia (BAHTERA)**
Mr. Hadi Utomo
 Jl. Ciparay No. 277 / 196 A RT ½ Bandung
 Tel/Fax: 022-5402588/6001601/7279320
 ybahtera@indosat.net.id

Project Title: Empowerment Program for Child Survivors of Trafficking

Project Description: In this project, BAHTERA will provide protection and services to child survivors of trafficking by facilitating the return of child trafficking victims to their homes from Batam: the provision of medical care and counseling; the development of mentoring relationships between BAHTERA fieldworkers and children at risk of being trafficked and their families; and the provision of a crisis center in Bandung. In addition, BAHTERA will organize an awareness raising campaign in Bandung, and seek to raise the profile of child trafficking issues amongst policy-makers through meetings and discussions.

WEST KALIMANTAN

- **YLBH-APIK Pontianak**

Ms. Hairiah, SH

Jl. Kyai Ahmad Dahlan Gg. Jeruk 62 Pontianak Kalbar

Tel/Fax: 0561-734636

apik_ptk@yahoo.com

Project Title: Awareness Raising Regarding Trafficking in Women for Village Leaders in West Kalimantan

Project Description: YLBH-APIK will develop a training program and materials concerning the trafficking of women in West Kalimantan. This training program will be provided to Village Heads, other village-level officials and traditional community leaders so that they will be better able to identify trafficking, prevent its occurrence in their communities and protect women at risk of being trafficked. This training program will be complemented with a village-level awareness raising campaign in which YLBH-APIK will produce and distribute information posters and flyers.

- **Borneo Multivision PH Pontianak**

Mr. Usman Damiri, Ap, S Sos

Jl. Nusa Indah I Blok B No. 58 LT III Pontianak

Tel/Fax: 0816-4988005

borneo_ph@yahoo.com

Project Title: Public Information through the Production of a PSA and Documentary on Trafficking of Women and Child

Project Description: Borneo Multivision, a television production house located in Pontianak, will produce a public service announcement (PSA) and 30-minute documentary on trafficking for broadcast on TVRI (state-owned television station). Both the PSA and the documentary will focus on the experiences of local people who were trafficked to neighboring East Malaysia, and footage will include interviews with survivors of trafficking.

- **Perempuan Khatulistiwa Crisis Center (PKCC)**

Ms. Novita, SH

Jl. KHA. Dahlan Gg. Jeruk No. 45 Pontianak Kalbar

Tel/Fax: 0561-713273

khatulistiwa_pr@yahoo.com

Project Title: Awareness Raising Training on Trafficking for Teachers in Three Districts in West Kalimantan

Project Description: In this project, PKCC will develop a training program and

materials on trafficking issues which will be given to public school teachers (primarily at the junior high and high school level) in three districts (high migrant worker sending areas). Once trained, the teachers will pass on their knowledge and understanding to their students and colleagues. Eventually, it is intended that the training program will become part of the “Local Content” (*muatan lokal*) currently being developed by provincial and district authorities for eventual inclusion into the standard curriculum taught throughout the province.

- **Dewan Pemimpin Daerah Federasi Serikat Pekerja Perkayuan dan Perhutanan Indonesia – Kalimantan Barat (DPD FSP KAHUTINDO KALBAR)**
Mr. Bambang Yuniarto
 Jl. Hussein Hamzah Dwi Ratna Indah 3 B. 23 Pontianak
 Tel/Fax: 0561-773409/771821/741052

Project Title: Project for Counter-Trafficking of Women and Children

Project Description: The West Kalimantan Branch of the Federation of Woodworking and Forestry Unions will conduct ten intensive membership meetings for 500 plant-level leaders and members in three districts (Pontianak, Ketapang and Sambas – high migrant worker sending areas). During these meetings, participants will receive a basic understanding of what trafficking is, how individuals can protect themselves against trafficking, where survivors of trafficking and their families can obtain assistance, and how the union can play a role in eradicating trafficking in the province. Once armed with this knowledge, it is expected that plant-level leaders and members will be better able to identify and counsel individuals at risk of being trafficked and will also play an active role in lobbying governments to eradicate trafficking at the local level.

WEST NUSA TENGGARA

- **Yayasan Panca Karsa**
Ms. Endang Susilowati
 Jl. Industri No. 26 A Kodya Mataram 83114 NTB
 Tel/Fax: 0370-624304
 ypkmtr@telkom.net

Project Title: Protection of Indonesian Women Migrant Workers from Trafficking Practices

Project Description: Yayasan Panca Karsa will implement a comprehensive program of training and discussions in eight villages that are high migrant worker sending areas (Puyung, Bare Julat, Batu Nyala, Bare Bali, Batujai, Aik Mual, Mongtong Trep and Nyerot) in Central Lombok. The project target group

includes women at risk of being trafficked and training will be provided in the identification and prevention of trafficking, as well as in gender awareness, sexual health issues (HIV/AIDS) and local microenterprise as an alternative to seeking work outside one's home community. In addition, Yayasan Panca Karsa will provide legal aid and counseling/medical support for specific cases of trafficking in the eight target areas. These local level initiatives will be linked to the policy level through the organization of hearings with representatives of the district government and legislature, public debates and the use of media (i.e., appearance on talk shows, submission of articles to the print media) to raise public awareness of trafficking issues.

- **Yayasan Koslata**

Mr. Sulistiyono

Jl. Bung Hatta Kompleks Akasia III/10 Mataram NTB

Tel/Fax: 0370-637017

koslata@mataram.wasantara.net.id

Project Title: Protection and Strengthening of Indonesian Migrant Workers and their Families through Community Groups and Critical Discussion

Project Description: Yayasan Koslata will conduct an analysis of the scale of the trafficking problem, as well as prepare an inventory of resources available to counter trafficking in West Lombok. Following this, the organization will train a cadre of village-level facilitators/paralegals in three communities (Desa Tanjung, Desa Kediri and Desa Gerung) in West Lombok. These trained facilitators/paralegals will organize community-level discussions of trafficking issues during the project period. The project also aims to support the development of community-based migrant worker associations who will actively support each other and other community members at risk of being trafficked. The project will also link the community-level activities with policy-making through organizing a number of meetings between project participants, officials, members of the district legislature and other public figures.

OTHER RESEARCH PARTNERS

- **The Women's Study Center, Padjadjaran University (UNPAD)**

Ibu Dr. Komariah Emong Sapardjaja, SH

Lembaga Penelitian

Universitas Padjadjaran

Jl. Dipati Ukur 35

Bandung

Phone/Fax: 022-2507444/022-2507444

email

Project Title: The research on trafficking of women and children in Riau

Project Description: The Women's Study Center of Padjadjaran University will work with the Women's Study Center of the University of Riau and with local NGOs to conduct research into trafficking in Riau province, particularly on the islands of Batam and Karimunjaya. They are assessing the victim demographics and trafficker profiles, studying the routes and processes used by traffickers, the reasons victims are lured into trafficking, the services available, and the impact of legislation and policy. They have also conducted similar research in West Java province.

- **The Gender and Law Faculty, Brawijaya University (UNIBRAW)**
Sri Wahyuningsih, SH., MPd
 Fakultas Hukum
 Universitas Brawijaya
 Jl. Mayjen Haryono No. 169
 Malang
 Tel/Fax: 0341-553898/0431-566505
 E-mail: pphg@telkom.net

Project Title: Research on Trafficking of women & children in West Kalimantan.

Project Description: The Gender and Law Faculty of Brawijaya University will work with the Women's Study Center of the Tanjungpura University in West Kalimantan and with local NGOs to conduct research into trafficking in West Kalimantan province. They are assessing the victim demographics and trafficker profiles, studying the routes and processes used by traffickers, the reasons victims are lured into trafficking, the services available, and the impact of legislation and policy. These studies will contribute to the "academic paper" and the development of counter trafficking legislation. They have also conducted similar research in East Java province.

OTHER PROJECT PARTNERS:

- **Konsorsium Pembela Buruh Migran Indonesia (KOPBUMI) – National Secretariat (The Consortium for the Defense of Indonesian Migrant Workers)**
Mr. Wahyu Susilo, Executive Secretary
 Jl. Aren IV / 6
 Rawamangun, East Jakarta
 Tel/Fax: 4706377
 Email: seknas.kopbumi@lycos.com

- **Federasi Organisasi Buruh Migran Indonesia (FOBMI) (Federation of Indonesian Migrant Workers)**

Mr. Edi Ahmad Setiawan

Jl. Aren IV/6 Rawamangun Jakarta Timur

Phone/Fax : 021- 470 6377

E-mail: rights@fobmi.zzn.com
 jarnasbmi@hotmail.com

Project title: Prevention of Trafficking Practices for Migrant Workers based in Banten Province

Project Description: KOPBUMI will work together with its member organization, the **Federasi Organisasi Buruh Migran Indonesia (FOBMI) (Federation of Indonesian Migrant Workers) on this project.** FOBMI will conduct a survey in Banten province to identify high migrant worker sending areas and in which areas migrant workers are most vulnerable to trafficking. FOBMI will conduct community discussions in two districts once a month with 8-15 persons each, related to issues of safe migration, risks or danger signs for trafficking, and how to avoid it. In order to raise awareness of local leaders and people in Banten, FOBMI will conduct a radio talk show three times over three months, and conduct a one-day workshop on trafficking issues. To follow-up these activities, FOBMI will design, produce, and disseminate a leaflet raising the same messages as in the talk show and community discussions.

- **Jaringan Lembaga Non-Pemerintah untuk Program Aksi Penanggulangan Pekerja Anak di Indonesia (JARAK) – National Secretariat & One Stop Service Center (The Network for the Elimination of Child Labor)**

Mr. Anwar Solihin

Perum Karanglo Indah Blok O-10

Malang, East Java

Tel/Fax: 0341-414451

<http://www.jarakonline.or.id>

- **Yayasan Sosial Solidaritas Nusantara (YSSN)**

Mr. Arifin Alapan, SE.

Jl. Adi Sucipto Km 12Teluk Mulus Blok I no.14-15 Kabupaten Pontianak, West Kalimantan

Phone/Fax : 0561-721 266

E-mail : arifinalapan@yahoo.com

Project Title : Elimination of Trafficking in West Kalimantan Cross-National Border

Project Description : JARAK will work together with its member organization, **Yayasan Sosial Solidaritas Nusantara (YSSN) in West Kalimantan, on this project.** Working with JARAK, YSSN will conduct one day seminar on trafficking issues to raise awareness of stakeholders at the provincial level, including government representatives, NGOs, trade unions and other community organizations. YSSN will develop a network at the district and local level to take community action to eliminate trafficking of children. They will produce a poster and leaflets related to trafficking to disseminate to a larger group of people in West Kalimantan. YSSN will also provide services to twenty-eight identified trafficking victims to provide counseling, prioritize their problems, and provide life-skill training to prevent them from being trafficked again.

- **Serikat Buruh Sejahtera Indonesia (SBSI), Departemen Buruh Perempuan dan Buruh Anak (The Indonesian Workers Welfare Union - Department of Women Workers and Child Labor)**
Ms. Sulistri
 Ds. Jenunjung Kec. Cisoka
 Tangerang
 Tel/Fax :5993047/5990353
 _sbsi@pacific.net.id
- **Serikat Pekerja Tekstil, Sandang, dan Kulit (SP-TSK), Departemen Buruh Perempuan (The Union of Textile, Shoes, and Leatherworkers – Department of Women Workers)**
 Ms. Lilis Mahmudah
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 Cikokol, Tangerang Banten
 Tel/Fax : 55790046

Appendix E. Internet-Based Counter Trafficking Resources

Useful Web-Sites of Organizations World-Wide

- www.un.org/depts/dhl/resguide/resins.htm United Nations web site. Includes contents of conventions, declarations and other instruments contained in General Assembly Resolutions from 1946 onwards.
- www.ilo.org International Labor Organization of the United Nations. This site has a lot of interesting information as well as report and publications about trafficking problems and interventions worldwide. They have a wide variety of books available especially on child labor, but also about women workers and gender issues, for example, *Action Against Child Labour*, *Child Labour: A guide to project design*, *Child Labour: Targeting the Intolerable*, *Child Labour in Sri Lanka: Learning from the past*, *Children and Hazardous Work in the Philippines*, *Children at Work. Health and Safety Risks*, *Combating Child Labour*, *Combating Child Labour: A handbook for labour inspectors*, *Combating Child Labour and HIV/AIDS in Sub-Saharan Africa*, *First Things First in Child Labour: Eliminating work detrimental to children*, *A Future without Child Labour*, *I Am a Child*, *In the Twilight Zone: Child workers in the hotel, tourism and catering industry*, *Trade Unions and Child Labour: A guide to action*, and *The Sex Sector: The economic and social bases of prostitution in Southeast Asia*.
- www.iom.int International Office for Migration IOM's focus is on repatriation and reintegration of victims of trafficking and vulnerable migrants. They work directly on logistics for victims to return to their home countries. The web site has a collection of downloadable documents on trafficking issues including the scope of the problem worldwide, research, and other resources.
- www.undcp.org The United Nations Office on Drugs and Crime. Site includes information about trafficking and counter-trafficking awareness-raising video clips. They also occasionally fund counter trafficking project proposals.
- <http://www.unifem-eseasia.org> Web site of the United Nations office responsible for promoting gender equality. Web site contains reports on trafficking, trafficking data for SE Asia and "press kits" on trafficking.
- www.stop-traffic.org Stop-Traffic is an open, facilitated, international electronic list funded by the Women's Reproductive Health Initiative of the Program for Appropriate Technology in Health. The web site includes lists of relevant resources and links to NGOs and government agencies involved in countering trafficking in many parts of the world.
- <http://www.un.or.th/TraffickingProject/TraffickIntro.html> This is the official web site of the United Nations Inter-Agency Project on Trafficking in Women and Children in the Mekong Sub-Region. The site contains downloadable newsletters and other publications.
- <http://www.protectionproject.org> This is the web site of the Johns Hopkins University Protection Project. The web site includes numerous resources such as a database of anti-trafficking legislation from around the world and trafficking video documentaries which can be viewed

on-line such as *Sacrifice- The Story of Child Prostitutes from Burma*, *Witness- Bought and Sold by the Global Survival Network*, *Sisters and Daughters Betrayed - The trafficking of women and girls and the fight to end it*, and *The Selling of Innocents*.

<http://www.catwinternational.org> Coalition Against Trafficking in Women. The Coalition Against Trafficking in Women-Asia Pacific is an international network of feminist groups, organizations and individuals fighting the sexual exploitation of women globally. The web site includes downloadable resources including the book *A Comparative Study of Women Trafficked in the Migration Process*.

<http://www.thai.net/gaatw/> Global Alliance against Traffic in Women (GAATW), Thailand conducts research, advocacy, campaigning, and victim support. Publications include: *Human Rights And Trafficking In Persons: A Handbook*, *Human Rights Standards for the Treatment of Trafficked Persons* (available on line), *Partners in Change: Stories of Women's Collectives*, *Human Rights in Practice: A Guide to Assist Trafficked Women and Children* (available in Indonesian from *Terre des Hommes*), *The Migrating Women's Handbook*, *Moving the Whore Stigma*, *Regional Meeting on Trafficking in Women, Forced Labour and Slavery-Like Practice in Asia and Pacific*, and *Trafficking in Women in the Asia-Pacific Region: A Regional Report*.

<http://www.antitrafficking.org> This is the web site of an anti-trafficking project from the UK, working on trafficking issues worldwide. The site offers information about best practices and legal instruments. Organizations can register to be included in their upcoming database of organizations working to combat trafficking.

www.legislationline.org: A web site containing anti-trafficking legislation from around the world, but especially from Europe. The site is searchable by numerous sub-topics and gives example legislation from other countries or international bodies.

http://eir.library.utoronto.ca/whrr/display_annotation.cfm?ID=24&sister=utl Site of the Women's Human Rights Resources section of the Bora Laskin Law Library of the University of Toronto. Site includes links to downloadable articles and publications about trafficking and slavery like practices.

http://europa.eu.int/comm/justice_home/news/8mars_en.htm The European Commission website for trafficking. Includes information about European responses to the trafficking.

www.stabilitypact.org Stability Pact in Southeastern Europe works to combat trafficking in Europe. The site contains copies of speeches and notes from meetings on trafficking as well as a downloadable copy of the *Action Plan to Combat Trafficking in Human Beings in South East Europe*.

<http://www.state.gov/g/wi/> This site houses US government documents, reports and legislation related to trafficking of women and children, including downloadable copies of the 2001 and 2002 *Trafficking in Persons Report*.

<http://www.icmc.net/docs/en> Web site of the International Catholic Migration Commission. The site includes information about ICMC's counter trafficking programs in Albania, Croatia, Lebanon, Indonesia, Europe and Southeast Europe. The site also includes links to a *Review of Indonesian legislation Related to Trafficking*, available in English and Indonesian.

<http://www.usaid.gov/index.html> United States Agency for International Development web site includes descriptions of USAID's response to trafficking and the counter trafficking initiatives they are funding around the world.

<http://www.usaid.gov/wid/> USAID Office of Women in Development web site includes information about USAID's women and gender focused initiatives, including reports on trafficking in persons.

<http://www.genderreach.com/> GenderReach, USAID's Office of Women in Development Home Page. Contains information on USAID women and gender focused activities, including downloadable reports.

<http://www.antislavery.org/> Anti-Slavery International conducts advocacy campaigns to end human slavery and trafficking. The web site includes advocacy campaigns and numerous downloadable resources and publications, including: Human Traffic, Human Rights: Redefining victim protection, International Action Against Child Labour: Guide to monitoring and complaints procedures, The Impact of Discrimination on Working Children and on the Phenomenon of Child Labour, Child Domestic Workers: Finding a voice, a handbook on advocacy, International Workshop for Practitioners on Child Domestic Work - Summary Report, and others.

http://www.hrlawgroup.org/initiatives/trafficking_persons/ International Human Rights Law Group web site includes descriptions of their programs and downloadable resources such as the Annotated Guide to the Complete UN Trafficking Protocol

<http://www.humantrafficking.org/> This site was developed in response to the Asian Regional Initiative Against Trafficking (ARIAT) meeting in 2000 to promote cooperation and partnership among governments, NGOs, international organizations, private sector, and civil society organizations in prevention, protection, reintegration and prosecution aspects of trafficking in persons. The site contains descriptions of prevention, protection and law enforcement initiatives, examples of awareness raising materials, national legislation, lists of organizations working to fight trafficking and other resources.

<http://www.unhcr.ch/> Office of the United Nations High Commissioner for Human Rights (OHCHR) web site contains international human rights treaties, and other resources and information related to human rights.

<http://www.globalsurvival.net/femaletrade/> Global Survival Network Human Trafficking Program web site contains copies of their project reports including Crime & Servitude: An Exposé of the Traffic in Russian Women for Prostitution, and information on how to order the documentary video Bought & Sold which is an investigative documentary about the international trade in women, and includes undercover footage of meetings with the Russian mafia and interviews with women who were trafficked overseas.

Gender and Development- ADB.org The Asian Development Bank's web site includes information about how the Bank is fighting trafficking. The site includes descriptions of ADB's programs, a copy of the report Fighting Trafficking Ending the Agony, and reports from studies to fight human trafficking conducted in India, Nepal and Bangladesh.

http://www.vawnet.org/VNL.2/library/_desc.php?load=../library/index.html&where=library VAWnet Library is a searchable on line library of resources, research and reports on violence against women.

<http://www.nsvrc.org/> National Sexual Violence Resource Center web site contains information about their programs in the United States as well as research and statistics on sexual violence, calendar of upcoming related events, and other resources.

<http://www.mincava.umn.edu/traffick.asp> MINCAVA Prostitution and trafficking includes a large collection of downloadable reports and information including: Information for Victims in Trafficking of People and Forced Labor, Owed Justice: Thai Women Trafficked into Debt Bondage in Japan, Put in Harm's Way: The Neglected Health Consequences of Sex Trafficking in the United States, Rape for Profit: Trafficking of Nepali Girls and Women to India's Brothels, and many others.

www.hrw.org The Human Rights Watch web site contains many resources on trafficking including articles and reports on trafficking of women and children such as Uganda: Child Abductions Skyrocket in North, Bosnia and Herzegovina: Traffickers Walk Free, Hopes Betrayed: Trafficking Of Women And Girls To Post-Conflict Bosnia And Herzegovina For Forced Prostitution, Cambodia: Young Trafficking Victims Treated as Criminals, Owed Justice: Thai Women Trafficked into Debt Bondage in Japan, and others.

<http://www.humantrafficking.com/humantrafficking/htindex.aspx> This web site of the Polaris Project has a searchable database for trafficking including many full text downloadable resources, lists of NGOs and organizations around the world, and other resources for counter trafficking organizations, a calendar of events and discussion forums.

http://www.globalhawaii.org/PDF/trafficking_resources.htm, website of the The Human Rights Challenge of Globalization in Asia-Pacific –US: the Trafficking in Persons, Especially Women and Children Conference in Honolulu, Hawaii in November 2002, provides links to useful resources on trafficking as well as abstracts of conference presentations and speakers.

http://www.ojp.usdoj.gov/vawo/trafficking_info.htm This web-site of the U.S. Department of Justice, Office of Violence Against Women provides information on trafficking in persons, brochures, and publications, especially information related to U.S. government initiatives to combat trafficking in persons.

www.solidaritycenter.org The website of the American Center for International Labor Solidarity (ACILS or Solidarity Center) includes information about Solidarity Center programs worldwide, and beginning in June 2003 will include information about Solidarity Center trafficking, migrant worker, and child labor programs, with a focus on the counter-trafficking work in Indonesia.

<http://www1.umn.edu/humanrts/svaw/trafficking> The website of the Minnesota Advocates for Human Rights and the University of Minnesota Human Rights Library as part of the Stop Violence Against Women Project. The site includes useful information, links, and materials related to trafficking law and policy, training materials, research and reports.

Email List Serves

- anakjalanan@yahoogroups.com
- child_trafficking@yahoogroups.com
- jarak_network@yahoogroups.com
- kasus_anakdanpr@yahoogroups.com
- kopbumi-network@yahoogroups.com
- lindunganak@yahoogroups.com
- mitraperempuan@yahoogroups.com
- pekerja_perempuan@yahoogroups.com
- perempuangroup@yahoogroups.com
- stop-traffic-request@friends-partners.org

Publications Available On-Line

A Comparative Study of Women Trafficked in the Migration Process: Coalition Against Trafficking in Women, North Amherst, MA, USA, 2001 (?). www.catwinternational.org.

Anti-Trafficking Programs in South Asia: Appropriate Activities, Indicators and Evaluation Methodologies. Summary Report of a Technical Consultative Meeting" Huntington, Dale

Population Council, New Delhi (March) 2002. Available on-line at <http://www.popcouncil.org/frontiers/frontiers.html>

Human Rights in Practice: a guide to assist trafficked women and children. Global Alliance Against Trafficking in Women. 1999. Available in English, and in Bahasa Indonesian. GAATW@mozart.inet.co.th

The Role of Employers and Workers' Organizations in Action Against the Worst Forms of Child Labour, Including the Trafficking of Children into Labour and Sexual Exploitation: ILO, Oct. 2001. www.ilo.org

The Sex Sector, The economic and social bases of prostitution in Southeast Asia. Lin Lean Lim, ed., Geneva, ILO, 1998. Book contains a history and analysis of the sex sector of Southeast Asia including a chapter on Indonesia. www.ilo.org

Trafficking in Children Report: Problem and Responses Worldwide, ILO, 2002. www.ilo.org

Reference Guide for Anti-Trafficking Legislative Review with Particular Emphasis on South Eastern Europe, OSCE, Sep 2001. www.osce.org

Trafficking in Persons Report, US State Department, 2001. Available at www.state.gov (search for 'trafficking').

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- Report on trafficking in women, women's migration and violence against women, Special Rapporteur on violence against women, E/CN.4/2000/68, 29 February 2000. Available at <http://www.unhcr.ch/html/menu2/7/b/mwom.htm>
- Plan of Action Against Traffic in Women and Forced Prostitution. Council of Europe. 1996. EG (96) 2. www.coe.fr
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- Deceived Migrants from Tajikistan, A study of Trafficking in Women and Children, IOM. August 2001. Available at www.iom.int
- Trafficking in Women: Moldova and Ukraine. Minnesota Advocates for Human Rights, USA, December 2000. Available at www.mnadvocates.org
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- Combating Trafficking of Women and Children in Southeast Asia, Country Report, Kingdom of Nepal, May 2002, Asian Development Bank. Available at <http://www.adb.org/gender/reta5948.asp>
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- Combating Trafficking of Women and Children in Southeast Asia, Country Report, Bangladesh, Helen Thomas, July 2002, Asian Development Bank. Available at <http://www.adb.org/gender/reta5948.asp>
- Women migrant domestic workers: bringing the sector into the open, International Confederation of Free Trade Unions, December 2002. Available at www.icftu.org
- Asian Labour Migration: Issues and Challenges in an Era of Globalization, Piyasiri Wickramasekera, International Migration papers, No. 57. Available at www.ilo.com
- Human Traffic, Human Rights: Redefining victim protection, Baine Pearson, Antislavery International, 2002. Available at www.antislavery.org
- Child Domestic Workers: Finding a voice, a handbook on advocacy, Maggie Black, Antislavery International, 2002. Available at www.antislavery.org
- Training Manual for Combating Women and Child Trafficking, UNIAP, IOM, and Save the Children UK. Available at www.un.or.th/TraffickingProject/Publications/trafficking_manual.pdf
- Forced Labour in the 21st Century, Anti-Slavery International and the ICFTU. Available at <http://www.icftu.org/www/pdf/forcedEN.pdf>

Trafficking in Children for Labour Exploitation in the Mekong Sub-region: a Framework for Action, Discussed at sub-regional consultation, Bangkok, 22-24 July 1998, Available at <http://www.ilo.org/public/english/standards/ipecc/publ/field/asia/mekong/index.htm>

Trafficking of Indonesian women and children is an increasingly recognized human rights violation. Although many articles have been written and research on related topics conducted, the information has yet to be consolidated or analyzed as a whole. The purpose of this report is to consolidate the information that already exists about trafficking in Indonesia into one comprehensive report and disseminate this information widely.

It is anticipated that this report will be helpful for people working on counter trafficking in Indonesia, as well as people interested in trafficking worldwide. Not only does the report provide a fairly comprehensive overview of the problem, but it also includes a variety of resources to help combat trafficking, including: a review of existing Indonesian legislation; a list of international agreements which contain articles relevant to combating trafficking; an overview of the Indonesian National Plan of Action for the Elimination of Trafficking of Women and Children; a list of Indonesian organizations working on trafficking in Indonesia; a list of Internet-based resources for trafficking; and a bilingual glossary of trafficking-related terms. It is hoped that a better understanding of the nature of trafficking in women and children in Indonesia will lead to more effective interventions to prevent trafficking and to assist trafficking survivors.

This report was produced by the staff of the International Catholic Migration Commission (ICMC) and the American Center for International Labor Solidarity (Solidarity Center). ICMC and the Solidarity Center are jointly implementing a project to counter trafficking of women and children in Indonesia, with funding from the United States Agency for International Development (USAID).

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