

Policy Implementation of the Elimination on Child Labor: Could Indonesia Be Achieve of Free Child Labor in 2022?

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Abstract: - Currently it's estimated that more than 152 million people are child laborers, around 10 percent of children worldwide. Most (71 percent) work in the agricultural sector. As many as 69 percent do unpaid work because they work in their own homes and nearly half (73 million people) work in jobs that endanger their health, safety and moral development. The objective of the paper is exploring the factors why a child of a child must work, policies in control the growth rate of child labor and finally in eliminating child labor in Indonesia. This study found the issue of child labor which involves many parties becomes a challenge for the parties to work together effectively to harmonize laws and regulations and law enforcement, expand and increase access to compulsory education and training, social protection and make effective policies to support an active labor market, and to create decent and productive jobs for adults. Moreover, coordination and synchronization between related parties in forms of social workers, government, community and stakeholders are needed.

Keywords: - child labor, design implementation, national policy

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1 Introduction

Currently in the world based on ILO reports it is estimated that more than 152 million people or about 10 percent of the total age of the population of 10-17 are included in the category of child labor. Mostly, 71 percent work in the agricultural sector and form of this percentages nearly 69 percent do unpaid work because they work in their own homes. Almost 73 million work in jobs that endanger their health, safety and moral development [1]. The situation in Indonesia showed that it is not much different at all. Based on the Indonesian Child Profile in 2019 [2] in 2018, the number of child laborers aged 10-17 years is 2,611,783 people or 7.05 percent. The number of child laborers in Indonesia has increased over the past three years. Data from the Central Statistics Agency (BPS) also showed that in 2017 there were 1.2 million child laborers in Indonesia and an increase of 0.4 million or to around 1.6 million in 2019 [3]. However, children labor in Indonesia in general has decreased, where in 2012 there were 9.26 percent of working children aged 10-17 years, down to 7.05 percent in 2018.

A child who works or is employed by his parents will of course lose independence and the opportunity to grow and develop normally like other children. In

Law Number 39 of 1999 concerning Human Rights, article 64 states that: "Every child has the right to obtain protection from economic exploitation activities and any work that endangers him so that it can interfere with education, physical health, morals, social life, and mental spiritual." Besides that, the ILO Convention No. 138 of 1973 which has been ratified into Law No. 20 of 1999 concerning the Minimum Age for Admission to Employment, states that: "Each country is obliged to make national policies designed to ensure the effective elimination of child labor and gradually increase the minimum age to be allowed to work to a level that is suitable for physical development and mentally. The law states that light work can only be done by workers aged 16 years and over. The age limit for child workers who endanger health, safety, or morals is above 18 years old. Meanwhile, the minimum age for occupations which due to the nature or condition of the environment may endanger the health, safety or morale of young people, must not be less than 18 years."

Thus, for jobs that could endanger health, safety or morals should not be done by children, because the age limit of children is under 18 years (Law No. 13 of 2003 concerning Employment). In this regard the

Government of Indonesia has also ratified ILO Convention No. 182 of 1999 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor in Law Number 1 of 2000. The contents of the convention include that each member country that ratifies this convention must take immediate and effective action to ensure the prohibition and

elimination of the worst forms of child labor. Thus, basically the state has an obligation to guarantee the effective abolition of child labor; and stipulates the rule that the minimum age for child labor is permitted 15 years, provided that the child labor is not the worst (hazardous) form of work. A relevant study can be found in [6].

Table 1. Distribution of Indonesian children aged 10-17 years who work, 2018

Last Week Activities			Daily Working Hours			Main Working Sectors		
<i>(10 - 17 years old)</i>			<i>(10 - 17 years old worker)</i>			<i>(10 - 17 years old worker)</i>		
a) Working	2611783	7.05%	a) 0 hour	21261	0.81%	a) Agriculture	1078626	41.31%
b) Unemployment	403405	1.09%	b) 1 - 14 hours	1224136	46.87%	b) manufacture	431534	16.53%
c) Studying	31611459	85.37%	c) 15 - 40 hours	850737	32.57%	c) Services	1100878	42.16%
d) Household Carrying	1649061	4.45%	d) > 40 hours	515649	19.74%			
e) Others	755157	2.04%						
Total	37030865	100%	Total	2611783	100.00%	Total	2611783	100.00%

For developing countries such as Indonesia, it is not easy to implement a convention on child labor, because of the socio-economic, cultural and other aspects where a child works is considered normal. In this case the Ministry of Manpower developed a roadmap, which is a Roadmap Towards a Child Labor Free Indonesia in 2022. This roadmap is a strategic step in addressing and eliminating child labor. KIBPA (*Kampanye Indonesia Bebas Pekerja Anak/Child Labor Free Indonesia Campaign*) is one of the Ministry of Manpower’s efforts to accelerate the realization of the roadmap for Indonesia free of child labor by 2022. The most fundamental question is can Indonesia in 2022 be free from child labor?

This paper discusses the problem of child labor in Indonesia, using a literature study, begins to explore the factors why a child must work, then what policies have been carried out to control child labor and the efforts to eliminate child labor in Indonesia.

2 Factors That Cause Child Labor

2.1 Economic Factors

Almost all child labor researchers conclude that the cause of child labor is the economic factor, namely poverty [4]. In poor families, children are a guarantee of family life because their energy is able to contribute to the family’s economic income. The results of the JARAK (Child Labor Control Network) research that states that the low economy of the family is the dominant factor causing children to make a living [5]. More children work in the informal sector than the formal sector. In the formal sector, child labor tends to exist along the boundary between the formal and informal economies, such as with their parents in home industries and on plantations, in family-owned shops or small factories, especially factories that are “satellites” for big industry. Efforts

to tackle child labor need to be carried out in an integrated manner between sectors at the central and regional levels. Tackling child labor is a dilemma of the government wanting to ban child labor and hopes that all school-age children can develop their intellect at school, to obtain quality human resources in the future. Meanwhile, on the other hand, the government cannot avoid the fact that there are still many poor families, thus allowing children to be forced to work. Supply-side protection is also implemented through cross-sectoral programs intended to limit child labor from sources or institutions that give birth to child labor through preventive measures [7].

Previous literature suggested that one of the efforts made by poor families to supplement family income in addition to involving children in public activities, by utilizing child labor [8, 9, 10]. Children who are not old enough are empowered to carry out the work not only in the household but also work outside the household that makes money, they become workers or child laborers. On the other hand, the occurrence of child labor was due to the child’s own desire to consciously choose the world of “exploitation outside the home” rather than being constantly under the control of their own parents [8].

Previous research on Indonesian child labor, seen from the supply side as a determinant of supply side factor was conducted and found that poverty is a major factor in working children [11]. It is poverty that demands children to work to fulfill their daily needs. In addition, the low educational background of parents raises the notion that school is not important if a child is able to make money. This research also shows that the community’s economic difficulties have pushed children into the workforce. This happens because most of the children in the oil palm

plantation environment, work with the reason to fill spare time and help the family economy.

A research in Surakarta City, showed that the factors that caused the emergence of child labor were economic factors, namely poverty, causing children to take to the streets begging or busking [12]. Previous research also concluded that the contribution of factors that influenced the emergence of child labor included parental education, child education and gender [13]. Parents with primary school education will have a 5 times greater chance of child labor than parents with high school education and above. Children who have never gone to school have a 15 times greater chance of child labor compared to children with junior secondary education. While in terms of gender, boys will have a 1.3 times greater chance of becoming child laborers compared to girls.

2.2 Education

The high cost of basic education is also a reason for children to work. The results of research in NTT Province finding that more than half of the children surveyed had worked while attending school [4, 14]. The duration of work is an important note for child workers so as not to interfere with their growth and development. Law Number 13 of 2003 concerning Manpower regulates a maximum of three hours per day or 15 hours per week and is carried out during the day outside of school hours. BPS data shows that the majority of children aged 10 to 11 years work from a range of 1-20 hours per week. For child workers aged 12-14 years, most of them spend 21-40 hours a week working, while 15- to 17-year-olds work mostly 41-60 hours a week. Interestingly, 5.7 percent of all child workers spend more than half of their time working. This figure exceeds the normal working hours for adults, which is 40 hours per week. Meanwhile, the rush of work will disrupt the child's learning achievement, forced to leave the class, and eventually forced to drop out. The BOS (School Operational Assistance) Program helps to improve the education access of the poor. The results of research conducted by RIM-WB (Regional Independence Monitor-World Bank) stated that BOS has made a significant contribution in increasing access to basic education for children from home poor households, and BOS provides a certain source of funding that is large and stable for schools in poor areas [15, 16]. Without funding from BOS, it is likely that the participation rate and quality of education will be lower. However, this does not mean that BOS is able to effectively help children from poor families go to school, because structurally BOS is given to schools, it can only help those who are already in

school, and those who are not in school or those who DO cannot enjoy the benefits of BOS the. From the educational dimension, it is not solely in terms of the high cost of education but due to the low level of education of parents [17, 18]. Low level of education and economic powerlessness, parents tend to be narrow-minded towards the future of their children so that not taking into account the benefits of higher schools can improve children's welfare in the future. This situation has encouraged children to choose to become child laborers. Starting from a low parental education, economic limitations and traditions, many parents take shortcuts so that their children drop out of school and work better because they are expensive and high school costs are useless because they end up unemployed.

2.3 Market penetration

The market or penetration of global capitalism into the national and regional economy is another factor of child labor since it encourages horizontal mobilization among regions or countries [4, 19-23]. This includes that a person's mobility to look for work outside their area of origin is due to economic conditions which give different economic conditions in the area of origin and destination. The tendency of children to respond to market trends by entering the workforce is not entirely considered negative by child labor experts. The problem of children working in the formal sector is more biased to the perspective of the intervention party, which is often at odds with the child's own perspective. The controversy between the intervention party (government or policy makers) and the child [24]. Salaried work in the industrial sector, mining, or wood processing, and so on which is considered by the intervention parties (policy makers) to be problematic or improper work for children, in terms of children is often even more desirable or as problem solving. Meanwhile, reproductive work that does not provide direct material benefits which is considered by the intervention party as not problematic, from the perspective of the child is considered problematic. Efforts to get children out of work in the formal sector are considered counter-productive.

In line with the above, the emergence of child labor is related to the interests of employers who always want to accumulate as much profit as possible [8]. It is no secret that in the capitalistic system in any country employers always want to keep production costs as low as possible, especially workers' wages. In this context, one of the businesses undertaken by employers is to employ female workers or child laborers [25, 8]. Women and children are preferred

by employers because most are willing to be paid cheaply or cheaper than men.

2.4 Cultural/Tradition/Habitual Factors

Hilson [26] states that it is a culture in the family that children from a young age have done work or as workers. Unconsciously, parents assume working as child labor is a tradition or habit in the community, children are instructed to work as workers on the grounds of getting the best education and preparation to face life in the community later when the child is an adult. Child laborers themselves feel proud to work to earn income for their own interests, as well as to help the family economy and can finance their younger siblings' schooling. In the community, domestic workers are carried out by their daughters, including guarding shops/stalls. Unconsciously the existence of culture, traditions, habits that deliver their children as child workers who should not be time to work. In line with this, the phenomenon of child labor is inseparable from the reality that exists in society, which culturally views children as potential families who are obliged to serve their parents [5]. Children who work actually are considered as devoted children and can lift the dignity and dignity of parents.

From a different perspective, economic problem becomes a main reason for children to continue to be included in the workforce, even though parents fully understand the importance of childhood as a period of education [27]. The answer turns out not only to be an economic problem, when examined, there are social structure issues that allow children to enter the labor market. If the social structure rejects the idea of 'children working', then the set of rules in the form of law will protect it. However, if the structure is subject to praxis based on the law of poverty, then change will quickly occur, and the phenomenon of children who work then can be tolerated.

2.4 Weak Oversight

One of the active efforts that can be made to prevent child labor is by regulating anti-child labor regulations, and streamlining the implementation and supervision of laws and regulations. Weak supervision and limited institutions for rehabilitation are among the causes of child labor, rules for conducting the protection of child labor are not balanced with the implementation of these rules [5]. So, it is possible that many problems that arise in child labor cannot be resolved.

3 Policy on the Elimination of Child Labor

The policy on the elimination of child labor in Indonesia can be traced through a number of laws and regulations established, among others, Law No. 23 of 2002 jo No. 35 of 2004, concerning Child Protection stipulates that the government and other state institutions are obliged and responsible to provide special protection to children who are exploited economically/and or sexually (article 59). Furthermore, Article 66 states that special protection for children is carried out through (a) dissemination and/or dissemination of statutory provisions relating to the protection of children who are exploited economically and/or sexually; (b) monitoring, reporting, and giving sanctions; and (c) involving various government agencies, companies, trade unions, nongovernmental organizations, and the community in the elimination of economic and/or sexual exploitation of children.

Further, in Law No. 13 of 2003 on Manpower regulates that in principle employers are prohibited from employing children, but there are exceptions for those aged 13-15 years of age must fulfil the following requirements: (a) written permission from parents or guardians; (b) work agreements between employers and parents or guardians; (c) maximum working time of 3 hours; (d) conducted during the day and does not interfere with school time. Under this Law which is clearly prohibited is the employment and involvement of children in the worst forms of labor (article 74), including: (a) all forms of slavery or similar work. (b) Any work that uses, provides, or offers children for prostitution, the production of pornography, pornographic performances, or gambling. (c) all work that utilizes, provides or involves children for the production and trade of alcoholic beverages, narcotics, psychotropic substances and other addictive substances; and (d) all work that endangers the health, safety or morals of children.

From the description related to laws and regulations governing child labor in Indonesia, there is an asynchronous arrangement. Regulations in Law No. 13 of 2003 concerning Manpower, there are articles that contradict Law No. 20 of 1999, which requires child labor in light work and the age must not be less than 16 years while in the Manpower Act the age requirement is lower than 16 years which is 13-15 years.

Regarding the elimination of the Worst Forms of Child Labor (PBPTA), as referred to by ILO Convention No. 182 of 1999 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor which has been ratified in Law Number 1 of 2000. That each member country that ratifies this

convention must take immediate and effective action to guarantee the prohibition and the elimination of the worst forms of child labor as a matter of urgency. In 2001 a National Action Committee (KAN) was formed to eliminate WFCL through Presidential Decree No. 12 of 2001. Article 68 of Law no. 13 of 2003 states that employers are prohibited from employing children. The National Action Committee has succeeded in the NAP for the Elimination of WFCL with a timeframe of 20 years starting in 2002 until 2022. The NAP for WFCL Elimination was stipulated by Presidential Decree No. 59 of 2002. The NAP Elimination of WFCL contains in it: (1) National Policy; (2) Action Programs; (3) Division of Roles and Responsibilities; and (4) Monitoring and Evaluation Mechanism. The PBPTA national policy is in chapter 3 of the NAP document, which is to prevent and eliminate the worst forms of child labor in stages, carried out with an integrated and comprehensive approach. In implementing the policy four strategies were formulated, namely: (1) Determining priorities for phasing out the worst forms of work; (2) involving all parties at all levels; (3) Developing and making careful use of domestic potential; (4) Cooperation and technical assistance with various countries and international institutions. (Unfortunately, in December 2014, through Presidential Regulation No.176 of 2014, President Jokowi dissolved 10 Non-Structural Institutions (LNS), one of which was KAN-PBPTA, the reasons stated as stated in the preamble dictum were in order to improve the effectiveness and efficiency of the organization government).

To support the implementation of the National Action Plan for the Elimination of WFCL (Presidential Decree No. 59 of 2002), the Minister of Home Affairs issued Ministerial Decree Number 6 of 2009 Guidelines for the Establishment of Regional Action Committees, Determination of Regional Action Plans, and Community Empowerment in Eliminating the Worst Forms of Child Labor, subsequently The Governor and Regents/Mayors are instructed to form a Regional Action Committee for the Elimination of WFCL, one of which is to prepare a Regional Action Plan (RAD) for the Elimination of WFCL.

The NAP-Elimination of WFCL has been running for the first 10 years period of 2002-2013, and the second 10-year period of 2013-2022 a Roadmap for a Child Labor Free Indonesia in 2022 by the Ministry of Manpower [28], the preparation of this Roadmap is intended to support the implementation of the NAP-Elimination of WFCL. The road map was prepared as a translation of the NAP-Elimination of WFCL (National Action Committee on the

Elimination of the Worst Forms of Child Labour). This roadmap is a strategic step in addressing and eliminating child labor. KIBPA is one of the Ministry of Manpower's efforts to accelerate the realization of the roadmap for Indonesia free of child labor by 2022. In essence, children should not work because their time should be used for learning, playing, having fun, being in a peaceful atmosphere, getting opportunities, and facilities for achieve his goals in accordance with his physical, mental, social and intellectual development.

The ultimate goal to be achieved is Indonesia Free of Child Labor in 2022, with the planned main efforts to build a strong commitment and mainstreaming from all stakeholders to jointly eradicate CL and WFCL. It is also to establish a national movement to eliminate CL and WFCL that involves all stakeholders in the Central, Provincial and Regency/City levels. Furthermore, the strategies that will be adopted are: (1) harmonization of legislation and law enforcement; (2) actions to eliminate CL and WFCL are carried out on an ongoing basis by involving all parties, and (3) integrating the 2022 Indonesian Child Labor Free Roadmap in the Regional Development Plan.

4 Implementation of Child Labor-Hope Program Reduction (PPA-PKH)

In order to reduce child labor, the government has implemented the Family of Hope Program (PPA-PKH), where this program has the objective of encouraging efforts to detect early, identify and strengthen synergies in preventing and handling cases of exploitation of children, especially in related economic aspects. child labor and other forms of child labor, including the provision of cash transfers to promote children's education. PPA-PKH is carried out with the assistance in shelter with the aim of motivating and preparing children to return to education. In the National Medium-Term Development Plan (RPJMN) 2015 - 2019 establishes the Ministry of Manpower as the executor of the Task for the National Action Committee for the Elimination of the Worst Forms of Child Labor to carry out PPA-PKH activities. PPA-PKH activity is one of the models and acceleration of efforts to eliminate the worst forms of child labor, this activity is carried out in an integrated manner by involving various agencies/institutions both governmental and non-governmental including non-governmental organizations aiming to reduce the number of child laborers.

PPA-PKH Activity Target is child labor with criteria of dropping out of school and working from

Very Poor Households (RTSM) recipients of PKH, PPA-PKH activities are carried out through mentoring at shelters to be returned to education or skills training. An indicator of the success of PPA-PKH is the reduction in the number of child workers and their return to education. Nationally PPA-PKH activities have been going on since 2012, until the end of 2018, the Ministry of Manpower has succeeded in attracting 116,456 child workers to be returned to education through PPA-PKH. In 2019, 18,000 children will be withdrawn from child labor. This program involves involving more than 24 provinces and more than 138 districts/cities which are carried out by the implementation team in stages starting from the central level, provincial and district/city involving various government agencies and non-governmental organizations (NGOs).

In connection with the implementation of the PPA-PKH, an evaluation study of the Effectiveness of the Child Labor Reduction Program in the Context of Supporting the Family Hope Program (PPA-PKH) in Attracting Child Labor into the World of Education, concluding that when viewed from its output, the implementation The 2013 PPA-PKH program can be categorized as successful (85.13% accepted by schools), but in terms of outcomes, that is, after 1 year in the education world, this program can be categorized as not successful, which is still only 47.69% of schools [29]. Using the Logic Model approach as an evaluation tool, the following problems were found: a) Data on child labor from PKH families is invalid; b) Limited companion knowledge; c) Mentoring time is too short; d) Weak coordination and commitment of stakeholders; and e) improper budget management system. The lack of success was due, among others, to: a) Some facilitators did not understand the concepts and indicators of child labor; b) PPA-PKH Implementation Time, too short; c) Coordination across sectors has not been going well; d) Understanding and commitment of stakeholders is still relatively lacking; and e) A centralized budget management system is not appropriate. Various efforts made by the Ministry of Manpower to eliminate child labor and WFCL, namely implementing the PPA-PKH Program in 2008, by withdrawing child workers from very poor households and dropping out of school to be returned to the education unit through providing assistance at shelters. Until 2019, PPA-PKH had attracted as many as 134,456 child workers.

The SMERU research institute in collaboration with BAPPENAS and UNICEF in 2013, in a study of *Child Poverty and Disparities in Indonesia: Challenges for Inclusive Growth* found that reducing

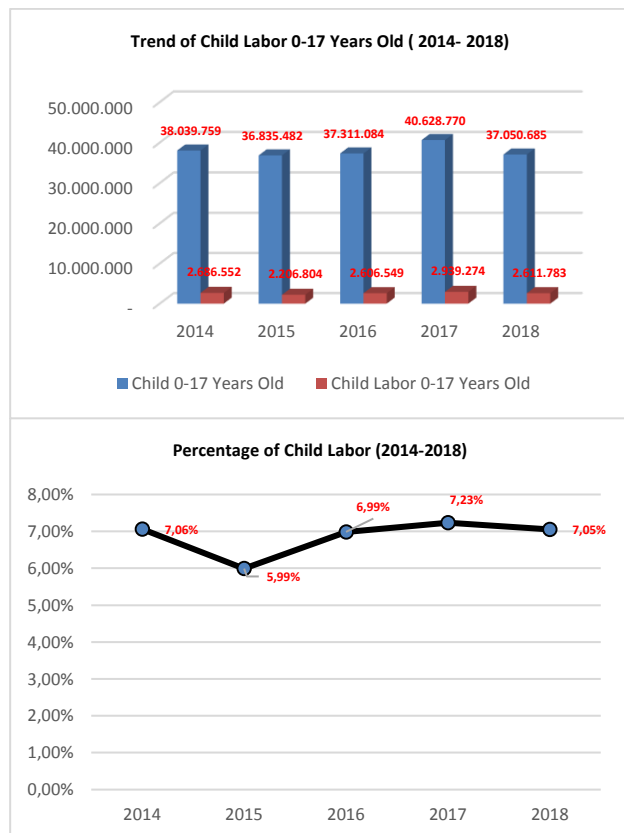
child poverty and disparities that currently occur requires intensive collaboration between stakeholders at all levels of government and non-governmental. Some important national-level policies that have contributed to the reduction of child poverty and disparity [30]. Given how important it is to save the future of child labor, a holistic and comprehensive model of solution is needed. Of the various approaches that can be taken, there is a client centered approach that focuses on child labor. In the case management approach, there are steps that can be taken, such as identifying needs, planning services, providing services, and monitoring [31]. These stages are carried out to recognize and understand the needs of child labor. In addition, it also explores the ability of children and their closest groups such as family or peers to meet their basic needs and emotional needs. In addition, efforts are also made to explore the resources of formal institutions, such as schools, social institutions, etc., to identify the assistance that can be provided to these child workers [7].

5 The Implementation of the Free Target of Child Labor 2022

The Roadmap for the Elimination of Child Labor, targets that in 2022 Indonesia will be free of child labor, so that the practical period will be 2 years, while in 2018, Indonesia still has 2,611,783 working children or 7.05 percent. The PPA-PKH program annually resolves 1,800 out of school children to be returned to school. The consideration about the percentage of child labor for 5 years, namely from 2014 to 2018, there was only a 0.01% decline. Moreover, there are other factors that have never been taken into account before, namely the co-19 outbreak that hit all countries in the world, already turned off by the poor population in Indonesia will be very significant.

Seeing these conditions, it is better to do a re-planning, whether the reduction in targets, or acceleration by mobilizing all the potential resources owned. More specifically, the 2020-2024 Strategic Plan Design for Child Labor Reduction is implemented by involving families, schools and the community to evaluate existing policies, mainstream policies to related Ministries/Agencies, build partnerships, increase community awareness regarding the importance of schools for children, improve children's skills education, develop social security programs for children and their families, increasing public understanding of new values and norms related to child labor; improve the reporting system and complaint services that are integrated,

responsive, and there is synergy in handling cases; as well as undertaking major reforms in the management of child labor cases so that they can be carried out quickly, integrated and comprehensively.



Source: Profile of Indonesian Children, Indonesian Ministry of Womens Empowerment and Child Protection and Indonesian Central Bureau of Statistic, series 2014-2018 [32-36].

Figure 1. Children 10-17 Years old Who Works and Development of Percentage of Children Working from 2014-2018.

6 Concluding Remarks

This study found the issue of child labor which involves many parties becomes a challenge for the parties to work together effectively to harmonize laws and regulations and law enforcement. The findings also highlight the need to expand and increase access to compulsory education and training, social protection and make effective policies to support an active labor market, and to create decent and productive jobs for adults. Moreover, coordination and synchronization between related parties in forms of social workers, government, community and stakeholders are needed. As a practical implication, efforts to tackle child labor need to be carried out in an integrated manner between sectors at the central and regional levels. Tackling child labor is a dilemma of the government

wanting to ban child labor and hopes that all school-age children can develop their intellect at school, to obtain quality human resources in the future.

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