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WOMEN LABOR AND OIL PALM PLANTATION EXPANSION IN INDONESIA

LENGGA PRADIPTA

Abstract

Oil palm plantations have expanded massively in the isolated areas of Indonesia in the last decades. They cover more than 13.5 million hectares across Indonesia and spread into more than 10 provinces. Riau and West Sumatra are the two provinces that have been targeted for oil palm plantation expansion. When oil palm companies entered Riau and West Sumatra, they started to expand their operations and promised to provide the employment for local people, especially women. At first, this went smoothly. However, along with many other social, economic and environmental issues, oil palm companies are no longer giving adequate protection for the women in the labor force. Women operate in unsafe working conditions and always get an unfair share of income. The health of women who work for oil palm companies suffers greatly. They have to handle pesticides and fertilizers without protection such as masks and gloves. Although women put much effort in working for the oil palm companies, they always get lower financial compensation than the men. This situation demonstrates the tremendous discrimination in the oil palm industry. This is violates many regulations, especially the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) article 11, which mentions that all parties shall take all appropriate measures to eliminate discrimination against women in the field of employment to protect health and safety in the workplace and to ensure equal wages between men and women. This situation not only contravenes CEDAW, but also Act Number 13/2003 about Manpower (article 22) which is concerned with the safe working environment and equal wages among employees. The aim of this study is to investigate the current situation in the oil palm industry in Indonesia and how companies discriminate against women without considering the international and national regulations. This study is not only focuses on the oil palm industry itself, but also on women, and how they survive as employees of oil palm companies. This study used qualitative methods, which have been conducted through observation, key informant interviews and secondary data. The study also reveals that in order to solve the case about women labor in oil palm plantations, critical changes are urgently needed, not only from government as the policy makers, but also from many other stakeholders.

Keywords: Women labor, Oil palm plantation, Discrimination, Indonesia

**Kata Kunci:** Tenaga Kerja Wanita, Perkebunan Kelapa Sawit, Diskriminasi, Indonesia

### INTRODUCTION

Palm oil is the most produced and consumed product in the world. As demand has increased through the decades, many international and multinational companies have established palm plantations in developing countries, especially in Southeast Asia. In Indonesia, oil palm plantations have expanded rapidly since the 1990s. Casson (2000) has estimated that more than 13.5 million hectares in Indonesia have been converted into oil palm plantations. According to the data by Sawit Watch (2014), from 2005 – 2013, the most oil palm plantations exist in Sumatra (64%) followed by Kalimantan (31%). These islands are targeted not only because of the fertile soil, but also because of their isolation from the central government.

The main expansion of oil palm in Sumatra has occurred in two provinces, Riau and West Sumatra. These provinces have a unique in landscape, climate and also Melayu - Minangkabau culture. However the palm oil plantation expansion has not made the two provinces more prosperous. The oil palm companies cannot guarantee a sustainable plantation industry in Indonesia; they neglect the basic needs of local communities such as; conserving the environment, ensuring education, the sustainability of the food production and local wisdom. Furthermore, oil palm companies promised employment for local people, especially women. But with the fluctuations of the oil palm industry, companies started to break their promises. They no longer give protection to their workers, especially women. As workers, women always get unsafe working conditions and unfair salaries. Despite women putting a great effort into the oil palm companies, they always get lower compensation than men. Hence, to deal with this, the government and related stakeholders have to give special attention to this issue, because if there is no serious monitoring and control, this rapid expansion will become a gigantic dilemma and it will continue to destroy ecosystems and violate human rights.

The purpose of this study is to investigate the current conditions within oil palm companies in Indonesia and how they discriminate against women without considering the regulations, either at an international or national level. The study was conducted in two different areas; Riau and West Sumatra province. Moreover, the specific objectives of this study were:

- To identify the conditions of oil palm
plantations in Riau and West Sumatra, focusing on how they negatively impact the ecosystem and violate environmental regulations.

- To analyze the condition of women workers who are discriminated against in the oil palm plantation industry.

This study mainly focused on oil palm plantation expansion and was limited to environmental and discrimination issues. Women workers in palm oil plantations were defined as outsourced workers who got unfairly paid and did not get proper protection from the companies. Environmental issues were defined as all ecological consequences which impacted on ecosystems and detracted from the sustainable livelihood of local communities.

**METHODOLOGY**

This part will discuss the framework of the study and the process for data collection and analysis. This study was carried out using a qualitative approach using observation and in-depth interviews with women in two provinces, Riau and West Sumatra which showed link between women, oil palm plantations and livelihood. The process of this study was divided into three parts; (1) developing the study framework; (2) conducting the "snowballing" process in the field; and (3) analyzing the data.

The objective of the study was to analyze the real conditions in oil palm plantations in Indonesia, especially the current environmental situation and also how women deal with discrimination. This analysis would be very useful for government, practitioners and related stakeholders to identify the best practices and policies in relation to both environmental and human rights. The framework of this study will define the essential parts of oil palm plantations and their correlation between women labor and discrimination. This framework also describes the procedure and the logical analysis of the data that has been gathered.

This study used the snowballing process which is usually applied in an explorative, qualitative and descriptive study (Hendricks et al., 1992). There are three important processes; first, reviewing the literature; second, interviewing the key informants (women labor); and lastly, conducting focus group discussions with communities. This process is crucial to investigate the hidden issues of oil palm plantations in a community. Finally, the data analysis was conducted at the end of data collection.

**DEFORESTATION AND OIL PALM PLANTATIONS**

The impact of oil palm plantations on the environment in South East Asia is already a great concern to many international agencies. Oil palm plantations are one of the main drivers of deforestation in Indonesia; they have destroyed wildlife (such as orangutan and Sumatran tigers), destroyed the forest (people in villages were easily influenced by companies to burn their forest area) and it has been claimed that Indonesia is the third highest contributor of CO2 emissions in the world. Even though the forest brings many ecological and economic values, people keep destroying it to open areas for palm plantations. In general the main values of the forest are:

- Forest products; timber, fuel wood, non-timber forest products (NTFP) can be utilized and valued for local, national, regional and global income.
- Forest products; trees, leaves and its elements, can be utilized for traditional medicine and pharmaceutical industries.
- Forest for another purposes; it can be managed for tourism and recreation.

Despite this Indonesia still destroys forest areas because Indonesia has a strong dependency on the plantation sector. This is because of the enormous contribution to national income and the job opportunities for communities that the sector provides. Over the last two decades, oil palm plantations have expanded in Indonesia, and have mainly spread on big islands such as Kalimantan and Sumatra. These islands were chosen because the locations are far from the central government in Java, and also because soil conditions are suited to palm trees. Oil palm plantations have become the prominent commodity for two main reasons; firstly,
the economic benefits and secondly, investors are really keen to invest their money in this industry.

The area of oil palm plantation has drastically increased, not only in Indonesia but also worldwide (FAOSTAT, 2013). This situation has a serious environmental impact. As oil palm plantations expand into forest areas, they contribute to degradation such as destroying biodiversity and increased greenhouse gas emission (Margono et al., 2014). The data revealed by Greenpeace (2011) states that Indonesia has the highest annual rate of deforestation, approximately 4 million hectares of forest are destroyed every year (data gathered from 2000 – 2010) with oil palm plantations identified as one of the major causes. Despite this poor environmental record, oil palm plantations have captured the interest of investors from multinational and international companies. These investors have made huge investments, mostly in Kalimantan and Sumatra. There are only few smallholders involved in this industry (BPS, 2012). They are tied with big companies because they have signed contracts or agreements under the regulation of the Indonesian government. Unfortunately these agreements have many weaknesses and have brought many disadvantages to smallholders (Gatto et al., 2014).

The oil palm plantations which had been the focus for this study are located on Sumatra. The plantations on this island were established during the Dutch colonial era. In Sumatra, there are six provinces that are the targeted areas for oil palm plantations, Bengkulu, Jambi, South Sumatra, North Sumatra, West Sumatra and Riau. The size of the oil palm industry in those six areas can be seen in Figure 1.

**Figure 1.** Oil palm plantations in Sumatra per ha (2014)

<table>
<thead>
<tr>
<th>Provinces</th>
<th>Plantations</th>
<th>Smallholdings</th>
<th>Oil Palm (Total)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bengkulu</td>
<td>109,702</td>
<td>194,170</td>
<td>303,872</td>
</tr>
<tr>
<td>Jambi</td>
<td>272,346</td>
<td>362,813</td>
<td>635,159</td>
</tr>
<tr>
<td>South Sumatra</td>
<td>465,651</td>
<td>369,282</td>
<td>834,933</td>
</tr>
</tbody>
</table>

Source: CIFOR, 2015

Among those provinces, Riau has been targeted as the largest area for palm plantations; almost 2 million hectares of land have been converted into palm plantation. No wonder most people call Riau the “massive forest destruction” province or “haze” province (CIFOR, 2015). West Sumatra was also chosen for oil palm plantations. These two provinces were chosen because they have unique landscape characteristics, diverse populations (lots of migrants from Java have lived in these provinces for the two decades) and lastly they have a strong local culture (*Melayu* and *Minangkabau*) which prioritizes women in all livelihood activities, including earning an income and working in the plantation industry. A study conducted by PricewaterhouseCoopers (2013) has revealed the reason why Riau and West Sumatra are the most targeted areas for the development of oil palm plantations. The study said that these two provinces have a high availability of land and the more importantly; the manpower cost is relatively low.

At a national level, the Indonesian government decentralized the industry in 2000. This affected both the policymakers and the stakeholders of the oil palm industry. Since then, the oil palm plantation industry was no longer monitored and controlled by the central government, but regulated by local government. This lack of central government control is getting worse. There are plenty of land acquisition conflicts (i.e. the transfer of control over land from local people to the private companies) have emerged in oil palm plantation areas. Not only that, local governments have also tried to establish task forces for land acquisition, where military or village leaders act as representatives, creating a more chaotic atmosphere (Sirait, 2009). This situation is at odds with the Indonesian Constitution, especially article 33 point 3 which states that any kind of natural resources are controlled by the State and will be used for
the prosperity of the nation. Besides that, the Basic Agrarian Law No. 5/1960 also supports this by recognizing the existence of local people and their communal land. But unfortunately, the 1960 Agrarian Law also has some weaknesses, this regulation acknowledges the principle that State may acquire land for public purposes against the wishes of the prior owners. This law also gives permits to companies for land use permits (HGU – Hak Guna Usaha) for about 35 years, which can be extended for another 25 years. These permits can be devastating to the local community (Colchester, et al., 2006). The system of land use permits in Indonesia is still very weak and does not consider the crucial position of local or indigenous people.

Reasons why Riau and West Sumatra became the targeted areas for oil palm plantations

- High availability of land, especially outside Java
- The ‘right to land’ issue is still ambiguous in Indonesia
- Low cost of manpower/labor
- High demand of palm oil; the market for oil palm still holds potential and is promising for some stakeholders
- Foreign investors easily influence the local leaders (through bribery)
- Riau and West Sumatra are located close to Batam Island (where exports and import activities are conducted)

Source: FGD in Tambusai Timur, Riau and Kinali, West Sumatra

In 1998, soon after the reformation era, the new President, through the Ministry of Forestry and Plantations, changed the regulation around land use permits. This regulation gave the permit for land use for plantations of about 20,000 hectares, but local people had to be involved in the negotiation process with oil palm companies (see Decree of the Minister of Agrarian Affairs SK No. 2, 1999; on Location License for Plantation Business). However, there was another regulation which did not require negotiation with local people. This regulation clearly discriminated against communities by stating “the local community cannot claim rights to land over which persons or legal entities hold a land use permit, even though the land was formerly belong to local communities” (see Minister of Agrarian Regulation no. 5/1999 2 UUD 1945, Article 33 point 3, “earth, water, and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people”.

Undoubtedly, this situation contributed to environmental and land conflicts in Indonesia. More than 86 land conflicts occurred in Riau during 2005 – 2008. And in other provinces like Jambi, South Sumatra and West Sumatra, cases of land conflicts reached more than 30 over those three years (Sawit Watch, 2014).

Figure 2. Oil Palm Conflicts in Sumatra

Adopted from: Sawit Watch (2014)

In Figure 2, it can be seen that oil palm plantation companies interfered with the land and life of local communities, and worse, they did not consider the national regulations that are legally binding by the Indonesian government. If this problem is not handled with an holistic solution, the environmental degradation and land conflicts will continue to be ecological and social threats for Indonesia for many years. There are also many employment issues in the oil palm plantation industry, especially when women involved in this industry are discriminated against by oil palm companies.

WOMEN LABOR AND ISSUE OF DISCRIMINATION

Work in oil palm plantations is very difficult, for both men and women in Indonesia. As a developing country, Indonesia has boosted its economy by expanding the palm oil industry and offering ‘blue-collar’ employment for the local community. Though men and women get the same opportunities in employment, the fact is that women are more marginalized
than men. According to data by Oxfam (2012),
women experienced harsh conditions when
they worked in oil palm plantations, including;
unsafe working conditions (security and health
issues) and also unequal income. Besides that,
women who helped their spouses in oil palm
plantations were forced to fulfill the quota of
oil palm production work as well as doing the
household chores (such as nurturing children,
fetching water and serving food for the family).
Discrimination is clearly seen in this phase,
women have a double-burden or more work
than men. Discrimination means treating an
individual unfavorably because of personal
characteristics. This action may include bullying
or torturing in a specific way (Human Rights
Commission, 2014).

Women have more dangerous duties and
more physically demanding roles than men. In
Riau and West Sumatra, oil palm plantation
work is designed to be easy but can be very
challenging for women. An example of this is
the spraying of pesticides. The companies did
not provide protective tools such as gloves and
masks. This affects the whole family’s health
because when women get home, they have to
prepare food. The pesticides that they spray in
the plantation could contaminate the food for
the whole family (Rainforest Action Network,
2010). Environmental pollution and health
problems are the most crucial issues for women
who work and live around oil palm plantations.
Subsequently, other problems for women who
engage with oil palm plantations are debt and
high poverty levels. At first, when oil palm
companies sought to acquire land and permits
to expand their operations in villages, they
promised to provide fair employment for local
communities, especially women. This promise
was made to convince communities to accept oil
palm plantations on their land. However, these
promises are broken and communities are only
given low wages which are not sufficient for an
average standard of living.

Oil palm companies pay women a lower
income compared to men. This makes women
powerless to access their basic rights even they
are earning an income. Women are reportedly
paid less because the work they do on planta-
tions is perceived by companies as easier and
because there is no bonus system for the tasks
generally allocated to women. Some women,
such as the wives of casual laborers, work un-
paid to help their husbands reach their targets.
There may be a preference to employ women as
casual workers rather than permanent workers
to avoid the costs associated with regular time
off for menstrual leave. The latest news about oil
palm plantation workers and their incomes was
revealed by a local newspaper in Padang, which
reported that most of oil palm plantations in
Riau and West Sumatra paid men and women
differently. Men were paid between Rp. 500,000
and Rp. 1,000,000 per month as laborers, whilst
women were paid between Rp. 250,000 and Rp.
500,000 per month (Harian Umum Haluan,
2013).

Women were also badly treated by oil
palm companies regarding to health protection
issues. The companies asked women laborers
to apply pesticides and fertilizers in oil palm
plantations because women were better at
conducting detailed work. These women are
exposed to the dangers of working with pesti-
cides, dangers which are seriously aggravated
in the Indonesian oil palm industry by a lack
of appropriate protective clothing and health
and safety training. Women laborers who are
involved in spraying are reported to have serious
health problems such as; shortness of breath,
vomiting, and skin complaints and sore-eyes.
Women in the early stages of pregnancy can
be exposed to harmful chemicals. Women and
children, are more likely to be illiterate, are at
increased risk from pesticides and fertilizers as
they are unable to read the labels on containers.

According to the data by West Sumatra
Provincial Office of Plantation, there are 7
(seven) oil palm plantation companies that
do not follow the sustainable palm oil policy,
and have a serious problem with discrimina-
tion. Those companies are; PT. Berkah Sawit
Sejahtera, PT. Usaha Sawit Mandiri, PT. Gunung
Sawit Abadi, PT. Sawit Pasaman Jaya, PT. Agro
Andalas Industri, PT. Sari Buah Sawit and PT.
Rimbo Panjang Sumber Makmur (West Sumatra
Provincial Office of Plantation, 2014). One of
the problems that have not been resolved are the health issues of women laborers.

A study about women and health issues in oil palm plantations has been conducted by Public Health Faculty of Andalas University in 2013. The study was conducted in Kinali village, West Sumatra, has shown that more than half the women (53 respondents) who worked in oil palm plantations suffered serious skin problems; their skin became dried and wounded after spraying pesticides. They also felt difficulty breathing and vomited after working in palm plantations. Not only that, they also complained that their eyes became blurry after working for years in plantations. These health protection issues are never addressed by stakeholders, especially private companies or government policy makers. Oil palm companies have never provided them with health insurance or even BPJS Ketenagakerjaan.3

Figure 3. Health issue of women labors in oil palm plantation

Not only that, the interview with Ibu Nursiah, a female laborer in Kinali village, West Sumatra also revealed a shocking fact. She said that:

"Since oil palm plantation entered my village, lots of women and children were easily attached to health problems; it might be fever or even vomiting. I realized that working in plantation has many risks, but there is nothing that I can do, because if I did not work, I could not feed my family. But if I worked, my family had serious disease. It’s truly dilemma for me. To be honest, companies did not provide us with gloves and masks during our work".

Beside the health issues, violence and sexual abuse often occur in oil palm plantations. Based on the findings of Forest People Programmes (2014), oil palm plantations not only effect the environment, but also the social condition of people especially women.

In the oil palm plantations of West Sumatra, every week there are two women who become the victim of violence and sexual abuse (Nurani Perempuan - Women Crisis Center, 2014). As stated by a local NGO in West Sumatra (Nurani Perempuan), the women laborers were sexual abused when they worked in the plantations. Those abuses were usually done by male workers. Unfortunately, the women who are trapped in this horrible situation never reported the incidents to the women’s center or the local government. They tend to keep what they have experienced to themselves. The companies also have a lack of control of women laborers, which makes situation more chaotic in the field.

The oil palm plantation companies should be responsible for any health and safety issues of its laborers, especially women and children. The management should be revamped and revised by the government. The sustainable palm oil policy should be enforced, because its not only about getting economic values from plantation, but also ensuring the sustainability of environment, health and human rights.

LEGAL AND HUMAN RIGHTS PERSPECTIVE

The unfair conditions faced by women laborers in the oil palm plantation industry will lead to human rights issues. They violate international and national regulations. International regulations, such as; the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) are clearly defined. They also provide a framework whereby the rights of those affected by the development of plantations are
protected, allowing communities to protect their unique culture, to participate meaningfully in decisions about future land use, and ensuring the right to health and to safety at work. Article 11 of CEDAW specifically mentions that all parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to protect the health and safety in the workplace and to ensure equal wages between men and women. In this case, Indonesia has ratified and adopted those three regulations. Indonesia also has several legal instruments related to the equality of rights for all people clearly stated in Indonesian Constitution, article 27 point 1. This article states that everyone has the same rights before the law. According to Martojo (1999) everyone means every human, either men or women, as long as he or she lived in Indonesia. The establishment of the Indonesian Constitution or UUD 1945 aimed to put women in an equal position with men, because women have been marginalized economically and in education, health, employment, political and even in cultural sectors for centuries (Kania, 2015).

Along with development and globalization, the rights of women has been in the spotlight in Indonesia. The Indonesian government has established some initiatives concerning women’s rights through Act No. 39/1999 about Human Rights and Act Number 13/2003 about Manpower. Act Number 13/2003 about Manpower (article 22) strongly states the right to a safe working environment and to equal wages among employees. But unfortunately, these regulations are neglected by many stakeholders, especially those involving women. There are some basic reasons why these regulations are ignored; (1) law enforcement is still weak, even if there is documented regulation, the punishment that will be given for those who abuse the law is not fair, (2) the regulations are only understood by people with high literacy, poor people do not understand how this regulation will be applied, is followed by the lack of socialization, (3) the holistic and integrated approach may not be applicable to all parties involved in this labor and human rights issue.

To deal with this situation, Indonesia should adapt framework which can link all sectors; environmental conditions, women’s labor rights and regulations. However, it is impossible for government as policy makers to act alone without any participation from communities, NGOs, academia or researchers, and companies. The role of women, specifically women laborers must be fully acknowledged and there should be serious attention to their wages. They must be paid fairly, because it means we are respecting their rights. Thus, ensuring the participation of women in decision making processes and protecting women from discrimination are crucial issues which need to be addressed.

**CONCLUSION**

Oil palm companies have to understand the human rights issues and obey the regulations around labor laws, especially about women workers. Where oil palm plantations are expanded into villages, the investors or owners have to minimize the conflicts with local communities. Those conflicts have to be resolved with full respect. In the case of conserving the land and forest, companies should not be allowed to destroy the land through burning. Integrated land management needs to be applied in oil palm plantations to avoid environmental degradation. For women workers, companies should ensure their health rights by providing protective equipment, and most importantly provide social security. Moreover, ensuring that the salary levels for oil
palm laborers (both men and women) should meet the minimum wage standard and the employment rights of all employees should be respected. And of course, women’s rights have to be acknowledged by giving them a fair income.

Governments have to strengthen their role to protect women from discrimination, and if needed governments should revise the regulations and policies regarding human rights. Local governments need to be involved in building the capacity of smallholders to ensure they have sufficient knowledge about oil palm plantations. Finally, governments with other related stakeholders have to conduct monitoring and evaluation systems to ensure the oil palm industry delivers sustainable outcomes, not only economic benefits, but also good ecological and human rights results.

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