



The Role of Human Rights Watch in Reducing Child Labor in Indonesia's Tobacco Fields (2014-2017)

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Abstract

This research discusses about one of the roles of NGOs (*Non-Governmental Organizations*) in overcoming the issue of child labor in tobacco fields in Indonesia. This type of research is descriptive with a research question, namely "How did the Human Rights Watch Contribute to Minimize Child Labor in Indonesia's Tobacco Fields (2014-2017)?" This research uses the theory of *The Role of NGOs* which is the main framework of this research and the supporting theory uses namely *The Concept of Human Security* which explains that the issue of child labor in tobacco fields in Indonesia is included in humanitarian issues that are closely related to human rights. The results of the research shows that HRW (*Human Rights Watch*) as an international non-governmental organization, which is engaged in human rights issues, has 2 roles in dealing with child labor in tobacco fields in Indonesia, namely *Partnership* and *Catalysts*. This research takes a timeline starting from 2014 where HRW began conducting research on child labor cases, until 2017 along with the ratification of the *Roadmap Towards Indonesia Free Child Labor 2022*, HRW submitted and published the results of their research.

Keywords: Child Labor, Tobacco Fields, Indonesia, Human Rights Watch

Introduction

In Indonesia, thousands of children are forced to work in tobacco fields, despite the negative health effects of the occupation. Whereas continuous exposure to nicotine and pesticides will negatively impact the health, growth, and development of children. The worst symptom is death, followed by respiratory problems, digestive disorders, heart rate disorders, cancer, and mental changes (Veratamala, 2021). Poverty and economic conditions have become the leading causes of children working in these hazardous conditions. The economic constraints of parents in Indonesia have caused children to drop out of school and continue to work in order to earn more money to provide for their daily family and personal needs (Ikawati, 2015).

Indonesia is the fifth largest producer of tobacco in the world, with over 500,000 tobacco farms spread across 15 provinces (Statista, 2013). East Java, Central Java, and West Nusa Tenggara account for 90 percent of the production. Indonesia has a high demand for tobacco as a result of the large amount of production and the generally low prices offered (World Health Organization, 2020). Therefore, not only large corporations cultivate tobacco, but also 98% of the crop is grown by small farmers with less than 1 hectare (>10,000 m²) of land (Human Rights Watch, 2016).

The majority of national tobacco companies, such as PT. Djarum, PT. Gudang Garam, and PT. Nojono Tobacco International, as well as multinational tobacco companies, such as PT. Bantoel International Investama and PT. Tobacco production is predominantly a multi-handed, free-market enterprise. Typically, small farmers sell their produce to larger farmers, village leaders, or local buyers, who then collect it and resell it to national or multinational corporations. In other words, it will be challenging for large corporations to avoid interfering with child labor in the tobacco supply chain (Wurth, 2016).

The case of child labor in Indonesia, particularly in the tobacco industry, has garnered international attention as a result. HRW (Human Rights Watch) is one of the international non-governmental organizations based in New York, United States that focuses on human rights and finds it difficult to confront the problems in Indonesia (Neier, 2020). In 2014, HRW initiated its action by conducting joint research with other organizations including SMERU (Institute for Research) and ECLT (Eliminating Child Labor in Tobacco Growing Foundation). Not only research, but together with other actors, HRW reaffirmed the regulations regarding the minimum age for children to work in Indonesia, which is 15 years, and for hazardous work, the minimum age is 18 years, as written in Indonesian Law Article 20 of 1999 and tightened in Indonesian Law Article 23 of 2002 which discussed Child Protection and Indonesian Law article 13 of 2003 which emphasizes employment as a form of the Indonesian government (Aditya et al., 2019).

Analytical Framework

The Role of Non-Governmental Organization (NGO)

The strengthening of the roles of non-government actors demonstrates that new dynamics have been introduced into global political changes, particularly international relations. NGOs (Non-Governmental Organizations) played an important role as development partners in various fields, including international politics and policymaking, at this time (Vedder, 2007). After World War II, NGOs became well-known as a group of third sector organizations engaged in the implementation of development at the local, national, and international levels (Lewis, 2006). In the context of the United Nations, it is possible to assert that NGOs observe and participate in UN affairs. Human rights, development, peace, and the environment are typical focuses of nongovernmental organizations (Lewis, 2006).

As an international non-governmental organization, HRW (Human Rights Watch) focuses its activities on cases involving human rights around the world. Through the implementation of Responsibility to Protect, HRW contributes to the protection of the global community against violations of human rights. In addition, HRW is a lobbying group that fights for the establishment of human rights by establishing an international network that can assist it in achieving its objectives (Claude E. Welch, 2001). Therefore, HRW is classified as a non-governmental organization (NGO) due to its independence and lack of direct or indirect government funding. Generally speaking, contributions are made in collaboration with individuals and private foundations.

While the concept of the role of NGOs assumes that NGOs have three primary roles, namely the role of implementation, the role of partnership, and the role of catalyst, this is not the case (Lewis, 2003). As part of their role in implementation, NGOs mobilize available resources to provide goods and services for use in their own projects or programs, as well as for government programs and donor organizations. As a partnership, NGOs have a new trend

of increasing cooperation with the government, the private sector, and donor agencies in an effort to establish productive cooperation in the pursuit of a common objective, namely increasing development, also known as capacity building. The role of NGOs as catalysts is to provide motivation, innovation, and inspiration for the change and growth of other actors. This can be accomplished by empowering development, lobbying, and advocacy work with the objective of influencing a broad policy process through campaign activities. Through innovation, NGOs are also able to recommend new policies that can be considered by other actors, including the government, prior to implementation. In other words, NGOs exist to provide short-term services, while the formulation and search for long-term policies are the responsibilities of government (Lewis, 2003).

This study uses David Lewis's concept of the role of NGOs to explain the role of Human Rights Watch as one of the NGOs that has a role as a partnership and catalyst in its efforts to address the issue of child labor in Indonesia's Tobacco Fields.

Human Security

This is one of the security concepts introduced and ratified by the United Nations Charter in 1945. Then in 1948 the Universal Declaration of Human Rights was formed. In 1994, the United Nations Development Program (UNDP) developed the concept of Human Security further. Supported by the emergence of globalization that has accelerated technological facilities that have reduced national barriers, changes occur rapidly. The arms race that used to take place a lot before, has now been reduced (Menon, 2007).

Consequently, the concept of Human Security has evolved from its traditional conception. The report from the Human Development Program has made significant efforts to modernize the concept. This modern concept evolved from an earlier concept that was primarily concerned with balance and military capability, or, alternatively, with state security and sovereignty rather than individual security, which later evolved into a conceptual framework that was more concerned with individual security (Rodgers & Crawford, 2018). Concerning the issue, Human Security does not have clear boundaries. Human Security concerns encompass all issues pertaining to individual and collective security, including economic security, food security, health security, environmental security, political security, personal security, and community security (Tadjbakhsh & Chenoy, 2007).

Human Security, according to UNDP (United Nations Development Programme), has two important characteristics: transnational and integrative. The purpose of Transnational, namely human security is a problem that is not only a domestic issue, but includes international relations issues. Concerning the Integrative, Human Security is universalist. Thus, Human Security requires cooperation between state and non-state actors when addressing a problem (UNDP, 1994).

In this study, the case of Child Labor in Indonesia's Tobacco Fields is examined in relation to two aspects of human security: health security and personal security. In addition to being forced to work because of their age and environment, these children are also exposed to health and development-harming hazards in their workplace. Given the transnational nature of Human Security, it is evident that this case has garnered global attention. Consequently, this issue is not considered a domestic issue in Indonesia, but rather a global issue. HRW (Human Rights Watch), one of the international non-governmental organizations (INGOs) based in New York, United States, participated in resolving child labor issues in Indonesia, so this is included in the universalist nature of human security.

Research Method

Author uses qualitative research to elaborate comprehensive analysis. The data is provided descriptively by using The Role of NGO and human security as conceptual framework. Secondary data are included from related resources such as journal article, working paper, institutional report, and other additional data. Author adopts inductive method in arranging data and analysis. Author also ties the roles of NGO into HRW roles in Indonesia.

Discussion

Child Labour in Indonesia's Tobacco Field

Indonesia frequently experiences the problem of child labor. Humanitarian catastrophe is not unreasonable. Child labor is caused by a number of factors, but parental education and poverty are the two most significant. These two factors are related closely. This is due to the fact that a low level of parental education will have an effect on the resulting income. With a low level of education, it will be difficult to obtain a decent job and a decent income because the skills possessed are insufficient to obtain a job, which will have repercussions on the ability to meet daily needs (Muhammed Ally & Finberg, 2005).

In Indonesia, poverty is a significant issue. The condition of poverty can be determined from a variety of indicators, but as a point of reference, there are a number of defining characteristics, including land tenure, type of work, income level, and living conditions (Ikawati, 2015). According to data from the Central Bureau of Statistics Indonesia, poverty in Indonesia increased by 27% after the economic crisis of 1998-1999. In 2002-2003, a 16-percentage-point change resulted from the development that had been carried out. In 2014, it was estimated that as many as 27.7 million people, or 10.96% of the population, were classified as poor (Sukesi, 2015).

The family's well-being, which is strongly influenced by economic conditions, has a significant impact on the mentality that motivates the employment of children to earn more money to meet their daily needs or their personal pleasure needs (Ikawati, 2015). Numerous instances of child laborers choose to leave school and begin working. As many as 50 percent of elementary and junior high school students and 50 percent of high school seniors do not continue their education (Sukesi, 2015). This is exacerbated by the mindset of uneducated parents, who believe that a child's education is unimportant for his or her future and assume that the presence of children is one of the family's economic investments who can work despite not being of age (Ikawati, 2015).

This research focuses on child labor in Indonesian tobacco fields because tobacco farming is viewed as a lucrative occupation due to the high demand for tobacco. Thus, this is an opportunity for parents with low economic conditions to join in the employment of their children. It is well known that Indonesia is one of the world's largest tobacco producers, ranking fifth with over 500,000 tobacco farms (Statista, 2013). According to a report published by the Ministry of Agriculture, 15 of Indonesia's 34 provinces produce tobacco. However, up to 90% of production occurs in East Java, Central Java, and West Nusa Tenggara (Wurth, 2016).

The majority of the produced tobacco leaves are used for domestic production, while the

remainder is exported. Up to 98% of the production is cultivated by small farmers with land holdings of less than 1 hectare (>10,000m²). The majority of this output is then purchased and sold on the open market. In other words, small farmers will sell tobacco leaves to larger farmers, village chiefs, or local buyers, who will then collect the leaves and sell them to national or multinational tobacco companies. Before being purchased by large corporations, the tobacco leaf supply passed through many hands. This is why large corporations struggle to monitor the involvement of child labor in the tobacco supply chain (Wurth, 2016). There are six tobacco companies that routinely purchase tobacco from Indonesian plantations. PT Djarum, PT Gudang Garam Tbk, PT Nojoro Tobacco International, and PT HM Sampoerna are three national companies. PT Bentoel International Investama, which is owned by British American Tobacco, and PT Hanjaya Mandala International Investama, which is owned by Philip Morris International, are the remaining multinational corporations (Lian & Dorotheo, 2018). In fact, in accordance with human rights standards, large corporations should be held accountable for ensuring that no child labor is used in the tobacco supply chain.

Child Labor as Human Security Issues

Originally focused on the sovereignty and security of a nation, the concept of Human Security is now centered on the issue of individual and community security. As a result of the existence of Human Security, ethnic minorities, civil society, and children are afforded greater protection against a variety of threats, including violence and threats of insecurity (Tadjbakhsh & Chenoy, 2007).

In contrast, economic strength is one aspect of a nation's successful development. However, the source of economic power can also be a threat to state security, particularly for individuals and society. This is because every business endeavor aimed at bolstering economic vitality tends to disregard the state of its human resources. The emergence of employment issues, such as child labor, demonstrates that a country still struggles to manage its human resources in order to build its economy (Human Rights Watch, 2016). The issue of child labor is one of the human security-related issues, which means it leads to Human Rights issues. According to HRW (Human Rights Watch) data, many children between the ages of 8 and 15 have worked in hazardous tobacco fields. In fact, their workplace is extremely hazardous to the long-term health and development of children (Human Rights Watch, 2016). Every day, child laborers in tobacco fields are exposed to nicotine and toxic chemicals like pesticides and fertilizers. In addition, child laborers are forced to use garden tools, the majority of which are sharp, lift heavy loads, and toil in the dangerous heat of the sun (Andriana et al., 2021).

Based on HRW's observations, children who work in tobacco fields exhibit symptoms of chronic nicotine poisoning, including nausea, vomiting, and headaches. The absorption of nicotine through their skin is comparable to that of active adult smokers. In addition to nicotine, children in tobacco fields assist in the application of pesticides and other chemicals (Wurth, 2016). According to the health data of Dr. Andreas Wilson Setiawan, nicotine exposure can result in a variety of symptoms, including changes in heart rate and blood pressure, digestive system issues such as nausea, vomiting, and diarrhea, mental changes such as depression and anxiety, and other changes such as headaches, convulsions, muscle weakness, and, worst of all, coma. In addition to the above symptoms, nicotine is extremely harmful to children's growth and development due to the damage it causes to the cortex,

which results in decreased intelligence and attention to behavioral changes. (Veratamala, 2021). Meanwhile, children who work in tobacco fields may experience skin irritation due to pesticide poisoning in the short term, as well as hormone disorders, disability, and death in the long run (Nurdian & Sari, 2019).

From the aforementioned data, it is evident that children involved in child labor have lost access to education and their health, growth, and development are at risk. On the basis of these factors, cases of child labor in the tobacco industry of Indonesia are included under personal security and health security. This is due to the fact that personal security attempts to protect individuals or communities from the threat of criminality or non-criminal perceptions, such as fear. For instance, the fear of lacking access to adequate education or health. In other words, it involves the absence of feelings of fear and anxiety. In addition, children who work in tobacco fields require health insurance to live independently. This is because working in the fields has harmed the children's long-term health, and they do not receive future health insurance.

HRW's Role as a Partnership in Overcoming Child Labor Issues in Indonesia's Tobacco Field

Human Rights Watch as a partnership has a responsibility to increase productive collaboration with other state and non-state actors in order to achieve shared objectives. HRW collaborates with ECLT and SMERU to conduct collaborative research on child labor, particularly in tobacco fields, in Indonesia (SMERU, 2021).

The findings of this study also prompted HRW to collaborate with Indonesian multinational corporations to implement stricter safeguards, supervision, and protection in the tobacco supply chain in order to prevent child labor (SMERU, 2021). As a result of the research, HRW also forms partnerships with large locally-owned tobacco companies, such as PT. HM Sampoerna, to create a program to address child labor cases in tobacco fields. The program is known as the "After School Program," and it provides children with basic knowledge and skills training, particularly in the tobacco industry. And with this program, it is hoped that the children's attention will be diverted from tobacco fields to the after-school program's positive activities. As a result, these programs have resulted in a 90% decrease in the number of primary school-aged child laborers in NTB, Indonesia (Amalia, 2015). In other words, the goal of this cooperation program is to provide education and skills that will encourage both children and their parents to avoid engaging in inappropriate activities.

In addition, the other program provides socialization regarding the dangers of chemical substances such as pesticides and nicotine, as well as special knowledge regarding the rights of children and occupations that are deemed hazardous for children. This socialization is intended not only to raise children's awareness about illegal work in the tobacco field, but also to inform parents about the risks their children will face and the importance of continuing their education (PT. HM Sampoerna, 2020).

The educational scholarship program is also implemented and is open to the public. This is intended to allow children who do not have access to school to continue their education through the provision of scholarships. This program is also part of HRW and local tobacco companies' efforts to reduce the proportion of child labor in Indonesia (PT. HM Sampoerna, 2020).

HRW's Role as Catalyst in Overcoming Child Labor Issues in Indonesia's Tobacco Fields

As previously described, HRW's role as a Catalyst is to provide motivation, innovation, and inspiration for change and development aimed at other actors. This can be accomplished by empowering development, lobbying, and advocacy work to influence the policy-making process or participate in as well as recommend new policies which can then be adopted by the local government to be widely implemented (Lewis, 2003).

HRW's role as a catalyst in resolving child labor issues in Indonesia's tobacco industry is thus to conduct research. In this report, HRW urges the Indonesian government to take decisive action and formulate stricter policies or develop national programs to address the issue of child labor in tobacco fields. HRW identifies a number of actions that can be taken in this instance, including stricter law enforcement, particularly in the small agricultural sector, more in-depth investigations into the small agricultural sector to determine the condition of tobacco plantations that employ minors, and periodic socialization. children and the elderly, particularly in rural areas, about the dangers of nicotine, pesticides, and other chemicals (Wurth, 2016). They also advised the government to develop more stringent protection standards and to recompile and update the list of hazardous occupations in order to prohibit all children under 18 from continuing to work in the tobacco industry. In addition, suggestions to encourage the formation and formulation of new policies as a means of combating child labor in Indonesia (Wurth, 2016).

The research findings are then utilized to lobby and advocate for key tobacco industry players. In Indonesia, HRW held a dialogue with thirteen major tobacco companies. HRW formed a dialogue with 13 large companies to determine if national and multinational tobacco companies also employed minors in the tobacco supply chain, as well as what efforts tobacco companies made to prevent child labor as a means of legal compliance. The ten largest tobacco companies did not respond to HRW's interview invitation or HRW's first attempt to initiate a dialogue, which posed a challenge to HRW's ability to hold the dialogue (Human Rights Watch, 2016).

The multinational corporation has signed a joint commitment agreement with the Geneva-based ECLT to end child labor as a result of HRW's efforts. Members are obligated to always recognize and respect the principles, laws, and rights described in the previously formulated ILO conventions regarding child labor, such as the ILO Minimum Age Convention, 1973, which was designed to prevent children who are too young from beginning to work, and the ILO Worst Forms of Child Labor Convention, 1999, which outlines the various forms of hazardous workplaces in which children are employed (International Labour Organization, n.d.). In addition, multinational corporations must continue their operations in accordance with the United Nations Guidance on Business and Human Rights in order to carry out their production and industrial activities without violating applicable laws, particularly those pertaining to human rights (SMERU, 2021).

In addition to large tobacco companies, government agencies such as the Ministry of Education and Culture, Ministry of Health, KPAI, Ministry of Manpower, Ministry of Social Affairs, and Bapennas are involved in lobbying and advocacy. This lobbying has been conducted intensively, resulting in a number of agreements. As a result, the government moved to create a framework for the program to eliminate child labor in Indonesia, namely the Roadmap Towards Indonesia Free Child Labor 2022, which was subsequently approved by the Indonesian parliament due to the efforts of HRW and other NGOs (Menteri Ketenagakerjaan Republik Indonesia, 2014).

The Roadmap Towards an Indonesia Free of Child Labor by 2022 has been implemented by the government as a result of HRW's lobbying efforts. The first step is to increase supervision on tobacco plantations by providing socialization and educating the public about the dangers of child labor. Second, oversight of industries suspected of child labor exploitation in tobacco fields. Third, providing training to disadvantaged children or those who are unable to continue their education, as well as social assistance and social protection, and finally, establishing a child labor-free zone. Implemented by the government with assistance from NGOs and the private sector, this road map has produced increasing results in addressing child labor issues. At the conclusion of 2018, the Ministry of Manpower had decreased 116,456 child laborers and refocusing on children's education (Kementerian Komunikasi dan Informatika Republik Indonesia, 2019).

Conclusion

Child labor in tobacco fields in Indonesia is not only a domestic problem, but also a complicated international problem. Consequently, international actors, both state actors and non-state actors, such as Human Rights Watch (HRW), must play a role in handling this case (Human Rights Watch). On the basis of David Lewis's concept theory of the role of NGOs, which serves as the primary framework for this study, it can be concluded that HRW as an INGO has two roles, namely as a partner and a catalyst.

In general, the role of HRW as a partnership is to collaborate with other actors, such as SMERU and ECLT, to conduct joint research, the results of which will be used to encourage multinational corporations to always monitor the tobacco supply chain to ensure that it is free of child laborers. This research will also serve as the foundation for HRW to collaborate with local companies, such as PT, to develop a program or policy to reduce child labor. HM Sampoerna established a "After School" program that is beneficial for enhancing children's fundamental skills and providing them with constructive activities to divert their attention from the tobacco industry.

In the meantime, HRW's role as a catalyst is to conduct research as the primary weapon to reduce child labor; the results are then used for lobbying and advocacy alongside multinational corporations and the government to motivate them to make changes. As a result of HRW's role as a catalyst, the government has developed the Roadmap Towards an Indonesia Free of Child Labor by 2022, and Indonesian Multinational Corporations have signed an agreement to respect and implement the principles of the ILO Convention on child labor.

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