

SERVICES FOR VULNERABLE CHILDREN IN SABAH

What Businesses and Employees
Need To Know





ABOUT US



Earthworm Foundation (EF) is an impact-driven non-profit that works on the ground to create conditions for nature and people to thrive. Partnering with businesses, civil society and governments, EF focusses on implementing responsible sourcing commitments in value chains, innovating practical solutions to the social and environmental challenges of production practices, and catalysing industry-wide chain reactions to help achieve transformation at scale.

Respect is Earthworm's worker welfare programme to protect the rights of workers and their families in global supply chains. In Malaysia, EF works mainly with companies in the palm oil industry to ensure that supply chains are free from deforestation and exploitation of workers and communities.

For more about Earthworm Foundation, visit our webpage at: www.earthworm.org

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1. Introduction

This publication is designed to provide information on solutions offered by civil society organisations (CSOs) and other service providers in response to key challenges facing plantation companies to address child-related issues, including child labour. It offers a directory of potential services for vulnerable children, including access to alternative education, community engagement, birth registration initiatives and other related services.

The methodology used to develop this publication included a combination of desk research and field engagement with selected non-governmental organisations (NGOs) and other stakeholders in Sabah. Desk research was conducted between June and August 2018, while field engagement was organised between 21 May 2018 and 25 May 2018 in Kota Kinabalu, Sabah.

1.1 Background



The International Labour Organisation (ILO) reported that

152 million

children aged five to 17 years had been subjected to child labour, with 70.9% of them working in the agricultural sector.¹

Despite the existence of laws, responsible sourcing policies and certification schemes that prohibit child labour, ongoing use of child labour has been reported in the palm oil sector. As such, there is a need for proactive measures and sustainable solutions to prevent this practice from continuing.

There are tens of thousands of children, local and immigrant, estimated to be living in and nearby oil palm plantations and smallholder farmers' plots throughout Sabah, Malaysia.² Furthermore, the Government of Indonesia estimates that there are at least 60,000 Indonesian children living around plantation areas across Sabah, where some may be living in poverty with little or no access to education.³ These circumstances, coupled with the remoteness of plantations, can make children vulnerable to child labour. The reasons for child labour in Sabah must be considered in the context of:

- Undocumented or stateless families;
- Rural poverty;
- Poor nutrition:
- Limited or inaccessible basic education;
- · Child marriage;
- Limited access to social services and basic facilities including access to clean water, electricity, sanitary facilities and health services.

In this context, Earthworm believes that potential solutions lie in a collaborative, multi-stakeholder approach to address child labour and child welfare in plantations.

¹ International Labour Organisation (ILO). 2018. "Facts and Figure" – Child Labour. Available online at www.ilo.org/global/topics/child-labour/lang--en/index.htm.

1.2 The Children in Plantations Project

Earthworm Foundation (EF) has organised two stakeholder consultations in Sabah on the topic of Children in Plantations:

- Children in Plantations of Sabah Business
 Stakeholders' Consultation and Workshop: held
 on 5th September 2017 in Sandakan, Sabah, and
 organised in collaboration with EF members (Archer
 Daniel Midlands, Wilmar International and Nestlé)
 for plantation company representatives, with key
 stakeholders in attendance such as the ILO, UNICEF,
 Humana, East Malaysia Planters Association
 (EMPA) and Malaysian Palm Oil Certification Council
 (MPOCC); and
- Children in Plantations of Sabah Consultation with Government Agencies and Civil Society Organisations: organised in collaboration with the Malaysian Human Rights Commission (SUHAKAM) on 9th July 2018 in Kota Kinabalu, Sabah.

The key challenges arising from these consultations were:

- Lack of understanding by company representatives on legal guidelines concerning the employment of children and young persons (including what is hazardous and non-hazardous work);
- Lack of knowledge on how to implement sustainable solutions in the light of real problems that are faced in the workplace (such as limited access to education for children);
- Lack of knowledge to prevent or remediate child labour issues;

 Lack of awareness among companies on the benefits of working with NGOs and other stakeholders who could provide a variety of services for their workers' children.

To address some of these key challenges, this publication aims to pave the way for better collaboration among plantations, other companies, civil society organisations (CSOs), government service providers and other stakeholders in Sabah on the issues concerning vulnerable children in rural areas of Sabah.

² Earthworm Foundation (formerly The Forest Trust). 2017. Children in the Plantations of Sabah: Stakeholder Consultation Workshop Report. Full report is available at www.earthworm.org/uploads/files/Children-in-Plantations-of-Sabah-report.pdf. Also see United Nations' Children Fund (UNICEF). 2015. "Mapping Alternatives Learning Approaches, Programmes & Stakeholders in Malaysia". Available at www.unicef.org/malaysia/Mapping_Alternative_Learning_Report.pdf

³ Earthworm Foundation (formerly The Forest Trust). 2017. Children in the Plantations of Sabah: Stakeholder Consultation Workshop Report. Full report is available at www.earthworm.org/uploads/files/Children-in-Plantations-of-Sabah-report.pdff



Education

2.1 Introduction

The government's commitment to achieve quality education for all children under the global Dakar Framework for Action's "Education for All" has been limited in its success due to the large number of children lagging behind in education. This is due to the:

- · Lack of schooling options in rural areas; and
- Children of migrant workers, undocumented children, and refugee and asylum-seeking children, who are not permitted to enrol in Malaysian government schools.

Fortunately, in Sabah, there are a significant number of alternative education initiatives operating through partnerships between NGOs, the Indonesian Consulate in Sabah and plantation companies across the state.

2.1.1 What is Alternative Education?

Alternative education is broadly referred to as education programmes that are not considered part of formal national education, and are specifically designed to provide education for children who are not enrolled in the formal education system.⁴

2.1.2 Why is Alternative Education needed in Plantations and Rural Areas?

- To provide free or low cost schooling options to children living in rural areas;
- To equip children with vocational education and life skills:
- To prevent incidence of child labour, and other forms of child exploitation;
- To provide recognised education for immigrant children that enables them to continue their studies in their home country;
- To break the cycle of poverty among vulnerable children;
- To minimise travel time to rural schools by having an on-site school facility;
- To encourage workforce stability as working parents prefer children to continue in the same school.



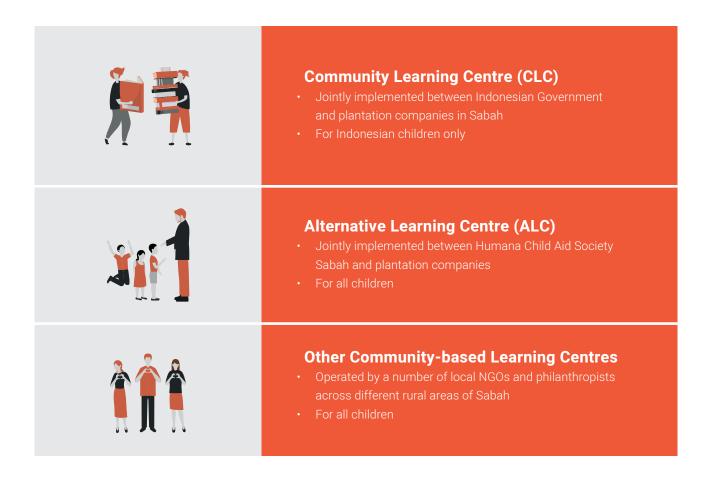
Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stage.

Source: Article 26 of the Universal Declaration of Human Pights (UDHP) 1048

Community Learning Centres (CLCs)

2.2 What are the Existing Alternative Education Initiatives in the Plantation Sector in Sabah

2.2.1



What are Community Learning Centres (CLCs)?

CLCs are local educational institutions outside the formal schooling system, set up and managed by locals to provide learning opportunities and community development.

CLCs aim to provide education for children who are not enrolled in formal education. They specifically cater for Indonesian children in plantations across the state. Operations are supported by the Government of Indonesia and jointly supervised by the Indonesian Consulate and plantation companies.

The Government of Malaysia also recognises CLCs. Guidelines by the Malaysian Minister of Education on the Establishment and Registration of CLCs in Sabah (known as Garis Panduan Penubuhan dan Pendaftaran Pusat Pembelajaran Komuniti di Sabah) lay down the requirements needed to establish CLCs, especially in the plantation sector.

In the plantation sector, CLCs comprise primary (known as Sekolah Dasar) and secondary (known as Sekolah Menengah Pertama) education. Students include children and teenagers ranging from seven to 18 years old.

What do you need to know about the Indonesian Government Initiative on Alternative Education in Sabah?

The Indonesian Consulate in Sabah and the Indonesian Ministry of Education jointly initiated an Alternative Education Programme to reach out to every Indonesian child in Sabah and provide education. This exercise includes the following activities:

- Provision of free access to quality primary and secondary education through CLCs to Indonesian children whose parents are migrant workers;
- Deployment of qualified Indonesian teachers to teach in CLCs and ALC run by NGOs in Sabah by the

- Indonesian Ministry of Education and Culture;
- The establishment of an alternative education centre in Kota Kinabalu, Sabah which serves as a coordinating centre and educational hub for CLCs across the state;
- Provision of scholarships for Indonesian children upon completion of secondary education in CLCs;
- Collaborative efforts with various parties including private companies, NGOs and related government agencies in the area of alternative education.

What do you need to know about CLCs in the Plantation Sector in Sabah?

The Indonesian Consulate (Sabah) is in partnership with more than 40 large and medium-sized plantations companies in Sabah and has established a total of 209 CLC across the state as follows:-

- 69 CLCs (33%) at primary level;
- 140 CLCs (67%) at secondary level

These CLCs are located in a number of districts in Sabah including Beaufort, Beluran, Keningau, Kota Marudu, Kunak, Lahad Datu, Nabawan, Papar, Pitas, Sandakan, Semporna, Telupid, Tawau and Tongod.

In the plantation areas, a total of 12,269 Indonesian students attended CLCs at primary and secondary education. Their breakdown is as follows:-

- 8,936 (73%) students at CLCs primary level;
- 3,332 (27%) students at CLCs secondary level

Existing CLCs in the Plantations of Sabah

More than 40 large and medium-sized plantation companies are currently collaborating with the Indonesian Government in establishing CLCs (for primary and secondary levels) in their respective plantations. These companies are located in at least 14 districts throughout Sabah.

Presence of CLCs, by Plantation Company and District/Sub-District, Sabah, 2018

Community Learning Centres (CLCs) – Primary

Balung

- CLC 33 Ladang Balung River (Bima Sakti)
- CLC Pelita Bangsa Lksk
- CLC 34 Ladang Sungai Kawa
- CLC 13 SLDB Apas Balung

Beufort

- · CLC 25 Ladang Cepat Beaufort
- CLC 3 Ladang Lumadan

Beluran

CLC 64 Ladang Kim Loong

Jeroko

- · CLC SLDB Litang
- CLC Ladang Tamaco
- CLC Tamaco Center

Kalabakan

- CLC Benta Belian
- CLC Lacak Fidelity
- CLC 69 Ladang Kretam Silimpopon I
- CLC 32 Ladang Kalabakan
- CLC Winsome

Keningau

- CLC 22 Ladang Dalit
- CLC SLDB Inandung
- CLC 57 Dalit Estate

Kunak

- CLC 68 Ladang Aumkar
- CLC 37 Ladang Bongalio Tun

 Fuad

Lahad Datu

- CLC Lembah Danum
- CLC 10 Ladang Lam Soon
- CLC 35 Ladang Sebrang
- CLC 48 Ladang Ladang Bagahak

Langkon

CLC Ladang Langkon

Nabawan

- CLC 58 Sook Oil Palm
- CLC 27 United Malacca
 1 Dan 2
- CLC United Malacca 3 Dan 4

Papar

- CLC 23 Ladang Bongawan
- CLC 24 Ladang Mawau
- CLC 26 Ladang Kimanis

Paris

- CLC 65 Ladang Bukit Segamaha
- · CLC Timora
- CLC Ladang Abedon Kretam
- CLC 59 Ladang Pahang 2
- CLC 60 Ladang Ong Yah Ho

Pitas

CLC Ladang Pitas

Sahabat, Lahad Datu

- CLC 71 Cenderawasih
- CLC 72 Baiduri Ayu
- CLC 73 Kembara Budi
- CLC 74 Fajar Harapan
- CLC 75 Gemara PuraCLC 76 Hamparan Badai
- CLC 77 Jeragan Bistari
- CLC 78 Kembara Sakti
- · CLC 79 Sahabat 46
- · CLC Teck Guan Sebatik

Sandakan

- CLC Ladang Sutra
- CLC 31 Ladang Masang (Nurul Iman)

Sap

CLC 62 Ladang Andamy

Labuan

- CLC 61 Ladang Resort
- CLC Duta

Sebatik

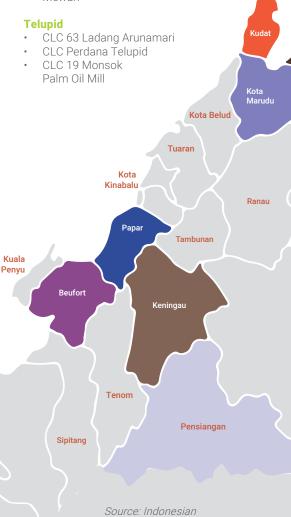
· CLC Teck Guan Sebatik

Semporna

• CLC 5 Ladang Segaria (Hidayatullah)

Sukau

- CLC 50 Ladang Fantasi Generasi
- · CLC Felcra Estate Pertama
- CLC Ladang Karangan Estate
- CLC 66 Ladang Ar Rasyid Sapagaya
- CLC 44 Ladang Sungai Menanggol
- · CLC Ladang Gomantong
- CLC 67 Ladang Sri Likas
 Mewah



Consulate, Kota Kinabalu, Sabah, data as of June 2018

2. Community Learning Centres (CLCs) -Secondary

Balung

- CLC 33 Ladang Balung River
- CLC 51 Ladang Sungai Balung

Beufort

· CLC 3 Ladang Lumadan

Beluran

CLC 3 Ladang Lumadan

- CLC 16 Genting Tanjung Estate
- CLC 41 Ladang Tomanggong
- CLC 2 Ladang Permodalan 1
- **CLC Litang**
- CLC 56 Ladang Jeroco

Kalabakan

CLC 69 Kretam Silimpopon Kalabakan

Kunak

- CLC 18 Ladang Binuang
- CLC 38 Ladang Batu Rong 3
- CLC 53 Ladang Batu Rong 2
- CLC 54 Ladang Madai
- CLC Ladang Batu Rong 1
- CLC 11 Ladang Mostyn
- CLC 12 Ladang Giram
- CLC 17 Ladang Jelata Bumi

- CLC Lembah Danum
- CLC Ladang Trusjadi
- **CLC Permai**
- CLC 9 Sabah Mas Lahad Datu
- CLC 40 Borneo Samudra
- CLC 42 Ladang Tas
- CLC 8 Ladang Sandau

- CLC 29 Ladang Desa Telisai

Semporna

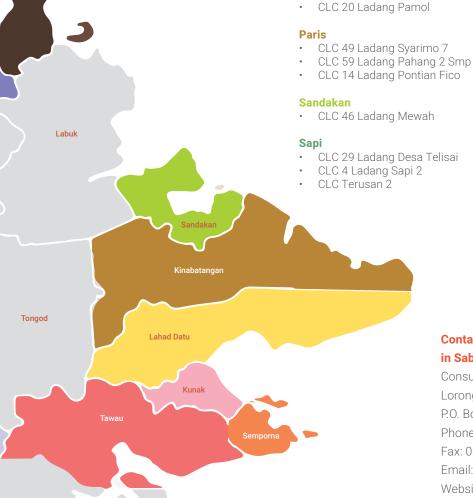
- CLC 5 Ladang Segaria
- CLC KI Kepong
- CLC 52 Ladang Pegagau
- CLC 55 Syarikat Nam Hing

Sukau

- · CLC 1 Ladang Genting Suan
- CLC 66 Ladang Ar Rasyid Sapagaya
- CLC 15 Ladang Melanking
- CLC 45 Ladang Hilco Pontian
- CLC 44 Ladang Sungai Menanggol

- CLC 43 Bombalai Ladang
- CLC 7 Ladang Merotai Kecil

- CLC 21 Ladang Gamore
- CLC 28 Ladang Ribu Bonus



Contact Information of the Indonesian Consulate in Sabah

Consulate General of the Republic of Indonesia Lorong Kemajuan, Karamunsing

P.O. Box 11595, 88817, Kota Kinabalu, SABAH

Phone: 088-219110 / 088-218600

Fax: 088-215 170

Email: pensosbud.kjrikk@yahoo.com Website: www.kemlu.go.id/kotakinabalu/id/

2.2.2 Alternative Learning Centre (ALC)

What are Alternative Learning Centres (ALCs)?

Humana Child Aid Society Sabah have established a total of 142 ALC, mainly in the east coast of Sabah. These include a small number of ALC operated by Humana Child Aid Society Sabah outside plantation areas.

ALC are jointly operated between HCASS and the plantation companies. They are located in five main districts of Sandakan, Kinabatangan, Lahad Datu, Semporna and Tawau.

ALC provide education at pre-school and primary level, and are open to all children. In early 2018, a total of 14,121 students attended ALC, of which 7,284 (51.6%) were male students, and 6,837 (48.4%) female students.

The majority of the ALC are licensed by the Malaysian Ministry of Education. They follow the Malaysian curriculum where Bahasa Melayu (Malay language), English, Science and Mathematics are compulsory core subjects.

ALC in plantations in Sabah

In June 2018, a total of 134 ALC operated in partnership with several large and medium-sized plantation companies in Sabah.

Contact Information of Humana



HUMANA CHILD AID SOCIETY SABAH (HCASS)

MDLD 8919, Lot 36, Lorong D' Perdana 11 D' Perdana Square, Bandar Sri Perdana KM 4, Silam Road, 91100 Lahad Datu, Sabah

Phone: (+60) 089 - 862600

Email: info@humanachildaidsociety.org **Website:** www.humanachildaidsociety.org/



Presence of ALCs and District/Sub-District, Sabah, 2018

Humana Child Aid Society Sabah – Alternative Learning Centre (ALC)

Kinabatangan

- · Ladang Syarimo 2
- · Ladang Syarimo 5
- · Ladang Amalania
- · Ladang Asia Oil Palm 2
- · Ladang Leepang 3
- Ladang Bornio)
- Ladang Tabung Tentera
- Ladang G&G Uni Global
- Ladang Prolific Yield
- · Ladang Genting Landworthy
- · Ladang Genting Mewah 1
- · Ladang Genting Sekong
- · Ladang Genting Suan Lamba
- Ladang Genting Mewah 2
- Ladang Genting Sri Bahagia
- · Ladang Genting Sri Tanjung
- Ladang Genting Tenegang
- Ladang Gerola
- Ladang Litang
- Ladang Tabin
- · Ladang Tagas
- Ladang Sg Segama
- Ladang Tomanggong 1
- Ladang Tomanggong 2
- · Ladang Haranky
- · Ladang Hwa Li
- Ladang Tye Yang
- · Ladang Batangan
- Ladang Kapis
- Ladang Lokan
- Ladang Lungmanis
- Ladang Lutong
- · Ladang Pintasan 4
- Ladang Pintasan 7
- · Ladang Mewah 1
- Ladang Pintasan 2
- Ladang Asas
- Ladang Layung
- Ladang Leepang 1
- Ladang Linddale
- Ladang Syarimo 7
- · Ladang Melangking 1
- Ladang Melangking 2
- Ladang Melangking 2Ladang Melangking 3
- Ladang Melewar 1
- Ladang Melewar 2
- Ladang Morisem 3
- Ladang Pahang Oil Palm 3

- Ladang Permodalan
- · Ladang Pontian Fico
- · Ladang Pontian Hillco
- · Ladang Pontian Malacca
- · Ladang Sakilan Desa
- · Ladang Segaliud
- Ladang Tun Tan Siew Sin
- Ladang Yu Kwang
- Ladang Batu Putih
- Ladang Unico Desa

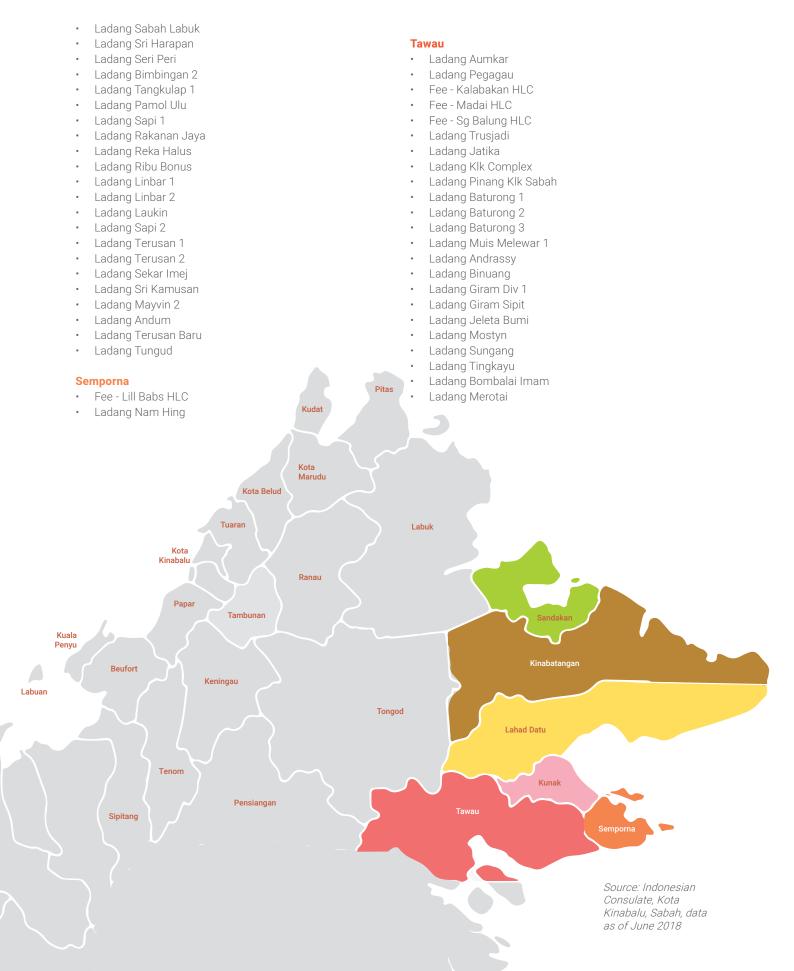
Lahad Datu

- · Ladang Bagahak 1
- · Ladang Boonrich
- Ladang Matamba
- Ladang Mensuli
- · Ladang Sandau
- Fordeco Timber Complex
- Gold Crop Plantation
- Fee Dam Road HLC
- Fee Sri Perdana HLCFee Tabanac HLC
- · Ladang Klk Bukit Tabin
- Ladang Cantawan
- Ladang Tengah Nipah
- Ladang Mpob
- Ladang Bilong Sabahmas
- · Ladang Lunpadas
- Ladang Segama Sabahmas
- · Ladang Taliwas Sabahmas
- · Ladang Taliwas

Sandakan

- Ladang Bekat Setia
- Ladang Excellent Challenger 2
- · Ladang Mayvin 5 Gamore
- · Ladang Gedau
- Ladang Genting Sabapalm
- Ladang Genting Indah Tongod
- · Ladang Genting Permai
- Ladang Hibumas 1
- · Ladang Jebawang
- · Ladang Sg Sabang
- Ladang Telisai Ijm
- · Ladang Ikatan Kayangan
- · Ladang Sg Manjang
- Ladang Sri Pin
- Ladang Kiabau
- Ladang Luangmanis
- Ladang Moynod





2.3 Collaboration on Alternative Education

Many children who live with their parents in rural or plantation areas do not have access to schooling. Collaborative efforts may ensure that these children have access to basic education. This can be achieved in the following ways:

- 1. Collaboration with other companies; and
- 2. Establishment of new learning centres.

COLLABORATE WITH OTHER COMPANIES

If your company lacks resources or the adequate number of children to establish your own CLC/ALC, your company can initiate dialogues with other nearby companies to establish CLC/ALC together or explore the possibility of enrolling workers' children in other companies' centres.

Steps to Consider

- 1. ENGAGE workers (parents) and raise awareness on the importance of education for their children.
- 2. DETERMINE the number of workers' children who are of schooling age.
- 3. IDENTIFY nearby companies that have established CLC/ALC and discuss the possibility of sending workers' children to the existing learning centres.
- 4. COLLABORATE on the viability of allowing workers' children to enrol in existing CLC/ALC while paying attention to the need to share the cost of resources.
- 5. PROVIDE incentives for workers' children to encourage them to attend CLC/ALC.
- 6. MONITOR regular progress of workers' children enrolled in CLC/ALC.

2 ESTABLISH A NEW LEARNING CENTRE

Companies may reach out to the Indonesian Consulate and HCASS to explore the possibility of jointly establishing a new learning centre (CLC/ALC) in plantation areas. In this case, the company and the CLC/ALC have different roles, as outlined below.

The Company's role:

- 1. Provide educational infrastructure, particularly a school building and other basic facilities;
- 2. Provide accommodation/living quarters for the teachers;
- 3. Arrange and provide transportation for the children going to the learning centre; and
- 4. Provide monthly contributions to the learning centre.

 The monthly contribution varies between CLC, ALC and other learning centres.

The Indonesian Consulate's and HCASS' role:

- Provide operational assistance including engagement with the Ministry of Education for permit approval, facilitating official visit, and manage children's learning and safety at the centre;
- Provide technical assistance including training and supervision for the teachers;
- Remunerate teachers and process work permit (if needed), insurance and EPF (if applicable);
- · Provide books and other learning materials;
- Deploy Indonesian teachers for the learning centre (only for CLC); and
- · Offer incentives for local teachers.



Community Engagement

3.1 Introduction

Companies can engage in a process of working together with community groups including the workers and their families, as well as surrounding local communities, to address the issues that affect the well-being and development of these groups.



A failure to maintain good community relation may cause potential conflict, and that can cause significant project delays, cancellations and loss of investments.

Source: International Finance Corporation (IFC). 2015. "Managing Community Relations in the Palm Oil Sector".

3.1.1 What is community engagement?

Community engagement can fall within the spectrum of activities as listed below:

- · Organising community visits and town hall events;
- Organising dialogues;
- Sponsoring children's transportation to learning centres;
- Organising sports festivals;
- Providing proper healthcare; and
- Any other activity that can be interpreted as essential to community development.

3.1.2 Why is community engagement needed?

Community engagement is essentially a process by which trust is developed between the community and the companies in that region. Some of the benefits of community engagement are:

- Building rapport between the companies and community; and
- It can be an avenue for mediating potential or existing conflict between companies and the community.

3.2 Who to Engage?

There are many NGOs and organisations providing services related to community engagement in Sabah. However, this publication focuses on two important NGOs, namely Pusat Asasi and Pacos.

3.2.1 Pusat ASASI

Who is Pusat ASASI?

Pusat Hak Asasi dan Keselamatan Komuniti, better known as Pusat ASASI, is a resource centre for community security and human rights in eastern Sabah. It is organised and supported by various individuals including community leaders, experts, and former security officers and authorities.

Pusat ASASI believes in collaborative engagement with long term benefits by acting as a bridge between the authorities and the communities on the ground.

What do they do?

Pusat ASASI organises empowerment programmes for communities (including children and youth) and offer consultancy services for various professional organisations and institutions in the areas of community development. They also provide reliable field-based information and monitoring on local community issues.

For the past few years, Pusat ASASI has organised several community projects, including youth empowerment, in several isolated areas in Sabah. These include socio-economic, financial literacy and leadership skill programmes for youth.

Aside from that, Pusat ASASI has created the following:

- 1. A youth network to organise youth leadership.
- 2. A community paralegal network to address various legal issues, especially undocumented people and child rights.
- 3. Community policing to create a healthy collaborative environment between the authorities and communities by using a problem-based policing mode.

How is Pusat ASASI connected with communities

Pusat ASASI has its secretariat office located in Putatan, Kota Kinabalu, Sabah. Many of its community engagement projects are undertaken with the support of its network members, which are located in various districts across Sabah. Some of its network members include:

- Various community organisations in Lahad Datu, Semporna, Sandakan, Keningau, Pulau Sebatik and Tawau
- Persatuan Belia Innovasi Kota Kinabalu
- Persatuan Anak Anak Miskin Sabah
- · Persatuan Professional Suluk Sabah
- Persatuan Kebudayaan Sulu (PUSAKA)

How to collaborate with Pusat ASASI?

Pusat ASASI organises activities for community development, youth empowerment and socio-economic projects across Sabah, including social financial literacy, leadership, provision of legal assistance, crime and drug prevention, and youth intervention.

Pusat ASASI can assist companies and other organisations in developing community engagement programmes, which include:

- Raising awareness, training and empowerment in the community in the areas of:
 - The birth registration process for parents and children among undocumented locals and immigrant children;
 - Leadership for community leaders, workers and smallholders;
 - Socio-economic and financial literacy programmes for communities;
 - Community-based para-legal activities; and
 - Legal aid and referral services on matters concerning vulnerable children.
- Professional services for businesses and organisations in the areas of:
 - Technical and advisory support on matters concerning children's rights and well-being;
 - Community engagement programmes focused on youth and child development; and
 - Third-party and independent monitoring of local community issues, including issues concerning children and youth development in the plantation sector.
- Setting up a community-based learning programme for vulnerable children in or nearby plantation areas.
- Organising fund raising and outreach for community empowerment.

How to contact Pusat Asasi?



Pertubuhan Pusat Hak Asasi dan Keselamatan Komuniti Sabah (Pusat ASASI)

Registration No. PPM-003-12-22022018 No. 68, Jalan Access Kampung Pasir Putih 88200, Kota Kinabalu, SABAH

Phone: 088-766252

Email: asasikita@gmail.com

Website: www.pusatasasi.com/mengenai-kami/

3.2.2 PACOS

Who is PACOS?

PACOS Trust (or PACOS) is a community-based organisation that supports indigenous communities in Sabah. PACOS is an acronym for "Partners of Community Organisations in Sabah".

What do they do?

PACOS works to empower indigenous communities through continuous systematic building and intercommunity networking across the state of Sabah.

Their main activities comprise of the following community engagement programmes:

- · Community organising programmes;
- Socio-economic development (e.g., diversification of income);
- Community education (e.g., setting up Community Learning Centres);
- · Natural resource management;
- · Land rights-related programmes; and
- Customs and culture.

How is PACOS connected with communities

PACOS supports a total of 23 local communities in 17 districts across Sabah. Each community determines and implements their programmes and activities through their respective Community Learning Centres (CLC). PACOS supports all 23 communities through knowledge and skills transfer to community leaders.

How to collaborate with PACOS?

PACOS may collaborate with companies and organisations via:

- 1. Community engagement programmes; and
- 2. Community education for vulnerable children. Companies and organisations can support PACOS through collaboration in the areas mentioned above so as to be of mutual benefit to each other.

How to contact Pacos



Partners of Community Organizations in Sabah (Pacos)

Taman Flash Gordon, Kg. Kivatu, KM18 Jalan Tambunan, 89507 Donggon, Kampung Kivatu,

89507 Penampang, Sabah

Phone: 088-712 518

Email: info@pacostrust.com

Website: www.pacostrust.com/about/contact/





Hamilton Appendix App

4.1 Introduction

Local communities, workers in rural areas and immigrants are often unaware of the importance of birth registration in Malaysia and notifying their foreign consulates. As such, many local and immigrant children in rural areas lack legal identity documents.

Some of the key reasons that may hinder birth registration in rural areas are:

- · Administrative barriers;
- Difficulty in accessing registration offices due to cost of travel to and from these remote locations;
- · High illiteracy among the parents; and
- Lack of awareness among parents on the importance of securing a birth certificate.

4.1.1 What is Birth Registration?

Birth registration is a process of declaring (of birth), recording (of information) and producing a certificate within a civil registry of the occurrence and characteristics of birth, in accordance with the national or state legal requirements.

4.1.2 Why is Birth Registration needed?

Birth registration is the first form of legal documentation and gives legal identity. Needless to say, the lack of a birth certificate leads to many deprivations and can place the child at risk of exploitation.

Birth registration is a fundamental human right for all children, regardless of their status of nationality and ethnicity.

4.2 Who to Engage?

In Sabah, all births can be registered in any National Registration Department (NRD) office. For Malaysian nationals, they are issued with a "green" birth certificate, and a "red" birth certificate for non-Malaysian including undocumented immigrant children.

There are a few NGOs who work in collaboration with companies and local communities to raise awareness on the importance of securing a birth registration.

Here are points to note in order of priority when one lacks documents of identity:

- Apply for a birth certificate via the National Registration Department (locals and immigrants).
- Notify the respective consulate/embassy (for immigrants).
- Seek assistance from NGOs (e.g. Global Shepherds) for those births that have not been registered for a long time.

Article 7.1 of the Convention on the Rights of the Child (CRC) provides that "the child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and as far as possible, the right to know and be cared for by his or her parents". Births need to be registered within 60 days with no cost of administration. For late birth registration (beyond 60 days), births still can be registered with a minimal administration and penalty fees not more than RM65 - inclusive of birth registration search, processing fee for late birth registration and a penalty.

4.2.1 Global Shepherds

Who is Global Shepherds?

Global Shepherds Berhad was incorporated in September 2017 as a non-profit organisation registered with the Companies Commission of Malaysia (SSM). Its objective is to provide care, welfare and intervention to those living in poverty, as well as victims of gender-based violence and other forms of abuse, neglect and exploitation.

They reach out to all women and children who are trafficked and forced into unsafe migration, and refugees and asylum seekers who have experienced gender based violence.

In doing this, Global Shepherds:

- · Operates shelters for survivors;
- · Organises outreach programmes;
- Manages cases;
- · Offers counselling service;
- · Organises activities to raise awareness; and
- · Provides other forms of intervention.

Global Shepherds is also involved in advocacy work to highlight the challenges faced by vulnerable women and children in Sabah and the proactive measures that can be taken.

How can they assist companies with birth registration applications?

Global Shepherds can assist companies by facilitating birth registration programmes for Indonesian children. This programme is known as the "Birth Registration Programme" (BRP). The BRP was first organised in various oil palm plantation concessions in eastern Sabah.

Through the BRP awareness is raised on the importance of having birth certificates and legal identity documents (parents' marriage certificates, passports, medical letters and any other documents to support the application). The role of Global Shepherds is to link undocumented Indonesian children with the Indonesian Consulate. A birth certificate must first be applied for at the National Registration Department followed

by confirming the parents' nationality status at the Indonesian Consulate. The Indonesian Consulate can take as long as three to six months to process the application.

How to collaborate with Global Shepherds?

Companies who have workers with children (local and immigrant) without birth certificates should initiate the application process by contacting Global Shepherds.

Global Shepherds can assist companies in the following manner:

- Provide technical advice on the procedures and processes needed for birth registration. This includes the responsibility of the company's role in facilitating the acquisition of birth certificates.
- Provide training for company's employees and representatives to conduct sessions with workers and their family members with a purpose of gathering data and submitting the documents to the Indonesian Consulate and/or National Registration Department (NRD).
- 3. Raise awareness on the importance of birth registration among company workers and their family members.

How to contact Global Shepherds?



C/O Villamaria Good Shepherd

Lorong Setiabistari 2 Medan Damansara 50490 Kuala Lumpur

Tel: 03-20117406

Email: info@goodshepherd.my

Website: www.goodshepherd.my/about

How Companies Could Help Undocumented Indonesian Children Acquire Birth Registration

Steps to consider

Company obtains original birth registration forms from the NRD



Company distributes birth registration forms to all workers (parents) who have children without a birth certificate.



Workers (parents) to fill up the birth registration form and return to the company, accompanied with these supporting documents:

- Copy of parents' marriage certificate, or confirmation letter from company to confirm parents' union;
 - Copy of medical letters / letter issued by clinic or confirmation letter from the company;
 - Copy of parents' passports or other travel documents;
 - · Copy of passports from two witnesses;
 - Two photos (passport size); and
- Two witnesses, who know the applicant, with valid Indonesian passports.



Company to collect all completed birth registration forms and supporting documents from workers (parents).



Company to extend an invitation letter to the Indonesian Consulate in Sabah to set up an appointment to visit the company



The officials of the Indonesian Consulate will then visit the company on the agreed date and conduct interviews with the workers (parents). Successful applicants will be issued birth certificates.

Source: Global Shepherds. Simplified from Global Shepherds' Birth Registration Video – December 2018.



Other Services for Vulnerable Children

5.1 Introduction

Malaysia is a signatory to the Convention on the Rights of the Child (CRC). Article 19 of the CRC outlines that "children have the right to be protected from being hurt and mistreated, physically or mentally".⁵

Employers may discover that there are workers, or their spouses, children or other family members, who may be at risk of abuse or neglect. In such cases, companies can provide support to the worker or their family by engaging a service provider or otherwise organise preventative trainings or awareness-raising sessions about the topic.

5.2 Who to Engage

There are several NGOs and organisations providing services for vulnerable women and children in Sabah. However, this section focuses specifically on a range of services provided by Sabah Women's Action-Resource Group (SAWO) pertaining to the issue of vulnerable children in Sabah. You may find that other service providers in this publication may also be able to assist you.

5.2.1 Sabah Women's Action-Resource Group (SAWO)

Sabah Women's Action-Resource Group, or SAWO, works toward securing better protection and assistance for vulnerable women and children as part of their overall goal to contribute to a more gender equal society. It was formed in 1985 in response to the increasing violence and injustice against women and children.

In September 1986, SAWO joined the national campaign to fight violence against women by launching the campaign in Sabah. Since then, the work of SAWO, together with other civil society groups in the country, has resulted in several statutory changes including rape law reforms in 1989 and the enactment of the Domestic Violence Act in 1994.

In 1988, SAWO initiated the first One Stop Crisis Centre (OSCC) in Queen Elizabeth Hospital, Kota Kinabalu, and continues to advocate for more shelters for women and children who are in need of protection and care.



All businesses should ensure the protection and safety of children in all business activities and facilities

Source: Children's Rights and Business Principles, available at: www.unglobalcompact.org/docs/issues_doc/ human rights/CRBP/Childrens Rights and Business Principles.pdf

⁵ UNICEF, Fact Sheet: A summary of the rights under the Convention on the Rights of the Child, Article 19 (Protection from all forms of violence), available at: www.unicef.org/crc/files/Rights_overview.pdf

What does SAWO do?

SAWO's programmes focus on the following activities:

- Raising public awareness on gender inequality and violence against women and children. This is often done in partnership with institutions and companies that strive to strengthen their social responsibility initiatives and commitment to advance the rights of women and children;
- Advocate for better laws and policies for women and children;
- Provide support services to women and children in need:
- Build opportunity for women in communities and empower them;
- · Conduct play therapy for children with unmet needs;
- Provide life coaching for young volunteers and "at risk" children.

Through the HELPLINE programme, SAWO provides counselling and legal support to women and children in distress or conflict. Counselling services are offered both through confidential phone counselling service and face-to-face counselling.

SAWO provides legal advice and other services including obtaining short term crisis funds or other monetary assistance from the government. SAWO also assists women and children who are victims of domestic violence, rape and physical abuse to make police reports and connect with government agencies to access refuge or shelter.

How to collaborate with SAWO?

SAWO offers a range of services that could assist companies and other organisations to strengthen their social responsibility and community engagement initiatives. These include:

1. In-house play therapy for vulnerable children.

SAWO began its Play Therapy Programme in 2008 with the objective of assisting vulnerable children needing protection and care (e.g. abused children). It serves to encourage the strengthening of services provided by existing institutions to children under their care. SAWO has a certified practitioner in therapeutic play skills who conducts training for staff and provides supervision and support to in-house staff running the programme.

2. Training for companies & institutions to set up their own play therapy programmes.

In order to reach out to more in-need and vulnerable children in many parts of Sabah, SAWO has been assisting organisations to set up their own in-house play therapy programme. SAWO assists these organisations by conducting training for their staff and setting up therapy units for the children and families in their care

As of 2018, SAWO has assisted three government agencies and one non-governmental institution to set up their in-house play therapy rooms, which are well-equipped with various tool kits to run play therapy sessions.

Any companies or organisations that are interested to set up their own in-house therapy programme and train their own employees to conduct therapy activities may contact SAWO.

3. Professional training and consultancy services to companies on matters concerning child rights.

SAWO has been engaging companies in various sectors of the economy (e.g., the timber industry) in providing professional training for employees with respect to child rights at the workplace and/or in the community.

4. Raising awareness on violence against women and children.

SAWO has the experience and expertise in raising awareness on violence against women and children through conducting programmes on violence against women and children for many organisations including those in the business sector. SAWO is able to conduct in-house surveys, stakeholder engagement and training for employees to address and prevent any incidence of violence against women and children at the workplace and in the community.

How to contact Sawo?



Sabah Women's Action-Resource Group (SAWO)

Lot 23, 2nd Floor, Block C, Damai Point, 88300 Kota Kinabalu, Sabah

Tel: 088-269291

Email: sawo.women@yahoo.com **Website:** sawo.women@yahoo.com





Other Organisations
Providing Services
for Vulnerable
Children in Sabah

6. List of Other Service Providers and Institutions Providing Services for Vulnerable Children in Sabah

NGO /	Services	How They Can	Category of Children, Families, Communities and Locations Served
Institution	Provided	Help Businesses	
Development of Human Resources for Rural Areas (DHRRA), Malaysia No. 13A-2, PJ 21, SS3/39, Sg. Way, 47300, Petaling Jaya, Selangor Tel: 03-78653371 or 78657271 Email: general@ dhrramalaysia.org.my Website: dhrramalaysia.org.my	 Organise capacity building programmes for child development and raise awareness on child rights issues. Provide birth registration intervention, legal advice and technical assistance on matters concerning citizenship and other legal identity documents for children. Provide training of trainers in the area of community engagement, education for children and para-legal training for members of local community. 	 Facilitate the birth registration process for children, and acquire other legal identity documents for parents (workers). Organise training of trainers for employees and nearby communities on matters concerning birth registration and para-legal training for community members. 	Children and families living in urban and rural areas in Sabah with no identity documents.

Department of Social Welfare (Sabah)

Tingkat 6 & 8, Blok B, Bangunan Wisma MUIS Jalan Sembulan, 88100 Kota Kinabalu, Sabah *Tel:* 088-255133 or 255134

Emel: jpka_sabah@jkm. gov.my

- Organise raising awareness exercises with community and schools on violence against children.
- Offer temporary shelter for children in need of protection and care.
- Offer advice on issues concerning child labour and other forms of exploitation.
- Raise awareness
 with nearby local
 communities and
 existing learning
 centres on a variety of
 child protection issues.
- Provide temporary shelter for parents and their children in need of protection and care.
- Provide advice on issues concerning child labour and other forms of child exploitation.
- Children who need care and protection under Section 17 Child Act 2001 (Amendment) 2016 And Anti-Trafficking In Persons & Anti-Smuggling Of Migrants Act 2007.
- Children below the age of 18 years.
- Children who are staying in Malaysia.

NGO / Institution	Services Provided	How They Can Help Businesses	Category of Children, Families, Communities and Locations Served
Etania Schools of Sabah Dr. Kathryn Rivai, Education Consultant Etania Schools, Sabah Tel: N/A Email: kathryn.rivai@ gmail.com Website: etaniaschools.org/ Note: Etania runs a total of ten learning centres across Sabah (2018).	 Operate alternative learning centres for stateless and underprivileged children especially in rural areas of Sabah. Raise awareness on the importance of a quality and full educational programmes for immigrant and stateless children. 	 Collaborate with companies in setting up or to strengthen existing alternative learning centres. Collaborate with companies in organizing capacity building or training programmes for employees on child rights issues. 	 Families from the lower income group. Children living in rural areas including those residing inside or nearby oil palm estates and small agricultural enterprises.
Human Rights Commission of Malaysia (SUHAKAM), Sabah Office Suite E1, 8th Floor, CPS Tower No.1, Jalan Centre Point 88000 Kota Kinabalu, Sabah.	 Handling complaints from the public on matters concerning child labour and other violations of child rights. Provide mediation and referrals on labour and child rights issues 	 Mediate labour and child rights issues and provide referral services to relevant agencies. Raise awareness on child rights education at company and community level. 	Children below the age of 18 years staying in Malaysia.

Indonesian Consulate, Kota Kinabalu, Sabah

Tel: 088-317405

suhakam.org.my/

org.my

Website:

Email: sabah@suhakam.

Lorong Kemajuan, Karamunsing P.O. Box 11595, 88817, Kota Kinabalu, SABAH **Phone**: 088-219110 or 218600 *Email:* pensosbud.kjrikk@ yahoo.com

· Handling complaints from Indonesian workers on matters concerning labour and exploitation of child rights.

to legal aid centres

and other relevant

· Educating and raising

awareness on child rights issues. · Conduct workplace visits and assessments.

organizations.

- Provide administrative advice and technical support on matters concerning birth registration of Indonesian children.
- · Mediate labour-related disputes including children and young workers.
- Facilitate the birth registration process.
- Conduct awareness raising and child rights education at company and community level

Indonesian children or born to Indonesian migrated to Sabah.

parent(s) who are living or

NGO / Institution	Services Provided	How They Can Help Businesses	Category of Children, Families, Communities and Locations Served
	 Conduct workplace visits of Indonesian workers. 		
Malaysian Care (Sabah Unit) Sabah Theological	 Organise early intervention programmes and 	 Collaborate with companies in setting up early intervention or pre- 	 Families from the indigenous community and person with

Seminary (Malaysian Care Sabah Unit),

Admin Building Level 1, 26 Jalan Pinggir, Off Jalan Istana, 88400, Kota Kinabalu.

Tel: 088-335513

Email: mail@

malaysiancare.org

Website:

malaysiancare.org/

- inclusive pre-school programmes in rural areas of Sabah.
- Organise community empowerment and capacity building programmes for children, parents and teachers in the areas of financial literacy, networking, community development and child education.
- school programmes for employees' children.
- Collaborate with companies in organising community empowerment and capacity building for employees and their children in the areas of child education, development and protection.
- disabilities.
- · Children and young persons living in poverty.

Persatuan C.H.I.L.D Sabah

Lot 4, Second Floor, TNK Commercial Centre, Off Jalan Mat Salleh, 88100 Tanjung Aru, Sabah **Tel:** 088-288761 or 011-3157

Email: info@childsabah. org.my

Website: childsabah.

org.my

- Set up alternative learning and early intervention centres for children with learning difficulties.
- · Organise communitybased sheltered workshops, and provide employment for young adults with Autism and other disabilities.
- Provide professional support in the fields of speech language therapy, physical therapy and child psychology.
- Organise public awareness programmes on Autism.

- Collaborate with companies in setting up alternative learning and early intervention centres for children with learning difficulties and other forms of disability.
- Collaborate with companies in providing training of trainers and capacity building in the areas of physical therapy and child psychology.
- Collaborate with companies in raising awareness and acceptance on Autism and other child disabilities.

Person with disabilities, including children and young persons.

NGO / Institution	Services Provided	How They Can Help Businesses	Category of Children, Families, Communities and Locations Served
Sabah Family Planning Association (SFPA) P. O. Box No. 11361, 88815, Kota Kinabalu, Sabah, Tel: 088-245209 or 222703 Email: sfpa@sabah.org. my Website: sabah.org.my/sfpa/	 Provide family planning and reproductive health services to women and children. Organise community health programmes. Organise family life education programmes for adolescents, youth and parents. 	 Collaborate with companies in providing family planning and reproductive health services to workers (women) and children. Collaborate with companies in organising community health programmes for workers and children. Collaborate with companies in organising health education for adolescents and youth. 	 Vulnerable population including children and youth. SFPA clinics operate in Kota Kinabalu, Tawau, Sandakan, Kudat and Lahad Datu, Sabah.
Sabah Child Welfare Association Cancer Society Building, No.15 Jalan Tupai 3, Teck Guan Villa, Jalan Penampang, Kota Kinabalu, Sabah Tel: 088-269614 Email: scwa@sabah.org. my	 Organise community-based rehabilitation programmes in recognising the rights and appropriate care for children. Organise English language enrichment programmes for underprivileged children 	 Collaborate with companies in organising community-based rehabilitation programmes for employees and their children. Collaborate with companies in organising awareness campaigns 	Children below the age of 18 years – who are disabled, deprived, neglected or being victims of many forms of violence.

Sabah Law Society

Website:

sabah.org.my/scwa

Menara MAA, Lorong Api-Api 1, 88000, Kota Kinabalu, Sabah *Tel:* 088-232662

· Provide legal aid and advice on matters concerning birth registration, violence against women and

in rural areas.

Run family and

community awareness

campaigns aimed at increasing participation in child development. · Deliver health and parental counselling services for children in rural communities.

> · Assist companies and workers on legal and administrative matters concerning birth registration, violence

and counselling services

for employees and their

children.

NGO / Institution	Services Provided	How They Can Help Businesses	Category of Children, Families, Communities and Locations Served
Email: admin@ sabahlawsociety.org Website: sabahlawsociety.org/	children, and issues of child labour and other forms of child exploitation.	against children, and other violations of child rights.	Vulnerable women and children in need of legal assistance.
Seri Mengasih Centre, Sabah PWD 75, Jalan Selangor, Tanjung Aru, 88100, Kota Kinabalu, Sabah, Tel: 088-223221 Email: Serimengasih@ yahoo.com.my Website: serimengasihcentre.org/	Operates a special development centre for the intellectually and developmentally disabled children in Sabah.	Assist or collaborate with companies in setting up learning centres for disabled children.	Intellectual and developmentally disabled children in Sabah. The Centre is located in Tanjung Aru, Kota Kinabalu Sabah.
Starfish Foundation, Sabah 3rd Floor, Lot 16-3, Block B, Lintas Square, Luyang, 88300 Kota Kinabalu. Tel: 088-212400 Email: hello@starfishmy. com Website: starfishmy.com	Operate hostels for underprivileged students in four districts that facilitate students from rural communities to attend schooling located far from their villages.	Assist or collaborate with companies in setting up boarding facilities for children of rural communities to attend school, including alternative learning centres.	 Children and young persons living in poverty in rural Sabah and Sarawak (Kapit area). Starfish Foundation has hostels for students in: Kota Marudu (Hostel Jasmine) Pitas (Hostel Marigold - in partnership with the Protestant Church of Sabah) Pitas (Hostel Lily) Kudat (Hostel Rose) Sikuati (Hostel Sunflower)

Stairway to Hope (Sabah)

Email: stairwaytohope@gmail.com

Website:

stairwaytohope.org

 Operate alternative learning centre for Filipino and stateless children in Kota Kinabalu, Sabah. Assist or collaborate with companies in setting up alternative learning centres for Filipinos and other stateless children in rural and plantation areas. Workers and children (Philippines) living in and nearby Kota Kinabalu, Sabah.

NGO / Institution	Services Provided	How They Can Help Businesses	Category of Children, Families, Communities and Locations Served
Tonibung (Friends of Village Development) Block M, Lot 5, 1st Floor, Donggongon Town, 89500	 Offer skills oriented and vocational training for youth in rural areas. 	 Assist or provide opportunity for companies to collaborate in the 	Indigenous communities mainly in Sabah and northern Sarawak.
Penampang, Sabah, MALAYSIA		provision of technical and vocational training	Training centre is located at C.R.E.A.T.E. centre in
Phone: 088-726413 Email: info@createborneo.		for youth especially in rural areas.	Penampang, Sabah
org			
Website:			
createborneo.org/			

About the funders

Archer Daniels Midland (ADM)

Archer Daniels Midland Company (ADM) is one of the world's largest agricultural processors and food ingredient providers. ADM works closely with trade associations, growers, governments, non-governmental organisations (NGOs) and the communities in which they operate to improve the quality and availability of crops in the global supply chain, as well as benefiting the lives of farmers and communities that grow such crops.

ADM Cares is ADM's corporate social investment program, which aligns the company's corporate giving with its business strategies and sustainability objectives. ADM works to sustain and strengthen its commitment to communities where ADM colleagues work and live by directing funding to initiatives and organisations that are driving meaningful social, economic and environmental progress.

Avon

Avon is committed to protecting the environment and respecting and upholding the human rights of communities and workers affected by its operations and supply chain. This is why Avon adopted its first Palm Oil Promise in 2011 outlining its guidelines for purchasing sustainably sourced palm oil. In 2018, Avon partnered with Earthworm to deliver projects in Indonesia and Malaysia on the Landscapes project and protecting vulnerable children in plantations.

Nestlé

Nestlé is the world's largest food and beverage company, with more than 2000 brands and a presence in 190 countries worldwide.

Nestlé is against all forms of exploitation of children, and is firmly committed to actions that eradicate child labour from its agricultural supply chains, in line with its commitments in the Nestlé Corporate Business Principles, the Nestlé Responsible Sourcing Standard, and the Nestlé Commitment on Child Labour in Agricultural Supply Chains. Nestlé recognises that in addition to individual actions, companies — together with governments, and with the help of NGOs — need to work together to create the conditions that will prevent and eliminate the occurrence of child labour. Nestlé is committed to work with all relevant stakeholders, wherever possible under the leadership of governments, to help address child labour.

Wilmar

Since 2013, Wilmar has put in place an integrated policy called "No Deforestation," No Peat, and No Exploitation" (NDPE), which covers key sustainability issues relating to the environment, local communities and workers. Wilmar's NDPE Policy has clearly articulated the company's commitment to prohibit and prevent the use of child labour in its business operations and suppliers/contractors, and this was extended with the publication of Wilmar's Child Protection Policy in November 2017. Aside from prohibiting child labour, Wilmar is also committed to employing remedial actions in the case that any child labour is uncovered.



For those interested in collaborating on or supporting this initiative, please contact our Respect team at +6 03 2201 2393 / n.mahendran[at]earthworm.org (Malaysia) or +41 022 367 9440 / info[at]earthworm.org (HQ).