



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
3 November 2021

Original: English

**Committee on the Elimination of Discrimination
against Women**
Eightieth session

Summary record of the 1829th meeting

Held at the Palais des Nations, Geneva, on Friday, 29 October 2021, at 10 a.m.

Chair: Ms. Narain (Rapporteur)

Contents

Consideration of reports submitted by States parties under article 18 of the Convention
(*continued*)

Eighth periodic report of Indonesia (continued)

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.



The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Eighth periodic report of Indonesia (continued) (CEDAW/C/IDN/8; CEDAW/C/IDN/Q/8; CEDAW/C/IDN/RQ/8)

1. *At the invitation of the Chair, the delegation of Indonesia took places at the Committee table.*
2. **The Chair** said that, at the invitation of the Committee, other members of the delegation would be speaking via video link.

Articles 7–9 (continued)

3. **Ms. Darmawati** (Indonesia), speaking via video link, said that, while women accounted for just 21.3 per cent of the seats in the House of Representatives in 2021, that figure represented an increase on the 20.87 per cent that had resulted from the 2019 elections. Women held 30.88 per cent of the seats in the House of Regional Representatives. There were also women in leadership and deputy leadership roles in the executive branches of all levels of government, including six national ministers, one provincial governor and five mayors. Of the country's judges, 26.6 per cent were women, including five Supreme Court judges. The Government's efforts to improve the representation of women in Papua and West Papua Provinces were bearing fruit: between the elections of 2009 and 2019, the number of seats held by women in the provincial legislatures had increased from 5 to 8 of 56 in Papua and from 2 to 7 of 45 in West Papua.

4. Women's presence in the labour market was viewed positively, as demonstrated by the fact that the proportion of women in paid work had increased from 46.6 per cent in 2017 to 48.76 per cent in 2020.

5. According to citizenship data from the Ministry of Home Affairs, 93 per cent of Indonesian children had birth certificates. Under Law No. 12/2006 on citizenship, children of parents of different nationalities could have dual nationality until they reached 21 years of age. The Government's revisions of that law had made it easier for such persons to regain Indonesian citizenship when they were 22 years of age and older. Pursuant to the Constitutional Court decision on the status of children born outside marriage, the birth certificates of children whose parents had been married under religious law and were thus unlawful remained legally valid if their validity could be properly proven using the evidence provided for in the applicable regulations.

6. Lastly, in relation to the coronavirus disease (COVID-19) pandemic, a plan to prevent the spread of the disease had been drawn up, involving physical distancing and the use of information technology and online services.

Articles 10–14

7. **Ms. Al-Rammah** said that, while the plan for universal education up to the age of 18 was welcome, no disaggregated data were available for analysis of the programme's performance. She wondered whether the Universal Secondary Education programme had achieved its target of increasing enrolment in secondary schools from 78.7 to 97 per cent by 2020. Details of any measures the State party was taking to encourage and support girls, in particular married and pregnant girls, in returning to school would be welcome. She wished to know what steps were being taken to ensure that education was available to children without a birth certificate, refugee children and the children of migrant workers.

8. Referring to paragraph 140 of the report, she wondered whether the targets of 50 per cent of secondary-level students enrolling in vocational schools and of a student/teacher ratio of 10:1 had been achieved. If not, it would be helpful to hear about the obstacles to achieving them and about how those obstacles would be overcome. It was unclear what measures the Government was taking to encourage girls to take up the study of science, technology, engineering, mathematics, and information and communication technology. Disaggregated data on the number of girls receiving technical and vocational training would be useful. She

wished to know what steps had been taken to ensure that gender-sensitive teaching materials were included in teacher-training programmes and to remove gender-stereotyped topics from the curriculum.

9. She wished to know what measures the State party had taken to ensure that women and girls with disabilities could fully exercise their right to an education. She was particularly interested in efforts to provide inclusive environments within the mainstream school system by enacting legislation, building infrastructure, training teachers and fostering community awareness.

10. She would appreciate information on the effectiveness of the Information System for the Protection of Women and Children in eliminating violence in schools. She hoped to hear about measures taken by the State party to develop school-specific action plans and implement regular school inspections aimed at bringing an end to corporal punishment and other forms of violence in schools, including bullying. She also wondered whether there was an adequate training programme for teachers to help eradicate violence in schools. Lastly, she wished to know about efforts to ensure that girls in remote areas had an adequate education, and in particular to have details of the infrastructure budgets and human resources that were available.

11. **Ms. Suharti** (Indonesia), speaking via video link, said that education was one of the Government's top priorities and was guaranteed by the Constitution. Girls' participation rates were almost 107 per cent for primary education, 86 per cent for secondary education and 32 per cent for higher education. While girls' access to education had improved during the 2010s, the average duration of education was still longer for boys, at 8.6 years, than it was for girls, at 8.1 years.

12. Inclusive education for persons with disabilities was available in public schools. Teachers underwent training in order to ensure that they had the proper skills for teaching children with disabilities. In addition, special classes were available for such children.

13. Some 2.4 million children were at secondary-level vocational schools, with around 6,000 female teachers. The Ministry of Education, Culture, Research and Technology strove to ensure that there were no gender disparities, including in science subjects. More complete information on vocational education would be provided in writing, as would data on training.

14. The Minister of Education, Culture, Research and Technology had issued a regulation in September 2021 to prevent sexual violence in universities. It provided not only for protection and counselling for victims but also for penalties for universities that failed to tackle problems of sexual violence. From October 2022, all public universities would be required to have a task force in place to handle such problems.

15. In order to minimize the ratio of students to teaching staff, over 100,000 teachers had been recruited in 2021. The Ministry also sought to ensure adequate levels of training and welfare for all recruited teachers.

16. All books to be used in schools were screened to ensure they did not contain any gender stereotypes. In addition, teachers received gender-equality training.

17. **Ms. Kasim** (Indonesia), speaking via video link, said that the Ministry of Social Affairs focused on counselling to support inclusive education for children with disabilities, including help with remote learning. The Ministry had developed a centre for increasing the potential of children with disabilities and other persons in vulnerable situations. In addition to units within the Ministry, there were a further 41 units focused on enhancing the vocational capabilities of children with disabilities; the aim was to prepare children with disabilities to participate in society in the same way as other children.

18. **Mr. Sitepu** (Indonesia), speaking via video link, said that his Government's online system for collecting data on violence against women and children was used in more than 3,500 institutions across the country. The data that it had gathered revealed a decrease in all forms of violence against women and children, with the exception of exploitation and trafficking in persons. The Government had allocated special funding to 216 regencies and cities to assist women and children who were victims of violence.

19. **Ms. Erni** (Indonesia), speaking via video link, said that, with the aim of preventing bullying, child-friendly schools, including Islamic boarding schools and madrasas, had been established with the involvement of several ministries.

20. **Ms. Suharti** (Indonesia), speaking via video link, said that schools were not permitted to expel girls who had become pregnant. Such situations were resolved by, inter alia, work with the education services and a task force within the Ministry of Education and Culture, which also worked on cases of violence.

21. **Ms. Al-Rammah** said that she would welcome information on education in remote parts of the country, including for girls in rural areas.

22. **Ms. Manalo** asked whether the State party had adopted legislation or policies that provided explicit protection for schools and universities in armed conflict, and whether soldiers and officers received predeployment training on protecting schools.

23. **Ms. Stott Despoja** said that, in the light of reports that the Job Creation Law significantly weakened women workers' rights, she wished to know how the State party planned to ensure that changes to labour laws did not undermine labour rights and whether the Government had consulted with trade unions and women workers before passing the bill. She asked whether the delegation believed that the anti-discrimination provisions of Law No. 13/2003 on manpower enabled women to access vocational training and provided them with sufficient protection from demotion, and whether that protection extended to indirect discrimination.

24. She wished to know what measures were planned to increase protection for workers on palm oil plantations, and particularly measures that addressed women's overrepresentation among casual workers. The State party's lack of disaggregated data on persons with disabilities hindered the application and monitoring of its quotas for their employment; she wondered how the State party ensured the commitment of private and public sector organizations to those quotas while providing particular support to women with disabilities, and whether it would commit to improved data collection. She asked how the State party would increase its support for the needs of women with leprosy.

25. It would be useful to know what action the State party had taken to criminalize sexual harassment and assault in the workplace and whether appropriate reporting mechanisms existed, along with support services for women who experienced workplace violence and discrimination. She asked how paid paternity and maternity leave provisions were implemented, whether they applied to part-time and self-employed workers and those in the informal sector, and whether paid maternity leave would be extended to at least 14 weeks. Lastly, she requested clarification of the reproductive health checks carried out in the armed forces.

26. **Ms. Darmawati** (Indonesia), speaking via video link, said that the Job Creation Law did not affect women's labour rights under Law No. 13/2003 on manpower. The Ministry for the Empowerment of Women and Child Protection promoted the creation of spaces to protect women from sexual harassment in the workplace, particularly in industrial workplaces.

27. **Mr. Sayudi** (Indonesia), speaking via video link, said that all existing labour provisions that were not addressed in the Job Creation Law, including in relation to maternity leave, remained in force. The skills and knowledge of persons with disabilities were strengthened through entrepreneurship training.

28. **Ms. Kasim** (Indonesia), speaking via video link, said that the quotas for the employment of persons with disabilities corresponded to 1 per cent of the workforce in private sector organizations and 2 per cent in organizations in the public sector. Since its ratification of the Convention on the Rights of Persons with Disabilities, the State party had adopted legislation that guaranteed the rights of persons with disabilities, including regulations on services for them. They enjoyed special access to jobs in the public sector and held positions within the staff of the President and the Ministry of Social Affairs. Persons with intellectual disabilities could attend workshops, and 15 centres located across the country provided training in areas including tailoring and agriculture to persons with disabilities.

29. **Mr. Buntoro** (Indonesia), speaking via video link, said that virginity testing was not undertaken in the army, navy or air force, without exception.

30. **Ms. Manalo** asked how the Government protected the human rights of domestic workers whose position was not recognized and who could not enjoy their rights, did not benefit from protection and lived in poor conditions. She wished to know what efforts were being made to ensure that the bill on the protection of domestic workers became law. Law No. 18/2017 to amend Law No. 39/2004 on protection of migrant workers lacked implementing regulations that focused on the protection of women migrant workers; she would welcome information on how the Government was addressing that shortcoming, particularly to protect women from traffickers in persons and from police officers involved in drug trafficking.

31. **Ms. Stott Despoja** asked whether women with disabilities were able to apply for jobs that had not been set aside for public and private sector quotas and whether the State party would commit to gathering disaggregated data. She would welcome clarification of the reproductive health checks carried out in the armed forces.

32. **Ms. Toé-Bouda**, commending the State party's adoption of universal health coverage, said that the Committee had nonetheless received reports that such coverage had not been fully achieved. She wished to know how maternal and infant mortality was prevented, and whether the HeForShe Impact Champion initiative had been evaluated and, if so, whether it could be scaled up. She asked whether the State party had implemented a full network of sexual and reproductive health-care services that enabled women in all parts of the country to access surgery to repair the effects of female genital mutilation, rates of which were extremely high in Indonesia, and safe abortion. It would be useful to know whether there was a national strategic plan that applied equally to all women, including women with disabilities.

33. It had been reported that psychiatric care facilities in the country, rather than being places of rehabilitation, were used to separate persons with disabilities from communities. There was a lack of official data on the number of women with psychosocial disabilities residing in those facilities. The abuse that was alleged to take place there included forced sterilization and the use of chains to restrain residents. She wished to know how the State party was working to bring an end to all forms of violence suffered by women residing in those facilities.

34. **Ms. Darmawati** (Indonesia), speaking via video link, said that abortion was permitted when a pregnancy posed a severe risk to the health of the woman or the fetus, or when a pregnancy was the result of rape that had caused psychological trauma to the victim.

35. **Ms. Kasim** (Indonesia), speaking via video link, said that Law No. 8/2018 on psychological health provided protection for women with psychosocial disabilities and strengthened an earlier Ministry of Health regulation of 2012. Through cooperation between the Ministry of Health and the Ministry of Social Affairs, a campaign was undertaken at the regional level to prevent the shackling of patients and to ensure that they received adequate psychiatric assistance and counselling. Public psychiatric facilities also engaged in efforts to diagnose and treat people with psychosocial disorders whose identity was unknown and to reunite them with their families.

36. **Ms. Muulti** (Indonesia), speaking via video link, said that, according to a 2015 survey, maternal mortality stood at 305 deaths for every 100,000 births, with 28.8 per cent of pregnancies leading to complications, such as extreme fatigue and hypertension. In order to reduce risk factors, women of childbearing age, women who intended to marry and pregnant women were screened. The number of prenatal check-ups had gone up from four to six, with additional screenings for complications that could arise during childbirth. There were plans to ensure that all pregnant women had access to counselling and prenatal and postnatal hospital care in public hospitals across Indonesia, to improve the overall quality of such services and to set guidelines and build capacity among doctors and nurses in local health facilities.

37. **Ms. Rosalin** (Indonesia), speaking via video link, said that the HeForShe Approach was intended to promote the role of men in reducing maternal mortality rates and counted on the participation of various organizations and community groups. One such group was Ayah

ASI Indonesia, which was composed of fathers who supported women's efforts to exclusively breastfeed their babies for the first six months. The groups were spread across Indonesia at the provincial and local levels and were supported by non-governmental and professional organizations. Members included celebrities whose support helped to promote breastfeeding across Indonesia.

38. **Ms. Susianawati** (Indonesia), speaking via video link, said that, in addition to the HeForShe Approach, a forum had been established to advocate for men's participation in promoting gender equality, reducing violence against women and lowering maternal deaths. As a reflection of the President's commitment in that regard, several male heads of regional governments had joined efforts aimed at increasing men's participation in achieving gender equality.

39. **Ms. Haidar** said that she would be interested to know how many women worked in the informal sector and what type of benefits they received. Furthermore, she would appreciate receiving disaggregated data, broken down by economic sector, on women beneficiaries of the various programmes and campaigns under way to support women's participation in the labour market and to increase their access to financial capital resources, such as microfinance loans, community savings and loan groups and cooperatives. She asked how many women micro-entrepreneurs benefited from literacy programmes in financial management, and from investment and entrepreneurship training, and what specific policies and measures had been adopted to prevent any rolling back of those gains due to the impact of COVID-19.

40. She would like to know whether there was a plan to expand affordable care for children, older adults and sick persons, in order to reduce women's unpaid care work. She would appreciate receiving detailed information on the evaluation of social protection schemes that supported women heads of households and those working in the informal sector, including food subsidies and disability allowances. Lastly, it would be useful to learn what social benefits, including pensions, were provided to the most vulnerable and poorest women and to those who did not contribute to the tax system.

41. **Ms. Nadaraia** said that most indigenous communities in Indonesia reportedly lacked adequate legal recognition owing to a poorly established and implemented regulatory framework.

42. Between 2001 and 2017, Indonesia had lost 24 million hectares of forest cover. Deforestation on such a massive scale threatened the well-being and culture of indigenous populations. She wished to know what specific policies and actions the Government envisaged taking to recognize and protect indigenous women and their community rights to land and forest; how it would ensure their involvement in policymaking regarding the management of those territories; and what measures it would take to provide displaced indigenous communities, including women, with just, fair and equitable compensation or a settlement from companies operating oil palm plantations.

43. Owing to their limited knowledge and skills, women often had to borrow money from private loan sharks, which put them in a weaker position to compete economically. Was there any form of Government assistance to rectify that situation?

44. Furthermore, women in rural areas had limited access to healthy, safe and affordable sanitation. Toilet facilities often became places for violence and sexual harassment. She wished to know what measures were envisaged to improve that situation and what policies were being implemented to overcome discrimination and violence, as well as to target the root causes of hunger and malnutrition.

45. Asylum-seeking, refugee and stateless women and girls experienced discriminatory practices and policies in the national education, employment, health and birth registration systems. Asylum seekers and refugees in Indonesia were currently unable to work legally, which meant that they were unable to provide for their basic needs, leaving refugee women and girls at risk of exploitation, abuse, survival sex, criminality and other negative coping mechanisms. She wished to know what strategies had been developed to fully implement Presidential Regulation No. 125 of 2016. on the treatment of refugees.

46. Indonesian authorities failed to protect the basic rights of lesbian, gay, bisexual, transgender and intersex women. The Islamic criminal code, which criminalized same-sex relationships, had come into effect in 2015. Given reports that police had arbitrarily arrested transgender women and women accused of “lesbian deviant behavior”, she wished to know whether there were any plans to revise that code.

47. **Ms. Darmawati** (Indonesia), speaking via video link, said that the Government had taken measures to protect the rights of women and girls, the details of which she would set out in writing and transmit to the Committee. The Government was currently drafting a presidential regulation on national entrepreneurship that would include information on women’s progress in that area. Replies to the Committee’s questions on extreme poverty, customary laws and refugees would also be provided in writing.

48. **Ms. Kasim** (Indonesia), speaking via video link, said that social protection of women was one of the national priorities for the Ministry of Social Affairs and that the Family Hope Program primarily targeted women, although there were also schemes for older persons and persons with disabilities. The programme, which had been extended to more than 10 million families, was expected to decrease extreme poverty, but it had also proved to be successful in bringing about positive social change in terms of health and lifestyle.

49. **Ms. Putri** (Indonesia), speaking via video link, said that women’s access to capital began with efforts to teach financial literacy to aspiring women entrepreneurs. Completion of such training would facilitate access to a variety of sources of capital for women’s entrepreneurial projects.

50. **Mr. Abdi** (Indonesia), speaking via video link, said that, since 1999, the Government had carried out a series of national action plans on human rights targeted at women, children, persons with disabilities and members of customary law or adat communities. Those plans had included strategies for strengthening the legal frameworks governing those communities, defusing conflicts between their members and increasing the communities’ participation in issues directly concerning them. A regulation had been issued on the provision of legal aid services for members of adat communities, including women living in villages. Indonesia would continue to promote the rights of women in adat communities and to protect them from the negative impact of the oil palm industry.

51. **Mr. Habib** (Indonesia), speaking via video link, said that, in 2012, the Constitutional Court had handed down two landmark rulings recognizing the collective rights of indigenous communities to customary land and forests, which enabled the planning and use of forests to be governed by communities. A number of amendments had been made to bring the relevant regulations into line with those rulings. The Government had improved the protection of forests through a series of ministerial decrees which, in 2019, had covered almost 1 million hectares (ha) of forest, and had urged all provincial governments to undertake steps in that regard at the local level. The Ministry of Environment and Forestry had entered into multi-stakeholder partnerships to address issues related to land rights and had set up a task force to accelerate the designation of forests as reserve areas. Between 2016 and 2020, the President had granted forestry rights to 66 different communities to ensure adequate management of resources, food security, conservation of biodiversity and environmental protection.

52. Indonesia was not a party to the 1951 Convention relating to the Status of Refugees. However, the rights of asylum seekers were protected under the Constitution and Law No. 39/1999 on human rights. Presidential Decree No. 125 had been adopted in 2015 to guarantee refugees’ rights to life, health, shelter and education. The country also worked to protect the rights of refugees in cooperation with the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration. Refugees’ right to work was not recognized under Indonesian labour laws. Nevertheless, the Government saw no urgency in ratifying the 1951 Convention since refugees’ rights were sufficiently safeguarded under the existing legal framework.

53. **Ms. Manalo** said that she wished to know what was being done to address the lack of recognition of women’s contribution to agriculture, despite the fact that most farmers were women, and to ensure that women had sufficient access to the funds received by villages every year from the central Government. She would be interested to hear what measures

would be taken to provide access to clean water and sanitation, especially in the east of the country, and to protect women who used communal toilets from violence and harassment.

54. It would be useful to know what policies and actions the Government would implement to recognize and protect the rights of indigenous women to forests and land, in order to ensure that they were able to earn a living or supplement their income through the sale of products such as traditional handicrafts or the exploitation of their lands. She wondered what steps the Government would take to guarantee that women participated effectively in the formulation of policies related to the management of indigenous territories. She asked what measures the State party would take to ensure that indigenous women who had been displaced and subsequently resettled were involved in planning decisions and that they received fair compensation.

55. **Ms. Haidar** said that wondered whether the State party was conducting marketability studies for women entrepreneurs who were struggling to lift themselves out of poverty and whether they were provided with guidance on how to progress.

Articles 15 and 16

56. **Mr. Safarov** said that he wished to know when the State party would recognize men and women as equals in family matters and when it would amend the provisions of the marriage law and Civil Code that directly discriminated against women. He would be interested to learn when the State party would prohibit courts from granting exemptions to the minimum age of marriage and uphold the law setting the minimum age at 19 years. It would be useful to know when the Government would criminalize forced marriage, and what training was provided to judges and law enforcement to combat cultural and patriarchal stereotypes. He would like to know what action the State party would take to establish and implement effective rights to maintenance for children of unmarried or divorced parents and to eliminate forced marriages performed in certain regions, including a practice on the island of Sumba whereby the woman was kidnapped by the groom's family and forced to marry him against her will. It would be interesting to know when the Government would prohibit polygamy. Did the State register polygamous marriages or were they solely customary? He asked what obstacles prevented Indonesia from ratifying or implementing international conventions pertaining to family rights, including the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, the International Labour Organization (ILO) Workers with Family Responsibilities Convention, 1981 (No. 156) and the ILO Maternity Protection Convention, 2000 (No. 183), and how child custody was regulated in the country, especially if the parents were foreigners.

57. **Ms. Darmawati** (Indonesia), speaking via video link, said that the abduction of women for forced marriage was illegal but it was part of the traditional culture on Sumba, which generally respected the rights of women. Such practices were reported to the police and investigated.

58. **Ms. Erni** (Indonesia), speaking via video link, said that a bill was being debated that contained a national strategy to prevent child marriages at the national and local levels and established a framework for cooperation with all relevant stakeholders to that end. A joint commitment had been made with the Indonesian Women's Ulama Congress in order to raise the age of marriage to 18 years. A campaign had been carried out in the mass media and children's forums, in collaboration with women's organizations, to raise public awareness of the issue, and agreements to reduce child marriages had been made with governments of regions where they were prevalent.

59. **Ms. Darmawati** (Indonesia), speaking via video link, said that the issues raised were very complex, especially given the constantly changing social and political environment and the COVID-19 pandemic, which posed unique challenges. The pandemic had made shortcomings inevitable, in spite of comprehensive policies to uphold women's rights. Nevertheless, the Government remained committed to working with the Committee and other human rights mechanisms in that regard and would make every effort to implement the Committee's recommendations in close cooperation with all stakeholders.

The meeting rose at 12.05 p.m.