



**Convention on the Elimination  
of all Forms of Discrimination  
Against Women**

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventh session

SUMMARY RECORD OF THE 110th MEETING

Held at Headquarters, New York,  
on Friday, 19 February 1988, at 10 a.m.

Chairperson: Ms. BERNARD

later: Ms. SOUMARE

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The meeting was called to order at 10.20 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Indonesia (CEDAW/C/5/Add.36/Rev.1 and Amend.1)

1. At the invitation of the Chairperson, Mrs. Luhulima (Indonesia) took a place at the Committee table.
2. Mrs. LUHULIMA (Indonesia), introducing her country's initial report, said that it was Indonesia's goal to integrate women in development as equal partners with men. In 1985, women had accounted for 50.23 per cent of Indonesia's total population. In 1987, there had been 82 women members of the People's Consultative Assembly and between 1978 and 1988 seven women had acted as Committee Chairman of the House of Representatives.
3. The Guidelines of State Policy included a chapter on the role of women in development. Provision was made in the State budget for programmes to enhance the role of women under the Five-Year Development Plan. National programmes were being formulated with a view to overcoming such obstacles to the advancement of women as illiteracy, limited knowledge about child care, health, nutrition and sanitation, limited vocational skills, low self-esteem and certain traditional social and cultural values. Those programmes were being implemented by government agencies and institutions and by women's and voluntary organizations and had made local governments and women themselves aware of women's potential for contributing to activities benefiting the entire community.
4. In the political sphere, women served on the Central Governing Body of the Functional Group (Golongan Karya), the General Governing Body of the United Development Party and the Central Governing Body of the Indonesian Democratic Party. Both the Minister of State for the Role of Women and the Minister of Social Affairs were women. In addition, Indonesia had participated in various international women's conferences and was represented in the International Research and Training Institute for the Advancement of Women, the Committee on the Elimination of Discrimination against Women, the Commission on the Status of Women and the Association of South East Asian Nations Women's Programme and Confederation of Women's Organizations.
5. In the area of education, in 1985 approximately 70 per cent of Indonesian children from 13 to 15 years of age had been enrolled in the three-year junior high school programme, while 53 per cent of all boys and 41 per cent of all girls had been enrolled in the three-year senior high school programme. Women accounted for 30 per cent of the total number of students enrolled in higher education.
6. Between 1980 and 1985, the proportion of women in the labour force had increased from 32.7 per cent to 36.8 per cent. Of the 67.3 per cent of Indonesian women remaining outside the labour force in 1980, 15.9 per cent had been attending school and 40.8 had been engaged in housekeeping activities. By 1985, the

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(Mrs. Luhulima, Indonesia)

proportion of women had declined to 62.4 per cent, with 20 per cent attending school and 33.7 per cent engaged in housekeeping.

7. Women's participation in economic activity was influenced by demographic, social and cultural factors. Working age women had shifted from the agricultural sector to the industrial sector between the 1960s and the 1970s. However, because they lacked skills and education, they were largely employed in services, trade and food processing. In difficult economic times, the informal sector enabled women to maintain their source of income.

8. As employment was an area of major concern, enhancing the role of women through income-generating activities was a principal component of national women's programmes. Moreover, the Department of Education and Culture was implementing functional literacy programmes for women, while the Department of Co-operatives was providing direct assistance to co-operative members who participated in self-help groups. The Directorate of Small Scale Industry had implemented a small-scale project for rural women which, since 1981, had been applied in more than 208 villages.

9. In the area of health, it was projected that the country's population growth would decline from its current rate of 2.1 per cent to 1.9 per cent by the end of the century, while life expectancy at birth would rise from 58.19 to 64.05 years. She drew attention to sections of the report containing information on the overall death rate, as well as the rates for infant and maternal mortality. Achievements in health delivery included the construction of local health centres and the launching of the Family Nutritional Improvement Programme. The family planning programme endeavoured to ensure substantial involvement on the part of women, and a large number of non-governmental organizations were active in rural areas. The Family Welfare Movement constituted the backbone of health development through its promotion of the country's national health programme. Local health centres run by village communities through the members of the Family Welfare Movement provided a comprehensive health delivery system. Community involvement was also ensured by the participation of local families in the Health Fund, which would possibly pave the way for the introduction of a community health insurance scheme in the future.

10. The Marriage Law promulgated in 1974, which had greatly strengthened the position of married women, stipulated that marriage must be based on the consent of both parties, that the rights of the wife were equal to those of the husband and that both parties were fully entitled to participate in legal proceedings. Conjugal property was owned jointly and in common. However, since a large number of women, particularly in rural areas, remained unaware of their legal rights, the provision of legal advice and information on the Marriage Law was accorded high priority.

11. To sum up, the Indonesian Government's ratification of the Convention was positive proof of its solidarity with efforts to eliminate all forms of discrimination against women. Its commitment to all women's issues had created an

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environment conducive to the integration of women in development. Non-governmental organizations and women's organizations had also shown themselves to be effective vehicles for change, while active community participation in the planning and operation of programmes in such areas as literacy training, health care, sanitation, vocational training and understanding of the law was essential for further success. In order to be effective efforts to improve the status of women must involve both men and women and required the incorporation of women's and development issues in policy formulation from the earliest stages. All development projects must take account of the impact they would have on women and the extent to which women contributed to and benefited from their implementation. The successful pursuit of the policies outlined in her country's report would help to ensure harmonious interaction between men and women and thus to create a just and prosperous society.

12. Ms. SINEGIORGIS said that she had been pleasantly surprised to learn from the report that the Indonesian women's movement dated back to the nineteenth century, and she saluted its heroic struggle against colonialism. However, the report gave the impression that most of the measures taken by the Government were not really in the interest of women themselves. The statement that women's role in development should be based on their role in creating healthy and prosperous families was open to question, as was the assertion that women were responsible for the development of the next generation. That important task should surely be shared by men and women alike. She also requested further information on the concept of the Indonesian man of integrity mentioned in the report.

13. Ms. EVATT, agreeing with the comments made by Ms. Sinegiorgis, said that it was encouraging, given Indonesia's burgeoning population and considerable development problems, to see its clear desire to recognize the contribution of women and to promote their participation in the country's development. However, the report placed undue emphasis on women's role in raising children and maintaining the home, rather than in economic development, policy-making, business and management. Such an emphasis would tend to perpetuate inequalities.

14. Ms. TALLAWY said that, despite Indonesia's obvious efforts to improve the status of women, the report gave the impression that its main objective was not so much the progress of women as the progress of society or the family. Such an impression might be due to the particular attitude of the individual who had written the report but, in any event, the result was to describe a situation which was inconsistent with the provisions of the Convention.

15. The report's statement that the traditional social and cultural value system did not provide sufficient support for the aspirations of women to play an active role in national development was discouraging, as was the admission that a large number of women remained unaware of their legal rights. It was extremely important that the Government should take action to deal with such problems. However, the admission that no reliable data were available concerning the participation of women in delegations to international conferences deserved commendation for its frankness.

16. Ms. SALEMA said that members of the Committee had found the first draft of Indonesia's initial report impossible to read but were grateful for the amended version and the oral introduction provided at the current meeting. She was concerned about the Indonesian Government's attitude to male and female roles in the family, in view of the statement that the husband was the head of the family and its provider, while the wife was the head of the household. It was difficult to reconcile such a view with the principles of equality expressed in the Convention.

17. She also wondered how the concern for human rights and fundamental freedoms expressed by the Government could be reconciled with recent statements by the Women's International League for Peace and Freedom to the Commission on Human Rights, to the effect that such rights and freedoms were being violated in certain parts of Indonesia. She wished to know whether such statements were true and, if so, what effect those violations had on families and the rights of women. The statements indicated that the Government's resettlement policy could have very adverse effects on families. She requested all possible information on that subject, particularly with reference to the situation of women and families.

18. Ms. VELIZ DE VILLALVILLA regretted that the amended version of the report had not been made available until the meeting, and then only in English. Despite the Indonesian Government's obvious efforts to improve the status of women, the de facto situation did not appear very encouraging. She requested further information on the Marriage Law and asked specifically whether it established a minimum age for marriage, whether it provided for the free choice of a spouse and how it dealt with polygamy. With regard to maternity, it was not clear what actual rights a woman enjoyed during pregnancy. She asked why two different minimum voting ages were cited in the report and inquired as to the nature of the "prerequisites" mentioned in article 17 of the Law concerning Basic Education. She had been struck by the reference, in the statistical tables, to the economically active population "10 years of age and over" and requested further information on the implications for children of employment at such an age.

19. Ms. GUAN Mingqian said that the Indonesian Government had made a great effort to attain the objectives of the Convention, even though the report made it clear that inequalities persisted in Indonesian society. As a woman from an Asian developing country, she was well aware of the efforts required of such countries in order to develop their economies and to raise the level of education and women's awareness of their situation. She also appreciated how difficult it was to move beyond entrenched stereotypes and social customs.

20. Ms. LAIOU-ANTONIOU said it was regrettable that after playing a leading role in the struggle against colonialism and for independence, Indonesian women had been forced to revert to a subordinate role in the post-independence period. The Government was to be congratulated for having formulated a specific policy for achieving equality. However, that policy overwhelmingly reflected a stereotypical conception of women's role in society and therefore would not necessarily promote the implementation of the Convention. She drew attention to portions of the 1983 Guidelines of State Policy and to the government policy entitled "Eight Paths of



(Ms. Laiou-Antoniou)

Equity" which emphasized the importance of women as housewives and mothers, and asked whether similar guidelines existed for men. Consideration of religion and custom notwithstanding, legislation could be interpreted in ways discriminatory to women, an unfortunate situation given Indonesia's obvious political commitment to improving women's status.

21. Like Ms. Salema, she wished to learn more about alleged human rights violations in Indonesia, as such information was directly relevant to the work of the Committee.

22. Ms. FORDE observed that the wide-ranging report was well supported by statistical data. It was also quite frank, since it allowed readers to reach their own conclusions about the actual position of women in Indonesian society even as it described the Government's efforts to improve that position.

23. In view of the fact that Indonesia had had a strong women's movement as early as the nineteenth century, she wondered how such vigorous women were reacting to the passive role assigned to them in contemporary Indonesian society.

24. Ms. ESCOBAR said that, like previous speakers, she was somewhat perplexed by the persistence of many forms of discrimination against women in Indonesia. She asked what the Indonesian National Commission on the Status of Women had accomplished since its establishment in 1968 and whether it had undergone any fundamental changes during its existence. She also sought further information regarding the relationship between the Commission and non-governmental women's organizations. It would be useful to know the degree of autonomy enjoyed by both and the size of their budgets.

25. Noting that "belief in the One Supreme God" was the first basic principle of Pancasila, she asked whether Indonesians who were agnostic were punished or in any way barred from participation in public life.

26. According to the report, women enrolled in universities continued to study traditional subjects; she wondered whether anything was being done to change that situation and also whether anything was being done to raise women's low literacy and school enrolment rates. Information about the number of women enrolled in agricultural and industrial courses would also be welcome.

27. It was unfortunate that the report provided no information about women's wages and participation in the labour market or about child-care facilities for working women. With regard to family planning, she had been somewhat surprised to note that child allowances were not granted in respect of more than three children and inquired whether that sanction was applicable in the case of fathers as well as mothers. She also noted that the report contained no information whatsoever regarding abortion.

28. According to the report, Indonesian men who wished to engage in polygamy required the wife's approval and consent of the court. As a Western woman, she

(Ms. Escobar)

found the notion that women must not only consent to but actually aid and abet polygamy rather disconcerting.

29. She endorsed the remarks made by Ms. Salema with regard to the situation of human rights in Indonesia.

## Article 2

30. Ms. EVATT asked whether the office of Minister of State for the Role of Women had been established at the highest level of Government; it was her impression that the post was a relatively junior one. As budget allocations for the Ministry had been restricted, thereby compromising the Government's ability to develop programmes for rural women, she wished to know whether any changes in that situation were contemplated.

31. It would also be useful to know whether the Indonesian Government intended to introduce any institutions that would enable women to lodge complaints in cases of discrimination. She asked whether any sanctions against discriminatory acts currently existed in either the public or private sphere.

32. Ms. CORTI said that the introductory statement by the representative of Indonesia had greatly enhanced her understanding of the report. She was, however, somewhat troubled by the considerable emphasis placed, throughout the report, on the role of women as mothers.

33. The report noted that a special chapter of the Guidelines of State Policy was devoted to the role of women in development in a number of fields, including defence. She wished to know what women's role in national defence was: did Indonesian women perform military service for example?

34. She wished to stress that the Committee's questions were not intended as criticism or as interference in the customs or philosophy of individual countries. The Committee's task was to ensure that States parties complied with the provisions of the Convention. While that instrument acknowledged women's role as mothers, it placed equal emphasis on their role as citizens and free individuals. One of Indonesia's major policy objectives for enhancing women's role in national development, however, was phrased in terms of "their contribution in building a strong foundation for the Indonesian nation to grow and develop". That perspective seemed to conflict with the idea of women's development as individuals. The importance of motherhood was also emphasized in government programmes that stressed children's welfare; she believed that maternal welfare was equally deserving of attention.

35. While one government programme endeavoured to increase women's presence in the labour force and provide them with "reasonable wages", the Convention spoke of equal wages for women and men. She asked what was meant by the term "home industries" on page 14 of the report.

Article 4

36. Ms. WADSTEIN asked whether the Indonesian Government intended to accelerate women's involvement in traditionally male-dominated activities by means of such measures as preferential treatment and quota systems.

Article 5

37. Ms. EVATT said that the report showed that article 5 required further study by the Indonesian Government. She wished to know whether any action was being taken to identify social and cultural patterns and practices that were based on a stereotyped conception of men's and women's roles and whether steps were being taken to overcome those patterns and practices. She also wondered whether patterns of behaviour differed between the urban middle class and the rural population; for example, were households headed by men more predominant in rural areas?

38. Ms. ESCOBAR asked whether any campaigns had been undertaken in Indonesia to inform women about the Convention.

39. Ms. WADSTEIN requested information about the impact of religious institutions on Indonesian women's struggle for equality.

40. Ms. MONTENEGRO DE FLETCHER endorsed the requests made by Ms. Escobar and Ms. Wadstein. She also wished to learn more about the Indonesian Government's specific programmes for overcoming certain persistent social and cultural problems common to developing countries, which hampered the acknowledgement of women's equality in such countries. Obviously, the problem of achieving equality was not a legal one in Indonesia, since the principle of equality was enshrined in Indonesian law. Nevertheless, the country's large population, 70 per cent of which lived in rural areas, and the proliferation of religions complicated the Government's task enormously. She asked whether government programmes reached the rural population and what role non-governmental women's organizations played in those programmes.

41. Ms. PILATAXI DE ARENAS asked what could be considered the Government's major effort to improve the training being offered to women and whether women were being educated about their rights as part of the educational curricula. The report's emphasis on women's role as homemakers above all else was a clear example of discrimination. What was the rate of school enrolment for girls? Indonesian law allowing girls to begin working at the age of 10, presumably as domestic help, surely contributed to women's ignorance. Was there any special educational programme to deal with the serious problems of rural women? It was also not clear how State schools, in which the various religions were taught, worked as a unified system.

Article 6

42. Ms. CORTI said that Indonesian law was commendable in providing equal punishment for adultery by men or by women and in seeking to protect minors against rape. Had the law really abolished prostitution, especially the prostitution of minors? She wondered whether providing religious education would prove effective



(Ms. Corti)

in rehabilitating prostitutes, and whether the criminal law against sexist publicity had eliminated that problem.

43. Ms. ESCOBAR asked whether men, who were equally involved in prostitution, were also being offered religious rehabilitation. Noting that the maximum penalty for adultery was 12 years but that for traffic in women and minors only 6 years, she asked whether the latter was considered less serious by the Government. She would be interested in information on any laws regarding battered women and any centres established for them.

44. Ms. EVATT asked whether the Government was planning to make it an offence for a man to rape his own wife, a step that was needed to ensure the equality of men and women in marriage.

#### Article 7

45. Ms. EVATT asked how many non-governmental women's organizations there were in Indonesia, how many members they had and from what areas of life their membership was drawn, how they were funded and how their leaders were elected. She wondered whether they were truly independent organizations representative of the whole spectrum of society or whether they were limited to the narrow range of the middle class.

46. She wished to know whether political participation by women was confined to middle-class women or whether there were real opportunities for village women to participate in serious policy decisions.

47. Ms. ESCOBAR said that she had been agreeably surprised to learn that there had been women in Indonesia's Parliament since 1971 and wondered whether women candidates made a point of including women's issues in their election platforms. She would also like to know whether there were any women among the 30 per cent of deputies appointed directly by the President.

48. Ms. WADSTEIN asked for more information about Indonesia's highest political institution, the People's Consultative Assembly, and whether it served only as an advisory body. How many women were there among the representatives of functional groups appointed to the Assembly by the President, and did those groups include women's organizations? Also, were there any women among the many military personnel apparently appointed to the Assembly by the President?

#### Article 9

49. Ms. EVATT observed that the Citizenship Act, in recognizing the "principle of the unity of citizenship in marriage" (p. 20 of the report), apparently interpreted that principle as meaning that the woman's civil status always depended on that of the man. Did Indonesia intend to revise its citizenship laws to give women equal rights in acquiring citizenship or passing it on to their spouses and children?

50. Ms. LAIOU-ANTONIOU asked whether a non-Indonesian man married to an Indonesian woman could acquire Indonesian citizenship. Noting that, under the law, children under 18 years of age with legal ties to their father did not acquire their mother's citizenship, she asked whether the Government was planning to amend the Citizenship Act to eliminate that clear discrimination against women and to conform to the Convention.

#### Article 10

51. Ms. EVATT observed that the report reflected a clear difference in educational levels between men and women and between rural and urban women and asked whether illiteracy programmes were having any impact.

52. Ms. LAIOU-ANTONIOU asked whether education was compulsory at any level; what percentage of students in the different grades attended State schools and what percentage attended private schools; what percentage of schools were religious schools and whether they were State-run or private; what the overall illiteracy rate was in Indonesia; and whether sex education was being provided in schools in order to discourage large families. She would like more information about the Small Business Learning Fund Programme (p. 31 of the report): for instance, who was financing it and was the money being used only for training or also for equipment? She had been astonished to read that 99 per cent of kindergartens were run by women's organizations and wondered who provided the money for such a vast undertaking.

#### Article 11

53. Ms. GUAN Mingqian asked whether women had free choice of a profession and what percentage of women were employed in the various fields of occupation.

54. Ms. WADSTEIN said that the report gave the impression that some provisions safeguarding equal employment applied only to the public sector and that there were virtually no rules for the private sector. She wondered whether that was indeed the case. Noting the different minimum and maximum pension ages for men and women workers, she asked whether there was a mandatory retirement age and whether women's life expectancy was a factor in establishing the distinction in question. She also wished to know precisely what the Government had done to persuade trade unions not to discriminate against women and whether the work safety provisions mentioned in the report discriminated against women and, if so, what could be done about it. The ordinance prohibiting women from doing night work seemed to have been prompted by the belief that a woman's place was with her children.

55. Ms. LAIOU-ANTONIOU requested statistics on the country's overall unemployment rate and the rates for men and women. Almost all employment programmes seemed to be geared towards jobs traditionally held by women and she wondered whether, despite the fact that most rural women were illiterate and unskilled, programmes might not be developed that sought to eliminate discrimination on the labour market.

56. Ms. FORDE asked whether article 7 of the Civil Employment Act, stipulating a person's right to appropriate remuneration in accordance with his/her work and responsibilities, meant that workers were paid according to their status and the nature of their work, or whether it meant that responsibilities were assigned according to different standards. She would like to have information on the role of trade unions in Indonesia and the role of women within such unions. On whose authority - their own or that of the Ministry of Manpower - had trade unions made the distinctions between men and women in the area of social security rights referred to on page 35 of the report?

#### Article 12

57. Ms. LAIOU-ANTONIOU said that she had been shocked to learn from pp. 41-42 of the report that complications of pregnancy and childbirth accounted for 2.5 per cent of all deaths and that 70 per cent of pregnant women suffered from iron deficiency anaemia. She wondered whether there were any national or international programmes to help combat that massive problem. She also wished to know whether abortion was legal in Indonesia and whether it was covered by social security.

58. The report stated that one of the objectives of the family planning programme was to encourage women to have small families. Other countries encouraged women to have larger families, and she viewed all such efforts as part of an international conspiracy to determine family size according to political considerations. Family planning programmes should not make any recommendations as to family size but should simply give women the information they needed to make their own choice. Was Indonesia's family planning programme actually trying to direct women's choice?

#### Article 16

59. Ms. EVATT observed that Indonesian law as it now stood did not adequately ensure the equality of husband and wife in marriage, since it treated the husband as the "head" of the family and permitted polygamy. She noted, moreover, that illegitimate children had legal ties only to their mother. She wondered what steps were contemplated to remedy that situation. With regard to polygamy, she would like further information on the interaction between religious law and civil marriage laws. She would also like more information on the Government's legal aid programmes for women.

60. Ms. LAIOU-ANTONIOU asked whether the Government had any plans to amend family law, which was full of discrepancies.

61. Ms. CARON said that the Indonesian legislation relating to article 16 was highly discriminatory against women. She wished to know whose name a woman took when she married, whether the law imposed any obligations in that respect and whose name the children took. She also wished to know what grounds for divorce existed under Indonesian law.

62. Ms. FORDE asked whether de facto unions had any legal status in Indonesia.

63. The CHAIRPERSON said that the Committee had concluded its consideration of the initial report of Indonesia.

64. Mrs. Luhulima (Indonesia) withdrew.

The meeting rose at 1 p.m.