



INTRODUCTORY STATEMENT BY  
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BEFORE  
THE 39<sup>TH</sup> SESSION OF THE UNITED NATIONS  
COMMITTEE ON THE ELIMINATION OF  
DISCRIMINATION AGAINST WOMEN

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**PERMANENT MISSION OF THE REPUBLIC OF INDONESIA TO THE UNITED NATIONS**

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Madam Chairperson,  
Distinguished Members of the Committee,

It is my pleasure to introduce the combined Fourth and Fifth report of the Republic of Indonesia on the progress made in the implementation of the Convention on the Elimination of All Forms of Discrimination against Women. I do so against the background of the 25<sup>th</sup> anniversary of the Convention and wish to congratulate the Committee on its sterling contributions to the elimination of discrimination against women universally.

I am proud to share with you that during the 25 years of its existence, four of Indonesia's best women experts contributed to the work of the Committee. Their experiences and insights as Committee members have had an impact on national efforts to improve the status of Indonesian women.

Let me begin by expressing my Government's appreciation for the Committee's understanding of the reasons for the delay in submitting our periodic report. It is worth noting that in the preparation of that report, we always took into account the observations and recommendations of the Committee's concluding comments. The drafting process took place over the period 2000-2003. Various stakeholders, ranging from representatives of related government agencies to non governmental organizations, members of Parliament, community organizations, religious and community leaders as well as academicians participated. Small working groups, comprising several eminent experts, were established to refine the draft. They worked throughout 2004.

Like all UN Member States, Indonesia has been challenged by the ideals of the Convention. Respect for and promotion of the rights of women has always been a priority of my government's agenda. This is reflected by the fact that women's issues have been integrated into the country's development programmes. Indonesia has therefore taken many decisive steps to implement the various provisions of the Convention as shown by our combined report which covers the period 1995-2003. The report notes the significant changes that have taken place in all areas of life in Indonesia during that period. Since then, other progressive steps have been taken. This stems from the fact that the situation of women in Indonesia is highly dynamic. New developments occur regularly.

Therefore, whatever progress would have been covered during the reporting period, account would not have been taken of the more recent developments affecting women. My introduction is thus intended to bridge that information gap. Much of what I shall be sharing with Committee Members can be found in the document which provides responses to issues and questions raised in relation to the contents of our combined fourth and fifth periodic report.

Allow me now to introduce the key members of the Indonesian delegation:

Alternate Head of Delegation is Ambassador Adiyatwidi Adiwoso Asmady, our Charge d'Affaires/Deputy Permanent Representative of the Indonesian Mission to the United Nations. My two Deputies responsible for the enhancement of the quality of women's life and gender mainstreaming are also with us, Ms. Setiawati and Mr. Suryadi Soeparman. Our gender experts include Prof. Nassaruddin Umar and Dr. Musdah Mulia from the

Ministry of Religious Affairs; Mr. Lalu Sudarmadi from the National Coordinating Agency for Family Planning; Ms. Sri Handayaningsih from the Ministry of Manpower and Transmigration; Ms. Harniati from the Ministry of Agriculture; Ms. Sri Hermiyanti from the Ministry of Health; Dr. Soedjarwo from the Ministry of Education; and Mr. Agung Mulyana from the Ministry of Internal Affairs. From the NGO community, we have Ms. Rita Kalibonso, Ms. Asna Husin, Ms. Sita Aripurnami, Ms Tessa Dwiayuni Saraswati and Ms. Edriana.

Madam Chairperson,

Indonesia is a vast, archipelago of more than 17 thousand islands. Ours is a multi-ethnic, multi-lingual country with a population size of more than 220 million and almost 87 per cent of the people are Muslim. The period covered by this report constitutes one of the most important phases of Indonesia's development as a nation. After the downfall of the Suharto regime, Indonesia began transforming itself into a new State based on the following principles of reform: namely, democratization, economic rehabilitation, respect for and protection of human rights, the upholding of the rule of law, and wide-ranging decentralization

During this period, we proudly witnessed a monumental event of relevance to this Committee. Ms. Megawati Soekarnoputri became the fourth and the first woman President of Indonesia.

Against this backdrop, allow me to share with the distinguished Members of the Committee the achievements we have made since our last report in 1998. Many challenges persist which hamper full implementation of the Convention. However, strategic plans have been adopted to address those challenges and to further advance our endeavors toward attaining gender equality. Strong emphasis has been given to the need for partnership among all stakeholders at all levels to eliminate discrimination against women.

Madam Chairperson,  
Distinguished Members of the Committee,

The current reform era has opened up opportunities for Indonesian women to voice their concerns. They can now call for equality between men and women in all spheres of life. Women's organizations have developed substantial strength and are pressing for the elimination of discrimination against women. They see the need for women's empowerment and gender equality at all levels of society.

In this regard, let me point out our latest legislative achievements.

To address violence against women, Law No. 23 of 2004 was passed on 8 December 2004. It consists of 56 articles and specifies the definition of violence to be used in providing protection for potential victims. It is intended to promote human rights, achieve gender equality, eliminate discrimination, punish perpetrators of violence and maintain the harmony of the household. The Law also highlights the roles of the government and the community in protecting and rehabilitating victims. In 2006, the Government, wanting to give full expression to the Domestic Violence Act of 2004, passed the Regulation on the Organization and Management of Victims Rehabilitation. In that same year, the Protection of Witnesses and Victims Act was also passed.

To ensure equality of treatment for women, the Health Act is being amended to ensure inclusion of women's reproductive health and rights. Last year the Citizenship Act was amended to prevent discrimination against Indonesian women with foreign spouses. Likewise, the Population Act was also amended to guarantee the availability of birth certificates to poor families and their new-born babies in order to safeguard them from predatory businessmen involved in the illegal deployment of women migrant workers overseas. Over the next five years 2.4 million of these certificates will be distributed to these families. The certificates will help to curb identification fraud involved in human trafficking.

Human trafficking is a particular form of abuse that hits women very hard. Around 77 per cent of the 2.1 million Indonesian migrant workers abroad are women. But there isn't only overseas human trafficking, there is also internal trafficking. While the Child Protection Act provides 3-15 year prison sentences plus fines for child traffickers, the Act on Elimination of People Trafficking, Law No. 21/2007, affords protection to victims of all ages. Almost always, violence attaches itself to human trafficking. In spite of laws prohibiting domestic and other forms of violence against women, traffickers gravitate to women as soft targets to gain immoral profits and use extreme violence against their victims as a form of social control.

As part of the response to the challenge of trafficking, our Second National Action Plan on Human Rights has facilitated preparations for the ratification, inter alia, of the Convention for the Suppression of Trafficking in Persons, the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the Optional Protocol to CEDAW. These are priority undertakings for the period 2004-2009.

In addition to legislative measures to protect women migrants who risk becoming victims of traffickers, a special agency consisting of various line-ministries has been set up. This body will evaluate and monitor the movement of migrant workers abroad. Improved practical arrangements concerning the recruitment, pre-departure, placement and returning system have been instituted under a "one-roof service". As a further form of assistance in this area, advocacy and capacity building are being undertaken among all social groups. This is expected to increase awareness of the issues surrounding trafficking and build up commitment to activities designed to stop the practice.

In 2006, at the invitation of the Government, the UN Special Rapporteur on the human rights of migrants visited Indonesia. The visit allowed the Rapporteur to examine all aspects of the migration process from Indonesia, giving particular attention to the situation of female domestic workers, both those living inside and outside the country. The Rapporteur recommended that steps be taken to improve the regulation and monitoring of the recruitment process of such workers. Aware of the trans-boundary nature of the problem, Indonesia has established an MoU with Malaysia, Jordan, Hong Kong, as receiving countries, to ensure the protection of women migrant workers in these States.

Another area that has been subjected to scrutiny and corrective action is marriage. In ensuring that existing laws and regulations are not contrary to the provisions of CEDAW, various stakeholders collaborated closely to review the outdated Law of Marriage. This law, structured according to the light of the Convention, deals with a number of marital issues, including polygamy and the minimum age for marriage.

Still in the area of law, the 2007 Law on Natural Disaster Management incorporates provisions concerning the basic needs of women during the emergency phase of natural disasters. It calls for the availability of women's dormitories, maternity barracks where new mothers can breastfeed and where contraceptive and counseling services can be offered. The Ministry of Health is also currently preparing a manual on Emergency Reproductive Health Services.

While steps are being taken to have emergency facilities set up, there are facilities already in existence that are improving women's quality of life. Women and Children Centers are operating in 17 provinces to protect women and enhance their conditions of life. There are other supporting agencies at work all over Indonesia designed to empower women. These are Women Studies Centers that are conducting research on gender issues for policy formulation by provincial governments. They also engage in advocacy with a variety of stakeholders whose activities impact the lives of women.

As an additional step to free Indonesian women of undesirable social constraints, the Indonesian Parliament has instituted the Long-Term Development Plan 2005-2025 which addresses the issues of gender, women and children, including matters pertaining to violence, exploitation and discrimination against women and children.

Along with national legislative measures, the Government has sought to consolidate the position of women by ratifying two major international covenants. Through Law No. 11 of 2005, the Government ratified the International Covenant on Economic, Social and Cultural Rights and through Law No. 12, it ratified the International Covenant on Civil and Political Rights. These ratifications helped to strengthen national awareness that women's rights are indeed human rights.

Madam Chairperson,

Underlying all of these initiatives is the Government's commitment to gender mainstreaming as the key to women's empowerment and gender equality. It is through a process of gender mainstreaming, for which a national action plan is being drafted, that the Government proposes to put the various articles of CEDAW into practice. When completed and approved, the draft National Plan of Action on Gender Mainstreaming will create a framework for action and provide guidelines as well as action plans for government agencies in order to accelerate implementation of gender mainstreaming throughout the country.

Presidential Instruction No. 9/2000 on Gender Mainstreaming in National Development, soon to become a Presidential Regulation, takes Indonesia in that particular direction. Moving towards that goal, local governments have engendered their provincial, district and municipal plans. In fact, there are currently 29 Gender Mainstreaming Working Groups at the national level, 30 women's bureaus at the provincial level, 230 women's divisions at the municipal level, and 304 Gender Focal Points operating in 440 municipalities to implement Presidential Instruction No. 9/2000.

In more concrete terms, the Government has been working in close collaboration with provincial authorities, civil society organizations and UN agencies, channeling its energies along primarily four main lines. These are: the enactment of legislation free of gender bias and the review of current laws to ensure they are likewise; substantial

upgrading of women's quality of life in keeping with the human development index (HDI); protection of women from violence in the home and the wider society; and, removal of barriers to women's deeper involvement in public life.

Recent initiatives on enhancing the quality of women's lives include the signing of an MoU between the State Minister for Women Empowerment, Minister for National Education and the Minister for Home Affairs on accelerating the eradication of illiteracy among women aged 15-44 years on the provision of a school operational assistance programme for the poor.

In the area of health, the First Lady launched the revitalization of the Mother Friendly Movement last April 2007 in an effort to significantly reduce the rates of maternal and infant mortality. This initiative was originally initiated eleven years ago and contributed substantially to lowering the maternal and infant mortality rates.

In the area of the economy, a forum consisting of government agencies, banking institutions and women entrepreneurs has been established to facilitate access by women entrepreneurs to loans and other forms of credit. Special consideration is being given to owners of micro and small enterprises. Small scale loans, amounting to 100 million Rupiah per group, are being provided by the State Ministry of Cooperatives and SMEs to women's cooperatives throughout Indonesia.

To enhance women's political role, a number of programmes are being carried out in capacity building for political parties, encouraging them to abandon discriminatory practices, incorporate gender perspectives into party platforms and ensure women's access to executive positions, including leadership and appointed positions, on an equal basis with men. It has also been proposed that revisions be made to the Laws on General Elections and Political Parties in order to strengthen networking between Parliament and the Caucus of Women in Politics. But clearly more needs to be done to shape the political future of aspiring female politicians. On that basis, President Susilo Bambang Yudhoyono has put forward proposals to make those laws for political transformation more effective.

Focusing on legislation dealing with the selection of candidates by political parties for general elections, the President has called for an open electoral system based on proportional representation. The purpose of this adjustment will be to enable political parties to compile lists of candidates based on popular support and not as a form of political patronage. With fairness as the main criterion, it is expected that this proposal will enable more women candidates to participate in general elections and thus be chosen to represent constituencies in the national parliament. Their presence will make the parliament more gender-sensitive.

Apart from enacting stronger legislation to help Indonesian women, a gender-sensitive parliament will also allow women parliamentarians to play an active role in ensuring that adequate budgetary provision is made for development programmes of benefit to women. Since 2006 the State Ministry for Women's Empowerment has provided funds for provincial and district governments to implement such policies and programmes. In the future, we hope the provincial and district governments will allocate similar funding to sustain the programmes.

Madam Chairperson,

With all of these legislative measures, policies and programmes in place, it is only logical that positive impacts will result for Indonesian women on the ground. Although not perfectly implemented, they all provide Indonesian women with appropriate mechanisms, tools and channels to empower themselves, to gain protection from all forms of violence and discrimination and to explore opportunities to maximize their potential to the fullest extent possible.

Madam Chairperson,

At this point let me share with you all the current challenges being encountered by Indonesian women as they seek to empower themselves.

First, the new progressive laws and policies which have been adopted to assist women are, as I have just indicated, not being rigorously enforced or implemented as current circumstances demand. It appears that lack of understanding of existing laws and policies in some official quarters, among planners and policy-makers, has undermined the process of implementation. To remedy this situation, there must be widespread sensitization and education of officials about gender issues.

In addition, attention must be paid to changing male mindsets and practices, inspired by a widespread culture of patriarchy, that justify and perpetuate the subordination of women. Women themselves should be made aware of their rights. In many instances, they urgently need help to build the confidence to claim their rights and protect their freedoms at home and in the wider society.

Secondly, because of wide-ranging decentralization, local governments now have the authority to prioritize development policies and what actions will be taken to implement those policies. As a result, there is no uniform pace of implementation throughout the country based on directives by the central Government. There is also resistance to such change. This is most evident in the growing number of areas where Sharia law is being applied in a fashion that discriminates against women and violates the CEDAW.

Lastly, frequent natural disasters have resulted in a growing number of women who are struggling just to survive. As the main victims of such disasters, their urgent needs are often not met in a timely fashion. These women are therefore not in a position to increase the momentum for the achievement of women's rights.

Although progress has been in evidence since the last report, Madam Chairperson, Indonesia is committed to adopting all the necessary measures and strategies in the future to accelerate implementation of CEDAW. Even so, with international support plus regional and national efforts, Indonesia is determined to continue making significant progress in implementing the CEDAW. The importance of an enabling international environment cannot be overemphasized. Many problems affecting the lives of Indonesian women, such as trafficking and poverty, are transnational in nature. Given this reality, there must be continued support from the international community.



Interaction with the international community will, however, involve two-way exchanges. Indonesia is open to sharing with others, especially neighbouring States, lessons about its progress in promoting and protecting women's rights. With that objective in mind, Indonesia is proud of the fact that the 2004 ASEAN Ministerial Meeting which it hosted in Jakarta adopted a Declaration on the Elimination of Violence against Women in the ASEAN Region. Similar initiative has also been exhibited when Indonesia became one of the major instigators of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrants, as established by the ASEAN Heads of State/Governments in Cebu – the Philippines in 2007.

In 2005, the Asia-Africa Summit held in Jakarta to commemorate the 1955 Bandung Conference organized a workshop on the role of women and youth in building cooperation between the two continents. Among other things, that workshop urged Asian-African leaders to help improve the status, role and condition of women. This would be done within the context of New Asia-Africa Strategic Partnership, which has been set up to advance the well-being and prosperity of the two continents.

Not only did the Asia-Africa summit endorse the importance of empowering women, but so too did the Regional Ministerial Meeting on the MDGs held in Jakarta in 2005. The MDG Ministerial Meeting produced the Jakarta Declaration which recognized the importance of integrating gender equality and justice as crucial components of the MDGs leading to human-centered sustainable development.

Taken together, these various initiatives have helped to empower women and promote gender equality. But because much work remains to be done at the national level, Indonesia will remain vigilant and resolute in pursuing implementation of the Convention. This is not to suggest that there will be a cut-off point which will allow Indonesia to become perfectly satisfied that all that needs to be done has been done and therefore no further work should be undertaken to safeguard the rights and freedoms of women. Human imperfection will require us to constantly pursue ideal conditions that will allow women to enjoy all of their rights in Indonesia.

Madam Chairperson,

In the future, we will continue to engage in advocacy among decision-makers in the executive, legislative and judicial branches of government at the national and provincial levels about the importance of women's empowerment and gender equality. We will also infuse State planning agencies, religious organizations, community organizations, and private sector bodies with a greater awareness of gender issues. They will benefit from capacity building and gender sensitization training. And the mass media, both print and electronic, will be encouraged to display greater gender sensitivity in their work.

I look forward to having a constructive dialogue with members of this august body on what further steps can be taken to implement the CEDAW.

I thank you.

