

**NGO Statement
to the CEDAW Committee at the 39th Session¹
Concerning the 4th and 5th Reports of the Government
of the Republic of Indonesia.**

Thank you Madame Chair

My name is: Rena Herdiyani. I am representing 58 NGOs and a number of women's rights activists who contributed Indonesian NGOs report. This report is prepared by NGO coalition, named CEDAW Working Group Initiative (CWGI). While I speak on the first issue, and my colleague Ms Salma Safitri will continue second and third issues.

The Indonesian government ratified the CEDAW Convention with Act No. 7/1984. Unfortunately, the convention has still not been fully implemented; and there is still a lot of discrimination against women in Indonesia. There are many gaps between the written Laws or Regulations and their implementation.

Our shadow report analyze 10 issues, we shall concentrate here only on **three cross-cutting issues**:

- A) Women's Impoverishment
- B) The rise of religious fundamentalism and cultural conservatism
- C) Women's representation and participation in public life

A. Women's Impoverishment

This issue is related to CEDAW Article number 6, 7, 9, 10, 11, 12, 14.

Globalization has produces several impacts as on women impoverishment, such as:

- women losing their access to natural resources,
- becoming marginalized from their work in the villages, and
- being forced to migrate to the cities or to work in abroad.

Privatization in the education and health sectors has meant that the poor, especially women and children, have little access to cheap, quality education and health services, especially their access during pregnancy and giving birth.

In these situations, the greatest burden is placed on women. They not only have to maintain the household, but also have to become breadwinners in order to fulfill their family's needs.

¹ This statement is from the Indonesian NGOs involved in the Women's Rights Movement and prepared by the CEDAW working group Initiative (CWGI). Presented in NGO Informal Meeting with CEDAW Committee, New York, July 23rd, 2007.

There are now approximately 6 million Indonesians working abroad and 70% of them are women. 80% of these migrant workers are domestic workers, who are vulnerable to torture, sexual harassment, low or unpaid wages, deportation, loss of citizenship, and sometimes also trafficking. They do not receive enough legal protection from the Indonesian Government or the Governments in destination countries.

For example, the Memorandum of Understanding between Indonesia and Malaysia still discriminates against women and their rights as women migrant domestic workers.

Poverty has been made even worse by many natural disasters and armed conflicts influenced by Indonesian military power. In such situations, women have also experienced discrimination by not being involved in the recovery, reconstruction, and rehabilitation processes.

Based on these reasons, we hope that the CEDAW Committee will recommend the following:

1. Encourage the Indonesian Government to increase subsidies in the education and health sectors, so that women and their children will have more accessible and affordable education and health services.
2. Urge the Government of Indonesia to urgently review and improve the Memorandum of Understanding between Indonesia and Malaysia and other destination countries, regarding the placement of migrant domestic workers, by using CEDAW convention as a legal framework.
3. Urge the Government of Indonesia to develop a cheap and simple recruitment and placement system for the women migrant workers.
4. Urge the Indonesian Government to handle cases involving Indonesian women migrant workers seriously and conclusively.
5. Urge the Indonesian Government to actively involve women in the planning, implementation, and supervision of reconstruction, rehabilitation and social recovery in natural disaster and armed conflict areas.

B. The Rise of Religious Fundamentalism and Cultural Conservatism

This issue is related to CEDAW article number 5, 7, 15 and 16

Religious Fundamentalism and Cultural Conservatism are currently on the rise in several regions in Indonesia. This has limited women's rights in public life and their right to control their own bodies.

Nowadays, more than 56 regions in Indonesia have already implemented, and continue to issue, discriminatory local regulations based on a very narrow and biased interpretation of religion and culture.

Ironically, the proliferation of these discriminatory local regulations and policies is ignored by the Government.

For example, the judicial review initiated by civil society organizations against a local regulation prohibiting prostitution in Tangerang (a city just outside our capital Jakarta) was rejected by the Supreme Court earlier in 2007. Articles in this local regulation discriminate against women, by identifying them as the cause of prostitution. Women who are out of the home at night and whose attitude or behavior is assumed to be suspicious can be arrested by Local Government Civil Servants, on the assumption that they are prostitutes.

At the same time, the 1974 Marriage Act still clearly defines the woman's role as being purely domestic, whilst the male is defined as the head of the household.

For this reason, we hope that the CEDAW Committee will recommend the following two actions:

1. Urge the Indonesian Government to change or drop the regulations and policies, at both the national and local levels, which still discriminate against women.
2. Urge the Government of Indonesia to amend the 1974 Marriage Act as a way to eliminate discrimination against women, especially in the home.

C. Women's Representation and Political Participation in Public Life

This is related to CEDAW Article number 3, 4, 5, 7, 10 and 14.

Representation and participation in public policy faces institutional, structural, and cultural constraints. Compared to the result of the 1999 General Election, women's representation in the National Parliament has only increased by 3%, from 9% in the 1999 Election to 11% in 2004. We are very worried that at Indonesia's next General Election in 2009, women's representation in Parliament will still not have increased significantly, unless the laws on General Elections and women political representation are revised or changed.

The involvement of women in politics also faces institutional challenges in the bureaucracy, political parties, religious and educational institutions, and many more.

In public life, there are still very few women who are really involved in the decision making process. Women's interests and aspirations continue to be overlooked. Cultural constraints are another barrier to women entering politics.

These handicaps are constructed systematically by:

- social tradition,
- interpretation of religious values, and
- other public policies and regulations which place women and men in unequal positions in society.

Women are often culturally confined to domestic matters and are seen as incapable of being involved in public activities.

Based on these facts, we hope that the CEDAW Committee will recommend the following three actions:

1. Urge the Government of Indonesian to revise the Laws and Regulations on General Elections and women political representatives, and to ensure gender sensitive policies.
2. Urge the Indonesian Government to strengthen the capacity of local and national law and policymakers and to increase budgets to allow for integrating a gender dimension into public policies.
3. Urge the Government of Indonesia to improve political education programs at the grassroots level to raise people's awareness of their political rights, particularly for women.

This completes our statement.

Thank you for your attention.

Prepared by:
CEDAW Working Group Initiative (CWGI)
Secretariat :
Jalan Kaca Jendela II No. 9, Rawajati, Kalibata, Jakarta 12750, Indonesia
Tel: (+62-21) 7902109, Fax: (+62-21) 7902112,
E-mail: cedaw_workinggroup@yahoo.com