

## INDONESIA

### CEDAW A/43/38 (1988)

290. The Committee considered the initial report of Indonesia (CEDAW/C/Add.36/Rev.1 and Amend.1) at its 110th and 113th meetings, held on 19 and 22 February 1988 (CEDAW/C/SR.110 and 113).

291. The representative of Indonesia introduced her report by giving an overview of the women's movement in her country that dated back to the nineteenth century. The principle of equality had been embodied in the Constitution and other laws before the signing of the Convention and, in order to ensure the full development and advancement of women, a special chapter had been devoted to the role of women in development in the guidelines on State policy. That had been translated into programmes in the five-year development plan.

292. She explained the functions of the national machinery dealing with the advancement of women and the Ministry of State for the Role of Women and enumerated the major policy objectives. Among the problems and obstacles to increasing women's participation in development were illiteracy, the limited knowledge and skills of women in carrying out their task of guiding the younger generation, lack of skills and knowledge regarding health, nutrition, child care and sanitation, reduced work opportunities for women owing to their low level of education, skills, health and self-esteem, the low level of family income that forced women to seek supplementary income and the traditional social and cultural value system that did not sufficiently support the aspirations of and opportunities for women to play an active role in material development.

293. Based on those problems and obstacles, national programmes had been formulated for the enhancement of women in development. Women were now occupying a wider range of positions in public office. In various ministries women held first-echelon and middle-echelon positions. The two women ministers were the Minister of State for the Role of Women and the Minister for Social Affairs. At the village level, women were also beginning to appear in public office.

294. As a result of the nation-wide education programme, primary education had risen sharply. In 1971, 62 per cent of boys and 58 per cent of girls were enrolled in primary schools; in 1980, the figures had risen to 84 per cent and 87 per cent, respectively, and in 1985 had reached 94 per cent for both groups. Despite the achievements made in the field of education, educational levels were still rather low.

295. She spoke about literacy campaigns in rural areas and said that the most promising non-formal education programme for women was the Small Business Fund Programme, whose goal was to provide the opportunity to people with some vocational skill to increase and market that skill. She also threw light on the role of non-governmental women's organizations in formal and non-formal education.

296. The participation of women in economic activity was influenced by demographics as well as

socio-cultural aspects and in 1985, the female labour force participation rate was 37.6 per cent, 28.1 per cent in urban and 41.1 per cent in rural areas.

297. In relation to health care, she said that the comprehensive health care delivery system to implement the primary health care approach started from the home level and went up to a higher referral level. She also mentioned that, since the promulgation of the marriage law in 1975, the status of women in marriage had been strengthened. She concluded by recognizing that the improvement of the status of women could not be separated from the larger context in that development was a total process that had to involve both sexes in order to be effective.

298. The experts thanked the representative of Indonesia for the comprehensive introductory statement and appreciated the efforts of the Government to have provided an amendment to the initial report which contained also statistical data. While understanding was shown for the efforts made by the Government, the Committee expressed concern, as the report gave the impression that policies were not aimed at the advancement of women, but rather at improving the status of the Indonesian family and at emphasizing the maternal role of women. Women seemed to be given major tasks in the family, but not in decision-making and economic activities and they did not have a big enough share in the development process. The economic independence of women had to be emphasized. Hopes were expressed that the Indonesian Government would improve its efforts in the future. Considering the long history of the women's movement in the country, experts inquired about the reaction of Indonesian women to the present policy. That would only perpetuate the traditional stereotypes. The measures undertaken by the Government to make the public more aware of their rights and responsibilities received positive comments. In that connection, more clarification was sought on the way women could be better informed, in particular of the marriage law.

299. With reference to the guidelines for State policy stipulating the role of women in national development it was asked whether similar guidelines existed for men. Praise was expressed for the establishment of the National Commission on the Status of Women and for the appointment of the Associate Minister for the Role of Women. Questions were asked about the Commission's mandate, its budget, about any changes in its role since 1968 and its relationship with non-governmental organizations.

300. Comments were made about the reference to God in the Constitution, and it was asked what the situation was if a citizen was agnostic. The Committee asked what was meant by the "Indonesian man of integrity" referred to in the report and asked whether also the "Woman of integrity" was an established notion.

301. Experts referred to statements of the Women's International League for Peace and Freedom made at the forty-fourth session of the Commission on Human Rights, according to which human rights were being violated in some Indonesian territories through the displacement of populations. That constituted a violation of the right of movement and women's rights in particular. Clarification was requested.

302. It was asked whether the Associate Minister for the Role of Women was established at the highest level of Government, whether the Ministry elaborated any programmes for rural women,

whether sanctions existed for acts of discrimination and whether any machinery was being set up to enable women to complain about such acts. Information was sought on the State philosophy of Pancasila and whether women performed the military service. Apart from women's roles in relation to the health of their families, the question was raised whether the Indonesian policy promoted also the rights of women as individuals. Experts emphasized, however, that their questions in that respect should not be understood as criticism, but rather as constructive remarks in order to ensure that the Convention was implemented.

303. Explanations were sought on the meaning of "reasonable ways" and "home industries".

304. Information was requested on the existence of affirmative action programmes, such as the introduction of quota systems or preferential treatment to accelerate access to economic power on equal footing with men.

305. Members of the Committee inquired whether efforts were made to identify socio-cultural stereotypes, whether measures were undertaken to change them, and whether there were different cultural patterns in the urban environment and rural areas or in different classes of society.

306. It was asked what the impact of religious institutions in the country on the status of women was, whether any efforts were made to publicize the Convention, whether information campaigns reached the entire population and what the role of non-governmental women's organizations in such campaigns was.

307. Questions were raised about the real objectives of education programmes for women.

308. Positive comments were made on the equal sanctions for men and women in cases of adultery and on the sanctions for rape of minors. Experts asked whether the penal provisions had succeeded in eliminating prostitution, whether the religious education offered in rehabilitation centres for prostitutes would help to reduce prostitution and why religious teaching was not also provided for men. Comments were made on the discrepancy in prison terms for rape and for traffic in women and minors.

309. Praise was expressed for the existing sanctions against sexist advertising. Some experts asked whether statistics about physical violence against women existed and whether steps were taken to make rape of the wife by the husband a criminal offence.

310. Experts requested information on the number of women's non-governmental organizations, about the number of women who were members, from which areas they came, about their funding and how their leaders were appointed.

311. Experts inquired about the rate of political participation of women from the villages. They asked whether women, once they were elected, dealt with women's issues and what the number of women deputies was. Clarification was sought about the voting age.

312. Concerning the People's Consultative Assembly, experts wanted to know whether it had an advisory or a legislative role, what the "functional groups" were that formed part of its membership,

and whether any of the functional groups were military.

313. Referring to the principle of the unity of citizenship, it was asked whether any plans existed to change the current laws in order to give women the same rights as men, in particular whether an alien man married to an Indonesian citizen could acquire Indonesian nationality and whether it was foreseen at all that unmarried children under the age of 18 could acquire their mother's citizenship.

314. Members of the Committee wanted to know whether the literacy programmes were having an impact on the status of women, up to which grade and age school education was compulsory, what percentage of educational needs was met by public schools, which grades were offered by schools, whether the religious schools were private or public and what their percentage was. They also asked about the overall rate of illiteracy.

315. Further questions referred to special programmes for women in rural areas and to the existence of sex education in schools. More information was requested on the Small Business Learning Fund Programme, and it was asked who provided the money for the 99 per cent of kindergartens run by non-governmental organizations.

316. It was considered important to analyse the drop-out rates of girls, and it was asked whether any education was provided to rural girls and women. It was asked how State schools could function with a simple school system, considering the different religions in the country. It was commented that women still undertook only traditional lines of university studies. It was asked what the "prerequisite conditions" were under which all Indonesian citizens could study.

317. Regarding article 11, it was asked whether women enjoyed free choice of profession and what the percentage of women in the different fields of employment was. It was inquired whether the regulations in the public and in the private sector were different, why the retirement age in the public sector was different for men and for women, and whether the retirement ages were mandatory.

318. It was asked why the Ministry of Manpower had to push the trade unions not to discriminate between the sexes and whether any of the provisions agreed upon between the trade unions and the companies concerning safe working conditions in factories were in any way discriminatory and, if so, what were the remedies. Experts requested information on the total unemployment rate and the unemployment rates by sex. They also pointed out that all the labour programmes mentioned in the report were directed towards female workers only in traditionally female jobs and it was asked whether any efforts had been made to abolish the gender division in labour. Experts said specific programmes should also be drawn up for the illiterate, poor and unskilled rural women. Clarification was requested on the rule that every civil servant had the right to appropriate remuneration in accordance with their work and responsibilities, and further information was asked about the role of trade unions and the role of women within them.

319. Concern was expressed at the term "10 years of age and over" for the age of entry into the labour force and information was requested on how the Government was planning to remedy the situation.

320. It was queried that the economic recession had been the cause for the absorption of women in

the informal sector, since there were also other obstacles affecting women who were not even allowed to take up certain types of work. One expert asked what the exceptions were and why they did not also exist for men.

321. Experts requested more information about the rights and practices with regard to abortion. Alarmed at the high pregnancy-related death rate and the high rate of deficiency anemia among women, members of the Committee asked whether any relief programmes existed and by which norms women were protected during pregnancy. Comments were made in the State's objectives in family planning programmes, and it was said that the concept of family planning should consist in giving information and guidance but not in putting out directives on the desirability of a specific number of children in each family.

322. Experts said that Indonesian law did not seem to provide for equality between women and men in marriage and they inquired whether any steps were being contemplated to ensure it. They asked about the relationship between religious and civil marriage. Referring to the right of men to marry more than one woman, it was asked whether women had the right to marry more than one man. It was said that discrimination existed also with regard to children born out of wedlock. The importance of the legal advice programme was emphasized.

323. Information was requested on the grounds for divorce, on the legal regulations concerning the name of married women and of children born within and outside wedlock and the legal status of cohabiting couples.

324. In reply to the questions and comments made by the members of the Committee, the representative of Indonesia emphasized that the social development of Indonesia was embedded in a pluralistic society, comprising various religions and subcultures with different levels of education and economic life. Regarding the term "man of integrity", that was a mere linguistic problem; it should have read "human being of integrity" in the report, which included both men and women.

325. The first principle contained in the State philosophy, the "belief in one Supreme God", did not mean that Indonesia was a theocratic State. It expressed only a guarantee for respect and tolerance among the various religions.

326. The Convention was disseminated within the package of legal literacy programmes which were carried out throughout the country by legal literacy centres, women's organizations and schools of law.

327. In 1978, the Associate Minister for the Role of Women had the status of junior minister; in 1983, the Minister was promoted to the status of higher minister. The ministry had its own allocated budget from the central State budget.

328. As a result of the transformation of the agricultural economy into an industrial economy, men and women started to share a common responsibility in the household. That development already had become visible in young married couples and had provoked a redistribution of labour in the production sector and in domestic work. Advocacy programmes were being conducted through the media and women leaders received training to enhance their self-esteem. Women's organizations,

including religious groups, were deeply involved in implementing those programmes and were trying to motivate women. More women were becoming involved in gainful work, mostly at the stage of small-scale industries. The Government had set up programmes where rural women were given more attention and were assisted in coping with industrial and non-farming jobs. Since 70 per cent of the Indonesian population was concentrated in rural areas, the national development programme to improve the quality of life for rural women ran parallel with efforts to improve the status of women. They were made conscious of their rights and should attain the same privileges as already achieved by women in urban areas.

329. Adultery and rape were considered as crimes. The religious teaching of prostitutes was meant to strengthen their moral consciousness. They received training in manual skills, credits and tools to enable them to find a new way of earning a living. Other efforts to minimize prostitution implied the provision of job opportunities in rural areas through training. Regarding the term of imprisonment for trafficking of women and minors, there was a strong feeling in favour of modifying it. Violence against women existed, but no special centres for victims had been established. Rape of the wife was not considered as a crime, but it constituted grounds for divorce.

330. The Indonesian Women's Congress, the federation of all women's organizations, had 61 members and was a member of the International Council of Women; the Indonesian Commission on the Status of Women had 45 members, half of whom were government representatives and half representatives from professional and women's organizations. The members of the board had a term of office of five years, upon election by the members of the Commission. The Commission had initiated and drafted the basic strategies for the enhancement of the role of women in development towards the year 2000, which would be included in the next five year plan as from 1989. The most active female participants in political life came from the middle stratum of society; voting age was 17 years. The political parties had women's organizations under their wing; women sat in the central governing bodies and in the local sections of political parties. There were, however, no quota systems to accelerate women's integration into economic and political life. Since 1957, women had voting rights and were eligible and they were allowed to deal with soft and hard political issues. Since 1972, the number of women elected to the House of Representatives and to the Consultative Assembly had been increasing. Women's organizations obtained their funds through membership contributions, fund-raising activities and donations. The leaders were elected on the basis of their capabilities and activities.

331. As a consequence of the active role played by women's organizations in development, some women were holding ministerial posts in the recent past; between 1955 and 1965, women were already serving as ambassadors. Many women were also active as trade union co-operative leaders. Other issues dealt with by women's organizations were questions of employment and equal pay for equal work.

332. Regarding questions related to nationality, the public status of an Indonesian woman did not automatically change as a result of her marriage with an alien. Children born within or outside wedlock of an alien father and an Indonesian mother were entitled to become Indonesian citizens upon application to the Minister of Justice, after having abandoned their alien nationality according to the law of their country.

333. In 1984, the compulsory primary education programme was launched. Public primary schools were free; there were private and public religious schools. The Small Business Learning Fund Programme was designed for men and women, although the participants were mostly women. Its funds were allocated from the State budget. The illiteracy rates in 1985 were 25.72 per cent for women and 12.22 per cent for men; in rural areas they were 29.92 per cent for women and 15.05 per cent for men; in urban areas 14.27 per cent for women and 4.6 per cent for men. Sex education was provided in senior high schools. Most schools were co-educational. Funds for kindergartens run by non-governmental organizations were obtained through support from foundations, fund-raising activities and parents' contributions.

334. As a result of better education, women were increasingly becoming self-employed persons and businesswomen and had become powerful enough to organize themselves into an association of businesswomen. More and more young women were interested in the scientific field.

335. Regarding the term "10 years of age and over", the representative explained that the term was an international term used in the labour force statistics issued by the International Labour Organisation. It did not mean that children 10 years of age were already working. The total number of unemployed was estimated to be 6 million at the end of 1988, 60 per cent of whom were women. Rural men and women received their training in vocational training centres in rural areas. The Ministry of Manpower was a co-signing party of any collective labour agreement and had to ensure that there was no distinction between male and female workers.

336. Women had free choice of employment guaranteed by law. In 1985, 7.24 per cent of urban and 64.7 per cent of rural women were employed in primary industry, 16.06 per cent of urban and 11.31 per cent of rural women worked in secondary industry, and 76.55 per cent of women worked in tertiary industry in urban areas and 23.81 per cent in rural areas. Since 1968, the armed forces were open to women. There were some female rectors and deans in private and public universities and, besides the women professors and teachers, women principals in high schools.

337. Pension age and benefits in the public sector were the same for women and men, while in the private sector some differences still prevailed. The Ministry of Manpower was empowered to make exceptions regarding the prohibition of night work for women. There was no distinction between women and men regarding work safety. Special care was given to pregnant women, and most companies had health centres that provided for family planning and mother and child services. Provisions for paid maternity leave were the same in the public and the private sector. For female civil servants, paid maternity leave was granted, but for the fourth child and up there was no entitlement to child allowance. Many companies, offices and estates provided day-care services, which were privately run or supported by the Department of Social Affairs.

338. The Family matrimonial Improvement Programme was aimed at overcoming matrimonial problems of pregnant mothers and problems of small children. Further services were provided through the Integrated Service Post, which was run by village communities and supported by periodic professional care package. Abortion was illegal and only permissible for health reasons and if performed by a medical doctor. Family planning consisted in providing information nationwide and persuasion to implement self-initiative family planning.

339. Marriage was based on the principle of monogamy. Polygamy was allowed only upon fulfilment of several pre-conditions and by court decision. Religious courts were obliged to implement the provisions stipulated in the Marriage Law. Under the law, the rights and positions of husband and wife were equal in family and social life. Children born out of wedlock had legal ties with the mother. The minimum ages for marriage were 16 for girls and 19 for boys. Legal aid concerning marriage was provided free of charge. There was no law on the names of married women; they were free to use their maiden names or to take their husband's name. Both husband and wife could file a suit for divorce. The representative explained the grounds for divorce and added that cohabitation had no legal status.

340. On the concern expressed by a non-governmental body at the Commission on Human Rights, the representative said that her delegation could not react to the request for clarification, as that issue was considered to be out of context if brought before the Committee. She further stated that the transmigration programme has become an essential element in Indonesia's development by, inter alia, giving priority to the poorest and landless farm families to move to unsettled areas so as to own their own land and to increase their living standards, relieving over-populated areas and importing the needed skills. The achievements manifest the positive impact of the transmigration programme on the development of the country and family life.



**CEDAW A/53/38/Rev.1 (1998)**

262. The Committee considered the combined second and third periodic reports of Indonesia (CEDAW/C/IDN/2-3) at its 377<sup>th</sup> meeting, on 2 February 1998 (see CEDAW/C/SR.377).

263. In introducing the reports, the representative stated that in terms of Indonesia's State ideology, the *Pancasila*, and the 1945 constitution, as well as the Basic Guidelines of State Policy of 1978, women's right to equality was explicitly guaranteed. However, the de facto situation is that women remain unequal to men in terms of rights and opportunities because of a combination of traditional and cultural practices and certain laws that are contrary to the spirit, if not the letter, of the principle of equality. The view that the man is the head of the family and the woman the manager of the household reflects this.

264. The Government of Indonesia established a national machinery in 1978, well before its ratification of the Convention in 1984. In its current form, the national machinery consists of a State Ministry for the Role of Women, which operates at both the national and provincial levels and has responsibility for policy formulation, coordination, consultation, advocacy, monitoring and evaluation of the status and of the role of women in development.

265. The representative reported that in 1994 the State Ministry had established a Planning and Foreign Affairs Unit to enhance its coordinating and advocacy capacity. Its research and outreach work was being facilitated through the establishment of women's studies centres at institutions of higher learning. Also, as a first step in engendering the national development plan, the Government had developed a profile of the status and role of women in all sectors of development. The representative noted that in spite of that progress the national machinery was still underresourced, both financially and in terms of human resources.

266. As a follow-up to the Beijing Conference, the Government had launched a national movement - the Outlook of Harmonious Gender Partnership between Men and Women in the Family, Society and Development - with a view to inculcating values of equality in the citizenry. It had also translated the Platform for Action and the Convention into local languages. However, the representative reported that the particular focus of the Government was on the four core areas of poverty eradication, education, health and empowerment.

267. In the sphere of political decision-making, the representative noted that even though there were no legal barriers to women's participation, it remained low because of traditional attitudes. The Government intended to address the situation through consultation with different sectoral ministries, institutions, non-governmental organizations and political parties.

268. Indonesia did not yet have specific laws and regulations relating to trafficking in women, but it was proposing to undertake the rehabilitation of women victims. Likewise, it was also proposing to deal with the specific issues of women's human rights within the general context of human rights violations through the newly established independent National Commission on Human Rights. There was no specific framework for dealing with violence against women. Prostitution was formally banned by the Government, but since its practice through the ages had proved very difficult

to eradicate, the Government of Indonesia had taken steps to localize prostitution, that is, to leave the practice only within specifically authorized areas. The Government was also making efforts to rehabilitate women involved in prostitution.

269. Indonesia was a source of considerable migrant labour for her neighbours and the Middle East. The majority of those workers were women, mostly from rural backgrounds. They tended to face problems, including violation of rights, such as torture and rape. The Government had established a computerized system to monitor the mobility of women overseas and was intensifying the pre-departure training of women.

270. The representative stated that Indonesia would be taking concrete measures to revise gender-discriminatory legislation, to ratify United Nations human rights treaties and to sensitize the courts with regard to sexual offenders. Equal rights to inheritance between women and men had been established in a Supreme Court judgement in 1960 and polygamy had been outlawed. However, the prevalence of socio-cultural values and traditional norms reduce the impact of the legal framework.

271. The representative reported that the current economic crisis affects both women and men, although the Government has taken measures at both the central and regional levels to provide for equal access to employment for disadvantaged women, in addition to existing efforts to encourage entrepreneurship and access to resources such as land and credit.

272. Finally, the Government intends to pursue its commitment to the advancement of women on different fronts and has set itself goals and deadlines, including the reduction of the maternal mortality rate by the end of 2018 and the near eradication of illiteracy by 1999. The Government intends to enhance the status and role of women in development as it seeks to achieve a just and prosperous society.

## **Concluding comments of the Committee**

### **Introduction**

273. The Committee notes with satisfaction the combined second and third periodic reports of Indonesia, which are frank, detailed and demonstrate a desire to move the women's agenda forward.

274. Nonetheless, the Committee expresses disappointment that change has not taken place as fast as it should have in Indonesia and that many of the problems that have been identified during consideration of the State party's initial report remain unresolved.

275. The Committee appreciates the Government's efforts to address the large number of questions posed by the pre-session working group. The additional information provided by the delegation in the oral presentation raises a series of further questions.

### **Positive aspects**

276. The Committee notes with satisfaction that the Convention forms part of the domestic law of

Indonesia and has been cited before courts in discrimination cases.

277. The Committee is pleased to learn that the Indonesian Government has addressed the implementation of the Beijing Platform for Action through the introduction of an Indonesian National Action Plan.

278. The Committee expresses approval of the fact that Indonesia has established a Ministry for Women in the 1970s, even before its ratification of the Convention. The creation of women's studies centres is also considered to be a significant achievement by the Government.

279. The Committee is pleased to note the role of women's non-governmental organizations in Indonesia, which have a history of strong and effective action.

280. The Committee recognizes the success of the Government's family planning programme. The Committee views this as an example of the Government's ability to take highly effective steps to improve the situation of women. However, some concern is expressed that the focus of the programme is so predominantly upon women, and Committee members emphasize the need also to take into account men's responsibility for family planning.

### **Factors and difficulties affecting the implementation of the Convention**

281. The Committee notes the current economic crisis in Indonesia and urges the Government not to allow it to become a justification for failing to implement the Convention.

282. The Committee is convinced that the existence of cultural attitudes that confine women to the roles of mothers and housewives presents a great obstacle to the advancement of women. Policies and programmes developed on the basis of those stereotypes limit women's participation and entitlements, thereby impeding implementation of the Convention. The Committee expresses the view that cultural and religious values cannot be allowed to undermine the universality of women's rights. It also stated its belief that culture is not a static concept and that the core values in Indonesian society are not inconsistent with the advancement of women.

283. The Committee notes Indonesia's failure to collect data on certain issues that are crucial to the well-being of women, such as the prevalence of violence against women. Without such data, neither the Government nor the Committee can accurately monitor the situation of women's equality in Indonesia and the Committee could not offer recommendations as to what measures might be taken to combat the problem.

### **Principal areas of concern**

284. The Committee is very concerned at the existence of laws that are not in accordance with the provisions of the Convention. It notes that discrimination against women exists in laws regarding:

(a) Family and marriage, including polygamy; age for marriage; divorce and the requirement that a wife obtain her husband's consent for a passport;

(b) Economic rights, including ownership and inheritance of land; access to loans and credits; entitlement to social, health and other benefits in the labour sector and the requirement that a wife obtain her husband's consent for night employment;

(c) Health, including the requirement that the wife obtain her husband's consent with regard to sterilization or abortion, even when her life is in danger.

285. The Committee also expresses concern that there is no clear definition of discrimination modelled on article 1 of the Convention in the constitution or other national laws.

286. The Committee is pleased to note the eradication of discrimination at the *de jure* level in a number of areas, including inheritance, but it remains concerned about how equal the situation actually is in practice and how many women benefit from the application of civil law.

287. The Committee was informed that Muslims may choose whether Islamic or civil law is to be applied to them. However, the Committee is concerned as to who decides this issue, and to what extent Muslim women are able to choose to have civil law applied to their affairs rather than Islamic law.

288. The Committee expresses concern that marriages between partners of different religions are prohibited *de facto* in certain regions of Indonesia.

289. The Committee expresses great concern about existing social, religious and cultural norms that recognize men as the head of the family and breadwinner and confine women to the roles of mother and wife, which are reflected in various laws, Government policies and guidelines. It is unclear what steps the Government is proposing to take to modify such attitudes, which present a serious obstacle to the advancement of women in Indonesia. Traditional gender stereotypes are also perpetuated in formal education; and textbooks have not been revised to eliminate such stereotypes.

290. The Committee expresses concern that the full implementation of the Indonesian national plan of action, which represents Indonesia's follow-up to its commitments at the Fourth World Conference on Women, might be impeded by prevailing religious and cultural norms that constitute the backdrop to Indonesia's legal and policy efforts towards women's equality.

291. The Committee is concerned about women's low rates of participation in education, as well as the high level of illiteracy among women, especially in the rural areas. It notes that education is a basic human right and that while the State has made some efforts to facilitate the education of poor but gifted children, the Committee remains concerned about the access to education of all children, including those from minority groups.

292. The Committee is concerned that the information provided demonstrates that women are still employed in lower-paid and lower-skilled work. It notes with concern that the predominant view appears to be that married women might provide supplemental income for a family, but that there is very little emphasis on the right of women to develop a career of their own.

293. The Committee is seriously concerned about the lack of adequate laws to address violence

against women, as well as the lack of systematic sex disaggregated data collection and documentation on the extent, forms and prevalence of violence against women in Indonesia.

294. The Committee is gravely concerned about information it has received with regard to violations of women's human rights in East Timor.

295. The Committee is concerned that the information provided on the situation of women in areas of armed conflict reflects a limited understanding of the problem. The Government's remarks are confined to the participation of women in the armed forces and do not address the vulnerability of women to sexual exploitation in conflict situations, as well as a range of other human rights abuses affecting women in such contexts.

296. The Committee notes the information on the situation of migrant women, which has been presented in the form of a supplement to the report. However, the Committee remains concerned that this does not include discussion of reports of the death as a result of mistreatment and abuses of Indonesian migrant women abroad, as well as cases of trafficking for the purposes of prostitution. It is concerned that the Government lacks the mechanisms to respond to abuses of Indonesian women abroad.

297. The Committee is gravely concerned about reported cases of coercion in the course of the implementation of the family planning programme. The Committee points out that such coercion contravenes the Government's obligations under the Convention to ensure women's reproductive rights to freedom of choice and informed consent with respect to methods of family planning.

298. The Committee is concerned that limited information has been provided on the problem of HIV/AIDS. There is no data on the extent of the problem, rates of increase or any sex-disaggregated data. The Committee is particularly concerned that the problem of HIV/AIDS is being attributed to women in prostitution. Concern is also expressed about programmes designed to "clean the city streets" of prostitutes whenever there is a major international event in Jakarta. Information provided to the Committee by other sources suggests that women taken off the streets have been subjected to forced vaginal examinations.

299. The Committee is seriously concerned about the extent of unemployment amongst women, particularly those from female-headed households, in the light of the current economic crisis. It is also concerned about wage disparities between female and male workers, job-segregation in the workforce, with women disproportionately occupying low-skilled and low-paying jobs, as well as women's unequal access to social security, employment and health benefits.

300. The Committee is concerned that not enough is being done to address the issue of prostitution and trafficking in women as envisaged in article 6 of the Convention. It is also concerned that not enough is being done to assist these women through socio-economic and health programmes and that preventive measures and re-socialization efforts are aimed principally at prostitutes and do not address male clients.

### **Suggestions and recommendations**

301. The Committee recommends that, in its next report, the Government of Indonesia fully describe the results of all measures to implement the Beijing Platform for Action as described in the Indonesian National Plan of Action and the "Outlook of Harmonious Gender Partnership between Men and Women in Development". The Committee also recommends that the Indonesian Government take account of the Committee's remarks on religious and cultural values and their effect on the implementation of these initiatives.

302. The Committee recommends that the Government take appropriate measures to mitigate the negative impact that the current economic crisis may have on women in Indonesia, particularly in the areas of education, health and employment.

303. The Committee urges the Government to collect, as a matter of priority, data on the extent, causes and consequences of the problem of violence against women in Indonesia. The Committee also emphasizes the need for the gender sensitization of authorities, including the judiciary, law enforcement officers, lawyers, social workers, health professionals or others who are directly involved in combating violence against women.

304. The Committee recommends that the Government give priority to hastening the pace of progress on women's issues in Indonesia. The Committee urges the Government to take stronger measures to address the contradiction that currently exists between the Government's stated commitment to the principles contained in the Convention and the actual situation facing women in Indonesia.

305. The Committee recommends that in Indonesia's fourth periodic report efforts be made to consolidate the written replies with other parts of the presentation, to avoid overlap and to enable the Committee to spend more time in dialogue with the State party. The Committee also requests that the report pay particular attention to the priority areas identified in the questions of the Committee.

306. The Committee requests that in its next report, the Government of Indonesia provide information about government-supported women's studies programmes and centres. The Committee also requests information on Government efforts to revise textbooks to reflect values of gender equality.

307. The Committee urges the Government to take immediate steps to eradicate the practice of polygamy in Indonesia and to change the other discriminatory laws identified by the Committee in paragraph 284 above.

308. The Committee recommends that the Government take steps to ensure that women in Indonesia have the right to free choice of spouse as provided for in article 16, subparagraph 1 (b) of the Convention.

309. The Committee recommends that appropriate measures be taken to ensure that women in East Timor are not subject to violations of their human rights.

310. The Committee recommends that the Government address the issue of trafficking in women

and prostitution, in accordance with article 6 of the Convention, and establish, *inter alia*, socio-economic and health programmes to assist women in this context.

311. The Committee requests the wide dissemination in Indonesia of the present concluding comments in order to make the people of Indonesia, and particularly its government administrators and politicians, aware of the steps that have been taken to ensure de facto equality for women and the further steps required in this regard. It also requests the Government to continue to disseminate widely, and in particular to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.