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Committee on the Elimination of  
Discrimination against Women  
Seventh session

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Concluding comments of the Committee on the Elimination of  
Discrimination against Women: Indonesia

Initial report

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.