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ORAL STATEMENT BY AMNESTY INTERNATIONAL

Examination of Indonesia's State Report under the Convention

Chairperson, Honourable Committee members,

Amnesty International welcomes this opportunity to address the UN Committee on the Elimination of Discrimination against Women (the Committee) on issues concerning Indonesia's obligations under the Convention. These relate specifically to access to sexual and reproductive health care; the situation of women and girl domestic workers; and justice, truth and reparation for past violations against women.

Women and girls across Indonesia continue to face serious obstacles in law, policy and practice in fulfilling their sexual and reproductive rights. The state's restrictions include, among other things, laws and policies that discriminate on the grounds of marital status and exclude unmarried women and girls from full access to reproductive health services; and laws which require the husband's consent for married women and girls to access certain reproductive health services.

Domestic workers in Indonesia – the vast majority of whom are women and girls – are not protected by legislation safeguarding workers' rights, leaving them vulnerable to exploitation and the denial of their rights to fair conditions of work, health and education. A draft Domestic Workers Protection Law is currently on the legislative agenda; however, there has been little progress in its enactment.

The Indonesian government has failed to deliver justice, truth and reparation for past violations against women, in particular those committed by its forces or agents during past armed conflicts. Few cases of sexual violence have been brought before courts, and a national truth and reconciliation commission has yet to be established. Further, Indonesia has also failed to provide reparation to victims of human rights violations, including sexual violence, committed in Aceh, Timor-Leste and other areas. This has left many women and girls without medical, psychological, sexual and reproductive, and mental health services or treatment.

In order to address gender-based discrimination and violence against women in Indonesia, the government should take the following, among other measures:

- Review and amend the Population and Family Development Law (No. 52/2009) and the Health Law (No. 36/2009) to bring them in line with international human rights law and standards. In particular legal provisions which discriminate on the grounds of marital status should be repealed and requirements for a husband's consent to access certain reproductive services, including contraception and family planning, should be removed;

- Pass specific legislation regulating the labour rights of domestic workers in accordance with international law and standards. The law should explicitly include legal provisions pertaining to the specific needs of women and girls, in particular during and after pregnancy;
- Debate, enact and implement at the earliest opportunity a new law on truth commissions in line with international law and standards, ensuring that crimes against women can be addressed adequately; and
- Establish a national programme to provide reparation to all victims of past human rights violations. Reparations must be transformative in nature so as to prevent the perpetuation of existing gender inequalities post-conflict, and the participation of women in post-conflict rebuilding efforts must be ensured. The programme should be devised in consultation with victims and should take in to account the different experiences of women and men, girls and boys, who experience conflict differently.

Thank you for your attention.