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Indonesia: CEDAW Committee questions ongoing discrimination and violence against women in Indonesia

The Indonesian government must do more to address gender-based discrimination and violence against women in the country, according to an expert UN Committee which reviewed Indonesia's progress in protecting and promoting women's rights.

The UN Committee on the Elimination of Discrimination against Women (CEDAW Committee), an expert group tasked with reviewing the implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) raised a number of concerns with representatives from the Indonesian government during the consideration of the state report at the 52nd CEDAW session in New York on 11 July 2012.

Amnesty International welcomes the constructive engagement by the Indonesian government during the review and urges the Indonesian government to take concrete steps to implement recommendations by the Committee to ensure that their laws, policies and practices are in line with their obligations under the Convention.

In a report entitled *Briefing to the UN committee on the Elimination of Discrimination against Women* (ASA 21/022/2012) submitted to the CEDAW Committee in June 2012, Amnesty International highlighted five areas of concern. They include gender stereotyping and traditional, religious and cultural practices which are harmful to women; discriminatory access to sexual and reproductive health rights; abuses towards women and girl domestic workers in Indonesia and migrant domestic workers; gender-based violence and the criminal justice system; and access to justice, truth and reparations for past violations in areas of armed conflict.

The CEDAW Committee expressed disappointment that the Indonesian government had not addressed many of the concerns raised during the previous review in 2007. These include discriminatory provisions in the 1974 Marriage Law (No. 1/1974) which perpetuates stereotypes by providing that men are the heads of households and women are relegated to domestic roles; allows polygamy; and sets a legal minimum age of marriage of 16 for women and 19 for men.

The CEDAW Committee also raised concerns about the failure of the Indonesian government to review and annul discriminatory bylaws and regulations that have been issued by regional governments, including the Shari'a bylaws in Aceh.

The CEDAW Committee criticised the fact that instead of prohibiting female genital mutilation as recommended by the CEDAW Committee in 2007, the Ministry of Health issued a regulation No. 1636/MENKES/PER/XI/2010 on "female circumcision" which legitimizes the practice. One committee member pointed out that the Convention and all other international human rights treaties condemned female genital mutilation and called on Indonesia to draw on the steps taken in other Muslim countries aimed at ending female genital mutilation.

Concerns were also raised about the failure to pass legislation safeguarding the rights of domestic workers. Amnesty International welcomes statements by the Indonesian authorities during the session that the draft bill currently in discussion in the Indonesian parliament will

be in line with ILO Domestic Workers Convention (No. 189) which was supported by Indonesian President Susilo Bambang Yudhoyono during a speech to the International Labour Conference (ILC) in June 2011.

The Indonesian government was also questioned about the situation of women affected by conflict and the slow progress in delivering justice and truth. A committee member asked if cases of sexual violence committed during Indonesia's various conflicts including in Aceh and during the occupation of Timor-Leste (1975-1999) have been brought before Human Rights Courts. The committee also asked if there are plans for a national programme to provide full and effective reparations including restitution, rehabilitation, compensation, satisfaction and guarantees of non-repetition to all women victims of human rights violations.

The CEDAW Committee will issue its Concluding Observations including recommendations to the government in due course.