



The Implementation of Protection of Women in Indonesia

Ellectrananda Anugerah Ash-shidiqqi SHMH

Researcher EAA Institute Indonesia

Abstract

The text highlights two very different case studies, one within the Cambodian rescue industry and one in the context of participatory urban development. Sina Vann, a former victim of sexual servitude, runs a rehabilitation and education program called “Voices for Change” in Cambodia, where she works with women and girls that have been subject to forced labour and sexualized violence. Montreal-based urban planning organization Women in Cities International (WICI) collaborates with community-based organizations in urban spaces around the world to make cities safer for women.

Keywords: Indonesia, woman rights, human rights

Introduction

Legal protection is an effort to protect the right of every person to get the same treatment and protection by law and law, therefore for every violation of the law alleged to him and the impact suffered by him he is entitled to get the necessary legal protection in accordance with legal principles.

In an effort to provide legal protection for women, the United Nations (UN) has issued a Declaration on the Elimination of Discrimination Against Women, which contains rights and obligations based on equal rights with men. Based on this declaration, the United Nations Commission on the Position of Women developed a draft Convention on the Elimination of All Forms of Discrimination Against Women (*Convention on the Elimination of All Forms of Discrimination Against Women – CEDAW*)^[1].

On December 18, 1979, the UN General Assembly approved the Convention on the Elimination of All Forms of Discrimination Against Women. Because the convention was not in conflict with the Pancasila or the 1945 Constitution, the Government of the Republic of Indonesia signed the convention and ratified it with Republic of Indonesia Law No. 7/1984 concerning Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women. Here it is clearly seen that the state has a commitment to the protection of women's rights, plus a special commitment that is protection against discrimination, and even the elimination of discrimination itself. Violence against women is a violation of human rights, which can be in the form of a violation against:

1. The right for life
2. The right for equality
3. The right for independence and personal security
4. The right for the same protection in public
5. The right for obtaining the best physical and mental health services
6. The right for decent work and good working conditions
7. The right for higher education

8. The right not to experience abuse or other forms of cruelty, inhumane treatment or torture^[2].

Problem Statement

How is the implementation of protection of women in Indonesia?

Discussion

The forms of legal protection for women in the Indonesian Criminal Code are generally regulated in the Criminal Code and specifically among them regulated in Law Number 23 of 2004 concerning the Elimination of Domestic Violence and Government Regulation Number 4 of 2006 concerning Implementation and Collaborative Recovery Victims of Domestic Violence. However, efforts are still needed to implement the law, both technically on the regulations below and the facilities and infrastructure. Article 25 concerning the role of lawyers in the effort to provide protection for women is as follows

1. In terms of providing protection and services, mandatory advocates
2. Memberikan konsultasi hukum yang mencakup informasi mengenai hak-hak korban dan proses peradilan Providing legal consultation which includes information on the rights of victims and the judicial process;
3. Accompanying victims at the level of investigation, prosecution and examination in court sessions and assisting victims to fully describe the Domestic Violence they experienced; or
4. Coordinating with fellow law enforcers, co-volunteers, and social workers so that the judicial process runs as it should be^[3].

In Indonesia, 1 in 3 women in the world experience violence, both in the form of physical violence and sexual violence (WHO, 2010). Even 1 in 4 women in developed countries also experience violence to reach 25%. In African and Asian countries, the

highest level of violence against women is around 37%. The data illustrates that cases of violence against women are very serious and must be addressed immediately, since they will become obstacles in realizing the welfare of women to participate in future development^[4].

Violence is a form of imbalance between the roles of women and men to cause domination and discrimination that will prevent women from progressing. There are several types of violence experienced by women namely physical violence, emotional or psychological violence, economic violence to violence limiting activities. Of the various violations, the most common type of violence was sexual violence as much as 38%. The high rate of violence makes the Government, namely the Ministry of Women's Empowerment and Child Protection (KemenPPPA) in collaboration with the Central Statistics Agency (BPS) conduct a National Women's Life Experience Survey (SPHPN) in 2016 to find out information about the life experiences of women who experience violence with ages 15 years and over. It is known that as many as 33.4% of women aged 15-64 years have experienced physical violence and / or sexual violence during their lives, with the amount of physical violence as much as 18.1% and sexual violence 24.2%^[5].

Among the many cases of violence against women, the level of violence both physically and sexually experienced by unmarried women is 42.7%. Sexual violence experienced by most unmarried women is 34.4%, greater than physical violence which is only 19.6%. This figure proves that there are still many unmarried women who are victims of violence, where the perpetrators can come from the closest people such as boyfriends, friends, coworkers, neighbors, etc. But this type of violence can be perpetrated by strangers who are not even known by the victim.

The high rate of violence has become a concern of the wider community, especially the number of violence in dating relationships for unmarried women is quite alarming lately. The 2016 PPA symphony states that out of 10,847 perpetrators of violence, 2,090 perpetrators of violence were dating friends/friends.

Dating violence is an act of violence against a partner who is not married, including physical, emotional, economic violence and restrictions on activities. This violence is a case that often occurs after domestic violence, but still has not received much attention when compared to violence in the home stairs so that sometimes it is still overlooked by the victim and the culprit. The following forms of violence against women in courtship include:

1. Physical violence such as hitting, slapping, kicking, pushing, striking hard on a partner's body and a series of other physical actions.
2. Emotional or psychological violence such as threatening, calling as a humiliating partner and others.
3. Economic violence such as asking a partner to fulfill all their necessities of life such as using or draining the spouse's property.
4. Sexual violence such as hugging, kissing, touching to force to have sexual relations using threat.
5. Violence limiting activity by the couple haunts many women in dating, such as a partner who is too possessive, too restraining, often suspicious, always arranges whatever is done, then easily to get angry and likes giving threat.

Many factors cause violence against women in courtship, including low levels of education, patriarchal understanding, bad habits such as using narcotics, drinking alcohol, quarreling and not being able to control emotions, women attacking first, infidelity, couples being unemployed, temperamental nature, parenting quickly with violence in childhood so often experience or see violence, the level of economic well-being, location of residence in urban areas, the effects of association that are familiar with violence, the effect of mass media impressions that contain elements of violence.

On the other hand, in cases of dating violence that is women who are victims tend to be weak, lack of confidence, and really love their partners. Many couples who immediately after violence immediately change significantly show an attitude of regret, apologize, and promise not to do it again, and be nice to the victim. This is what makes women will continue to forgive and understand the attitude of their partners and go back to dating relationships as before. Whereas someone who basically likes to be rude to their partner, will tend to repeat the same thing because it is a personality and attitude in dealing with conflicts or problems.

Various impacts arising from violence in dating are the occurrence of health and psychological disorders of women who are victims. Women victims of physical or sexual violence in dating risk 1.5 times more health complaints. Physical effects can be in the form of bruises, broken bones, and the most dangerous ones can cause permanent disability, while for psychological effects such as hurt, falling self-esteem, shame and humiliation, self-blame, fear of the shadow of violence, confusion, anxiety, distrust of yourself and others, feel guilty, have a higher level of depression until the emergence of a desire to commit suicide^[6].

Efforts to deal with women victims of violence in courtship can be done by providing support and convincing victims to dare to say no and to oppose all forms of violence committed by their partners, helping to foster self-confidence. For trauma victims, special treatment is needed by a psychiatrist or psychologist or through victim assistance for the initial stage.

Efforts to deal with the perpetrators of violence are to trace what causes the perpetrators of violence, whether there are bad events or trauma so they prefer to resolve a conflict and other things with violence. Besides, providing counseling or psychotherapy from a psychologist or psychiatrist, to the offender so that he is aware of the dangers of the effects of his actions, both for himself or for his partner.

To prevent and handle various cases of violence experienced by women, the government (in this case the Ministry of PPPA) has made various efforts including by formulating and establishing various laws and regulations, and reinforcing the mission to narrow the opportunities for violence through the launching of "Three Ends" namely: End violence against women and children; End trafficking in persons; and End the economic gap for women. In addition, other steps have been taken through various IECs to broaden the range of information about women's rights to all Indonesian people, ensure and improve institutional functions at the village level to prevent and respond early when violence against women occurs, enhance the role and function of the Protection of Women Task Force and Children (Task Force PPA) in the area, as well as mobilizing massive support from stakeholders from ministries/ institutions, local governments, and community institutions.

The government has provided a number of services for women victims of violence which include complaints, health, legal aid, law enforcement, social rehabilitation, social reintegration, and assistance of religious leaders. Complaints services ranked highest with 1655 services (37 percent) that were provided followed by health services as many as 830 services (19 percent). Other services with a high number of services are legal assistance and law enforcement with a total of 681 and 677 services provided.

For women who are not married and are in or want to establish a relationship with a potential partner, here are tips for avoiding violence in courtship. First get to know the potential partner thoroughly before starting a deeper relationship with him, don't make decisions too quickly and be wiser in choosing a partner, dare to take a stand by saying 'no' and stop the relationship when accepting acts of violence, build commitment before starting a relationship, introduce the spouse to the family to arouse feelings of hesitation from the spouse towards the family, the importance of the involvement of the role of parents, as well as the closest people in supervising and protecting children, family, friends and people we know from the dangers of dating violence.

Conclusion

The end of violence against women is the key to promoting gender equality and enabling women to participate fully in political, economic and social life. Women are the decisive factor for the creation of future generations, so let's protect women from all forms of violence in order to produce good and quality young generation.

References

1. Nur Rochaeti, "CEDAW and National Law on the Rights of Women" Paper on Training on Human Rights Education with Gender Perspective, Semarang, 7-8 February 2005.
2. Luhulima, Achie ed. 2000. Understanding of the Forms of Violence Against Women and Alternative Solutions. Jakarta: Working Group "Convention Wacth" Center for Women's and Gender Studies, University of Indonesia.
3. Poerwandari, Kristi. 2006. Psychological Strengthening to Overcome Domestic Violence and Sexual Violence. Jakarta: Women's Study Program - PPs-UI.
4. Pers Release of FightBack Run 2017 #Moving together #AgainstSexualViolence. Downloaded from <http://indonesiaforhumanity.org/result-fightback-run-2017/>