

Report of Independent NGO

**Implementation of the Convention on the Elimination of All
Forms of Discrimination against Women (CEDAW)**

In Indonesia

Fulfilment of the Rights of Rural Women

Article 14, CEDAW



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Table of Contents

Introduction

Executive Summary

Chapter 1 : Process of Making the Report

Chapter 2 : General Situation of the Rural Women in Indonesia

Chapter 3: State's Obligation in Implementing Article 14 of CEDAW, MDG, and BPFA

Chapter 4 : Implementation of Article 14 of CEDAW in Indonesia

- 1. Obligation of the State to eliminate discrimination and efforts to fulfil the rights of rural women.**
- 2. Participation of rural women in development at all levels.**
- 3. Access of rural women to health rights and adequate health services.**
- 4. Social security for rural women.**
- 5. Access to education of rural women.**
- 6. Participation of rural women in community groups and social organizations.**
- 7. Access of rural women to obtain credit, and develop the economy of their family.**
- 8. The right of rural women to obtain a decent life, access to clean water, and, adequate development infrastructures.**

Recommendations

EXECUTIVE SUMMARY

Implementation of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) in Indonesia

Fulfilment of the Fundamental Rights of Rural Women (Article 14, CEDAW)

1. This Report on the implementation of Article 14 of CEDAW was prepared by Koalisi Perempuan Indonesia untuk Keadilan dan Demokrasi (Indonesian Women’s Coalition For Justice and Democracy, hereinafter called Koalisi Perempuan Indonesia) by involving women organizations at the local level, the local government, and the members and management of Koalisi Perempuan Indonesia at the village level up to the provincial level. The data and information were obtained from the Needs Assessment, Focus Group Discussion, observation, and interview in 493 villages. The facts of the findings from the village were discussed in the Workshop in 45 Districts that are located in 10 provinces. This Workshop was held by involving civil society organizations, local governments, members of DPRD- especially the women members of DPRD- and academicians.
2. This Report on the implementation of Article 14 of CEDAW was specially made by Koalisi Perempuan Indonesia with the following considerations : 1) The lowest Administrative Area of the Government in Indonesia is dominated by the Village, which is, 88% of all the administrative area of the government, 2) The biggest number of poor people, men, and women is in the village, 3) There is a development disparity between the city and village that brought about inequality and injustice to the village residents, 4) The situation of Rural Women at present is very alarming and requires special attention to push for the creation of equality and justice based on the principle of equality between men and women, and 5) The State has the obligation to implement CEDAW as a consequence of the ratification of CEDAW through Law No. 7/1984.
3. The commitment of the Government of Indonesia to implement Article 14 of CEDAW, to pay attention to the special problems of rural women, and create a number of policies and programs to resolve gender injustice in the rural areas is very strong. This is proven by the presence of an analysis on gender injustice and the

Direction of Rural Development for the **period 2004-2009 that was directed to improve the welfare and quality of life of the people in the rural areas by paying attention to gender equality** as stipulated in Presidential Decree No. 7/2005 concerning the 2004-2009 National Middle-term Development Plan. Nevertheless, the commitment of the government to empower rural women and materialize gender equality in the rural areas is not apparent at all in the 2010-2014 National Middle-term Development Plan Document.

4. A number of policies and programs were created by the government nationally and sectorally as a follow-up of the 2004-2009 development policy so that: social engineering will support the enhancement of the role of rural women in decision-making and social activities, increase the economy, broaden the access of rural women to social protection programs and public services.
5. Currently, Rural Women are still facing various problems, namely: poverty, food crisis, gender-based violence and cultural-based violence, low access to public services (especially health, education, population and civil record administration), poor basic infrastructures in the rural areas (especially village roads, source of safe drinking water, sanitation, irrigation, and electricity).
6. The 2012 National Legislation Program discussed a number of Draft Laws related to the life of rural women, such as : Village Draft Law, Draft Food Law, Draft Farmers Protection and Empowerment Law, Draft Law concerning the Acceleration of the Development of Underdeveloped Regions, Draft Law concerning the Recognition and Protection of the Rights of Indigenous People, and Draft Law concerning Health Workers. However, unfortunately, the Ministry for Women Empowerment and Protection of Children, the only national mechanism that was appointed to fully realized the rights recognized in CEDAW is not involved in the process of discussion of these Draft Laws.

Chapter 1

Process of Making the Report

Background and Process of Making the Report

1. This Independent Report was made by Koalisi Perempuan Indonesia. In particular, this report tackles the situation of the rural women in Indonesia as stipulated in article 14 of the Convention on the Elimination of All Forms of Discrimination against Women and how the implementation of this article was fulfilled by the state. Koalisi Perempuan Indonesia, felt summoned to report the condition of the Rural Women in Indonesia because it has an organizational structure at the Village/community level up to the national level. The Leadership Structure and Secretariat is present in 493 Women Centres which are the organizations at the village/community level, in 104 branches which are the organizations at the district/city level, and in 14 regions which are the organizations at the provincial level. The number of members of Koalisi Perempuan Indonesia is 33, 114 women and 70% are village residents.

2. The facts of life of the rural women obtained by Koalisi Perempuan Indonesia while conducting its Needs Assessment and Organizing in 147 Villages in 45 Districts in 10 Provinces from April 2011 to May 2012 should be reported to push for the fulfilment of the Rights of Rural Women. Together with the Needs Assessment, Koalisi Perempuan Indonesia also made a monitoring instrument in the form of a monitoring card that was made based on the issues that were mandated in article 14 of CEDAW, namely:

1. Access of rural women to education
2. Access of rural women to health rights and health services
3. Access of rural women to obtain credit assistance and develop a business
4. Participation of rural women in groups and social organizations
5. Access of village women to obtain a decent life, housing, land for planting crops, infrastructures, and clean water

The needs assessment and monitoring of the implementation of article 14 was conducted by using the participative research method; reaching out, observation, deep interview, and holding routine meetings with the key personalities at the village level to explore and identify the situation of the fulfilment of the basic rights of village women. After this, the result of the

assessment and monitoring were processed into a data that are quite valid to include in the report. The process was continued by holding a Workshop that involved the representatives of women groups in villages, civil society organizations, village governments, district governments, and academicians. The regions of the Need Assessment and Organizing are the following :

No	Region	District/City
1	East Kalimantan	Kutai Karta Negara
2	South Sumatra	Palembang, Empat Lawang,
3	Special Region of Yogyakarta	Bantul, Kulonprogo,
4	Bali	Tabanan, Karangasem, Denpasar
5	South Sulawesi	Takalar, Jeneponto, Bantaeng
6	South Sulawesi	Muna, North Buton
7	West Nusa Tenggara	East Lombok, West Lombok, Sumbawa, West Sumbawa, Dompu, Central Lombok, North Lombok, Mataram, and Bima
8	East Nusa Tenggara	Kupang, Ngada, Sikka, East Flores, Kupang District, Central Sumba, East Sumba, Sumba Barat Daya, West Sumba, Timor Tengah Selatan
9	West Java	Depok, Bekasi, Sukabumi, Karawang, Cirebon City, Cirebon District, Indramayu, Bandung District, Bandung City, Garut
10	Central Java	Kendal, Semarang District

Aside from the regions above, Koalisi Perempuan Indonesia also had the opportunity to assist the organizing of women groups, the organizing of customary leaders, and the organizing of religious leaders in two villages in Sogomo and Yiwika, Jaya Wijaya, Papua. This program in Papua is a program that was designed together by Bureau of Women Empowerment and Child Protection , Women organization in Papua called Humi Inane, and UNFPA to create a mechanism for the Prevention and Handling of Violence against Women and Children at the

community base (Village) level. The result of this organizing in Papua was later on combined with the result of the organizing that was conducted in 10 other provinces.

The final step is the writing of the draft report that was conducted by a small team and the whole draft was discussed in the plenary meeting that involved the staff of Koalisi Perempuan Indonesia, Community Organizers, and several networks to provide objective inputs and finalize the report according to the standard CEDAW shadow report.

3. From 2011 to 2012, Koalisi Perempuan Indonesia was involved in the deliberation of the Draft Village Law. This Draft Village Law shall regulate governance and the way of life in the Village. Koalisi Perempuan Indonesia found several serious problems in this Draft Law, namely: 1) This Draft Law concerning Village does not accommodate equal rights based on the principle of equal rights between men and women; 2) This Draft Law tends to strengthen the customary government system that provides authority in the field of decision-making, control of wealth, and customary court; and 3) In the Draft Law, several articles have the potential to discriminate women and daughters. Koalisi Perempuan Indonesia regrets the low participation of women organizations in the deliberation of the said Draft Village Law. **Koalisi Perempuan Indonesia is very concerned about the insensitivity of the Ministry of Women Empowerment and Child Protection towards the process and substance of the Draft Village Law, considering that this Ministry is the national mechanism that has the mandate to empower women and eliminate discrimination against women.**

Chapter 2

Situation of the Rural Women in Indonesia

4. As a whole, the territory of the Republic of Indonesia is composed of 33 provinces, 404 Districts, 98 Cities (502 Districts/Cities), 6,542 Sub-districts, 8,072 (12%) Urban Villages, and 67,172 Rural Villages (88%)¹. From this data, we can say that the smallest administrative unit in Indonesia is dominated by the Village and we are certain that most of the population of Indonesia resides in the village.

5. Development to improve the welfare of the people in the rural areas that has been ongoing for more than 60 years has not yet brought about significant changes in the welfare of the people; this is indicated by the worsening number and condition of poverty that actually increases every survey period. According to the 2008 SUSENAS (National Socio-Economic Survey) data, the number of poor people in Indonesia is 34.96 million and 36.61% of the poor people reside in the city and 63.38% of the poor people reside in the village. As such, the number of poor people in the village until 2009² is still slow and it is estimated that it will continue to grow because of the increase on the price of basic commodities, increase on the basic electricity rate, risk of unemployment, and the risk of natural disasters that often occurs in Indonesia lately.

6. The minimum construction of basic infrastructures like: poor village roads and minimum village transportations, low access to clean water, absence of electricity, lack of health facilities and health workers, lack of education facilities and work force, and poor sanitation and poor management of family waste increases the work burden and hinders the enhancement of the quality of life of rural women.

7. Low food security and inadequate nutrition of the rural people. The 2010 Basic Health Research (Riskesdas) conducted by the Ministry of Health indicated that the prevalence of the lack of nutrition and poor nutrition of children under the age of five is still high, which is, 17.9%. It only decreased to 0.5% compared with the same research in 2007 which is 18.4 percent. The number of children under the age of five, based on the 2010 Population Census, is 28.5 million, 12% of the total population of Indonesia which is 237.6 people. The Basic Health Research Report (Riskesdas) 2010 also recorded that 35.7% of the children in Indonesia are categorized as short as a consequence of the chronic nutrition problem.

¹ Data of the Ministry of Home Affairs, May 2010, www.depdagri.go.id

² Data SUSENAS 2008, BPS, MDGs Citizen report

Approximately, 7.3 million of the children in Indonesia have a short body measurement as a consequence of lack of nutrition. This means, about 10 million of the children in Indonesia have health problems due to lack of nutrition in 2010. We are certain that the number of infants and children under the age of five that are experiencing lack of nutrition and poor nutrition is not significantly less if we look at the number of poor people that only decreases to 1% every year.

8. Out of the 346 Districts that were analyzed by the Food Security Council (DKP), 100 districts have high food security risk and they require big-scale priority handling. The 100 districts that are in the lowest rank in the 2009 Map of Food Security and Susceptibility were divided again into three priority areas, namely: priority 1, priority 2, and priority 3. 30 Districts are included in Priority 1 that will obtain handling, namely; most of the districts that are scattered in the Eastern part of Indonesia, especially, Papua (11 districts), NTT (6 districts), and West Papua (5 districts). The total population here is 5,282,571. The districts included in Priority 2 are 30 districts, namely; most of the districts in West Kalimantan (7 districts), NTT (5 districts), NAD (4 districts), and Papua (3 districts). The total population here is 7,671,614. The districts included in Priority 3 are 40 districts, namely; most of the districts in Central Kalimantan (6 districts), Central Sulawesi (5 districts), and NTB (4 districts). The total population in this Priority 3 area is 11,785,667. The three provinces that are the organizing areas of Koalisi Perempuan Indonesia are the provinces and districts included in priority 1 and priority 3.

9. The deteriorating food security, the increasing number of hungry people, and the lack of nutrition in the rural areas in general is brought about by the volatile climate change and the policy on the management of natural resources that is not pro village people. As a consequence of the volatile climate change, the people in the village experience harvest failure. And the decreasing food production is the result of the transformation of fertile lands into industrial areas, primarily mining and plantation, especially, palm oil plantations. The government certainly made a policy on food reserve system to resolve the food crisis. However, this policy is perceived as inaccurate because the food crisis did not occur because of the mistake in the management of harvest crops, but rather, the failure in planting crops due to the climate change and the decreasing number of fertile lands.

10. The Investment Policy and the Management of the Natural Resources in Indonesia is the main root problem of the growing poverty in the rural area. As a consequence of the presence

of investments, like, mining, forestry, and plantation that brought about various forms of conflict, eviction, and the seizure of lands and source of livelihood of hundreds of thousands of village people. Based on the Agrarian Reform Consortium Report (KPA), in 2011, there were 163 cases of land conflicts with the following composition: 97 or 60% of the cases is related to the plantation sector, 36 cases (22%) in the forestry sector, 21 cases (13%) are related to infrastructure, 8 cases (4%) in the mining sector, and 1 case (1%) in the coastal area. These cases occurred in almost all of the provinces in Indonesia. Hundreds of thousands of the residents in the rural area were suddenly evicted and live in evacuation centres and were intimidated by security officers or hoodlums hired by companies or the security apparatus.

11. The progress that deserves appreciation is the state's recognition of women as food farmers in Law No. 41/2009 concerning the Protection of Agricultural Lands for Sustainable Food. **Law No. 41/2009 states that the definition of food farmers that would later on be referred to as Farmer, is every citizen of the state of Indonesia and his/her family that uses Land for basic food commodities in the Agricultural Land for Sustainable Food.** This new definition replaces the old definition that considers women only as the wife of the farmer who helps the work of her husband as farmer. With this new definition, the Ministry of Agriculture issued a policy to urge the regional government to form women farmers' group and form joint women farmers' group to receive various programs implemented by the government.

12. However, the recognition towards women farmers is only up to the stage of recognizing the existence of women as farmers, to cultivate land and produce agricultural products and process the products of agriculture. Meanwhile, the recognition of the right over the land for women farmers – especially for the rural women – still doesn't exist. This is proven by the policy of the Ministry of Labour and Transmigration, which is not yet replaced at present, that states that the land certificate for the ownership of the land by a transmigrators will be in the name of the husband as the Head of the Family.

13. Another progress that needs appreciation is the policy that obligates the involvement of women to at least 30% of all the member participants of the Village Development Planning Consultation Forum (Musrenbangdes). Although various parties state that the involvement of women is not always productive in the decision-making of Musrenbangdes, in terms of proposing a program or in considering the impact that will be experience by women, the

policy on the involvement of 30% women in Musrenbangdes can be considered as the recognition of the government towards women, that women are actors of development.

14. Another development that is worth appreciating is the reduction of discriminative practices against girls – especially the practice of the force marriage of girls. The marriage of girls at the age of 10-12 years old, relatively, does not exist anymore. However, the marriage of girls at the age of 12 -15 years old and at the age of 16-18 years old is still high. The total number of the marriage of girls in these two age groups is still more than 50% of the total number of marriages in Indonesia in one year. This is still happening at present because the marrying age of girls in the Marriage Law is 16 years old, and they can marry before reaching the said marrying age unless the parents of the concerned daughter applies for dispensation from the authorized officer. The decrease in the number of marriages at the age of 10-12 years old is brought about by the raising awareness of parents that they should send their children to school until they graduate from at least elementary school and also supported by the effort of the government to build elementary schools in village.

15. The threat that still endangers Rural Women and daughters is the crime human trafficking and smuggling. Although Indonesia has already issued Law No. 21/2007 concerning the Elimination of the Criminal Act of Human Trafficking (PTPPO), has ratified the United Nations Convention Against Transnational Organized Crime through Law No. 5/2009, has ratified the Protocol To Prevent, Suppress And Punish Trafficking In Persons, Especially Women And Children, Supplementing The United Nations Convention Against Transnational Organized Crime through Law No.14/2009, and has ratified the Protocol Against The Smuggling Of Migrants By Land, Sea And Air, Supplementing The United Nations Convention Against Transnational Organized Crime through Law No.15/2009, women and children trafficking still remains to be a threat. The poorest, most backward, and remotest rural areas are are most vulnerable to the crime of trafficking/smuggling of women and children, especially because most of the women and girls in their productive years in these areas are illiterate and cannot speak bahasa Indonesia.

16. The customary and traditional practices that discriminate women still occur in the rural areas. In general, these customs and traditions are related to: the division of control over productive plants, eating manners, taboos on food when pregnant, after giving birth, and when breastfeeding, isolation of women during menstruation, giving birth, and after childbirth, division of inheritance, marriages, including unregistered marriages, arranged marriages of children, caste system, and the settlement of criminal acts/violence against

women through the customary system that still discriminates women. The government are not making serious efforts to eliminate these discriminative practices.

17. To eradicate poverty, in 2007, the Government launched National Program for Community Empowerment (PNPM) . One of the PNPM programs to empower and eradicate poverty in rural areas is National Program for Community Empowerment (PNPM) Mandiri Rural. This PNPM Mandiri-Rural is the extension of the Kecamatan Development Project (KDP/PPK). The PNPM Program and KDP/PPK are the programs implemented and funded by the World Bank's Loan. The PNPM Mandiri-Rural includes the Program Bantuan Langsung Masyarakat (BLM) (Direct Cash Transfer Program), to Increase the Participation of the people, men and women in the Village Development Planning (Desa Berpartisipasi), Improvement of Village Means & Infrastructures and Dana Bergulir – Simpan Pinjam Perempuan (SPP or Women's Microcredit Group). The Desa Berpartisipasi Program supported the implementation of the Joint Directive of the Minister of Finance and Minister of Home Affairs concerning the Participative Village Development Planning Consultation (Musrenbangdes) that requires the participation of women, at least 30% of the members of the consultation forum should be women. However, the result of the Needs Assessment of Koalisi Perempuan Indonesia in 125 villages indicated that the involvement of village women is not effective because it was not preceded by Capacity Building to strengthen women's capacity to identify the needs of women and children and to negotiate with the other members of the forum.

18. The PNPM Mandiri Rural Program that is specially directed to the Poor Rural Women is PNPM Mandiri Rural-Women's Microcredit Group. The findings of Koalisi Perempuan from the Needs Assessment in 50 villages indicated that this program has brought about serious problems to the poor rural women and the women organizations that work for the empowerment of rural women. The problems that emerged, among others, are: 1) The use of the military – Bintara Pembina Desa-Babinsa) and Satuan Polisi Pamong Praja (Satpol PP-Perangkat kepolisian Pemerintah Daerah) as debt collectors to the women who fail to repay their loan. The use of the military and police to collect debt produces fear and trauma to the poor rural women, especially since these two law enforcement officials often give a threat that they will legally process or imprison the women. 2) The women organizations that works to empower the economy of village women through the development of a Credit Union (CU) experience bankruptcy because most of their members transfer to the PNPM – Women's Microcredit Program before settling their obligation to repay their loan to the Credit Union.

Chapter 3

State's Obligation to Implement Article 14 of CEDAW, MDG, and BPFA

19. The State's Obligation in Article 14 of CEDAW are :

1. Participating countries are obliged to pay attention to the special problems that confront rural women and the important role of rural women in maintaining the existence of the economy of their family, including their work in the economic sector that are not valued with money, and they are obliged to do all the necessary steps to guarantee the implementation of the stipulations in this Convention for the women in the rural areas.
2. Participating countries are obliged to do all the necessary steps-actions to eliminate discrimination against women in the rural areas and guarantee, the basis for the equality of men and women, that they can participate in and benefit from rural development and, especially, they are required to guarantee the rights of women:
 - a. To participate in the planning and implementation of development at all levels;
 - b. To obtain access to adequate health service facilities, including counselling information and family planning services;
 - c. To obtain direct benefits from social security programs;
 - d. To obtain all types of training and education, formal and non-formal, including those related to functional reading-writing, and, among others, benefit from all community services and counselling, to improve their technical skill;
 - e. To organize self-sufficient groups and cooperatives to obtain equal access to economic opportunities through jobs or businesses;
 - f. To participate in all social activities;
 - g. To obtain access to credit and agricultural loans, marketing facilities, effective technology, and equal treatment in land and agrarian reforms, and in resettlement plans;
 - h. To enjoy a decent living condition, especially those related to housing, sanitation, electricity, and availability of water, transportation, and communication.

20. Indonesia is required to attain the Millennium Development Goals (MDG)

Indonesia is one of the countries that signed the international agreement to reduce poverty that is included in the **Millennium Development Goal (MDG)**. The mandate of Article 14 of CEDAW is also strengthened with the agreement of the country in relation to the attainment of the MDG's as an effort to fulfil and protect the rights of women.

The Millennium Development Goals (MDGs) that should be attained as a whole are: 1) To eliminate poverty and hunger; 2) Provide basic education to all; 3) Push for gender equality and women empowerment; 4) Reduce the number of children mortality rate; 5) Improve the health of pregnant women; 6) Fight HIV-AIDS, malaria, and other communicable diseases; 7) Guarantee the conservation of the environment; and 8) Broaden global partnership for development.

21. Indonesia is compelled to implement the Beijing Platform for Action (BPFA)

The 4th World Conference on Women that was held in Beijing, China in 4-15 September 1995 with the theme: Equality, Development, and Peace produced several recommendations that should be implemented by the member countries of the UN to increase the access and control of women over economic, political, social, and cultural resources. All the recommendations and result of the conference are included in the **Beijing Declaration and Platform for Action (BPFA)** that urged the mainstreaming of gender in every policy and program and identified 12 Critical Fields that should be prioritize, namely : 1) Women and Poverty; 2) Education and Training for Women; 3) Women and Health; 4) Violence against Women; 5) Women and Armed Conflict; 6) Women and Economy; 7) Women that Holds Power and Decision-maker; 8) Institutional Mechanisms for the Progress of Women; 9) Fundamental Rights of Women; 10) Women and the Mass Media; 11) Women and Environment; and 12) Girls Child.

The implementation of BPFA is a part that could not be separated from the implementation of CEDAW; it is included but not limited to the implementation of Article 14 of CEDAW.

Chapter 4

Implementation of Article 14 of CEDAW

I. Legislations and special measures

22. The implementation of Article 14 paragraph (1) concerning the obligation of the state to pay attention to the special problems that confront rural women and the important role of rural women in maintaining the existence of the economy of their family, including their work in the economic sector that are not valued with money, was carried out by the Government of Indonesia through the Formulation of the Middle-term Development Plan (RPJM) Document that is published once every five years. This document was produced with the issuance of Presidential Decree No.7/2005 concerning the 2004-2009 Middle-term Development Plan and Presidential Decree No. 5/2010 concerning the 2010-2012 Middle-term Development Plan. In the Chapter concerning Rural Development, these two documents discussed the problems in the rural areas, target, and the direction of the policies and programs of rural development.

23. If we compare these two development plan documents, we can say that the problems of rural women and gender inequality are not identified in the Development Planning Document for the period of 2010-2014. In Presidential Decree No. 7/2005 concerning the 2004-2009 Middle-term Development Plan, the problems of rural women and gender inequality in the rural area are identified clearly and in details in Section IV Chapter 25 on Rural Development. However, on the special section on Rural Development in the 2010-2012 Middle-term Development Plan Document (Attachment Presidential Decree No. 5/2010), the problems of women and gender inequality in the rural area were not specifically identified. Gender equality, women empowerment, and the protection of children were discussed as cross-sectoral issues of Social, Political, Economic, and Cultural Development in Chapter II Book II of the Middle-term Development Plan. Nonetheless, in this section, the problems of rural women and gender inequality in the rural area were not discussed.

24. The implementation of Article 14 paragraph (2) concerning the obligation of the state to do all the necessary steps to eliminate discrimination against women in the rural areas and to guarantee the basis of equality of men and women was carried out by determining the direction of the policy on Rural Development. Presidential Decree No. 7/2005 concerning the 2004-2009 National Middle-term Development Plan (RPJMN) states that the 2004-2009 Policy on Rural Development is **directed to improve the welfare and quality of life of the**

people in the rural areas by paying attention to gender equality and taking the following steps:

1. Push for the creation of quality jobs in the rural areas by stimulating the growth of non agricultural economic activities (rural industries and support services), diversify agricultural businesses into agricultural commodities with high economic value, and strengthen the connection of rural and urban areas;
2. Increase the promotion and marketing of agriculture products and other rural areas to improve the continuity of supplies, especially to the nearest urban markets and local resources based processing industries;
3. Broaden the access of the people, especially women, to productive resources to develop businesses, such as, lands, social-economic infrastructures, capital, information, and technology and innovation; and broaden the access of the people to public services and markets;
4. Improve the empowerment of the people in the rural areas by improving their quality, both as a person and a development resource, and strengthen the institutions and social capital of the people in the rural areas in the form of networks to strengthen their bargaining position;
5. Improve the welfare of the people in the rural areas by fulfilling their fundamental right to education and health services, and minimize the risk of their vulnerability by developing the institution for the protection of farmers and by improving unfair market structures (monopsoni and oligopsoni); and
6. Develop agricultural cultivation practices and non agricultural businesses that are environment-friendly and based on the principles of sustainable development as part of the effort to maintain support to the environment.

25. However, the commitment of the state to implement Article 14 paragraph (2) of CEDAW in the 5 year Development decreased or it was not even apparent at all. This is proven by the absence of the effort to materialize gender equality in the direction of the policy on Rural Development. Presidential Decree No. 5/2010 concerning the 2010-2014 National Middle-term Development Planning (RPJMN) states that the Direction of the policy on the 2010-2014 rural development is to strengthen the self-sufficiency of the village in terms of the government, development, and community; increase the resilience of the village as a production area; and enhance the attraction of the rural area by increasing job opportunities,

business opportunities, and income in line with the effort to improve the quality of human resources and the environment.

The following are the main considerations that should be taken into account in rural development in the next five years :

- (1) The activities of rural development are in the framework that the area is not sectoral and that rural development is not the adding up of all the activities of the respective sectors separately; it should be based on the needs of the rural area as a whole;
- (2) The direction of economic activities and other developments should be to provide maximum benefits to the local area by utilizing the local resources, physical resources, human resources, and its culture;
- (3) Development should focus on the needs, capacity, and perspective of the local community, meaning, one area should develop its capacity in order to conduct its socio-economic development that is typical to the said area;
- (4) Development is not only limited to the economic aspect, but also to the equal development of the ecological, social, and cultural aspect in order to create sustainable development; and
- (5) The participation of the local community in the decision-making process related to rural development is very important because decisions will be determined by the local community themselves and it is based on local needs.

26. The obligation of the state to **make legislations and** to do all the necessary steps/actions to eliminate discrimination against women in the rural area and guarantee the basis of the equality of men and women was carried out by making a National Law and adopting international legal instruments in the national law through ratification that directly and indirectly influence this objective. Among others :

1. Laws

- 1) The 1945 Constitution, in particular, article 28 Undang-Undang Dasar 1945
- 2) Law No. 7/1984 concerning the Ratification of the Convention on the Elimination of all Forms of Discrimination against Women
- 3) Law No. 39/1999 concerning Human Rights
- 4) Law No. 20/2002 concerning the National Education System
- 5) Law No. 23/2002 concerning Child Protection
- 6) Law No. 32/2004 concerning Regional Government
- 7) Law No. 23/2004 concerning the Elimination of Domestic Violence

- 8) Law No. 11/2005 concerning the Ratification of the Convention on Economic, Social, and Cultural Rights
- 9) Law No. 12/2005 concerning the Ratification of the Convention on Civil and Political Rights
- 10) Law No. 23/2006 concerning Population Administration
- 11) Law No. 21/2007 concerning the Elimination of the Crime Human Trafficking
- 12) Law No. 24/2007 concerning Controlling Disaster
- 13) Law No. 25/2009 concerning Public Service
- 14) Law No. 11/2009 concerning Social Welfare
- 15) Law No. 36/2009 concerning Health
- 16) Law No. 24/2005 concerning the National Development Planning System

Nevertheless, several Laws still discriminates women or daughters, such as : 1) Law No. 1/1974 concerning marriage and 2) Law No. 44/2008 concerning pornography.

The Marriage Law discriminates daughters because the minimum marrying age for women is 16 years old and 19 years old for men (Article 7 of Law No.1/1974). This stipulation is contrary to Law No.23/2002 on Child Protection. The Marriage Law also discriminates women because it standardizes the role of the husband as the Head of the Family and the wife as the Housewife (Article 31 paragraph (3)).

Meanwhile, Law No. 44/2008 on Pornography discriminates women because it tends to regulate the body of women.

2. Regulations

27. Some of the regulations that are directly or indirectly related to the fulfilment of the Rights of Rural Women, according to the stipulations of Article 14 of CEDAW are:

- 1) Government Directive No. 72/2005 concerning Village
- 2) Presidential Instruction No. 9/2000 concerning the Mainstreaming of Gender in Development
- 3) Presidential Decree No. 59/2002 concerning the Elimination of the Worst Forms of Jobs for Children
- 4) Presidential Decree No. 87/2002 concerning the National Action Plan for the Elimination of the Commercial and Sexual Exploitation of Children
- 5) Presidential Decree No. 88/2002 concerning the Action Plan for the Elimination of Women and Child Trafficking

- 6) Presidential Instruction No. 1/2010 concerning the Acceleration of the Implementation of the Priorities of National Development
- 7) Presidential Instruction No. 3/2010 concerning a Just Development Program

Aside from these, the following Minister Directives or Joint Directives also regulates the Mainstreaming of Gender :

- 1) Directive of the Minister of Home Affairs No. 67/2011 concerning the Amendment of the Directive of the Minister of Home Affairs No. 15/2008 concerning the General Guidelines for the Implementation of the Mainstreaming of Gender in the Region; and
- 2) Joint Directive of the Minister of Women Empowerment, the Minister of Home Affairs, and the Minister of Education No: (17/MenPP/Dep.II/VII/2005, 28A/2005, I/PB/2005)/2005 Concerning the Acceleration of the Eradication of the Illiteracy of Women.
- 3) Joint Agreement between the Minister of Women Empowerment and Child Protection (KPP & PA) concerning the Mainstreaming of Gender (10 Joint Agreements between KPP & PA with Regional Heads and 12 Joint Agreements between KPP & PA with the Minister/Leadership of Public Institutions).

II. Fulfilment of the Rights of Rural Women (Article 14 Paragraph (2))

1. The Right to Participate in the Planning and Implementation of Development

28. The participation of women in the Village Development Plan was first guaranteed through the Letter of the Minister of Home Affairs Number 414.2/2435/SJ dated 21 September 2005 concerning the General Guidelines on the Management of Participative Development which states that, at least 30% of the participants of the Village Development Planning Consultative Forum should be women. At the start, not all of the villages can comply with this stipulation because of the usual practice and the perception of the apparatus, leaders of the community, and women in the village, which is, that the participants of the development planning meeting are the Head of Family. However, the said Letter of the Minister of Home Affairs urged the leaders of the regions to make various efforts, including to work together with women organizations, to push for the participation of women in the Village Development Planning.

29. After this, the Minister of Home Affairs issued the Directive of the Minister of Home Affairs No. 66/2007 concerning Village Planning. Article 10 of this Directive firmly states

that 3-5 members of the Forum/Citizens' Meeting for Development Planning should be women.

30. The result of the Needs Assessment of Koalisi Perempuan Indonesia in Central Java, the Special Region of Yogyakarta, West Java, Sulawesi, East Nusa Tenggara, Bali, and West Nusa Tenggara indicate that women participated in the Village Development Forum. Some of the Districts in these provinces even issued a Local Directive to guarantee the Representation of Women in the Village Development Planning Consultation. In Sumba-East Nusa Tenggara, the people announced that the Village Development Consultation will not start if the women are not present in the said meeting. Nonetheless, most of the women expressed that their participation is not effective; they cannot express problems and needs from the point of view of women because they are not accustomed to debate. Several women even admitted that their participation is merely to fill up the attendance sheet so that the holding of the activity is valid.

31. Innovation. Several civil society organizations—including women organizations—support the effort to involve women and to improve the effectiveness of the involvement of women in the village consultation by strengthening the leadership of women. To improve the effectiveness of the involvement of women in the village consultation, some of the leaders of women community groups in Ngada-NTT took the initiative of holding a special village consultation (Musrenbang) for women before joining the Musrenbang at the village level so that together, they can formulate the problems that they are facing and propose solutions that will be accommodated in the Village Development Plan Document.

32. It is true that the process of Musrenbangdes obtained the involvement of women according to the 30 % quota that was determined in several regulations related to budget planning and work of the government. However, it is still not easy for the women in the village to be fully involved because of the absence of an effective socialization of musrenbang. And why should the women be involved when the schedule of musrenbang is not accessible. Even if the women were invited, most of them don't have sufficient time to prepare the inputs and matters related to the needs of the women in the village; in the discussion meeting of musrenbang, most of the women play a technical role rather than substantially participate in the expression of opinions and giving of inputs in the forum. In general, almost all of the women in various areas are enthusiastic to participate in Musrenbangdes; however, they admit that they need support to improve their leadership capacity. Several Regional Governments also admitted that various activities and training are

necessary to improve the leadership of women so that the participation of women in musrenbangdes can be really meaningful.

2. Right to Health, including Family Planning Services

33. The Number Health Facilities and Health Workers in the Rural Area are still Inadequate. Health services in the rural area are also not sufficient enough to serve the needs of the people in the rural area. The data per June 2011 indicates that the total number of existing PUSKESMAS³ (Public Health Centres) is 9,033 while the total number of PUSKESMAS PEMBANTU (health service at the Village level) is only 22,650. If we compare these numbers to the total number of villages in Indonesia which is 67,172, it would indicate that not all of the villages have a PUSKESMAS PEMBANTU. For the villages that do not have a PUSKESMAS PEMBANTU, health services can only be obtained in the PUSKESMAS (in the Sub-district) that is very far from the residence of the people in the village. Most of the people in the Village cannot reach the PUSKESMAS because of the poor roads in the village and the absence of public transportations in the village. Aside from these, the number of health workers, like Doctors and Midwives is also inadequate. Because of this, most of these existing PUSKESMAS and PUSKESMAS PEMBANTU cannot perform surgical operations because of the lack of health workers in these Pusat Layanan Kesehatan (PUSKESMAS).

34. The Minimum Health Service Facilities and Health Workers is the cause of the main health problems in Indonesia, namely; the high Maternal Mortality rate (AKI), the high infant Mortality rate, and the high children under the age of five mortality rate. In general, the high pregnant women mortality rate is brought about by complications or infection and bleeding while giving birth and the traditional midwives and a family member who helps in the delivery of the baby cannot handle these problems. Meanwhile, the high infant mortality rate (AKB) age 0-12 months is generally brought about nasal infection, diarrhea, and lack of nutrition. Nasal tract infection (ISPA) on babies is generally due to poor sanitation and poor waste disposal. Diarrhea generally occurs to infants because of the consumption of unsafe drinking water while lack of nutrition is brought about by the intake of nutrition that does not meet the standard nutritional needs. Aside from same reasons that caused the high infant mortality rate, in general, the reason for the high mortality rate of children under the age of 5 in the rural areas is that they were not able to obtain complete immunization.

³ Source of the data on the number of Puskesmas in Indonesia is the Department of Health

35. The Problem on Health in Indonesia is not merely a Medical Problem. The problem on health in Indonesia is tightly related to the social-cultural issues, including gender inequality and the uneven power relations between men and women. The degree of the health of women experiences a sharp decline when pregnant, after childbirth, and breastfeeding. In general, this is brought about by the heavy work burden and the high level of mental stress experienced by women. Aside from these, more than 70% of the pregnant women in the rural areas give birth without the help of a health worker; the reason for this is related to the belief of the people that prefers the service of the traditional midwife because they believe that the traditional midwife understands the customary ways rather than the doctors or midwives who are outsiders, they don't understand tradition, and their cost is expensive. Several villages also have the tradition that considers the body of a woman as a media that can be easily influenced by a "bad spirit". This tradition considers the body of a woman dirty because it emits blood every month during menstruation. As such, when a woman gives birth, she should be isolated and evicted from the residential area so that the people can avoid the bad spirit. Besides this, the people in the rural area are still convinced about the myth that "perawan tua" (old-maid) will bring shame to the family so the parents make haste in marrying their daughters to avoid shame. This is despite the fact that the reproductive system of a woman at a very young age is still very vulnerable if she gets pregnant or delivers a baby at a very young age. Another tradition that decreases the degree of health and body resistance of women and children is the tradition that prohibits the eating of various foods when a woman is pregnant and breastfeeding. The religious interpretations and religious teachings of several religions also produce a health problem to women, like the religious teaching that states that Family Planning Program is against religion.

36. The absence of the Autonomy of Women over their own Body. In general, Indonesian women—especially the women in the rural areas- do not have autonomy over their own body. Women—especially the women in the rural areas- do not have the right when to give birth, how many years before they can give birth to their next child, and when they will stop getting pregnant. The husband and the family of the husband play a dominant role in determining when they will start to have children, how many children they will have, and how many years is the distance of one child to the other child. As to where to give birth and how to give birth, in general, the husband decides. Included in this intervention is the gender of the child that will be born, as such, the wife has to keep giving birth until she gives birth to a son. This is

because, in several areas and ethnic groups, a son is considered as the continuation of the family and the family name.

37. The poor infrastructures and poor public means in the village obstruct the access of women to health services. The bad roads in the village and the absence of public transportations in the village are the main problems why women cannot access health services, for example, they cannot go to puskesmas and drug stores. We cannot find the national data on village roads that will explain the number and condition of the roads in the villages as well as the available means of transportation in the villages. Nevertheless, based on the data of the Statistic Centre in every region, approximately 50-65% of the existing roads in the villages are dirt roads, about 20-35% of the roads are gravel roads, and only 15-20% of the roads in the villages are asphalt roads (smooth roads). However, several districts reported that only 5% of the roads in the villages are travelled by the means of transportation in the villages. Most of the villages do not have public transportations. The Government of Indonesia issued a policy to provide the Special Allocation Fund (DAK) for the construction of road infrastructures in the rural areas. However, the amount of the fund is too small compared with the number of ruined roads.

38. Initiative and Innovation of the Regions to Improve the Health of Pregnant Women and Children. Several regions launched a program to improve the health of pregnant women and children. In West Nusa Tenggara (NTB) the AKINO (Angka Kematian Ibu Nol - Zero Pregnant Women Mortality Rate) Program was launched. Meanwhile, in East Nusa Tenggara (NTT) Governor Directive No. 42/2009 concerning the Revolution of the Health of Women and Children (Revolusi KIA) was issued. In Yogyakarta, the Program One Village, One Midwife, and One Village Polyclinic was launched. The result of the AKINO Program is quite satisfactory; out of the existing 955 rural villages/urban villages, 894 villages (90.4%) did not experience the death of pregnant women or it obtained a zero pregnant woman mortality rate. AKINO was carried out in the form of a Delivery Planning and Complication Prevention Program (P4K) in every district/city in NTB wherein pregnant women were guaranteed to obtain free pregnancy check-ups until they deliver their baby regardless of their status, it doesn't matter if they are rich or poor. The requirement to avail this program is that they should give birth in the Public Health Centre (Puskesmas) and a Class 3 Hospital. With regards to the Program One Village, One Midwife, and One Village Polyclinic, it was reported that it was able to reduce the pregnant women mortality rate and it also obtained the involvement of the different elements in the community in the effort to reduce the pregnant

women mortality rate. Meanwhile, the level of success of the Program Revolusi KIA at present has not yet reached the determined target. The reasons why the target to decrease the pregnant women mortality rate through Revolusi KIA is not yet attained are; the poor roads in the village and the absence of public transportations in the village.

3. Right to obtain direct benefits from social security programs

39. The Government of Indonesia conducted several forms of social security protection programs that were directly obtained by Perempuan, among others: **1) RASKIN** (Uncooked Rice for the Poor) (The selling of uncooked rice to very poor families at a price that is below the market price), **2) Bantuan Langsung Tunai (BLT)** (Direct Cash Transfer): compensation for poor families for the increase on the price of oil, **3) Program Keluarga Harapan (PKH- Conditional Fund Transfer)** **4) Jaminan Kesehatan Masyarakat** (social assistance for health services for the poor and incapable), and **5) Jaminan Persalinan** (health security that is specially directed to reduce the pregnant women mortality rate).

40. Positive and Negative Impacts of the Social Program to Women **1) RASKIN** is the program for the selling of uncooked rice at a price that is under the market price, especially for very poor families, was conducted from 1998 until 2012. This selling of uncooked rice was conducted in packages (per 20 kg in 1998-2006, per 15 kg in 2009, and per 13.5 kg in 2010). The price of the uncooked rice per kilo is Rp 1,000 (1998-2008) and Rp. 1,600 per kg (2009-2010). This program obtained several criticisms because: the data on poor families is inaccurate, the selling system which is per package is too much, as a consequence, the women cannot afford to buy the package that is offered, and the quality of the uncooked rice is not suitable for consumption. **2) Bantuan Langsung Tunai (BLT)** this was launched by the government as a compensation for the policy of the government to increase the Price of Oil; this was implemented in 2005 and 2008. This assistance is given directly to women and it is given once every 3 months. The amount of the money that is given is Rp. 100.000 per month. Most of the women stated that the assistance they receive is not equal to the increase on the price of commodities that they have to pay as a consequence of the increase on the price of oil. **3) Program Keluarga Harapan (PKH)** is given to very poor families with a child who is 0-15 years old (or 15-18 years old but has not yet graduated from elementary school) and/or if the mother is pregnant/after childbirth. In the membership card of PKH, the name that is written is the name of the mother/woman who takes care of the child, NOT the name of the head of the family. PKH requires the women who receive the money to visit the

health facility to obtain a pregnancy check-up at least once every 3 months and the delivery of their baby Should be conducted by trained/health worker. After child birth, the mother is required to obtain a check-up once a month after giving birth for two months. Babies age 0-11 months should obtain a medical check-up at least once a month and children age 1-6 years old at least once every 3 months. There is an opinion that this PHK Program has a positive impact to women. However, there are also criticisms to this program. One criticism is that, the apparatus is not transparent in determining the women who will obtain PKH. A number of people also have the opinion that this program is contra productive to family planning because many women are forced to get pregnant by their husbands so that they can avail PKH. **4) Jaminan Kesehatan Masyarakat, and 5) Jaminan Persalinan** are the programs that are being questioned by most of the people-especially women- up to now because the prerequisites and procedures to obtain these programs are not clear and discrimination is conducted by health official to the patients who use the Jamkesda and Jampersal card. Aside from these, most of the women in the rural areas are having difficulties in accessing these programs because most of the people in the villages do not possess a National Identification Card (KTP) and Family Card (KK) because the cost is expensive and the unofficial fee to make a KTP and KK is also expensive.

41. Women have little access to social protection programs, because : **1)** Women do not have access to information on the social protection programs implemented by the government, **2)** The determining criteria of Very Poor Family (RTMS) is very low and it does not reflect the reality in the community. The Very Poor Family in the rural areas according to the criteria of the government is the family with a maximum income of Rp.192,354 or USD \$ 20.5 per month. **3)** There is a requirement to obtain KTP and KK despite the fact that most of the people in the village do not have KTP and KK because they have to spend money to make KTP and KK. Almost all of the local governments issued a policy so that the making of KTP is free or the cost is very low, Rp. 5,000-10,000. In general, the making of KK is free or the cost is low, Rp. 10,000-Rp.15,000. However, almost all of the women in the rural areas in West Java, NTT, NTB, Sulawesi, and the other provinces disclosed that the officials in the Village Office asks for money amounting to Rp. 100,000 -200,000 for making KPT and KK.

4. Right to obtain training and education, formal and non-formal, including education for literacy

42. Policy and Budget Allocation for Education. The Constitution of RI requires the State to allocate 20% of the National Budget and Local Budget to education. However, in practice, this 20% budget allocation is not only allocated for the education of the citizens; rather, this 20% education budget also includes the education budget for the government apparatus.

43. Condition of School Buildings that is alarming and dangerous to the pupils. More than 70% of the school buildings –especially Elementary School Buildings-in the villages are alarming, dilapidated, and dangerous to the pupils and teachers who are in the process of learning and teaching. In some schools that have a classroom that is heavily damaged, the pupils who are using the said classroom will be combined with the pupils from a different class and level. There are also several cases wherein the school building collapses and these cases are reported by the people and the mass media.

44. Access to Education Facilities and the Problem on Drop-outs. The location of elementary schools is very far for the children. The distance between the elementary school and the residence of the pupils is very far. This occurred because, in constructing an elementary school building, the government policy uses the ratio number of population – especially the people in the productive age – in one village for every school construction. As such, the villages outside Java island – wherein the population in one village is very few and the places are apart- cannot have their own school building so they are combined with several villages. Because the location of the school building is far and there is no village transportation, the elementary school children must walk 4-6 km to reach their school. Because of the difficulty that the children are experiencing in going to school, the parents in general will only enrol their children to elementary school when their children are already 9 years old. The far distance between the school and the house of the pupils is also the main reason why children don't continue their schooling or drop out of school. The highest number of school drop-outs in the rural areas occurs during the 3rd and 5th grade of elementary school. The government policy concerning the construction of school buildings is perceived by the society as bias to Java. In order to push the local government to improve the condition of school buildings or construct a school building that is accessible to elementary school children, in general, women groups conduct an advocacy. The advocacy on the construction of an elementary school building conducted by the members of Koalisi Perempuan Indonesia in Sikka- NTT- produced a result, which is, during the early stage, the government agreed to construct the elementary school building, especially for grade 1-3 pupils. Later on, this advocacy was followed by another advocacy to demand for the construction of an elementary

school building for grade 1-6 pupils. This experience indicates that the construction of accessible elementary school building in the villages— especially outside Java- can be conducted by the local government if a women group/organization will conduct an advocacy.

45. Discrimination against Rural Teachers. The number of elementary school teachers- particularly in the villages outside Java and in poor and remote villages- is very limited. As a consequence of this limited number of teachers, 1 teacher must teach 2 classes simultaneously. Majority of the elementary school teachers in the rural areas are women. Elementary school teachers in the rural areas experience discrimination mainly because of their employment status that is not clear and their salary is very small and they only get them once every 3-5 months. Some teachers even related that they only get their honorarium/salary once every 6 months. This is because, they have to get their salary or honorarium in the capital of the district that is very far, they have to travel for several days and the cost of the travel is very expensive. Besides this, the teachers are also complaining about the deductions in their salary to pay various forms contributions or illegal fees. The other forms of discrimination that elementary school teachers in the rural areas experience is the certification policy and program and the enhancement of the quality of teacher. This Certification program and policy and the Enhancement of the Capacity of teachers is the program of the government that is funded by the World Bank and named BERMUTU. This program requires elementary school teachers to have a College Diploma (Degree) to obtain a certificate. This requirement discriminates the teachers in the rural areas because it is not possible for them to teach and go to college at the same time. This is not possible because aside from the burden of teaching which is difficult, not all districts have a University. This program also did not consider the teaching experience of elementary school teachers that they already have for several years. Another form of discrimination is the criteria for enhancing the capacity of teachers. The capacity of a teacher is considered enhanced if the said teacher can show a certificate that she has attended an activity (like a seminar or a workshop) or a training provided by the government or a non-government institution. The access of elementary school teachers in the rural areas to attend an activity and obtain a certificate is very small –or almost none- because, in general, training or seminars are held in the capital of the district .

46. The Burden of Teachers as administrator of the BOS Program. The findings of Koalisi Perempuan Indonesia indicates that, teachers are forced to leave their pupils during a school day and during school hours to manage the disbursement of funds of Bantuan

Operasional Sekolah (BOS) in the capital of the District that is very far. The pupils and the parents of the pupils are complaining about this.

47. The Number of Illiterate People and People who Cannot Speak Bahasa Indonesia is still High. The data compiled by an NGO network concerned with education indicates that the number of illiterate women is 5.3 million and 47% of this women are in their productive age. These women are not considered as target beneficiaries of the program for the elimination of illiteracy. The result of the Needs Assessment in 147 villages conducted by Koalisi Perempuan Indonesia show that the real number of illiterate women is 2-3 times more than the data of the government. This indicates that majority of the rural women in their productive age are illiterate. Aside from the problem of illiteracy, most of the rural women (in general, those who did not graduate from elementary school) cannot speak bahasa Indonesia. The consequences of the inability to read and write and speak bahasa Indonesia are: 1) women will have low access to information that is put in writing and written in bahasa Indonesia, 2) the mobility of women will be limited –as a consequence of this, the opportunity to improve their knowledge and economy will be limited; and 3) women will be vulnerable against various forms of criminal acts and human rights violations. To resolve illiteracy and the inability to speak bahasa Indonesia, the government made a policy and a program to eliminate illiteracy. In 2005, the Minister for Women Empowerment, Minister of Education, and Minister of Home Affairs issued a Joint Agreement concerning the Acceleration of the Elimination of the Illiteracy of Women. With this joint agreement, the Minister of Education and the Minister of Home Affairs push for a program to eliminate the illiteracy of women. However, the effort to eliminate illiteracy in the region is often ineffective because of the lack of commitment of the Head of the Region and DPRD to allocate a budget for the elimination of illiteracy for two years to meet the standard for the implementation of the elimination of illiteracy that should be carried out for 18 consecutive months. Another hindrance that is really felt by the officials of the education agency is the political impact of the replacement of the Head of the Region that results to the replacement of the Official Head of the Education Agency. As a consequence, the education program is often discontinued.

48. Education Program to Improve Life Skill. The Regional Government and Central Government launched an education program outside the school to improve life skill. To implement this program, the government also allocated a social assistance fund for the education to improve life skill and this was given to the institution or organization that is

working together and is under the guidance of the government. The main problems in the implementation of this program are : 1) The openness of the government in providing information to the institution/organization that obtained the social assistance fund. Because the people—especially the women group—do not know the requirements and the criteria of the institution/organization that can obtain the assistance fund. According to the information of some people, the said institution obtained the support fund through nepotism; 2) There is no monitoring and evaluation mechanism to measure the effectiveness of the training provided by the said institution; and 3) Almost all of the regions believe that this program never reported the effectiveness of the training to improve life skill to increase the economy of the participants of the training.

5. The Right to Organize themselves to obtain economic access

49. The effort of the government to guarantee the right to organize themselves to obtain economic access that the people are aware of are : **1)** The Guidance and Financial Support for Women Cooperatives implemented by the Ministry of Cooperatives and UKM or Cooperative Agency and UKM in the region; **2)** The Guidance and Financial Support for the formation of Kelompok Usaha Bersama Perempuan (KUBE) (Women Cooperation Group) to increase the income of poor and vulnerable families implemented by the Social Ministry; **3)** Training support, accurate tools of production, seeds and funds for Gapungan Kelompok Tani Perempuan (GAPOKTAN PEREMPUAN) implemented by the Ministry of Agriculture and the local government; and **4)** Kelompok Simpan Pinjam Perempuan (KSPP) (Women Savings and Loan Group) that is implemented under PNPM Mandiri Pedesaan. In several regions, the local government also granted appreciation and cooperated with community organizations that initiated the formation and guaranteed the sustainability of Credit Unions (CU) and Kelompok Usaha Bersama (KUBE).

50. Aside from these, several religious institutions and private companies, such as, GMIT (Gereja Masyarakat Indonesia Timur) and Banks allocated funds for the credit and guidance business of existing business groups that have the potential to develop but do not have sufficient funds and business networks. Support to rural women groups to improve their economy was also given by several private companies in the framework of implementing the **Corporate Social Responsibility** Program.

51. The biggest challenge of rural business groups is the sustainability of their business. Some women business groups are threatened by bankruptcy because their production cannot

compete with the import products that flood the Indonesian markets and sold at a very cheap price. The Central Government and the Regional Government cannot issue a policy to protect small business groups because they are compelled to comply with the international consensus to eliminate all forms of policies characterized as protecting small businesses.

6. The Right to participate in all social activities

52. The participation of women in the social activities initiated by the government are: 1) the participation of women in the Community-based Rural Area Development Forum that was developed by the local government and the village apparatus based on the Directive of the Minister of Home Affairs Number 51/2007 concerning the Community-based Rural Area Development, 2) the participation of women as Cadres for Community Empowerment. This Formation of Cadres for Community Empowerment (KPM) is based on the Directive of the Minister of Home Affairs Number 7/2007 concerning Cadres for Community Empowerment, 3) some women act as a Facilitator in various village meetings. These women were chosen by the village government to become a member of the village facilitator team. Besides this, some village women, especially the women who are active in the activities of Pos Pelayanan Terpadu (Posyandu) (Integrated Service Station) for the aged, became members of Local Commission for the Aged (Komda Lanjut Usia). This Commission was formed based on the Directive of the Minister of Home Affairs Number 60/2008 concerning the Guidelines for the Formation of a Local Commission for the Aged and Community Empowerment in Handling the Aged in the Region, and 4) some women are involved in the organizations formed by the government, such as, PKK and Posyandu Cadres.

53. Rural women in general are involved in associations related to the practice of religion, such as, pengajian, religious family groups, prayer church groups/associations, and Neighbourhood Association (RT)/Citizens' Association (RW) arisan where problems concerning family life and women are discussed.

54. Involvement of Women in Women Organizations and Political Parties. Some rural women are involved in religion-based mass organizations, such as; Muslimat, Fatayat NU, and Aisyiah and in other mass organizations, such as, Koalisi Perempuan Indonesia, workers' organization, women fisherwomen organization, and women farmer organizations. Several rural women are also actively involved in political parties as party cadres or members who conduct the activities of political parties within the scope of the village.

55. However, the involvement of rural women in organizations/political parties is still limited. This is conducted by the rural women who have an economic-social background and a relatively strong education. Meanwhile, majority of the women in the villages still do not have the opportunity to join an organization because of economic constraints, work load in performing domestic chores, like taking care of the household and children, and lack of ability to negotiate with their husband to obtain permission to get out of the house.

56. In general, the leadership of women in the rural areas is still at the minimum. The number of women who assumed the position of Village Head, became an instrument of the Village Head, Sub-District Head, the Office of the Sub-District, and the Village Representative Body (BPD) is still very small. The government did not make a special selective data for the leadership of women in the rural areas. As a consequence of the absence of this selective data, the low leadership of women is invisible. The small number of women in the leadership of the village is brought about by : 1) the absence of resources/capital for women to compete with men candidates and to assume strategic positions (Village Head and Hamlet Head), 2) the election (like in the election of the members of BPD, RT Head, RW Head) is conducted in a meeting forum that is only attended by the Head of the Family.

57. There is a Provocation to Reject Women as Leaders. The provocation that rejects women as leaders started to emerge in early 2011. In general, this provocation was conducted by parties outside the village or the parties of the election committee for the general election of the Village Head that have a preference to a certain candidate. The provocation against women leaders is generally conducted by using religion as a reason (politicization of religion). The rejection of the Woman Sub-district Head in Bireun (Aceh) by the Chairperson of DPRD Bireun was conducted by saying that the Islam religion does not allow women as leaders. Meanwhile, the case of the Rejection of the Woman Candidate Village Head by the Election Committee of the Village Head occurred in Southeast Sulawesi. Koalisi Perempuan Indonesia in Southeast Sulawesi supported the woman candidate village head by filing a lawsuit and up to now, this case is still being tried in court.

7. Right over Land and support program for Agriculture

58. As mentioned earlier, the right of women as farmers was recognized by law and various regulations. Women farmers can access various programs conducted by the government, such as : 1) Training for the Management of Men and Women Farmers' Group Program, 2)

Counselling Program Managed by Farmers (Farmers Managed Extension Activities - Fma),
3) Program to Increase the Participation of Women in the management of water resources in the Water User Farmers Organization.

59. Women Farmers Organizations also obtained several supports from the government in the form of seeds, fertilizers, capital for production, training, and capital for the processing of agricultural products.

60. However, the right of farmers over agricultural land is not yet recognized. In general, the right of women over land is not yet recognized because of the local cultural values that do not give the right to own the land to women. Aside from this, the government contributes in preserving gender injustice in the ownership of land through several policies and practices, such as : 1) putting the name of the husband (alone) in the land title of the transmigration land with the reason that the husband is the head of the family, 2) Women are not allowed to participate in the consultation process between the Government-Businessmen and community that is related with the plan to transform the function and ownership of land for the interest of investment or the construction of public means.

8. The Right to obtain a Decent Living Condition

61. The fulfilment of the right of women in the village to enjoy a decent living condition, especially in relation with housing, sanitation, electricity and water supply, transportation and communication, is still alarming. In terms of fulfilling the need to obtain clean water, electricity, sanitation, and transportation and communication, there is a significant disparity between the people in the rural areas and the people in the urban areas.

62. According to the data on the health profile of the province in 2009, nationally, the highest percentage on the means of obtaining clean water that is used is water wells (45.41%), followed by pipe water (27.36%), water pump (10.11%), rain water (3.49%), packaged water (2.29%), and others (11.30%). The national proportion of the population that has access to the means of obtaining safe drinking water is 47.71%. Meanwhile, according to the region, the access to safe drinking water in the urban area is 49.82% and 45.72% in the rural area. The 2009 health profile also showed the presentation of the access to safe drinking water in the rural areas in West Sumatra (40.53%) South Sumatra (41.91%), DI Yogyakarta (65.85%), Bali (71.42%), South Sulawesi (43.74%), Southeast Sulawesi (55.50%), West Nusa Tenggara (41.51%), East Nusa Tenggara (39%), West Java (39.77%), and Central Java (55.28%).

63. The data on the health profile of the provinces in 2009 show that, nationally, the percentage of families that have access to basic sanitation and has a toilet is (81.03%), the families with waste treatment (73.37%) and families with garbage disposal (72.55%). Nationally, the proportion of the population that has access to proper sanitation is 51.19%. Meanwhile, according to the region, the percentage of the access to proper sanitation is 69.51% in the urban areas and 33.96% in the rural areas. The percentage of the access to proper sanitation in the rural areas in West Sumatra (25.19%), South Sumatra (22.71%), DI Yogyakarta (56.26%), Bali (62.60%), South Sulawesi (44.18%), Southeast Sulawesi (33.98%), West Nusa Tenggara (32.86%), East Nusa Tenggara (10.80%), West Java (38.47%) and Central Java (41.76%).

64. The health profile of the province in 2009 indicates that the national percentage of a healthy home is 63.49%. The province that has the highest percentage is DKI Jakarta (91.13%), Riau (81.51%) and Bali (77.85%). The provinces with a low percentage of a healthy home are West Sulawesi (35.21%), Papua (43.61%), and East Nusa Tenggara (50.54%).

65. The scope of providing the necessary Electricity to the Families in Indonesia is only 51%. Based on this percentage, out of the total number of families in the urban areas, the families in the urban areas that have access to electricity is 87%. Meanwhile, out of the total number of families in the rural areas, the families in the rural areas that have access to electricity is only 49%.

Recommendations

1. The state has the obligation to promote, respect, protect, and fulfil the rights of rural women as mandated by Article 14 of CEDAW by: making legislations, formulating the problems in the rural areas, and directing its policies and programs in the National Middle-term Development Plan and through other administrative actions.
2. The State must integrate the principles of equality between men and women, substantive and non-discriminative equality, and the stipulations in Article 14 of CEDAW in the Draft Village Law, Draft Farmers Protection and Empowerment Law, Draft Food Law, and the Draft Indigenous People Protection and Empowerment Law.
3. The government has the obligation to amend legislations and other public policies, especially Laws and Local Regulations that are discriminative against women and other

technical guidelines related to the system of the village government that hinders the opportunity of women to assume public positions based on the equality of men and women.

4. The government has the obligation to implement the principle of Openness of Public Information in relation to the management of social security protection, village development and planning document, and Village Budget.
5. The government must eliminate all corruption practices – especially but not limited to the administrative processing of population and civil records - that hinders the fulfilment of the right of village residents to obtain population administrative services.
6. Make one National Action Plan for the Empowerment of the People in the Village and this National Action Plan should be participative, comprehensive, capable of resolving the disparity between the city and village, and can guarantee the fulfilment of the rights of rural women.
7. Make sustainable efforts to eliminate all forms of customary practices that discriminate rural women.