

CHAPTER I

INTRODUCTION

1.1 Background

The topic of this thesis is interesting because years after the ratification of the Convention on the Elimination of All Forms of Discrimination against Women by the United Nations, women are still not totally free from many forms of discrimination. This can be seen from the numbers of discriminations faced by women on both national and international scale.

Over the past few decades, the issues of gender inequality and discriminations against women have always been seen as an ongoing global issue for many years. Women are seen and portrayed to be weaker than men, have less chances to be involved in politics, economy, and social activities and are more prone to discriminations than men. To support this statement, the author gathered several data from the global gender gap in the recent years, stating that there were still gaps between the two genders by 68.6% of globally gender disparity, and 31.4% of the average gender gap that had been successfully closed or covered.¹

Showing the biggest gap in workplaces in terms of wage pay gap between men and women also in political participation. Right now, the current global labour force participation rate for women is under 47%, and men goes by 72%

¹ Review of *Global Gender Gap Report 2020*. 16AD. Weforum.org. World Economic Forum. 16AD. https://www3.weforum.org/docs/WEF_GGGR_2020.pdf.

showing how wide the gap is by 25% points,² and women also make less than men by 20% in terms of receiving wages.³

Women are also still underrepresented in political participation at all levels of decision making all around the world, with only 26 representation by women as the head of states and/or the head of governments in 24 countries in accordance to the data by 1st September 2021.⁴ In this case, reaching gender equality in the political sphere will be a hard task to do or might seem impossible to reach in such a short period of time.

Continuing from the previous explanation, gender disparity does not exist only in the international scale, therefore, I as the author of this research paper will also talk about the gender gap that exists in the national scale, especially in Indonesia.

Due to Indonesia's huge population and according to the data gathered by Statistics Indonesia (*Badan Pusat Statistik*) in 2020, men are 50,24% of the population, while women only make up about 49,76% of the whole population,⁵ making gender disparities in Indonesia a continuing issue as there are still wide gaps among men and women in workplaces, political participation, health, and in education.

² "The Gender Gap in Employment; What's Holding Women Back?" *International Labour Organization*. Accessed May 2022. https://www.ilo.org/infostories/en-GB/Stories/Employment/barriers-women#global-gap%20%20%20https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---

³ "Understanding the Gender Pay Gap." *International labor organization*, n.d. Accessed May 2022. https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---act_emp/documents/publication/wcms_735949.pdf.

⁴ "Global Gender Gap Report 2021." *World Economic Forum*. Last modified 2021. Accessed February 2022. <https://www.weforum.org/reports/global-gender-gap-report-2021>.

⁵ Hasil Sensus Penduduk 2020." *Badan Pusat Statistik* . https://www.bps.go.id/website/materi_ind/materiBrsInd-20210121151046.pdf.

To tackle this continuing global issue, the United Nations adopted The Convention on the Elimination of All Forms of Discrimination against Women on 18 December 1979, also described as International Bill of Rights for Women, which provides and emphasizes women's rights⁶ as a fundamental human right and promotes gender equality in every nation.

Since 2016, more than 189 countries have ratified CEDAW⁷ to eliminate and guarantee women to have the same equal rights as men. The ratification of CEDAW influences many countries in eliminating and stopping the discrimination against women and girls in private or public sphere, and one of those countries is Indonesia. On 24 July 1984, Indonesia ratified the convention to move forward in removing discrimination to one gender.

It is important to remember that the country's decision to ratify the convention was not the only step they took to eradicate the discriminations against women. In 1995, Indonesia participated in the Beijing Platform for Action which is known as a visionary agenda for the empowerment of women and a reference framework to analyze the situation of women around the world and to assess the efforts of states in supporting women's empowerment⁸ as another step in creating gender equality inside the nation.

Later in the 2000, the government issued Presidential Instruction No 9/2000 Concerning Gender Mainstreaming in National Development among

⁶ "What Is CEDAW?," UN Women India (UN Women), accessed February 17, 2020, "What Is CEDAW ." UN Women India. UN Women. Accessed February 20, 2020. <http://india.myunwomen.website/CEDAW/>

⁷ *Ibid.*

⁸ "Beijing Declaration and Platform for Action." *United Nations Economic and Social Commission for Western Asia*. Accessed May 2022. <https://archive.unescwa.org/our-work/beijing-declaration-and-platform-action>.

(Instruksi Presiden Nomor 9 Tahun 2000 Tentang Pengarasutamaan Gender Dalam Pembangunan Nasional) other steps in fighting gender discriminations. Focusing on the main concern, which is gender equality across the country, the instruction assigns and instructs state actors to be committed in guaranteeing gender equality fully in every aspect. Highlighting the third point of the instruction, in which it specifically ordered the Ministry of Women Empowerment and Child Protection to work together with regional governments in the process of gender mainstreaming to create an equal dynamic among men and women.⁹

The president's instruction also acknowledged and appointed the Ministry of Women Empowerment and Child Protection to be the focal point of the implementation of the convention in Indonesia. Therefore, in relation to the brief explanation in Presidential Instruction Number 9/2000 (*Instruksi Presiden Nomor 9 Tahun 2000*), CEDAW's implementation in Indonesia will be the responsibility of the Ministry of Women Empowerment and Child Protection with annual report duty, under the supervision of the United Nations.

The choice to ratify the convention sets hope for women in Indonesia. However, the ratification of CEDAW in Indonesia is still not yet one hundred percent effective; many women and girls still struggle with poverty, human trafficking and violence, and domestic abuse. According to *Komisi Nasional Anti Kekerasan Terhadap Perempuan (KOMNAS Perempuan)*, cases of violence against women in majority occur in private sphere, reaching 74% (433 cases) out

⁹ "Instruksi Presiden Nomor 9 Tahun 2000 Tentang Pengarasutamaan Gender Dalam Pembangunan Nasional." Accessed 2022.
<https://www.kemenkeu.go.id/sites/default/files/inpres-no.-9-tahun-2000-tentang-pug.pdf>.

of 584 cases, and 17% (101 cases) are in the community and 9% (50% cases) are in public sphere.¹⁰

Domestic abuse and violence against women committed by their spouses are still on the highest rank of violence happened to women in which the number of the cases reached to 68% and 6% to young girls, and sexual assault against women reaching up to 32%¹¹ which usually occurred in public space. It was stated that most of the violence were 90% gender-based violence and only 10% were non-gender based.

The action of Indonesia to ratify the convention, according to the annual record (CATAHU) of the National Commission on Violence against Women (KOMNAS Perempuan) encourages more victims of violence to report to the state. Discrimination against women does not only stops at violence against women both in public or private sphere, another example of the effect of discrimination against women is that many are still living in extreme poverty. Poverty in women sometimes is caused by a few factors that limits women involvement in many economic activities in which men are usually more in power and in charge of resources and decision-making roles.¹²

¹⁰ "Siaran Pers Komnas Perempuan : Catatan Komnas Perempuan 33 Tahun Ratifikasi Konvensi CEDAW Di Indonesia." Siaran Pers Komnas Perempuan : Catatan Komnas Perempuan 33 Tahun Ratifikasi Konvensi CEDAW di Indonesia. National Commission on Violence Against Women, Komisi Nasional Anti Kekerasan Terhadap Perempuan (KOMNAS Perempuan), July 24, 2017. <https://www.komnasperempuan.go.id/reads-siaran-pers-komnas-perempuan-catatan-komnas-perempuan-33-tahun-ratifikasi-konvensi-cedaw-di-indonesia>.

¹¹ *Ibid.*

¹² "Perempuan dan Kemiskinan." Perempuan dan Kemiskinan. Women Research Institute. accessed February 18, 2020. <https://www.wri.or.id/editorial/16-perempuan-dan-kemiskinan.html#.XIIkcy-B1p8>.

If discrimination alone still happens to women, women in poverty is more likely and more vulnerable to sexual exploitations and increases more violence and the percentage of underage marriages. Those who lives in poverty are also unable to leave violent relationships due to their lack of income and resources, as the UN Women stated.¹³ The issue of women and poverty in Indonesia has long been an ongoing and continuous issue, as to eliminate and decrease the number of poverties needs the involvement of the local government of one country. Women living in rural areas in Indonesia, experiences more limitations in various factors, one of them is education. As they're lacking on incomes, education become less prioritised.¹⁴

Now poverty and women are closely related to each other and the issue of structural poverty, in which most women are trapped in a condition that wouldn't allow them to improve their economic situation. Which were influenced by certain ideologies that discriminate them. Poverty is also related to human trafficking, according to the committee of CEDAW human trafficking is still a serious concern to the convention, because nearly 80% of trafficking victims are women and girls and many of the perpetrators are male, 79% forms of trafficking commonly identified as sexual exploitations and 185 of the case identified are forced labour¹⁵.

¹³ "Women and Poverty." Women and Poverty. UN Women, 2014.

<https://www.unwomen.org/en/news/in-focus/end-violence-against-women/2014/poverty>.

¹⁴ Kemiskinan Perempuan Perbatasan Sebagai Manifestasi Gagalnya Pembangunan Negara ." Jurnal Perempuan: Untuk pencerahan dan kesetaraan . Jurnal Perempuan . Accessed February 20, 2020. <https://www.jurnalperempuan.org/wacana-feminis/kemiskinan-perempuan-perbatasan-sebagai-manifestasi-gagalnya-pembangunan-negara>.

¹⁵ Brien, Melanie O'. "CEDAW Emphasises Its Concern over Trafficking in Women and Girls." *OpinioJuris* , 2012. <http://opiniojuris.org/2012/09/09/cedaw-emphasises-its-concern-over-trafficking-in-women-and-girls/>.

In conclusion, human trafficking in Indonesia requires serious attention from the local government, as most victims are dominantly women and girls. As it is still occurring and is considered as a gender-based violence. With the ratification of CEDAW, women are expected to have the same equal rights as men to abolish actions that discriminate women and allow them to be trusted more with decision making roles, to increase their participation in wider areas.

Since the ratification of CEDAW, the government of Indonesia had been making a lot of regulation and efforts in response to the international convention, by the issuing of the presidential decree number 9 of 2000 (*Inpres Nomor 9 Tahun 2000*), the forming of *Komnas Perempuan*, along with the issuance of series of regulations and regional regulations.

However, the creation of gender equality until now has not shown a significant change after the ratification, therefore this research is done with the title of the role of Ministry of Women Empowerment and Child Protection of Republic Indonesia in implementing the Convention of Elimination of All Forms Of Discriminations Against Women in 2015 – present year.

1.2 Research Question

Relating to the author's previously stated points above, the researcher or author asks this following research question:

1. How the Ministry of Women's empowerment and Child protection of the Indonesian Republic have their role in the implementation the

Convention on the Elimination of All Forms of Discriminations against Women in Indonesia during the presidency of Jokowi?

1.3 Research Objectives

The objective of this research is to identify and get more in – depth explanations about the implementation of The Convention on the Elimination of All forms of Discriminations against Women mainly in Indonesia during Jokowi’s presidency (2015- present year),and the role of the government in decreasing numbers of discriminations against women across Indonesia and to know the roles of the government, especially the ministry of women’s empowerment and child protection in providing equal rights based on the convention. This research is also closely related to the international global issues such as gender equality and how it affects other goals of the nations. Additionally, this research paper hopes that the current issue written could help raise awareness and gives more insights what is CEDAW itself as an International Relations Issue and hope that it could come to benefits all parties.

1.4 Research Significance

The data written and stated can be used as a learning tool to enhance the people’s knowledge of certain international global issue and improve academic compatibility of the reader mainly about the primary role of the ministry of women empowerment and child protection in implementing CEDAW in republic

of Indonesia and the significant progresses it has made through the years of being implemented.

1.5 Structure of Thesis

The first chapter or the introduction will focus mainly on the background of the research which is very crucial to know because it will enable the readers to understand better about the topic of the research. It includes the research question, research objectives, along with the significance of research.

The second chapter or chapter two of this research, consists of the framework of thinking, focusing on the literature review about the role of the ministry of women empowerment and child protection in Indonesia, along with the grand theory of neoliberalism and how it links with the main topic of this research

The third chapter includes the methodology and talks about the research method, research approach, data collection technique and the techniques used in analysing the data and all the information gathered in the making of this research.

The fourth chapter, serving as the heart of the thesis and all the data gathered and analysed by the author in regards of the main topic of this thesis.

The fifth chapter, consisted of the conclusions of the previous chapters and recommendations, which can be use in future studies or research regarding the role of the Ministry of Empowerment and Child protection in Indonesia in implementing Convention on the elimination of all forms of discriminations against women.