

FWF GENDER FACT SHEET - INDONESIA

FACTS & FIGURES

- Human Development Index: 116 of 189 countries (UNDP 2018)
- Gender Inequality Index Rank: 104 of 160 Countries (UNDP 2018)
- Global Gender Gap Index: 85 of 149 countries (WEF 2018)
- Social Institutions and Gender Index: 55 of 102 countries (2009); 32 of 86 countries (2012)
- Literacy Rate: Female 93.59%, Male 97.17%
- Experienced sexual and/or physical violence: 33% of women (UNFPA 2017)
- Experienced sexual, physical, emotional or economic violence: 41% of women (UNFPA 2017)
- Indonesia is the fourth most populous country in the world with the largest Muslim-majority population.

COUNTRY CONTEXT

Social stereotyping of the role of women is prominent, particularly due to cultural norms and patriarchal values associated with the duties and responsibilities within the family and in society.

Gender-based violence:

- A survey of 9,000 households found that
 - **Two in five Indonesian women have experienced at least one of the four types of violence** researched (physical, sexual, emotional, or economic).
 - **33% of women aged 15-64 reported experiencing sexual and/or physical violence.**
- **One in seven girls in Indonesia is married as a child** according to the United Nations International Children's Emergency Fund. Thus, Indonesia ranks second among the ten-member ASEAN and seventh internationally in the prevalence of child marriage.
- A UN 2013 study surveyed 10,000 men in Bangladesh, Cambodia, China, Indonesia, Papua New Guinea and Sri Lanka. **A fourth of these men admitted to having committed rapes** at some time in their lives. One in 10 had raped someone who was not their romantic partner.
 - **40.6% of men in Papua province in Indonesia admitted to rape**, followed by those in urban Indonesia (26.2%) and in rural Indonesia (19.5%).

Gender-based violence in the workplace:

- Workplace violence is a widespread problem, with as many as **85.2% of respondents reporting concerns about sexual harassment** in an ILO Better Work programme survey.
- A study among female factory workers (the Cakung study) found that **56.5% had experienced sexual harassment in the workplace.**
- **Child labour** is persistent, particularly amongst **girl child domestic workers** who do not have access to education, can be subjected to violence and long working hours.
- Observational evidence suggests **women are under-represented in supervisory positions** in factory workplaces.

Health:

- Women's sexual and reproductive health is a concern due to the **lack of access to health and family planning services**. Data from the 2012 Indonesian Demographic and Health Survey (SDKI) shows that there were:
 - 359 maternal deaths per 100,000 live births in 2012, compared to 228 deaths per 100,000 live births in 2007;
 - HIV/AIDS among women is rising and women require their husband's consent to access methods of contraception.
- From FWF research, stakeholders in the garment industry report that **female workers continue to have difficulty accessing their menstruation and maternity leave**. In some cases, it is reportedly common for **pregnant women to be sacked**.
- Indonesia has **extremely poor availability of institutional childcare facilities**. Female garment workers are now more likely to continue working after starting a family, forced to rely on relatives and neighbours for childcare.
- These findings are supported by the Cakung study, which reported that:
 - **Women sometimes conceal early pregnancies for fear that contracts would not be extended**. Three-quarters of women who had given birth while employed had been granted the statutory three months maternity leave.
 - Although over half the workers were employed at factories that provided a lactation room, **90% of those women had not used their breastfeeding leave**.

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- The majority of pregnant workers are not afforded the **work modifications required for a safe pregnancy**, including having to undertake overtime, failure to provide adequate rest times or additional equipment, such as a chair.
- All the **garment unions interviewed in 2018 claimed to be lobbying for better implementation of women's reproduction-related workplace rights**, such as better access to menstruation and maternity leave and better facilities for breastfeeding.

LEGAL CONTEXT

National Legislation:

Law No.13/2003 on Manpower includes provisions for the protection of women in terms of:

- **Working hours:** Forced labour is prohibited and working hours limited to 40 hours per five or six days. Women under the age of 18 (or pregnant women so advised) may not work between 11pm and 7am. Employers must provide transport to and from the workplace for women who finish work between 11pm and 5am.
- **Equal opportunity:** All people seeking work have an equal opportunity to obtain work and all have the right to be treated in a non-discriminatory way by management.
- **Maternity:** Female employees are entitled to 1.5 months of fully paid maternity leave before and after giving birth. It is illegal to make women redundant on the grounds of pregnancy, birth, miscarriage, or breastfeeding and women must be provided with facilities and time to breastfeed during work time. Ministerial Decision No.224/2003 includes provisions for well-lit separate bathroom facilities for men and women.
- **Family allowance:** Legally, there is no discrimination on the basis of gender with regard to who should receive the family allowance. However, interview data with manufacturing workers suggests that it has proven difficult for women in the garment sector to obtain benefits for their families, including health insurance coverage, as a consequence of legal recognition of men's position as head of the household under Law No.1/1974 on Marriage.
- **Child labour:** The employment of children is forbidden except in very particular circumstances. Children are permitted to work for a maximum of three hours per day under conditions that do not interfere with their schooling or their physical, mental, or moral development.
- The right to **strike and the right to engage in collective bargaining** are protected.
- **Wage setting:** Government Regulation No.78/2015 states wages must be set for the achievement of a reasonable standard of living for all workers based upon the principle of equal pay for equal work. However many garment companies are exempted and/or in areas where the minimum wage is very low.
- **Laws on occupational health and safety are in place** (Law No.1/1970 and Law No.23/1992), however, this remains a serious challenge for Indonesia's garment industry.

International Legislation:

- Indonesia has signed and ratified a range of **ILO Conventions** on the abolition of forced labour; no discrimination in employment on the basis of race, colour, sex, religion, political affiliation, union membership, nationality, social origin, deficiencies or handicaps; child labour; collective bargaining rights; and freedom of association.
- Indonesia is also a signatory to the **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)**. However, according to CEDAW,
 - Due to the decentralisation of government in which local governments implement laws at provincial, district and village level, **women's freedoms and human rights have been violated due to the rise of religious fundamentalism.**
 - More should be done to implement the labour laws already in place more systematically
 - Women workers, who constitute the majority of production workers in the garment industry, bear the brunt of its **failure to uphold core labour standards.**

SOURCES

CEDAW 2018 Report:

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<https://www.unfpa.org/news/new-survey-shows-violence-against-women-widespread-indonesia>, WEF Global

Gender Gap Index 2018: <http://reports.weforum.org/global-gender-gap-report-2018/results-and-analysis/>