

Committee on the Elimination of Discrimination against Women

REFERENCE: BN/follow-up/80/Indonesia/87

20 March 2024

Excellency,

In my capacity as Rapporteur on follow-up to concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the eighth periodic report of Indonesia, at the Committee's eightieth session, held in October/November 2021. At the end of that session, the Committee's concluding observations ([CEDAW/C/IDN/CO/8](#)) were transmitted to your Permanent Mission. You may recall that in paragraph 58 on follow-up to the concluding observations, the Committee requested Indonesia to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 14(a), 24(a), 26(d) and 52(c) of the concluding observations, namely:

“14. Recalling its previous recommendations (CEDAW/C/IDN/CO/6-7 , para. 18) and its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, the Committee recommends that the State party:

(a) Adopt a concrete time frame for the adoption of the draft law on gender equality and justice that defines and prohibits all forms of discrimination against women, including direct and indirect discrimination in the private and public spheres and intersecting forms of discrimination against women, in line with article 1 of the Convention and target 5.1 of the Sustainable Development Goals;”

“24. The Committee stresses that female genital mutilation, female circumcision or female genital cutting cannot be justified on religious grounds and constitute a harmful practice, and that to exert control over the bodies and sexuality of women and girls is in violation of the Convention, irrespective of whether or not these practices are performed within or outside a medical institution. It therefore recommends that the State party:

H.E. Mr. Febrian Ruddyard
Permanent Representative of the Republic of Indonesia to the
United Nations Office in Geneva
Rue de Saint-Jean 16
1203 Genève
Email : geneva@mission-indonesia.org

(a) Criminalize all forms of female genital mutilation, ensuring that such criminalization cannot be overruled by fatwas or other rulings issued by religious or clerical authorities, in accordance with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices and target 5.3 of the Sustainable Development Goals;”

“26. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(d) Expedite, as a matter of priority and within a clear time frame, the adoption of the sexual violence bill and ensure the effective participation of women at all stages of the adoption process;”

“52. The Committee recalls its previous concluding observations (CEDAW/C/IDN/CO/6-7, para. 48), as well as its general recommendations No. 21 (1994) on equality in marriage and family relations and No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, and recommends that the State party develop an effective strategy with clear priorities and timelines to eliminate discrimination against women in marriage and family relations. In particular, it recommends that the State party:

(c) Amend, without further delay, the discriminatory provisions in Law No. 16/2019 on marriage and in the Civil Code, and any other discriminatory provisions, with a view to (i) prohibiting polygamy; (ii) ensuring equal inheritance rights for women and men; and (iii) making civil marriages and divorce accessible to all women in the State party.”

Although the information sought by the Committee was due in November 2022, it has not been received to date. Accordingly, I would be grateful for clarification as to the current status of your Government’s response on the matters.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of Indonesia on the implementation of the Convention. In this context, the Committee seeks to receive your response to this reminder within one month of the date of this correspondence.

Please note that this response should be precise and should not exceed a maximum length of **3,500 words**, including footnotes. You may attach a limited number of annexes containing statistical data only which are not counted for the word limit. Please also send a **Word electronic version** of the information requested to the Secretariat of the Committee on the Elimination of Discrimination against Women by email to ohchr-cedaw@un.org.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Natasha Stott Despoja
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women