



Analysis of legal protection of women's human rights in Indonesia

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ABSTRACT

This research is about the regulation and comparison of the protection of human rights against women in Law Number 23 of 2004 and Law Number 7 of 1984. This research is included in the normative research category, namely research conducted by examining library materials or secondary data consisting of primary legal materials, secondary legal materials and tertiary legal materials. The materials are systematically arranged, studied, then a conclusion is drawn in relation to the problem under study. The provisions of Law No. 23 of 2004 concerning the Elimination of Domestic Violence, which regulates the protection of the rights of victims of domestic violence, show that the government has applied the principle of justice by imposing criminal provisions on perpetrators of domestic violence.

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1. INTRODUCTION

Discussions on human rights, fundamental rights, and the Convention on the Elimination of Gogala Forms of Discrimination Against Women, or CEDAW for short, cannot be separated from discussions about women. Women's human rights are understood as women's rights, the reason is because they are women or because they are human beings. From this understanding, human rights include women's rights. The development of regulations and guarantees for the protection of women's human rights in Indonesia continues to experience positive developments. From a constitutional aspect (the 1945 Constitution), this guarantee is placed in Article 27 Paragraph 1 which affirms the principle of equality before the law and government for all citizens (including women). The adoption of this principle in the constitution clearly shows that the founding fathers of the nation, from the very beginning before forming the state, had realized how important it was to guarantee the protection of human rights in the constitution. (Kania 2016) Subsequent developments, the CEDAW Convention (Convention on the Elimination of All Forms of Discrimination Against Women) was ratified. The Law on Human Rights (UU No. 39 of 1999), the Law on the Elimination of Domestic Violence (UU No. 23 of 2004) and most recently the passing of the Law on Crime of Sexual Violence (UU No. 12 of 2022). In fact, the concept of affirmative action against women has also been adopted into other legislative products (Akmaliyah, Ayu Annisa, Irfan Amir, Ismail Keri 2022). However, the facts show that discrimination and violence against women

are increasingly complex and massive when compared to the state's responsiveness in dealing with them.(PERS 2017)

In the annual records reported by the Indonesian Women's National Commission (Komnas Perempuan), violence experienced by women in Indonesia has increased almost every year. As in 2018, there were 406,178 cases reported to the National Commission on Women and only 392,610 cases were processed. In 2019, Komnas Perempuan received 431,471 complaint reports. Of these complaints, there were 421,752 complaints processed. In 2020, when Indonesia was hit by Covid-19, the number of complaints at Komnas Perempuan decreased, namely 299,911 complaints and only 291,677 complaints were processed. Even though in 2020, the number of violence against women decreased, in 2021 when Covid-19 was not yet over, complaints of violence against women again experienced an increase, namely Komnas Perempuan recorded 459,094 cases. And in 2022, the number of complaints of violence against women will slightly decrease, namely 457,895. From these data, it illustrates that indeed women are part of a vulnerable group that must be protected.

It cannot be denied that there have been many previous studies that examined topics related to women's human rights. Such as research conducted by Nuraidah Jamil (2014) with the theme of Women's Human Rights in the Constitution and the CEDAW Convention. From this research, Nuraidah emphasized that the regulations governing women's human rights have laid down the responsibility of the state and required the presence of the state to respect, protect and fulfill women's rights. (Jamil 2014) Dede Kania (2015) with the topic "Women's Human Rights in Indonesian Laws and Regulations". From this research, Dede Kania concluded that the discrimination that befell women in Indonesia was caused by the legal system. According to him, women are victims of the existing legal system(KANIA n.d.). Furthermore, research conducted by Fauziah Hayati (2022) with the theme of Women's Human Rights in Islam. The results of her study show that women's human rights are always protected in Islamic law, but ingrained social, traditional, cultural and political norms have built a bias against women's human rights under the pretext of religious dictates.

Based on the results of a review of previous studies, this study is different from existing studies. This study analyzes normatively the legal instruments that regulate women's human rights in Indonesia, especially to make a comparison between women's human rights which are formulated in the Cedaw convention and women's human rights which are formulated in the Law on Domestic Violence (KDRT). From the results of this comparison, it will also reveal various challenges and gaps that cause women's human rights to not be fully fulfilled. This research also aims to complement existing studies. From the description above, it is important to conduct this research to study and comprehensively analyze the problem of legal protection of women's human rights in positive law in Indonesia.

With the existence of Law No. 23 of 2004 and its legal breakthroughs, it is hoped that there will be a reduction in the number of domestic violence and justice for victims. However, the implementation of this law is not easy, so socialization is needed to law enforcement officials and also to government officials, the community and service providers.

2. RESEARCH METHOD

This research is a normative juridical research using a statute approach. The legal materials used consist of primary, secondary and tertiary legal materials, research descriptions and the formulation of the problem. This research was conducted by reading secondary sources of primary, secondary, and tertiary legal information from the library. These materials are methodically compiled, checked, and conclusions are then reached with respect to the research problem.

3. RESULTS AND DISCUSSIONS

Legal protection of women's human rights has always been a hot issue for discussion. Any act of gender-based violence against women, such as attempts to commit such crimes in public or private life, which result in physical, sexual or psychological damage or pain to women, is considered violence against women. Moreover, in 2022 the government together with the DPR have agreed to pass the Sexual Violence Criminal Act Bill (RUU-PKS) into law (UU No. 12 of 2022). Even though it

has been passed, deliberations on the PKS Bill did not go smoothly and had to wait 10 years for it to be passed into law (preliminary discussions since 2012). (Mohsi 2020) Disapproval came from various groups, both from politicians (the Prosperous Justice Party/f-PKS faction) in the DPR, religious leaders (Deputy Secretary General of the Indonesian Ulema Council), and academics (Euis Sunarti, professor at the Bogor Agricultural Institute). (<https://news.detik.com/pro-kontra/d-4728479/kontroversi-ruu-p-ks-anda-mendukung-atau-menolak> n.d.)

Before discussing further regarding legal protection of women's human rights, it is necessary to understand from the outset what legal protection is. There are several views raised by experts regarding legal protection. For example Philipus M. Hadjon who defines legal protection includes efforts to maintain the integrity and dignity of individuals, as well as providing recognition of the basic rights of every individual who is subject to applicable law and by complying with legal provisions that apply fairly. According to M. Hadjon, there are two scopes of legal protection, namely preventive legal protection and repressive legal protection. Other experts, such as Satjipto Rahardjo, argue that legal protection is a mechanism that aims to protect individual interests by giving authority and human rights to them, so that individuals can act in order to defend and fulfill these interests. Furthermore, Soerjono Soekanto said that basically it is protection given to legal subjects through legal instruments. These legal instruments include various rules, regulations, and systems established in a legal system to provide guarantees for the protection of the rights and interests of legal subjects. And with clear and fair legal instruments, legal subjects can feel protected and have confidence that their rights are recognized and protected by law.

In line with what was stated by these experts, based on the results of a search of various legal instruments in force in Indonesia, various legal instruments were found that specifically provide legal protection for women's human rights in Indonesia, namely Law No. 7 of 1984 regarding the Cedaw convention, Law no. 39 of 1999 concerning Human Rights, Law no. 23 of 2004 concerning the Elimination of Domestic Violence (KDRT), Law no. 11 of 2005 Regarding Ratification of International Conventions related to Economic, Social and Cultural Rights (Ecosob Rights), Law no. 12 of 2005 regarding the ratification of the International Convention on Civil and Political Rights (Sipol Rights), Law no. 12 of 2006 regarding Citizenship, Law no. 21 of 2007 regarding the Eradication of Criminal Acts of Eradicating Trafficking in Persons, and Law No. 7 of 2017 regarding elections which adopts the principle of affirmative action (30% quota for women), and Law no. 12 of 2022 regarding the Crime of Eliminating Sexual Violence. (Hamid 2019)

First, Law Number 7 of 1984. This law is a ratification of international conventions related to the elimination of all forms of discrimination against women, commonly referred to as the Cedaw convention. The substance contained in the Cedaw material must be adopted and implemented into the national law of each ratifying country. The substance of the material contained in the Cedaw convention is regulated from Article 1 to Article 16. These substances are (i) the definition of discrimination against women (Article 1). The Cedaw Convention provides a definition of unfair treatment of women, which includes all forms of differences, exclusions or restrictions based on sex that have the purpose or effect of harming or hindering the recognition, use and enjoyment of women's human rights. (ii) Civil and political rights; The Cedaw Convention guarantees women's rights in the civil and political domains, including the right to participate in politics, freedom of expression, freedom of association, land ownership rights, and the right to acquire and exercise citizenship. (iii) Economic and Social Rights; The Cedaw Convention also protects women's rights in the economic and social fields, such as the right to work, equal pay and employment opportunities, access to education, health services, adequate housing, and protection from sexual harassment and gender-based violence. (iv) Elimination of gender stereotypes; The Cedaw Convention emphasizes the need to eliminate gender stereotypes that harm women and encourage changes in attitudes and practices that support gender equality in all aspects of life. (v) Monitoring and reporting mechanisms; the Cedaw convention introduces a monitoring mechanism to ensure that participating countries comply with their obligations in implementing and reporting on progress made in implementing this convention. (millati Agustina 2026)

The implementation of cedaw in national law is part of the commitment to guarantee gender and the effective protection of women's human rights at the national level. This involves the process of adopting, adapting and implementing laws and policies in accordance with the

provisions and objectives of Cedaw. Legal instruments that provide guarantees of protection. Discussing studies related to legal protection of women, legal guarantees according to Philipus M. Hadjon include recognition of human rights held by legal subjects from arbitrary legal rules and the preservation of integrity attached to them. In addition, using legal instruments as a way to defend or assist legal topics. The person who protects, the object protected, the means, methods and efforts made to achieve this protection are the components of legal guarantees.

Legal security, in theory, does not differentiate between men and women. Indonesia, a rule of law founded on Pancasila, must offer legal guarantees to its people to achieve mutual success. Thus, in a unitary state that upholds the spirit of kinship, this legal guarantee will give birth to the recognition and defense of human rights as unique and social beings. The long struggle for justice and equality by women has not succeeded in raising the status of women to be equal to men in terms of respect. One of them is Raden Adjeng Kartini or Raden Ayu Kartini, an Indonesian national icon who fought for women's suffrage. Women still faced prejudice in the Kartini era; they were only allowed to run the house; they are never treated fairly in society or in the family; and they are not allowed to go to school. Everywhere, women invest their energies in raising families, educating their children, and providing for sick relatives. Outside the home, women contribute to social assistance initiatives. The average education level of women is lower than that of men. Women are increasingly isolated from men as a result of this element. On the other hand, the fiscal pressure that forces women to work in an unsuitable environment is one of the reasons why they are considered weak. Since 1908, RA Kartini has been a pioneer in promoting justice and gender equality in Indonesia. RA Kartini started the struggle for equal rights for men and women as a form of protest against the injustices experienced by women at that time, especially in the field of education. RA Kartini also championed social, judicial, and academic causes. (Warahmah 2023).

Law Number 39 of 1999 related to Human Rights, Law Number 23 of 2004 related to PKDRT, Law Number 12 of 2006 related to Citizenship, and Law Number 21 of 2007 related to the Eradication of Trafficking in Persons, also in general legal protection for women must rely on Law Number 39 of 1999 related to human rights, where in Chapter III concerning Human "Everyone has the right to maintain their survival, maintain their life, and improve their standard of living". This implies that as citizens of Indonesia, women must have the freedom to live and lead an honorable life in all areas of life. Because he is full of promises and contains various requirements, desires and hobbies. Therefore, women need the highest self-actualization for self-growth, which in turn is beneficial for human development in general (Ritonga 2020).

Sociocultural ideas in a society that tends to be authoritarian and ignore rights often harm women. Indonesian women often experience discrimination both in the social and business fields. How many rights? The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which was ratified in 1979 at a meeting organized by the UN Commission on the Status of Women, has five of them, which we have outlined.

Regulations for the Protection of Human Rights Against Women in Law Number 23 of 2004 and Law Number 7 of 1984

Every bad act committed by a spouse, wife or child against someone, especially a woman, at home is called domestic violence. It can also lead to promises to commit unlawful acts of denial or intimidation of freedom in domestic settings, as well as physical, psychological, sexual, or domestic violence. Paragraph 1 of Law Number 23 of 2004 Regarding the Elimination of Domestic Violence. When a person neglects members of his family, this is known as domestic negligence despite the fact that they are required to be provided for by the laws relating to them or by contract or arrangement. In addition, anyone who makes the victim economically dependent by limiting or prohibiting work inside or outside the home until the victim is under his control is guilty of maltreatment.

Any act of gender-based violence against women, such as attempts to commit such crimes in public or private life, which result in physical, sexual or psychological damage or pain to women, is considered violence against women. Concerns about domestic violence, which were previously seen as a private matter, have become a public concern with the passing of the PKDRT law, which gives victims' rights a definite legal guarantee. According to this law, apart from husband, wife and

children, other family members who live at home or help take care of it are also considered household members (Article 2).

Protecting victims of domestic violence, stopping perpetrators of domestic violence, avoiding all forms of domestic violence, and maintaining the integrity of a prosperous and prosperous family are the goals of eradicating domestic violence (PKDRT) in article 4. More specifically, because it is generally due to gender inequality, especially from power relations which are unequal between men and women, violence is often categorized as gender-based violence. It gives special emphasis on the factors underlying the occurrence of violence against women. These factors include the existence of a gender relationship between the perpetrator and the victim, where the perpetrator has the power to control the victim through the use of violence, and vice versa. The 1993 statement on the elimination of violence against women thus clarifies what is meant by division of time. (SS Amar 2016).

According to the gender equality rules of Law Number 1 of 1974 which regulates marriage, the husband is the head of the household and the wife is the housewife (Article 31 paragraph 3). The research shows why the spouse should be the sole head of the household. This work is one that shows gender prejudice because it demeans women (wives), gives a psychological and legal impression that a husband can commit aggression against his family members, especially his wife and children. Human rights are described as "a collection of rights which relate to the nature and existence of human beings as His creations as well as His blessings; for the sake of dignity, these rights must be respected, supported and protected by the state, law, government, as well as all people and uphold individual integrity" in Law Number 39 of 1999. (Article 1 paragraph 1). Due to the existence of this human rights law, all rules and laws must be in accordance with the guidelines for the protection of human rights regulated in the law. Discrimination based on skin color, nationality, group membership, class, social status, economy, gender, language, and political views is one of them. (Yanti 2021).

Article 3 paragraph (3) which explains that "everyone has the right to protection of human rights and basic freedoms without prejudice" regulates the prohibition of discrimination. The third paragraph of Article 1 and the third paragraph of Article 3 state that discrimination on the basis of sex is against the law. In order to eradicate prejudice in all aspects of social, political, economic, cultural and legal life, other legal rules must also take part. Every provision of this human rights law is intended to apply to everyone, regardless of gender or affiliation with a particular organization.

Law Number 62 of 1958 concerning Citizenship was replaced by Law Number 12 of 2006. Philosophically, legally, and sociologically, Law Number 62 of 1958 was deemed inconsistent with the development of society and the government of the Republic of Indonesia. The Pancasila ideology is still not adhered to by the articles of Law 62/58 because it is biased, does not guarantee the fulfillment of citizens' rights, does not promise justice between citizens, and does not protect women and children. Juridically, the Provisional Constitution (UUDS) of 1950 which became the basis for the formation of the law was not used as a result of the Presidential Proclamation of July 5, 1959 which gave a statement returning to the 1945 Constitution (R. Indonesia 1945). The 1945 Constitution has been modified in line with its increasingly guarantee the guarantee of freedom and civil rights of citizens.

Sociologically, Law 62/58 has been inconsistent with the progress and development of Indonesian society which has joined the international community which demands justice, equality for women, and treatment of all people under the law. The wife is free to enter into a mixed marriage and choose her nationality, even though the law in her husband's country of origin obliges the wife to adopt her husband's nationality because of the mixed marriage (Article 26 paragraphs (1) and (3) This arrangement eliminates discrimination based on sex. Because she was required to adopt her husband's nationality under the previous Citizenship Law (UU 62/1958), a woman who married a foreigner lost her Indonesian citizenship.

Human trafficking is a crime where the aim is to abuse or take advantage of people for personal gain. Smuggling or trafficking of babies or children, unlawful adoptions, and organ transfers are some of the ways traffickers abuse their victims. Because it violates basic rights which should belong to everyone, namely the right to freedom, human trafficking is a form of human rights violation. There have been clear violations of both domestic and foreign laws. Indonesia itself had a

number of laws prohibiting human trafficking prior to the enactment of the PTPPO Law. For example, Article 297 of the Criminal Code regulates that it is forbidden to deal with women and men who are not old enough. Also, Law Number 23 of 2002 Regarding Child Safety, Article 83, prohibits trading them, selling them, or kidnapping their own children to sell them. However, the definition of "trafficking in persons" is not explicitly stated in the regulation. The existence of this law shows Indonesia's commitment to minimizing or even completely eliminating human trafficking. (*trafficking in person*) (Faisa 2015).

The government's commitment to eradicating prejudice from all aspects of national life is demonstrated by Presidential Decree No. 9 Year 200. In the preface there are two things, namely: a). To improve the place, function and character of women as well as ways to achieve gender equality and justice in the life of the family, society, nation and state, it is necessary to have a gender mainstreaming plan in the national development process as a whole; b). That all government organizations and agencies, both at the national and regional levels, incorporate gender mainstreaming into all aspects of the growth process.

This Presidential Instruction forms the basis for a gender perspective in all program policies. Regulations at the national and local levels need to be re-evaluated; otherwise, they must be changed.

A separate organization, Komnas Perempuan. Indonesia has a national system for defending women's human rights called Komnas Perempuan. According to Article 1 of the Presidential Proclamation Number 65 of 2005, Komnas Perempuan was formed "in order to minimize and resolve the problem of violence against women and eradicate all forms of violence against women". Rule 2 states that the objectives of the Women's National Council are to: a). Create the conditions necessary for Indonesia to end all types of abuse against women and protect their human rights. b). Make more efforts to protect women's human rights and stop all kinds of harassment against them. (CATAHU 2018)

Individual Factors; Women are more likely to experience domestic violence when considering examples of marriages such as marriages that are not recognized based on faith, contracts, traditions, and other factors due to the lack of a perfect marriage bond. In general, the factors of this individual depend on who committed the act of violence in the marriage bond.

Couple Factor; In a marriage, if there is no harmony in the household it will result in various problems such as infidelity, physical violence, mental breakdown, and so on. In addition, if the wife has an unemployed husband with a husband who uses narcotics or illegal drugs are also at greater risk for experiencing domestic violence.

Socio-Cultural Factors; This factor is closely related or influential with the environment in which we live. For example, in urban areas, we are more likely to encounter a lot of domestic violence compared to rural areas where there is a lack of adequate law enforcement.

Economic Factors; Based on economic factors, it can be seen that at the beginning of 2020 Indonesia was attacked by Covid-19 which caused many layoffs. If only the husband works in the household, the chance of domestic violence is greater. Because the wife demands a lot of needs in the house, both the needs of the children and the needs of the household itself.

On Monday, December 4 2017 at around 20.05 WIB at RT 01 Pasar Muara Beliti sub-district, Muara Beliti District, Musi Rawas Regency. There was a dispute between husband and wife that claimed 1 life. This includes domestic violence, as meant by the husband (R) killing his wife (Z). That at that time and place, it was originally the husband's suspicion (R) of the victim who did not return home. So when the victim returned home, the suspect immediately locked the door so that the victim would not go out again. However, during the incident the victim tried to snatch the key from the suspect's hand so that the two of them were involved in an argument. (HN Singadimedja 2017).

The victim, who was desperate to leave, then tried to snatch the key to the door of the house from the suspect. Seeing this situation, the suspect, who had been burned by fire, was jealous and afraid of losing his wife and felt emotional and angry. Then the suspect ran to the kitchen to get a knife and then the suspect immediately stabbed the victim with the knife in the back 6 times and slashed the back of the victim's neck 2 times. Not only that, the suspect even stabbed the victim in the chest 6 times and slashed the victim's left arm with a knife 3 times. Thus, the

deceased died at the scene of the crime (TKP). The perpetrator (R) killed his wife (Z), but managed to escape before being caught by the police at the junction of three Pasar Muara Beliti sub-districts. After the incident, AKP Trisopa Kapolres Muara Beliti visited the TKP, took the victim to the Beliti Health Center, and processed the TKP. On Tuesday morning, 5 December 2017, the mother of two was buried at the public cemetery (TPU) of Durian Remuk Village, Tiang Pempa Kepungut (TPK) District, where she was born.(Online 2022)

According to Article 340 of the Criminal Code, "Whoever deliberately and with prior planning kills another person's life, is threatened with premeditated murder (moord), with the death penalty or life imprisonment for a maximum of twenty years.

The court decided to sentence the murderer of his wife and legal child to life in prison under Article 340 of the Criminal Code and Article 80 paragraph (4) of the Law. If it results in murder, it is threatened with imprisonment for a maximum of 7 years in accordance with Article 315 paragraph (3) of the Criminal Code. The perpetrator is punishable by nine years in prison under Article 353 of the Criminal Code if the act of abuse ends in death (L Damayati 2016).

The PKDRT Law contains the meaning of son-in-law, in-law, brother-in-law, brother-in-law, step-children, adopted children, relatives, aunts, etc. apart from father, mother and children who make up the nuclear family as meant in the law. The PKDRT Law prohibits various types of domestic violence, including physical, psychological, sexual, and neglect of homes.(Perempuan 2022) It also broadens the definition of family to include things like biological ties, marriage, parenthood, and custody. Victims of domestic violence will usually have marks or wounds on their bodies if physical violence occurs. The doctor will investigate the injuries and issue a post mortem et repertum afterwards (R. Indonesia 2004). The type of violence resulting in injury or the tool used by the perpetrator to injure the victim can be determined by the doctor when examining samples of injuries or victims who experienced physical violence. In Article 7 of the PKDRT Law, psychological violence or also known as psychological violence is referred to as other types of domestic violence. Psychological violence refers to actions that make victims feel helpless, afraid, inferior, and unable to take action.(K. P. P. dan P. A. R. Indonesia 2018)

CEDAW (*Convention on The Elimination Of All Forms Discrimination Against Women*) is a step forward that is not just a fad demonstrating its principles. However, they are also active in improving legal language (corrective language) which firmly supports women's human rights. The development of terminology is very important to show and strengthen the position of the women's movement in every stage of CEDAW implementation(Angelia. 2017). CEDAW is associated with introducing women to the realm of rights discussion. When the government has approved CEDAW, it implies that the government has formed community cohesiveness with women. CEDAW is a weapon to always demand that the government be on the path of human rights.(Ilham 2020) Indonesia is part of the countries that signed the CEDAW International Agreement into RI Law No. 7 of 1984. On July 24, 1984, Indonesia ratified the agreement, promising not to engage in any form of discrimination and taking the option of ending bias against women. Indonesia's participation in the Optional Amendments to the CEDAW agreement in February 2009 demonstrates its commitment to this international agreement. Unfortunately, until now Indonesia has not agreed to the Optional Protocol.(Wardani 2023).

The principle of equal rights for men and women is the cornerstone of the Indonesian legal system, which we believe is good or better for, effective, harmonious, and in line with the aspirations of the Indonesian people, so that it is not affected by convention provisions, according to Law no. 7 of 1984.(Afifah Salsabila 2022) The articles of the agreement had to be amended during implementation to take into account the people's way of life, which includes religious beliefs and practices as well as traditional standards and values that are still widely practiced throughout Indonesia. Women's rights and human rights, fundamental rights, and the CEDAW Convention are an inseparable unit. Freedom, justice and harmony are all based on human rights. Thus, everything that is needed by humans to maintain their humanity in civil, political, economic, social and artistic life is included in the concept of human rights.(Maryam 2012)

Comparison of the Protection of Rights found in UU No. 7 of 1984 (CEDAW) with Law No. 23 of 2004

Various sections relating to the Women's Convention are underlined in Law no. 7 of 1984 Part III, Articles 10–14, which emphasizes equal rights in terms of education, employment, health, as well as special rights for women in remote areas (IVL Koba 2012). a) Right to Education; Elimination of prejudice against women is one of the rights that receives particular pressure from women's conferences on the aspect of education, which is necessary to guarantee equality with men in this field. elimination of stereotypes about the role of men in education, including those found in required reading, curriculum, and teaching techniques. b) Rights in the Field of Work; The rights that get extra pressure from women's agreements in the workplace aim to end prejudice against women on the basis of gender equality. and ending prejudice against women based on marital status and childbearing ability. c) Rights in the Health Sector The Convention on women and the health sector places particular emphasis on the right to be free from discrimination in the provision of health services, to ensure that they do so, and to ensure that they do so on an equal basis with men and women. It also emphasizes the right to appropriate nutrition during pregnancy and breastfeeding and access to family planning services. These are rights that receive special attention from the convention. d) Rights in the Economic and Social Sector One of the rights that have special emphasis on women's conventions in the economic and social fields is the elimination of prejudice against women, especially based on equality between men and women in the social and financial fields. Part of the privilege that is the special focus of the women's conference is this one It is. e) Special Rights for Rural Women The Women's Convention outlines the unique rights of rural women, with the aim of combating functional illiteracy and providing guidance on a variety of other topics. (Putri Anggita Febriana Icha 2022) And to be able to enjoy satisfying living conditions, especially with regard to shelter, sanitation, electricity, water supply, transportation, and communications. (K. P. P. dan P. A. R. Indonesia 2017)

Based on Law no. 23 of 2002, every woman has the right to safety from harassment and prejudice, the right to a name as identification and legal status, as well as the right to live and contribute equally in accordance with her integrity and human values. The existence of women's rights is not expressly stated in Law no. 23 of 2004. However, Law no. 23 of 2002 does explain that women's freedom exists. (R. Indonesia n.d.)

4. CONCLUSION

Abbreviated as "domestic violence", the negative behavior of a husband, wife or child at home is referred to as domestic violence. It can also refer to acts committed against a person, especially a woman, resulting in physical harm, psychological distress, sexual violence, and neglect of the household, as well as threats of illegal deprivation or coercion of liberty in the home. The term "domestic violence" can also be applied to acts which result in physical, psychological or sexual harm to the victim.

By enforcing criminal provisions on perpetrators of domestic violence, the government has shown its commitment to upholding the principle of justice. This is shown by paying attention to the provisions of Law Number 23 of 2004 regarding PKDRT, which regulates the protection of victims' rights. This law regulates the elimination of domestic violence and protects the rights of victims.

An international treaty known as CEDAW, or the Convention on the Elimination of All Forms of Discrimination Against Women, concentrates on issues relating to women's human rights, in particular the elimination of all forms of discrimination against women. This agreement also calls for the elimination of all forms of prejudice against women, providing an opportunity for any person or organization that is unhappy with how CEDAW is being implemented in their country to raise their concerns with the government directly or, if necessary, with the government. United Nations. In addition, this agreement explains the need to eliminate all forms of prejudice against women (United Nations).

Regardless of their marital status, CEDAW places a strong emphasis on ensuring that women have equal rights in all aspects of political, economic, social, cultural and civic life. One of the aims of the CEDAW Treaty, which was established to advance national legislation against discrimination and adopt special measures, is to change traditional and cultural practices based on

the supremacy or weakness of either sex or the assigned position of boys and girls. This goal involves changing societal norms and cultural behaviors.

Whereas regarding the existence of women's rights, Law no. 23 of 2004 does not explain in detail regarding this matter. As a consequence, the PKDRT Law does not contain a special portion related to evidence issues. The question of proof is regulated in other provisions of the PKDRT Law, which part of it is contained in the conclusions before Article 56 which is the last article in the PKDRT Law. The fact that it was placed at the end of the bill without being given a separate chapter shows that legislators have paid little attention to one particular aspect, despite the fact that it plays a very significant role in protecting the legal rights of victims. domestic violence in the courtroom.

It is necessary to build supporting facilities for the implementation of the PKDRT Law, such as budgets for victim recovery and family economic access, medical service providers, safe houses, companions, psychologists and others, in addition to synchronizing the PKDRT Law with other laws such as the Witness and Victim Protection Law, Criminal Code, Child Protection Act and others.

We are aware that we still have many shortcomings, both from the writing and from the discussion that we present. Therefore, we accept constructive criticism and suggestions. And as the researcher's suggestion is: Hopefully by reading the results of our research, we can minimize cases of domestic violence in Indonesia and can be useful for all of us and can be used as our insight in understanding paragraph by paragraph. The next research should be able to deepen again regarding the factors of the occurrence of domestic violence in the household and how to minimize it. Everything needed to remove domestic violence is obtained after accessing online media. The next researchers should further develop the scope of research, bearing in mind that the research carried out has not been able to fully describe that the elimination of domestic violence has been implemented. In the process of collecting data, should use techniques that are estimated to be more optimal in obtaining the required data.

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