

REGULATION OF THE PRESIDENT OF THE REPUBLIC OF INDONESIA
NUMBER 18 OF 2014
ON
PROTECTION AND EMPOWERMENT OF
WOMEN AND CHILDREN IN SOCIAL CONFLICTS

BY THE GRACE OF ALMIGHTY GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that all women and children have the rights to have their human rights protected, to be free from torture, threat, and pressure, and to receive the same access, facilities and benefits in order to achieve justice and welfare;
 - b. that in social conflicts, women and children are likely to be more vulnerable to forms of violence, including sexual violence, and their protection and empowerment are still less optimal;
 - c. that Law Number 7 of 2012 on the Handling of Social Conflicts has mandated the central government and the local government to undertake the prevention from abuse, protection, rehabilitation, and fulfillment of basic and specific rights of women and children in the handling of social conflicts;
 - d. that based on considerations as referred to in letter a, letter b, and letter c, it is necessary to issue a Presidential Regulation on the Protection and Empowerment of Women and Children in Social Conflicts;

- Observing :
1. Article 4 paragraph (1) of the 1945 Constitution of the Republic of Indonesia;
 2. Law Number 7 of 1984 on the Ratification of the United Nations Convention on the Elimination of All Forms of Discrimination against Women (State Gazette of the Republic of Indonesia Number 29 of 1984, Supplement to State Gazette of the Republic of Indonesia Number 3277);
 3. Law Number 39 of 1999 on Human Rights (State Gazette of the Republic of Indonesia Number 165 of 1999, Supplement to State Gazette of the Republic of Indonesia Number 3886);
 4. Law Number 23 of 2002 on Child Protection (State Gazette of the Republic of Indonesia Number 112 of 2002, Supplement to State Gazette of the Republic of Indonesia Number 4235);
 5. Law Number 7 of 2012 on the Handling of Social Conflicts (State Gazette of the Republic of Indonesia Number 116 of 2012, Supplement to State Gazette of the Republic of Indonesia Number 5315);

HAS DECIDED:

To issue: PRESIDENTIAL REGULATION ON THE PROTECTION AND EMPOWERMENT OF WOMEN AND CHILDREN IN SOCIAL CONFLICTS.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Presidential Regulation:

1. Social Conflict hereinafter referred to as Conflict is a hostile and/or violent physical conflict between two or more groups of people, which takes place in a certain period of time and has a broad impact in that it results in social disintegration and insecurity which threatens the national stability and hinder development.
2. Protection of women and children means to an effort to prevent against and handle all forms of violence and infringement of rights of women and children, as well as providing basic needs and services which are specifically required by women and children in the handling of the conflict as an integral part of the handling of conflict.
3. Empowerment of women and children means an effort to strengthen human rights to improve the quality of life and increase the participation of women and children in building peace.
4. Child means a person who has not attained the age of 18 (eighteen) years, including a child who is still in the womb.
5. Violence against women and children means any act of gender-based violence that results in physical, sexual, mental, psychological harm or suffering including intimidation, forced expulsion, threat, coercion of certain acts, deprivation of women's and children's independence, neglect and prevention from enjoying all their rights and freedom.

Article 2

The objective of the protection and empowerment of women and children in conflicts shall be to protect, respect and guarantee the rights of women and children in the handling of conflicts.

Article 3

- (1) The protection and empowerment of women and children in conflicts shall be carried out by:
 - a. The relevant ministry/agency in accordance with its authority; and
 - b. The local government.

- (2) The local government in carrying out the protection and empowerment of women and children in conflicts as referred to in paragraph (1) letter b shall take into account the condition, situation, and problem in the handling of conflicts in the relevant region.

CHAPTER II PROTECTION

Part One Prevention

Article 4

The relevant ministry/agency and the local government in accordance with their authority in providing protection for women and children shall take some preventive efforts to protect women and children from the impacts of situations and events of conflicts.

Article 5

The relevant ministry/agency and the local government in accordance with the authority in taking the preventive efforts as referred to in article 4 shall:

- a. provide data and studies on women and children in conflicts;
- b. increase the awareness of the public, traditional and social institutions, and the Religious Communication Forum to provide the protection for women and children in conflicts;
- c. increase the role of mass media in the dissemination of information about the protection of women and children in conflicts;
- d. increase the role of the women and children service unit in the provision of protection for women and children in conflicts;
- e. conduct training in the prevention of violence against women and children in conflicts;
- f. facilitate the provision of more public space/urban open green space for women and children

Part Two Provision of Service

Article 6

- (1) The relevant ministry/agency and the local government in accordance with their authority in providing the protection for women and children shall provide some services for women and children.
- (2) The services as referred to in paragraph (1) shall be provided for:
 - a. women and children who are victims of conflicts.
 - b. women and children who are victims of violence.
- (3) The services for women and children as referred to in paragraph (1) shall include the following:
 - a. the provision of special protection;
 - b. the provision of services for women and children who are victims of violence;
 - c. the fulfillment of basic, specific needs to women and children who are victims of conflicts;

- d. the improvement of facilities which are required by women and children.

Article 7

In the provision of services as referred to in Article 6, the relevant ministry/agency and the local government in accordance with their authority shall provide data on women and children who are victims of conflicts in conflict-ridden areas.

Pasal 8

The special protection as referred to in Article 6 paragraph (3) letter a shall include the rescue and protection of:

- a. women and children so that they will not experience violence;
- b. women's rights advocates.

Article 9

The provision of services for women and children who are victims of violence as referred to in Article 6 paragraph (3) letter b shall include services of:

- a. complaint desk;
- b. health rehabilitation;
- c. reproductive health;
- d. social rehabilitation;
- e. social reintegration; and
- f. legal assistance and representation.

Article 10

The improvement of facilities which women and children in conflicts require as referred to in Article 6 paragraph (3) letter c shall include:

- a. the improvement of health care facilities;
- b. the improvement of reproductive health service facilities;
- c. the improvement of educational facilities for children;
- d. the provision of decent, secure, safe and gender responsive residential premises and housing;
- e. the assistance in the repair to new housing, public facilities and infrastructure;
- f. the provision of clean water and sanitation for women and children.

Article 10

The provision of special services for children in a conflict shall include:

- a. caregiving;
- b. playgrounds, toys or games which meet health and safety requirements; and
- c. recreation.

CHAPTER III

EMPOWERMENT

Article 12

The relevant ministry/agency and the local government in accordance with their authority shall empower women and children in social conflicts.

Article 13

The empowerment of women as referred to in Article 12 shall include the efforts to:

- a. increase survival;
- b. increase economic ventures; and
- c. increase the participation of women as peace builder, mediator, and negotiator.

Article 14

The empowerment of children in conflicts as referred to in Article 12 shall include the effort to increase the understanding about children to prevent violence by carrying out education on peace and gender justice.

Article 15

The survival as referred to in Article 13 the letter a shall be increased by providing guidance and mentoring for spiritual and mental reinforcement.

Article 16

The economic venture as referred to in Article 13 letter b shall be increased by the provision of:

- a. job skills training;
- b. productive economic venture training;
- c. mentoring on the development of productive economic venture;
- d. capital assistance; and
- e. access to information and promotional marketing for products of productive economic venture.

Article 17

The participation of women as peace builder, mediator and negotiator as referred to in Article 1 letter c shall be increased by engaging women:

- a. in training for peace builder, mediator and negotiator;
- b. as an initiator, mediator and negotiator in the process of peace building.

CHAPTER IV IMPLEMENTATION AND COORDINATION Part One Implementation

Article 18

- (1) In order to ensure the effective protection and empowerment of women in conflicts, the national action plan for the protection and empowerment of women and children in conflicts has been drawn up.
- (2) Further provisions on the national action plan as referred to in paragraph (1) shall be governed by the regulation of the Coordinating Minister for People's Welfare.

Part Two Coordination

Article 19

(1) To implement the protection and empowerment of women and children in conflicts at the national level, a Central Coordinating Team shall be established.

(2) The composition of the Central Coordination Team as referred to in paragraph (1) shall consist of:

Head : Minister who is in charge of the coordination of people's welfare affairs.

Vice Head : Minister who is in charge of the coordination of politic, law and security affairs;

Executive Head/ : Minister who is in charge of empowerment women and protection of children

Member

- Members :
1. Minister who is in charge of home affairs;
 2. Minister who is in charge of defence affairs;
 3. Minister who is in charge of religious affairs;
 4. Minister who is in charge of law and human rights affairs;
 5. Minister who is in charge of education and culture affairs;
 6. Minister who is in charge of healthcare affairs;
 7. Minister who is in charge of social affairs;
 8. Minister who is in charge of manpower and transmigration affairs;
 9. Minister who is in charge of trade affairs;
 10. Minister who is in charge of communication and informatics affairs;
 11. Minister who is in charge of cooperative, small and medium size businesses;
 12. Minister who is in charge of people's housing;
 13. Minister who is in charge of the development of lagging regions;
 14. Minister who is in charge of public works affairs;
 15. Chief of Indonesian National Police;
 16. Attorney General of the Republic of

Indonesia; and
17. Commander of Indonesian National
Army(TNI).

Article 20

The Central Coordination Team as referred to in Article 19 paragraph (1) shall have the duties:

- a. to carry out the coordination in the implementation of programs of the protection and empowerment of women and children in conflicts;
- b. to conduct advocacy, monitoring, evaluation and reporting; and
- c. to report the results of implementation of duties to the President.

Article 21

The Central Coordination Team shall carry out a coordination meeting for implementation of programs for the empowerment and protection of women and children in conflict handling at least one time in 6 (six) months.

Article 22

- (1) In the performance of its duties, the Central Coordination Team shall be assisted by a working group for the protection and empowerment of women and children in conflicts.
- (2) The working group as referred to in paragraph (1) shall comprise the representatives from the governments, community organizations, professional organizations, NGOs, and researchers/academics.
- (3) The provisions on the composition and duties of the working group for the protection and empowerment of women and children in conflicts shall be governed by a regulation which is issued by the Coordinating Minister for People's Welfare Affairs.

Article 23

- (1) To implement the protection and empowerment of women and children in conflicts at the provincial level, the governor shall form a working group.
- (2) The Working Group as referred to in paragraph (1) shall have the duties:
 - a. to carry out the coordination of implementation of the protection and empowerment of women and children in conflicts at the provincial level;
 - b. to conduct advocacy, monitoring, evaluation and reporting of the implementation of the protection and empowerment of women and children in conflicts at the provincial level; and
 - c. to report the results of the implementation of the protection and empowerment of women and children in conflicts at the provincial level to the governor.
- (3) The composition of the Working Group as referred to in paragraph (1) shall consist of representatives from relevant local offices, local agencies of the central government, law enforcement organizations, community organizations,

NGOs, researchers/academics and religious figures, traditional figures, community figures, and peace activists in the province.

- (4) The Working Group as referred to in paragraph (1) shall be responsible to the Governor.
- (5) The Governor who is responsible for the implementation of the protection and empowerment of women and children in conflicts at the province level shall have the duties:
 - a. to provide support of resources to the implementation of the protection and empowerment of women and children in conflicts in the relevant province; and
 - b. to report the results of the implementation of the protection and empowerment of women and children in conflicts in the province to the Central Coordination Team Leader.

Article 24

- (1) To implement the protection and empowerment of women and children in conflicts at the district/city level, the district/city shall form a working group.
- (2) The Working Group as referred to in paragraph (1) shall have the duties:
 - a. to carry out the coordination of the implementation of the protection and empowerment of women and children in conflicts at the district/city level;
 - b. to conduct advocacy, monitoring, evaluation and reporting of the implementation of the protection and empowerment of women and children in conflicts at the district/city level; and
 - c. to report the results of the implementation of duties to the Head of District/Mayor.
- (3) The composition of the Working Group as referred to in paragraph (1) shall consist of the representatives from relevant local offices, local agencies of the central government, law enforcement organizations, community organizations, NGOs, researchers/academics and religious figures, traditional figures, community figures, and peace activists at the district/city level.
- (4) The Working Group as referred to in paragraph (1) shall be responsible to the Head of District/Mayor.
- (5) The Head of District/Mayor who is responsible for the implementation of the protection and empowerment of women and children in conflicts at the district/city level shall have the duties:
 - a. to provide support of resources to the implementation of the protection and empowerment of women and children in conflicts at the district/city; and
 - b. to report the results of the implementation of the protection and empowerment of women and children in a conflict at the district/city level to the governor.

CHAPTER V COMMUNITY PARTICIPATION

Article 25

- (1) The community can participate in the empowerment and protection of women and children in conflicts.

- (2) Community participation as referred to in paragraph (1) shall be carried out in the form of prevention of violence, provision of services and empowerment of women and children in conflicts.

Article 26

Community participation as referred to in Article 25 may take the form of:

- a. making a complaint about any incidence of violence against women and children in conflicts;
- b. organizing training for women;
- c. provision of assistance in the fulfillment of the specific needs of women and children;
- d. provision of assistance in the rescue and evacuation of women and children;
- e. provision of legal assistance and representation;
- f. provision of clean water and sanitation for women and children; and
- g. reduction of the impact of conflict for women and children.

Article 27

Community participation in the provision of protection and empowerment for women and children in conflicts shall be carried out with full of responsibility in accordance with the provisions of the laws and regulations.

CHAPTER VI FUNDING

Article 28

- (1) The funding required to implement the protection and empowerment of women and children in conflicts in each Ministry/Agency shall be derived from the budget of each Ministry/Agency.
- (2) The funding required to implement the protection and empowerment of women and children in a conflict at the provincial level shall be derived from the provincial budget.
- (3) The funding required to implement the protection and empowerment of women and children in a conflict at the district/city level shall be derived from the district/city budget.

CHAPTER VII CLOSING PROVISIONS

Article 29

Peraturan Presiden ini mulai berlaku pada tanggal diundangkan. This Presidential Regulation shall come into effect as of the date of its promulgation.

In order that the public knows about it, the promulgation of this Presidential Regulation is ordered by its placement in in the State Gazette of the Republic of Indonesia.

Issued in Jakarta
On March 7, 2014

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Dr. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta
On March 11, 2014

MINISTER OF LAW AND HUMAN RIGHTS OF
THE REPUBLIC OF INDONESIA,

AMIR SYAMSUDIN