

Submission to Panel 4 of Asia Pacific Regional Consultation for 67th Session of CSW
By the Komisi Nasional Anti Kekerasan terhadap Perempuan (Komnas Perempuan)
Bangkok, 8 February 2021

Thank you moderator

Allow me to first of all introduce ourselves, the National Commission on violence against Women or Komnas Perempuan, which is an independent body and work as a national human rights institution with a specific mandate to pursue conducive environment to eliminate all forms of violence against women and to promote women's human rights.

In our unique position as independent state institution, hence our submission today does not represent the Indonesian government's view but an exercise of our independent authority as monitoring body.

Distinguished panelists and representatives of the governments and CSOs, ladies and gentlemen,

In the year of 2022 Komnas Perempuan received 3569 (more than three thousand five hundred) report of cases of vaw. Amongst those, around 45% or almost one thousand six hundred (a number of 1594) reported cases are those perpetrated online. Almost half of them are perpetrated by ex-intimate partners or husbands, and mostly are sexual violence. We also are alert that women human rights defenders and female journalists are facing risks of online gender based intimidation and violence in relation to their works.

In response to the spiking number of online violence, Indonesia new law on sexual crime issued in May 2022 regulated specifically online sexual violence. Perpetrators can be sanctioned for up to 6 years imprisonment and/or a fine of up to twenty thousand us dollar (300 million rupiah 20.000 USD). The victims are eligible to access assistance from the very beginning of their reports, including legal aid, mental health service and other needed psychosocial support. Besides preserve the immunity from any legal action by perpetrators, victims can also pursue the right to be forgotten online.

This legal protection against online violence is also strengthened by the newly issued Criminal Code. Both the Law on Sexual Crime and Law on Criminal Code is expected to some extent provide correction to the existing of Law on Electronic Information and transaction that previously are easily utilized to criminalize women victims of violence. Currently the process of revision of Law on Electronic Information and transaction is on progress at the national parliament with a hope that it will in line with this legal, victim centered perspective and meet the standard of human rights.

Komnas Perempuan is mandated specifically to monitor the implementation of the new law on sexual crime. In relation to this, we endorse the implementation coordinated judicial justice system is exercised in dealing with the reported cases. Hence, Komnas Perempuan works closely with law enforcers and service providers in handling the cases.

Based on experience of handling the cases and our studies on online GBV, cross sectors' coordination and cooperation of governments at regional and global level is imperative. In relation to this Komnas Perempuan would like to request the CSW forum to review and strengthen the implementation of the rights to be forgotten, since women are disproportionately bear the burden of stigma related to unwanted publication of sexual content.

Whilst increase legal protections and their implementation are pivotal, Komnas Perempuan appreciate and share the view of both government and CSOs on the urgency to accelerate and continuously improve digital literacy education program that integrates the enhancement of measures to transform gender based power-relation imbalance and on right to bodily integrity in order to effectively prevent, anticipate and mitigate the respective problem. Komnas Perempuan recommend the CSW forum to pursue the adoption of pedagogy suitable for the age of targeted audience of women and men and other non-binary gender in the development of the digital literacy programs, with special attention to law enforcers, service providers for women victims of violence, and those with specific barrier in accessing digital infrastructure, such as elderly, disability, and other marginalized groups in the society.