

# Indonesia

*Women, Business and the Law 2022* (WBL2022) presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Jakarta). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Indonesia scores 64.4 out of 100**. The overall score for Indonesia is lower than the regional average observed across East Asia and the Pacific (71.9). Within the East Asia and the Pacific region, the maximum score observed is 91.9 (Hong Kong SAR, China).

## Indonesia - Scores for Women, Business and the Law 2022



### Relative Strengths

When it comes to constraints on freedom of movement, Indonesia gets a perfect score.

### Areas for Improvement

However, when it comes to laws affecting women's decisions to work, laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, constraints on women starting and running a business, gender differences in property and inheritance, and laws affecting the size of a woman's pension, Indonesia could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Indonesia is on the indicator measuring constraints related to marriage (the WBL2022 Marriage indicator). To improve on the Marriage indicator, Indonesia may wish to consider allowing women to be head of household in the same way as men, allowing women to obtain a divorce in the same way as a man, and giving women the same rights to remarry as men.

### Recent Reforms

No reforms were observed during the past year (October 2nd, 2020 – October 1st, 2021).



Further data details for Indonesia are available at:  
<https://wbl.worldbank.org/en/data/exploreconomies/indonesia/2022>



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Law No. 1 of 1974 on Marriage, Art. 32(2)
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Indonesian Immigration Law, Arts. 24-33; Passport application procedures and application form
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	Law No. 1 of 1974 on Marriage, Art. 31(2)
	Does the law prohibit discrimination in employment based on gender?	Yes	Law No. 13/2003, Arts. 5 and 6
	Is there legislation on sexual harassment in employment?	No	No applicable provisions could be located
	Are there criminal penalties or civil remedies for sexual harassment in employment?	No	<i>Criminal:</i> No applicable provisions could be located <i>Civil:</i> No applicable provisions could be located
Pay	Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
	Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	Law No. 1 of 1974 on Marriage, Arts. 31(1) and 33
	Can a woman be head of household in the same way as a man?	No	Law No. 1 of 1974 on Marriage, Art. 31(3)
	Is there legislation specifically addressing domestic violence?	Yes	Law Regarding Elimination of Violence in Household
	Can a woman obtain a judgment of divorce in the same way as a man?	No	Law No. 1 of 1974 on Marriage, Arts. 2, 39, and 63
	Does a woman have the same rights to remarry as a man?	No	Law No. 1 of 1974 on Marriage, Art. 12
Parenthood	Is paid leave of at least 14 weeks available to mothers?	No	Law No. 13/2003, Arts. 82 and 84
	Does the government pay 100% of maternity leave benefits?	No	Law No. 13/2003, Arts. 82 and 84
	Is paid leave available to fathers?	Yes	Law No. 13/2003, Art. 93(4)(e)
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Law No. 13/2003, Art. 153(1)(e)
Entrepreneurship	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	Can a woman sign a contract in the same way as a man?	Yes	Law No. 1 of 1974 on Marriage, Art. 31(2)
	Can a woman register a business in the same way as a man?	Yes	Law No. 1 of 1974 on Marriage, Art. 31(2)
	Can a woman open a bank account in the same way as a man?	Yes	Law No. 1 of 1974 on Marriage, Art. 31(2)
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Law No. 1 of 1974 on Marriage, Art. 36
	Do sons and daughters have equal rights to inherit assets from their parents?	No	Compilation of Islamic Laws of Indonesia, Art. 176
	Do female and male surviving spouses have equal rights to inherit assets?	No	Compilation of Islamic Laws of Indonesia, Arts. 179 and 180
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Law No. 1 of 1974 on Marriage, Arts. 35 and 36
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Law No. 1 of 1974 on Marriage, Art. 35
Pension	Is the age at which men and women can retire with full pension benefits the same?	Yes	Women: GR No. 45/2015, Art. 15 (2). Men: GR No. 45/2015, Art. 15 (2)
	Is the age at which men and women can retire with partial pension benefits the same?	Yes	Women: No applicable provisions could be located. Men: No applicable provisions could be located
	Is the mandatory retirement age for men and women the same?	Yes	Women: No applicable provisions could be located. Men: No applicable provisions could be located
	Are periods of absence due to childcare accounted for in pension benefits?	No	No applicable provisions could be located