











# Indonesia

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>60.0</b>	<b>42.5</b>	<b>43.1</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Indonesia, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Jakarta). The scores for Indonesia are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	75.0	100.0	50.0	75.0	25.0	50.0	75.0	25.0	50.0	75.0
Supportive frameworks score	50.0	66.7	66.7	50.0	33.3	0.0	75.0	33.3	0.0	50.0
Expert opinions score	25.0	75.0	43.8	31.3	25.0	31.3	25.0	50.0	50.0	75.0

In summary, the **WBL 2.0 legal frameworks score** for Indonesia (60.0 out of 100.0) is lower than the global average (64.2) and higher than the East Asia & Pacific regional average (57.8). When it comes to constraints on freedom of movement, Indonesia obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Indonesia is on the indicator measuring constraints related to marriage. 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.

The **WBL 2.0 supportive frameworks score** for Indonesia (42.5 out of 100.0) is higher than the global average (39.5) and higher than the East Asia & Pacific regional average (33.9). Indonesia does not attain a perfect score on any of the WBL 2.0 supportive frameworks indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for Indonesia is on the indicator measuring supportive frameworks affecting women’s work after having children. To improve on the Parenthood indicator, Indonesia may wish to consider making it possible to apply for maternity

benefits through a single government application process, putting incentives in place to encourage fathers to take paternity leave on the birth of a child and publishing sex-disaggregated data on unpaid care work.

The **WBL 2.0 expert opinions score** for Indonesia (43.1 out of 100.0) is lower than the global average (65.7) and lower than the East Asia & Pacific regional average (64.8). Indonesia does not attain a perfect score on any of the WBL 2.0 expert opinion indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for Indonesia is on the indicator measuring expert opinions on women's safety.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Law Regarding Elimination of Violence in Household, Arts. 1(1), 5(a-d), 6-9, 44-53 and Ch. VI
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	Yes	Law on the Crime of Sexual Violence, Arts. 5, 6(c), 14(1), 15(1)(b), 15(1)(c)(d), 67(1)(c) and 70(1)(d); Law on Electronic Information and Transactions, Arts. 27, 29 and 45
Is there legislation on child marriage?	Yes	Law on Marriage, Arts. 6, 7, 16(1), 20, 22 and 61(3); Law on Marriage (Amendment), Art. I(1)
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Indonesian Immigration Law, Arts. 24-33
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
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	The Citizenship Act No. 12 of 2006, Arts. 4, 5 and 19
<b>Workplace</b>		
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
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
<b>Pay</b>		
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 an industrial job 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
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	No	Law No. 1 of 1974 on Marriage, Art. 31(3)
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Law No. 1 of 1974 on Marriage, Arts. 31(1) and 33
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
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	No	Law No. 13/2003, Arts. 82 and 84
Are leave benefits for mothers paid solely by the government?	No	Law No. 13/2003, Arts. 82 and 84

Is there paid leave available to fathers?	Yes	Law No. 13/2003, Art. 93(4)(e)
Is dismissal of pregnant workers prohibited?	Yes	Law No. 13/2003, Art. 153(1)(e)
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Regulation of the Minister of Education No. 18 of 2018 on Provision of Early Childhood Education, Arts. 1, 5, 6 and 15; Regulation of the Minister of Education No. 84 of 2014, Arts. 1-2
Does the law establish any form of support to families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support to non-state childcare providers?	Yes	Regulation of the Minister of Education No. 63 of 2022 on Technical Instructions for Operational Assistance Funds for Educational Units, Arts. 1(13), 4, 5 and 36
Does the law establish quality standards for the provision of childcare services in center-based settings?	Yes	Regulation of the Minister of Education No. 137 of 2014, Arts. 25 and 36(4); Regulation of the Governor of Special Regions of the Capital of Jakarta No. 32 of 2021 on Technical Instructions for the Admission of New Students, Art. 3(1)(a); National Education System Act No. 20/2003, Art. 42(2); Government Regulation No. 16 of 2007 on Standards of Academic Qualifications and Teacher Competency, Attachment, Sec. 1(a); Regulation of the Minister of Education No. 18 of 2018 on Provision of Early Childhood Education, Art. 12(1)(2)
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Law No. 1 of 1974 on Marriage, Art. 31(2)
Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Law No. 1 of 1974 on Marriage, Arts. 35 and 36
Do sons and daughters have equal rights to inherit assets from their parents?	No	Compilation of Islamic Laws of Indonesia, Art. 176
Do male and female surviving spouses have equal rights to inherit assets?	No	Compilation of Islamic Laws of Indonesia, Arts. 179 and 180
Does the law provide for the valuation of nonmonetary contributions?	Yes	Law No. 1 of 1974 on Marriage, Art. 35
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	Regulation of the Minister of Manpower No. 4 of 2022 on Procedures and Requirements for Disbursement of Old-Age Benefits (JHT), Art 6
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	No applicable provisions could be located
Is the mandatory retirement age for men and women equal?	Yes	Job Creation GRL, Art. 36(n); MoM 4/2022, Art 6
Are periods of absence due to childcare accounted for in pension benefits?	No	No applicable provisions could be located

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	National Strategy on Child Marriage Prevention 2020; Ministry of Manpower Decree No. 88 (MOM Decree No. 88); UPTD PPA
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located

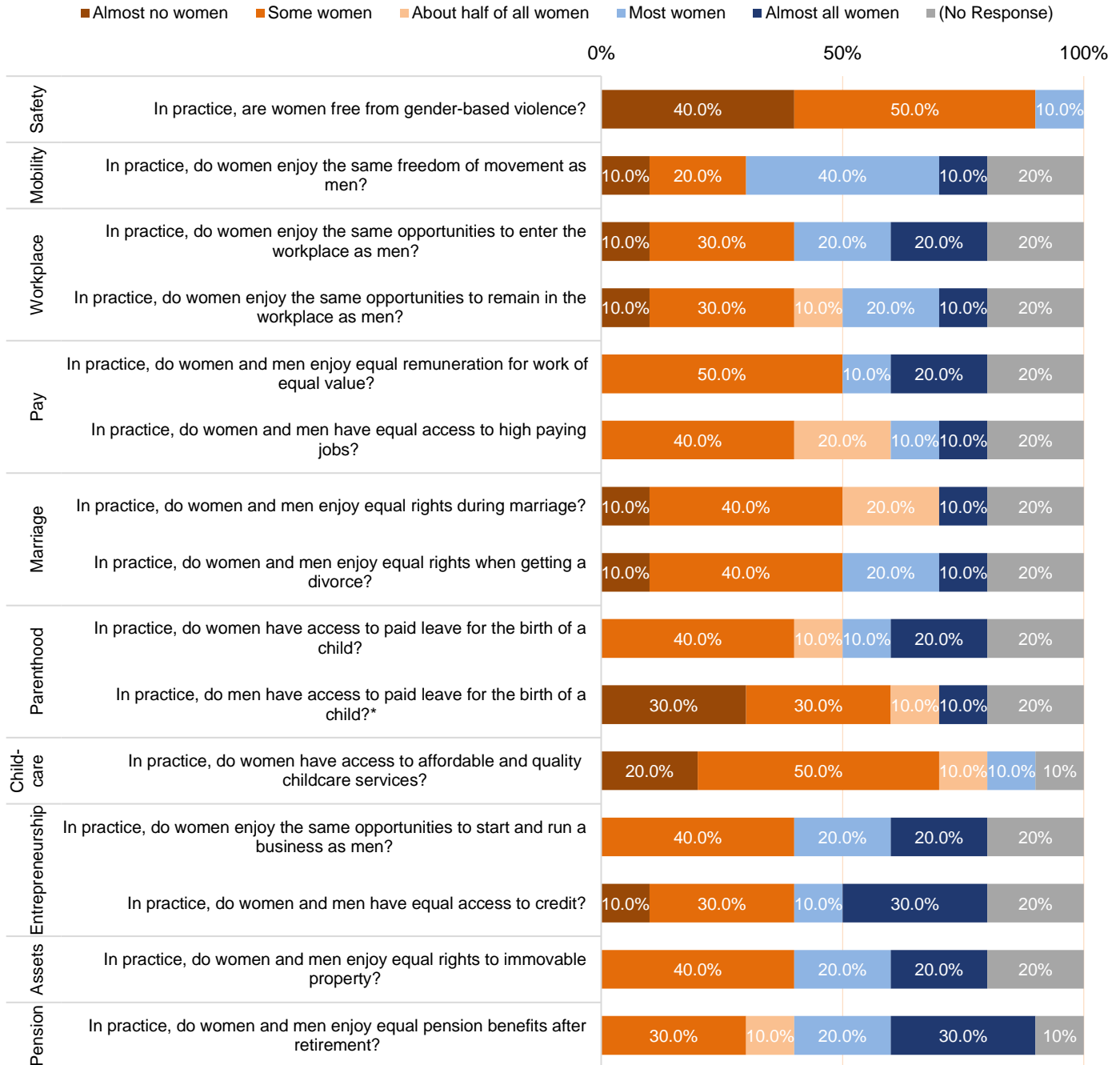
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	Yes	The Ministry of Women Empowerment and Child Protection; National Commission on Violence against Women
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	No	Insufficient evidence located
<b>Mobility</b>		
Are passport application processes the same for women and men?	Yes	Passport Application Form
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	Yes	Equal Employment Opportunity Guide: Guide Chance and Same Treatment in Work in Indonesia
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Is there a specialized body that receives complaints about gender discrimination in employment?	Yes	Ministerial Regulation of the Ministry of Women's Empowerment and Child Protection Number 1 of 2020 concerning Provision of Homes for Protection of Women Workers in the Workplace
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	Yes	One Employment Data: Employment in Data Book
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	No	Insufficient evidence located
Are there specialized family courts?	Yes	Law No. 7 of 1989 on Religious Courts
Is legal aid available for family law disputes?	No	Insufficient evidence located
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	No	Insufficient evidence located
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Has sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	Yes	Official Website of the Ministry of Education, Culture, Research, and Technology
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	Yes	Regulation of the Minister of Education No. 63 of 2022 on Technical Instructions for Operational Assistance Funds for Educational Units, Art. 5; Official Website of Ministry of State Apparatus Utilization and Bureaucratic Reform
Has the government published any reports on quality of childcare services within the last 3 years?	Yes	Official Website of the Directorate of Early Childhood Education, Annual Performance Reports
<b>Entrepreneurship</b>		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	No	Insufficient evidence located
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	No	Insufficient evidence located



Is there a current national government plan or strategy with a focus on women's access to financial services?	Yes	Law No. 114 of 2020 on Indonesia's National Financial Inclusion Strategy
<b>Assets</b>		
Are there mechanisms or incentives to encourage women to register immovable property?	No	Insufficient evidence located
Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	No	Insufficient evidence located
<b>Pension</b>		
Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Employment Social Security Administration Agency Regulation Number 6 of 2015, Arts. 3-6



## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.