The Implementation of the Prevention of Sexual Violence against Women Policy in Indonesia

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Abstract

Sexual violence is more difficult to reveal than violence against other women, this is because it is often linked to the concept of societal morality. Violence against women is still one of the problems faced by women, both in the private sphere (within the household sphere) and in the public sphere (in public places). This research is based on the following problems: 1) How is the implementation policies in preventing cases of sexual violence against women? 2) How is the development Ministry of PPPA Policy in handling cases of sexual violence against women? 3) What are the implications of sexual violence for gender studies in Indonesia? The specific targets of this research are: (1) Provide a general explanation of the policies regarding cases of sexual violence. And, what are the obstacles in achieving this policy. (2) Adding a "body of knowledge" especially for academics. So that the existing policy implementation theory can be refined again with new findings. (3) Producing policy recommendations formulated in the form of a Policy Paper on the prevention of sexual violence, especially against women. This research method uses a qualitative descriptive method, which has library research (library research). In this case the preventive efforts made by the Ministry of PPPA are by forming programs and policies, where the community can change their mindset about the existence of a patriarchal culture. In accordance with gender studies in Indonesia that sexual violence is a form of gender based violence, so there is a need for efforts to address the issue of sexual violence. With the cooperation of various parties including the government and the police, it is hoped that the rate of sexual violence, which is still quite high, can be minimized.
Keywords: Policy Implementation, Ministry of PPPA, Sexual Violence.

A.   Introduction

Violence against women is still one of the problems faced by women, both violence that occurs in the private sphere and in the public sphere. There are various sensitive issues that afflict the lives of women, including sexual crimes and sexual harassment. Violence occurred in the history of Indonesia, namely the tragedy in May 1998 which placed human rights violations against women that occurred in various forms of systemization, transparency and vulgarization of violent crimes and sexual harassment (Wahid, 2001).

The National Commission on Women recorded that for 12 (twelve) years there were 35 (thirty five) women who became victims of sexual violence every day. This is evidenced by case data in 2011 which found 199,107 cases of violence against women, and grew to 321,757 cases by 2015. In 2012, 4,336 cases of sexual violence were recorded and in 2013 it increased to 5,629 cases of sexual violence. This means that there has been an increase in cases of violence against women by 24,530 cases every year and 2,044 cases every month.

Based on the monitoring results, there were 15 (fifteen) types of sexual violence cases, namely; 1) Rape; 2) Sexual intimidation (including threats or attempted rape); 3) Sexual harassment; 4) Sexual exploitation; 4) Sexual exploitation; 5) Trafficking of Women (for sexual purposes); 6) Forced prostitution; 7) Sexual slavery; 8) Coercion of marriage (including hanging divorce); 9) Coercion of Pregnancy; 10) Forced abortion; 11) Coercion of contraception and sterilization; 12) Sexual torture; 13) Inhuman punishment; 14) Traditional practices (sexual nuances that harm and discriminate against women); 15. Sexual control (including through discriminatory regulations based on morality and religion).

Rape is a popular case among the community as a form of sexual violence against women where the victim tends to be seen as the trigger of the incident. Throughout 2018 cases of rape and marriage received a lot of attention, where the perpetrators were mostly close relatives or lovers, as well as an increase in complaints about gender-based cybercrime cases.

The still increasing number of violence against women is also caused by various problems that occur in Indonesia, including; 1) the higher human trafficking is not only between countries but has penetrated between regions; 2) Low protection for female workers and migrant workers; 3) the institutional protection for women's rights has not been optimal; 4) The high vulnerability of women to conflict and disaster situations that often occur in Indonesia; 5) The protection for the elderly and disabled groups is still not optimal. This needs the attention of the government and institutions related to efforts to prevent sexual violence against women, especially the Ministry or Institution for Women's Empowerment and Child Protection.

Problems also occur in terms of community participation in women's empowerment and child protection, including; 1) Not yet compiled databases related to the participation of professional institutions and the business world, media participation, participation of religious and social organizations at national, provincial and district / city levels; 3) Incomplete NSPK in encouraging or guiding community participation in Women's Empowerment and Child Protection (PPPA); 4) There is still not even understanding of the community and community participation in increasing Women's Empowerment and Child Protection (PPPA); 5) Not all local governments make Gender Mainstreaming (PUG) and Women's Empowerment and Child Protection (PPPA) in regional development policies; 6) The attention and participation of the business world or the industrial world regarding Women's Empowerment and Child Protection (PPPA) is still not optimal.

In the Opini of Sali Susiana's previous research, handling violence against women in cases of domestic violence and trafficking is still a major problem in East Java Province. Some of the obstacles that occur in policy implementation in East Java are the falsification of the identity of victims of violence, so that the handling of cases is not complete (Susiana, 2013). Apart from cases of domestic violence, sexual violence can also occur in the workplace. This is confirmed in LR.Offerman and Malamut's research, that sexual harassment against women must first be put from a gender perspective. Gender sensitive leaders do not tolerate sexual harassment in the workplace and the harasser will be subject to sanctions (Offerman & Malamut, 2002).

According to Sri Kurnianingsih, explaining that institutionally, gender issues must become an inseparable part of other problems (Kurnianingsih, 2003). Meanwhile, according to Rudi Handoko, also stated that 95% of the violence that occurs, the victims are women. Behind acts of violence against women in any sphere, which is the main cause is the historical imbalance of the pattern of power relations between men and women. Fiana Dwiyanti described the forms of violence that occurred in the Civil Service Police Unit Office of the Special Capital Region of Jakarta, where there were differences in the relationship between women and men (Dwiyanti, 2014).

This study aims to reveal how the implementation of the Ministry of Women's Empowerment and Child Protection policies in preventing sexual violence against women. As well as the implications of sexual violence related to gender studies in Indonesia, where gender issues have not been resolved optimally. Sexual violence is closely related to gender violations because of the threats and coercion that women experience. The problems studied were the implementation policies in preventing cases of sexual violence against women, the policies of the Ministry of PPPA in handling cases of sexual violence against women, and the implications of sexual violence on gender studies in Indonesia.

B.   Methods

The research method uses qualitative research, which is library research using books and other literatures as the main material relating to the object of research or the initiation of library data. Some of the sources used include: text books, scientific journals, statistical references, research results in the form of theses, theses, dissertations, the internet and other relevant sources (Anwar, 2016). Literature study is an important step, where after the researcher

determines the research topic, the next step is to conduct a study related to the theory of the research topik (Moh, 2003).

According to Mestika, Zed there are four main characteristics of library research that need attention, namely 1) Researchers are dealing directly with text or numerical data and not direct knowledge from the field or eye witnesses in the form of events, people or others; 2) Library data is ready to use (ready mode); 3) Library data are generally secondary sources; 4) That the library data condition is not limited by time and space. The technique used in data collection is literary data collection, namely materials that are coherent with the intended discussion objects (Arikunto, 2011).

Content analysis is a research technique for creating information that can be copied and validated by paying attention to the context (Krippendorff, 2004). The content analysis stages taken by the researcher are the following steps: 1. Determine the problem; 2. Develop a frame of mind; 3. Develop methodological tools; data analysis; data interpretation (Bungin, 2004). According to Sukardi, that the literature study conducted before conducting the research aims to: 1. Determine a problem to be researched 2. Look for information that is relevant to the problem under study (Sukardi, 2009).

C.   Results and Discussion

The Ministry Female Empowerment and Child Protection is a working cabinet in charge of issues related to efforts to realize women's empowerment. Has a mission and vision in carrying out its duties, namely 1) empowering women; 2) Protection of Women and Children; 3) Fulfillment of children's rights, while the vision is gender mainstreaming. There are several sub-chapters discussing the policy of sexual violence against women, including;

Concept and Scope of Sexual Violence against Women

Sexual violence is not only included in direct or physical violence, but can also be categorized as indirect violence that is culturally and structurally caused by certain stereotypes of women. Sexual violence is also considered to be one of the most systematic and widespread violations of human rights. From a sociological and feminist perspective, it can be seen that violence against women, including sexual violence, is rooted in the patriarchal culture that exists in society. The attachment of a patriarchal culture to society forms social structures and systems that can legitimize sexual violence against women. According to Macionis, patriarchy is a form of social organization in which men dominate women (Macionis, 2012).

In the perspective of feminism, sexual violence is gender-based violence. Meanwhile, from a sociological perspective, men and women are polarized in culture as "opposites" and "unequal". Based on the context in which it occurs, violence is divided into three categories, including the domestic / personal sphere, the public / community sphere and the realm of violence by the state.

Violence in the domestic / personal sphere includes domestic violence cases where the perpetrator is a person who is well known or a relative of the victim. violence in the public / community sphere includes violence that occurs in the workplace. Meanwhile, violence by the state is violence that occurs in the form of making laws and / or policies that are not in favor of the needs of women (especially women victims of violence).

Based on the target of violence, forms of violence against women are divided into three categories, namely physical violence, psychological / mental violence, sexual violence and economic neglect violence. Physical violence is considered an act that results in pain, sickness, or serious injury (UU 23 Th 2004). Examples of sexual violence include rape, forced sexual relations, beatings and other forms of violence that precede, during or after sexual intercourse, coercion of various positions and conditions of sexual relations, forcing certain sexual activities, pornography, insulting women's sexuality through verbal language, or forcing the wife to continue getting pregnant. Violence affects the physical, psychological, sexual, economic, social, civil-political, legal or other impact of the victim (woman).

From the data recorded in the National Commission on Women, it shows that in the last three years cases of violence against women have continued to increase, namely in 2017. 2018 and 2019. In 2017, violence that occurred in the personal sphere was 245,548 cases with 3,495 cases of sexual violence. In 2018, sexual violence against women decreased by 335,062 cases with 2,979 cases of sexual violence. Meanwhile, there were 431,471 cases of violence in 2019 with 2,087 cases of sexual violence.

Furthermore, violence in the community realm in 2017 reached 3,092 cases where sexual violence had the most cases, namely 2,290 cases. In 2018 violence in the public / community sphere reached 3,528 cases with sexual violence totaling 2,670 cases. Meanwhile, in 2019 the public / community sphere of women's violence recorded 3,602 cases with sexual violence totaling 520 cases (Annual Notes of the National Commission on Women for 2017-2019).

Preventive Measures against Sexual Cases in Women

The implementation of policies carried out by the Ministry of Women's Empowerment and Child Protection (ministry of PPPA), namely through preventive actions as an effort to protect women. In dealing with violence, Indonesia implements the Three Ends program, namely End Violence Against Women and Children (Ending Violence against Women and Children), End Human Trafficking (Ending Human Trafficking), and End Barriers To Economic Justice (Ending the Economy against Women). The Ministry of PPPA provides several recommendations for protecting women's rights, as a preventive effort, namely giving women's rights from 1) domestic violence, 2) TIP, 3) in Manpower, 4) in emergency situations and special conditions.

Meanwhile, the increase in empowerment efforts, which is done is to increase the economic empowerment of women in the entrepreneurship sector, which is also one of the priority issues. The strategies carried out by the Ministry of PPPA in enhancing and protecting women's rights are as follows: 1) Increase understanding of the government; 2) Strengthening the cooperation mechanism between the government; 3) Compile, review, harmonize and coordinate various policies on women's protection; 4) Improve the quality of service institutions including human resources that serve women victims of violence; 5) Strengthening the data and information system on violence against women; 6) Improve monitoring and evaluation; 7) Recovering women victims of violence; 8) Strengthening the capacity of female prospective workers; 9) Increase the capacity of persons with disabilities; 10) Strengthening women victims of disasters and conflicts.

In addition, the efforts made by the Ministry of PPPA are collaborating with ministries or agencies related to the protection of women. Community participation is also important and cannot be separated in the development of women and child protection. The urgency of the importance of community participation has been pursued through the support of institutional aspects in the Ministry of Women's Empowerment and Child Protection through Presidential Regulation No. 59 of 2015 concerning the Ministry of Women's Empowerment and Child Protection which has formed a Deputy for Community Participation which aims to encourage, facilitate, expand and develop synergy of community participation to accelerate the improvement of Women's Empowerment and Child Protection.

Process and Phase of Settlement of Cases of Sexual Violence against Women

The government has an important role in respecting, protecting, defending and protecting every human right, especially for women and children without even discrimination. The Ministry of Women's Empowerment and Child Protection or ministry of PPPA noted that

there were 10 (ten) cases of violence against women handling, including: 1) Litigation; 2) Non-Litigation; 3) Arbitration; 4) Mediation; 5) Negotiation; 6) Advocacy; 7) Recovery; 8) Psychological Services; 9) Legal Assistance Services; 10) Medical Services; 11) Integrated Services. To facilitate services to victims, the Ministry of Women's Empowerment and Child Protection established a Task Force for Handling Women and Children Problems (Satgas) to help provide further services to women and children who experience problems, which was formed by Ministerial Decree Number 25 of 2016.

In this case the Ministry of Women's Empowerment and Child Protection or ministry of PPPA also has an Integrated Service Center for the Empowerment of Women and Children, hereinafter abbreviated as P2TP2A, is a unit that carries out integrated service functions for women and children's victims of violence. This service is placed in every region in Indonesia, making it easier for victims to report their problems. Where the service is in the form of one roof or in the form of a network, according to the needs of each region.

Melalui Prosedur Standar Operasional memiliki 5 (lima) jenis pelayanan dalam penanganan masalah perempuan dan anak yang selanjutnya dilaksanakan oleh satgas dimana sasaran ini dilakukan oleh satgas tingkat pusat dan daerah. Layanan tersebut yaitu: 1) Penjangkauan; 2) Mengidentifikasi kondisi dan layanan yang dibutuhkan; 3) Perlindungan terhadap perempuan dan anak di lokasi kejadian (pertolongan darurat); 4) Penempatan dan pengungsian perempuan dan anak yang mengalami permasalahan; 5) Rujukan dan/atau rekomendasi.

Gender Studies in Indonesia

Violence against women is often referred to as gender-based violence as recorded in General Recommendation No. 19 Committee on the Elimination of All Forms of Discrimination against Women (1992) on Violence against Women. Some examples of forms of gender-based violence are first, sexual violence which includes rape, trafficking of women for sexual purposes, sexual harassment, sexual torture, sexual exploitation, sexual slavery, intimidation or assaults with sexual nuances, sexual control, forced abortion, inhuman punishment. sexual themes, forced marriage, forced prostitution, forced pregnancy and sexual practices that harm or discriminate against women.

Second, physical violence that can be detected in everyday life, namely the presence of pain or scarring, which can be marked as the occurrence of physical violence that has gender or sexual bias motives and assumptions. Third, harmful traditional / socio-cultural practices

where these practices involve female genital mutilation, forced marriage and marriage at an early age. Fourth, social and economic violence.

The gender study itself is basically contained in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) adopted from the United Nations in 1979 to protect women's rights. As a concrete step for the government in implementing accelerated and equitable development in various regions in Indonesia, the issue of gender pengarustamaan is contained in the vision of national development through the elimination of gender discrimination. One of the national developments that have been determined through the National Medium Term Development Plan (RPJMN) 2010-2014 and the 2015-2019 National Medium Term Development Plan (RPJMN).

D.   Conclusion

In 2017-2019 the women's national commission noted that cases of violence against women continued to increase. In 2017 violence against women reached 245,548 cases in 2017, a total of 335,062 cases in 2018, while in 2019 it reached 431,471 cases. The Three Ends program is a top priority in efforts to deal with violence, namely End Violence Against Women and Children (Ending Violence against Women and Children), End Human Trafficking (Ending Human Trafficking), and End Barriers To Economic Justice (Ending the Economy against Women). In gender studies, sexual violence such as rape, trafficking of women for sexual purposes, sexual harassment, sexual torture, sexual exploitation, sexual slavery, intimidation or assaults of sexual nuances, sexual control, forced abortion, inhuman punishment that is sexual in nature, forced marriage, forced prostitution, forced pregnancy and traditional sexual practices that harm or discriminate against women are forms of gender-based violence.

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