



AIPJ2

Australia Indonesia
Partnership For Justice 2

Australian Government

Supporting the Implementation of The National Strategy for the Prevention of Child Marriage

2020 Key Data on Marriage Registrations, Child Marriage
Prevalence and Marriage Dispensation Cases filed in
Indonesian Courts



Photo source: [unsplash/@ghfrdhwn](https://unsplash.com/@ghfrdhwn)



To support the implementation of the National Strategy for the Prevention of Child Marriage and to achieve the 2030 target, the Australia-Indonesia Partnership for Justice 2 (AIPJ2) has compiled data obtained from the Ministry of National Development Planning/ BAPPENAS, the Supreme Court, the Ministry of Women's Empowerment and Child Protection (KPPPA), the Central Statistics Agency and the Ministry of Religion.

AIPJ2 will support the collection and presentation of this data on an annual basis to obtain an overview of the latest developments as well as challenges in implementing and achieving the 2030 target with relevant Government Ministries/Institutions. The data presented in this infographic is for further discussion with relevant Government Ministries/Institutions.

Photo source: [unsplash/@coachedwin](https://unsplash.com/@coachedwin)

01

Static marriage registrations in Indonesia over 20 years point to a significant number of unregistered marriages.

Registered Muslim Marriages

The number of registered marriages for Muslim citizens in Indonesia has stayed the same at 2 million a year for the last 20 years while the population has increased by 30%.

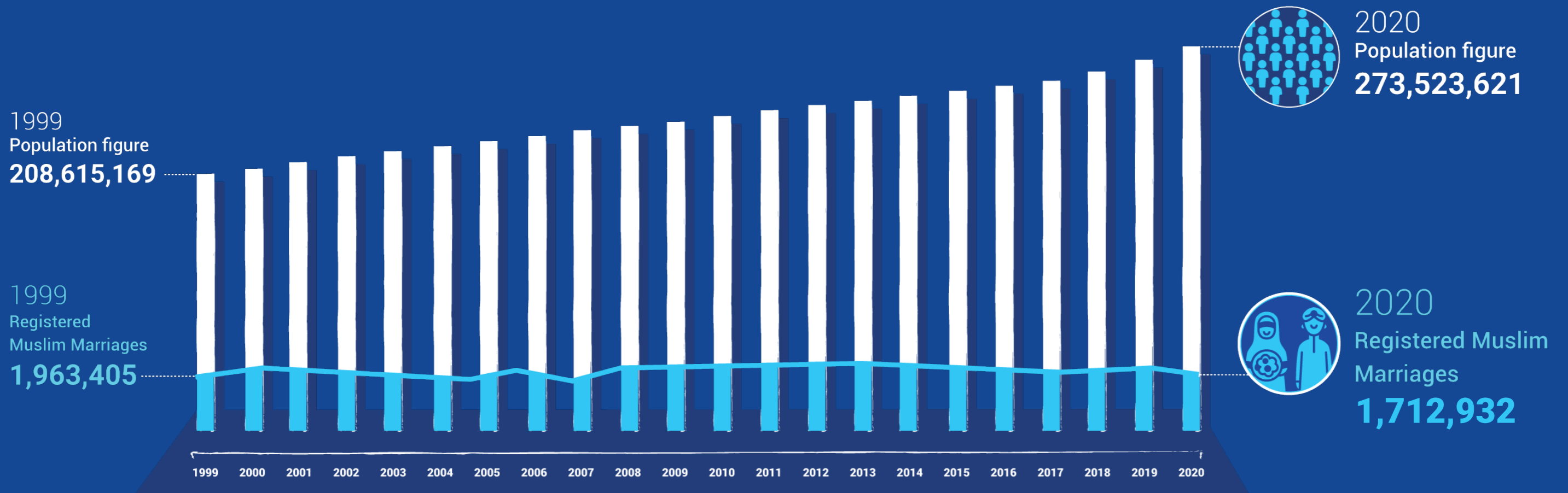


Figure 1:
Growth of the population of Indonesia and the number of registered Muslim marriages

Source: Ministry of Religion Data on Registered Muslim Marriages 1999-2020 and World Bank population data

02

The percentage of women aged 20-24 years married under the age of 19 years is slowly declining

Based on SUSENAS 2020 it is estimated that 1.75 Million women aged 20-24 years were married under the age of 19 years and 250,000 men.

Given the 5 year age span, this is an average of:



350,000 girls under 19 years married each year



50,000 boys under 19 years married each year



However, **400,000 children and adolescents** are married each year in Indonesia, 87.5% of whom are girls.

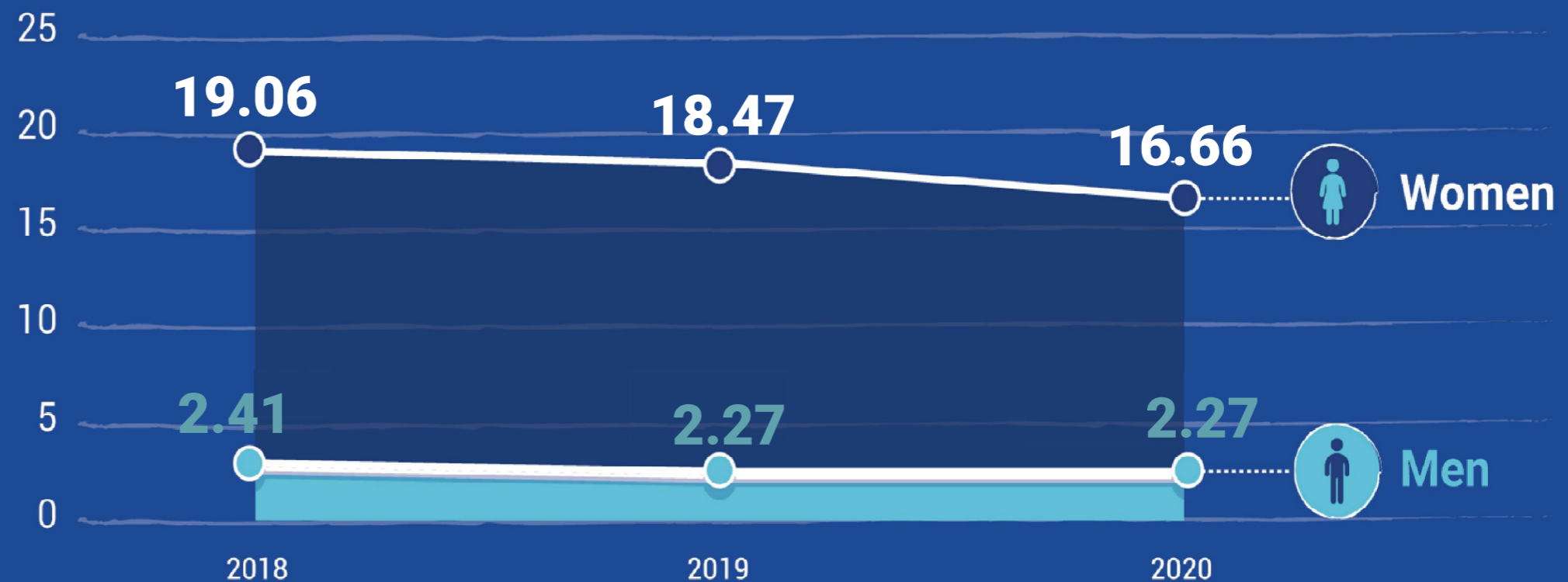


Figure 2:
Percentage of Women and Men Aged 20-24 years Married under the age of 19 years

Source: Statistics Indonesia (BPS) on SUSENAS data 2018-2020

03

The number of marriage dispensation cases filed in the Religious Courts and the General Courts has risen significantly since the revision to the Marriage Law in 2019 to almost 65,000 in 2020.

The Supreme Court has promulgated Practice Direction 5 of 2019 on the handling of marriage dispensation cases (PERMA 5/2019) and published a Pocket Book for Judges on Marriage Dispensation Cases in 2020.

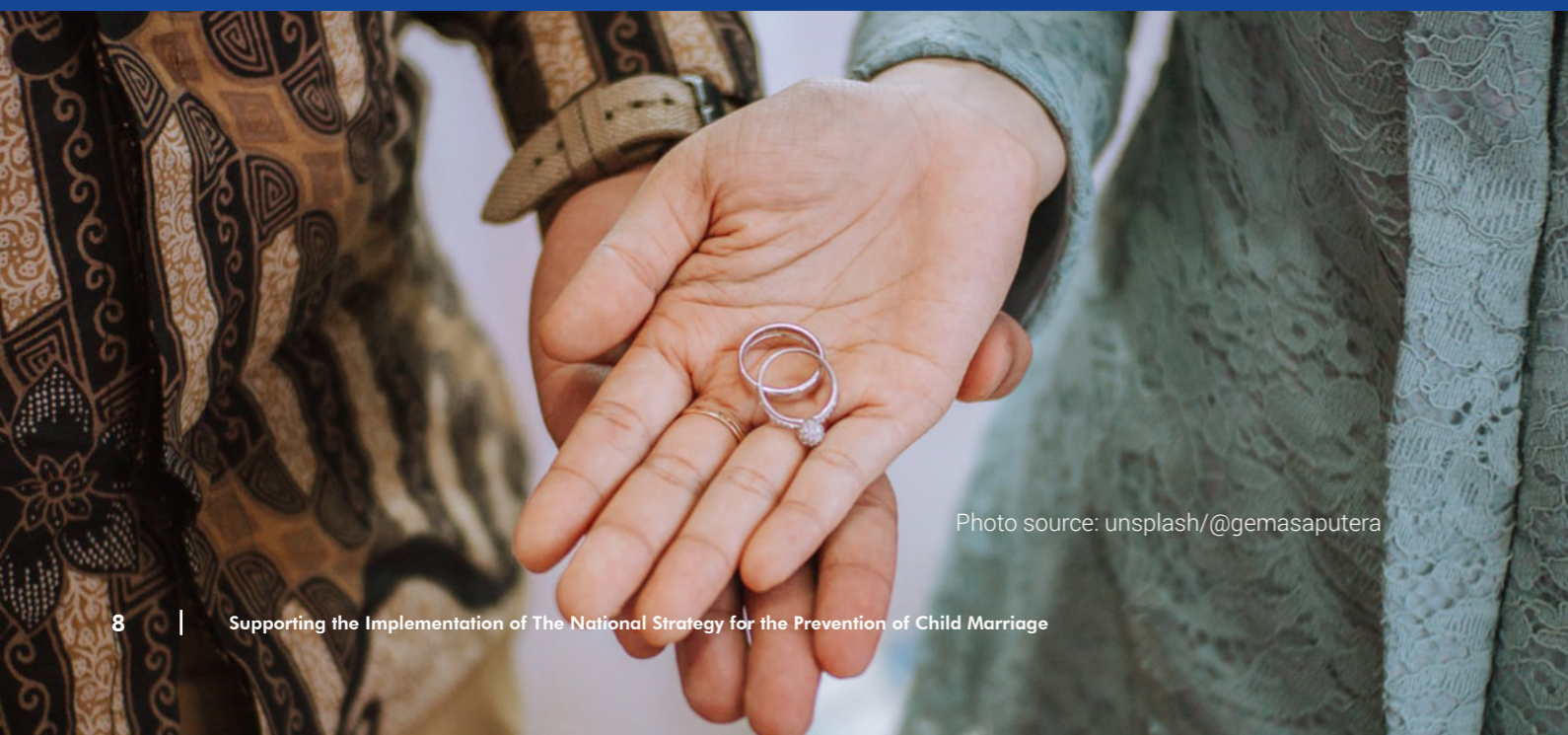


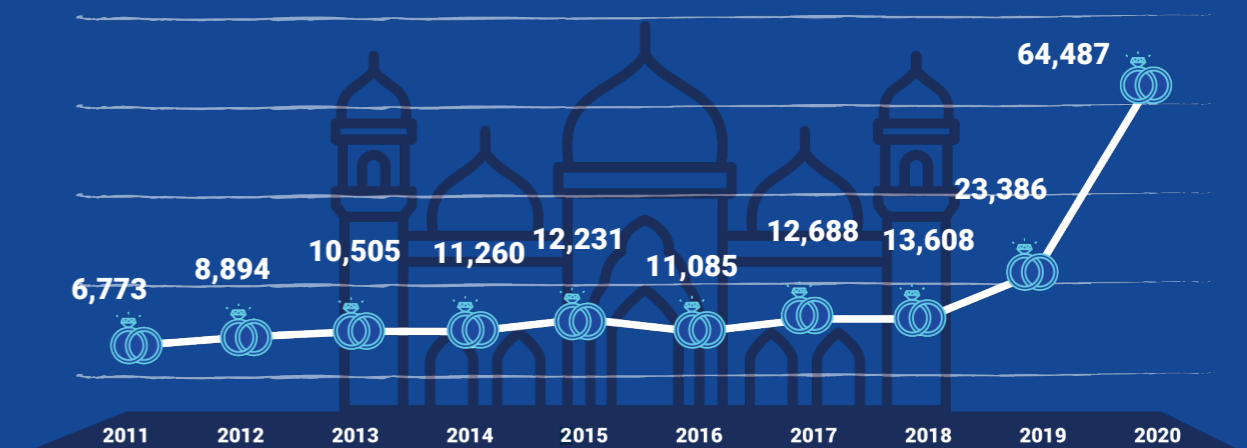
Photo source: unsplash/@gemasaputera

Marriage Dispensation Cases in the General Courts 2018-2020



Source: Marriage dispensation case data is from the Supreme Court of Indonesia and the General Courts' Agency (Badilum)

Marriage dispensation cases in the Religious Courts 2011-2020



Source: Marriage dispensation case data is from the Supreme Court of Indonesia and the Religious Courts Agency (Badilag)

04

With 400,000 children and adolescents being married each year in Indonesia and 65,000 marriage dispensation cases being brought to the courts, this means that

over 330,000 child and adolescent marriages each year cannot be registered

by the Office of Religious Affairs or civil registry as parents have not brought these cases to the courts.



Photo source: unsplash/@hobiindustri

05

In the last five years, 95% of marriage dispensation cases filed in the Religious Courts for Muslim citizens and 92% of cases in the General Courts for non-Muslim marriages have been granted

The Supreme Court case management system (SIPP) tracks the outcome of marriage dispensation cases. Over the last five years:



Only 1% of marriage dispensation cases have been rejected by Religious Courts judges and less than 1% of cases in the General Courts



The percentage of marriage dispensation cases approved by Religious Court judges has increased from 91% to 95%



The percentage of cases withdrawn by applicant parents has remained the same at around 3-4%. Following PERMA 5/2019, the judge has an obligation to advise parents of the negative consequences of child marriage and this may contribute to parents withdrawing marriage dispensation cases.

95% of 64,487 marriage dispensation cases decided by the Religious Courts in 2020 were approved = 61,000 dispensations for young people to marry and obtain a marriage certificate from the Office of Religious Affairs. 92% of the 965 marriage dispensation cases decided by the General Courts in 2020 were approved = 900 dispensations for young people to marry and obtain a marriage certificate from the Civil Registry.

Year	Cases Received	Decided	Granted	% Granted	Withdrawn	% Withdrawn	Rejected	% Rejected	Not Accepted	Disallowed	Registration rejected
2017	13,770	12,688	11,527	91%	542	4%	114	1%	78	321	106
2018	14,683	13,608	12,352	91%	652	5%	168	1%	146	151	139
2019	25,538	23,386	21,478	92%	1,068	5%	304	1%	249	166	121
2020	66,448	64,487	61,482	95%	1,515	2%	439	1%	387	349	315
2021	62,910	63,043	59,713	95%	1,611	3%	770	1%	672	179	98

Table 4: Marriage dispensation cases in the Religious Courts across Indonesia: 2017 – 2021

Data Source: Religious Courts Agency (Badilag)

06

Girls from poorer backgrounds are more likely to be married under the age of 19 years and these households will face difficulties paying court fees

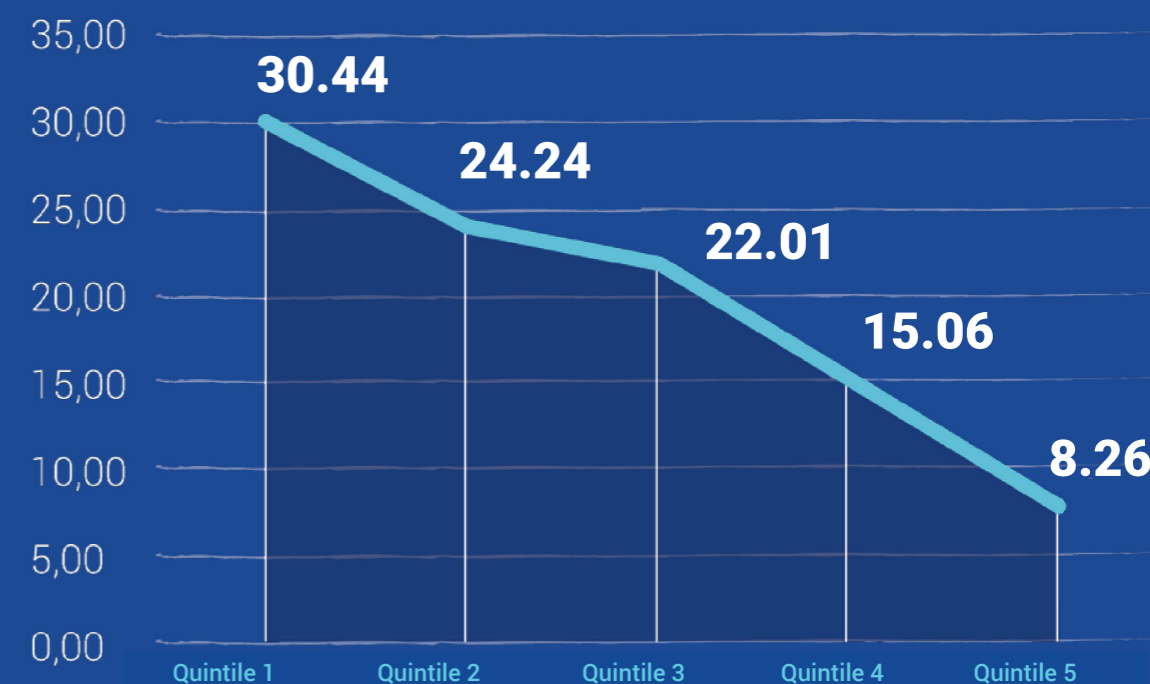


Photo source: unsplash/@gemasaputera

The Supreme Court Chief Justice issued a Practice Direction No 1 in 2014 (PERMA 1/2014) granting a court fee waiver to applicants that are facing financial disadvantage. The Supreme Court has increased the budget for Religious Courts to waive court fees significantly in 2021

Applicants from the poorest 40% of households listed on the Social Welfare Integrated Data (DTKS) are eligible to have their court fee waived (Article 7 PERMA 1/2014).

Percentage of women aged 20-24 who are married under the age of 19 years according to income (by expenditure - quintile 1 being the poorest 20% of households) SUSENAS 2020



Source: Statistics Indonesia (BPS) compiled data based on SUSENAS 2020

It is unknown how many of the **65,000 marriage dispensation cases filed in 2020** were granted a court fee waiver



Photo source: unsplash/@mufidpwt



The Religious Courts waived the case fee in **19,967 cases or 3% of the 608,528 cases** received by the Religious Courts in 2020.



14,477 of the court fee waiver cases were supported by the Supreme Court DIPA budget
5490 cases were prodeo murni cases not covered by the Supreme Court DIPA budget allocation.
Source: Religious Courts Agency (Badilag)



Given the higher incidence of child marriage in poorer households, the courts should expect to see a significant number of requests for a court fee waiver from parents filing marriage dispensation cases.

We would like to express our gratitude to the following Government Ministries and Institutions which have kindly provided the data presented in this document, namely:

