

This analytical framework serves as the background paper for the multi-stakeholder consultation and workshop on SDGs and Human Rights (Jakarta, Indonesia, 26-27 April 2017), and informs the web-based tool developed for monitoring progress towards SDGs from the angle of human rights. The framework is a living document that will be revised in the light of the experiences and developments in Indonesia's progress towards the achievement of 2030 Agenda and the related national developmental objectives.

## Analytical Framework for Linking Sustainable Development Goals with Human Rights Obligations in Indonesia



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## Introduction

The 2030 Agenda defines the current developmental paradigm and puts international human rights at its core. Its universally applicable 17 Sustainable Development Goals (SDGs) are designed to “leave no one behind” in pursuit of development, and open up new avenues to integrate human rights into global and national policies over the next 15 years.

The realization of the 2030 Agenda requires strong accountability architecture for civil society to monitor progress and hold government to account. A robust human rights-sensitive SDG indicator framework is necessary to monitor progress for all people, everywhere. The SDGs and Human Rights are linked in a mutually reinforcing fashion. On the one hand, human rights provide insight and guidance for tackling the complex and multidimensional goals of the 2030 Agenda. On the other hand, the SDGs can serve as a tangible, results-oriented instrument for the realization of human rights.

Indonesia – the world’s fourth most populous country and third largest democracy – has taken important steps to turn the SDGs into reality by setting up SDG Secretariat and elaborating indicators that reflect national development priorities. These priorities focus on eliminating poverty, reducing inequality, and promoting peace, justice, strong institutions and climate action. As such, they have direct relevance to the human rights obligations of the country based on domestic laws and international treaties.

In order to promote human rights based approach to the national development planning in the context of 2030 agenda, the Human Rights Working Group of the UN Country Team in Indonesia, in consultation with the national human rights institution (Komnas HAM) and SDG Secretariat situated within the Ministry of National Development Planning (BAPPENAS), developed this document – the Analytical Framework on SDGs and Human Rights. The analytical framework is designed as a tool to monitor the progress towards developmental objectives of 2030 Agenda from the human rights perspective, using the suggested human rights based indicators.

For each of the selected SDGs (SDGs 1, 2, 3, 4, 5, 6, 8, 10 and 16), the paper offers an overview of major human rights implications globally and within the context of the national human rights obligations, and analyzes the gaps that may exist between the human rights obligations of the country and the adopted developmental targets and indicators. The paper also suggests indicators that can be used to monitor the progress towards the developmental objectives from the human rights perspective. These suggested indicators were developed based on universal standards contained in various international instruments, as well as specific recommendations offered to Indonesia by international organizations. For the purpose of this analytical framework, the Technical Guidelines for the Sustainable Development Goals Action Plan (RAN TPB) produced by BAPPENAS are used as a reference for the SDGs targets and indicators to be implemented by the Government of Indonesia (GoI).

There are nine goals presented in this analytical framework. The goals were selected in consultation with the key national stakeholders as having the most direct implications for the human rights recognized under the core international instruments, particularly the Universal Declaration on Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on the Civil and Political Rights (ICCPR). The nine human-rights related goals presented in this analytical framework are Goal 1 on ending poverty; Goal 2 on zero hunger; Goal 3 on good health and wellbeing; Goal 4 on quality education; Goal 5 on gender equality; Goal 6 on clean water and sanitation; Goal 8 on decent work and economic growth; Goal 10 on reduced inequalities; and Goal 16 on peace, justice and strong institutions.

However, it is important to note that all 17 SDGs have important human rights implications. It is therefore important to expand this approach to link the developmental objectives with human rights obligations and identify any existing gaps for the other 8 SDGs as well. This is in line with the intentions of the key stakeholders behind this document to continue working on the framework, to further elaborate the analysis contained therein and to cover, incrementally, the entirety of the 2030 Agenda and its 17 SDGs.

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# Goal 1. End Poverty in All its Forms Everywhere

## Poverty and Human Rights

Poverty is a major obstacle for the enjoyment of human rights. People who live in poverty are not only deprived from their right to an adequate standard of living, but they are also prone to other human rights deprivations such as lack of access to education or healthcare services. Furthermore, in addition to deprivations of the socio-economic dimension of human rights, poor people are also prone to exclusion from political participation processes or denial of access to justice, making them more vulnerable to be victims of violence, arbitrary law enforcement, torture and other violations of the civil and political dimension of human rights.<sup>1</sup> Therefore, with regard to targets, targets 1.1 to 1.5 are equally important to be achieved by all countries, especially countries that are still struggling with high number of population living in or below the poverty line.

Despite of the economic growth in the past two decades that has put Indonesia among lower middle income countries, Indonesia is still facing a wide gap of inequality and poverty. According to the UNPDF, Indonesia is still struggling with the following challenges with regard to poverty:

- There are still 103 million Indonesians or 43.5 percent of the population live on less than USD 2 a day and remain extremely vulnerable to any economic or environmental disasters;
- 28 million Indonesian are living below the national poverty line of living on under IDR. 333.034 per month,<sup>2</sup> which is roughly less than 86¢ per day;
- Income disparities are rising, with the Gini Index rose from 0.32 in 1999 to 0.41 in 2011;
- The current social protection schemes are not very effective in the effort to alleviate poverty;

With almost half of the population living in vulnerable economy, it is important for Indonesia to eradicate poverty as both of its development and human rights agendas to ensure the fulfillment of the right to an adequate standard of living for all Indonesians.

## The National Targets on Poverty

Four out of the seven existing global targets on ending poverty are considered by the Government of Indonesia (GoI) to be in line with its National Mid-term Development Plan (RPJMN) of 2015-2019. The corresponding targets have been incorporated in the GoI's National Implementation Plan of SDGs.

**Table I.a. List of global and national SDGs targets.**

Global Target	National Target	National Indicator
1.1. By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day.	1. Decreased poverty level.	N/A

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<sup>1</sup> <http://www.ohchr.org/EN/Issues/Poverty/Pages/SRExtremePovertyIndex.aspx>

<sup>2</sup> Badan Pusat Statistik, Garis Kemiskinan Menurut Provinsi, 2013 - 2015, available at: <https://www.bps.go.id/linkTableDinamis/view/id/1120>.

Global Target	National Target	National Indicator
1.2. By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions.	1. Decreased poverty level.	a. Decreased poverty level, from 9.5-10% in 2015, to 7-8% by 2019.
1.3. Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable.	1. Increased social protection, productivity and the fulfillment of basic rights for the poor; 2. Increased access for poor and vulnerable families, including children, people with disabilities, and elderly people, as well as marginalized groups, to fulfill their basic needs; 3. Increased number of membership in the National Security System Programs.	a. Increased enrollment percentage of the National Health Insurance program (Kartu Indonesia Sehat), from 60% in 2015, to 95% in 2019. b. Increased percentage of poor and vulnerable elderly people to receive basic necessity assistances, from 2.24% in 2015, to 2.28% in 2019. c. Increased percentage of poor and vulnerable disabled people to receive basic necessity assistances, from 14.48% in 2015, to 17.12% in 2019. d. Decreased number of poor households to receive conditional cash transfer, from three million households in 2015, to 2.8 million households in 2019. e. Increased enrollment number of the National Social Security System (SJSN) for Employment, from 29.5 million of formal employees and 1.3 million of informal employees in 2015, to 62.4 million and 3.5 million in 2019.
1.4. By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.	1. Increased coverage of basic services, covering legal identity, health education facilities and infrastructures, basic infrastructures and inclusive economic facilities for the poor, including people with disabilities and elderly people.	a. Increased coverage of maternal delivery care in health facilities, from 75% in 2015, to 85% in 2019; b. Increased coverage of basic immunization for children between the age of 12-23 months to 63% in 2019; c. Increased coverage of contraception use for women between the age of 15-49 years, from 61.9% in 2015, to 66% in 2019; d. Increased access to safe drinking water, from 60.9% in 2015, to 100% in 2019; e. Increased access to an adequate sanitation, from 60.9% in 2015, to 100% in 2019; f. Increased number of low-income households to access adequate housing to 18.6 households in 2019.

Global Target	National Target	National Indicator
1.5. By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters.	<ol style="list-style-type: none"> <li>1. Disaster risks/reduction management;</li> <li>2. Provision of basic needs assistance for social disaster victims;</li> <li>3. Increased access and quality of special education and special service education for primary and secondary education for children with special needs (SDLB/SMPLB);</li> <li>4. Provision of special houses in post disaster/conflict, maritime and border areas;</li> <li>5. Availability of national and local strategies for disaster risk reduction.</li> </ol>	<ol style="list-style-type: none"> <li>a. Increased the location number of strengthened disaster risk reduction areas, from 35 areas in 2015, to 39 areas in 2019.</li> <li>b. Increased number of social disaster victims to receive basic necessities assistance, from 43 thousand victims in 2015, to 151 thousand victims in 2019;</li> <li>c. Increased number of social disaster victims to receive psychosocial treatments, from 21.5 thousand victims in 2015, to 81.5 thousand victims in 2019;</li> <li>d. Increased number of natural/social disaster affected areas to receive special services education, from 100 in 2015, to 450 in 2019.</li> </ol>
1.a. Ensure significant mobilization of resources from a variety of sources, including through enhanced development cooperation, in order to provide adequate and predictable means for developing countries, in particular least developed countries, to implement programs and policies to end poverty in all its dimensions.	<ol style="list-style-type: none"> <li>1. Increased direct allocation from the government to poverty alleviation programs;</li> <li>2. Increased expenditures for primary services (education, healthcare and social protection)</li> </ol>	<ol style="list-style-type: none"> <li>a. Budget allocations for poverty alleviation programs in various sectors.</li> <li>b. Annual percentage of budget allocation for education from the state budget (APBN);</li> <li>c. Annual percentage of budget allocation for social protection from the state budget (APBN);</li> </ol>
1. b. Create sound policy frameworks at the national, regional and international levels, based on pro-poor and gender-sensitive development strategies, to support accelerated investment in poverty eradication actions	1. Policy framework for poverty alleviation, climate change, sustainable development, food and nutritions.	<ol style="list-style-type: none"> <li>a. National Action Plan for Poverty Alleviation;</li> <li>b. National Action Plan for Greenhouse Gas;</li> <li>c. National Action Plan for SDGs;</li> <li>d. National Action Plan for Food and Nutritions;</li> <li>e. Implementation of the Minister of Finance Decree on gender responsive planning and budgeting.</li> </ol>

## Gap Analysis

### Definition of the Poor.

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To combat poverty and to fulfill the right of the people to obtain an adequate standard of living is not only a developmental programmatic aspiration but, most importantly, a human right obligation of every State towards its citizens, especially for the State parties to the International Covenant of Economic, Social and Cultural Rights (ICESCR), such as Indonesia. In addition to the obligations set forth under Article 11 of the ICESCR to respect, protect and fulfill the right to an adequate standard of living for the persons and their families, Gol is also bound by the 1945 Constitution, particularly Article 28C paragraph (1), stating that “*Every person shall have the right to develop him/herself through the fulfillment of his/her basic needs...*”.

From a human rights perspective, poverty represents the lack of ability of a person to fulfill her basic capabilities.<sup>3</sup> Therefore, it is important to measure the minimum requirement for people to acquire their basic needs as a condition to define poverty line at the national level.

The Indonesian Statistic Agency (BPS) provides measurements on both the National poverty threshold (GK) and the minimum cost of living. However, there is still a wide gap between the two measurements. While the National minimum cost of living is set at IDR. 1.123.744/month ( $\pm$  USD 2.9/day)<sup>4</sup>, the poverty threshold is set at IDR. 333.034/month ( $\pm$  USD 0.85/day).<sup>5</sup> That being said, for those who live on the National poverty line are principally living in extreme poverty, as they are almost three times below the National standard to acquire their basic capabilities. Moreover, those who live on less than USD 2/day are also living in extreme deprivation of adequate achievement of those basic capabilities.

To this end, in order for the Gol to create an impactful outcome in its effort to eradicate poverty in Indonesia, it should use the minimum cost of living as a measurement to define poverty line and identify poor population in the national development target.

### **Social Protection System**

Social protection plays an important role in poverty reduction measure as it allowing the beneficiaries, which are mostly people living in poverty, to generate income and enjoy their basic human rights to an adequate standard of living. The ICESCR provides for the right to social protection/social security as a human right in Article 9, stating that “*The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.*” Moreover, the guarantee of social protection is also enshrined in the 1945 constitution, Article 28H paragraph (3) providing that “*Every person shall have the right to social security in order to develop oneself fully as a dignified human being.*” as well as Article 34 paragraph (2), providing that “The state shall develop a system of social security for all of the people and shall empower the inadequate and underprivileged in society in accordance with human dignity.”

The right to social security/social protection is defined by the Committee on Economic, Social and Cultural Rights (CESCR) as “the right to access and maintain benefits, whether in cash or in kind, without discrimination in order to secure protection, inter alia, from (a) lack of work-related income caused by sickness, disability, maternity, employment injury, unemployment, old age, or death of a family member; (b) unaffordable access to health care; (c) insufficient family support, particularly for children and adult dependents.”

Indonesia runs its social security system through various ministries and agencies, such as the National Health Insurance Agency (BPJS Kesehatan) and the National Social Security Agency for Employment (BPJS Ketenagakerjaan), the Ministry of Social Affairs, the Ministry of Religious Affairs

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<sup>3</sup> OHCHR, PRINCIPLES AND GUIDELINES FOR A HUMAN RIGHTS APPROACH TO POVERTY REDUCTION STRATEGIES, paragraph: 30, available at: <http://www.ohchr.org/Documents/Publications/PovertyStrategiesen.pdf>

<sup>4</sup> BPS, Kebutuhan Hidup Minimum/Layak (Khm/Khl) Selama Sebulan (Rupiah) Menurut Provinsi 2005-2015, available at <https://www.bps.go.id/linkTableDinamis/view/id/1212>

<sup>5</sup> BPS, Garis Kemiskinan Menurut Provinsi, 2013 - 2015, available at: <https://www.bps.go.id/linkTableDinamis/view/id/1120>

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and many others. The unavailability of a single window service in managing the social protection system has created issues of coordination and overlapping programs. According to Bappenas, in addition to lack of coordination, the social protection system is also facing other challenges such as not reaching the intended target group appropriately, insufficient budget and lack of optimal programmatic accompaniment mechanism.<sup>6</sup> The UNPDF also identifies that the current social protection schemes are narrowly targeted, conditional, low value, very expensive to administer, and have no positive impact on reducing poverty or child poverty rates.<sup>7</sup> The value of some cash transfer programs, for instance the Program Keluarga Harapan (PKH), a conditional cash transfer program for very poor families, it only provides cash assistance of maximum IDR. 3.700.000 annually,<sup>8</sup> less than 30% of the national minimum cost of living.

Moreover, while there are currently 7.2 million of unemployed persons, Indonesia does not have an employment benefit scheme to secure a basic income for unemployed persons to enable them to provide their basic needs. This issue has been raised by the CESR in its concluding observations on the Gol initial report on Implementation of the International Covenant on Economic, Social and Cultural Rights in Indonesia. To this end, the CESR recommended the Gol to “Pursue its efforts towards the establishment of an unemployment insurance scheme.”<sup>9</sup> ,

In order to strengthen the social protection system to effectively play its role in alleviating poverty in Indonesia, as well as for the Gol to respect, protect and fulfill its human rights obligations towards providing an adequate social protection system, the Gol should, at least, consider the following measures:

- adopt and implement a single window services for social protection programs to facilitate people to access a comprehensive social protection system, as well as to improve coordination and prevent overlaps among programs;
- increase the amount of basic income security to correspond to the value of nationally defined minimum cost of living, in order to prevent vulnerable people from extreme deprivation of their basic needs;
- Adopt policies and implement programs to provide unemployment benefit to prevent unemployed persons from extreme deprivation of their basic needs.

## **Access to Basic Services and Land Ownership**

Access to basic services, such as electricity, proper sanitation, clean and drinkable water, adequate health and education facilities are fundamental for every household to be able to function well. Access to these basic services are related to various human rights guarantees enshrined in the ICESCR, particularly with regard to the right to an adequate standard of living (Article 11), the right to the enjoyment of the highest attainable standard of physical and mental health (Article 12), and the right to education (Article 13). The right to basic services are also enshrined in the 1945 Constitution of the Republic Indonesia, particularly in Article 28H paragraph (1) “*Every person shall have the right to live in physical and spiritual prosperity, to have a home and to enjoy a good and healthy environment, and shall have the right to obtain medical care.*” as well as all the constitutional guarantees regarding the right to education provided for in Article 31.

As of 2015, the majority of households in Indonesia (97.5%) have access to electricity in their homes, however, there are still 39% of households are without access to adequate source of water and 38%

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<sup>6</sup> Bappenas, PERLINDUNGAN SOSIAL DI INDONESIA: TANTANGAN DAN ARAH KE DEPAN, 2014, page: 33-37, available at: [http://www.bappenas.go.id/index.php/download\\_file/view/16956/8605/](http://www.bappenas.go.id/index.php/download_file/view/16956/8605/)

<sup>7</sup> UNPDF, page:17.

<sup>8</sup> TNP2K: <http://www.tnp2k.go.id/id/tanya-jawab/klaster-i/program-jaminan-kesehatan-nasional-jkn/>

<sup>9</sup> Committee on Economic, Social and Cultural Rights, Concluding Observations on the initial report of Indonesia, E/C.12/IDN/CO/1, 2014, paragraph: 21 (c). Available at: [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=IDN&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=IDN&Lang=EN).



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of households are without access to adequate sanitation,<sup>10</sup> contributing to 22% of the population practicing open defecation.<sup>11</sup> Furthermore, there are only 34,857 public community health centers (Puskesmas)/supporting health centers (Pustu) serving 81.626 sub-district/villages across Indonesia, which means that there are still 57% of sub-districts/villages without access to the most moderate health facility.

As for land tenure, despite the fact that 83% of households own their own home, there are still 40% of uncertified lands in Indonesia due to the complicated land adjudication process<sup>12</sup> and 69% of the land is owned by approximately 16% of the population.<sup>13</sup> Moreover, limited information on zoning plans and regulations have also created difficulties in registration process and increasing the risks of evictions.<sup>14</sup> Therefore, security of land tenure is also a very important factor, especially for the poor, since land does not only provide shelter, but also a source of livelihood for them.

To this end, there are several components with regard to land ownership and access to basic services to correspond with the goal to end poverty in all its forms in Indonesia:

- Adopt and implement Land policy with the aim to protect the interests of low-income households and vulnerable groups;
- Reform existing regulations on land title and registration to simplify the process, reduce the costs to individuals, increase efficiency and diminish delays;
- Improve the coverage and quality of health facilities to provide better healthcare access in every sub-district/village;
- Increase the number of households with access to adequate sanitation.

## **Vulnerable Groups**

Women/children, people with disabilities, and indigenous peoples are vulnerable to a severer conditions of poverty. Recent studies indicate that people with disabilities in Indonesia are 30 to 50 per cent more likely to be poor and without employment than those without disabilities.<sup>15</sup> Therefore, in terms of social protection provision, it is important to secure basic income for poor unemployed people with disability to fully enable them to fulfill their basic needs. The current scheme to support basic income for people with disability deemed insufficient, as it only covers less than 30% of the monthly minimum living cost set nationally.

Basic services must also be arranged in a way that people with disability can access them just like other people without disability and in accordance with the right of people with disability to an adequate standard of living and social protection provided for in Article 28 of the Convention on the Rights of Persons with Disabilities, to which Indonesia is a party. Moreover, the Program Keluarga Harapan (PKH), a conditional cash transfer program, may deprive poor women living in remote areas without access to health facilities due to its strict conditions requiring women to conduct a rigid number of medical examination during and after pregnancy.

With regard to land ownership, although joint ownership for property purchased during marriage is recognized by the law, however the number of joint registered of land are still very low. In Java, In Java, for instance, there are only 5% of registered land in the names of husband and wife, while 65% of new titles are issued in the names of men and 30% in the names of women, due to lack of

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<sup>10</sup> BPS, Indikator Perumahan 1993-2015: <https://www.bps.go.id/linkTabelStatis/view/id/1537>

<sup>11</sup> See, UNPDF: page 22.

<sup>12</sup> Minister of Agrarian and Spatial Planning, Sofyan Djalil: <http://finance.detik.com/properti/d-3284575/menteri-atr-baru-60-tanah-di-indonesia-yang-bersertifikat>

<sup>13</sup> See, UN Special Rapporteur on Adequate Housing, paragraph 42.

<sup>14</sup> See, UN Special Rapporteur on Adequate Housing, paragraph 46.

<sup>15</sup> UNPDF, page: 16-17.

information and awareness of both the public and registration officers about the option of joint registration.<sup>16</sup> Therefore, information with regard to the option of joint registration must be thoroughly disseminated and training among land registration officers about the issue should also be conducted regularly in order to strengthen land ownership for women.

Indigenous peoples are among vulnerable groups facing tenure insecurity. Despite the legal recognition of customary land (*tanah ulayat*), collective ownership of land cannot be registered, deterring indigenous communities from applying collectively for land certificates. As a result, 33,000 indigenous villages, with approximate population of 48 million people, located within or around forest estates, are labeled as illegal or squatters and prone to forced eviction.<sup>17</sup> Therefore, it is important for the GoI to ensure that land policy are also directed towards the protection of land security of indigenous communities occupying land based on customary law.

### **Human Rights Based Approach for the National Targets on Goal I.**

In light of the above gap analyses, we propose the following additional indicators to strengthen the impacts of poverty alleviation as well as the human rights respect, protection and fulfillment at the national level.

**Table I.b. HRBA Indicators.**

<b>National Target</b>	<b>National Indicators</b>	<b>Proposed HRBA Indicators</b>
1.2. Poverty level.	a. Decreased poverty level, from 9.5-10% in 2015, to 7-8% by 2019.	<ul style="list-style-type: none"> <li>- The availability of an adequate definition of the poor, referring to those who live on less than the latest national minimum cost of living in every regulations and/or other policies on poverty alleviation interventions.</li> <li>- Proportion of people living below national benchmark of minimum basic cost of living (angka kebutuhan hidup minimum/bulan).</li> </ul>
1.3 Access to social protection.	a. Increased enrollment percentage of the National Health Insurance program (Kartu Indonesia Sehat), from 60% in 2015, to 95% in 2019.	<ul style="list-style-type: none"> <li>- The availability of a single window services for social protection programs to facilitate people to access a comprehensive social protection system, as well as to improve coordination and prevent overlaps among programs.</li> </ul>

<sup>16</sup> See, UN Special Rapporteur on Adequate Housing, paragraph 66.

<sup>17</sup> See, UN Special Rapporteur on Adequate Housing, paragraph 48-49.

National Target	National Indicators	Proposed HRBA Indicators
	<ul style="list-style-type: none"> <li>a. Increased percentage of poor and vulnerable elderly people to receive basic necessity assistances, from 2.24% in 2015, to 2.28% in 2019;</li> <li>b. Increased percentage of poor and vulnerable disabled people to receive basic necessity assistances, from 14.48% in 2015, to 17.12% in 2019;</li> <li>c. Decreased number of poor households to receive conditional cash transfer, from three million households in 2015, to 2.8 million households in 2019.</li> </ul>	<ul style="list-style-type: none"> <li>- Increased amount of basic income security to correspond with the national benchmark of minimum basic cost of living, in order to prevent vulnerable people, including women, children, indigenous people and people with disability, from extreme deprivation of their basic needs;</li> <li>- The availability of a more applicable conditions for conditional cash transfers for women living in remote areas without access to health facilities.</li> </ul>
1.4. Access to basic services.	<ul style="list-style-type: none"> <li>a. Increased enrollment number of the National Social Security System (SJSN) for Employment, from 29.5 million of formal employees and 1.3 million of informal employees in 2015, to 62.4 million and 3.5 million in 2019.</li> </ul>	<ul style="list-style-type: none"> <li>- The availability of regulations and/or other policies on unemployment benefit to prevent unemployed persons from extreme deprivation of their basic needs.</li> </ul>
	<ul style="list-style-type: none"> <li>a. Increased coverage of maternal delivery care in health facilities, from 75% in 2015, to 85% in 2019;</li> <li>b. Increased coverage of basic immunization for children between the age of 12-23 months to 63% in 2019;</li> <li>c. Increased coverage of contraception use for women between the age of 15-49 years, from 61.9% in 2015, to 66% in 2019;</li> <li>d. Increased access to safe drinking water, from 60.9% in 2015, to 100% in 2019;</li> <li>e. Increased access to an adequate sanitation, from 60.9% in 2015, to 100% in 2019;</li> <li>f. Increased number of low-income households to access adequate housing to 18.6 households in 2019.</li> </ul>	<ul style="list-style-type: none"> <li>- The availability of reformed land ownership regulations and/or policies to simplify the registration process, reduce the costs, increase efficiency and diminish delays both for individual and collective registration process;</li> <li>- Increased percentage of joint land ownership of husband and wife;</li> <li>- Proportion of indigenous groups with secured land tenures;</li> <li>- Proportion of households without access to adequate housing.</li> </ul>

## The Roles of the UN Country System.

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The UN Country system in Indonesia is committed to play a strong role to assist the Gol to achieve SDGs with three main modalities namely policy advocacy and advisory, capacity building and knowledge sharing. With regard to poverty reduction, the UNDP, for instance, is part of the UN system in Indonesia that has been a long-term partner of the Gol to address poverty issues, the Gol will benefit a lot from various assistances provide by UNDP to strengthen the capacity to implement the national poverty reduction strategies. Moreover, with regard to targets on social protection, the Gol will also benefit from close partnership with ILO to strengthen the national social protection floor system.

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## Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture

### The Right to Food as a Basic Human Right.

Food is a basic necessity for human survival, whereas the lack of it could result in a life-threatening condition, therefore the right to adequate food is a human right. The right to food is enshrined in the ICESCR, Article 11 paragraph (1) as follows:

*“The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.”*

The right to food is also implied in the 1945 Constitution, Article 28H on the right of everyone to live in physical and spiritual prosperity. It is also embodied in the Law on Food No. 18/2012 and, as Indonesia is a party to the ICESCR, in the Law No. 11 of 2005 on the Ratification of the ICESCR.

The right to food embodies three main pillars, namely availability, accessibility and adequacy.<sup>18</sup> Therefore, in order to guarantee the right of everyone's to food, the three pillars shall be made the basis of the national implementation of the right to food.

**Availability** requires on the one hand that food should be available from natural resources either through the production of food, by cultivating land or animal husbandry, or through other ways of obtaining food, such as fishing, hunting or gathering. On the other hand, it means that food should be available for sale in markets and shops.

**Accessibility** requires *economic* and *physical access* to food to be guaranteed. Economic accessibility means that food must be affordable. Individuals should be able to afford food for an adequate diet without compromising on any other basic needs, such as school fees, medicines or rent.

**Adequacy** means that the food must satisfy *dietary needs*, taking into account the individual's age, living conditions, health, occupation, sex, etc.

**General Comment No. 12/1999 on the Right to Food.**

Despite of existing law on food security, Indonesia is ranked 72nd of 109 countries with regard to food scarcity and food security according to the Global Food Security Index.<sup>19</sup> The World Food Programs has identified the following challenges:<sup>20</sup>

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<sup>18</sup> General Comment No. 12/1999 on the right to adequate food, adopted by the Committee on Economic, Social and Cultural Rights.

<sup>19</sup> Global Food Security Index 2016, available at: <http://foodsecurityindex.eiu.com/Country/Details#Indonesia>

<sup>20</sup> <https://www.wfp.org/countries/indonesia>

- Food security improved between 2009 and 2015, with 58 of 398 rural districts found to be highly vulnerable in 2015. But progress may taper off if the challenges of food access, malnutrition and vulnerability to climate-related hazards are not addressed;
- Stunting affects 37 percent of children under five, and along with underweight is prevalent among all income groups; meanwhile, the prevalence of overweight and obesity among adults has increased sharply, also for all income groups;
- Poverty and volatile food prices hinder access to food, especially in remote areas. Most Indonesians, including 60 percent of subsistence farmers, buy their food in markets;
- Indonesia aims to become self-sufficient in rice, corn, soybeans, beef and sugar. Efforts to increase production are under way, but climate change means that agriculture and livelihoods are still vulnerable to extreme weather;
- The country also faces the threat of frequent natural disasters.

These challenges have made the strive to strengthen food security, end hunger and improve nutrition become crucial to be prioritized in the national development plan and implementation.

### **The National Targets on Ending Hunger.**

At the global stage, the SDGs Agenda has included the right to food as a stand-alone goal namely, Goal 2. “End hunger, achieve food security and improved nutrition and promote sustainable agriculture.” The goal consists of eight targets ranging from ending hunger and malnutrition to agricultural productivity. While at the national level, the Gol has included five out of the eight global targets to be achieved by 2019.

Global Target	National Target	National Indicator
2.1 By 2030, end hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to <u>safe</u> , nutritious and sufficient food all year round;	1. Increased nutritional status of the people.	a. Decreased prevalence of underweight among children under five years old to 17% (2013: 19,9%); b. Decreased prevalence of chronic energy deficiency of pregnant women (KEK) to 18% by 2019 (2013: 24,3%); c. Decreased proportion of people with calorie intake of less than 1400 kkal/kapita/day to 8.5% in 2019 (2015: 17,4%).

Global Target	National Target	National Indicator
2.2 By 2030, end all forms of malnutrition, including achieving, by 2025, the internationally agreed targets on stunting and wasting in children under 5 years of age, and address the nutritional needs of adolescent girls, pregnant and lactating women and older persons;	<ol style="list-style-type: none"> <li>1. Increased nutritional status of the people;</li> <li>2. Improvement of disease control for communicable and non-communicable diseases, as well as the improvement of environmental health.</li> </ol>	<ol style="list-style-type: none"> <li>a. Decreased prevalence of stunting (short and very short) among children under two years old to 22.8% by 2019 (2013: 32,9%);</li> <li>b. Decreased prevalence of wasting among children under five years old to 9.5% by 2019 (2013: 12%);</li> <li>c. Retained prevalence of obesity among children under five years old to 11.9% by 2019 (2013: 11,9%);</li> <li>d. Decreased prevalence of anemia among pregnant women to 28% by 2019 (2013: 37,1%);</li> <li>e. Increased percentage of infants under six month old to receive exclusive breastfeeding to 50% by 2019 (2013: 39%);</li> <li>f. Increased food consumption quality indicated by Desirable Dietary Pattern (PPH) to 92.5; and fish consumption rate to 54.5 kg/capita/year by 2019 (2015: 40,9 kg/capita/year).</li> </ol>
2.3 By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment;	<ol style="list-style-type: none"> <li>1. Increased food availability from domestic production (RPJMN Book I, 6-147.</li> </ol>	<ol style="list-style-type: none"> <li>a. Increased availability of domestic food sources namely, rice, corn, soybeans, sugar, beef, fish, and salt by 2019;</li> <li>b. Distributed land tenures for farmers, peasants and fishermen;</li> <li>c. Developed agricultural and fishery sectors, particularly for poor farmers and fishermen.</li> </ol>

Global Target	National Target	National Indicator
2.4 By 2030, ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters and that progressively improve land and soil quality;	NA	NA
2.5 By 2020, maintain the genetic diversity of seeds, cultivated plants and farmed and domesticated animals and their related wild species, including through soundly managed and diversified seed and plant banks at the national, regional and international levels, and promote access to and fair and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge, as internationally agreed;	<ol style="list-style-type: none"> <li>1. Provision of the Guidance System for an Efficient Corps Seeding Institution in the Accurate Corps Cultivation Implementation Areas;</li> <li>2. Availability of a system design for the provision and distribution of seeds;</li> <li>3. The availability of a concept for the development of 1000 Seed-Independent Villages program;</li> <li>4. Distribution of subsidized seeds;</li> <li>5. Establishment of 1000 Seed-Independent Villages</li> </ol>	<ol style="list-style-type: none"> <li>a. The provision of efficient development, supervision, monitoring and certification systems for food seeding, farming and fishery in appropriate food cultivation location in 32 provinces;</li> <li>b. Developed programs and development in 1000 of Seed-Independent Villages by 2019.</li> </ol>



Global Target	National Target	National Indicator
2.a Increase investment, including through enhanced international cooperation, in rural infrastructure, agricultural research and extension services, technology development and plant and livestock gene banks in order to enhance agricultural productive capacity in developing countries, in particular least developed countries;	1. Increased investment in agricultural sector.	a. 10% increase in export values of agricultural products; b. 5% increase in import values of agricultural products; c. 6% increase in domestic investment; d. 8% increase in foreign investment.
2.b Correct and prevent trade restrictions and distortions in world agricultural markets, including through the parallel elimination of all forms of agricultural export subsidies and all export measures with equivalent effect, in accordance with the mandate of the Doha Development Round;	NA	N/A
2.c Adopt measures to ensure the proper functioning of food commodity markets and their derivatives and facilitate timely access to market information, including on food reserves, in order to help limit extreme food price volatility.	1. Stability of food prices (unhulled rice/milled rice) at the producers level; 2. Stability of food prices (unhulled rice/milled rice) at the consumers level;	a. In accordance with government purchasing price (HPP) CV < 10%

## Gap Analyses

### Food Availability

The national targets reflects a great commitment to secure the availability of food, including by facilitating agricultural, farming and fishery equipment, although it is important to also make clear emphasis on the target groups to ensure that small-scale and poor farmers, fishermen and peasants are prioritized to receive the facilities.

Moreover, a focus should also be brought on the capability of poor farmers, peasants and fishermen to sustain their lives, as it will also affect their capability to produce agricultural, farming and fish for greater food consumption. In the Agenda 6.7.1 of the RPJMN, the government is planning to open more access to agricultural finance for farmers, however, without taking into account the ability of

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small-scale farmers to provide their basic needs, it will be difficult for them to access such assistance or to keep a good credit performance. To this end, it is necessary to include an indicator on the average income of small-scale food producers to help the government to decide on the best interventions to improve the productivity of small-scale farmers.

### **Food Accessibility & Adequacy**

The ability of everyone to physically and economically to obtain food is an important indicator to assess the fulfillment of the right to adequate food by the government. FAO indicates that most of those who go hungry are to be found among poor consumers who, on average, spend 40% of their income to purchase food,<sup>21</sup> while in Indonesia, the average spending on food are still at 46.45%,<sup>22</sup> this means that most Indonesians are yet to be food secured.

As volatile food prices can hamper food accessibility, especially for poor people, an indicator aims at measuring the market price of food is necessary to assess the functionality of food commodity market. Furthermore, as it has been previously mentioned, most people in Indonesia purchase their food in food markets, this also means that an indicator related to accessibility of food markets is also important, such as all-season cost of transportation to the nearest food market and the availability of all-seasons road to access food markets.

With regard to adequacy, in order to have a more in-depth data on the real experience of the people about food accessibility, it will be very useful for the GoI to consider the indicator to assess the severity of food insecurity in the population, based on the Food Insecurity Experience Scale (FIES).

### **Vulnerable Groups.**

The national targets have appropriately taken into account women and children in with regard to food adequacy, however there is no specific targets on other vulnerable groups such as indigenous peoples and people with disability.

As many as 48 million of indigenous people in Indonesia live near or around forests<sup>23</sup> and still practice traditional farming. Therefore, land cultivation is strongly related to the groups access to food. The OHCHR and FAO joint factsheet argues that *“The realization of indigenous peoples’ right to food depends crucially on their access to and control over the natural resources on their ancestral lands, as they often feed themselves by cultivating these lands or by collecting food...The confiscation of lands without the free, prior and informed consent of the indigenous peoples concerned and the lack of legal recognition of indigenous forms of landownership are serious obstacles to the realization of the right to food.”*<sup>24</sup>

Therefore, it is important to also put specific indicators focusing on the availability of lands for indigenous groups to practice their traditional farming in relation to adequate access to food for them.

There are approximately 24 million of people with disability in Indonesia,<sup>25</sup> and many are living in poverty, in fact, people with disabilities in Indonesia are 30 to 50 percent more likely to be poor and unemployed,<sup>26</sup> which also means experiencing food insecurity. In addition to economic incapable to purchase food, people with disability, particularly those with limited mobility, are difficult to access

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<sup>21</sup> FAO, The Right to Food Handbooks: Assessment of the Right to Food, page: 9. Available at: <http://www.fao.org/righttofood/knowledge-centre/right-to-food-hanbooks/en/>

<sup>22</sup> BPS, Persentase Pengeluaran Rata-rata per Kapita Sebulan Menurut Kelompok Barang, Indonesia tahun 2002-2014, available at: <https://www.bps.go.id/linkTabelStatis/view/id/937>

<sup>23</sup> See, UN Special Rapporteur on Adequate Housing, paragraph 48-49.

<sup>24</sup> OHCHR & FAO, Factsheet 34: The Right to Food, page: 18. Available at: <http://www.ohchr.org/Documents/Publications/FactSheet34en.pdf>

<sup>25</sup> ILO, Inklusi Penyandang Disabilitas di Indonesia, available at: [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms\\_233426.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms_233426.pdf)

<sup>26</sup> UNPDF, page: 16-17

food markets to purchase food, resulting in a greater vulnerability in terms of accessing the right to adequate food. In light of the severe conditions that people with disability may deal with to access food, in comparison to those without disability, it is important to include indicators capturing the accessibility of food for disabled people.

## Human Rights Based Approach for the National Targets on Goal 2.

In light of the above gap analyses, we propose the following additional indicators to strengthen the impacts of the national development strategy to end hunger and strengthen food security.

National Target	National Indicators	Proposed HRBA Indicators
2.1 End hunger and ensure access to food and nutritions for all.	<ul style="list-style-type: none"> <li>a. Decreased prevalence of underweight among children under five years old to 17% (2013: 19,9%);</li> <li>b. Decreased prevalence of chronic energy deficiency of pregnant women (KEK) to 18% by 2019 (2013: 24,3%);</li> <li>c. Decreased proportion of people with calorie intake of less than 1400 kkal/kapita/day to 8.5% in 2019 (2015: 17,4%).</li> </ul>	<ul style="list-style-type: none"> <li>- Prevalence of moderate or severe food insecurity in the population, based on the Food Insecurity Experience Scale (FIES);</li> <li>- Proportion of indigenous people and people with disability with chronic energy deficiency;</li> <li>- Proportion of indigenous people and people with disability with calorie intake of less than 1400 kkal/kapita/day;</li> </ul>
2.2. End hunger and any types of malnutritions.	<ul style="list-style-type: none"> <li>a. Decreased prevalence of stunting (short and very short) among children under two years old to 22.8% by 2019 (2013: 32,9%);</li> <li>b. Decreased prevalence of wasting among children under five years old to 9.5% by 2019 (2013: 12%);</li> <li>c. Retained prevalence of obesity among children under five years old to 11.9% by 2019 (2013: 11,9%);</li> <li>d. Decreased prevalence of anemia among pregnant women to 28% by 2019 (2013: 37,1%);</li> <li>e. Increased percentage of infants under six month old to receive exclusive breastfeeding to 50% by 2019 (2013: 39%);</li> <li>f. Increased food consumption quality indicated by Desirable Dietary Pattern (PPH) to 92.5; and fish consumption rate to 54.5 kg/capita/year by 2019 (2015: 40,9 kg/capita/year).</li> </ul>	<ul style="list-style-type: none"> <li>- Proportion of household expenditure on food;</li> <li>- Proportion of expenditure on food among poor people, indigenous people and people with disability;</li> <li>- Proportion of poor people, indigenous people and people with disability vulnerable to consumption of unsafe food;</li> <li>- Percentage of rural households without adequate access to food markets;</li> <li>- Percentage of people with disability without adequate access to food market;</li> <li>- Proportion of people exposed to public information and education campaigns (including school instruction) regarding nutrition and food safety.</li> </ul>

National Target	National Indicators	Proposed HRBA Indicators
2.3 Double the agricultural productivity and income of small-scale food producers.	<ul style="list-style-type: none"> <li>a. Increased availability of domestic food sources namely, rice, corn, soybeans, sugar, beef, fish, and salt by 2019;</li> <li>b. Distributed land tenures for farmers, peasants and fishermen;</li> <li>c. Developed agricultural and fishery sectors, particularly for poor farmers and fishermen.</li> </ul>	<ul style="list-style-type: none"> <li>- Average income of small-scale food producers, by sex and indigenous status;</li> <li>- Proportion of indigenous groups with recognized land tenures;</li> </ul>
2.4. Ensure sustainable food production systems.	<ul style="list-style-type: none"> <li>a. Establishment of sustainable food agricultural zones;</li> <li>b. Distributed facilities for agricultural, farming and fishery products, particularly fertilizers, seeds and agricultural/fishery equipments</li> </ul>	<ul style="list-style-type: none"> <li>- Percentage of indigenous lands (tanah ulayat) maintained as sustainable agricultural zones;</li> <li>- Percentage of small-scale producers and indigenous people facilitated with agricultural/fishery equipments.</li> </ul>

### The Roles of the UN Country System.

The UN Country system in Indonesia is committed to play a strong role to assist the GoI to achieve SDGs with three main modalities namely policy advocacy and advisory, capacity building and knowledge sharing. With regard to ending hunger, achieving food security and improving nutrition and promoting sustainable agriculture the GoI will benefit from close partnership with FAO and WFP to strengthen the capacity to implement all National targets regarding to the second goal of SDGs. Additionally, the UNICEF will also provide various technical assistance to ensure food security among children.

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## Goal 3. Ensure healthy lives and promote well-being for all at all ages

### Health and Human Rights.

Health is fundamental for every human being to live to his/her full potential. It is indispensable to human life that it is recognized as a basic human right. The right to health is enshrined in the Universal Declaration on Human Rights, Article 25 paragraph (1) and in the ICESCR, Article 12.

#### Article 12, ICESCR:

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.
2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:
  - (a) The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;
  - (b) The improvement of all aspects of environmental and industrial hygiene;
  - (c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;
  - (d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

The right to health is also recognized in the 1945 Constitution, Article 28H paragraph (1), providing that *“Every person shall have the right to live in physical and spiritual prosperity, to have a home and to enjoy a good and healthy environment, and shall have the right to obtain medical care.”* The right to health is also recognized in the Law No. 36/2009 on Health, Article 4, providing that *“Everyone has the right to health.”*

To provide a deeper understanding about the provision on the right to health in the ICESCR, the Committee on Economic, Social and Cultural Rights (CESCR) issue the General Comment No. 14 on The Right to the Highest Attainable Standard of Health.<sup>27</sup> According to the CESCR, the right to health does not only include timely and appropriate health care but also to the underlying determinants of health, such as *“access to safe and potable water, adequate sanitation, an adequate supply of safe food, nutrition and housing, healthy occupational and environmental conditions, and access to health-related education and information, including on sexual and reproductive health.”*<sup>28</sup>

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<sup>27</sup> CESCR, General Comment No. 14 The Right to the Highest Attainable Standard of Health, E/C.12/2000/4, 2000, available at: <http://www.ohchr.org/Documents/Issues/Women/WRGS/Health/GC14.pdf>

<sup>28</sup> CESCR, General Comment No. 14, paragraph 11.

Furthermore, although the implementation of the right to health depends on the capacity and resources of each State party, it should, at least, include some basic elements namely availability, accessibility, acceptability and quality.

#### **Core elements of the right to health (General Comment 14, paragraph 12).**

**Availability.** Functioning public health and health-care facilities, goods and services, as well as programs, have to be available in sufficient quantity within the State party. The precise nature of the facilities, goods and services will vary depending on numerous factors, including the State party's developmental level. They will include, however, the underlying determinants of health, such as safe and potable drinking water and adequate sanitation facilities, hospitals, clinics and other health-related buildings, trained medical and professional personnel receiving domestically competitive salaries, and essential drugs, as defined by the WHO Action Programme on Essential Drug

**Accessibility.** Health facilities, goods and services have to be accessible to everyone without discrimination, within the jurisdiction of the State party. Accessibility has four overlapping dimensions:

- Non-discrimination: health facilities, goods and services must be accessible to all, especially the most vulnerable or marginalized sections of the population, in law and in fact, without discrimination on any of the prohibited grounds;
- Physical accessibility: health facilities, goods and services must be within safe physical reach for all sections of the population, especially vulnerable or marginalized groups, such as ethnic minorities and indigenous populations, women, children, adolescents, older persons, persons with disabilities and persons with HIV/AIDS. Accessibility also implies that medical services and underlying determinants of health, such as safe and potable water and adequate sanitation facilities, are within safe physical reach, including in rural areas. Accessibility further includes adequate access to buildings for persons with disabilities;
- Economic accessibility (affordability): health facilities, goods and services must be affordable for all. Payment for health-care services, as well as services related to the underlying determinants of health, has to be based on the principle of equity, ensuring that these services, whether privately or publicly provided, are affordable for all, including socially disadvantaged groups. Equity demands that poorer households should not be disproportionately burdened with health expenses as compared to richer households;
- Information accessibility: accessibility includes the right to seek, receive and impart information and ideas concerning health issues. However, accessibility of information should not impair the right to have personal health data treated with confidentiality;

**Acceptability.** All health facilities, goods and services must be respectful of medical ethics and culturally appropriate, i.e. respectful of the culture of individuals, minorities, peoples and communities, sensitive to gender and life-cycle requirements, as well as being designed to respect confidentiality and improve the health status of those concerned;

**Quality.** As well as being culturally acceptable, health facilities, goods and services must also be scientifically and medically appropriate and of good quality. This requires, inter alia, skilled medical personnel, scientifically approved and unexpired drugs and hospital equipment, safe and potable water, and adequate sanitation.

Indonesia has been implementing a universal healthcare coverage system since 2014 and by March 2016, the national health insurance program (BPJS) has been participated by more than 163 million people, with 63% are premium-subsidized participants.<sup>29</sup> In 2016, the GoI has allocated 5% health budget from the national expenditure budget.<sup>30</sup> However, the availability of quality healthcare facilities and healthcare personnel is still insufficient, hampering many people from the full enjoyment of their right to health, particularly for those who are poor and living in remote areas.

<sup>29</sup> BPJS, Jumlah Total Peserta BPJS Maret 2016, available at: <http://infobpjs.net/jumlah-total-peserta-bpjs-maret-2016/>

<sup>30</sup> Ministry of Finance, Informasi APBN 2016, page: 18, available at: <http://www.kemenkeu.go.id/sites/default/files/bibfinal.pdf>

Currently, there are 1725 general hospitals and 503 special hospitals, mostly children's and maternal hospitals, operating in 34 provinces in Indonesia, with hospital beds proportion of 1.12 per 1000 population.<sup>31</sup> Furthermore, there are only 9,908, out of 81,626 villages/kelurahan that have community health centers (Puskesmas), spread unequally between provinces, with the highest number in West Java (1.074 health centers) and the lowest is in North Kalimantan (50 health centers).<sup>32</sup> Indonesia is also lagging behind the WHO average of 2.28 doctors and nurses per 1000 population, with only 0.2 physicians and 1.4 nurses/midwives per 1000 population.<sup>33</sup>

In the latest report published by WHO in 2014, Indonesia shows that 75.3% of total health expenditure coming from out-of-pocket (OOP) expenditure, meaning that the majority of households were unprotected from financial hardship to access health services. The OOP percentage was even higher than the average of Southeast Asian countries average total health expenditure, which was 40.8%.<sup>34</sup>

## The National Targets on Health.

The global SDGs aims to achieve 12 targets with regard to health, among the 12 targets, the GOI found that eight among them are in line with the RPJMN 2015-2019.

Global Targets	National Targets	National Indicators
3.1 By 2030, reduce the global maternal mortality ratio to less than 70 per 100,000 live births.	1. Increased health status of women and children; 2. Increased access and quality of healthcare for women and reproduction;	a. Decreased number of maternal mortality to 306 per 100 thousand of childbirths by 2019 (2010: 346); b. Increased percentage of births delivered in healthcare facilities to 85% by 2019 (2015: 75%); c. Increased percentage of births attended by skilled healthcare personnel to 95% (2015: 91,51%).

<sup>31</sup> Ministry of Health, Indonesia Health Profile 2013, page: 35, available at: <http://www.depkes.go.id/resources/download/pusdatin/profil-kesehatan-indonesia/Indonesia%20Health%20Profile%202013%20-%20v2%20untuk%20web.pdf>

<sup>32</sup> BPS, Jumlah Desa/Kelurahan Yang Memiliki Sarana Kesehatan Menurut Provinsi, 2014, available at: <https://www.bps.go.id/linkTableDinamis/view/id/935>

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<sup>34</sup> WHO, World Health Statistic 2016: Monitoring Health for the SDGs, page 17, available at: [http://www.who.int/gho/publications/world\\_health\\_statistics/2016/en/](http://www.who.int/gho/publications/world_health_statistics/2016/en/)

Global Targets	National Targets	National Indicators
<p>3.2 By 2030, end preventable deaths of newborns and children under 5 years of age, with all countries aiming to reduce neonatal mortality to at least as low as 12 per 1,000 live births and under-5 mortality to at least as low as 25 per 1,000 live births.</p>	<p>1. Increased health status of women and children;</p>	<p>a. Decreased mortality rate to 24 per 1000 births by 2019 (2012: 32);</p> <p>b. Decreased neonatal mortality rate to 14 per 1000 births by 2019 (2012: 19);</p> <p>c. Increased percentage of neonatal first visit (KN1) to 90% by 2019 (2015: 75%);</p> <p>d. Increased percentage of comprehensive basic immunization for infants in regencies/municipalities to 80% to 95% by 2019 (2015: 71,2%).</p>
<p>3.3 By 2030, end the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases.</p>	<p>1. Increased control over communicable and non-communicable diseases and increased environmental health;</p>	<p>a. Decreased prevalence of HIV to &lt;0,5% by 2019 (2014: 0,46%);</p> <p>b. Decreased prevalence of Tuberculosis (TB) to 245 per 100.000 of population by 2019 (2013: 297);</p> <p>c. Increased number of regencies/municipalities with malaria elimination to 300 by 2019 (2013: 200);</p> <p>d. Increased prevalence of regencies/municipalities to implement early detection on Hepatitis B for risk groups to 80% by 2019 (2013: 2,5%);</p> <p>e. Increased number of provinces with leprosy elimination to 34 provinces by 2019 (2013:20);</p> <p>f. Increased number of regencies/municipalities with filariasis to 35 by 2019.</p>



Global Targets	National Targets	National Indicators
3.4 By 2030, reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being.	<ol style="list-style-type: none"> <li>1. Increased control over communicable and non-communicable diseases and increased environmental health;</li> <li>2. Increased quality of and access to mental health and drugs rehab facilities.</li> </ol>	<ol style="list-style-type: none"> <li>a. Decreased percentage of smoking among population ≤18 years of age to 5.4% (2015:7.2%);</li> <li>b. Decreased prevalence of hypertension to 24.3% by 2019 (2015:25.8 %);</li> <li>c. Non-increase prevalence of obesity among population above 18 years of age to 15.5% by 2019 (2013: 15.4%);</li> <li>d. Percentage of women between the age of 40-50 years to have early detection of cervical and breast cancers;</li> <li>e. Increased number of regencies/municipalities to have community healthcare facilities (Puskesmas) providing mental healthcare services to 280 by 2019 (2014: 50);</li> <li>f. Increased percentage of regional general hospital to provide mental health/psychiatric services to 60% by 2019 (2014: 13.5%);</li> <li>g. Increased proportion of treatment for households with mentally-ill member(s) to 61.8% by 2019 (2014: 38.2%).</li> </ol>
3.5 Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol.	<ol style="list-style-type: none"> <li>1. Increased provision of social rehabilitation for substance abuse victims.</li> <li>2. Increased implementation of the Prevention and Eradication of Drug Abuse and Illicit Trafficking (P4GN);</li> </ol>	<ol style="list-style-type: none"> <li>a. Increased number of substance abuse victims to receive social rehabilitation in standardized service facilities to 210 by 2019 (2015: 200) and outside facilities to 4,319 by 2019 (2015: 1.464);</li> <li>b. Increased number of developed/facilitated Social Rehabilitation Facilities for Drugs Victims to 85 by 2019 (2015: 75);</li> <li>c. Increased number of active volunteers to conduct preventive measures against drugs abuse to 5.302 by 2019 (2015:1.732);</li> <li>d. Increased percentage of healthcare facilities to provide service for active substance abusers with compulsory reporting obligation.</li> </ol>

Global Targets	National Targets	National Indicators
3.6 By 2020, halve the number of global deaths and injuries from road traffic accidents.		a. Decreased ratio of traffic road fatalities to 11.22% by 2019.
3.7 By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes.	<ol style="list-style-type: none"> <li>1. Increased prevalence of contraceptive use (all method);</li> <li>2. Increased prevalence of long-term modern method contraceptive use;</li> <li>3. Decreased adolescent birth rate between the age of 15-19 years (age specific fertility rate/ ASFR).</li> </ol>	<ol style="list-style-type: none"> <li>a. Decreased total fertility rate (RTF) to 2.3 by 2019 (2012:2.6);</li> <li>b. Increased prevalence of contraceptive use (CPR) in all methods to 66% by 2019 (2015:60.9%);</li> <li>c. Increased long-term modern method of contraceptive use to 23.5% by 2019 (2015:22,5%);</li> <li>d. Decreased number of teen pregnancy between the age of 15-19 years (<i>age specific fertility rate/ ASFR</i>) to 38 by 2019 (2015: 48)</li> </ol>
3.8 Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all.	<ol style="list-style-type: none"> <li>1. Increased financial protection</li> <li>2. Increased equalization and quality of healthcare services, as well as resources;</li> <li>3. Increased financial protection, including catastrophic expenditure for healthcare.</li> </ol>	<ol style="list-style-type: none"> <li>a. Decreased unmet need healthcare facilities to 1% by 2019 (2015:7%).</li> <li>b. Increased national Health Insurance coverage (JKN) to 100% by 2019 (2015:60%).</li> </ol>
3.9 By 2030, substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination.	NA	N/A

Global Targets	National Targets	National Indicators
3.a Strengthen the implementation of the World Health Organization Framework Convention on Tobacco Control in all countries, as appropriate.	1. Increased control over communicable and non-communicable diseases and increased environmental health;	a. Prevalence of smokers among population under the age of 18 years to 5.4% by 2019 (2015: 7,2%).
3.b Support the research and development of vaccines and medicines for the communicable and non-communicable diseases that primarily affect developing countries, provide access to affordable essential medicines and vaccines, in accordance with the Doha Declaration on the TRIPS Agreement and Public Health, which affirms the right of developing countries to use to the full the provisions in the Agreement on Trade-Related Aspects of Intellectual Property Rights regarding flexibilities to protect public health, and, in particular, provide access to medicines for all.	1. Availability of medicines and the quality of medicines and food	a. Increased percentage of medicines and vaccines availability in Puskesmas to 90% by 2019 (2014: 75,5%).
3.c Substantially increase health financing and the recruitment, development, training and retention of the health workforce in developing countries, especially in least developed countries and small island developing States.	1. Increased equalization and quality of healthcare services, as well as resources.	a. Increased number of Puskesmas equipped with 5 types of health workers to 5600 by 2019 (2013: 1015).
3.d Strengthen the capacity of all countries, in particular developing countries, for early warning, risk reduction and management of national and global health risks.	NA	NA

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## Gap Analyses.

There are three main areas namely availability, accessibility and quality of healthcare system, that are required more strengthening with regard to the Gol's national development targets on ensuring health and wellbeing in order to meet the adequate guarantee of the right to health for everyone in Indonesia.

### Availability & Quality

In terms of primary healthcare, Indonesia has an extensive number of Puskesmas that makes primary healthcare facilities are accessible for 90% of the population, however the availability of health workers and hospital beds remained inadequate.<sup>35</sup> Inequity of available physicians and nurses/midwives are very apparent among rural and urban areas,<sup>36</sup> however there is no data showing the number of health workers at subdistrict level (Kecamatan), the data is important to comprehensively assess the adequacy gaps between geographical areas per 1000 population.<sup>37</sup>

### Accessibility

As it has mentioned earlier, the availability of Puskesmas as primary health facilities is very limited at villages/kelurahan level, covering only about 12% of villages/kelurahan across the nation. In less dense regions in Indonesia, distance between one village to another may take hours of traveling, and can be expensive, making healthcare facilities less physically and economically accessible for people in rural or remote areas. Therefore it is necessary to have a quality inpatient Puskesmas in every sub-district<sup>38</sup> to facilitate people to access adequate healthcare facilities wherever they are.

This requirement has, actually, been set forth in the Health Ministerial Regulation No. 75/2014 on Puskesmas requiring all subdistrict regions to have at least 1 Puskesmas, however there is still no data showing the number or percentage of Puskesmas at the subdistrict level. Therefore, it is important to include an indicator showing the availability of Puskesmas subdistrict level both for inpatient and outpatient Puskesmas.

### Vulnerable Groups

People with disabilities may face more challenges in accessing healthcare facilities in comparison to those who are without disabilities. According to WHO, prohibitive cost, particularly with regard to health services and transportation, are the major challenges for disabled people to access health services.<sup>39</sup> Therefore, in order to fulfill the right of disabled people to the enjoyment of the highest attainable standard of health, it is important to ensure that people with disability are covered by health insurance and, for those who are unemployed and poor, to receive premium payment assistance (PBI). Moreover, in terms of physical accessibility, it is very important to provide sufficient number of ambulance in every Puskesmas at subdistrict level.

With regard to health insurance, indigenous people are also among those who may find difficulties in enrolling to the national health insurance program (BPJS). To enroll to BPJS program one is required to have legal identities, such as Family Card (KK) and Identity Card (KTP), while many indigenous people do not have legal identities therefore, it is difficult for them to have a health insurance. In light of this fact, an intervention is necessary to ensure that indigenous people are not left behind in the enjoyment of the right to health.

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<sup>35</sup> World Bank, Indonesia's Health Sector Review, 2012, page: 16, available at:

<http://www.worldbank.org/content/dam/Worldbank/document/EAP/Indonesia/HSR-Overview-.pdf>

<sup>36</sup> World Bank: <http://www.worldbank.org/content/dam/Worldbank/document/EAP/Indonesia/HSR-Overview-.pdf>

<sup>37</sup> Each sub-district (Kecamatan) in Indonesia is inhabited between 9,000 to 45,000 population.

<sup>38</sup> A subdistrict in an urban area consists of 5 villages/kelurahan and 10 villages/kelurahan in a rural area. See, Article 6 paragraph (1) of the Government Regulation No. 19/2008.

<sup>39</sup> WHO, Disability and Health Fact Sheet, available at: <http://www.who.int/mediacentre/factsheets/fs352/en/>

## Human Rights Based Approach for the National Targets on Goal 3.

In light of the above gap analyses, we propose the following additional indicators to strengthen the national development strategy to improve the access to health for all Indonesians.

National Targets	National Indicators	Proposed HRBA Indicators
3.1  - Increased health status of women and children;  - Increased access and quality of healthcare for women and reproduction;	a. Decreased number of maternal mortality to 306 per 100 thousand of childbirths by 2019 (2010: 346); b. Increased percentage of births delivered in healthcare facilities to 85% by 2019 (2015: 75%); c. Increased percentage of births attended by skilled healthcare personnel to 95% (2015: 91,51%).	- Percentage of villages with attending skilled health personnel/midwives.
3.4  - Increased control over communicable and non-communicable diseases and increased environmental health;  - Increased quality of and access to mental health and drugs rehab facilities.	a. Decreased percentage of smoking among population ≤18 years of age to 5.4% (2015:7.2%); b. Decreased prevalence of hypertension to 24.3% by 2019 (2015:25.8 %); c. Non-increase prevalence of obesity among population above 18 years of age to 15.5% by 2019 (2013: 15.4%); d. Percentage of women between the age of 40-50 years to have early detection of cervical and breast cancers; e. Increased number of regencies/municipalities to have community healthcare facilities (Puskesmas) providing mental healthcare services to 280 by 2019 (2014: 50); f. Increased percentage of regional general hospital to provide mental health/psychiatric services to 60% by 2019 (2014: 13.5%); g. Increased proportion of treatment for households with mentally-ill member(s) to 61.8% by 2019 (2014: 38.2%).	- Proportion of subdistricts with attending mental health professionals.

National Targets	National Indicators	Proposed HRBA Indicators
3.7 <ul style="list-style-type: none"> <li>- Increased prevalence of contraceptive use (all method);</li> <li>- Increased prevalence of long-term modern method contraceptive use;</li> <li>- Decreased adolescent birth rate between the age of 15-19 years (age specific fertility rate/ ASFR).</li> </ul>	a. Decreased total fertility rate (RTF) to 2.3 by 2019 (2012:2.6); b. Increased prevalence of contraceptive use (CPR) in all methods to 66% by 2019 (2015:60.9%); c. Increased long-term modern method of contraceptive use to 23.5% by 2019 (2015:22,5%).	<ul style="list-style-type: none"> <li>- The availability of a national curriculum on sexual and reproductive health and rights (SRHR) education;</li> <li>- The number of schools providing/integrating SRHR education (segregated by school levels: SD/SMP/SMU)</li> </ul>
3.8 <ul style="list-style-type: none"> <li>- Increased financial protection</li> <li>- Increased equalization and quality of healthcare services, as well as resources;</li> <li>- Increased financial protection, including catastrophic expenditure for healthcare.</li> </ul>	a. Decreased unmet need healthcare facilities to 1% by 2019 (2015:7%). b. Increased national Health Insurance coverage (JKN) to 100% by 2019 (2015:60%).	<ul style="list-style-type: none"> <li>- Percentage of out-of-pocket health expenditure spent by JKN members;</li> <li>- Proportion of disabled and/or indigenous people without access to healthcare facilities;</li> <li>- Proportion of indigenous people without health insurance.</li> </ul>
3.9 NA	N/A	<ul style="list-style-type: none"> <li>- As the right to health also includes the right to enjoy a good and healthy environment, it is important for the GoI to also adopt the Global Target No. 3.9 and its indicators.</li> </ul>
3.c <ul style="list-style-type: none"> <li>- Increased equalization and quality of healthcare services, as well as resources.</li> </ul>	a. Increased number of Puskesmas equipped with 5 types of health workers to 5600 by 2019 (2013: 1015).	<ul style="list-style-type: none"> <li>- Proportion of subdistricts with available Puskesmas providing inpatient services;</li> <li>- Proportion of Puskesmas with ambulance service at subdistrict level.</li> </ul>

## The Roles of the UN Country System.

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The UN Country system in Indonesia is committed to play a strong role to assist the Gol to achieve SDGs with three main modalities namely policy advocacy and advisory, capacity building and knowledge sharing.

With regard to the access to health, The World Health Organization (WHO) would be a strong partner for the Gol to improve the full realization of the people's right to health, both at policy and implementation levels, particularly in the areas of prevention and control of communicable and non-communicable diseases; improvement of child, adolescent and reproductive health; improvement of access to quality health services in support of Universal Health Coverage; and preparedness, surveillance and effective response to disease outbreaks, acute public health emergencies and the effective management of health-related aspects of humanitarian disasters

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## Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.

### Education as a Human Right

The right to education has been universally recognized as a human right for decades, particularly since the adoption of the Universal Declaration on Human Rights (UDHR), which lays the groundwork for the notions that education, as a human right, shall be made free, especially at the elementary level, and that higher education shall be made equally accessible on merit basis.<sup>40</sup> The international legal framework on the right to education is then further elaborated in various human rights treaties adopted later after UDHR namely, the International Covenant on Economic, Social and Cultural Rights (ICESCR) Article 13 and 14; the Convention on the Rights of the Child (CRC) Article 28 and 29; and the Convention on the Rights of Persons with Disabilities (CRPD) Article 24.

The Committee on Economic, Social and Cultural Rights (CESCR) elaborates some essential elements of availability, accessibility, acceptability and adaptability of education to be considered by all State Parties to the ICESCR in the implementation of the right to education in respective countries.

#### **Availability**

Functioning educational institutions and programs have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including the developmental context within which they operate; for example, all institutions and programs are likely to require buildings or other protection from the elements, sanitation facilities for both sexes, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials, and so on; while some will also require facilities such as a library, computer facilities and information technology;

#### **Accessibility**

Accessibility has three overlapping dimensions:

- (i) Non-discrimination - education must be accessible to all, especially the most vulnerable groups, in law and fact, without discrimination on any of the prohibited grounds (see paras. 31-37 on non-discrimination);
- (ii) Physical accessibility - education has to be within safe physical reach, either by attendance at some reasonably convenient geographic location (e.g. a neighborhood school) or via modern technology (e.g. access to a “distance learning” program);
- (iii) Economic accessibility - education has to be affordable to all. This dimension of accessibility is subject to the differential wording of article 13 (2) in relation to primary, secondary and higher education: whereas primary education shall be available “free to all”, States parties are required to progressively introduce free secondary and higher education;

#### **Acceptability**

The form and substance of education, including curricula and teaching methods, have to be acceptable (e.g. relevant, culturally appropriate and of good quality) to students and, in appropriate cases, parents.

#### **Adaptability**

Education has to be flexible so it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings.

While, Indonesia has been a State Party to the ICESCR since 2005 and, therefore, it is bound by all the obligations stipulated in the Covenant, including the obligations towards to respect, protect and fulfill the right of all Indonesians to education. Moreover, the right to education is also guaranteed in the 1945 Constitution, particularly in Article 31, which not only recognizes education as a right, but also lays the obligation of the State to allocate a minimum of 20% of the State Budget to provide education for all.

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<sup>40</sup> See, UDHR, Article 26 paragraph (1).



## The National Targets on Education

The global SDGs aims to achieve ten targets with regard to education. Among the ten targets, the Government of Indonesia found that seven among them are in line with the RPJMN 2015-2019.

Global Targets	National Targets	National Indicators
4.1 By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes.	1. The fulfillment of the right of all citizens to complete, at least, primary and secondary education.	NA
4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education.	1. Increased participation of children, between the age of 3-6 years, in early childhood education.	a. Increased Gross Enrollment Rate (GER) of children in early childhood education to 77.2% by 2019. (2014: 66.8%).
4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university.	1. The fulfillment of the right of all citizens to complete, at least, primary and secondary education.	a. Increased GER in High School/Vocational School/Madrasah Aliyah/equal to 91.6% by 2019. (2014: 79.2%).
4.4 By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship.	NA	NA
4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations.	1. Increased number of sustainable education, indicated by: <ul style="list-style-type: none"> <li>- increased participation of children from poor families and children with special needs;</li> <li>- decreased variation number of participation among regions; and</li> <li>- gender parity index to close to the value of 1.</li> </ul>	a. Increased GER ratio in Junior High School/Madrasah Tsanawiyah among 20% of the poorest and 20% of the richest population to 0.9 by 2019. (2014: 0.85); b. Increased GER ratio in High School/Vocational School/Madrasah Aliyah among 20% of the poorest and 20% of the richest population to 0.6 by 2019. (2014: 0.53).

Global Targets	National Targets	National Indicators
4.6 By 2030, ensure that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy.	1. The fulfillment of the right of all citizens to complete, at least, primary education.	<p>a. Increased average literacy rate among population above the age of 15 years to 96.1% by 2019. (2015: 94.1%);</p> <p>b. Increased percentage of literacy among adult population between the age of 15-59 years to 97.5% by 2019. (2015: 96.6%).</p>
4.7 By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.	NA	NA
4.a Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all.	NA	NA
4.b By 2020, substantially expand globally the number of scholarships available to developing countries, in particular least developed countries, small island developing States and African countries, for enrollment in higher education, including vocational training and information and communications technology, technical, engineering and scientific programs, in developed countries and other developing countries.	1. The availability of data and wide access to quality higher education institutions with international competitiveness.	a. Increased number of foreign university students to receive Developing Countries Partnership Program Scholarship to 2500 by 2019. (2015:500).

Global Targets	National Targets	National Indicators
4.c By 2030, substantially increase the supply of qualified teachers, including through international cooperation for teacher training in developing countries, especially least developed countries and small island developing States.	Improved academic qualification of all teachers (minimum degree of Bachelor 1/Diplomat IV) and improved teachers competence in subject and pedagogical knowledge, as well as decreased absence of teachers.	<p>a. Increased percentage of certified teachers for kindergartens, elementary schools, junior high schools, high schools and special needs high schools to 100% by 2019. (2015: 75.8%);</p> <p><b>Early Childhood Education:</b></p> <ul style="list-style-type: none"> <li>- Increased percentage of quality teachers for early childhood and adult education to 52.4% by 2019. (2015: 31%);</li> <li>- Increased number of teachers to receive professional benefits to 104,310 by 2019. (2015: 71,038);</li> </ul> <p><b>Elementary School:</b></p> <ul style="list-style-type: none"> <li>- Increased number of teachers holding bachelor 1 and diploma 4 degrees to 1,713,049. (2015: 1,525,317);</li> </ul> <p><b>Secondary Schools:</b></p> <ul style="list-style-type: none"> <li>- Number of teachers holding bachelor 1 and diploma 4 degrees to 9,067 by 2019 (2015: 9,067);</li> <li>- Increased number of teachers to receive professional benefits to 93,456 by 2019. (2015: 74,042);</li> <li>- Increased number of teachers holding a Master degree to 400</li> </ul>

## Gap Analyses

Despite the arguably comprehensive legal framework and sufficient budget commitment for the fulfillment of adequate access to education for all citizens, Indonesia is still struggling with the following challenges hampering the enjoyment of everyone to quality education:

- Literacy rate is high at 93.88%, however, over 50% of Indonesian at the age of fifteen years do not master basic skills in reading or mathematics (OECD);
- Primary school teachers in remote/rural areas are less qualified and too often absent from schools (OECD)
- There are 75% of primary schools failed to meet the minimum service standards such as inadequate pupil-teacher proportion and school facilities;
- Net enrollment rate for primary education is at 96.70%; secondary junior school is at 77.82%; and secondary high school is at 59.71%. (BPS);
- Participation rate for higher education is: 17.34% (BPS);

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- The allocation of funding to early childhood development and education remains relatively low at some 1.2% of the education budget, compared with the international benchmark of 4-5%, most of growth and participation in the early childhood care and education came from private sectors and only accessible for parents who can afford it;
  - Despite the progressive effort to ratify the CRPD and the educational framework striving towards more inclusive education, enrollment rate of children with disability remained low at 0.25% and 0.13% of the number of students enrolled in regular primary and junior secondary schools respectively, with higher enrollment of boys than girls. (OECD);
  - The availability of special needs schools is very disparate between provinces, ranging from 457 schools in East Java to only 4 in West Papua. Most provinces outside Java only have less than 10 special needs schools. (OECD)
  - Indigenous children are deprived from education due to economical, geographical and cultural inaccessibilities. Most of indigenous communities live far from the conventional administrative geographical settings, they mostly live inside or around forests and very remote, where very few schools are within reach. Many indigenous families cannot afford to send their children to school, and some indigenous groups still living nomadic lifestyles, making it is hard for children to maintain attendance at school. (Bappenas)

While some of the above challenges are addressed in the National Development Agenda, but there are some elements are still necessary to be considered to be included in the agenda to make sure that all essential elements of the right to education are fulfilled.

## **Human Rights Based Approach for the National Targets on Goal 4.**

In light of the above gap analyses, we propose the following additional indicators to strengthen the national development strategy to improve the access to education for all Indonesians.

Global Targets	National Targets	National Indicators	Proposed HRBA Indicators
4.1 By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes.	1. The fulfillment of the right of all citizens to complete, at least, primary and secondary education.	NA	<ul style="list-style-type: none"> <li>- Increased enrollment rate for primary and secondary education;</li> <li>- Proportion of rural children in primary school walk more than 3 KM from home to school (Minister Regulation 23/2013);</li> <li>- Proportion of rural children in secondary school walk more than 6 KM from home to school (Minister Regulation 23/2013);</li> <li>- Increased proportion of children at the age of 15 years with minimum proficiency level of reading and mathematics;</li> </ul>
4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education.	1. Increased participation of children, between the age of 3-6 years, in early childhood education.	a. Increased Gross Enrollment Rate (GER) of children in early childhood education to 77.2% by 2019. (2014: 66.8%).	<ul style="list-style-type: none"> <li>- Increased national budget on early childhood education;</li> <li>- Percentage of children from poor families enrolled in early childhood education (data segregated by gender).</li> </ul>
4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university.	1. The fulfillment of the right of all citizens to complete, at least, primary and secondary education.	a. Increased GER in High School/Vocational School/Madrasah Aliyah/equal to 91.6% by 2019. (2014: 79.2%).	<ul style="list-style-type: none"> <li>- Increased financial support for vocational and tertiary education, as well as university students (data should be segregated by gender).</li> </ul>

Global Targets	National Targets	National Indicators	Proposed HRBA Indicators
4.4 By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship.	NA		<ul style="list-style-type: none"> <li>- Improved vocational education curricula to strengthen industrial attachments and other forms of work-based learning;</li> <li>- Increased number of SMK students employed in formal sector employment (data is segregated by gender)</li> </ul>
4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations.	<p>1. Increased number of sustainable education, indicated by:</p> <ul style="list-style-type: none"> <li>- increased participation of children from poor families and children with special needs;</li> <li>- decreased variation number of participation among regions; and</li> <li>- gender parity index to close to the value of 1.</li> </ul>	<p>a. Increased GER ratio in Junior High School/Madrasah Tsanawiyah among 20% of the poorest and 20% of the richest population to 0.9 by 2019. (2014: 0.85);</p> <p>b. Increased GER ratio in High School/Vocational School/Madrasah Aliyah among 20% of the poorest and 20% of the richest population to 0.6 by 2019. (2014: 0.53).</p>	<ul style="list-style-type: none"> <li>- Increased enrollment of female students with disability in primary and secondary schools;</li> <li>- Increased number of special needs schools in provinces with less than 10 special needs schools available;</li> <li>- Increased financial supports for students with disability and indigenous children/adult to enable them to access education at all levels;</li> <li>- Increased informal school settings adaptable for indigenous children.</li> </ul>

Global Targets	National Targets	National Indicators	Proposed HRBA Indicators
4.7 By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.	N/A	NA	<ul style="list-style-type: none"> <li>- The availability of an integrated and comprehensive human rights education curriculum in primary and secondary school;</li> <li>- Percentage of 15-year old students enrolled in secondary school demonstrating at least a fixed level of knowledge in human rights.</li> </ul>
4.a Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all.	NA	NA	Proportion of schools with access to: <ul style="list-style-type: none"> <li>(a) electricity;</li> <li>(b) the Internet for pedagogical purposes;</li> <li>(c) computers for pedagogical purposes;</li> <li>(d) adapted infrastructure and materials for students with disabilities;</li> <li>(e) basic drinking water;</li> <li>(f) single sex basic sanitation facilities; and</li> <li>(g) basic hand-washing facilities (as per the Water, Sanitation and Hygiene for All (WASH) indicator definitions).</li> </ul>

## The Roles of the UN Country System.

The UN Country system in Indonesia is committed to play a strong role to assist the GoI to achieve SDGs with three main modalities namely policy advocacy and advisory, capacity building and knowledge sharing.

With regard to the access to education, UNESCO would provide significant assistances for the GoI, particularly in the areas of the promotion of quality education for all, improvement of the quality of primary education and quality literacy for all. Additionally, UNICEF also has the Basic Education for

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All, which will provide useful contributions for the Gol, especially with regard to improving the skills of school principals, supervisors, and education officials to manage and deliver quality primary education that reaches all children; and engaging communities and local civil society to deliver better quality services for marginalized children, for example through improved school-based management.



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## Goal 5. Achieve gender equality and empower all women and girls

### The Human Rights of Women.

The prohibition of discrimination on the ground of sex has been promulgated in all instruments under the International Bill of Human Rights, consisting of the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

**UDHR, Article 2:**

*“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status...”*

**ICCPR, Article 2 paragraph (1):**

*“Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”*

**ICESCR, Article 3:**

*“The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.”*

In 1979, the UN officially adopted a legal instrument specifically address the rights of women, namely the The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Convention elaborates the definition of sex-based discrimination as any difference in treatment on the grounds of sex which:

- Intentionally or unintentionally disadvantages women;
- Prevents society as a whole from recognizing women’s rights in both the private and the public spheres;
- Prevents women from exercising the human rights and fundamental freedoms to which they are entitled.<sup>41</sup>

CEDAW tries to provide protection for women from discrimination in civil and political spheres, as well as in economic, social and cultural spheres. Moreover, it also lays the basis. It also species the obligation of State parties to eliminate discrimination, from adopting legislation prohibiting discrimination, refraining from discriminatory actions, to protecting women against discrimination by non-state actors both as an individual or organization/company.

In addition to CEDAW, prohibition of discrimination on the ground of sex is also embodied in other human rights conventions such as in, inter alia, Article 2 of the Convention on the Rights of the Child

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<sup>41</sup> See, OCHR, Women’s Rights Are Human Rights, 2014, page: 6. Available at: <http://www.ohchr.org/Documents/Events/WHRD/WomenRightsAreHR.pdf>

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(CRC), Article 6 of the Convention on the Rights of Persons with Disabilities (CRPD) and Article 7 of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW).

While, at the domestic level, Indonesia has ratified the majority of the international human rights instruments containing prohibition against discrimination on the ground of sex, namely the ICCPR, ICESCR, CEDAW, CRC, CRPD and ICRMW, which means the Gol has the obligations to respect, protect and fulfill all the rights contained in the said instruments.

Furthermore, although the 1945 Constitution does not specifically prohibits sex/gender based discrimination, it prohibits discrimination on any grounds.<sup>42</sup> While, the Law number 39/1999 on Human Rights dedicates a special section on women's rights, recognizing women's rights as human rights (Article 45). Moreover, the human rights law also provides, *inter alia*, a guarantee for women's representation in all governmental branches (Article 46), women's right to education at all levels (Article 48), as well as women's rights to work and at workplace (Article 49). Indonesia has established a National Commission on Violence Against Women (*Komnas Perempuan*) as part of its national human rights institutions since 1998 and has also adopted a law on domestic violence since 2004.

However, despite the progress made in the legal sector at the national level, women are still facing discrimination in Indonesia. In 2016, Komnas Perempuan found that there are still 421 discriminatory bylaws against women remaining effective in various provinces, regencies and/or municipalities.<sup>43</sup> Domestic violence are still a threat to many women as a result of inadequacy in the law enforcement to hold proper investigations, prosecutions and convictions against perpetrators of domestic violence. Data showed that in 2014, there are 293.220 cases of violence against women recorded by Komnas Perempuan, and 68% of them were domestic violence cases.<sup>44</sup>

Furthermore, Indonesia is listed as a major source country of trafficking in persons (TIP) and women/girls are among the majority of the victims of sex trafficking. IOM reported to have assisted, at least, 7,193 victims of trafficking between the years of 2005-2014.<sup>45</sup> As to violence against girls, according to a finding from UNICEF, Indonesia is among the countries with the highest prevalence of FGM, where half of girls under the age of 11 years are circumcised.<sup>46</sup>

## **The National Targets on Gender Equality**

There are nine global targets set out under the Goal 5 on gender equality and women/girls empowerment and among them, the Gol found almost all targets, except for target 5b on the use of technology in women empowerment, are in line with the national medium-term development plan (RPJMN) 2015-2019.<sup>47</sup>

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<sup>42</sup> See, 1945 Constitution, Article 28I paragraph (2), available at: [https://portal.mahkamahkonstitusi.go.id/eLaw/mg58ufsc89hrsg/UUD\\_1945\\_Perubahan.pdf](https://portal.mahkamahkonstitusi.go.id/eLaw/mg58ufsc89hrsg/UUD_1945_Perubahan.pdf)

<sup>43</sup> Hukum Online, Komnas Perempuan: 421 Perda Rugikan Perempuan, 18 Oktober 2016, available at: <http://www.hukumonline.com/berita/baca/lt5805ba0803953/komnas-perempuan--421-perda-rugikan-perempuan>

<sup>44</sup> Jakarta Post, Violence against women on the rise, March 10, 2014, available at: <http://www.thejakartapost.com/news/2014/03/10/violence-against-women-rise.html>

<sup>45</sup> IOM, Counter Trafficking Fact Sheet, available at: <http://indonesia.iom.int/sites/default/files/Factsheet%20-%20Counter-Trafficking.pdf>

<sup>46</sup> Jakarta Post, FGM in Indonesia hits alarming level, 6 February, 2016, available at: <https://www.thejakartapost.com/news/2016/02/06/fgm-indonesia-hits-alarming-level.html>

<sup>47</sup> Bappenas, Zero Draft: PEDOMAN TEKNIK PENYUSUNAN RENCANA AKSI PEMBANGUNAN BERKELANJUTAN (RAN TPB), 2016, available at: <http://sdgsindonesia.or.id/index.php/bonus-pages/item/76-zero-draft-pedoman-teknis-penyusunan-rencana-aksi-pembangunan-berkelanjutan-ran-tpb?start=1390>

Global Targets	National Targets	National Indicators
5.1 End all forms of discrimination against all women.	1. Improved implementation of gender mainstreaming and empowerment in all sectors through the availability of gender responsive policies (laws, government regulations, presidential decrees, local bylaws).	<p>a. The number of gender-responsive polices supporting women empowerment by 2019 to 16 (2015: 19);</p> <p>b. The number of institutions implementing policies on gender mainstreaming and empowerment by 2019:</p> <ul style="list-style-type: none"> <li>- Ministries/agencies: 60 (2015: 40)</li> <li>- Provinces: 34 (2015: 34)</li> <li>- - Regency/Municipality: 20 (2015: 20)</li> </ul>
5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.	<p>1. Improved protection for women from all forms of violence, including from human trafficking;</p> <p>2. Improved capacity of institutions providing protection for women from all forms of violence at the national and local levels (Book II, 1-22).</p>	<p>a. Decreased prevalence of cases of violence against girls (2013: 20.48);</p> <p>b. Prevalence of cases of violence against women to receive comprehensive services to 70% by 2019 (2015: 50%).</p>
5.3 Eliminate all harmful practices, such as child early and forced marriage and female genital mutilation.	<p>1. Increased median age of first marriage among women (increased age for first marriage);</p> <p>2. Improved protection for women from all forms of violence, including from human trafficking;</p> <p>3. Improved capacity of institutions providing protection for women from all forms of violence at the national and local levels (Book II, 1-22).</p> <p>4. Decreased Age Specific Fertility Rate (ASFR) to 15-19 years old;</p> <p>5. Improved awareness among parents, teenagers and/or family members, on family roles;</p> <p>6. Increased the average year in school for people above the age of 15 years.</p>	<p>a. Median age for first marriage for women to 21 by 2019 (2012: 20.1);</p> <p>b. ASFR 15-19 years old by 2019 to 38 (2012: 48);</p> <p>c. Increased percentage of awareness among parents, teenagers and/or family members, on family roles to 50% by 2019 (2015 : 5);</p> <p>d. The average of year in school for people above the age of 15 years to 8.8 (2013: 8.14)</p>

Global Targets	National Targets	National Indicators
5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate.	<ol style="list-style-type: none"> <li>1. Increased women's life quality and roles in various sectors;</li> <li>2. Strengthened capacity of institutions in charge for gender mainstreaming.</li> </ol>	N/A
5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.	<ol style="list-style-type: none"> <li>1. Improved women's life quality and roles in various development sectors;</li> <li>2. Strengthened capacity of institutions in charge for gender mainstreaming.</li> <li>3. Increased participation in political parties to 30%;</li> <li>4. Increased awareness among stakeholders and society, including non-governmental organizations, research centers and business world in the implementation of gender mainstreaming in political and decision-making sectors.</li> </ol>	<ol style="list-style-type: none"> <li>a. Proportion of women's seats in parliament at the national level;</li> <li>b. Proportion of women's seats in parliament at the regional level;</li> </ol>

Global Targets	National Targets	National Indicators
5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences.	<ol style="list-style-type: none"> <li>1. Improved access and quality of women's health and reproduction;</li> <li>2. Strengthened capacity of institutions in charge for gender mainstreaming.</li> <li>3. Decreased unmet need;</li> <li>4. Decreased gaps in plan parenthood services (TFR, CPR, unmet need), both between provinces, urban/rural areas, social status and household expenditures;</li> <li>5. Improved women's life quality and roles in various development sectors;</li> <li>6. Improved knowledge and awareness among child-bearing couples on modern contraceptive method to minimum of 4 types;</li> <li>7. Strengthened capacity of development institutions working on the population and plan parenthood sector in the central and regional administrations (inputs from BKKBN).</li> </ol>	<ol style="list-style-type: none"> <li>a. Unmet need of plan parenthood by 2019 to 9.9 (2012: 11.4);</li> <li>b. Percentage of child-bearing age couples with knowledge and awareness of all modern contraceptive methods to 70 by 2019 (2015: 16);</li> <li>c. The percentage of provincial, regency and municipal administrations to synchronize policies on regional development policies with population quality control policies to 40 policies by 2019 (2015: 5);</li> <li>d. The percentage of plan parenthood institutions at regional level by 2019 to: <ul style="list-style-type: none"> <li>- Type A: 15 (2015: 9.3);</li> <li>- Type B: 50 (2015: 50.7);</li> <li>- Type C: 25 (2015: 32.9).</li> </ul> </li> </ol>
5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.	<ol style="list-style-type: none"> <li>1. The availability of gender-responsive policies in the agricultural, forestry, fishery, maritime, food security and agribusiness sectors (laws, government regulations, presidential decrees, local bylaws);</li> <li>2. The availability of a policy framework to ensure equality for women in land ownership and/or control.</li> </ol>	NA

Global Targets	National Targets	National Indicators
5.b Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women	N/A	N/A
5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.	1. The availability of a gender-responsive policy on planning and budgeting in various sectors.	PMK

## Gap Analysis

### Legal protection.

As both international and national law in Indonesia recognize women's rights as human rights thus, it is an obligation for the Gol to not only adopt legislations and policies prohibiting discrimination, but also to refrain itself from facilitating discrimination against women. Therefore, it is important to take or optimize the measure to provide an ample legal protection for women by, among others, revoking any legislations, policies and bylaws discriminating women both at the national and local levels, including provinces, regencies and municipalities. While, to optimize the national effort to promote equality, it is also important to prioritize the adoption of the Gender Equality Bill, which is aimed at providing a legal umbrella for the prevention of gender discrimination.

### Violence against women.

Sexual violence, as well as domestic violence, remains a threat for women. According to Komnas Perempuan, on average there are 3.000 to 6.500 sexual violence cases against women annually.<sup>48</sup> It is, in fact, the second highest violence against women in domestic sphere, while the first one is physical violence. Therefore, it is important for the Gol to prioritize a legal framework to protect women from sexual violence by, among others, adopting the Elimination of Sexual Violence Bill. Moreover, as the practice of FGM is also widespread in Indonesia, it is also important for the Gol to adopt the SDGs global target to eliminate this harmful practice against women and girls (Target 5.3).

Furthermore, as it was mentioned earlier, the high number of cases of violence against women is contributed by the lack of adequacy in law enforcement, which has created the culture of impunity for the perpetrators. Therefore, it is important for the Gol also monitor the progress in the law enforcement with regard to providing adequate investigation, prosecution and conviction to perpetrators of violence against women.

### Women's leadership and ownership.

<sup>48</sup> Komnas Perempuan, LEMBAR FAKTA Kekerasan Seksual, Upaya Penanganan Komprehensif dan Dorongan Rancangan Undang-Undang Penghapusan Kekerasan Seksual, 2016, available at: <http://www.komnasperempuan.go.id/lembar-fakta-kekerasan-seksual-upaya-penanganan-komprehensif-dan-dorongan-rancangan-undang-undang-penghapusan-kekerasan-seksual-komnas-perempuan-jakarta-19-september-2016/>

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While women's leadership in politics, including their participation in high political and governmental offices, are important in the promotion of gender equality, women's participation in political leadership in Indonesia remained low. According to data from Komnas Perempuan in 2015, there were only 7.48% women candidates for local government leadership (governor, regent or mayor positions), while the rest, 92.52%, were men. To this end, it is necessary to include an indicator on the proportion of women holding those jobs.

As to land ownership, discriminatory traditional practices, with regard to inheritance, combined with lack of information and awareness of both the public and registration officers about the option of joint registration has contributed to the low joint ownership of land among married couples, who mostly registered their lands on behalf their husbands' names. According to a report by the UN Special Rapporteur on Adequate Housing, 65% of new titles are issued in the names of men and 30% in the names of women.<sup>49</sup> Therefore, it should also be a priority for the government to optimize its effort to promote gender equality in land ownership.

## **Human Rights Based Approach for the National Targets on Goal 5.**

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<sup>49</sup> See, UN Special Rapporteur on Adequate Housing, paragraph 66.

In light of the gaps in the indicators under Goal 5 of the SDGs, we would like to propose the following additional indicators to strengthen the impacts of the national development strategy to achieve gender equality and empower all women and girls.

Global Targets	National Targets	National Indicators	Proposed HRBA Indicators
5.1 End all forms of discrimination against all women.	1. Improved implementation of gender mainstreaming and empowerment in all sectors through the availability of gender responsive policies (laws, government regulations, presidential decrees, local bylaws).	a. The number of gender-responsive polices supporting women empowerment by 2019 to 16 (2015: 19); b. The number of institutions implementing policies on gender mainstreaming and empowerment by 2019: - Ministries/agencies: 60 (2015: 40) - Provinces: 34 (2015: 34) - Regency/Municipality: 20 (2015: 20)	- The number of revoked legislations, regulations and/or other policies discriminating women at the national and regional levels. - The adoption of the Gender Equality Bill (RUU Kesetaraan Jender).
5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.	1. Improved protection for women from all forms of violence, including from human trafficking; 2. Improved capacity of institutions providing protection for women from all forms of violence at the national and local levels (Book II, 1-22).	a. Decreased prevalence of cases of violence against girls (2013: 20.48); b. Prevalence of cases of violence against women to receive comprehensive services to 70% by 2019 (2015: 50%)	- The adoption of the Elimination of Sexual Violence Bill (RUU Kekerasan Seksual). - Percentage of perpetrators of violence against women and girls adequately investigated, prosecuted and convicted;



Global Targets	National Targets	National Indicators	Proposed HRBA Indicators
5.3 Eliminate all harmful practices, such as child early and forced marriage and female genital mutilation.	<ol style="list-style-type: none"> <li>1. Increased median age of first marriage among women (increased age for first marriage);</li> <li>2. Improved protection for women from all forms of violence, including from human trafficking;</li> <li>3. Improved capacity of institutions providing protection for women from all forms of violence at the national and local levels (Book II, 1-22).</li> <li>4. Decreased Age Specific Fertility Rate (ASFR) to 15-19 years old;</li> <li>5. Improved awareness among parents, teenagers and/or family members, on family roles;</li> <li>6. Increased the average year in school for people above the age of 15 years.</li> </ol>	<ol style="list-style-type: none"> <li>a. Median age for first marriage for women to 21 by 2019 (2012: 20.1);</li> <li>b. ASFR 15-19 years old by 2019 to 38 (2012: 48);</li> <li>c. Increased percentage of awareness among parents, teenagers and/or family members, on family roles to 50% by 2019 (2015 : 5);</li> <li>d. The average of year in school for people above the age of 15 years to 8.8 (2013: 8.14)</li> </ol>	<ul style="list-style-type: none"> <li>- Proportion of girls and women who have undergone female genital mutilation/cutting, by age;</li> <li>- The availability of law/regulation banning the practice of FGM.</li> </ul>

Global Targets	National Targets	National Indicators	Proposed HRBA Indicators
5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.	<ol style="list-style-type: none"> <li>1. Improved women's life quality and roles in various development sectors;</li> <li>2. Strengthened capacity of institutions in charge for gender mainstreaming.</li> <li>3. Increased participation in political parties to 30%;</li> <li>4. Increased awareness among stakeholders and society, including non-governmental organizations, research centers and business world in the implementation of gender mainstreaming in political and decision-making sectors.</li> </ol>	<ol style="list-style-type: none"> <li>a. Proportion of women's seats in parliament at the national level;</li> <li>b. Proportion of women's seats in parliament at the regional level;</li> </ol>	<ul style="list-style-type: none"> <li>- Proportion of women in leadership positions in central and regional government administration (echelon I-V). (in line with UN Women proposed indicator).</li> </ul>
5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.	<ol style="list-style-type: none"> <li>1. The availability of gender-responsive policies in the agricultural, forestry, fishery, maritime, food security and agribusiness sectors (laws, government regulations, presidential decrees, local bylaws);</li> <li>2. The availability of a policy framework to ensure equality for women in land ownership and/or control.</li> </ol>	NA	<ul style="list-style-type: none"> <li>- Share of women among owners or rights-bearers of land, including agricultural land, by type of tenure. (in line with UN Women proposed indicator).</li> </ul>

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## **The Roles of the UN Country System.**

The UN country team can support the Gol to achieve its targets on achieving gender equality and empower all women and girls by providing technical assistance, especially from UNICEF and UN Women, to assist the Gol in developing policies to optimize legal protection for women from discrimination and violence.

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## Goal 6. Ensure availability and sustainable management of water and sanitation for all

### Water and Sanitation As Basic Rights

Although the rights to water and sanitation are not specifically stated in the ICESCR, however, as water and sanitation are fundamental parts for every human being to sustain his/her life and health, therefore, they are also regarded as main elements for the fulfillment of the right to an adequate standard of living (Article 11 ICESCR) and the right to health (Article 12 ICESCR). In this light, the Committee of Economic, Social and Cultural Rights (CESCR) has finally adopted a General Comment No. 15 on the right to water, which also includes the right to sanitation.

#### General Comment No. 15

##### Paragraph 10.

*“The right to water contains both freedoms and entitlements. The freedoms include the right to maintain access to existing water supplies necessary for the right to water, and the right to be free from interference, such as the right to be free from arbitrary disconnections or contamination of water supplies. By contrast, the entitlements include the right to a system of water supply and management that provides equality of opportunity for people to enjoy the right to water.”*

##### Paragraph 12.

The right to water embodies, at least, the following elements:

1. **Availability:** The human right to water entitles everyone to sufficient and continuous water for personal and domestic uses. Likewise, a sufficient number of sanitation facilities has to be available.
2. **Quality:** Water has to be safe for consumption and other personal uses, so that it presents no threat to human health. Sanitation facilities must be hygienically and technically safe to use. To ensure hygiene, access to water for cleansing and hand washing at critical times is essential.
3. **Acceptability:** Sanitation facilities, in particular, have to be culturally acceptable. This will often require gender-specific facilities, constructed in a way that ensures privacy and dignity.
4. **Accessibility:** Water and sanitation services must be accessible to everyone within, or in the immediate vicinity, of house- hold, health and educational institution, public institutions and places and workplace. Physical security must not be threatened when accessing facilities.
5. **Affordability:** The price of sanitation and water services must be affordable for all without compromising the ability to pay for other essential necessities guaranteed by human rights such as food, housing and health care.

At the national level, the rights to health and an adequate standard of living are also enshrined in the 1945 Constitution. These rights are also reiterated in the Law No. 11/2005 a law on the Ratification of the ICESCR. Furthermore, Indonesia had once adopted a law regarding water resources management, namely the Law No.7/2004, but it was annulled by the Constitutional Court in 2015.

Potable water is still inaccessible for the majority of the Indonesian population. The UNPDF indicates that there are, at least, 42.8 percent of the population without sustainable access to an improved

water source, while approximately 55 million people (22 percent of the population) still practice open defecation in Indonesia.<sup>50</sup>

Pollution, catchment degradation, over-exploitation and poor management are the main factors threatening water quality and security, as well as accessibility.<sup>51</sup>

## National Targets on Water and Sanitation

The Gol found the following targets under Goal 6 on Ensure availability and sustainable management of water and sanitation for all in line with the National Mid-Term Development Plan (RPJMN):

Global Targets	National Targets	National Indicators
6.1 By 2030, achieve universal and equitable access to safe and affordable drinking water for all.	1. Increased access to services for adequate and sustainable drinking water and sanitation.	<p>a. Realization of 100% drinking water services, with 85% of the population will be served with access to water in accordance with the 4K principle and 15% will be served in accordance with of basic need services; (Baseline 2014: 70%, target 2019: 100%);</p> <p>b. Access to adequate drinking water.</p>
6.2 By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations.	<p>1. Increased access to services for adequate and sustainable drinking water and sanitation.</p> <p>2. Increased implementation of health promotion and empowerment for the society.</p>	<p>a. Achievement of 100% sanitation services (domestic wastewater, garbage, environmental drainage) namely, 85% of the population will be served in accordance with service standards, and 15% of the population will be served in accordance with the basic needs. (Baseline 2014: 60.9%, target 2019: 100%);</p> <p>b. Percentage of regencies/municipalities adopting the Hygienic and Healthy Lifestyle Guidance (PHBS) (Baseline 2014: 40%, target 2019: 80%).</p>

<sup>50</sup> UNPDF 2016-2020, page: 22.

<sup>51</sup> World Bank, Water Sanitation, 2015, available at:

<http://documents.worldbank.org/curated/en/566161467998461553/The-World-Bank-in-Indonesia-water-sanitation>

Global Targets	National Targets	National Indicators
6.3 By 2030, improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and substantially increasing recycling and safe reuse globally.	<ol style="list-style-type: none"> <li>1. Centralized municipal-level system of wastewater infrastructures in 438 cities/regencies.</li> <li>2. The fulfillment of raw water for households, urban areas and industries.</li> </ol>	<ol style="list-style-type: none"> <li>a. Number of regencies/ municipalities served with centralized municipal-level system of wastewater infrastructures (Baseline 2014: 60%, target 2019: 95%);</li> <li>b. Increased capacity of raw water infrastructures for households, urban areas and industries (Baseline 2014: 51,44 m3/second; target 2019: 118,5 m3/second).</li> </ol>
6.4 By 2030, substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and substantially reduce the number of people suffering from water scarcity.	<ol style="list-style-type: none"> <li>1. Improved condition and function of reservations and other water sources;</li> <li>2. Restored condition and function of reservations and other water sources.</li> </ol>	<ol style="list-style-type: none"> <li>a. Number of built retention basins and other water reservoirs. (Baseline 2014: 299, target 2019: 216);</li> <li>b. Number of improved/rehabilitated dams. (Baseline 2014: 7, target 2019:11)</li> <li>c. Number of improved/rehabilitated retention basins and other water reservoirs. Baseline 2014:55, target 2019: 143);</li> <li>d. Improved capacity of raw water infrastructures to serve both households, urban areas and industries. (Baseline 2014: 60%, target 2019: 95%);</li> <li>e. Number of built dams.</li> </ol>

Global Targets	National Targets	National Indicators
6.5 By 2030, implement integrated water resources management at all levels, including through transboundary cooperation as appropriate.	<ol style="list-style-type: none"> <li>1. Increased capacity of hydroelectric power plants;</li> <li>2. The availability of irrigation facilities and infrastructures;</li> </ol> <ul style="list-style-type: none"> <li>- Improved rehabilitation and conservation efforts to reduce unproductive lands for the benefit of watersheds and water protection for Priority Watersheds.</li> <li>- The availability of facilities and infrastructures for irrigation.</li> </ul>	<ol style="list-style-type: none"> <li>a. Capacity of hydroelectric power plants (PLTA);</li> <li>b. The availability of 1 million hectares of irrigated paddy fields and restored 3 million hectares irrigation networks. (Baseline 2014: 50.7 GW, target 2019: 86.6 GW)</li> <li>c. Number of priority watersheds with increased springs through vegetative water resources conservation, retention basins, control and retaining dams and gully plugs in upstreams watersheds as well as absorbing wells. (Target 2019: 15 watersheds, no baseline)</li> <li>d. 19 interstate watersheds to have MoU/status</li> <li>e. Increased certainty of water resources for irrigation from reservoirs through the completion of 16 reservoirs constructions and the construction of 49 new reservoirs;</li> <li>f. Number of retention basins and other constructed water reservoirs. (target 2019: 216, no baseline)</li> <li>g. Coverage of irrigation network services constructed/improved. target 2019: 35763,83, no baseline);</li> <li>h. Coverage of constructed/improved soil water irrigation. (target 2019: 3.482,00, no baseline).</li> </ol>

Global Targets	National Targets	National Indicators
<p>6.6 By 2020, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes.</p>	<p>1. Improved rehabilitation and conservation efforts to reduce unproductive lands for the benefit of watersheds and water protection for Priority Watersheds.</p>	<ul style="list-style-type: none"> <li>a. Number of restored priority watersheds through the construction of retention basins, control and retaining dams, and small-scale and medium-scale dams in upstreams areas (target 2019: 15 watersheds, no baseline);</li> <li>b. Decreased number of unproductive lands to 5.5 million hectares through rehabilitation by the Forest Management Unit (KPH) and watersheds;</li> <li>c. Number of priority watersheds with increased springs through vegetative water resources conservation, retention basins, control and retaining dams and gully plugs in upstreams watersheds as well as absorbing wells. (Target 2019: 15 watersheds, no baseline)</li> <li>d. Number of priority lakes with increased water quality and tropical status to, at least, mesotrophic, amount to as much 15 priority lakes;</li> <li>e. Percentage of the preparation for improved/rehabilitated dams, retention basins, as well as other water reservoirs, to 100% of the total number of improvement/rehabilitation annually;</li> <li>f. Number of priority lakes, with average of &lt;1% shallowing from each lake's depth inasmuch as 15 priority lakes.</li> <li>g. Number of priority lakes with decreased erosion level to a tolerable limit in catchment area in 15 priority lakes.</li> </ul>



Global Targets	National Targets	National Indicators
6.6 By 2020, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes.	1. Improved rehabilitation and conservation efforts to reduce unproductive lands for the benefit of watersheds and water protection for Priority Watersheds.	<ul style="list-style-type: none"> <li>a. Number of restored priority watersheds through the construction of retention basins, control and retaining dams, and small-scale and medium-scale dams in upstreams areas (target 2019: 15 watersheds, no baseline);</li> <li>b. Decreased number of unproductive lands to 5.5 million hectares through rehabilitation by the Forest Management Unit (KPH) and watersheds;</li> <li>c. Number of priority watersheds with increased springs through vegetative water resources conservation, retention basins, control and retaining dams and gully plugs in upstreams watersheds as well as absorbing wells. (Target 2019: 15 watersheds, no baseline)</li> <li>d. Number of priority lakes with increased water quality and tropical status to, at least, mesotrophic, amount to as much 15 priority lakes;</li> <li>e. Percentage of the preparation for improved/rehabilitated dams, retention basins, as well as other water reservoirs, to 100% of the total number of improvement/rehabilitation annually;</li> <li>f. Number of priority lakes, with average of &lt;1% shallowing from each lake's depth inasmuch as 15 priority lakes.</li> <li>g. Number of priority lakes with decreased erosion level to a tolerable limit in catchment area in 15 priority lakes.</li> </ul>
6.a By 2030, expand international cooperation and capacity-building support to developing countries in water- and sanitation-related activities and programmes, including water harvesting, desalination, water efficiency, wastewater treatment, recycling and reuse technologies.	1. Increased budget for water and sanitation developments allocated in the State Budget (APBN).	NA

Global Targets	National Targets	National Indicators
6.b Support and strengthen the participation of local communities in improving water and sanitation management.	NA	NA

## Gap Analyses

Although access to improved water and sanitation remained low for many Indonesians, the poorest households are the most affected by it. According to UNICEF, 400 children, mostly came from poor and most marginalized families, die everyday in Indonesia from treatable diseases, such as pneumonia and diarrhea.<sup>52</sup> Diarrhea attributed to poor quality of water, sanitation and hygiene (WASH) has taken the lives of 73.921 children in 2015 alone.<sup>53</sup>

Remote indigenous communities in Indonesia are also deprived from access to potable water. Many indigenous communities are still practicing a nomadic lifestyle near forests and very much relied on natural water sources such as rivers and lakes, while the massive pollution attributed to extractive industries, as well as deforestations, which have increased erosion, are threatening the access to water for remote indigenous communities.<sup>54</sup> Therefore, indigenous communities, especially the remote ones, should also be considered as a priority group to receive assistance with regard to improving their access to potable water and their awareness on adequate sanitation.

Furthermore, community involvement and supports are also important to ensure the sustainability of water and sanitation management in the local communities.

## Human Rights Based Approach for the National Targets on Goal 6.

In light of the aforementioned gaps in the indicators under Goal 6 of the SDGs, we would like to propose the following additional indicators to strengthen the impacts of the national development strategy to ensure availability and sustainable management of water and sanitation for all.

<sup>52</sup> UNICEF, Some 35 million more children under five at risk if child mortality goal not met, 2013, available at: [https://www.unicef.org/indonesia/media\\_21391.html](https://www.unicef.org/indonesia/media_21391.html).

<sup>53</sup> UNICEF, Diarrhea as a Cause of Death, 2015, available at: <https://data.unicef.org/topic/child-health/diarrhoeal-disease/>

<sup>54</sup> See, Bappenas, Masyarakat Adat di Indonesia: Menuju Perlindungan Sosial yang Inklusif, 2013, page. 22-14, available at: [http://www.bappenas.go.id/index.php/download\\_file/view/16955/8604/](http://www.bappenas.go.id/index.php/download_file/view/16955/8604/)

Global Targets	National Targets	National Indicators	Proposed HRBA Indicators
6.1 By 2030, achieve universal and equitable access to safe and affordable drinking water for all.	1. Increased access to services for adequate and sustainable drinking water and sanitation.	A. Realization of 100% drinking water services, with 85% of the population will be served with access to water in accordance with the 4K principle and 15% will be served in accordance with of basic need services; (Baseline 2014: 70%, target 2019: 100%);  B. Access to adequate drinking water.	- Proportion of poor population, including indigenous population, that have the access to, at least, 60 liters per day for a single person (in line with WHO minimum standard and the Public Works Ministerial Decree No. 14/2010).
6.2 By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations.	1. Increased access to services for adequate and sustainable drinking water and sanitation.  2. Increased implementation of health promotion and empowerment for the society.	a. Achievement of 100% sanitation services (domestic wastewater, garbage, environmental drainage) namely, 85% of the population will be served in accordance with service standards, and 15% of the population will be served in accordance with the basic needs. (Baseline 2014: 60.9%, target 2019: 100%);  b. Percentage of regencies/municipalities adopting the Hygienic and Healthy Lifestyle Guidance (PHBS) (Baseline 2014: 40%, target 2019: 80%).	- Proportion of poor households, including indigenous groups, that have the access to an adequate sanitation.
6.b Support and strengthen the participation of local communities in improving water and sanitation management.	NA	NA	- National water resource management and sanitation policies that contain provisions and procedures for participation of local communities.

## The Roles of the UN Country System.

The UN country team can support the GoI to achieve its targets on water and sanitation management through the continuation of the UN community-led sanitation, as well as the Water, Sanitation & Hygiene (WASH) projects. UNICEF and WHO, as the leading organizations to implement WASH project, can provide a strong partnership and technical assistance for the GoI to obtain targets

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related to SDG 6 to ensure availability and sustainable management of water and sanitation in Indonesia.

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## Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

### The Right to Work as a Human Right.

The right to work is promulgated in the ICESCR, particularly in articles 6, 7 and 8. The ICESCR does not only establish the legal recognition for the right to work as a human right, but it also provides the breadth of the concept for the right to work itself, which contains not only the obligation for States to guarantee the access to employment for everyone, but it also specifies the right of every person to just and favorable conditions of work as follows:

- Fair wages and equal remuneration for work of equal value without distinction of any kind;
- A decent living for the workers and their families;
- Safe and healthy working conditions;
- Equal opportunity in promotion, based on seniority and competence;
- Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.

Furthermore, in addition to the individual dimension of the right to work, the ICESCR also provides the collective right of workers to form and join trade unions of their choice.

In the General Comment No.18, the Committee on Economic, Social and Cultural Rights (CESCR), as with other rights under the ICESCR, elaborates the basic elements of the right to work, which comprises of some availability, accessibility, acceptability and quality.

#### General Comment No. 18 on the Article 6 of the ICESCR.

##### **Paragraph 12:**

The exercise of work in all its forms and at all levels requires the existence of the following interdependent and essential elements, implementation of which will depend on the conditions present in each State party:

- (a) *Availability*. States parties must have specialized services to assist and support individuals in order to enable them to identify and find available employment;
- (b) *Accessibility*. The labour market must be open to everyone under the jurisdiction of States parties. Accessibility comprises three dimensions:
  - Non-discriminatory;
  - Physical accessibility, with regard to paragraph 22 of general comment No. 5 on persons with disabilities;
  - Accessibility includes the right to seek, obtain and impart information on the means of gaining access to employment through the establishment of data networks on the employment market at the local, regional, national and international levels;
- (c) notably the right of the worker to just and favorable conditions of work, in particular to safe working conditions, the right to form trade unions and the right freely to choose and accept work.

In Indonesia, the right to work is enshrined in the 1945 Constitution, particularly in Articles 27 paragraph (2) and 28 paragraph (1). In addition to the recognition of the right to work under the Law No. 11/2005 on the Ratification of the ICESCR, as well as the ratification of various ILO conventions, Indonesia has a domestic Manpower Act No.13/2003, providing legal basis for the protection of most of the decent work elements.

Despite the legal recognition for the right to work, it is estimated that 60 percent of employed people are in vulnerable employment and one in three are 'low pay'. Trends indicate that the formal economy is being informalized and compliance with minimum wage rates is low.<sup>55</sup>

With regard to collective dimension of the right to work, Indonesia shows a declining trend in trade union number and density. ILO noted that the rate of union density was only around 12 percent of all employees in 2009.<sup>56</sup> Moreover, in addition to Trade Union, labor inspectors also play an important role in ensuring the compliance of employers in fulfilling workers' rights at workplace, however, the number of these inspectors is still low and insufficient compared to the number of companies in Indonesia.

## **The National Targets on Economic Growth, Productive Employment and Decent Work.**

The global SDGs aims to achieve 12 targets with regard to economic growth, productive employment and decent work. The following is a table showing the national targets and indicators found suitable by the Gol, with regard to the RPJMN 2015-2019.

Global Targets	National Targets	National Indicators
8.1 Sustain per capita economic growth in accordance with national circumstances and, in particular, at least 7 per cent gross domestic product growth per annum in the least developed countries.	1. Annual growth rate of real GDP per capita.	a. GDP per capita of IDR. 72.217 in 2019.
8.2 Achieve higher levels of economic productivity through diversification, technological upgrading and innovation, including through a focus on high-value added and labour-intensive sectors.	1. Gradual changes of the employment structures from low productivity sectors/sub-sectors to high productivity sectors/sub-sectors.	NA
8.3 Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro-, small- and medium-sized enterprises, including through access to financial services.	1. Increased number of formal workers; 2. Increased access to micro and small scales businesses to develop skills, guidance, business capital, and technology development.	a. 51% formal workers in 2019. b. Increased access to financial services for small and micro scales businesses to 25% in 2019.

<sup>55</sup> UNPDF

<sup>56</sup> ILO, Decent Work Country Profile: Indonesia, 2011.

Global Targets	National Targets	National Indicators
8.4 Improve progressively, through 2030, global resource efficiency in consumption and production and endeavour to decouple economic growth from environmental degradation, in accordance with the 10-Year Framework of Programmes on Sustainable Consumption and Production, with developed countries taking the lead.	1. Improvement of sustainable consumption and production.	NA
8.5 By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.	<ol style="list-style-type: none"> <li>1. Creation of 10 millions of employment opportunities for the period of 5 years.</li> <li>2. The availability of a wage policy as a legal umbrella.</li> <li>3. Decreased of open unemployment rate to 4-5% in 2019</li> </ol>	<ol style="list-style-type: none"> <li>a. Employment opportunities ratio for productive workforce (age 15 years old and above), disaggregated by sex, age, and disability status;</li> <li>b. Wage comparison between workers within the same job roles, disaggregated by sex, age and disability status;</li> <li>c. Open unemployment rate, disaggregated by sex and age.</li> </ol>
8.6 By 2020, substantially reduce the proportion of youth not in employment, education or training.	1. Increased skills among vulnerable workers to be able to enter the employment market.	a. Percentage of young people (15-24 years) who are not in school or employment.
8.7 Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.	1. Strengthened child protection system, including the effort to protect children from violence, exploitation, abandonment and other mistreatments.	a. Percentage and number of children between the age of 5-17 years engaged in child labour, disaggregated by sex and age.
8.8 Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment	<ol style="list-style-type: none"> <li>1. The creation of safe and healthy workplaces</li> <li>2. The creation of harmonic industrial relations among unions and employers.</li> </ol>	a. Frequency level of fatal and non-fatal work-related accidents, disaggregated by sex and migrant status.

Global Targets	National Targets	National Indicators
8.9 By 2030, devise and implement policies to promote sustainable tourism that creates jobs and promotes local culture and products.	1. Increased contribution to GDP from tourism sector and the number of foreign and domestic tourists.	a. 8% contribution from tourism sector to GDP by 2019; b. 20 million foreign tourists by 2019; c. 275 million visits from domestic tourists by 2019 d. 240 billion of foreign currency income by 2019; e. Number of employment in tourism sector (in comparison with the percentage of total employments and employment growth, segregated by sex).
8.10 Strengthen the capacity of domestic financial institutions to encourage and expand access to banking, insurance and financial services for all.	1. Expanded access to financial capital and services by strengthening financial services.	a. Average distance to financial institutions (banks), in kilometers.
8.a Increase Aid for Trade support for developing countries, in particular least developed countries, including through the Enhanced Integrated Framework for Trade-related Technical Assistance to Least Developed Countries.	1. Increased roles of Indonesia in south to south and triangular cooperations.	NA
8.b By 2020, develop and operationalize a global strategy for youth employment and implement the Global Jobs Pact of the International Labour Organization.	1. Increased coverage of basic services and the access to productive economy for the poor; and increased memberships of the National Social Security Program for workers.	a. 100% memberships of Health Insurance program by 2019; b. 62,5 million memberships of the National Social Security Program for workers by 2019; c. 3,5 million of formal workers by 2019.

## Gap Analyses.

According to data from the National Statistic Agency, out of more than 118 million workers in 2016, there are only around 50 million among them employed in the formal sector.<sup>57</sup> Unfortunately, despite the fact that more than half of workers in Indonesia are employed informally, the legal protection for informal workers is deemed inadequate. Informal workers, especially those who are working as domestic or home workers are commonly underpaid and facing unreasonable working hours, without being provided with health benefit nor employment security.

<sup>57</sup> See, BPS, Penduduk 15 Tahun Ke Atas Menurut Status Pekerjaan Utama 1986 - 2016, available at: <https://www.bps.go.id/linkTabelStatis/view/id/971>



Therefore, in order to fully protect the right of informal workers to enjoy decent work, it is important for the government to provide a stronger legal framework to protect informal workers from exploitation.

Exploitation against children in labor force should also be tackled vigorously. Therefore it is important for the Gol to closely monitor the worst forms of child labor, particularly in the areas of agriculture, industry and services where millions of children have been used as labors.

Furthermore, in order to strengthen the national compliance of labor rights, it is important for the Gol to fully protect the freedom of association and to prohibit the practice of union busting, as trade unions are an important element in balancing the power between employers and workers. Moreover, in addition to trade unions, the role of Labor Inspectors is also important in improving the national compliance. Currently, there is only 0,6 inspector per 100 companies, this number is clearly far from being sufficient, as the Indonesian Labor Inspectorate can only conduct inspection of labor rights compliance in only 5 to 10 percent of registered companies annually. Therefore, it is necessary for the government to increase the number of Labor Inspectors as part of its effort to protect labor rights and the implementation of decent work in the country.

## **Human Rights Based Approach for the National Targets on Goal 8.**

In light of the above gap analyses, we propose the following additional indicators to strengthen the national development strategy to improve the access to health for all Indonesians.

<b>Global Targets</b>	<b>National Targets</b>	<b>National Indicators</b>	<b>Proposed HRBA Indicators</b>
8.5 By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.	<ol style="list-style-type: none"> <li>1. Creation of 10 millions of employment opportunities for the period of 5 years.</li> <li>2. The availability of a wage policy as a legal umbrella.</li> <li>3. Decreased of open unemployment rate to 4-5% in 2019</li> </ol>	<ol style="list-style-type: none"> <li>a. Employment opportunities ratio for productive workforce (age 15 years old and above), disaggregated by sex, age, and disability status;</li> <li>b. Wage comparison between workers within the same job roles, disaggregated by sex, age and disability status;</li> <li>c. Open unemployment rate, disaggregated by sex and age.</li> </ol>	<ul style="list-style-type: none"> <li>- The availability of policies protecting informal workers of their rights to enjoy fair wages and safe and healthy workplaces;</li> <li>- The adoption of a legislation/policies protecting the rights of domestic workers.</li> </ul>

Global Targets	National Targets	National Indicators	Proposed HRBA Indicators
8.7 Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.	1. Strengthened child protection system, including the effort to protect children from violence, exploitation, abandonment and other mistreatments.	a. Percentage and number of children between the age of 5-17 years engaged in child labour, disaggregated by sex and age.	- Include desegregation by worst forms of child labour. (in line with UNICEF proposed indicator)
8.8 Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment	1. The creation of safe and healthy workplaces 2. The creation of harmonic industrial relations among unions and employers.	a. Frequency level of fatal and non-fatal work-related accidents, disaggregated by sex and migrant status.	- Include the global indicator 8.8.2.: <i>"Increase in national compliance of labour rights (freedom of association and collective bargaining) based on International Labour Organization (ILO) textual sources and national legislation, by sex and migrant status."</i>  - Increase number of labor inspectors.

## The Roles of the UN Country System.

The UN Country system in Indonesia is committed to play a strong role to assist the GoI to achieve SDGs with three main modalities namely policy advocacy and advisory, capacity building and knowledge sharing.

With regard to economic growth, productive employment and decent work, the International Labor Organization (ILO) would be an important partner for the GoI to implement its plan to achieve the SDG 8 targets, since the ILO in Indonesia is focusing on building an integrated development that links rights at work and social dialogue with employment policies and social protection.

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## Goal 10. Reduce inequality within and among countries

Inequality is one of the biggest obstacles in the realization of human rights. The impacts of inequality to the society can be very damaging as it creates poverty, marginalization and, eventually, conflicts. A World Social Science Report by UNESCO on Challenging Inequalities identifies seven dimensions of inequality namely, economic inequality, social inequality, cultural inequality, political inequality, environmental inequality, spatial inequality and knowledge inequality.<sup>58</sup> Each of those dimensions is intersecting, as one dimension of inequality could create another form of inequality, for instance, poor communities, who are already become victims of economic inequality, may face bigger obstacles, compared to those who are not poor, in accessing quality education. When a community is deprived from access to education and knowledge, it would affect their capability to make informed decisions and to fully participate politically in any policy-making processes which will affect their lives. From that example, we can see how one dimension of inequality namely, economic inequality, creates knowledge inequality and, eventually, political inequality.

### Human Rights Principles to Tackle Inequalities.

Given the fact that inequality increases deprivation of human rights, the international human rights system has strived to tackle inequality through the embodiment and reiteration of the twin principles of equality and non-discrimination in almost all human rights instrument.

#### **Article 2, Universal Declaration of Human Rights:**

*“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.”*

#### **Article 2 paragraph (2), International Covenant on Economic, Social and Cultural Rights:**

*“The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”*

#### **Article 2 paragraph (1), International Covenant on Civil and Political Rights:**

*“Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”*

While, the Office of the UN Human Rights Committee provides a more elaborated definition of equality and non-discrimination principles as follows:

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<sup>58</sup> UNESCO, World Social Science Report, Challenging Inequalities: Pathways to a Just World, 2016, page: 22.

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*“The right to equality and the principle of non-discrimination are among the most fundamental elements of international human rights law. The right to equality guarantees, first and foremost, that all persons are equal before the law, which means that the law shall be formulated in general terms applicable to every individual and shall be enforced in an equal manner. Secondly, all persons are entitled to equal protection under the law against arbitrary and discriminatory treatment by private actors. In this regard, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability and health status, including HIV/AIDS, age, sexual orientation or other status.”<sup>59</sup>*

The protection of everyone against inequality and discrimination is paramount for every State in order to implement its human rights obligations. To this end, governments shall not only refrain themselves from committing any discriminatory acts, but they must also protect everyone in their jurisdictions from any forms of discrimination committed by private actors. This can be done by, among others, adopting anti discrimination law and creating policies and programs to combat discriminatory practices and traditions in the society and ensuring that everyone has equal accesses and opportunities to the enjoyment of human rights and development.

## **National Targets on Reducing Inequality.**

Similar to many countries in the world, Indonesia is also struggling with inequality. A report by the World Bank in 2015 finds that inequality in Indonesia is moving faster compared to its neighbors in the East Asian region, with the richest group in Indonesia has 50 percent of the nation's income.<sup>60</sup> While, Oxfam finds that 4 richest men in Indonesia owns more wealth than the poorest 100 million people.<sup>61</sup> Oxfam also finds that some of the problems that perpetuate inequality in Indonesia are as follows:<sup>62</sup>

- low wages and insecure work for those at the bottom further compounds inequality;
- unequal access between rural and urban areas to infrastructure such as electricity and good quality roads compounds spatial inequalities;
- A concentration of land ownership in the hands of big corporations and wealthy individuals means that the benefits of land ownership accrue to those at the top, at the expense of the rest of society.

As a result of the staggering inequality, many Indonesians are deprived from various access to public services, including healthcare, education, as well as other enjoyment of human rights, such as an adequate standard of living, access to decent work and justice institutions. Furthermore, there is a strong indication that in areas where economic inequality is high, violent crime is higher. Also, districts with higher level of inequality have rates of conflict 1.6 times higher than districts with lower levels of inequality.<sup>63</sup>

With regard to Goal 10 on reducing inequality within the country, the Government of Indonesia (GoI) has tried to harmonize its national development priorities with the global targets set out in the Goal 10 as we can see in the following matrix.

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<sup>59</sup> OHCHR, Principles and Guidelines for A Human Rights Approach To Poverty Reduction Strategies, 2012, page: 9. Available at: <http://www.ohchr.org/Documents/Publications/PovertyStrategiesen.pdf>

<sup>60</sup> The World Bank, Indonesia: Rising Inequality Risks Long-Term Growth Slowdown, available at: <http://www.worldbank.org/en/news/press-release/2015/12/08/rising-inequality-risks-long-term-growth-slowdown>

<sup>61</sup> Oxfam, TOWARDS A MORE EQUAL INDONESIA, available at: [https://www.oxfam.org/sites/www.oxfam.org/files/bp-towards-more-equal-indonesia-230217-en\\_0.pdf](https://www.oxfam.org/sites/www.oxfam.org/files/bp-towards-more-equal-indonesia-230217-en_0.pdf)

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

Global Target	National Target	National Indicator
10.1 By 2030, progressively achieve and sustain income growth of the bottom 40 per cent of the population at a rate higher than the national average.	<ol style="list-style-type: none"> <li>1. Realization of a just and equitable development.</li> <li>2. Improved living standard among the bottom 40% of the population.</li> </ol>	<ol style="list-style-type: none"> <li>a. Gini coefficient of 3,6 by 2019;</li> <li>b. Decreased percentage of the population living in poverty to 7-8% by 2019;</li> <li>c. Decreased number of alleviated underdeveloped areas to 42 areas and 80 alleviated regencies by 2019;</li> <li>d. Increased average of economic growth to 7,24% in underdeveloped areas, by 2019;</li> <li>e. Decreased percentage of poor population in underdeveloped areas to 14% by 2019;</li> <li>f. 100% access to nutritious food by 2019.</li> </ol>
10.2 By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.	NA	NA
10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.	<ol style="list-style-type: none"> <li>1. Strengthened a conducive climate for civilized democracy, preservation of peace and strengthened the spirit of unity and oneness.</li> </ol>	<ol style="list-style-type: none"> <li>a. Increased score of security index;</li> <li>b. Increased score of tolerance index;</li> <li>c. Decreased number of social conflicts annually;</li> <li>d. Increased score of mutual cooperation index;</li> <li>e. Increased score of Indonesian democracy index;</li> <li>f. Increased score of Civil Liberty Index;</li> <li>g. Increased score of political rights Index;</li> <li>h. Increased score of democratic institutions index;</li> <li>i. Decreased number of conflicts on the grounds of ethnicity, religion, race and inter-group relations.</li> </ol>

Global Target	National Target	National Indicator
10.4 Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality.	1. Improved implementation of the National Social Security System (SJSN).	a. Increased number of the SJSN membership to 62,4 million members by 2019. b. Formal workers... c. Increased number of informal workers to 3,5 million workers by 2019. d. Increased percentage of the National Health Insurance Program (SJSN Kesehatan) to a minimum of 95% by 2019.
10.5 Improve the regulation and monitoring of global financial markets and institutions and strengthen the implementation of such regulations.	1. Increased economic growth and the stability of the global financial system.	NA
10.6 Ensure enhanced representation and voice for developing countries in decision-making in global international economic and financial institutions in order to deliver more effective, credible, accountable and legitimate institutions.	1. Strengthened Indonesia's economic diplomacy in bilateral, multilateral, regional and global forum; 2. Strengthened Indonesia's roles in APEC and G-20 advocating the interests of Indonesia and other developing countries; 3. Strengthened roles and leadership in multilateral forum.	a. 85% of acceptance for Indonesia in multilateral forum on the issues of development, economy and environment. b. 80% of Indonesian leadership in multilateral forum on the issues of development, economy and environment.
10.7 Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.	1. Improved quality of protection for Indonesian citizens/entities abroad; 2. Expanded cooperation for the protection of migrants' rights and safety.	a. Training and placement processes (medical check-up, airplane tickets) from private sector (prospective worker) and bank credit.
10.a Implement the principle of special and differential treatment for developing countries, in particular least developed countries, in accordance with World Trade Organization agreements.	1. Increased benefits from the agreed schemes of international economic dialogues.	NA

Global Target	National Target	National Indicator
10.b Encourage official development assistance and financial flows, including foreign direct investment, to States where the need is greatest, in particular least developed countries, African countries, small island developing States and landlocked developing countries, in accordance with their national plans and programmes.	<ol style="list-style-type: none"> <li>1. Strengthened Indonesia's roles in the south-to-south and triangular cooperations.</li> <li>2. Strengthened positive image of Indonesia through its strengthened roles in the provision of quality technical assistances.</li> </ol>	<ol style="list-style-type: none"> <li>a. By 2019, 75% of positive responses to the technical assistance provided through bilateral and triangular mechanisms.</li> <li>b. The number of promotional activities.</li> <li>c. Expansion of partnership for the provision of technical assistances in south-to-south and triangular partnerships: 6 reports by 2019.</li> </ol>
10.c By 2030, reduce to less than 3 per cent the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5 per cent.	<ol style="list-style-type: none"> <li>1. Expansion of bank branches and ATM network to facilitate migrant households receiving remittances.</li> <li>2. G-20 Forum: Encouraging businesses to lower remittance costs.</li> </ol>	NA

## Gap Analyses

It is highly appreciated that the Gol is intending to harmonize almost all of the targets under Goal 10 into its development agenda. However, since some of the targets and indicators under SDG 10 are intersecting with other goals, particularly goals on poverty and decent work, therefore we will only focus on one specific human-right related target under Goal 10 namely, ensuring equal opportunity and reducing inequalities of outcome (10.3).

Since target 10.3 does not only aim at ensuring equal opportunity, but also at reducing inequality of outcome, therefore we would like to focus on the most disadvantage groups where discrimination, and marginalization have not only been depriving them from the enjoyment of their basic human rights, but have also made them a target of violence and hate namely, religious minority groups and people who have different sexual orientation, gender identity and/or expression, particularly lesbians, gays, transgender and intersexual persons (LGBTI).

Religious minorities in Indonesia have been struggling with discrimination ranging from difficulty to obtain permits to build places for worship, to persecution. Shia and Ahmadiyah groups are arguably the most targeted groups as they are stigmatized as deviant religious sects. The stigmatization have made them vulnerable to intimidation and violence from hard-line groups.<sup>64</sup> Moreover, the two groups have been systematically discriminated by various policies and regulations on the grounds of their religions. Lack of protection and discriminatory attitude by the State, especially by local governments, have sparked vigilanteism from intolerance groups targeting these communities with hate and violence. Moreover, many Shiah and Ahmadiyah followers were evicted from their homes to live in precarious conditions in refugee camps.

<sup>64</sup> see, Human Rights Watch, In Religion's Name: Abuses against Religious Minorities in Indonesia, 2013, page.1.

While, LGBTI communities are also facing similar situation, as they are also stigmatized by the society as practicing deviant sexual behaviors. Lack of protection and systemic discrimination against LGBTI people in Indonesia have resulted into widespread violence endured by them. A research conducted in 2013 shows that 89.3 percent of LGBTI people in Indonesia have experienced violence in their lifetime.<sup>65</sup> Furthermore, LGBTI people have also been facing difficulties in obtaining jobs, especially in the formal sector. As for transgender people, even jobs in the informal sector are very hard to get. A recent report finds that more than 84 percent of transgender women in Jakarta work on the street as sex workers or street singers (*pengamen*).<sup>66</sup> As a result, poverty is widespread among LGBTI communities in Indonesia. According to another recent report, there are 31 percent of LGBTI people living on less than 1 million rupiah per month, while 38 percent living on 1-2.5 million rupiah, which arguably more than half of the number only live on less than 1.5 million per month.<sup>67</sup> The situation is more severe in transgender community, where more than 94 percent of transgender women are living on 500 thousand to 1 million rupiah.<sup>68</sup>

Therefore, in order to ensure equality and reduce inequality of outcome in accordance to Target 10.3, it is necessary for the Gol to not only revoke discriminatory laws/regulations/policies against religious, sexual and gender minority groups, but it is also important to adopt an anti discrimination law to protect these groups from discrimination and violence. Moreover, it is also important for the Gol to promote equality through education and campaign to tackle stigmatization and traditional views in the society hampering the full protection of the minority groups to enjoy their human rights.

## Human Rights Based Approach for the National Targets on Goal 10.

In light of the situation of the most disadvantage groups in Indonesia, as presented in the Gap Analyses section, we highly recommend the Gol to take account of the following human rights aspects in order to ensure equal opportunity and reduce inequality of outcome in Indonesia.

National Target	National Indicator	Proposed HRBA Indicators
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<sup>65</sup> Arus Pelangi, *Menguak Stigma, Kekerasan & Diskriminasi Pada LGBT di Indonesia*, 2013, page: 62.

<sup>66</sup> See, Sanggar Swara, *Situasi Waria Muda di DKI Jakarta*, available at: <http://aruspelangi.org/project/situasi-waria-muda/>

<sup>67</sup> The basic minimum living cost in Indonesia is 1,813.396 rupah per month. See: <https://www.bps.go.id/linkTableDinamis/view/id/1212>

<sup>68</sup> See, Sanggar Swara, *Op.cit.*



<p>10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.</p>	<ul style="list-style-type: none"> <li>a. Proportion of the population reporting having personally felt discriminated against or harassed within the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law;</li> <li>b. Civil Liberty Index;</li> <li>c. The number of human rights complaints being handled;</li> <li>d. The number of human rights complaints being handled, particularly on violence against women;</li> <li>e. The number of discriminatory policies within the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law.</li> </ul>	<ul style="list-style-type: none"> <li>- Revocation all discriminatory laws, regulations and policies depriving anyone from exercising their rights to freedom of religion, thought and conscience;</li> <li>- Revocation of all discriminatory laws, regulations and policies depriving anyone from the enjoyment of their human rights on the grounds of sexual orientation, gender identity and/or expression;</li> <li>- Enactment of an anti-discrimination law, prohibiting any discriminatory practices against anyone on any grounds, including sexual orientation, gender identity and/or expression;</li> <li>- Adoption of hate crimes and hate speech as punishable acts in the Penal Code;</li> <li>- The number of prosecuted and convicted individuals committing violence against anyone based on hate against one's religion, sexual orientation, gender identity and/or expression;</li> <li>- Adoption of an integrated citizenship curriculum promoting the principles of inclusion, tolerance, non-discriminatory and human rights through school curriculum at all educational level.</li> </ul>
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## The Roles of the UN Country System.

The UN country team can support the GoI to achieve SDG 10 through various technical assistances. As for Target 10.3 on ensuring equality and reducing inequalities of outcome, the GoI can benefit from projects implemented by UNESCO with regard to the promotion of inclusive education, aiming at assisting in the provision of a sound understanding and supporting for the principle of inclusion and its implications which could be applied in the school system by the national and local governments, schools and teachers.

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## **Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.**

### **Peace and Justice as Human Rights**

The Goal 16 covers a large part of the civil and political dimensions of human rights. It includes the right to life, the right to be free from torture and slavery, the right to freedom of information, the right to political participation, the right to legal personality, as well as the right to access to justice. These are the rights embodied in the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights and other international human rights instruments, which mostly have been ratified by the GoI, namely the Convention Against Torture (CAT) and the Convention on the Rights of the Child (CRC).

Most of these civil and political rights are also enshrined in the 1945 Constitution, as well as in the Law number 39/1999 on Human Rights. Moreover, with regard to the right to access to justice, Indonesia has passed a law on legal aid (Law no. 16/2011), which has been officially implemented since 2013. The law sets out legal aid as a right and guarantee the right to free legal aid for the poor.

Indonesia is still struggling to resolve various issues regarding the protection of the civil and political rights of its citizens. With regard to the right to life, apart from the ongoing practice of death penalty, deaths from excessive use of force by are still occurred, especially in conflict area like Papua.<sup>69</sup> The National Commission on Human Rights (Komnas HAM) also reported that there were 230 reports on violations of the right to life in 2016 alone.<sup>70</sup> Moreover, torture is still often practiced by law enforcement apparatuses. In 2016, Komnas HAM received 142 reports on torture.<sup>71</sup>

Furthermore, in the justice sector, Indonesia is also still facing problems with the accountability of its justice system. The World Justice Index 2015 scored Indonesian criminal justice system only 0.37, while the civil justice system is slightly better with a score of 0.47, in a scale of 0.00 as the lowest score, to 1.00 as the highest score. It reflects the necessity for GoI to improve the justice system in order to strengthen the access to justice for everyone.

### **The National Targets on Peace and Justice.**

There are 12 targets under Goal 16 on the promotion of peace and justice, and the government found all those targets are in line with the national medium-term development plan (RPJMN) 2015-2019.<sup>72</sup>

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<sup>69</sup> According to Human Rights Watch, there were at least 11 people were killed in Papua, in 2015, due to the use of excessive force by law enforcement/military personnel. See, Human Rights Watch, World Report 2015, 2016, available at: <https://www.hrw.org/world-report/2016/country-chapters/indonesia>

<sup>70</sup> Komnas HAM, REKAP DATA PENGADUAN KOMNAS HAM TAHUN 2016, available at: [https://www.komnasham.go.id/files/20170117-data-pengaduan-tahun-2016-\\$P5WKG.pdf](https://www.komnasham.go.id/files/20170117-data-pengaduan-tahun-2016-$P5WKG.pdf)

<sup>71</sup> Ibid.

<sup>72</sup> Bappenas, Zero Draft: PEDOMAN TEKNIK PENYUSUNAN RENCANA AKSI PEMBANGUNAN BERKELANJUTAN (RAN TPB), 2016, available at: <http://sdgsindonesia.or.id/index.php/bonus-pages/item/76-zero-draft-pedoman-teknis-penyusunan-rencana-aksi-pembangunan-berkelanjutan-ran-tpb?start=1390>

Global Targets	National Targets	National Indicators
16.1 Significantly reduce all forms of violence and related death rates everywhere.	1. Increasing the efforts to sustain social development through strategy (iv), controlling violence against children, fights, domestic violence; (vi) improving security reflected in low number of horizontal conflicts and crimes (Book II, chapter 1.1.1.3).	N/A
16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children.	1. The availability of protection from various violence and other misconducts by optimizing preventive, handling and rehabilitative mechanisms for children, women and marginalized groups (Book I, chapter 6.4.6);  2. Strengthened children protection system, including the effort to protect children from violence, exploitations, abandonment and other mistreatments. (Book II, chapter 2.2.10)	a. Decreased number of violence against children from 38.62% (for boys) and 20.48% (for girls) (source: Book II, page 2-74).
16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all.	1. The realization of human rights respect, protection and fulfillment through legislations, human rights enforcement, legal aid provisions and services for the poor and marginalized groups, as well as law enforcement apparatuses with good human rights perspective and gender responsiveness. (Book I, chapter 6.4.1 & Book II, chapter 7.2.1 no.3)	a. Legal aid target 2019: 6380 people, non litigation: 7260 activities (II.7M-42); b. Legal development index: 75%; c. The number of legal service posts for the poor to obtain birth certificate: 359; d. The number of outdoor trials and people receiving court fees waiver: 15.981.

Global Targets	National Targets	National Indicators
16.4 By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime.	<p>1. The realization of Indonesian leadership and roles in international cooperation through</p> <p>(a) the strengthened role of Indonesia in handling transnational organized crimes;</p> <p>(b) the implementation of international cooperation to resolve global issues threatening the humankind, such as infectious diseases, climate change, distribution of illegal small arms and drugs. (Book II, chapter 5, page: 5-43).</p>	a. The percentage of acceptability of Indonesia's position in multilateral forum on the issues of international security, weapons of mass destruction and conventional weapons, transnational crimes and terrorism.
16.5 Substantially reduce corruption and bribery in all their forms.	1. Increased effectiveness of corruption prevention and eradication (Book I, 6.4.2 and Book II, 7.2.1).	<p>a. Anti corruption behavior index from 3.6 to 4 (2019);</p> <p>b. Anti corruption law enforcement: 20% increase.</p>

Global Targets	National Targets	National Indicators
16.6 Develop effective, accountable and transparent institutions at all levels.	<ol style="list-style-type: none"> <li>1. Increased transparency and accountability in all governance process and development (Book I, chapter 6.2.3 and Book II, chapter 7.2.2)</li> <li>2. Good quality of bureaucratic services through a) institutional and service management strengthening; and b) capacity building of public services performance (Book II, chapter 7.3.2, page 7-41).</li> </ol>	<ol style="list-style-type: none"> <li>1. Unqualified opinion (WTP) status on financial reports: from 74 to 95 ministerial reports in 2019.</li> <li>2. Capability level of the government internal auditor (APIP): from 1 to 3 in 2019.</li> <li>3. The performance level of the government internal auditing system (SPIP): 1 in 2019.</li> <li>4. Governmental agencies accountability performance (SAKIP): 85 agencies/ministries in 2019.</li> <li>5. The use of e-procurement: from 60.24% to 80% in 2019.</li> <li>6. The percentage of government agencies to achieve a good score on Bureaucratic Reform Index: 75 agencies/ministries.</li> <li>7. Civil servants professionalism index: from 76 to 86.</li> <li>8. National e-government index: from 2.66 to 3.4 in 2019.</li> <li>9. National Integrity Index: from 7.22 to 9 in 2019.</li> <li>10. Public satisfaction survey: from 80% to 95% in 2019.</li> <li>11. Compliance percentage of the implementation of the Public Service Law: from 64 ministries and 15 agencies to 100 in 2019.</li> </ol>
16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels.	<ul style="list-style-type: none"> <li>- Guarantee and fulfillment of civil liberties, political rights and obligations of the people, and the increased of women's political representation (Book II, 5.2.1 &amp; 5.3.1).</li> <li>- Guarantee of civil liberties and the fulfillment of people's political rights and openness public information through the strategy of increasing public participation in policy-making processes, public policy programs, public decision-making and the reasons behind public decisions (Book II, chapter 5.2.1).</li> </ul>	<ul style="list-style-type: none"> <li>- Civil liberty index: 87 in 2019;</li> <li>- Political rights index: 68 in 2019;</li> <li>- Women's representation in political parties: 30% in 2019.</li> </ul>

Global Targets	National Targets	National Indicators
16.8 Broaden and strengthen the participation of developing countries in the institutions of global governance.	<ul style="list-style-type: none"> <li>a. Improved Indonesian role at the global level;</li> <li>b. Improved Indonesian roles and leadership at ASEAN regional level;</li> <li>c. Improved Indonesian roles and leadership at the G-20 Global and APCE global level (Book II. 6.1.6).</li> </ul>	<ul style="list-style-type: none"> <li>a. the acceptance percentage of Indonesia in multilateral forum: 84% in 2019;</li> <li>b. Indonesia's leadership percentage in multilateral forum: 78% in 2019.</li> </ul>
16.9 By 2030, provide legal identity for all, including birth registration.	The achievement of improved integrated vital registration coverage and development. (Book II, chapter 2.3.1, point 7).	<ul style="list-style-type: none"> <li>a. Basic service coverage for birth certificate ownership for the 40% of low income population; from 64.6% (2015) to 77.4% in 2019 (Book II, Chapter I. Page. 1-70);</li> <li>b. Court fee waiver at religious courts to obtain marriage certificates to facilitate the obtainment of birth certificates; 15.981 in 2019 (Matrix II 2M-5);</li> <li>c. The percentage of children who have birth certificate: 85% (Matrix II.2M-16).</li> </ul>

Global Targets	National Targets	National Indicators
<p>16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.</p>	<ol style="list-style-type: none"> <li>1. The realization of human rights respect, protection and fulfillment through legislations, human rights enforcement, legal aid provisions and services for the poor and marginalized groups, as well as law enforcement apparatuses with good human rights perspective and gender responsiveness. (Book II, chapter 7.2.1)</li> <li>2. Strategic achievement of the enforcement of democracy and human rights at domestic level (Book II, chapter 5.2.2);</li> <li>3. Improved public information and communication openness, as well as improved access to public information (Book II, chapter 5.21 and chapter 5.3.1).</li> </ol>	<ol style="list-style-type: none"> <li>a. The number of human rights violations allegations being handled and communicated: 320 reports annually;</li> <li>b. The number of actual human rights violations allegations being handled: 120 reports annually</li> <li>c. The percentage of inquiries and recommendations being followed up with regard to the issues of violence against women, human rights protection of women ---- the percentage of reparative systems being developed for victims of human rights violations: 20% annually.</li> <li>d. The number of gross violations of human rights being resolved (Matrix II.7.M. page.33-43).</li> <li>e. The percentage of public institutions to implement the provision of Public Information Openness: 80 % of institutions.</li> <li>f. The number of basic regulations on public information dissemination and parity: 6 regulations.</li> <li>g. The percentage of public access to media: 90%.</li> </ol>

Global Targets	National Targets	National Indicators
16.a Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime.	<p>1. Increased promotion and fosterage of democracy and human rights through domestic enforcement of democracy and human rights and strengthening coordination among stakeholders (Book II, chapter 5.2.2 and 5.3.2);</p> <p>2. The realization of human rights respect, protection and fulfillment through legislations, human rights enforcement, legal aid provisions and services for the poor and marginalized groups, as well as law enforcement apparatuses with good human rights perspective and gender responsiveness. (Book II, chapter 7.2.1).</p>	NA
16.b Promote and enforce non-discriminatory laws and policies for sustainable development.	1. The realization of human rights respect, protection and fulfillment through legislations, human rights enforcement, legal aid provisions and services for the poor and marginalized groups, as well as law enforcement apparatuses with good human rights perspective and gender responsiveness. (Book II, chapter 7.2.1).	<p>a. Indonesian democracy index (IDI):</p> <p>b. Increased number of handling of human rights violations reports: 7000 reports being handled by 2019. (Matrix II.7M-34).</p>

## Gap analysis.

The Gol has covered almost all important aspects to improve the promotion of peace and justice in Indonesia. However, there are some gaps that are important not to be overlooked with regard to more definitive indicators on some targets.

As reducing violence and related deaths rates are strongly related to the fulfillment of the right to life, it is important to monitor the progress of target 16.1 by setting up indicators that can reflect the state of security and safety enjoyed by everyone in all regions in Indonesia.

While, although the Gol has ratified CAT since 1998 through the adoption of the Law number 5/1998, Indonesia still has not established torture as a punishable act. This has contributed to the widespread use of torture among law enforcement, as well as military, personnel. Therefore, it is important to



aim for the adoption of a legislation providing torture as a punishable act and to end impunity for the perpetrators of torture.

## Human Rights Based Approach for the National Targets on Goal 16.

In light of the gaps in the indicators under Goal 16, we would like to propose the following additional indicators to strengthen the impacts of the national development strategy to promote peaceful and inclusive societies and access to justice in Indonesia.

Global Targets	National Targets	National Indicators	Proposed HRBA Indicators
16.1 Significantly reduce all forms of violence and related death rates everywhere.	1. Increasing the efforts to sustain social development through strategy (iv), controlling violence against children, fights, domestic violence; (vi) improving security reflected in low number of horizontal conflicts and crimes (Book II, chapter 1.1.1.3).	NA	<ul style="list-style-type: none"> <li>- Strongly recommend the Gol to include the following Global Indicators to protect the right to life and personal security of every citizen:</li> <li>- Number of victims of intentional homicide per 100,000 population, by sex and age;</li> <li>- Conflict-related deaths per 100,000 population, by sex, age and cause</li> <li>- Proportion of population subjected to physical, psychological or sexual violence in the previous 12 months</li> <li>- Proportion of population that feel safe walking alone around the area they live.</li> </ul>

Global Targets	National Targets	National Indicators	Proposed HRBA Indicators
16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children.	<ol style="list-style-type: none"> <li>1. The availability of protection from various violence and other misconducts by optimizing preventive, handling and rehabilitative mechanisms for children, women and marginalized groups (Book I, chapter 6.4.6);</li> <li>2. Strengthened children protection system, including the effort to protect children from violence, exploitations, abandonment and other mistreatments. (Book II, chapter 2.2.10)</li> </ol>	NA	<ul style="list-style-type: none"> <li>- Strongly recommend the Gol to include the following Global Indicators to protect the right of everyone not to subject to torture and inhuman treatments:</li> <li>- Proportion of children aged 1-17 years who experienced any physical punishment and/or psychological aggression by caregivers in the past month;</li> <li>- Proportion of young women and men aged 18-29 years who experienced sexual violence by age 18 ;</li> <li>- Adopt a legislation which includes the provision of torture, cruel and unusual punishments, and inhuman treatments as punishable crimes.</li> </ul>

## The Roles of the UN Country System.

The UN Office on Drugs and Crimes (UNODC) and the UNDP may provide a great assistance for the Gol to achieve all targets aimed under Goal 16, as the two UN programmatic agencies have both the expertise and experiences in assisting the Gol in combating extreme violence, terrorism as well as developing a strong and accountable justice sector.

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This analytical framework serves as the background paper for the multi-stakeholder consultation and workshop on SDGs and Human Rights (Jakarta, Indonesia, 26-27 April 2017), and informs the web-based tool developed for monitoring progress towards SDGs from the angle of human rights. The framework is a living document that will be revised in the light of the experiences and developments in Indonesia's progress towards the achievement of 2030 Agenda and the related national developmental objectives.

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