

## CHALLENGES TO THE ENACTMENT OF THE ELIMINATION OF SEXUAL VIOLENCE BILL

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### Abstract

Indonesia saat ini hanya memiliki satu hukum pidana, Kitab Undang-Undang Hukum Pidana (KUHP), yang diberlakukan dan diwarisi dari pemerintah kolonial kita. Telah ada upaya untuk mengubah undang-undang ini, tetapi sampai sekarang amandemen undang-undang ini belum berlaku. Dalam undang-undang ini, hanya ada dua jenis kekerasan seksual yang memiliki perlindungan hukum: pemerkosaan dan pelecehan seksual (pencabulan), sedangkan dalam kenyataan saat ini, berdasarkan kasus yang dilaporkan kepada mitra Komnas Perempuan dari 2001-2011, ada 15 jenis kekerasan seksual; dan jumlah kasus kekerasan seksual telah meningkat. Akibatnya, sulit bagi korban dari 15 jenis kekerasan seksual untuk memiliki perlindungan hukum. Ini menunjukkan lubang yang ada di *lex generalis* KUHP, yang perlu diisi oleh hukum *lex specialis* yang secara khusus menangani kekerasan seksual. Berdasarkan perlunya perlindungan hukum bagi korban dari berbagai jenis kekerasan seksual dan untuk melindungi hak asasi perempuan, Komnas Perempuan dan mitranya telah menyusun rancangan RUU Penghapusan Kekerasan Seksual sejak 2014. RUU ini telah menjadi salah satu prioritas undang-undang nasional Program sejak 2016, setelah kejadian pemerkosaan geng terhadap anak usia sekolah di Bengkulu. Namun, hingga akhir September 2019, RUU ini belum diberlakukan. Selain itu, saat ini ada oposisi terhadap RUU ini dari kelompok konservatif, menuduh bahwa RUU ini melegalkan zina (hubungan seksual ekstra nikah) dan LGBT. Tulisan ini bertujuan untuk menguraikan latar belakang, tujuan, isi dan tantangan untuk diberlakukannya RUU Penghapusan Kekerasan Seksual. Penulis berpendapat bahwa RUU ini menawarkan keadilan prosedural dan substantif bagi perempuan dan kelompok-kelompok yang terpinggirkan, mayoritas korban kekerasan seksual.

**Kata Kunci:** Komnas perempuan, Rancangan Undang-Undang, Kekerasan Seksual, Kitab Undang-Undang Hukum Pidana

### Abstrak

Indonesia currently has only one criminal law, Kitab Undang-Undang Hukum Pidana (KUHP), which was enacted and inherited from our colonial government. There has been an effort to amend this law but up until now the amendment of this law is not enacted yet. In this law, there are only two types of sexual violence which have legal protection: rape and sexual molestation (pencabulan), while in the current reality, based on the reported cases to partners of Komnas Perempuan from 2001-2011, there are 15 types of sexual violence; and the number of sexual violence cases has been increasing. As a result, it is difficult for victims of the 15 types of sexual violence to have legal protection. This shows the existing hole in the *lex generalis* KUHP, which needs to be filled in by *lex specialis* law which specifically addresses sexual violence. Based on the need for legal protection for victims of various types of sexual violence and to protect women's human rights, Komnas Perempuan and her partners have drafted the Elimination of Sexual Violence Bill since 2014. This Bill has become one of the priorities of the national legislation program since 2016, after the incidence of a gang rape to a school age child in Bengkulu. However, up until the end of September 2019, this Bill was not enacted yet. In addition, there has been currently opposition to this Bill from the conservative group, accusing that this Bill legalizes zina

(extra marital sexual relationship) and LGBT. This article aims at elaborating the background, aims, contents and challenges to the enactment of the Elimination of Sexual Violence Bill. The researcher argue that this Bill offers both *procedural and substantive justice for women and the marginalized groups, the majority victims of sexual violence.*

**Key Words:** *Komnas Perempuan, Elimination of Sexual Violence Bill (Rancangan Undang-Undang Penghapusan Kekerasan Seksual/RUU P-KS), sexual violence, Kitab Undang-Undang Hukum Pidana (KUHP).*

## Latar Belakang

Komnas Perempuan is one of the three national human rights institutions which was established in October 15, 1998 after the riot involving the mass rape of Chinese women. In response to the demand of anti-violence society, the government established Komnas Perempuan with the mandate of creating conducive environment for the elimination of all forms of violence against women, based on the Presidential Decrees number 181/1998 and 65/2005. In the Presidential Decree No. 65/2005, it is stated that the tasks of Komnas Perempuan are: (1) to promote public awareness on violence against women; (2) to do research & review relevant laws & regulations; (3) to monitor and report on women's human rights and violence against women; to provide inputs and recommendations to executive, legislative & judicial branches of the government; (4) to develop regional & international cooperation.

Komnas Perempuan has only one office in Jakarta. To implement her mandate, Komnas Perempuan works in partnership with many government ministries and institutions as well as civil society organizations, especially service providers for victims of violence against women throughout Indonesia. These service providers formed association called *Forum Pengada Layanan/FPL*. As part of the monitoring and reporting tasks on women's human rights and violence against women, Komnas Perempuan beginning 2001 published annual report, *Catatan Tahunan (Catahu)*. The data of Catahu is based on the

cases reported and handled by FPL throughout Indonesia and based on the data from Badan Peradilan Agama (Badilag), especially on the number of divorce cases involving violence against women.

Every year the number of reported cases of violence against women is increasing. Below is the Catahu data in the last 12 years:



Figure. 1 Catahu 2007-2018

The above data can be read in two ways: negative and positive. It is negative that we do not want the number of cases of violence against women is increasing. However, this can also be read in positive way: that there has been changing attitude among women from seeing the violence against them as private issue into seeing it as a crime they have to report. This also shows that there is

nearby service which is accessible to women to report violence against them.

In 2014, Komnas Perempuan and FPL have initiated to draft Elimination of Sexual Violence Bill based on their analysis on a decade of annual report of Komnas Perempuan (Catahu 2001-2011) which shows that the cases of sexual violence is increasing and that there are 15 types of sexual violence which have no legal protection. Therefore, it is difficult for victims of sexual violence to access justice. This paper will elaborate the background, the aims, the contents and challenges to the enactment of the Elimination of Sexual Violence Bill. The data of this paper are mainly derived from Komnas Perempuan and through my direct involvement as one of the commissioners of Komnas Perempuan in supporting this Bill. In this paper, I will argue that this Bill offers both procedural and substantive justice for women and the marginalized groups, who are the majority victims of sexual violence.

### **Background of the Elimination of Sexual Violence Bill**

The leading initiator of the Elimination of Sexual Violence Bill is Komnas Perempuan and FPL. The initiative to draft the Sexual Violence Bill started in 2012. After ten years of publishing Catahu (2001-2011), Komnas Perempuan and FPL analyze this ten years data to find that sexual violence is the highest cases of violence against women (VAW) among other types of violence (physical, psychological violence and economic neglect). This analysis also shows that on average, in a day, there are 35 women who became victim of sexual violence. This means that in every two hours, three women become victims of sexual violence. These data are similar with those of Badan Pusat Statistik (BPS) (2016) which show that 1 of 3 women experience violence.

These ten year data also find that there are 15 types of sexual violence: (1) rape; (2) sexual harassment; (3) sexual exploitation; (4) sexual torture; (5) sexual slavery; (6) intimidation, threat and rape attempt; (7) forced prostitution; (8) forced pregnancy; (9) forced abortion; (10) forced marriage; (11) women trafficking for sexual purpose; (12) sexual control; (13) inhumane punishment with sexual nuance; (14) custom practice with sexual nuance that is harmful for women; and (15) forced sterilization/contraception. The partners of Komnas Perempuan, FPL, find it difficult to help victims to access justice due to the absence of law which can protect victims who experience these 15 types of sexual violence.

Indonesia has one criminal law, Kitab Undang-Undang Hukum Pidana (KUHP). This law, which was enacted and inherited from Dutch colonial government only deal with two types of sexual violence: rape and sexual molestation. The definition of rape in this law is very narrow, which only involve penetration of penis into vagina, while in reality, rape can use tools such as fork, crowbar like in the case of Marsinah and the handle of a hoe such as in the case of Eno in Tangerang or the insertion of sexual organ like penis into the mouth or anus, which are all considered rape. In addition, in KUHP, sexual molestation (*pencabulan*) requires physical contact, while in reality there are many cases of sexual harassment which involves body contact such as touching, kissing, hugging, and non-body contact such as showing sexual organ (for exhibitionist), showing pornographic pictures or cat calling. Other than KUHP there are also other laws which deal with sexual violence with their own limitation such as Domestic Violence Act No. 23/2004 only deals with sexual violence in domestic sphere, not in public; Children Protection Act No. 22/2003 only protects

children, not adult victims of sexual violence; Human Trafficking Act No. 21/2007 only protect victims involving migration; Anti-Pornographic Act No. 44/2008 regulate sexual exploitation but it emphasizes more on morality aspects resulting in the victimization of the victims; Criminal Code and Health Law ban abortion, but they do not consider the context in which some women are forced to do abortion either by their sexual partner or by their parents resulting in the victimization of the victims; and the Criminal Law Procedure (KUHAP) does not address the recovery mechanism for victims and their rights and emphasize more on regulating the rights of the perpetrators (Diani, Hera, 2016). In addition, there is no system yet which allows and ensures victims to be recovered easily, cheaply and instantly based on the impact they experience (Azriana, 2019).

Based on the above analysis, Komnas Perempuan and FPL began to draft Rancangan Undang-Undang Penghapusan Kekerasan Sexual (Anti-Sexual Violence Bill) and its academic argument in 2014-2016. This draft was consulted with various parties such as parliamentary members, relevant government ministries and institutions, care givers of the victims and psychologists. Every time the meeting held, suggestions from various parties are included to have better draft of the Bill.

### **The Aims of the Elimination of Sexual Violence Bill**

The aims of the Elimination of Sexual Violence Bill are: (1) to prevent the incidence of sexual violence; (2) to develop and implement the handling, protection and recovery mechanism which involves society and pro-victim, so that victims can get through all the process to become survivors; (3) to give justice to victims of sexual violence by punishing the perpetrators; and (4) to

ensure the implementation of the state obligation, the role of family, society participation, and corporation responsibility in creating the environment which is free from sexual violence.

### **The Contents of the Elimination of Sexual Violence Bill**

There are six key elements of the Elimination of Sexual Violence Bill: (1) Prevention of sexual violence, (2) Definition of sexual violence and definition of nine types of sexual violence, (3) Procedural law, (4) Penal provision, (5) Victim recovery, (6) Monitoring the efforts of the elimination of sexual violence. Some of these elements will be elaborated as follows.

The existing law, such as KUHP, mainly regulates the rights of the perpetrators such as their rights to be free from torture during the case investigation, but does not regulate the rights of the victims. The existing law assumes that justice is achieved when the perpetrators have been punished. Different from the existing law, the Bill regulates also the rights for the victims and that justice is not merely implemented by giving punishment to the perpetrators. Victims have the right for handling, protection and recovery. During the handling of their cases, they have the rights to have the information of the whole process of handling, protection and recovery, to have document of the result of the handling, to have the victim assistant/care giver and legal aid, to have psychological and medical support and other services and facilities based on their specific needs.

As a protection, the victims have the rights for information about the protection process, the right for the protection against threat or violence from the perpetrator or other actors and from the repetition of such violence, protection of the secrecy of their identity, protection from mistreatment from law enforcement officers, protection from

losing their job and work mutation, the rights for education and political access. Victims have also the rights for physical, psychological, economical, social, cultural recovery as well as restitution. Restitution is contribution given by the perpetrator to the victims as compensation to be used to finance their recovery process from violence.

The process of accessing justice also implemented in order not to victimize the victims and not to give more burdens to victims of sexual violence, for example by recording the victims' report using audio or video recording. The reporting process should take place in the room which can protect safety and secrecy of the victims. After giving their report, the victims will proceed to the recovery process with their rights for protection, while the law enforcement officers proceed to the investigation process until the punishment of the perpetrators. The judges can refer to the recording report of the victim when it is needed. When the presence of victims is still needed, the victim cannot be in the same room or to sit face to face with the perpetrators because this will create uneasiness or traumatic experience for the victims.

This Bill also deals with prevention efforts in which the state, local government and all society members should be involved in preventing sexual violence, such as by producing policies and building better infrastructure to prevent sexual violence and integrating the material on preventing sexual violence in the education process.

The punishment for the perpetrators varies according to the types of sexual violence they commit, who the victims are and their relation to the victims. For example, non-body contact sexual harassment is punished, not by putting the perpetrators in jail, but by rehabilitating them up to one month; if the perpetrators are the parents, the guardians, the educators, religious or society leaders or the

employers of the victim, the punishment is added with social work; if victim of physical sexual violence is child or person with disabilities, punishment is imprisonment and additional special coaching. This coaching involves psychological or psychiatrist treatment, raising awareness about the law, intellectual education, changing attitudes and behavior, physical and mental treatment.

From the 15 types of sexual violence identified by Komnas Perempuan and FPL, there are nine types of sexual violence which are regulated in this Bill: (1) Sexual harassment, (2) Sexual Exploitation, (3) Forced contraception, (4) Forced abortion, (5) Rape, (6) Forced marriage, (7) Forced prostitution, (8) Sexual slavery and (9) Sexual torture. Other types of sexual violence such as custom practice with sexual nuance that is harmful for women like female genital mutilation are considered to be able to be dealt with cultural or religious approach. As the national human right institution with specific mandate of creating conducive environment for the elimination of violence against women, in this Bill, Komnas Perempuan is proposed to have the duty to monitor the implementation of this Bill.

### **Challenges to the Enactment of the Elimination of Sexual Violence Bill**

This Bill was included in the list of National Legislation Program (*Program Legislasi Nasional/Prolegnas*) 2015-2019 and was became one of the priorities of National Legislation Program after the incidence of a gang rape to school age child, Y, in Bengkulu in 2016. In October 2016, Komnas Perempuan and FPL submitted the Bill to the legislature (DPR). Three members of the legislature, then submitted this Bill to the Legislation Body (Badan Legislasi/Baleg) to be harmonized (in order not to regulate issues which have been regulated by other existing laws). The result of

this harmonization was that this Bill consists of 15 Chapters and 152 Articles, from originally consisted of 15 Chapters and 184 articles (32 Articles were regarded to be redundant or unnecessary). After this harmonization process in 31 January 2017, this Bill was declared to become the legislature's initiative in April 2017 and the legislature submitted this bill to President. The President appointed the Ministry of Women's Empowerment and Child Protection (KPPPA) to be the leading sector of the government in discussing this Bill.

Komnas Perempuan and FPL expected that this Bill will be discussed by the Special Committee (*Panitia Khusus/Pansus*) consisted of members from various commissions in the legislature because sexual violence is not merely women's issue, it is a crime against humanity which needs to be dealt with by various parties. However, the Plenary Meeting of the legislature decided in June 2017 that this Bill will be discussed in Commission 8, the Commission which deal with women, children, social and religious issues. This can mean that sexual violence is merely regarded as women, children, social and religious issues, not as a crime against humanity.

On 11 September 2017, the government (KPPPA) submitted list of inventory problems of the Bill (*Daftar Inventaris Masalah/DIM*) without any consultation with the initiators of this Bill or any members of civil society networks who propose this Bill. In this DIM, the government removed 100 articles from 152 articles of the legislature's draft, assuming that the articles are not necessary due to the lack of understanding why the articles should be there. The government also removes five from nine types of sexual violence, namely: (1) forced contraception, (2) forced abortion, (3) forced marriage, (4) forced prostitution and (5) sexual

slavery. This removal of more than half of the whole articles were shocking for Komnas Perempuan and her partners because they do not want merely that this Bill can be enacted, but they want that the Bill should have the six key elements which can help victims of sexual violence to access justice. In response to this, the Coordinator Ministry of Human Development and Culture (Kementerian Koordinator Pembangunan Manusia dan Kebudayaan/Kemenko PMK) facilitated the meeting between Komnas Perempuan and other ministries and state institution to criticize the government DIM on November 2017. Up until now (July 2019), Komnas Perempuan and FPL still try to convince the government to include all these nine types of sexual violence and the articles needed to protect the victim of sexual violence.

Beginning January 2018, the legislature opened for public hearing to listen to the society's opinion about the Bill. Here are some of the public hearings (*Rapat Dengar Pendapat Umum/RDPU*) conducted by Commission 8: (1) Komnas Perempuan and FPL presented their opinion on 23 January 2018; (2) Euis Sunarti, a Professor in society nutrition and family recourses at Institut Pertanian Bogor/IPB, Topo Santoso, a Professor of Criminal Law at Universitas Indonesia, and Chairul Huda, Criminal Law expert at Universitas Muhammadiyah Jakarta, presented their opinion on 29 January 2018, (3) for the second time, Aliansi Cinta Keluarga (Aila) led by Euis Sunarti did public hearing on 31 January 2018 at the same time with the public hearing of Wanita Hindu Dharma Indonesia, (4) Kongres Ulama Perempuan Indonesia/KUPI, Persatuan Gereja Indonesia/PGI and Perwakilan Umat Buddha Indonesia/Walubi expressed their opinion on 3 October 2018; and (5) Linguistic psychologist, skin and genital specialist and neuro psychologist expressed their opinion on

25 October 2018. Since this time, the process of discussion of this Bill was stagnant. Therefore, Komnas Perempuan and her partners organized mass protest on 8 December 2018 asking to accelerate the discussion of this Bill. Since that time, KPPPA held many meetings to discuss this Bill with other ministries and Komnas Perempuan. However, opposition from Aila and its affiliated party, Prosperous Justice Party (Partai Keadilan Sejahtera/PKS), was also getting stronger.



**Figure 2** Mass protest on 8 December 2018 demanding the enactment of the Elimination of Sexual Violence Bill

Among those who did public hearing in the legislature, Euis Sunarti, the leader of Aila and Penggiat Keluarga Indonesia (Giga), is the most active person in opposing the enactment of this Elimination of Sexual Violence Bill. This opposition to this Bill was not only expressed in the legislature but also by spreading flyers in the social media, propaganda within the ministries and the masses (please see Figure 3 for the sample of Aila's flyer). In response to Aila's opposition to this Bill, some ulama, especially those who

are affiliated with KUPI tried to counter Aila's flyers with another flyer which support for the enactment of this Bill (please see Figure 4).



**Figure 3** Sample flyer of Aila in Opposing the Elimination of Sexual Violence Bill



**Figure 4** Sample flyer from ulama who counter Aila's opposition to the Bill

From the above explanation it is clear that there are at least three challenges in the process to the enactment of this Bill. First, this Bill is not discussed in the Special Committee,

but in Commission 8, which can mean that this Bill is regarded merely as women and children's issue. Second, the opposition from conservative group, who spread their influence in many segments of government institutions, legislature and the masses by spreading hoax and stigma to Komnas Perempuan. Third, the fear and unwillingness of the dominant male parliamentary members who seem to have been affected by the campaign from those who disagree with this Bill.

### Understanding the Reasons of Aila's Opposition to the Bill

Why Euis Sunarti become the most active person in opposing the enactment of this Elimination of Sexual Violence Bill? In her presentation of her opposition to this Bill at Universitas Pendidikan Indonesia (UPI) on 15 February 2019, she mentioned that her opposition to this Bill began from her proposal to amend the Criminal Code Articles 284, 285 and 292, in 2016, which was rejected by the Constitutional Court in December 2017. Article 284 of the Criminal Code regulates *overspel/gendak* (extra marital affairs) under complaint mechanism, which Aila wants to broaden this criminalization into unmarried couple; Article 285 criminalizes rape against women, which Aila wants to criminalize rape against men too; Article 292 criminalize sexual molestation to same sex child, which Aila wants to broaden this regulation into same sex adult. One of the reasons of the Constitutional Court's rejection to this proposal was not because the Constitutional Court supports or agree with *zina* (illicit sexual relationship), but because this proposal involves the creation of new law, which is the job of the legislature, not the Constitutional Court. One of the opponents to this proposal was Komnas Perempuan, which was acted as *Pihak Terkait Tidak Langsung* (indirect related parties). As a human right institution whose mandate is to

create conducive environment for the elimination of violence against women, Komnas Perempuan was involved in this judicial review process to ensure that no law jeopardizes women. Komnas Perempuan is against the act of *zina*, but she disagrees with the criminalization of unmarried couple's *zina* because about 2.000.000 poor women annually cannot afford to have marriage certificate, and women in religious minority group find it difficult even to have identity card, which is the requirement to have marriage certificate. It will be the women from the poor and the religious minority groups who can be the victim of this criminalization of *zina* because they do not have marriage certificate to prove that they are legally married. However, without understanding the reason for this opposition from Komnas Perempuan, Euis Sunarti regards Komnas Perempuan as the institution which agree with *zina* and Lesbian Gay Bisexual and Transgender (LGBT) and therefore Aila did every possible effort to prevent the enactment of the Elimination of Sexual Violence Bill such as by accusing and spreading propaganda in the social media and other means of communication that this Bill legalizes *zina* and LGBT. In her speech at UPI, she also argued against the report of violence made by the wife against her husband. For the sake of family resilience, in her opinion, it is better for the wife not to report her husband's violence because the husband is the *imam* (the leader) of the family and reporting her husband's violence will make the family falls apart.

The willingness of Aila to criminalize *zina* for married and unmarried couples actually has been accommodated in the amendment of Criminal Law (*Rancangan Undang-Undang Hukum Pidana/RUU HP*) Article 485, with complaint mechanism. The parties that can complain with this act of *zina* are parents, husband/wife and their children.



This is to avoid conflict of interest (such as a person or a neighbor who does not like certain person may accuse his/her neighbor that she or he commits *zina*) and social chaos such as what happened in Cikupa, in which unmarried couple were being persecuted based on the accusation that they commit *zina* (Wahyuningrum, 2018). Komnas Perempuan has agreed with this amendment, even though Masyarakat Pemantau Peradilan Indonesia (Mappi) disagree with the right given to parents to file the complaint recognizing unequal power relation of the parents over their children to marry them off without the children's consent (Wicaksana, 2019).

Even though Aila's interest to criminalize *zina* has been accommodated in the amendment of Criminal Law, Aila still proposes that the title of the Bill: "the Elimination of Sexual Violence Bill" [*Penghapusan Kekerasan Seksual*] is changed into the "the Elimination of Sexual Crime" [*Penghapusan Kejahatan Seksual*] which criminalizes "rape, prostitution, *zina*, abortion, forced contraception, sodomy, sexual 'deviation' including masochism, voyeurism, exhibitionism, sadism, bestialities, necrophilia (an irresistible sexual attraction to dead bodies), homosexual, anal sex, and copulation during wife's menstruation" (Aila, 2018). This proposal, of course, will uprooted this Bill from the background of the drafting of this Bill: the increasing number and types of sexual violence mentioned above, documented by Komnas Perempuan and her partners in 2001-2011. In addition, this Bill does not regulate prostitution, *zina*, sodomy and homosexual because they have been regulated in the Criminal Law (KUHP); abortion has been regulated in Law No. 36/2009 on Health.

## Conclusion

The Elimination of Sexual Violence Bill was drafted in 2014-2016 based on the live

realities of victims of sexual violence and the difficulties of care givers of the victims to help victims in accessing justice due to the absence of law which can protect victims from nine types of sexual violence. The existing law, KUHP, only protects two types of sexual violence: rape and sexual molestation, with limited definitions, which do not cover the existing types of sexual violence. This Bill is urgently needed to protect victims of sexual violence to access justice. To enact the law which is pro-victim, the Bill should have six main elements: (1) Prevention of sexual violence, (2) Definition of sexual violence and definition of nine types of sexual violence, (3) Procedural law, (4) Penal provision, (5) Victim recovery, (6) Monitoring. However, in struggling for the enactment of this Bill, Komnas Perempuan and her partners face the challenges, not only from the government who have removed most of the important articles in the Bill but also that this Bill is not discussed by the Special Committee in the legislature as well as opposition from the conservative groups (Alia, Giga and Prosperous Justice Party). The influence of this group can be seen not only within the legislature but also within government institutions and the spread of their propaganda among many segments of the society. Up until this paper is written, Komnas Perempuan and her partners still have to work hard in struggling for the enactment of this Bill. However, up until the end of September 2019, the end of the term for parliamentary members 2014-2019, the Bill is not yet being enacted. This does not mean that Komnas Perempuan's efforts have been failed. The progress that Komnas Perempuan gained after lobbying the government, the government agreed to include six key elements to the Bill and accepted the nine types of sexual violence which was previously only accepted five out of nine types of sexual violence proposed by the

initiators of this Bill. Along the struggles to the enactment of this Bill, many discussions have been conducted: educating and raising public awareness on the urgency of having the law which is pro-victim of sexual violence.

As human product, the Elimination of Sexual Violence Bill is a not perfect draft. To have a better draft, it needs support from all segments of society including Aila and Giga. The sexual violence cases experience by women victims are real experience, while Aila's fear and assumption that this Bill legitimizes zina has no proof. If Aila and Giga thought that this Bill has multi interpretations, they should provide solution with better sentences of the draft, not opposing other women's struggles to protect victims of sexual violence. This Bill provides law reform in changing attitudes toward victims, whose rights were previously being neglected and tend to be revictimized. To make it easier for victims to access justice, this Bill contains procedural justice (regulating judiciary process which is pro-victim) and substantive justice (such as giving the rights to victims for the handling of their cases, protection and recovery). Even though the majority victims of sexual violence are poor, "lower class" uneducated women such as domestic and migrant workers, it is expected that the "high class" women members and leaders of Aila and Giga who may be free from sexual violence support this Bill.

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