



CREATING BETTER ACCESS TO JUSTICE FOR WOMEN VICTIMS
OF DOMESTIC VIOLENCE IN INDONESIA :
DEVELOPING AN INTEGRATED FAMILY COURT SYSTEM

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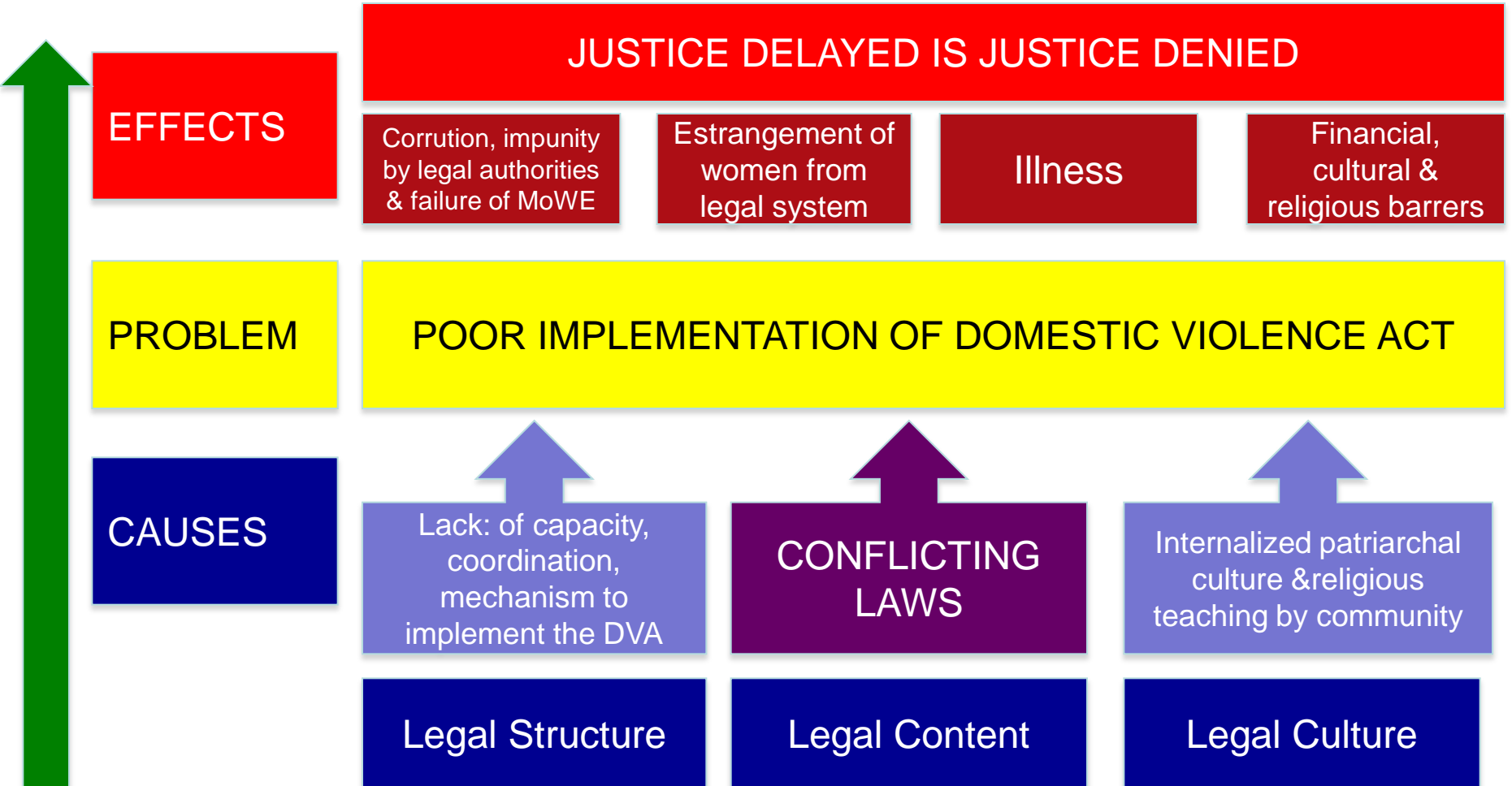
National Coordinator

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Research Background

- **Objective:** to create better access to justice for women victims of domestic violence
- **Rationale:** since the enactment of DVA, cases reported between 2004 and 2008 increased by more than 100% (National Commission on VAW, 2009)
- **Importance** of research: facilitated work on DVA by APIK. This also led to work on the Marriage Act amendment

PROBLEM TREE





Problem

Conflicting Laws between DVA and Marriage Laws that could create dv : polygyny, child marriage, gender stereotyping

Root Causes

Patriarchal Marriage Laws & Regulations

Dual Court System & Legal Pluralism

General Court

Shariah Court

Criminal Court

Civil Court

Civil Procedures

Solutions

Promote a Bill on Amendment of Marriage Laws & Regulations

To have a New Law on Integrated Family Court System

Policy Objective

- **Objective** : to encourage the Government of Indonesia to establish an Integrated Family Court system that will improve access to justice for women/children victims of domestic violence.
- **Output**: Policy Brief/Academic Paper and draft Bill for An Integrated Family Court System
- **Impact** : reduction of domestic violence and increase in facilities and programs for rehabilitation of victims of domestic violence

LIST OF STAKEHOLDERS

Decision Makers	Civil Societies Organization	International Agency
<ul style="list-style-type: none"> • President • Parliament (House of Representatives) • Supreme Court including shariah court • Police Head Quarter • Attorney General office • Department of Law and Human Rights • Ministry of Women Empowerment & Children protection • Related Ministries • Indonesian Ulama Council (MUI) • National Commission of Violence Against Women • National Commission on Human Rights 	<ul style="list-style-type: none"> • Women's Movement/Human Rights groups • Media People/social media practitioner • Community and religious leader/public figure • Paralegal/Survivors of Domestic Violence Networks • Academe/Gender Studies • Indonesian Bar Association • Man anti VAW networks • Indonesian Women Congress/Women's Wing of Mass Organization/Political Part 	<ul style="list-style-type: none"> • International Agency (UN/Regional Women's Human Rights Institution) • International Donor Agency



Positive Forces

We want broader power
(Shariah Court)

FC will provide a better
access for victims

Need to create an
Integrated FC System

Integrated criminal
justice system

FORCE FIELD ANALYSIS

To create an Integrated
Family Court System for
better Access to Justice
for women's victim of
domestic violence in
Indonesia:
legal approach

Negative Forces

Wow, we afraid of
strengthened Islamic
state (secular forces)

The existing just need to
be fixing (general court)

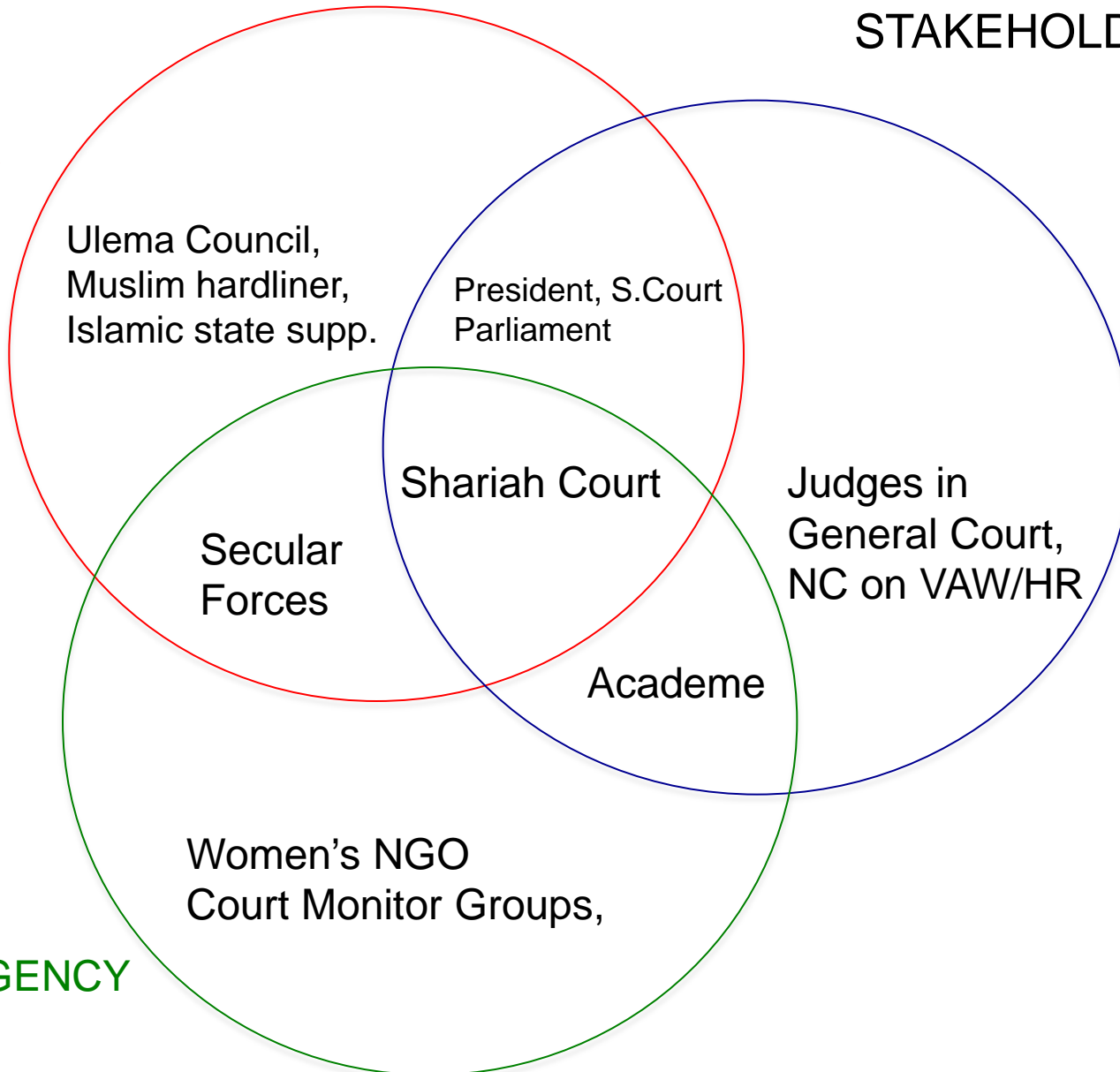
Just Need SOP to
integrate DV in Shariah
court

Just need special
court



STAKEHOLDER CLASSES

POWER



LEGITIMACY

URGENCY

Problem : Dual Court System

The Organization level : the idea of having an Act on Integrated Family Court System is adopted by APIK's Network (building coalition and preparing policy brief and draft bill)

Supported by media, NC on HR and NC on VAW

Supported by Secular Forces/General Public

The Parliament level : the Bill on IFCS is included in the National Legislation Program

Get support from the Ministry of Law and Ministry of WE

Get support from Political Party, Muslim Org. & Secular Forces

Get support from Supreme Court, Government and Parliament till the Bill is accepted

My Theory of Change

The Bill on Integrated Family Court System is discussed in Parliament & enacted as Law

Resources (staff/experts and funding) is secured



OBJECTIVE 1: THE POLICY BRIEF is ACCEPTED BY APIK Member, THE ADVOCACY COALITION , GENERAL PUBLIC AND MEDIA

ACTIVITY	STAKEHOLDER	TIMELINE	INDICATOR		RISK PREVENTION CONTROL
			PROCESS	OUTPUT	
National Workshop at the APIK network	18 APIK's offices & 15 focal points of CoC	Oct 2012	Report of the workshop	Revised Policy brief	Send the invite and Policy Brief with a short summary 2 weeks before the workshop
Advocacy Coalition Meeting and elect the secretariat coordinator	15 women's organization, member of Working Group on Pro Women National Legislation Program	Nov 2012	Report of the meeting	Strengthened Policy brief Advocacy Coalition secretariat is elected	Send the invite and Policy Brief with a short summary 2 weeks before the workshop
Series media campaign and dissemination of the Policy Brief (meeting and communicating with media people, academe, Radio/TV talk show, printing and distribution of fact sheet, poster, newsletter etc), writing articles and lobbying document. Simultaneous of series media campaign for framing the issue	Media people (news paper, TV/Radio, writer, academe. Court Monitor groups, general public	Week 2/3 /3 of October 2012 - 2014	Documentation of materials of media campaign tool and lobbying document	Publications of fact sheets, articles, recording of TV/Radio talk show	Clear messages in the media campaign tools and publication Ensure that policy brokers could attend the TV/radio talk shows
4. Series of meetings with key person of religious organization and secular forces	Religious leader, Muslim organization and key person of secular groups.	November- December 2012	Report of the meetings	Their expressed willingness to support the policy process	To ensure that policy brokers could attend the meetings



OBJECTIVE 2: PRODUCING ACADEMIC PAPER and THE BILL

ACTIVITY	STAKEHOLDER	TIMELINE	INDICATOR		RISK PREVENTION CONTROL
			PROCESS	OUTPUT	
Building a drafting team for translating policy brief into academic paper and the Bill	Expert from Monitor Court groups, legal drafter, APIK's legislative advocacy coordinator and staffs, representative of the advocacy coalition	January-2013	Report of the drafting meetings	Draft of the narrative Policy Brief (Academic Paper)	The invite and he Policy Brief has sent 2 weeks before meeting
Conducting series focus group discussions on the draft of Academic Paper and the Bill (revising, refining)	Member of Coalition, expert from university (lawyer, anthropologist, sociologist), 3 representatives from LBH APIK's offices, representative from ministry of law and ministry of women empowerment, legislative council, media people	March 2013- March 2014	Meeting notes and input from participants	Revised draft of Academic Paper and the Bill	The invite and policy brief & related material has sent two weeks before FGD
3.Drafting team meeting- to revise the Academic Paper and the Bill based on input from FGD	Drafting team member	March- December 2013	Meeting notes	Strengthened Academic Paper and the Bill	The invite and policy brief & related material has sent two weeks before meeting
Public Consultation at provincial level	APIK' office and its local stakeholders (universities, Local parliament local NGO, Legal Bureau, Women empowerment unit, community and religious leader and public figure and wider society and stakeholder at the provincial level	December 2013- July 2014	Proceedings of the public consultation	Strengthened Academic Paper and the Bill	Send the TOR and fund to LBH APIK office 2 weeks before the public consultation



Drafting team meeting to consolidate the Academic Paper and the Bill's input from public consultation	Drafting team member	June 2014	Report of the meeting	Solid Academic Paper and the Bill	The invite and all reports from provincial consultation has sent to drafting team 2 weeks before the meeting
Media campaign and communicating with relevance stake holder on Academic paper and the Bill is conducting simultaneously	Media and stake holders	January 2013- till the Academic Paper and The Bill is accepted and included in the National legislation Plan		Articles, recording, media tool kit etc	Clear message and good issues packaging of the issues

OBJECTIVE 3 :

TO LOBBY PARLIAMENT/LEGISLATIVE COUNCIL AND MINISTRY OF LAW AND HUMAN RIGHTS TO GET THE ACADEMIC PAPER AND THE BILL ACCEPTED AND INCLUDED IN THE NATIONAL LEGISLATION PROGRAM and ENACTED

ACTIVITY	STAKEHOLDER	TIMELINE	INDICATOR		RISK PREVENTION CONTROL
			PROCESS	OUTPUT	
Preparing lobbying document and media campaign tool	Drafting team and Advocacy Coalition Member	July-August 2014	Draft of lobbying document	Printed of lobbying document and media campaign tool	Ensure that all material and inputs needed is available
Meeting with all political party fraction in parliament	Political Party fraction in Parliament	August 2014	Report of the meeting	Their expressed willingness to support Academic Paper and the Bill to be included in the National Legislation Program and priority list of 2015 deliberation	Toll kit and lobbying document is available
Meeting with Ministry of Law & Human Right and Ministry of Women Empowerment	Ministry of Law & Human Right and Ministry of Women Empowerment	August 2014	Report of the meeting	Their expressed willingness to support Academic Paper and the Bill to be included in the National Legislation Program and priority list of 2015 deliberation	Send letter for public hearing and ensure the date and time & working with his secretary Lobbying document is sufficient and prepared
Meeting with Supreme Court	Supreme Court	August-September 2014	Report of the meeting	Their expressed willingness to support Academic Paper and the Bill to be included in the National Legislation Program and priority list of 2015 deliberation	Send letter for public hearing and ensure the date and time & working with his secretary Lobbying document is sufficient and prepared



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ACTIVITY	STAKEHOLDER	TIMELINE	INDICATOR		RISK PREVENTION CONTROL
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Public Hearing with Parliament's Legislative Council	Member of Legislative Council	August –September 2014	Report of the meeting	Their expressed willingness to include the Bill in National Legislation Program and priority list of 2015 deliberation	Tool kit and lobbying document with clear messages has prepared Ensure that policy broker will attend in PH
Continues lobby with key stake holder and media campaign activities	Key stakeholders and General Public	August 2014 – January 2015	Report of the Meeting	Newspaper, magazines, recording etc	iIDEM DITO
Weekly meeting with the member of Legislative Council Working Committee	Legislative Council Member of Working Committee	January-August 2015	Meeting notes	Legislative Council Revised version of the Bill	iIDEM DITO
Continually lobbying activities and weekly observation the Special Committee of the Bill's deliberation	Special Committee member	August 2015 – till the Bill is enacted	Meeting Notes	Revised Bill	IDEM DITO
Continually media campaign and public consultation and pressure	Special Committee member , media and general public	August 2016 till the Bill enacted	Meeting notes	Revised Bill	IDEM DITO

IMPACT : Better access to justice for women victims of domestic violence

- Women have a better forum/legal remedies
- Incidence of domestic violence is reduced