OPEN DATA LABS
JAKARTA

INCLUSIVE BY DESIGN?
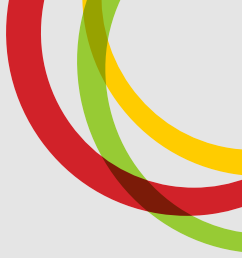
The Role of Women in Open Government in Indonesia

June 2019

WORLD WIDE WEB
FOUNDATION

CONTENTS

WORLD WIDE WEB FOUNDATION

OPEN DATA LABS JAKARTA

IDRC | CRDI
International Development Research Centre
Centre de recherches pour le développement international

OpenData for development

BACKGROUND

The Open Government Partnership (OGP) is a multilateral initiative that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance.

OGP's vision is that more governments become more transparent, more accountable, and more responsive to their own citizens, with the ultimate goal of improving the quality of governance, as well as the quality of services that citizens receive. Since its inception in 2011, OGP today brings together 79 countries and 20 subnational governments with over 3,100 commitments to make their governments more open and accountable.

Since joining the Open Government Partnership (OGP) in 2011, as one of its pioneer members, Indonesia has made the implementation of Open Government as a priority to support the realization of open, participative, and accountable governance at the national and local levels. The OGP National Action Plan (NAP) 2018-2020 consists of five key areas: (i) public participation; (ii) bureaucratic reform; (iii) access to public information; (vi) data management; and (v) public service innovation.

In this research, we would like to assess how women are participating in OGP processes and how their issues and concerns are represented in the NAPs that are co-created by government and civil society representatives in Indonesia.

01

COUNTRY CONTEXT

1.1 A background of women's movements in Indonesia

During the colonial era, women's groups' activism or movements in Indonesia stemmed from their activities in mixed gender groups through joining associations such as scout activities or regional based groups such as Jong Java, Jong Sumatera, and Jong Ambon. There were several women's organisations which were highly influential and had a role in the Indonesian revolution. One of the most prominent was the first nationalist women's rights organisation in Indonesia, Putri Mardika (Independent Women), which was established in 1912. In 1920, Aisyah was established, the women's wing of Muhammadiyah, which was an Islamic-based organisation.

In 1928, following the Youth Pledge Congress on 28 October 1928, women's organisations conducted the first Women's Congress which was attended by 1000 participants and 30 women's organisations and identified the root problems of women's issues as: marriage-related, polygamy, and access to education. The subsequent Women's Congresses were held in Jakarta (1935), Bandung (1939), and Semarang (1941). During the third Indonesian Women's Congress (Kongres Perempuan Indonesia/KPI), it was decided to declare 22 December as the Day of United Women's Movement to fight for the esteem and dignity of Indonesian women.

During the colonial era, particularly at the end of the 19th century and in the beginning of the 20th century, in addition to women bearing arms and manoeuvring within formal politics, there were several female figures who were highly prominent in fighting for access to education. However, it was R.A. Kartini's feminist ideas or thoughts that generally inspired Indonesian women to attain "women's emancipation".

Despite a growing number of women's organisations including the emergence of women's ideas and figures, Gerakan Wanita Indonesia (Indonesian Women's Movement/GERWANI) was one of the most socially and politically prominent in the two earliest periods of democracy in Indonesia (since the end of 1940s to 1965)[1]. Established in 1950, GERWANI initially had 500 women members who generally were highly educated and possessed more progressive political awareness compared to other women's groups. In its last moments, the organisation had 1,5 million women members and had established a close ideological connection with the Indonesian Communist Party

---

1 Wieringa, Saskia Eleonora, 1999. *"Penghancuran Gerakan Perempuan di Indonesia".* Garba Budaya and Kalyanamitra.

(Partai Komunis Indonesia/PKI), which then became targeted for destruction by the armed forces under General Soeharto, during the power struggle in 1965. Since then, independent, militant, progressive women's organisations which generally focused on the grass root level, with large amounts of members and supporters, were practically eliminated from the political map of the Indonesian women's movement.

Under the New Order era, the state's gender discourse was institutionalised through the establishment of a women's organisation which operated as Family's Welfare Guidance (Pembinaan Kesejahteraan Keluarga/PKK). It's mission was to support and implement National Development, particularly by ensuring the success of the family planning programme to control the birth rate.[2] PKK's structure and leadership comprised of government officials' wives who were in Dharma Pertiwi (an association of military officers' wives) and Dharma Wanita (association of civil servants' wives).

Until 1998, following the development of new feminist discourse among Indonesian women's movement scholars and activists, several new women's organisations were established which saw sexuality as a contributing factor to women's poverty. In 1983, Yayasan Anisa Swasti (Anisa Swasti Foundation/Yasanti) in Yogyakarta started with a focus on strengthening women's labor rights, followed by Kalyanamitra in Jakarta[3].

There are also organisations such as Women's Journals Foundation (Yayasan Jurnal Perempuan/ YJP) which published the first feminist journal, Jurnal Perempuan (JP) in 1996, to empower women through knowledge and was prominent through its role in organising the Voice of The Concerned Mothers (Suara Ibu Peduli/SIP) protest movement in 1998; Affirmation (Afirmasi) journal, published by the WRI (Women's Research Institute) in 2002; Women's Solidarity for Human Rights (Solidaritas Perempuan) which focuses on organising women migrant workers; Women's Vessel Institute (Institut Kapal Perempuan) which was established in 2000 and focuses on feminist-based critical education; the Foundation for the Empowerment of Women Headed Household (Perempuan Kepala Keluarga/PEKKA) which commenced its work in 2000 to empower female heads of households, and university's Women's Centre (PSW).

Through Presidential Decree (Keppres) No. 181/1998 and reaffirmed by Presidential Regulation (Perpres) No. 66/2005, the Reform Era encouraged the establishment of a feminist-leaning government institution, the National Commission on Violence Against Women (KOMNAS HAM) to enforce the human rights of women, improve pro-women policies, and act as political representatives.[4] There have been many women's organisations that later were established in the period approaching and during the Reform era, which enriched and strengthened the correlation between theories of feminism and political practices in the struggle of women's movement.

1.2 Women's representation and participation in politics and governance

Indonesia uses a proportional representation (PR) system in its legislative elections. In 1999, after the fall of the New Order, Indonesia held its first free and fair elections. Despite being hailed as a success, the country was not successful in delivering a representative number of women candidates to sit in the parliament with a proportion of only 9.6 % of seats.

In 2002, the advocacy of the Indonesian women's movement for gender-based legislative quota in parliament resulted in the stipulation of Law No. 12/2003 which was implemented in the 2004 general elections for the first time. Article 65(1) of the law states that, "Every political party that participates in an election *may* propose Member of Parliament candidates at the national, provincial and regency/municipality level or in each election district, ensuring at least 30% women's representation". However, with no sanctions for non-compliance, the law failed in pushing parties to achieve the target for women's representation in the parliament, with only three out of the seven parties[5] reaching the parliamentary threshold of 30%.

Following the result of the 2004 elections, electoral laws were revised. Law No. 2/2008 requires each party's managing officers to be made up of 30% women, resulting in women occupying 10% of the management ranks in the political parties. Law No. 10/2008 makes it compulsory for political parties to include a minimum of 30% women candidates and to place women candidates in one of every three places

2   Suryakusuma, Julia. (2011). *"State Ibuism: The Social Construction of Womenhood in New Order Indonesia"*. Komunitas Bambu.
3   Aripurnami et all, Sita. (2013). *"Indonesian Women's Movement: Making Democracy Gender Responsive"*. Women Research Institute.
4   Lovenduski, Joni. (2005). *"State Feminism and Political Representation"*. NY: Cambridge University Press.
5   Siregar, Wahida Zain Br. (2006). *"Women and the Failure to Achieve 30 % Quota in the 2004-2009 Indonesian Parliaments: The Role of the Electoral System"*.

on the candidate list (zipper system), resulting in the jump of proportion of women from 11.1% in 2004 to 17.86%, bringing Indonesia closer to the world average, which was 19%[6] at the time.

Despite different efforts to promote women's political participation, for example the effort by the National Electoral Commission which vowed to strictly enforce gender quota, or programmes and initiatives to promote women candidates launched by the government ministries, the proportion of women elected to the national parliament in 2014 declined to 17.32% (Table 1). A similar pattern has emerged in the elections at the House of Regional Representatives (DPD), with a decline from 36 elected female senators in 2009 to 34 in 2014. With no gender quota in the DPD, candidates contest elections on an individual basis from a larger constituency, based on their own political and community work and relationship with the constituents.

Table 1 — Seats Won by Men and Women in Indonesia's National Parliament - 1999-2014 (Source: Indonesian Election Commission)

ELECTION YEAR	TOTAL SEATS	WOMEN	MEN
2014	560	**17.32%**	82.68%
2009	550	**17.86%**	82.14%
2004	550	**11.1%**	88.9%
1999	500	**9.6%**	90.4%

The long-institutionalised conservative and patriarchal attitudes in Indonesian politics are not the only issues preventing greater women parliamentary representation. Recent elections see an increasing number of successful women candidates of political dynastic backgrounds — 41.7% of women MPs in the 2009-2014 parliament and 46.75% in the 2014-2019[7] — demonstrating the high cost of running for office as another major barrier.

By the end of 2009, there was only one woman elected as governor (Governor of Banten Province) out of 33 elected governors and only one woman elected as deputy governor (Vice-Governor of Central Java)[8]. Meanwhile, out of 440 districts/municipalities, there were 10 women Regents/Mayors (2.27%) and of the 402 posts of Vice Regent/Mayor, 12 were women[9].

In the 2015 concurrent elections, a total of 46 women were elected regional heads and deputy heads[10]. In the 2017 elections, 13 women leaders were elected - one deputy governor, two mayors, one vice mayor, eight regents and one vice regent[11]. Meanwhile, in the latest concurrent elections, there was an increase in women's participation, with 101 women out of 1.136 candidates competing[12]. Most of these elected women regional leaders are incumbents, ex-legislators, have kinship with regional or political party's leader and/or rely on their family network or political dynasty[13]. Even though the number of women in parliament and regional government is increasing, there is minimal discussion of issues related to women in parliament[14], including their marginalisation.

Besides the Ministry of Women's Empowerment and Child's Protection, women have been occupying ministerial posts in the Ministry of Trade, Ministry of Finance, Health Ministry, National Development Planning Ministry/National Development Planning Agency, Coordinating Ministry of Human Development and Culture, Ministry of Foreign Affairs, Ministry of Environment and Forestry, Ministry of Maritime Affairs and Fisheries, Ministry of State-owned Enterprises and Ministry of Social Affairs. According to UNDP's report on Gender Equality in Public Administration, the percentage of women in civil service in Indonesia is at 27.2% and those in senior management level is at 16.6%[15].

6   Noor F. (2015). *"Electoral Reforms and Women's Representation in Indonesia: Successes, Challenges and the Way Forward"* in *Improving Electoral Practices: Case Studies and Practical Approaches.*

7   Margret, Ana, et al. (2014). *"Potret Keterpilihan Anggota Legislatif Hasil Pemilu 2014".* Puskapol UI.

8   Siregar, Wahida Zain Br. (2006). *"Political Parties, Electoral System and Women's Representation in the 2004-2009 Indonesian Parliaments".* CDI – Policy Paper on Political Governance.

9   Ministry of Home Affairs. (2010).

10 Perludem. (2015). *Press release.* http://perludem.org/2015/12/20/siaran-pers-jalan-terjal-perempuan-kepala-daerah-terpilih-potret-keterpilihan-perempuan-dan-tantangan-lahirkan-kebijakan-properempuan/

11 KPU. (2017). *Laporan Pasangan Calon Tahap Penetapan.* https://pilkada2017.kpu.go.id/paslon/tahapPenetapan

12 KPU. (2018). *Laporan Pasangan Calon Tahap Penetapan.* https://infopemilu.kpu.go.id/pilkada2018/paslon/tahapPenetapan

13 Rumah Pemilu. (2018). *Potret Perempuan Calon Kepala Daerah di Pilkada 2018.* http://rumahpemilu.org/potret-perempuan-calon-kepala-daerah-di-pilkada-2018/

14 Irwansyah, et al., (2013). *Paradoks Representasi Politik Perempuan. Studi terhadap Perempuan Anggota DPRD Banten, DKI Jakarta.* Puskapol.

15 UNDP Gender Equality in Public Administration. (2017). http://data.50x50movement.org/countries/view/Indonesia

1.3 Regulatory and policy framework for gender mainstreaming in politics and governance

In Indonesia, women's representation and participation in legislative, executive and judicial bodies are mandated in and guarded by Article 46 of UU No. 39/1999 on Human Rights, stating, "The general election system, political party system, system of electing members of people's representative organisations, and the system of appointing executives, judges and civil servants must ensure that women are adequately represented."

Meanwhile, as the continuation of the commitment to gender-mainstreaming enacted in the 2000 Inpres, the National Medium-Term Development Plan (RPJMN 2000-2004) has officially included gender issues, and the Ministry of Home Affairs (MoHA) issued a Guidelines on Implementing Gender Mainstreaming in the Regions in 2008 (Permendagri No. 15/2008) which has been updated into Permendagri No. 67/2011 on General Guidelines for Gender Mainstreaming in Regional Governance. The gender mainstreaming programme refers to consulting and training for the improvement of women's positions in health, education, politics, leadership and poverty, as well as for the reduction of violence against women; and capacity-building and skills enhancement for empowering women.

The 2004 National Strategy for Poverty Reduction (Strategi Nasional Penanggulangan Kemiskinan/SNPK) was the first document to consider poverty as a multifaceted problem that includes gender inequality. The SNPK was integrated into RPJMN 2004-2009, placing poverty alleviation among its main priorities on the development agenda. RPJMN 2010–14 was the first government plan to mandate integration of gender mainstreaming policies in the planning and budgeting process, including gender-disaggregated policies, indicators and targets from various ministries and agencies.

The Conditional Cash Transfer Programme (Program Keluarga Harapan/PKH) is one example of a social protection programme which has incorporated gender issues. Under the programme, an allowance is transferred to women in the household on the condition that they send their children to school or the health centre or pregnant women attend health check-ups. But, this has been criticized by some scholars as reinforcing the bias that care of children and the household should be a woman's job.

In Indonesia's National Long-Term Development Plan (RPJPN 2005-2025) and RPJMN 2015-2019, gender equality and equity are also laid out as one of the development goals. With regards to public administration and open government, the plans mandate the enhancement of women's representation in politics and development, by ensuring the commitment of development actors to integrate gender perspectives in development planning at the national and regional level and incorporating Gender Responsive Budgeting (GRB) procedures in development planning (Gender Responsive Planning/GRP). The integration of gender perspectives into policy planning and implementation has also been mandated through other provisions, including Government Regulation No. 38/2007 on Division of Functions between National and Subnational Governments and UU No. 23/2014 on Regional Governance.

Despite numerous commitments to improve women's conditions since the reform, effectively promoting gender equality in Indonesia is still challenging. Institutional capacity, the widely adopted perception of gender mainstreaming as a programme rather than a development strategy, and the reality that gender programmes are usually not structured according to local needs by regional governments are among the contributing factors that undermine existing efforts[16].

---

16 Yumna, Athia, et al. (2012). *The politics of gender and social protection in Indonesia: Opportunities and challenges for a transformative approach.* Overseas Development Institute (ODI).

02

RESEARCH QUESTIONS AND METHODOLOGY

2.1   Research questions

In this research, we explored the role of women in open government processes and how country governments and OGP processes have ensured women's representation and the inclusion of women's issues and concerns in open government in these two countries. This stems from the hypothesis that the inclusion of women in OGP processes is incidental, if not accidental, and that the inclusion of women's issues and concerns is impacted by the lack of intentionality in making the OGP process inclusive of women.

More particularly, the research would like to answer the following questions:

1. **How are women and women's groups participating in open government processes more particularly?** How are women's issues and concerns presented/represented in NAP processes and how are their needs considered in drafting the NAP? What mechanisms and processes have governments instituted to ensure that women are represented in OGP processes and their issues and concerns included?

2. **What key gender data sets do women want their governments to proactively publish?** What datasets were provided by government to them proactively, and used by them to pursue gender-inclusive development?

3. **What challenges and opportunities exist in terms of incorporating gender-sensitive OGP commitments in these countries?**

2.2   Methodology

Data collection, done over a period of three months, involved a combination of review of secondary documents, (e.g. budget statements, spending reports, laws and policies, OGP action plans), key informant interviews, and focus group discussions with government, civil society advocates, and local community representatives. Prior and informed consent was obtained from respondents in key informant interviews and focus groups. Respondents' right to privacy was also respected. A total of 22 individuals participated in the research, from government (5), national civil society organizations (6), women's groups (11); 72% of whom are women.

The researchers find Longwe's Women's Empowerment Framework as an appropriate lens to assess the "OGP Project" in Indonesia. The framework focuses on levels of empowerment – welfare, access, conscientization, participation, and control – and the attendant conditions that bring about differences in both men and women's condition along these levels.

The researchers are mindful of the inherent limitations of the framework and uses these limitations as points of consideration in unpacking the analysis narratives. The researchers redefined the notions of access to suit the OGP as a political project – welfare (women's current political condition, relative to men), access (women's access to political processes within the OGP), conscientization (conscious understanding of sex and gender, cultural norms, and its implications to political participation), participation (women's participation in political processes), and control (women's control over decision making processes).

03

RESEARCH FINDINGS
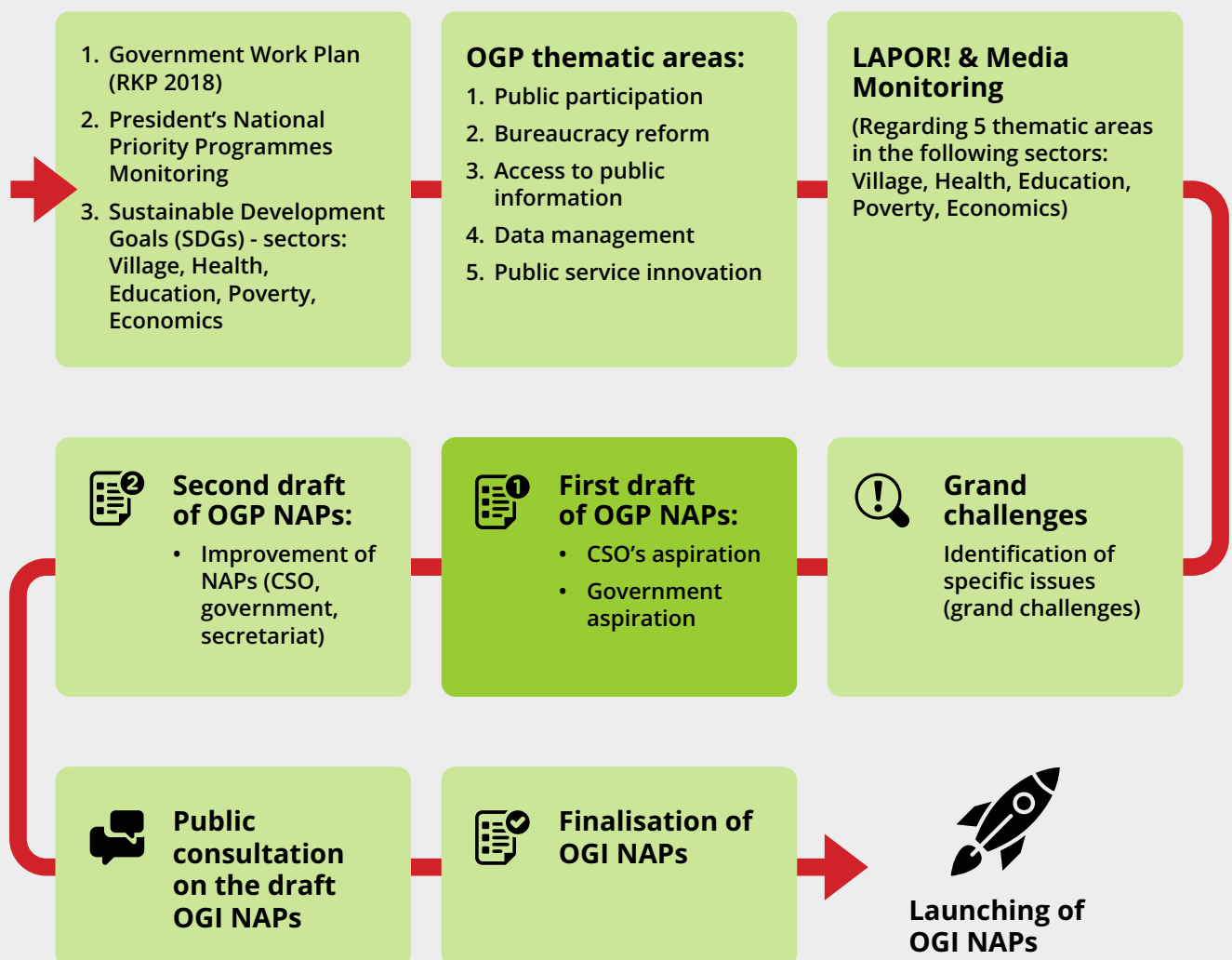
3.1 Framework for inclusion

The enabling framework supporting open government in Indonesia (OGI) encompasses both the legal provisions and strategic plans that reinforce the development of innovative solutions for supporting transparency and accountability in government. The Constitution's Article 23 (1) mandates the accountable planning and implementation of the national budget whilst article 28F recognises the public's right to participation, guarantees access to information and provides the mechanisms through which information is disseminated. The public's right to information is acknowledged in Law No. 14/2008 on Freedom of Information which guarantees citizens' right to know, the government's obligation to provide information, and public agencies responsibility to establish an information and documentation system which enables proper and efficient management of public information.

Law No. 25/2009 on Public Services and Law No. 5/2014 on the Civil Service provide a context for government action to increase the quality of public services and enhance the flexibility and transparency of the civil service. Additionally, Law No. 23/2014 on Local Government ensures legal protection for innovative behaviour through its creation of the "right to innovate". Furthermore, the country's key strategic policy documents such as the National Medium-Term Development Plan (RPJMN) 2015-19 and the current administration's National Priority Agenda *(Nawacita)* indicate public innovation as instrumental to improving the quality of public services, reflecting open government priorities.

Initially, the OGP process in Indonesia was coordinated by the President's Delivery Unit for Development Supervision and Control (UKP4), whose role was later taken over by the National Planning Agency (Bappenas) following the 2014 General Election. The oversight and management of open government reforms are managed by the National Open Government Secretariat, staffed by representatives from the Ministry of Foreign Affairs, Bappenas, and the Executive Office of the President (KSP). The OGI initiative is coordinated between CSOs and government agencies through an assembly called the National Open Government Indonesia Strategic Coordination Team (Core Team). During the implementation period, the Core Team's meetings serve as the multi-stakeholder consultation forum.

The co-creation approach to the process of developing National Action Plans (NAPs) in the OGI begins with the Core Team reviewing the government work plan, the President's National Priority Agenda and Sustainable Development Goals (SDGs) related to the village, health, education, poverty and economic sectors (Figure 1). From the review, OGI thematic areas were determined and synthesised with the relevant findings from the People's Online Services and Complaints Aspiration System (LAPOR!) and media monitoring, to identify the country's grand challenges for open government. The grand challenges become the basis to develop the draft of OGI NAPs, combining inputs from government and CSOs. The draft is then consulted with the public through mini-seminars and online public consultation. After the final draft is agreed upon by stakeholders, the NAPs are launched.

Figure 1 — National Action Plan Development Process, Indonesia

1. Government Work Plan (RKP 2018)
2. President's National Priority Programmes Monitoring
3. Sustainable Development Goals (SDGs) - sectors: Village, Health, Education, Poverty, Economics

OGP thematic areas:
1. Public participation
2. Bureaucracy reform
3. Access to public information
4. Data management
5. Public service innovation

LAPOR! & Media Monitoring
(Regarding 5 thematic areas in the following sectors: Village, Health, Education, Poverty, Economics)

Second draft of OGP NAPs:
• Improvement of NAPs (CSO, government, secretariat)

First draft of OGP NAPs:
• CSO's aspiration
• Government aspiration

Grand challenges
Identification of specific issues (grand challenges)

Public consultation on the draft OGI NAPs

Finalisation of OGI NAPs

Launching of OGI NAPs

3.2 Women's participation in the OGP process

In these processes, how were women participating? Women's organizations are not represented in the Core Team for Indonesia. Though there are women who are members of the Core Team, they represent different sectoral concerns. Two out of the seven civil society representatives are women, but they represent environment and budget transparency organizations.

While conceptually, OGP is an initiative that promotes the co-creation process between different stakeholders of the country in governance, OGI has yet instituted any forms of participatory mechanisms that could ensure equal representation of different citizen groups in its processes and evaluate the inclusive quality of its processes and outcomes. However, OGI welcome the participation of any sector throughout, from the preparation of NAPs, their implementation, as well as monitoring and evaluation.

A few women organisations consulted are aware of the OGP through their membership in pre-existing CSO networks such as Freedom of Information Network Indonesia (FoINI) and Judicial Monitoring Society (Masyarakat Pemantau Peradilan Indonesia/MaPPi). However, little do they know about OGP processes and participatory mechanisms.

3.3 Inclusion of women's issues and concerns in OGP action plans

In Indonesia, priority women's issues and concerns are as follows: (1) violence against women; (2) child marriage; (3) and gender-based discrimination in social, political, and economic affairs. Yet, with women's organisations not represented in the ongoing OGI processes, the commitments in the national action plans do not incorporate gender perspectives as showcased by the absence of specific women's issues and concerns in expected outcomes and indicators. This is the case despite the fact that in Indonesia women's organizations down to the grassroots level are participating significantly in governance processes. In the same way, the government agencies dealing with women's issues and concerns are not participants

in the core OGP team and have not been involved in the implementation, monitoring, and evaluation of the action plans.

Although the inclusion of women's issues is absent in NAP, the CSOs consulted argue that the importance of women's participation and inclusion of women's issues is reflected in the government work plan through the gender-responsive planning and budgeting mechanism, especially at the local government. At the national level,outside the OGP, the effort to integrate a gender perspective into policy planning and implementation has been strengthened through the introduction of gender-responsive budgeting (GRB) and gender-responsive planning (GRP) in the long-term and mid-term development plans (RPJPN 2005-2025 and RPJMN 2015-2019) where gender equality and equity are also laid out as development goals.

3.4 Data publication and use

Whilst the draft of presidential decree on One Data(One Data/Satu Data Indonesia) is waiting to be ratified, the ONe Data portal has run and been used by the public. Sex-disaggregated data is available for example for access to primary education, participation in the local elections, the composition of members of the house of representatives and the regional house of representatives, literacy level, number of teachers, migrant workers and workforce.

Women's organisations frequently use open data from ministries or government agencies in their work, particularly to support the data they obtain from fieldwork. The sex-disaggregated data that women's organisations use in their work include school participation, illiteracy, marriage age, workforce, women's life expectancy and the provision of contraception. They use the data for internal organisation's learning and capacity-building purpose. They also use it for research purposes which then become the evidence base for the organisations to lobby for specific issues and conduct advocacy, campaign and outreach activities. Not all data that women need and used are made available through the government's open data portal; thus they source needed data sets from other sources than through the portal.

04

CHALLENGES AND OPPORTUNITIES

4.1 Challenges

We classify and discuss the challenges in advancing women's inclusion in the OGP process into four challenges below: institutional, policy, cultural, and process.

4.1.1 Institutional challenges

OGI as the OGP lead agency is faced by serious difficulties in terms of strengthening its institutional capacity. At the beginning of 2018, almost all of the OGI team left, confronting the Indonesian government to recruit and assemble a new team. This was a major drawback because precious institutional memory and intellectual capital was lost in the process. This was aggravated by the reassignment of a main point person from BAPPENAS (the planning ministry) who has been focusing on OGP and OG initiatives since the time Indonesia joined the partnership.

Several stakeholders have also observed that the OGP is a low priority of the country's current president and major power-brokers within the bureaucracy have not been significantly involved in the OGP process, thus lacking its clout within the bureaucracy. The office also does not have a strong mandate and no significant power over other agencies. Without

strong legal instruments and political support for its operation, OGI does not have sufficient power and resources to lead the OGP process and accelerate the implementation of NAPs. Also, because of frequent changes in personnel, OGI is perceived as weak in terms of performing its role in coordinating different stakeholders and different competing processes. This lack of sense of belonging and political commitment of government stakeholders to OGI has been identified in the 2013-2015 Independent Reporting Mechanism (IRM). Whilst the OGI is catching up in terms of fulfilling necessary institutional strengthening systems and processes to achieve solid and effective governance, it still needs to go along with the OGP's calendar cycle on a routine basis.

In addition, there is no strong orientation towards gender and feminism in the lead agencies coordinating the OGP processes. As a result, inclusion of women in OGP processes is not purposive but accidental, and the inclusion of women's issues and concerns in the NAP is inconsequential let alone mainstreaming gender responsive planning across government bodies/agencies.

4.1.2   Policy challenges

Despite having ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) through UU No. 7/1984, discrimination regarding women's involvement in the public sector is still strong. The government exerted effort to strengthen the mainstreaming of gender perspectives throughout the decision-making process in the Ministries and other government agencies through Presidential Instruction No. 9/2000 (Inpres PUG) on Gender Mainstreaming in National Development Planning and Programming.

To reinforce the Inpres, in 2006 the Ministry of Women's Empowerment and Child's Protection (KPPPA) drafted a government regulation (Rancangan Peraturan Pemerintah/RPP) on gender mainstreaming in development which was then transformed into a bill (Rancangan Undang-Undang/RUU) on Gender Equality and Equity (KKG) in order to reinforce its legal power in 2009. The bill was finalised by the legal drafting team in 2011 and consulted with multiple stakeholders. It was inserted into the 2012 National Legislation Programme (Program Legislasi Nasional/ Prolegnas). Since its informal introduction to the public, RUU KKG has caused public debates between those who are in favour of and those who are against its ratification based on various perspectives, including religious beliefs.

The failure of the national parliament to pass RUU KKG after years-long of stalled deliberation and the lack of support for the Bill among many elite women parliamentarians highlight the ongoing challenge for women's representation in Indonesia. RUU KKG was reinstated in the 2015-2019 Prolegnas. However, it has not been discussed yet until the end of 2017 and not even included in the 2018 Prolegnas.

Despite numerous commitments to improve women's conditions since the reform, effectively promoting gender equality in Indonesia is still challenging. Institutionally, the widely adopted perception of gender mainstreaming as a programme rather than a development strategy, and the reality that gender programmes are usually not structured according to local needs by regional governments are among the contributing factors that undermine existing efforts.

4.1.3   Cultural challenges

The full realization of women's rights in Indonesia is significantly affected by deeply ingrained cultural biases. With a Gender Inequality Index (GII) of 0.467 in 2016, Indonesia ranked 105 among 188 countries by the UNDP. Meanwhile, the Gender Development Index (GDI) revealed a wide gender gap in terms of gross national income per capita, which is 6.668 for women and 13.391 for men. Only 50.9% of women participate in the labour force, compared to 83.9% of men, and approximately, women go to school only until 8th grade compared to 9th for men. These indexes reflect the challenges and constraints to Indonesian women's participation in public life and representation in politics. Common impediments stem from the larger discursive, socio-cultural, economic, institutional and political contexts of society, forming structural and functional barriers for women.

The entrenched patriarchal mindset that sustains the traditional gender divisions and public-private dichotomy shape structures of opportunities for women in Indonesia. It discounts women's contribution in the productive sphere and at the same time, sees investment in women's human capital as of less importance. Ergo, women lack the social and economic power to challenge the system that subordinates them.

For example, most women in Indonesia are not decision-makers at household or community levels. Those who are still expected by the society to carry their domestic roles and responsibilities, trapping women in double burden. The public attitudes and perceptions toward women in politics and public leadership positions were reflected for example in a

poll by the Asia Foundation in the lead up to the 2014 elections[17]; 44% of voters preferred male candidates, 3% preferred female candidates and 48% preferred neither male nor female candidates.

Meanwhile, sexualisation is another feature common in Indonesian media and public discourse of women politicians. For example, political parties also contribute to the institutionalisation of women's marginalisation and exclusion in politics by not investing sufficiently in women's cadre building, not ensuring women's representation in the party's leadership and decision-making positions, and not incorporating the gender quota into party statutes. These limit women's ability to influence political agenda and to increase the visibility of their capability and achievements whereas political parties are the primary vehicles of representation in Indonesia's multiparty democracy.

Decentralisation, whilst presenting opportunities for women to take part in local government and in development planning also provides the space for conservative religious forces to use regional autonomy to impose their versions of Sharia in some areas of the country. The National Commission on Violence Against Women (KOMNAS Perempuan) reported that in 2009-2016, there have been 421 local regulations that discriminate against women throughout Indonesia. These regulations restrict, among others, women's mobility and morality.

Despite several opinions that it is time to proclaim a more explicit commitment to mend OGP's lack of representation of women's groups, some others argue that existing mechanism already guarantees equal opportunity to different interest groups to participate in the OGI processes. They assert that in an effort to assist groups who face significant barriers to retain their socio-economic, cultural and political rights, all marginalised groups should be treated the same way. According to these respondents, the current mechanism has already encouraged the contribution of diverse viewpoints essential to realise better governance and economic and social outcomes through OGP as a platform. They argue that the embedded agenda of increasing access and use of public information in all of NAPs essentially seeks to empower all citizen groups, including women whose exercise of agency to participate in government was greatly restricted prior to the effort.

4.1.4   Process issues

OGP has not issued any guidance requirement inclusive participation in OGP processes in its member countries, nor has it included inclusion, or even gender-related indicators in evaluation of NAP through the IRM process. There is also no explicit requirement to assess the NAPs in terms of its contribution to increasing women's political representation, access to information, public services, economic resources and social protection. This results in the lack of incentives to push the inclusive processes, not just women, but also other underrepresented sectors and demographics.

The nature of the OGP principles do not point to inclusion, at least in how the principles are expressed when OGP started in 2011. While transparency, accountability, and citizen participation are the pillars to which government performance is measured against, inclusion of women, and other marginalized groups is assumed under the catch-all banner of participation. Though recent literature produced by the OGP Steering Committee mentions women participation, this can not be seen in the language of guidance notes issued by OGP on the core values of access to information, civic participation, public accountability, and technology and innovation.

This lack of guidance, or the pointers towards it, which OGP is now starting to amend with making inclusion as a fundamental consideration in the participation pillar, affected the OGP processes in Indonesia. Inclusion of women merely depends on the country's political commitment, which is often not strong and persistent enough in the current case. There is no explicit effort to involve women's groups and outreach to women and other underrepresented sectors has not been done since. Given the lack of participation of women groups and agencies promoting women's issues and concerns, gender-responsiveness has never permeated OGP processes in the country.

---

17   https://www.newmandala.org/the-30/

4.2 Opportunities

But these challenges also present opportunities as indicated below:

4.2.1   The OGP momentum for the inclusion of women

Whilst some assert that the absence of a requirement or mandate from OGP for gender mainstreaming in open government is the main factor, the ongoing discussion around feminist open government in OGP, starting off with this research, might present social pressures for the steering committee in Indonesia to institutionalise the process.

4.2.2   Greater awareness and willingness of women organizations to participate in OGP processes

The level of awareness of women's organizations of the OGP process is distinctively low. That can also be said of other sectors and marginalised groups as well as we have not seen, for example representation from farmers and fishermen, the LGBT community, indigenous people, children and youth, among others. Interestingly enough, we do not see commitments addressing specific issues of these sectors and groups. It does seem apparent that the extent and breadth of the commitments included in the OGP action plans are reflective of who are in the table.

4.2.3   Gender lens to discern gender dimensions in NAP

There are several commitments included in the current NAP which can be used as a start for engagement with women's issues and concerns, such as access to education, health services, social protection, ownership rights and access to productive resources, participatory decision-making and budgeting in village and regional level.

For example, LAPOR! (People's Online Services and Complaints Aspiration System) is an OGP commitment in the past cycles of the NAP. Its articulation can be deepened, including its reporting process, by looking at the nature and source of complaints – to determine issues more relevant for women and how can this be addressed systematically to ensure that they will be excluded in future complaints and are therefore resolved. However, it must be noted that for the OGP's NAP to be more relevant to women's issues and concerns, problems like violence against women, inclusive economic participation, women's ownership and control over land and other resources must be addressed.

RECOMMENDATIONS

The participation of women in the OGP process in Indonesia was just coincidental - women are in the OGP discussions as representatives of their organizations or offices, and not necessarily representing women's groups or women's interests.

This affected how the OGP action plans were prepared and how women's issues and concerns were unintentionally excluded in the process. The OGP process, in this case, can be made inclusive by design, and this means that more opportunities could have been designed for more women interest groups to participate and advocate for women-specific commitments.

While several Indonesian stakeholders have emphasized that there is no need to specifically target women's participation in the OGP process because doing so would mean having to include other stakeholders and not just women, the principle of inclusive design argues the opposite. Though largely theorized regarding the design of products, its main argument can be applied to the design of policy instruments like the OGP by ensuring that diversity informs the development process[18] and that the needs of marginalized user groups are included[19]. Thus, for OGP to be inclusive, it needs to include as many stakeholders as possible, especially those who are underrepresented.

But is designing an inclusive OGP process enough?

Inclusive by design does not necessarily mean inclusive by implementation. There can be instances when women are consulted but their issues and concerns, once identified in the consultation process, are not addressed during implementation of development initiatives. Longwe's women empowerment framework, in this case, is helpful, because it requires further articulation of how those included are valued in the process of incorporation. Are they just given access to the means of participation in the OGP process (welfare) or they are given the voice to control the decision-making process (control)? In the same way, as a consequence of their inclusion, will they be better than before, when they were excluded (positive recognition) or nothing is expected to be changed at all (neutral recognition)?

To improve gender-responsiveness of the OGP action process in Indonesia, the following recommendations are proposed:

1. The Open Government Partnership should consider including an operation manual, code of conduct, or mandatory requirement for equal participation throughout the OGP cycle as well as mechanisms to evaluate NAPs in terms of its contribution to increasing women's political representation, access to information, public services, economic resources and social protection. Guidance could be developed to support women's participation including the use of gender indicators to evaluate the quality of open government implementation.

2. The Open Government Indonesia should invest additional efforts to increase awareness of women's organizations as to the value of participation in the OGP and benefits for engaging. More than merely inviting women's groups to participate in the OGP processes, ensuring that there is a greater political opportunity for their activism to gain success through the OGP platform is critical.

---

18 https://www.repository.cam.ac.uk/bitstream/handle/1810/251415/1-s2.0-S0003687013000513-main.pdf?sequence=5
19 https://pdfs.semanticscholar.org/9800/1916bc0043cdbc0513d550740414fad7c078.pdf

3. The Indonesian government should strengthen the role of the Ministry of Women Empowerment and Child Protection in the OGP processes and involve more women's organizations in the formulation, implementation, and monitoring of national action plans (NAP).

4. The Indonesian government should include gender indicators in OGP country progress reports. The inclusion of gender dimensions in OGP NAPs and the involvement of women in community monitoring of its implementation could be used as a method to assess OGP impact on men and women and to identify corrective measures needed to ensure future positive outcomes.

5. Women's organizations and civil society groups should leverage commitments included in the current NAP as a starting place for engagement with women's issues and concerns, such as access to education, health services, social protection, ownership rights and access to productive resources, among others. The incorporation of more specific issues to the NAPs which address the need for diverse marginalized groups would add depth to the general OGP themes and increase the OGP profile as a platform to improve governance.

OPEN DATA LABS
JAKARTA

WORLD WIDE WEB
FOUNDATION