

# The Indonesian Update

Monthly Review on Economic, Legal, Security, Political, and Social Affairs



## Main Report:

Women and Discrimination Today: Reviewing the 39 Years of CEDAW Ratification Results on Cases of Violence Against Women in Indonesia

## The Economics

The Dynamics of Inflation in the Early 2023 ■

Looking at the Distribution of People's Business Credit (KUR) for Women Entrepreneurs ■

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Examining the Fulfillment of the Right to Water in the Regulatory Policy on Water Management in Indonesia ■

## Politics

Fighting over the Chair of PSSI ■

Sports Federations in the Grasps of Politicians ■

Looking at the Verification and Research (Coklit) ■

Stages in the Context of Updating the Voters Data for the 2024 Elections

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# FOREWORD

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The March 2023 edition of the Indonesian Update raises a main report on International Women's Day, which falls on 8 March every year. This year's commemoration of the United Nations World Organization for Women (UN Woman) takes the theme of embracing equity. Indonesia's reflections on discrimination against Indonesian women today mean that the practices of discrimination and intolerance from an equality perspective still occur in all aspects of life.

In the economic field, the Indonesian Update highlights economic growth in the first quarter of 2023 shows a significant improvement compared to that in the previous year. Even though economic growth continues to increase, it is necessary to pay attention to inflation so that it can be kept stable. Ahead of annual important moments, such as Ramadan and Eid al-Fitr, there will be price fluctuations that will have significant effects on inflation. In addition, we discuss the distribution of People's Business Credit (KUR) for women entrepreneurs.

In the legal field, the Indonesian Update raises the issue of the ineffective implementations of the death penalty in Indonesia. So, further studies are needed to encourage the abolition of the death penalty in the legal system in Indonesia. Next, we discuss the fulfillment of the right to water in the regulation of water management policies in Indonesia.

In the field of politics, the Indonesian Update publishes two articles on politics and sports. The first article discusses the election of Erick Thohir as the General Chair of PSSI. This indicates that the position of the General Chairperson of PSSI has indeed attracted the attention of politicians. The reason is that football as the most popular sport in Indonesia can provide a spotlight for politicians, which will be useful for them to win the upcoming elections. Next, we discuss a number of state officials and politicians who are currently occupying the positions of general chairs of the sports federations.

Apart from that, in the political field, we also discuss the verification and research stages (coklit,) which were carried out from 12 February to 14 March 2023. The coklit stage was one of the important stages for compiling the Final Voter List (DPT) for the 2024 Elections so that it can be better than those in the previous general elections.

It is hoped that the monthly publication of the Indonesian Update with current themes will help policy makers in government and business institutions – as well as academics, think tanks and elements of civil society, both domestic and foreign, to obtain actual information and contextual analysis on economic conditions, political, social, and legal in Indonesia, as well as an understanding of public policy in Indonesia.

**Happy Reading.**

## **Women and Discrimination Today: Reviewing the 39 Years of CEDAW Ratification Results on Cases of Violence Against Women in Indonesia**

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Every March 8, the global community specially commemorates International Women's day. On that day of this year, the UN Women's World Organization (UN Woman) took the theme Embrace Equity.

Indonesia's reflection on discrimination against Indonesian women today means that the practices of discrimination and intolerance in the perspective of equality still occur in all aspects of life. One example is the virginity test in the recruitment process in the police organization, which is a proof that the practices of discrimination against women in Indonesia are real. In addition, the practices of discrimination also occur in the profession of household assistant/ domestic helper, whom are mostly occupied by women. They still have vulnerabilities in terms of receiving discriminatory treatments, not only because they are women, but also because their profession is still considered unequal. Meanwhile, the draft law on the protection of domestic workers has not yet been ratified.

Indonesia had ratified the Convention on Law No. 7/1984 on the elimination of all forms of discrimination against women. The International Convention on the Elimination of all Forms of Discrimination against Women (ICEDAW) was born out of the experiences of discrimination against women in various parts of the world and the long struggle to establish a commitment that women have equal rights as human beings. The global community in general is invited back to remember what discrimination and its reflection mean in today's life.

The CEDAW convention is recognized worldwide as a cornerstone for gender equality and Justice (Achie, 2014). The existence of Law No. 7/1984 on the ratification of this convention means that Indonesia carries out legal acts binding themselves to international agreements, creating obligations, and state accountability to provide

respect, fulfilment, the protection of women's rights in order to eliminate all forms of discrimination against women. Conventions that have been passed with laws become sources of law in the formal sense, in addition to legislations, customs, jurisprudence and doctrines. This is guaranteed in Indonesian Law No. 39/1999 on Human Rights (Achie, 2014).

One of the general recommendations No. 19/1992 is about violence against women based on gender is a form of state responsibility. The state has an important role and is responsible for taking the appropriate and effective measures and policies to address gender-based violence, both in the private, in the public and in the domestic sectors. This is to ensure that the state provides protection to women from all acts of violence that occur in any spheres.

### **The Follow-up of CEDAW Ratification No. 19/1992 on Violence Against Women in Indonesia**

The annual record sheet (Catahu) issued by Komnas Perempuan every year provides an overview of the records of violence cases that have been collected throughout the year. Throughout 2022, Komnas Perempuan had a decrease in the number of complaints of cases from the previous year, to 457,895 from 459,094. The decrease in case reporting was compiled from the data from service institutions and Badilag (Religious Court Agency).

The data on complaints of sexual violence received by Komnas Perempuan throughout 2022 showed that forms of violence against women were dominant with a total of 2,228 cases or 38.21%, followed by forms of psychic violence with 2,083 data or 35.72%. The data from service agencies were dominated by violence in physical form with the number of cases as many as 6,001 or 38.8%. Komnas Perempuan collected a number of case data based on the realm of violence. The number of cases of sexual violence recorded was as many as 4,102 or 26.52%. In the public sphere, the data of sexual violence cases collected were 1,127 cases, while in the personal sphere the most psychic violence with the number of cases collected was 1,494. In the same year, the case data shown by Komnas Perempuan had differences with the data collected by the service institutions. In the data collected by the service institution, it was explained that this type of physical violence occurred a lot in the public and personal spheres.

An important note from the case data collected by Komnas Perempuan regarding violence against women based on the area/ realm of cases of violence both public, personal and state (namely, the actual phenomenon of cases of violence against women that appear on the surface) was that only a small part of the cases that actually existed. However, not all cases of violence against women have been reported and resolved through litigation. Cases of violence against women is an iceberg phenomenon, which means that the number of complaints that appear, is actually only a small indication of the large number of cases that have not been reported.

The phenomenon of violence against women is one indication of the low status of women in the society. The problem of violence against women is not only an individual problem, but a social problem related to all forms of torture and cruelty that can degrade the dignity of women (Nursyahbani, in Affandi, 2010).

Women as subjects in the structure of a patriarchal society generally have some vulnerability to experiencing the repetition of violence. The repetition of violence experienced is a form of vicious circle that does not break. Woman experiences a variety of uncomfortable situations over unpleasant biological cycles. After adulthood, women will be required to be able to carry out their roles as wives and be ready to perform their duties to reproduce.

Certain social and cultural constructs put women in the position of having to obey a variety of demands that are desired both from the family environment, society, religion, and the state. A cycle of violence is a pattern of violence that is not handled thoroughly and has resulted in repeated violence throughout life. Domestic violence against women occurs as part of a complex pattern of personal relationships between husbands and wives and parents and children.

The patterns of interactions between the relationships that are then internalized into the individual reshape the seeds of violent behavior and continue to occur from one generation to another. Therefore, the cycle of violence must be broken immediately by starting from oneself to raise awareness for anti-violence in all its forms, including violence against women, as well as the ability to control one's emotions.

Violence against women does not only occur in developing countries but also in other countries, without understanding the geographical, economic or mental health conditions of women. The Femicide case that occurred in Sorong, Papua, involving women with mental disorders is one proof that the supremacy of patriarchal power over stigma is strong in women with mental disorders (Komnas

Perempuan, 13/3/2020). The patriarchal environment that is so strong and rooted in all aspects of life has objectified women, where women are vulnerable to violence, whether in any health condition, at any time, and in various spheres both public and private.

Indonesia has ratified CEDAW in positive law, and the government shows its commitment by issuing a number of legal umbrellas and policies that try to protect women. Some forms of positive legal products that have been issued by the government include Law No. 7/1984; the ratification of the Convention on the elimination of all forms of discrimination against Women; Law No. 23/2004 on the Elimination of Domestic Violence, and Government Regulation (PP) No. 4 of 2006 on the Implementations and Cooperation Recovery of Victims of Domestic Violence.

A product of legislation that protects women is also poured into Marriage Law No. 1/1974 on Marriage, which was later amended through Law No. 16/2019, which has resulted in new rules in limiting the minimum age of marriage. Another one is Law No. 12 /2022 on the Crime of Sexual Violence. Thus, through the various legal umbrellas that have been passed, the government has an obligation to apply these principles in its regulations and policies.

Legally, the protection of women does exist and has permanent legal force, but the implementations of its policies still require the support of all elements in the society, including civil society groups. In addition, cooperation and synergy, as well as the common vision and mission between institutions and ministries, as well as local governments and other stakeholders, including civil society, are also important as a commitment and joint efforts to support the protection of women and a gender-conscious and friendly environment. This is important to achieve a just society, including gender justice.

Various studies show that the current Indonesian legal system has not been systematically and thoroughly able to prevent, protect, restore, and empower women victims of violence. Although various legal products have existed, such as the Criminal Code and the Code of Criminal Procedures, but they are considered not sufficient to ensure and provide justice to women as victims. Therefore, the handling of victims of violence from the perspective of gender and Human Rights, inclusive, and collaborative (pre-legal assistance to psychosocial rehabilitation process) is needed in the handling of cases of violence against women.

In addition, increasing legal literacy in women is also needed in order to prevent violence. This is important so that women have an



awareness of their rights as a subject of law that must be protected and have the right to report cases of violence experienced and get justice in accordance with applicable law.

**- Dewi Rahmawati Nur Aulia -**

*The implementations of the policy still require the support of all elements in the society, including civil society groups. In addition, cooperation and synergy, as well as the common vision and mission between institutions and ministries, as well as local governments and other stakeholders including the civil society, are also important as a commitment and joint efforts to support the protection of women and a gender-conscious and friendly environment. This is important to achieve a just society, including gender justice.*

## The Dynamics of Inflation in the Early 2023

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Economic growth in the first quarter of 2023 showed a significant improvement compared to that in the previous year. This could be seen by economic growth in the fourth quarter of 2022, which was at 5.01 percent (BPS, 2023). With the achievement of economic growth, Bank Indonesia (BI) also predicts that economic growth in 2023 will remain strong with a range of 4.5-5.3 percent driven by increasing domestic demand, both from household consumption and investment.

BI's press release also stated that strong economic growth has been supported by almost all components of GDP in terms of expenditures. Household consumption grew by 4.48 percent (yoy) in line with increasing public mobility, including activities to celebrate the National Religious Holidays (HBKN) of Christmas and New Year, as well as the continued distribution of social assistance. Exports maintained high growth of 14.93% (yoy), driven by strong demand from major trading partners.

Maintained strong economic growth is also reflected in the commercial and space sectors. From the business line (LU), all LU also showed positive performance in the fourth quarter of 2022, mainly supported by the processing industry, large trade and retail, as well as the information and communication sector. The land transportation and warehousing business, as well as the business of providing accommodation and catering also recorded high growth, mainly driven by the increasing flow of people and the increase in domestic and foreign tourists.

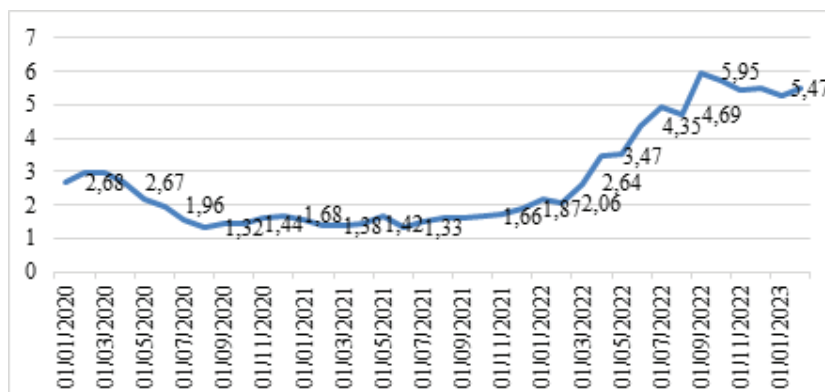
The achievement of economic growth is good news for future prospects. However, there are still many challenges, so the recession issue brought up by the 2021 Bloomberg Survey could not be immediately dismissed. One aspect that still persists at the beginning of 2023 is the inflation rate, which is still experiencing fluctuating dynamics.

In January 2023, inflation, as reflected in the Consumer Price Index (CPI), decreased compared to the previous month. However, in the following months, February and March 2023, inflation deserves vigilance, considering the fluctuations in volatile food and administered prices ahead of HBKN; namely, Ramadan and *Eid al-Fitr*.

### The Inflation Rates of Recent Periods

The Consumer Price Index (CPI) in January 2023 fell compared to inflation in the previous month. According to the data from the Central Statistics Agency (BPS), the CPI inflation rate in January 2023 was recorded at 0.34 compared to December 2022 (mtm). This figure was down from 0.66 percent (mtm) in the previous month. Real inflation (mtm) is primarily attributable to lower inflationary pressures on volatile foods and managed prices. In line with such developments, annual CPI inflation is recorded 5.28 percent (yoy), decreasing from 5.51 percent (yoy) the month earlier.

**Grafik 1. Inflasi Tahunan (yoy)**



Source: Indonesia Bureau Statistic, 2023.

Based on Chart 1, it is clear that inflation dynamics have fluctuated since 2020, where the pandemic period began until the economic recovery period in early 2022. The inflation rate in the third month of 2023 is also still far from BI's target; that is, to reduce the inflation rate to the range of  $3 \pm 1\%$  in 2023.

According to BPS, there are several commodities that have a major contribution to inflation in early 2023. Among them are rice, raw tofu, purebred chicken eggs, fresh fish, red chili, shallots, clove cigarettes, filtered clove cigarettes, and white cigarettes. The inflation rate has also been influenced by the increase in pam drinking water prices, house rents/contracts, household fuel, inner-city transpor-

tation rates, airfares, cars, gasoline, tuition, rice with side dishes, and gold jewelry.

A series of commodities that contribute to inflation are daily staples that are very closely related in the society. The significant increase in prices occurred especially during the eve of Ramadan and *Eid al-Fitr*. Those are routine events that affect the consumer price index. Of course, BI and the Regional Inflation Control Team (TPID) already understand the patterns and impacts that will occur, and have the best programs as mitigation to achieve the inflation target for 2023.

If inflation is not controlled, it will have a negative impact on the economy. This makes it difficult for the economy to develop and also reduces people's interest in investing because the value of the currency will also decrease.

One of the uncontrolled effects of inflation is on stock investment instruments. Buniarto's research (2019) explains that partially, inflation has a significant influence on stock prices. In addition to having an impact on one of the investment products, uncontrolled inflation will absolutely have an impact on people's purchasing power, resulting in the inability to meet needs that will lead to an increase in poverty.

### **Recommendations**

Given that inflation at the beginning of 2023 is still fluctuating and dynamic, there is still an opportunity for policymakers to mitigate the occurrence of more volatile inflation ahead of annual agendas, such as Ramadan and *Eid al-Fitr*. This can be in the form of checking the market for the availability of volatile food commodities, such as rice, beef, chicken, and so on.

The coordination of inflation control between BI and the central and regional governments through TPID needs to be maintained and strengthened so that inflation stability is maintained and the inflation target for 2023 can be achieved. Considering that inflationary commodities are foodstuff, the performance of the National Movement for Food Inflation Control (GNPIP) is still awaited for its contribution to participate in controlling inflation.

Through the Strategic Food Price Information Center (PIHPS), Bank Indonesia together with the Ministry of Trade need to monitor price fluctuations and ensure the availability of foodstuff in each

region. The coordination with local governments still needs to be done so that when there is a shortage, it can be overcome immediately before the price increase.

Furthermore, if the rate of inflation continues to increase in the process of economic recovery, there will be vulnerable households that will enter absolute poverty. One of the efforts that the government needs to make; for example, is to encourage the Ministry of Social Affairs to be more responsive in collecting the data on vulnerable families to distribute comprehensive and targeted social assistance, as well as to have a clear timeframe and strict supervision and evaluation.

*Although economic growth continues to increase, inflation needs to remain stable. Ahead of annual moments such as Ramadan and Eid al-Fitr, there will be price fluctuations that have significant effects on inflation. There needs to be mitigation to anticipate from the start, given that those events are routine.*

**- Nuri Resti Chayyani -**

## Looking at the Distribution of People's Business Credit (KUR) for Women Entrepreneurs

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The existence of women in the sphere of entrepreneurship has been widely discussed in various mass media and research. Micro-entrepreneurs in Indonesia are dominated by women. In 2021, the data from the Ministry of Cooperatives and Micro, Small, and Medium Enterprises (Kemenkop UKM) stated that as many as 53.76 percent of MSMEs were owned by women. Of these, as many as 97 percent of its employees were also women with a contribution to the economy as much as 61 percent (Kemenkop UKM, 2021). That's scene shows the real role of women for the business climate in Indonesia.

The real role of women in entrepreneurship also requires access to strong capital from banks and policies issued by the government. One of which is through the People's Business Credit (KUR). The KUR program aims to increase access to financing to Micro, Small and Medium Enterprises (MSMEs), which are channeled through financial institutions with a guarantee pattern.

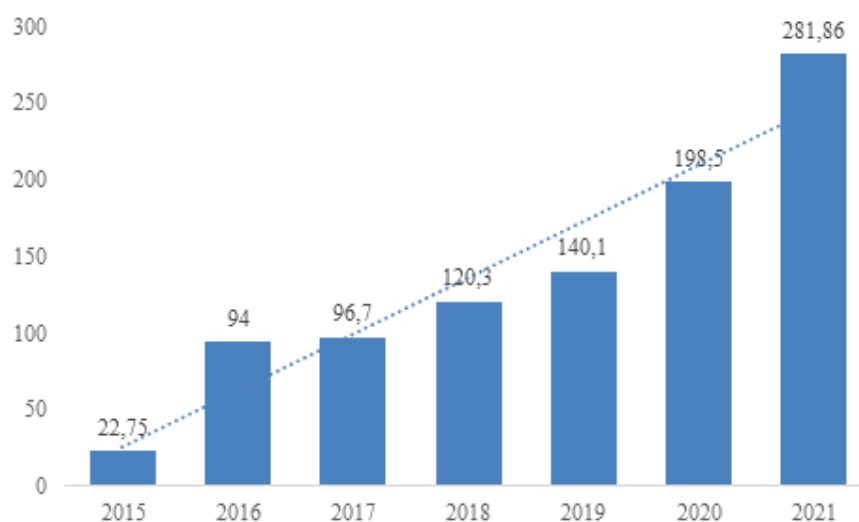
Viewed from its history, the KUR program was launched on November 5, 2007. As a legal basis, the government issued Presidential Instruction Number 6/2007 concerning the Policy of Accelerating Real Sector Development and Empowering MSMEs to strengthen business capital capabilities. The source of funds used for KUR is 100 percent of the funds of the financial institutions that distribute KUR. The regulation has undergone developments and adjustments in order to expand its reach to the public in accordance with changes in the direction of economic policy in Indonesia.

This paper aims to review the realization of the KUR until the beginning of 2023 and how the challenges of lending to women entrepreneurs. The realization of KUR will be seen based on the amount distributed and the obstacles to the distribution of KUR for women to entrepreneurship will be reviewed based on field data and previous research.

### The Realization of KUR Distribution

The government provides targets for the distribution of KUR every year, and the target always increases to expand funding to MSMEs. The data from the Coordinating Ministry for the Economy show that there is a consistency in increasing the realization of KUR distribution during the 2015-2021 period. In 2015, the realization was IDR 22.75 trillion. Until 2021, it had reached IDR 281.86 trillion (Coordinating Ministry for Economic Affairs, 2022). This figure can also be interpreted to mean that it is easier for people to become entrepreneurs with the support of the government.

**Grafik 1. Realization of KUR Distribution 2015-2021**



Source: Coordinator Ministry for Economic Affairs, 2022

As can be seen from Chart 1, there is a positive significance in the realization of KUR distribution. In its details, the realization of the most KUR distribution entered the Micro KUR segment, which was 63.71 percent, then the Small KUR as much as 32.71 percent, the Super Micro KUR as much as 3.57 percent, and the Indonesian Manpower KUR (TKI) only 0.01 percent. KUR Super Mikro was prioritized for housewives and workers who are victims of termination.

Based on the business sector of KUR recipients, the most received was the large trade and retail sector with a contract value of around IDR 138.52 trillion. The next largest was the agricultural sector, processing industry, services, and food and beverage accommodation (Program Credit Information System, 2022). The large number of

KUR recipients based on the business sector can be used to see the equitable realization.

However, if viewed based on gender, the equitable realization of KUR cannot be analyzed because data on KUR recipients based on gender perspective on the official website [kur.ekon.go.id](http://kur.ekon.go.id) not yet available. Although it has been evenly distributed to almost all business sectors, the limitations of data based on gender are important to see whether it is in line with data on the number of women as MSME owners.

### **The Obstacles to KUR Distribution for Women**

The access to credit for capital for women has several challenges. A study from the International Finance Corporation in 2021 stated that 80 percent of MSMEs owned by women, had credit needs and were not well served. This has clearly resulted in high funding inequality.

Mahastanti and Nugrahanti (2013) in their research title “Gender Bias in Banking Credit Access (Study on Micro and Medium Entrepreneurs in Salatiga)” mentioned that the bank still viewed female entrepreneurs as more risky than male entrepreneurs so that the amount of funds approved was different between the two. In addition to gender, another variable that affected approved credit funds was relationships. The better the relationship between the entrepreneur and the bank, the more trust the bank would have in the entrepreneur.

Furthermore, the Inter-American Developing Bank (2020) mentioned that with the same demand, women were almost 18% less likely to be approved for their loan applications than men. The study also estimated that the median lost profits associated with applications rejected due to gender discrimination amounted to US\$1,785, or 23% of the average loan amount (about US\$7,500). This was because the bank considered that women were still considered customers who had a high risk of payment.

Looking at the realization and obstacles to bank lending, in this case the KUR, it is necessary to make the following policy recommendations. First, there needs to be an alignment of the credit regulations provided so as not to implement policies that are not women-friendly and cause gender discrimination in their distribution. The Coordinating Ministry for Economic Affairs needs to provide a review in the data regarding how many KUR applicants are based on



gender. This is one of the benchmarks in the equitable distribution of loans other than based on the business sector.

Second, the implementations of the Law on the Development and Strengthening of the Financial Sector (P2SK) are highly anticipated by the policy mix between financial institutions, such as through efforts to increase financial literacy for the public. This is important to reduce barriers to bank lending, especially for women as MSME owners who need capital.

**- Nuri Resti Chayyani -**

*The data from the Ministry of Cooperatives and Micro, Small, and Medium Enterprises (Kemenkop UKM) state that as much as 53.76 percent of KUR is owned by women. The realization of KUR also increases every year. Taking this into account, it is important to see whether the number of women entrepreneurs is proportional to the realization of lending to women or whether there is still a gender bias issue to apply for loans.*

## Observing the Application of the Death Penalty in Indonesia

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Until now, the application of the death penalty is an issue that gives rise to pros and cons. On the one hand, the death penalty has historical aspects and values that legitimize this view. On the other hand, the death penalty has also received a lot of criticisms because the right to life is a gift inherent in individuals that does not depend on law, is universal, fundamental, and cannot be revoked. This difference of opinion can also be seen from the fact that several countries have abolished the use of the death penalty. On the other hand, several countries are still implementing it, including Indonesia.

Amnesty International noted that there was an increase in the number of death sentences and executions in the world in 2021. In detail, death sentences reached a level of 2,052 in 56 countries. This figure rose by 39% from the previous year, which reached a level of 1,477 decisions. As for the executions, 579 people were executed in 18 countries in 2021. This figure was an increase of 20% from the 2020 record, which totaled 483 executions. Overall, 28,670 people died in the world until the Amnesty International report was launched in 2021. Furthermore, the number of countries that removed the death penalty reaching 108 countries by 2021.

### **Testing the Effectiveness of the Use of the Death Penalty**

The death penalty in the context of the legal system has raised many debates, especially to what extent the death penalty is necessary? On the other hand, the strengthening of the understanding of the right to life must be understood as a final principle that cannot be contested by anyone, including the state. As expressed by John Locke, every individual is endowed by nature with the inherent rights to life, liberty, and property, which are referred to as natural rights.

As is known, the application of the death penalty still exists as a measure to provide a deterrent effect on criminals. However, scientifically it can be said that punishment does not meet the require-

ments in being a determinant factor to create a deterrent effect, compared to other types of punishment. The United Nations study on the relationship between the death penalty and the number of murders between 1988-2002 concluded that the death penalty did not have any effect on the crime of murder compared to other punishments, such as life imprisonment.

There are other various examples; for example, the increases in drug crimes, terrorism and some other crimes are not solely caused by the absence of the death penalty but by other structural problems, such as poverty or a corrupt state/law apparatus. In fact, if one looks more closely at terrorism crimes, the death penalty is generally a factor that strengthens the recurrence of acts in the future. The death penalty is ideological ammunition to increase the radicalism and militancy of the perpetrators ([kontras.org/17/2/2022](http://kontras.org/17/2/2022)).

### **Death Penalty's Problematic Regulations in Indonesia**

Amidst the issue of its ineffectiveness, in the legal context in Indonesia, the death penalty still exists. In *de jure* terms, Indonesia's positive law still applies the death penalty as outlined in a number of laws, including the Criminal Code, the Human Rights Court, Terrorism Crime Law, Corruption Crime Law, and Narcotics Law.

In addition to the legal basis mentioned above, cultural factors and social influences are also the backgrounds for the existence of the death penalty in Indonesia. Challenges related to sovereignty, which has the right to apply the law, is a strong basis in the realm of the legal system in Indonesia.

International legal politics also shows that until now it has only regulated restrictions on the application of the death penalty. This also becomes a challenge to fight for the right to life in an international context.

Article 6 Paragraph 2 of the International Covenant on Civil and Political Rights (ICCPR); for example, regulates the permissibility of the death penalty with special conditions, including: only for very serious crimes (the most serious crimes) in accordance with the prevailing law at the time the crime was committed, does not conflict with the ICCPR, and the Convention on the Prevention and Punishment of the Crime of Genocide, and can only be enforced on the basis of a final decision by a competent court.

In addition, there are also restrictions on the practice of the death penalty, which include the types of crimes (drugs, economics, corruption), the classification of people (exceptions for children, pregnant women), and the procedures for imposing the death penalty (court decisions and final choices).

### **Encouraging the Mainstreaming of Legal Effectiveness**

Seeing that there are ineffective conditions for the use of the death penalty in Indonesia and the impact of its application to create a deterrent effect, the application of the death penalty must be re-considered.

Quoting what was conveyed by Posner, good law must refer to the quality of law enforcement controls. The law also must not create bias towards public conditions, including in relation to the death penalty in Indonesia.

For this reason, the legislature must be able to make a breakthrough in order to resolve the issue of the death penalty in Indonesia. For example, by revising the basic punishment set out in the Criminal Code, as well as other laws and regulations governing death penalty.

**- Galang Taufani -**

*Seeing the ineffective implementation of the death penalty in Indonesia, further studies are needed to encourage the abolition of the death penalty in the legal system in Indonesia.*

## **Examining the Fulfillment of the Right to Water in the Regulatory Policy on Water Management in Indonesia**

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Debates on the management of water resources often lead to the questions of how and to what extent the state controls water resources and to what extent the exploitation of water by the private sector is permitted.

This perspective refers to the notion that water is often perceived as a public good on the one hand, but on the other hand, water also has some economic value. The debate boils down to Article 28C of the 1945 Constitution (UUD) Paragraph (1), which reads, “Everyone has the right to develop themselves through meeting their basic needs, has the right to get education and to benefit from science and technology, arts and culture in order to improve the quality of their lives and of the welfare of mankind.

Reflecting on that, water should be perceived as a public good, as water is a basic need for human life, and according to Article 28A of the 1945 Constitution, “Every person has the right to live and has the right to defend their lives and existence”.

However, this continues to spark a discourse on the existing economic side and what opportunities it has for the management of water resources in Indonesia.

### **The Intricacies of Water Resources Management Arrangements**

If you look at its history, Law (UU) Number 7 of 2004 concerning Water Resources was ratified as an amendment to the Regulation of Water Resources regulated in Law Number 11 of 1974 concerning Irrigation. This also shows an important picture related to the existence of water in Indonesia.

This change had become a momentum for change, as the old regulation contained legal material that was no longer in accordance with

the new era. The enactment of the Water Resources Law has also brought some positive impacts in general on water developments.

However, for many years, the regulation of water resources in Indonesia has generated many reactions, especially with regard to one aspect related to the management of water resources, which is considered inconsistent with Article 33 of the 1945 Constitution. This can be seen in the Constitutional Court (MK) through its Decision Number 85 /PUU/XI/2013, which had annulled Law Number 7 of 2004 and stated that the Law had no binding legal force.

This has resulted in the legal conditions moving backwards with the re-enactment of the old law; namely, Law Number 11/1974 concerning Irrigation, which contextually was no longer accommodated at this time. Responding to the legal conditions and the Constitutional Court's decision, Law Number 17/2019 concerning Water Resources was formed to replace Law Number 11/1974, which was not in accordance with the context of the times.

### **Dissecting Water Resources Management: State Authority in Water Management**

The terminology of water exploitation in the utilization of water resources, as contained in the Water Resources Law, has drawn criticisms from many parties. This is in line with what was echoed in the Dublin Principle, where one of the principles introduced states that water has economic value and must be recognized as an economic good. As an economic good, the price of water can be determined by the market, which is determined by the ability to buy and sell (Wignyosukarto, 2009).

The existing water management terminology actually refers to the old terminology, which still exists and is still used in water management regulations. For example, Article 46 letter e, regarding the granting of permits to use water resources for business needs to private parties, regulates that this can be done under certain and strict conditions by taking into account the principles of water availability. However, the implementation rules still refer to the Government Regulation of the Republic of Indonesia Number 121/2015 concerning the Exploitation of Water Resources.

If you look further, the issue of water exploitation is a fairly central issue in the midst of challenges related to private authority within it. This issue is always based on the extent to which the utilization

is carried out by the private sector and how the state must control it based on Article 33 Paragraph (3), which reads: "Earth and water and the natural resources contained therein are controlled by the state and used for the greatest prosperity of the people."

### **Considering the Right to Water from an Economic Perspective**

In the context of water use and management, it is appropriate to think about respecting, protecting and fulfilling the human rights of its citizens to water. The right to water is not regulated separately in Law Number 39/1999 concerning Human Rights (HAM). However, the right to water is part of fulfilling and protecting the right to life, because water is the most important component for fulfilling and protecting the right to life, which is an absolute and non-derogable right.

On July 28, 2010, the UN General Assembly passed Resolution No. 64/292, which explicitly recognizes the right to water and sanitation as human rights. UN General Comment No. 15 emphasizes that the right to water entitles everyone to adequate, safe, acceptable, physically accessible and readily available water for personal and domestic use. Adequate amount of clean water is needed to prevent death due to dehydration, to reduce the risk of water-related diseases, and to be used for consumption, cooking, and personal and domestic hygienic needs (Komnasham.go.id, 22/3/2017).

In fact, when referring to the conditions of the existing right to water, the service to carry out the allocation of water resources management must refer to the right conditions. It is undeniable that by providing opportunities for water utilities by the private sector to be involved in water management, it is precisely the equivalent of three money with fulfilling the right to water.

The government must place economic interests and the right to water as an important and balanced issue in the implementations. For this reason, the government also needs to guarantee it in the context of laws and derivative regulations, such as government regulations. This is important so that the basic right to water and economic freedom in Indonesia are guaranteed and protected through the applicable laws and regulations.

- **Galang Taufani** -

*The position of water as the main commodity in life gives the state a very strong position in the state administration. On the other hand, involving the private sector in managing water can help the state meet basic needs for the right to water.*

## Fighting over the Chair of PSSI

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On November 16, 2023, the Indonesian Football Association (PSSI) held an Extraordinary Congress (KLB) in Jakarta. KLB was a request agenda from the executive committee members or PSSI members to make changes within the PSSI organization, especially from the chair, deputy, and members of the Executive Committee (Kompas.com, 02/16/2023). In the KLB, finally Erick Thohir was elected as the chairperson of PSSI, garnering 64 votes. Erick Thohir was superior to another strong candidate, La Nyalla Mattalitti who only secured 22 votes (Liputan6.com, 16/02/2023).

There are two interesting points related to the election of Erick Thohir as the chair of PSSI. First, currently Erick Thohir serves as the Minister of State Owned Enterprises (BUMN). Therefore, Erick Thohir is concurrently holding two positions. This has led to a debate in the community.

If we refer to Article 23 in Law Number 39/2008 on State Ministries, Ministers are prohibited from holding dual positions. However, the President of the Republic of Indonesia, Joko Widodo, said that dual positions were not problems and would not be prohibited. Having said that, the ministers should be able to manage the time to work as the ministers and the other positions (Suara.com, 18/02/2023). The statement of the President of the Republic of Indonesia is realistic, as seven ministers in the current government also serve as the chairs of sports federations.

The second interesting point related to the election of Erick Thohir as the PSSI chair is that the position is an interesting position for politicians. In its history, the chair of PSSI has been often occupied by politicians. One example was Kosasih Poerwanegara who was the chair of PSSI for the period of 1964 to 1974. Before being elected as the chair of PSSI, Koesasih Poerwanegara served as the Minister of Social Affairs in 1949 to 1950.



Next, there was the name of the former Governor of DKI Jakarta for the period 1966-1977, Ali Sadikin who was the chair of PSSI in the year after his leadership ended in Jakarta. Ali Sadikin became the chair of PSSI for four years, between 1977 and 1981. Also, Azwar Annas, former Governor of West Sumatra (1977-1987) also occupied the position of PSSI chair between 1991 and 1999 after serving as regional head.

After the reforms, the chairperson of PSSI continues to be filled by politicians. In the period of 1999 to 2003, it was occupied by Agum Gumelar who previously served as the Governor of the Institute for Resilience (Lemhanas). In the period of 2003 to 2011, the chair of PSSI was Nurdin Halid, a former member of the House of Representatives of the Republic of Indonesia (DPR RI) from the Golkar Party.

During the leadership of Nurdin Halid, political elements were felt. For example, when Nurdin Halid gave a speech at the Golkar Party event in Palu, he said that the success of the Indonesian Football National Team at the ASEAN Football Federation (AFF) Championship Cup was due to him who was a Golkar Party member ([Republika.co.id/19/19/01/2011](http://Republika.co.id/19/19/01/2011)). At that time, the Indonesian national team won second place and lost in the final match against Malaysia.

After the leadership of Nurdin Halid, a number of politicians were also still occupying the chair of the PSSI. In fact, there is an impression that the chair of the PSSI Chairperson is only used as a stepping stone to win elections. For example, Djohar Arifin, who served as PSSI chair for the 2011-2015 period, was then elected as a member of the Indonesian Parliament in the 2019 Elections. The same pattern was also followed by La Nyalla Matalitti, who was the chair of the 2015-2016 PSSI, which was then elected as a member of the Regional Representatives Council of the Republic of Indonesia (DPD RI) in the 2019 Elections. Then, there was also Edi Rahmayadi, who was the chair of the 2016-2019 PSSI, which won the North Sumatra provincial elections (Pilkada) in 2018.

Looking at a number of politicians who have served as the Chair of PSSI, there is a question of why becoming leaders of the sports federations has attracted politicians. There are two things that can answer this question. First, increased popularity. It should be noted that football is the most popular sport in Indonesia. By becoming the chair of PSSI, politicians can get an important spotlight for their political careers.

Second, building clientelism practices, namely the occurrence of relations between patron and clients. In the context of PSSI, becoming the Chairperson of PSSI can make it easier to distribute resources through available networks, such as club networks with supporters. The aim is to gain votes in the upcoming elections. That is, it is not impossible that PSSI is only used as a tool to gain power and win the election.

Ahead of the simultaneous elections in 2024, it is not impossible that this pattern is carried out by politicians to win the election. Not only became the chairman of the football federation, but also a PSSI administrator in the region or club owner. Therefore, it is important for the General Election Commission (KPU) and the Election Supervisory Body (Bawaslu) to oversee the practice of clientelism that occurs through a football network.

Furthermore, the most important thing is to ensure that the PSSI Chairperson was elected truly bringing the aspirations of sports lovers who wanted improvement in Indonesian football, including improving the welfare of football players. In addition, the elected Chairperson of PSSI must also be able to improve Indonesian football achievements at the world level.

**- Ahmad Hidayah -**

*The election of Erick Thohir once again indicates that the position of PSSI Chairperson indeed attracted the attention of politicians. Because football as the most popular sport in Indonesia can provide spotlight for politicians who are useful for them to win the upcoming elections*

## Sports Federations in the Grasps of Politicians

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On February 16, 2023, the Indonesian Football Association (PSSI) held an Extraordinary Congress (KLB) to determine the leadership of PSSI. The PSSI KLB had resulted in Erick Thohir becoming the general chair and Yunus Nusi and Ratu Tisha becoming deputy chairs of PSSI for the 2023-2027 period. Interestingly, not long after being determined as deputy chairperson, Yunus Nusi resigned. As a result, Zainuddin Amali who also participated in the election of the deputy chairs of PSSI replaced Yunus Nusi (Bola.net, 02/17/2023).

After officially becoming deputy chair of PSSI, Zainuddin Amali said that he would resign from his position as the Minister of Youth and Sports (Menpora). As reported by CNN Indonesia, the main reason why Zainuddin Amali resigned from the Menpora position was because it was unfair if Zainuddin Amali was the Menpora and only focused on one sport, in this context of football. Furthermore, Zainuddin Amali also said that he had spoken with President Joko Widodo related to his resignation as Menpora (CNNIndonesia.com, 22/02/2023).

The resignation of Zainuddin Amali as the Menpora has caused a debate in the community related to whether a minister could concurrently hold two positions. The reason for the debate is that a number of ministers in the current government are also concurrently holding several positions. At least, there are seven ministers in the current government who also serve as the chair of sports federations.

**Table 1. Ministers in the Joko Widodo government who serve as chairs of the Sports Federations**

Name	Position	Federation
Erick Thohir	The Minister of State-Owned Enterprises (BUMN)	The Chair of the Indonesian Football Association (PSSI) for the period 2023-2027
Prabowo Subianto	The Minister of Defence	The Chairperson of the Indonesian Pencak Silat Association (IPSI) for the period 2021-2025
Airlangga Hartarto	The Coordinating Minister for Economic Affairs	The Chairperson of the Indonesian Wushu Association for the period 2022-2026
Luhut Binsar Pandjaitan	The Coordinating Minister for Maritime Affairs and Investment	The Chairperson of the Indonesian Athletics Association (PASI) for the period 2021-2025
Basuki Hadimuljono	The Minister of Public Works and Public Housing (PUPR)	The Chairperson of the Indonesian Rowing Sports Association (PODSI) for the period 2021-2025
Hadi Tjahjanto	The Minister of Agrarian and Spatial Planning (ATR)	The Chairperson of the Karatedo Indonesia Sports Federation (Forki) for the 2019-2023 period
Yasonna Laoly	The Minister of Law and Human Rights	The Chairperson of the Kempo Indonesia Federation (FKI) for the period 2022-2026

Source: Suara.com, 18/02/2023.

Related to this, Article 23 of Law Number 39/2008 concerning State Ministries, has actually explained that Ministers are prohibited from holding dual positions. What are meant by concurrent positions are other state official positions in accordance with statutory regulations; such as commissioners or directors in state or private companies; and organizational leaders financed from the State Budget (APBN) and/or Regional Revenue Budget (APBD).

If we refer to the *a quo* law, it can be said that the ministers in Table 1 can be considered as holding dual positions. This is because according to Article 36 Paragraph (6) of Law Number 11/2022 concerning Sports, the central government provides funding assistance to the sports organizations sourced from the APBN, in which the priority sports branches are determined in the large design of national sports.

Although it has caused polemics in the community, according to Joko Widodo, the President of the Republic of Indonesia, those dual positions are not problems and will not be prohibited. Having said that, the ministers should be able to manage the time to work as ministers and as the other positions (Suara.com, 18/02/2023).

### **Forming Patron-Client Relations**

In addition to those ministers, some politicians have also become the chairs of the sports federations. For example, the Indonesian Futsal Federation is currently led by Hary Tanoesoedibjo, the Chair of the Indonesian Unity Party (Perindo). The Association of Indonesia's Fencing is chaired by Agus Suparmanto, former Minister of Trade (2019-2020) and also a member of the National Awakening Party (PKB). The Indonesian Wrestling Association is chaired by Trimedya Panjaitan, a member of the Indonesian Parliament for the period of 2019-2024 from the Indonesian Democratic Party of Struggle (PDIP) faction. The Indonesian Archery Association is led by Illiza Sa'aduddin Djamal, a member of the Indonesian Parliament for the 2019-2024 period from the United Development Party (PPP) faction.

Seeing the phenomenon where there are several state officials and politicians who are the chairs of the federations, a question that has arisen is why the chairs of the sports federations have attracted the attention of politicians and also state officials. At least, there are two main answers to explain the phenomenon. First, the character of the sports. Second, the sports federations have formed networks, so patron-client or clientism relations can also be formed. According to Aspinall & Berenschot (2019), clientelism is a relationship that is formed between patron and client. The main purpose of the formation of a relation between patron and client is to facilitate politicians in channeling their resources in the hope of getting the electoral profit of the relationship. If we refer to this explanation, it can be said that a Chair of a Sports Federation as a patron provides resources, while federation members or people who love the sport can be considered as clients.

There are three forms of clientelism practices based on distributed resources. First, money resources. In this context, politicians can be donors for federation development. In addition, politicians can also be donors for sports activities organized by the Federation. Second, the resources of goods. Being the chair of the federation makes it easy for politicians to provide goods that can support the development of the sport. Third, the Pork Barrel project, which is a government project that can be allocated for the benefit of the federation.

If it is associated between becoming the chair of the federation, clientelism and elections and simultaneous local elections in 2024, it can be concluded that being the chairs of the federations is interesting for politicians. Because, the sports federations have clear networks of organizations, making it easier for politicians and state officials to carry out clientelism practices. By doing this, politicians hope to benefit electorally in the elections and simultaneous local elections in 2024.

Therefore, seeing this phenomenon ahead of the elections and simultaneous local elections in 2024, this paper shall provide several recommendations to several parties. First, encouraging election organizers; namely, the General Election Commission (KPU) and the Election Supervisory Body (Bawaslu) to make clear regulations. Should the donations made by politicians through the sports federation be considered as money politics?

Regarding regulations, money politics is actually regulated in Article 523 Paragraph (1) to Paragraph (3) of Law Number 7/2017 concerning Elections. However, the follow-up of this regulation has not been enough. Therefore, a re-evaluation of the law is needed. There also need to be derivatives for the General Election Commission Regulation (PKPU) and the Regulation of the Election Supervisory Agency (Perbawaslu).

Second, when clear regulations already exist, the thing that needs to be done is the follow -up of the regulations. In this context, Bawaslu needs to give special attention to the practice of clientelism, especially clientelism through the political network of sports federations. In addition, the understanding of Bawaslu members related to clientelism certainly needs to be equated with their perception so that it can be a capital to formulate a supervisory strategy, as well as handling clientelism practices that might occur in political competition in 2024.

Third, transparency from the sports federations is also very much needed to avoid the practices of money politics or of sell votes in the sports federations. On the other hand, all forms of expenditures issued by politicians or state officials who serve as the chairs of the federations need to be reported in accordance with applicable laws. In addition, political education, in this context is an understanding related to the practice of clientelism, also needs to be understood by the sports federations. The aim is that the federations can make internal regulations to prevent or overcome the problems of clientelism that might occur in the federations of sports branches.

**- Ahmad Hidayah -**

*A number of state officials and politicians are currently occupying the positions of chairs of the sports federations. At least, there are two main answers to explain the phenomenon. First, the character for the sports. Second, the sports federations have formed networks, so patron-client or clienism relations can also be formed.*



## **Looking at the Verification and Research (Coklit) Stages in the Context of Updating the Voters Data for the 2024 Elections**

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The 2024 General Elections (Pemilu) have entered the verification and research (coklit) stages, which were conducted from 12 February to 14 March 2023. This stage was carried out in the context of updating the voters data for the 2024 Elections. The data used as a reference for the General Election Commission (KPU) for coklit are the output of a synchronization between the Potential Voter Population Data (DP4) from the Ministry of Home Affairs (Kemendagri) and the DP4 Overseas (DP4LN) from the Ministry of Foreign Affairs (Kemenlu).

Previously, the DP4 submitted by the Ministry of Home Affairs totaled 204,656,053 voters, consisting of 102,181,591 men and 102,474,462 women. This figure includes 38 provinces including the New Autonomous Region (DOB) of South Papua, Central Papua, Papua Highlands and Southwest Papua provinces, as well as 514 districts/cities. Meanwhile, the DP4LN data submitted by the Ministry of Foreign Affairs included 1,806,714 people ([dukcapil.kemendagri.go.id](http://dukcapil.kemendagri.go.id), 14/12/2022). The Coklit stage in the framework of compiling the voter list is important to highlight. This is done to anticipate the problem in compiling the voters list, which is a classic problem in elections in Indonesia.

For example, in the last 2019 elections, thirty-six days ahead of the voting day, the issue of the voter list was still controversial. At that time, the Prabowo Subianto-Sandiaga Uno National Winning Body (BPN) questioned the allegations that 17.5 million voters data were suspected of being improper and that 775 thousand duplicated voters in the Final Voters List (DPT) for the 2019 Election ([Kompas.com](http://Kompas.com), 11/3/2019) 2019).



The alleged improper data were questioned as there were 9.8 million voters who were born on 1 July, 3 million voters who were born on 31 December, and 2.3 million voters who were born on 1 January. Responding to these allegations, the KPU explained that the data referred to the data from the Directorate General of Population and Civil Registration (Dukcapil) of the Ministry of Home Affairs. KPU said that many residents forgot their dates of birth during the Dukcapil administrative process, so they used the three dates mentioned above. (Kompas.com, 11/3/2019). Given the problems above, the KPU needs to be careful in compiling voter data.

### **Looking at the Problems in the Stages of Coklit**

As stated above, the Coklit Stages are important in the framework of preparing the voters list. Learning from previous election experiences and the current process, the following section reviews some of the issues that have become challenges in the process of preparing voters list.

First, there are differing views among policy makers regarding the rules for preparing the voters list. In the 2019 elections, there were differences of opinions between the Ministry of Home Affairs, the Ministry of Foreign Affairs and the KPU regarding DP4 and DP4LN as materials for preparing the voters list.

The KPU is of the view that, as stated in Article 7 Paragraph 2 of KPU Regulation (PKPU) Number 11/2018 concerning Compilation of Domestic Voter Lists in the Implementation of General Elections, DP4 is only used as a consideration, not as the main material for preparing the voters list (Purbolaksono, 2019).

At that time, the KPU had the view that the main material was the results of updating data, which was conducted through Verification and Research (Coklit), which was carried out by the Voter Registration Committee (Pantarlilh) by visiting voters directly. Meanwhile, the Ministry of Home Affairs considers that DP4 should be the main ingredient in compiling the voters list, because it has been verified, validated, and consolidated in the population administration information system (Purbolaksono, 2019). It is hoped that it will not happen again in the preparations of the 2024 election voters list regarding the DP4 and DP4LN.

At present, the efforts to eliminate differences of opinions have been seen through the changes to PKPU Number 7 of 2022 con-

cerning Compilation of Voters List in the Implementations of General Elections and to the Voter Data Information System, which has become the legal basis for compiling the 2024 Election voter list.

In Article 1 Paragraph 25 PKPU Number 7 of 2022, it is stated that the voters list is voter data compiled by the Regency/Municipal KPU based on the results of pairing the permanent voter data for the last elections, which are updated on an ongoing basis with DP4 to then be used as the material for updating. This is not in line with PKPU Number 11/2018, which uses DP4 and DP4LN only for considerations in preparing the voters list.

Second, the issue of the huge territory of Indonesia has the potential to cause problems in the *coklit* processes. This issue has been highlighted by the Election Supervisory Body (Bawaslu). Bawaslu encourages the KPU to pay more attention to areas where potential voters do not exercise their right to vote. One of which is remote areas (Bawaslu.go.id, 23/2/2023). The difficulty of access to remote areas can be a problem for Voters Data Update Officers (Pantarlilh) to conduct polls on the people in the areas. The KPU must anticipate this so that people in the areas do not lose their right to vote.

Third, logistical issues in the implementations of *coklit*. Based on the findings of the Democracy and Electoral Empowerment Partnership (DEEP) Indonesia, there were problems with the delays in completing the *coklit* logistics, including stickers and the model A form of voters list, that occurred in places like West Java and DKI Jakarta, especially in areas affected by disasters. This had an impact in the forms of delays in the implementations of the *coklit* carried out by Pantarlilh (Viva.co.id, 20/2/2023).

Fourth, there are problems of interference in the implementations of e-*coklit*. E-*Coklit* itself is an application that is used to update continuous voters data so that it can be done more easily and efficiently. However, still from DEEP's findings, the use of e-*coklit* to input improvements to voters data often encounters problems and is difficult for Pantarlilh to access (Viva.co.id, 20/2/2023). The problem with E-*Coklit* is that it has the potential for not running according to the predetermined schedule stages and that it has an impact on inaccurate voters data on the results of *coklit*.

The fifth is the issue of community population documents in *coklit*. The coordinator of the Indonesian Voters Committee (Tepi), Jeirry Sumampouw said there were concerns that residents who were

not registered as having the right to vote were reluctant to process their population documents and exercise their right to vote. Jeirry also said that there were still many people who had not recorded their e-KTP, especially in the Papua region (Kompas.id, 12/2/2023). The issue of population documents can lead to the loss of people's right to vote. Therefore, it is important for election organizers and local governments to anticipate this.

### **Recommendations**

The Coklit stages, which were held from 12 February to 14 March 2023, were some of the important stages for compiling the Final Voters List (DPT) for the 2024 elections so that it can be better than those in previous elections. However, according to the explanations above, there are still challenges in the coklit processes. Responding to these challenges, steps are needed to be taken by election organizers and other relevant stakeholders.

First, the KPU, Bawaslu and the Ministry of Home Affairs should ensure that they have a common understanding regarding the main ingredient of the voters data in accordance with PKPU Number 7/2022 concerning the Compilation of Voters List in the Implementations of General Elections and the Voters Data Information System, which is the legal basis for compiling the 2024 election voters list.

Second, Bawaslu together with civil society groups, especially election observers, supervises the running of coklit in remote areas that are difficult to reach, the impact of logistical delays, and disruptions to e-coklit to ensure that the data obtained by Pantarlih are up to date. Third, the KPU, Bawaslu, and Ministry of Home Affairs encourage public participation, especially those who have met the voters criteria, to process population documents so they do not lose their right to vote.

**- Arfianto Purbolaksono -**

*The Coklit stages, which were held from 12 February to 14 March 2023, were some of the important stages for compiling the Final Voters List (DPT) for the 2024 elections so that it can be better than those the previous elections.*



# THE INDONESIAN INSTITUTE

CENTER FOR PUBLIC POLICY RESEARCH

**The Indonesian Institute (TII)** is a Center for Public Policy Research that was established on 21 October 2004 by a group of young, dynamic activists and intellectuals. TII is an independent, non-partisan, non-profit institution, whose main funding stems from grants and contributions from foundations, companies, and individuals.

**TII** has the aim of becoming a main research center in Indonesia for public policy matters and has committed to giving contribution to the debates over public policies and to improving the quality of the planning and results of public policy by promoting good governance principles and public participation in the policy processes in Indonesia.

**TII's** visions are public policies in Indonesia which highly uphold human rights and rule of law, as well as involve participation of various stakeholders and practice democratic good governance principles.

**TII's** missions are to conduct reliable research that is independent and non-partisan and to channel the research to the policy-makers, the private sector, and academia in order to improve the quality of Indonesian policy-makers.

**TII** also assumes the role of disseminating ideas to the society so that they are well informed about the policies that will have a good impact on the people's lives. In other words, TII has a position to support the democratization process and the public policy reform, as it will be involved in the process.

The scope of the research and review on public policies undertaken by TII includes economic, social, political, and legal affairs. The main activities which have been conducted by **TII** in order to achieve our vision and mission, are: research, surveys, facilitation and advocacy through training and working groups, public discussions, public education, weekly editorial articles ("Wacana" or Discourses), Instagram Live Series and Space Twitter (Policy Talks and Initiative!), monthly analysis ("Update Indonesia" in Indonesian and "The

Indonesian Update” in English), mid-year policy analysis (“Policy Assessment”), annual policy analysis (“Indonesian Report”), and monthly discussion forum on policy issues (“The Indonesian Forum”).

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## RESEARCH ON ECONOMIC AFFAIRS

The economy tends to be used as an indicator of the success of the government as a policy-maker. Economy plays an important role as one of the fundamentals of national development. Limited resources have often caused the government to face obstacles in implementing economic policies that will optimally benefit the people. The increase in the quality of the people's critical thinking has forced the government to conduct comprehensive studies in every decision-making process. In fact, the studies will not be stopped when the policy is already in place. Studies will be continued until the policy evaluation process.

TII focus on economic issues, such as monetary policy and fiscal policy, as well as issues on sustainable development by using analysis which refer to economic freedom principles. Monetary issues will focus on the Indonesian Central Bank to maintain economic stability, both regarding inflation and exchange rate. Meanwhile, fiscal policy will focus on the discussions over the National Budget and infrastructure development both in the regions and in the cities. In relation to sustainable development, TII research is focusing on productivity, competitiveness, infrastructure development, and development gap. In addition, TII also upholds economic freedom principles in highlighting the importance of individual freedom and involvement of private sectors in increasing development and improving welfare in Indonesia.

The TII Economic Research Division is present for those who are interested in the conditions of the economy. The results of the research are intended to assist policy-makers, regulators, and donor agencies in making decisions. The research that TII offers: **(1) Economic Policy Analysis; (2) Regional and Sectoral Prospects; and (3) Program Evaluation.**

## RESEARCH ON LEGAL AFFAIRS

According to stipulations in Law No. 12 Year 2011 on the Formulation of Laws and Regulations, every bill which will be discussed by the legislative and the executive must be complemented with academic paper. This stipulation is also confirmed in Law No. 15 Year 2019 on the Amendment of Law No. 12 Year 2011 regarding the Formulation of Laws and Regulations.

Therefore, comprehensive research is very important and needed in making a qualified academic paper. With qualified academic papers, the bills will have strong academic foundation both from academic and content aspects. Furthermore, academic paper also functions as an early tracking over possibilities of overlapping laws and regulations, so that revocation of local regulations or other related issues which can be caused by legal, economic, or political aspects in the future, can be minimized as soon as possible.

TII offers normative and legal research related to harmonization and synchronization of laws and regulations, especially in making academic papers, legal opinion on harmonization and synchronization of laws and regulations, and legislative drafting for the formulation of local regulations bill drafts or other laws and regulations. In addition, TII also offers openly research on other legal issues related to Constitutional Law and Public Administration, Human Rights, and Political Corruption.

## RESEARCH ON THE POLITICAL AFFAIRS

The enactment of Law No. 23 Year 2014 on the latest regulation on the Local Government, has created different relations between the Central Government and the Local Government. Entering the era of Bureaucracy Reform, specification of division of affairs of the Central Government and the Local Government has increasingly demanded the implementation of good governance principles. The government is demanded to be adaptive and responsive towards public aspiration and services. Therefore, public policy research become more important for both the Central Government and the Local Government to analyse context and current issues in the regions. The government must also consider various actors whether political actors or bureaucrats, as well as public's aspiration and other non-state actor in policy processes.

In order to respond those needs, TII research in political affairs offer policy assessment on various policies which were already applied or will be implemented. TII will look at socio-cultural, economy, legal, and political aspects in assessing public policies. Our research will be useful to assist government in formulating policies which are in line with context, priorities, and people's aspiration. TII also offers various breakthrough of transformative policies according to existing contexts in particular and Open Government principles' implementation in general, in order to increase public participation in policy processes, particularly in the era of the openness of public information.

Political Research Division of TII provide analysis and policy recommendations in order to generate strategic policy in the strengthening of democracy and the establishment of good governance both at the national and local levels. Political research forms are offered by TII **(1) Public Policy Analysis, (2) Media Monitoring, (3) Mapping & Positioning Research, (4) Need Assessment Research, (5) Survey Indicator.**

## RESEARCH ON THE SOCIAL AFFAIRS

Social development needs policy foundations that come from independent and accurate research. Social analysis is a need for the government, the businesspeople, academia, professionals, NGOs, and civil society to improve social development. Social analysis is important to identify strategic issues which are developing and to make the right stakeholders' mapping to promote significant change in the context of development, public policy, and democracy in Indonesia.

The Social Research Division is present to offer strong and valid recommendations to produce strategic, relevant, efficient and effective, and impactful policies, in addressing to existing various issues. For example, issues related to education, health, population, environment, women, children, and elderly. Social research that TII offers: **(1) Social Policy Analysis; (2) Explorative Research; (3) Mapping & Positioning Research; (4) Need Assessment Research; (5) Program Evaluation Research; and (5) Indicator Survey.**



## PRE-ELECTION AND REGIONAL HEAD ELECTION

One of the activities carried out and offered by TII is a pre-election survey as well as a pre-election and regional head election. The reasons underlying the implementation of pre-election and regional head election surveys, namely: (1) A good election is a democratic process that can be arranged, calculated, and predicted in the resulting process; (2) Survey is one of the important and common discussions to measure, calculate, and predict how the process and results of the General Election and the Regional Head Election will take place, in accordance to the expectations of the candidates; (3) It is very important to win in the General Election and the Regional Head Election based on empirical, scientific, measurable and supportable data.

As one of the important aspects of a strategic candidate's election, the survey is useful for monitoring political power. In this case, the success team needs to conduct a survey for: **(1) mapping the candidate's position in public perception; (2) mapping voters' desires; (3) publishing the most effective political machinery used as voters; and (4) Looking for the most effective medium for the campaign.**

## EVALUATION OF A PROJECT OR A PROGRAM

One of the activities that have been performed and experienced offered by TII is a qualitative evaluation of the projects and programs of non-governmental organizations and government. Evaluation activities are offered TII stages of mid-term evaluation of the project/program (mid-term evaluation) and also the final evaluation at the end of the project/program (final evaluation).

As we know, the evaluation is an important step in the implementation of a project or program. Mid-Term Evaluation of the project or program is intended to look at and analyze the challenges, the overall learning takes place during the project or program, and make recommendations for the continuity of the project or program. Meanwhile, the final evaluation allows us to view and analyze the outcomes and the lessons learned to ensure the achievement of all the objectives of the project or program at the end of the project or program.

## THE INDONESIAN FORUM

**The Indonesian Forum** is a monthly discussion activity on actual issues in the political, economic, social, legal, cultural, defense, and environmental fields. TII organizes these forums as media for competent resource persons, stakeholders, policymakers, civil society activists, academicians, and the media to meet and have discussion.

Themes that have been raised were the ones that have caught public attention, such as migrant workers, social conflicts, domestic politics, and local direct elections. The main consideration in picking a theme is sociological and political reality and the context of the relevant public policy at the time that the Indonesian Forum is delivered.

It is expected that the public can get the big picture of a particular event as the Indonesian Forum also presents relevant resource persons.

Since its inception, the Indonesian Institute is very aware of the passion of the public to get discussions that are not only rich in substance but also well formatted, which support balanced ideas exchanges ideas and the equal involvement of the different elements of the society.

The discussions, which are designed to only invite a limited number of participants, do not only feature idea exchanges but also regularly offer policy briefs (policy recommendations) to relevant policymakers and also summaries to the participants, especially the media people and the resource persons at the end of each discussion. Therefore, the discussions will not end without solutions.

## LOCAL COUNCIL TRAINING

The roles and functions of local councils in monitoring local governments are very important. They need to ensure that participative and democratic policies will be espoused. Members of provincial and regent local councils are required to have strong capacity to understand democratization matters, regional autonomy, legislative techniques, budgeting, local Politics, and political marketing. Thus, it is important to empower members of local councils.

In order for local councils to be able to response every problem that will come out as a result of any policy implemented by the central government or local governments, the Indonesian Institute invites the leaderships and members of local councils to undergo training to improve their capacity.

## WORKING GROUP

The Indonesian Institute believes that a good public policy process can be held with some engagement and empowerment of the stakeholders. The Indonesian Institute takes a role as one of mediator agencies to facilitate some forums in which the Government, Council Members, Private Sectors, NGOs and Academicians can meet in interactive forums. The Indonesian Institute provides facilitation on working groups and public advocacy.

The Indonesian Institute takes the role of mediator and facilitator in order to encourage the synergy of public policy work between the stakeholders and policy makers and also to have a synergy with funding agencies (donors).

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