

The Indonesian Update

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

Main Report

Cooperatives: What New Things Do They Offer?

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Special Audit Analysis of Tax Refunds by the Minister of Finance ■

Pursuing 100 GWp of Solar PV Capacity to Strengthen
the Energy Transition in Indonesia ■

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The Right to Water in the Development of AI Data Centers ■

Reforming the Governance of Luxury Prisons ■

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Ensuring Mental Health Recovery for Child Victims of Sexual Violence ■

Behind the Bali Suicide Cases: From Stigma
to a Commitment to Improving Prevention Governance ■

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Contributors : Felia Primaresti (Coordinator), Afifah Fitriyani Oceanto,
Made Natasya Restu Dewi Pratiwi, Putu Rusta Adijaya.
Arfianto Purbolaksono (Research Associate)

Editor : Adinda Tenriangke Muchtar.

FOREWORD

The October 2026 edition of the Indonesian Update features a main report titled “Red and White Village Cooperative: What is New on the Market?” This article shall examine the Red and White Village Cooperative program, a government initiative to strengthen the village economy. The report shall examine the program’s initiatives and challenges in its implementation, particularly those related to institutional governance, business sustainability, and its potential contribution to strengthening the village economy.

In the economic field, the Indonesian Update features two articles discussing tax governance and accelerating the energy transition. The article, “Analysis of the Special Audit of Tax Restitution by the Minister of Finance,” discusses the special audit policy for tax restitution and its implications for oversight, accountability, and governance of state revenues. Meanwhile, the article, “Pursuing 100 GWp Solar Power Plants to Strengthen the Energy Transition in Indonesia,” examines the ambition to develop 100 GWp solar power plants (PLTS) as part of efforts to accelerate the energy transition in Indonesia, including the various challenges in achieving this target.

In the legal field, the Indonesian Update includes two articles addressing the fulfillment of the right to water and improving the governance of correctional institutions. The article, “The Right to Water in Data Center Development,” discusses the relationship between data center development and the fulfillment of the right to water, particularly in the context of resource needs, environmental sustainability, and the state’s responsibility to ensure public access to water. Meanwhile, the article, “Improving the Governance of Luxury Prisons,” examines the issue of correctional institution governance, particularly regarding the unequal treatment of inmates and the importance of ensuring the principles of justice and equality in the implementation of the correctional system.

In the social sector, this edition presents two analyses on protecting the mental health of child victims of sexual violence and strengthening governance for suicide prevention. The article “Guarding Mental Health Recovery Guarantees for Child Victims of Sexual Violence” discusses the importance of ensuring access to mental health recovery services for child victims of sexual violence, including through strengthening protection systems, monitoring, and inter-agency coordination. Meanwhile, the article “Behind the Suicide Cases in Bali: From Stigma to Commitment to Improving Prevention Governance” examines the issue of suicide in relation to social stigma and the challenges of mental health management, as well as the importance of commitment and coordination between various parties in strengthening governance for suicide prevention.

Through the monthly publication of the Indonesian Update which raises various strategic and current issues, it is hoped that this report can contribute to policy makers in government institutions, business actors, academics, researchers, think tanks, and civil society, both at home and abroad, to obtain contextual analysis of the political, legal, social, and economic dynamics in Indonesia.

Happy reading.

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Cooperatives: What New Things Do They Offer?

-Felia Primaresti-



Photo Source: liputan6.com

The Red and White Village Cooperatives have become a conversation again. One interesting question posted on X by @gulakueputu "Why isn't there one in PIK ? Kopdes and SPPG?". A more fundamental question: what economic institutions that every community need for the state to to create economy for the people?

This question is relevant in the midst of the Red and White Village/ Sub-district Cooperative (KDKMP) program, which targets the formation of 80,000 cooperatives throughout Indonesia through the President Number 9/2025. This program has been designed to strengthen village economy, expanding access to basic needs and to support economic equality. However , the target of forming institutions needs to be followed by a question about whatneeds should be met fulfilled to benefit economic output (Ministry of State Secretariat , 2025).

Pantai Indah Kapuk (PIK) becomes an interesting example. This area owns various services, growing economic activities in the society. PT Pantai Indah Kapuk Dua Tbk (PANI) recorded pre-sale amounted to Rp6.01 trillion throughout 2024, with 48 percent originated from commercial lots. This figure described the size of development activities in PIK 2,

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This article shall analyze KDKMP as an policy instrument to strengthen the economy of the society . The focus is suitability between economic needs and the formation of new institutions.

From Economic Needs to the Formation of New Institutions

In public polic, the identification of problems should precede the selection of instruments. If the goal of the establishment of cooperatives is to expand public access to basic economic needs, the question is that how many cooperatives must be formed.

In areas with high economic activities, cooperatives need to show that they have additional benefits; for example, more affordable prices and many options for goods.

On the contrary, in areas with low economic activities, cooperatives can become relevant instruments . Therefore, the existence of a market is does automatically eliminate the need for cooperatives.

Presidential Instruction Number 9/2025 mandates that the formation of cooperatives should consider a village/sub-district's characteristics, economic potential, and other economic institutionsk. This means that the needs to have new institutions should become part of policy considerations.

If Local Initiatives Have Developed

The dynamics in a village's economy do not always start with the formation of new institutions. Ponggok Village in Klaten; for example, developed the Village-Owned Enterprise (BUMDes) Tirta Mandiri that manages various business units . The Central Java DPRD noted (11/8/2022) that before the COVID-19 pandemic, BUMDes managed 11 business units with a gross income reaching Rp. 16.2 billion. However, the gross income dropped to Rp. 5.1 billion during the pandemic , showing that shocks could bring negative impacts.

Pujon Village Kidul in Malang Regency also developed local economic activities economy through Village-Owned Enterprises (BUMDes) and tourism. Ministry of Finance data show that Pujon Village Original Income (PADes) increased to more than Rpl.3 billion in 2018, from around Rp. 30–40 million in the previous year ([Kompas.com](https://www.kompas.com), 8/5/2019).

In this context, BUMDes and KDKMP should be seen as complementing each other. BUMDes are managed by villages, while cooperatives benefit their members

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The problem main the Red and White Village/ Sub-district Cooperatives is not only whether every region needs to have cooperatives, but rather whether the formation of cooperatives is the right instrument. There is no urgency to have new institutions in all villages. There should be no dominant and excessive government .

Measuring the Added Values of the Red and White Cooperatives

The concept of “additionality” becomes important in evaluating the formation of new institution. Carter (2021) explains that “additionality” in business or investment must produce activities and profits that are not will happen without interventions. This means that institutions need to show added values compared to their available alternatives.

The Ministry of Cooperatives’ cooperative data dashboard (<https://ods.kop.go.id/>) records that of the 74,652 Red and White Village Cooperatives that are required to organize annual membership meetings (RAT), as many as 34,662, or 46.43 percent, have not been able to do so.

The Government needs to evaluate the level of utilization, the sustainability of business, and the economic benefits for the members,

Of course, there is no guarantee that market always woks, not requiring the presence of the government. Every region needs its own design of new institutions.

Recommendations

Referring to the analysis mentioned above, there are a number of recommendations that could be considered :

- a. The Ministry of Cooperatives together with local governments and the stakeholders need to conduct economic mapping before expanding the activities of KDKMP.
- b. The Government together with the governments of villages/ sub-districts need to evaluate KDKMP’s relationship with BUMDes. The evaluation should be able to identify supply chains and resources, including funding, natural resoueces, and human reources.
- c. The Ministry of Cooperatives needs to strengthen the KDKMP evaluation based on economic benefits and governance . The indicators can covers member participation members, the implementations of Annual Membership Meetings (RAT), the business sustainability, economic benefits received by members, as well as the cooperatives’s need to fulfil the needs of the society.

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Special Audit Analysis of Tax Refunds by the Minister of Finance

-Putu Rusta Adijaya-



The Bill on the State Budget (APBN) for the 2027 Fiscal Year was approved by the House of Representatives (DPR) and enacted into law on September 29, 2026. In a Ministry of Finance press release (September 29, 2026), the Government expressed appreciation for the support and approval granted by the DPR, given that the deliberations on the 2027 State Budget Bill took place amidst significant global uncertainty. Prior to its approval, Article 37 Paragraph (1) of the 2027 State Budget Bill stipulated that the Minister of Finance is authorized to conduct examinations and/or audits of state revenue, including special examinations and/or audits related to tax overpayment refunds (ortax.org, September 28, 2026).

Furthermore, Article 37 Paragraph (2) governs the provisions regarding examinations and audits—including the procedures for restitution within the context of special examinations and audits—which are to be further regulated through a Minister of Finance Regulation (PMK) (ortax.org, September 28, 2026). The site also explains that the examinations described in Article 37 are conducted via “joint audits,” a component of the joint program outlined in the 2027 State Budget Bill’s Financial Note, which encompasses—among other things—joint analysis, joint collection, joint investigation, and joint intelligence.

Table 1. Summary of Key Facts: Audit of State Revenue and Special Audit of Tax Refunds by the Minister of Finance

Element	Explanation
Legal Basis	Article 37, paragraphs (1) and (2), of the 2027 State Budget (APBN) Bill—which has now been approved and enacted into law during a plenary session of the House of Representatives (DPR) concerning the second-stage deliberations and final decision-making on the 2027 State Budget Bill (Ministry of Finance Press Release, September 29, 2026).
Precedent Rules	Article 37 of Law Number 17/2025 concerning the State Budget (APBN) for the 2026 Fiscal Year grants the authority to audit state revenue, without specifically mentioning any examination or special audit regarding tax refunds (fortuneidn.com, September 29, 2026).
Further Settings	Further provisions regarding the authority to conduct special audits for tax refunds are stipulated in a Minister of Finance Regulation (PMK). According to the search conducted, no recent PMK concerning such special refund audits has been identified.
Realization of Restitution	As of August 31, 2026, the realized tax refunds amounted to IDR 191.82 trillion, a decrease of 36.67% from the IDR 304.29 trillion recorded during the same period last year. This decline was driven by a reduction in Value Added Tax (VAT) and Sales Tax on Luxury Goods (STLG) refunds, which fell to IDR 134.32 trillion compared to the same period in the previous year. Meanwhile, Income Tax (IT) refunds dropped from IDR 90.99 trillion to IDR 55.79 trillion. Conversely, refunds for Land and Building Tax (LBT) and other taxes rose from IDR 1.01 trillion to IDR 1.71 trillion (fortuneidn.com, September 29, 2026).

Source: From various sources. Compiled by the author.

Deputy Finance Minister Suahasil Nazara explained that this authority was part of the “restitution management” framework exercised by the government through the Directorate General of Taxes (DGT). Its purpose is to ensure taxpayer compliance regarding the validity of invoices, transactions, and the relationships between taxpayers. He further emphasized that the rights of taxpayers remained respected and that their economic circumstances are taken into consideration (wartaekonomi.co.id, September 29, 2026). The central question is how this additional authority granted to the Ministry of Finance can be structured to be effective, efficient, fair, accountable, and well-regulated.

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In their empirical findings, Slemrod and Yitzhaki (2002) and Slemrod (2019) explain that tax compliance is influenced by several factors, including the probability of an audit, the severity of sanctions, and the availability of information to tax authorities. Examining the case of Chile, Pomeranz (2015) concluded—based on a “spillover experiment”—that an increased likelihood of a firm being audited by tax authorities also encourages its suppliers to be more compliant in their own tax obligations. This occurs because inter-firm transactions are recorded within the value-added tax (VAT) system, meaning that non-compliance by one firm can be detected through the transaction records of another.

Pomeranz’s findings indicate that a VAT recording system can enhance the effectiveness of tax audits. However, such a system alone is insufficient to guarantee tax compliance. In the absence of credible audit prospects and enforceable sanctions, firms may lack the incentive to pay taxes in accordance with regulations. Consequently, the effectiveness of tax enforcement relies on a combination of transparent transaction recording and credible oversight (Pomeranz, 2015). Therefore, the design of audit authority must be grounded in existing data and transactions to ensure greater efficiency; conversely, unpredictable audit practices can undermine voluntary compliance.

As shown in Table 1, the value of tax refunds is substantial—reaching hundreds of trillions—and, as noted in the literature (e.g., Harrison and Krellove, 2005), while the principle of tax refunds is straightforward, it presents serious practical challenges. These include vulnerabilities to fraud and corruption, as well as instances where the government may withhold refunds due to cash shortages. Thus, the process of conducting joint audits necessitates cooperation across relevant government institutions and agencies. In this context, the exercise of audit authority must be anchored in a framework that is accountable, transparent, and fair.

So, how will the authority for examination and audit procedures—including the mechanisms for tax refunds—be structured within the framework of these “special audits”? First, there is the definition of a “special audit.” It must be clarified whether such an audit runs parallel to standard examinations or follows a distinct path and set of standards; this definition requires careful consideration and must be clearly communicated to taxpayers. Second, policies established under the State Budget (APBN) Law are valid for only one fiscal year and are deliberated within a tight timeframe under varying circumstances. In contrast, the procedural authority regarding tax refunds is continuous and directly affects taxpayers’ rights. Article 23A of the 1945 Constitution of the Republic of Indonesia stipulates that “taxes and other levies that are compulsory for state purposes shall be regulated by law.” Consequently, whether the authority for “special audits” remains valid in

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2027—and whether it must be renewed annually—raises questions of legal certainty that warrant further constitutional law analysis.

Third, there is the risk of tax refunds being used as a tool for cash management. As shown in Table 1 above, there was a 36.67% decline in tax refunds as of August 31, 2026 (fortuneidn.com, September 29, 2026). Moving forward, there must be clear communication regarding the economic conditions factored into the management of tax refunds; such economic conditions should never serve as a justification for denying taxpayers the refunds to which they are legally entitled. Without access to data on refund applications, approvals, rejections, and processing times, the public cannot distinguish between efforts to control fraud and the management of state cash flow.

Policy Recommendations

Referring to the discussion above, several policy recommendations should be considered by the administration of President Prabowo Subianto—specifically the Ministry of Finance—as it designs the authority for conducting special audits regarding tax refunds.

First, the Government must clearly define the scope, criteria, and procedures for special tax refund audits through regulations that provide legal certainty. A Regulation of the Minister of Finance (*Peraturan Menteri Keuangan/PMK*), serving as an implementing regulation, should specify the conditions that may trigger a special audit. This includes clarifying how such audits differ from standard tax audits, the evidentiary standards to be applied, the timeframes for the audits, and the mechanisms available for taxpayers to file objections if subjected to a special audit. Furthermore, the government must ensure that this authority aligns with existing tax regulations and the principle of legal certainty, as mandated by Article 23A of the 1945 Constitution of the Republic of Indonesia.

Second, the implementations of special audits should prioritize a risk-based approach and the integration of data across different institutions. The Directorate General of Taxes (DGT) should leverage data from tax invoices, tax returns (SPT), inter-corporate transactions, customs information, and other relevant data, in accordance with the legal mandates of each respective agency. The execution of joint audits and collaborative programs should be directed toward systematically identifying transactional discrepancies, minimizing redundant audits, and enhancing the precision of tax enforcement. Consistent with the findings of Pomeranz (2015), the interconnectivity of transactional information can strengthen the tax authority's capacity to detect non-compliance.

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Ultimately, the authority to conduct special audits for tax refunds should be viewed as an instrument to strengthen compliance and the integrity of the tax system, rather than as a tool for short-term cash management. The success of such a policy cannot be measured solely by a reduction in refund amounts or an increase in tax adjustments; it must also be gauged by the Government's ability to accurately detect violations, process claims in a timely manner, and uphold legal certainty and taxpayer trust. A balance between law enforcement, administrative efficiency, transparency, and the protection of taxpayer rights is essential for this authority to bolster state revenue without creating uncertainty for economic activity.

Third, the Government needs to decouple tax compliance oversight from state cash management considerations. A decline in the realization of tax refunds cannot, in itself, be viewed as a success in oversight, just as a high volume of refunds does not automatically indicate irregularities. Therefore, decisions to audit, approve, defer, or reject a refund must be based on verification results and tax regulations—not on the need to maintain state cash balances or meet revenue targets.

Fourth, transparency and accountability must be integrated into the design of special audit oversight. The Ministry of Finance should publish periodic reports detailing the value of refund claims, the amounts approved and rejected, the number of special audits conducted, average processing times, and the general reasons for any deferrals or adjustments to refunds. Such information can be presented in an aggregate format while ensuring the confidentiality of taxpayer data. Furthermore, there should be mechanisms for complaints, objections, and independent evaluation of special audits to identify potential abuses of authority, inconsistent treatment, or administrative errors. This would allow the public to assess whether shifts in refund realization reflect improved compliance and more effective enforcement, or merely changes in the speed at which taxpayer claims are processed.

Fifth, the effectiveness of these policies should be evaluated using performance indicators that extend beyond a sole focus on state revenue. Evaluations should encompass the value of tax adjustments that are successfully upheld following audits and legal proceedings, the rate of substantiated findings, the costs incurred in conducting audits, the time taken to process refunds, and post-audit taxpayer compliance—all while ensuring that law enforcement remains accountable and transparent. Periodic evaluations can also be used to refine risk indicators, reduce the number of audits that yield no findings, and ensure that low-risk taxpayers continue to receive efficient refund services.

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Pursuing 100 GWp of Solar PV Capacity to Strengthen the Energy Transition in Indonesia

-Putu Rusta Adijaya-



On August 25, 2026, President Prabowo launched a 100-gigawatt-peak (GWp) solar power plant (PLTS) program—a significant initiative, given that Indonesia’s current total power generation capacity stands at approximately 88 gigawatts (setkab.go.id, August 25, 2026). According to the Cabinet Secretariat’s website (August 25, 2026), this program—which will be developed through various configurations, including ground-mounted, rooftop, and floating solar power plants—is intended to promote the use of new and renewable energy and strengthen national energy security.

As reported by the Directorate General of Legislation of the Ministry of Law (djpp.kemenkum.go.id, October 7, 2026), the Directorate General—in collaboration with the Ministry of Energy and Mineral Resources and other relevant ministries and agencies—held a follow-up meeting to harmonize a draft Presidential Regulation on the Accelerated Development of 100-Gigawatt-Peak (GWp) Solar Power Plants. Key discussion points included: finalizing provisions for the electricity procurement mechanism from these 100 GWp solar plants; establishing assignment schemes for state-owned enterprises (SOEs) and PT PLN (Persero) to carry out such procurement; exploring financing options through carbon economic value instruments to support the development of the 100 GWp solar capacity; and providing fiscal incentives for developers, specifically in the form of corporate income tax relief. Previously, on September 28, 2026, the Ministry of National Development Planning/National Development Planning Agency

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(Bappenas) and PT PLN (Persero) also emphasized the development of 100 GWp of solar power plants (PLTS) equipped with battery energy storage systems (BESS), with a focus on price affordability, sustainability, and the strengthening of domestic supply chains (bappenas.go.id, September 28, 2026).

Another key question is how the 100 GWp solar power (PLTS) policy can transform this capacity target into an economically viable, clean, and sustainable energy system—one that reduces greenhouse gas (GHG) emissions while ensuring equitable benefits for communities across Indonesia. Accordingly, this paper shall analyze the 100 GWp solar power program from both economic and climate perspectives, and offer policy recommendations for the administration of President Prabowo Subianto.

Investment Incentives and Market Efficiency for Solar Photovoltaic (PV) Systems

From an economic perspective, solar PV systems offer numerous benefits, including the reduction of greenhouse gas (GHG) emissions, the mitigation of air pollution from fossil-fuel-based power plants, and a decrease in the risks associated with the price volatility of fossil fuels. Regarding GHG emission reductions, for instance, research by Biswas et al. (2025) estimates that a 15% increase in solar PV capacity could reduce annual CO₂ emissions by 8.54 million metric tons (MMT)—a figure that contributes 12.38% toward the 20-year emission reduction target established by the U.S. Environmental Protection Agency (EPA) for fossil-fuel-fired power plants.

These benefits represent “positive externalities” that are not fully captured in the retail price of electricity. Conversely, coal-fired power plants generate negative externalities—such as health-related costs and environmental damage—that are not always fully borne by either the producers or the consumers of the electricity.

The challenge lies in reconciling the economic rationale of investors—who seek returns that are commensurate with or exceed their capital outlay—with the broader benefits accrued by society. Solar PV developers must weigh several factors, including capital costs, interest rates, the risks of regulatory shifts or overlapping regulations, the certainty of power off-take (electricity procurement), grid interconnection costs, and—crucially—a payback period that is economically rational. If investors perceive these risks to be excessively high, they will demand a higher rate of return. Consequently, the cost of electricity from solar PV projects could end up being higher, even as the cost of solar panel technology continues to decline.

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According to creit.com.ph (December 20, 2024), several factors influence investment in renewable energy, including economic aspects (costs, fiscal incentives, market prices), politics and policy (government policies, regulatory frameworks, certainty, international agreements), technology (technological sophistication, energy storage), climate (resource availability, the climate crisis), and social factors (public support and corporate social responsibility). This indicates that technology is not the sole determinant of the competitiveness of renewable energy, including solar power. Institutional certainty and the quality of market governance also significantly impact investment costs.

Consequently, the implications for the Indonesian Government are clear: it is not enough to merely provide tax incentives or set capacity targets. Existing policies must be improved by addressing the factors that determine project viability—specifically contract certainty, permitting processes, land availability, grid access, and payment security for investors.

In theory, fiscal incentives could accelerate investment; however, their effectiveness depends on the design of the incentives themselves, as well as regulatory certainty, institutional quality, and other factors. Regarding incentive design, for instance, support should be allocated based on specific needs and outcomes. Priority could be given to projects in regions with limited energy access, or to investments in energy storage, grid reinforcement, and the development of supporting industries that have the potential to generate local economic value-added.

While the Domestic Component Level (TKDN) is significant for developing the domestic solar power industry—contributing to energy self-sufficiency and strengthening the national economy (listrikindonesia.com, April 6, 2026)—the Government must avoid rigid TKDN requirements that fail to account for industrial readiness, costs, quality, and the availability of domestic supply. Strengthening the domestic industry remains a vital priority; however, this should be pursued through strategies focused on enhancing productivity, facilitating technology transfer, providing workforce training, and developing suppliers, rather than through mere administrative mandates or a singular pursuit of meeting specific ‘numerical’ targets.

Strengthening the Alignment of the 100 GWp Solar PV Program with National Climate Policy

The 100 GWp solar PV program must be integrated into a broader national climate policy framework, including the Second Nationally Determined Contribution (Second NDC), the National Energy Policy (KEN), and the

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Economic Value of Carbon (NEK) instruments. Such integration is essential to ensure that solar energy development does not proceed in isolation from emission reduction targets and the transformation of the energy system.

The use of NEK instruments to support the financing of the 100 GWp solar PV program—as suggested in discussions regarding draft regulations—must be designed prudently. While revenue from carbon trading or other carbon mechanisms may enhance the viability of specific projects, it should not be relied upon as the sole source of income. Its value depends on established regulations, market demand, the integrity of measurement processes, and the ability to verify that emission reductions are genuine rather than a form of “greenwashing.”

The Government must establish a transparent framework for Measurement, Reporting, and Verification (MRV). Calculations of emission reductions should utilize relevant grid emission factors, account for actual energy production, and prevent double counting with other climate instruments. Furthermore, the development of the 100 GWp solar PV program should not be viewed as a substitute for a comprehensive decarbonization policy.

The development of solar energy must be accompanied by plans to reduce reliance on fossil-fuel power plants, reforms to energy incentives, and improvements in energy efficiency. If renewable energy capacity increases while fossil-fuel plants continue to operate without adjustment, the impact on emissions reduction may fall short of expectations, serving merely as a “false solution.”

Furthermore, in the development of a 100 GWp solar power capacity, the government must also consider the aspect of equity. High-income households and large corporations generally find it easier to adopt solar energy, as they possess the necessary assets and capital for initial investments. Conversely, low-income households, micro, small, and medium enterprises (MSMEs), and communities in remote areas often face limitations regarding financing and infrastructure. If policies rely solely on investments driven by the ability to pay, the benefits of clean energy risk being concentrated among groups that already possess economic resources.

The 100 GWp solar power initiative could also be prioritized for public service facilities—such as community health centers (puskesmas), schools, clean water facilities, and other public service infrastructure—in areas with limited access to electricity or unreliable power supplies. In this context, the program’s benefits would extend beyond emissions reduction to include improved quality of public services and greater community resilience against disruptions in energy supply.

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Climate justice also pertains to decision-making processes. Large-scale solar power projects—such as a 100 GW solar initiative—require land, transmission infrastructure, and access to local resources. If the site selection process is conducted without meaningful consultation and participation, the project risks triggering conflicts over land tenure, access to livelihoods, and the distribution of economic benefits between the government and local communities.

Therefore, the government and project developers must engage with the community from the planning stage, rather than only when construction is about to begin. Consultations must provide easily understandable information regarding the project site, environmental impacts, potential changes in land use, compensation, employment opportunities, grievance mechanisms, and other relevant matters.

Policy Recommendations

Referring to the analysis above, several recommendations are offered for the administration of President Prabowo. First, the Government must focus on reducing investment risks for investors, rather than relying solely on tax incentives. This requires cooperation and collaboration across ministries and agencies. For instance, the Ministry of Energy and Mineral Resources (ESDM) could establish power purchase mechanisms, develop bankable long-term contract standards, and implement transparent interconnection procedures. PT PLN (Persero) could execute the mandate to procure electricity from 100 GWp of solar photovoltaic (PV) capacity, ensure payment certainty, and provide open access to data regarding grid capacity and readiness.

Furthermore, the Ministry of Investment and Downstreaming/Investment Coordinating Board (BKPM) should streamline licensing through a “one-stop service” and accelerate the process for site-related permits. The Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), in coordination with local governments, needs to ensure land tenure certainty and harmonize spatial planning to prevent regulatory overlaps.

To this end, the Government must ensure that policies concerning solar PV are aligned with the “One Data” (*Satu Data*) initiative—grounded in Open Data principles—so that policy implementation is based on up-to-date, shareable, and verified data. This will enable the Government to address challenges effectively, in accordance with priority scales, available resources, and specific contextual needs.

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Second, the Government should implement Domestic Component Level (TKDN) requirements in a gradual and adaptive manner. While strengthening the domestic solar industry remains a priority, TKDN requirements must be adjusted based on industrial readiness, costs, quality, and supply availability. For example, the Ministry of Industry should develop a TKDN roadmap with thresholds that increase incrementally in line with industrial readiness, while also mapping the capacity of domestic suppliers.

The Ministry of Energy and Mineral Resources (ESDM), in coordination with PT PLN (Persero), must implement Domestic Component Level (TKDN) requirements in procurement processes without compromising quality or affordability. The Ministry of Manpower, in collaboration with business stakeholders and vocational training institutions, should organize workforce training focused on the installation, operation, and maintenance of solar photovoltaic (PV) power plants.

Third, the 100 GWp solar PV initiative must be integrated with climate policies and the integrity of the National Energy Policy (KEN). The Ministry of Environment (or the relevant environmental management authority) must establish a methodology for Measurement, Reporting, and Verification (MRV), define grid emission factors, and set rules to prevent double counting through a national registry system. Concurrently, the Ministry of ESDM must align this program with the Second Nationally Determined Contribution (NDC) and the National Energy Policy (KEN), while developing a roadmap to reduce reliance on fossil-fuel-based power generation and enhance energy efficiency. The Financial Services Authority (OJK) and the Ministry of Finance should collaborate to regulate carbon trading, ensuring that carbon-related revenue serves as a supplementary benefit rather than the primary driver of project viability. Furthermore, independent verifiers must assess emission reduction claims to ensure credibility and prevent “greenwashing.”

Finally, it is essential to promote equitable access and public participation. The Ministry of Finance, in conjunction with banks and financial institutions, should provide low-interest credit, co-financing, or targeted subsidies for low-income households and micro, small, and medium-sized enterprises (MSMEs). Collaborative efforts between the Ministry of ESDM, the Ministry of Health, the Ministry of Education, and the Ministry of Public Works and Housing (PUPR) should prioritize the installation of solar PV systems in community health centers (puskesmas), schools, and clean water facilities located in areas with limited electricity supply.

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The success of a 100 GWp solar PV (PLTS) initiative is not measured solely by reaching a specific capacity figure, but rather by its ability to tangibly reduce emissions, maintain affordable electricity prices, and ensure equitable distribution of benefits. Without institutional certainty, integrity in emissions measurement, and a focus on fairness, this target risks becoming nothing more than an achievement on paper.

Additionally, local governments must facilitate public consultations from the planning stage, determine project locations through participatory processes, and manage grievance redress mechanisms. The government, alongside solar PV developers, is obligated to provide accessible, easily understood information regarding environmental impacts, land-use changes, compensation, and employment opportunities, while also establishing benefit-sharing schemes with local communities. Meanwhile, civil society organizations and academics must be granted access—including access to information—to monitor implementation, support affected communities, and provide independent assessments.

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The Right to Water in the Development of AI Data Centers

-Afifah Fitriyani Oceanto-



The Jatiluhur Reservoir is planned to host an artificial intelligence (AI) data center to be developed by BDx Data Centers through its AI Campus 2 project, designed with a capacity of up to 640 megawatts (Kompas, 30 September 2026). The plan involves constructing at least six buildings, with the first expected to begin operating in 2027 (Suara.com, 2 October 2026).

The project has drawn public attention and criticism over concerns that its substantial water use would disrupt residents' water supply (Kompas.com, 5 October 2026). Following this criticism, construction was temporarily halted because the environmental impact assessment (AMDAL) and the building approval (PBG) had not been completed (Jabarprov.go.id, 1 October 2026). The data center's water requirement is reported at approximately 384 liters per second. The West Java Provincial Government has stated that the water will be purchased from the regional water utility (PDAM) as a commercial customer and will not disrupt the supply to residents or agriculture (Detik.com, 29 September 2026).

These assurances, however, remain contested, both regarding the environmental impact on nearby communities and regarding the certainty of residents' basic right to use water in daily life. Against this background, this article examines the plan from the perspective of human rights and the obligations of the state.

Which Rights Are Affected?

The right to life is a fundamental right that is intertwined with other rights, including the water right. The Universal Declaration of Human Rights (UDHR) affirms the right to life as a basic right in Article 3. More specifically, Article 25(1) provides that everyone has the right to an adequate standard of living for health and well-being, including food. Article 28A of the 1945 Constitution of the Republic of Indonesia and Article 9 of Law Number 39/1999 on Human Rights guarantee the right to live, to defend one's life, to improve one's standard of living, and to obtain a good and healthy environment.

Consistent with these rights, the International Covenant on Civil and Political Rights (ICCPR), ratified by Indonesia through Law Number 12/2005, recognizes in Article 6(1) that the right to life is inherent in every human being, must be protected by law, and may not be arbitrarily deprived. The United Nations Human Rights Committee, in General Comment No. 36 on Article 6: Right to Life (2018), interprets the right to life broadly: it is not merely freedom from the arbitrary deprivation of life, but also encompasses the right to enjoy a life with dignity.

Accordingly, the construction of an AI data center that consumes hundreds of liters of water per second will affect a number of rights, as follows.

The water right. A flow of 384 liters per second is equivalent to approximately 33,000 cubic meters per day. By way of illustration, assuming a basic need of 100 liters per person per day, this volume could meet the needs of approximately 330,000 people. According to General Comment No. 15 on the Right to Water (Articles 11 and 12 of the Covenant), water for personal and domestic uses must be sufficient and sustainable. The plan has also been criticized because a data center's demand is constant throughout the year, whereas the supply from Jatiluhur fluctuates with the seasons. During the dry season, commercial customers with supply contracts may be served first, ahead of more flexible needs, so that the burden of supply reductions falls on residents and farmers. Public criticism has further highlighted that the impact could extend to the water needs of Jakarta residents (radarcirebon.com, 29 September 2026).

The right to a good and healthy environment. Large-scale water extraction, combined with an electricity demand of several hundred megawatts, creates compounding impacts on the reservoir and its surroundings. The suspension of the project because the AMDAL and PBG remain incomplete is therefore not a mere administrative obstacle;

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it indicates that these impacts have not yet been tested and that further study is needed that takes into account the needs of nearby residents. The precautionary principle requires that the findings of such studies be known in advance, not after construction has begun.

The right to food and livelihood. Irrigation farmers and floating-net-cage fish farmers share the same water source as the data center. If water allocation shifts or the reservoir's water level declines, the first risks will fall on the planting season and on the quality and volume of water for fish cages, resulting in lost income rather than mere inconvenience. This is the meaning of Article 1(2) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in this case: the means of subsistence of a community must not be sacrificed for commercial activity.

The right to information and participation. Residents learned of the plan only through media reports, and the West Java Provincial Government itself requested that the consultant disclose the study to the public only after controversy arose. Without an open water balance and open AMDAL findings, residents cannot assess the claim that supply will not be disrupted, so the right to participation is deprived of its substance (IDNTimes.com, 1 October 2026).

Smallholder farmers, fish-cage farmers, and PDAM customers bear the greatest risk, while the project's economic benefits are concentrated among corporations and investors. It is precisely this asymmetry between those who bear the risks and those who enjoy the benefits that human rights law guards against, through the state's obligation to protect residents from the exploitation of water resources.

Learning from Batam: If the Cause Is Unclear, Residents Bear the Burden

Jatiluhur is not the first such case in Indonesia. On 5 October 2026, dozens of residents of Sambau Village, Nongsa, Batam, predominantly housewives, protested in front of the Nongsa Digital Park (NDP) data center facility after clean water supply to their neighborhood had been cut off for more than a week (Katadata, 6 October 2026). Residents suspected a link to the data center's water use. However, there is no statement confirming that the data center's water consumption was the cause, and the Batam Concession Agency (BP Batam) attributes the outage to raw water sources affected by low rainfall (Detik.com, 5 October 2026). BP Batam also stated that the cooling water for the NDP data center is supplied from the Kabil Industrial Estate, which operates its own water treatment facility (Mongabay, 10 October 2026).

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From a human rights perspective, the most important lesson is not who is right, but the absence of data that residents can scrutinize, and the failure to apply a human rights perspective and law enforcement within the policy process. Without open and clear information on the water balance, residents cannot ascertain whether water is flowing to residential areas or to industry, and the state cannot substantiate its denials. Residents struggled to obtain water, quarreled while competing for clean water, and complained of water bills that remained high even though water rarely flowed (Mongabay, 10 October 2026). This clearly indicates not only a disregard for consumer rights but also for residents' right to meaningful participation in the policy process.

Moreover, the electricity demand of the nine data centers at NDP is estimated to reach 1,200–1,500 MW by 2032, and this demand is assessed as likely to deepen dependence on fossil energy, prompting calls for a moratorium until the impacts are determined (Mongabay, 4 October 2026). Batam is an island with limited water resources, subject to the same pressures now facing Jatiluhur.

AI Data Centers in Other Countries

Chile. Chile's environmental court partially annulled the permit for Google's data center in Cerrillos, Santiago, and ordered the company to revise its application to account for the effects of climate change on the aquifer, including the possibility of modifying its cooling system (The Guardian, 25 June 2026). The project was reported to use approximately 7.6 million liters of drinking water per day amid a prolonged drought (Semafor, 28 February 2024). Google subsequently suspended the project and stated that it would restart the process from the beginning (DatacenterDynamics, 28 February 2024), introducing a cooling model that is considerably more water-efficient (AFP via Tribune, 18 October 2024).

Uruguay. Google's plan in Canelones met with opposition and was even criticized as "data colonialism" that exploits cheap water and electricity as well as lax environmental standards (Semafor, 28 February 2024). After the record drought of 2023 nearly exhausted the country's drinking water reserves, public pressure forced Google to reconsider its design and switch to air cooling (LatinAmerican Post, 22 October 2024).

In light of the events in Batam and several other countries, the question that merits reflection is whether the construction of AI data centers should proceed and whether it is truly needed.

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The water right is not determined by which tap the water flows from, but by who is prioritized when water is insufficient. Without open data and binding priorities in permits and contracts, as well as initial and periodic evaluations of the negative externalities of development, including data centers, the water right will easily be displaced by commercial interests.

Policy Recommendations

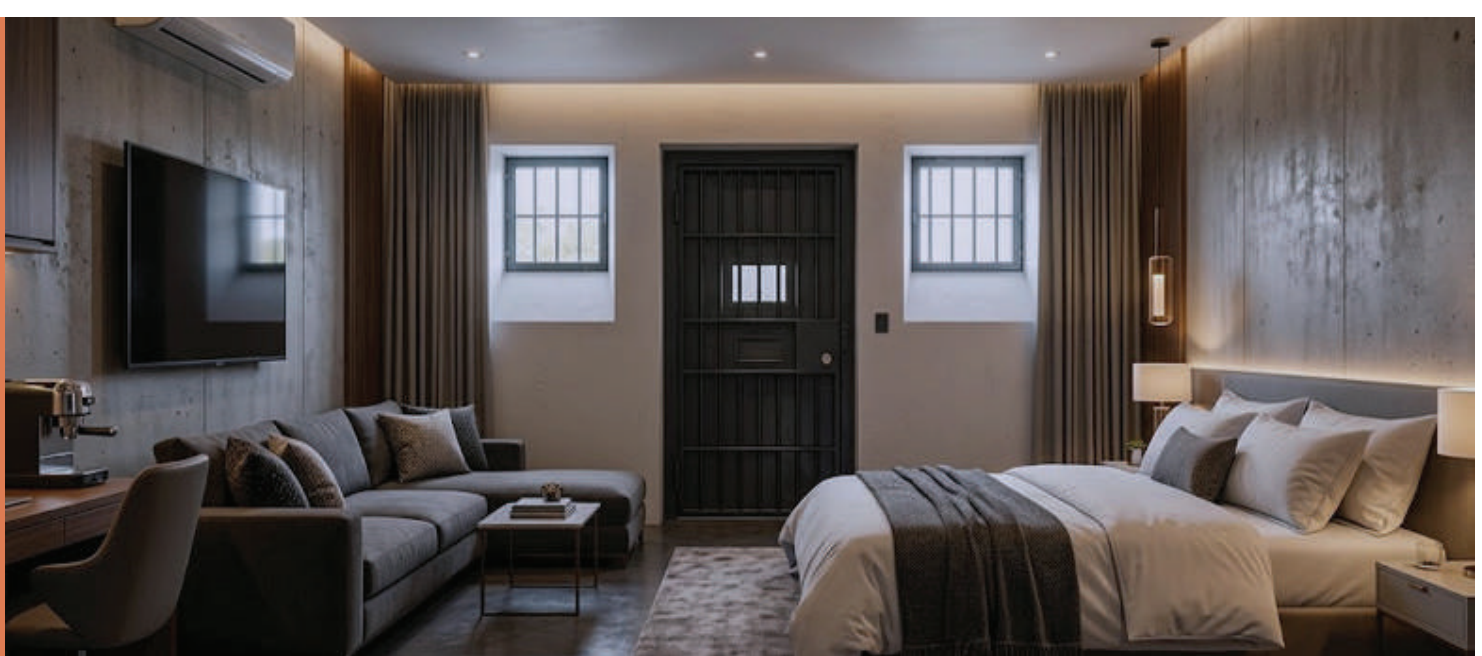
To ensure that this analysis does not remain mere criticism, the following recommendations are proposed:

- a. **The Ministry of Environment/Environmental Management Agency (BPLH)**, together with the West Java Provincial Government, should complete the AMDAL and environmental approval before construction resumes, and publish the AMDAL documents and the results of public consultation. The environmental approval should specify limits on water extraction and sanctions for violations.
- b. **The Ministry of Public Works (Directorate General of Water Resources), the Citarum River Basin Agency (BBWS Citarum), and Perum Jasa Tirta II** should prepare a water balance for Jatiluhur and a reservoir operation simulation that includes the data center as a new user, and then establish and publish an order of allocation priority (basic needs and irrigation first). This should be done before any allocation is granted and updated each season.
- c. **The West Java Provincial Government, the Purwakarta Regency Government, and the Regional Drinking Water Company (PDAM)** should disclose the water supply scheme and contract for the data center, include clauses restricting supply during the dry season so that commercial customers are curtailed before residents and irrigation, and prohibit the reallocation of existing allocations without open approval. This should be done before the contract is signed.
- d. **The Ministry of Communication and Digital Affairs (Komdigi)**, together with the ministries responsible for investment, should establish water and energy efficiency standards for data centers as a condition of business licensing, including a preference for water-saving cooling technologies and water recycling. These should apply to all new technology-related projects.
- e. **The Ministry of Public Works and the Ministry of Environment**, and local governments should conduct an assessment of water carrying capacity in areas with concentrated data center projects (Jatiluhur, Batam), and then postpone new permits in water-stressed areas until the assessment is completed.
- f. **The House of Representatives (DPR) and the West Java Regional House of Representatives (DPRD)** should exercise oversight through public hearings with farmers, fish-cage farmers, and residents. They should ask the government to disclose the studies and contracts before issuing any further permits.

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Reforming the Governance of Luxury Prisons

-Afifah Fitriyani Oceanto-



The findings of the Ombudsman of the Republic of Indonesia at the Class IIA Cibinong Correctional Institution (Lapas) have once again drawn public attention to the conditions of correctional institutions in Indonesia. During an inspection on 23 September 2026, the Ombudsman found more than ten separate rooms or buildings equipped with facilities assessed as meeting apartment-level standards in the rear area of the institution (Tempo, 6 October 2026).

These findings have raised the question of how correctional institutions should be run, and whether they continue to serve as a deterrent for their inmates.

A correctional institution is a space in which the state holds near-total control over the lives of inmates (*warga binaan*). The state determines where they live, how they are supervised, what services they receive, and which rights they can access. If such control produces conspicuous differences in treatment, the problem does not end with facilities; it also concerns the capacity of the system to guarantee the same standards for everyone.

Correctional Standards and the Rights of Inmates

Under the Indonesian law, corrections are not intended merely as a space for retribution. Law No. 22/2022 on Corrections establishes rehabilitation

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and social reintegration as its objectives, with principles that include non-discrimination and humanity. At the international level, the International Covenant on Civil and Political Rights, ratified through Law No. 12/2005, affirms that persons deprived of their liberty must be treated humanely. The United Nations Standard Minimum Rules for the Treatment of Prisoners (“the Nelson Mandela Rules”) likewise emphasize the principle of non-discriminatory treatment.

This framework is important for understanding the issue of facilities correctly. Inmates are indeed entitled to decent conditions, but such decency is a minimum standard that applies to everyone. It is not an additional privilege that particular parties may acquire. When some inmates occupy spaces resembling residences while others remain in far more limited and substandard conditions, correctional standards have shifted from rights to luxury, exclusivity, discrimination, and violations of regulations.

The question, then, is whether decent standards of treatment are guaranteed equally, consistently, and in a manner that can be monitored. If some inmates occupy spaces resembling residences while others remain in limited and substandard conditions, correctional standards have shifted from rights to luxury, exclusivity, and discrimination.

Equality behind Prison Walls

The principle of non-discrimination in corrections, in fact, has a legal foundation, yet its technical regulation remains incomplete (Bagaskoro et al., 11 November 2025). Article 36 Paragraph (4) of Law No. 22/2022 on Corrections provides that the placement of convicted prisoners is grouped by age, sex, or other grounds according to a risk and needs assessment conducted by a correctional assessor, and it requires special treatment for groups with special needs. The law also delegates further regulation of facilities and infrastructure to ministerial regulations, stipulating that such facilities and infrastructure must integrate considerations of space for movement, health, and safety.

However, the implementing regulations that Article 98 required to be enacted within one year of the law’s promulgation do not yet appear to be complete. In 2024, the Directorate General of Corrections (Ditjenpas) still described the Government Regulation on the requirements and procedures for implementing the rights and obligations of detainees, children, and inmates as being at its final stage at the State Secretariat (Antara, 27 June 2024). The references on prisoners’ rights used by practitioners as of 2026 also still cite Government Regulation No. 32/1999 and its amendments (Hukumonline, 12 January 2026).

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At the level of ministerial regulations, the rules of order for prisons and detention centers, which were originally regulated in Minister of Law and Human Rights Regulation No. 8/2024 on the Administration of Security and Order in Correctional Work Units (Supreme Audit Agency). Measurable standards are visible in certain aspects, such as the nutritional adequacy of detainees, convicted prisoners, and children (Minister of Immigration and Corrections Regulation, 2025). By contrast, the publicly available document on housing evaluation standards places greater emphasis on security and on the suitability of cell size to capacity (Ditjenpas, *Standar Evaluasi Hunian Lapas/Rutan*). Accordingly, there appears to be no measurable, uniform, and publicly available minimum standard for housing facilities, nor any written criteria on when differential treatment may be granted.

This gap becomes even more stark when compared with conditions in other institutions. The Class I Cipinang Correctional Institution, for instance, still recorded an occupancy rate of 234.55 percent in October 2025 (IDN Times, 21 October 2025). In other words, this is plainly lopsided when set against the Ombudsman's finding of luxury facilities at Cibinong.

Luxury Facilities as a Governance Problem

Buildings with residence-like facilities do not appear on their own. They require land, materials, labor, funding, and access for entry and exit that can proceed without detection. The findings should therefore be read as an indicator of the institution's managerial performance, not merely as a violation by particular individuals.

First, internal oversight must be carried out regularly and must not depend on external inspections. The use of buildings, the placement of inmates, the goods entering the institution, and inspections of areas outside the main housing blocks should all form part of routine evaluation. The discovery of contraband, such as three bottles of liquor in a refrigerator during the inspection by Commission XIII of the Indonesian House of Representatives (DPR RI), demonstrates weak oversight and shows that oversight cannot stop at the physical structure of buildings.

Second, accountability. Every building and facility within a correctional institution must be traceable in terms of its origin and use. According to the Director General of Corrections, only three houses were funded by the State Budget (APBN), while most of the buildings came from self-managed (*swakelola*) funds whose source remains unknown (BBC, 30 September 2026). The suspension of five officials of the Cibinong institution demonstrates a response to the luxury prison findings. However, accountability does not

end with sanctions against individuals. It is necessary to examine whether the systems of licensing, oversight, and reporting have functioned, and what can be improved so that similar incidents do not recur in other institutions.

Third, transparency. Information on placement, capacity, housing conditions, and the execution data of inmates must be adequately accessible to oversight bodies. Regular oversight that is transparent and accountable must also be enforced to ensure that there is no exclusivity for particular groups.

Human Rights in Correctional Institutions

The normative basis is found in Article 28I Paragraph (2) of the 1945 Constitution, which guarantees the right to be free from discriminatory treatment on any grounds, while Article 28I Paragraph (4) makes the protection, advancement, enforcement, and fulfillment of human rights the responsibility of the state, particularly the Government. Law No. 39/1999 on Human Rights affirms the right to equal treatment before the law in Article 3 paragraph (2) and Article 5 Paragraph (1), the protection of human rights without discrimination in Article Paragraph (3), and the Government's obligation to respect, protect, uphold, and promote human rights in Articles 71 and 72.

At the international level, the Universal Declaration of Human Rights affirms equality in dignity and rights in Article 1, the prohibition of discrimination in Article 2, and equality before the law in Article 7. The International Covenant on Civil and Political Rights (ICCPR), ratified through Law No. 12 of 2005, regulates humane treatment of persons deprived of their liberty (Article 10 paragraph (1)), the aims of reform and social rehabilitation in the penitentiary system (Article 10 paragraph (3)), and equality before the law without discrimination (Article 26).

From this framework, three matters warrant attention regarding the governance of correctional institutions. **First**, the prohibition of discrimination. The United Nations Standard Minimum Rules for the Treatment of Prisoners, known as the Nelson Mandela Rules (Rule 2), prohibit discrimination based on status, including property. Differential treatment remains permissible, but only where it is based on objective individual needs, such as health condition, age, disability, or safety considerations.

Second, the threshold of decency. Article 10 Paragraph (1) of the ICCPR sets a lower threshold, namely that human dignity must be respected, and Rule 3 of the Nelson Mandela Rules affirms that the prison system must not

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A just correctional institution is not only about meeting minimum standards for inmates but also about ensuring that those standards apply equally, can be monitored, and must be accountable.”

aggravate the suffering inherent in the deprivation of liberty. However, no human rights standard requires facilities that resemble residences.

Third, the obligations of the state. Article 2 Paragraph (1) of the ICCPR requires states to respect and ensure rights without discrimination, while Article 2 Paragraph (3) requires the availability of an effective remedy. Because correctional institutions are managed by state officials, preferential treatment, if proven, may be attributed to the state, including where it results from acquiescence or a failure of oversight.

Nevertheless, this issue must be distinguished from gross violations of human rights as regulated in Law No. 26/2000. The Cibinong case is better understood as a failure of the state to fulfill its obligations of non-discrimination and to guarantee equal standards of treatment. This distinction is important so that criticism remains precise and legally testable.

Recommendations

To strengthen equality and the governance of corrections, the following measures are required:

- a. The Ministry of Immigration and Corrections** must conduct regular independent audits of buildings, facilities, and budget use across all correctional institutions, not only at Cibinong, including tracing the sources of self-managed funds and the basis for their use;
- b. The Directorate General of Corrections** must strengthen its internal oversight system regularly, covering the placement of inmates, inspections of areas outside the main housing blocks, and control over goods entering the institution;
- c. The Directorate General of Corrections** must guarantee the openness of placement and execution data on inmates to external oversight bodies, such as the Ombudsman of the Republic of Indonesia, the National Commission on Human Rights (Komnas HAM), and the DPR, so that oversight can proceed effectively; and
- d. The Government**, together with law enforcement officials, must act firmly on the alleged violations through objective and transparent investigation, including against those who facilitated them, and must strengthen complaint mechanisms through which inmates can report safely without fear of reprisal.

Social

Ensuring Mental Health Recovery for Child Victims of Sexual Violence

-Made Natasya Restu Dewi Pratiwi-



Cases of sexual violence in Indonesia have once again exposed shortcomings in the justice system for child victims. Most recently, the Bandung High Court acquitted a defendant in a case involving sexual violence against a four-year-old child (BBC News Indonesia, September 23, 2025). The judge concluded that the victim had shown no signs of fear, trauma, or avoidance when calling the defendant by name, and used this as a basis for acquittal.

However, signs of trauma or psychological distress in children cannot be assessed solely by examining their physical appearance or observing their behavior during legal proceedings. Article 24, Paragraph (3), of Law Number 12/2022 concerning Criminal Acts of Sexual Violence (*Undang-Undang Tindak Pidana Kekerasan Seksual/UU TPKS*) stipulates that one form of evidence in criminal cases involving sexual violence is a statement from a clinical psychologist and/or psychiatrist.

This provision highlights the importance of basing assessments of victims' trauma and mental health conditions on documented psychological evaluations conducted by authorized professionals, rather than relying solely on children's observable responses. Drawing on this case, this paper shall explore the psychological implications of inadequate law enforcement in cases involving child victims of sexual violence and examines strategies to ensure the protection of victims' mental health. It is hoped that this article

shall contribute to discussions on strengthening the integration of children's perspectives and experiences as a central consideration in future efforts to prevent and address sexual violence against children.

Examining the Psychological Implications for Child Victims of Sexual Violence

The psychological consequences of sexual violence against children cannot be underestimated. Exposure to sexual violence at a very young age increases the risk of childhood trauma. Adverse childhood experiences (ACEs) can have long-term detrimental effects on children's cognitive, social, and physical development. Without comprehensive recovery support and justice for perpetrators, these experiences can have serious consequences, including damaging victims' sense of self-worth, causing anxiety and post-traumatic stress, and, when internalized, potentially triggering suicidal ideation (Ali et al., 2023).

In the long term, the effects of childhood sexual violence can persist into adulthood, manifesting as anxiety, depression, and difficulties maintaining relationships with others (Manukrishnan and Bhagabati, 2024). These difficulties can also make it harder for adult survivors to seek help or report the sexual violence they experienced as children. This chain of psychological impacts risks making cases of sexual violence even more difficult to prosecute and preventing victims from receiving the assistance they deserve.

These consequences serve as a reminder that Indonesia must avoid repeating the Bandung High Court's ruling when handling similar cases in the future. The system must be reformed to prevent further barriers to victims' access to justice and ensure that victims are not left powerless by legal decisions that disregard their stories and experiences.

Research Potential and Community Engagement

The acquittal of the defendant in the child sexual violence case in Bandung marks a significant moment that should not be overlooked in efforts to strengthen research on psychological recovery mechanisms for victims. To strengthen the mechanisms for handling sexual violence cases, research into the risk of perpetrators of sexual violence against children reoffending in the future is an important prevention strategy worthy of investment (Davies et al., 2026). To support these efforts, communities can be empowered to serve as community paralegals or *active bystanders*—individuals who can intervene safely when they identify a potential risk of sexual violence, whether involving a new perpetrator or by observing the behavior of individuals convicted of sexual violence after their release.

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The court decision discussed in this article also warrants critical attention because it could become a precedent for handling cases of sexual violence against children, particularly if similar considerations are used again to assess victims' experiences without fully understanding their psychological conditions. This could ultimately lead to the acquittal of perpetrators who should be held accountable.

It is important to recognize that injustices in the sanctioning of perpetrators of sexual violence in Indonesia occur not only during trials but also through post-conviction policies. The recent case of Moch Subchi Azal Tsani, also known as "Mas Bechi", a convicted perpetrator of sexual violence against a female student at an Islamic boarding school who was granted parole, highlights concerns about the extent to which court and post-conviction decisions account for victims' rights and experiences (Tirto.id, September 22, 2026). These cases serve as a reminder that Indonesia's law enforcement and victim protection systems still need to be strengthened. Case handling must go beyond procedural compliance to ensure accountability, victim protection and recovery, and a deterrent effect for perpetrators.

To mitigate these risks, the potential for reoffending can be monitored by developing risk assessment instruments for perpetrators (Togas and Maniou, 2025). Ideally, monitoring the risk of repeat sexual violence among perpetrators, whether convicted or not, should involve civil society as a community-based monitoring partner, complementing assessments conducted by authorized professionals. Such community involvement reflects a commitment to collaborative enforcement of regulations on sexual violence between law enforcement officials and the public.

Monitoring the risks of repeated sexual violence can help identify the need for interventions targeting perpetrators while also anticipating potential threats to victims and their surrounding communities. This mechanism is crucial to ensuring that victim protection does not end when a court decision is issued or a perpetrator completes their sentence, but remains part of ongoing efforts to prevent sexual violence. Therefore, the Government needs to develop an official guideline for handling sexual violence cases that establishes procedures for periodic risk assessments, delineates the responsibilities of relevant parties, sets out coordination mechanisms for monitoring, and specifies measures for victim protection and recovery. This guideline should complement the provisions of the UU TPKS to ensure that case handling is more systematic, accountable, and focused on victim safety, while safeguarding data confidentiality and the rights of all parties concerned.

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The acquittal of perpetrators of sexual violence against children cannot be justified in efforts to uphold justice and support victims' psychological recovery. All parties must contribute to creating a system for handling cases of sexual violence against children that consistently prioritizes victims, is trauma-informed, provides legal certainty, and deters perpetrators. Strong community-based monitoring of the behavioral patterns of individuals convicted of sexual violence after sentencing cannot be delayed, as it is essential to preventing reoffending that could further threaten children's safety.

Recommendations

The following recommendations aim to improve the management of mental health recovery for child victims of sexual violence:

- a. The Regional Technical Implementation Unit for the Protection of Women and Children (*Unit Pelayanan Teknis Daerah Perlindungan Perempuan dan Anak/UPTD PPA*) and community-based service providers must ensure that child victims of sexual violence receive ongoing psychological support based on their needs until their condition improves. The recovery process must respect victims' experiences and trauma and be supported by law enforcement that ensures justice for children.
- b. The Ministry of Women's Empowerment and Child Protection, the Ministry of Primary and Secondary Education, the Ministry of Higher Education, Science, and Technology, and the Ministry of Population and Family Development need to develop cross-sectoral guidelines for monitoring the risk of repeated sexual violence and providing support to victims within families, schools, and communities. These guidelines should be disseminated through the Family Resilience and Youth Resilience programs (*Bina Ketahanan Keluarga dan Bina Ketahanan Remaja*) to foster safe environments, respect victims' experiences, and prevent the normalization of sexual violence.
- c. The police, prosecutors, and other relevant law enforcement agencies need to strengthen transparency in case handling, victim recovery, and the implementation of court decisions, while maintaining the confidentiality of children's identities. Law enforcement officials must comprehensively consider the available evidence and must not disregard victims' experiences or psychological well-being simply because signs of trauma are not readily apparent. This step is crucial to ensuring accountability and preventing victims from being denied access to justice again. Law enforcement must prioritize fulfilling children's rights and victims' rights.
- d. Law enforcement officials, together with correctional institutions, need to ensure that perpetrators of sexual violence undergo risk assessments and professional interventions to reduce the likelihood of reoffending. These efforts must go hand in hand with firm and proportionate law enforcement to ensure that protecting the community does not come at the expense of victims' rights to justice, reparation, and a sense of security.

Social

Behind the Bali Suicide Cases: From Stigma to a Commitment to Improving Prevention Governance

-Made Natasya Restu Dewi Pratiwi-



Bali, known as a leading destination for healing among domestic and international tourists, presents a tragic irony when it comes to the mental health of its own residents. According to a study analyzing cumulative suicide rates in Indonesia from 2016 to 2021, Bali had the highest reported suicide rate in the country (1,821/100,000) (Onie et al., 2024). This means that approximately two out of every 100,000 residents in Bali died by suicide.

The trend of high suicide rates in Bali continued into 2025. According to the data from the National Crime Information Center (Pusat Informasi Kriminal Nasional/Pusiknas) of the Indonesian National Police Criminal Investigation Agency. Bali ranked third in terms of reported suicide cases, with 129 cases. These figures place Bali among the three provinces with the highest numbers of reported suicides.

Various factors contribute to suicide among the Balinese population, including economic pressures such as debts, online loans (*pinjaman online* or *pinjol*), and the high costs of living; depression; and despair associated with chronic illnesses, particularly among older people who feel that they have become a burden on their families. These factors are compounded by limited access to psychological services that are accessible and understood by communities at the village and sub-district levels (Bali Bersama Bisa Foundation, 2025).

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In Bali, the financial demands associated with customary and religious ceremonies also risk disproportionately affecting women's mental health. Balinese women face greater barriers to accessing mental health services due to the double burden of domestic responsibilities and household financial pressures, particularly when families must allocate funds for ceremonies (Aryani, 2026).

Ironically, when facing this double burden, Balinese women often choose to remain silent for fear of becoming the subject of gossips if they seek professional help. Some may also cope by believing that their suffering is the result of their ancestors' bad karma, reflecting interpretations of Hindu teachings about *karma*, in which actions have consequences that must be experienced in this lifetime. The interaction between economic, cultural, and religious factors can contribute to low utilization of mental health services in communities with high levels of religiosity (Wamser et al., 2011).

Against this backdrop, an important question arises: how can Bali, long known as a healing destination for tourists, still struggle to ensure that its own residents have equitable access to healing and mental health support? Therefore, this article examines the challenges and opportunities for improving suicide prevention governance in Bali to make it more inclusive, equitable, and preventive, while integrating local wisdom into its implementation.

Challenges and Opportunities for Improving Suicide Prevention Governance in Bali

The analysis identifies four key challenges that hinder progress in suicide prevention in Bali: (1) strong social stigma and the influence of mystical beliefs that discourage people from accessing mental health services; (2) the high prevalence of mental health disorders, compounded by a lack of psychological safety in seeking treatment; (3) limited commitment to suicide data collection and the development of local regulations; and (4) social pressures and customary obligations that are exacerbated by economic factors.

First, strong social stigma in the Balinese society remains a major barrier to suicide prevention. The assumption that people who seek mental health treatment are "crazy" discourages individuals from accessing healthcare services. This stigma is further reinforced by mystical beliefs. Research indicates that Balinese people, particularly those living in rural areas, commonly associate mental health disorders with spirits, such as ghosts and negative forces believed to possess an individual's body (Cristea et al., 2025).

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As a result, families may prefer traditional or alternative treatments over professional mental health services, seeking help from *Balian*, traditional Balinese practitioners believed to treat illnesses associated with spirits. If individuals with mental health disorders do not receive timely treatment, their psychological conditions may deteriorate. In certain circumstances, particularly in cases involving severe depression and hopelessness, these conditions may be associated with suicidal ideation (Riera-Serra et al., 2024).

To ensure that suicide prevention efforts are implemented effectively, the Balinese Government needs to develop and disseminate community-level guidelines for preventing and addressing mental health disorders. These guidelines should reach communities at the village, sub-district, and *banjar* levels while integrating religious perspectives and local cultural norms. This approach would help ensure that existing mental health services at Community Health Centers (*Pusat Kesehatan Masyarakat/Puskesmas*) are not undermined by public reliance on alternative treatments. It is also essential to address misconceptions arising from mystical beliefs that may erode public trust in professional services, while strengthening early detection and timely access to appropriate care.

Second, from an epidemiological perspective, mental health disorders affect a considerable number of people in Bali. Approximately 7,308 Balinese residents have been diagnosed with schizophrenia, while 14.9% of the population, or around 118,822 people, are considered vulnerable to mental health disorders. These vulnerabilities have been associated with post-pandemic life stress, which has disrupted income stability in Bali's tourism sector, a key pillar of the local economy (Bali Provincial Health Office, 2024).

Despite the high prevalence of mental health disorders, schizophrenia is still widely perceived in Balinese communities as resulting from a lack of self-control or religious devotion. People with schizophrenia may be labeled "crazy," while their behavior may be judged as morally abnormal (Cristea et al., 2025). Other mental health conditions, including anxiety and depression, are also rarely recognized or properly understood.

Gender disparities in social power further shape how mental health is perceived. Balinese women, particularly unmarried women, may believe that mental health problems stem from loneliness and their relatively low social status (Prahasagita and Lestari, 2025). Consequently, even individuals who recognize their need for professional support may hesitate to seek help because of stigma and fear of social judgment, undermining their sense of safety when accessing mental health services.

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Despite the high prevalence of mental health disorders, as of the time of writing, Bali does not have a specific regional regulation that establishes a binding, cross-sectoral commitment to preventing recurrent suicide cases. The province currently has Bali Provincial Regulation Number 6/2020 on Health Provision, which addresses mental health as part of broader public health efforts but does not specifically regulate suicide prevention.

To establish shared responsibility across sectors, Bali needs specific legal regulations that clearly define the roles and responsibilities of relevant stakeholders. Bali also faces challenges in collecting comprehensive data on suicide cases. To support systematic prevention efforts that account for local contexts, suicide data should be documented and aggregated based on: (a) the causes of suicide; (b) the methods used; (c) the geographical distribution of cases; (d) socioeconomic status; (e) gender; and (f) disability status.

Without detailed mapping of risk factors, effective prevention efforts are difficult to implement because of limited understanding of conditions at the grassroots level. Data on the causes of suicide could serve as a reference for prioritizing interventions according to geographical area, gender, and economic status. Such data could also help identify opportunities for collaboration between healthcare workers and trusted community or religious leaders to address barriers to mental health services and improve the reporting of suicide cases to the police.

Research indicates that suicide cases in Bali are rarely reported because suicide is considered “taboo” and a source of “shame,” as well as being perceived as “immoral and disrespectful” (Sasmita and Winiantari, 2024). Limited data collection is therefore not solely the result of inadequate recording and reporting systems or regulations. It is also influenced by families’ reluctance to report the suicide of a relative for fear of the social consequences and stigma that may follow.

Social relationships and customary obligations, compounded by economic pressures, also pose significant challenges to suicide prevention. Expectations to participate in customary and religious activities, alongside financial constraints, can create psychological stress within Balinese families and exacerbate social vulnerabilities that may influence suicide-related decisions (Sumarkandia, 2024). The rise in suicide cases should therefore not be understood solely through the lens of individual psychological conditions. It must also be examined in relation to the interaction between cultural expectations, gender norms, economic hardship, and interpersonal relationships within Balinese society.

Given the complexity of these challenges, the Balinese Government needs to demonstrate a stronger and more concrete commitment to protecting the mental health and well-being of its residents. Regional regulations governing mental health services, including specific provisions on suicide prevention and management, are essential. Without robust regulations and collaborative approaches that effectively engage communities affected by stigma and mystical beliefs, suicide will remain a ticking time bomb threatening the mental health and well-being of the Balinese population.

Recommendations

The following recommendations are proposed to strengthen suicide prevention governance in Bali by reducing stigma, increasing the utilization of mental health services, and empowering Balinese communities to become agents of suicide prevention at the grassroots level.

- a. The Bali Provincial Government, the Bali Provincial People's Representative Council (*Dewan Perwakilan Rakyat Daerah/DPRD*), and relevant regional government agencies should immediately develop specific regulations on suicide prevention and management. These regulations should establish a clear division of responsibilities, cross-sectoral coordination mechanisms, budget allocations, and monitoring and evaluation systems extending to the village, sub-district, and *banjar* levels.
- b. The Bali Provincial Health Office should collaborate with village and sub-district governments, traditional villages, religious leaders, and community leaders to develop culturally contextualized, community-based suicide prevention guidelines that address the stigma surrounding mental health disorders. This effort should include early detection training for health cadres, youth groups, and traditional leaders; simulations of how to provide non-judgmental initial support; and the introduction of referral pathways to professional mental health services involving religious leaders. *Balian* should also be engaged as educational partners to promote awareness of the importance of accessing professional mental health services before psychological distress worsens.
- c. The Bali Provincial Health Office, Community Health Centers, the Office of Women's Empowerment and Child Protection, and mental health service providers should collaborate to improve access to affordable services, protect patient confidentiality, and establish clear referral mechanisms. Services must be gender-responsive and take

Social

The growing number of suicide cases in Bali calls for relevant interventions that integrate local Balinese cultural perspectives and are grounded in reliable data. Without evidence-based suicide prevention governance, the iceberg phenomenon of unreported cases could hinder progress in protecting the mental health of the Balinese population. The Balinese Government's commitment to ensuring the mental well-being of tourists visiting the island must therefore be matched by efforts to protect the Balinese people's own access to mental health services. Efforts to commercialize Bali's image as a healing tourism destination must not come at the expense of ensuring that local residents themselves feel safe and have equitable access to mental health support

into account domestic responsibilities, financial pressures, and the risks of stigma and social judgment that discourage Balinese women from seeking help. Priority should also be given to low-income groups, older people, people with disabilities, children, and individuals living with chronic illnesses.

- d. The Bali Provincial Health Office, healthcare facilities, the National Police Criminal Investigation Agency, the Central Statistics Agency (*Badan Pusat Statistik/BPS*), the Population and Civil Registration Office, and village and sub-district governments should integrate the recording and reporting of suicide deaths and suicide attempts. These efforts must strengthen personal data protection and safeguard the dignity of affected families. Data should be disaggregated by geographical area, age, gender, socioeconomic status, and disability to map risk factors, prioritize interventions, and regularly evaluate the effectiveness of suicide prevention programs.

Institution Profile



The Indonesian Institute (TII) is a public policy research institute (Center for Public Policy Research) officially established on October 21, 2004, by a group of dynamic young activists and intellectuals. TII is an independent, nonpartisan, and non-profit institution primarily funded by grants and donations from foundations, corporations, and individuals.

TII aims to be Indonesia's premier research center for public policy issues and is committed to contributing to public policy debates and improving the quality of public policy making and outcomes through the implementation of good governance and public participation in the policy process in Indonesia.

North Star TII

To be a trusted and influential primary reference in the public policy process in Indonesia, particularly regarding issues of human rights, law enforcement, public participation, human development, economic freedom, and institutional strengthening.

TII Vision

Encourage the realization of public policies that uphold the general principles of good governance based on the principles of human rights, freedom, law enforcement, and inclusive and meaningful public participation in Indonesia.

TII's mission is to conduct reliable, independent, and nonpartisan research and to distribute research results to policymakers, businesses, and civil society in order to improve the quality of public policy in Indonesia.

TII also has a mission to educate the public on policy issues that affect their livelihoods. In other words, TII is positioned to support the process of democratization and public policy reform, and to take a vital and active role in that process.

The scope of research and public policy studies conducted by TII covers the economic, social, political, and legal fields. The main activities carried out in order to achieve TII's vision and mission include research, surveys, facilitation and advocacy through training and working groups, public discussions, public education, weekly editorial writing (Wacana), Instagram Live Series and Twitter Space (Policy Talks and Initiative!), publishing monthly studies (Update Indonesia in Indonesian and The Indonesian Update, in English), mid-year policy studies (Policy Assessment), annual reports (Indonesia Report), and monthly discussion forums (The Indonesian Forum).

Executive Director

Adinda Tenriangke Muchtar

Research and Program Manager

Felia Primaresti

Board of Advisors

Rizal Sukma
Jaleswari Pramodhawardhani
Ninasapti Triaswati
Debra Yatim
Abd. Rohim Ghazali
Saiful Mujani
Clara Joewono

Researches of Economy Affairs

Putu Rusta Adijaya

Research Associate

Arfianto Purbolaksono

Researcher of Law Affairs

Afifah Fitriyani Oceanto

Researcher of Social Affairs

Made Natasya Restu Dewi Pratiwi

Program and Supporting Staff

Gunawan

Administration Office

Nadine Ufairah

Finance Officer

Rahmanita

IT Staf

Usman Effendy

Design dan Layout

Gilang Aditya

Jl. HOS. Cokroaminoto No. 92,
Menteng, Jakarta Pusat - 10310
Ph. (021) 315-8032
contact@theindonesianinstitute.com
www.theindonesianinstitute.com