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## Strategies and Challenges for Women Protection against Violence: A Case Study of Jakarta and Cairo

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### ABSTRACT

This study aims at illustrating the weakness of women protection against violence in various levels in Indonesia and Cairo. Both countries share common failure in protecting women due to the incapability poor performance of police and local governments. In addition, cultural values and religious understanding have played a part in narrowing the concern to the protection. Basically, Indonesia has already set some legal instruments to protect women against any violence through the gender-based laws and policies. In practice, however, such laws and policies have faced several complexities in regards to the nature of institution, security role and social values among society. Violence against women is generally regarded as moral and norm violations instead of criminal acts. In some respects, the weakness of law enforcement indicates the ineffectiveness of the existing laws and policies. Similarly, Egypt also suffers from the backwardness of women protection against violence. In fact, legal reform for women protection in this country was made in 2014 through special constitution. Such constitution is the first law set to promote the status and role of women in both private and public affairs. In addition, it also aims at ensuring equal rights and obligations in women protection which is free from discrimination and empowering as well as caring for women and girls victims at various stages of case handling system. Referring to the data and actual documents collected during the research, this study has found a result stating women protection has faced various aspects of social and political interests. To that end, it necessary to strengthen the role of civil society in controlling the government and making people aware of gender equality in particular and human rights in general.

**Keywords:** *Egypt; law; policy; protection; women protection against violence*

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### INTRODUCTION

Recent protection of women victims of violence requires law enforcement in terms of legal norms or legislation and government policies (Htun, Mala, & Jensenius, 2020). Here, the government and society must work hand in hand to eliminate all type of violence against women through legal and social protection. As the government owns its legal authority and infrastructure system in protecting them. It must be able to perform its duty to become a bridge among victims, civil society, and the government itself (García-Moreno, Claudia, et al., 2015). Clear regulations, policies, professional legal structures, and harmonious social life plays significant roles in

ensuring the protection for women victims of violence. (Afkhami, Mahnaz, et al., 2019).

Many women victims of violence are hesitant and reluctant to file criminal charges to the authorities due to social stigma and social pressures (McCleary-Sills, Jennifer, et al, 2016). There seems to be a dilemma for advocates to play their role in dealing with women cases by following the applicable rules and policies. For this reason, the implementation of the protection, in fact, needs support mechanism in terms of human resources, equipment, training, decent wages and practical investigation skills facilitated by the government (Phillips, Janet, et al., 2015).

The National Commission on Violence against Women in its 2020 Annual Records of Violence against Women reports the cases of violence against women increased by 729% in the last 12 years (from 2008-2019). (The National Commission on Violence against Women, 2020). This report shows that families in Indonesia do not successfully protect women. In addition, the 14% increase in the number of violence cases over the past six years proves that life expectancy of Indonesian women has declined.

On one hand, this number means the government's failure in protecting them. On the other hand, it indicates most of women victims do not have courage to speak up and file criminal charges. Therefore, the public is expected to urge the government and stakeholders to revise various policies to reduce the increasing number of crimes against women. The government for instance can start by establishing severe punishments for the perpetrators, preventing them to do the same mistakes, and supporting the implementation of recovery for all women victims in all aspects (Ellsberg, Mary, et al., 2015).

The Australian Department of Foreign Affairs and Trade (2017) mentions that women have been involved in all areas of Egyptian society, including government, business and civil society. However, social, cultural and religious barriers have continued to place considerable limits on their involvement. DFAT considers the majority of Egyptian women in Cairo, regardless of their religious and socioeconomic levels, have experienced social discrimination in long-standing traditional values and gender (Rateb, 2017). DFAT also claims the majority of Egyptian women in Cairo have faced a high risk of gender-based violence, including sexual abuses and domestic violence (Thomson Reuters Foundation, 2017).

Practically, women do not have the same opportunities as men, and they always face social discrimination. Threats to their physical security continue to occur in public spaces. Additionally, the legal aspects and traditional practices of Egyptian society also keep disadvantaging them in their family, social and economic life (Guimei, Maaly, et al., 2012). In general, domestic violence against women and girls spreads throughout Egypt and is perceived to be socially acceptable. A large number of women victims fail to report cases of violence due to the fact that Egypt's status of law demands severe challenge for victims to prove that their partner has hurt and abused them (Abozaid, 2020). Domestic violence in Egypt contains different spectrums, many of which are violence that forms long-term persecution (UK Home Office, 2019).

For these reason, this study will examine the strategies and challenges of recovery for women victims of violence in Indonesia and Egypt by analysing their legal rules and government policies. The author chooses the two countries as the main objects to compare them as countries with the largest Muslim populations in treating women. In addition, the two countries have also faced high discrimination against women. Cairo in fact, is one of the cities with the highest gender gap rates in Asia (UNDP, 2018)

This study is a qualitative research with empirical normative approach. It uses three primary data sources. The first one is qualitative data in terms of audio and visual materials, illustrating the experiences of six informants participating in this study. The author initially interviewed 3 Indonesian informans from two institutions, UPT-P2TP2A DKI Jakarta and Akara Perempuan. The author then conducted a field observation and interview with three informants: Muhammad Refzah Omar, S.H., M.H., an advocate and expert on women Rights at P2TP2A DKI Jakarta, Bahrul Ulum, S.Psi.S., a Psychologist at UPT P2TP2A DKI Jakarta and dr. Ratih Purwarini, M.Si. as founder of Akara Perempuan. The second primary data source is document for case reports and efforts to protect women victims of against violence in Indonesia and Rgypt. The third data source is the laws applied in both countries. To analyse the cases and present the data, the author uses descriptive analysis method.

The author adopts the Friedman's legal system to analyze the implementation of law on violence against women in Indonesian and Egyptian government policies through 3 (three) elements: legal structure, legal substance, and the legal culture (Lawrence, 1984). The legal structure for instance is a pattern that shows how the government implements laws and policies by considering formal provisions, and how the law enforcement officials implement of the legal process and real strategies to combat violence against women. Essentially, laws are set of the rules and procedures set by the legal actors and stakeholders. Policies for actions or actions with legal cultures are social and cultural conditions that affect the law enforcement and the implementation of policies to deal with violence against women (Lawrence, 1984). In view of the legal systems, the community will get understand how a series of legal rules and policies help support, promote, improve and achieve the government goals in reducing the number of violence cases against women through the implementation of recoveries (Mertokusumo, 1999).

## FINDINGS AND DISCUSSION

### Violence against Women in Indonesia and Egypt

Violence against women in Indonesia is one of the most extraordinary crimes (Eddyono, et al., 2015). Such crimes have continuously undermined women’s rights to freedom and welfare. This never-ending case which has come with repressive and preventive controls from all elements including the government, the partner institutions, and the community demands immediate and ideal resolution. The data can only mean something after the victims speak up (Novisky, Meghan A., et al., 2015). This phenomenon indicates that violence against women is at an emergency level. Efforts made by all parties have seemingly failed to enforce justice for the victims.

The Indonesian government through the National Commission on Violence against Women and its network of partners has recorded several processes and has resolved hundreds of thousands of cases of violence against women annually. (The National Commission on Violence against Women, 2019).

**Table 1.** Cases of Violence against Women

Year	Number of cases	Increasing number of cases	Most Cases
2014	293,220	-	DV 68%
2015	321,752	1%	DV 69%
2016	259,150	-	DV 75%
2017	348,446	2%	DV 71%
2018	406,178	5%	DV 71%
2019	431,471	6%	DV 75%

The number of cases of violence against women in Indonesia have continuously and significantly increased. Therefore, it demands proper control and immediate action to break the chain. Domestic violence (DV) ranks the first place in the types of violence against women that happened from year to year. This shows families in Indonesia are not completely a safe place for women.

In 2017, the United Nations Beirut published a report on the Status of handling Violence against Women in several Islamic countries in the world. According to the report, thirteen of them have not made any laws or policies concerning violence against women. Of the thirteen, six countries do not even have any government policy strategies in handling such violence against women. The UN claims the dominant culture and religion in the countries do not make efforts or attempt to protect

women victims of violence. Consequently, it has triggered a misunderstanding on norms and rules until now (The United Nation Beirut, 2017).

Referring to the data mentioned by the Economic and Social Commission for Western Asia (ESCWA) in 2016, the United Arab Emirates, Syrian Arab Republic, Qatar, Oman, Libya, and Kuwait) do not regulate and make legal policies to combat violence against women (ESCWA, 2016). This happens due to the influence of traditional cultures and religious doctrines that have been misunderstood by the community despite the fact that every country needs legal reform or government policy as an efforts to prevent and combat violence against women (Douki, Saida, et al., 2003). According to the author, the absence of constitutional reform or system is not in line with the Islamic teachings, encouraging humans to do good, help and protect one another. In fact, since the times of the Prophet, the Prophet himself directly acted as a mediator and judge to resolve cases of *‘unf* and *shiqaq* that occurred between a married couple (Elghossain, Tatiana, et al., 2019). Egypt is one of the countries that has started supporting the existence of service provider institutions for women victims of violence (DFAT, 2017). In its 2019 State Policy and Information on women, the Egyptian government stated that the 2014 Egyptian Constitution stipulates equality for all citizens, but discrimination against Egyptian women is rampant and Egypt is still considered as one of the countries in the world with the highest level of gender gap (UNDP, 2018)

### State Responsibility in the Protection of Women Victims of Violence

The elimination of violence against women becomes the state responsibility and interest, and the priority of national policy. As it is one of the fundamental aspects to protect women’s rights, all parties must take a part in ensuring that women would not become victims of violence in any way or by anyone (Wismayanti, Yanuar Farida, et al. 2019). To reach this goal, various political agendas in different countries have attempted to solve the issue on women protection over the years. They make sure that women’s rights are seen as the main concern as they have signed and ratified UN treaties and conventions.

Therefore, the State is not only responsible for protecting women from violence but also creating a mechanism to prosecute and punish the perpetrators by applying an integrated criminal justice system for handling cases of violence against women. Some legal instruments have been set, including the Law No. 39/1999 on Human Rights j.o. the Law No. 26/2000 on Human

Rights Courts, the Law No. 23/2004 on the Elimination of Domestic Violence, the Law No. 35/2014 concerning Amendment to the Law No. 23/2002 on Child Protection, the Law No. 31/2014 on Protection of Witnesses and Victims, the Government Regulation No. 4/2006 on the Treatment for the recovery of victims of domestic violence, the regulation of the Minister of Women Empowerment and Child Protection number 1/2010 on the minimum service standards of integrated services for women and children victims of violence (Adhha, 2020).

In this context, The Indonesian government has assigned The National Commission on Violence against Women to make efforts to prevent and combat violence against women through “Due Diligence Framework: State Accountability Framework for Eliminating Violence against Women” program since 2015 (Zarizana, 2015). The Commission has made five forms of efforts to resolve and eliminate violence against women: prevention, protection, investigation and prosecution, conviction and recovery (The National Commission on Violence against Women, 2017).

Like Indonesia, Egypt has also tried to provide legal instruments to protect women against violence. Article 11 of the 2014 Egyptian Constitution for example, mention that states that the State is committed to achieving equality between women and men in all areas of civil, political, economic, social and cultural rights following the provisions of this Constitution. In addition, it is also committed to taking the necessary steps to ensure the proper representation of women in houses of parliament, according to the law. It gives women their right to hold public office and high management positions in the state, and to have promotion in judicial bodies without discrimination. Further, it is committed to protecting women from all types of violence and ensuring women empowerment to manage and deal with their duties to their family and job. It guarantees care and protection for mothers and children, women who work for a living, older woman, and women who are in need (the 2014 Egyptian Constitution). In the past, Egypt did not have any legislation or legal reform specifically giving concern to violence against women (Law on Violence against women). However, in 2014 the Egyptian Government issued a national scale strategy to combat violence against women which has run from 2015 to 2020.

### **The Implementation of Protection as the Law Enforcement and the Policy Realisation**

Protection for women victims in Indonesia is carried

out in an integrated manner across sectors at the central, provincial and district/city levels. The fundamental protection of women is not limited to the conviction of perpetrators, but also includes the following aspects, (1) prevention, (2) protection, (3) investigation and prosecution, (4) punishment, and (5) recovery. As stipulated in the positive laws in Indonesia, particularly the law No. 23/2004 on the Elimination of Domestic Violence. As the victims of violence, women have the right to gain long-term protection for recovery (curative effort), or temporary protection (preventive effort). Regulations to protect women and restore their right as victims of violence in a corrective manner have been pursued by several parties that have interest and responsibility, although they are not well implemented. The Law on the Elimination of Domestic Violence underline the implementation of protection for women victims of violence is carried out by government agencies, local governments, and social institutions according to their respective duties and functions. They have to provide the facilities needed for their recovery (Adhha, 2019).

The restoration of women's right as victims of violence is a form of upholding the principles of human rights. To that end, the government at the central level has formed an independent institution known as the National Commission on Violence against Women under the Presidential Decree No. 181/1998, on 9 October 1998. This decree is reinforced by the Presidential Decree No. 65/2005. To support and encourage the implementation of the recovery of women as victims of violence, this independent institution has an integrated technical service unit formed by the government, local governments, communities, non-governmental organizations, donor agencies and other institutions. The service unit can be in term of Integrated Service Centre for the Empowerment of Women and Children (*Pusat Pelayanan Terpadu Pemberdayaan Perempuan dan Anak/P2TP2A*) located in a province, regency, city and district or a similar institution that has the same function and role.

This technical service unit can consult with the ministries in charge of Women Empowerment and Child Protection by first coordinating with its regional work units or other units that handle women empowerment and child protection in the regions and communities around the world. Businessmen, academicians, and other professional groups are also involved in the implementation of women empowerment and child protection system (Articles 18, 19, and 20, the Regulation of the Minister of State for Women Empowerment and Child Protection, number 6/2015 on the Women Empowerment and Child Protection System).

Omar' (2019) mentions women victims of

violence must get full protection. The five stages of intervention (prevention, protection, investigation and prosecution, punishment and recovery) that have been mandated by the law are carried out hand in hand by the government through the Integrated Service Centre for the Empowerment of Women and Children and the community through The National Commission on Violence against Women. Here the Integrated Service Centre for the Empowerment of Women and Children is a technical implementation unit for victim empowerment and service established by the government under the government policies for each province in Indonesia.

The Jakarta Government has established Integrated Service Centre for the Empowerment of Women and Children under the Governor decree No. 64/2004 on the Establishment of Organization for Empowerment of Women and Children Protection in Jakarta (Adhha, 2020). Figure 1 illustrates the implementation of the five stages of intervention for protecting women victims of violence.

In the meantime, Egypt is one of the countries in the Islamic world that does not have any laws or *legal reforms* specifically designed to eliminate violence against women (*the Law on Violence Against Women*). However, the Egyptian government continues to pursue strategic policies to combat such violence on a national scale. (United Nation Beirut, 2017). In 2001, the Legislative Committee of the Egyptian National Council for Women, abbreviated as NCW, established the Office of Ombudsperson which is assigned to assist women victims of violence in counselling, legal assistance, and healthcare referrals as post-traumatic protection facilities (UNDP, 2018).

The Office of Ombudsperson also promotes gives legal awareness to women and victims of their rights as stated in the law and the Constitution: the Egyptian Criminal Code No. 6/1998 (*the Penal Code and Law No.6/1998*). In addition, it also provides a hotline that can be accessed by women victims or the community and their families to make and report complaints about any violence. By receiving reports from the hotline, it can easily reach victims and assist them in solving their cases including violence-related cases to gender-based discrimination, inheritance and other family issues. Further, it also bridges cooperation with the Egyptian Ministry of Social Solidarity to refer women to shelters or safe places to give them accommodations as violence victims. In doing so, it coordinated with the Egyptian Ministry of Transportation and Housing (Fahmy, 1999).

Regarding the recovery of women victims of violence, the NCW, in coordination with the House of Ombudsperson formulates three significant strategies Ombudsperson (Adel, 2015),

1. Prevention, which is related to education, awareness-raising, and legal review
2. Protection, which involves raising awareness of the law, updating laws, and encouraging women to report violations
3. Interventions related to the provision of psychological services, health services, religious services, and housing for women
4. Prosecution and litigation, which includes developing a preventive action mechanism and referral system to protect women victims of violence.

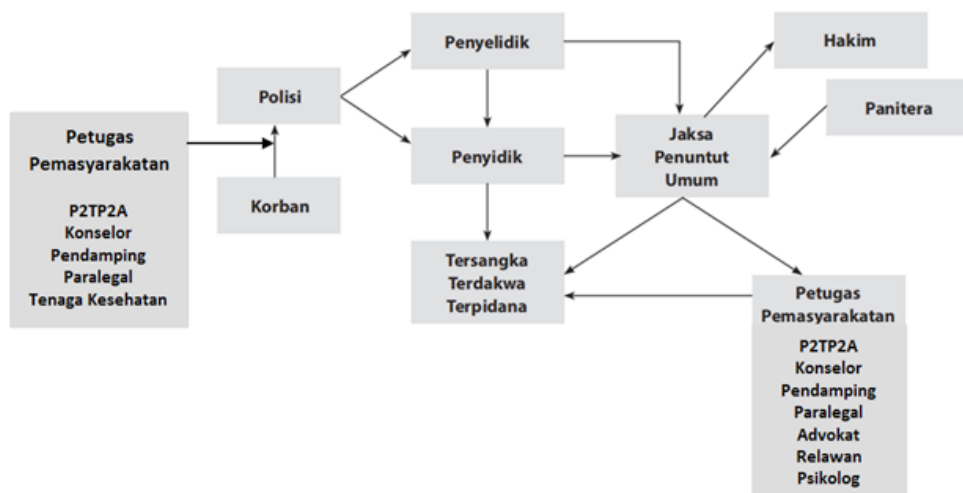


Figure 1. The implementation of violence victims protection

To improve protection for women victims of violence, the Egyptian government has also established the *El-Nadeem Centre for the Rehabilitation of Victims of Violence and Torture* (UK Home Office, 2019). As the implementation Strategy framework, the NCW developed draft legislation. In June 2018, it submitted a new legislation on the Family Law to the Council of Ministers, which provides a contemporary vision on the provisions and substantive aspects of the Law No. 25/1920 and the Law no. 25/1929 and the amendments in order to eliminate all types of violence against women in Egypt. In addition, the NCW has also proposed amendments to the procedural aspects of the civil law (Personal Status Codes 1920, 1985, 2000, and 2004). In the Previous year, Egypt also prepared a National Strategy for the 2015-2020 population, which aims at addressing the increasing population growth rates by improving family planning and reproductive health services. This policy helps realise the government's goal in increasing the use of reproductive techniques and paying particular attention to family planning and reproductive health programs in rural areas. (El-Nimr, Ahmed, et al., 2020).

The National Council for Childhood and Motherhood of Egypt has also developed a National Strategy for Children and Mothers (2017-2030) and an Action Plan (2017-2021), which confirms the government's commitment to fighting violence against children, particularly in dealing with early marriage and female genital cutting. This action is taken under the command of the Ministry of Home Affairs which has specifically formed a unit to eliminate violence against women. As a form of support for women victims of violence in legal service, the Egyptian Public Prosecution Office has prepared an action plan and training for all members of the Public Prosecutors to combat any violence against women. There are 1,000 public prosecutors who join several workshops conducted in collaboration with the NCW. In response to this, the Ministry of Justice has immediately established the Department of the Elimination of Violence against Women, which aims at enforcing the laws related to the protection of women. The department will provide training for about 1,000 judges to be ready to deal with cases of violence against women and girls. The protocol on inter-ministerial cooperation is manifested under the collaboration with the National Council for Women (NCW).

The Egyptian Ministry of Health has issued guidelines for health services in dealing with gender-based violence against women to support the health sector. It has conducted medical training for doctors in collaboration with the United Nations Population Fund

(UNFPA). To date, the Ministry has trained more than 1,000 doctors and has offered medical delivery aids to GBV (Gender Based Violence) survivors. In collaboration with UNFPA, the Ministry has trained health workers who provide services to women victims of violence in 440 hospitals across provinces in Egypt.

Additionally, the Egyptian government has also provided religious services appointing five hundred female Muslim preachers at the national level to assist victims in raising awareness about the status of women in Islam and to fight violence against them. Further, the NCW has also bridged cooperation with al-Azhar, *the Ministry of Awqaf* (the Ministry of Religious Affairs) and three Cairo churches to train 657 female preachers, nuns and church workers from Cairo, Minya, Aswan, Luxor, Assiut, and Sohag. Such training is intended to educate them in mentoring, counselling, and communication with women victims to increase their awareness and give them positive messages on social and gender issues (National Council for Women, 2015).

### **Challenges for The Protection of Women Victims of Violence**

All state institutions have a responsibility to support and implement the protection process for women victims of violence. The institutions must be able to position themselves as reliable places for the community, particularly for women victims and their families who attempt to solve their problems and refer to the justice systems and protection (Michau, Lori, et al., 2015). The women victims and their families highly expect competent authorities. With their adequate competency, the reporting cases will accordingly increase each year.

The National Commission on Violence against Women is a national scale human right institution that advocates victims with protection services through the Complaints about Referral Unit. The unit is mainly designed to provide education on violence against women. It can become a complaint center for victims by referring to necessary service providers. In addition, it also connects the service providers with the victims. According to its record, it has received around 1000 cases from direct visit, telephone, email, fax mail, and social media. Sadly, the reports from women victims are dominated by complaints about their obstacles during the legal process. The other complaints are related to their dismissed cases, claims on unrecovered victims, and the impunity of perpetrators during the legal process. There has even been evidence the police or other agencies did not receive their reports. Despite the fact that the

victims need answers in the legal process, the deadlock in this legal process show the absence and ignorance of the government in handling gender-based violence in accordance with the gender perspective paradigm (The National Commission on Violence against Women, 2019).

In some cases, some women have experienced a serious discrimination. Victim S, who is assisted by a volunteer advocate from Akara Perempuan claims that she is a victim of domestic violence. She was beaten by her husband, a police officer. S has faced difficulties when she complained about her husband to the local *Propam Police* and a team in Special Service Room. During the legal process, the public prosecutors even secretly contacted S intending to urge her to retract her complaints and annul criminal charge against her husband's violence. This is not an ordinary domestic violence case anymore as it is turned into a political case. In another case, the perpetrator is a member of the law enforcement apparatus. This case has brought a profound impact on the police institution and concerns to the local community. Based on the victim's statement, which is obtained from an interview with dr. Ratih the founder of Akara Perempuan at 8.00 pm in Serpong on Thursday, February 28, 2019, Ratih mentions that when receiving victim S's confession, she did not call herself as a medical worker from Akara Perempuan, but as a friend of the victim who indirectly acted as the victim's companion. As a result, the victim felt safer and more comfortable in sharing her case. Referring to this case, the formal criminal law is said to not comprehensively regulate the rights of victims in regards with criminal acts, and Article 54 and Article 57 of the Criminal Codes seem to pay less attention to the victims. Further, the paradigm in the integrated criminal justice system has been implemented and regards women victims of violence as subjects who need to be heard and become the main focus in every case completion. In practice, however, their cases are not treated properly. It is in line with what Friedman mentions, that the theory of law enforcement is closely related with legal culture and legal structure. In other words, the law enforcement is said to not work as it is associated with the legal substance that requires competent and reciprocal legal culture and structure. This theory draws a conclusion saying the reason the implementation of the integrated criminal justice system in Indonesia does not optimally work is because the legal substance regulating the handling of women violence cases (formulations of norms) is gender bias. In addition, the legal culture show the social reality of a nation which is determined by feudal-patriarchal cultures results in the widely accepted perception claiming women's violence cases as a result of

their position (*raison de etre*). Such perception causes the increasing number of cases of violence against women, either as a perpetrator or a victim. Here the legal structure must be able to handle the cases. Practically this condition happens during the Police Investigation process in which the questions frequently intimidate the victims. It gets even worse when women victims report some abuse or violence, the police tend to slowly respond to them or even ignore the SOP of stated in Criminal Code. Suffice to say, the role of criminal laws is materially and formally absent from protecting women from violence.

Another case is narrated by victim M who has been physically and psychologically abused by her partner. They live together and have children in illegal relationship. According to the Technical Implementation Unit at Integrated Service Centre for the Empowerment of Women and Children Jakarta, the police who received M's complaint report did not show proper service in handling her case. In addition, the perpetrator is only sentenced to a four month probation, without detention, as the case is considered as minor crime and M is not the legal wife of the perpetrator. This legal treatment approach has given negative impact on the victim to quickly recover, and even deteriorate the victim's psychological condition.

The chronology of violence experienced by victim S is obtained from an interview with a researcher and the psychologist at Integrated Service Centre for the Empowerment of Women and Children Jakarta, Bahrul Ulum, S.Psi., at 9.00 am on Tuesday, April 9, 2019 in his office. He argues that the law enforcement mechanism among security forces frequently perceives and mistreats cases of violence against women at the investigation stage. When it comes to women as victims, the concept of victim blaming is directly addressed to them to seriously show evidence that their position here does not indicate to take personal advantage for their own interests (for those who do not have legal marriage). In this category, the law enforcement among security forces does not put women protection as the priority concern, but it tends to place them as the objects and victims.

One of the victims' entirely detrimental obstacles is inadequate preventive protection measure that result in the acts of violence as experienced by victim A who is ten years old. She was referred to a childcare institution in Jakarta and got abuse again at the institution. This information is obtained from an interview with an expert at the Integrated Service Centre for the Empowerment of Women and Children Jakarta, Mohammad Reza Omar, S.H., M.H., at 10.30 am on April 4, 2019.

According to the psychologists at The Technical Implementation Unit from the Integrated Service Centre

for the Empowerment of Women and Children Jakarta, cases of sexual violence against girls must be immediately resolved considering that the victims are in childhood and the trauma they have suffered can threaten their lives in the future. This is one of the biggest obstacles due to the unprofessionalism of police officers in providing services and protecting women victims. To that end, women police are now appointed to become investigators in this unit. The unit equips them with gender-sensitive investigation method, especially in dealing with women victims of domestic violence (the Regulation issued by the Head of the National Police of the Republic of Indonesia Number 10/2007 on the Organization and Work Procedure of the Women and Children Service Unit within the State Police of the Republic of Indonesia). However, the UN Committee against Torture mentions these two mechanisms are not available at the lowest level of the Indonesian police. In addition, financial issues have hampered the work of these mechanisms (Association for the Prevention of Torture, 2019). In response to the many rolling obstacles, The National Commission on Violence against Women will provide supports for victims by sending letters of recommendation to the institutions in charge of victim protection. The representatives of this Commission can also attend as an expert to take care of cases with political interest to encourage effective case handling at the law enforcement officials, ministries and agencies. However, the absence of notification frequently result in the victims lack of information related to their cases.

Some evidences that deteriorate women protection are found here. In one side, the criminal justice system which serves to guarantee all citizens including women fails to provide fair treatment once they are involved in criminal cases as victims of violence. In another, women are usually treated as objects during the investigation process. Such poor treatment and discrimination against them are found in some court decisions (Criminal Code). First, the violence against the bodily integrity of women has been reduced to be a violation of the norms of decency. Such legal narration seems to prefer the society's morality to women as victims of crime. Here the articles about crimes against the bodily integrity and sexuality of women are put on chapter about crimes against decency. Consequently, the applied legal mechanism is not victims protection-oriented, but the society's morality instead. Second, the principle of *unus testis nullus testis* (one witness is no witness) in the context of proving women as victims of violence in private areas obstruct their rights to provide information in supporting their reports. In this case, the principles of laws have degraded and have even

ignored the existence of women victims of violence at the domination-subordination relation in their private areas. In turn, they frequently suffer from psychological intimidation that directly results in their narration of violence as the only proof that must be verified by the investigators.

The implementation of the Integrated Criminal Justice System for Handling Cases of Violence against Women that considers them as the centre of the judicial prosecution has frequently come to a deadlock. This condition is illustrated in detail by the theory of proving cases of violence that requires a process of presenting negative *wattelijk* (two pieces of evidence and the judge's conviction). It justifies the existence of the Integrated Criminal Justice System as an imaginary system and which is practically difficult to implement as women victims of violence can only provide a statement of evidence (self-recognition), and their only statement of evidence does not meet the requirements of negative *wattelijk* in the Criminal Code in this country.

In short, the country has failed to protect women victims of violence. The coordination among the state institutions (Police officer, prosecutors, advocates, and health service providers) in responding to women victims of violence is strong-patriarchic cultures. It circumstantially influences the patterns of the law enforcement.

On September 17-18, 2013, Cairo's High Court stated that the court has found the failure of the police to investigate cases of violence and harassment against women. The court has discovered a proof that the authorities did not enforce the law on prohibiting rape in several areas in Cairo. The women victims who reported about the abuse were sexually harassed. (Jamilah, Maryam, et al., 2019). In response, some Cairo religious and political leaders even blamed the women who protested this openly to the public, they turned around saying that women protesters were to blame for the beatings and rapes that have happened to them. Although the law prohibits rape in Egypt and its perpetrator is sentenced to death, in some circumstances, the rape that occurs in the household between married couples in Egypt is not considered as rape or sexual offences according to the law. Therefore, rape in the family remains common. It is even getting worse as the rape victims are often reluctant and are not brave enough to report and file charges (Song, 2018).

In Egypt, Cairo particularly, violence has become part of everyday life narratives for many civilians (Smith, 2015). Since 2005, there have been 47% of married women who claimed they have experienced physical,



emotional, or verbal abuse since the age of 15 in Cairo (Hassa, 2005). The Australian Department of Foreign Affairs and Trade (DFAT) reports that women in Cairo have faced the violence and discrimination challenges in public sphere in term of social, cultural and religious barriers. These barriers continue to place considerable limits on their participation. The majority of Egyptian women, regardless of their religious and socio-economic levels, have experienced social discrimination in long-standing traditional values and gender (Miwa, 2017). Their participation in the community and workforce is low compared to men's. DFAT considers the majority of Egyptian women have faced a high risk of gender-based violence (sexual violence and domestic violence) due to this limited participation (Thomson Reuters Foundation, 2017).

According to the UN Home Office, Domestic violence against women and girls is widespread throughout Egypt, and such violence is considered socially acceptable by society. Consequently, this wrong perception and misunderstanding causes more number of women victims to fail to report their case. In addition, the Egypt's status of law also poses a severe challenge for victims. It does not properly regulate the procedures for victims to prove that their partner have hurt and abused them. Domestic violence in Egypt contains different spectrum, many of which are violence that forms long-term persecution (UK Home Office, 2019). It even became a busy topic for public discussion in Cairo in 2019. There were several cases where women victims of violence faced brutal treatment and sexual harassment in the hands of Egyptian security forces. This phenomenon attracted public attention and showed that the police in Cairo failed to investigate violence and harassment against women. In another word, the authorities did not enforce the laws against rape.

The perpetrators are not only the authorities during the legal process but also the families of the victims. They have become the main actors of violence against women and girls in Cairo. No wonder if the government seems to neglect several cases of early and forced marriage (Biagini, Erika, 2017). The Cairo Institute for Human Rights Studies (2017) has confirmed this case and stated that most of the girls under the age of 18 in Cairo are married (Vyas, Seema, 2017).

There are a lot of families that force their daughters to have early marriage the pretext of practising local cultures and habits. This phenomenon primarily occurs in rural areas with more inadequate economic conditions. In some cases, women and girls are even forced to go with "temporary marriage" with wealthy strangers as a

form of sexual exploitation settled by the families of the victims (Cairo Institute for Human Rights Studies, 2017).

The 2017 Thomson Reuters Foundation Survey mentions Cairo is one of the 19 largest cities in the world and is rated by the United Nations as the most dangerous city in the world for women to live in (Hoor-Ul-Ain, Syeda, 2020). This city has faced the large number of cases of sexual violence, but is lack of access to health services for marginalised people, orthodox cultural practices and low economic opportunities for women. Regarding the cultural traditions of Cairo women, many have encountered the worst and most dangerous fate in the world due to the on-going practice of female genital mutilation (FGM) which is ignored by the government and the authorities (Mansour, Fatma, et al., 2018).

Domestic violence, sexual harassment, and female genital mutilation (FGM) have been the most severe issues in Egyptian society (Dalal, Koustuv, et al., 2010). The country has adopted policies to eliminate these practices in recent years through a national strategy to combat violence against women (2015-2020). However, the policies have not seemed to be effectively implemented for several reasons: public resistance on weak law enforcement, abuse of responsibility by the police, and lack of adequate witness protection, which cause the victims to be reluctant to report and file criminal charges (Khodary, Yasmin, et al., 2019). Fortunately, the social movements have come up in several cities in Egypt, including Cairo. They initiate to offer practical assistance and temporary shelter to help women victims of violence. However, the number of these groups is not adequate to assist them. In addition, information about social support has not been able to reach women, victims of displacement and rural areas (Thomson Reuters Foundation, 2017).

## **CONCLUSION**

Indonesia supports the protection of women victims of violence by making laws and policies to support them against any types of violence and abuse in a well-implemented manner. The society and the Indonesian government have built access to justice for women victims of violence through an integrated criminal justice system. This system aims at reducing cases of violence against women immediately and dealing with the deadlock system to protect and guarantee the victims in a well-maintained legal process.

In another case, Egypt has reformed its laws and policies to give protection for women victims of violence through the 2014 Constitution. It shows the Egyptian Government uses gender differences on self-disclosure

to ensure the equality of women's rights and obligations without any discrimination. The policies regulate women protection against all types of violence and empower as well as care for women and girls victims in different levels of case handling.

However, the implementation of women victim protection by the policymakers and state institutions such as the Police and Local Governments in both countries is considered poor and needs more attention to improve. In addition, the social traditions, cultures, and religious doctrines also hinders the implementation due to the fact that the society misunderstands and regards such violence as a norm violation.

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