

GENDER EQUALITY AND WOMEN'S EMPOWERMENT: OPTIMIZING HUMAN RIGHTS PROTECTION IN SUSTAINABLE DEVELOPMENT

Dona Raisa Monica¹, Maroni², Ahmad Irzal Fardiansyah³

^{1,2,3}(Faculty of Law, University of Lampung, Indonesia)

ABSTRACT : Gender equality and women's empowerment are the main components in realizing sustainable development with social justice. This study aims to analyze the implementation of gender equality and women's empowerment as an effort to optimize the protection of human rights in the context of sustainable development, especially through the achievement of SDG Goal 5. This research also examines the effectiveness of existing legal instruments in realizing gender equality in Indonesia. The research uses a normative method with a statute approach to analyze laws and regulations related to gender equality, both at the national and international levels, and evaluate their implementation in the context of sustainable development. The results indicate that although Indonesia has a legal foundation that supports gender equality, there is still a significant implementation gap. Women's empowerment is key to achieving SDG Goal 5 targets, but this requires increased coordination between various institutions and higher public awareness. This research is limited to the analysis national regulations and policies in Indonesia and does not include comparative studies with other countries. The research contributes to the development of human rights law and development law, and provides policy recommendations to improve the implementation of gender equality in sustainable development. This research presents a new perspective in integrating the protection of women's human rights with sustainable development goals through a comprehensive normative legal approach.

KEYWORDS : *Gender Equality, Goals 5, Human Rights, Sustainable Development, Women's Empowerment*

I. INTRODUCTION

Gender equality has been universally recognized as one of the fundamental Human Rights (HAM) in the context of global life. International recognition of gender equality as a fundamental human right can be found through various international legal instruments. This began with the Universal Declaration of Human Rights (DUHAM) in 1948 which emphasized that all human beings are born free and have the same dignity and rights without distinction of sex. The development of the concept of gender equality in international law has strengthened with the birth of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1979, the Beijing Declaration and Platform for Action in 1995, and various UN resolutions that consistently strengthened global commitment to the elimination of gender-based discrimination. An important momentum in global effort to achieve gender equality is reflected in the establishment of the Sustainable Development Goals (SDGs) in 2015 as the successor to the Millennium Development Goals (MDGs). Goal 5 of the SDGs clearly sets the goal to "Achieve gender equality and empower all women and girls", which includes the elimination of all forms of discrimination, violence, and harmful practices against women and girls. The linkage of Goal 5 with the other 16 goals in sustainable development shows that gender equality is not only a goal in it self, but also a fundamental prerequisite for achieving sustainable, inclusive, and equitable development in social, economic, and environmental aspects.

The general picture of the gender gap in Indonesia reflects a complex social reality that requires a cross-sectoral approach to effectively address. Although in theory various policies and regulations have been implemented to support gender equality, their implementation still faces serious challenges, both from a structural and cultural perspective. Data from the Global Gender Gap Report 2023, which ranks Indonesia 87th out of 146 countries, shows that gender achievement in Indonesia is still below average, especially when compared to other Southeast Asian countries such as the Philippines (ranked 16th), Singapore (ranked 49th), and Thailand (ranked 74th) (World Economic Forum, 2023). The most prominent disparities are seen in the indicators of economic participation and opportunity, as well as the low political representation of women. This shows that the principle of gender equality in Indonesia has not been fully internalized in the social, economic,

and political aspects of the nation. In the economic sphere, although women have shown increased participation in the labor market, they still face various obstacles such as unequal wages, inadequate employment, and limited access to production resources. In politics, the number of women in national and local legislatures has not reached 30 percent, which is the minimum recommended by the United Nations to ensure fair representation. In education, women's access to basic education is relatively good. However, gaps begin to appear at the higher education level, especially in fields considered "masculine" such as technology and science. In addition, the presence of women in leadership positions in the public and private sectors is still very limited, which shows the phenomenon of glass ceilings or invisible barriers that prevent women from reaching strategic positions (Dwi Anggola et al., 2024).

Structural and cultural challenges are the main causes of this inequality. The patriarchal tradition that has long been embedded in the social structure of Indonesian society has shaped norms and values that place women in an inferior position compared to men (Emilia & Susiyanti, 2024). This culture creates social expectations that women should stay at home and take care of the family, while men play a role in the public sphere and decision-making. These stereotypical images are still maintained in the education system, the media, and even in religious and traditional interpretations that are used to justify gender inequality. This results in women having low levels of confidence to actively participate in society and makes them more vulnerable to violence and exploitation. Discrimination in access to public services such as education and health still occurs, especially in remote and low-income areas. In these areas, women are often deprived of proper maternal health services, adequate education, and information and skills training that could improve their well-being. This inequality not only has a negative impact on individual women, but also has implications for national development as half of the potential human resources are not optimally empowered. Therefore, the need for policy interventions that are more inclusive and responsive to gender issues, accompanied by sustainable cultural transformation efforts, is very important in order to realize gender equality in Indonesia.

The constitutional foundation of gender equality in Indonesia provides a strong legal basis for protecting women's rights and eliminating gender-based discrimination. Article 27 paragraph (1) of the 1945 Constitution of the Republic of Indonesia (UUD 1945) states that "all citizens are equal before the law and government and shall uphold the law and government with no exception." (Fadhlin et al., 2021). This provision shows the principle of equal rights before the law without distinguishing gender, race, or other social backgrounds. Furthermore, a comprehensive strengthening of human rights was realized through the amendment of the 1945 Constitution which added Articles 28A to 28J. In these articles, it is affirmed that everyone has the right to live, develop, obtain protection, be free from discriminatory treatment, and is entitled to security and protection from threats violence. In particular, Article 28I paragraph (2) states that "everyone has the right to be free from discriminatory treatment on any grounds," which includes protection against gender-based discrimination (Roro Hanny Alfi Syahrin Rahazade & Yunanto, 2024). This constitutional commitment is strengthened through legislation that is more technical and operational in nature. Law No. 7/1984 on the Ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is an important step for Indonesia in conforming its national laws to international standards on gender equality (Pratiwi, 2022). This convention not only regulates women's rights in various aspects of public and private life, but also requires the countries involved to take legal, administrative, and social measures in an effort to eliminate discrimination against women in all its forms. The application of CEDAW principles is the basis for the establishment of affirmative policies and gender mainstreaming in various sectors of national development.

Furthermore, Law No. 39/1999 on Human Rights (Human Rights Law) emphasizes that women's rights are an integral part of human rights that must be protected, respected, and fulfilled by the state. Article 49 paragraph (1) of the Human Rights Law states that "every woman has the right to choose, to be elected, to be appointed in jobs, positions, and professions in accordance with applicable terms and conditions." (C. P. Putri, 2020). This statement strengthens the legality of equal access to opportunities in education, economics, and politics. In addition, recognition of reproductive rights, the right to protection from violence, and the right to respect for dignity as a woman are also addressed in this law. As a complement to the existing legal framework, Presidential Instruction No. 9/2000 on Gender Mainstreaming (PUG) in National Development provides strategic direction to all government agencies, both at the central and regional levels, to integrate a gender perspective in all aspects of planning, implementation, monitoring, and evaluation of development policies and programs (Riski Aulia, 2023). This instruction emphasizes the importance of applying gender analysis in formulating policies so as not to cause inequality or injustice to women's groups. In practice, PUG is translated into gender analysis training, gender budgeting, and the active involvement of women in the development planning process. The National Medium-Term Development Plan (RPJMN) also recognizes the importance of gender equality by making gender issues one of the priorities across development sectors. In the RPJMN 2020-2024, for example, there is a focus on reducing gender inequality, increasing the role of women in decision-making, eliminating gender-based violence, and increasing women's access to education and decent work (National & National, 2023). With the commitment in the RPJMN, it is expected that the implementation of national development programs can be more responsive to the needs and interests of women.

The gap between policy and implementation is a major challenge in efforts to realize gender equality in Indonesia. The difference between regulations and the reality on the ground shows that despite the existence of a legal framework and policies, implementation at the operational level still experiences various systemic obstacles. Weak coordination between institutions, both at the central and regional levels, often leads to duplication of programs, overlapping authority, and inefficiency in the use of resources. Limited resources and capacity, both in terms of budget, human resources, and infrastructure, are significant obstacles in efforts to implement gender equality policies effectively and sustainably. The issue of women's empowerment in Indonesia faces multidimensional challenges that require a comprehensive and integrated approach. Women's participation in politics and leadership is still relatively low, despite the implementation of affirmative policies such as a 30 percent quota for women's representation in the legislature (Sari et al., 2025). Women's involvement in the economy and entrepreneurship is still limited, especially in relation to access to capital, technology and business networks. Protection against gender-related violence is still an important issue, characterized by high rates of domestic violence, sexual harassment, and various other forms of violence experienced by women in Indonesia.

The importance of optimizing human rights protection in the context of gender equality and women's empowerment requires in-depth analysis to identify gaps in the existing protection system. The need to evaluate the effectiveness of existing legal instruments becomes very important to ensure that the regulations and policies that have been established can have a real impact on improving the conditions of women in Indonesia. Determining obstacles in the implementation of gender equality is very important to formulate the right strategy in overcoming the various challenges faced. The urgency of strengthening human rights protection mechanisms for women is becoming increasingly urgent, given the complex problems faced and the approaching targets for achieving the SDGs. Contributing to the achievement of SDG Goal 5 is Indonesia's global commitment that requires a comprehensive and sustainable legal approach. The 2030 target for achieving gender equality requires accelerating the efforts that have been made with a more systematic and measurable approach. Indonesia's role in global commitments is not limited to being a country that benefits from international cooperation, but also as an active contributor in the development of gender equality best practices at the regional and international levels. The importance of a comprehensive legal strategy is essential to ensure that efforts to realize gender equality and women's empowerment can be carried out holistically, sustainably, and provide significant changes for Indonesian society. Based on the description above, the problem discussed in this research is How is Gender Equality and Women's Empowerment Related to Optimizing Human Rights Protection in Sustainable Development.

II. METHODS

The research method used is normative research method. By using a statute approach to analyze legislation related to gender equality, both at the national and international levels, and evaluate its implementation in the context of sustainable development. Normative research method is a process to find legal rules, legal principles, and legal doctrines to answer the legal issues at hand (Yanova et al., 2023). The statute approach is to examine matters concerning legal principles, legal views and doctrines, and laws and regulations and legal facts about gender equality and will be analyzed descriptively qualitatively (Sauni et al., 2019).

III. FINDING & DISCUSSION

3.1. Obstacles in the Implementation of Women's Empowerment in Indonesia

Weak inter-agency coordination is one of the main obstacles in the implementation of women's empowerment in Indonesia. The fragmentation of authority between ministries and institutions creates a condition where no one institution has full authority to coordinate all women's empowerment programs as a whole. This condition is exacerbated by overlapping programs and policies implemented by various ministries without adequate coordination. This results in a waste of resources and reduces the effectiveness of existing programs. The lack of an effective coordination system between the Ministry of Women's Empowerment and Child Protection (KPPPA) and other relevant ministries such as the Ministry of Education, Health, and Manpower has resulted in women's empowerment programs being implemented separately and not integrated. The selfish attitude of each sector in program implementation further exacerbates the situation, where each institution tends to maintain their own programs without considering synergies with other institutions' programs. Limited institutional resources are another serious obstacle faced in efforts to empower women. The lack of human resources who understand the gender perspective in various government institutions means that programs are not responsive to gender issues and unable to identify women's specific needs.

The lack of specific funding allocations for women's empowerment programs in various ministries and institutions indicates low political attention to gender equality issues (Natalis, 2020). Inadequate institutional infrastructure, both in terms of physical facilities and information systems, hampers the performance of services to women. Inadequate monitoring and evaluation systems make it difficult to assess the impact and effectiveness of women's empowerment programs. This prevents an adequate feedback mechanism for program improvement

mechanism for program improvement. Decentralization and implementation at the local level presents its own challenges in women's empowerment efforts. Local governments vary in their commitment to gender equality, with some regions showing a high level of dedication, while others pay little attention to women's empowerment issues. Limited technical capacity at the local level, both in terms of understanding of gender issues and managerial skills in managing programs, is a major obstacle to policy implementation in the region. Different interpretations of central policies by local governments often lead to inconsistent implementation and do not achieve the expected goals. The lack of funds allocated by the regions for gender programs shows that women's empowerment issues at the local level are still considered less important in budgeting (Sutopo & Nurhaeni, 2024).

Patriarchal values and norms that are still deeply rooted in Indonesian society are a major obstacle in efforts to empower women. Traditional social understandings of gender roles still place women in a lower position than men, with an inflexible division of roles where women are considered primarily responsible for household affairs. Societal expectations of women's roles in domestic life as perfect mothers and wives often become social pressures that limit women's space to develop their potential outside the home environment. Resistance to changes in gender roles is still very strong, especially among traditional communities who view women's empowerment as threat to local cultural values. The negative stigma attached to career women, especially if they neglect their household responsibilities, is still a significant psychological barrier for women in their efforts to develop themselves professionally (Jasmiarto & Ridwan, 2025).

Gender stereotypes in society form structural barriers that limit women's access and participation in various fields of life. Views on women's abilities and capacities that considered inferior to men are still often found in various aspects of community life, from education to the world of work. Restrictions on women's access to certain fields, such as science, technology, engineering and mathematics (STEM), as well as leadership positions, still occur due to stereotypes that these fields are more suitable for men (Linome et al., 2025). Discrimination in the recruitment and promotion process is still common where women are considered less reliable due to the potential of pregnancy and childbirth, or are considered less capable of leading. Gender inequality in family decision-making processes, where men's voices take precedence, limits women's autonomy in making life choices. The impact of religion and custom provides cultural legitimacy to gender inequality that is difficult to change. Gender-biased interpretations of religious teachings, which often place women in a subordinate position, are often used as a pretext to maintain a status quo that is unfavorable to women. Customary practices that restrict women's movement, such as prohibitions on working outside the home or participating in public forums, still prevail in some traditional communities. The clash between modernization and tradition often puts women in a dilemmatic position, where they must choose between maintaining traditional values or developing themselves in accordance with the times. Religious legitimization of gender inequality means that efforts to empower women are considered contrary to religious values, and therefore meet with strong resistance from the community.

Access to economic resources is one of the biggest obstacles faced by women in economic empowerment efforts. Women's limited access to business capital is caused by various factors, ranging from the absence of adequate collateral to gender bias in the financing system. Discrimination in the banking system and financial institutions still occurs where women are often treated differently in the credit application process, such as with stricter requirements or higher interest rates. The lack of collateral and assets owned by women is a structural constraint in accessing finance, as the financial system still relies heavily on physical collateral. Inequalities in property and land ownership, where most family assets are in the name of the husband or male family members, prevent women from having full control over family economic resources (Muhyiddin Robani & Ekawaty, 2019). Labor market segmentation shows a pattern that disadvantages women in various aspects of employment. The concentration of women in the informal sector, which generally has low levels of social protection and unstable income, reflects women's limited access to higher quality formal employment. The wage gap between men and women is still significant, even for the same job and with equal qualifications, reflecting systemic discrimination in salary determination. Women's lack of access to managerial and leadership positions indicates a glass ceiling that limits women's career advancement.

Discrimination in recruitment and career development, where women are often not prioritized for training or promotion due to the assumption that they will leave work to focus on family. The double burden faced by women is a significant systemic barrier to economic empowerment. Household responsibilities are not shared equitably with their spouses, leaving women to bear the double burden of work and household responsibilities. Conflicts between careers and roles as mothers or wives often force women to make difficult choices between developing careers or focusing on family (Nurlaili Khikmawati et al., 2024). The lack of childcare infrastructure support, such as quality and affordable childcare, makes it difficult for women to fully participate in the workforce. Limited time for self-development, both for further education and skills training, makes it difficult for women to increase their capacity and competitiveness in the labor market. Regulatory inconsistency is one of the main obstacles in the implementation of women's empowerment in Indonesia. Overlapping laws and regulations between different levels of government and sectors create confusion in

implementation. and enforcement. Contradictions between national and local laws, where some local regulations contradict the spirit of gender equality promoted in national regulations, create inconsistencies in the protection of women's rights. The lack of strict sanctions for violations of women's rights makes existing regulations ineffective in providing a deterrent effect. The weak law enforcement process, both in terms of the capacity of law enforcement officials and the judicial system, causes many cases. of violations of women's rights not to be handled optimally.

Gaps in policy implementation indicate a significant gap between policies that have been formulated and the reality in the field. The lack of clarity of technical and operational guidelines in the implementation of gender policies causes confusion at the implementing level, so that the program does not run in accordance with the expected goals. The lack of policy socialization to the community, especially to women's groups who are the target of the program, causes low awareness and participation in empowerment programs. The lack of budget support for gender policy implementation at various levels of government shows a gap between political commitment and resource allocation. Bureaucratic resistance to change, especially in the adoption of a gender perspective in policies and programs, is an internal obstacle that is difficult to overcome. Access to justice remains a major challenge for women in their efforts to obtain equal legal protection. Women's limited access to legal services, whether due to geographical, economic or cultural factors, means that many women do not receive adequate legal assistance when facing rights violations. Gender bias in the justice system. which is reflected in the attitudes and decisions of law enforcers who are still influenced by gender. stereotypes, causes women to not get equal justice. The lack of understanding of legal officers about gender issues and women's rights makes the handling of cases involving women not gender sensitive. Stigmatization of victims of gender-based violence, especially in cases of sexual violence, makes many women reluctant to report cases experienced for fear of receiving improper treatment from law enforcement officials (Kamilla Azhar et al., 2023).

Education and literacy levels still show significant gaps between men and women, especially in remote areas and in lower economic groups. The education gap between men and women, despite group improvements at the basic education level, is still evident at the secondary and higher education levels, especially in certain fields such as science and technology. Limited access to higher education. for women is caused by various factors, ranging from the economic limitations of families who prioritize the education of sons, to social expectations that women will marry and play a role as housewives. The lack of vocational education relevant to labor market needs and women's potential leaves many women without the skills needed to participate in the modern economy. High dropout rates among girls, especially at the secondary level, are caused by factors such as early marriage, poverty and social expectations. Gender awareness in society is still very low, which can be seen in the lack of understanding of the concept of gender equality and the importance of women's empowerment (Khaerani, 2019). The lack of understanding of the concept of gender equality means that many community members, including women themselves, are unaware of gender injustice in their daily lives.

Lack of education about women's rights means that many women are unaware of their rights and how to seek protection when those rights are violated. Resistance to mindset change, especially among traditional communities, makes gender education efforts challenging. The influence of gender-biased media, where the representation of women in the mass media is still stereotypical and objectified, also reinforces gender bias in society. Women's abilities and potential still lag behind men in various aspects that are important for economic and social empowerment. Limited access to skills training, whether due to geographical, economic or socio-cultural factors, means that many women do not have the opportunity to improve their capacity. The lack of capacity building programs for women that are tailored to the needs and characteristics of women makes existing programs ineffective in improving women's abilities. The lack of female mentors and role models, especially in male-dominated fields, leaves women without role models who can motivate and provide guidance in career development. The gap in mastery of technology, especially information and communication technology, leaves women behind in the digital era, which is increasingly important for economic empowerment.

The impact on the achievement of SDG Goal 5 shows that the various barriers that have been identified substantially hinder Indonesia's progress in achieving the set gender equality targets. Evaluation of progress towards achieving SDG Goal 5 targets shows that Indonesia is still lagging behind in several key indicators, such as women's participation in political and economic leadership. elimination of gender-based violence, and access to reproductive health services. Determination of lagging indicators shows that targets related to structural and cultural transformation are progressing the slowest compared to technical targets. Projections for achieving the 2030 targets based on current developments suggest that Indonesia may not be able to achieve some of the SDG 5 targets without acceleration and breakthroughs in overcoming existing barriers. Recommendations for accelerated implementation include the need for a more integrative multi-sectoral approach and stronger political will from all stakeholders. Implications for sustainable development show that barriers to women's empowerment have broad cascading effects various aspects of development. The impact of barriers on economic growth is significant, given that gender inequality causes Indonesia to miss out on the potential economic contribution of half its population. The impact on social development is reflected in the slow

progress in human development indicators, such as levels of education, health, and community welfare. The consequences for environmental development also cannot be ignored, given that women have an important role in the management of natural resources and the environment, especially at the community level. The multiplier effect of gender inequality shows that investment in women's empowerment will provide a much greater return than investment in other sectors, because empowered women will contribute not only to economic development but also to social and environmental development.

3.2. Optimizing Human Rights Protection can Support the Achievement of Sustainable Development Goals Goal 5

The relationship between human rights and gender equality in Sustainable Development Goals (SDG) Goal 5 is fundamental and inseparable in an effort to achieve inclusive and equitable sustainable development. SDG Goal 5 which focuses on "Achieve gender equality and empower all women and girls" demonstrates a global commitment to integrate human rights principles in every aspect of development. This connection is manifested in the recognition that gender equality is not only a fundamental human right, but also a necessary basis for achieving a peaceful, prosperous and sustainable world. The implementation of SDG Goal 5 requires a comprehensive and human rights-based approach, where every target and indicator determined must be understood in the context of protecting and fulfilling women's rights as an integral part of universal human rights. This connection covers various aspects, ranging from the elimination of all forms of discrimination against women, the cessation of gender-based violence, to the empowerment of women in the economic, political and social fields. In this context, gender equality is not only seen as a development goal, but also as a prerequisite for achieving other SDG goals. This is due to the positive impact that women's empowerment has on reducing poverty, improving health, education, and creating social stability. A human rights-focused approach to the implementation of SDG Goal 5 requires states to adopt a comprehensive framework to protect and enhance women's rights. This includes the obligation to respect, protect and fulfill women's rights in all aspects of life. It also requires women's active participation in decision-making processes that affect their lives, at local, national and international levels. Thus, achieving SDG Goal 5 requires not only policy and legislative changes, but also fundamental structural transformations in social, economic and political systems to ensure that women can enjoy their rights fully and equally with men.

The principles of universality, indivisibility, and interdependence in human rights become the main foundation in understanding and realizing fair and sustainable gender equality. The principle of universality of human rights emphasizes that human rights apply to all people without exception, including women of different ages, social status, economy, religion, culture, and ethnicity (Laksono & Rohmad Hidayat, 2025). In the context of gender equality, this principle establishes that women's rights are an inseparable component part of universal human rights that should not be reduced, negotiated, or ignored on the basis of social norms, patriarchal culture, or traditional gender roles. It rejects cultural relativism, which is often used to justify discriminatory actions against women and girls. In addition, this principle requires that all states respect and protect women's rights as a universal standard. Thus, the principle of universality of human rights requires substantive equality that recognizes women as the main subject of human rights, not just the object of protection. The principles of indivisibility and interdependence of human rights emphasize the importance of a comprehensive approach to the fulfillment of women's rights. Indivisibility emphasizes that all rights, whether civil, political, economic, social, or cultural, have the same position and cannot be separated from one another (Utama, 2024). In this context, women's rights to be involved in politics, get an education, get a decent job, and live free from violence must be seen as an inseparable unity and must not be partially prioritized. Violation of one right will have a broad effect on other rights, so it requires comprehensive protection and fulfillment of rights. The principle of interdependence explains that the fulfillment of rights in one area will strengthen other areas (Permana, 2018). For example, access to quality education will increase women's position in the economic and political sectors, strengthen their bargaining power in society, and expand their ability to fight for their rights. Therefore, these three principles demand a gender-perspective, cross-sectoral and transformative development strategy to create a sustainable and equitable cycle of women's empowerment.

Women's rights as an important part of universal human rights is a basic recognition that women have equal rights with men in all aspects of human life. This concept rejects the view that separates or marginalizes women's rights as a secondary or special issue, but rather asserts that women's rights are inherent human rights and cannot be separated from the basic principles of human rights. This statement reflects the realization that gender-based discrimination is a systematic violation of human rights and structural, thus requiring special and sustainable measures to overcome them. Women's rights as an important part of universal human rights means that all international human rights instruments, both general and specific, must be interpreted and implemented with consideration of their impact on women and gender equality. The integration of women's rights within the universal human rights framework requires recognition that women's experiences in accessing human rights are often different from those of men, due to patriarchal social, economic and political structures (Afiquil Adib & Nurwahidah, 2024). This requires a gender-sensitive approach to understanding and addressing human rights

violations, as well as the development of protection systems that specifically address the needs and experiences of women. For example, definitions and understandings of violence, discrimination, and other human rights violations should include forms of violations specifically experienced by women, including gender-based violence, discrimination in the workforce, and restrictions on access to reproductive health services. This integration also requires sex-disaggregated data and statistics to understand the different impacts of policies and programs on women and men.

The recognition of women's rights as an integral part of universal human rights also implies that states have the same responsibility to protect and fulfill the rights of women as they have to protect the rights of men. This responsibility includes not only the elimination of direct discrimination against women, but also requires affirmative action to address indirect discrimination and the historical impact of gender inequality. States have a responsibility to ensure that laws, policies and practices do not have a discriminatory impact on women, even if there is no intention to discriminate. Furthermore, this recognition calls for effective accountability systems to ensure that violations of women's rights are properly addressed and that victims receive adequate remedies. In line with the state's responsibility to ensure the protection of women's rights, attention to the fulfillment of civil and political rights is crucial as a key basis for ensuring women's active involvement in public life and decision-making. Women's civil and political rights are key to their full participation in public life and decision-making that impacts their lives. Civil rights include basic freedoms such as freedom from discrimination, freedom of movement, freedom of opinion and expression, and the right to personal security and protection from violence (Balqis, 2021). In terms of gender equality, women's civil rights often face challenges, including restrictions on mobility, limitations on the expression of women's voices, and high levels of violence experienced by women. Political rights for women include the right to vote and be elected, the right to participate in political life, and the right to hold public office. Although many countries have formally recognized women's political rights, in practice there are still various structural and cultural barriers that limit women's participation in politics (Erick & Masyitah, 2020). These challenges include gender stereotypes, women's double burden, and lack of financial and institutional support. However, gender equality is not only limited to the civil and political spheres, but must also be reflected in the economic sector, which is one of the important pillars for women's empowerment and independence.

Economic rights for women include the right to employment, equal pay, fair working conditions, and access to economic resources. Gender equality in economic rights faces complex challenges, including gender segregation of employment, the wage gap between men and women, discrimination in recruitment and promotion, and the burden of unpaid care work disproportionately borne by women (N. E. Putri & Suherman, 2024). Women's economic rights also include access to credit, property and inheritance, which in many countries are still restricted by discriminatory laws and practices. Women's economic empowerment is not only important for women's individual well-being, but also for inclusive and sustainable economic growth. Increasing women's participation in the labor force and their access to economic opportunities can significantly improve productivity and economic growth. In addition to economic rights, social and cultural dimensions also play an important role in creating an enabling environment for the full fulfillment of women's rights, especially in access to education, health services, and equal cultural participation. Social and cultural rights for women include the right to education, access to health, housing, and participation in cultural life. In education, while there has been significant progress in achieving gender equality in primary education, there are still gaps in access to higher education, technical and vocational education, and in male-dominated fields of study such as science, technology, engineering and mathematics (STEM). Women's health rights involve not only access to general health services, but also comprehensive reproductive health services. This includes access to contraception, safe pregnancy and delivery services, and addressing gender-based violence. Women's cultural rights include the right to participate in cultural life, preserve their cultural identity, and be protected from harmful cultural practices. This requires a careful balance between respect for cultural diversity and protection of women's rights from discriminatory or harmful practices.

The national human rights protection system related to gender equality in SDG Goals 5 is a system designed to ensure the implementation, monitoring and enforcement of women's rights at the national level. This system involves various institutions, procedures and instruments that work synergistically to protect and advance gender equality. The National Commission on Human Rights (Komnas HAM) serves as the lead institution in evaluating and investigating human rights violations, including violations related to gender equality. Komnas HAM is tasked with receiving complaints, conducting investigations, and providing advice to the government regarding violations of women's rights. In addition, this institution also plays a role in educating and socializing human rights to the community, including raising awareness about women's rights and the principles of gender equality. The Ministry of Women's Empowerment and Child Protection (PPPA) is an important institution in the implementation of gender equality policies in Indonesia. The ministry is tasked with coordinating, integrating, and overseeing the implementation of policies related to gender equality and women's empowerment in all development sectors (Karim Amrullah, 2023). Through various programs and initiatives, the Ministry of PPPA seeks to ensure that a gender perspective is included in the planning, implementation and

evaluation processes of development policies. The Ministry also plays a role in developing indicators and monitoring systems to measure progress in achieving gender equality, including the achievement of SDG Goal 5 targets. In addition, the Ministry of PPPA also coordinates with various parties, including civil society organizations, the private sector, and international institutions, to strengthen efforts to empower women and gender equality.

The national human rights protection system also involves a complaints and dispute resolution system that is accessible and responsive to women's needs. This includes establishing specialized units within various government agencies to handle cases related to gender equality, providing training for law enforcement officials on gender sensitivity, and developing victim-friendly procedures in handling cases of gender-based violence. An ongoing monitoring and evaluation system is also an important part of the national human rights protection mechanism, enabling the government to identify progress and challenges in the implementation of gender equality policies, and make necessary policy adjustments. It also includes a transparent and accountable reporting system, which allows the public to monitor the government's performance in protecting and advancing women's rights. The justice and law enforcement systems play a critical role in ensuring gender equality and the protection of women's rights. This system must serve as the frontline in providing justice to women who experience discrimination, violence or other rights violations. To play this effectively, the justice system must have a deep understanding of gender dynamics and the impact of gender discrimination on women's access to justice (Yustika, 2023). This includes recognizing that women often face structural and cultural barriers that make it difficult for them to access the justice system, such as economic deprivation, social stigma, lack of legal information, and mistrust of a gender-biased justice system. Gender-responsive justice systems should develop mechanisms and procedures that facilitate women's access to justice, including affordable legal aid services, victim-friendly procedures, and protection for victims and witnesses.

Effective law enforcement on gender equality issues requires a comprehensive and gender-sensitive approach from all law enforcement officials, from police, prosecutors, to judges. The police as the main entry point in the criminal justice system must have the capacity to handle cases of gender-based violence sensitively and professionally. This includes the ability to identify various forms of gender-based violence, conduct investigations that do not re-traumatize victims, and ensure victim protection throughout the legal process. Prosecutors must have the ability to draft strong indictments and understand the complexities of gender-based violence cases, including the power and control dynamics that often underlie such violence. Judges must have an understanding of gender perspectives in legal interpretation and be able to deliver fair and proportionate decisions that take into account the gendered impact of their decisions. Changes to the justice system to improve gender responsiveness require a comprehensive and sustained effort. This includes substantive reforms in the law to ensure that legislation is not discriminatory and provides adequate protection for women. Procedural changes are also needed to ensure that judicial procedures are not gender biased and facilitate women's access to justice. Training and capacity building for law enforcement officials on gender perspectives, human rights, and handling cases of gender-based violence are key to ensuring effective implementation. The establishment of specialized courts or special units within courts to handle cases of gender-based violence can improve the quality of case handling and provide better protection for victims. Continuous monitoring and evaluation systems are also needed to ensure that reforms have a positive impact on women's access to justice.

Optimizing legal instruments for human rights and gender equality in SDG Goal 5 requires a comprehensive and integrated approach between international standards and national legal frameworks, emphasizing the importance of harmonizing regulations, strengthening implementation, and effective monitoring. This process includes not only normative aspects, but also actual implementation through the allocation of adequate resources, strengthening institutional capacity, and active involvement of civil society in monitoring and evaluation. A context-sensitive approach is also needed to ensure that adaptation to social, economic and cultural conditions does not compromise the substance of human rights protection. Therefore, cross-sector and multi-stakeholder collaboration, including the involvement of women, especially from vulnerable groups, in every stage of the policy is very important so that legal instruments really have an impact on improving the quality of life and the fulfillment of women's rights in a fair and sustainable manner. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is the most basic international legal instrument in the protection of women's rights and the achievement of gender equality. CEDAW, often referred to as the "Bill of Rights for Women," sets international standards for gender equality and provides a comprehensive framework for addressing discrimination against women in all aspects of life. Article 1 of CEDAW provides a comprehensive definition of discrimination against women, which includes "any distinction, exclusion or restriction made on the basis of sex which has the effect, or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field." Article 2 of CEDAW establishes the obligation of states to eliminate discrimination against women, including the obligation to repeal all discriminatory legal provisions, prohibit discrimination against women, and take measures to eliminate discrimination by individuals, organizations, or

enterprises. Article 3 of CEDAW requires states to take appropriate measures in all fields, in particular the political, social, economic and cultural fields, to ensure the full development and advancement of women. Article 4 of CEDAW authorizes the use of temporary special measures to accelerate the achievement of de facto equality between men and women. Article 5 of CEDAW obliges states to take measures to change social and cultural patterns based on the inferiority or superiority of either sex or on stereotyped roles for women (Convention on the Elimination of All Forms of Discrimination against Women, 1979).

The Bangkok Rules or United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders is an international instrument that regulates the treatment of women in the criminal justice system. These rules recognize that women in the criminal justice system have different needs and experiences to men, and require special and gender-sensitive treatment. Rule 1 of the Bangkok Rules emphasizes the principle of non-discrimination and the need to consider the special needs of women in the criminal justice system. Rule 2 provides for procedures for the admission of women to prisons, including the need for gender-sensitive medical examinations and protection of privacy. Rules 40 and 41 provide for the classification and placement of women prisoners, which must take into account the special needs of women including pregnancy, breastfeeding, and maternal responsibilities (THE BANGKOK RULES United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders with Their Commentary. 2010). Other relevant international instruments include the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women in 1995, which set out a basic agenda for women's empowerment and gender equality. The Beijing Platform for Action identifies 12 critical areas that require action to achieve gender equality, including poverty, education, health, violence, armed conflict, economy, power and decision-making, institutional mechanisms, human rights, media, environment, and girls (Tias et al., 2023). International Covenant on Civil and Political Rights (ICCPR) Articles 3 and 26 guarantee equal rights between men and women and non-discrimination based on sex (Rohmah & Afifah, 2023). International Covenant on Economic, Social and Cultural Rights (ICESCR) Article 3 also guarantees equal rights for men and women to enjoy all economic, social and cultural rights.

The Indonesian Constitution, the 1945 Constitution of the Republic of Indonesia (UUD 1945), provides the basic foundation for the protection of human rights and gender equality in Indonesia. Article 27(1) of the 1945 Constitution affirms that "all citizens shall be equal before the law and government and shall uphold the law and government with no exception." This principle of equality before the law is the foundation for gender equality, which guarantees that men and women have equal standing in law and government. Article 28 of the 1945 Constitution guarantees freedom of association and assembly, expression of thoughts orally and in writing, which are fundamental rights that must be enjoyed equally by men and women. Article 28D paragraph (1) guarantees the right of every person to recognition, guarantees, protection and certainty of a just law and equal treatment before the law. Article 28H paragraph (2) of the 1945 Constitution guarantees the right of every person to receive special facilities and treatment to obtain equal opportunities and benefits in order to achieve equality and justice. This provision provides a constitutional basis for affirmative action in achieving gender equality. Article 28I paragraph (1) affirms that the right to life, the right not to be tortured, the right to freedom of thought and conscience, the right to religion, the right not to be enslaved, the right to be recognized as a person before the law, and the right not to be prosecuted on the basis of retroactive laws are human rights that cannot be reduced under any circumstances. Article 28I paragraph (2) affirms that everyone has the right to be free from discriminatory treatment on any basis and has the right to protection against such discriminatory treatment (Constitution of the Republic of Indonesia 1945, 1945).

Law No. 7/1984 on the Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an important step for Indonesia in adopting international standards of gender equality into national law. Through this law, Indonesia is formally committed to eliminating all forms of discrimination against women and taking the necessary steps to achieve gender equality. The ratification of CEDAW requires Indonesia to conform its national laws, and regulations to the provisions of CEDAW, including repealing or amending regulations that discriminate against women. The law also requires the government to periodically report progress on CEDAW implementation to the Committee on the Elimination of Discrimination Against Women. The National Medium-Term Development Plan (RPJMN) 2020-2024 places gender equality as one of the key areas of focus 2024 places gender equality as one of the national development priorities. The RPJMN 2020-2024 integrates a gender perspective in all areas of development and sets specific targets for achieving gender equality, including SDG Goal 5 targets. This document also mandates gender mainstreaming in all development policies, programs, and activities. The RPJMN 2020-2024 emphasizes the importance of empowering women in the economic, political, and social spheres, as well as improving women's quality of life through equal access to public services.

Presidential Instruction No. 9/2000 on Gender Mainstreaming (PUG) in National Development is a strategic policy that mandates the integration of a gender perspective in all aspects of national development. It requires all ministries, non-ministerial government agencies, and local governments to implement gender mainstreaming strategies in the planning, implementation, monitoring, and evaluation of development policies

and programs. PUG aims to ensure that men and women have equal access to development resources, participate equally in the development process, and enjoy the benefits of development equitably. The Minister of Women's Empowerment and Child Protection Regulation No. 6 of 2023 on Gender Equality Parameters provides a framework for measuring and monitoring progress on gender equality in Indonesia. This regulation establishes indicators that can be used to measure the achievement of gender equality in various fields, including education, health, economy, politics, and law. These gender equality parameters are important tools for monitoring and evaluating the implementation of gender equality policies, as well as for identifying areas that require special attention. It also mandates the use of sex-disaggregated data in all government information and reporting systems. Other relevant national legal instruments include Law No. 23 of 2004 on the Elimination of Domestic Violence (PKDRT Law) which provides legal protection for victims of domestic violence, the majority of whom are women. Law No. 21/2007 on the Eradication of the Crime of Trafficking in Persons which provides special protection for victims of trafficking in persons, the majority of whom are women and girls. Law No. 13/2003 on Manpower which regulates equal employment opportunities and fair treatment for male and female workers, including special protection for female workers.

IV. CONCLUSION

Gender equality and women's empowerment are key components in realizing sustainable development based on human rights protection. Efforts to optimize human rights protection through gender equality not only contribute to the achievement of the Sustainable Development Goals (SDGs), especially Goal 5, but also strengthen the basis for inclusive and equitable development. Women's empowerment in various sectors such as the economy, education, politics, and social affairs has proven to have a significant multiplier effect on the progress of society as a whole. The integration of gender perspective in development policies and the implementation of gender-responsive programs are key in ensuring that sustainable development does not leave anyone behind, especially women's groups who have been marginalized.

REFERENCES

- [1] World Economic Forum, "World Economic Forum_Global Gender Gap Report_2023," in *World Economic Forum*, Switzerland, 2023, p. 11.
- [2] C. Dwi Anggola, F. Prawita, and D. Putri Lestari, "The Role of Education in Reducing Gender Gaps in the Workplace," *Journal of Law and Public Policy Studies*, vol. 02, no. 1, pp. 531–537, 2024, [Online]. Available: <https://jurnal.kopusindo.com/index.php/jkhkp>
- [3] S. H. Emilia and A. Susiyanti, "The Role of Law in Dealing with the Cultural Influence of Patriarchal Society," *Scientific Journal of Educational Vehicles, December*, vol. 2024, no. 24, pp. 671–681, Dec. 2024.
- [4] || Fadhlin *et al.*, "The Role of Law Enforcement in Law Enforcement in Indonesia," 2021.
- [5] R. Roro Hanny Alfi Syahrin Rahazade and Yunanto, "Legal Protection of Human Rights Related to the Placement of Transwomen in Detention Cells," *UNES Law Review*, vol. 6, no. 4, pp. 12633–12644, 2024, doi: 10.31933/unesrev.v6i4.
- [6] Y. D. Pratiwi, "Transplantation of the Prohibition of Female Genital Mutilation Practices through a Comparative Study of Indonesia and Egypt," *Human Rights Journal*, vol. 13, no. 1, pp. 45–64, Apr. 2022, doi: 10.30641/ham.2022.13.45-64.
- [7] C. P. Putri, "Legal Protection of the Rights of Women Workers During the Covid-19 Pandemic," *Legality: Journal of Law*, vol. 12, no. 2, pp. 226–230, Dec. 2020, doi: 10.33087/legalitas.v12i2.210.
- [8] M. Riski Aulia, "Gender Issues Regarding Women's Representation in Political Life in Indonesia," 2023. [Online]. Available: <https://journal.unsika.ac.id/index.php/politikomindonesia>
<https://journal.unsika.ac.id/index.php/politikomindonesia>
- [9] K. P. P. Nasional and B. P. P. Nasional, "Report on the Achievement of the 2023 Sustainable Development Goals," in *BAPPENAS*, Jakarta, 2023, pp. 81–86.
- [10] A. D. Sari, A. Octaviana, D. C. Kamila, N. P. Permatasari, T. F. P. Irawan, and K. Hadji, "The Role of Women in Society on the Placement of Legislative Members in the Commission of the House of Representatives of the Republic of Indonesia for the 2019-2024 Period," *Judge: Jurnal Hukum*, vol. 06, pp. 160–168, 2025.
- [11] M. H. Yanova, P. Komarudin, and H. Hadi, "Legal Research Methods: Analysis of Legal Problems with Normative and Empirical Research Methods," *Brown Love Journal*, vol. 8, pp. 394–480, 2023, doi: 10.24246/jrh.2019.v3.i2.p145-160.
- [12] H. Sauni, Z. J. Fernando, and S. Candra, "Geothermal Energy in Rules, Environmental Problems and Conflict Resolution Solutions in Society," *Jurnal Right Finding*, vol. 11, no. 3, pp. 373–390, Dec. 2019, doi: 10.1111/soc4.12650.
- [13] A. Natalis, "The Urgency of the Policy Implementation of the Regional Revenue and Expenditure Budget in Realizing Women's Welfare," *Pandecta Research Law Journal*, vol. 15, no. 1, pp. 64–73, Jun. 2020, doi: 10.15294/pandecta.v15i1.23205.

- [14] S. W. K. Sutopo and I. D. A. Nurhaeni, "Implementation of the Implementation of the Protection of Women and Children Victims of Domestic Violence in Magetan Regency," *Journal of Public Discourse Students*, vol. 4, pp. 52–72, 2024.
- [15] D. Jasmianto and A. Ridwan, "Women Focus on Careers in Gununggangsir Village, Pasuruan in the Perspective of Radical Feminism," *Journal of Social Sciences and Humanities*, vol. 14, pp. 148–157, 2025, doi: 10.23887/jish.v14i1.89803.
- [16] O. Linen *et al.*, "Analysis of Gender Stereotypes in Everyday Life," *Edukreatif: Journal of Creativity in Education*, vol. 6, no. 1, pp. 370–380, 2025, [Online]. Available: <https://ijurnal.com/1/index.php/jkp>
- [17] M. Muhyiddin Robani and M. Ekawaty, "Analysis of the Impact of Women's Empowerment on Family Welfare," *Al-Muzara'ah*, vol. 7, pp. 1–18, Sep. 2019, doi: 10.29244/jam.7.1.1-18.
- [18] Nurlaili Khikmawati, Muhammad Alief Yazidal Bustomi, and Yayat Suryatna, "Women and Their Struggles: The Double Burden and Consistency of Women Food Sellers in Improving Family Welfare in Majalengka," *Islamic Management and Empowerment Journal*, vol. 6, no. 1, pp. 15–30, 2024, doi: 10.18326/imej.v6i1.15-30.
- [19] J. Kamilla Azhar, E. N. Hidayat², and S. T. Raharjo², "SEXUAL VIOLENCE: WOMEN WITH DISABILITIES ARE VULNERABLE TO VICTIMIZATION," *Share: Social Work Journal*, vol. 13, pp. 82–91, 2023, doi: 10.45814/share.v13i1.46543.
- [20] S. N. Khaerani, "Economic Factors in Early Marriage in the Sasak Community of Lombok," *QAWWAM: Journal for gender mainstreaming*, vol. 13, no. 1, Jun. 2019.
- [21] P. Laksono and M. Rohmad Hidayat, "Framing the Media of Rohingya Refugees in the Perspective of Human Rights in Tempo.Co Magazine," *Journal of Islamic Economics and Da'wah*, vol. 10, no. 1, pp. 2501–8294, 2025, doi: 10.31538/altsiq.v10i1.6121.
- [22] I. M. W. M. T. Utama, "Sumba Arrest Analysis Reviewed from the Perspective of Human Rights and National Law," *JUSTISI*, vol. 11, no. 3, pp. 135–147, Oct. 2024, [Online]. Available: <https://www.detik.com/bali/nusra/d-6925171/sopan-catat-20-kasus-kawin-tangkap-di-ntt-pada-2013->
- [23] R. D. Permana, "Globalization and Human Rights: A Critical Review of Global Governance Discourse in Efforts to Protect Indonesian Migrant Workers," *National Security Journal*, vol. 4, no. 1, pp. 41–68, 2018.
- [24] M. Afiquil Adib and Nurwahidah, "Gender Equality and Fulfillment of Human Rights in the Education System in Indonesia," *Spiritus: Religious Studies and Education Journal*, vol. 2, no. 3, pp. 105–114, 2024, doi: 10.59923/spiritus.v2i3.199.
- [25] F. E. Balqis, "Hak Sipil dan Politik Kaum Marginal: Upaya dan Perjuangan Kelompok Transpuan di Kota Pangkalpinang (Civil and Political Rights of the Marginal: The Efforts and Struggles of Transwomen Groups in Pangkalpinang City)," *Civil Officium: Journal of Empirical Studies on Social Science*, vol. 1, pp. 1–8, 2021, doi: 10.53754/civilofficium.
- [26] B. Erick and Masyitah, "Women's Representation in Political Parties from the Perspective of Siyasa Syar'iyah," *Sigli Social Journal of Humanities*, vol. 3, no. 2, pp. 200–212, 2020.
- [27] N. E. Putri and A. Suherman, "Patriarchal Culture at the Root of Domestic Violence Against Women Patriarchal Culture Affects Domestic Violence Against Women (in the Economic Field)," *Journal of Law and Public Policy Studies*, vol. 2, no. 1, pp. 193–202, 2024, doi: <https://jurnal.kopusindo.com/index.php/jkhkp>.
- [28] A. Karim Amrullah, "The Fulfillment of Children's Rights to Education in Child-Friendly Schools at SMP Negeri 5 Brebes," *Journal of Research and Service Locus*, vol. 2, no. 4, pp. 319–336, Apr. 2023, doi: 10.58344/locus.v2i4.1001.
- [29] A. Yustika, "Human Rights-Based Policing Discourse as an Alternative Access to Justice in Gender-Biased Law," *Crested Jurnal*, vol. 5, no. 2, pp. 133–145, Nov. 2023.
- [30] *Convention on the Elimination of All Forms of Discrimination against Women*. New York, 1979, pp. 1–0.
- [31] U. N. O. on D. and Crime, *THE BANGKOK RULES United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders with their Commentary*. 2010.
- [32] R. N. Tias, A. D. Nisrina, N. Destriputra, F. A. Al Putra, and S. G. Prakoso, "The Challenge of Affirmative Action Policy as an Effort to Strengthen Women's Representation in the Legislature," *Journal of Political Dynamics of Domestic Political Issues and International Relations*, vol. 14, no. 2, pp. 169–189, Dec. 2023, doi: 10.22212/jp.v14i2.4151.
- [33] M. Rohmah and W. Afifah, "The Right to Equality and Anti-Discrimination of Non-Binary Gender Identity Groups in Indonesian Positive Law," *Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance*, vol. 3, no. 1, pp. 298–312, 2023, doi: 10.53363/bureau.v3i1.182.
- [34] P. Indonesia, *Constitution of the Republic of Indonesia of 1945*. Jakarta, 1945.