



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the combined fifth and sixth periodic reports of Indonesia\*\*

#### I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of Indonesia<sup>1</sup> at its 2882nd and 2883rd meetings,<sup>2</sup> held on 14 and 15 May 2025, and adopted the present concluding observations at its 2906th meeting, held on 30 May 2025. In the present document, the Committee uses the term “child” to refer to a person who is under 18 years of age.

2. The Committee welcomes the submission of the combined fifth and sixth periodic reports of the State Party and the written replies to the list of issues,<sup>3</sup> which allowed for a better understanding of the situation of children’s rights in the State Party. The Committee expresses its appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State Party.

#### II. Follow-up measures taken and progress achieved by the State Party

3. The Committee welcomes the various legislative, institutional, and policy measures undertaken by the State Party to implement the Convention, including the creation of the Ministry of Human Rights on 21 October 2024; the adoption of Law No. 4/2024 on Maternal and Child Health in the First Thousand Days of Life and Law No. 59/2024 on the National Long-Term Development Plan 2025–2045, both in 2024, Law No. 17/2023 on Health in 2023, and Law No. 12/2022 on the Sexual Violence Criminal Act in 2022. The Committee further notes with appreciation the issuance of Presidential Regulation No. 12/2025 on the implementation of the National Medium-Term Development Plan 2025–2029 in 2025; Presidential Regulation No. 101/2022 on the National Strategy for the Elimination of Violence against Children in 2022; Government Regulation No. 78/2021 on the Special Protection of the Child in 2021; Presidential Regulation No. 25/2021 on the Child-Friendly Cities Policy in 2021; and Presidential Regulation No. 72/2021 on the Acceleration of Stunting Reduction in 2021.

#### III. Main areas of concern and recommendations

4. The Committee reminds the State Party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the

\* Reissued for technical reasons on 12 August 2025.

\*\* Adopted by the Committee at its ninety-ninth session (12–30 May 2025).

<sup>1</sup> [CRC/C/IDN/5-6](#).

<sup>2</sup> [CRC/C/SR.2882](#) and [CRC/C/SR.2883](#).

<sup>3</sup> [CRC/C/IDN/RQ/5-6](#).



recommendations contained in the present concluding observations. The Committee would like to draw the State Party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: non-discrimination (para. 16), abuse, neglect, sexual abuse and exploitation (para. 24), harmful practices (para. 26), children with disabilities (para. 30), health and health services (para. 32) and adolescent health (para. 35).

5. The Committee recommends that the State Party ensure the realization of children's rights in accordance with the Convention, and the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State Party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

## **A. General measures of implementation (arts. 1, 4, 42 and 44 (6))**

### **Reservations and declarations**

6. The Committee, in line with its previous recommendations,<sup>4</sup> urges the State Party to consider withdrawing its remaining reservations to the Convention.

### **Legislation**

7. The Committee reiterates its previous recommendations<sup>5</sup> and urges the State Party:

(a) To ensure that the ratification status of the Convention is consistent with article 10 of Law No. 24/2000 on International Agreements and article 11 (2) of the Constitution;

(b) To fully incorporate the provisions of the Convention into its domestic law and continue its efforts to harmonize all national legislation with the Convention, including the Child Protection Law;

(c) To promptly amend Law No. 1/2023 on the Criminal Code to bring it in line with the provisions of the Convention, including by considering:

(i) The repeal of articles 408 and 409 and amendment of article 410 in order to allow adolescents to get proper information on sexual and reproductive health;

(ii) The amendment of articles 463, 464 and 465 to allow timely access to abortion services to child victims of rape and sexual violence who become pregnant;

(iii) The revision of article 2 to prevent the use of customary law as the basis for criminal sanctions.

### **Comprehensive policy and strategy**

8. The Committee notes the creation of the child protection system as a comprehensive programme for the protection of children's rights. In that regard, it recommends that the State Party:

(a) Expeditiously adopt a corresponding action plan and ensure that it encompasses all areas covered by the Convention and include specific, time-bound and measurable goals;

<sup>4</sup> CRC/C/15/Add.25, para. 7, and CRC/C/15/Add.223, para. 12.

<sup>5</sup> CRC/C/15/Add.223, para. 14, and CRC/C/IDN/CO/3-4, para. 12.

(b) Provide adequate human, technical and financial resources for the implementation and monitoring of the programme and action plan, including through accountability mechanisms and regular monitoring and evaluation.

#### Coordination

9. The Committee takes note of the adoption of the Government Regulation No. 59/2019 on Child Protection Coordination, which aims to promote synergy across institutions, facilitate data collection and strengthen efforts to fulfil children's rights and special protections, and urges the State Party to ensure that the Ministry of Women's Empowerment and Child Protection has a clear mandate and sufficient authority and resources to coordinate and execute all activities relating to the implementation of the Convention at the cross-sectoral, national, provincial and local levels.

#### Allocation of resources

10. Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State Party:

(a) Conduct a comprehensive assessment of the budget needs of children and allocate adequate budgetary resources, in accordance with article 4 of the Convention, for the implementation of children's rights, and in particular increase the budget allocated to social protection, and address disparities using indicators related to children's rights;

(b) Adopt a child rights-based approach in the establishment of the State budget by implementing a data-driven tracking system for the allocation and use of resources for children throughout the budget and for the development of impact assessments on how investments in any sector may serve the best interests of the child;

(c) Allocate progressive investment to regional governments for public expenditure in critical areas for the realization of the rights of children and adolescents, paying particular attention to education, health and water and sanitation;

(d) Define budgetary lines for all children, with special attention given to those in disadvantaged or vulnerable situations who may require affirmative social measures, and make sure that those budgetary lines are protected even in economic crisis, natural disasters or other emergencies.

#### Data collection

11. The Committee notes the steps taken to harmonize data management through Presidential Regulations No. 39/2019 on Indonesian unified data and No. 62/2019 on the National Strategy for Accelerating Population Administration and Development of Vital Statistics. Recalling its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State Party:

(a) Ensure that data collected on children's rights, including within the Child Protection Index, cover all areas of the Convention and the Optional Protocols thereto, with data disaggregated by age, sex, disability, geographical location, ethnic or national origin, migration status and socioeconomic background, to facilitate the analysis of the situation of children, particularly those in situations of vulnerability;

(b) Ensure that statistical data and indicators on children's rights are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention and the Optional Protocols.

#### Access to justice and effective remedy

12. The Committee encourages the State Party:

(a) To ensure that all children in all settings, including in public and private schools, foster-care systems, alternative care settings and detention, have access to:

- (i) confidential, child-friendly and independent complaint mechanisms for reporting all forms of violence, abuse, discrimination and other violations of their rights;
- (ii) legal support and age-appropriate information on access to counselling and remedies, including compensation and rehabilitation;
- (b) To raise awareness among children of their right to file a complaint under existing mechanisms and their right to access legal aid;
- (c) To ensure systematic and mandatory training for all relevant professionals working with children on child-friendly procedures and remedies, children's rights and the Convention.

#### **Independent monitoring**

13. The Committee notes that the Indonesian Child Protection Commission operates as an independent national human rights institution, but has a limited mandate and cannot conduct investigations. The Committee reiterates its previous recommendation and urges the State Party to take all measures necessary to strengthen the mandate of the Child Protection Commission by providing it with the capacity to investigate and address complaints by children in a child-sensitive manner, ensure the privacy and protection of victims, and monitor and follow-up cases.

#### **Children's rights and the business sector**

14. Recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and the Guiding Principles on Business and Human Rights, the Committee recommends that the State Party:

- (a) Establish a clear regulatory framework for businesses operating in or managed from the State Party, including in the agricultural, tourism and informal sectors, to ensure that their activities do not negatively affect human rights or endanger environmental, health, labour and other standards, especially those relating to children's rights;
- (b) Require companies to undertake assessments, consultations and full public disclosure of the environmental, health-related and children's rights impacts of their business activities and their plans to address such impacts.

## **B. General principles (arts. 2, 3, 6 and 12)**

#### **Non-discrimination**

15. The Committee is seriously concerned that children in the eastern regions of the State Party continue to face significant disparities in access to good-quality healthcare, education, infrastructure, sanitation and social services compared to their counterparts in the western provinces, resulting in lower levels of implementation of their rights.

16. The Committee urges the State Party to take immediate and targeted measures to address these regional disparities by adopting inclusive and equitable policies that ensure the realization of the rights of all children across its territory. In particular, it recommends the development and implementation of specific policies aimed at improving access to quality healthcare, education, housing and an adequate standard of living for children in the eastern provinces.

#### **Best interests of the child**

17. The Committee remains concerned that decisions regarding adoption and custody are often taken on the basis of religion, rather than the child's best interests, and that, according to sharia law applicable to Muslims, in divorce proceedings decisions relating to custody of children are based on their age. Recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken

as a primary consideration, the Committee reiterates its previous recommendations<sup>6</sup> in that regard.

#### **Right to life, survival and development**

18. The Committee notes the State Party's intention to potentially repatriate its citizens held in Syrian camps and urges the State Party to urgently repatriate children who are nationals of the State Party from the Syrian Arab Republic and Iraq and provide comprehensive and child-friendly rehabilitation and reintegration for them involving all stakeholders, including local governments receiving returnees and stakeholders in the children's places of return.

#### **Respect for the views of the child**

19. Recalling its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State Party:

- (a) Amend its legislation, including the Child Protection Law, in order to avoid any limitation to children's right to be heard or to express their views;
- (b) Integrate the principle of children's right to be heard into all aspects of legislative, executive, judicative, decision-making and administrative processes, particularly at provincial and local levels.

### **C. Civil and political rights (arts. 7, 8 and 13–17)**

#### **Birth registration**

20. The Committee urges the State Party:

- (a) To strengthen measures to ensure birth registration and the issuance of certificates for all children born in its territory, particularly those born in the eastern regions of the State Party, including by ensuring the availability and proximity of civil registry offices throughout the State Party and by sending regular civil registration brigades to places where there is a higher prevalence of late or non-registration;
- (b) To consider ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

#### **Freedom of thought, conscience and religion**

21. The Committee recommends that the State Party respect the right of the child to freedom of thought, conscience and religion by taking effective measures, including legislative measures, to prevent and eliminate all forms of religious intolerance and discrimination on the grounds of religion or belief. It also recommends promoting religious tolerance and dialogue in society, including through facilitating an open public debate on religious issues.

#### **Right to privacy and access to appropriate information**

22. While noting the adoption of Law No. 1/2024 requiring electronic system providers to set up mechanisms to protect children who use or access electronic systems, the Committee recalls its general comment No. 25 (2021) on children's rights in relation to the digital environment and recommends that the State Party:

- (a) Continue to improve digital inclusion for children in disadvantaged situations, including children living in rural areas and children with disabilities, and promote the equitability and affordability of online services and connectivity;

<sup>6</sup> CRC/C/IDN/CO/3-4, para. 22.

(b) **Enhance the digital literacy, awareness and skills of children, teachers and families, including by incorporating digital literacy into school curricula, to protect children from information and material that are harmful to their well-being;**

(c) **Develop regulations and safeguarding policies to protect the rights and safety of children in the digital environment.**

**D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 35, 37 (a) and 39 of the Convention, and the Optional Protocol on the sale of children, child prostitution and child pornography)**

**Abuse, neglect, sexual abuse and exploitation**

23. While noting the adoption of Law No. 12/2022 on Sexual Violence Crime and the National Strategy for the Elimination of Violence against Children (2022), among other efforts, the Committee is seriously concerned that:

(a) Although Law No. 12/2022 establishes a legal framework for the prevention of and response to sexual violence, particularly against women, children and persons with disabilities, its implementation remains limited, as the law requires the issuance of at least seven derivative regulations for its effective implementation, of which only four have been promulgated to date;

(b) Despite the increasing number of reported cases of violence against children, the number of child victims who have accessed rehabilitation and reintegration services remains untraceable, as the Online Information System for the Protection of Women and Children lacks the capacity to track individual cases through the service pathway and integrated service hubs are not yet available nationwide;

(c) Sixty-six per cent of districts and cities have established subnational technical implementation units for the protection of women and children at all administrative levels, leaving significant gaps in access to protection and support for child victims of violence;

(d) There has been limited progress in strengthening the capacity of law enforcement officials and service providers to handle cases of violence involving children.

24. **In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee urges the State Party:**

(a) **To expedite the adoption of all remaining derivative regulations mandated by Law No. 12/2022 to ensure its full and effective implementation and allocate adequate resources thereto, provide technical guidance and ensure the coordination of relevant institutions at national, provincial and local levels to implement the law;**

(b) **To enhance the capacity of the case management system, the Online Information System for the Protection of Women and Children, to effectively track individual cases, particularly those involving access to and outcomes of rehabilitation and reintegration services;**

(c) **To strengthen its national child protection system by ensuring the full operationalization and geographic coverage of the subnational technical implementation units for the protection of women and children at the provincial and local levels;**

(d) **To accelerate and expand its capacity-building efforts for law enforcement officers and service providers responsible for handling cases of violence against children and sexual violence, including by setting clear timelines, allocating adequate financial, technical and human resources, and establishing monitoring mechanisms to ensure nationwide coverage, particularly at the provincial and local levels.**

### **Harmful practices**

25. The Committee acknowledges the progress made by the State Party in reducing child marriages, in particular the amendment of the Marriage Law in 2019 to raise the minimum age of marriage for girls to 19. However, it remains seriously concerned that:

(a) Despite a national decline in prevalence of child marriage, some provinces still exceed the national average, with particularly high rates in West Nusa Tenggara, South Sumatera, West Kalimantan and West Sulawesi and that the rise in marriage dispensation requests, along with unregistered marriages and the persistence of permissive cultural norms, continue to undermine efforts to eliminate child marriage;

(b) Female genital mutilation remains widely practised in the State Party, often performed on newborn girls by midwives or traditional birth attendants despite health professionals being prohibited from conducting the procedure;

(c) National indicators on female genital mutilation remain misaligned with the corresponding Sustainable Development Goal standard, resulting in a lack of reliable, Sustainable Development Goal-compliant prevalence data, which significantly hampers effective monitoring of progress and accurate assessment of needs.

26. **Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State Party:**

(a) **Take urgent and coordinated measures to eliminate child marriage by ensuring that the National Strategy for Preventing Child Marriage is adopted as a binding national policy, with mandatory implementation by all ministries, agencies and provincial governments, and address cultural and social norms that perpetuate child marriage through targeted awareness-raising, community engagement and comprehensive sexuality education, particularly in high-prevalence provinces;**

(b) **Adopt the draft multisectoral roadmap on the elimination of female genital mutilation as a presidential regulation, include clearly defined penalties and enforcement mechanisms and provide public awareness and community-based interventions to challenge harmful social, cultural and religious norms that perpetuate female genital mutilation, with active engagement of religious leaders, families and healthcare providers;**

(c) **Integrate the elimination of female genital mutilation into the national development plans, including the National Medium-Term Development Planning 2025–2029 and the National Long-Term Development Plan 2025–2045, along with the adoption of internationally recognized standards for measuring prevalence and monitoring progress.**

## **E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

### **Children deprived of a family environment**

27. While noting the adoption of the Quality Family Village programme and the establishment of a legal framework on childcare, including efforts to adopt the Childcare Bill, and drawing the State Party's attention to the Guidelines for the Alternative Care of Children, the Committee recommends that the State Party:

(a) **Promote social protection programmes to respond to families in situations of extreme socioeconomic vulnerability and to provide targeted support and access to social assistance to avoid family separation and the institutionalization of children for economic reasons;**

(b) **Monitor closely the quality of care in residential care institutions, including by verifying whether it adheres to minimum norms and standards, conduct regular and substantive reviews of placements in care, with a view to facilitating the**

reintegration of children into their families and communities whenever possible, and enable the reporting, monitoring, remedying and effective prosecution of the maltreatment of children;

(c) Ensure sufficient alternative family- and community-based care options for children who cannot stay with their families, including by allocating sufficient financial resources for foster care and regularly reviewing placement measures;

(d) Strengthen the capacity of professionals working with families and children, in particular family judges, law enforcement personnel, social workers and service providers, to ensure family-based alternative care responses and to enhance their awareness of alternative family- and community-based care options and of the rights and needs of children deprived of a family environment.

#### **Adoption**

28. The Committee recommends that the State Party:

(a) Ensure that the best interests of the child are the paramount consideration in the adoption and *kafala* procedures for children of all ages;

(b) Ratify the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and ensure that all safeguards provided in the said Convention are met when children are adopted to countries that are not parties to the Convention.

#### **F. Children with disabilities (art. 23)**

29. The Committee welcomes the adoption of the Disability Law (2016) and the master plan for persons with disabilities. Nevertheless, it remains concerned about:

(a) The insufficient implementation of the legislation concerning children with disabilities and lack of coordination among the sectors and agencies with the mandate to implement it;

(b) Persistent shortcomings in the collection and availability of data and statistics on persons with disabilities, including the lack of disaggregated data, consistent methodology and uniform interpretation across all levels of government;

(c) Despite the ban on the practice of *pasung* since 1977, it continues to be used by families, communities and both government- and privately run institutions;

(d) Increased institutionalization of children with disabilities;

(e) Persistent discrimination against and stigmatization of children with disabilities;

(f) Disproportionately higher rates of stunting and wasting and overall poverty among children with disabilities compared to their peers without disabilities and the disproportionate economic burden on households with children with disabilities exacerbating their vulnerability.

30. Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State Party to continue its efforts to adopt a human rights-based approach to disability and:

(a) To ensure the effective implementation of legislation related to the rights of children with disabilities by translating its provisions into concrete policies and programmes at all levels of government, including the National Development Plan 2025–2029 and ensure inter-agency coordination;

(b) To strengthen data-collection systems on persons with disabilities, including children, by adopting a standardized, rights-based methodology in line with international norms, including by using the United Nations Children's Fund



(UNICEF)/Washington Group Modules on Child Functioning to collect accurate, comparable and representative data on children with disabilities;

(c) To take urgent and comprehensive measures to fully eradicate the practice of *pasung*, including through strict enforcement of the existing ban, nationwide awareness-raising campaigns and appropriate rehabilitation, redress and reintegration of the victims of this practice;

(d) To provide home-based professional support and the modifications necessary to home infrastructure to enable children with disabilities to live with their families, with a view to eliminating the practice of institutionalization;

(e) To undertake awareness-raising campaigns aimed at government officials, the public and families to combat the stigmatization of and prejudice against children with disabilities and promote a positive image of children with disabilities as rights holders;

(f) To ensure that its national nutrition, poverty reduction and social protection system is disability-responsive for children with disabilities and can address their specific vulnerabilities, risks and inequalities.

## **G. Health (arts. 6, 24 and 33)**

### **Health and health services**

31. The Committee remains concerned that, despite national progress in reducing infant, neonatal, under-5 and maternal mortality rates, significant regional disparities persist, particularly affecting Papua province where the under-5 mortality rate remains alarmingly high at 38.17 deaths per 1,000 live births and maternal mortality stands at 565 deaths per 100,000 live births, highlighting unequal access to good-quality healthcare services.

32. Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State Party take urgent and targeted measures to address regional disparities in child and maternal health outcomes, particularly in Papua province, including by increasing investments in health infrastructure, ensuring the availability and retention of qualified health professionals and expanding access to good-quality maternal, neonatal and child healthcare services in underserved and remote areas.

### **Nutrition**

33. While welcoming Presidential Regulation No. 72/2021 implementing a comprehensive and integrated package of interventions to address stunting and the Free Nutritious Meals Programme, the Committee recommends that the State Party:

(a) Take urgent measures to address the high levels of wasting in the eastern provinces of the State Party, including in Maluku and East Nusa Tenggara, including by promoting proper infant- and young child-feeding practices, providing micronutrient supplements to all children and pregnant women and raising public awareness of good nutrition and the benefits of exclusive breastfeeding;

(b) Strengthen measures to promote exclusive breastfeeding and implement the International Code of Marketing of Breast-milk Substitutes;

(c) Urgently address the rising prevalence of excess weight and obesity among school-age children and adolescents by implementing regulations on the sale of processed and ultra-processed foods, including with front-of-package labelling and regulation of the marketing of unhealthy food to children.

**Adolescent health**

34. The Committee is seriously concerned about:

(a) The high rate of early pregnancy, which remains among the highest in South-East Asia;

(b) The criminalization of abortion, except in cases of rape and threat to the life of the mother;

(c) Legislation, such as Law No. 52/2009, that continues to restrict contraceptive and family planning services to married couples, limiting access for unmarried adolescents and the prevalence of cultural norms that stigmatize discussions around sexuality, further hindering adolescents from seeking sexual and reproductive information and health services.

35. **Recalling its general comments No. 4 (2003) on adolescent health and development in the context of the Convention and No. 20 (2016) on the implementation of the rights of the child during adolescence, and its previous recommendations,<sup>7</sup> the Committee urges the State Party:**

(a) **To strengthen measures to address the high rate of early pregnancy and ensure that adolescents, including those who are out of school and those in rural areas, have access to age-appropriate sexual and reproductive services, including access to free contraceptives;**

(b) **To decriminalize abortion in all circumstances and ensure access to safe abortion and post-abortion care services for adolescent girls, making sure that their views are always heard and given due consideration as a part of the decision-making process;**

(c) **To adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescents, with special attention given to preventing early pregnancy and sexually transmitted infections.**

**Drug and other substance abuse**

36. **The Committee recommends that the State Party strengthen its awareness-raising activities to prevent substance abuse by children and adolescents, including of alcohol and tobacco, and develop specialized, child-friendly drug-dependence treatment services for children and adolescents.**

**H. Standard of living (arts. 18 (3), 26 and 27 (1)–(3))**

37. While noting the adoption of the national roadmaps on safely managed sanitation and safely managed drinking water, the Committee remains deeply concerned about the persistent disparities in the standard of living between children in eastern and western Indonesia, including in Papua and East Nusa Tenggara provinces, as eastern Indonesia has the highest rate of child poverty in the State Party. The Committee urges the State Party:

(a) **To urgently address the persistent disparities in the standard of living affecting children in eastern Indonesia, including in Papua and the East Nusa Tenggara provinces, by adopting and implementing targeted strategies tailored to the region's specific challenges, with particular focus on reducing child poverty and expanding access to essential services, such as birth registration, healthcare, nutrition and education;**

(b) **Ensure that all provinces in eastern Indonesia, especially Papua, have functional child-focused social protection programmes, such as the subnational**

<sup>7</sup> CRC/C/IDN/CO/3-4, para. 50.

technical implementation units for the protection of women and children, supported by sufficient human, financial and technical resources to ensure their effective operation.

## **I. Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)**

38. The Committee remains deeply concerned about the negative effects of environmental deterioration on children's health and the lack of child-sensitive climate policies and disaster risk management plans. Recalling its general comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change, the Committee recommends that the State Party:

- (a) Ensure that the national climate change policy and national disaster management and contingency plans and other policies and programmes addressing environmental protection, climate change and disaster risk management are informed by child rights impact assessments, taking into account the principles of the Convention and the needs and views of children, including by consulting children on assessments and in policy development;
- (b) Strengthen climate change mitigation and adaptation measures for floods, droughts, desertification and land degradation, in particular in relation to children's access to food, water, shelter and sanitation services, to reduce the risk of hazards related to climate change affecting children's rights;
- (c) Collect disaggregated data to identify the risks faced by children from a variety of disasters to formulate relevant national policies, frameworks and agreements;
- (d) Increase children's awareness of and preparedness for climate change and natural disasters by incorporating climate change into the school curriculum and teacher training programmes and by disseminating the Committee's general comment No. 26 (2023).

## **J. Education, leisure, and cultural activities (arts. 28–31)**

### **Aims and coverage of education**

39. While welcoming the steps taken by the State Party to improve access to education, including the constitutional guarantee of allocating a minimum of 20 per cent of the national budget to education, the Committee recommends that the State Party:

- (a) Ensure that all children complete free, equitable and quality pre-primary, primary and secondary education leading to relevant and effective learning outcomes, including by maintaining and strengthening programmes aimed at increasing enrolment and preventing dropout;
- (b) Implement early warning systems to detect children and adolescents who are out of school or at risk of dropping out and ensure that all schools have gender-sensitive strategies for school retention and reintegration, particularly for adolescent mothers, pregnant adolescents and adolescent victims of child marriages;
- (c) Significantly increase public investment in early childhood education to align with international financing benchmarks and ensure equitable access across all regions, particularly in eastern provinces, such as Papua;
- (d) Strengthen the quality of education, including by reforming its school curricula, ensuring the availability of qualified teachers, providing high-quality pre-service and in-service training and ensuring that schools are fully and safely accessible to all and equipped with adequate infrastructure and educational technologies;
- (e) Continue strengthening measures to bridge the digital divide in education by ensuring equitable access to electricity, Internet connectivity, and digital learning

resources for all children, particularly those in remote and underserved areas and strengthen coordination and capacity-building for *madrasah* educators and administrators, especially in privately managed institutions, to effectively implement digital learning strategies;

(f) Ensure the integration of human rights education and the principles of the Convention into the mandatory school curriculum in primary, secondary and higher education and vocational training and into the training of teachers and other education professionals;

(g) Ensure quality and relevance of the curriculum offered in *Salafiyah pesantren*, particularly those in poor communities, and equip students with marketable skills.

#### Inclusive education

40. The Committee recommends that the State Party accelerate the implementation of inclusive education and ensure that all children with disabilities have access to it in mainstream schools and that schools are equipped with trained teachers, accessible infrastructure and teaching materials adapted to the needs of children with disabilities.

### K. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40 of the Convention, and the Optional Protocol on the involvement of children in armed conflict)

#### Asylum-seeking and refugee children

41. While welcoming the fact that the State Party hosts large numbers of refugees, particularly Rohingya women and children, and has an open collaboration with the Office of the United Nations High Commissioner for Refugees in this regard, the Committee recalling joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration, the Committee recommends that the State Party:

(a) Review and update Presidential Regulation No. 125/2016 on the Handling of Refugees from Abroad to align it with international standards;

(b) Strengthen the national refugee protection framework by reinforcing the mandate and capacity of the National Refugee Task Force and establishing local-level refugee task forces, particularly in high-arrival areas such as Aceh;

(c) Fully integrate child protection measures into all aspects of refugee response, ensuring that policies, programmes and services consistently uphold the best interests of the child, including by providing access to education, healthcare, safe shelter and legal identity, while ensuring protection from trafficking, exploitation and gender-based violence;

(d) Ratify the Convention Relating to the Status of Refugees and the Protocol thereto.

#### Economic exploitation, including child labour

42. The Committee remains concerned about reports of significant numbers of children, including some below the age of 15 years, engaged in child labour in agricultural and domestic work. The Committee recommends that the State Party:

(a) Ensure the effective implementation of existing laws, including those prohibiting the economic exploitation of children, including child labour, by strengthening labour inspectorates and establishing mechanisms for reporting child labour;

(b) Adopt specific measures to tackle child labour in the agricultural and domestic work sectors, including by ratifying the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization (ILO);

(c) Strengthen its efforts to ensure that no child engages in hazardous work and raise public awareness about child labour, its exploitative character and its consequences;

(d) Seek technical assistance from the International Programme on the Elimination of Child Labour of ILO in that regard.

#### **Trafficking**

43. While welcoming the adoption of the Presidential Regulation No. 19 of 2023 on the National Action Plan for the Prevention and Handling of Human Trafficking Crimes 2020–2024, the Committee recommends that the State Party:

(a) Renew the National Action Plan and allocate sufficient resources for its implementation;

(b) Continue enforcing the national referral mechanism for victims of trafficking in persons and protect children, in particular girls, from transactional marriages and trafficking for the purposes of begging, forced labour, including domestic servitude, sexual exploitation and organ harvesting;

(c) Investigate all cases of trafficking of children and bring perpetrators to justice in a timely manner;

(d) Conduct awareness-raising activities in order to make the public, including parents and children, aware of the dangers of trafficking.

#### **Administration of child justice**

44. Recalling its general comment No. 24 (2019) on children's rights in the child justice system, the Committee urges the State Party to bring its child justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State Party:

(a) To raise the age at which children can be held criminally responsible to at least 14 years of age;

(b) In the meantime, to ensure full compliance with the minimum age of criminal responsibility as established by law by strictly prohibiting the detention and prosecution of children under the age of 12;

(c) To strengthen its child justice system, including by providing adequate human, technical and financial resources to specialized child court facilities and procedures, increasing the number of specialized judges for children and ensuring that such specialized judges receive appropriate training;

(d) To ensure the provision of free and specialized legal aid to children alleged as, accused of or recognized as having infringed criminal law at an early stage of the procedure and throughout the legal proceedings;

(e) To further promote non-judicial measures, such as diversion and mediation, for children alleged as, accused of or recognized as having infringed criminal law and, wherever possible, the use of non-custodial sentences for children, such as probation or community service, and ensure that health and psychosocial services are provided to such children;

(f) To ensure that detention is used as a measure of last resort and for the shortest appropriate period of time and is reviewed on a regular basis with a view to the release of the child;

(g) To ensure, for the few situations where deprivation of liberty is justified as a measure of last resort, that children are not detained together with adults and that

detention conditions comply with international standards, including with regard to access to education and health services.

## **L. Ratification of the Optional Protocols to the Convention**

45. The Committee strongly recommends that the State Party ratify the Optional Protocol to the Convention on a communications procedure.

46. The Committee urges the State Party to fulfil its reporting obligations under the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, given that the relevant reports have been overdue since 24 September 2014.

## **M. Ratification of international human rights instruments**

47. The Committee recommends that the State Party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following human rights instruments:

(a) International Convention for the Protection of All Persons from Enforced Disappearance;

(b) Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(c) Optional Protocol to the International Covenant on Civil and Political Rights;

(d) Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

(e) Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;

(f) Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

## **N. Cooperation with regional bodies**

48. The Committee recommends that the State Party continue to cooperate with, among others, the Association of Southeast Asian Nations Commission on the Promotion and Protection of the Rights of Women and Children.

# **IV. Implementation and reporting**

## **A. Follow-up and dissemination**

49. The Committee recommends that the State Party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

## **B. National mechanism for reporting and follow-up**

50. The Committee recommends that the State Party establish a standing government structure and ensure that it has the mandate and adequate human,

technical and financial resources to coordinate and engage with, and prepare reports to, international and regional human rights mechanisms and to coordinate and track national follow-up to, and the implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms effectively. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the National Commission on Human Rights of Indonesia and civil society.

### C. Next report

51. The Committee will establish and communicate the due date of the combined seventh and eighth periodic reports of the State Party in due course, in line with the envisaged predictable reporting calendar and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State Party. The reports should be in compliance with the Committee's harmonized treaty-specific reporting guidelines<sup>8</sup> and should not exceed 21,200 words.<sup>9</sup> In the event that reports exceeding the established word limit are submitted, the State Party will be asked to shorten the reports. If the State Party is not in a position to review and resubmit the reports, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

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<sup>8</sup> [CRC/C/58/Rev.3](#).

<sup>9</sup> General Assembly resolution 68/268, para. 16.