

ABSTRACT

In 1967, United Nations issued the Declaration on the Elimination of Discrimination Against Women. The declaration of the rights and obligations of women under conditions of equality with men had instructed the women to take necessary steps to ensure the implementation of the declaration. Indonesia ratified CEDAW on July 24th, 1984 into Law of Republic of Indonesia Number 7 of 1984 and in 2004 it regulated the Law Number 23 of 2004 on the Elimination of Domestic Violence (UU PKDRT). The purposes are to prevent all forms of domestic violence, protect victims of domestic violence, take action against perpetrators of domestic violence, and maintain the integrity of households in harmonious and prosperous manner. The objectives of this undergraduate thesis are to understand and analyze effectiveness of CEDAW and Law Number 23 of 2004. The type of this research is a normative legal research. It is done by using a qualitative descriptive method. The aims of the research are to present how CEDAW and Law Number 23 of 2004 protect women from domestic violence. The results show that CEDAW and UUPKDRT that regulate the protection women as victims of domestic violence had not been maximized in protecting women because of imbalance between the rules CEDAW and UUPKDRT and lack of gender understanding adds imperfection provisions made to protect women as victims of domestic violence. There were several factors that influence CEDAW. These factors affect the rule of law, officers or law enforcement, advice and facilities, public awareness. It can be interpreted that the effort to eliminate domestic violence is an effort that involves many parties and requires consistent law enforcement. It needs to review more gender-sensitive UUPKDRT such as criminalization of an act, the nature of crime complaints on criminal acts, the inclusion of minimum and maximum limits and nature of alternative and/or accumulative. It is suggested to the community, especially the women, to be more courageous in reporting cases if they experience an act of violence.

Keywords: CEDAW, Law Number 23 of 2004, Domestic Violence, Victims, Women.