

REGULATION OF THE MUNICIPALITY OF SURAKARTA
NUMBER 2 OF 2022
ON
GENDER MAINSTREAMING

BY THE BLESSINGS OF ALMIGHTY GOD,

MAYOR OF SURAKARTA,

Considering : a. that gender mainstreaming is an embodiment of just and civilized human values that guarantees equality of human rights through gender equality in various aspects of life;
b. that gender mainstreaming in Surakarta Municipality aims to integrate gender in the administration of regional governance and ensure equal opportunities for every community in obtaining quality of life in the economic, social, cultural, political, and legal fields to achieve equitable distribution of community welfare;
c. that gender mainstreaming does not yet have clear arrangements to be implemented in every region, in this case in Surakarta Municipality, thus requiring a complete arrangement in regional legislation as an elaboration of higher legislation;
d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to issue a Regional Regulation on Gender Mainstreaming;

Observing : 1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia.
2. Law Number 16 of 1950 on Establishment of Large City Regions within the Province of East Java, Central Java, West Java, and the Special Region of Yogyakarta (State Bulletin of the Republic of Indonesia of 1950 Number 45);
3. Law Number 39 of 1999 on Human Rights (State Gazette of the Republic of Indonesia of 1999 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number 3886);

4. Law Number 23 of 2014 on Local Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as frequently amended and last by Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573);

With the Joint Approval of
THE REGIONAL HOUSE OF REPRESENTATIVES and
MAYOR OF THE OF MUNICIPALITY OF

HAS DECIDED:

To Issue : REGIONAL REGULATION ON GENDER MAINSTREAMING.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means Surakarta City.
2. Regional Government means the Mayor as the administering element of the Regional Government who leads the implementation of the governance affairs which becomes the authority of the autonomous region.
3. Mayor means Mayor of Surakarta.
4. Local Government Department means the assisting element of the Mayor and the Regional House of Representatives in administering the Governance Affairs which has become the authority of the region.
5. Gender means a concept that refers to the roles differences, functions, and responsibilities of men and women that occur as a result of and can be changed by social and cultural conditions of society.
6. Gender Mainstreaming in the regions, hereinafter referred to as Pengarusutamaan Gender/PUG, means a strategy built to integrate gender into an integral dimension of planning, preparation, implementation, monitoring, and evaluation of regional program policies and development activities.
7. Gender Justice means a process to be just to men and women.
8. Regional Medium-Term Development Plan, hereinafter referred to as Rencana Pembangunan Jangka Menengah Daerah /RPJMD, means a regional planning document for 5 (five) years.
9. Regional Annual Development Plan, hereinafter referred to as Regional Government Work Plan, hereinafter referred to as Rencana Kerja Pemerintah Daerah/RKPD, means a regional planning document for 1 (one) year.
10. Local Government Department Strategic Plan, hereinafter

referred to as Local Government Department Renstra, means a Local Government Department planning document for 5 (five) years.

11. Local Government Department Work Plan, hereinafter referred to as Local Government Department Renja, means a Local Government Department planning document for 1 (one) year.
12. Gender Budget Statement, hereinafter referred to as GBS, means a document that informs that an activity output has been gender-responsive to existing gender issues and/or a cost has been allocated to the activity output to address the issue of gender inequality.
13. Gender Responsive Budgeting Planning, hereinafter referred to as Perencanaan Penganggaran Responsif Gender/PPRG, means an instrument to overcome differences or gaps in access, participation, control, and development benefits for men and women to realize a more equitable budget.
14. Gender Mainstreaming Working Group, hereinafter referred to as Kelompok Kerja Pengarustamaan Gender/Pokja PUG, means a consultation forum for implementers and drivers of gender mainstreaming from various agencies/institutions in the regions.
15. PUG Drive Team means a Local Government Department that can drive and assist in the implementation of Gender Mainstreaming.
16. PUG Focal Point means the Local Government Department that can carry out gender mainstreaming in their respective work units.
17. Regional Action Plan for Gender Mainstreaming, hereinafter referred to as Rencana Aksi Daerah Pengarusutamaan Gender/RAD PUG, means a reference/direction to every stakeholder in implementing the PUG strategy to achieve gender equality and justice in a more focused, efficient, effective, systematic, measurable, and sustainable manner to encourage the acceleration of the formulation of gender-responsive program policies and development activities so that the Regional Government optimally supports the smooth planning of implementation, and monitoring of the evaluation of gender mainstreaming in development towards the realization of gender equality and justice.

CHAPTER II RESPONSIBILITIES, DUTIES, AND AUTHORITY

Article 2

Local Government is responsible for implementing PUG in the Regions.

Article 3

Regional Government in implementing PUG, as referred to in Article 2, is assigned to implement:

- a. Strengthening of PUG institutions;
- b. PPRG;
- c. PUG; and

- d. PUG reporting, monitoring, and evaluation.

Article 4

Local Government, in carrying out the tasks as referred to in Article 3, has the authority to:

- a. establish a PUG Work Group following the provisions of legislation;
- b. determine the PUG policy in the Regions as the implementation of the national PUG policy and the Central Java Provincial Government PUG policy;
- c. stipulate strategies and guidelines for the implementation of PUG in the Regions; and
- d. take action and make decisions in implementing, reporting, monitoring, and evaluating PUG in the Regions.

CHAPTER III INSTITUTIONAL STRENGTHENING

Article 5

PUG Institutions in the Regions consist of:

- a. PUG Working Group;
- b. PUG Technical Team;
- c. PUG Drive Team; and
- d. PUG Focal Points.

Article 6

The strengthening of PUG institutions in the Regions as referred to in Article 5 is carried out by:

- a. establishment and capacity building of PUG Pokja;
- b. formation and capacity building of the PUG Drive Team; and
- c. selection, enactment, and capacity building of PUG Focal Points in each Regional Apparatus.

Article 7

- (1) The establishment of the PUG Pokja, as referred to in Article 5 point a, is carried out following the provisions of legislation.
- (2) The capacity building of the PUG Pokja, as referred to in Article 5 point a, is carried out through training, consultation, advocacy and coordination with the aim of:
 - a. increased knowledge about PUG;
 - b. commitment strengthening;
 - c. formation of a technical team capable of carrying out budget analysis;
 - d. optimization of the duties and authorities of each member of the PUG Pokja; and
 - e. establishment of the PUG Pokja Secretariat.

Article 8

- (1) The PUG Technical Team, as referred to in Article 5 point b, is assigned to:
 - a. review and conduct gender analysis of regional development planning;

- b. review and analyze local budgets;
 - c. conduct gender mainstreaming advocacy;
 - d. prepare a draft policy for the implementation of PUG;
 - e. prepare the implementation of the PUG strategy in each Local Government Department;
 - f. carry out monitoring and evaluation of PUG implementation; and
 - g. prepare PUG work group reporting materials.
- (2) The technical team as referred to in paragraph (1), consists of personnel carrying out planning tasks in each Local Government Department and work unit.
 - (3) In carrying out the tasks as referred to in section (1), the technical team is responsible to the PUG Pokja.

Article 9

- (1) The Mayor determines the formation of the PUG Drive Team, as referred to in Article 5 point c.
- (2) The capacity building of the PUG Drive Team, as referred to in Article 5 point c, is carried out through training, consultation, advocacy and coordination with the aim of:
 - a. increased knowledge about PUG;
 - b. commitment strengthening; and
 - c. optimization of the duties and authorities of each member of the PUG Drive Team.
- (3) The PUG Drive Team, as referred to in section (2), consists of Local Government Department work unit that is in charge of:
 - a. the planning support affairs;
 - b. the element of the staff of the Mayor in the organizational affairs;
 - c. the government affairs in communication and informatics;
 - d. the government affairs in empowerment of women and children protection;
 - e. the supporting financial management affairs; and
 - f. the supporting supervisory affairs.

Article 10

- (1) The selection and enactment of PUG Focal Points, as referred to in Article 5 point d, is carried out in each Local Government Department following the provisions of legislation.
- (2) The selection and enactment of PUG Focal Points, as referred to in section (1), consider the fulfillment of capabilities and understanding of PUG.
- (3) Each Regional Apparatus is responsible for increasing the capacity of the PUG Focal Point.

Article 11

Further provisions regarding the strengthening of PUG institutions are regulated in a Mayor Regulation.

CHAPTER IV PPRG

Part One General

Article 12

- (1) PPRG is executed in regional development planning and budgeting stage.
- (2) Regional development planning as referred to in section (1) is executed in the regional development planning system in accordance with the provision of legislation.
- (3) Budgeting as referred to in section (1) is executed in the mechanism of regional financial management in accordance with the provisions of legislation.

Part Two PUG Planning

Article 13

Regional Government stipulate gender-responsive policies, programs, activities, and sub-activities in:

- a. RPJMD;
- b. Regional Apparatus Renstra; and
- c. Regional Apparatus Renja.

Article 14

Each gender-responsive policy, program, activity and sub-activity in RPJMD, Regional Apparatus Renstra, and Regional Apparatus Renja as referred to in Article 13 point a, point b, and point c may cooperate with higher education institutions or other parties capable in their fields.

Article 15

Each gender-responsive program, activity, and sub-activity in Regional Apparatus Renja as referred to in Article 13 point c must go through a gender analysis by each Regional Apparatus.

Article 16

Each gender-responsive program, activity, and sub-activity based on gender analysis must set out in GBS.

Part Three Budgeting

Article 17

Budgeting is executed by including the budgeting of gender-responsive program, activity, and sub-activity stipulated by RPJMD, Regional Apparatus Renstra and Regional Apparatus Renja are included into General Budget Policy and Temporary Budget Ceiling Priority, Work Plan Budget, and Budget Execution Document.

Article 18

Further provisions on PPRG are regulated by Mayor Regulations.

CHAPTER V
PUG IMPLEMENTATION

Article 19

- (1) For accelerating the implementation of PUG in the region, the PUG Pokja composes RAD PUG.
- (2) RAD PUG as referred to in section (1) is a document guiding the PUG implementation in the Regions.
- (3) The scope of RAD PUG as referred to in section (2) encompasses:
 - a. PUG in regional legislation;
 - b. PUG in regional development cycles;
 - c. the strengthening of PUG regional institutions, and
 - d. the strengthening of public participation in the regions.

Article 20

Further provisions on PUG implementation are regulated by Mayor Regulations.

CHAPTER VI
REPORTING, MONITORING, AND EVALUATION

Article 21

- (1) The chief of the PUG Pokja reports PUG implementation to the Mayor.
- (2) The Mayor reports PUG implementation in the regions to the Governor periodically in accordance with the provisions of the legislation.
- (3) Further provisions on reporting mechanisms are regulated by Mayor Regulations.

Article 22

- (1) The Mayor carries out monitoring and evaluation of PUG implementation.
- (2) Monitoring and evaluation as referred to in section (1) are carried out by each Local Government Department.
- (3) Monitoring and evaluation of PUG implementation are carried out prior to the preparation of program or activity in the following year.
- (4) Local Government Department in charge of government affairs for the regional development plan evaluates PUG implementation based on RPJMD, Renstra, and Renja of Regional Apparatus.
- (5) The evaluation may be carried out in cooperation with higher education, the center for women's studies, or non-governmental organization.
- (6) The evaluation result of PUG implementation is submitted as the input in preparing the policy, program, and activity in the following year.

CHAPTER VII PUBLIC PARTICIPATION AND APPRECIATION

Article 23

Each individual, group, community organization, higher education, private sector, non-governmental organization, and media may participate in PUG implementation.

Article 24

- (1) Local Government may appreciate each individual, group, community organization, higher education, private sector, non-governmental organization, Regional Apparatus, and media actively participating in PUG.
- (2) Further provisions on appreciation as referred to in section (1) are regulated by Mayor Regulations.

CHAPTER VIII GUIDANCE AND MONITORING

Article 25

- (1) The Mayor provides guidance on PUG implementation including:
 - a. the enactment of technical guidelines on PUG implementation in the municipality, sub-district, and urban levels;
 - b. the strengthening of institutional capacity through training, consultation, advocacy, and coordination;
 - c. the monitoring and evaluation on PUG implementation in urban and Regional Apparatus;
 - d. capacity building of PUG Focal Point and PUG Pokja; and
 - e. the performance achievement strategy.
- (2) The Mayor may delegate the guidance authority as referred to in section (1) to the designated Official.

Article 26

- (1) The Mayor monitors PUG implementation.
- (2) Monitoring as referred to in section (1) is technically carried out by the Regional Apparatus in charge of government affairs in monitoring.
- (3) Monitoring as referred to in section (2) is carried out in accordance with standardized norms for procedure and criteria stipulated by the government.

CHAPTER IX BUDGETING

Article 27

- (1) Budgeting of PUG programs, activities, and sub-activities is sourced from the Local Budget.
- (2) In addition to the funding for the implementation of PUG programs, activities, and sub-activities as referred to in section (1), the Local Government may be granted the funding for PUG implementation from the Local Budget of Central Java Province and/or other legitimate sources of

funds in accordance with the provisions of the legislation.

Article 28

The funding for the implementation of PUG programs, activities, sub-activities is sourced from Local Budget as referred to in Article 27 section (1) budgeted for the Regional Apparatus.

CHAPTER X
CLOSING PROVISIONS

Article 29

At the time when this Regional Regulations comes into force, the implementation rules regulating PUG are declared to remain in effect insofar to the extent not contrary to the provisions of this Regional Regulations.

Article 30

The implementation rules of the Regional Regulations are stipulated in maximum 1 (one) year commencing from the Regional Regulations on the date of its promulgation.

Article 31

This Regional Regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Regional Regulations by its placement in Regional Gazette of Surakarta Municipality.

Issued in Surakarta
on 9 May 2021

MAYOR OF SURAKARTA,

signed

GIBRAN RAKABUMING RAKA

Promulgated in Surakarta
on 9 May 2021

REGIONAL SECRETARY
OF SURAKARTA MUNICIPALITY,

signed

AHYANI

REGIONAL GAZETTE OF SURAKARTA MUNICIPALITY OF 2022 NUMBER 2

Jakarta, 10 July 2023
Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,



ELUCIDATION
OF
REGULATION OF SURAKARTA MUNICIPALITY
NUMBER 2 OF 2022
ON
GENDER MAINSTREAMING

I. GENERAL

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is the convention to abolish all forms of discrimination against women adopted by the United Nations in 1979 and comes into force on 3 December 1981, ratified by the Government by enacting Law Number 7 of 1984 on Legislation of Convention on the Elimination of All Forms of Discrimination against Women. The convention becomes the milestone of gender-responsive development that is expanding and followed up into any forms of policy by the Indonesian government.

The implementation of Gender Mainstreaming is underlain by the following values:

- a. respect for the human rights, means safeguarding the safety of human existence altogether through balancing act, balance between rights and duties, as well as personal interest and public interest;
- b. justice, is a just process and treatment of women and men with no role standardization, double standards, subordination, marginalization, and violence against women and men;
- c. participation, is the ability to have the opportunity and chance to make use of resources and authorization for deciding the use and result of resources;
- d. equality, is the equal condition between men and women to obtain the opportunities and rights as human being to have the role and participate in political, legal, economic, cultural and social, educational, and national defense and security activities, as well as the equality to have the benefit of development results, including the elimination of discrimination and structural injustice against both men and women;
- e. inclusion, is the process focusing on and responding to the diverse needs of women, men, children, and other marginalized groups, so they can access, participate, control, and have the benefit of regional development results;
- f. mainstreaming, is focused and received broadly;
- g. non-discrimination, means to respect equality without discrimination regardless the religion, race, ethnicity, tribe, skin color, social status, affiliation or ideology, and others.

Presidential Instruction Number 9 of 2000 on Gender Mainstreaming in National Development becomes the milestone to strengthen the achievement of gender equality and justice. A follow-up was implemented to the Minister of Home Affairs Regulation Number 15 of 2008 on the General Guideline for the Implementation of Gender Mainstreaming in the Regions as amended by the Minister of Home Affairs Regulation Number 67 of 2011 on the Amendment to the Minister of Home Affairs Regulation Number 15 of 2008 on the General Guideline for the Implementation of Gender Mainstreaming in the Regions. Besides, various higher gender-responsive policies have been formulated, for instance, National Development Program, Program Pembangunan Nasional/(PROPENAS), National Long-Term Development Plan, Rencana Pembangunan Jangka Panjang Nasional/(RPJPN), and National Medium-Term Development Plan, Rencana Pembangunan Jangka Menengah Nasional/(RPJMN) leading to the realization of Gender Equality and Justice.

It is followed up by the local government, as referred to in Law Number 23 of 2014 on Local Government in some articles, namely Article 262 which reads Regional Development Plan as referred to in Article 260 section (2) is formulated to be transparent, responsive, efficient, effective, accountable, participative, measured, fair, and environmentally friendly. The explanation in article by article, for what is meant by justice, is the balance principle among the regions, sectors, incomes, genders, and ages.

The importance of PUG in regional development is explicitly stated in the attachment of Law Number 23 of 2014 on Local Government, which requires government administrators both government and local governments to carry out mandatory concurrent affairs, namely empowerment of women and child protection.

The objectives of the application and implementation of PUG in development processes are as follows:

- a. providing a reference for local government in formulating strategies for integrating gender in planning, budgeting, monitoring, and evaluation of policies, programs, and development activities in the regions;
- b. providing a reference for local government, private sector, and community in realizing gender-responsive budgeting planning through integrating experiences, aspirations, potential needs, and problem solving for men and women;
- c. realizing gender-responsive local budget management; and
- d. realizing gender equality and justice in family, nation, and state in the positions, roles, and responsibilities of men and women as human beings and development resources.

Various facts that must be admitted in Surakarta Municipality show that many gender and children inequalities still exist. The implementation of PUG has not been optimal as a result of the Regional Apparatus are not being optimal in solving gender issues in an integrated manner.

To provide a legal basis to accelerate the achievement of gender equality and justice, the Government of Surakarta Municipality needs to issue a Regional Regulation that will become the basis for the implementation of PUG in the administration of gender-responsive governance, development, and community services.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7
Sufficiently clear.

Article 8
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Article 9
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Article 10
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Article 12
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Article 27
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Article 28
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Article 29
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Article 30
Sufficiently clear.

Article 31
Sufficiently clear.

SUPPLEMENT TO REGIONAL GAZETTE OF THE MUNICIPALITY OF
SURAKARTA NUMBER 122