Strengthening Legal Protection for Women and Children Victims of Social Conflict Based on Presidential Regulation Number 18 of 2014 Concerning the Protection and Empowerment of Women and Children in Social Conflict

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Abstract

Women and children are among the groups most vulnerable to violence, displacement, and the loss of basic protection whenever social conflict occurs in Indonesia. To respond to this vulnerability, the Government enacted Presidential Regulation Number 18 of 2014 on the Protection and Empowerment of Women and Children in Social Conflict as an implementing regulation of Law Number 7 of 2012 on the Handling of Social Conflict. This study aims to examine the strength of the legal protection framework provided by this Presidential Regulation and to identify the obstacles that hinder its implementation in the field. The method used is normative juridical research with a statute approach and a conceptual approach, supported by primary and secondary legal materials analyzed qualitatively-descriptively. The results show that Presidential Regulation Number 18 of 2014 has established a fairly comprehensive normative framework, covering prevention, service provision, special protection, and the empowerment of women and children through economic strengthening and involvement in peacebuilding. However, its implementation still faces obstacles in the form of weak coordination between the Central Coordination Team and regional working groups, limited special budget allocation, minimal data on victims in conflict areas, and the absence of firm sanctions for non-compliant agencies. This study concludes that the legal protection of women and children in social conflict needs to be strengthened through harmonization of implementing regulations, strengthening of the National Action Plan (RAN P3AKS), increased institutional capacity at the regional level, and active community participation.

Keywords:legal protection; women and children; social conflict; Presidential Regulation Number 18 of 2014.

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Introduction

Indonesia is a country with a very high level of ethnic, religious, racial, and intergroup diversity. While this diversity is a national asset, it also has the potential to cause social friction that can lead to conflict. Social conflicts occurring in various regions, both horizontal between citizens and vertical between citizens and the state, consistently result in loss of life, property damage, and profound psychological trauma. In such situations, women and children are the groups most vulnerable to the negative impacts of conflict, ranging from physical and sexual violence, loss of housing, disruption of access to education and healthcare, to a loss of security in daily life.

The vulnerability of women and children in social conflict encourages the state to provide adequate legal protection. Law Number 7 of 2012 concerning the Management of Social Conflict serves as the primary legal basis mandating the central and regional governments to rescue, protect, rehabilitate, and fulfill the basic and specific needs of women and children in handling social conflict. As an implementing regulation for this mandate, the government issued Presidential Regulation Number 18 of 2014 concerning the Protection and Empowerment of Women and Children in Social Conflict. This regulation specifically regulates forms of prevention, service provision, special protection, and empowerment for women and children victims of social conflict, and establishes a coordination mechanism starting from the central, provincial, and district/city levels.

Although the legal framework is quite comprehensive in normative terms, in practice, the implementation of protection for women and children victims of social conflict in various regions still faces a number of obstacles. These obstacles include weak inter-agency coordination, a lack of accurate victim data, budget constraints, poor understanding of this regulation by officials and the public, and the absence of firm sanctions for ministries/agencies or local governments that fail to fulfill their obligations. This situation creates a gap between the ideal legal norms and the actual protection received by women and children victims of conflict on the ground.

Based on the description, this paper discusses two main issues, namely: (1) what form of strengthening legal protection for women and children victims of social conflict based on Presidential Regulation Number 18 of 2014; and (2) what obstacles are faced in implementing the regulation and how to strengthen it. This study is expected to contribute ideas for improving policies on the protection of women and children in social conflict in Indonesia.

Literature Review

The concept of legal protection, according to Philipus M. Hadjon, can be interpreted as the protection of human dignity and respect, as well as the recognition of human rights held by legal subjects based on applicable legal provisions, both preventive and repressive. Preventive protection is provided through regulations that prevent violations from occurring, while repressive protection is provided through law enforcement when violations have occurred. This theoretical framework is relevant to see the extent to which Presidential Regulation Number 18 of 2014 accommodates both dimensions of protection for women and children in social conflict.

Law Number 7 of 2012 concerning the Handling of Social Conflict defines social conflict as a feud and/or clash of violent dimensions between two or more community groups that lasts for a certain period of time and has a wide impact, resulting in insecurity and social disintegration. In such situations, women and children are categorized as vulnerable groups that

require special protection, in line with the principles adopted in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which has been ratified through Law Number 7 of 1984, as well as in Law Number 23 of 2002 concerning Child Protection as amended by Law Number 35 of 2014.

Several previous studies reinforce the urgency of this study. Lutfi'ta, Hidayat, and Santoso (2026), in their study on legal protection for women and children victims of violence, found that Indonesia has a fairly comprehensive legal framework, but its effectiveness is still limited by implementation constraints and weak inter-institutional coordination. Similar findings were expressed by Amelia (2025), who highlighted the importance of a victimology approach in assessing the effectiveness of protection for women and children victims of violence in Indonesia, emphasizing that the success of legal protection is measured not only by the availability of norms but also by the state's ability to guarantee access to services for victims. These studies emphasize that the main problem in the protection of women and children, including in the context of social conflict, lies in the gap between regulations and their implementation on the ground.

Based on this review, this study positions Presidential Regulation Number 18 of 2014 as the main object of analysis to see the extent to which this legal instrument is able to answer the need for protection and empowerment of women and children in social conflicts, while also identifying normative and implementative gaps that need to be corrected.

Research Methodology

This research uses a normative legal research method (normative juridical), namely research that examines law as written norms (law in the books) through tracing relevant laws and regulations, doctrines, and legal concepts (Marzuki, 2017). The approaches used include a statute approach, namely by examining Presidential Regulation Number 18 of 2014 and other related regulations, and a conceptual approach to understand the concept of legal protection, social conflict, and the empowerment of women and children.

The legal materials used consist of primary legal materials and secondary legal materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, Law Number 7 of 2012 concerning the Handling of Social Conflict, Presidential Regulation Number 18 of 2014 concerning the Protection and Empowerment of Women and Children in Social Conflict, Law Number 23 of 2002 concerning Child Protection as amended by Law Number 35 of 2014, and Law Number 7 of 1984 concerning the Ratification of the CEDAW Convention. Secondary legal materials are obtained from books, scientific journals, previous research results, and official government reports relevant to the object of study.

The legal material collection technique was conducted through library research, namely by collecting and reviewing legal documents and related literature. Next, the collected legal material was analyzed qualitatively and descriptively by outlining, connecting, and interpreting the norms governing the protection and empowerment of women and children in social conflicts, to then draw conclusions regarding the strengths and weaknesses of these regulations.

Results

3.1 Forms of Legal Protection in Presidential Regulation Number 18 of 2014

Presidential Regulation Number 18 of 2014 regulates the protection of women and children in social conflict through two main stages: prevention and service. In the prevention

stage, relevant ministries/agencies and local governments are required to take measures to protect women and children from the impacts of conflict situations and events. In the service stage, the state is required to provide services for women and children who are victims of conflict and violence, including special protection, services for victims of violence, fulfillment of specific basic needs, and improvements to facilities such as health services, reproductive health services, education for children, adequate and gender-responsive housing, and the provision of clean water and sanitation. For children, this regulation specifically regulates care services, play facilities that meet health and safety requirements, and recreational activities as part of psychosocial recovery.

In addition to protection, this Presidential Regulation also regulates the empowerment of women and children, including improving their survival, enhancing economic activities through job skills training, mentoring for productive economic enterprises, providing capital assistance, and providing marketing access. It also increases women's participation as builders, mediators, and peace negotiators. For children, empowerment is directed at strengthening their understanding of non-violence through peace education and gender justice. This regulation demonstrates that the legal framework developed is normatively comprehensive, focusing not only on protection but also on long-term recovery and empowerment.

3.2 Effectiveness of implementation of protection and empowerment

Multi-level coordination, starting with the Central Coordination Team, which reports to the President, and working groups at the provincial level established by governors, and finally working groups at the district/city level established by regents/mayors. Working group membership includes relevant government agencies, vertical agencies, law enforcement agencies, community organizations, non-governmental organizations, academics, and religious and traditional leaders. While this structure is normatively ideal because it involves multiple stakeholders, in practice, coordination across levels of government is often slow, particularly in regions with limited institutional capacity and budgets.

3.3 Implementation Constraints and Challenges

This study identified several obstacles in the implementation of Presidential Regulation Number 18 of 2014. First, suboptimal inter-agency coordination has led to overlapping programs and gaps in services in several conflict areas. Second, the lack of disaggregated data on women and children victims of conflict makes it difficult to formulate targeted policies, even though Article 7 of this Presidential Regulation explicitly requires the provision of such data. Third, budget constraints at the provincial and district/city levels prevent some protection and empowerment programs from running optimally, given that funding is borne by the national and regional budgets of each level of government. Fourth, this regulation does not contain provisions for sanctions for ministries/institutions or local governments that fail to fulfill their obligations, so compliance with the regulation's implementation is highly dependent on the political commitment of each agency. Fifth, the lack of socialization has resulted in many field officials and the community not understanding the protection mechanisms available to women and children victims of social conflict.

This finding is in line with the results of the Implementation Report of the National Action Plan for the Protection and Empowerment of Women and Children in Social Conflict (RAN P3AKS) 2014-2023 which shows that although the policy framework has been available since 2014, strengthening synergy and collaboration between stakeholders still needs to be

continuously encouraged so that the protection and empowerment of women and children in social conflict can be felt in real terms by the target groups.

Conclusion

Based on the above description, it can be concluded that Presidential Regulation Number 18 of 2014 concerning the Protection and Empowerment of Women and Children in Social Conflict provides a fairly comprehensive legal framework, encompassing prevention efforts, service provision, special protection, economic empowerment, and increasing women's participation in the peace process. This regulation also establishes a multi-level coordination mechanism from the central to the district/city levels, involving various stakeholders.

However, the strength of these norms has not been fully matched by effective implementation on the ground. Weak inter-agency coordination, limited victim data, budget constraints, the absence of firm sanctions, and limited outreach are key issues hindering the real realization of the protection and empowerment of women and children. Therefore, strengthening legal protection in the future needs to be directed at harmonizing implementing regulations, strengthening the National Action Plan for the Protection and Empowerment of Women and Children in Social Conflict (RAN P3AKS), increasing institutional capacity in the regions, providing adequate budgets, and actively involving civil society to ensure the rights of women and children in social conflict are truly guaranteed and fulfilled.

Reference

[1] Republic of Indonesia. Law Number 7 of 2012 concerning Handling of Social Conflict. State Gazette of the Republic of Indonesia 2012 Number 116.

[2] Republic of Indonesia. Presidential Regulation Number 18 of 2014 concerning the Protection and Empowerment of Women and Children in Social Conflict. State Gazette of the Republic of Indonesia 2014 Number 44.

[3] Republic of Indonesia. Law Number 23 of 2002 concerning Child Protection, as amended by Law Number 35 of 2014.

[4] Republic of Indonesia. Law Number 7 of 1984 concerning Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

[5] Republic of Indonesia. Law Number 39 of 1999 concerning Human Rights.

[6] Regulation of the Coordinating Minister for Human Development and Culture Number 5 of 2021 concerning the National Action Plan for the Protection and Empowerment of Women and Children in Social Conflict.

[7] Marzuki, Peter Mahmud. Legal Research, Revised Edition, 13th Printing. Jakarta: Kencana, 2017.

[8] Lutfi'ta, A., Hidayat, E., & Santoso, R. (2026). Legal Protection for Women and Children Victims of Domestic Violence (Comparative Study of Positive Law in Indonesia and Turkey). Maqasid: Journal of Islamic Law Studies, 15(2), 1-16.

[9] Amelia, AW (2025). Legal Analysis of Victimology in the Protection of Victims of Violence against Women and Children in Indonesia. Constitution: Journal of Law, Public Administration, and Communication Science, 2(1).

[10] Ministry of Women's Empowerment and Child Protection, Coordinating Ministry for Human Development and Culture, & UN Women. (2024). Report on the Implementation of

the National Action Plan for the Protection and Empowerment of Women and Children in Social Conflict (RAN P3AKS) 2014-2023. Jakarta.