



Compendium

Indonesia - 3rd Edition

Agreements, Laws and Regulations
Guaranteeing All Children Equal Right to
Quality Education in an Inclusive Setting
Education Sector Response to HIV and AIDS



Title:
Compendium
Agreements, Laws and Regulations Guaranteeing All Children Equal Right to Quality Education in an Inclusive Setting

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Foreword

This Compendium is an important part of the Education Sector Response to HIV and AIDS. It introduces the reader to the legal rights of children to education, protection, care and non-discrimination.

It is crucial that all children and young people are prepared to face the challenge of a growing HIV epidemic. Parents bear the main responsibility in raising and caring for their children, however the education sector is responsible for their academic and life skill education. Formal and informal education should prepare children and young people for life - no education programme is therefore complete without comprehensive HIV prevention education.

Education for All will not be achieved unless education authorities, schools and communities recognise their legal and moral responsibility to provide quality education for ALL children in a child-friendly and inclusive setting - Without discrimination.

All schools throughout Indonesia should therefore be physically, socially and financially accessible for ALL children. Special attention and efforts should be given to ensure access for children that are already excluded from schools as well as for children who are vulnerable to marginalisation and exclusion. We must therefore, proactively seek children living with and/or affected by HIV, children from income-poor families and from ethnic, language and religious minorities as well as children with disabilities and other special / individual learning needs and ensure that these children will be able to play and learn together with their peers.

The Ministry of National Education, provincial, municipal and district education authorities, universities, schools, UN agencies as well as international and national non-governmental organisations have made tremendous progress on enrolment as well as the quality of education over the past few years. However the strive forward must be continued and efforts must be strengthened until all children are in school and learning, developing and participating actively.

It is our sincere hope that this Compendium will offer support to those who struggle for the rights of all children. We must not allow ourselves to be satisfied with Education for Almost All.

Hubert Gijzen, PhD
Director and Representative
UNESCO Office, Jakarta

Foreword from the Executive Chairman of Indonesian National Commission for UNESCO

I truly welcome the publication of this Compendium. It consists of excerpts from International conventions, declarations, and recommendations as well as Indonesian laws and regulations related to the right of all children to education, protection and care. All documents which should all be put into immediate practice in our country.

The compendium will greatly benefit lecturers, teachers and other educators, law makers and government officials, in particular those working within the field of education, as well as parents and students.

With the publication of the Compendium I would expect that the number of children, including those experiencing barriers and limitation in attending school will increase - thus the goal of Education for All shall be achieved much sooner.

We therefore trust that every school in future will be willing and able to enroll all children regardless of differences in their backgrounds and abilities. All children should be offered equal access to quality education in an inclusive setting - in particular those living with and/or affected by HIV.

Finally, I hope that headmasters and teachers will understand the content of the documents briefly introduced through the compendium - study them in their full version and start to apply them in their own schools.

This Compendium will therefore be most useful for us all in particular those of us who are concerned with constantly improving our education system in Indonesia towards reaching the goal of quality Education for All.

Jakarta, 27 November 2006
Indonesian National Commission for UNESCO

Dr. Arief Rachman, MPd
Executive Chairman

Forewords from the Secretary of the National AIDS Commission

The situation of the HIV/AIDS epidemic in Indonesia shows alarming tendencies. The National AIDS Commission encourages all parties to get actively involved in the efforts of HIV prevention and response - in every possible occasion, in all possible places, reaching as many people as possible. Countries that have succeeded in responding to HIV-AIDS have shown that participation of all, both government, communities and community based organizations - in particular organizations representing those who are affected and/or infected by HIV - can significantly reduce the number of new infections.

The improvement of community participation as well as government support from all key sectors - at central, provincial and district level - is one of the main strategies to strengthen the efforts of HIV prevention and AIDS response in Indonesia. The Compendium is expected to help mobilize support from all key stakeholders, increase their awareness and participation as well as strengthen their role in the fight against HIV and AIDS. The AIDS epidemic is a challenge for us all. We shall therefore protect ourselves and all the people we love and care for from HIV and AIDS.

The National AIDS Commission welcomes the publication of the Compendium which in detail describes the judicial bases for a comprehensive international, regional and national response to HIV and AIDS - presented systematically and reader-friendly.

We would like to extend our deepest gratitude to the UNESCO Office in Jakarta that has supported the publication of the Compendium. We would like to extend a sincere word of thanks to BRAILLO NORWAY and IDP NORWAY for their contributions and creativity.

We hope that the Compendium will be useful for all of us, in particular for the many activists who implement programmes on HIV prevention and AIDS response found throughout Indonesia.

Dr. Nafsiah Mboi
Secretary of the National AIDS Commission

Introduction

An Education Sector Response to HIV and AIDS within the Framework of Inclusion

Children and young people develop knowledge, values and skills in school that will guide them through life. The response of schools, communities and education authorities is therefore essential for success in the struggle against HIV and AIDS. The education sector must show leadership and courage in fighting for the rights of children infected and affected by HIV and AIDS. Schools and education authorities must educate and empower children and young people to prevent the pandemic from spreading further.

Addressing delegates at the 15th International AIDS Conference in Bangkok in 2004, Nelson Mandela said that leadership involved both personal commitment and concrete actions. Leaders had to lead the response to HIV and AIDS “... with clear vision and imaginative action ... They must dare to be different, and they must be prepared for the course to be difficult. They will be faced with tough decisions, and they must come up with bold and innovative responses. This is what leaders are for, and the AIDS epidemic will test their leadership skills to the limits.”

Nelson Mandela

Inclusive and child-friendly schools are designed to be responsive to the individual needs of their students. This helps them to develop the self-esteem and skills necessary to protect themselves and others against gang violence, drug addiction and sexually transmitted infections - including HIV. In inclusive and child-friendly schools and communities, children and young people will learn to embrace diversity. They will develop empathy with children and young people who are vulnerable to marginalisation and exclusion. This will help to ensure that such children are included in their classes, schools and communities.

“Since education shapes attitudes and values, it can also help reduce discrimination against people living with HIV/AIDS.”

UNESCO and UNAIDS Advocacy Kit- HIV/AIDS and Education / 2004

Despite numerous conventions, agreements and laws, more than 4 million primary- and lower secondary school age children are still out of school throughout Indonesia. Some children never enrol, others drop out or are expelled from schools. Often this happens without education authorities, schools and communities fully realising their legal responsibility to provide quality education for ALL children, regardless of their abilities or disabilities, their social, economical, cultural, ethnic or religious background, or their HIV and AIDS status.

“The education system failed us when they gave up on us ...”

Rico Gustav – HIV and AIDS Activist - UNAIDS

Every year an increasing number of children throughout the world are being infected or affected by HIV and AIDS. Children, mostly young girls, are pulled out of school to take care of sick parents, siblings and other family members.

Therefore, in an effort to increase awareness of legal and moral responsibilities to ensure that ALL children have equal access to quality education, we have developed an accessible and reader-friendly Compendium on a rights-based approach to education. It is aimed at legislators, government officials, university lecturers, head teachers, teachers, student teachers, parents, education activists, and other key stakeholders. The Compendium is a collection of short versions and excerpts from relevant conventions, agreements, laws, declarations and recommendations. The full versions are available online. Most will also be available as hard copies through the Ministry of National Education, the National AIDS Commission as well as the UNESCO, Save the Children UK and IDP Norway.

We hope this Compendium will become an important tool in creating awareness among, and encouraging responses from key stakeholders, to ensure equal access and right of ALL children to quality education and health services in an inclusive setting.

The Compendium Development Team

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Constitution of the Republic of Indonesia

Article 28b

(2) Every child shall have the right to live, to grow and to develop, and shall have the right to protection from violence and discrimination.

Article 28c

(1) Every person shall have the right to develop him/herself through the fulfilment of his/her basic needs, the right to get education and to benefit from science and technology, arts and culture, for the purpose of improving the quality of his/her life and for the welfare of the human race.

Article 28f

Every person shall have the right to communicate and to obtain information for the purpose of the development of his/her self and social environment, and shall have the right to seek, obtain, possess, store, process and convey information by employing all available types of channels.

Article 28h

(1) Every person shall have the right to live in physical and spiritual prosperity, to have a home and to enjoy a good and healthy environment, and shall have the right to obtain medical care.

Article 28i

(2) Every person shall have the right to be free from discriminative treatment based upon any grounds whatsoever and shall have the right to protection from such discriminative treatment.

Article 28j

(2) In exercising his/her rights and freedoms, every person shall have the duty to accept the restrictions established by law for the sole purposes of guaranteeing the recognition and respect of the rights and freedoms of others and of satisfying just demands based upon considerations of morality, religious values, security and public order in a democratic society.

Article 31

(1) Every citizen has the right to receive education.
(2) Every citizen has the obligation to undertake basic education, and the government has the obligation to fund this.
(3) The government shall manage and organise one system of national education, which shall increase the level of spiritual belief, devoutness and moral character in the context of developing the life of the nation and shall be regulated by law.
(4) The state shall prioritise the budget for education to a minimum of 20% of the State Budget and of the Regional Budgets to fulfil the needs of implementation of national education.
(5) The government shall advance science and technology with the highest respect for religious values and national unity for the advancement of civilisation and prosperity of humankind.

Article 34

(1) Impoverished persons and abandoned children shall be taken care of by the State.
(2) The state shall develop a system of social security for all of the people and shall empower the inadequate and underprivileged in society in accordance with human dignity.
(3) The state shall have the obligation to provide sufficient medical and public service facilities.
(4) Further provisions in relation to the implementation of this Article shall be regulated by law.

Law 39/1999 on Human Rights

Bahasa Indonesia: <http://indonesia.ahrchk.net/news/mainfile.php/hrlaw/19>

Article 1 - (1) Human rights mean a set of rights bestowed by God Almighty in the essence and being of humans as creations of God which must be respected, held in the highest esteem and protected by the state, law, Government, and all people in order to protect human dignity and worth.

(5) Children mean all unmarried persons under the age of 18, including, should this be in their interest, all unborn children.

Article 5 - (3) All members of disadvantaged groups in society, such as children, the poor, and the disabled, are entitled to greater protection of human rights.

Article 9 - (1) Everyone has the right to life, to sustain life, and to improve his or her standard of living.

(3) Everyone has the right to an adequate and healthy environment.

Article 52 - (2) Children's rights are human rights which in the children's interest are recognized and protected before the law at the time of conception.

Article 53 - (1) From conception, every child has the right to life, to maintain life and to improve his standard of living.

Article 60 - (1) Every child has the right to access to education and schooling as befits his interests, talents, and intellectual capacity.

(2) Every child has the right to seek, receive, and impart information as befits his intellectual capacity and age in the interests of his own development, insofar as this meets moral requirements.

Article 61 - Every child has the right to rest and mix with children of his own age, and to play and create as befits his intellectual capacity in the interests of his own

development.

Article 62 - Every child has the right to access to adequate health services and social security as befits his physical, emotional and spiritual needs.

Article 65 - Every child has the right to protection from sexual exploitation and abuse, abduction and child trading, and from the misuse of narcotics, psychotropics, and other addictive substances.

Article 69 - (1) Everyone is required to respect the human rights of others, and social, national, and state morals, ethics and order.

(2) Every human right gives rise to the basic obligation and responsibility to uphold the human rights of others, and it is the duty of government to respect, protect uphold and promote these rights and obligations.



Picture by IDP Norway

Universal Declaration of Human Rights

Preamble

[...] Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge, Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.
2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Inclusive education is a human right, it's good education and it makes good social sense

HUMAN RIGHTS

1. All children have the right to learn together.
2. Children should not be devalued or discriminated against by being excluded or sent away because of their disability or learning difficulty.
3. Disabled adults, describing themselves as special school survivors, are demanding an end to segregation.
4. There are no legitimate reasons to separate children for their education. Children belong together - with advantages and benefits for everyone. They do not need to be protected from each other.

GOOD EDUCATION

5. Research shows children do better, academically and socially, in inclusive settings.
6. There is no teaching or care in a segregated school which cannot take place in an ordinary school.
7. Given commitment and support, inclusive education is a more efficient use of educational resources.

SOCIAL SENSE

8. Segregation teaches children to be fearful, ignorant and breeds prejudice.
9. All children need an education that will help them develop relationships and prepare them for life in the mainstream.
10. Only inclusion has the potential to reduce fear and to build friendship, respect and understanding.

Centre for Studies on Inclusive Education;
<http://inclusion.uwe.ac.uk/csie/10rsns.htm>

What do human rights have to do with HIV/AIDS?

Human rights are inextricably linked with the spread and impact of HIV/AIDS on individuals and communities around the world. A lack of respect for human rights fuels the spread and exacerbates the impact of the disease, while at the same time HIV/AIDS undermines progress in the realisation of human rights. This link is apparent in the disproportionate incidence and spread of the disease among certain groups which, depending on the nature of the epidemic and the prevailing social, legal and economic conditions, include women and children, and particularly those living in poverty. It is also apparent in the fact that the overwhelming burden of the epidemic today is borne by developing countries, where the disease threatens to reverse vital achievements in human development. AIDS and poverty are now mutually reinforcing negative forces in many developing countries.

OHCHR;

<http://www.ohchr.org/english/issues/hiv/introhiv.htm>



Picture by IDP Norway

Full Version - English:
www.un.org/Overview/rights.html

Full Version - Bahasa Indonesia:
www.unhchr.ch/udhr/lang/inz.htm

Convention on the Right of the Child

It Is Every Child's Right

- To be born, to have a name and nationality;
- To have a family who will love and care;
- To live in a peaceful community and a wholesome environment;
- To have adequate food and a healthy and active body;
- To obtain a good education and develop my potential;
- To be given opportunities for play and leisure;
- To be protected against abuse, exploitation, neglect, violence and danger;
- To be defended and given assistance by the government;
- To be able to express my own views

"All children and young people of the world, with their individual strengths and weaknesses, with their hopes and expectations, have the right to an education. It is not our education system that has the right to a certain type of children. Therefore, it is the school system of a country that must be adjusted to meet the needs of all its children"

[Bengt Lindqvist;
UN-Special Rapporteur on Disability, 1994]

Convention on the Right of the Child:

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. [...]

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, [...]

Article 6

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community. [...]

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need; [...]

Article 29

1. States Parties agree that the education of the child shall be directed to:

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- (e) The development of respect for the natural environment. [...]

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Pasal 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. [...]

Pasal 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.



Picture by IDP Norway

Full Version - English:
www.ohchr.org/english/law/pdf/crc.pdf

Summary - English:
www.idp-europe.org/indonesia/docs/KonvensiHakAnak.pdf

Full Version - Bahasa Indonesia
www.unicef.org/magic/media/documents/CRC_indonesian_language_version.pdf

Summary - Bahasa Indonesia
www.idp-europe.org/indonesia/docs/KonvensiHakAnak.pdf

Further Information:
 UNHCHR: www.ohchr.org/english/bodies/crc/index.htm
 UNICEF: www.unicef.org/crc
 CRIN: www.crin.org
 EENET: www.eenet.org.uk

Law 23/2002 on Child Protection

General Stipulation

Article 1 - (2) Protection of Children shall mean all activities designed to guarantee and protect children and their rights so that they may live, grow, develop and participate optimally in society in accordance with the dignity to which they are entitled as human beings, and so that they may be protected against violence and discrimination;

(15) Special Protection shall mean protection given to children in emergency situations, children who have conflict with the law, children from minority and isolated groups, children being economically or sexually exploited, trafficked children, child victims of the misuse of drugs, alcohol, psychotropic substances and other addictive substances, child victims of kidnapping, sale and trafficking, child victims of physical, sexual and/or mental violence, children with disabilities, child victims of abuse, and neglected/ abandoned children.

Rights and Obligations of Children

Article 4 - Every child has the rights to live, grow, develop and participate appropriately according to the dignity of human being, and to get protection from violence and discrimination.

Article 8 - Every child has the rights to receive health service and social security according to physical, mental, spiritual and social needs.

Article 9 - (1) Every child has the right to get education and teaching in developing his/her personality and level of intelligence according to his/her interest and talent.

(2) In addition to the rights of the child as aforementioned in the clause (1), in particular children with disabilities have the right to get special education, while children with excellence have the right to get special education.

Article 10 - Every child has the right to state and be heard his/her opinion, accept, seek and give information to the level of intelligence and age for his/her personal growth according to the norms and values.

Article 11 - Every child has the right to have rest/break and use his/her spare time, socialise with other peers, play, have recreation and do creative work according to the talent, interest and level of intelligence which benefited his/her personal growth.

Article 12 - Every child with disability has the right to obtain rehabilitation, social support and be upheld his/her social welfare.

Article 13 - (1) Every child during in the care of parents, caretakers, or others who have the responsibility on child rearing, has the rights to get protection from:

- a. discrimination;
- b. exploitation, both economic and sexual; neglect;
- c. violence, abuse and oppression; injustice; and
- d. other ill-treatments.

(2) In case of parents or caretakers conducting all kinds of treatments aforementioned in the clause (1), then severe punishment will be taken into effect.

Article 14 - Every child has the right to receive care from his/her own parents, [...]

Article 15 - Every child has the rights to get protection from:

- a. misuse of political activities;
- b. involvement in arms conflicts;
- c. involvement in social riots;
- d. involvement in the events where violence is a part of it; and
- e. involvement in war.

Obligations and Responsibility

Part 1: General

Article 20 - the State, governments, communities, families and parents are responsible for the implementation of the child protection.

Part 2: Obligations and Responsibility of the State and Governments

Article 21 - The state and governments are obliged to and responsible for respecting and ensuring the rights of every child regardless ethnicity, religion, race, gender, social

status, culture and language, law status, birth order, and physical and/or mental conditions.

Part 4: Obligations and Responsibility of Families and Parents

Article 26 - (1) Parents are obliged to and responsible for:

- a. caring, upbringing, educating and protecting the child;
- b. the child's rearing according to his/her ability, talent and interest; and
- c. preventing early age marriage.

The Child's Position

Part 1: the Child's Identity

Article 27 - (1) Identity of every child must be given since birth.

(2) Identity as aforementioned in the clause (1) is put into the birth certificate.

(3) The making of birth certificate is based on letter of statement from persons witnessing and/or helping with the birth process.

(4) In terms of unknown birth and parents, the making of the child's birth certificate will be based upon the explanation of the person who found him/her.

The Implementation of Protection

Part 3: Education

Article 48 – the Government are obliged to implement basic education of minimum 9 years for all children.

Article 49 – the State, governments, families, and parents are obliged to give opportunities as extensive as possible to children to receive education.

Article 50 – Education as aforementioned in the Article 48 is directed towards:

- a. development of attitude and personal skills, talent, mental and physical ability of the child to the best possible potentials that the child has;
- b. development of respects towards human rights and freedom;
- c. development of respects towards parents, cultural identity, language and national values where the child lives, where the

child's come from, and different cultures which differ than our own;

d. preparation of the child to lead responsible life; and

e. development of respect and love towards nature and environment.

Article 51 – children with physical and/or mental disabilities are given equal opportunities and accessibility to obtain ordinary and special education.

Article 52 – Children with excellence are given opportunities and accessibility to obtain special education.

Article 53 - (1) the governments are responsible for providing educational fee and/or grants or special service for children of poor family, disadvantaged children, and children from remote places.

Article 54 – Children in and around the school must be protected from violence and abuse done by teachers, school staffs or peers in the related school, or in other educational institutions.



Picture by IDP Norway

Full Version:

www.indonesia.go.id/produk_uu/isi/uu2002/uu23'02.htm

Further Information:

KPAI: www.kpai.go.id

UNGASS

Declaration of Commitment on HIV/AIDS

17. Acknowledging that prevention of HIV infection must be the mainstay of the national, regional and international response to the epidemic; and that prevention, care, support and treatment for those infected and affected by HIV/AIDS are mutually reinforcing elements of an effective response and must be integrated in a comprehensive approach to combat the epidemic;

20. Emphasizing the important role of cultural, family, ethical and religious factors in the prevention of the epidemic, and in treatment, care and support, taking into account the particularities of each country as well as the importance of respecting all human rights and fundamental freedoms;

22. Noting the importance of establishing and strengthening human resources and national health and social infrastructures [...];

23. Recognizing that effective prevention, care and treatment strategies will require behavioural changes and increased availability of and non-discriminatory access to, inter alia, vaccines, condoms, microbicides, lubricants, sterile injecting equipment, drugs including anti-retroviral therapy, diagnostics and related technologies as well as increased research and development;

31. Affirming the key role played by the family in prevention, care, support and treatment of persons affected and infected by HIV/AIDS, [...];

32. Affirming that beyond the key role played by communities, strong partnerships among Governments, the United Nations system, intergovernmental organizations, people living with HIV/AIDS and vulnerable groups, medical, scientific and educational institutions, non-governmental organizations, the business sector including generic and research-based pharmaceutical companies, trade unions, media, parliamentarians, foundations, community organizations, faith-based organizations and traditional leaders are important;

33. Acknowledging the particular role and significant contribution of people living with HIV/AIDS, young people and civil society actors in addressing the problem of HIV/AIDS in all its aspects [...];

37. By 2003, ensure the development and implementation of multisectoral national strategies and financing plans for combating HIV/AIDS that: address the epidemic in forthright terms; confront stigma, silence and denial; address gender and age-based dimensions of the epidemic; eliminate discrimination and marginalization; involve partnerships with civil society and the business sector and the full participation of people living with HIV/AIDS, those in vulnerable groups and people mostly at risk, particularly women and young people; are resourced to the extent possible from national budgets without excluding other sources, inter alia international cooperation; fully promote and protect all human rights and fundamental freedoms, [...];

52. By 2005, ensure: that a wide range of prevention programmes which take account of local circumstances, ethics and cultural values, is available in all countries, particularly the most affected countries, including information, education and communication, in languages most understood by communities and respectful of cultures, aimed at reducing risk-taking behaviour and encouraging responsible sexual behaviour, [...]

53. By 2005, ensure that at least 90 per cent, and by 2010 at least 95 per cent of young men and women aged 15 to 24 have access to the information, education, including peer education and youth-specific HIV education, and services necessary to develop the life skills required to reduce their vulnerability to HIV infection, in full partnership with young persons, parents, families, educators and health-care providers;

56. By 2005, develop and make significant progress in implementing comprehensive care

strategies to: strengthen family and community-based care including that provided by the informal sector, and health care systems to provide and monitor treatment to people living with HIV/AIDS, including infected children, and to support individuals, households, families and communities affected by HIV/AIDS; [...];

60. By 2005, implement measures to increase capacities of women and adolescent girls to protect themselves from the risk of HIV infection, principally through the provision of health care and health services, including sexual and reproductive health, and through prevention education that promotes gender equality within a culturally and gender sensitive framework;

62. By 2003, in order to complement prevention programmes that address activities which place individuals at risk of HIV infection, such as risky and unsafe sexual behaviour and injecting drug use, have in place in all countries strategies, policies and programmes that identify and begin to address those factors that make individuals particularly vulnerable to HIV infection, [...]

65. By 2003, develop and by 2005 implement national policies and strategies to: build and strengthen governmental, family and community capacities to provide a supportive environment for orphans and girls and boys infected and affected by HIV/AIDS including by providing appropriate counselling and psycho-social support; ensuring their enrolment in school and access to shelter, good nutrition, health and social services on an equal basis with other children; to protect orphans and vulnerable children from all forms of abuse, violence, exploitation, discrimination, trafficking and loss of inheritance;

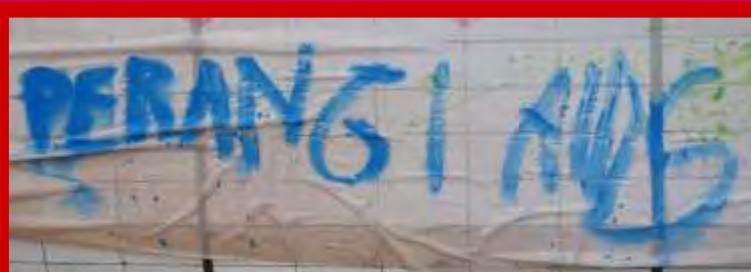
75. By 2003, develop and begin to implement national strategies that incorporate HIV/AIDS awareness, prevention, care and treatment elements into programmes or actions that respond to emergency situations, recognizing

that populations destabilized by armed conflict, humanitarian emergencies and natural disasters, including refugees, internally displaced persons and in particular, women and children, are at increased risk of exposure to HIV infection; and, where appropriate, factor HIV/AIDS components into international assistance programmes;

82. Increase and prioritize national budgetary allocations for HIV/AIDS programmes as required and ensure that adequate allocations are made by all ministries and other relevant stakeholders;

"... Access to quality education is the right of ALL children. Children infected or affected by HIV or AIDS are confronted with grief, fear and death and will need the support of an inclusive and child friendly environment in their schools and communities. This support will be crucial for their development. Teachers and counsellors will play a major role in addressing the concern of children, parents and communities related to the non-exclusion and non-discrimination of children affected or infected with HIV or AIDS as well as in a practical and realistic approach to HIV prevention. ..."

Samuel Nugraha/UNAIDS Jakarta,
EENET Asia Newsletter 05/2006



Picture by IDP Norway

Full Version - English:

www.ungass.org/index.php/en/ungass/declaration_of_commitment/ungass_declaration_of_commitment

Further Information:

UNGASS: www.ungass.org

UN: www.un.org/ga/aids

www.un.org/ga/aidsmeeting2006

www.un.org/issues/docs/d_aids.html

UNAIDS: www.unaids.org/en/AIDSreview2006

UNGASS

Political Declaration on HIV/AIDS

18. Reaffirm our commitment to implement fully the Declaration of Commitment on HIV/AIDS, entitled "Global Crisis - Global Action", adopted by the General Assembly at its twenty-sixth SPECIAL session, in 2001; and to achieve the internationally agreed development goals and objectives, including the Millennium Development Goals [...]
20. Commit ourselves to pursuing all necessary efforts to scale up nationally driven, sustainable and comprehensive responses to achieve broad multisectoral coverage for prevention, treatment, care and support, with full and active participation of people living with HIV, vulnerable groups, most affected communities, civil society and the private sector, towards the goal of universal access to comprehensive prevention programmes, treatment, care and support by 2010;
26. Commit ourselves to addressing the rising rates of HIV infection among young people to ensure an HIV-free future generation through the implementation of comprehensive, evidence-based prevention strategies, responsible sexual behaviour, including the use of condoms, evidence- and skills-based, youth-specific HIV education, mass media interventions and the provision of youth-friendly health services;
27. Commit ourselves also to ensuring that pregnant women have access to antenatal care, information, counselling and other HIV services and to increasing the availability of and access to effective treatment to women living with HIV and infants in order to reduce mother-to-child transmission of HIV, as well as to ensuring effective interventions for women living with HIV, including voluntary and confidential counselling and testing, with informed consent, access to treatment, especially life-long antiretroviral therapy and, where appropriate, breast-milk substitutes and the provision of a continuum of care;
31. Commit ourselves to strengthening legal, policy, administrative and other measures for the promotion and protection of women's full enjoyment of all human rights and the reduction of their vulnerability to HIV/AIDS through the elimination of all forms of discrimination, as well as all types of sexual exploitation of women, girls and boys, including for commercial reasons, and all forms of violence against women and girls, including harmful traditional and customary practices, abuse, rape and other forms of sexual violence, battering and trafficking in women and girls;
32. Commit ourselves also to addressing as a priority the vulnerabilities faced by children affected by and living with HIV; providing support and rehabilitation to these children and their families, women and the elderly, particularly in their role as caregivers; promoting child-oriented HIV/AIDS policies and programmes and increased protection for children orphaned and affected by HIV/AIDS; ensuring access to treatment and intensifying efforts to develop new treatments for children; and building, where needed, and supporting the social security systems that protect them;
42. Commit ourselves also to finding appropriate solutions to overcome barriers in pricing, tariffs and trade agreements, and to making improvements to legislation, regulatory policy, procurement and supply chain management in order to accelerate and intensify access to affordable and quality HIV/AIDS prevention products, diagnostics, medicines and treatment commodities;

Presidential Decree of the Republic on Indonesia No. 75/2006 on the National Commission for Aids Commission

Article 3

National Commission for AIDS Response has the duty to:

- issue policies and strategic plans and general guidelines on prevention, control, and response towards AIDS;
- decide strategic steps required in implementing activities;
- coordinate the implementation of awareness, prevention, service-oriented, monitoring, control, and response activities towards AIDS;
- conduct dissemination of information on AIDS to various mass media, in relation to appropriateness of the news thus they shall not caused uneasiness among community;
- establish regional and international cooperation in the attempts to prevent and response AIDS;
- coordinate management of data and information related to AIDS; mengevaluasi pelaksanaan pencegahan, pengendalian, dan penanggulangan AIDS;
- control, monitor, and evaluate the implementation of prevention, control, and response of AIDS;
- give direction towards the Commission of AIDS Response at Provincial level and District/ Municipality level in the efforts for prevention, control, and response of AIDS.

Article 4

(1) The structure of memberships for National Commission for AIDS Response includes:

- Chairman and member: Coordinating Minister for Community Welfare
- Deputy chairman I and member: Minister of Health
- Deputy chairman II and member: Minister of Interior Affair
- Members:
 - Minister of Religious Affairs;
 - Minister of Social Affairs;
 - Minister of Communication and Informatics;
 - Minister of Law and Human Rights;
 - Minister of Culture and Tourism;
 - Minister of National Education;
 - Minister of Manpower and Transmigration;
 - Minister of Transportation;
 - State Minister of Youth and Sport;
 - State Minister of Women Empowerment;

- State Minister of National Development Planning/-Chairman of BAPPENAS;
 - State Minister of Research and Technology;
 - Secretary of the Governmental Cabinet;
 - Commander of Indonesian National Army;
 - State Chief Police of Republic of Indonesia;
 - Chairman of Board for the Study and Application of Technology;
 - Chairman of Coordinating Board for National Family Planning;
 - Chairman of National Narcotics Board;
 - Chairman of Indonesian Doctor Association;
 - Chairman of Indonesian Community Health Expert Association;
 - Chairman of Indonesian Red Cross;
 - Chairman of Chamber for Trade and Industry;
 - Chairman of National Organisation for Persons living with HIV/AIDS.
5. Secretary and member: Dr. Nafsiah Ben Mboi
- (2) Membership of the National Commission for AIDS Response as aforementioned above in the verse (1) can be supplemented by the Chairman of National Commission for AIDS Response when necessary.
- (3) The change of title for Secretary as aforementioned in the verse (1) letter 5 is decided by the Chairman of National Commission for AIDS Response.



Picture by IDP Norway

Full Version:

http://data.unaids.org/pub/Report/2006/20060615_HLM_PoliticalDeclaration_ARES60262_en.pdf

Presidential Decree 75/2006:

www.presidensby.info/DokumenUU.php/243.pdf

Further Information:

UNGASS: www.ungass.org

UN: www.un.org/ga/aids

www.un.org/ga/aidsmeeting2006

www.un.org/issues/docs/d-aids.html

UNAIDS: www.unaids.org/en/AIDSReview2006

Joint Ministerial Decision on UKS- School Health

[Ministry of National Education, Ministry of Health, Ministry of Religious Affairs]

Article 2

The aim of School Health Unit [UKS] is to improve education quality and learning achievement of learners through improving healthy behaviour and clean leaving and learners' as well as learning community's health and creating healthy environment, in order to make harmonious and optimum growth and development possible in the efforts to shape Indonesian human wholly.

Article 3

Direct target of UKS is learners of Out of School Education Unit, Teachers, Tutors, other Education Managers, Health Managers and Community.

Article 4

(1) Establishment and Development of School Health Unit in School/Out of School Education Unit is conducted through three main programmes, which includes:

- a. Health Education;
- b. Health Service; and
- c. Establishment of Health School Environment,

(2) To support the Implementation of Three Main Programs of UKS in School/Out of School Education Unit requires community program, which includes:

- a. Work force;
- b. Financial;
- c. Means and Infrastructure;
- d. Research and Development

(3) Establishment and Development of School Health Unit in School/Out of School Education Unit is conducted by UKS working team, which includes:

- a. Central UKS Team;
- b. Provincial UKS Team;
- c. Municipal/district UKS Team;
- d. Sub-district UKS Team;
- e. School UKS Team.

Article 9

(1) The Tasks of UKS Working Team:

- a. Conduct The Three Main Programmes which Includes Health Education; Health Service; and Establishment of Health School Environment, according to the stipulation and guideline determined by UKS Supervisor;
- b. Establish cooperation with parents, other institutions and community in implementing UKS activities;
- c. Organise program, conduct assessment/evaluation and submit report to the Sub-district UKS Supervisor;
- d. Conduct Administrative Work of School UKS Team;

(2) Members of UKS Working Team consist of Village/Regions Government, Headmasters, Teachers, Tutors, and Intra-School Student's Organisation, Local Community Health Centre, Parents and other relevant parties.

(3) Memberships of UKS Working Team are appointed by the Headmaster.

Article 10

The cost of establishment and development of UKS includes State Budget for Income and Expenses [APBN] for each department, Provincial, District, and School Budget for Income and Expenses and other legal and unbinding sources.

FRESH - Focusing Resources on Effective School Health

[...]

Recognizing the fundamental connection between health and education, and the urgent need to stem the tide of HIV/AIDS, school health experts at UNESCO, UNICEF, WHO, the World Bank, Education International, Education Development Center and the Partnership for Child Development have come together to develop a framework for comprehensive school health programming named FRESH (Focusing Resources on Effective School Health). FRESH is one of the EFA nine inter-agency flagship initiatives launched at the World Education Forum in Dakar. Since the launch in 2000, it has been endorsed by a variety of other agencies and initiatives.

The FRESH initiative is linked to all six goals of EFA, by identifying and addressing the diverse health related problems that interfere with enrolment, attendance and learning. To achieve these six goals, the following four components are defined as the framework, which should be made available together, in all schools:

- Health related school policies;
- Provision of safe water and sanitation facilities;
- Skills-based health education;
- School based health and nutrition services.

In order to use the FRESH framework effectively and to develop stronger commitment for school policies, there is a need for close collaboration between the Ministries of Education and Health, as well as the wide public partnership. In this regard "UNESCO Regional Workshop on Education Sector's Response to HIV/AIDS and adoption of FRESH initiative: The role of

Comprehensive School Health to support EFA" was organized in Jakarta on the 22-23 February 2006.

[...]

"We need to focus on the school environment as an arena for change and inclusion, with the teachers and principals playing a lead role in HIV/AIDS prevention. Including the excluded and keeping the young generation sound and healthy lies at the core of FRESH. Therefore we need to seize the opportunity of this initiative and take a FRESH approach to school health" - Mr. Simon Baker from UNESCO Bangkok remarked during the closing ceremony.

[...]

Article by UNESCO Jakarta,
EENET Asia Newsletter 05/2006



Picture by IDP Norway

Full Version - Bahasa Indonesia:
[www.depkes.go.id/downloads/
SKB_No1068_Th2003.PDF](http://www.depkes.go.id/downloads/SKB_No1068_Th2003.PDF)

Law 23/1992 on Health

Article 4

Every person has equal right in obtaining optimum degree of health.

Article 5

Every person has an obligation to take part in maintaining and improving the level of health of a person, family and community.

Article 6

Governments have duties to arrange, develop, and supervise the implementation of health services.

Article 7

Governments have duties to implement equal and accessible health service for communities.

Article 8

Governments have duties to mobilize community participation in implementing and funding the health, by considering social function in order to ensure good quality of the health service for poor communities.

Article 10

To establish optimum degree of health for the communities, health service is implemented using the approach of maintenance, improvement of health (promotion), prevention of diseases, cure for diseases, and recovery of health condition (rehabilitative)

Article 17

(1) Health service for children is implemented to support the growth and development of a child.
(2) Child health as aforementioned in the verse (1) is conducted through the improvement of child's health during pregnancy, infancy, underfives, preschool age and school age period.

Article 18

(2) Governments help the implementation

and development of family health through the provision of means and infrastructure or with the activity involving supporting family health.

Article 28

(1) The fight against diseases is undertaken to reduce the number of patients and mortality rate.
(2) The fight against diseases is undertaken towards infectious and non-infectious diseases.
(3) The fight against infectious diseases or diseases which cause the number of patients and mortality rate to rise is carried out as early as possible.

Article 30

The fight against infectious disease is undertaken with the efforts of awareness, investigation, immunization activities and combating the sources and mediator for the diseases, quarantine efforts and other attempts necessary to perform.

Article 31

In the effort to fight against infectious diseases which can cause epidemic, quarantine of diseases is conducted according to the prevailing law. Section Nine of Cure and Treatment for Disease and of Health Recovery.

Article 45

(1) School health is implemented to improve the ability to lead healthy live among students in a healthy environment so that they can learn, grow and develop harmoniously and optimally to become quality human beings.
(2) School health as aforementioned in the Verse (1) is implemented through school or through other educational institutions.
(3) The stipulation on school health as aforementioned in the Verse (1) and Verse (2) is stated by Government Regulation.

Fighting the Stigma and Discrimination against People Infected or Affected by HIV and AIDS

Article by Samuel Nugraha, UNAIDS Jakarta
EENET Asia Newsletter - Symposium Edition, April 2006

Why is HIV disease or AIDS different from other diseases? Mainly because fear, lack of knowledge and prejudices create stigma and discrimination against people who are either infected or affected by it. In order to respond successfully to the AIDS epidemic it is necessary to fully understand the challenges we are facing. [...]

We soon realised that HIV and AIDS is the responsibility of us all. We changed our approach and became more effective in the battle against the decease as well as the discrimination and stigma that often follow.

Confidentiality is a must. It is not our right to know someone's medical status unless we are a part of that person's support system. However, as teachers or doctors' and other health care providers we should always treat this information with confidentiality. When we work with HIV and AIDS issues, it is common that we discover a persons HIV status by accident or it is voluntarily shared with us by those infected or affected. Again we must keep this information to ourselves. If a person with HIV or AIDS disclose their status to us, our first reaction will probably be pity, which is in our human nature. [...] And then hopefully the trust will be build. When the HIV or AIDS label is gone out of our head, then we will treat a person infected with HIV or AIDS like any other human being. It will never be easy for any of us to deal with HIV and AIDS and yet everywhere we turn our faces, we will find it, it is among us, therefore we are all affected by HIV and AIDS.

Access to quality education is the right of ALL children. Children infected or affected by HIV or AIDS are confronted with grief, fear and death and will need the support of

an inclusive and child friendly environment in their schools and communities. This support will be crucial for their development. Teachers and counsellors will play a major role in addressing the concern of children, parents and communities related to the non-exclusion and non-discrimination of children affected or infected with HIV or AIDS as well as in a practical and realistic approach to HIV prevention.

With all our limitations regarding HIV and AIDS we must never think that we have all the answers or that we always know the best solution. We need to develop our network relating to HIV programs because to win this battle it takes everyone's support and involvement. We often experience that we don't know the answer but it is difficult to say: "We don't know, when we don't know"! But that is the only way how we can gain more knowledge, develop experience to improve our response and better contribute to the national and global effort to combat AIDS epidemic. [...]



Foto oleh IDP Norway

Full Version:

www.asiamaya.com/undang-undang/uu_kesehatan/uu_kesehatan_index.htm

Further Information:

WHO: www.who.int

Depkes: www.depkes.go.id

Sentani Commitment to Combat HIV/AIDS in Indonesia

Since the discovery of the first case of HIV/AIDS in Indonesia in 1987, an epidemic has been spreading rapidly that is heavily concentrated in 6 provinces: Bali, DKI Jakarta, West Java, East Java, Papua and Riau. A similar trend can be found in other provinces as well.

In order to prevent HIV/AIDS from spreading even more widely, as well as endangering the general population [generalized epidemic], and in order to prevent HIV/AIDS from becoming a national threat, we, the participants of the Coordination Meeting of the National AIDS Commission, representatives of the 6 priority for HIV/AIDS Prevention in Indonesia, on this day, Monday 19 January 2004, in full awareness and with full responsibility, declare our commitment to the National Movement to combat HIV/AIDS through the following endeavors:

First: Promotion of the use of condoms in all risky sexual activities, with 50% achievement target 2005

Second: Reducing harm of intravenous narcotics injecting

Third: HIV/AIDS medical treatment including the use of ARV medicine for at least 5000 PLWHA in 2004

Fourth: Reduction of Stigma and Discrimination towards PLWHA

Fifth: Establishment of functional Provincial/Regency/City AIDS Commission [KPAD]

Sixth: Support for legislation and budgets for the Implementation of HIV/AIDS prevention

Seventh: Acceleration of concrete action for HIV/AIDS prevention that takes all aspects into consideration [such as prevention, education, IEC, religious education and sermons] that may help achieve the objectives.

We realize that the success of AIDS prevention is a non-negotiable issue in saving Indonesia from a worsening situation

Sentani, 19th February 2004

Provincial Representatives:

- Governor of Bali, represented by the Vice Governor [I.G.N. Kesuma Kelakan]
- Governor of Jakarta, represented by the Head of Department of Health Jakarta [Dr. Halik Masulili, Msc]
- Governor of West Java, represented by the provincial Secretary of West Java [Ir. Setya Hidayat]
- Governor of East Java, represented by the Assistant for Public Heath, East Java [Ir. R. Kardani]
- Governor of Papua [Drs. J.P. Solossa, Msi]
- Governor of Riau, represented by the Provincial Secretary of Riau [Arsyad Rachim]

Direction of the National AIDS Commission [KPA Nasional]:

- Coordinating Minister for People's Welfare, Chairman of the KPA [H.M. Jusuf Kalla]
- Minister of Health, Executive Vice Chairman of the KPA [Dr. Achmad Sujudi, MHA]
- Minister of Health, Executive Vice Chairman of the KPA [H. Bachtiar Chamsah, SE]
- Minister of Social Affairs, Vice Chairman of the KPA [Prof. Dr. Said Aqiel Munawar]
- Minister of National Education, Vice Chairman of KPA, represented by the Secretary General of National of National Education [Drs. Baedhowi, Msi]
- Minister of Internal Affairs, KPA member, represented by the Director General of the Department of Internal Affairs [Dr. Drs. H. Ardi Artadinata, Msi]
- Head of the National Family Planning Board [BKKBN], KPA member [Dr. Sumaryanti Aryoso]
- Head of Commission VII, National Parliament [Dr. Sanusi Tambunan]

Source: Embracing Diversity:
 UNESCO Toolkit for Creating Inclusive, Learning-Friendly Environments
 Booklet 6: Creating a Healthy and Protective ILFE

SKILLS-BASED HEALTH EDUCATION TO PREVENT HIV/AIDS

This section describes how skills-based health education can be used to prevent HIV/AIDS and reduce the stigmatization of those affected by the disease. The activities in this section, moreover, can be adapted for use in dealing with other health problems as discussed above.

Education is the key to reducing stigma and promoting greater understanding of HIV/AIDS. Your school is an important setting for educating children about HIV/AIDS, as well as for stopping the further spread of the HIV infection. Success in doing this depends upon how well we reach children and young adults in time to promote positive health behaviours and prevent the behaviours that place young people at risk.

Our crucial responsibility is to teach young people how to avoid either contracting the infection or transmitting it to others, as well as to promote the development of HIV-related school policies. In this way, we can make important improvements in the quality of health education provided to young people in our schools, and we can take an important step towards improving the health of our communities.

A skills-based approach to HIV/AIDS uses participatory (active) learning techniques to:

- help individuals evaluate their own level of risk;
- examine their personal values and beliefs;
- decide what actions to take to protect

- themselves and others from HIV; and
- acquire skills that will help them to carry through on their decisions.

Skill-based health education to prevent HIV/AIDS can be linked to other relevant issues already addressed in many of our schools, including pregnancy and reproductive health, population education, family life education, and prevention of substance abuse.

What are some of the ways you can begin a skills-based programme to prevent HIV/AIDS amongst our children? Let's look at some of these in terms of activities that you and your schools can do, as well as what you can do with our children.



Further Information:

UNGASS: www.ungass.org
 UN: www.un.org/ga/aidsmeeting2006
 UNAIDS: www.unaids.org/en/HIV_data/2006GlobalReport

Embracing Diversity: UNESCO Toolkit for Creating Inclusive, Learning-Friendly Environments

English Version:
www2.unescobkk.org/elib/publications/032revised

Bahasa Indonesia Version:
www.idp-europe.org/toolkit

HIV and AIDS

UNESCO

www.unesco.org/aids

UNESCO Jakarta

www.unesco.or.id/activities/education/145.php

UNAIDS

www.unaids.org

HIV prevention, like treatment, is for life. Instead of short-term or isolated prevention initiatives, effective national programmes need to sustain essential programmatic and policy actions at a sufficient scale over the long term, adapting them as the epidemic evolves, responding to changes in infection patterns and social environments.

[UNAIDS; 2006 Report; p. 124]

Education has a documented impact on the pandemic. A study in 32 countries found that literate women were 4 times more likely than illiterate ones to know the main ways to avoid HIV/AIDS. [...] Schools can play an active role in mitigating the spread of the disease by providing reliable information and counselling, and taking measures to prolong girls' education.

[UNESCO; EFA Global Monitoring Report 2006 - Summary; p. 8]

What is HIV and AIDS

HIV stands for Human Immunodeficiency Virus. This is the virus known to cause AIDS (Acquired Immune Deficiency Syndrome). If someone is HIV-positive, it means they have been infected with the virus.

A person infected with HIV does not have AIDS until the virus seriously damages their

immune system, making them vulnerable to a range of infections, some of which can lead to death.

HIV is transmitted through body fluids in particular blood, semen, vaginal secretions and breast milk.

Only 4 ways you can become HIV positive

1. unprotected sexual intercourse with an infected partner (the most common);
2. sharing needles or other contaminated injection or skin-piercing equipment;
3. blood and blood products through, for example, infected transfusions and organ or tissue transplants;
4. transmission from infected mother to child in the womb or at birth and breastfeeding.

You cannot get HIV by

1. Shaking hands
2. Sharing cutlery
3. Hugging each other
4. Drinking from the work fountain
5. Using the same cup
6. Being a friend
7. Playing together
8. Learning together / going to the same school

HIV/AIDS Prevention

HIV/AIDS is both a health problem and a social problem. Because the spread of HIV/AIDS is strongly influenced by human behaviour, any efforts to prevent it need to take this factor into consideration.

Prevention efforts among the general population consist of improving skills and knowledge, in ways appropriate to local religious and cultural norms, about how the virus is transmitted, its consequences and how to prevent it, using existing IEC methods.

Disseminating knowledge through formal and non formal education as well as through religious channels is achieved by systematically integrating HIV/AIDS materials into their regular curriculum. This requires capacity building for teachers, tutors, trainers, bureaucrats and leaders of work units, who can pass such information to their students or subordinates.

Proper implementation of an IEC program also calls for capacity building for those on the front line-healthy workers, social workers, outreach workers, teachers, master trainers and so on.

Prevention efforts directed at high-risk population such as sex workers and their clients, PLHA and their partners, IDUs, and others who, due to the nature of their work, are at risk of being infected with HIV/AIDS should be based on effective prevention measures such as condom use, harm reduction, observance of universal precautions and so on.

Working on this conceptual basis, the following target groups need to be defined.

Foreword

As we understood that the issue of HIV/AIDS is not only a health issue but it has implications on politics, social, religion and law or statute. Even if we don't try to tackle this issue seriously then the real impact, soon or later will touch almost all aspects of human life and it will eventually threatening the nation's efforts to improve the quality of human resources.

Overcoming HIV/AIDS through education is quite effective. It is carried out both to the students, teachers as well as education staffs in formal and non-formal ways, which can be done by integrating HIV/AIDS subject to every training session or relevant teaching learning activities. It even can be done specifically through Relevant Communication, Information and Education media.

This prevention strategy of HIV/AIDS was designed to refer to the National Strategy of Overcoming HIV/AIDS 2003-2007 and the Decree of Minister of National Education is meant to be a reference and guideline for education management both in the central and provincial/district level, as well as NGO in the efforts to prevent HIV/AIDS through education. Every unit of institution working in the program can develop further permanent, appropriate program according to situations and conditions.

Jakarta, 21. September 2004
Minister of National Education

A. Malik Fajar

World Declaration on Education for All [EFA]

Meeting Basic Learning Needs

Every person - child, youth and adult - shall be able to benefit from educational opportunities designed to meet their basic learning needs.

Shaping The Vision

To serve the basic learning needs of all requires more than a recommitment to basic education as it now exists. What is needed is an "expanded vision" that surpasses present resource levels, institutional structures, curricula, and conventional delivery systems while building on the best in current practices.

Universalising Access And Promoting Equity

Basic education should be provided to all children, youth and adults.

Focussing On Learning

Whether or not expanded educational opportunities will translate into meaningful development - for an individual or for society - depends ultimately on whether people actually learn as a result of those opportunities, i.e., whether they incorporate useful knowledge, reasoning ability, skills, and values.

Broadening The Means And Scope Of Basic Education

- Learning begins at birth.
- The main delivery system for the basic education of children outside the family is primary schooling.
- The basic learning needs of youth and adults are diverse and should be met through a variety of delivery systems.
- All available instruments and channels of information, communications, and social action could be used to help convey essential knowledge and inform and educate people on social issues

Enhancing The Environment For Learning

Learning does not take place in isolation. Societies, therefore, must ensure that all learners receive the nutrition, health care, and general physical and emotional support they need in order to participate actively in and benefit from their education.

Strengthening Partnerships

National, regional, and local educational authorities have a unique obligation to provide basic education for all, but they cannot be expected to supply every human, financial or organizational requirement for this task. New and revitalized partnerships at all levels will be necessary:

Developing A Supportive Policy Context

Supportive policies in the social, cultural, and economic sectors are required in order to realize the full provision and utilization of basic education for individual and societal improvement.

Mobilising Resources

If the basic learning needs of all are to be met through a much broader scope of action than in the past, it will be essential to mobilize existing and new financial and human resources, public, private and voluntary.

Strengthening International Solidarity

Meeting basic learning needs constitutes a common and universal human responsibility. It requires international solidarity and equitable and fair economic relations in order to redress existing economic disparities.

"[...] It is quite clear that Education for All (EFA) cannot be achieved unless education systems put in place education programmes both formal and non-formal in approach which are genuinely inclusive of all learners. What has to be done to make this possible?

First, ministries of education must rise above their satisfaction with 90% or 95% or even 98% net enrolment rates and commit themselves to eliminating the net non-enrolment rate of 2% or 5% or 10% which, in some countries, can still mean millions of children not in school. They must do this by identifying those groups of children who are not enrolled or perhaps enrolled, but not learning --whether because of poverty, gender, disability, remoteness, linguistic or cultural difference, or HIV/AIDS status. They must answer several questions about these children: Who are they? Where do they live? Why are they not in school? And they must then work to decide what policies can be put in place to make it easier for these groups to get into school and stay there - whether it be general policies promoting more child-friendly schools or more specific actions such as subsidies for girls, individualised programmes for children with disabilities, initial literacy in mother tongue for linguistic minorities, or laws that forbid discrimination against children affected by HIV/AIDS. A similar analysis, of course, should be done in relation to youth and adult illiterates. This means, ultimately , adopting a rights-based approach to education development which, among other things, insists that all people have a right to a quality education.

Secondly, and similarly, individual schools and communities must actively seek out those children not in school and then find a way to get them into school and keep them there. Experience shows that various mechanisms can make this happen in institutions of local government, parent-teacher associations, even students

themselves in exercises of community mapping. But such an effort is not always a welcome one. Many teachers and many parents do not want their schools filled with children who may be more difficult to teach because of poverty, disability, language difference, or HIV/AIDS status. They are happy to teach those who knock on the school door and want to get in but are not terribly eager to increase the size of their class or complicate their work by having to teach a classroom characterised by diversity. The goal is to get parents to feel responsible for the education not only of their own children but also of those of their neighbours and teachers to be both willing and able to see diversity in a classroom as an opportunity rather than a problem.

Those excluded from education are often simply not seen; if seen, they are not counted; if counted, they are not served. Inclusive education really means making the invisible, visible, and ensuring that all learners fulfill their right to an education of good quality.

Sheldon Shaeffer/UNESCO Bangkok;
EENET Asia Newsletter 06/2005



Full Version - English: www.unesco.org/education/efa/ed_for_all/background/jomtien_declaration.shtml

Further Information:
 UNESCO: www.unesco.org
 EENET: www.eenet.org.uk
 IDP Norway: www.idp-europe.org/indonesia

Convention against Discrimination in Education

Article 1

1. For the purpose of this Convention, the term "discrimination" includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education and in particular:

- (a) Of depriving any person or group of persons of access to education of any type or at any level;
- (b) Of limiting any person or group of persons to education of an inferior standard;
- (c) Subject to the provisions of article 2 of this Convention, of establishing or maintaining separate educational systems or institutions for persons or groups of persons; or
- (d) Of inflicting on any person or group of persons conditions which are incompatible with the dignity of man. [...]

Article 2

When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of article 1 of this Convention:

- (a) The establishment or maintenance of separate educational systems or institutions for pupils of the two sexes, if these systems or institutions offer equivalent access to education, provide a teaching staff with qualifications of the same standard as well as school premises and equipment of the same quality, and afford the opportunity to take the same or equivalent courses of study;
- (b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level;

(c) The establishment or maintenance of private educational institutions, if the object of the institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authorities, if the institutions are conducted in accordance with that object, and if the education provided conforms with such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.

Article 3

In order to eliminate and prevent discrimination within the meaning of this Convention, the States Parties thereto undertake:

- (a) To abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education;
- (b) To ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions;
- (c) Not to allow any differences of treatment by the public authorities between nationals, except on the basis of merit or need, in the matter of school fees and the grant of scholarships or other forms of assistance to pupils and necessary permits and facilities for the pursuit of studies in foreign countries;
- (d) Not to allow, in any form of assistance granted by the public authorities to educational institutions, any restrictions or preference based solely on the ground that pupils belong to a particular group;
- (e) To give foreign nationals resident within their territory the same access to education as that given to their own nationals.

Article 4

The States Parties to this Convention undertake furthermore to formulate, develop and apply a national policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education and in particular:

- (a) To make primary education free and compulsory; make secondary education in its different forms generally available and accessible to all; make higher education equally accessible to all on the basis of individual capacity; assure compliance by all with the obligation to attend school prescribed by law;
- (b) To ensure that the standards of education are equivalent in all public education institutions of the same level, and that the conditions relating to the quality of education provided are also equivalent;
- (c) To encourage and intensify by appropriate methods the education of persons who have not received any primary education or who have not completed the entire primary education course and the continuation of their education on the basis of individual capacity;
- (d) To provide training for the teaching profession without discrimination.

Article 51

The States Parties to this Convention agree that:

- (a) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms; it shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace;
- (b) It is essential to respect the liberty of parents and, where applicable, of legal guardians, firstly to choose for their children institutions other than those maintained by the public authorities but conforming to such minimum educational standards as may be laid down or approved by the competent authorities and, secondly, to ensure in a manner consistent with the procedures followed in the State for the application of its legislation, the religious and moral education of the children in conformity with their own convictions; and no person or group of persons should be compelled to receive religious instruction inconsistent with his or

their conviction;

- (c) It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use or the teaching of their own language,
- [...]

"In some countries, inclusive education is thought of as an approach to serving children with disabilities within general education settings. Internationally, however, it is increasingly seen more broadly as a reform that responds to diversity amongst all learners."

Prof. Mel Ainscow, University of Manchester
(International Symposium 09/2005)



Full Version:

www.unesco.org/education/pdf/DISCR_E.PDF

Further Information:

UNESCO: portal.unesco.org/education

UNESCO Bangkok: www.unescobkk.org

EENET: www.eenet.org.uk

Salamanca Statement and Framework for Action on Special Needs Education

Statement

Article 2

- We believe and pro claim that:
- every child has a fundamental right to education, and must be given the opportunity to achieve and maintain an acceptable level of learning,
- every child has unique characteristics, interests, abilities and learning needs,
- education systems should be designed and educational programmes implemented to take into account the wide diversity of these characteristics and needs,
- those with special educational needs must have access to regular schools which should accommodate them within a child centred pedagogy capable of meeting these needs,
- regular schools with this inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all; more over, they provide an effective education to the majority of children and improve the efficiency and ultimately the cost-effectiveness of the entire education system.

Article 3

We call upon all governments and urge them to:

- give the highest policy and budgetary priority to improve their education systems to enable them to include all children regardless of individual differences or difficulties,
- adopt as a matter of law or policy the principle of inclusive education, enrolling all children in regular schools, unless there are compelling reasons for doing otherwise,
- develop demonstration projects and encourage exchanges with countries having experience with inclusive schools ,
- establish decentralized and participatory mechanisms for planning, monitoring and evaluating educational provision for children and adults with special education needs,
- encourage and facilitate the participation

- of parents, communities and organization of persons with disabilities in the planning and decision-making processes concerning provision for special educational needs,
- invest greater effort in early identification and intervention strategies, as well as in vocational aspects of inclusive education,
- ensure that, in the context of a systemic change, teacher education programmes, both pre-service and in-service, address the provision of special needs education in inclusive schools.

Framework for Action

Article 3

The guiding principle that informs this Framework is that schools should accommodate all children regardless of their physical, intellectual, social, emotional, linguistic or other conditions. This should include disabled and gifted children, street and working children, children from remote or nomadic populations, children from linguistic, ethnic or cultural minorities and children from other disadvantaged or marginalized areas or groups. These conditions create a range of different challenges to school systems. In the context of this Framework, the term 'special educational needs' refers to all those children and youth whose needs arise from disabilities or learning difficulties. Many children experience learning difficulties and thus have special educational needs at some time during their schooling. Schools have to find ways of successfully educating all children, including those who have serious disadvantages and disabilities. There is an emerging consensus that children and youth with special educational needs should be included in the educational arrangements made for the majority of children. This has led to the concept of the inclusive school. The challenge confronting the inclusive school is that of developing a child-centred pedagogy capable of successfully educating all children, including those who have serious disadvantages and disabilities. [...]

Article 4

[...] It assumes that human differences are normal and that learning must accordingly be adapted to the needs of the child rather than the child fitted to preordained assumptions regarding the pace and nature of the learning process. A child-centred pedagogy is beneficial to all students and, as a consequence, to society as a whole. [...] it can substantially reduce the drop-out and repetition [...], while ensuring higher average levels of achievement. [...] Child-centred schools are, moreover, the training ground for a people-oriented society that respects both the differences and the dignity of all human beings.

Article 6

[...] Inclusion and participation are essential to human dignity and to the enjoyment and exercise of human rights. [...]

Article 7

The fundamental principle of the inclusive school is that all children should learn together, wherever possible, regardless of any difficulties or differences they may have. Inclusive schools must recognize and respond to the diverse needs of their students, [...]

Article 10

[...] Experience, moreover, suggests that inclusive schools, serving all of the children in a community, are most successful in eliciting community support and in finding imaginative and innovative ways of using the limited resources that are available.

Article 18

Educational policies at all levels, from the national to the local, should stipulate that a child with a disability should attend the neighbourhood school that is, the school that would be attended if the child did not have a disability. [...]

"At the heart of inclusive education is the right to education. Inclusive education is no more and no less than implementing the right to non-discrimination to and in education as laid down in the Universal Declaration of Human Rights (1948), reiterated by the Convention on the Rights of the Child (1989), the Salamanca Statement (1994) and the Dakar Framework for Action (2000). Every person has the right to belong to mainstream society, mainstream development and therefore to mainstream education! The question is whether we are ready to face the implications of such a position."

Els Heijnen;
International Symposium on Inclusion and the Removal of Barriers to Learning, Participation and Development - 09/2005



Picture by IDP Norway

Full Version - English:

www.unesco.org/education/pdf/SALAMA_E.PDF

Full Version - Bahasa Indoensia

www.idp-europe.org/indonesia/docs/SALAMANCA_indo.pdf

Further Information:

UNESCO: www.unesco.org

EENET: www.eenet.org.uk/salamanca/salamanca.shtml

IDP Norway: www.idp-europe.org/indonesia

The Dakar Framework - Education For All

Article 3

[...] It is an education geared to tapping each individual's talents and potential, and developing learners' personalities, so that they can improve their lives and transform their societies.

Article 6

Education is a fundamental human right. [...]

Article 7

We hereby collectively commit ourselves to the attainment of the following goals:

- (i) expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children;
- (ii) ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete, free and compulsory primary education of good quality;
- (iii) ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life-skills programmes;
- (iv) achieving a 50 per cent improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults;
- (v) eliminating gender disparities in primary and secondary education by 2005, and achieving gender equality in education by 2015, with a focus on ensuring girls' full and equal access to and achievement in basic education of good quality;
- (vi) improving all aspects of the quality of education [...].

Article 8

To achieve these goals, we the governments, organizations, agencies, groups and associations represented at the World Education forum pledges ourselves to: [...]

- (viii) implement as a matter of urgency education programmes and actions to combat the HIV/AIDS pandemic; [...]

Article 10

Political will and stronger national leadership are needed for the effective and successful implementation of national plans in each of the countries concerned. [...]

Article 15

Implementation of the preceding goals and strategies will require national, regional and international mechanisms to be galvanized immediately. To be most effective these mechanisms will be participatory and, wherever possible, build on what already exists. [...]

Article 16

The heart of EFA activity lies at the country level. National EFA Forums will be strengthened or established to support the achievement of EFA. All relevant ministries and national civil society organizations will be systematically represented in these Forums. [...] Countries will prepare comprehensive National EFA Plans [...] goals;

Article 27

The threat posed by HIV/AIDS to the achievement of EFA goals and to development more broadly, especially in sub-Saharan Africa, presents an enormous challenge. The terrifying impact of HIV/AIDS on educational demand, supply and quality requires explicit and immediate attention in national policy-making and planning. Programmes to control and reduce the spread of the virus must make maximum use of education's potential to transmit messages on prevention and to change attitudes and behaviours.

Article 62

The HIV/AIDS pandemic is undermining progress towards Education for All in many parts of the world by seriously affecting educational demand, supply and quality. This situation requires the urgent attention of governments, civil society and the international community. Education systems must go through significant changes if they are to survive the impact of HIV/AIDS and counter its spread, especially in response to

the impact on teacher supply and student demand. To achieve EFA goals will necessitate putting HIV/AIDS as the highest priority in the most affected countries, with strong, sustained political commitment; mainstreaming HIV/AIDS perspectives in all aspects of policy; redesigning teacher training and curricula; and significantly enhancing resources to these efforts.

Article 63

The decade has shown that the pandemic has had, and will increasingly have, a devastating effect on education systems, teachers and learners, with a particularly adverse impact on girls. Stigma and poverty brought about by HIV/AIDS are creating new social castes of children excluded from education and adults with reduced livelihood opportunities. A rights-based response to HIV/AIDS mitigation and ongoing monitoring impact of the pandemic on EFA goals are essential. This response should include appropriate legislation and administrative actions to ensure the right of HIV/AIDS affected people to receive education and to combat discrimination within the education sector.

Article 64

Education institutions and structures should create a safe and supportive environment for children and young people in a world with HIV/AIDS, and strengthen their protection from sexual abuse and other forms of exploitation. Flexible non-formal approaches should be adopted to reach children and adults infected and affected by HIV/AIDS, with particular attention to AIDS orphans. Curricula based on life-skills approaches should include all aspects of HIV/AIDS care and prevention. Parents and communities should also benefit from HIV/AIDS-related programmes. Teachers must be adequately trained, both in-service and pre-service, in providing HIV/AIDS education, and teachers affected by the pandemic should be supported at all levels.

"[...] The six goals adopted at the World Education Forum in Dakar, Senegal, in April 2000, implicitly or explicitly integrate a quality dimension. Goal 6, in particular, commits countries, with the support of their EFA partners, to improve all aspects of the quality of education. The benefits of early childhood, literacy and life-skills programmes largely depend on the quality of their contents and of their teachers. Reducing gender disparities in education relies strongly on strategies that address inequalities in the classroom in society. Primary and secondary education - the central planks of most education systems - are expected to ensure that all pupils acquire the knowledge, skills and necessary for the exercise of responsible citizenship.

Although much debate surrounds attempts to define education quality, solid common ground exists, as this third issue of the EFA Global Monitoring Report makes clear. Quality must be seen in light of how societies define the purpose of education. In most, two principal objectives are at stake: the first is to ensure the cognitive development learners. The second emphasises the role of education in nurturing the creative and emotional growth of learners and in helping them to acquire values and attitudes responsible citizenship. Finally, quality must pass the test of equity: an education system characterized by discrimination against any particular group is not fulfilling its mission. [...]” [Ko chiro Matsuura, Director-General of UNESCO; Foreword EFA Global Monitoring Report 2005]



Full Version:

www.unesco.org/education/efa/ed_for_all/dakfram_eng.shtml

Further Information:

UNESCO: www.unesco.org

EENET: www.eenet.org.uk

IDP Norway: www.idp-europe.org/indonesia

Bangkok Declaration of the Southeast Asian Ministers of Education Conference/UNESCO/SEAMEO

We, Ministers and High Officials of Ministries of Education from the 10 countries of Southeast Asia, met in a Ministerial Forum on 26 May in Bangkok, Thailand, to discuss the issue of "increasing access to, and the quality of, education through child-friendly learning environments".

We recognize the following:

- That the ongoing SEAMEO project on "Quality and Equity in Education" highlights our concern for fulfilling the right of all children to obtain a basic education of good quality;
- That a comprehensive definition of quality and equity in education includes
 - a. inclusive education; and
 - b. Gender responsive education; and
 - c. Healthy and protective learning environments;
- That many countries in our region are developing and implementing educational innovations and systematic reforms;
- That many of these innovations are based upon a framework of child-friendly schools" and "child-friendly environments".

We, therefore, agree to the following:

- To reaffirm our commitment to the shared vision on quality and equity in education in SEAMEO Member Countries, as stated in the SEAMEO Declaration on Quality and Equity in Education in Southeast Asia signed by SEAMEO Education Ministers at the 37th SEAMEO Council Conference in Chiang Mai, Thailand, in March 2002;
- To promote within our ministries of education a comprehensive definition of educational quality which ensures effective teaching and learning, but also includes
 - a. Inclusive education;
 - b. Gender responsive education; and

c. Healthy and protective learning environments;

- To share experience and best practices on, and where possible, further develop ongoing innovations and reforms [such as Child-Friendly Schools and SMART Schools] which pay particular attention to enhancing access to and quality of education through child-friendly school learning environments including their integration into both pre-service and in-service teacher education and support programmes;
- To promote within our ministries of education a systematic programme of capacity building in school-based management and community-based education which promotes school-community partnerships and the empowerment of educational stakeholders;
- To collaborate more actively and build partnerships and networks within SEAMEO, as well as explore possible collaborations with other countries, with relevant ministries in our governments and with interested development assistance agencies and non-government organizations, in efforts to address quality of education from a holistic perspectives;
- To annually review these efforts at the SEAMEO High Officials' Meeting and explore further activities which could be undertaken to enhance access to and quality of education through child-friendly learning environments.

Bangkok, 26 May 2004

From the Introduction of: Education in a Multilingual World UNESCO Education Position Paper; 2003

[...]

Language and, in particular, the choice of language of instruction in education is one such concern and often invokes contrasting and deeply felt positions. Questions of identity, nationhood and power are closely linked to the use of specific languages in the classroom. Language itself, moreover, possesses its own dynamics and is constantly undergoing processes of both continuity and change, impacting upon the communication modes of different societies as it evolves. Educational policy makers have difficult decisions to make with regard to languages, schooling and the curriculum in which the technical and the political often overlap. While there are strong educational arguments in favour of mother tongue (or first language) instruction, a careful balance also needs to be made between enabling people to use local languages in learning, and providing access to global languages of communication through education. The purpose of this position paper, therefore, is to consider some of the central issues concerning languages and education and to provide related guidelines and principles. In doing so we are conscious of the need for a clear statement on language policy in relation to education, particularly within the context of Education for All and in terms of the Dakar goals of ensuring that by 2015 all children have access to quality primary education and that there is a 50 per cent increase in adult literacy by the year 2015.

In 1953 UNESCO published the expert report on The Use of Vernacular Languages in Education and this continues to be the most frequently cited UNESCO document on language issues in education. Significant changes have taken place over the past fifty years, however: there have been profound political transformations leading to new language policies especially in postcolonial and newly independent countries; many hundreds of languages have disappeared

throughout the world and many more remain endangered; migratory movements on a mass scale have brought new and varied languages to other countries and continents; the internet has dramatically affected the way in which language and languages are used for communication and indeed for learning; and rapidly accelerating globalization increasingly challenges the continued existence of many small, local identities frequently based on language. The time has come, therefore, for UNESCO to reconsider its position on languages and education.

This position paper is divided into three separate parts. In Part I, we present the key concepts [...] In Part II, we present a synthesis of the normative framework for languages and education based, [...] Part III of the position paper provides a synthesis of the many discussions and agreements on language issues that have been adopted under the auspices of both the United Nations and UNESCO. [...]



Picture by IDP Norway

Full Version:
www.idp-europe.org/indonesia/bkkforum.pdf

Education in a Multilingual World:
<http://unesdoc.unesco.org/images/0012/001297/129728e.pdf>

Further Information:
SEAMEO: www.seameo.org/vl/library/dlwelcome/photogallery/mou/bangkok

Law 20/2003 on National Education System

Article 5

- (1) Every citizen has equal rights to receive a good quality education.
- (2) Citizens with physical, emotional, mental, intellectual, and/or social deficiencies shall have the right to receive special education.
- (3) Citizens in remote or less developed areas, and isolated areas have the right to receive education with special services.
- (4) Citizens who are proven intelligent and especially gifted have the right to receive special education.
- (5) Every citizen shall have the right to enhance his/her educational ability in the process of life-long education

Article 6

- (1) Every seven to fifteen years old citizen shall have the right to receive basic education.
- (2) Every citizen shall have the obligation to keep the education process sustainable.

Article 8

The community has the right to participate in the planning, implementation and monitoring, and evaluation of the education programmes.

Article 11

- (1) The Government and local governments have to provide services and facilities, and ensure the implementation of quality education for every citizen without discrimination.
- (2) The Government and local government have to ensure the availability of funds for the implementation of education for every Indonesian citizen from aged seven to fifteen.

Article 12

- (1) Every learner in an educational unit is entitled to:
 - a. receive religious education in accordance with his/her religion, imparted by an educator who has the same religion;
 - b. obtain education services in accordance with his/her talent, interest, and ability;

- c. receive a scholarship in recognition of meritorious performance if his/her parents are not able to bear education expenses;
- d. receive educational grant if his/her parents are not able to bear education expenses;
- e. shift from one to another stream and unit of education at the same level;
- d. complete an education programme based on individuals' rate of learning and not exceeding the time determined.

Article 32

- (1) Special Education is provided for learners who have difficulties in following the learning process because of physical, emotional, mental, and social deficiencies, and also for those with proven intelligence and especially gifted.
- (2) Education with special services is provided for learners in the remote and less-developed areas, isolated areas, and/or for learners who are victims of natural disasters, suffer from social deficiencies, and those who are economically disadvantaged. [...]

Article 34

- (1) Every citizen can enrol in a compulsory basic education programme at the age of six.
- (2) The Government and local governments guarantee the implementation of compulsory education at least for basic education free of cost.
- (3) Compulsory education is the State's responsibility, which is provided by the Government, the local governments, and the community. [...]

Article 35

- (1) National education standards consist of the standard of the content, process, graduate outcomes, educational personnel, facilities and equipment, management, funding, and educational assessment, which should be improved systematically and regularly.
- (2) National educational standards are used as a guideline for the development of curriculum, development of educational

personnel, provisions of facilities and equipment, management, and funding.

(3) The development, monitoring, and reporting on the achievement of the national education standards are organized by a quality assurance body.

Article 54

- (1) Community participation in education consists of individuals, groups. Families, professional associations, private companies, and community organizations in the implementation and quality control of educational services.
- (2) Community can participate as the source, executor and consumer of educational outcomes.

From the Explanation to the Act

Article 15

[...] Special Education is provision of education programme for the disabled and/or the gifted learners, organized by inclusively or exclusively at basic and secondary level of schooling.

"Long before people around the globe expressed concern for inclusive education as a way to create equal opportunities for children, youth and adults with disabilities, we have already had a core concept of inclusion in Indonesia, which is the symbol of our state; Bhineka Tunggal Ika, in Sanskrit meaning Unity in Diversity. The surge of the inclusive education movement has reminded us that this very essence of inclusion should also apply to education.

Now we are paving the way for inclusive education. We would like to see children with their different abilities and characteristics, which are all part of normal life, in view of Bhineka Tunggal Ika. We would like to see that the ordinary classroom as an inclusive classroom, all part of an inclusive school. In a larger context an inclusive school is part of an inclusive education system and an inclusive society. This is, I believe, where we are heading."

Drs. Mudjito AK, Msi
Director for Management of Kindergarten and Elementary Schools;
during ICEVI East Asia Regional Conference
02/2005

"More than four million Indonesian children between the age 6 and 15 are out of school. Some children never enrol while others drop out or are expelled from schools because of violence, drug abuse, pregnancy or their HIV status. Where does the education system fail? How can it better respond to the realities and challenges facing children young people today?"

Quote from: Education Sector Response to HIV and AIDS in Indonesia, Article in EENET Asia Newsletter, Third Edition, November 2006



Picture by IDP Norway

Full Version:
www.indonesia.go.id/produk_uu/produk2003/uu2003/uu2003.htm

Further Information:
Depdiknas: www.depdiknas.go.id

Government Regulation 19/2005 about National Education Standards

Standard of Content

Article 5 - (1) Standard content includes the scope of materials and the level of competence to achieve the competence for graduates at a particular level and type of education.

(2) Standard content as aforementioned in the clause (1) contains curriculum structure and basic framework, study credits, educational unit level curriculum, and academic calendar.

Standard of Process

Article 19 - (1) Learning process on educational unit is implemented in interactive, inspiring, joyful, challenging, motivating ways which enable the learners to actively participate and which provide enough space for innovation, creativity and independence according to the talent, interest and physical as well as psychological development of the learners. [...]

Standard of graduates' competence

Article 25 - (1) Standard of graduates' competence is used as the evaluation guidelines in determining learners' accomplishment from the educational unit.

(2) Standard of graduates' competence aforementioned in clause (1) includes the competence for all subjects or groups of subjects. [...]

Standard of Education and Educational Staffs

Article 28 - (1) Educator should have academic qualification and competences as teaching learning agent, physically and mentally healthy, and ability to achieve the national education goals.

(2) Academic qualification as aforementioned in the clause (1) is the minimum level of education that an educator must achieve [...].

(3) The competences of teaching agent on basic and secondary education as well as

early childhood education, which include:

- a. Pedagogical competence;
- b. Personality competence;
- c. Professional competence;
- d. Social competence. [...]

Standard of Means and Infrastructure

Article 42 - (1) Every educational unit must have equipment, which include furniture, educational tools, educational media, books and other learning resources, used materials, and other equipment to support structured and continuous process of learning.

(2) Every educational unit must have facilities, which include area, classroom, headmaster's room, teachers' room, administrative room, library, laboratory, workshop room, production unit room, canteen, power and service installation room, gym hall, pray room, playground, recreational space, and other room or space required to support the structured and continuous process of learning.

Standard of Management

Standard of Management performed by the Educational Unit

Article 49 - (1) management of educational unit on basic and secondary level of educational unit applies the school based management principle which shown by independency, partnerships, participation, openness, and accountability

(2) The management of educational unit at higher education level which applies the autonomy of colleges and/or universities [...].

Standard of Management Performed by Local Government

Article 59 - (1) Local Government design annual work plan in education by prioritising the following programs:

- a. Compulsory education;
- b. Enhancement of participatory rate in education for secondary and higher level;
- c. Completion of programs on the fight against illiteracy;

- d. Quality assurance on educational unit, which is implemented both by the Local Government as well as community;
- e. Improvement of teachers' status as a profession;
- f. Educational accreditation;
- g. Improvement of educational relevance in addressing community needs; and
- h. Fulfilment of Minimum Standard of Service in education. [...]

Standard of Management, performed by the Government

Article 60 - The government design annual work plan in education by prioritising the following programs:

- a. Compulsory education;
- b. Enhancement of participatory rate in education for secondary level;
- c. Completion of programs on the fight against illiteracy;
- d. Quality assurance on educational unit, which is implemented both by the Local Government as well as community;
- e. Improvement of teachers' status as a profession;
- f. Quality improvement of lecturers;
- g. Standardization of education;
- h. Educational accreditation;
- i. Improvement of educational relevance in addressing global, national and local needs;
- j. Fulfilment of Minimum Standard of Service in education; and
- k. Quality assurance of national education.

Standard of Expenses

Article 62 - (1) Educational expenses consist of investment costs, operational and personal costs.

(2) Investment costs of the educational unit [...] include the cost for the provision of equipment and facilities, development of human resources, and permanent capital.

(3) Personal costs as [...] it includes the educational costs which learners should pay[...].

(4) Operational costs of the educational unit

[...] include:

- a. Salary of teachers and other education staffs in addition to all supplementary aids,
- b. Used materials or educational tools, and
- c. Indirect operational costs include power/electricity, water, telecommunication, maintenance of the equipments and facilities, overtime payment, transportation, food and beverages supply, tax, insurances and etc.[...]

Standard of Evaluation in Education

Article 63 - (1) Educational evaluation on basic and secondary level consists of:

- a. Evaluation of learning outcome performed by teachers;
- b. Evaluation of learning outcome performed by educational units; and
- c. Evaluation of learning outcome performed by Government.

(2) Educational evaluation on higher education level consists of:

- a. Evaluation of learning outcome performed by educators; and
- b. Evaluation of learning outcome performed by educational units. [...]



Picture by IDP Norway

Full Version:

www.depdknas.go.id/inlink.php?to=snp

Millennium Development Goals

All UN member states declared that by 2005 the following goals will be realised:

Goal 1: Eradicate extreme poverty and hunger

- Reduce by half the proportion of people living on less than a dollar a day
- Reduce by half the proportion of people who suffer from hunger

Goal 2: Achieve universal primary education

- Ensure that all boys and girls complete a full course of primary schooling

Goal 3: Promote gender equality and empowerment of women

- Eliminate gender disparity in primary and secondary education preferably by 2005, and at all levels by 2015

Goal 4: Reduce child mortality

- Reduce by two thirds the mortality rate among children under five

Goal 5: Improve maternal health

- Reduce by three quarters the maternal mortality ratio

Goal 6: Combat HIV/AIDS malaria and other diseases

- Halt and begin to reverse the spread of HIV/AIDS
- Halt and begin to reverse the incidence of malaria and other major diseases

Goal 7: Ensure environmental sustainability

- Integrate the principles of sustainable development into country policies and programmes

reverse loss of environmental

- resources
- Reduce by half the proportion of people without sustainable access to safe drinking water
- Achieve significant improvement in lives of at least 100 million slum dwellers, by 2020

Goal 8: Development a global partnership for development

- Develop further an open trading and financial system that is rule-based, predictable and non discriminatory, includes a commitment to good governance, development and poverty reduction-nationally and internationally
- Address the least developed countries' special needs. This includes tariff and quota-free access for their exports enhanced debt relief for heavily indebted poor countries cancellation of official bilateral debt and more generous official development assistance for countries committed to poverty reduction
- Address the special needs of landlocked and small island developing States
- Deal comprehensively with developing countries' debt problems through national and international measures to make debt sustainable in the long term
- In cooperation with the developing countries, develop decent and productive work for youth
- In cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries
- In cooperation with the private sector, make available the benefits of new technologies—especially information and communications technologies

2006 Report on the global AIDS epidemic: A UNAIDS 10th anniversary special edition - An Excerpt

This year marks a quarter century since the first cases of AIDS were reported. In that time, AIDS has fundamentally changed our world-killing more than 25 million men and women, orphaning millions of children, exacerbating poverty and hunger, and, in some countries, even reversing human development altogether. Nearly 40 million people are living with HIV today-half of them women. What was first reported as a few cases of a mystery illness is now a pandemic that poses among the greatest threats to global progress in the 21st century.

After a tragically late and slow start, the world's response has gathered strength-as we saw at the United Nations General Assembly Special Session on HIV/AIDS five years ago. Since then, there has been remarkable progress in rallying political leadership, mobilizing financial and technical resources, bringing lifesaving antiretroviral treatment to people the world over, and even reversing the spread in some of the world's poorest nations.

It is my hope that the General Assembly 2006 High Level Meeting on AIDS - a key follow-up to the

Special Session - will help move the response to AIDS to yet another level: effectively containing and reversing the pandemic. That means doing much more than simply redoubling our current efforts. We need a far greater commitment of political will, courage and resources: we need united action on a new scale. The only acceptable goal for the world is to stop and, ultimately, put an end to AIDS. Only then will we achieve the Millennium Development Goals and succeed in our efforts to build a humane, healthy and equitable world.

Kofi Annan/UN Secretary-General;
Preface UNAIDS Report 2006



Further Information:
 UN: www.un.org/millenniumgoals
 UNDP: www.undp.org/mdg
 UNAIDS: www.unaids.org

Recommendations of the International Symposium Inclusion and the Removal of Barriers to Learning

Taking account of national, regional and international obligations and commitments regarding the equal rights of children, the participants recommend that inclusive and child friendly education should be seen as:

- An approach to whole school improvement that will ensure that national strategies for 'Education for All' are really for all;
- A means of ensuring that all children receive quality care and education in their home communities as part of early child development, pre-school, primary and secondary education programmes, particularly those who are currently excluded from mainstream education or vulnerable to marginalisation and exclusion; and
- A contribution to the development of a society that respects and values the individual differences of all citizens.

This being the case, more than 500 participants from thirty countries attending this international symposium make the following recommendations for further enhancement of education systems in Asia and beyond:

1. Inclusion should be seen as a fundamental principle that provides the basis of all national policies
2. The concept of quality should focus on the social, emotional and physical development, as well as the academic achievements of children
3. National assessment and evaluation systems need to be revised in relation to the principle of non-discrimination and inclusion and the concept of quality mentioned above
4. Adults should respect and value all children, irrespective of their individual characteristics and circumstances, and take their views into account

5. All ministries should work together to develop common strategies towards inclusion
6. To ensure Education for All through the child friendly school (CFS) framework, the issue of non-discrimination and inclusion must be addressed in all dimensions of CFS, with coordinated and shared efforts between government and non-government organisations, donors, communities, local groups, parents, children and the private sector
7. All governments, and international and non-governmental organisations, should collaborate and co-ordinate their efforts to achieve sustainable development of inclusive communities and learning-friendly environments for all children
8. Governments should consider the social and economic implications of not educating all children, and should therefore include all school age children in their Education Management Information Systems (EMIS)
9. Pre- and in-service teacher education programmes should be revised in order to support the development of inclusive practices from early pre-school age and up with emphasis on a holistic understanding of child development and learning including early intervention
10. Governments (central, provincial and district) and schools should establish and sustain a dialogue with communities, including parents, about the value of a non-discriminatory and inclusive education system

The implication of these recommendations is that the principle of inclusion must be the basis of all strategies for raising standards within (formal and non-formal) education systems, developing child-friendly schools and, therefore, achieving Education for All. This must involve other agencies providing

m: g, Participation and Development

services to children and their families, such as health and social authorities and organisations supporting at risk groups. It also requires a continued commitment to in-

country and regional networking.

Grounds for discrimination against Children

[Implementation Handbook for the Convention on the Rights of the Child; UNICEF 2002; p.28]

- gender
- disability
- race, xenophobia and racism
- ethnic origin
- sexual orientation
- particular castes, tribes
- "untouchability"
- language
- children not registered at birth
- children born a twin
- children born on an unlucky day
- children born in the breech position
- children born in abnormal conditions
- a "one child" or "three child" policy
- orphans
- place of residence
 - distinction between different provinces/territories/states, etc
 - rural (including rural exodus)
 - urban
 - children living in slums
 - children in remote areas and remote islands
 - displaced children
 - homeless children
 - abandoned children
 - children placed in alternative care
 - ethnic minority children placed in alternative care
- institutionalized children
- children living and/or working in the streets
- children involved in juvenile justice system
 - in particular, children whose liberty is restricted
- children affected by armed conflict
- working children
- children subjected to violence
- child beggars
- children affected by HIV/AIDS
- children of parents with HIV/AIDS
- young single mothers
- minorities, including
 - Roma children/gypsies/travellers/nomadic children
 - children of indigenous communities
- non-nationals, including
 - immigrant children
 - illegal immigrants
 - children of migrant workers
 - refugees/asylum-seekers
 - including unaccompanied refugees
- children affected by natural disasters
- children living in poverty/extreme poverty
- unequal distribution of national wealth
- social status/social disadvantage/social disparities
- children affected by economic problems/changes
- economic status of parents causing racial segregation at school
- parental property
- parents' religion
- religion-based personal status laws
- non-marital children (children born out of wedlock)
- children of single-parent families
- children in incestuous unions
- children of marriages between people of different ethnic/religious groups or nationalities



Further Information:

UNESCO Bangkok: www.unescobkk.org/ie

IDP Norway: www.idp-europe.org/symposium

IDP Norway: www.idp-europe.org/eenet

Inclusion

IDDC Seminar on Inclusive Education

www.eenet.org.uk/theory_practice/agra/agra.shtml

Inclusive Education - Where there are few Resources

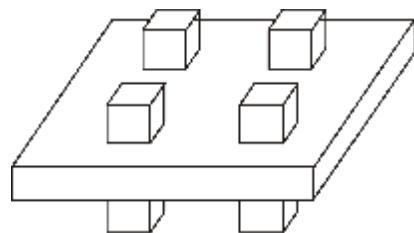
www.eenet.org.uk/theory_practice/ie_few_resources.pdf

In a school moving Towards Inclusion quality education should be provided in a child and learning friendly environment, where diversity is experienced, embraced and recognised as enrichment for all involved. Curricula, and teaching approaches and methods should be characterised by emphasising social aspects of learning, dialogue, sensitivity to children's needs and interests, sharing - rather than competing and creative and flexible teachers and classroom management. All children, also children experiencing barriers to learning, development and participation, including children with disabilities, have the right for quality education in a school that is close to their home and a class that suits their age. [By Miriam Donath Skjørten, 2005]

Special Education

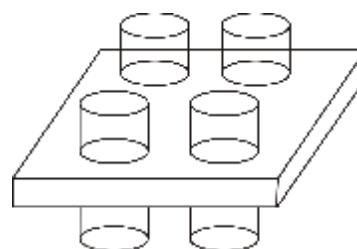
Special Education

- Special child;
- Square pegs for square holes;
- Special teacher;
- Special school.



'Normal Education'

- Normal child;
- Round pegs for round holes;
- Normal teachers;
- Normal schools.



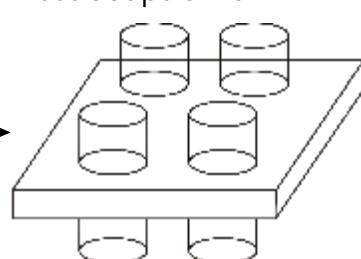
Integrated Education

- Change the child to fit the system;
- Make the square peg round.

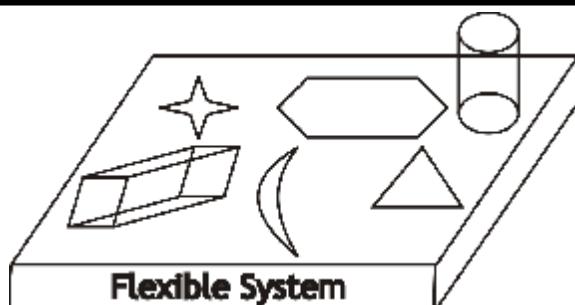


Therapy
Rehabilitation →

- System stays the same;
- Child must adapt or fail.



Inclusive Education



- Children are different;
- All children can learn;
- Different abilities, ethnic groups, size, age, background, gender;
- Change the system to fit the child.

From the Introduction Booklet of
Embracing Diversity: Toolkit for Creating
Inclusive, Learning-Friendly
Environments

An inclusive, learning-friendly environment (ILFE) welcomes, nurtures, and educates all children regardless of their gender, physical, intellectual, social, emotional, linguistic, or other characteristics. They may be disabled or gifted children, street or working children, children of remote or nomadic peoples, children from linguistic, ethnic or cultural minorities, children affected by HIV/AIDS, or children from other disadvantaged or marginalized areas or groups.

Child-Friendly Schools

Embracing Diversity: Toolkit for Creating Inclusive, Learning-Friendly Environments

Bahasa Indonesia: www.idp-europe.org/toolkit

Bahasa Inggris: www2.unescobkk.org/elib/publications/032revised

Pro-Actively Inclusive

- Pro-actively seeking all children who are excluded from education
- Promoting the rights and well-being of All children in the community
- Respecting diversity and ensuring equality of opportunities
- Providing education that is free and compulsory, affordable and accessible

Healthy, Safe and Protective

- Clean sanitary facilities
- Access to clean drinking water
- No corporal punishment or bullying
- HIV and AIDS prevention and non-discrimination of children affected/infected by HIV and AIDS

Effective and Child-Centred

- Acting in the best interest of the child
- Concerned about the whole 'child': health, nutritional status and well-being
- Concerned about what happened to children before they enter school and after they leave school
- Creative classroom methods

Gender Responsive

- Promoting gender equality in enrolment and achievement
- Not just equal numbers, but equity in content
- Eliminating gender stereotypes
- Guaranteeing girl-friendly facilities, curricula, textbooks and teaching

Community Participation

- Family Focused:
 - Working to strengthen the family as a child's primary caregiver and educator
 - Helping children, parents and teachers establish harmonious, collaborative relationships
- Community Based:
 - Encouraging local partnership in education
 - Acting in and with the community for the sake of children

Child-Friendly Systems

- Child friendly policies and regulations
- Flexible curricula
- Child friendly assessment and examination systems
- Guaranteeing access for all children to the neighbourhood school
- Collaboration between education, health and welfare systems

The Standard Rules on the Equalization of Opportunities for Persons with Disabilities

Rule 1: Awareness-raising

States should take action to raise awareness in society about persons with disabilities, their rights, their needs, their potential and their contribution.

Rule 2: Medical care

States should ensure the provision of effective medical care to persons with disabilities.

Rule 3: Rehabilitation

States should ensure the provision of rehabilitation services to persons with disabilities in order for them to reach and sustain their optimum level of independence and functioning.

Rule 4: Support services

States should ensure the development and supply of support services, including assistive devices for persons with disabilities, to assist them to increase their level of independence in their daily living and to exercise their rights.

Rule 5: Accessibility

States should recognize the overall importance of accessibility in the process of the equalization of opportunities in all spheres of society. For persons with disabilities of any kind, States should (a) introduce programmes of action to make the physical environment accessible; and (b) undertake measures to provide access to information and communication.

Rule 6: Education

States should recognize the principle of equal primary, secondary and tertiary educational opportunities for children, youth and adults with disabilities, in integrated settings. They should ensure that the education of persons with disabilities is an integral part of the educational system.

Rule 7: Employment

States should recognize the principle that persons with disabilities must be empowered

to exercise their human rights, particularly in the field of employment. In both rural and urban areas they must have equal opportunities for productive and gainful employment in the labour market.

Rule 8: Income maintenance and social security

States are responsible for the provision of social security and income maintenance for persons with disabilities.

Rule 9: Family life and personal integrity

States should promote the full participation of persons with disabilities in family life. They should promote their right to personal integrity and ensure that laws do not discriminate against persons with disabilities with respect to sexual relationships, marriage and parenthood.

Rule 10: Culture

States will ensure that persons with disabilities are integrated into and can participate in cultural activities on an equal basis.

Rule 11: Recreation and sports

States will take measures to ensure that persons with disabilities have equal opportunities for recreation and sports.

Rule 12: Religion

States will encourage measures for equal participation by persons with disabilities in the religious life of their communities.

Rule 13: Information and research

States assume the ultimate responsibility for the collection and dissemination of information on the living conditions of persons with disabilities and promote comprehensive research on all aspects, including obstacles that affect the lives of persons with disabilities.

Rule 14: Policy-making and planning

States will ensure that disability aspects are included in all relevant policy-making and

national planning.

Rule 15: Legislation

States have a responsibility to create the legal bases for measures to achieve the objectives of full participation and equality for persons with disabilities.

Rule 16: Economic policies

States have the financial responsibility for national programmes and measures to create equal opportunities for persons with disabilities.

Rule 17: Coordination of work

States are responsible for the establishment and strengthening of national coordinating committees, or similar bodies, to serve as a national focal point on disability matters.

Rule 18: Organizations of persons with disabilities

States should recognize the right of the organizations of persons with disabilities to represent persons with disabilities at national, regional and local levels. States should also recognize the advisory role of organizations of persons with disabilities in decision-making on disability matters.

Rule 19: Personnel training

States are responsible for ensuring the adequate training of personnel, at all levels, involved in the planning and provision of programmes and services concerning persons with disabilities.

Rule 20: National monitoring and evaluation of disability programmes in the implementation of the Rules

States are responsible for the continuous monitoring and evaluation of the implementation of national programmes and services concerning the equalization of opportunities for persons with disabilities.

Rule 21: Technical and economic cooperation

States, both industrialized and developing, have the responsibility to cooperate in and take measures for the improvement of the living conditions of persons with disabilities in developing countries.

Rule 22: International cooperation

States will participate actively in international cooperation concerning policies for the equalization of opportunities for persons with disabilities.

"This means that an inclusive and child-friendly school must be not only child-centred but also child-seeking, actively looking for children of the community not in school - those with disabilities but also those speaking a different language, of a disadvantaged sex, or affected by poverty or HIV/AIDS, helping to get them enrolled, and then ensuring that they are not further excluded from learning and therefore succeed in school."

Sheldon Shaeffer, Director UNESCO Bangkok



Full Version - English:
www.un.org/esa/socdev/enable/dissre00.htm

Full Version - Bahasa Indonesia:
www.idp-europe.org/indonesia/docs/PeraturanStandar.pdf

Further Information:

UN: www.un.org/disabilities/convention

UN: www.un.org/esa/socdev/enable

UN Convention on the Rights of Persons with Disabilities

Article 5: Equality and non-discrimination

1. States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law.
2. States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds. [...]
3. In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided.

Article 7: Children with disabilities

1. States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.
2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration. [...]

Article 9: Accessibility

1. To enable persons with disabilities to live independently and participate fully in all aspects of life [...]. These measures [...] shall apply to, inter alia:
 - a. Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;
 - b. Information, communications and other services, including electronic services and emergency services.
2. States Parties shall also take appropriate measures to:
 - a. Develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
 - b. Ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;

- c. Provide training for stakeholders on accessibility issues facing persons with disabilities;
- d. Provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;
- e. Provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public; [...]
- g. Promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;
- h. Promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

Article 19 - Living independently and being included in the community

- States Parties to this Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:
- a. Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
 - b. Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
 - c. Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

Article 24 - Education

1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and life long learning directed to:
 - a. The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
 - b. The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
 - c. Enabling persons with disabilities to participate effectively in a free society.

2. In realizing this right, States Parties shall ensure that:
 - a. Persons with disabilities are not excluded from the general education system on the basis of disability, [...]
 - b. Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live; [...]
 - e. Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:
 - a. Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
 - b. Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community; [...]

Article 25 - Health

- [...] States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation. [...]
1. Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;
 2. Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons;
 3. Provide these health services as close as possible to people's own communities, including in rural areas; [...]
 5. Prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance [...]



Full Version: www.un.org/disabilities/convention/conventionfull.shtml

Law 4/1997 on People Disabilities

CHAPTER I General Stipulation

Article 1 - (3) Equity in opportunity is a condition, which provides chances for persons with disabilities to get equal opportunity in all aspects of life and livelihood.

(4) Accessibility is access provided for persons with disabilities to achieve equal opportunities in all aspects of life and livelihood.

(5) Rehabilitation is a process of refunctionalisation and development to make it possible for the persons with disabilities to perform their social function appropriately in the society.

CHAPTER II Rights and Obligation

Article 5 - Every person with disabilities has equal rights and opportunities in all aspects of life and livelihood.

CHAPTER III Rights and Obligation

Article 6 Every person with disabilities has the rights to get:

- (1) Education at all units, tracks, types and levels of education;
- (2) Appropriate job and livelihood according to the types and levels of disability, education, and ability;
- (3) Equal treatment to participate in development and enjoy its outcomes;
- (4) Accessibility in relation to his/her independence;
- (5) Rehabilitation, social support and upholding of levels of social welfare; and;
- (6) Equal rights to develop talent, ability and social life, in particular for children with disabilities in the family and community.

CHAPTER IV Equal Opportunity

Article 10 - (1) Equal opportunity for persons with disabilities in all aspects of life and livelihood which is implemented through the provision of accessibility.

(2) Provision of accessibility is aimed to create conditions and environments that are

supportive to the persons with disability to enable them live full life among people in the community.

(3) Provision of accessibility as aforementioned in clause (1) and clause (2) is implemented by the Government and/or communities and conducted in a holistic, integrated and continuous manner.

Article 11 - Every person with disability has equal right to receive education at the units, tracks, types and levels of education according to the type and level of his/her disability.

Article 12 - Every education institution provide equal opportunity and treatment to persons with disabilities as learners at the units, tracks, types and levels of education according to the type and level of disability and ability.

Article 13 - Every person with disability has equal rights to get appropriate job according to the type and level of disability.

Article 14 - State and private enterprises provide equal opportunity and treatment to the persons with disability by hiring them to work in their enterprises according to the type and level of disability, education and ability, which number of hired persons, is adjusted to the number of employees and/or qualification of the companies.

BAB V CHAPTER V Efforts

Article 18 - (1) Rehabilitation is conducted in the facilities organised by the Government and/or community.

(2) Rehabilitation as aforementioned in the clause (1) includes medical, education, training and social rehabilitation.

(3) The stipulation on the implementation of rehabilitation as aforementioned in the clause (1) and in the clause (2) is arranged further by the Government Regulation.

CHAPTER VIII Administrative Sanction

Article 29 - (1) Whoever not providing accessibility as aforementioned in the clause 10 or not giving equal opportunity and treatment for persons with disability as learners at the units, tracks, types and levels of education as aforementioned in the Article 12 will be subjected to administrative sanction.

Additional Information
Law 28/2002 on Construction Building

REQUIREMENTS FOR BUILDING FACILITIES

Part 1: General

Article 7 - (3) the requirements of technical structure of the buildings as aforementioned in the clause (1) include the requirements for building structure and reliability of the buildings.

Part 4: Requirement of Reliability of Buildings

Article 16 - (1) The requirement for reliability of buildings as aforementioned in the Article 7 clause (3), includes safety, health, comfort and accessibility.
(2) The requirement for reliability of buildings as aforementioned in the clause (1) is determined based on the function of buildings.

Article 27 - (1) The requirement for accessibility as aforementioned in the Article 16 clause (1) includes the accessibility to, from, and inside the buildings, and sufficient means and infrastructure in the utilisation of buildings.

(2) Accessibility to, from and inside the buildings as aforementioned in the clause (1) includes the provision of facilities and accessibility which are easily accessed, safe

and comfortable for everyone including persons with disabilities and elderly people.

Article 31 - (1) Provision of facilities and accessibility for persons with disabilities and elderly people as aforementioned in the Article 27 clause (2) is a must for all buildings except, residential houses.

(2) Facilities for persons with disabilities and elderly people as aforementioned in the clause (1), include the provision of accessible facilities and other facilities in the buildings and its surroundings.

(3) Stipulation on the provision of accessibility for persons with disabilities and elderly people as aforementioned in the clause (1) and clause (2) is further arranged by the Government Regulation.



Picture by BILiC -
Bandung Independent Living Centre

Bandung Declaration: Indonesia Towards Inclusi

Recognising that children with disabilities and other children with special needs in Indonesia have equal rights in speech, to express opinion, to have education, well being and health, as it is stated in 1945 constitution; to have full rights and obligations as citizens as it is confirmed in:

- Universal Declaration of Human Right (1948),
- reinforced by Convention on the Right of the Child (1989),
- World Declaration on Education for All (1990),
- UN Standard Rules on the Equalisation of Opportunities for Persons with Disabilities (1993),
- Salamanca Statement and Framework for Action UNESCO (1994),
- Persons with Disabilities Act (1997),
- Dakar Framework for Action (2000),
- National Education System Act No. 20 (2003), and
- Declaration of the International Congress of Children (2004).

All these documents provide full assurance for children with disabilities and other children with special needs to obtain quality education and actively participate in the society. Being aware of the diversity Indonesian society, we therefore agree to work Towards Inclusive Education.

Based on all the considerations above, therefore we, the participants of National Workshop on Inclusive Education that was held in Bandung, Indonesia from the 8th until the 14th of August 2004 urge the

government, educational institutions, related institutions, business world and industry as well as society to:

1. Ensure that every child with disabilities and other children with special needs receives equal access in all aspects of life - in education, health, social, well being, security and other aspects - so that they will become trustworthy succeeding generation
2. Ensure that every child with disabilities and other children with special needs grow as dignified individual to receive good humane treatment, quality education which develops their potentials and meets demands of the society without discriminative treatment that would harm their life physically, psychologically, economically, sociologically, legally, politically as well as culturally.
3. Implement and develop inclusive education supported by good synergic and productive cooperation among stakeholders in particular the government, educational institutions, related institutions, business world and industry, and parents as well as society.
4. Create supportive environment, to meet the needs of children with disabilities and other children with special needs so that it makes it possible for them to develop their optimum unique potentials.
5. Ensure the freedom of children with disabilities and other children with special needs to reactively and proactively interact with anyone, any place, and any environment by minimising the barriers.
6. Continuously promote and socialise inclusive education through mass media, scientific forum, education, etc.

7. Design Plan of Action and allocate the needed funds to promote physical as well as non-physical accessibility, quality education service, health, recreation, well being of all children with disabilities and other children with special needs.

This declaration is made with true sincerity and responsibility towards inclusive education in Indonesia.

Bandung, 11 August 2004

The 8th International Congress on Including Children with Disabilities in the Community Towards Full Citizenship - 15th until 17th Juni 2004 Stavanger

DECLARATION

Declaration of the 8th International Children's Congress:

Therefore, we, the participants in the 8th International Congress on Including Children and Youth with Disabilities in the Community Life, advocate that nations should:

- Formulate A National Plan of Action with clearly stated goals related to accessibility, health- and social services and education for all children.
- Ensure the right to full citizenship of Children with Disabilities in all aspects of community life such as health services, education, child care programs and recreation programs.
- Strengthen the participation and influence of children and young people in society by giving them the opportunity to take part in the planning, design and management of the broad array of services and activities that affect their lives.
- Promote inclusion of children and young people with disabilities in all sectors of the educational system such as daycare centers, primary and lower secondary school, upper secondary school, post secondary school and all forms of higher education, as well as transition between levels of education and employment training

- Strengthen preventive child welfare measures targeting children and families, and promote the participation of and communication among children, young people and those involved with welfare services for them

[Participants from Indonesia from Ministry of National Education; Provincial Education Department of West Java and West Sumatra; District Education Department of Payakumbuh; State University of Padang; Indonesian University of Education; PERTUNI]



Further Information:

www.idp-europe.org/indonesia/start.htm
www.idp-europe.org/indonesia/Bandung_Declaration.pdf

Convention on the Elimination of All Forms of Discrimination against Women

Article 5

States Parties shall take all appropriate measures:

- (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;
- (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Article 9

- 1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.
- 2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

- (a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

- (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;
- (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;
- (d) The same opportunities to benefit from scholarships and other study grants;
- (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;
- (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;
- (g) The same Opportunities to participate actively in sports and physical education;
- (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Article 12

- 1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.
- 2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:
 - (a) The same right to enter into marriage;
 - (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
 - (c) The same rights and responsibilities during marriage and at its dissolution;
 - (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
 - (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
 - (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
 - (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;
 - (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.
2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

**Beijing Declaration of the
4th Conference on Women 1995**

27. Promote people-centred sustainable development, including sustained economic growth, through the provision of basic education, life-long education, literacy and training, and primary health care for girls and women;
30. Ensure equal access to and equal treatment of women and men in education and health care and enhance women's sexual and reproductive health as well as education;
32. Intensify efforts to ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language, ethnicity, culture, religion, or disability, or because they are indigenous people;

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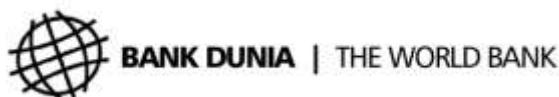
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Further Information

UN: www.un.org/womenwatch/daw/beijing/platform
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