

EXPERTGUIDES

THE WORLD'S LEADING LAWYERS CHOSEN BY THEIR PEERS

20 years' experience

WOMEN IN BUSINESS LAW 2015 5th edition

WHAT'S INSIDE?

FEATURES BY:

SHARON LEWIS
HOGAN LOVELLS

DR GALIT GONEN COHEN
SVP, GENERAL COUNSEL AND IP
LITIGATIONS, TEVA
PHARMACEUTICALS

SABINE SARDOU
BIRD & BIRD

ASHLEY WONG
MAYER BROWN JSM

KAREN MILLS
KARIMSYAH LAW FIRM

ELISABETH ELLIS
MINTER ELLISON

ADRIANA I GASPAR
NESTOR NESTOR DICULESCU
KINGSTON PETERSEN

YOON KANG
SMART &
BIGGAR/FETHERSTONHAUGH

SELIN SINEM ERCIYAS
GÜN + PARTNERS

ELISABETH THOLE
VAN DOORNE N.V.

CATHERINE MATEU
ARMENGAUD & GUERLAIN

SALLY M ABEL
FENWICK & WEST

WENDY NICHOLLS
GRANT THORNTON



COMMERCIAL ARBITRATION

Feature for:

Karen Mills of KarimSyah Law Firm	33
--	-----------

Australia	37	Hong Kong SAR	38	Romania	38
Austria	37	India	38	Russia	38
Belgium	37	Indonesia	38	Singapore	38
Brazil	37	Kazakhstan	38	South Korea	38
Chile	37	Lebanon	38	Spain	38
China	37	Lithuania	38	Switzerland	36, 39
Czech Republic	37	Malaysia	38	Taiwan	39
Dominican Republic	37	Mexico	38	Turkey	39
Finland	37	Netherlands	38	Ukraine	39
France	37	Nigeria	38	United Kingdom	39
Germany	35, 37	Peru	38	United States	39
Greece	38	Poland	38	Uruguay	40

COMMERCIAL ARBITRATION

Women in Business Law - Indonesia

Karen Mills
 KarimSyah Law Firm
 Jakarta

Although Islam is the majority religion in Indonesia, it is by no means a society that sees women as second-class citizens, particularly in the professional fields. This has been the case even before Indonesia's independence. The roots of women's status can be traced to the life of a woman whose legacy is celebrated annually even to this day, **Raden Ajeng Kartini** (1879 - 1904) who broke out of the traditional mold and through her work and writings changed the view of the international community towards Javanese women. Kartini stands to this day as Indonesia's symbol of women's empowerment.

Possibly named after Raden Kartini, one of Indonesia's first, and undoubtedly most powerful, women lawyers is **Kartini Muljadi**. Born in May, 1930, Ms Muljadi rose very early to the pinnacle of Indonesia's legal community. Initially serving as a judge of the Jakarta District Court, after the passing of her husband, Ms Muljadi took over his notarial practice to help provide for her family. Subsequently she opened her own law firm, the first to be led by a woman and one of the first to specialize in transactional work only. She quickly attracted a number of international and domestic banks as clients and her role in advising troubled banks during the 1998 Economic Crisis earned her the Capital Market Life Time Achievement Award, bestowed in 2004 by Indonesia's first woman president, Megawati Soekarnoputri.

At the time of the establishment of the Kartini Muljadi firm most of the legal practice in Indonesia was undertaken by sole practitioners, primarily litigators, some of whom were women, albeit a minority. The era of larger transactional firms was just beginning. And Kartini's firm was not the only one in which women were the motivators. Another major firm at the time was Nasution Lubis Hadiputranto, with **Sri Indrastoeti Hadiputranto** very much in the lead, particularly after the firm split and Ms Hadiputranto, together with her partner, the late **Toeti Dewi Hadinoto**, formed a new firm, Hadiputranto Hadinoto & Partners ("HHP"), which became the Baker and MacKensie firm in Jakarta. As the years passed, top women partners from HHP have set up their own firms, at least one of which, **Melli Dharsa and Partners**, specializing primarily in capital market and financing, is also top rated today.

Other women have also set up major firms, such as SSEK (all named partners being women), **Chandra Motik**, specializing in maritime matters, in particular seamen's rights, **Anita Kolopaking Partners**, specializing in Dispute Resolution, **Brigitta Rahayoe**, financing, and others. But every major mid-sized to large firm includes senior women partners, such as **Koenati Santoso** with Mochtar Karuwir Komar, **Ricky Nazir** of Ali Budiardjo Nugroho Reksodiputro, **Lelyana Santosa** of Lubis Santosa Maramis, and **Rahayu Ningsih Hoed** of Makarim Taira S among others. And more recently younger women are beginning to establish firms after only a few years in group practice, or none at all.



As for foreign women practitioners, the writer is the only senior foreign woman lawyer in Indonesian practice, and has successfully represented the Indonesian Government in several investor-state arbitrations, including serving as lead counsel in the first arbitration in which a state prevailed over an errant investor, the first ICSID case to be held in Singapore¹, the first ICSID hearings in New Zealand, and the first case ever to be held under the multilateral Organisation of Islamic Conference (OIC) Investment Agreement, also in Singapore.

But women are leaders in business not only in the legal fields in Indonesia. Every year we see more women appointed as Ministers, including former Minister of Finance, **Sri Mulyani Indrawati**, who was named Asia's Finance Minister of the Year two years running (2007 & 2008) and currently holds the number two position in the World Bank. There are some very formidable women in the current cabinet as well. The highly proactive **Susi Pudjiastuti**, who ran her own airline for years, has been appointed as Minister of Maritime Affairs and Fisheries. The Minister of Foreign Affairs, **Retno Marsudi**, the Minister of State owned companies, **Rini Soemarno**, and three other Ministers are also women. Several major cities are led by women governors, including Indonesia's second largest city, Surabaya; and there are also a number of women on the Supreme Court, as well as other benches, as many women Notaries Public and at least as many women doctors and dentists as men. Some of the major State-Owned Enterprises are also headed by women, perhaps most notably the former President Director of the National Oil and Gas company, Pertamina, **Karen Agustawan**, probably the most highly regarded person to hold that post since its inception.

COMMERCIAL ARBITRATION

Women who head private companies are too numerous to even try to list, but include the heads of the largest taxi company, Bluebird, several major cosmetic and herbal product companies, media publishers and airlines.

Thus clearly men do not control Indonesian business law, government or commerce. Men have as much respect for their women colleagues as they do for other men, often more. This archipelagic nation sets a good example for the rest of the world.

1. True to form, a predominantly male Singapore firm has claimed in the press to have been counsel in the first ICSID case, but in fact this postdated the writer's case by at least a year.