



Ministerie van Buitenlandse Zaken

# Security and rule of law

Organisation	Date	Reporting period
Embassy of the Kingdom of the Netherlands, Jakarta, Indonesia	June 2016	2015

Activity Number	Name	2015 Actual expenditure	Implemented by		Result area	Rio marker	Significant/principal	Gender marker
			Name organisation	Channel				
24667	IOM Community Policing Reform	3.563.714	IOM - INT. ORGANIZATION FOR MIGRATION	Multilateral organisation	Human security	Not applicable	Not applicable	Significant
20351	JAK Partnership LEAD programme	253.729	KEMITRAAN	Government	Peace processes and political governance	Not applicable	Not applicable	Not applicable
25486	Rule of Law Program Indonesia	247.449	NATIONALE OMBUDSMAN	Government	Rule of law	Not applicable	Not applicable	Not applicable
25486	Rule of Law Program Indonesia	18.500	INSTITUTE FOR POLICY ANALYSIS ON CONFLICT (IPAC)	NGO	General	Not applicable	Not applicable	Not applicable
25486	Rule of Law Program Indonesia	5.449	NULL	NGO	General	Not applicable	Not applicable	Not applicable
26866	JAK Judicial Sector Support	725.000	CILC - CENTER FOR INTERNATIONAL LEGAL COOPERATION	NGO	Rule of law	Not applicable	Not applicable	Not applicable
27073	JAK-IDLO RoL programma	1.100.000	INTERNATIONAL DEVELOPMENT LAW ORGANIZATION - IDLO	Multilateral organisation	Rule of law	Not applicable	Not applicable	Significant
27083	LBH-APIK legal aid for women	140.306	ASOSIASI LEMBAGA BANTUAN HUKUM APIK INDONESIA (LBH-APIK)	NGO	Rule of law	Not applicable	Not applicable	Principal
27842	Rule of Law and Security	63.498	NULL	NGO	General	Not applicable	Not applicable	Not applicable
27240	Diplotraining IND 2015-2016	550.000	CLINGENDAEL	Research institute and companies	General	Not applicable	Not applicable	Not applicable

<b>Result Area 1</b>	<b>Human security</b>							
<b>Result question 1a: To what extent have physical security and freedom from fear as experienced by men and women from all social groups improved? (country level)</b>	For a young democracy consisting of more than 17,000 islands and a cultural diverse population of 250 million people (85% muslim), the human security Indonesia is relatively good since police will provide protection and there is a relatively high level of tolerance between different communities. However, there is a trend of gradually increasing intolerance towards minorities in Indonesia. People belonging to (religious) minorities or vulnerable groups or living in conflict prone areas can be victim of discrimination or sometimes violence. Compared to 2014, in 2015 there was a significant increase of 23 % of violence against religious minorities. Indonesia has substantial experience with inter-faith dialogue. The ministry of Religious Affairs is drafting a bill to provide better protection to religious minorities. Furthermore, there is a growing concern for violent radicalism and domestic terrorism due to the fact that convicted terrorists have been released after having served their sentence as well as the return of Indonesian FTFs. This growing concern became a reality in January 2016 when a terrorist attack took place in Jakarta.							
<b>Subgoals:</b>								
1.1 All kinds of violent acts against citizens, including sexual violence, and other physical security threats are reduced								
1.2 Institutions responsible for maintain security perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens (SSR)								
1.3 Communities and civil society contribute to human security independently and in coordination with responsible institutions								

Indicator	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Result 2015	Result 2016	Source
Indicator 1: Percentage of people that feel safe walking alone – Gallup			89.0	86.0	85.0	79.0		Gallup World Poll
Indicator 2: Number of female military peacekeepers – UN peacekeeping			N/A	N/A	N/A	N/A		
Indicator 3: Performance of the security apparatus – Fragile states index			6.8	6.5	6.2	N/A		Fragile States Index
Indicator 4: Militarisation – Global peace index			1.4	1.3	1.4	1.4		Global Peace Index
Indicator 5: Societal safety and security – Global Peace Index			2.4	2.4	2.3	2.1		Global Peace Index
Indicator 6: Amount of cleared mined area (in km2)			N/A	N/A	N/A	N/A		Landmine Monitor

<b>Result question 1b: To what extent have your programmes contributed to these results?</b>	Despite national trend of gradually increasing intolerance NL supported interventions have shown positive results in the respective areas where activities are being implemented. On minorities and conflict-prone regions: Supported by human rights budget, NL aims to provide better protection to religious minorities and human rights defenders by engaging at local level with authorities, police and business communities which have an interest in stability. One of the outcomes is an internal circular of the police issued in 2015 on hate speech that allows police to anticipate better. Also special desks for religious minorities and HRDs have been established within the National Human Rights Commission. Through a community policing program in Papua and Moluccas NL aims to strengthen relations between police, local authorities and communities and advocates for the concept that local safety and security is a joint responsibility. On Counter Terrorism: in 2015 NL supported three expert missions and study visits aiming to share best practices on CT and to strengthen the legal framework to counter terrorism within Indonesia and ASEAN region.							
<b>Subgoals:</b>								
1.1 All kinds of violent acts against citizens, including sexual violence, and other physical security threats are reduced								
1.2 Institutions responsible for maintain security perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens (SSR)								
1.3 Communities and civil society contribute to human security independently and in coordination with responsible institutions								

Indicator	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Result 2015	Result 2016	Source
Indicator 1: Strengthened institutional capacity of INP to support human rights based community policing				0	Special Training program and module for CP officers is tailored both for Maluku and Papua			IOM
Indicator 2: Provincial police in Maluku and Papua are capable to maintain and roll-out human rights based community policing across the provinces, based on INP National Strategy	0			0	20 Indonesian police trainers have been trained	95 Indonesian police trainers have been trained.		IOM
Indicator 3: Provincial police in Papua and Maluku are more knowledgeable and skilled in human rights based community policing policies, procedures and implementations				0	1,700 front police officers in Maluku and 3,100 in Papua and West Papua trained on community policing	5,400 (1,700 Maluku, 3,700 Papua and West Papua) front police officers trained on community policing		IOM
Indicator 4: Improved police-community relations through greater involvement of civil society and local government in community policing implementation		40 community policing forums operational at provincial (3) and local (37) level		0	1 CPF at provincial level, 5 at local level	2 CPF at provincial level, 17 at local level		IOM
Indicator 5: Increasing capacity of Indonesian NGOs on religious freedom						Signing of an MoU between Paramadina University and the Police on managing hate speech		TAF
Indicator 6: Increasing capacity of Indonesian NGOs on religious freedom						Development of a training module by Paramadina University for the Police and local government on preventative handling of religious tensions		TAF
Indicator 7: Human Rights Defenders are included in the agenda of relevant authorities						KomnasHam has sped up their case handling process		TAF
Indicator 8: Human Rights Defenders are included in the agenda of relevant authorities						Government committed to improve protection of Human Rights Defenders by providing financial, technical and political support		TAF

Assessment of results achieved by NL across the entire Result Area 1	Human security
Assess achieved results compared to planning:	B. Results achieved as planned
Reasons for result achieved:	On religious minorities and HRDs: some delay in implementation of program due to financial constraints. On community policing: both police and local authorities acknowledge the added value of prevention and having good relations with local communities also with a view to radicalization trends.
Implications for planning:	Both programs on minorities (TAF) and community policing (IOM) will come to an end in 2016. Although INP is committed to continue community policing, this new concept requires a change of mindset that will take time. Therefore NL Embassy is considering a no cost extension of the community policing program. At the same time, the Embassy will continue advocating with provincial and local authorities to make government budget available to continue the functioning of the Community Policing Forums that serve as a mechanism for dialogue and prevention of crime and insecurity.

Result Area 2	Rule of law							
<p><b>Result question 2a: To what extent do men and women from all social groups have access to effective and independent justice institutions and have confidence in the rule of law? (country level)</b></p> <p><b>Subgoals:</b></p> <p>2.1 Men and women from all social groups are aware of their basic rights and fundamental freedoms and have equal means to access formal and informal justice systems (legal empowerment, access to justice)</p> <p>2.2 All justice institutions perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens (justice sector reform)</p> <p>2.3 The justice system is independent and effectively curbs abuse of power by state institutions, armed actors or powerful private actors</p> <p>2.4 Formal and informal justice institutions effectively address legacies of human rights violations and serious crimes committed during periods of armed conflict or dictatorship, and address root causes that give rise to conflict (transitional justice)</p>	<p>Although the legal framework and policies indicate the existence of effective and independent justice institutions, there is still a gap between theory and practice. Most prominent example in 2015 of this existing gap was the standoff between the Anti-Corruption Commission (KPK) and the Indonesian National Police (INP) regarding a proposed candidate Chief of INP. The case confirmed that legal institutions are not independent enough to neutralize effectively influence of powerful individuals. The relative weakness of institutions affects legal certainty and predictability. The rule of law is further challenged by widespread corruption and the continuing existence of inconsistencies between national and local legislation. The government has managed to adjourn further discussions within the national parliament on restricting the investigative and prosecutorial powers of the KPK. Furthermore, the government has instructed several ministries to repair the inconsistencies between national and local legislation. The government also aims to strengthen the position of vulnerable and marginalized groups within society, but focusses more on socio-economic conditions than access to justice. SDG 16 forms an opportunity to improve access to justice, since Indonesia is one of four pilot countries for an impact measurement framework.</p>							
Indicator	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Result 2015	Result 2016	Source
Indicator 1: Human Rights and Rule of Law - Fragile States Index			6.5	6.2	6.8	N/A		Fragile States Index
Indicator 2: Rule of Law overall standing – World Justice Project Rule of Law index			N/A	0.52	0.52	N/A		World Justice Project Rule of Law index
Indicator 3: Confidence in Judicial System – Gallup World Poll			48.0	53.0	54.0	53.0		Gallup World Poll
Indicator 4: Civil justice free of improper government influence - World Justice Project Rule of Law index			0.67	0.58	0.48	N/A		World Justice Project Rule of Law index
Indicator 5: Criminal justice free of improper government influence - World Justice Project Rule of Law index			0.66	0.52	0.42	N/A		World Justice Project Rule of Law index
Indicator 6: Corruption Perceptions Index -Transparency International			32	32	34	36		Corruption Perceptions Index - Transparency International

<p><b>Result question 2b: To what extent have your programmes contributed to these results?</b></p> <p><b>Subgoals:</b></p> <p>2.1 Men and women from all social groups are aware of their basic rights and fundamental freedoms and have equal means to access formal and informal justice systems (legal empowerment, access to justice)</p> <p>2.2 All justice institutions perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens (justice sector reform)</p> <p>2.3 The justice system is independent and effectively curbs abuse of power by state institutions, armed actors or powerful private actors</p> <p>2.4 Formal and informal justice institutions effectively address legacies of human rights violations and serious crimes committed during periods of armed conflict or dictatorship, and address root causes that give rise to conflict (transitional justice)</p>	<p>Access to justice: through legal aid organisation LBH-APIK - that provides legal aid to women, children and marginalized groups - 142 paralegals have been strengthened and their respective communities in 6 provinces are better aware how to access the justice systems. Through support to community policing (result area 1) the role of customary (adat) councils as mechanisms to handle petty crimes has increased, which is also in line with the National Strategy on Access to Justice 2016-2019. Support to justice institutions: the program between NL and IND Ombudsman institutions ended in 2015. Regional Ombudsman offices have improved their complaint handling mechanisms as well skills to reach out to government agencies. Several activities between SSR and Supreme Court/training centres of Supreme Court and AGO took place in 2015 aiming to recommend the Indonesian counterparts how to strengthen legal certainty through their candidate judges program, chamber system, consistency and predictability of judgements, caseload management and performance based budgeting.</p>
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Indicator	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Result 2015	Result 2016	Source
Indicator 1: Percentage of population is satisfied with performance of justice sector	n.a.	n.a.	29%	25%	22.52%	no data available yet		2012: Indonesian Legal Round Table, 2013 and 2014: LSI (Lingkaran Survey Indonesia)
Indicator 2: Physical accessibility of justice sector institutions (formal and customary) has increased	n.a.	n.a.	3,13 of 10	35%	4,90 out of 10	no data available yet		2012, 2013, 2014: Indonesian Legal Round Table. Note: in 2013 different methodology was used.
Indicator 3: Training of 120 paralegals		120				142 out of 120 paralegals		LBH-APIK report semester II 2015
Indicator 4: Establishment of 18 Pioneer of Justice Schools (3 in every of the 6 regions)		18 schools	n.a.	n.a.	n.a.	6 out of 18 schools		LBH-APIK report semester II 2015
Indicator 5: Improvement of government service delivery and accountability						Local governments are assisted in developing their internal complaint mechanism based on Pres. Decree 72/2014		Ombudsman

Assessment of results achieved by NL across the entire Result Area 2	Rule of law
Assess achieved results compared to planning:	B. Results achieved as planned
Reasons for result achieved:	Ombudsman project went as foreseen. New leadership of Indonesian and NL Ombudsman has not yet led to continuation of partnership. The program with Hoge Raad, Supreme Courts and others implemented by CILC has made substantial progress, but some adjustments had to be made since the relationship between the Supreme Court and oversight body Judicial Commission deteriorated in 2015. IDLO that is managing a substantial part of the rule of law funds (EUR 7.5 mln for 3 years) had severe delay in arranging its legal status in Indonesia. Therefore no funds have yet been committed to third parties. However IDLO has set up its office at the Embassy compound and formulated a programmatic framework for supporting RoL activities until 2019. IDLO has finalized two proposals with third parties on environmental legal framework and on asset recovery.
Implications for planning:	Part of the rule of law program of the Embassy is since Nov 2014 being developed by IDLO. Due to uncertainty about the legal status of IDLO in Indonesia the setting up of an office faced severe delay in 2015. Recently a necessary MoU between Embassy and ministry of National Development Planning (Bappenas) was signed which provides IDLO sufficient legal status to become operational. The MoU between the Embassy and IDLO will be extended with one year until end 2018. IDLO will commit a substantial part of the Rule of Law Fund in 2016 so that activities will be fully implemented before 2019.

Result Area 3	Peace processes and political governance							
<p><b>Result question 3a: To what extent are processes and political governance in place that stimulate peace and stability? (country level)</b></p> <p><b>Subgoals:</b></p> <p>3.1 Programmes are adjusted to the local situation on the basis of adequate conflict analysis</p> <p>3.2 Domestic and international actors take responsibility for effective and inclusive mechanisms for peacebuilding and prevention of conflict at different levels, with an active role for women (Inclusive peace building, UNSCR resolution 1325)</p> <p>3.3 Ensure effective, responsive, inclusive, participatory and representative decision-making at all levels</p>	<p>The government of president Joko Widodo is promoting economic and infrastructure development by emphasizing the need for clean governance, strengthening the rule of law through improved compliance with legislation, removal of inconsistencies between national and local legislation, removal of red tape and other institutional reform.</p>							
Indicator	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Result 2015	Result 2016	Source
Indicator 1: Factionalised elites – Fragile States Index			7.0	h	7.0	N/A		Fragile States Index
Indicator2: Group Grievance – Fragile States Index			7.3	7.6	7.3	N/A		Fragile States Index
Indicator 3: Confidence in national government – Gallup World Poll			67.0	68.0	65.0	65.0		Gallup World Poll
Indicator 4: State legitimacy - Fragile State Index			6.4	6.5	5.6	N/A		Fragile States Index

<b>Result question 3b: To what extent have your programmes contributed to these results?</b> <b>Subgoals:</b> 3.1 Programmes are adjusted to the local situation on the basis of adequate conflict analysis 3.2 Domestic and international actors take responsibility for effective and inclusive mechanisms for peacebuilding and prevention of conflict at different levels, with an active role for women (Inclusive peace building, UNSCR resolution 1325) 3.3 Ensure effective, responsive, inclusive, participatory and representative decision-making at all levels	With regards to 3.3: a program with the Partnership for Governance Reform (Kemitraan) aimed to strengthen democracy, integrity and decentralisation was extended first half of 2015 to see how the results could be linked to new policies of the government that came into office end 2014. Through this program a presidential action plan against corruption was drafted as well as promises (Nawacita) of the new government were integrated in national development plan (RPJMN 2014-2019).
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Assessment of results achieved by NL across the entire Result Area 3	Peace processes and political governance
Assess achieved results compared to planning:	B. Results achieved as planned
Reasons for result achieved:	The government of president Joko Widodo faced many challenges the first year ranging from vested political and economic interests as well as resistance from the president's own political party. After the cabinet reshuffle in August 2015 president Joko Widodo managed to strengthen more and more the position of his government and to implement its policies.
Implications for planning:	Through a strategic partnership with NIMD and its local partner Kemitraan in the framework of Dialogue and Dissent, the Embassy will continue to support activities in the field of political governance.

Result Area 4	Social and economic reconstruction
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<b>Result question 4a: To what extent have sustainable services and employment opportunities aimed at key conflict-related grievances – especially for marginalized groups – increased and improved?</b> <b>Subgoals:</b> 4.1 Government institutions, (local) civil society and the private sector increase sustainable income-generating opportunities (incl. for IDPs and hosted refugees) in a conflict sensitive manner, working towards inclusive development and social cohesion 4.2 Governments institutions, (local) civil society and the private sector improve (equitable access to) basic services (incl. for IDPs and hosted refugees) in a manner that increases legitimacy of institutions and social cohesion	
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Indicator	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Result 2015	Result 2016	Source
Indicator 1: Public services - Fragile States Index			6.1	6.0	6.0	N/A		Fragile States Index
Indicator 2: Poverty & economic decline, including unemployment – Fragile States Index			5.5	5.5	5.2	N/A		Fragile States Index
Indicator 3: Perception of individual well-being: a) job satisfaction b) standard of living – UNDP Human Development Report			a) 74.1 b) 0.629	a) 76 b) 0.684	a) N/A b) 0.684	a) N/A b) N/A		UNDP Human Development Report
Indicator 4: Uneven economic development - Fragile States Index			6.9	6.6	6.3	N/A		Fragile States Index