
ELSAM end line report

MFS II country evaluations, Civil Society component

Dieuwke Klaver¹
Hester Smidt

Kharisma Nugroho²
Sopril Amir

1 Centre for Development Innovation, Wageningen UR, Netherlands

2 SurveyMETER, Indonesia

Centre for Development Innovation
Wageningen, February 2015



Report CDI-15-039



Klaver, D.C., Nugroho, K., Smidt, H., February 2015, *ELSAM end line report; MFS II country evaluations, Civil Society component*, Centre for Development Innovation, Wageningen UR (University & Research centre) and SurveyMETER. Report CDI-15-039. Wageningen.

This report describes the findings of the end line assessment of ELSAM that is a partner of Hivos.

The evaluation was commissioned by NWO-WOTRO, the Netherlands Organisation for Scientific Research in the Netherlands and is part of the programmatic evaluation of the Co-Financing System - MFS II financed by the Dutch Government, whose overall aim is to strengthen civil society in the South as a building block for structural poverty reduction. Apart from assessing impact on MDGs, the evaluation also assesses the contribution of the Dutch Co-Funding Agencies to strengthen the capacities of their Southern Partners, as well as the contribution of these partners towards building a vibrant civil society arena.

This report assesses ELSAM's contribution towards strengthening Civil Society in Indonesia and it used the CIVICUS analytical framework. It is a follow-up of a baseline study conducted in 2012. Key questions that are being answered comprise changes in the five CIVICUS dimensions to which ELSAM contributed; the nature of its contribution; the relevance of the contribution made and an identification of factors that explain ELSAM's role in civil society strengthening.

Keywords: Civil Society, CIVICUS, theory based evaluation, process-tracing



© 2015 Centre for Development Innovation, part of the Dienst Landbouwkundig Onderzoek foundation. P.O. Box 88, 6700 AB Wageningen, The Netherlands. T + 31 (0)317 48 68 00, E info.cdi@wur.nl, www.wageningenUR.nl/cdi.



The Centre for Development Innovation uses a Creative Commons Attribution 3.0 (Netherlands) licence for its reports.

The user may copy, distribute and transmit the work and create derivative works. Third-party material that has been used in the work and to which intellectual property rights apply may not be used without prior permission of the third party concerned. The user must specify the name as stated by the author or licence holder of the work, but not in such a way as to give the impression that the work of the user or the way in which the work has been used are being endorsed. The user may not use this work for commercial purposes.

The Centre for Development Innovation accepts no liability for any damage arising from the use of the results of this research or the application of the recommendations.

Report CDI-15-039|

Contents

Acknowledgements	5
List of abbreviations and acronyms	6
1 Introduction	8
2 Context	11
2.1 Political context	11
2.1.1 Brief historical perspective	11
2.1.2 Recent trends in the political context	12
2.2 Civil Society context	14
2.2.1 Socio-political context	14
2.2.2 Socio-economic context	15
2.2.3 Socio-cultural context	17
2.3 Civil Society context issues with regards to governance	18
3 ELSAM and its contribution to civil society/policy changes	21
3.1 Background of ELSAM	21
3.2 MFS II interventions related to Civil Society	21
3.3 Basic information	22
4 Data collection and analytical approach	23
4.1 Adjustments made in the methodology of the evaluation	23
4.2 Difficulties encountered during data collection	23
4.3 Identification of two outcomes for in-depth process tracing	23
5 Results	25
5.1 Overview of planned and realised outcomes	25
5.2 Changes in civil society in the 2012-2014 period?	28
5.2.1 Civic Engagement	28
5.2.2 Level of Organisation	28
5.2.3 Practice of Values	29
5.2.4 Perception of Impact	29
5.2.5 Civil Society Environment	31
5.3 To what degree are the changes attributable to the Southern partners?	31
5.3.1 Revised Law on Witness and Victim Protection	32
5.3.2 ELSAM's network organisations are more capable of data collection and analysis for use in local advocacy	36
5.4 What is the relevance of these changes?	39
5.4.1 Relevance of the changes in relation to the Theory of Change of 2012	39
5.4.2 Relevance of the changes in relation to the context in which the SPO is operating	39
5.4.3 Relevance of the changes in relation to the policies of the MFS II alliance and the CFA	40
5.5 Explaining factors	41
5.5.1 Internal factors – Organisational Capacity SPO	41
5.5.2 Relations Alliance - CFA-SPO	42
5.5.3 External factors	42

6	Discussion	44
	6.1 Design of the interventions	44
7	Conclusion	45
	References and resource persons consulted	46
	Appendix 1 CIVICUS and Civil Society Index	53
	1. Guiding principles for measuring civil society	53
	2. Defining Civil Society	54
	3. Civil Society Index- Analytical Framework	54
	Appendix 2 Evaluation methodology	57
	1. Introduction	57
	1.1 Terms of reference for the evaluation	57
	1.2 Civil Society assessment – purpose and scope	57
	2. Designing the methodology	58
	2.1 Evaluation principles and standards	58
	2.2 Sample selection	59
	2.3 Changes in the original terms of reference	60
	3. Answering the evaluation questions	61
	3.1 Evaluation question 1 - Changes in civil society for the relevant MDGs/topics	61
	3.2 Evaluation question 2 – “Attribution” of changes in civil society to interventions of SPOs.	62
	3.3 Evaluation question 3 – Relevance of the changes	65
	3.4 Evaluation question 4, previously 5 - Factors explaining the findings	66
	4. Analysis of findings	66
	5. Limitations to the methodology	67
	5.1 General limitations with regards to the MFS II evaluation	67
	5.2 Limitations during baseline with regards to the methodology	68
	5.3 Experiences during end line from in-country teams - Indonesia	69
	Appendix 4 Changes in civil society indicators between 2012 and 2014	77
	1. Civic Engagement	77
	1.1. Needs of marginalised groups SPO	77
	1.2. Involvement of target groups SPO	78
	1.3. Intensity of political engagement SPO	78
	2. Level of Organisation	78
	2.2. Frequency of dialogue with closest civil society organisation SPO	79
	2.3. Defending the interests of marginalised groups SPO	79
	2.4. Composition financial resource base SPO	79
	3. Practice of Values	80
	3.1 Downward accountability SPO	80
	3.2 Composition of social organs SPO	80
	3.3. External financial auditing SPO	80
	4. Perception of Impact	80
	4.1. Client satisfaction SPO	80
	4.2. Civil society impact SPO	80
	4.3. Relation with public sector organisations SPO	81
	4.4. Relation with private sector agencies SPO	81
	4.5. Influence upon public policies, rules, regulations SPO	81
	4.6. Influence upon private sector agencies’ policies, rules, regulations SPO	81
	5. Civil society context	82
	5.1. Coping strategies	82

Acknowledgements

SurveyMETER and CDI are thanking the staff and the leaders of all Southern Partner Organisations that participated in collecting information for the evaluation of the contribution of these partner organisations to creating a vibrant civil society in Indonesia. They also thank the Co-Funding Agencies and the Dutch Consortia they are a member of for making background documents available. We hope that this evaluation can support you in better positioning yourself in the Civil Society Arena of Indonesia.

List of abbreviations and acronyms

AJI	<i>Aliansi Jurnalis Independen</i> (Independent Journalist Alliance)
APT	Association for the Prevention of Torture
CDI	Centre for Development Innovation, Wageningen UR
CFAs	Co-Financing Agencies
CFO	Co-Financing Organisation
CICC	Coalition for the International Criminal Court
CS	Civil society
DFAT	Department of Foreign Affairs and Trade, Australian Government
ECOSOC	Economic and Social Council of the United Nations
EED	<i>Evangelischer Entwicklungsdienst</i>
ELSAM	<i>Lembaga Studi dan Advokasi Masyarakat</i> (Institute for Policy Research and Advocacy)
HRWG	Human Rights Working Group
ICCPR	International Covenant on Civil and Political Rights
ICJR	Institute for Criminal Justice Reform
ICT	Information and communications technology
ICW	Indonesian Corruption Watch
IKOHI	<i>Ikatan Keluarga Orang Hilang Indonesia</i> (Association of Families of Missing Persons)
INFID	International NGO Forum on Indonesian Development
IRE	Institute for Research and Empowerment
Kemerkokesra	<i>Kementerian Koordinator Kesejahteraan Rakyat</i> , recently changed to <i>Kementerian Koordinator Pembangunan Manusia dan Kebudayaan Republik Indonesia -Kemenko PMK RI</i> (Coordinating Ministry for People's Welfare)
KKPK	<i>Koalisi Keadilan dan Pengungkapan Kebenaran</i> (Coalition for the Disclosure of the Truth)
KPSK	Koalisi Perlindungan Saksi dan Korban
Komnas HAM	<i>Komisi Nasional Hak Asasi Manusia</i> (National Commission for Human Rights)
KontraS	<i>Komisi Untuk Orang Hilang dan Korban Tindak Kekerasan</i> (Commission for the Disappeared and Victims of Violence)
KUBE	<i>Kelompok Usaha Bersama</i> (Joint Business Group, program of the Ministry of Social Affairs)
KSI	Knowledge Sector Initiative, program funded by the Australian Government
INFID	International NGO Forum on Indonesian Development
LBH	<i>Lembaga Bantuan Hukum</i> (Institute for Legal Aid)
LBH Pers	<i>Lembaga Bantuan Hukum</i> (Institute for Legal Aid for the Press)
LPSK	<i>Lembaga Perlindungan Saksi dan Korban</i> (Witnesses and Victims Protection Agency)
Menkopolhukam	<i>Kementerian Koordinator Bidang Politik, Hukum dan Keamanan</i> (Coordinating Ministry for Political, Legal and Security Affairs)
MoFa	Ministry of Foreign Affairs
MFS	Dutch co-financing system
MoU	Memorandum of Understanding
NGO	Non-governmental organisation
OMCT	World Organisation Against Torture
Perpres	Presidential Regulation
PILNET	Public Interests Lawyers Network, Indonesia
PME	Planning, monitoring and evaluation
PT	Perseroan terbatas (limited liability company)
SOP	Strategic Operational Procedures
SPO	Southern Partner Organisation

SSI	Semi-structured Interview
ToC	Theory of Change
TRC	Truth and Reconciliation Commission
UKP4	<i>Unit Kerja Presiden Bidang Pengawasan dan Pengendalian Pembangunan</i> (President's Delivery Unit for Development Monitoring and Oversight)
Wageningen UR	Wageningen University & Research Centre
WALHI	<i>Wahana Lingkungan Hidup Indonesia</i> (Friends of the Earth Indonesia)
WGAT	Working Group on the Advocacy against Torture
YLBHI	<i>Yayasan Lembaga Bantuan Hukum Indonesia</i> (Indonesian Legal Aid Institute- Foundation)

1 Introduction

This report presents the civil society end line findings of ELSAM, a partner of Hivos in Indonesia under the Dutch Consortium People Unlimited 4.1. It is a follow-up to the baseline assessment carried out in 2012. According to the information provided during the baseline study, ELSAM is working on the theme 'governance'.

These findings are part of the overall joint MFS II evaluations carried out to account for results of MFS II-funded or co-funded development interventions implemented by Dutch Co-Funding Agencies (CFAs) and/or their Southern Partner Organisations (SPO). They also intend to contribute to the improvement of future development interventions. The civil society evaluation uses the CIVICUS framework and seeks to answer the following questions:

- What are the changes in civil society in the 2012-2014 period, with particular focus on the relevant MDGs & themes in the selected country?
- To what degree are the changes identified attributable to the development interventions of the Southern partners of the MFS II consortia (i.e. measuring effectiveness)?
- What is the relevance of these changes?
- What factors explain the findings drawn from the questions above?

The CIVICUS framework that comprises five dimensions (civic engagement, level of organization, practice of values, perception of impact, and context influencing agency by civil society in general) has been used to orient the evaluation methodology.

Changes in the civil society arena of the SPO

In the 2012 – 2014 period the two most important changes that took place in the civil society arena of the SPO were related to 'perception of impact', specifically the influence on public policy and civil society impact with regards to stronger intermediary organisations. More specifically, the capacity of the human rights movement was improved and ELSAM successfully was able to influence a public policy that will afford better protection of witness and victims of human rights abuses. In addition, there was an improvement in the quality of advocacy conducted by ELSAM's network organisations pertaining to the capability of generating and using evidence for policy advocacy.

These findings were obtained through an analysis of documents, a workshop with the SPO, and several interviews. These interviews were conducted with: ELSAM; external resources persons working in civil society organisations that receive support from the SPO; other civil society organisations with whom the SPO is collaborating; public or private sector agents and; external resource persons with knowledge of the MDG or theme on which the SPO is concentrating.

Attribution

Based upon an analysis of the projects and programmes financed by the Dutch CFAs a selection was made of SPOs to be included in an in-depth process tracing trajectory and those to be included for a quick contribution assessment. ELSAM was selected for a quick assessment.

The first outcome that we looked at is the revised Law on Witnesses and Victim Protection approved in October 2014 after a long advocacy process since 2011 by a coalition of CSOs, of which ELSAM was a part of. The previous Law No. 13/2006 was replaced by Law No.31/2014 because it had fundamental limitations on probes into past rights abuses and had prevented the Witnesses and Victims Protection Agency (LPSK) from helping survivors. This new law will step up LPSK's efforts to support victims of past human rights abuses. The most important factor that explains the outcome is the collaboration of CSOs through a coalition. Most of the advocacy activities were conducted through this coalition and ELSAM's role was the provision of regulatory reviews and the drafting of the bill. Rival explanations were internal demands and pushes within LPSK and public pressure. However, the evaluation found limited evidence for these rival explanations.

The second outcome that we looked at is the improved quality of advocacy work conducted by ELSAM's network organisations through its capability to generate and use evidence to advocate for

policy change. ELSAM's networks organisations, especially at sub-national level have become more systematic in the manner in which data on human rights violations is collected, analysing the situation and responding to victims' need through follow up advocacy actions. ELSAM's role in this evidence-based advocacy system on human rights violations was to provide a platform for data collection and managing a national database system.¹

Relevance

Interviews with staff of ELSAM, external resource persons, as well as contextual information helped to assess the relevance of ELSAM's interventions in terms of; its Theory of Change (ToC) for Civil Society (CS) as designed during the baseline study; the context in which ELSAM is operating; the CS policies of Hivos.

With regards to the baseline ToC, the interventions and outcomes achieved are relevant because these two outcomes serve both the grassroots and policy needs. Regarding the context in which ELSAM is operating, its interventions and outcomes achieved are relevant because through the new law of LPSK has the ability to increase their coverage of protection services provided to the victims of human rights violations. At network level, CSO monitoring of human rights violations at the sub-national level can feed into an advocacy agenda or can be linked to LPSK services. Lastly, ELSAM's interventions and outcomes are relevant to Hivos' strategies because ELSAM has adopted an alternative, more moderate lobby approach as opposed to more common 'radical' strategies often taken on by human rights activists in Indonesia.

Explaining factors

The information related to factors that explain the above findings was collected at the same time as the data were gathered for the previous questions. The evaluation team looked at internal factors within CWM, the external context in which it operates and the relations between ELSAM and Hivos.

The most internal factors that explain the findings consist of the organisational capacity of ELSAM, a smooth change in the leadership in 2010, which was also followed by younger staff taking over coordinator positions. The effective supervision by the board of the changes in leadership, as well as increased participation of ELSAM's members in research design and advocacy also explain the positive findings.

The relations with Hivos have been constructive and ELSAM benefitted from Hivos' other partners in Indonesia, as well as from its long term policy support and the flexibility afforded in the budgetary arrangements.

Other contributing factors to the revised Law on Witnesses and Victim Protection are the political incentives that may have led to support for revision within the parliament. In 2014, with elections approaching, parliamentarians sought out public sympathy in an effort to win votes. For the government's executive, one of the possible incentives for endorsing the revision was that it was considered a trade-off with the push for putting in place a law for a Truth and Reconciliation Commission (TRC). Human rights activities have unsuccessfully been advocating for such a law, which is considered to be highly sensitive.

For human rights organisations like ELSAM and its peers, the biggest challenges in Indonesia are poor law enforcement issues and weak recognition for human rights in laws. The government and security forces who should help enforce the law are, according to human rights organisations, part of the problem as they commit violations themselves or endorse them by not taking actions to oppose violence used by radical groups.² Unlike other human rights organisations in the country like Commission for the Disappeared and Victims of Violence (KontraS) and Setara Institute, who address these regulatory gaps by building public pressure, ELSAM has chosen policy advocacy as its main strategy.

¹ ELSAM, "Data". Available from <http://www.elsam.or.id/list.php?cat=statistik&lang=in> (accessed 17 November 2014)

² KontraS. 2014. *Hak Asasi Diakui tapi Tidak Dilindungi: Catatan Hak Asasi Manusia dimasa Pemerintahan Presiden Susilo Bambang Yudhoyono [2004-2014]*. Available from <http://kontras.org/data/Catatan%20Kondisi%20HAM%20-%202010%20tahun%20SBY.pdf> (accessed 17 November 2014)

The following chapter briefly describes the political context, the civil society context and the relevant background with regards to the governance issues ELSAM is working on. Chapter three provides background information on ELSAM, the relation of its MFS II interventions with the CIVICUS framework and specific information on the contract with Hivos. An evaluation methodology has been developed for the evaluation of the Civil Society component which can be found in Appendix 2; however, deviations from this methodology, the choices made with regards to the selection of the outcomes for contribution analysis, as well as difficulties encountered during data collection are to be found in Chapter 4. The answers to each of the evaluation questions are being presented in Chapter 5, followed by a discussion on the general project design in relation to CS development; an assessment of what elements of the project design may possibly work in other contexts or be implemented by other organisations in Chapter 6. Conclusions are presented in Chapter 7.

2 Context

This paragraph briefly describes the context ELSAM is working in.

2.1 Political context

2.1.1 Brief historical perspective

Indonesia's rise to being the world's third largest democratic nation has been lauded by many world leaders. The country is often considered to be a model Muslim democracy. As the fourth most populous nation with an estimated 250 million people³, Indonesia has sustained its democratic commitment since transitioning from an authoritarian leadership to a democracy in 1998. The decentralized administration now consists of 34 provinces and 508 districts and municipalities.

Prior to 1998, Indonesia was under strict authoritarian regime. Suharto, known for his so-called New Order (1966-1998) regime, ushered in radical transformations that would place social and political forces under direct state supervision. The defining characteristics of the Suharto era were a focus on economic growth and controlled consensus and political stability devoid of dissent. A series of tumultuous economic and political transitions in the nineties severely diminished the credibility of ageing President Suharto, who was forced to resign amidst mass street protests.

His departure in 1998 laid bare three decades of social inequalities, state-perpetuated abuses against human rights, and a lack of civilian liberties. The regime change opened the way for a period of *Reformasi* started under the presidency of B. J. Habibie (1998-1999) and continued by Abdurrahman Wahid (1999-2001), Megawati Soekarnoputri (2001-2004), and Susilo Bambang Yudhoyono (2004-2014). Restrictions on citizen participation, press freedom and association were removed. Democratic reforms and decentralization led to direct elections, portioned authority, a devolution of authority to regional authorities, formation of new political parties and ended the military's parliamentary influence. The distinct historical periods of the New Order Regime and *Reformasi* (1998-present) have shaped the emergence of civil society. Defining characteristics are summarized in the table below.

Table 1

Characteristics that have defined the emergence of civil society in Indonesia

Characteristics	New Order, authoritarian period (1966 – 1998)	Reformasi (1998 – present)
Political system	Centralized, authoritarian characterized by unipolarity. Golkar as the dominant political party. In 1999, there were 27 provinces, 306 districts and around 60,000 villages.	Decentralized, democratic. Fragmentation of power and atomization of patronage relationships. Emergence of numerous political parties. Direct presidential elections since 1999. Decentralization altered the political and administrative landscape: 34 provinces, 410 districts, 98 municipalities, 6,944 sub-districts and 81,253 villages ⁴ .
State-citizen interaction	Benevolent leader, obedient population. Down to the village level, the state permeated society.	Modern political culture marked by diminishing hierarchy between the state and citizens, allowing for citizens to interact more freely.
Citizen representation and voice	Strict control of speech, expression and association.	Burgeoning of CSOs, pressure groups and NGOs following the political euphoria after Suharto's fall.

³ In 2010 the population was estimated to be around 237 million people (BPS 2010 Population Census). The current figure is an estimate from BKKBN and similar figures are cited in the CIA's World Fact Book and the World Bank.

⁴ Rumah Pemilu "Gambaran Singkat Pemilihan Umum 2014 di Indonesia", 3 July 2014. Available from <http://www.rumahpemilu.org/in/read/3351/Gambaran-Singkat-Pemilihan-Umum-2014-di-Indonesia> (accessed 25 October 2014)

	CSOs and their networks largely “hiding behind the screen”, operating under state surveillance. A period of growth occurred in 1995-98, as resistance was building.	Indonesian CSOs began to establish new networks internationally. Up until the early 2000s the focus was on state-centrist issues. Later, issues that CSOs were tackling became more diverse, ranging from pluralism, poverty reduction to fulfilment of economic, social and cultural rights.
Media	No free press, censorship and state-control. Suharto had firm grasp over how to use print & broadcast medias to promote political ideologies.	More vibrant media environment, flourishing of media businesses albeit in control of 12 main conglomerates that are mostly profit-driven and often have political ties.
	Limited public and CS use and access to internet until mid-90s.	Twitter nation, widespread social media use.
		Growing realization of the importance of media/free press as the fourth pillar of democracy.
Artistic forms of expression	Art and literary censorship conducted by the state. Art forms were a means to reinforce political order.	Greater freedom of the arts and cultural sectors. Organizations able to hold art events more freely. Freedom of expression a catchphrase amongst individuals and artistic groups, but challenged by more conservative members of society.
Religious expression and organization	Regime repressed religious groups, especially radical forms.	Emergence of religious groups seeking to restore Islamic values and defend Muslim values.

With political reforms came greater freedom and space for civic engagement. In the *Reformasi* period, there was a remarkable increase in the number of civil society organizations, many of which were Islamic in character. In 2000, the Central Agency on Statistics (BPS) recorded around 70,000 registered organizations, compared to just 10,000 in 1996⁵. New groups sprung up with donors encouraging activists to establish NGOs they could fund. These organizations were eager to distance themselves from state and often took an anti-government stance. Proliferating CSOs and NGOs have taken advantage of decentralization and greater regional autonomy to engage in public affairs. Civil society and government relations have improved, although both sides remain sceptical of the others’ intentions.

2.1.2 Recent trends in the political context

Indonesia is considered to be a story of democratic success, but it still struggles to realize the benefits of sustained and equitable economic growth. In the political context, the main challenges lie in governing such geographically vast and decentralized country, applying principles of good governance and the enormous task of reforming the country’s bureaucracy.

Although, Indonesia’s ‘big bang’ decentralization initiated at the turn of the century narrowed the gap between local government and citizens, it has also localized political power struggles. While the devolution of authorities relieved tensions between the central government and the regions, it has also created opportunities for corrupt and rent-seeking practices, at the local level. As indicated by Transparency International’s corruption index scores, perceived corruption in Indonesia remains high.

⁵ Wahid, Marzuki. 2010. LSM, Islam, dan Perempuan di Indonesia Paska Orde Baru. Presentation at the Asian Dialogues: Open Seminars in Asian Languages. Melbourne, 22 April. Available from <http://intranet.law.unimelb.edu.au/staff/events/files/Microsoft%20PowerPoint%20-%20LSM%20dan%20Islam%20di%20Indonesia%20--Melbourne%202010-FINAL.pdf> (accessed 25 October 2014)

Table 2*Transparency International's Global Corruption Barometer survey: Indonesia*

Year	Corruption perceptions Index Score (0 perceived as highly corrupt and 100 perceived as clean)	Rank
2011	30	100/182
2012	32	118/174
2013	32	114/177

Source: Transparency International

In 2013, decentralization was taken a step further with the approval of the Village Law, intended to address weak governance arrangements and empower rural communities to participate politically. The new law could also lead to village elites distorting power relations and misusing government funding if not properly monitored.

Indonesia is still transitioning politically and many challenges lie ahead. According to the 2012 Indonesia Governance Index's Executive Report: "Indonesia is witnessing a paradox in its democracy. On one hand, a successful opening-up of civil liberty has led to the avalanche of democratic demands across the nation, however on the other hand, democratic institutions' are inadequately respond to those demands." Nonetheless, the Indonesian Governance Index, which focuses on measuring provincial governance, does show a general improvement in the performance of the government (political office) bureaucracy, civil society and economic society based on principles of participation, transparency, fairness, accountability, efficiency, and effectiveness between 2008 and 2012. Civil society scores improved the most significantly, while scores for bureaucracy rose slightly.⁶

Table 3*Indonesia Governance Index: Average provincial scores*

Arena	2008	2012
Government	4.93	5.46
Bureaucracy	5.53	5.58
Civil Society	4.85	6.33
Economic Society	4.77	5.71

Source: <http://www.kemitraan.or.id/igi>

In the past decade, Indonesians have generally enjoyed a freedom to participate in the political process through a direct-election mechanism. However, in September 2014 lawmakers voted in favour of a bill reviving indirect elections of regional heads. The controversial vote provoked public outcry which saw peaceful protests and the public voicing their discontent through social media. In early October, just before the end of his term, president Yudhoyono issued a regulation in lieu of the law, effectively repealing the law until further judicial review.

The recent 2014 elections which marked the end of Yudhoyono's 10-year term, demonstrated that Indonesian voters are increasingly voting for popular figures irrespective of political party alliances. While practices of corruption, vote-buying and poor voter administration remained in the recent election, the public seems to have matured politically, indicated by the enormous interest in televised debates between the leading candidates. The appeal of the newly sworn in President Joko Widodo, popularly known as Jokowi, has come from his hands-on, man-of-the-people approach. As Jokowi begins his five-year term he will need to start addressing a myriad of challenges that include corruption, stagnant economic growth, and human rights concerns, particularly with respect to the rights to freedom of expression, peaceful assembly, and religious intolerance. If left unaddressed, these challenges could seriously undermine Indonesia's stability and democratic reforms.

⁶ The IGI uses a scale of 1 (lowest) to 10 (highest). Data is available online through their website. Indonesia Governance Index, Data, "IGI Executive Report". Available from <http://www.kemitraan.or.id/igi/index.php/data/publication/factsheet/275-igi-executive-report> (accessed 25 October 2014)

2.2 Civil Society context

This section describes the civil society context in Indonesia that is not SPO specific but in line with the information sources used by CIVICUS.⁷

2.2.1 Socio-political context

Today, there are tens of thousands of civil organisations in the country⁸, comprising of religious organisations, unions, mass-based membership organisations, ethnic groups, professional associations, politically affiliated organisations, NGOs, and other community organisations.⁹ CSOs in Indonesia work on wide range of themes. Thematic areas recently prominent include democratization and human rights; issue-based campaigns; protecting economic, social and cultural rights; promoting community access to basic services; environmental and natural resources management, and; climate change and disaster risk reduction. In 2012, the Ministry of Home Affairs documented more than 65,000 organisations, of which around 9,000 were officially registered with the Ministry.¹⁰ A year later, the figure increased to more than 130 thousand foundations, associations, NGOs, research institutions, and other organisations.¹¹ It is worth noting that NGOs in Indonesia are also allowed to establish cooperatives or SMEs, of which there are 203,701 with a membership reaching 35.2 million people.¹² Under recently reinstated Law No. 25/1992 concerning cooperatives, the cooperatives' objectives are to improve the welfare of its members and participate in developing the economy.¹³ Given these regulations it is possible to expand the definition of civil society to include cooperatives¹⁴

The civil society stage has become more diverse; the stage is now "shared with more players, like political parties, religious organisations and universities, all able to speak out and publicize their views in a multitude of media outlets that have sprung up in recent years."¹⁵ NGOs and civil society in Indonesia are now starting to deal with the dissolve of traditionally-compartmentalized roles and responsibilities as their activities begin to overlap with those of the government and private sector. As one recent report stated, "NGOs that were united against Suharto are now without a common enemy and something to unite them to a common vision."¹⁶ While the government has come to recognize that "a strong civil society is an important contributor to both launching and sustaining a transition to democratic governance"¹⁷, NGOs and CSO networks continue to be scrutinized and criticized for being vehicles of foreign intervention.

Despite the considerable number of organisations, those operating effectively are likely to be a small proportion.¹⁸ The accountability and transparency of CSOs and NGOs themselves has also come under greater scrutiny. "Donors have started to become impatient with some of their NGO counterparts, who have difficulties accepting that they now have to fulfil much greater demands"¹⁹. In recent years

⁷Mati J.M., Silva F., Anderson T., April 2010, *Assessing and Strengthening Civil Society Worldwide; An updated programme description of the CIVICUS Civil Society Index: Phase 2008 to 2010.*, CIVICUS

⁸Under state law, there are two forms of organisation recognized legally: "yayasan" or foundations, and "perkumpulan" or associations. The main difference between foundations and associations is that the latter is member-based and in the way they are governed internally and under law. A large majority of NGOs in Indonesia are private foundations.

⁹NGO Accountability: Politics, Principles and Innovations edited by Lisa Jordan, Peter van Tuijl

¹⁰Source: <http://www.koran-jakarta.com/?112-1000-ormas-perbarui-pendaftaran>. This figure is similar to 2010 data provided by Rustam Ibrahim in *An ASEAN Community for All: Exploring the Scope for Civil Society Engagement*, FES 2011.

¹¹<http://kesbangpol.kemendagri.go.id/index.php/subblog/read/2013/2515/Pemerintah-Ada-Ormas-yang-Diperalat-untuk-Kepentingan-Asing/2330> & www.kesbangpolbulukumba.info/berita-sambutan--dirjen-kesbangpol-----pada-----pertemuan--sosialisasi-undangundang--nomor-17-tahun-2013-.html

¹²Article entitled: *Pemerintahan Jokowi Diminta Terus Beber Koperasi dan UMKM*, 20 October 2014, Available at: <http://www.depkop.go.id/>

¹³A cooperative is defined in Article 3 as: "an economic organisation of the people with a social content (character) having persons or legal cooperative societies as members, farming economic entity as a collective endeavor based upon mutual help" (FAO, *A study of cooperative legislation in selected Asian and Pacific countries*).

¹⁴The World Economic Forum has adopted such a definition in 2013. See: *The Future Role of Civil Society*, available at: http://www3.weforum.org/docs/WEF_FutureRoleCivilSociety_Report_2013.pdf

¹⁵NGO Accountability: Politics, Principles and Innovations, Edited by Lisa Jordan and Peter van Tuijl (2006)

¹⁶STATT NGO Sector Review 2012

¹⁷Evolution and Challenges of Civil Society Organisations in Promoting Democratization in Indonesia

¹⁸Rustam Ibrahim comments on this in FES 2011

¹⁹Ibid

foreign donor funding has depleted, which has led to more organisations turning to the private sector and government programmes.

Since 1985 the state has regulated member-based, citizen organisations under a Mass Organisations Law making it obligatory for social organisations to register with government. This law was largely ignored in the period of reform following 1998. However, in 2013 the law was replaced by a new controversial Mass/Societal Organisations (*Ormas*) Law No. 17, reinforcing control of foundations and associations. The Law could be used to prohibit or dissolve CSOs. Many NGOs and civil society networks deplored the Law for constricting democratic space and the freedom of civil society. The 2014 Freedom House Index’s ratings for civil liberties in Indonesia declined from Free to Partly Free as a result of the new law²⁰.

Table 4
Indonesia’s Rank & Score: Freedom House Indices

Arena	2011	2012	2013	2014
Freedom status	Free	Free	Free	Partially Free
Political rights	2	2	2	2
Civil liberties	3	3	3	4

Source: <http://www.freedomhouse.org>

The 2013 CIVICUS report hinted that the legislation could be part of the state’s reaction to a perceived threat that environmental, land rights and indigenous activists pose to political and economic interests due to the “shadowy connections that can exist between transnational corporations and politicians” in the agriculture extractive and construction industries.

The annual Freedom of the Press Index produced by Freedom House illustrates that Indonesia’s media remains “partly free”. From 2011 to 2012 there was significant numerical improvement from 53 points to 49 with the reduction of restrictions and a greater ability of journalists to cover news more freely. From 2012 to 2014, the country’s rating remained steady at 49, with slight changes in global ranking (2012: 97th, 2013: 96th, 2014: 98th).²¹

Overall, the press system in Indonesia is vibrant, with a wide range of news sources and perspectives, further growing with the developments in digital media. “Indonesia’s online growth in recent years is recognised as nothing short of phenomenal” (Matt Abud 2012). While the Internet is seen as a new space for debate and participation, current laws still curtail openness, accessibility, inclusiveness and place limits on its use for expression. Only a limited number of organisations like ICT Watch are addressing freedom of expression and online rights. Nonetheless, citizens are using cyber space to set up online communities and organize campaigns. Some recent examples include the commuter movement ‘masukbusway.com’ aimed to capture and shame traffic violators in Jakarta.

Less progressive sources of rhetoric can be found amongst a number of hard-line religious groups and leaders, such as *Front Pembela Islam* (Islamic Defenders Front or FPI), who have links with traditional religious schools (pesantren) and recruit members through these and online networks. Radical groups organize frequent protests to apply pressure on the government and are a threat to diversity and freedom.²²

2.2.2 Socio-economic context

At a macro-level, Indonesia’s socio-economic situation has been improving. The country is a regional and global economic force, and has recently graduated to lower-middle income country (LMIC) status.

²⁰ <http://www.freedomhouse.org/report/freedom-world/freedom-world-2014#.VE4BahbarZk>
²¹ Freedom House. Freedom of the Press 2011, Freedom of the Press 2012, Freedom of the Press 2013, Freedom of the Press 2014.
²² The Limits of Civil Society in Democratic Indonesia: Media Freedom and Religious Intolerance, Kikue Hamayotsu. Journal of Contemporary Asia, March 2013

Table 5

Indonesia's Rank & Score: UN Human Development Reports

	2010	2011	2012	2013
HDI Rank (scale 1 – 187 for all years except 2010 out of 169)	108	124	121	108
HDI Value	0.671	0.640	0.681	0.684
Category	Medium human development			
Life expectancy at birth (years)	70.2	70.4	70.6	70.8
Mean years of schooling (years)	7.4	7.5	7.5	7.5
Expected years of schooling	12.5	12.7	12.7	12.7
GNI per capita (2011 PPP\$)	7,802	8,201	8,601	8,970
Gender Inequality Index (value & rank)	0.680 100 (2008 data)	0.505 100	0.494 106	0.500 103

Source: Human Development Report 2014 & Explanatory Note for Indonesia

In recent years, Indonesia has consistently been ranked in the medium development category of the UN's Human Development Index (HDI) measuring a long and healthy life, access to knowledge and a decent standard of living. In 2013, the HDI value was 0.684 with a rank of 108 out of 187 countries and territories. However, the value falls to 0.553, or 19.2 percent, when taking into account inequality. Indonesia's HDI is above its peers in the medium development category but below the average of 0.703 in East Asia and the Pacific. The Gross National Income (GNI) per capita is steadily rising to US\$ 8,970, a remarkable feat considering it was just 2,931 in 1980. Despite improvements, the 2014 report and its explanatory note show that growth is slowing and the country has yet to achieve equitable growth. For example, women only hold 18.6 percent of the seats in parliament, 10 percent fewer women reach secondary education compared to men, and women's labour market participation is 51.3 percent compared to 84.4 percent for men.²³

The Basic Capabilities Index (BCI) produced by Social Watch offers a picture of the status of key human capabilities of accessing basic services. It utilizes three main indicators: under-five mortality rate, births attended by skilled personnel, and enrolment of children up to the 5th grade. Countries are categorized into five groups accordingly based on their BCI values: 1) Basic: 98 and over; 2) Medium: from 91 to 97; 3) Low: from 81 to 90; 4) Very Low: from 71 to 80, and; 5) Critical: values below 70. Results for Indonesia saw stable or improving scores for child and maternal health, but a regression for education. While no data beyond 2011 is available, other data sources confirm that Indonesia still has high maternal mortality rates but basic education through primary school enrolment is improving.²⁴

Table 6

Indonesia's Rank & Score: Basic Capabilities Index

Year	Children reaching 5 th grade	Survival up to 5	Births attended by skilled health personnel	BCI
2011	87 (low)	96 (medium)	73 (very low)	88 (low)
2010	94 (medium)	96 (medium)	79 (very low)	90 (low)
2000				86 (low)
1990				74 (very low)

Source: Social Watch

Indonesia does not fare too well on the Social and Economic Rights Fulfilment (SERF) Index. In 2012 Indonesia achieved 67.86 percent of protecting social and economic rights. Although there was an improvement compared to 2011 values, performance worsened when compared to 2010. The country consistently performs poorly in the areas of right to food and right to work, although it improved in fulfilling rights to education.

²³ Human Development Report 2014, 'Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience': Explanatory note on the 2014 Human Development Report composite indices Indonesia

²⁴ See: Social Progress Index 2014 Country Scorecards published by the Social Progress Imperative; and the World Bank's Indonesia Development Policy Review 2014.

Table 7

Social and Economic Rights Fulfilment (SERF) Index Values: Indonesia

Year	SERF Index Value	Right to Food	Right to Health	Right to Education	Right to Housing	Right to Work
2012	67.86	45.33	83.95	95.19	64.26	50.56
2011	65.71	45.01	85.16	93.43	63.88	41.09
2010	69.29	45.75	85.95	93.82	65.88	54.72

Source: Social Watch, Core Country SERF Indices 2010, 2011 and 2012 (Note that 2010 data was adjusted in 2013).

Trends in the country’s Economic Freedom Scores produced by The Heritage Foundation and The Wall Street Journal are also rather bleak. From 2010 to 2014 the country has been categorized as ‘Mostly Unfree’, with only a small increase in its score from 55.5 to 58.5.²⁵

These macro-level figures illustrate the complexity of the socio-economic context. While the economy has grown, 65 million people remain highly vulnerable to shocks. Disparities in income and geographic areas remain, made more complex by the number of people ‘floating’ between the poor and middle class’.²⁶

2.2.3 Socio-cultural context

With respect to the socio-cultural context it is of interest to look at global indices that provide some insight into the level of trust between ordinary people and the extent to which tolerance exists. On a

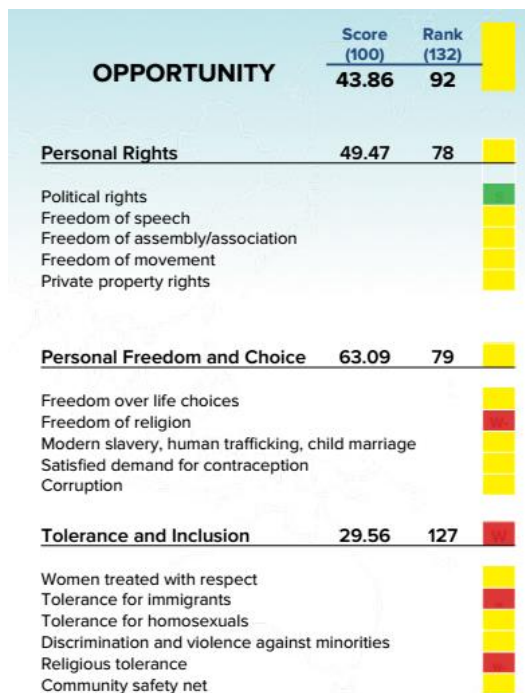


Figure 1 Indonesia’s 2014 Social Progress Index Scorecard illustrating selected elements of the Opportunity

whole, Indonesia has been able to maintain peace as indicated in the improvements in scores recorded by the annual Global Peace Index. In 2010, the country scored 1.950 on a scale of 1 to 5, with 1 being the best score. This has gradually improved to 1.853 in 2014, with a rank of 54 out of 162 countries. Nonetheless, inequality, socio-economic conditions and rights claims (especially land rights) are still a source of localized incidences of conflict in Indonesia. Between 2010 and 2014 there has been a rising incidence of resource and identity-based conflicts as well as vigilantism.²⁷

Amongst other components, the Social Progress Index published in 2014 examines whether there is opportunity for individuals to reach their full potential by scoring four different components: personal rights; personal freedom and choice; tolerance and inclusion; and access to advanced education. Indonesia scores low in this regard, at just 43.86 out of 100 and ranking 92nd out of 132 countries. Freedom of religion, tolerance for immigrants and religious intolerance are all considered to be weak (red), while the majority of the components are scored as neutral (yellow).

The Edelman Trust Barometer Survey, which collects annual data from 33,000 respondents in 27 countries

has shown that on aggregate, Indonesians’ confidence in nongovernmental organisations, government, media and businesses increased by 10 percent in the 2014 trust index. Interestingly, businesses, with 82 percent, are the most trusted of the four sectors compared to 73 percent for NGOs, 53 percent for government and 73 percent of respondents putting their trust in the media.

²⁵ <http://www.heritage.org/index/>

²⁶ World Bank’s Indonesia Development Policy Review 2014

²⁷ Data from the National Violence Monitoring System: www.sn timer-indonesia.com/

According to survey results, Indonesians believe businesspeople are more inclined to tell the truth than their government counterparts and three times more likely to fix problems.²⁸

The trends in levels of trust in NGOs over the past four years are noteworthy. In 2011, the trust level was at 61 percent, decreasing to 53 percent in 2012 and 51 percent in 2013. Reports claimed this was due to a lack of transparency and accountability. Edelman reported that the trust levels in 2013 were the lowest amongst eight Asia Pacific countries surveyed, ascribed to the growth of horizontal, peer-to-peer networks and a preference for social media.²⁹ The most recent results released in 2014 show substantial jump to 73 percent in 2014 which is attributed to NGOs now being able to 'walk the talk' in accountability and transparency, as well as the emergence of 'corporate NGOs'.³⁰

2.3 Civil Society context issues with regards to governance

Several important changes took place during the 2011 and 2014 period. First, the global financial crisis and Indonesia's rise to a middle-income country led to a decrease in international donor funding. Development actors, including CSOs and NGOs, have to compete harder for funding. Some have been more successful than others in diversifying funding by turning to the private sector or private foundations. At the expense of past idealism, local NGOs are now more disposed to receiving funding sources which in the past may have been criticized as supporting neoliberalism.

Regulatory changes also affected the civil society arena positively and negatively. Amongst the more controversial laws to spark reaction was Law No. 17/2013 on Societal Organisations. In an open letter sent before the bill was enacted, CIVICUS said the law would undermine freedom of association and "prevent CSOs from working on sensitive topics related to good governance and democratic reform in the public interest"³¹. FORUM-ASIA deplored the repressive provisions in the law that "leave all groups vulnerable to attacks, undermining the hard-won democratic space that has been forged by civil society since the end of the New Order regime."³²

On a positive note, between 2011 and 2014, the government did demonstrate a commitment to human rights by launching a National Action Plan on the issue endorsed through Presidential Regulation (Perpres) No. 23/2011. One of the actions contained in the plan was the ratification of 12 international human rights instruments/covenants. By the time this report was written, however, only four instruments were translated into national law: 1) convention on disabled people; 2) migrant workers; 3) involvement of children in armed conflict, and; 4) child trafficking, pornography and child prostitution.

Despite the above commitment, human rights groups have remained critical of the government's dedication to human rights and consider a number of laws to be discriminative or leave people vulnerable to human rights abuses³³. Laws passed that provoked criticism were amongst others the State Intelligence Law (October 2011) and the Social Conflict Law (April 2012). NGOs and media see

²⁸ Indonesians Trust Businesses More Than Govt, Survey Shows. By Harriet Conron & Nicole Jade Millane on Feb 05, 2014. <http://thejakartaglobe.beritasatu.com/news/indonesians-trust-businesses-more-than-govt-survey-shows/> & Further Rise in Trust in Indonesia, with Business as the Most Trusted Institution in the Country, Says the 2014 Edelman Trust Barometer, Edelman Indonesia, February 5, 2014 <http://www.edelman.id/edelman-indonesia/further-rise-in-trust-in-indonesia-with-business-as-the-most-trusted-institution-in-the-country-says-the-2014-edelman-trust-barometer/>

²⁹ Guest Post: A Crisis of Trust in Indonesian NGOs? April 29, 2013. by David Brain <http://www.edelman.com/post/guest-post-a-crisis-of-trust-in-indonesian-ngos/>

³⁰ Jakarta Globe (Indonesians Trust Businesses More Than Govt Survey Shows)

³¹ Civicus, "Civicus Releases an Open Letter Requesting the Indonesian Parliament to reject the Proposed Ormas Law and Create an Enabling Environment for Civil Society", 10 April 2013. Available from <http://civicus.org/index.php/en/media-centre-129/open-letters/1581-open-letter-requesting-the-indonesian-parliament-to-reject-to-the-proposed-ormas-law-and-create-an-enabling-environment-for-civil-society> (accessed 27 October 2014)

³² Azhar, Haris. 2013. Repressive provision in the Ormas law. Statement to The Asian Forum for Human Rights and Development, in Forum-Asia, "Indonesia: Passage of Ormas Bill Condemned, Campaign to Oppose the Law to Continue", Bangkok, 4 July 2013. Available from <http://www.forum-asia.org/?p=16305> (accessed 27 October 2014)

³³ Based on KontraS' report (2014), there are 21 sub-national regulations (Perda) that are discriminative and laws that are vulnerable to human rights abuses are the laws on intelligence, social conflict, mass organisation (Ormas), and presidential instruction on handling security disturbances.

these laws as imposing further restrictions on freedom of speech, potentially leading to the criminalization of human rights defenders and signifying a tightening of state control. Discriminatory content was also an issue in discussions on the Religious Harmony Bill in 2013, for which drafting was initiated in despite not being part of the planned National Legislative Program. Late in 2013, the House of Representatives came under fire again for its weak stance against religious intolerance when it re-endorsed a law that limits state-recognized religions to six.

Land rights and natural resource protection have been a long-standing issue for Indonesia. While Indonesia has adopted and amended laws to improve the rights of smallholders and indigenous communities, many of these regulations have faltered in their implementation. Part of the issue lies in the overlap and lack of clarity of laws adopted that regulate different sectors and local legislation. Another issue is that there is a lack of oversight in the procedures such as granting permits and licensing. These problems, which are commonly found across development sectors, are compounded by a lack of information among local communities on what the laws regulate and their rights vis-à-vis them.

3 ELSAM and its contribution to civil society/policy changes

3.1 Background of ELSAM

ELSAM (Institute of Policy Research and Advocacy) is one of the oldest human rights NGOs in Indonesia. It was established in 1993 by a number of human rights activists and lawyers from YLBHI, INFID, and WALHI. Within the broad objective of supporting the development of a democratic political order through strengthening civil society and human rights, ELSAM has carried out a wide range of activities related to human rights advocacy at both the policy and community level.

ELSAM had a significant role in the ratification Indonesia's ratification of the International Convention Against Torture and the Convention for the Elimination of All Forms of Racial Discrimination in 1998. In 2004, ELSAM successfully worked towards the promulgation of the Truth Reconciliation Commission Law, which is still under review by the Constitutional Court because of the sensitivity of the issue and the powerful opposition of those allegedly having committed human rights violations. Since 2003, ELSAM has studied the violations of civil and political rights in Aceh & Papua; and economic, social, cultural rights in Kalimantan and Sumatra. These studies help the organisation to monitor the implementation process of the International Covenant on Civil and Political Rights (ICCPR) and resolutions by the Economic and Social Council of the United Nations. ELSAM also engaged with the judges of the State Judicial Institution to strengthen their capacities on human rights by means of producing a manual for judges in 2012, together with the Supreme Court. ELSAM's most important strategies are to:

- Lobby and campaign against repressive laws as well as for the ratification by the Indonesian government of major international human rights instruments;
- Conduct studies on the rights of specific categories in society, such as labourers, indigenous people and to reports violations of these rights;
- Educate and train local NGOs and lawyers on human rights in the 'outer' regions;
- Provide legal aid for human rights victims;
- Facilitate the creation of local and national NGOs and human rights coalitions such as the Working Group on the Advocacy against Torture (WGAT) and the Coalition for Justice and Revelation of Truth (KKPK), and;
- Build alliances and/or co-operate with a wide range of organisations at the local, national and international levels.

3.2 MFS II interventions related to Civil Society

ELSAM has received funding from HIVOS for two different projects. The first, "Strengthening Human Rights Protection from the Threat of Impunity and Fundamentalism in Indonesia" was completed in March 2013 and had three components³⁴:

1. The Settlement of Human Rights Violations to Realize Democracy and a Just Legal System. The interventions of this component all aimed to influence public policies and decrees, relating to the CIVICUS dimension 'perception of impact'. The outcome selected for in-depth process tracing is linked to this component.
2. Strengthening Human Rights Protection from Upcoming Threats of Market Fundamentalism, Religious Fundamentalism, and Communalism in Various Forms. The interventions under this

³⁴ "Project Number 416-900-1094 -- 2011 ELSAM Report", ELSAM, 2012, p.1

component aimed to defend the interests of human rights victims, which relates to the CIVICUS dimension 'level of organisation', as well to increase the number of individuals that are capable of using human rights instruments offered by ELSAM which relates to 'civic engagement'.

3. Institutional Strengthening of ELSAM as a credible, capable, accountable, and sustainable Resource Centre of Human Rights. This program aimed to rethink ELSAM's position in its environment and may have had relations with the 'practice of values' dimension of CIVICUS.

The second project, entitled "Internet Governance Based on Human Rights Perspective" (1004945) aimed to integrate the human rights perspective into the debate on internet governance. Other contributions were made by Hivos to support ICT WATCH to ensure the collaboration with ELSAM to develop a website, campaign tools (such as YouTube clips), and a campaign program. This project relates to the CIVICUS dimensions of 'perception of impact' and 'civic engagement'.

3.3 Basic information

Table 8

Basic information

Details	
Name of SPO	: ELSAM
Consortium	: People Unlimited
CFA	: HIVOS
Start date of cooperation	: 1 January 2011
MDG/Theme	: Governance
MSF Project 1	
MFS II Project Name	: Strengthening Human Rights Protection from the Threat of Impunity and Fundamentalism in Indonesia 2011-2012 (RO SEA 1002309)
Contract period	: January 1, 2011 - December 12, 2012, no-cost extension until March 2013
Total budget Hivos	: € 120,000
Other donors if applicable	: The total amount for the project was US\$ 886.396 financed together with EED and Miserior for the period April 2010 - March 2013
Estimation of % ³⁵ of budget for Civil Society	: 45 %
MSF Project 2	
MFS II Project Name	: Internet Governance Based On Human Rights Perspective (1004945)
Contract period	: 1 July 2012 – 30 June 2013, no-cost extension until 30 January 2014
Total budget Hivos	: € 17,450
Other donors if applicable	: N/A
Estimation of % ³⁶ of budget for Civil Society	: 73%

Sources: project documents

³⁵ Costs that relate to civil society development or policy influence are those costs that possibly contribute to the development of the CIVICUS dimensions, excluding coordination and office costs; staff costs and financial reserves.

³⁶ Ibid

4 Data collection and analytical approach

4.1 Adjustments made in the methodology of the evaluation

Based upon project proposals submitted to Hivos and progress reports submitted by ELSAM, an initial inventory was done to assess the extent to which ELSAM had produced the expected results as mentioned in the contracts with Hivos. However the information made available and analysed before SurveyMETER started its data collection in the field was incomplete, and not clear in terms of providing factual information of results and outcomes achieved. Therefore the team encountered difficulties to identify outcomes to be included for the in-depth process tracing, in particular because Hivos is supporting ELSAM on two completely different projects (a very small one on internet governance and another one on human rights protection).

The evaluation team in the field followed the operational guidelines to a great extent, but was unable to have a workshop with ELSAM for an entire day. In practice the workshop lasted three hours, forcing the evaluation team to set multiple follow-up meetings with ELSAM leadership and programme staff which also proved to be difficult. A separate meeting was scheduled to meet board members.

4.2 Difficulties encountered during data collection

During data collection the team also experienced the difficulty to obtain 'hard evidence' of ELSAM's roles or contributions in the Coalition for Witness and Victim Protection³⁷ that lobbied for the revision of the Law on the Witness and Victim Protection because a majority of the meetings conducted to discuss regulatory revisions with other actors were done informally, with little trace or documentary evidence. To triangulate verbal confirmation by coalition members on ELSAM's role, we did content analysis, comparing ELSAM's policy inputs with the approved revised law on LPSK (Law No. 31/2014).

Due to insufficient information acquired during the initial steps of the tracing process, the second model of change had to be revisited often to be revised based on new information found by the evaluation team, which consequently meant that the evaluation team had to collect new evidence for the amended model of change.

The Hivos Regional Office for Southeast Asia has experienced a number of staff changes recently. The evaluation team was unable to interview the staff member who was in charge of the ELSAM portfolio in the 2012-2014 period.

4.3 Identification of two outcomes for in-depth process tracing

As already mentioned, the project document analysis did not provide sufficient guidance to focus the in-depth process tracing. The suggestion was made to focus on one *recent* achievement for policy influencing, and one outcome related to strengthening the capacities of organisations that receive the support of ELSAM. However ELSAM's core activities are documentation and research and network

³⁷ The members of this coalition are: ELSAM, YLBHI, MAPPI FH UI, PSHK, LEIP, KONTRAS, LPHAM, LBH JAKARTA, ICJR, ILRC.

influencing, implying that it does not support intermediate organisations, but is an active member in coalitions like WGAT, KPSK and KKPK that are part of the networks that influence the government.

During the initial evaluation process, the policy influencing outcome selected. This outcome was related to a regulation passed in October 2013 that enlarged categories of human rights victims eligible for protection, compensation and psychosocial services to accommodate the immediate needs of victims. A far more reaching outcome was passed mid-way through the evaluation process, on 17 October 2014, namely the revision of the Law on Witness and Victim Protection just before the new parliament was sworn in.

Based on a follow-up interview with an ELSAM Board Member in November 2014, a second outcome was selected on the increased capacity of sub-national CSOs in monitoring human rights violations through more systematic data collection and analysis systems. This outcome was selected taking into consideration that the one of the key activities identified in ELSAM's Theory of Change was related to networking and improved sources of information. In addition the production of knowledge and data is one of ELSAM's focuses as an organisation.

5 Results

5.1 Overview of planned and realised outcomes

Table 9

Overview of results achieved in relation to project plan ELSAM

Planned results		Level of achievement
Strengthening Human Rights Protection from the Threat of Impunity and Fundamentalism in Indonesia 2011-2012 (RO SEA 1002309)		
Program 1: Settlement of Human Rights Violations to Realize Democracy and Just Legal System		
Result Indicator 1	The existing human rights violations accountability mechanisms are strengthened and the alternative mechanism is provided	Partially achieved: LPSK develops concept of repatriation for victims of human rights violations promoting the settlement of past human rights violations, including through the mechanism of alternative settlements. Law on Victim and Witness Protection revised.
Result Indicator 2	Collective activities with two networks: the Advocacy Network for the Peaceful Settlement of Past Human Rights Violations and the Working Group on the Advocacy against Torture (WGAT) to promote the implementation of an effective reparation for victims are conducted	Partially achieved: Continued support to the WGAT to lobby follow up efforts to ratify the optional protocol on the Convention Against Torture.
Result Indicator 3	The adoption of the draft Law on Truth and Reconciliation Commission (TRC) is promoted	Achieved (although law not adopted): Joint advocacy on the settlement of past human rights violations, including support to KPKK. Background paper for new bill on TRC prepared by ELSAM and KKKPK. Civil society activists managed to become candidate members of Komnas HAM, of whom three ELSAM members. ELSAM's involvement in KKKPK has strengthened the coalition. ELSAM set up a database centre for past human rights abuses. Sharpened focus of action of the coalition to promote truth revealing as a modality in peacefully settling the past.
Result Indicator 4	An effective reparation instrument and mechanism for victims of human rights violations is released	Partially achieved: Law on Victim and Witness Protection revised.
Program 2: Strengthening Human Rights Protection from Upcoming Threats of Market Fundamentalism, Religious Fundamentalism, and Communalism in Various Forms		
Result Indicator 5	Advocacy against the victim criminalization in the name of religion is conducted.	Achieved: Through its existing networks, ELSAM has been able to support victims and play a watch dog role with regards to threats from market and religious fundamentalism. Advocacy for the witnesses and victims of religious-based discrimination, pluralism research, monitoring cases of the attacks against minority religious groups, campaigns through the media about religious freedom, and lobby to the government were carried out.
Result Indicator 6	The cases related to the market fundamentalism, religious fundamentalism and communalism are monitored by ELSAM training alumni	Achieved: Cases monitored by ELSAM and its network focusing on human rights abuses (past and present), land rights abuses, agrarian disputes. ELSAM appointed as member/CS representative of joint fact-finding mission with government in response to violent land disputes in Mesuji, Lampung.
Result Indicator 7	ELSAM's recommendation about public policies that covers the right to education, housing, health and the right to job is released	Partially achieved: ELSAM, together with a coalition, were successful in revoking a policy which sought to introduce international benchmarks in state schools, which was considered as discriminating against the poor from accessing quality of education. ELSAM together with a network of NGOs filed a case to the constitutional court to revoke the pilot policy contained in Law on Education.
Result Indicator 8	Alternative concept from ELSAM to the government about human rights protection against market fundamentalism, religious fundamentalism, and communalism is published.	Partially achieved: ELSAM formulated recommendations related to human rights protection from fundament threats and provided their expertise. For example, ELSAM in collaboration with an NGO network and the President's Delivery Unit for Development Monitoring and Oversight (UKP4) worked to influence a Ministerial Decree on plantation licensing, especially to eliminate the concentration of big companies owning plantations. Although this was unsuccessful, the efforts did lead to a

		revision in the time period available for local communities and the general public to respond to licensing applications put forth by companies (from 7 days to 30).
		Human rights-based local regulation guidelines jointly formulated with Pontianak Institute and accepted by the local government of Sangau.
Result Indicator 9	Civil society groups' effort to fight the policy that push and rectify and tolerate violence in the name of religion is initiated.	Partially achieved: National Workshop on the advocacy for the rights to freedom of religion and belief held in April 2012 with CSOs to develop a national advocacy strategy and plan for drafting an Academic paper for the bill on Protection of the right to freedom of religion or belief.
Result Indicator 10	# of CSOs and individuals who master or make use of the instruments of human rights to face the threats of market fundamentalism is increased	Insufficient information.
Program 3: Institutional Strengthening of ELSAM as A Credible, Capable, Accountable, and Sustainable Resource Centre of Human Rights		
Result Indicator 11	The number of the beneficiaries of ELSAM Resource Center is increased	Insufficient information
Result Indicator 12	The implementation of the concept of ELSAM as a Resource Center is reviewed	Partially achieved: Resource center/library equipped with materials, library collections digitalized, online data center and website developed and maintained. Public access to materials promoted.
Internet Governance Based On Human Rights Perspective (1004945)		
Program 4: Human rights perspective is the main reference for internet governance discussion in Indonesia		
Result Indicator 1	A document on internet governance development strategy based on democracy and fairness is developed. This indicator is the responsibility of the three organizations: Hivos, ELSAM and ICT Watch	Insufficient information available. Unclear what strategy document was expected and what was achieved.
Result Indicator 2	Strategic partners and not strategic partners for Internet Governance Forum are identified. This indicator will be prepared by ICT Watch and will be concluded with ELSAM's baseline study	Achieved: Network developed amongst organisations with similar concerns. Coordination developed with: Indonesian Internet Service Provider Association (APJII); Indonesia Internet Domain Registry (PANDI); the Communications and Information Technology Ministry; the National Commission on Human Rights; National Commission on Violence Against Women; CSOs Networks; Relawan TIK; ICT Watch; ID CONFIG; Indonesian Telecommunication and Information Society (MASTEL); CIPG, Air Putih, Idola.net, ICJR, Arus Pelangi, Erotics Indonesia, Satu Dunia Foundation, AJI Indonesia, PSHK, SAFENET, and Pamflet.
Result Indicator 3	Serial of meetings between government, corporations and civil society. ICT Watch is responsible to identify the relevant topics of internet governance issue with the human rights point of view. ELSAM will conduct the meetings	Achieved: Several discussions held with above stakeholders in ahead of the 8th IGF in Bali.
Result Indicator 4	Studies and publications about internet governance based on human rights, prepared by ELSAM: - Case digest of freedom of information on the internet; - Comparison study information freedom in ASEAN countries; - Pocket book about freedom of information right in internet instruments.	Achieved: 3 studies on the internet governance conducted. 34 materials accessible for public. 3 policy briefs published on planned topics. Handbook on Freedom of Expression on the Internet produced. In addition, ELSAM developed a paper "Internet Governance in Indonesia: Problems, Challenges and Development Format".
Result Indicator 5	The availability of campaign materials, prepared by ELSAM.	Achieved: Above materials used for awareness campaign on rights-based internet governance. Apart from the written materials, 3 video talk shows uploaded to YouTube & 6 episodes of radio content for streaming.
Result Indicator 6	Information distribution based on ELSAM's publication will be conducted by ICT Watch.	Achieved: Information distribution conducted over three periods of time: before, during and after IGF event in Bali.
Result Indicator 7	The availability of open discussion on internet governance based on human rights in Indonesia.	Result is not tangible, difficult to measure achievement. Discussion on internet governance held between December 2012 and January 2014. This included a public discussion on the challenges of freedom of expression in the Cyber World

Sources: ELSAM Reports to Hivos, ICT Watch Report to ELSAM/Hivos.

ELSAM implemented a programme on Human Rights Protection from the Threat of Impunity and Fundamentalism from January 2011 until March 2013 which was financed by Miserior, EED and Hivos (18% contribution) and a separate project on Internet Governance together with ICT Watch and Hivos

from July 2012 until February 2014. The table above shows the level of achievement of agreed results with Hivos. ELSAM programs are much broader than these result indicators, so a brief overview will be given of some of the achievements.

The first programme contained three components. Generally speaking activities have been carried out according to plan, for example ELSAM has been involved in influencing and lobbying for a revised Penal Code, lobbying the ratification of all protocols of the Convention against Torture (CAT), and working in tandem with the CSO coalition on Witnesses and Victims Protection (KPSK) that actively monitors the performance of Witnesses and Victims Protection Agency (LPSK).

One of the components aimed at establishing peaceful settlements of human rights violations by strengthening existing institutions, and by introducing effective reparation mechanisms for victims of human rights violations. Peaceful settlements and support to the victims were sought by ELSAM through campaigns; direct assistance to victims; lobby to government, and; by strengthening the Coalition for Justice and Revelation of Truth (KKPK) and Coalition for Witnesses and Victims (KPSK). ELSAM proposed a trust fund to support victims, which has been included in a bill drafted for a Truth and Reconciliation Committee (TRC), which is still being deliberated because of its sensitivity. To pass this Bill in Parliament requires broad support from CSOs and the government. ELSAM has helped establish a cooperative for the victims, run by the victims.

The end line evaluation has focused on this program area. Between 2012 and 2014 two main results were achieved, namely:

1. Revision of the law on the Witness and Victim Protection Agency (LPSK). Under the new law (No. 13/2014), a repatriation concept for victims of human rights violations has been included. Settlement of the past human rights violations through alternative means as well as through formal means that would involve KKPK, the Coordinating Ministry for People's Welfare/Kemenkokesra and the national human rights commission.
2. Strengthened human rights network. ELSAM developed and disseminated a framework and system for documenting human rights violations. A growing number of organisations are focusing on the importance of settling past human rights violations. They include organisations established and run by victims and other CSOs that come together in the KKPK, which advocates at the national level. Within KKPK, ELSAM coordinates the cluster for data collection and database development. ELSAM facilitated data collection and documentation of past human rights violations by a civil society network through collaborative research and analysis of findings to inform the advocacy agenda. The network spans CSOs from Aceh, Medan, Jakarta, Yogyakarta, Solo, Blitar, Pontianak, Bali, Palu, Makassar and Papua.

Between 2012 and 2014, ELSAM also remained active in two other networks to promote settlement of abuses and protection of victims: the Advocacy Network for the Peaceful Settlement of Past Human Rights Violations and the Working Group on the Advocacy against Torture (WGAT).

The second programme focussed on human rights protection from market and religious fundamentalism and communalism. ELSAM has contributed to the successful judicial review of the Plantation Law, specifically the abolishment of 2 articles that were used to criminalize peasants. The period in which local communities and the public are allowed to respond to licensing applications by companies was successfully extended. In addition, ELSAM and a coalition of NGOs booked success with regards to achieving a judicial review of the National Education System which were considered discriminatory against the access of the poor to quality education. But, the threats of fundamentalism are too large for ELSAM (and its supporting network) to reduce. Civil society as a whole should come to play a more direct role in dealing with fundamentalism. ELSAM's support to protect human rights in the face of fundamentalism has been rather reactive³⁸.

There is not much information in the progress reports on the third component that concerns internal processes within ELSAM. Although ELSAM's ambition was to digitalise its database and make it available online, as well as link to the HURIDOCS system (an internationally recognized data system

³⁸ "2007-2011 Evaluation report", ELSAM

that is focuses on human rights abuse documentation), no progress has been reported on this component.

The Internet Governance project has to be contextualised in the light of the 2013 annual Internet Governance Forum (IGF) that took place in Bali. ELSAM produced various documents that were used for campaigning in-country, but despite these they did not manage to revise the Indonesian laws and regulations on internet governance in favour of freedom of expression and the right to seek information.

5.2 Changes in civil society in the 2012-2014 period?

5.2.1 Civic Engagement

Generally speaking, no change was recorded with regards to civic engagement in the 2012-2014 period. ELSAM is by design politically engaged in sensitive arenas that seek remedy for victims and for truth and reconciliation since its creation in 1993. In this period ELSAM decided to reduce its involvement in the direct provision of services to human rights victims and to reorient their program on providing advisory services to civil society organisations and the government with regards to research and policy influence on human rights. Having been involved in the creation of the Witness and Victims Protection Agency (LPSK) in 2006, ELSAM has continuously monitored the effectiveness of reparation and indemnification by the agency. A number of gaps were identified in the original law establishing LSPK (Law No. 13/2006) and in the definitions for eligibility to repatriation. As such, ELSAM though Komnas HAM³⁹ was involved in improving the categories for eligibility so that more human rights victims could access services provided by, amongst others, LPSK. This had an immediate effect on the number of victims obtaining services: from 750 in the last quarter of 2013 to 1,000 persons in the first semester of 2014.

Throughout the period, ELSAM continued to document human rights atrocities committed and organised for victims to provide testimony of their experiences during critical meetings and/or events to support their lobby and advocacy agenda. Apart from this, victims were consulted to ensure that position papers and policy drafts produced by ELSAM responded to their needs.

A key successful advocacy agenda brought to fruition was ELSAM influence of a revision of the Witness and Victim Protection Law to improve the protection and services already provided through LPSK to witnesses and victims. 2014 was characterised by an increased political engagement by ELSAM because of legislative and presidential elections taking place.

Score baseline 2012 on an absolute scale from 0-3:	3
Score end line 2014, relative change on a scale of (-2, +2):	0

5.2.2 Level of Organisation

ELSAM's engagement with other networks in civil society slightly improved in the 2012 – 2014 period. ELSAM remained engaged in a number of coalitions including: 1) Coalition for Justice and Revelation of Truth (KKPK); 2) Coalition for Victim and Witness Protection (KPSK); 3) Anti Forest-Mafia Coalition (KAMH); 4) Judicial Monitoring Coalition (KPP); and, 5) Indonesia's NGO Coalition for International Human Rights Advocacy. The SPO maintains a wide network with NGOs and CSOs working in a range of issues where human rights is a concern. ELSAM also holds an important membership position in the National Human Rights Commission (Komnas HAM). ELSAM's contribution to networking remains one of its strengths as an organisation.

³⁹ ELSAM assisted Komnas HAM and LPSK to streamline their procedures in handling the victims as there were delays in service provision due the incompatibility of systems. This resulted in the signing of a MoU on how to streamline their services to the victims through alignment of eligibility procedures in June 2014.

KPSK, of which ELSAM is a member, intensified its lobby in early 2014 to ensure that a new law regarding Witness and Victim Protection was promulgated in October 2014, just before the new parliament was sworn in.

Apart from this, ELSAM together with the Public Interest Lawyers Network (PIL-NET) reviewed the 2004 plantation law and worked with ICT Rights Watch on internet governance. ELSAM expanded its network with Indonesian research organisations working beyond the human rights scope in 2013 by securing funding from Knowledge Sector Initiative, a five to eight-year Australian Government-funded initiative in 2013 to strengthen ELSAM's capacity in knowledge production and to improve its evidence based policy advocacy. This is an indication that the SPO has the capacity to diversify its financial sources.

As already described above, ELSAM decided to decrease its direct involvement with human rights victims, implying fewer interventions to defend their interests.

Score baseline 2012 on an absolute scale from 0-3: 2
Score end line 2014, relative change on a scale of (-2, +2): 1

5.2.3 Practice of Values

Since the baseline there have been no changes in how decisions are made within ELSAM or in how it applies transparency or internal accountability measures. ELSAM is an independent association (*perkumpulan*) that works with human rights activists, academia lawyers and other NGOs. ELSAM has a board, members of association, and an executive arm. The board and the executive meet on a regular basis. The composition of both remains unchanged since the baseline, with three of the five board members and 40 percent of the members of association being women. A new chairperson of the board, a well-known women's activist, was selected to hold the position for the period 2014-2019 (replacing a male human rights activist). The current female executive director will end her second term in 2015.

When the baseline was conducted in 2012, ELSAM could not provide an audited financial report for 2011 and 2012. During the end line evaluation, ELSAM was able to provide both. The 2013 audit report has been completed but the report is not yet available. In this regard, there have been no changes in the way the organisation conducts financial auditing.

Score baseline 2012 on an absolute scale from 0-3: 2
Score end line 2014, relative change on a scale of (-2, +2): 0

5.2.4 Perception of Impact

ELSAM has two main direct clients: individual victims of human rights violations and CSOs. On Client satisfaction, in the absence of regular monitoring data on client satisfaction, the interviews conducted for this evaluation reported high satisfaction of what ELSAM has done for them (based on two testimonies of clients). In addition, observation of ELSAM's website and Twitter account do not show any evidence of the use of public forums to provide feedback or launch complaints.

At the organizational level, the Commission for the Disappeared and Victims of Violence (KontraS) and the National Commission for Human Rights (Komnas HAM) expressed their appreciation for continued support and leadership of ELSAM in the Coalition for Justice and Revelation of Truth (KKPK). For Komnas HAM and KontraS, we can conclude that their level of satisfaction remains the same.

On the SPO's civil society impact, the role of ELSAM as a 'knowledge organisation' that feeds their networks with data to promote human rights protection is acknowledged by the coalition members. However, there is no significant difference, in this area compared with situation in 2012.

With regards to the strategy to increase their contribution to CS arena, in 2014 ELSAM introduced a new focus to their mid-term plans, namely to:

1. Improve their communication's strategy for producing better knowledge for use by policymakers and civil society to strengthen their advocacy strategies;
2. Maximize the use of ICT to expand the outreach for dissemination and potential beneficiaries; and

-
3. Reform the internal 'corporate culture' of ELSAM, including strengthening leadership, organisational performance enhancement through a better planning, monitoring and evaluation system, and strengthening staff capacity.

This new focus is a good reflection of where ELSAM has been able to demonstrate its strengths, namely in representing marginalised groups, in this case victims of human rights abuses and minorities, and influencing policies and practices to take up the concerns of these groups and to ensure an adherence to human rights principles.

During the baseline, ELSAM's contributions to CS arena were identified as providing data (research) and training for human rights activists (up to 350 trainees). These roles seem to have decreased due to a reliance on project-based funding to implement the activities. On provision of data/knowledge to other CSOs, there were two activities implemented by ELSAM with regard to their role in CS arena: 1) improving information and documentation systems, including the production of user-friendly information on human rights research findings and data for usage by other CSOs⁴⁰, and; 2) increasing the number of users accessing information through the web by digitizing 13,876 human rights documents.

ELSAM's relation with government agencies remains the same; they maintain their reputation as a 'moderate' human rights organisation. For example, ELSAM was appointed as a CS representative to take part in a joint fact-finding mission with the Coordinating Ministry for Politics, Law and Security (Menkopolkam) in response to violent land disputes between communities and plantation companies in Mesuji, Lampung –while KontraS, in other hand, is seen as "hard-line" defender in this case. ELSAM was also well positioned vis-à-vis the Office of the President and Komnas HAM to continue to push for the disclosure of truth about past human rights violations.

In terms of service delivery, in the baseline, ELSAM reported support to the public sector officials through a series of trainings for local law enforcers (police, public prosecutors and judges at the lower, higher and supreme courts) to instil human rights standards. In the last two years, these trainings were discontinued due to change in program strategy that now focuses on policy advocacy⁴¹.

On ELSAM's relation with private sector agencies, there has been a strategy shift in the last two years. On the one hand, ELSAM continues to advocate for poor and/or land-less farmers who come in conflict with plantations companies occurring in Medan, North Sumatra; Ketapang, West Kalimantan; Kebumen, Central Java; Batanghari and Sarolangun, Jambi; and Blitar, East Java. Findings from investigations carried out by ELSAM were submitted to the National Commission on Human Rights (Komnas HAM), the Indonesian national police, and LPSK. This successfully sparked responses from each of the agencies that sought to protect and provide reparations for those affected in the land dispute with the private companies. Besides this more confrontational approach, ELSAM has employed a voluntary approach through which it seeks to promote better company practices. It has produced a manual for companies on "how to do business without violating human rights".

One major outcome of ELSAM has been its continued efforts to improve the regulatory framework for the Witness and Victims Protection Agency (LPSK) by engaging in a CSO coalition. In 2014, a revision was passed of the original Law that saw the establishment of LPSK in 2006. In addition to that, ELSAM contributed to improved governance of Komnas HAM and LPSK in handling the victims of human rights violations by improving the procedures for granting statements for victims and their families (Regulation No. 004/Komnas HAM/X/2013, for example). A Memorandum of Understanding (MoU) was also signed between Komnas HAM and LPSK on 25 June 2014 to secure an agreement on better coordination in handling victims. Linkages were maintained with CSOs and grassroots organizations such as the Solo Survivors Network and similar victim organisations in Palu and Jakarta

Score baseline 2012 on an absolute scale from 0-3:

3

⁴⁰ For example by providing references and updates in human rights that are available at <http://referensi.elsam.or.id/?lang=in>

⁴¹ Training for human rights lawyers is still going on, for example 15 selected lawyers will participate in advance course on January 12-20, 2015. ELSAM, Pendidikan HAM, "PENDIDIKAN HAM: Pengumuman Hasil Seleksi". Available from <http://www.elsam.or.id/article.php?act=content&id=3175&cid=504&lang=in#.VKovNiuUcu8> (accessed 23 November 2014)

Score end line 2014, relative change on a scale of (-2, +2): **1**

5.2.5 Civil Society Environment

As an organization with a broad mandate to defend human rights ELSAM needs to stay abreast with concerns of its constituents, the general public, whilst monitoring policy developments in the country. In this regard, ELSAM collaborates with other human rights organisations to monitor the situation. ELSAM has demonstrated an ability to remain relevant to contextual developments. For example, it engaged with ICT Watch to campaign for the preservation of the right to expression in the area of internet governance, taking advantage of the existing momentum in the lead up to an international conference. In the run up to the presidential elections, ELSAM stepped up its campaign messaging on the human rights backgrounds of running candidates. On a another issue, ELSAM joined forces with a host of civil society organisations to protest the parliamentary approval of direct elections of regional heads of government, considering this to be an infringement of people’s political rights.






While ELSAM has been successful in influencing the policy formulation process and in lobbying for human rights to be upheld, the organization has been less successful in addressing how policies are implemented, and poor law enforcement is common problem in Indonesia, not only in human rights issues. Although new policies and commitments to upholding human rights are made by the government, there continues to be a wavering of its actual response to human rights abuses, violence and discrimination. In the future, ELSAM may need to think of how it positions itself to push for a better translation of the human rights lingua franca in policies to practice.

Score baseline 2012 on an absolute scale from 0-3: **2**
Score end line 2014, relative change on a scale of (-2, +2): **1**

5.3 To what degree are the changes attributable to the Southern partners?

This paragraph assesses the extent to which some outcomes achieved can be “attributed” to ELSAM. Starting with an outcome, the evaluation team developed a model of change that identifies different pathways that possibly explain the outcome achieved. Data collection was done to obtain evidence that confirms or rejects each of these pathways. Based upon this assessment, the evaluation team concludes about the most plausible explanation of the outcome and the most plausible relation between (parts of) pathways and the outcome. The relations between the pathways and the outcomes can differ in nature as is being explained in table 10.

Table 10
Nature of the relation between parts in the Model of Change

Nature of the relation between parts and other parts or outcome	
The part is the only causal explanation for the outcome. No other interventions or factors explain it. (necessary and sufficient)	
The part does not explain the outcome at all: other subcomponents explain the outcomes.	
The part explains the outcome but other parts explain the outcome as well: there are multiple pathways (sufficient but not necessary)	
The part is a condition for the outcome but won't make it happen without other factors (necessary but not sufficient)	
The part is a contributory cause it is part of a 'package' of causal actors and factors that together are sufficient to produce the intended effect.	

Sources: Mayne, 2012; Stern et al, 2012

The following paragraph assesses CWM’s contribution to two outcomes. Each paragraph first describes the outcome achieved and the evidence obtained to confirm that the outcome has been achieved. It then presents the pathways identified that possibly explain the outcomes, as well as present information that confirms or refutes these pathways. The last section concludes in the first place about the most plausible explanation of the outcome, followed by a conclusion regarding the role of the SPO in explaining the outcome.

Two outcomes were selected to measure the degree of MFS-II effectiveness. These were:

- Outcome 1: Revised Law on Witness and Victim Protection;
- Outcome 2: ELSAM’s network organisations are more capable of data collection and analysis for use in local advocacy.

5.3.1 Revised Law on Witness and Victim Protection

On 17 October 2014, a revised Law on Witness and Victim Protection was formally put in place following parliamentary approval in September 2014. Law No. 31/2014 replaced Law No. 13/2006. The new law is a major milestone for human rights organisations who have lobbied for changes for over four years. The implications of the new law for human rights are as follows:

- Expanded coverage of services for victims of human rights abuses, which now includes victims of trafficking, terrorism, sexual abuse and other crimes;
- Clarity on the types of protection services provided to the witnesses, justice collaborators and corruption whistle-blowers and special treatment for the child witnesses;
- Strengthened authority of the Witness and Victim Protection Agency (LPSK), established in 2006, in its ability to request the police to provide protection services⁴².

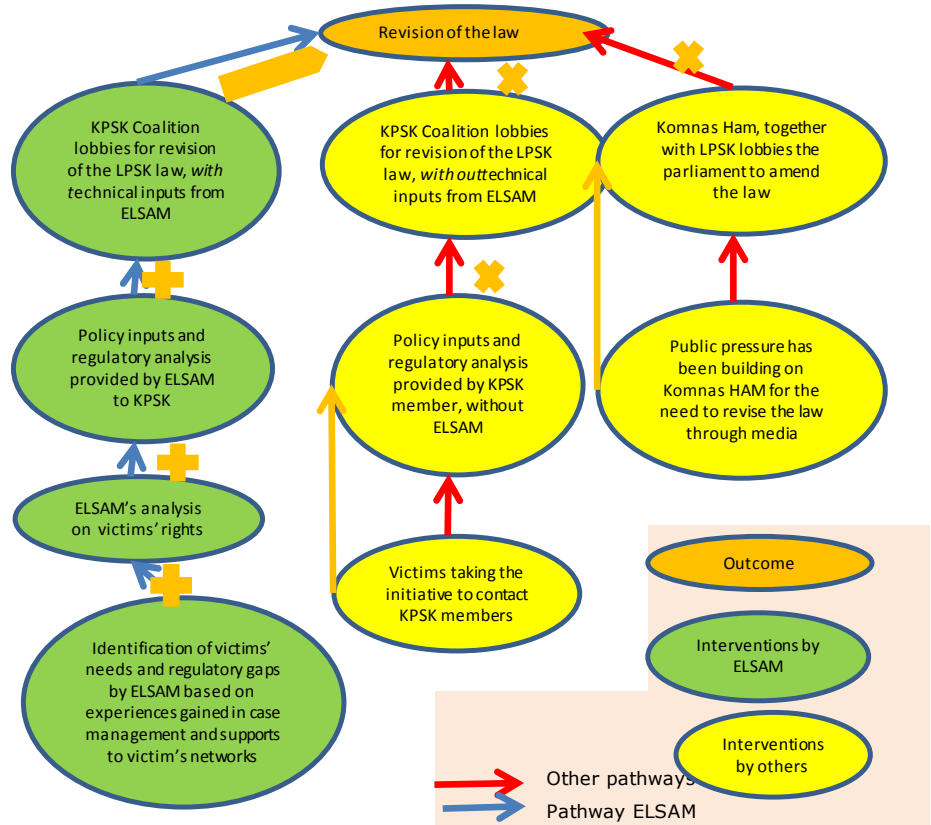


Figure 1: Pathways that possibly explain outcomes and conclusions about the nature of the relations between pathways and the outcome, law No. 31/2014

Causal pathways

The Model of Change in Figure 1 presents three different pathways that may explain this outcome:

1. The first pathway is that ELSAM developed policy inputs based upon research, which were shared and discussed with the Coalition for the Protection of Witnesses and Victims (KPSK) of which ELSAM is a member. This coalition actively monitored the implementation of the 2006 Law since its 100 first days of its implementation⁴³. In doing so inputs and information from victims and LPSK were used to inform the need for the formulation of an amendment of the 2006 Law. Based upon research conducted by ELSAM in 2010-2011 and data provided by another coalition member, the Commission for the Disappeared and Victims of Violence (KontraS), ELSAM developed an

⁴² Hukum Online, "RUU PSK Jadi UU, Era Baru Perlindungan Saksi dan Korban: ICJR mash melihat beberapa kelemahan dari UU PSK hasil revisi", 24 September 2014. Available from <http://www.hukumonline.com/berita/baca/lt5422a2e761919/ruu-psk-jadi-uu--era-baru-perlindungan-saksi-dan-korban> (accessed 27 November 2014)

⁴³ See KPSK Position Paper # 5 Tahun 2008 written by ELSAM (Lead), ICW, YLBHI, ICJR on 100 days of LPSK.

Academic Paper followed by a draft proposal of the amending bill. After the proposal was discussed and accepted by the Advisory Committee of the President, the bill was tabled in Parliament in 2014.

2. In the second pathway, human rights abuse victims took the initiative to link with CSOs/NGOs to start lobbying the government and parliament, without any ELSAM involvement.
3. In the third pathway, the government-led National Commission for Human Rights (Komnas Ham) together with LPSK lobbied the parliament to amend the law. Public pressure had been building for the need to revise the law through media exposure and from victims groups since the implementation of Law in 2006.

Information that confirms or rejects the pathways

Information that confirms pathway 1

Even before the former 2006 Law was put in place, ELSAM had been critical of the legal foundations offering witness and victim protection. In 2006, the head of ELSAM's legal service unit at that time, Supriyadi Widodo Eddyono, authored a policy paper on witness and victim protection entitled "The Forgotten Witnesses of the Criminal Justice System: Critical Notes against the Witness and Victim Protection Bill"⁴⁴.

In 2007, one of the Deputy Program Directors of ELSAM was selected to head LPSK for the 2008-2013 period. He remained a member of ELSAM until he was chosen to be one of ELSAM's five board members for the 2010-2014 period. ELSAM has thus been strategically linked to LPSK since 2008.

ELSAM has been a member of KPSK since 2001, along with organisations like the Indonesia Corruption Watch (ICW), KontraS, WALH, Sawit Watch, TuK Indonesia, YLBHI, LBH Pers, ICJR, YLBH Universalia⁴⁵. The KPSK secretariat is also located in the ELSAM Office in Jakarta. ELSAM's role in the drafting of Law No. 31/2014 as a KPSK member was also confirmed by other coalition members from KontraS and from IKOHI.

In 2010, discussions on the revision of Law 31/2006 gained momentum and an email was sent by LPSK in November 2010 clearly stating ELSAM as the lead drafter of the Academic Paper. Since then there has been evidence of ELSAM's involvement, not only in discussions on the revision but also through the provision of policy input. In May 2012, during a workshop hosted by LPSK with CSOs and NGOs, the role of ELSAM in KPSK in conducting policy/regulatory research was clearly stated. Available meeting records organised by KPSK and victims to discuss the revision of the Law show that ELSAM was present in at least 4 meetings (19 November 2010, 2 January 2013, 17 & 28 June 2013). In June 2014, KPSK provided further input to the law proposing the inclusion of the protection of child witness into the law; this paper was co-authored by two of LPPSLH's Deputy Directors (Zainal Abidin and Wahyu Wagiman).

The new law has taken up a number of ELSAM's and KPSK's inputs reflected in a Position Paper published in June 2014⁴⁶. One of KPSK policy inputs policy inputs in May 2013 stated that the protection should be expanded to whistle-blowers, justice collaborators, and victims of terrorism, sexual violence, and human trafficking. This, as well as the input to protect child witnesses (proposed in a KPSK Position Paper in June 2014) has been taken up in the revised law.

Information that rejects pathway 1

In June 2010 a hearing took place during which Commission III and LPSK discussed challenges in LPSK's institutional performance. During the hearing, LPSK received support from Commission III to

⁴⁴ Eddyono, S. W. 2006. *Saksi, Yang Terlupakan Dari Sisitem Peradilan Pidana: Beberapa Catatan Kritis Terhadap RUU Perlindungan Saksi Dan Korban*. Policy Paper. Jakarta: ELSAM. Available from <http://perlindungansaksi.files.wordpress.com/2008/05/catatan-kritis-terhadap-ruu-perlindungan-saksi-dpr.pdf> (accessed 27 November 2014)

⁴⁵ Wagiman, W., Wiryawan, S. M., Eddyono, S. W., Yuntho, E. 2007. *Naskah Akademis dan Rancangan Peraturan Pemerintah: Prosedur Pemberian Kompensasi dan Restitusi*. Jakarta: Indonesia Corruption Watch. Available from <http://web.iaincirebon.ac.id/ebook/moon/mixed/bukurpppemberiankompensasi.pdf> (accessed 27 November 2014)

⁴⁶ Eddyono, S. W., Abidin, Z., Yuntho, E., Wagiman, W., Anggara, Napitupulu, E. 2014. *Masukan Terhadap Perubahan UU No 13 Tahun 2006 Tentang Perlindungan Saksi Dan Korban*. Jakarta: Koalisi Perlindungan Saksi dan Korban. Available from http://www.elsam.or.id/downloads/607366_Briefing_Paper_Koalisi___24_Juni_2014_Final.pdf (accessed 27 November 2014)

revise Law No. 13/2006⁴⁷. In 2011, LPSK proposed unsuccessfully for the revision to be taken up in the government's legislative agenda for 2012⁴⁸.

Not all recommendations put forth by KPSK in June 2014 were taken up in the final revision of the Law.

Information that confirms pathway 2

None

Information that rejects pathway 2

All information confirming pathway 1 rejects pathway 2. In addition, there is no evidence of any other CSOs or human rights defenders in Indonesia lobbied for a revision of the law without engaging with KPSK. In fact, the membership of the coalition is quite extensive with all major human rights lobby NGOs or groups (YLBHI, KontraS, Setara, Imparsial, ICW, ICJR, LBH) being a part of KPSK. There is also an internal mechanism for the division of work. For example KontraS leads any activities relating to the Munir case, KontraS and Imparsial lead advocacy, and ELSAM concentrates on LPSK issues. Active individuals of the KPSK coalition who are also closely involved in LPSK include Wahyu Wagiman, Supriyadi Widodo Eddyono, Zainal Abidin, Syahril Wiryawan Martanto, and Emerson Yuntho (three of whom are or have worked with ELSAM). As a host of the KPSK's coalition, ELSAM reviews formal policy inputs released by KPSK.

Abdul Haris Semendawai was the head of LPSK until 2013⁴⁹ and his name appears on a proposed draft revision of the Law dated 16 May 2013⁵⁰. It is implausible that ELSAM was not involved considering Semendawai was a program director with ELSAM before joining LPSK.

Information that confirms pathway 3

There is a working relationship in place and coordination between Komnas HAM and LPSK takes place regularly⁵¹. Both agencies collaborate to identify victims and witnesses requiring protection and application of victims of human rights abuses requesting LPSK protection need to be verified by Komnas HAM⁵². Both LPSK and Komnas HAM have the right to propose law revisions. LPSK pressured for the revision to be part of the legislative agendas in 2011, 2013 and 2014 (as evident from media coverage and LPSK publications on its website).

Komnas HAM and LPSK did organise meetings with civil society and victims to discuss their needs. For example, on 13 June 2014 Komnas HAM organised a meeting with victims⁵³. On May 30, 2012 LPSK organised a meeting with civil society elements, which included KPSK members⁵⁴.

⁴⁷ Dewan Perwakilan Rakyat Republik Indonesia, "Laporan Singkat Rapat Dengar Pendapat Komisi III DPR RI Dengan Lembaga Perlindungan Saksi Dan Korban (LPSK)", 3 June 2010. Available from www.dpr.go.id/dokakd/dokumen/K3_laporan_Lapsing_RDP_Komisi_III_dengan_LPSK.doc (accessed 27 November 2014)

⁴⁸ Restika Ayu Prasasty, "LPSK Kecewa UU Perlindungan Saksi dan Korban Tak Masuk Prolegnas DPR", *detikNews*, 17 December 2011. Available from <http://news.detik.com/read/2011/12/17/194316/1793601/10/> (accessed 27 November 2014)

⁴⁹ Lembaga Perlindungan Saksi dan Korban, Profil, "Biodata Abdul Haris Semendawai, S.H., LL.M. (Ketua LPSK). Available from http://www.lpsk.go.id/profil/profil_detail/14 (accessed 27 November 2014)

⁵⁰ ELSAM. 2013. *Draft RUU LPSK (Rancangan Undang-undang Lembaga Perlindungan Saksi dan Korban)*. Jakarta. Available from http://elsam.or.id/downloads/420655_Draft_RUU_LPSK.pdf (accessed 27 November 2014)

⁵¹ ELSAM. 2014. *Pokok-Pokok Masukan Koalisi dan Pengungkapan Kebenaran (KKPK) (Tim Kerja Penguatan Korban) Kepada Lembaga Perlindungan Saksi dan Korban (LPSK)*. 10 Maret. Available from http://www.elsam.or.id/downloads/235761_KKPK-Pokok_pokok_Masukan_KKPK_Kepada_LPSK_rekomendasi.pdf (accessed 27 November 2014)

⁵² Article 13 in LPSK's Guidelines on Protection Service Application. Lembaga Perlindungan Saksi dan Korban. 2011. *Peraturan Lembaga Perlindungan Saksi Dan Korban Nomor 1 Tahun 2011 Tentang Pedoman Pelayanan Permohonan Perlindungan Pada Lembaga Perlindungan Saksi Dan Korban*. Available from <http://lpsk.go.id/upload/berkas/2011/Nomor%201%20Tahun%202011.PDF> (accessed 27 November 2014)

⁵³ Fransiskan Papua, Suara SKPKC, "Keluarga Korban Kekerasan di Papua Menuntut Keadilan", 24 June 2014. Available from <http://www.fransiskanpapua.net/2014/06/1381/keluarga-korban-kekerasan-di-papua-menuntut-keadilan.php> (accessed 27 November 2014)

⁵⁴ Meeting organised by LPSK on 30 May 2012. Maharani Siti Shopia, "LPSK Maksimalkan Pemenuhan Hak Korban Pelanggaran HAM Masa Lalu", *Lembaga Perlindungan Saksi dan Korban*, 31 Mei 2012. Available from http://www.lpsk.go.id/berita/berita_detail/70#sthash.86vTTYqW.dpuf (accessed 27 November 2014)

Information that rejects pathway 3

In an editorial published by LPSK in 2012, Komnas HAM was not mentioned as an actor pushing for the revision of the Law⁵⁵. While LPSK has admitted to the media that many actors have supported the revision of the Law, it does not specifically mention a role Komnas HAM⁵⁶.

For Komnas HAM itself - who has a mandate to monitor international human rights treaties, investigate the implementation of human rights, cooperate with agencies for the protection of human rights and disseminate information about human rights⁵⁷ - the revision of Law No. 13 was less a priority since it does not have direct implications on its roles and functions. Rather, Komnas HAM has focused on proposing the revision of Law 39/1999 on Human Rights and Law 26/2000 on Human Rights Court, which have more direct consequences for its mandate.

In the May 2012 meeting organised by LPSK, KPSK members pushed for the need to change the procedures of LPSK since the bureaucratic obstacles (particularly the requirements of a Komnas HAM statement to be issued to applicants) that impeded victims from accessing their rights to compensation, restitution and rehabilitation⁵⁸.

Conclusion

Based upon the analysis of the information available, we conclude that the most valid explanation for the amendment of the Law is that the coalition members provided inputs, including assisting LPSK in drafting the Academic Paper, the draft Law, and other forms of policy inputs. LPSK played an important role in the process, such as by taking a lead in proposing for the law revision to be taken up in the legislative agenda. As such external pressure was needed to raise the stakes and enhance support for the revision of the law. This is evident from the failures of getting a revision endorsed in 2011 and 2013 despite being a part of the legislative agenda.

Other external factors also contributed to the parliamentary approval of the revision. These include mounting public pressure, dissatisfaction over LPSK's services, the President's commitment to uncovering the culprits of the Munir murder in 2004, the impending end of the parliament's term and the upcoming elections, endorsing the revisions was considered to be a trade-off with more controversial regulatory proposals (TRC), and increased attention to the lack of satisfactory legislation to deal with whistle-blowers in high profile corruption cases.

Given ELSAM's role in KPSK and its personal relations with the head of LPSK, it is plausible to assume that they were well positioned to influence the revisions. ELSAM's role was: *necessary* but not *sufficient*. ELSAM provided technical expertise, drafted policy inputs, and utilized their experience in working with victims and LPSK to identify gaps.

⁵⁵ M. Nur, "Penyempurnaan UU Perlindungan Saksi dan Korban", *Buletin Kesaksian*, Edisi No. 2 Tahun 2012, p. 10. Available from <http://www.lpsk.go.id/upload/Majalah%20Kesaksian%20Edisi%20II%20tes35.pdf> (accessed 27 November 2014)

⁵⁶ KOMPAS.com, News, Hukum, "LPSK Bahas Revisi UU Perlindungan Saksi", 3 August 2010. Available from <http://nasional.kompas.com/read/2010/08/03/19400249/LPSK.Bahas.Revisi.UU.Perlindungan.Saksi> (accessed 27 November 2014)

⁵⁷ Asia Pacific Forum, Members, Full Members, "Indonesia". Available from <http://www.asiapacificforum.net/members/full-members/indonesia> (accessed 27 November 2014)

⁵⁸ Meeting organised by LPSK on 30 May 2012. Maharani Siti Shopia, "LPSK Maksimalkan Pemenuhan Hak Korban Pelanggaran HAM Masa Lalu", Lembaga Perlindungan Saksi dan Korban, 31 Mei 2012. Available from http://www.lpsk.go.id/berita/berita_detail/70#sthash.86vTTYqW.dpuf (accessed 27 November 2014)

5.3.2 ELSAM's network organisations are more capable of data collection and analysis for use in local advocacy

The second outcome that the evaluators looked at was the improved capability of CSO networks that receive support from ELSAM in documenting human rights violations as a means to help influence policies. Prior to MFS II funding, ELSAM already had established a network of CSOs at both national and sub-national level. But compared to the 2012 situation, ELSAM has received more systematic

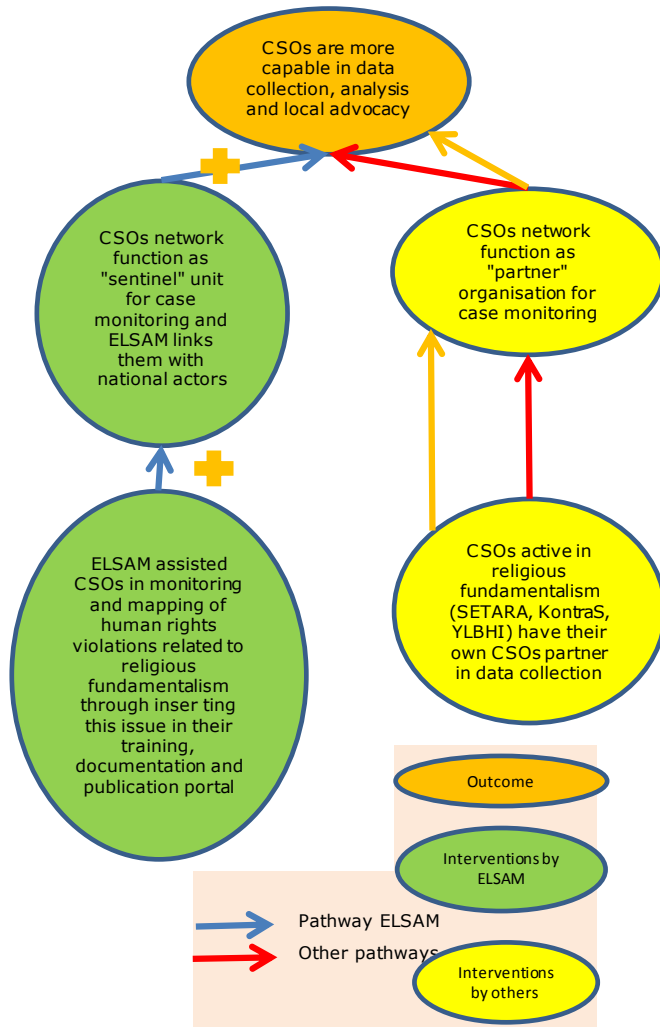


Figure 2: Pathways that possibly explain outcomes and conclusions about the nature of the relations between pathways and the outcome, capacity of CSOs

information through its network, which has allowed it to expand the number of reports produced. In 2012 only a number of subnational cases were covered in ELSAM's national report.⁵⁹ In the first semester of 2014, by comparison, there was a better analysis of the types of the violations, impacts and the settlement of these.⁶⁰ On freedom of expression violations, in 2011, there were only 2 cases documented, and in 2013, ELSAM documented 18 cases received from its networks and correspondents in more than 15 districts. There is no evidence at partner level since the outcome was suggested by ELSAM's board member and confirmed in minutes of a KPKK meeting of the Coalition for the Disclosure of the Truth (KPPK) on 4 January 2013, and by ELSAM's documentation on the online portal.

Causal pathways

The Model of Change in figure 2 presents two different pathways that may explain this outcome:

1. The first pathway that explains this outcome is that ELSAM supported CSOs in monitoring and documenting human rights violations. ELSAM provided the basic framework for the analysis of human rights violations: vertical (by state) abuses; horizontal (communal), and gender-based violence to their 375 training alumni covering at least 30 CSOs across Indonesia. The cases related to market fundamentalism, religious fundamentalism and communalism were monitored by ELSAM's training alumni. ELSAM developed a content management system to record human rights abuses that is published on its website⁶¹. Based on these cases, the CSOs and ELSAM can develop recommendations for law enforcement, improved service delivery for the victims to prevent victim retaliation that may violate the law, and policy change agendas.
2. In the second pathway other CSOs (YLBHI, KontraS, Setara) are looking after the sub-national CSOs for human rights monitoring.

Information that confirms or rejects the pathways

Information that confirms pathway 1

ELSAM's first joint human rights monitoring report with other CSOs (LBH, INFID and WALHI) was produced in 1993 on the topic of human rights violations in Indonesia's family planning program and the construction of a dam in Central Java (Kedung Ombo). ELSAM continues to publish and author annual human reports on the human rights situation in Indonesia. Beginning in 2012, ELSAM started providing space for local organisations (victims organisations like IKOHI, for example) to contribute in the report.

ELSAM strengthened the supply side by providing a framework for human rights monitoring to network organisations. ELSAM's technical assistance to CSOs in documenting human rights cases is in the form of managing a special portal where their network provides information. ELSAM's website: <http://www.dokumentasi.elsam.or.id/> contains data and information on human rights violations that are sourced from the reports from ELSAM's network, submissions by email, phone or SMS, and the monitoring of print and online media. Network organisations also use ELSAM's website to disseminate their reports and data⁶². ELSAM reports that they have provided training to some 30 CSOs across Indonesia. Until the end of 2013 ELSAM provided 13 trainings had been conducted for of 375 people⁶³. Meetings were organised by ELSAM to discuss the needs for consolidated data and assisted network organisation in data collection analysis. In the first quarter of 2012, ELSAM started producing quarterly human rights updates informed by reports from CSO partners. In June 2013, in a meeting with CSOs partners, ELSAM discussed the need to have a consolidated report (Source: meeting notes ELSAM CSO

⁵⁹ ELSAM, "Pelanggaran Kebebasan Beragama/Berkeyakinan 2012". Available from http://www.elsam.or.id/downloads/587096_PELANGGARAN_KEBEBASAN_BERAGAMA_2012.pdf (accessed 27 November 2014)

⁶⁰ ELSAM, "Kebebasan Beragama dan Berkeyakinan Januari-Juni 2014". Available from http://www.elsam.or.id/downloads/223356_2014_Jan-Jun_Kebebasan_Beragama_dan_Berkeyakinan.pdf (accessed 27 November 2014)

⁶¹ ELSAM, "Data". Available from <http://www.elsam.or.id/list.php?cat=statistik&lang=en> (accessed 27 November 2014)

⁶² An example of a publication by a network in Kalimantan. ELSAM, Publikasi Jaringan, "Kalimantan Update edisi Juni 2014". Available from <http://www.elsam.or.id/article.php?act=content&id=2960&cid=408&lang=in#.VH15sDGUcu8> (accessed 27 November 2014)

⁶³ Facebook, Lembaga Studi dan Advokasi Masyarakat (ELSAM), "Undangan Mengikuti KursusHAM untuk Pengacara". Available from https://id-id.facebook.com/permalink.php?story_fbid=10151749606224811&id=130077823697089 (accessed 27 November 2014)

28 June 2014). A number of consolidated reports have been produced since. For example, in October 2014, KPKK launched a monitoring report of human rights abuses in which primary data was provided by KPKK members, managed by ELSAM⁶⁴.

Network organisations confirmed ELSAM's role in data management. An interview conducted with Rumah Kitab, an NGO working on gender and women's rights issues confirmed that ELSAM has a significant role in monitoring data. By comparison, the role of the Indonesian Legal Aid Foundation (YBHI) in the area of data management has been shrinking.

Information that rejects pathway 1

None

Pathway number 2

Information that confirms pathway 2

ELSAM does not have offices established at the sub-national level and thus has less frequent and less intense communication with its network organisations. Other human rights organisations like YLBHI do have a network at the sub-national level, and organisations like Setara and KontraS collect and publish data and information obtained through a similar network to ELSAM.

Information that rejects pathway 2

From information obtained through the Asia Foundation, the evaluation team learned that YLBHI no longer has the ability to coordinate data collection through its subnational network due to a lack of funds. Setara⁶⁵ and KontraS⁶⁶ do not support regular updating by subnational networks. Rather, they collect data depending on specific needs or policy agenda. The evaluation team reviewed some of the Setara and KontraS reports and found that the publications tend to be more like situational analysis and not an analysis of trends from regular data updates.

ELSAM is in a better position to link CSO networks and links them with human rights service providers such as Komnas HAM and LPSK. On 4 October 2013, ELSAM provided policy inputs to Komnas HAM on how to improve their procedures for endorsing the applications of victims that want to obtain services from LPSK.

Conclusion

Based upon the analysis of the information available, we conclude that the most valid explanation for the stronger human rights data monitoring is ELSAM's support to its CSO partners at the subnational level. ELSAM's website allows for members to contribute data and information on human rights violations and upload their reports. This has also assisted ELSAM at the national level in its lobby efforts, such as with the revision of Law on Witness and Victim Protection. ELSAM's support – in the form of providing a data management framework, creating a web-based database, and linking to national service providers – is *necessary but not sufficient* as past support from organisations like YLBHI may have also contributed to improved monitoring: Although KontraS and Setara's approach may not be to monitor data trends, they provide other valuable inputs to subnational networks.

⁶⁴ Kartika Virgianti, "3-4 Oktober, KPKK Rilis Laporan Pelanggaran HAM Masa Lalu", *SatuHarapan.com*, 2 October 2014. Available from <http://www.satuharapan.com/read-detail/read/3-4-oktober-kkpk-rilis-laporan-pelanggaran-ham-masa-lalu> (accessed 27 November 2014)

⁶⁵ SETARA Institute for Democracy and Peace is an NGO that conducts research and advocacy on democracy, political freedom and human rights. Its core research focused in answering the actual need of society. Its establishment in 2005 is to response on fundamentalism, discrimination and violence on behalf of religion and morality in many fields that threat the pluralism and human rights. SETARA Institute works in secular space (human rights and constitution based) and did not penetrate to religious theologies. SETARA Institute is a pioneer for Condition of freedom of religion/belief report in Indonesia, which influences the promotion on civil freedom and policy change to push pluralism and human rights.

⁶⁶ KontraS (Commission for the Disappeared and Victims of Violence) in Indonesia is a human rights NGO that deals with human rights issues in Indonesia, particularly civil and political rights. Abolition of the death penalty is one of its advocacy objectives.

5.4 What is the relevance of these changes?

5.4.1 Relevance of the changes in relation to the Theory of Change of 2012

The results achieved in the period 2012-2014 are in line with ELSAM's Theory of Change (ToC) in 2012. As stated in the baseline, in its vision and strategy, ELSAM seeks to promote a democratic political society by empowering civil society through advocacy and the promotion of human rights. The SPO has maintained its focus on lobbying and campaigning for better laws that promote human rights. ELSAM continued and strengthened the monitoring, analysis and reporting on human rights abuses at the national and subnational levels. Information has been made accessible to the public through ELSAM's website.

The strategies employed by ELSAM have been successful in improving the responsiveness and effectiveness of handling the reparations of human rights violations. A number of initiatives have responded to religious and market fundamentalism, but this has been limited to a handful of high-profile cases where ELSAM documented and disseminated their findings to government institutions, calling for better protection. Full settlements of human rights violations through mechanisms like the Truth and Reconciliation Commission (TRC) remain unattainable; however this reflective of the context and the sensitivity of such matters.

One area of work that did not appear explicitly in the ToC in 2012 was ELSAM's efforts in collaboration with ICT Watch on the issue of internet governance. Nonetheless, this fits with the organisation's overall vision as the efforts focused on researching the human rights perspective of internet governance, promoting freedom of expression as a basic right, and incorporating a human rights perspectives into preliminary discussions on internet governance from the get-go.

The achievements attained are justified as the ToC's main assumption rested the interaction between public pressure created by CS networks and a pro-human rights government (i.e. political will). Between 2010 and 2012, the government has applied human rights rhetoric, supported by blandishments but addressing human rights abuses and violations fully continues to be a highly political and sensitive issues. With regards to creating public pressure, ELSAM has played a critical role by documenting cases of human rights abuses and using its extensive experience and knowledge to provide policy inputs whilst working with a range of network organisations with shared values and interests.

5.4.2 Relevance of the changes in relation to the context in which the SPO is operating

When Law 13/2006 was passed, Indonesia was hailed for improving the protection available to victims and witnesses. However, it took two years to establish LPSK, and another two for gaps to be identified in its mandates and procedures for service delivery. Deficiencies identified early on included the lack of protection for victims of sexual violence⁶⁷. LPSK's service coverage remained limited, partly because of the complex and incoherent procedures for seeking reparation, as well as the lack of political will for reparations⁶⁸. In addition, the Law included a narrow definition for witnesses and ambiguity over when the state was obligated to protect them, including whistle-blowers. More ironically, in 2010 and 2011, high-profile corruptors from within the state apparatus "discovered that the Law on Witness Protection can be used as a means to evade corruption investigations" by seeking out the help of LPSK to avoid arrest and interrogations⁶⁹. Against this backdrop, a new law was long awaited and public pressure

⁶⁷ Indonesia: Briefing to the UN Committee on the Elimination of Discrimination against Women: Women and girl domestic workers, Amnesty International. Amnesty International, Report, "Indonesia: Briefing to the UN Committee on the Elimination of Discrimination against Women: Women and girl domestic workers", 1 January 2011. <http://www.amnestyusa.org/research/reports/indonesia-briefing-to-the-un-committee-on-the-elimination-of-discrimination-against-women-women-and?page=6> (accessed 15 December 2014)

⁶⁸ ICTJ, IKOHI and KPK. 2011. *Indonesia's Obligations to Provide Reparations for Victims of Gross Human Rights Violations*. Policy Briefing. New York: The International Center for Transitional Justice (ICTJ), p. 6. Available from <http://www.ictj.org/sites/default/files/ICTJ-Indonesia-Reparations-Policy-Briefing-2011-English.pdf> (15 December 2014)

⁶⁹ Freedom House, "Countries at the Crossroads 2012: Indonesia". Available from <https://www.freedomhouse.org/sites/default/files/Indonesia%20-%20FINAL.pdf> (15 December 2014)

was mounting. Momentum was also gained as the parliamentary and administration's terms were drawing to a close in 2014.

With respect to ELSAM's longstanding role in human rights abuse monitoring, investigation and reporting, an improved online system to manage and disseminate data and information is welcomed progress. In Indonesia the Internet is an important means for communication and the government is adopting e-government systems. Data and information systems are also being espoused to monitor progress and inform policy decisions. The National Violence Monitoring System (NVMS) was developed by the Habibie Centre and adopted by the Coordinating Ministry for Human Development and Culture (formerly Kemendekesra). Like ELSAM's data system, NVMS relies predominantly on media reports. Given such developments, it is important to maintain independent or 'shadow' reports and data that may offer an alternative view of the government's performance and continue to monitor compliance with human rights treaties and national legislation.

Also of note has been ELSAM's more recent and innovative work on internet governance. Indonesia has one of the largest number of internet users in the world (a quarter of its population)⁷⁰. There has been an absence of legislation and laws to regulate Internet usage and protect human rights. Laws that do exist tend to be about exercising control and this has led to the criminalization of freedom of expression, cybercrime and unregulated filtering or blocking of content. In 2003, Indonesia was set to host the Internet Governance Forum (IGF). This created an opportune momentum to discuss internet issues given the absence of any concentrated efforts in the area. ICT Watch partnered with ELSAM to develop timely and relevant policy messages and public campaigns in the lead up to the IGF summit.

5.4.3 Relevance of the changes in relation to the policies of the MFS II alliance and the CFA

Hivos' long-term partnership with ELSAM falls under its Rights and Citizenship Programme, which aims to the recognition of human rights and women's rights, good governance and a pluralistic society⁷¹. Support is also in line with Hivos' 2008 Vision Paper on Civil Society Building, describing the CFA's appreciation for "the development of alternative policy options, the defence of the interests of disenfranchised groups, monitoring implementation of policies"⁷². ELSAM's efforts are contributing to legislation and policy that guarantees the rights of citizens. Hivos supported ELSAM's due advocacy on human rights issues, particularly on impunity and human rights violations⁷³. Hivos' first contract with ELSAM started in 2000 and recent support fell under ELSAM's donors' consortium together with EED and Misereor.

Another reason why Hivos continued to support ELSAM in the MFS II period was to cope with organisation challenges and regeneration caused by the departure of its director in 2010. Hivos also expected ELSAM to shift focus from concentrating on past human rights violations to more mainstream and local level policy making.⁷⁴ To a certain degree this was achieved through the work on internet governance, the focus on the policy inputs for witnesses and victim protection (i.e. to include children, whistle-blowers and victims of sexual violence), support to subnational CSO partners in data management, advocacy on agrarian conflict between farmers and plantations, and the formulation of a human rights-based regulation in Sanggau, West Kalimantan. Nonetheless, ELSAM's focus continued to be on national-level advocacy.

One of Hivos' interests has been to facilitate linkages between partner organisations working in different areas of expertise to create awareness and stimulate cross-pollination between development areas. The collaboration between ICT Watch and ELSAM was an example of such an effort. ICT Watch had no prior exposure to human rights organisations while ELSAM had very limited knowledge of internet safety and internet rights. Hivos supported this initiative because of its relevance to the

⁷⁰ Statista, Industries, Internet, Demographics & Use, "Number of internet users in Indonesia from 2013 to 2018 (in millions)". Available from <http://www.statista.com/statistics/254456/number-of-internet-users-in-indonesia/> (accessed 15 December 2014)

⁷¹ "Hivos Business Plan 2011-2015", Hivos, p. 3

⁷² "Hivos Vision Paper: Civil Society Building", Hivos, 2008, p. 12

⁷³ "Contract Intake Form ELSAM RO SEA at HO 1004456", ELSAM, 19 May 2011

⁷⁴ Shita Laksmi, Hivos Memo 10+ to DPP, 7 May 2011

context for both government and civil society and necessity to have a baseline on internet governance⁷⁵.

5.5 Explaining factors

5.5.1 Internal factors – Organisational Capacity SPO

In 2011 and 2012, Hivos assessed the capacity of ELSAM using the five capacities framework for each of the projects supported. The assessment scored the core capacities of ELSAM, with most areas receiving respectable scores of 7 or 8 (9 being the maximum). The following table presents an overview of the scores:

Table 11
Hivos' assessment of ELSAM against the 5C framework.

Capacity	Description	Scores March 2011	Scores July 2012
5 Cs			
1	The capability to act and commit	Mean score of 7.6	Mean score of 7.3
1.1	The organisation has a clear purpose and acts on decisions collectively. The leadership is accepted by staff, inspiring, action-oriented and reliable.	8	8
1.2	The organisation is capable to mobilise sufficient financial resources, and (where relevant) non material resources from members/ supporters.	7	7
1.3	The organisation is internally transparent and accountable. (Relations between staff, direction and board; quality of decision-making process)	8	7
2	The capability to perform	Mean score of 7	Mean score of 7.25
2.1	The number, composition and expertise of staff is adequate in view of the organisation's objectives and programmes. (Indicate when there is high staff turnover)	7	7
2.2	The organisation has a coherent and realistic strategic plan. (Context and problem analysis; Theory of Change; quality of formulation of objectives, intended results and indicators; explanation of strategic choices)	7	7
2.3	The quality of financial and administrative management is adequate. (Budget, funding plan, financial management, financial report)	7	7
2.4	The organisation has an appropriate monitoring and evaluation process (documentation & data collection, involvement of stakeholders, quality of analysis and learning) and uses it for accountability and learning purposes.	7	8
3	The capability to relate	Mean score of 7	Mean score of 7
3.1	The organisation maintains relevant institutional relationships with external stakeholders and is seen as credible and legitimate. (Indicate main strategic relationships and collaboration with other actors)	7	7
3.2	The organisation is accountable to and communicates effectively with its primary constituents/ beneficiaries. (Describe downward or horizontal accountability process; specify for women)	7	7
4	The capability to adapt and self-renew	Mean score of 7.5	Mean score of 7.5
4.1	The organisation (management) responds adequately to trends and changes in the context and uses up-to-date strategies and knowledge.	8	8
4.2	The organisation (management) encourages and supports internal learning and reflection processes. (Conditions, incentives)	7	7
5	Capability to maintain consistency	Mean score of 7	Mean score of 7
5.1	The organisation is capable to maintain consistency between ambition, vision, strategy and operations. The management is able to deal strategically with external pressure and conflicting demands.	7	7
Gender			
Quality 1	To what extent has the organisation formulated objectives with regard to the position of women and issues of gender equality?	7	7
Quality 2	To what extent does the organisation have internal gender expertise?	7	7
Quality 3	To what extent does the organisation maintain relations with key GW&D actors in its context, e.g. women's movement, women's organisations,	6	7

⁷⁵ "Contract Intake Form ELSAM RO SEA at HO 1005452", ELSAM, 10 July 2012

Overall ELSAM's scores remained unchanged, with a slight decline in the capability to act and commit, a slight increase in the capability to perform, and an increase in its relations with women's groups.

In 2010, ELSAM experienced a change in organizational leadership with the departure of one of its directors. A new director was appointed and younger staff took on coordinator positions. ELSAM has handled this change well, as reflected in its scores.

According to ELSAM's Executive Director and one of board member interviewed, internal factors contributing to the achievement of organizational and program outcomes included effective supervision by the board. Another important factor was the role and participation of ELSAM's members in the research design and advocacy. For example, policy inputs provided to Komnas HAM in October 2013 were developed through a peer review process by the executive director and the board members.

5.5.2 Relations Alliance - CFA-SPO

During program implementation and beyond Hivos funded activities, ELSAM benefited from a linkage with other Hivos' partners in terms of getting resource persons, references, facilitators from organisations like Remdec, USC Satunama, Pacivic UI, Yayasan Pena Bulu, Demos, Prakarsa. A number of these were part of the Hivos, EED, and Misereor partner network.

ELSAM has benefitted from Hivos' long-term policy support and appreciated the flexibility afforded by Hivos in the budgetary arrangements allowing the SPO to act in response to unanticipated circumstances and policy demands⁷⁶. Hivos did not demand for their funds to support a specific programmatic area. However, the evaluation team found the result indicators agreed upon in the first project to be rather vague and difficult to measure, making it harder to attribute changes to MFS II funding. Some of the policy deliverables were also rather ambitious and depended a lot on contributing factors for successful achievement.

5.5.3 External factors

As illustrated in Chapter 2, Indonesia has a poor reputation for corruption: ranking 114th out of 177 countries in Transparency International's ranking. The level of corruption amongst government officials has come under the spotlight in recent years; as has the weak legislative and institutional framework despite more than a decade of work by the Corruption Eradication Commission. Since the trial of the Democratic Party's Treasurer Muhammad Nazaruddin in 2011, numerous investigations were launched into alleged corruption of senior government officials⁷⁷. These high-profile cases also brought to light the uneven application of laws providing protection to whistle-blowers⁷⁸. Lobby by anti-corruption actors like the Indonesia Corruption Watch (ICW) played a role in increasing the pressure applied on the government and parliament for the need of better laws to protect whistle-blowers.

In addition, the parliament's willingness to amend the LPSK bill is likely to have stemmed partly from their need to demonstrate a commitment to human rights. Giving into some of the pressure coming from human rights groups could well have been a tool for political campaigns or have been driven by the need to maintain the country's image internationally. More concrete results in resolving injustices of the past, through for example revising legislation for a Truth and Reconciliation Commission (TRC)

⁷⁶ "MFS II country evaluations: Civil Society Component, Baseline report for Indonesia – ELSAM", ELSAM, 2012

⁷⁷ Crossin, C., Brown, M., Norris, S. 2013. *Anti-Corruption in Indonesia*. London: Control Risks. Available from http://www.controlrisks.com/~media/Public%20Site/Files/Oversized%20Assets/indonesia_whitepaper_2013.pdf (accessed 15 December 2014)

⁷⁸ United States Department of State. 2014. *2013 Country Reports on Human Rights Practices – Indonesia*. 27 February. Available from <http://www.refworld.org/docid/53284aca14.html> (accessed 15 December 2014)

have been to be put in place. "Courts have been doing all they can to delay, obfuscate and complicate the process" because many of those responsible for crimes are still in power⁷⁹.

⁷⁹ Bob Lowry, "Review: Coming to term with 1965: Can the descendants of both sides of 1965 come together to help the nation achieve reconciliation?", *Inside Indonesia*, Edition 117: Jul-Sep 2014. Available from <http://www.insideindonesia.org/current-edition/review-coming-to-terms-with-1965> (accessed from 15 December 2014)

6 Discussion

6.1 Design of the interventions

Both of the outcomes identified for ELSAM through this evaluation (i.e. policy influencing and the capacity of network partners to document human rights cases) relate to how civil society organizations support the development of public policy. Given its area of work, ELSAM can be defined as being part of the 'knowledge sector'. In 2009, the Australian Government's Tertiary Education and Knowledge Sector Unit commissioned a review of the Indonesian Knowledge Sector. It is useful to draw from the findings of the report published in 2010.

The report indicates that the Government of Indonesia lacks the structure for obtaining reliable internal policy analysis⁸⁰. Experiences have shown that where CSOs are involved in collecting, analysing and disseminating data and information to government officials, they have been challenged to provide solutions based on the knowledge they produce⁸¹. The report also states that "development policy makers...have clear yet unfulfilled knowledge needs"⁸² and that the knowledge sector would benefit from a focus on supporting government to increase and assess its performance⁸³. Given this context, the design of ELSAM's interventions has been suitable to the prevailing conditions. Not only has ELSAM been producing information and data on human rights abuses, it has succeeded in working with the government to seek policy solutions by providing its expertise in producing legislative inputs.

Since the report was published, the Australian Government has funded the establishment of the Knowledge Sector Initiative (KSI) in 2013, which now also supports ELSAM. KSI has produced so called 'stories of change' on successful interventions of its partners. From an analysis of the report it can be concluded that these were: 1) being able to collect research evidence to inform policy makers; 2) the existence of a need for data and information within the government; 3) organizational reputation; 4) engagement with the parliament; 5) collaboration with network organizations; 6) media engagement, and 7) an understanding of the context.⁸⁴

By comparing these elements to ELSAM's role in amending the Law on Victim and Witness Protection and its broader but related work to document human rights violations, we can infer that many of the same success factors were present in the SPO's design. First, ELSAM's database contains records covering a 14-year period (from 2000 until the present), with continuous monthly updates. Second, LPSK itself recognized that the 2006 law limited its mandate and constricted its actions. Led by a person with links with ELSAM and CSOs, there was better grounds for collaboration. ELSAM had built up a good reputation for its role in policy work and rights monitoring, and unlike other organisations they were less confrontational in their approach. An organizational network with other CSOs was well-established through KPSK. Although there was less direct media engagement, ELSAM used its website to disseminate and publicize papers.

Another paper produced by the Overseas Development Institute on the political economy and policy making in Indonesia, confirms that NGOs in Indonesia can bring about policy change through "energetic activism" and links to policy makers⁸⁵. ELSAM has successfully positioned and designed its interventions as a source of knowledge external to the government, and as organization willing to provide assistance and input to improve policy frameworks that are conducive for human rights.

⁸⁰ Karetji, Petrarca Chawaro. 2010. *Overview of the Indonesian Knowledge Sector: Final Report*. AusAID. 30 September, p. 8

⁸¹ Ibid, p. 12

⁸² Ibid, p. 26

⁸³ Ibid

⁸⁴ Pellini, A., Angelina, M., Purnawati, E. 2014. *Working Politically: A Story of Change about the contribution of research evidence to the new Village Law in Indonesia (Revised Version)*. Australian Aid Knowledge Sector Initiative

⁸⁵ Datta, A., Jones, H., Febriany, V., Harris, D., Dewi, R. K., Wild, L., Young, J. 2011. *The political economy of policy-making in Indonesia: Opportunities for improving the demand for and use of knowledge*. Working Paper 340. London: Overseas Development Institute, p. 58

7 Conclusion

The two most important changes that took place in the civil society arena were the influence on the amendment of the law pertaining to victim and witness protection, and more systematized data collection and management on human rights violations by ELSAM and its network. These outcomes were selected for in-depth process-tracing. ELSAM was better positioned to utilize its expertise, rich data and policy analysis to work with other CSOs in developing policy inputs. ELSAM's role in this evidence-based advocacy system on human rights violations was to provide a platform for data collection and managing a national database system.

With a new law passed by parliament in October 2014, the coverage of LPSK services will expand to children, victims of domestic violence, and whistle-blowers. This result comes after more than four years of lobby and engagement by a host of organisations. ELSAM was well positioned amongst civil society networks and had personal networks with LPSK. Its less confrontational style of lobby was well suited to the context.

With regards to the baseline ToC, the interventions and outcomes achieved are relevant because the two outcomes serve both the grassroots and policy needs. Regarding the context in which ELSAM is operating, its interventions and outcomes achieved are relevant because through the new law, LPSK now has the ability to increase their coverage of protection services provided. At the network level, CSO monitoring of human rights violations at the sub-national level could feed into an advocacy agenda or be linked to LPSK services. Lastly, ELSAM's interventions and outcomes are relevant to Hivos' strategies because ELSAM has adopted an alternative, more moderate lobby approach as opposed to more common 'radical' strategies often taken on by human rights activists in Indonesia.

A number of external and contributing factors explain the changes in the civil society dimensions. First, ELSAM did not work alone, but conducted advocacy activities through KPSK. ELSAM's role in this coalition was to provide regulatory reviews and assist in drafting of the bill. Other civil society groups, particularly those working on anti-corruption issues also emerged as a pressure factor.

Within LPSK, there was a realization that its protections services were less than optimal. The parliament, showing initial support for the revision of the 2006 law in 2010, had delayed discussions on the bill. In 2014, with national elections approaching, the parliament was more inclined to respond to civil society and media pressure as a means to gain public sympathy. To some extent, the Law on Witness and Victim Protection was a trade-off with other more sensitive laws being advocated by human rights groups.

Another explaining factor has to do with the regulatory and political context of Indonesia and the strategy ELSAM has chosen to adopt. Unlike other human rights organisations, who address regulatory gaps by building public pressure, ELSAM has chosen policy advocacy as its main strategy. Its credibility as an organization and its knowledge of the policy environment, allowed ELSAM to foster constructive engagement so that political reforms could materialize.

Table 12

Summary of findings.

When looking at the MFS II interventions of this SPO to strengthen civil society and/or policy influencing, how much do you agree with the following statements?	Score
The CS interventions were well designed	8
The CS interventions were implemented as designed	7
The CS interventions reached their objectives	7
The observed outcomes are attributable to the CS interventions	7
The observed CS outcomes are relevant to the beneficiaries of the SPO	8

Score between 1 to 10, with 1 being "not at all" and 10 being "completely".

References and resource persons consulted

Documents by CFA (Hivos)

- "Audit Assessment Report Jan - Dec 2011", Hivos, 2012
- "Contract ELSAM HIVOS 2011 - 2012 - Strengthening Human Rights Protection from The Threat of Impunity and Fundamentalism in Indonesia", Hivos, 2011
- "Contract Intake Form ELSAM HIVOS 2011 - 2012 - Strengthening Human Rights Protection from The Threat of Impunity and Fundamentalism in Indonesia 2011-2012", Hivos, 2011
- "Detailed Budget ELSAM 2010- 2013", Hivos, 2009
- "Detailed workplan ELSAM Jan- Dec 2012", Hivos, 2012
- "External Evaluation of ELSAM 2007-2011", Hivos, 2012
- "Financial Report ID-IGF-Hivos (Nov 2012 - Jan 2014)-Final", Hivos, 2014
- Hester Smidt, "ELSAM Input-Output Analysis", MFS-II evaluation 2014, p. 3
- "Hivos Business Plan 2011-2015", Hivos, p. 3
- "Hivos Vision Paper: Civil Society Building", Hivos, 2008, p. 12
- "Partner Capacity Assessment Form ELSAM", Hivos, 2011
- Shita Laksmi, Hivos Memo 10+ to DPP, 7 May 2011
- "Workplan ELSAM incl. Budget 2012", Hivos, 2012

Documents by Alliance (People Unlimited 4.1)

- "110718 Hivos Alliance Strengthening Civil Society Baseline", People Unlimited 4.1
- "Hivos Alliance MFSII proposal", People Unlimited 4.1
- "Partner survey civil society strengthening", People Unlimited 4.1

Other documents

- Azhar, Haris. 2013. *Repressive provision in the Ormas law*. Statement to The Asian Forum for Human Rights and Development, in Forum-Asia, "Indonesia: Passage of Ormas Bill Condemned, Campaign to Oppose the Law to Continue", Bangkok, 4 July 2013. Available from <http://www.forum-asia.org/?p=16305> (accessed 27 October 2014)
- Crossin, C., Brown, M., Norris, S. 2013. *Anti-Corruption in Indonesia*. London: Control Risks. Available from [http://www.controlrisks.com/~media/Public%20Site/Files/Oversized%20Assets/indonesia_white_paper_2013.pdf](http://www.controlrisks.com/~/media/Public%20Site/Files/Oversized%20Assets/indonesia_white_paper_2013.pdf) (accessed 15 December 2014)
- Datta, A., Jones, H., Febriany, V., Harris, D., Dewi, R. K., Wild, L., Young, J. 2011. *The political economy of policy-making in Indonesia: Opportunities for improving the demand for and use of knowledge*. Working Paper 340. London: Overseas Development Institute, p. 58
- Eddyono, S. W. 2006. *Saksi, Yang Terlupakan Dari Sisitem Peradilan Pidana: Beberapa Catatan Kritis Terhadap RUU Perlindungan Saksi Dan Korban*. Policy Paper. Jakarta: ELSAM. Available from <http://perlindungansaksi.files.wordpress.com/2008/05/catatan-kritis-terhadap-ruu-perlindungan-saksi-dpr.pdf> (accessed 27 November 2014)
- Eddyono, S. W., Abidin, Z., Yuntho, E., Wagiman, W., Anggara, Napitupulu, E. 2014. *Masukan Terhadap Perubahan UU No 13 Tahun 2006 Tentang Perlindungan Saksi Dan Korban*. Jakarta: Koalisi Perlindungan Saksi dan Korban. Available from http://www.elsam.or.id/downloads/607366_Briefing_Paper_Koalisi___24_Juni_2014_Final.pdf (accessed 27 November 2014)
- ELSAM. 2013. *Draft RUU LPSK (Rancangan Undang-undang Lembaga Perlindungan Saksi dan Korban)*. Jakarta. Available from http://elsam.or.id/downloads/420655_Draft_RUU_LPSK.pdf (accessed 27 November 2014)

ELSAM. 2014. *Pokok-Pokok Masukan Koalisi dan Pengungkapan Kebenaran (KKPK) (Tim Kerja*

- Penguatan Korban) Kepada Lembaga Perlindungan Saksi dan Korban (LPSK)*. 10 March. Available from http://www.elsam.or.id/downloads/235761_KKPK-Pokok_pokok_Masukan_KKPK_Kepada_LPSK_rekomendasi.pdf (accessed 27 November 2014)
- Hadi, Suprayoga. 2014. *Evolution and Challenges of Civil Society Organizations in Promoting Democratization in Indonesia*. Presentation at the Partnership for Development Knowledge Conference. Sana'a, Yemen, 4 March. Available from http://www.worldbank.org/content/dam/Worldbank/Event/MNA/yemen_cso/english/Yemen_CSO_conf_Pres_Indonesia_ENG.pdf (accessed 25 October 2014)
- Hamayotsu, Kikue. 2013. *The Limits of Civil Society in Democratic Indonesia: Media Freedom and Religious Intolerance*. Journal of Contemporary Asia. London: Routledge
- ICTJ, IKOHI and KKPK. 2011. *Indonesia's Obligations to Provide Reparations for Victims of Gross Human Rights Violations*. Policy Briefing. New York: The International Center for Transitional Justice (ICTJ), p. 6. Available from <http://www.ictj.org/sites/default/files/ICTJ-Indonesia-Reparations-Policy-Briefing-2011-English.pdf> (15 December 2014)
- Ibrahim, Rustam. 2011. "Civil Society in Indonesia", in Chong, Terence and Elies, Stefanie, eds. 2011. *An Asean Community for All: Exploring the Scope for Civil Society Engagement*. Singapore: Friedrich-Ebert-Stiftung
- Indonesia. 2014. *Undang-Undang Republik Indonesia Nomor 31 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 13 Tahun 2006 Tentang Perlindungan Saksi Dan Korban*. Available from <http://www.kemenpppa.go.id/jdih/peraturan/UU%20Nomor%2031%20Tahun%202014.pdf> (accessed 14 December 2014)
- Indonesia's NGO Coalition on International Human Rights Advocacy (HRWG). 2013. *Indonesia Civil Society Report on the Implementation of the ICCPR (Replies to the List of Issue CCPR/C/IND/Q/1)*. Available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/IDN/INT_CCPR_NGO_IDN_14339_E.pdf (accessed 13 December 2014)
- Jordan, Lisa and van Tuijl, Peter, eds. 2006. *NGO Accountability: Politics, Principles and Innovations*. London: Earthscan
- Karetji, Petrarca Chawaro. 2010. *Overview of the Indonesian Knowledge Sector: Final Report*. AusAID. 30 September
- KontraS. 2014. *Hak Asasi Diakui tapi Tidak Dilindungi: Catatan Hak Asasi Manusia dimasa Pemerintahan Presiden Susilo Bambang Yudhoyono [2004-2014]*. Available from <http://kontras.org/data/Catatan%20Kondisi%20HAM%20-%2010%20tahun%20SBY.pdf> (accessed 17 November 2014)
- Lembaga Perlindungan Saksi dan Korban. 2011. *Peraturan Lembaga Perlindungan Saksi Dan Korban Nomor 1 Tahun 2011 Tentang Pedoman Pelayanan Permohonan Perlindungan Pada Lembaga Perlindungan Saksi Dan Korban*. Available from <http://lpsk.go.id/upload/berkas/2011/Nomor%201%20Tahun%202011.PDF> (accessed 27 November 2014)
- Martin-Iverson, S. 2007. *Community and Critique: Political performance in the Bandung DIY hardcore scene*. Music on the Edge – 2007 IASPM/ANZ Proceedings. Available from https://www.academia.edu/4689328/Community_and_Critique_Political_performance_in_the_Bandung_DIY_hardcore_scene (accessed 13 December 2014)
- Pellini, A., Angelina, M., Purnawati, E. 2014. *Working Politically: A Story of Change about the contribution of research evidence to the new Village Law in Indonesia (Revised Version)*. Australian Aid Knowledge Sector Initiative
- Saptaningrum, Indriaswati Dyah. 2014. *HAM dan Pembangunan Inklusif di Indonesia: Masalah dan peluangnya*. Presented at INFID Conference. Jakarta, 15 October. Available from <http://infid.org/pdfdo/1413949095.pdf> (accessed 14 December 2014)
- Social Progress Imperative. 2014. *Social Progress Index 2014 Country Scorecards*. 21 April. Available from http://www.socialprogressimperative.org/system/resources/W1siZiIsIjIwMTQvMDQvMjEvMjIvMTYvMjUvOTg1L1NvY2lhbF9Qcm9ncmVzc19JbmlF8yMDE0X1Njb3JlY2FyZHMucGRmI1d/Social%20Progress%20Index%202014_Scorecards.pdf (accessed 26 October 2014)
- STATT. 2012. *NGO Sector Review*. Jakarta
- United Nation Development Programme. 2014. *Human Development Report 2014: Sustaining Human*

-
- Progress: Reducing Vulnerabilities and Building Resilience*. United States: PBM Graphics
United States Department of State. 2014. 2013 *Country Reports on Human Rights Practices – Indonesia*. 27 February. Available from <http://www.refworld.org/docid/53284aca14.html> (accessed 15 December 2014)
- Wagiman, W., Wiryawan, S. M., Eddyono, S. W., Yuntho, E. 2007. *Naskah Akademis dan Rancangan Peraturan Pemerintah: Prosedur Pemberian Kompensasi dan Restitusi*. Jakarta: Indonesia Corruption Watch. Available from <http://web.iaincirebon.ac.id/ebook/moon/mixed/bukurpppemberiankompensasi.pdf> (accessed 27 November 2014)
- Wahid, Marzuki. 2010. *LSM, Islam, dan Perempuan di Indonesia Paska Orde Baru*. Presentation at the Asian Dialogues: Open Seminars in Asian Languages. Melbourne, 22 April. Available from <http://intranet.law.unimelb.edu.au/staff/events/files/Microsoft%20PowerPoint%20-%20LSM%20dan%20Islam%20di%20Indonesia%20--Melbourne%202010-FINAL.pdf> (accessed 25 October 2014)
- World Economic Forum. 2013. *The Future Role of Civil Society*. World Scenario Series. Switzerland. Available from http://www3.weforum.org/docs/WEF_FutureRoleCivilSociety_Report_2013.pdf (accessed 25 October 2014)

Webpages

- Amnesty International, Report, "Indonesia: Briefing to the UN Committee on the Elimination of Discrimination against Women: Women and girl domestic workers", 1 January 2011. <http://www.amnestyusa.org/research/reports/indonesia-briefing-to-the-un-committee-on-the-elimination-of-discrimination-against-women-women-and?page=6> (accessed 15 December 2014)
- Aris Setiawan, "LPSK Bantu Rehabilitasi 409 Korban Pelanggaran HAM", *VIVAnews*, 9 May 2013. Available from <http://nasional.news.viva.co.id/news/read/411536-lpsk-bantu-rehabilitasi-409-korban-pelanggaran-ham> (accessed 13 December 2014)
- Asia Pacific Forum, Members, Full Members, "Indonesia". Available from <http://www.asiapacificforum.net/members/full-members/indonesia> (accessed 27 November 2014)
- Bob Lowry, "Review: Coming to term with 1965: Can the descendants of both sides of 1965 come together to help the nation achieve reconciliation?", *Inside Indonesia*, Edition 117: Jul-Sep 2014. Available from <http://www.insideindonesia.org/current-edition/review-coming-to-terms-with-1965> (accessed from 15 December 2014)
- Civicus, "Civicus Releases an Open Letter Requesting the Indonesian Parliament to reject the Proposed Ormas Law and Create an Enabling Environment for Civil Society", 10 April 2013. Available from <http://civicus.org/index.php/en/media-centre-129/open-letters/1581-open-letter-requesting-the-indonesian-parliament-to-reject-to-the-proposed-ormas-law-and-create-an-enabling-environment-for-civil-society> (accessed 27 October 2014)
- David Brain, "Guest Post: A Crisis of Trust in Indonesian NGOs?", *Edelman*, 29 April 2013. Available from <http://www.edelman.com/post/guest-post-a-crisis-of-trust-in-indonesian-ngos/> (accessed 26 October 2014)
- De Caluwe, L and Vermaak, H. 2003. *Learning to Change: A Guide for Organization Change Agents*. SAGE Publications, Inc
- Dewan Perwakilan Rakyat Republik Indonesia, "Laporan Singkat Rapat Dengar Pendapat Komisi III DPR RI Dengan Lembaga Perlindungan Saksi Dan Korban (LPSK)", 3 June 2010. Available from www.dpr.go.id/dokakd/dokumen/K3_laporan_Lapsing_RDP_Komisi_III_dengan_LPSK.doc (accessed 27 November 2014)
- Direktorat Jenderal Kesatuan Bangsa dan Politik Kementerian Dalam Negeri Republik Indonesia, "Pemerintah: Ada Ormas yang Diperalat untuk Kepentingan Asing", 1 November 2013. Available from <http://kesbangpol.kemendagri.go.id/index.php/subblog/read/2013/2515/Pemerintah-Ada-Ormas-yang-Diperalat-untuk-Kepentingan-Asing/2330> (accessed 25 October 2014)
- Edelman Indonesia, "Further Rise in Trust in Indonesia, with Business as the Most Trusted Institution in the Country, Says the 2014 Edelman Trust Barometer", 5 February 2014. Available from <http://www.edelman.id/edelman-indonesia/further-rise-in-trust-in-indonesia-with-business-as-the-most-trusted-institution-in-the-country-says-the-2014-edelman-trust-barometer/> (accessed 26 October 2014)
- ELSAM, "Data". Available from <http://www.elsam.or.id/list.php?cat=statistik&lang=en> (accessed 27 November 2014)

-
- ELSAM, "Data". Available from <http://www.elsam.or.id/list.php?cat=statistik&lang=in> (accessed 17 November 2014)
- ELSAM, Fokus, "Bisnis dan HAM". Available from http://www.elsam.or.id/list.php?start=10&lang=in&cat=bisnis_dan_ham&orderby= (accessed 13 December 2014)
- ELSAM, Fokus, "Pelanggaran HAM Masa Lalu". Available from http://www.elsam.or.id/list.php?cat=stat_pengadilan_ham&lang=in ELSAM (accessed 13 December 2014)
- ELSAM, "Kebebasan Beragama dan Berkeyakinan Januari-Juni 2014". Available from http://www.elsam.or.id/downloads/223356_2014_Jan-Jun_Kebebasan_Beragama_dan_Berkeyakinan.pdf (accessed 27 November 2014)
- ELSAM, "Pelanggaran Kebebasan Beragama/Berkeyakinan 2012". Available from http://www.elsam.or.id/downloads/587096_PELANGGARAN_KEBEBASAN_BERAGAMA_2012.pdf (accessed 27 November 2014)
- ELSAM, Pendidikan HAM, "PENDIDIKAN HAM: Pengumuman Hasil Seleksi". Available from <http://www.elsam.or.id/article.php?act=content&id=3175&cid=504&lang=in#.VKovNiuUcu8> (accessed 23 November 2014)
- ELSAM, Publikasi Jaringan, "Kalimantan Update edisi Juni 2014". Available from <http://www.elsam.or.id/article.php?act=content&id=2960&cid=408&lang=in#.VH15sDGUcu8> (accessed 27 November 2014)
- ELSAM, "Rilis Media". Available from <http://www.elsam.or.id/list.php?cat=media&lang=in> (accessed 13 December 2014)
- ELSAM, Ruang Pers, Rilis Media, "SIARAN PERS: PERMEN Penanganan Situs Internet Bermuatan Negatif digugat ke Mahkamah Agung". Available from <http://www.elsam.or.id/article.php?act=content&id=3134&cid=302&lang=in#.VIPF-fmUeSo> (accessed 13 December 2014)
- Facebook, Lembaga Studi dan Advokasi Masyarakat (ELSAM), "Undangan Mengikuti KursusHAM untuk Pengacara". Available from https://id-id.facebook.com/permalink.php?story_fbid=10151749606224811&id=130077823697089 (accessed 27 November 2014)
- Fransiskan Papua, Suara SKPKC, "Keluarga Korban Kekerasan di Papua Menuntut Keadilan", 24 June 2014. Available from <http://www.fransiskanpapua.net/2014/06/1381/keluarga-korban-kekerasan-di-papua-menuntut-keadilan.php> (accessed 27 November 2014)
- Freedom House, "Countries at the Crossroads 2012: Indonesia". Available from <https://www.freedomhouse.org/sites/default/files/Indonesia%20-%20FINAL.pdf> (15 December 2014)
- Freedom House, Reports, Freedom In The World, "Freedom in the World 2014". Available from <http://www.freedomhouse.org/report/freedom-world/freedom-world-2014#.VE4BahbarZk> (accessed 25 October 2014)
- Harriet Conron and Nicole Jade Millane, "Indonesians Trust Businesses More Than Govt, Survey Shows", *The Jakarta Globe*, 5 February 2014. Available from <http://thejakartaglobe.beritasatu.com/news/indonesians-trust-businesses-more-than-govt-survey-shows/> (accessed 26 October 2014)
- Heritage, "2014 Index of Economic Freedom". Available from <http://www.heritage.org/index/country/indonesia> (accessed 26 October 2014)
- Hukum Online, "RUU PSK Jadi UU, Era Baru Perlindungan Saksi dan Korban: ICJR mash melihat beberapa kelemahan dari UU PSK hasil revisi", 24 September 2014. Available from <http://www.hukumonline.com/berita/baca/lt5422a2e761919/ruu-psk-jadi-uu--era-baru-perlindungan-saksi-dan-korban> (accessed 27 November 2014)
- Indonesia Governance Index, Data, "IGI Executive Report". Available from <http://www.kemitraan.or.id/igi/index.php/data/publication/factsheet/275-igi-executive-report> (accessed 25 October 2014)
- Kartika Virgianti, "3-4 Oktober, KPK Rilis Laporan Pelanggaran HAM Masa Lalu", *SatuHarapan.com*, 2 October 2014. Available from <http://www.satuharapan.com/read-detail/read/3-4-oktober-kpk-rilis-laporan-pelanggaran-ham-masa-lalu> (accessed 27 November 2014)
- Kementerian Koperasi dan Usaha Kecil dan Menengah Republik Indonesia, "Pemerintahan Jokowi Diminta Terus Beber Koperasi dan UMKM", 20 October 2014. Available from

- http://www.depkop.go.id/index.php?option=com_content&view=article&id=1471:pemerintahan-jokowi-diminta-terus-beber-koperasi-dan-umkm&catid=50:bind-berita&Itemid=97 (accessed 25 October 2014)
- Kesbang Pemkab Bulukumba, "Sambutan Dirjen Kesbangpol Pada Pertemuan Sosialisasi Undang-Undang Nomor 17 Tahun 2013", 18 November 2013. Available from <http://www.kesbangpolbulukumba.info/berita-sambutan--dirjen-kesbangpol-----pada-----pertemuan--sosialisasi-undangundang--nomor-17-tahun-2013-.html> (accessed 25 October 2014)
- KOMPAS.com, News, Hukum, "LPSK Bahas Revisi UU Perlindungan Saksi", 3 August 2010. Available from <http://nasional.kompas.com/read/2010/08/03/19400249/LPSK.Bahas.Revisi.UU.Perlindungan.Saksi> (accessed 27 November 2014)
- Koran Jakarta, "1.000 Ormas Perbarui Pendaftaran", 23 November 2013. Available from <http://www.koran-jakarta.com/?112-1000-ormas-perbarui-pendaftaran> (accessed 25 October 2014)
- Kurtz, C. F. and Snowden, D. J. 2003. *The new dynamics of strategy: Sense-making in a complex and complicated world*. IBM Systems Journal, Vol. 42, No. 3
- Lembaga Perlindungan Saksi dan Korban, Informasi LPSK, "Jumlah Permohonan Perlindungan LPSK", 18 June 2014. Available from http://www.lpsk.go.id/publikasi/informasi_detail/2100 (accessed 13 December 2014)
- Lembaga Perlindungan Saksi dan Korban, Profil, "Biodata Abdul Haris Semendawai, S.H., LL.M. (Ketua LPSK)". Available from http://www.lpsk.go.id/profil/profil_detail/14 (accessed 27 November 2014)
- M. Nur, "Penyempurnaan UU Perlindungan Saksi dan Korban", Buletin Kesaksian, Edisi No. 2 Tahun 2012, p. 10. Available from <http://www.lpsk.go.id/upload/Majalah%20Kesaksian%20Edisi%20II%20tes35.pdf> (accessed 27 November 2014)
- Maharani Siti Shopia, "LPSK Maksimalkan Pemenuhan Hak Korban Pelanggaran HAM Masa Lalu", *Lembaga Perlindungan Saksi dan Korban*, 31 Mei 2012. Available from http://www.lpsk.go.id/berita/berita_detail/70#sthash.86vTTyqW.dpuf (accessed 27 November 2014)
- National Violence Monitoring System Indonesia, Reports, "SNPK Monthly Report (September 2014)". Available from <http://www.snpk-indonesia.com/AnalysisReport/Index?lang=en&randdo=d25debd9-516a-4c3b-bef5-69077a80219a&userid=7427839&type=2> (accessed 26 October 2014)
- Parlemen, "Program Legalisasi Nasional Rancangan Undang-Undang Prioritas Tahun 2014". Available from <http://www.parlemen.net/sites/default/files/dokumen/Prolegnas%20RUU%20Prioritas%202014%2017Des13.pdf> (accessed 14 December 2014)
- Restika Ayu Prasasty, "LPSK Kecewa UU Perlindungan Saksi dan Korban Tak Masuk Prolegnas DPR", *detikNews*, 17 December 2011. Available from <http://news.detik.com/read/2011/12/17/194316/1793601/10/> (accessed 27 November 2014)
- Rumah Pemilu, "Gambaran Singkat Pemilihan Umum 2014 di Indonesia", 3 July 2014. Available from <http://www.rumahpemilu.org/in/read/3351/Gambaran-Singkat-Pemilihan-Umum-2014-di-Indonesia> (accessed 25 October 2014)
- Statista, Industries, Internet, Demographics & Use, "Number of internet users in Indonesia from 2013 to 2018 (in millions)". Available from <http://www.statista.com/statistics/254456/number-of-internet-users-in-indonesia/> (accessed 15 December 2014)
- World Bank, News, "Indonesia Development Policy Review 2014", 23 June 2014. Available from <http://www.worldbank.org/en/news/feature/2014/06/23/indonesia-2014-development-policy-review> (accessed 26 October 2014)

Resource persons consulted

Name of key informant	Relation with SPO	Function in organisation	Contact details including e-mail
Yati Andriyani	KPKK coalition member	Advocacy Coordinator KontraS	purikencanaputri@gmail.com
Wanma Yetti	In collaborations with SPO	IKOHI/association of human rights victims	wy01sikumbang@gmail.com Hp: +6281314991648
Indriaswati Dyah Saptaningrum	Executive Leadership	Executive Director, ELSAM	indri@elsam.or.id indrids@gmail.com Hp: +6281380305728
Wahyu Wagiman	Executive Leadership	Deputy Director Human Rights Defenders	Wahyu@elsam.or.id Hp: +6285218664128
Zainal Abidin	Executive Leadership	Deputy Director Human Resources	Zainal@elsam.or.id Hp: +628128292015
Otto Adi Yulianto	Executive Leadership	Head of Research and Institutional Development Bureau	Otto@elsam.or.id otto_ay@yahoo.com Hp: +628161861781 atau +6287747897180
Triana Dyah	Executive Leadership	Head of Information and Data	Ana@elsam.or.id Hp: 08129685784
Wahyudi Djafar	Programme Manager	Program Officer	Wahyudi@elsam.or.id Hp: +6281382083993
Lies Marcoes	Board Member	ELSAM	Hp 08129528231
Rizal Malik	NGO Network	Kemitraan Governance Project	rizal_malik@yahoo.com
Windu Kisworo	NGO Network	The Asia Foundation, Justice Sector Program	Windu.kisworo@asiafoundation.org
Esterini Pratsnawati (via Phone)	ELSAM	Executive Program of Policy Monitoring and Network Development of Victims	Rini.elsam@gmail.com

Appendix 1 CIVICUS and Civil Society Index

CIVICUS, the World Alliance for Citizen Participation is an international alliance of members and partners which constitutes an influential network of organisations at the local, national, regional and international levels, and spans the spectrum of civil society. It has worked for nearly two decades to strengthen citizen action and civil society throughout the world. CIVICUS has a vision of a global community of active, engaged citizens committed to the creation of a more just and equitable world. This is based on the belief that the health of societies exists in direct proportion to the degree of balance between the state, the private sector and civil society.

One of the areas that CIVICUS works in is the Civil Society Index (CSI). Since 2000, CIVICUS has measured the state of civil society in 76 countries. In 2008, it considerably changed its CSI.

1. Guiding principles for measuring civil society

Action orientation: the principal aim of the CSI is to generate information that is of practical use to civil society practitioners and other primary stakeholders. Therefore, its framework had to identify aspects of civil society that can be changed, as well as generate knowledge relevant to action-oriented goals.

CSI implementation must be participatory by design: The CSI does not stop at the generation of knowledge alone. Rather, it also actively seeks to link knowledge-generation on civil society, with reflection and action by civil society stakeholders. The CSI has therefore continued to involve its beneficiaries, as well as various other actors, in this particular case, civil society stakeholders, in all stages of the process, from the design and implementation, through to the deliberation and dissemination stages.

This participatory cycle is relevant in that such a mechanism can foster the self-awareness of civil society actors as being part of something larger, namely, civil society itself. As a purely educational gain, it broadens the horizon of CSO representatives through a process of reflecting upon, and engaging with, civil society issues which may go beyond the more narrow foci of their respective organisations. A strong collective self-awareness among civil society actors can also function as an important catalyst for joint advocacy activities to defend civic space when under threat or to advance the common interests of civil society vis-à-vis external forces. These basic civil society issues, on which there is often more commonality than difference among such actors, are at the core of the CSI assessment.

CSI is change oriented: The participatory nature that lies at the core of the CSI methodology is an important step in the attempt to link research with action, creating a diffused sense of awareness and ownerships. However, the theory of change that the CSI is based on goes one step further, coupling this participatory principle with the creation of evidence in the form of a comparable and contextually valid assessment of the state of civil society. It is this evidence, once shared and disseminated, that ultimately constitutes a resource for action.

CSI is putting local partners in the driver's seat: CSI is to continue being a collaborative effort between a broad range of stakeholders, with most importance placed on the relationship between CIVICUS and its national partners.

2. Defining Civil Society

The 2008 CIVICUS redesign team modified the civil society definition as follows:

The arena, outside of the family, the state, and the market – which is created by individual and collective actions, organisations and institutions to advance shared interests.

Arena: In this definition the arena refers to the importance of civil society's role in creating public spaces where diverse societal values and interests interact (Fowler 1996). CSI uses the term 'arena' to describe the particular realm or space in a society where people come together to debate, discuss, associate and seek to influence broader society. CIVICUS strongly believes that this arena is distinct from other arenas in society, such as the market, state or family.

Civil society is hence defined as a political term, rather than in economic terms that resemble more the 'non-profit sector'.

Besides the spaces created by civil society, CIVICUS defines particular spaces for the family, the state and the market.

Individual and collective action, organisations and institutions: Implicit in a political understanding of civil society is the notion of agency; that civil society actors have the ability to influence decisions that affect the lives of ordinary people. The CSI embraces a broad range of actions taken by both individuals and groups. Many of these actions take place within the context of non-coercive organisations or institutions ranging from small informal groups to large professionally run associations.

Advance shared interests: The term 'interests' should be interpreted very broadly, encompassing the promotion of values, needs, identities, norms and other aspirations.

They encompass the personal and public, and can be pursued by small informal groups, large membership organisations or formal associations. The emphasis rests however on the element of 'sharing' that interest within the public sphere.

3. Civil Society Index- Analytical Framework

The 2008 Civil Society Index distinguishes 5 dimensions of which 4 (civic engagement, level of organisation, practice of values and perception of impact), can be represented in the form of a diamond and the fifth one (external environment) as a circle that influences upon the shape of the diamond.

Civic Engagement, or 'active citizenship', is a crucial defining factor of civil society. It is the hub of civil society and therefore is one of the core components of the CSI's definition. Civic engagement describes the formal and informal activities and participation undertaken by individuals to advance shared interests at different levels. Participation within civil society is multi-faceted and encompasses socially-based and politically-based forms of engagement.

Level of Organisation. This dimension assesses the organisational development, complexity and sophistication of civil society, by looking at the relationships among the actors within the civil society arena. Key sub dimensions are:

- Internal governance of Civil Society Organisations;
- Support infrastructure, that is about the existence of supporting federations or umbrella bodies;
- Self-regulation, which is about for instance the existence of shared codes of conducts amongst Civil Society Organisations and other existing self-regulatory mechanisms;
- Peer-to-peer communication and cooperation: networking, information sharing and alliance building to assess the extent of linkages and productive relations among civil society actors;
- Human resources, that is about the sustainability and adequacy of human resources available for CSOs in order to achieve their objectives:
 - Financial and technological resources available at CSOs to achieve their objectives;

- International linkages, such as CSO's membership in international networks and participation in global events.

Practice of Values. This dimension assesses the internal practice of values within the civil society arena. CIVICUS identified some key values that are deemed crucial to gauge not only progressiveness but also the extent to which civil society's practices are coherent with their ideals. These are:

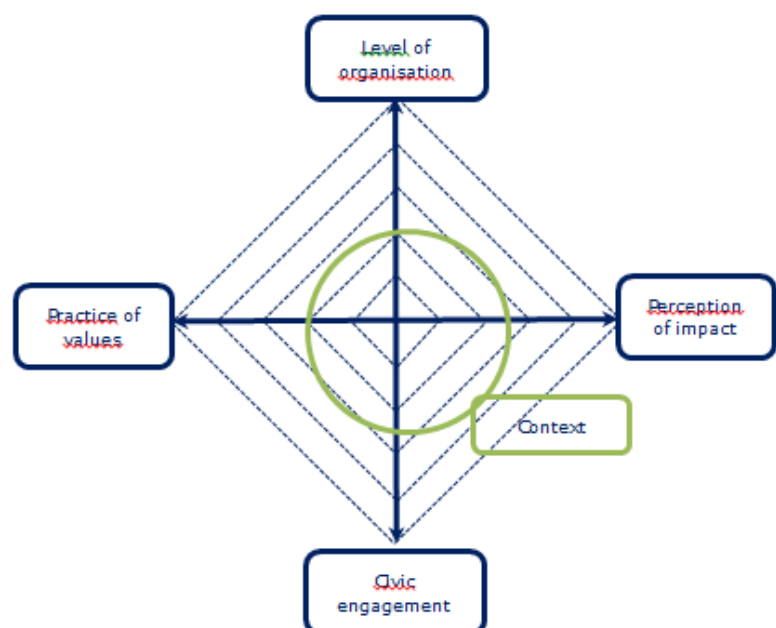
- Democratic decision-making governance: how decisions are made within CSOs and by whom;
- Labour regulations: includes the existence of policies regarding equal opportunities, staff membership in labour unions, training in labour rights for new staff and a publicly available statement on labour standards;
- Code of conduct and transparency: measures whether a code of conduct exists and is available publicly. It also measures whether the CSO's financial information is available to the public.
- Environmental standards: examines the extent to which CSOs adopt policies upholding environmental standards of operation;
- Perception of values within civil society: looks at how CSOs perceive the practice of values, such as non-violence. This includes the existence or absence of forces within civil society that use violence, aggression, hostility, brutality and/or fighting, tolerance, democracy, transparency, trustworthiness and tolerance in the civil society within which they operate.

Perception of Impact. This is about the perceived impact of civil society actors on politics and society as a whole as the consequences of collective action. In this, the perception of both civil society actors (internal) as actors outside civil society (outsiders) is taken into account. Specific sub dimensions are

- Responsiveness in terms of civil society's impact on the most important social concerns within the country. "Responsive" types of civil society are effectively taking up and voicing societal concerns.
- Social impact measures civil society's impact on society in general. An essential role of civil society is its contribution to meet pressing societal needs;
- Policy impact: covers civil society's impact on policy in general. It also looks at the impact of CSO activism on selected policy issues;
- Impact on attitudes: includes trust, public spiritedness and tolerance. The sub dimensions reflect a set of universally accepted social and political norms. These are drawn, for example, from sources such as the Universal Declaration of Human Rights, as well as CIVICUS' own core values. This dimension measures the extent to which these values are practised within civil society, compared to the extent to which they are practised in society at large.

Context Dimension: External Environment. It is crucial to give consideration to the social, political and economic environments in which it exists, as the environment both directly and indirectly affects civil society. Some features of the environment may enable the growth of civil society. Conversely, other features of the environment hamper the development of civil society. Three elements of the external environment are captured by the CSI:

- Socio-economic context: The Social Watch's basic capabilities index and measures of corruption, inequality and macro-economic health are used portray the socioeconomic context that can have marked consequences for civil society, and perhaps most significantly at the lower levels of social development;



-
- Socio-political context: This is assessed using five indicators. Three of these are adapted from the Freedom House indices of political and civil rights and freedoms, including political rights and freedoms, personal rights and freedoms within the law and associational and organisational rights and freedoms. Information about CSO experience with the country's legal framework and state effectiveness round out the picture of the socio-political context;
 - Socio-cultural context: utilises interpersonal trust, which examines the level of trust that ordinary people feel for other ordinary people, as a broad measure of the social psychological climate for association and cooperation. Even though everyone experiences relationships of varying trust and distrust with different people, this measure provides a simple indication of the prevalence of a world view that can support and strengthen civil society. Similarly, the extent of tolerance and public spiritedness also offers indication of the context in which civil society unfolds.

Appendix 2 Evaluation methodology

This Appendix describes the evaluation methodology that was developed to evaluate the efforts of Dutch NGOs and their Southern Partner Organisations (SPO) to strengthen Civil Society in India, Ethiopia and Indonesia. The first paragraph introduces the terms of reference for the evaluation and the second discusses design issues, including sampling procedures and changes in the terms of reference that occurred between the 2012 and 2014 assessment. The third paragraph presents the methodologies developed to answer each of the evaluation questions.

1. Introduction

1.1 Terms of reference for the evaluation

The Netherlands has a long tradition of public support for civil bi-lateral development cooperation, going back to the 1960s. The Co-Financing System (MFS) is its most recent expression. MFS II is the 2011-2015 grant programme which meant to achieve sustainable reduction in poverty. A total of 20 consortia of Dutch Co Financing Agencies have been awarded €1.9 billion in MFS II grants by the Dutch Ministry of Foreign Affairs (MoFA).

One component of the MFS II programme addresses the extent to which the Southern Partners of the Dutch Consortia are contributing towards strengthening civil society and this evaluation assesses this contribution for Southern Partner countries in Indonesia, India and Ethiopia. The evaluation comprised a baseline study, carried out in 2012, followed by an end line study in 2014.

The entire MFS II evaluation comprises assessments in eight countries where apart from a civil society component, also assessments towards achieving MDGs and strengthening the capacity of the southern partner organisations by the CFAs. A synthesis team is in place to aggregate findings of all eight countries. This team convened three synthesis team meetings, one in 2012, one in 2013 and one in 2014. All three meetings aimed at harmonising evaluation methodologies for each component across countries. CDI has been playing a leading role in harmonising its Civil Society and Organisational Capacity assessment with the other organisations in charge for those components in the other countries. This Annex describes the methodology that has been developed for the evaluation of the efforts to strengthen civil society priority result area. We will first explain the purpose and scope of this evaluation and then present the overall evaluation design. We will conclude with describing methodological adaptations, limitations and implications.

1.2 Civil Society assessment – purpose and scope

The overall purpose of the joint MFS II evaluations is to account for results of MFS II-funded or –co-funded development interventions implemented by Dutch CFAs and/or their Southern partners and to contribute to the improvement of future development interventions.

The civil society evaluation is organised around 5 key questions:

- What are the changes in civil society in the 2012-2014 period, with particular focus on the relevant MDGs & themes in the selected country?
- To what degree are the changes identified attributable to the development interventions of the Southern partners of the MFS II consortia (i.e. measuring effectiveness)?
- What is the relevance of these changes?

-
- Were the development interventions of the MFS II consortia efficient?
 - What factors explain the findings drawn from the questions above?

Furthermore, the evaluation methodology for efforts to strengthen civil society should:

- Describe how a representative sample of Southern partner organisations of the Dutch CFAs in the country will be taken
- Focus on five priority result areas that correspond with dimensions of the Civil Society Index (CSI) developed by CIVICUS (see paragraph 6.4 - Call for proposal). For each of those dimensions the call for proposal formulated key evaluation questions.
- Should compare results with available reference data (i.e. a CSI report or other relevant data from the country in question).

The results of this evaluation are to be used by the Dutch Ministry of Foreign Affairs, the Dutch Consortia and their partner organisations. The evaluation methodology has to be participatory in the sense that Dutch Consortia and their partner organisation would be asked to give their own perception on a range of indicators of the adjusted CIVICUS analytical framework in 2012 and in 2014.

2. Designing the methodology

2.1 Evaluation principles and standards

The overall approach selected is a participatory, theory-based evaluation through a before and after comparison. This paragraph briefly describes these principles and how these have been translated into data collection principles. It also describes how a 'representative sample' of Southern Partner Organisations was selected and how the initial terms of references were adjusted with the consent of the commissioner of the evaluation, given the nature of the evaluation component and the resources available for the evaluation.

Recognition of complexity

The issues at stake and the interventions in civil society and policy influence are complex in nature, meaning that cause and effect relations can sometimes only be understood in retrospect and cannot be repeated. The evaluation methods should therefore focus on recurring patterns of practice, using different perspectives to understand changes and to acknowledge that the evaluation means to draw conclusions about complex adaptive systems (Kurtz and Snowden, 2003)⁸⁶.

Changes in the values of the Civil Society Indicators in the 2012-2014 period are then the result of conflict management processes, interactive learning events, new incentives (carrots and sticks) that mobilise or demobilise civil society, rather than the result of a change process that can be predicted from A to Z (a linear or logical framework approach)⁸⁷.

A theory-based evaluation

Theory-based evaluation has the advantage of situating the evaluation findings in an analysis that includes both what happened over the life of the project as well as the how and why of what happened (Rogers 2004). It demonstrates its capacity to help understand why a program works or fails to work, going further than knowing only outcomes by trying to systematically enter the black box (Weiss 2004). Theory-based evaluations can provide a framework to judge effectiveness in context of high levels of complexity, uncertainty, and changeability when traditional (impact) evaluation methods are not suitable: the use of control groups for the civil society evaluation is problematic since comparable

⁸⁶ C. F. Kurtz, D. J. Snowden, The new dynamics of strategy: Sense-making in a complex and complicated world, in IBM Systems Journal vol 42, no 3, 2003.

⁸⁷ Caluwe de, L & Vermaak H. (2003) "Learning to Change. A Guide for Organisation Change Agents" Sage Publications.

organisations with comparable networks and operating in a similar external environment would be quite difficult to identify and statistical techniques of matching cannot be used because of a small n. Because SPO's theories of change regarding their efforts to build civil society or to influence policies may alter during the 2012-2014 period, it requires us to develop a deep understanding of the change process and the dynamics that affect civil society and policies. It is important to understand what has led to specific (non-) changes and (un)-expected changes. These external factors and actors, as well as the SPO's agency need to be taken into account for the attribution question. Linear input-activities-outputs-outcomes-impact chains do not suffice for complex issues where change is both the result of SPOs' interventions as those by other actors and/or factors.

Therefore, the most reasonable counterfactual that can be used for this evaluation is that of considering alternative causal explanations of change (White and Philips, 2012). Therefore the SPOs' Theory of Change constructed in 2012 is also related to a Model of Change constructed in 2014 that tries to find the ultimate explanations of what happened in reality, including other actors and factors that might possibly explain the outcomes achieved.

Triangulation of methods and sources of information

For purposes of triangulation to improve the robustness, validity or credibility of the findings of the evaluation we used different types of data collection and analysis methods as well as different sources of information. The CIVICUS analytical framework was adjusted for this evaluation in terms of providing standard impact outcome indicators to be taken into account. Data collection methods used consisted of workshops with the SPO, interviews with key resource persons, focus group discussions, social network analysis (during the baseline), consultation of project documents; MFS II consortia documents and other documents relevant to assess general trends in civil society

Participatory evaluation

The evaluation is participatory in that both baseline and end line started with a workshop with SPO staff, decision makers and where possible board members. The baseline workshop helped SPOs to construct their own theory of change with regards to civil society. Detailed guidelines and tools have been developed by CDI for both baseline and follow-up, and these have been piloted in each of the countries CDI is involved in. Country based evaluators have had a critical input in reviewing and adapting these detailed guidelines and tools. This enhanced a rigorous data collection process. Additionally, the process of data analysis has been participatory where both CDI and in-country teams took part in the process and cross-check each other's inputs for improved quality. Rigorous analysis of the qualitative data was done with the assistance of the NVivo software program.

Using the evaluation standards as a starting point

As much as possible within the boundaries of this accountability driven evaluation, the evaluation teams tried to respect the following internationally agreed upon standards for program evaluation (Yarbrough et al, 2011). These are, in order of priority: Utility; Feasibility; Propriety; Accuracy; Accountability. However, given the entire set-up of the evaluation, the evaluation team cannot fully ensure the extent to which the evaluation is utile for the SPO and their CFAs; and cannot ensure that the evaluation findings are used in a proper way and not for political reasons.

2.2 Sample selection

The terms of reference for this evaluation stipulate that the evaluators draw a sample of southern partner organisations to include in the assessment. Given the fact that the first evaluation questions intends to draw conclusions for the MDGs or the themes (governance or fragile states) for Indonesia a sample was drawn for the two or three most frequent MDGs or themes that the SPOs are working in. In 2012, the Dutch MFS II consortia were asked to provide information for each SPO regarding the MDG/theme it is working on, if it has an explicit agenda in the area of civil society strengthening and/or policy influence. The database then provided an insight into the most important MDG/themes covered by the partner organisations, how many of these have an explicit agenda regarding civil society

strengthening and/or policy influence. The entire population of SPOs in Indonesia was 120, of which those exclusively working on the governance theme (28 SPOs), those working on MDG 7ab (26 SPOs) and on MDG 3 (26 SPOs) were the most frequent ones. With regards to MDG 3 and MDG 7ab the evaluator decided to select MDG 7ab, which is a very specific and relevant MDG for Indonesia. Five partner organisations were randomly selected for respectively MDG 7 (natural resources) of a population of 26 SPOs and 5 for the governance theme from 28 SPOs⁸⁸.

2.3 Changes in the original terms of reference

Two major changes have been introduced during this evaluation and accepted by the commissioner of the MFS II evaluation. These changes were agreed upon during the 2013 and the 2014 synthesis team meetings.

The efficiency evaluation question

During the June 2013 synthesis meeting the following decision was made with regards to measuring how efficient MFS II interventions for organisational capacity and civil society are:

[...] it was stressed that it is difficult to disentangle budgets for capacity development and civil society strengthening. SPOs usually don't keep track of these activities separately; they are included in general project budgets. Therefore, teams agreed to assess efficiency of CD [capacity development] and CS activities in terms of the outcomes and/or outputs of the MDG projects. This implies no efficiency assessment will be held for those SPOs without a sampled MDG project. Moreover, the efficiency assessment of MDG projects needs to take into account CD and CS budgets (in case these are specified separately). Teams will evaluate efficiency in terms of outcomes if possible. If project outcomes are unlikely to be observed already in 2014, efficiency will be judged in terms of outputs or intermediate results (e-mail quotation from Gerton Rongen at February 6, 2014).

Attribution/contribution evaluation question

During the June 2013 NWO-WOTRO workshop strategies were discussed to fit the amount of evaluation work to be done with the available resources. Therefore,

1. The number of SPOs that will undergo a full-fledged analysis to answer the attribution question, were to be reduced to 50 percent of all SPOs. Therefore the evaluation team used the following selection criteria:
 - An estimation of the annual amount of MFS II funding allocated to interventions that have a more or less direct relation with the civil society component. This implies the following steps to be followed for the inventory:
 - Covering all MDGs/themes in the original sample
 - Covering a variety of Dutch alliances and CFAs
2. The focus of the attribution question will be on two impact outcome areas, those most commonly present in the SPO sample for each country. The evaluation team distinguishes four different impact outcome areas:
 - The extent to which the SPO, with MFS II funding, engages more and diverse categories of society in the 2011-2014 period (Civicus dimensions "Civic engagement" and "perception of impact")
 - The extent to which the SPOs supports its intermediate organisations to make a valuable contribution to civil society in the 2011 -2014 period (Civicus dimension "Level of organisation" and "perception of impact")
 - The extent to which the SPO itself engages with other civil society organisations to make a valuable contribution to civil society in the 2011-2014 period (Civicus dimension "level of organisation")

⁸⁸ See the evaluation methodology for the civil society component as described in the annex of the baseline report.

- The extent to which the SPO contributes to changing public and private sector policies and practices in the 2011-2014 period (Civicus dimension “perception of impact”)
3. The CS dimension ‘Practice of Values’ has been excluded, because this dimension is similar to issues dealt with for the organisational capacity assessment.

The aforementioned analysis drew the following conclusions:

Country	SPO in the in-depth analysis	Strategic CS orientation to include
Indonesia	ELSAM, WARSI, CRI, NTFP-EP, LPPSLH	<ol style="list-style-type: none"> 1. Strengthening intermediate organisations AND influencing policies and practices 2. If only one of the two above mentioned is applicable, then select another appropriate impact outcome area to look at.
India	NNET, CWM, CECOEDECON, Reds Tumkur, CSA	<ol style="list-style-type: none"> 1. Enhancing civic engagement AND strengthening intermediate organisations 2. If only one of the two above mentioned is applicable then select another appropriate impact outcome area to look at.
Ethiopia	OSSA, EKHC, CCGG&SO, JeCCDO and ADAA	<ol style="list-style-type: none"> 1. Strengthening the capacities of intermediate organisations AND SPO’s engagement in the wider CS arena 2. If only one of the two above mentioned is applicable then select another appropriate impact outcome area to look at.

Source: Consultation of project documents available in February 2014

3. Answering the evaluation questions

3.1 Evaluation question 1 - Changes in civil society for the relevant MDGs/topics

Evaluation question 1: *What are the changes in civil society in the 2012-2014 period, with particular focus on the relevant MDGs & themes in the selected country?*

Indicators and tools used

In line with the CIVICUS Civil Society Index, a scoring tool was developed in 2012 which comprises 17 indicators. The selection was inspired by those suggested in the terms of reference of the commissioner. Each indicator was, also in line with the CIVICUS index accompanied by an open evaluation question to be used for data collection in 2012 and 2014. In 2012 the scoring tool contained four statements describing the level of achievements of the indicator and scores ranged from 0 to 3 (low score - high score).

A comparison of the scores obtained in 2012 informed the evaluation team that there was a positive bias towards high scores, mostly between 2 and 3. Therefore during the 2014 assessment, it was decided to measure relative changes for each indicator in the 2012 – 2014 period, as well as the reasons for changes or no changes and assigning a score reflecting the change between -2 (considerable deterioration of the indicator value since 2012) and +2 (considerable improvement).

In 2012 and based upon the Theory of Change constructed with the SPO, a set of standard indicators were identified that would ensure a relation between the standard CIVICUS indicators and the interventions of the SPO. However, these indicators were not anymore included in the 2014 assessment because of the resources available and because the methodology fine-tuned for the attribution question in 2013, made measurement of these indicators redundant.

Also in 2012, as a means to measure the ‘level of organisation’ dimension a social network analysis tool was introduced. However this tool received very little response and was discontinued during the end line study.

Key questions to be answered for this evaluation question

In 2012, SPO staff and leaders, as well as outside resource persons were asked to provide answers to 17 questions, one per standard indicator of the scoring tool developed by CDI.

In 2012, the SPO staff and leaders were given the description of each indicator as it was in 2012 and had to answer the following questions:

1. How has the situation of this indicator changed compared to its description of the 2012 situation? Did it deteriorate considerably or did it improve considerably (-2 → +2)
2. What exactly has changed since 2012 for the civil society indicator that you are looking at? Be as specific as possible in your description.
3. What interventions, actors and other factors explain this change compared to the situation in 2012? Please tick and describe what happened and to what change this led. It is possible to tick and describe more than one choice.
 - Intervention by SPO, NOT financed by any of your Dutch partners
 - Intervention SPO, financed by your Dutch partner organisation(In case you receive funding from two Dutch partners, please specify which partner is meant here)
 - Other actor NOT the SPO, please specify.....
 - Other factor, NOT actor related, please specify.....
 - A combination of actors and factors, INCLUDING the SPO, but NOT with Dutch funding, please specify...
 - A combination of actors and factors, INCLUDING the SPO, but WITH Dutch funding, please specify...
 - Don't know
4. Generally speaking, which two of the five CIVICUS dimensions (civic engagement, level of organisation, practice of values, perception of impact, environment) changed considerably between 2012 – 2014? For each of these changes, please describe:
 - Nature of the change
 - Key interventions, actors and factors (MFS II or non-MFS II related) that explain each change (entirely or partially).

Sources for data collection

During the baseline and the end line and for purposes of triangulation, several methods were used to collect data on each (standard) indicator:

- Self-assessment per category of staff within the SPO: where possible, three subgroups were made to assess the scores: field staff/programme staff, executive leadership and representatives of the board,, general assembly, and internal auditing groups if applicable completed with separate interviews;
- Interviews with external resource persons. These consisted of three categories: key actors that are knowledgeable about the MDG/theme the SPO is working on and who know the civil society arena around these topics; civil society organisations that are being affected by the programme through support or CSOs with which the SPO is collaborating on equal footing, and; representatives of public or private sector organisations with which the SPO is interacting
- Consultation and analysis of reports that relate to each of the five CIVICUS dimensions.
- Project documents, financial and narrative progress reports, as well as correspondence between the SPO and the CFA.
- Social network analysis (SNA), which was discontinued in the end line study.

During the follow-up, emphasis was put on interviewing the same staff and external persons who were involved during the baseline for purpose of continuity.

3.2 Evaluation question 2 – “Attribution” of changes in civil society to interventions of SPOs.

Evaluation question 2: To what degree are the changes identified attributable to the development interventions of the Southern partners of the MFS II consortia (i.e. measuring effectiveness)?

Adapting the evaluation question and introduction to the methodology chosen

In line with the observation of Stern et al. (2012) that the evaluation question, the programme attributes, and the evaluation approaches all provide important elements to conclude on the evaluation design to select, the teams in charge of evaluating the civil society component concluded that given the attributes of the programmes it was impossible to answer the *attribution* question as formulated in the Terms of References of the evaluation and mentioned above. Therefore, the evaluation teams worked towards answering the extent *to which the programme contributed towards realising the outcomes*. For this endeavour explaining outcome process-tracing⁸⁹ was used. The objective of the process tracing methodology for MFS II, in particular for the civil society component is to:

- Identify what interventions, actors and factors explain selected impact outcomes for process tracing.
- Assess how the SPO with MFS II funding contributed to the changes in the selected impact outcomes and how important this contribution is given other actors and factors that possibly influence the attainment of the outcome. Ruling out rival explanations, which are other interventions, actors or factors that are not related to MFS II funding.

Methodology – getting prepared

As described before a limited number of SPOs were selected for process tracing and for each country strategic orientations were identified as a means to prevent a bias occurring towards only positive impact outcomes and as a means to support the in-country evaluation teams with the selection of outcomes to focus on as much as was possible, based upon the project documents available at CDI. These documents were used to track realised outputs and outcomes against planned outputs and outcomes. During the workshop (see evaluation question on changes in civil society) and follow-up interviews with the SPO, two impact outcomes were selected for process tracing.

Steps in process tracing

1. Construct the theoretical model of change – by in-country evaluation team

After the two impact outcomes have been selected and information has been obtained about what has actually been achieved, the in-country evaluation team constructs a visual that shows all pathways that might possibly explain the outcomes. The inventory of those possible pathways is done with the SPO, but also with external resource persons and documents consulted. This culminated in a Model of Change. A MoC of good quality includes: The causal pathways that relate interventions/parts by any actor, including the SPO to the realised impact outcome; assumptions that clarify relations between different parts in the pathway, and; case specific and/or context specific factors or risks that might influence the causal pathway, such as for instance specific attributes of the actor or socio-cultural-economic context. The Models of Change were discussed with the SPO and validated.

2. Identify information needs to confirm or reject causal pathways as well as information sources needed.

This step aims to critically reflect upon what information is needed that helps to confirm one of causal pathways and at that at same time helps to reject the other possible explanations. Reality warns that this type of evidence will hardly be available for complex development efforts. The evaluators were asked to behave as detectives of Crime Scene Investigation, ensuring that the focus of the evaluation was not only on checking if parts/interventions had taken place accordingly, but more specifically on identifying information needs that confirm or reject the relations between the parts/interventions. The key question

⁸⁹ Explaining outcome process tracing attempts to craft a minimally sufficient explanation of a puzzling outcome in a specific historical case. Here the aim is not to build or test more general theories but to craft a (minimally) sufficient explanation of the outcome of the case where the ambitions are more case centric than theory oriented. The aim of process tracing is not to verify if an intended process of interventions took place as planned in a particular situation, but that it aims at increasing our understanding about what works under what conditions and why (Beach & Pedersen, 2013).

to be answered was: "What information do we need in order to confirm or reject that one part leads to another part or, that X causes Y?". Four types of evidence were used, where appropriate:⁹⁰

- *Pattern evidence* relates to predictions of statistical patterns in the evidence. This may consist of trends analysis and correlations.
- *Sequence evidence* deals with the temporal and spatial chronology of events predicted by a hypothesised causal mechanism. For example, a test of the hypothesis could involve expectations of the timing of events where we might predict that if the hypothesis is valid, we should see that the event B took place after event A. However, if we found that event B took place before event A, the test would suggest that our confidence in the validity of this part of the mechanism should be reduced (disconfirmation/ falsification).
- *Trace evidence* is evidence whose mere existence provides proof that a part of a hypothesised mechanism exists. For example, the existence of meeting minutes, if authentic, provides strong proof that the meeting took place.
- *Account evidence* deals with the content of empirical material, such as meeting minutes that detail what was discussed or an oral account of what took place in the meeting.

3. Collect information necessary to confirm or reject causal pathways

Based upon the inventory of information needs the evaluation teams make their data collection plan after which data collection takes place.




4. Analyse the data collected and assessment of their quality.

This step consists of compiling all information collected in favour or against a causal pathway in a table or in a list per pathway. For all information used, the sources of information are mentioned and an assessment of the strength of the evidence takes place, making a distinction between strong, weak and moderate evidence. For this we use the traffic light system: **green letters mean strong evidence**, **red letters mean weak evidence** and **orange letter mean moderate evidence**: The following table provides the format used to assess these issues.


Causal pathway	Information that confirms (parts of) this pathway		Information that rejects (parts of) this pathway	
Pathway 1	Information 1	Source of information	Information 1	Source of information
Part 1.1	Information 2	Source of information	Information 2	Source of information
Part 1.2	Information 3	Source of information	Information 3	Source of information
Etc	etc	etc	etc	etc
Pathway 2	Information 1	Source of information	Information 1	Source of information
Part 2.1	Information 2	Source of information	Information 2	Source of information
Part 2.2	Information 3	Source of information	Information 3	Source of information
Etc.	etc	etc	etc	etc
Pathway 3				

5. Assessing the nature of the relations between parts in the model of change

The classification of all information collected is being followed by the identification of the pathways that most likely explain the impact outcome achieved. For this the evaluators assess the nature of the relations between different parts in the MoC. Based upon Mayne (2012) and Stern et al (2012) the following relations between parts in the MoC are mapped and the symbols inserted into the original MoC.

Nature of the relation between parts and other parts or outcome	
The part is the only causal explanation for the outcome. No other interventions or factors explain it. (necessary and sufficient)	
The part does not explain the outcome at all: other subcomponents explain the outcomes.	
The part explains the outcome but other parts explain the outcome as well: there are multiple pathways (sufficient but not necessary)	

⁹⁰ Beach and Pederson, 2013

The part is a condition for the outcome but won't make it happen without other factors (necessary but not sufficient)	
The part explains the outcome, but requires the help of other parts to explain the outcome in a sufficient and necessary way (not a sufficient cause, but necessary) → it is part of a causal package	
Sources: Mayne, 2012; Stern et al, 2012	

6. Write down the contribution and assess the role of the SPO and MFS II funding

This final step consists of answering the following questions, as a final assessment of the contribution question:

- The first question to be answered is: What explains the impact outcome?
- The second question is: What is the role of the SPO in this explanation?
- The third question, if applicable is: what is the role of MFS II finding in this explanation?

7. Sources for data collection

Information necessary to answer this evaluation question is to be collected from:

- Interviews with resource persons inside and outside the SPO
- Project documents and documentation made available by other informants
- Websites that possibly confirm that an outcome is achieved and that the SPO is associated with this outcome
- Meeting minutes of meetings between officials
- Time lines to trace the historical relations between events
- Policy documents
- etc

3.3 Evaluation question 3 – Relevance of the changes

Evaluation question 3: *What is the relevance of these changes?*

The following questions are to be answered in order to assess the relevance of the changes in Civil Society.

- How do the MFS II interventions and civil society outcomes align with the Theory of Change developed during the baseline in 2012? What were reasons for changing or not changing interventions and strategies?
- What is the civil society policy of the Dutch alliance that collaborates with the SPO? And how do the MFS II interventions and civil society outcomes align with the civil society policy of the Dutch alliance that collaborates with the SPO?
- How relevant are the changes achieved in relation to the context in which the SPO is operating?
- What is the further significance of these changes for building a vibrant civil society for the particular MDG/ theme in the particular context?

Sources for data collection

For this question the following sources are to be consulted:

- Review of the information collected during interviews with the SPO and outside resource persons
- The 2012 Theory of Change
- Interview with the CFA liaison officer of the SPO;
- Review of reports, i.e: the civil society policy document of the Dutch Alliance that was submitted for MFS II funding, relevant documents describing civil society for the MDG/ theme the SPO is working on in a given context.

3.4 Evaluation question 4, previously 5 - Factors explaining the findings

Evaluation question 4: *What factors explain the findings drawn from the questions above?*

To answer this question we look into information available that:

- Highlight changes in the organisational capacity of the SPO
- Highlight changes in the relations between the SPO and the CFA
- Highlight changes in the context in which the SPO is operating and how this might affect positively or negatively its organisational capacity.

Sources for data collection

Sources of information to be consulted are:

- Project documents
- Communications between the CFA and the SPO
- Information already collected during the previous evaluation questions.

4. Analysis of findings

A qualitative software programme NVivo 10 (2010) was used to assist in organising and making sense of all data collected. Although the software cannot take over the task of qualitative data analysis, it does 1) improve transparency by creating a record of all steps taken, 2) organise the data and allow the evaluator to conduct a systematic analysis, 3) assist in identifying important themes that might otherwise be missed, and 4) reduce the danger of bias due to human cognitive limitations, compared to "intuitive data processing" (Sadler 1981). The qualitative data in the evaluation consisted of transcripts from semi-structured interviews, focus group discussions workshops, field notes from observation, and a range of documents available at the SPO or secondary information used to collect reference data and to obtain a better understanding of the context in which the CS component evolves.

To analyse this diverse collection of data, several analytical strategies are envisioned, specifically content analysis, discourse analysis, and thematic analysis. Although each of these strategies can be understood as a different lens through which to view the data, all will require a carefully developed and executed coding plan.

Data have been coded according to: standard civil society indicator; outcome included for in-depth contribution analysis; relevance, and; explaining factors.

This qualitative analysis will be supported by a limited amount of quantitative data largely arising from the score assigned by the evaluation team to each performance indicator described in the civil society scoring tool. Other quantitative data in this study are drawn information provided in background literature and organisational documents as well as the Social Network Analysis method.

5. Limitations to the methodology

5.1 General limitations with regards to the MFS II evaluation

The MFS II programme and CIVICUS

Although the MFS II programme stated that all proposals need to contribute to civil society strengthening in the South⁹¹, mention was made of the use of the CIVICUS framework for monitoring purposes. The fact that civil society was to be integrated as one of the priority result areas next to that of organisational capacity and MDGs became only clear when the MoFA communicated its mandatory monitoring protocol. In consequence, civil society strengthening in the MFS II programmes submitted to the ministry is mainstreamed into different sub programmes, but not addressed as a separate entity.

This late introduction of the Civil Society component also implies that project documents and progress reports do not make a distinction in MDG or theme components vs those of civil society strengthening, leaving the interpretation of what is a civil society intervention our outcome and what not to the interpretation of the evaluation team.

At the same time the evaluation team observes that SPOs and CFAs have started to incorporate the organisational capacity tool that is being used in the monitoring protocol in their own organisational assessment procedures. None of the SPOs is familiar with the CIVICUS framework and how it fits into their interventions.

Differences between CIVICUS and MFS II evaluation

CIVICUS developed a Civil Society Index that distinguishes 5 dimensions and for each of these a set of indicators has been developed. Based upon a variety of data collection methods, a validation team composed of civil society leaders provides the scores for the civil society index.

Major differences between the way the Civil Society Index is been used by CIVICUS and for this MFS II evaluation is the following:

1. CIVICUS defines its unit of analysis in terms of the civil society arena at national and/or subnational level and does not start from individual NGOs. The MFS II evaluation put the SPO in the middle of the civil society arena and then looked at organisations that receive support; organisations with which the SPO is collaborating. The civil society arena boundaries for the MFS II evaluation are the public or private sector organisations that the SPO relates to or whose policies and practices it aims to influence
2. The CIVICUS assessments are conducted by civil society members itself whereas the MFS II evaluation is by nature an external evaluation conducted by external researchers. CIVICUS assumes that its assessments, by organising them as a joint learning exercise, will introduce change that is however not planned. With the MFS II evaluation the focus was on the extent to which the interventions of the SPO impacted upon the civil society indicators.
3. CIVICUS has never used its civil society index as a tool to measure change over a number of years. Each assessment is a stand-alone exercise and no efforts are being made to compare indicators over time or to attribute changes in indicators to a number of organisations or external trends.

Dimensions and indicator choice

The CIVICUS dimensions in themselves are partially overlapping; the dimension 'perception of impact' for instance contains elements that relate to 'civic engagement' and to 'level of organisation'. Similar overlap is occurring in the civil society scoring tool developed for this evaluation and which was highly oriented by a list of evaluation questions set by the commissioner of the evaluation.

Apart from the overlap, we observe that some of the standard indicators used for the civil society evaluation were not meaningful for the SPOs under evaluation. This applies for instance for the political

⁹¹ Policy Framework Dutch Co- financing System II 2011 - 2015

engagement indicator "How intense is your (individual staff or organisational) participation in locally-nationally elected bodies and/or sectoral user groups?"

Measuring change over a two-year period

The MFS II programme started its implementation in 2011 and it will finish in 2015, whereas its evaluation started mid-2012 and will end in the beginning of 2014. The period between the baseline and the end line measurement hardly covers 2 years in some cases. Civil society building and policy influence are considered the type of interventions that requires up to 10 years to reap significant results, especially when taking into account attitudes and behaviour. Apart from the fact that the baseline was done when MFS II was already operational in the field for some 1,5 years, some SPO interventions were a continuation of programmes designed under the MFS I programme, hence illustrating that the MFS II period is not a clear boundary. Contracts with other SPOs ended already in 2012, and practically coincided with the baseline assessment being conducted at the moment the relationship with the CFA had practically ended.

Aggregation of findings

Although working with standard indicators and assigning them scores creates expectations of findings being compared and aggregated at national and international level, this may lend itself to a quick but inaccurate assessment of change. Crude comparison between programs on the basis of findings is problematic, and risks being politically abused. The evaluation team has to guard against these abuses by ensuring the necessary modesty in extrapolating findings and drawing conclusions.

Linking the civil society component to the other components of the MFS II evaluation

The Theory of Change in the terms of reference assumes that CFAs are strengthening the organisational capacity of their partners, which is evaluated in the organisational capacity components, which then leads to impact upon MDGs or upon civil society. Because the evaluation methodology designed for both the organisational capacity and the civil society evaluation require considerable time investments of the SPOs, a deliberate choice was made not to include SPOs under the organisational capacity component in that of Civil Society. This may possibly hamper conclusions regarding the assumption of capacitated SPOs being able to impact upon civil society. However, where information is available and where it is relevant, the civil society component will address organisational capacity issues.

No such limitations were made with regards to SPOs in the MDG sample, however, apart from Indonesia; none of the SPOs in the civil society sample is also in that of MDG.

5.2 Limitations during baseline with regards to the methodology

A very important principle upon which this evaluation methodology is based is that of triangulation, which implies that different stakeholders and documents are consulted to obtain information about the same indicator from different perspectives. Based upon these multiple perspectives, a final score can be given on the same indicator which is more valid and credible.

For Indonesia this has not always been possible:

- For 7 out of 10 SPOs a Survey Monkey questionnaire was developed to assess the intensity of the interaction between stakeholders in the network. Out of 156 actors that were invited to fill in this 5 minute questionnaire, only 7 actors effectively filled in the questionnaire = 4.5 %. The online Social Network Analysis aims at having both the opinion of the SPO on the intensity of the interaction with another actor, as well as the opinion of the other actor for triangulation. Important reasons for not filling in this form are that actors in the network are not technology savvy, or that they have difficulties in accessing internet. Data obtained by survey monkey were not used in the baseline. Instead the evaluation team did a social network assessment during the baseline workshop with the SPO.
- With regards to filling in offline interview forms or answering questions during interviews a number of civil society actors did not want to score themselves because they do not benefit from the interventions of the MFS II projects. Having the scores of their own organisations will help to assess the wider

environment in which the SPO operates and possibly an impact of the SPO on other civil society organisations in 2014.

- With regards to public officials the evaluation team faced difficulties to have their opinions on a certain number of indicators such as perception of impact on policy influencing and relations between public organisations and civil society. Public officials fear that they will be quoted in the assessment, which may have repercussions for their position.

5.3 Experiences during end line from in-country teams - Indonesia

The in-country team experienced difficulties in working on the first evaluation question regarding changes in civil society. The team would have preferred a similar workshop as during the baseline that would recapitulate the essence of the CIVICUS model and the content of each standard indicator developed. Although some members of the in-country team were also involved in the 2012 base line assessment, they and their new colleagues experienced a kind of "CS dimension shock" when these topics were not addressed during the workshop, where a lot of time was spent to work on the second evaluation question on contribution. A guidance sent later in the year was helpful but came late according to the Indonesian team.

The many appendices prepared for data collection and meant as a step-wise approach for the end line study, sometimes became a burden and a limitation when applied directly in collecting data. Like mentioned for the baseline study the questions sometimes limited the probing for information. In addition, in-country team members had to deal with the "CS dimension shock".

The organisation of the entire MFS II evaluation did provide very little opportunities for SPOs to engage with the evaluation and to feel concerned. For many of the SPOs the evaluation does not provide a strategic value in terms of drawing lessons. This lack of ownership is felt more strongly with those SPOs that already ended their contract with the Dutch MFS II organisation and with those SPOs that due to high staff turn overs were confronted with past tense issues that they did not experience.

Some of the SPOs simply didn't care about the evaluation. This could have been anticipated if there had been a special workshop (for the directors, perhaps, and the CFAs) prior to the endline. Via such workshops, appointments and agreements could have been set, allowing the in-country teams to plan their time and schedule. What ended up happening was that many of the SPOs kept putting off appointments and this also affected the schedule of the team.

Many SPOs are unfamiliar with the CIVICUS framework and the in-country team tried to ease them into it by sending background information and the indicator questions regarding changes in civil society prior to the workshop. This was effective for some SPOs (Common Room, WARSI), but not very effective for LPPSLH, RUANGRUPA, and CRI. The latter three found it too difficult to answer these questions by themselves. Common Room, on the other hand dedicated a special discussion session to discuss the questions internally. The questions were however the same as those dealt with during the baseline and possibly high staff turnovers may also explain this "CS dimension shock".

Fieldwork was sometimes inefficient since the in-country team assumed that each step (workshop, interview, drafting model of change, selecting outcome, finding evidences) would neatly fall into sequence and could be packed tightly within 4 or 5 days with strong commitment from the SPO. This often did not happen.

Civil Society Scoring tool - baseline

Dimension	Outcome domains		Question	Statements					What are factors (strengths, weaknesses) that explain the current situation?
				0	1	2	3	x	
Civic engagement	1	Needs of marginalised groups	How does your organisation take the needs of your beneficiaries/target groups, in particular marginalised groups into account in your planning, actions, activities, and/or strategies?	Are NOT taken into account	Are POORLY taken into account	Are PARTLY taken into account	Are FULLY taken into account	Question not relevant, because	
	2	Involvement of target groups	What is the level of participation of your beneficiaries/target groups, in particular marginalised groups in the analysis, planning and evaluation of your activities?	They are INFORMED about on-going and/or new activities that you will implement	They are CONSULTED by your organisation. You define the problems and provide the solutions.	They CARRY OUT activities and/or form groups upon your request. They provide resources (time, land, labour) in return for your assistance (material and/or immaterial)	They ANALYSE PROBLEMS AND FORMULATE IDEAS together with your organisation and/or take action independently from you.	Question not relevant, because	
	3	Political engagement	How intense is your (individual staff or organisational) participation in locally-nationally elected bodies and/or sectoral user groups?	No participation	You are occasionally CONSULTED by these bodies	You are a member of these bodies. You attend meetings as a participant	You are a member of these bodies. You are chairing these bodies or sub groups	Question not relevant, because	
organisation level of	5	Relations with other organisations	In the past 12 months what has been the most intensive interaction you had with other CSOs?	No interaction at all	Networking - Cooperation: Inform each other; roles somewhat defined; all decisions made independently	Coordination - Coalition: ideas and resources shared; roles defined and divided; all have a vote in decision making	Collaboration: organisations belong to one system; mutual trust; consensus on all decisions.	Question not relevant, because	

Dimension	Outcome domains		Question	Statements					x	What are factors (strengths, weaknesses) that explain the current situation?
				0	1	2	3			
	5	Frequency of dialogue with closest CSO	In the past 12 months how many meetings did you have with the CSO that you have most intensive interaction with?	No interaction at all	Less than 2 times a year	Between 2 and 3 times a year	More than 4 times a year	Question not relevant, because		
	6	Defending the interests of marginalised groups:	Which CSO are most effective in defending the interests of your target groups? In the past 12 months, how did you relate to those CSOs?	No interaction at all	Networking - Cooperation: Inform each other; roles somewhat defined; all decisions made independently	Coordination - Coalition: ideas and resources shared; roles defined and divided; all have a vote in decision making	Collaboration: organisations belong to one system; mutual trust; consensus on all decisions.	Question not relevant, because		
	7	Composition current financial resource base	How does your organisation finance institutional costs such as workshops of the General Assembly (if applicable); attendants to workshops of other CSOs; costs for organisational growth and/or networking?	Depends on 1 international donor	Depends on few financial sources: one fund cover(s) more than 75% of all costs.	Depends on a variety of financial sources; one fund cover(s) more than 50% of all costs.	Depends on a variety of sources of equal importance. Wide network of domestic funds	Question not relevant, because		
Practice of Values	8	Downward accountability	To what extent can mandatory social organs (steering committee, general assembly, internal auditing group) ask your executive leaders to be accountable to them?	(financial) information is made available and decisions are taken openly	They fulfil their formal obligation to explain strategic decisions and actions	They react to requests of social organs to justify/explain actions and decisions made	Social organs use their power to sanction management in case of misconduct or abuse	Question not relevant, because		
	9	Composition of social organs	What % of members of your mandatory social organs belong to the marginalised target groups you are working with/for?	Between 0-10 % of all members of the social organs	Between 11-30 % of all members of the social organs	Between 31-65 % of all members of the social organs	More than 65% of all members of the social organs	Question not relevant, because		

Dimension	Outcome domains		Question	Statements					x	What are factors (strengths, weaknesses) that explain the current situation?
				0	1	2	3			
	10	External financial auditing	How regularly is your organisation audited externally?	Never	Occasionally, upon request of funders	Periodically and regularly, because our external funder asks for it	Periodically and regularly, because it is part of our code of conduct	Question not relevant, because		
Perception of Impact	11	Client satisfaction	What are the most important concerns of your target groups? How do your services take into account those important concerns?	Majority of target groups are NOT satisfied	Majority of target groups are POORLY satisfied	Majority of target groups are PARTLY satisfied	Majority of target groups are MOSTLY satisfied	Question not relevant, because		
	12	Civil society impact.	In the past 12 months, what impact did you have on building a strong civil society?	You have not undertaken any activities of this kind	You have undertaken activities of this kind but there is no discernible impact	You have undertaken activities of this kind but impact is limited	You have undertaken activities and examples of significant success can be detected.	Question not relevant, because		
	13	Relation with public sector organisations.	In the past 12 months, what interaction did you have with public sector organisations to realise your programme and organisations' objectives?	No direct interaction	You have been invited by public sector organisations for sharing of information	You have been invited by public sector organisations for regular consultations (but public sector decides)	Formal and regular meetings as a multi-stakeholder task force.	Question not relevant, because		
	14	Relation with private sector organisations	In the past 12 months, what interaction did you have with private sector organisations to realise your programme and organisations' perspective?	No direct interaction	You have been invited by private sector organisations for sharing of information	You have been invited by private sector organisations for regular consultations (but public sector decides)	Formal and regular meetings as a multi-stakeholder task force.	Question not relevant, because		
	15	Influence upon public policies, rules, regulations	How successful have you been in influencing public policies and practices in the past 2 years?	No activities developed in this area	Some activities developed but without discernible impact	Many activities developed in this area, but impact until so far has been limited	Many activities developed in this area and examples of success can be detected	Question not relevant, because		

Dimension	Outcome domains		Question	Statements					x	What are factors (strengths, weaknesses) that explain the current situation?
				0	1	2	3			
	16	Influence upon private sector agencies' policies, rules, regulations.	How successful have you been in influencing private sector policies and practices in the past 2 years?	No activities developed in this area	Some activities developed but without discernible impact	Many activities developed in this area, but impact until so far has been limited	Many activities developed in this area and examples of success can be detected	Question not relevant, because		
context Environmental	17	Coping strategies	In the past 2 years, how did your organisation cope with these changes in the context that may have been positive or negative consequences for civil society.	No analysis of the space and role of civil society has been done.	You are collecting information of the space and role of civil society but not regularly analysing it.	You are monitoring the space and role of civil society and analysing the consequences of changes in the context for your own activities. Examples are available.	You are involved in joint action to make context more favourable. Examples are available.	Question not relevant, because		

Appendix 3 Civil Society Scores

This table presents the appreciation of the evaluation team regarding changes occurred for each indicator between 2012 and 2014 on a scale of -2 to + 2

- 2 = Considerable deterioration

- 1 = A slight deterioration

0 = no change occurred, the situation is the same as in 2012

+1 = slight improvement

+2 = considerable improvement

Dimension		Indicators	Question	Changes
Civic engagement	1	Needs of marginalised groups	How does your organisation take the needs of your beneficiaries/target groups, in particular marginalised groups into account in your planning, actions, activities, and/or strategies?	0
	2	Involvement of target groups	What is the level of participation of your beneficiaries/target groups, in particular marginalised groups in the analysis, planning and evaluation of your activities?	0
	3	Political engagement	How intense is your (individual staff or organisational) participation in locally-nationally elected bodies and/or sectoral user groups?	+ 1
Level of organisation	5	Relations with other organisations	In the past 12 months what has been the most intensive interaction you had with other CSOs?	+ 1
	5	Frequency of dialogue with closest CSO	In the past 12 months how many meetings did you have with the CSO that you have most intensive interaction with?	+ 1
	6	Defending the interests of marginalised groups	Which CSO are most effective in defending the interests of your target groups? In the past 12 months, how did you relate to those CSOs?	0
	7	Composition current financial resource base	How does your organisation finance institutional costs such as workshops of the General Assembly (if applicable); attendance to workshops of other CSOs; costs for organisational growth and/or networking?	+ 2
Practice of Values	8	Downward accountability	To what extent can mandatory social organs (steering committee, general assembly, internal auditing group) ask your executive leaders to be accountable to them?	+1
	9	Composition of social organs	What % of members of your mandatory social organs belong to the marginalised target groups you are working with/for?	0
	10	External financial auditing	How regularly is your organisation audited externally?	0
Perception of impact	11	Client satisfaction	What are the most important concerns of your target groups? How do your services take into account those important concerns?	+1
	12	Civil society impact	In the past 12 months, what impact did you have on building a strong civil society?	- 1
	13	Relation with public sector organisations.	In the past 12 months, what interaction did you have with public sector organisations to realise your programme and organisations' objectives?	0
	14	Relation with private sector organisations	In the past 12 months, what interaction did you have with private sector organisations to realise your programme and organisations' perspective?	- 1
	15	Influence upon public policies, rules, regulations	How successful have you been in influencing public policies and practices in the past 2 years?	+ 1

	16	Influence upon private sector agencies' policies, rules, regulations.	How successful have you been in influencing private sector policies and practices in the past 2 years?	+ 1
CS cont xt	17	Coping strategies	In the past 2 years, how did your organisation cope with these changes in the context that may have been positive or negative consequences for civil society.	+1

Appendix 4 Changes in civil society indicators between 2012 and 2014

1. Civic Engagement

1.1. Needs of marginalised groups SPO

ELSAM addresses the needs of human rights victims through direct and indirect services. ELSAM directly engages with the victims of human rights violations by supporting them to organise themselves into a victims' organisations, providing referral services to government service providers such as Komnas HAM and LPSK, and providing financial support through cooperatives. Indirect services to the victims are in the forms of policy advocacy work, including research and CSO coalitions on specific issues such as witness and victims protection (KPSK).

With regards to direct services provided to human rights victims, there are no significant changes. ELSAM continued to work with the same networks and organisations throughout the 2012 to 2014 period and coverage remained rather limited. For example, ELSAM worked with Solidaritas Indonesia to ensure a medical and psycho-social referral system is in place. Annually, this benefits around seven to 10 victims. Other direct services ELSAM supported have a wider coverage, such as the cooperative 'Gemah Ripah' for victims of human rights abuses established by ELSAM in collaboration with the Association of Families of Missing Persons (IKOHI) and Working Group on the Disclosure of Truth (*Koalisi Keadilan dan Pengungkapan Kebenaran/KKPK*) in 2012. From original seed money amounting to Euro 350 provided to the cooperative, the number of active members grew from 30 in 2012 to 45 in 2013. This further expanded to coverage of 80 victims after ELSAM facilitated linkages between the cooperative and a Ministry of Social Affairs' grant program (KUBE).

On indirect services, namely assisting CSOs and other human rights groups with human rights research and policy advocacy, LPSK⁹² and ELSAM succeeded in translating demands from victims for increased coverage of the services⁹³ into a new draft policy that encompassed a broader recognition of human rights violations that in consequence led to an increase in services delivered to those entitled. ELSAM provided policy inputs to Komnas HAM⁹⁴ and these inputs were adopted into a regulation and as a result, Komnas HAM has managed to endorse the support for 750 victims in early 2013, of which 409 were addressed by LPSK⁹⁵. In 2014, LPSK is reaching the threshold of 1,000 victims to be serviced⁹⁶. Whilst ELSAM's advocacy for policy change focused on human rights victims, the results booked have also benefited witnesses of crimes and abuses.

⁹² For example LPSK organized a focus group discussion with the stakeholder on 30 May 2012 to identify the regulatory issues and in September 2014, finally LPSK issued a new regulation on standard operating procedures to manage victims' case management.

⁹³ Compilation of media coverage from showing strong demand by the victims (complaints, expectations, etc) to the LPSK. See <http://perlindungansaksi.files.wordpress.com/2009/02/liputan-100-hari-lpsk.doc> and <http://www.elsam.or.id/article.php?act=content&id=2954&cid=15&lang=in#.VFw1efmUeSo>

⁹⁴ On 4 October 2013, ELSAM submitted a policy input to Komnas HAM on dealing with the victims of human rights violations. See "MASUKAN ELSAM TERHADAP RANCANGAN PERATURAN KOMNAS HAM TENTANG STANDAR OPERASIONAL PROSEDUR/MEKANISME PEMBERIAN SURAT KETERANGAN KORBAN DAN/ATAU KELUARGA KORBAN PELANGGARAN HAM YANG BERAT".

⁹⁵ Aris Setiawan, "LPSK Bantu Rehabilitasi 409 Korban Pelanggaran HAM", *VIVAnews*, 9 May 2013. Available from <http://nasional.news.viva.co.id/news/read/411536-lpsk-bantu-rehabilitasi-409-korban-pelanggaran-ham> (accessed 13 December 2014)

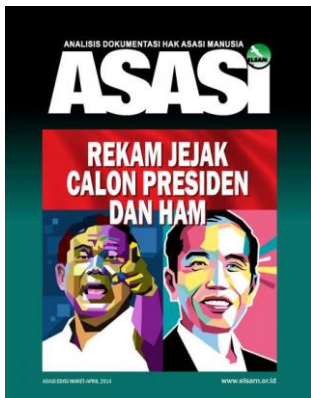
⁹⁶ Lembaga Perlindungan Saksi dan Korban, Informasi LPSK, "Jumlah Permohonan Perlindungan LPSK", 18 June 2014. Available from http://www.lpsk.go.id/publikasi/informasi_detail/2100 (accessed 13 December 2014)

1.2. Involvement of target groups SPO

In the baseline assessment, ELSAM had the highest score (3) for this indicator since there was evidence of a high level of involvement of target groups (government, CSOs, and the marginalized people) in their program planning and implementation. For example, in developing policy inputs and papers, target groups are asked to provide feedback and are involved in instances where a parliamentary audience is required. There is no significant change in from the baseline. During the end line, ELSAM management and staff reported that they continued to involve target groups in each stage of the project cycle. In developing policy briefs/inputs for Komnas HAM, ELSAM began with an analysis of human rights violation case reports and held discussions with survivors, continuously engaging them in advocacy activities like public hearings. Victims and survivors are an indispensable resource as their testimonies and experiences carry much weight and are important inputs in developing position papers and policy drafts. ELSAM continued its strategic involvement in the KKPK by maintaining a database on past human rights abuses⁹⁷ and leading the policy/regulatory review. This has sharpened the focus of action of the coalition to promote truth-revealing as a modality in peacefully settling the past⁹⁸.

Although in their daily activities, the involvement of target groups is intensive, target group involvement in ELSAM's organisational organ is limited due to the nature of ELSAM's business entity as a "perkumpulan" or association that, by law, does not provide a formal position for the victims in the organisational structure, such as board of trustees or executive body. This is understandable because ELSAM is not a membership organisation. The involvement of target groups in the overall organisational process is considered as an ethical operational standard rather than organisational inclusion.

1.3. Intensity of political engagement SPO



ELSAM by design is a political organisation. Since its creation it has called for the rights human rights victims to be protected, whether through compensation, regulatory frameworks or psychosocial services. They engage in highly politically sensitive issues, such as calling for a Truth and Reconciliation Commission Law, which is still under review by the Constitutional Court. Their core business is to influence policies and legislative bodies. ELSAM is however not affiliated to any political party and keeps it impartiality.

In 2014, ELSAM has stepped up its engagement and messaging at the national level because of the 2014 presidential elections. It released several press releases and disseminated information regarding candidates and their history and experience with human rights. The newly elected president has been urged to select an Attorney General without a record on corruption and human rights violations⁹⁹. This attention to the elections is not associated with the Hivos-supported program, which ended in January 2014.

2. Level of Organisation

2.1. Relations with other organisations SPO

With regards to ELSAM's relations and networks with other organisations involved in advocacy for human rights victims, there was a slight expansion or change during the 2012-2014 period. ELSAM worked with its longstanding network that includes organisations like KKPK, IKOHI, Solidaritas

⁹⁷ See for example "Perkembangan Penyelesaian Pelanggaran HAM Masa Lalu ELSAM/Direktorat PSDHAM/Desember 2012" published by Elsam, can be assessed at http://www.elsam.or.id/list.php?cat=stat_pengadilan_ham&lang=in

⁹⁸ Hester Smidt, "ELSAM Input-Output Analysis", MFS-II evaluation 2014, p. 3

⁹⁹ See ELSAM's press release dated 2 November 2014

Indonesia/SI, Pakorba Solo, etc. However, through ELSAM's active participation in KPSK on advocacy for the revision of law on LPSK, there was an increase in the frequency of meetings and collaborative work with KPSK members. In addition to that, on advocacy for freedom of expression through internet governance, ELSAM has widened its network to cooperate with organisations like ICT Watch. ELSAM was involved in setting up a national forum on the issue, which is now engaging with Ministries that work on ICT and internet.

It is worth noting that since 2013, ELSAM has started to collaborate with the Australian government-funded Knowledge Sector Initiative. This has widened ELSAM's network with Indonesian research organisations working on a broad range of issues, but this new network cannot be attributed to the Dutch-funded program.

2.2. Frequency of dialogue with closest civil society organisation SPO

In 2014, ELSAM has conducted more collaboration and cooperation with close CSOs compared to 2012. This is because of their involvement in: 1) KPKK (advocacy to revise the law on LPSK), 2) Public Interest Lawyers Network (PILNET) for judicial review on the Law No 18/2004 on Plantation, and 3) with ICT Rights Watch on internet governance. ELSAM's collaboration with the KPKK has become effective and efficient over the years as ELSAM has a niche role to play. ELSAM's monitoring of cases in freedom of expression through social media/internet has put ELSAM in an intensive dialogue and collaborative with other CSOs. For example, , together with the Institute for Criminal Justice Reform (ICJR), *Lembaga Bantuan Hukum Pers* (LBH Pers), and *Perkumpulan Mitra TIK Indonesia* (ICT Watch), ELSAM brought the Ministerial Regulation No. 19/2014 on Internet Governance to the Constitutional Court¹⁰⁰.

2.3. Defending the interests of marginalised groups SPO

As described under Indicator 1.1 on needs of marginalised groups, ELSAM has managed to influence LPSK's internal regulation on eligibility for protection that resulted in an increase in coverage of LPSK as well as expanding the scope of services not only to direct victims but also to the affected family members through the revision of the new law on LPSK (Law No. 31/2014). In this regard, ELSAM managed to defend more (quantitatively and qualitatively) interests of the victims of human rights violations. Most of the victims served are victims of 1965 human rights abuses, and religious or market fundamentalism. ELSAM's ability to influence national level policies may very well have a wider impact on the human rights situation in Indonesia, but this is difficult to measure.

2.4. Composition financial resource base SPO

Prior to 2011, ELSAM relied heavily on three donors: Misereor, Hivos and EED with total funding Eur 890,000, as evident from their 2010 audited financial report. In 2013, ELSAM managed to secure long-term core funding¹⁰¹ from the Knowledge Sector Initiative (KSI) funded by the Australian Government for at least five years with possibility to of another three-year extension. Support from this non-European donor is a positive indication that ELSAM is able to diverse its funding sources.

¹⁰⁰ See ELSAM's press release on this issue at <http://www.elsam.or.id/article.php?act=content&id=3134&cid=302&lang=in#.VIPF-fmUeSo>

¹⁰¹ Core funding is a term used by Australia's Department for Foreign Affairs and Trade (DFAT) to distinguish it with regular grants to NGOs that are driven by donor program objectives. Core funding is given to support the NGO to achieve their mandates, not to help the donor to achieve donor's program objectives.

3. Practice of Values

3.1 Downward accountability SPO

From a programmatic perspective, and due the influx of social media communication, the public and victims of human rights violations are generally more informed of ELSAM's activities. ELSAM has continued the practice of producing public information materials such as the Bulletin ASASI and Journal Dignitas, as well as sending out email newsletters. Other information, such as ELSAM's Reports to Public are available online. Information on financial reports/performance, however is not available on their website.

3.2 Composition of social organs SPO

There was no change in the composition of the Board since 2012. Female representation in the board remains the same with the situation in 2012 (two out of five board of trustee members). ELSAM's executive body is led by a female director and she will end her second term in 2015. Human rights victims are not represented in the Board, because ELSAM is not a membership-based organisation.

3.3. External financial auditing SPO

During the baseline, the audited financial report of ELSAM was not available, but in 2013 they published their 2011 and 2012 audited financial reports. ELSAM has conducted external financial audits for the fiscal year of 2013, but up to November 2014, the report has not been completed and they will combine it with audit for fiscal year 2014. It is understandable from an efficiency point of view where the external audit is conducted for two fiscal years, but from a management control perspective, it is not a good practice.

4. Perception of Impact

4.1. Client satisfaction SPO

ELSAM does not have a monitoring and evaluation system in place that extends to the services they provide to victims of human rights abuses. Their main attention is on recording past cases of abuse, rather than tracking satisfaction of their target groups regularly. ELSAM has set up a website and Twitter account where people can give feedback or complain and the analysis of this media do detect dissatisfaction on ELSAM's performance. At an individual level, there is evidence available of two beneficiaries (victims of human rights violations) whom ELSAM assisted in receiving LPSK assistance. They reported high satisfaction with what ELSAM has done for them.

At the organizational level, KontraS and Komnas HAM expressed their appreciation for continued support and leadership of ELSAM in the coalition. For Komnas HAM and KontraS, we can conclude that their level of satisfaction remains the same as during the baseline.

4.2. Civil society impact SPO

During the baseline, ELSAM saw its contributions to civil society as being through their provision of data (research) and training of human rights activists. These roles seem to have abated since they were very much project-based and when the project ended, the activities did not continue. Currently, ELSAM aims to transform itself into a Centre for Human Rights involved policy-making as part of a broader attempt at strengthening civil society and promoting the protection of human rights. So the impact on the civil society arena that ELSAM is trying to bring about is building evidence-based policy advocacy through providing more evidence to the policy-making process initiated by CSOs. Although the role of ELSAM in the revision of the law on LPSK was significant, ELSAM reported that there have been no increased number of research publications (or working papers) published by ELSAM during 2012-2014 period. In 2013, ELSAM produced 5 working papers (3 of which were on the issue of

internet governance), and one in 2014 (also on internet governance)¹⁰². It seems that the number and type of working papers produced is related to the kind of donor support ELSAM obtains.

4.3. Relation with public sector organisations SPO

As an organisation whose core business is policy advocacy, ELSAM's main counterpart and target group is the government. In the 2012-2014 period, ELSAM has continued their intensive relationship with government agencies such as with Komnas HAM and LPSK on the protection services for the victims of human rights violations, and with the Ministry of Law and Human Rights on the revision of Law on LPSK. In this regard, ELSAM's relation with government agencies remains intensive, unchanged since 2012, illustrated by press releases from ELSAM and media clippings¹⁰³. The government has acknowledged ELSAM's role, reflected in the participation of ELSAM in joint government and non-government fact-finding missions in response to violent land disputes between plantations and companies in Lampung. In terms of service delivery, during the baseline, ELSAM reported that it supported public sector officials through a series of trainings for local law enforcers (police, public prosecutors and judges at the lower, higher and supreme courts) to instil human rights standards. In the last two years, these trainings were discontinued due to a change in program strategy that now focuses on policy advocacy.

4.4. Relation with private sector agencies SPO

ELSAM employs two strategies to influence private sector policies and practices: one is confronting and the other engaging. Through the latter more voluntary/persuasive model, ELSAM has been promoting a manual/guidance on how to do human-rights friendly business. This represents a shift in strategy since the baseline in terms of how it is dealing with private sector agencies.

As a research and advocacy organisation, ELSAM has produced more papers and publications on the relation between business and human rights. In 2012, there were 5 publications and advocacy papers produced by ELSAM, which doubled in 2014 when they published 10 joint research papers on business and human rights¹⁰⁴.

4.5. Influence upon public policies, rules, regulations SPO

ELSAM's has contributed to the improved governance of Komnas HAM and LPSK in handling the victims of human rights violations (Regulation No. 004/Komnas HAM/X/2013). As a result an agreement was reached on June 25, 2014 cumulating in the signing of a MoU between Komnas HAM and LPSK on better coordination, governance and procedures for handling victims. In another case, ELSAM successfully advocated a case regarding the handling of plantation disputes and a civil law suit against the Ministry of Environment's issuance of a permit to PT. Newmont (a mining company active in Nusa Tenggara Barat) to dispose waste into the sea. ELSAM supported the public lawsuit against PT. Newmont in 2012. Unfortunately PT. Newmont won the case and the civil suit against the company has continued until the present.

4.6. Influence upon private sector agencies' policies, rules, regulations SPO

During 2012-2014 period, ELSAM has supported a series of investigations of conflict between smallholders/farmers and plantation corporations occurring in Medan, Ketapang in West Kalimantan, Kebumen, Jambi and Blitar. The results have then been published and used to call for policy changes, official investigations, and/or reparation for victims. Some of these reports have been submitted to the National Commission on Human Rights (Komnas HAM), the Indonesian national police, and LPSK. In response to the submission, Komnas HAM carried out an investigation of police officers suspected of committing human rights violations and found that company practices to pay police to ensure the

¹⁰² For the list of ELSAM's working paper, please visit: <http://www.elsam.or.id/publication.php?cat=kertaskerja&lang=in>

¹⁰³ See for example <http://www.elsam.or.id/list.php?cat=media&lang=in>

¹⁰⁴ ELSAM, Fokus, "Bisnis dan HAM". Available from http://www.elsam.or.id/list.php?start=10&lang=in&cat=bisnis_dan_ham&orderby= (accessed 13 December 2014)

security of their staff is illegal. In one case, a company in South Kalimantan changed its security policy in 2012 as a result. However, since the baseline, there have been no additional cases similar to this.

5. Civil society context

5.1. Coping strategies

As an organisation defending human rights, ELSAM needs to stay relevant to the needs of the public, especially to their constituents' needs. As such, besides conducting advocacy research, ELSAM has continued to monitor the human rights situation periodically. On the basis of this monitoring, ELSAM regularly analyses findings and report the results to the public as a strategy to keep their advocacy agenda relevant and contextual. The work of ELSAM has remained relevant in the last two years since violence, both by the state and radical groups have increased due to what is referred to as "ignorant policy" set forth by the administration. During his term, former President Yudhoyono was criticized for not being able to uphold human rights enshrined in the 1945 Constitution and in the 2005-ratified International Covenant on Civil and Political Rights (ICCPR). ELSAM, jointly with other members of Indonesia's NGO Coalition for International Human Rights Advocacy submitted several reports to the Human Right Committee on concerns relating to the implementation of ICCPR. In 2013, the report highlighted a number of issues include incidents of violence against religious minorities and inability of the government to protect citizens from conducting religious activities¹⁰⁵. As reported by KontraS in their 2014 annual report, the human rights situation in the last 10 years has been getting better in terms of number of human rights policies¹⁰⁶ and rhetoric of the government, however, at implementation level, protection and services provided by the government have worsened. In this context, ELSAM may be successful in influencing policy (since the government is relatively supportive to issuance of policies such as the revision of Law on LPSK), but the problem is in the implementation of such regulations. In this regard, ELSAM's approach and strategy may need to be expanded further to cope with a government that says the right things, but is unable to follow up its rhetoric with concrete action. Compared with the situation in 2012, ELSAM's focus continues to be on influencing policy formulation, and thus there has been no change in the extent to which the SPO has had a role in policy implementation. The monitoring of policy implementation is very much needed, and if ELSAM's strategy does not change (i.e. continued focus on policy formulation and positive engagement with the government), the relevance of their work may decrease in the next five years as a new administration takes over. The work that ELSAM has done with coalitions like the International Human Rights Advocacy is more appropriate, but this may need to focus more on applying direct pressure nationally.

¹⁰⁵ Indonesia's NGO Coalition on International Human Rights Advocacy (HRWG). 2013. *Indonesia Civil Society Report on the Implementation of the ICCPR (Replies to the List of Issue CCPR/C/IND/Q/1)*. Available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/IDN/INT_CCPR_NGO_IDN_14339_E.pdf (accessed 13 December 2014)

¹⁰⁶ Although there are also some policies that endanger the human rights such as Law on information, communication and telecommunication, Law on Mass Organization.

Centre for Development Innovation
Wageningen UR
P.O. Box 88
6700 AB Wageningen
The Netherlands
T +31 (0)317 48 68 00
www.wageningenUR.nl/cdi

Report CDI-15-039



The Centre for Development Innovation works on processes of innovation and change in the areas of food and nutrition security, adaptive agriculture, sustainable markets, ecosystem governance, and conflict, disaster and reconstruction. It is an interdisciplinary and internationally focused unit of Wageningen UR within the Social Sciences Group. Our work fosters collaboration between citizens, governments, businesses, NGOs, and the scientific community. Our worldwide network of partners and clients links with us to help facilitate innovation, create capacities for change and broker knowledge.

The mission of Wageningen UR (University & Research centre) is 'To explore the potential of nature to improve the quality of life'. Within Wageningen UR, nine specialised research institutes of the DLO Foundation have joined forces with Wageningen University to help answer the most important questions in the domain of healthy food and living environment. With approximately 30 locations, 6,000 members of staff and 9,000 students, Wageningen UR is one of the leading organisations in its domain worldwide. The integral approach to problems and the cooperation between the various disciplines are at the heart of the unique Wageningen Approach.
